

CITY OF PORT ORFORD PLANNING COMMISSION

MINUTES OF MEETING

March 1, 3:30 p.m.

Regular Meeting, virtually held

555 W. 20th Street

Port Orford, Oregon

1. Call to Order.

The regular meeting of the City of Port Orford Planning Commission was called to order Tuesday, March 1, 2022, at 3:30 p.m. by Chair Nieraeth.

Those members present were: Chair Nieraeth, Vice Chair Berndt, Comm. Rossi, Comm. Jezuit, Comm. Rinehold, Comm. Thelen and Comm. Schofield.

City staff present were: CA Ginsburg, Planner Shoji.

Others present: Sara Lovendahl, Ann Vileisis, Hui Rodomsky of DLCD, Guy Vernon.

2. Additions to the Agenda: None.

3. Approval of Minutes February 1, 2022: Comm. Berndt moved to approve Planning Commission Meeting Minutes of February 1, 2022 with Comm. Rossi as second. ***Motion carried 6-0***

Discussion: None.

Comm. Schofield	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Rossi	<u>Yes</u>	Comm. Rinehold	<u>Yes</u>	Comm. Jezuit	<u>Yes</u>

4. Public Comment:

Sara Lovendahl, local resident, addressed short term rentals. She questions if the citizens of Port Orford want short term rentals in R1 and R2 zones. She feels a survey is in order. After review of TLT applications she counted 26 that are coming up for renewal. She reported that 21 of 26 were from people outside of the city limits and 5 had PO boxes without a physical address. She asked the planning commissioners to consider the livability and affordable housing in the city.

Ann Vileisis, local resident, appreciates the city for considering short term rental regulations. She wants commissioners to remember the matter of affordable housing supply and the short-term rentals not always being good neighbors. She asks the commissioners to research facts regarding STRs not in outright use in residential zones due to conflicting statements by staff. She supports a numerical cap on STRs in residential zones and to develop a licensing process

across all zones. Ms. Vileisis feels the survey should include background info on why the city is considering this issue.

5. Public Hearing: None.

6. Planning Matters.

a. Vacation Rentals in Residential Areas Discussion: Chair Nieraeth identified why STRs in R1 and R2 are a gray area. STRs are considered a business and fall under the ordinances the same as other businesses. There is a precedence that the city has allowed STRs in R1 and R2 already. Banning these STRs in these zones could result in vacant houses. TLT taxes from STRs are beneficial to the community. Through January there was already 150,000 dollars in taxes paid from previous years with the majority coming from STRs. TLT also plays into the grants that the city obtains for 4th of July and other events. Businesses are required to obtain a business license, which approves them as a business requiring them to pay tax. The city council asked for planning commissioners to move forward with good neighbor policies and looking at business licenses. Taxes and fees might help fund enforcement.

- i. Vacation Rental Laws on the Oregon Coast: Commissioners Thelen and Berndt provided STR regulation information from coastal communities to commissioners. Use of TLT funds are discussed. Comm. Thelen reiterated that most coastal communities began in the same status as what Port Orford is now.
- ii. Checklist for New Business License Packet for STRs: June 30 is when business licenses are due for renewal. Something should be put in place by that time. Those renewals cannot be delayed, as the business would be operating without a license. Chair Nieraeth suggested putting details in place prior to June 30. Comm. Berndt suggested sending a check-off list of items current STRs need to have in place. She asked for a map of current STRs in R1 and R2 to determine their proximity to each other. Planner Shoji advised the county building inspector does not provide vacation rental inspections. Those inspections will have to be through another source such as the fire department. Comm. Thelen will research other city planners to see who collects their TLT taxes and does their inspections.

Definitions need determined for hotel, motel, short term rentals, lodging, and long-term rentals. Comm. Thelen has some definitions from other communities. Comm. Berndt will research further. Planner Shoji reminded commissioners that the definitions have to fit with what is already in the code. Planner Shoji agreed to review the research provided and submitting a staff report on how the definitions fit into the code.

- iii. Survey Draft: Chair Nieraeth suggested the survey be very precise. A low percentage of the surveys are commonly returned. Planner Shoji introduced DLCD, Department

of Land Conservation Development, representative Hui Rodonsky. Ms. Rodonsky stated first the city has to decide what it wants. Does the city want to look at a larger realm of facts than just the short-term rental fees and how they are used. Short term rentals impact the housing stock which has a ripple effect including finding staffing within the city due to lack of housing. Renters and homeowners will have different opinions; thus identification should be on the survey. Something to consider other than just how the city wants to regulate STRs, is the bigger ecosystem as how this impacts the rest of the city. She urged commissioners to look beyond how it can be regulated into the housing stock. Coos and Curry counties have a grant from DLCD to do a regional housing needs analysis for Coos and Curry County. She advised there are efforts statewide to try and figure out what the housing crisis looks like in different regions. The housing crisis is not unique to Port Orford. Temporary measures pending the studies are suggested.

- iv. Vacation Rental Discussion from City Council Meeting: Planner Shoji suggested answering how many does the city want, where does the city want them and how do we get there. Once that is decided, how are they going to be maintained needs decided. Due to landlord/tenant laws, long-term rentals are possibly not desirable for homeowners. Comm. Bailey suggested waiting for the survey returns due to the fact that only the privileged are being heard. She would like to hear back from the lower income and younger people.

Items to bring to the next meeting:

- Comm. Berndt will bring definitions for Planner Shoji to review.
- Look at most common requirements for vacation rentals (1-18) on current checklist and decide which to keep. Each commissioner should submit their top 7 to next meeting packet.
- Eliminate number 3 regarding fees on the survey. Prepare and distribute the survey.

7. Other Business.

a. Announcements and Communications:

- City Planner Comments: Planner Shoji commented on two topics:
 - Urban growth boundary: Set up for city to grow. Port Orford's urban growth is large. Urban growth is difficult to change so hang onto what is there. The county is improving within the urban growth. There is a 7-lot subdivision going in next to Cemetery Loop Road next to city limits. The city has an opportunity to communicate with the county regarding this preapplication. Planner Shoji's stated it is common for the city to be told by DEQ to take over lots such as this due to many issues. She submitted a request to the county that they put something on the

deed like a no remonstrance clause to prevent people wanting to be in the city from wanting different regulations if joining the city.

- Item 2 talks about dwelling size. People are wanting to build smaller housing or smaller manufactured homes. Stick built and manufactured homes should always have the same size requirements. Planner Shoji suggested this go to the county to allow a smaller home than 1000 square feet. Hui Rodomsky gives input. She stated that DLCD has discussed the issuance of 1000 square foot minimum housing for Port Orford. They are willing to provide Port Orford with a workshop or special session to provide information to the planning commission to make an informed decision regarding building size. DLCD is encouraging communities to remove the 1000 square foot minimum since it is a relic of the past and contributing to the housing crisis. CA Ginsburg advised that the city council is discussing this issue also. Ms. Rodomsky can provide advanced training to the planning commission at no cost.
- Planning Commission Comments: Chair Nieraeth expressed appreciation to the commissioners.

8. Public Considerations:

Sara Lovendahl supports including the community's perspective with STRs through a survey. She appreciates Comm. Rinehold for reiterating affordability and impact STRs have on housing affordability.

Guy Vernon commented on housing affordability a challenge in all communities. He states Oregon has a huge affordable housing problem. He addressed the antiquated building size code of less than 1000 square feet. Due to cost of materials and labor, even new small houses are not affordable. He stated a small house on a small lot in a commercial zone would not be considered. Codes need to be changed if the city wants affordable housing such as auxiliary buildings.


Ann Vileisis appreciated the approach of deciding what the city wants to do and then move forward. How to figure out what is wanted is difficult. Other communities have been through this struggle and can be used for a tool.

9. Adjourn:


Chair Nieraeth adjourned the March 1, 2022 meeting at 5:23 p.m.

Future meeting is April 5, 2021, at 3:30 p.m.

Attest:



Chair Nieraeth



City Recorder, Jessica Ginsburg