



PLANNING COMMISSION WORK SESSION AGENDA

Monday, February 11, 2019 - 6:00 PM

City Hall, Conference Room A, 169 SW Coast Hwy, Newport, OR 97365

The meeting location is accessible to persons with disabilities. A request for an interpreter for the DEAF AND HARD OF HEARING, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER

2. UNFINISHED BUSINESS

2.A Review and Discuss Short-Term Rental Enforcement Memo.

[Short-Term Rental Enforcement Concepts.pdf](#)

2.B Confirm Planning Commission 2019-2020 Goals.

[2019-2020 Goals.pdf](#)


2.C Briefing on Lincoln County Regional Housing Strategy Implementation Plan.

[Lincoln County Regional Housing.pdf](#)

3. NEW BUSINESS

4. ADJOURNMENT

Memorandum

To: Planning Commission/Commission Advisory Committee
From: Derrick I. Tokos, AICP, Community Development Director 
Date: February 7, 2019
Re: Letter Outlining Short-Term Rental Enforcement Concepts

Attached is a draft letter to the City Council that I hope accurately reflects the sentiments you have shared. I am planning to setup a laptop at the meeting, and am open to making any revisions you feel may be needed prior to the regular session when you will be asked to adopt it.

In addition to the letter, I have attached the emails I received from individual Commission members listing concepts they hope to see addressed in the letter.

Attachments

Draft letter
Emails from Commission members

CITY OF NEWPORT
169 SW COAST HWY
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



phone: 541.574.0629

fax: 541.574.0644

<http://newportoregon.gov>

mombetsu, japan, sister city

To: Newport City Council

From: Newport Planning Commission

Date: February 11, 2019

RE: Enforcement of Newport Short-Term Rental Ordinances

Dear Council Members,

On February 19, 2019, you will conduct a public hearing to consider the package of amendments we are recommending you adopted related to the regulation of short-term rentals (Ord. 2144). While the proposed amendments provide a framework for city review and approval of short-term rentals, they do not speak to how the rules are to be enforced. There was a substantial amount of discussion on this topic as the amendments were crafted, and we would like to share with you some thoughts and suggestions as you deliberate on the matter.

In our view, the City must carefully consider the resources it will need, so they are sufficient to ensure short-term rental operators follow the rules. The City must diligently review license applications and inspect properties to confirm they are compliant with the administrative requirements of the ordinance. It will also need to ensure complaints are resolved in a timely manner, phase out repeat offenders, audit room tax payments, and pursue units that are being operated outside of the rules.

Some of these tasks can be performed by a third-party vendor, and this may be a cost effective way to supplement the City's enforcement resources. Such vendors can provide a 24/7, staffed hotline to dispatch complaints to unit managers and provide a centralized, publicly accessible complaint system. This will help facilitate transparency. These types of firms also monitor online advertisements and bookings to assist local governments in identifying non-licensed rentals and auditing its room tax collections, tasks that we imagine are quite labor intensive.

It is our understanding that a third-party vendor will likely cost up to \$30,000 a year, and we believe that such a cost can be reasonably borne by short-term rental owners as part of their annual licensing fee. Short term rental operations might also be able to pay a portion of the cost of an additional city code enforcement officer, which may be warranted.

Availability of clear and objective administrative rules will help ensure the ordinance is enforced in a consistent manner. Staff may have some of these in place, but this would be a good time to revisit them given that the draft ordinance substantially revises the short-term rental rules. Public outreach will also be needed to ensure that rental operators and the public at large are informed of the upcoming changes in advance of the implementation date.

We hope you find this feedback helpful. Commission Vice-Chair, Rod Croteau, and I are planning to attend the February hearing and we would be happy to answer any questions you may have at that time.

Sincerely,

Jim Patrick, Chairman
On behalf of the Planning Commission

Derrick Tokos

From: Lee Hardy <lee@yaquinabayproperties.com>
Sent: Tuesday, January 29, 2019 8:42 AM
To: Derrick Tokos; CindyAndBob@earthlink.net; croteau@charter.net; jbpatrik@newportnet.com; jj_oregon@yahoo.com; 'Mike Franklin'; Phantom41@gmail.com
Cc: Sherri Marineau
Subject: RE: Concepts for Enforcement Memo

Derrick,

The enforcement should be accompanied by clear and objective administrative rules so that the ordinance over time is applied consistently. There are too many gray areas such as differential enforcement of city wide parking standards against different classes of people. I do not think a 3rd party vendor is going to be able to differentiate easily between a guest of a family that lives next door to a vacation rental if the renters and the guests all have out of state license plates. There is some inherent silliness remaining in the ordinance that I hope the council is clearheaded enough to correct. Also current parking enforcement includes at least a 72 hour notice of intent to tow. This is hardly going to work on a renter who is here for two nights over a weekend. I was disappointed to see how little input local law enforcement provided.

Lee Hardy

From: Derrick Tokos [mailto:D.Tokos@NewportOregon.gov]
Sent: Monday, January 28, 2019 8:22 PM
To: CindyAndBob@earthlink.net; croteau@charter.net; jbpatrik@newportnet.com; jj_oregon@yahoo.com; lee@yaquinabayproperties.com; Mike Franklin (mike@newportchowderbowl.com); Phantom41@gmail.com
Cc: Sherri Marineau
Subject: Concepts for Enforcement Memo

Good evening,

We pushed the discussion to the regular session this evening and neglected to pick it up at that time. For those of you that have an idea of specific concepts you would like to see captured, could you kick those over to me via email? It will help me frame the memo for you.

Thanks,

Derrick I. Tokos, AICP
 Community Development Director
 City of Newport
 169 SW Coast Highway
 Newport, OR 97365
 ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

Derrick Tokos

From: William Branigan <phantom41@gmail.com>
Sent: Wednesday, January 30, 2019 12:56 PM
To: Derrick Tokos
Cc: Lee Hardy; Bob Berman; Rod Croteau; Jim Patrick; James Hanselman; Mike Franklin (mike@newportchowderbowl.com); Sherri Marineau
Subject: Re: Concepts for Enforcement Memo

I have a place in Lake Oswego, and in talking to their code enforcement person(they have more funds to hire more people), they use a firm called STR Helper, that scans aibnb, vacasa, Brno, etc. The ferry out people who are below the radar on an ongoing basis and Lake O finds it profitable. Since they ban vrds except in commercial zones enforcement is less an issue.

As a city we are strapped for funding for enforcement and to be effective, penalties need to be swift and substantial....no easy legal task.

However maybe something like Str can help.

On Tue, Jan 29, 2019, 12:32 Derrick Tokos <D.Tokos@newportoregon.gov> wrote:

Hi Lee... thanks for the prompt response. For others who may be formulating your thoughts, please respond to me directly without copying the other Commission members. We don't want this to become an unnoticed meeting of the Commission.

Derrick

From: Lee Hardy <lee@yaquinabayproperties.com>
Sent: Tuesday, January 29, 2019 8:42:18 AM
To: Derrick Tokos; CindyAndBob@earthlink.net; croteau@charter.net; jbpatrik@newportnet.com; jj_oregon@yahoo.com; 'Mike Franklin'; Phantom41@gmail.com
Cc: Sherri Marineau
Subject: RE: Concepts for Enforcement Memo

Derrick,

The enforcement should be accompanied by clear and objective administrative rules so that the ordinance over time is applied consistently. There are too many gray areas such as differential enforcement of city wide parking standards against different classes of people. I do not think a 3rd party vendor is going to be able to differentiate easily between a guest of a family that lives next door to a vacation rental if the renters and the guests all have out of state license plates. There is some inherent silliness remaining in the ordinance that I hope the council is clearheaded enough to correct. Also current parking enforcement includes at least a 72 hour notice of intent to tow. This is hardly going to work on a renter who is here for two nights over a weekend. I was disappointed to see how little input local law enforcement provided.

Lee Hardy

From: Derrick Tokos [<mailto:D.Tokos@NewportOregon.gov>]
Sent: Monday, January 28, 2019 8:22 PM
To: CindyAndBob@earthlink.net; croteau@charter.net; jbpatrik@newportnet.com; jj_oregon@yahoo.com; lee@yaquinabayproperties.com; Mike Franklin (mike@newportchowderbowl.com); Phantom41@gmail.com
Cc: Sherri Marineau

Subject: Concepts for Enforcement Memo

Good evening,

We pushed the discussion to the regular session this evening and neglected to pick it up at that time. For those of you that have an idea of specific concepts you would like to see captured, could you kick those over to me via email? It will help me frame the memo for you.

Thanks,

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov<mailto:d.tokos@newportoregon.gov>

Derrick Tokos

From: Cindy Lippincott and Bob Berman <CindyAndBob@earthlink.net>
Sent: Thursday, January 31, 2019 9:49 AM
To: Derrick Tokos
Subject: Re: Concepts for Enforcement Memo

I believe that there is consensus about contracting with an third-party vendor. That would be large part of the solution to enforcement problems. The city should offset of the cost of the service via an increase in the endorsement fees (new and renewal).

Third-party Services should include:

- Ongoing monitoring of online advertising to ensure that non-licensed rentals are notified that they need a license.

- Staffing a 24/7 complaint line to log complaints and take some action (call first responders, contact the owner/manager directly, or pass along to city staff).

- Maintain a VR database for the city to allow public access to license status and complaint log.

- Create a rental log for each property, including an estimate of taxes owed, to be used to audit rental tax payments.

In addition to the third-party vendor, the city needs an aggressive public outreach system to inform the public about the availability of the database and complaint line. If the ordinance enforcement is to be complaint-driven, then it is important that the residents are aware of the mechanisms to resolve problems.

The city also must be more diligent about checking each property for compliance with the ordinance's administrative requirements (active business license, endorsement) and payment of taxes. The new annual renewal requirement should make these checks a routine part of the renewal process.

The city should implement a full tax audit system for a few selected VRs each year (random, or targeted at problem properties). This could be done by comparing the guest log to the tax remittances and to the occupancy logs created by the third-party vendor.

Bob

On 1/28/2019 8:21 PM, Derrick Tokos wrote:

Good evening,

We pushed the discussion to the regular session this evening and neglected to pick it up at that time. For those of you that have an idea of specific concepts you would like to see captured, could you kick those over to me via email? It will help me frame the memo for you.

Thanks,

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

--

=====

Cindy Lippincott and Bob Berman
180 NW 73rd Court, Newport, Oregon 97365

541-265-7736 home

541-961-6395 cell

=====

Derrick Tokos

From: Rod & Darlene Croteau <croteau@charter.net>
Sent: Friday, February 01, 2019 2:50 PM
To: Derrick Tokos
Subject: VRD Enforcement Memo
Attachments: Suggestions for Short Term Rental Enforcement Memo.docx

Follow Up Flag: Follow up
Flag Status: Completed

Dear Derrick,

Attached please find my suggestions for inclusion in the draft memo to the City Council. I assume that in the next packet we will see the draft memo as well as the email suggestions of all of the Commissioners so that we can get a fuller assessment of the group's thinking on the issue prior to the meeting.

Regards, Rod

--

Rod & Darlene Croteau
5524 NW Pinery St
Newport, OR 97365
541-265-8298

Suggestions for Short Term Rental Enforcement Memo

1. A centralized, publically accessible complaint registry

This need has been requested by the public throughout the entire ordinance review process. No new ordinance will be taken seriously without it.

2. Third party monitoring of compliance

There is a need for 24/7-365 day monitoring that the City alone is unlikely to provide. Third party experts are likely the most qualified to also locate these rogue VRDs that operate by Craig's List and social media advertising, and which are unlicensed and pay no room tax.

3. A realistic assessment of enforcement costs for local police coverage and third party contractors, and an increase in license fees to offset these costs.

For popular tourist destinations in California and on the East Coast, license fees in the \$750-\$1000 range are common. Their purpose is to sort for serious operators (and minimize the number of speculative license holders) and to assist with rule enforcement costs.

4. Better financial accounting of short term rental income for tax collection purposes.

At present, there is no accurate accounting of occupancy rates or room tax income. Without better financial data, no credible cost/benefit analysis is possible. If a third party contractor offers financial data acquisition/evaluation, such an option should be considered.

5. Establish a more transparent relationship with third party, short term rental intermediaries like AirBnB.

Not sure what is possible to accomplish this at the local level.

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director

Date: February 6, 2019

Re: Draft Fiscal Year 2019-2020 Goals

Enclosed is a list of 10 goals in the format requested by the City Manager. Since we are being asked to correlate each goal to a single Vision 2040 strategy, I listed the highest tiered strategy that appeared to be applicable. Please look them over and we can discuss whether or not any need to be modified at the work session. A motion will be needed at the regular session to forward the goals to the City Council for consideration at their March 1, 2019 goal setting session.

At the last work session I distributed hardcopies Vision 2040 strategy brochure. It can also be accessed via the city website at:

https://newportoregon.gov/dept/cdd/documents/Vision2040/Vision2040_Brochure.pdf

Attachments

- 2019-2020 Goal Setting Form Instructions
- Completed Planning Commission Goals Forms

2019-2020 Goal Setting Form Instructions

Instructions

1. Committee: List the committee proposing the Goal.
2. Key Vision Strategies: List the Key Vision Strategies outlined in the Greater Newport Area Vision 2040 Plan that best encompasses the proposed goal. If the goal is unrelated to any key vision strategy, then indicate N.A. in this space.
3. Include the Vision Strategy name on the form.
4. Goal Number: Assign an individual number for code goal beginning with 19 (for 2019) and then a sequential number (i.e. 19-1, 19-2, 19-3, etc.)
5. Provide a concise description of the goal.
6. Select a time period for completion of the goal.
7. Provide the status of the goal at the time you submit this report.
8. Date status is given.
- 9-16. No information should be included in this section.

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission

2. **Key Vision Strategy:** Transportation Corridors (A.3)

3. **Vision Strategy Name:** Enhancing a Livable Region

4. **Goal Number:** 19-1

5. **Describe Goal:** Update Newport Transportation System Plan

6. **Period in Which Goal will be Addressed:**

FY 19/20 _____ 2 - 5 Years X 5+ Years _____

7. **Goal Status:** City / ODOT joint funded project. Consultant
under contract with work to begin spring 2019.

8. **Status Date:** February 6, 2019

9. **Date:** _____

10. **Goal Update:** _____

11. **Date:** _____

12. **Goal Update:** _____

13. **Date:** _____

14. **Goal Update:** _____

15. **Date:** _____

16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. Committee/Department: Planning Commission

2. Key Vision Strategy: Expanded Working Waterfront (C.1)

3. Vision Strategy Name: Creating New Businesses and jobs

4. Goal Number: 19-10

5. Describe Goal: Complete code revisions related to Special Parking Areas

6. Period in Which Goal will be Addressed:

FY 19/20 X 2 - 5 Years _____ 5+ Years _____

7. Goal Status: Parking study is complete with recommendation to implement demand management (metering/permitting) in the Bayfront and Nye Beach, paired with elimination of off-street parking standards that limit development.
Implementation to extend into FY 19/20.

8. Status Date: February 6, 2019

9. Date: _____

10. Goal Update: _____

11. Date: _____

12. Goal Update: _____

13. Date: _____

14. Goal Update: _____

15. Date: _____

16. Goal Completed: _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission

2. **Key Vision Strategy:** City Center Revitalization (A.5)

3. **Vision Strategy Name:** Enhancing a Livable Region

4. **Goal Number:** 19-2

5. **Describe Goal:** Conduct Community Charrettes to Re-envision
Public Spaces and Urban Design Options

6. **Period in Which Goal will be Addressed:**

FY 19/20 _____ 2 - 5 Years X 5+ Years _____

7. **Goal Status:** This is a funded component of the Transportation
System Plan update.

8. **Status Date:** February 6, 2019

9. **Date:** _____

10. **Goal Update:** _____

11. **Date:** _____

12. **Goal Update:** _____

13. **Date:** _____

14. **Goal Update:** _____

15. **Date:** _____

16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission

2. **Key Vision Strategy:** Mixed Use Development (A.6)

3. **Vision Strategy Name:** Enhancing a Livable Region

4. **Goal Number:** 19-3

5. **Describe Goal:** Revisit Nye Beach Land Use Regulations

6. **Period in Which Goal will be Addressed:**

FY 19/20 X 2 - 5 Years _____ 5+ Years _____

7. **Goal Status:** This is a carry over goal from FY 18/19 that was postponed to avoid issue confusion with the short-term rental code update.

8. **Status Date:** February 6, 2019

9. **Date:** _____

10. **Goal Update:** _____

11. **Date:** _____

12. **Goal Update:** _____

13. **Date:** _____

14. **Goal Update:** _____

15. **Date:** _____

16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission
2. **Key Vision Strategy:** Parks & Recreation Needs and Upgrades (B.3)
3. **Vision Strategy Name:** Preserving & Enjoying our Environment
4. **Goal Number:** 19-4
5. **Describe Goal:** Complete & Initiate Implementation of Parks Master Plan
6. **Period in Which Goal will be Addressed:**
 FY 19/20 X 2 - 5 Years _____ 5+ Years _____
7. **Goal Status:** The master plan adoption process may extend into FY 19/20, including follow-up code amendments and SDC adjustments.
8. **Status Date:** February 6, 2019

9. **Date:** _____
10. **Goal Update:** _____

11. **Date:** _____
12. **Goal Update:** _____

13. **Date:** _____
14. **Goal Update:** _____

15. **Date:** _____
16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. Committee/Department: Planning Commission

2. Key Vision Strategy: Disaster Preparedness (E.5)

3. Vision Strategy Name: Improving Community Health & Safety

4. Goal Number: 19-5

5. Describe Goal: Tsunami Resiliency Planning

6. Period in Which Goal will be Addressed:

FY 19/20 X 2 - 5 Years _____ 5+ Years _____

7. Goal Status: This DLCD grant funded effort was initiated in FY

18/19. Phase I DOGAMI technical work is wrapping up.

Land use and capital project development for FY 19/20.

8. Status Date: February 6, 2019

9. Date: _____

10. Goal Update: _____

11. Date: _____

12. Goal Update: _____

13. Date: _____

14. Goal Update: _____

15. Date: _____

16. Goal Completed: _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission

2. **Key Vision Strategy:** Transportation Corridors (A.3)

3. **Vision Strategy Name:** Enhancing a Livable Region

4. **Goal Number:** 19-6

5. **Describe Goal:** South Beach US 101 Corridor Refinement Plan

6. **Period in Which Goal will be Addressed:**

FY 19/20 X 2 - 5 Years _____ 5+ Years _____

7. **Goal Status:** FY 18/19 funded URA project. To inform land use rules and facilitate annexation of property in South Beach.

8. **Status Date:** February 6, 2019

9. **Date:** _____

10. **Goal Update:** _____

11. **Date:** _____

12. **Goal Update:** _____

13. **Date:** _____

14. **Goal Update:** _____

15. **Date:** _____

16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission
 2. **Key Vision Strategy:** Housing Supply (A.2)
 3. **Vision Strategy Name:** Enhancing a Livable Region
 4. **Goal Number:** 19-7
 5. **Describe Goal:** Implement Additional Round of Housing Affordability Measures
 6. **Period in Which Goal will be Addressed:**
 FY 19/20 X 2 - 5 Years _____ 5+ Years _____
 7. **Goal Status:** To include skinny street review (TSP), tiny home/MFD update, program for distributing affordable housing CET funds, and and recommendations from Regional Housing Implementation Plan.
 8. **Status Date:** February 6, 2019
-
9. **Date:** _____
 10. **Goal Update:** _____

-
11. **Date:** _____
 12. **Goal Update:** _____

-
13. **Date:** _____
 14. **Goal Update:** _____

-
15. **Date:** _____
 16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission
 2. **Key Vision Strategy:** Street, Highway, and Bridge Improvements (A.10)
 3. **Vision Strategy Name:** Enhancing a Livable Region
 4. **Goal Number:** 19-8
 5. **Describe Goal:** Transportation System Plan (TSP) Bridge Alternative/Agate Beach Neighborhood Plan
 6. **Period in Which Goal will be Addressed:**
 FY 19/20 _____ 2 - 5 Years ☒ 5+ Years _____
 7. **Goal Status:** Component of TSP update to lock in location for future bridge. Agate beach Neighborhood Plan to identify desired street & drainage improvements considering terrain constraints.
 8. **Status Date:** February 6, 2019
-
9. **Date:** _____
 10. **Goal Update:** _____

-
11. **Date:** _____
 12. **Goal Update:** _____

-
13. **Date:** _____
 14. **Goal Update:** _____

-
15. **Date:** _____
 16. **Goal Completed:** _____

**CITY OF NEWPORT
GOAL REPORTING FORM 2019/2020**

1. **Committee/Department:** Planning Commission

2. **Key Vision Strategy:** Vacation Rentals (A.8)

3. **Vision Strategy Name:** Enhancing a Livable Region

4. **Goal Number:** 19-9

5. **Describe Goal:** Facilitate Implementation of Short-Term Rental Amendments

6. **Period in Which Goal will be Addressed:**

FY 19/20 X 2 - 5 Years _____ 5+ Years _____

7. **Goal Status:** Assist the Council and staff, as needed, to ensure
new short-term rental rules are achieving desired results.

8. **Status Date:** February 6, 2019

9. **Date:** _____

10. **Goal Update:** _____

11. **Date:** _____

12. **Goal Update:** _____

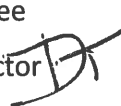
13. **Date:** _____

14. **Goal Update:** _____

15. **Date:** _____

16. **Goal Completed:** _____

Memorandum

To: Planning Commission/Commission Advisory Committee
From: Derrick I. Tokos, AICP, Community Development Director 
Date: February 8, 2019
Re: Lincoln County Regional Housing Strategy Implementation Plan

This Department of Land Conservation and Development (DLCD) funded project will run from January through June of the current fiscal year. Enclosed is a copy of the agenda from the first Technical Advisory Committee (TAC) meeting, along with the scope of work and schedule.

Key outcomes will include a gap analysis report that evaluates housing policies of the County and partner cities, identifying practices that work well in terms of incentivizing housing and those that are less effective. It will also look at practices employed elsewhere in the state that we may not be implementing. Expect some recommended land use changes to come out of this process.

A couple of other pieces to the puzzle will include a framework for leveraging idle low income rehab loan funds that are currently sitting in accounts with Community Service Consortium and updated Urban Service Area agreements that relate to unincorporated land in the Urban Growth Boundary. The Urban Service Area agreements will require Planning Commission action and, will at least in part, get at the issue of how we can incentivize annexation of unincorporated pockets of land inside the Urban Growth Boundary.

Attachments

Materials from TAC Meeting No. 1 - Lincoln County Housing Strategy Implementation Plan



HOUSING STRATEGY IMPLEMENTATION PLAN – TECHNICAL ADVISORY COMMITTEE MEETING #1

Location: Newport City Hall, 169 SW Coast Highway, Newport

Date: Thursday, February 7, 2019, 5:30 – 7:30 p.m.

Project Manager: Wayne Belmont, County Counsel, Lincoln County; TAC members

Consultant: Matt Hastie, Angelo Planning Group

TIME	ACTIVITY
5:30 – 5:45 p.m.	Welcome/Introductions
5:45 – 6:00 p.m.	Project Overview, Objectives and Timeline
6:00 – 6:15 p.m.	Summary of Work Underway
6:15 – 6:35 p.m.	Remaining Information Needs
6:35 – 7:20 p.m.	Discussion of Issues, Opportunities and Stakeholders
7:20 – 7:30 p.m.	Summary and Next Steps

ATTACHMENTS

Attachment 1: Memorandum of Understanding and Scope of Work

Attachment 2: Project Schedule

Attachment 3: Kickoff Meeting Summary



To: Wayne Belmont, Lincoln County
From: Matt Hastie, Kyra Haggart, and Andrew Parish, Angelo Planning Group (APG)
Date: January 14, 2018
Re: Lincoln County Housing Strategy Implementation Plan (HSIP) - Summary of Kick-off Meeting

This memorandum provides a summary of the Lincoln County HSIP Kickoff Meeting (Conference Call), held on December 20, 2018.

Attendance:

- Wayne Belmont, Lincoln County
- Derrick Tokos, Lincoln County
- Hui Rodomsky, Lincoln County
- Lisa Phipps, DLCD
- Matt Hastie, Andrew Parish and Kyra Haggart, APG

1. Introductions
2. Background Information - The consultant team requested that participants provide background information via the project Sharepoint Site. This information includes:
 - a. Comprehensive plans and development codes for the county and its jurisdictions. Many of these documents are online.
 - b. Most recent Housing Needs Analyses (HNAs) and Buildable Land Inventories (BLIs) for the county and its jurisdictions, where available.
 - c. OSU Housing Study
 - d. Lincoln County has draft (not adopted) urban growth management agreements.
 - e. Regional Loan Program is not in code.
3. Coordination with tribal entities was discussed. They will be part of the process, likely as members of an advisory committee
4. The county has had a regional housing rehabilitation loan program that is not currently operating. Establishing an approach to restart that program would be a very beneficial outcome of this project.
5. Priorities for this project
 - a. Clarify "needs" for housing and better define the problem.
 - b. Provide a framework for elected officials to have conversations in their various communities using common language.
 - c. Provide a gap analysis of housing strategies.
 - d. Define the types of programs that have and haven't been effective in addressing housing needs in communities in Lincoln County. Use the programs that have been effective as models for other communities here.

Kick-off Meeting Summary

- e. Take a regional look at room taxes and vacation rentals fees and determine how some of that money could or should be spent on housing programs.
- f. Create a collective database for interested developers about locations with development potential.
- g. Evaluate or describe connectivity - there are pockets of affordable housing in the county but they are not all located near amenities or services.
- h. Encourage private developers to participate in creating solutions for unmet housing needs.
- 6. Challenges for the project
 - a. Long term staff members are leaving Lincoln City (e.g., Planner and Community Development Director). Replacements don't have the same institutional knowledge base.
 - b. Larry Lewis' "Phased Retirement" in Yachats, but still a resource.
 - c. Toledo's planner is on military leave. Change in leadership is possible there which might make project continuity difficult.
 - d. Yachats behind on engagement in the project - Lincoln County will catch them up
- 7. Advisory Committees
 - a. Policy Committee: List already exists - a combination of elected officials, city managers.
 - b. Technical Committee: Local planners; still identifying individuals in jurisdictions with transitions.
- 8. Other Discussion:
 - a. The Council of Governments (COG) is interested in supporting this project.
 - b. Can the County create a base of contractors?
 - c. Systems development charges (SDCs) in Newport are now on a Per-Square-Foot basis and the City has adopted a construction excise tax (CET) for affordable housing. Need to determine how best to spend the revenues. These strategies may be models for other Lincoln County communities.
 - d. Low income housing rehabilitation fund - Community Development Block Grant (CDBG) program administered by Business Oregon. Figuring out how to restart this program will be very beneficial.
 - e. Will products have time for internal review among cities? Maybe, this project is on a fairly compressed timeline.
 - f. Mondays are bad for meetings generally. Thursday afternoons likely good for policy committee.
 - g. Lincoln County will set meeting dates - may be revolving members of groups but if members have alternates, that should be fine. Long open comment periods would make up for this.
- 9. Project Coordination
 - a. Invite Ana, Hui, Wayne, and Lisa at DLCD to any subsequent PMT meetings or phone call and copy them on all project emails.
 - b. Casey Miller: public outreach.
 - c. Add some public facing components to late PAC meetings.

Next Steps

- 1. Andrew will create Sharepoint site and invite members
- 2. Background information will be posted in early January
- 3. APG will create a draft project schedule
- 4. Lincoln County will provide contact information for jurisdictions and stakeholders

Memorandum of Understanding between the Oregon Dept. of Land Conservation and Development and Lincoln County, Oregon

Oregon Housing Planning Project – Housing Strategy Implementation Plans

This Memorandum of Understanding explains and memorializes a no-cost working relationship between the Oregon Department of Land Conservation and Development (DLCD) and Lincoln County, Oregon (County). The purpose of this collaboration is to analyze and adopt a housing strategy implementation plan to facilitate the provision of needed housing within urban growth boundary areas in Lincoln County.

BACKGROUND

Every region of Oregon is experiencing housing availability or affordability problems, or both. In some cases, the comprehensive plan for the urban area is out of date so housing needs have not been determined. In other cases, the need may be known but the zoning code presents barriers to development of needed housing or does not allow a variety of housing types to meet the diverse needs of residents. This project will provide assistance for the completion of products used to update comprehensive plans and zoning codes, or adopt other housing strategies and agreements, to help the County, Cities and Tribe address regional housing needs.

This project will provide assistance to increase the supply and affordability of housing within the boundaries of the County. DLCD will provide direct assistance (via a Consultant) to the County to complete the tasks indicated below in Section V.

DLCD has received a special appropriation of funds for 2018-2019 to assist local jurisdictions and tribes in updating their comprehensive plans and land use regulations to promote housing availability and affordability. The Oregon Housing Planning Project is financed with State of Oregon General Funds. State funds are paid under this Agreement by DLCD to Angelo Planning Group (Consultant) who will assist the County as described in the Scope of Work. No funds will be given to the County for tasks outlined in this MOU or any expenses incurred by the County as a result of this project.

PROJECT OBJECTIVE AND MAJOR DELIVERABLES

The primary objective of this project is to prepare a regional housing implementation strategy, with a package of recommended policy amendments that can be adopted individually or collectively by the County, Cities and Tribe. It is understood that the focus of the regional housing implementation strategy will be on current urban growth boundaries in Lincoln County. Major deliverables may vary depending upon the specific housing issue being analyzed. At a minimum, they will include completion of:

- Summary of major tasks and action items and a project schedule
- Background Report and Gap Analysis detailing:
 - Policies or strategies including codes and ordinances employed by one or more partners that have proven to be successful in promoting needed housing, those that

might be most effective if adopted county-wide, and those that might be barriers to promoting needed housing;

- Analysis of housing policies and strategies including codes and ordinances for consistency with current legal requirements;
- Areas where best practices are not currently being employed;
- Extent to which housing availability and affordability could be enhanced through full implementation of successful strategies, best practices, and removal of barriers to needed housing (i.e. collectively the housing implementation strategy);
- Constraints or negatives associated with adoption of the housing implementation strategy;
- Alternatives analysis for components of the housing implementation strategy where there are options related to cost charges, regulatory standards, or other variables;
- Actions partners must take to carry out the housing implementation strategy.
- Notes from stakeholder interviews
- Memo identifying opportunities for strengthening relationships between project partners and non-profits engaged in the provision of needed housing
- Regional Housing Implementation Strategy, in report format, containing recommendations for policy changes specific enough that they can be readily incorporated into implementing ordinances.
- Model urban service area agreements suitable for adoption by partner entities.
- Resolution for project partners to accept receipt of the Regional Housing Implementation Strategy and convey interest pursuing its implementation.

Formal adoption of the Regional Housing Implementation Strategy by the County, Cities or Tribe is not anticipated to occur during the project.

ROLES AND RESPONSIBILITIES

County: Overall management of the Project will be the responsibility of the County. County will appoint a Project Manager to be the County's principal contact person for DLCD's Contract Administrator and the Consultant on all matters dealing with the Project.

Specific project management duties of the County will include:

- a. Coordinating project schedule and deliverables with Consultant;
- b. Coordinating County staff and Consultant work;
- c. Ensuring timely delivery of supporting County data/information to Consultant, if needed;
- d. Reviewing and editing Consultant work;
- e. Appointing one or more project advisory committee(s);
- f. Noticing, scheduling, and managing advisory committee meetings and public official work sessions, and public hearings, if any. Activities include preparing and distributing meeting notices, agendas, and summaries; and assisting the Consultant with meeting facilitation.

DLCD: DLCD will provide financial, administrative, and technical assistance to the Project. DLCD will participate on advisory committees. Additional technical assistance may be provided as requested by the County or Consultant. DLCD will review and approve Consultant's work, invoices, and progress reports. DLCD will review the Consultant's performance and deliverables

with the County prior to paying invoices received by the Consultant. DLCD will assist in the mediation of Consultant/County conflicts, or issues with the project or deliverables.

KEY CONTACTS

County of Lincoln

Wayne Belmont
Lincoln County Counsel
225 West Olive Street, Room 110
Newport, Oregon 97365

wbelmont@co.lincoln.or.us
541-265-4108

Department of Land Conservation and Development

Project Manager

Kevin Young
635 Capitol St. NE
Salem, OR 97301

kevin.young@state.or.us
503-934-0030

Regional Representative

Lisa Phipps
4301 3rd Street
Tillamook, OR 97141

lisa.phipps@state.or.us
503-812-5448

Consultant

Matt Hastie, Project Manager
Angelo Planning Group
921 SW Washington Street, Suite 468
Portland, OR 97205

mhastie@angeloplaning.com
(503) 542-3403

SCOPE OF WORK

The Oregon Housing Planning Project (Project) for the County of Lincoln is composed of the following tasks. The County and Consultant must create interim project deadlines as needed to manage the project (see Task 1). All Consultant work must be completed no later than June 30, 2019. Requests by the County or Consultant to change the Scope of Work outlined in this MOU, intended to modify the tasks or deliverables of the Consultant, must be reviewed and approved by DLCD.

Task 1: Project Kick-Off

County will coordinate with partners to form a Technical Advisory Committee (TAC) and a Policy Advisory Committee (PAC) and, in consultation with Consultant, will arrange for in-person meetings with the TAC and PAC to confirm project goals, objectives, and schedule; identify stakeholders in each community that should be interviewed; review housing and related information the partners are to compile for Consultant; and to understand the area's regional housing needs and concerns. Consultant will verify the action items identified through this initial round of meetings and will develop and share a proposed schedule for the actions required for the

completion of all tasks. The level of detail required for the proposed project schedule should be determined with mutual agreement by the County and the Consultant.

Task 1 Consultant Deliverables:

- Summary of major tasks and action items for the Project
- Confirmed list of stakeholders to interviewed
- Proposed Project schedule
- Advisory Committee meeting notes

Task 1 County Deliverables:

- Advisory committee appointments, meeting materials, notices and agendas
- Copy of relevant comprehensive plan provisions, studies, inventories, urban service area agreements, and related documents from each of the project partners

Deadline: Kick-Off to be held within 30 days of completion of consultant contract and MOU. This task might best be accomplished in one day, with a TAC meeting in the morning and a PAC meeting in the afternoon or early evening. Consultant could update informational materials between meetings.

Task 2: Background Report and Gap Analysis

Consultant will review housing polices, implementation strategies, agreements and related information provided by partners, legal framework for housing policies within the state, and best practices recommended by state/national planning organizations, DLCDD, and others to inform the preparation of a background report that:

- Identifies policies or strategies employed by one or more partners that have proven to be successful in promoting needed housing, those that might be most effective if adopted county-wide, and those that might be barriers to promoting needed housing;
- Analyzes housing policies and strategies including codes and ordinances for consistency with current legal requirements;
- Highlights areas where best practices are not currently being employed;
- Assesses the extent to which housing availability and affordability could be enhanced through full implementation of successful strategies, best practices, and removal of barriers to needed housing (i.e. collectively the housing implementation strategy);
- Identifies constraints or negatives associated with adoption of the housing implementation strategy;
- Includes an alternatives analysis for components of the housing implementation strategy where there are options related to cost charges, regulatory standards, or other variables;
- Sets out actions partners must take to carry out the housing implementation strategy.

Consultant to distribute draft report for TAC review and comment before presenting results to the full TAC and PAC, and incorporating their feedback into the final draft.

Task 2 Consultant Deliverables:

- Background Report and Gap Analysis

- Presentation materials to explain preliminary analyses and findings to the TAC and PAC
- Advisory committee meeting notes

Task 2 County Deliverables:

- Advisory committee agendas and meeting materials
- Public meeting notice(s)

Deadline: Background Report and Gap Analysis to be completed, and advisory meetings held, on or before February 28, 2019.

Task 3: Field Work and Stakeholder Interviews

Consultant to tour communities in Lincoln County to obtain a working familiarity with local conditions. The tour is also an opportunity for the County, Cities, and Tribe to highlight successful housing projects, the reasons for that success, and properties that are not developing and the reasons why that is the case. In addition to touring the communities, Consultant will conduct up to twenty (20) interviews with key stakeholders involved, at some level, with the provision of needed housing in Lincoln County. The interviews can occur by phone or in person. Consultant may want to hold TAC/PAC Meeting No. 2, perform field work, and conduct in-person interviews over a consecutive 2-3 day period.

Task 3 Consultant Deliverables:

- Notes from stakeholder interviews

Task 3 County Deliverables:

- Develop tour itinerary in consultation with partners
- Assist Consultant in securing meetings with key stakeholders

Deadline: Field work and interviews to occur on or before February 28, 2019.

Task 4: Consultation with Business Oregon and Non-Profits

County to coordinate up to three (3) meetings between Consultant, partner communities, non-profits, and Business Oregon to discuss current collaborations and opportunities where relationships with non-profits, engaged in the provision of needed housing, could be strengthened. The consultation with Business Oregon will afford partners and Consultant an opportunity to better understand how the Community Development Block Grant (CDBG) program, administered by Business Oregon, could be leveraged with the assistance of non-profits to expand housing related services, including steps that can be taken to make an existing pool of CDBG low-income housing rehabilitation funds available for use throughout the County. Consultant to seek feedback from the TAC and PAC before finalizing recommendations. Information resulting from this task is to be included in the final report.

Task 4 Consultant Deliverables:

- Memo summarizing meeting results and potential follow-up action items
- Presentation materials for TAC and PAC meetings identifying opportunities for strengthening relationships with non-profits engaged in the provision of needed housing

- Advisory committee meeting notes

Task 4 County Deliverables:

- Coordinate meetings between Consultant, Business Oregon, non-profits, and partners
- Advisory committee agendas and meeting materials
- Public meeting notice(s)

Deadline: Consultations to be completed, and advisory meetings held, on or before March 29, 2019.

Task 5: Regional Housing Implementation Strategy (Preliminary Report)

Consultant shall prepare a preliminary report summarizing the work performed in Tasks 2 through 4, including the steps Project partners can take individually or collectively to carry out the regional housing implementation strategy. Recommendations for policy changes are to be specific enough that they can be readily incorporated into implementing ordinances. With respect to urban service area agreements, the report is to include model language suitable for adoption by partner entities. The preliminary report is to be distributed to the TAC and PAC for review and comment, with feedback being incorporated into a final draft.

Task 5 Consultant Deliverables:

- Regional Housing Implementation Strategy (Preliminary Report)
- New or amended housing policies recommended for each of the partners, and the region as a whole (including updates to urban service area agreements)
- Advisory committee meeting notes

Task 5 County Deliverables:

- Advisory committee agendas and meeting materials
- Public meeting notice(s)

Deadline: Preliminary Report to be completed, and advisory meetings held, on or before May 17, 2019.

Task 6: Regional Housing Implementation Strategy (Final Report)

Consultant will provide County with a final report incorporating comments received in Task 5, along with a draft resolution for Partners to formally acknowledge receipt and convey their desire to pursue implementation of the Regional Housing Strategy. County shall coordinate with the Project partners to arrange for presentation of the final report to policy making bodies.

Task 6 Consultant Deliverable:

- Regional Housing Implementation Strategy (Final Report)
- Draft resolution

Task 3 County Deliverables:

- Signed resolutions from Project partners (to be included with final report to DLCD)

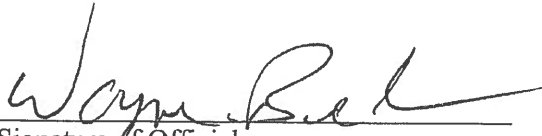
Deadline: Final Report to be completed, and signed resolutions obtained, on or before June 30, 2019.

OTHER CONSIDERATIONS

This agreement will be effective as of the date of the last signature. The termination of this document may occur by mutual consent of the parties with 60 days written notice.

Except as provided herein, nothing in this Memorandum of Understanding shall be construed as obligating the other party to expend funds or obligate future payment of money authorized by law and administratively available for this work.

County of Lincoln


Signature of Official

11/7/18
Date

Wayne Belmont
Printed Name

Department of Land Conservation & Development


Jim Rue, Director

11/14/2018
Date

Lincoln County Housing Strategy Implementation Plan Schedule

Last Update:
1/30/2019

Consultant work time
Jurisdiction work time
AC Meeting
Consultant deliverable due
Jurisdiction deliverable due

Task	Status	31-Dec	7-Jan	14-Jan	21-Jan	28-Jan	4-Feb	11-Feb	18-Feb	25-Feb	4-Mar	11-Mar	18-Mar	25-Mar	1-Apr	8-Apr	15-Apr	22-Apr	29-Apr	6-May	13-May	20-May	27-May	3-Jun	10-Jun	17-Jun	24-Jun
Task 1: Project Kickoff																											
1a. Summary of Tasks and Action Items	Complete		1/10																								
1b. Confirmed list of stakeholders	In Progress																										
1c. Project Schedule and revised schedule	Complete		1/10																								
1d. Staff/Kickoff Meeting and Summary	Complete		1/10																								
1e. Advisory Committee Meeting and Notes	In Progress						2/7																				
Task 2: Background Report																											
2a. Background Report & Gap Analysis	In Progress																										
2b. Meeting Presentation Materials	Not Started																										
2c. Meeting or Conference Call with Staff	Not Started																										
2d. Advisory Committee Meeting and Notes	Not Started										3/5																
Task 3: Field Work and Stakeholder Interviews																											
3a. Meeting or Conference Call w/ Staff	Not Started																										
3b. County Field Tour Participation	Not Started																										
3c. Stakeholder Interviews and Summary	Not Started																										
Task 4: Consultation with Business Oregon and Non-Profits																											
4a. Meeting or Conference Call w/ Staff	Not Started																										
4b. Presentation Materials	Not Started																										
4c. Mtgs w/ Business Oregon, Non-Profits	Not Started																										
4d. Memo Summarizing Meeting Results	Not Started																										
4e. Advisory Committee Meeting and Notes	Not Started															4/9											
Task 5: Preliminary Regional HSIP																											
5a. Preliminary Report	Not Started																										
5b. New or Amended Housing Policies	Not Started																										
5c. Meeting or Conference Call w/ Staff	Not Started																										
5d. Advisory Committee Meeting and Notes	Not Started																										
	Not Started																										
Task 6: Final Regional HSIP																											
6a. Final Report	Not Started																										
6b. Meeting or Conference Call with Staff	Not Started																										
6c. Draft Resolution	Not Started																										