

MINUTES
City of Newport
Planning Commission Work Session
City Hall Conference Room "A"
Monday, July 12, 2010

Commissioners Present: Jim Patrick, Melanie Sarazin, John Rehfuss, Glen Small, Gary East, and Rod Croteau.

Commissioners Absent: Mark Fisher.

Citizens Advisory Committee Members Present: Dustin Capri, Bill Wells, and Lisa Mulcahy.

City Staff Present: Community Development Director (CDD) Derrick Tokos, Senior Administrative Assistant Wanda Haney, and City Attorney Penelope McCarthy.

Chair Patrick called the Planning Commission work session to order at 6:00 p.m. and turned the meeting over to CDD Tokos.

A. Unfinished Business.

1. Continued discussion of Comprehensive Zoning Code update regarding the consolidation and reorganization of Sections 2-2-26 through 2-2-28 for manufactured homes, mobile homes, RV parks, and trailer coaches/parks. Tokos explained that as noted at the last work session, this is a section that needed attention. One issue we had with the existing code is that state law has been amended since our code was last touched. State statutes contain strict standards that RVs can't be regulated by length of stay. That is what we had set up in the RV and trailer parks section. Tokos noted that there are only a few trailer parks in the city; and those are nonconforming. He said that the recent amendments to the nonconforming use section allow some changes to these trailer parks. Tokos tried to line up the definitions section with what is in the statute in terms of language. He took out some of the RV definitions where we were trying to define each type. Regarding the addition of floor space, Patrick noted that some RVs get bigger than the 400 square feet specified by state law. He suggested maybe increasing the maximum. Tokos said he will take a look at that. As a point of clarification, Small asked why here it states that RVs are temporary for recreational, seasonal, or emergency use if we can't define the length of stay. Tokos explained that we can't restrict how long an RV can stay; but we can define RVs, which by nature are designed for temporary occupancy. It is consistent with the state. It was noted that Section 2-2-26.030 (D) (7) regarding length of stay should be removed. In response to a question from Rehfuss as to why we needed to amend this section, Tokos said that the code is inconsistent with state law, and we have to fix that. He said that this is problematic when people approach us with trailer parks. He said that we don't want to have people asking to do things and trying to apply codes that are not consistent with state law. Tokos said there are three types of manufactured homes distinguished by when they were constructed and what the laws were. Trailers predate construction standards. Mobile homes are under state laws. Those constructed after June 1976 are under federal law. Tokos explained that manufactured dwellings are subject to federal standards; we can't pre-empt them. Small questioned specifying roof pitch. Tokos said that these are things that can be done. There is a wide range of types of construction. That is something that can be met. Tokos said that he didn't look at making a lot of changes to the placement standards; they were minor changes. He did attach sample codes from other jurisdictions. He said the objectives under Section 2-2-26.010 are to insure that they look like other residences in the community. Mobile home parks would use the same standards as on single lots. We had a different set of standards in the existing code. Rehfuss noted that the list of mobile home parks indicates that that Pacific Homes Beach Club was converted to a regular subdivision, and he asked about imposing subdivision standards such as sidewalks. Tokos said that there are some adjustments for conversion of manufactured home parks to subdivisions. He said that one thing we could bring forward with this package is what their options are in converting these into subdivision lots and whether to look at sidewalks. Conversion should be part of these standards. Patrick agreed we should look at that. He believes we do want to leave that option in there. Small asked what the advantage is of a mobile home park becoming a subdivision. Tokos said a subdivision becomes individually-owned lots. Tokos said that he can bring that back with this package since it is related. There was discussion raised about paving and curbing streets. Wilder streets were discussed. Patrick suggested taking alternative standards for planned developments and also making them available to mobile home parks. Tokos said he could add language that would make it clear that they can go through the planned development process if they want to do something different. In further discussion, Tokos noted that some of these standards would preclude some construction. Single-wide homes will have problems with these standards. He said that these standards certainly are designed such that they require these dwellings to be of a form that are compatible with existing single-family residences. Going back to the section regarding manufactured homes on single lots, Tokos said that he didn't make a lot of changes. He did increase the

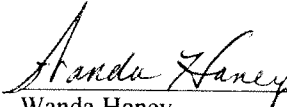
square footage requirement from 864 to 1000 in order to be more consistent with other jurisdictions. Regarding manufactured dwellings in mobile home parks, manufactured dwellings no longer have the mobile park standards. Section 2-2-26.020 now has the manufactured dwelling standards. They must comply with the same standards as on individual lots. Outside of that, Tokos didn't really change any other standards. Patrick had a question on subsection B regarding removing the foundation and wondered why remove the ribbons. McCarthy noted that on the second line, mobile home should be changed to manufactured dwelling. Tokos noted that the old mobile home park section went away. The RV general provisions section basically consolidated the things that were in section 2-2-27. Tokos suggested thinking of moving the parking provision into another area of the city code where it deals with just general parking information codes. Small raised a concern that this section of the code sounds like it would prevent his parents from parking their RV in his driveway and sleeping there, making their morning coffee, and washing their hands. Tokos noted that there are actually provisions for living arrangements while building a house under the temporary use section 2-2-29. He added that the existing code didn't allow living in an RV even temporarily in a driveway. Discussion regarding this provision ensued. The consensus was that there should be some reasonable guest allowance. Tokos said he would look at bringing back some language for that. Discussing the 4-hour parking limit, Tokos said we might want to move that over to another section of the code that deals with parking violations. McCarthy suggested looking at this to see if it is consistent with the nuisance code also. Sarazin agreed that parking on a public street is more of a parking issue; but on private property, people should be able to come and stay overnight. McCarthy said it might be good to have Dustin Kittle look at this section since he deals with nuisances and code violations. Rehffuss noted that under section 2-2-26.030 (D) (13) the term 'neat' appearance is vague. Continuing on, Tokos noted that section 2-2-27 recreational vehicles was eliminated. Section 2-2-28 trailer coaches and trailer parks goes away and is essentially under RV parks or manufactured dwellings if they qualify. Tokos will bring back additional language in certain areas for the Commission to look at before this goes to hearing.

B. New Business.

1. Discussion of updates to NZO Sections 2-4-2 (Accessory Uses and Structures) and 2-4-13 (Home Occupations). There was not enough time for discussion of this agenda item.

C. Adjournment. Having no further time for discussion, the work session meeting was adjourned at 6:55 p.m.

Respectfully submitted,



Wanda Haney
Senior Administrative Assistant