

**CITY OF PORT ORFORD
SPECIAL SESSION OF THE COMMON COUNCIL
THURSDAY, JULY 20th, 2023, AT 5:30 P.M.**

Please join this meeting from your computer, tablet or smartphone.

<https://meet.goto.com/917840693>

You can also dial in using your phone.

United States (Toll Free): 1 (877) 309-2073

United States: 1 (646) 749-3129

Access Code: 917-840-693

AGENDA

1. Call to order/roll call/ pledge of allegiance
2. Presentations to the Council/Citizens
3. Consent Calander
 - a. Minutes June 15th
 - b. Café Gemma OLCC License
 - c. Carol Lawton Appointment to Planning Commission
4. Public Hearing
 - a. Res. 2023-18: To Renew the Local Option Levy to Fund the Police
5. Citizen's Concerns
6. Departmental Reports
 - a. Administration
 - b. Finance
 - c. Public Works
 - d. Police
 - e. Planning
 - f. Mayors Report
 - g. Liaison
 - i. Port – Webb
 - ii. School – Rask
 - iii. Fire District - Tidey
 - iv. Watershed – Vileisis
 - v. Parks - Tidey TLT
 - vii. Mainstreet – Burns
 - viii. Emergency Mgmt. - Burns
7. Old Business
 - a. Res. 2023-15: Short Term Rentals
8. New Business
 - a. Res. 2023-16: Emergency Response Commission
 - b. Res. 2023 – 17: DLCD Grant for Code Changes
9. Continuing Action Items
10. Considerations
11. Future Meetings
 - a. Thursday, August 17th 2023; Regular Meeting In the Gable Chambers and Online at 5:30 pm

14. Adjourn

City of Port Orford
City Council Meeting
In the Gable Chambers / Virtual participants
Thursday, June 15th, 2023 at 5:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Pat Cox, Mayor</i>	X	<i>City Administrator (CA) John Hutt</i>	X
<i>Brett Webb</i>	X	<i>David Johnson, Financial Director</i>	X
<i>Gary Burns</i>	X	<i>John Isadore, Public Works</i>	X
<i>Perri Rask</i>	X	<i>Joseph Harrison, City Recorder</i>	X
<i>Ann Vileisis</i>	X	<i>Legal Counsel Shala Kudlac</i>	X
<i>Greg Tidey</i>	X		
<i>Tim Pogwizd</i>	X		

The minutes were prepared to the best of our ability using the video available at:
<https://www.youtube.com/watch?v=beszT2RhcRO>

Others Present: 34 in person; Bryan Thompson, Sarah Lovendahl, Lauren Kessler, Bob Millay, Ralph Cordell, Leah Heyl, Phil DeLong, Tim Sparks, Hal Lowery, Gayle Wilcox, Linda Houck, Susan Russell, Jen Bailey and Leah Hayle. 18 virtual.

1. Call to order/roll call

- a. Mayor Cox called to order this Regular Meeting of the Common Council on June 15th, 2023, at 5:30 pm.

2. Additions to the Agenda

- a. Due to the large number of citizens that came to voice their concerns, item (10)(b) has been moved to item (7)(a); Council agreed via consensus.

3. House Keeping Items

- a. None

4. Presentations to the Council/Citizens

- a. None

5. Consent Calendar

- a. Councilor Webb motions to approve Consent Calendar as presented.
- b. Councilor Pogwizd seconds the motion.
- c. Vote:

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	<u><i>Yes</i></u>
<i>Councilor Pogwizd</i>	<u><i>Yes</i></u>	<i>Councilor Tidey</i>	<u><i>Yes</i></u>	<i>Councilor Rask</i>	<u><i>Yes</i></u>

d. Discussion: Councilors Request missing previous minutes be presented for approval before any new minutes from new meetings.

6. Citizen Concerns (Speak Only for Old & New Business Items on the Agenda)

a. Brian Thompson: Came to give a New City Administration John Huttl thanks for bringing new energy to the role.

7. Public Hearings

a. Resolution 2023-09 Reasonable Time, Place and Manner for camping

i. Staff report: HB 3115 “Relating to the regulation of public property with respect to persons experiencing homelessness; and declaring an emergency” will come into effect soon. This means that The City needs to designate a time, place, and manner for homeless to sleep on city property, otherwise the Police won’t be able to cite those sleeping outside of the designated time/place or in an inappropriate manner (such as refusing to break camp in the morning). The City had considered the 12th St. boat ramp; however, this is state property and has been ruled out as the location. Other potential locations will be discussed during the Council Deliberations. With the pertinent information given in the staff report, Mayor Cox opens the floor to public comment. **(5:43)**

ii. Sarah Lovendahl: The City can’t use the proposed 12th street boat ramp, its state property. Would like to know who will address the “Time” portion of the ordinance? Gives her thanks to Councilor Burns and Lauren Kessler for working on the homelessness issue already through Neighbor-2-Neighbor (N2N) . Has concerns that the resolution isn’t specific enough and will allow trash to accumulate in whichever area is designated.

iii. Lauren Kessler: Thanks everyone for coming then reads a letter from N2N that has been submitted into the written record and included in the minutes. Legal Counsel Kudlac asks about the rules N2N has set for their camp; leave by 7am, leave no trace, keep the area clean and organized, and get permission from N2N members before setting up camp. City Administrator Huttl stated that the city can have similar regulations.

iv. Bob Milay: Homeless people are bad for business. Portland spent millions of dollars and didn’t get results. We need to make sure they break down camp each morning or the area will become a permanent Camp. If you help, more homeless will come to use the resources. **(6:03)**

v. Ralph Cordell: Doesn’t want the designated area to be the boat ramp, doesn’t even understand why the City would recommend that area. The boat ramp and near by park are for people who pay taxes.

vii. Phil DeLong: Moved here a year ago with his son and love the community. Stated that there’s no incentive for the homeless people to move on and up in life if everything is handed to them. Agrees with N2N’s philosophy, but helping people move up takes funding; where is it coming from and where is it going? He stated that HB 301 states that businesses can be sued for trying to get homeless off their property.

viii. Tim Sparks: Resident of Port Orford for 65 years, has been a councilor and the mayor. The proposed area would be right on his doorstep. Requests that the camp not be in Residential zoned property or near residential in general. **(6:13)**

ix. Hal Lowery: homeless has been around since the beginning of time; some mentally ill, some evicted, some drug addicts, some voluntarily homeless. We are here to try to create a solution; we need to focus on what we can do, not what we

can't do. If every city did what they could, our city wouldn't attract more homeless people. The issue is that we do not have good mental health treatments. The State of Oregon allocated millions of dollars to help cities deal with the homelessness issue.

x. Gayle Wilcox: Reads a letter that has been submitted into the written record and included in the minutes.

xi. Linda Houck: Glad that the boat ramp is off the table as a possible location. She has helped a lot of people through churches, we need mental health help and Jobs to address the real causes of homelessness.

xii. John Isadore: The current location North of Rays works for now and this private screening. Leave as is until better location found.

xiii. Council Discussion: Council is concerned with liability issues, Legal Counsel Kudlac states that since the State is mandating that the City selects a site, we would not be liable for issues arising from the camp – at least no more so than our current ordinances. Councilors express appreciation of what N2N is doing to help move homeless people into another stage of their lives, not just helping make being homeless easier. CA Huttel reminds the Council that the ordinance is about picking a spot so that we can enforce our no overnight camping ordinance outside of the designated zone. **(6:25) Council invites Chief Hobart to voice his thoughts.**

Chief Hobart: Concerned about making something too attractive and not being able to enforce the ordinance due to having too many homeless people. Not an issue at current levels, but still receiving complaints everyday about the area North of Rays. **(6:32)**

xiii. Council discussion continued: If no site is selected and the ordinance is not passed, we won't be able to move campers out of public areas; it is hard to determine if this would be more or less of an issue than having a designated spot until the Police have to cite someone for violating our No Camping ordinance. Councilors begin asking about homeless that are on the sex offender registry, however CA Huttel stated that it would be own issue independent of the Reasonable Time, Place and Manner.

xiv: Councilor Burns motions to adopt Resolution 2023-09 with the amendments of changing the location to the Right of Way North of Rays and adding language to make it an emergency resolution to come into effect immediately.

xv. Councilor Vileisis seconds the motion.

xvi. Discussion: This is the first step in dealing with the homelessness issue in our city, we would need to explore other options. Councilors asked if we can limit the language in the resolution to limit the type of housing allowed to just tents – yes, however the other forms of housing were detailed to explicitly forbid them from the other parts of town, not to okay them in the designated place for the resolution. The language can be changed to make both true. Councilors also make it clear that they would like multiple “No Open Flame” signs posted around whichever area is selected.

xvii. Councilor Burns rescinds motion to adopt Resolution 2023-09 with the amendments of changing the location to the Right of Way North of Rays and adding language to make it an emergency resolution to come into effect immediately.

xviii. At (7:32) the Council agree via consensus to take a recess.

xix. Meeting called back to order at (7:51) by Mayor Cox

xx. Councilor Burns motions to extend the meeting.

xxi. Councilor Vileisis seconds the motion.

xxii. Vote:

<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>Yes</u>
<i>Councilor Pogwizd</i>	<u>No</u>	<i>Councilor Tidey</i>	<u>No</u>	<i>Councilor Rask</i>	
<u>Yes</u>					

xxiii. Discussion: motion to extend meeting passes 4-2 with no discussion.

xxiv. Councilor Burns motions to adopt Resolution 2023-09 with the amendments of changing the location from the 12th St. boat ramp to the Wetlands Right of Way North of Rays, limiting the type of housing allowed in the area to tents, removing the term “involuntary” from “involuntarily homeless” found in the resolution, add language to make it an emergency and come into effect immediately and change the time allowed for camps to be set up to “1 hour before dusk to 8 am”.

xxv. Councilor Rask seconds the motion.

xxvi. Vote

<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>No</u>
<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>No</u>	<i>Councilor Rask</i>	<u>Yes</u>

xxvii. Discussion: vote passes 4-2 with no further discussion at (8:15)

xxviii. Councilor Webb motions to direct staff to work with N2N to see if there’s a better location for the camp.

xxix. Councilor Vileisis seconds the motion.

xxx. Vote:

<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>Yes</u>
<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>

xxxi. Discussion: Vote passes unanimously with no further discussion at (8:22)

b. Resolution 2023-06 To Participate State Shared Revenue

i. Mayor Cox opens this Public Hearing for public comment. (8:24)

ii. Hearing no public comment, Mayor Cox closes the public comment portion of the Public Hearing. (8:24)

iii. Councilor Vileisis motions to approve Resolution 2023-06 as presented.

iv. *Councilor Burns seconds the motion.*

v. Vote:

<i>Councilor Burns</i>	<u>Yes</u>	<i>Councilor Vileisis</i>	<u>Yes</u>	<i>Councilor Webb</i>	<u>Yes</u>
<i>Councilor Pogwizd</i>	<u>Yes</u>	<i>Councilor Tidey</i>	<u>Yes</u>	<i>Councilor Rask</i>	<u>Yes</u>

vi. Discussion: Vote passes unanimously with no further discussion. (8:24)

c. Resolution 2023-07 Adopting the Budget, Imposing Permanent Tax Rate, Imposing Local Option for Public Safety, Categorizing Tax.

i. Mayor Cox opens this Public Hearing for public comment. (8:25)

ii. Hearing no public comment, Mayor Cox closes the public comment portion of the Public Hearing. (8:25)

iii. David Johnson is invited to the podium by CA Huttel to speak on the budget.

iv. CA Huttel explains that the only change from the previous version of the Budget voted on at the Budget Meeting on 5/31/2023 and the current one is that parks has requested to have funds transferred from [Roll over funds] to a new line item for a

new Playground. This can be done without depleting the Parks fund which is healthy right now.

- v. Councilor Vileisis motions to approve Resolution 2023-07 as presented.
- vi. Councilor Burns seconds the motion.
- vii. **Vote:**

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	
<u><i>Yes</i></u>					
<i>Councilor Pogwizd</i>	<u><i>Yes</i></u>	<i>Councilor Tidey</i>	<u><i>Yes</i></u>	<i>Councilor Rask</i>	<u><i>Yes</i></u>

viii. Discussion: Vote passes unanimously with no further discussion. (8:40)

d. Resolution 2023-11 Establishing Water Rates

- i. Mayor Cox opens this Public Hearing for public comment. (8:41)
- ii. Hearing no public comment, Mayor Cox closes the public comment portion of the Public Hearing. (8:41)
- iii. Councilor Vileisis motions to approve Resolution 2023-11 as presented.
- iv. Councilor Tidey seconds the motion.
- v. **Vote:**

<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Vileisis</i>	<u><i>Yes</i></u>	<i>Councilor Webb</i>	<u><i>No</i></u>
<i>Councilor Pogwizd</i>	<u><i>Yes</i></u>	<i>Councilor Tidey</i>	<u><i>Yes</i></u>	<i>Councilor Rask</i>	<u><i>No</i></u>

vi. Discussion: Councilor would like clarity on if Water Rates and the Water Curtailment Fees are connected issues; they are not, Resolution 2023-11 only modifies the base rate cost and has no bearing on the curtailment fees. Vote passes 4-2 with no further discussion. (9:02)

e. Resolution 2023-10 Awarding TLT Grants

- i. Mayor Cox opens this Public Hearing for public comment, starting with the bike rack proposal. (9:03)
- ii. Susan Russell: bike racks are to promote biking around town and encourage cyclists to stop on their way through town; 10 different spaces.
- iii. Mayor Cox moved onto the next grant discussion, landscaping in front of Rays. (9:10)
- iv. **Susan Russell:** Mainstreet believed that labor, management, and completion of project were considered in-kind contribution; this is not the case according to Legal Counsel Kudlac – businesses must have a cash match.
- v. Mayor Cox moved onto the next grant discussion, Jubilee. (9:30)
- vi. Jen Bailey and Leah Hayle: Explained the current state of Jubilee funding – line item in next years budget and TLT grant for this year.
- vii. Councilor Rask motions to approve the TLT applications for \$3,000 for the bike rack project, \$10,000 for the Jubilee and \$2,000 for the landscaping in front of Rays with the addendum of adding a contingency of a cash match on the landscaping project. (9:50)
- viii. Councilor Tidey Seconds the motion.
- ix. **Vote: passed unanimously at (9:55) with little further discussion.**

Councilor Burns Yes *Councilor Vileisis* Yes *Councilor Webb* Yes
Councilor Pogwizd Yes *Councilor Tidey* Yes *Councilor Rask* Yes

x. Discussion: The deadline for the contingency on the landscaping project is the end of the year.

8. New Business

a. Resolution 2023-08 Establishing Wages For 23-24

- i. CA Huttel request a brief recess to gather materials (10:00)
- ii. After reviewing the materials; Councilor Pogwizd motions to approve Resolution 2023-08: Establishing Wages.
- iii. Councilor Vileisis seconds the motion.
- iv. Vote

Councilor Burns Yes *Councilor Vileisis* Yes *Councilor Webb* Yes
Councilor Pogwizd Yes *Councilor Tidey* Yes *Councilor Rask* Yes

v. Discussion: With no further legal discussion; the Council passes Resolution 2023-08 unanimously (10:21)

11. Continuing Action Items

- i. None

12. Considerations

a. Citizens

i. Sarah Lovendahl from the Planning Commission to discuss Short Term Rentals and the Planning Commissions current stance on them.

b. Staff

i. CA Huttel gives a brief update on the DEQ watershed loan for the property that the City is purchasing and the status of the Community Building grant. He then subsequently asked if the Council could have another meeting on June 29th to go over these items in more detail. By consensus the Council agrees.

c. Council

d. Mayor

13. Future Meetings

- i. Thursday June 29th 2023; Special Session of the City Council in the Gable Chambers 5:30
- ii. Thursday, July 20th 2023; Regular Meeting In the Gable Chambers and Online at 5:30

14. Adjourn

There being no further business, Mayor Cox Adjourned the City Council Meeting at (10:31) pm.

Mayor, Pat Cox

Date

City Recorder, Joseph Harrison

Date

To whom it may concern,

First, as always, THANK YOU City Councilors for your valued and thoughtful time consuming service to our community.

I understand, but do not necessarily agree with, the apparent mandate from the State for communities to provide areas for "homeless encampments" (my wording may be inappropriate...I apologize). That being said; I STRONGLY OBJECT to to possibility of using ANY part of the 12th ST Boat ramp for this possible project. The boat ramp is used DAILY as a BOAT RAMP. It is a place locals and travelers and tourists alike use for dock fishing and as a boat ramp to access one of our treasures; Garrison Lake.. It is a recreation site; not a site for an encampment. It is noted on many written sites beyond Port Orford as a great recreation place. The fishing report in weeklies always report on our lake. Garrison Lake is stocked with trout every every year specifically for fishing. If it becomes an encampment it will NO LONGER be a place for recreation: fishing, boating, and fishing from the dock. Users will be subject to excessive trash, in and around the lake, tents etc making the area unpleasant for those who use it every day. Parking will become an issue ; most likely simple unavailable.

We have already lost the Wetlands Walkway (another once noted and used recreation spot of quiet beauty) to over abuse ; in part by homeless in the area.

My thoughts are:

1) DISCARD the 12th St Boat ramp as a potential site

2) Ask Public Works and Law Enforcement what City owned property they would suggest as a site for an encampment. They will be the most impacted in terms of work (clean up) and response (policing /calls to service). Those agencies and employees are already overworked and underpaid so it is essential to keep their additional work load as safe and minimal as possible.

3) Ensure that the potential site will NOT impact ANY residential area (renters/owners). Quality of life of our residents is essential to all of us as well as property values. It is also our responsibility to maintain the quiet small town safe way of life we all value for all residents. The City relies on tax income for financial support of our services. If properties and neighborhoods are devalued due to non paying encampments is a losing proposition for all of us.

Thank you for your time.

Respectfully,



Gayle Wilcox
Sea Breeze Florist/business owner
Property owner within the City of Port Orford



N2NPO@mail.com N2NPO.ORG

[Find us on Facebook Neighbor2Neighbor](#)

Dear John Huttl City Administrator,

We are a 5013C in Port Orford known as Neighbor 2 Neighbor aka N2NPO. The mission of Neighbor 2 Neighbor Port Orford (N2NPO) is to support affordable housing, transitional housing, and other options to assist those experiencing homelessness, and those threatened with homelessness in the Port Orford area.

We started this group in November, and we have secured funding through Grants to support the needs of our unsheltered neighbors. We reopened the Warming Center created in 2018 by The Inter Faith Coalition and Coast Community Health Outreach Staff.

We are joining the Curry County Coalition to work with other 5013Cs who share in our Vision this will provide additional funding for our group.

We are in search of a property that could house a transitional housing program, gated and supervised, with case management for each individual. This would house 12 people who would be able to receive the medical care necessary to apply for disability and then qualify for HUD Housing, we would then help them find housing, which could be anywhere in Oregon that has an opening. We are working with Leesa Cobb at Coast Community Health to get the medical needs met in order for a disability application to happen, we will assist with the application process. We will also connect the individual with a facility for Substance Misuse treatment, they would find supportive sober living housing upon competition. As the applicants are screened for the program and it fills up we would have a waiting list for someone else to apply.

It is our hope that we can find a property that is big enough to house The Common Good, N2N, and a Restore, the residents could then work at both The Food Bank and the Restore while working on a solution to their barriers to housing.

In the interim, while we are securing funding and looking for property we have been providing food, shelter, and supplies to our unhoused neighbors. We have been doing Campsite clean-ups at that property as well as other properties at our expense. (The Joan Ruoff Nature trail) We have also been managing the Camp at 1555 Oregon Street Next to Ray's Market. The residents at the Camp have been residents of Port Orford for more than 6 months and most have been here several years, we do not take "walk-ins" into the program although we may provide a meal, we are asking Coast Community to provide sack lunches or a care package of food for those passing through as we cannot support that, CCHC has done this in the past. Each Neighbor that is camping has signed an agreement with N2N to abide by Camp Rules if they are in Violation they receive a warning and have 24 hrs. To comply or they agree to leave the camp. We have visited the camp daily and have been pleased to find in most cases they are following the rules, and when they have been found in violation they corrected the problem as agreed. We would like to continue to manage the property for the City of Port Orford.

We propose that the City lease the property at 1555 Oregon Street (or another centrally located property) to us for \$1 a year. We will provide a dumpster and supervision and a maximum of 8-10 sites until we can find a property for the Transitional housing project. We would like to put a screen across the property at Ray's about ½ way back that would make it more visually pleasing to those who are shopping at Ray's Market.

The 12th Street Boat dock simply won't work for so many reasons, some of the Neighbors that are camping are disabled and cannot walk a mile, it's not close to the services they need, food, medical, bus, store. It's not safe for them to be so isolated. Where do they go when they have to pack all of their stuff with them? Will they be sitting in town all day waiting to go to camp?

We would like to support the City, and take the burden off of the city by giving these unhoused Neighbors a chance to become self-sufficient again. If the city receives funding from the State for Homeless Services, we would like to be included in the disbursements.

There is recent documentation showing that when there is a place for them to "be" and to receive the services they need crime drops because their needs are being met. They have been very cooperative with our group.

We are working with the Rotary, CCHC, and the local Churches along with our other Curry County Community Partners. We all know this problem is not going away without a solution, so let's find one that works for our Town. Please let us know if you would like to meet to discuss this further.

Warm Regards,

N2N PO

Lorin Kessler President

Tanya Miller Secretary

Michael Melton Kovalchuck Board Member

Alice Loshbaugh Board Member

Diana Marmom Board Member

Laura Burdick Board Member

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

- New Outlet** | Change of Ownership | Greater Privilege | Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- ~~Commercial~~
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

- Off Premises
- Warehouse
- Wholesale Malt Beverage and Wine

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT:

After providing your recommendation, return this application to the applicant WITH the recommendation marked below

City/County name:

(Please specify city or county)

Date application received:

Optional: Date Stamp Received Below

- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date

Trade Name

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: GRINDSTONE 42 LLC	Name of entity or individual applicant #2: PAT COX
Name of entity or individual applicant #3: DBA: CAFE GEMMA	Name of entity or individual applicant #4: MAURISA MARKSTEIN

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see): CAFE GEMMA		
Premises street address (The physical location of the business and where the liquor license will be posted): 832 OREGON ST.		
City: PORT ORFORD	Zip Code: 97465	County: CURRY
Business phone number: 541-332-1876	Business email: NONE POManifesto@gmail.com	
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065(11).): P.O. BOX 1031		
City: PORT ORFORD	State: OR	Zip Code: 97465
Does the business address currently have an OLCC liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application. I give permission for the below named representative to:		
<input checked="" type="checkbox"/> Make changes regarding this license/application on my behalf.		
<input checked="" type="checkbox"/> Sign application forms regarding this license/application on my behalf.		
<input checked="" type="checkbox"/> Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.		
Representative Name: MAURISA MARKSTEIN		
Phone number: 541 253-6114	Email: maurisa.mary@gmail.com	
Mailing address: P.O. BOX 1031		
City: PORT ORFORD	State: OR	Zip Code: 97465

Please note: liquor license applications are public records.

OLCC Liquor License Application (Rev. 6.1.23)

LIQUOR LICENSE APPLICATION

Page 3 of 4

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

Application Contact Name:

MAURISA MARKSTEIN

Phone number:

541-253-6114

Email:

maurisa.mary@gmail.com

TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands OAR 845-005-0311 and attests that:
 1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document. ✓
 2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311. ✓
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or ✓
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or ✓
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Page 4 of 4

• Each applicant listed in the "Application Information" section of this form has read and understands OLCC 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.



Print name

Signature

7/11/23

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

If you do not wish to have any specific information in this form given out to the general public, please let us know, in writing, and tell us the reason why. We will try to honor your request within the constraints of the applicable public records law

I am interested in serving as a member of the PLANNING COMMISSION

Name: CAROL LAWTON

Mailing Address: P.O. BOX 159 PORT ORFORD

Home Address: 220 18TH ST PORT ORFORD

Home Phone: 707-815-1308 Work Phone: — Fax: —

E-mail: carollawton@yahoo.com

Current Employment: RETIRED

Area of Interest: HOUSING, BUSINESS DEVELOPMENT, ENVIRONMENT

Area of expertise: AFFORDABLE HOUSING, TRANSITIONAL HOUSING, HOUSING REHAB, VOLUNTEER COORDINATION, PROGRAM DEVELOPMENT

Why do you want to serve? TO LEARN MORE ABOUT THE ISSUES FACING OUR CITY AND TO UTILIZE MY SKILLS TO HELP PLAN FOR ITS FUTURE GROWTH.

Previous service in this appointed position or similar position 8 YEARS ON A CALIFORNIA SCHOOL BOARD, DATABASE DESIGN & IMPLEMENTATION, ORGANIZATIONAL PLANNING & DEVELOPMENT, STAFF & VOLUNTEER MANAGEMENT, LANDLORD/TENANT INVOLVEMENT

Other volunteer activities PORT ORFORD VOLUNTEER FIRE DEPARTMENT, SENIOR CENTER

Does your schedule allow you to attend;

Daytime Meetings yes no Evening meeting yes no

Does your schedule limit the day you could attend meetings? yes no

Have you ever been convicted of a crime? yes no If yes, please explain

Additional Comments _____

Date: 5-18-'23

Signature: Carol Lawton

Please return application to:

City of Port Orford
P.O. Box 310
Port Orford, OR 97465

Phone: 541-366-4568

Fax: 1-877-281-5307

email: jhuttl@portorford.org

City of Port  Jervis



TO: Mayor and City Council

FROM: City Administrator

DATE: July 20, 2023

RE: Resolution Referring Local Option Tax Measure to Fund Police

ISSUE:

A Resolution to Refer Local Option Tax Levy to the Voters to Fund Police Department

BACKGROUND:

The City is in the last year of its Local Option Tax Measure to Fund the Police Department. The taxes generated by this measure substantially fund the Police Department.

In order to maintain Police Department operations at current levels, it will be necessary to renew this local option tax levy for public safety. If not, some alternative revenue source will need to be found.

The Resolution and Measure anticipate simply renewing the current rate of \$1.80 per \$1000 of assessed value. The Budget Committee recommended increasing the local option tax levy for public safety to \$2.20 per \$1000 of assessed value. Recollection is that every ten cents of increase generates \$15,000 of tax revenue.

The deadline to submit a ballot measure to the voters for the November election is August 16, 2023. We do not have another City Council meeting before then. If the Council does not make a decision at this meeting, it would need to call a special meeting to make the filing deadline.

RECOMMENDATION:

Open Public Hearing and Take comments. Close Public Hearing. Adopt Resolution referring to voters a local option at rate determined by Council.

Ballot Title

Renew Local Option Levy for Funding Port Orford Police Department

Ballot Question

Shall the City renew the expiring police levy at \$1.80 per 1000 of assessed value? This measure renews current local option taxes.

Statement summarizing measure and major effect

This measure may be passed only at an election with at least a 50 percent voter turnout. The purpose of this local option tax measure is to continue funding the operations of the City of Port Orford Police Department. The current local option tax revenue measure expires June 30, 2024. If this local option tax measure is not enacted, then the City will be forced to eliminate in whole or in part, the Police Department because there are insufficient property tax revenues to pay for both general city operations and to fully fund the Police Department. The local option tax imposed by this measure will be for five years beginning fiscal year 2024 – 2025.

It is estimated that the local option taxes raised each year will be \$273,598 for FY 2024; \$283,173 for FY 2025; \$293,085 for FY 2026, \$303,342 for FY 2027; and \$313,959 for FY 2028 for a total of \$1,467,157. The estimated tax cost for this measure is an ESTIMATE ONLY based upon the best information available from the county assessor at the time of estimate.

RESOLUTION 2023 – 18
RESOLUTION TO REFER TO THE VOTERS A MEASURE
TO RENEW THE LOCAL OPTION LEVY
TO FUND THE POLICE DEPARTMENT

WHEREAS, the current local option levy is in the last year of its five-year term;
and

WHEREAS, the Common Council of the City of Port Orford deems it is in the best interest of the Citizens of the City of Port Orford to renew the levy at the current level of \$1.80 per \$1000 of assessed value in order to fund the Police Department;

NOW THEREFORE, the Common Council for the City of Port Orford
RESOLVES

To Submit to the voters of the City of Port Orford a Measure to Renew the local option tax levy at a rate of \$1.80 per \$1000 of assessed value in order to fund the Police Department. Said measure to be placed on the general election of November 2023.

Dated this 20th day of July, 2023

Mayor, Pat Cox

Date

Attest: City Recorder, Joseph Harrison

Date

**Watershed Liaison Report
Submitted by Councilor Ann Vileisis, July 2023**

CA John HuttI has been working to finalize the paperwork needed to proceed with our half forgivable SFR loan to buy the watershed land. As Council will recall, we entered into escrow to buy 160 acres of erodible land in our drinking water source area from the bridge buyer, The Conservation Fund. The closing date is the end of August so we're getting up against deadlines, but John thinks we'll be AOK to make things happen in time.

Working with CA John HuttI, we also finally managed to close out the Forest Management Grant, which included spending some residual funds on equipment that can be used for watershed stewardship and materials that can be used to sign the city-owned watershed lands.

John HuttI, Linda Tarr and I attended a virtual meeting with the staff at DEQ that had helped us with the watershed loan to learn about some new grant opportunities. The bottom line is that there is a firehose of funding coming in the next few years and so they were trying to help us determine if there are any grants that can match up with our city's needs, especially in the watershed department. We had a good discussion and came up with a list of ideas where there could be match up. I'll aim to do some follow up.

I am still waiting to hear back from the Curry Soil and Water Conservation District (CSWCD) regarding a memorandum of understanding that I had drafted to better outline a working relationship between the city and the CSWCD. When I hear back from CSWCD, I'll be bringing the draft to John HuttI for his input.

The Port Orford Watershed Council has been researching options of becoming a project of the Curry Watersheds Partnership (the non-profit arm of the South Coast Watershed Council) or of becoming a commission of the city, which is how the organization has informally functioned for decades. There are pros and cons of each approach for the city, and I expect to be able to report more on this as I learn more from the current POWC members. The POWC has made very important contributions to our city and community through the dedicated efforts of its members over the course of decades, and so whatever direction makes sense, I hope and trust we can find a good way to support the continuation of this organization.

City of Port Orford



TO: Mayor and City Council

FROM: City Administrator

DATE: July 20, 2023

RE: Short Term Rental License Registration Ordinance

ISSUE:

First Reading City of Port Orford Short Term Rental License Registration Ordinance

BACKGROUND:

After being interrupted by COVID and other related issues, Staff is presenting for a first reading a Short Term Rental License Registration Ordinance.

While this ordinance has been reviewed by the City’s Planning Commission, it is not part of the City’s land development ordinances, and is not intended to be any type of land use ordinance or regulation.

Instead, it is to be adopted and implemented as a licensing ordinance under standard local government taxing power and ability to exercise its power regulate public health, safety and welfare

DISCUSSION:

Public Hearing Required

Because the ordinance creates a new fee, there must be an opportunity for public comment.

294.160 Opportunity for public comment on new fee or fee increase. (1)

The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated.

The Ordinance is a Licensing Ordinance, not a Land Use Regulation

The City retained the services of lawyer Daniel Kearns to advise and assist on drafting an ordinance to regulate short term rentals in the City of Port Orford. He advised that such regulations were best implemented through a licensing structure instead of a land use permitting path. Specific language is included in the Ordinance to this effect.

The requirements in this ordinance are not “land use regulations” as defined in ORS 197.015 or 195.300(14). The regulations contained in this ordinance are not intended to, nor do they, implement the City of Port Orford Comprehensive Plan, the Curry County Land Use Ordinance, nor do they implement any of the Statewide Planning Goals.

Proposed Ordinance 05.05.020. Chapter 5 of the Port Orford Municipal Code regulates business licenses.

Even though the ordinance is not a land use regulation under state law, the draft ordinance was routed through the City’s Planning Commission because that body under our code is authorized to:

“Recommend and make suggestions to the city council and to all other public authorities concerning . . . betterment of housing and sanitation conditions. . .”

Port Orford Municipal Ordinance 2.16.060(A).

And to:

“Study and propose in general such measures as may be advisable for promotion of the public interest, health, moral, safety, comfort, convenience and welfare of the city[.]”

Port Orford Municipal Ordinance 2.16.060(E).

The Planning Commission began its review prior to COVID, which review was suspended, and now it has completed its review and recommends adoption of the attached proposed ordinance.

Planning Commission Chair Greg Thelen is making himself available to answer questions regarding the proposed ordinance.

Organization of the Ordinance

The Ordinance sections can be organized into component parts, which include: (1) Definitions; (2) Requirement for License, Application, Fees and Inspections; (3) Operations; and (4) Enforcement, Penalties and Appeals.

(1) Definitions include (paraphrased, refer to ordinance for complete definition):

Applicant: the owner of a dwelling unit who applies for a license.

Authorized Agent: property management company or other entity or person who has been designated by the applicant or licensee in writing to act for the owner, licensee or applicant.

Contact Person: the owner, or the authorized agent.

Daytime: Hours of 7:00 a.m. to 10:00 p.m.

Dwelling Unit: lawfully established single unit that provides complete independent living facilities for one or more persons. Not a trailer or RV.

Hosted Home Share: where the owner stays in the dwelling overnight

Non-transient rental: More than 30 days

Overnight: Hours from 10:00 p.m. to 7:00 a.m. includes the term “Quiet Hours.”

Owner: can be natural person or legal entity holding legal title or equitable interest.

Renter: Person who rents a short-term rental or is an occupant in short term rental, includes term “tenant.”

Short Term Rental (STR): transient rental of dwelling unit for 30 or fewer nights. A type of “vacation occupancy” as defined in ORS 90.100. But does not include: bed and breakfast, hotel, motel or RV park.

Vacation Home Rental: transient rental of entire dwelling unit.

(2) License Requirements, Applications and Inspections include:

Licenses are required for all Short Term Rentals. Existing Short Term Rentals must come into compliance with Ordinance.

The draft ordinance includes a cap on the number of STR licenses in zones 1-R and 2-R. The ordinance proposes the cap be established by resolution of the Common Council. The number has not been definitively established, and Council may want to hear from Planning Commission Chair Thelen on this point. The cap only applies in 1-R and 2-R.

The draft ordinance also includes a density limit so that new licenses will not be issued if an STR exists within 300 feet of the applicant.

The applicant is required to provide a local representative within 30 miles of the property. It is unclear if the local representative is the authorized agent or may be the owner/applicant.

The application must contain a site plan and floor plan, showing dimensions of all bedrooms and photos of interior and parking.

Applicants must register for TLT; and show any listing such as VRBO or Airbnb.

Requirements that applicant has read and acknowledged City's "Good Neighbor Policy" and that the same will be part of any rental agreement with tenant/renter/transient lodger.

A complete safety checklist and proof of garbage service.

Fees. The application fee is \$400. This is to estimate staff time taken to process application and inspect premises. Renewals are \$300. Inspections are required before license issued.

Licenses last twelve months and are non-transferrable.

(3) Operations include:

Occupancy. Maximum occupancy of 2 persons per bedroom plus 2 additional persons.

Parking. One off-street space required per bedroom. Renters prohibited from parking on street. Owner must provide contact information of owner or representative. Owner or representative must respond within 30 minutes of contact. Structures and improvements must be permitted and lawful.

Notice: Either mailed or hand delivered to neighbors within 300 feet, and posted on property visible from right of way.

Health and Safety: Applicants/ Licensees must follow all applicable health and safety laws, including fire codes.

No RVs may be used or occupied in conjunction with STR license.

Complaints. The licensee or representative must respond to complaints within 30 minutes and keep log of complaints. Events (weddings, parties, corporate retreats) are not permitted. Barking dogs and noise violations not permitted.

There are provisions to allow for pre-existing short-term rentals.

(4) Enforcement, Penalties and Appeals include:

Failure to comply with applicable codes, or any material misrepresentation on applications is a violation. Three or more unresolved complaints is cause for immediate revocation of license.

Penalties include revocation of license as well as issuance of fines and other legal remedies.

Every day a violation occurs is a new violation.

Penalties may be appealed to the City Council.

RECOMMENDATION:

Open a Public Comment Period, take comments, then continue Public Comment Period to Next meeting.

Approve at a First Reading and continue to Second Reading to take place at August meeting.

RESOLUTION 2023 – 15
ORDINANCE ESTABLISHING CITY OF PORT ORFORD
SHORT TERM RENTAL LICENSE REQUIREMENTS

WHEREAS, the Common Council for the City of Port Orford finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they are situated and to have a damaging impact on the liability of those neighborhoods; and

WHEREAS, special regulation of dwelling units used for transient occupancy is necessary to ensure these uses will be compatible with surrounding residential uses and will not materially alter the livability of the neighborhoods in which they are located; and

WHEREAS, this ordinance provides reasonable and necessary regulations for the licensing of short-term rentals of residential dwelling units, said regulations in this ordinance are not “land use regulations” as defined in ORS 197.015 or 195.300(14). The regulations contained in this ordinance are not intended to, nor do they, implement the City of Port Orford Comprehensive Plan, the Curry County Land Use Ordinance, nor do they implement any of the Statewide Planning Goals.:

NOW THEREFORE, the Common Council for the City of Port Orford ORDAINS:

The Short Term Rental Ordinance is approved and adopted, per exhibit A attached hereto and incorporated by reference hereby and herein.

Dated this _____th day of _____, 2023

Mayor, Pat Cox

Date

Attest: City Recorder, Joseph Harrison

Date

First Reading / /
Second Reading / /

ORDINANCE NUMBER 2023 - _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF PORT ORFORD

The Common Council of the City of Port Orford hereby ordains that the following Ordinance ____ be adopted for Short-Term Rental Operating Licenses

ORDINANCE 5.05

SECTIONS:

05.05.010	Title
05.05.020	Purpose
05.05.030	Definitions
05.05.040	Annual Short-Term Rental Operating License Required
05.05.050	Application and Fee
05.05.060	Term of Annual License and Transferability
05.05.070	Application Required and Burden for Application Approval and License Renewal
05.05.080	Operational Requirements and Standards for Short-Term Rentals
05.05.090	Additional Operational Requirements
05.05.100	Implementation of this Ordinance and Application to Short-Term Rentals Operating License on the Date of its Adoption
05.05.110	Violations
05.05.120	Penalties
05.05.130	Appeals of Short-Term Rental Operating License Determinations
05.05.140	Discontinuance of Short-Term Rental Occupancy
05.05.150	Remedies Not Exclusive

05.05.010- Title:

The provisions of this ordinance are intended to authorize the licensing and the regulating of short-term rentals in residential dwelling units on all property within the City of Port Orford. There is added to the City of Port Orford Municipal Code Ordinance 5.05 entitled Short-Term Rental Operating License and those sections and subsections set forth below.

05.05.020 - Purpose:

This ordinance provides reasonable and necessary regulations for the licensing of short-term rentals of residential dwelling units, the purposes of which are to:

- A.** Protect the health, safety, and welfare of short-term and long-term renters, property owners and neighboring property owners throughout the City of Port Orford.
- B.** Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose.

- C. Provide visitors to The City of Port Orford with reasonable opportunities and a range of short-term rental and vacation occupancy options.
- D. Provide long-term residential options for those people who want to live and work in the City of Port Orford.
- E. Protect the character of the City’s neighborhoods by limiting the number, concentration, and scale of full-time short term rentals in residential zones.

In the adoption of these regulations, the City finds the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they are situated and to have a damaging impact on the liability of those neighborhoods. Therefore, special regulation of dwelling units used for transient occupancy is necessary to ensure these uses will be compatible with surrounding residential uses and will not materially alter the livability of the neighborhoods in which they are located.

A Short-Term Rental Operating License is revocable permission to operate a short-term rental, but only in accordance with this ordinance. A Short-Term Rental Operating License may be terminated, revoked or not renewed if the standards of this ordinance are not met or the dwelling is sold or otherwise transferred as defined in this ordinance. This ordinance provides an administrative framework for the licensing and operation of short-term rentals and provides a process by which owners can appeal the City’s decisions related to short-term rentals.

The regulations of this code are not intended to permit any violation of the provisions of any other law or regulation. Any exceptions allowed by this ordinance shall not exempt the short-term rental from any other applicable requirement, regulation or ordinance adopted by the City of Port Orford.

The requirements in this ordinance are not “land use regulations” as defined in ORS 197.015 or 195.300(14). The regulations contained in this ordinance are not intended to, nor do they, implement the City of Port Orford Comprehensive Plan, the Curry County Land Use Ordinance, nor do they implement any of the Statewide Planning Goals.

Administrative Rules. The City Administrator will have the authority to establish administrative rules and regulations consistent with the provisions of this ordinance for the purpose of interpreting , clarifying, carrying out, furthering and enforcing the provisions of this ordinance. A copy of such administrative rules and regulations shall be on file in City Hall and shall be posted on the City’s website. Any such administrative rules and regulations shall be binding upon any owner, operator or registrant of a short-term rental.

13.05.030 - Definitions: The following definitions shall apply to this ordinance, its interpretation, application and enforcement; otherwise, ordinary dictionary definitions shall apply unless the contact indicates otherwise.

Adoption of this Ordinance: means the date on which this ordinance takes effect after adoption by the Port Orford City Council.

Applicant(s): means an owner(s) of a dwelling unit who applies to the City for a Short-Term Rental Operating License.

Authorized Agent: is a property management company or other entity or person who has been designated by the applicant or licensee, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purpose of contacting for complaints.

Bedroom: means a room intended and permitted to be used for sleeping purposes that has all of the following attributes:

- Light ventilation and heating
- Consists of four walls to the ceiling, at least one of which is located along an exterior wall with a window.
- All sleeping areas used as a bedroom in a short-term rental must be permitted for that use, and no areas may be converted to a bedroom without demonstration of compliance with this ordinance.

City Administrator: means the City Administrator or any authorized employee of the City of Port Orford designated by him/her.

Change of Property Ownership: means the transfer of title from one person to another.

Contact Person: means the owner, or if designated on the license application, the authorized agent of the owner, authorized to act on behalf of the owner of the short-term rental property.

Daytime: means between the hours of 7:00 am to 10:00 pm.

Dwelling Unit: means a lawfully established single unit that provides complete independent living facilities for one or more people including permanent provisions for living, sleeping, eating, sanitation and one cooking area. Dwelling unit includes a single-family dwelling and factory-built or manufactured dwelling that bears a valid certification of compliance with applicable manufactured dwelling standards. Dwelling unit does not include a recreational vehicle or similar mobile structure, or motorized vehicle designed and built for temporary vacation use.

Good Cause: for the purposes of denial, suspension, revocation, impositions of conditions, renewal and reinstatement of a Short-Term Rental Operating License means (1) the applicant, owner or contact person has failed to comply with any of the terms, conditions, or provisions of this ordinance or any relevant provision of the Port Orford Municipal Code, State law or any other rule or regulation promulgated thereunder; (2) the Applicant, Owner, or Contact Person has failed to comply with any special conditions placed upon the Short-Term Rental Operating License; or (3) the short-term rental has been operating in a manner that adversely affects the public health or welfare of the safety of the immediate neighborhood in which the short-term rental is located.

Good Neighbor Policy: means a policy furnished by the City of Port Orford that summarizes general rules of conduct, consideration and respect, and includes without limitation provisions of this ordinance applicable to or expected of guests occupying the short-term rental.

Hosted Home Share: means the transient rental of a portion of a dwelling while the homeowner is present. For the purpose of this title, “present” means the homeowner is staying in the dwelling overnight.

Licensee: means the owner(s) of a dwelling unit who holds a Short-Term Rental Operating License.

Non-Transient Rental: means to rent a dwelling unit or room(s) for compensation on a month to month basis, or for a period longer than 30 days.

Overnight: means between 10:00pm to 7:00am the following day. Overnight includes the term “Quiet Hours.”

Owner(s): means the natural person(s) or legal entity that owns and holds legal or equitable title to the property. If the owner is a business entity such as partnership, corporation, limited liability company, limited partnership, limited liability partnership or similar entity, all persons who have an interest in that business entity may be considered an owner.

Renter: means a person who rents a short-term rental or is an occupant in the short-term rental. Renter includes the term “tenant.”

Short-Term Rental or STR: means the transient rental of a dwelling unit for a period of 30 or fewer nights but does not include a bed and breakfast enterprise, hotel, motel and RV parks. Short-term rental includes advertising, offering, operating, renting, or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-term rental use is a type of “vacation occupancy” as defined in ORS 90.100.

Short-Term Rental Operating License: means the regulatory license required and described in this ordinance. It will be referred to as an “operating license.”

Transfer: means the additional or substitution of owners not included on the original license application whether or not there is consideration. If multiple owners exist on a license, individual owners may be removed from that license without constituting a transfer.

Transient Rental: means to rent a dwelling unit or room(s) for compensation on less than a month to month basis.

Vacation Home Rental: means the transient rental of an entire dwelling unit.

05.05.040 –Annual Short-Term Rental Operating License Required.

No owner of property within the City of Port Orford City limits may advertise, offer, operate, rent or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without a Short-Term Rental Operating License. Advertise or offer includes through any media, whether written, electronic, web-based, digital, mobile or any other form of communication.

- A. **License Must Be Obtained.** A Short-Term Rental Operating License shall be obtained and renewed as prescribed in this ordinance before a dwelling unit may be offered, advertised or used as a short-term rental. The permission to operate a short-term rental in the City of Port Orford that is embodied in a license may be revoked for failure to obtain, renew or maintain registration, to operate a short-term rental in accordance with all requirements of the license, or otherwise comply with the requirements of this ordinance. It is a violation of this ordinance to operate a short-term rental without a valid license.
- B. **No Nonconforming Status Conferred.** The fact that an owner of property or other entity may hold a license on the date of adoption of this ordinance, does not confer a property right status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid license.
- C. **Cap on Number of Short-Term Rental Operating Licenses in Effect for The City of Port Orford.** The City ~~Council has~~ may established by resolution a limit of ~~forty (40)~~ on the-number of Short-Term Rental Operating Licenses that can be in effect at any one time for defined residential areas 1-R and 2-R. If at the time of license application for a new or renewed short-term rental license, there is not room within the applicable residential area cap to accommodate the new or renewed license, the application will be denied, but the applicant will be placed on a waiting list in order of rejection/non-renewal and will be contacted by the City Administrator as soon as there is room within (under) the applicable residential area cap to accommodate the new/renewed short-term rental license. There is ~~N~~ no similar limitation on issuance of licenses outside residential areas 1-R and 2-R, anywhere else in the City. Hosted Home Shares are not subject to the cap in the defined residential areas.
- D. **Density Limitation on Short-Term Rental Operating License in the City of Port Orford.** The City will not issue ~~or renew~~ a new short-term rental license in defined residential areas 1-R and 2-R if, at the time of application, there is a valid and licensed short-term rental operating on a property within 300 feet (closest property boundary to closest property boundary) of the applicant's property. ~~Any applicant for a new or renewed short-term rental license that is barred due to this provision will be placed on a waiting list in order of rejection/non-renewal and will be contacted as soon as the property is no longer within 300 feet of another active short-term rental license.~~

05.05.050- Application and Fee.

- A. **Application Required.** Applications for a Short-Term Rental Operating License shall be on forms provided by the City, demonstrating the applicant meets the standards required by this ordinance. The applicant or authorized agent shall certify the following information be true and correct:

1. *Owner/Applicant Information.* Applicant's name, permanent residence address, telephone number, and the short-term rental address and telephone number.
2. *Proof of Residential Use (for hosted home shares within the R1 and R2 zones only).* The residential use of a dwelling unit shall be established through its continued use as the primary residence of the property owner. The applicant shall provide at least two of the following items as evidence that the dwelling is the primary residence of the owner:
 - i. A copy of voter registration.
 - ii. A copy of an Oregon Driver's License or Identification Card.
 - iii. A copy of federal income tax return from previous tax year (page 1 only financial data should be redacted).
3. *Representative Information.* The applicant shall provide the name, working telephone number, address and email of a local representative (which can be a person or company) who can be contacted concerning use of the property or complaints related to the short-term rental property. For the purposes of this requirement, local means the representative's address is within a 30 minute travel time of the subject property where the short-term rental is located.
4. *Site plan and floor plan.* The site plan shall be a scale drawing, which can be hand-drawn, showing property boundaries. Building footprint, location and dimensions of parking spaces. Including dated photo(s) of interior and exterior parking spaces. The floor plan shall show in rough dimensions the locations and dimensions of all bedrooms in the dwelling unit or single-family dwelling.
5. *Proof of Liability Insurance.*
6. *Proof of Transient Lodging Tax Registration.* Evidence of transient lodging tax registration with the City for short-term rental.
7. *Good Neighbor Guidelines.* Acknowledgment of receipt and review of a copy of the City's Good Neighbor Guidelines. In addition, evidence that the City's Good Neighbor Guidelines had been effectively relayed to short-term rental tenants, by incorporating it into the rental contract, including it in the rental booklet, posting it online, providing it in a conspicuous place in the dwelling unit, or a similar method.
8. *Listing Number.* If they advertise, the listing numbers, or website addresses of where the short-term rental advertises (such as the VRBO/Airbnb/rental website number, accounts number, URL, ect.)
9. *A completed safety checklist.*
10. *Proof of Garbage Service.*

11. *Such other information as the City Administrator or designee deems reasonably necessary to administer this ordinance.*

B. ***Incomplete Application.*** If a license application does not include all required materials and documentation, the application will be considered incomplete and the City will notify the applicant, in writing, explaining the deficiencies. If the applicant provides the missing required information within 21 calendar days of notice, the application will be reviewed. If the applicant does not provide the required information, the application will be deemed withdrawn and the City may refund all or a portion of the application fee.

C. ***License Fee.*** The fee for application for a Short-Term Rental Operating License or license renewal shall be as established by resolution of the City Council, but shall not be less than the following amounts:

1. Initial application fee of not less than \$400.
2. An annual renewal fee of not less than \$300.
3. A fee of not less than \$75 per bedroom.
4. An addition of a bedroom to an existing short-term rental license shall be subject to a license alteration fee of not less than \$50.

05.05.060- Term of Annual License and Transferability

- A. ***Term.*** A Short-Term Rental Operating License is valid for one year (12 months) and shall automatically expire if not renewed on or before June 30th. The license may be renewed annually by the licensee or authorized agent when all applicable standards of this ordinance are met. If an authorized agent changes during the operating license period, the licensee shall notify the City in writing of the change 14 days prior to the date the change takes effect, except when the failure to do so is beyond the licensee's control.
- B. ***Transferability.*** The Short-Term Rental Operating License shall be issued in the name of the licensee(s) and is not transferable.

05.05.070- Application Required and Burden for Application Approval and License Renewal

- A. ***License Must be Obtained.*** Applications for Short-Term Rental Operating License shall be on forms provided by the City, demonstrating the application meets the standards required by this ordinance.
- B. ***Burden of Proof.*** The applicant has the burden of proof to demonstrate compliance with each applicable criterion for initial approval or annual renewal of the Short-Term Rental

License. The approval criteria also operate as continuing code compliance obligations of the owner/contact person. ~~For the initial application renewal every three years~~

- C. **Responsibility.** The applicant shall certify that all information provided is correct and truthful. It is the applicant's responsibility to assure that the short-term rental is and remains in compliance with all applicable codes.
- D. **Transient Lodging Tax Compliance.** The property owner shall be in compliance with the City of Port Orford Transient Lodging Tax Ordinance 3.08.
- E. **No Outstanding City Fees or Fines.** ~~The property owner shall be current~~ Compliance with all penalties and fines due to the City of Port Orford Municipal Court.
- F. **Renewal Standards.** The Short-Term Rental Operating License shall be issued in the name of the licensee (s) and is not transferable. Short-Term Rental Operating Licenses will be renewed by the licensee annually. Failure to renew constitutes forfeiture of license.
- G. **Renewal.** The City will review an application for a Short-Term Rental Operating License renewal and issue a renewal provided all the standards in this ordinance continue to be met. If not met, the City will not renew the Short-Term Rental Operating License and the property shall not be used as a short-term rental. ~~A decision on a Short-Term Rental Operating License application or renewal may be appealed to the City of Port Orford City Council.~~
- H. **Right to Inspect.** ~~The City Administrator may~~ **shall** conduct a site visit upon application for a short term rental or at any other time to confirm the number of bedrooms stated on the application and the number, location and availability of on-site parking spaces. The site visit will be coordinated with the applicant and be conducted during the City's normal business hours, and with reasonable notice. Failure to allow inspection shall result in violation of this ordinance.
- I. **Appeal Rights.** Decisions under this section may be appealed per 05.05.130.

05.05.080- Operational Requirements and Standards for Short-Term Rentals. To qualify to obtain or retain a Short-Term Rental Operating License, the contact person and short-term rental must comply with the following operational requirements and standards. Failure to comply could be grounds for denial, non-renewal or revocation of a Short-Term Rental Operating License.

- A. **Maximum Occupancy.** The maximum overnight occupancy for a short-term rental shall be limited to two (2) persons per bedroom plus two (2) additional persons. For example, a two-bedroom short-term rental is permitted a maximum overnight occupancy of six (6) people. The contact person may allow up to two (2) minor children age 2-12, to occupy

the short-term rental in addition to the maximum number of occupants. Minors up to age 2 do not count towards maximum occupancy.

- B. **Off-Street Parking Spaces Required for 1-R and 2-R Only.** One (1) off-street vehicle space is required per bedroom ~~in accordance with section 05.05.070 of this ordinance.~~ All of the required notices and placards required by this ordinance shall require the renters to park on-site and not park on the street, even if on-street parking is otherwise available.
- C. **Contact Information.** The applicant or authorized agent has provided information sufficient to verify a qualified person will be available to be contacted about use of the short-term rental during and after business hours. The licensee or representative shall be available to be contacted by telephone to ensure a response to the short-term rental address at all hours (24 hours a day, 7 days a week). Response must be within 30 minutes. The designated representative maybe changed from time to time throughout the term of the license. To do so, the license information shall be revised with the City at least 14 days prior to the date the change takes effect, except when the failure to do so is beyond the licensee's control. In an emergency or absence, contact forwarding information to a qualified person may be provided for the licensee or representative. In the case of Hosted Home Shares, the contact person shall be the permanent resident who will be hosting the transient accommodations.
- D. **Quiet Hours.** A violation occurs if between the hours of 10:00 p.m. and 7:00 a.m. there is any unreasonable noise from a STR that can be heard at the property line. ~~The hours from 10:00 p.m. to 7:00 a.m. are quiet hours, and there shall be no amplified music and no loud singing, talking, or other audible noise during quiet hours that can be heard beyond the property boundaries of the short-term rental property.~~
- E. **No Unpermitted Improvements or Bedrooms.** All electrical, structural, plumbing, venting, mechanical and other improvements made to a registered short-term rental shall be fully permitted and inspected by applicable authority. ~~and all work completed by a licensed and duly qualified contractor.~~
- F. **Notice to Neighbors.** For short-term rentals, the licensee or authorized agent shall either; (a) provide an annual mailing or otherwise distribute by hand, a flier to neighbors within a 300 foot radius of the short-term rental property address containing the operating license number and owner or representative contact information, or (b) post a small place card or sign as specified by the City on the property in proximity to the adjacent street advising neighbors and tenants of the same information where it can be seen from the public right-of-way.
1. The purpose of this notice is so adjacent property owners and residents can contact a responsible person to report and request resolution of problems

associated with the operation of the short-term rental. If the permanent contact information changes during the license period, the new information must be mailed or distributed again, or changed on the place card or sign.

G. *Health and Safety.*

1. *Responsibility.* It is the licensee's responsibility to assure that the short-term rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, and other relevant laws.
2. *Fire and Emergency Safety.* A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual Short-Term Rental Operating License application and renewal. The licensee shall be responsible for completing the fire safety checklist and ensuring continued compliance. Verification with the application or renewal by the City shall be required prior to issuance of a license and may be required for each renewal at the City Administrator's discretion.
 - i. At least one (1) functioning fire extinguisher shall be located in the kitchen of the short-term rental dwelling unit. Extinguisher must be visible and accessible to renters at all times.
 - ii. All electrical outlets and lights switches have face plates.
 - iii. Electrical panels shall be unobscured and have all circuits labeled.
 - iv. Every bedroom shall have a smoke detector that is interconnected with a smoke detector in an adjacent hallway, common area, or in the immediate area of the bedroom.
 - v. A carbon monoxide detector/alarm device shall be placed within 15 feet of each bedroom door.
 - vi. Exterior lighting shall be directed in a downward direction to prevent glare onto adjacent properties as per the Port Orford Municipal Code Chapter 15.17 Outdoor Lighting Code.
3. *Solid Waste Collection* – Minimum service requirements. During all months the dwelling unit is available for transient accommodation. Short-term rentals shall have weekly solid waste collection service with assisted pick-up provided by the solid waste provider, if available. For the purposes of this section, assisted pick-up means the collection driver retrieves the cart from the driveway, rolls it out for service, and then places it back in its original location.

H. *Mandatory Postings.* The Short-Term Rental Operating License issued by the City (or a copy thereof) shall be displayed in a prominent location within the interior of the dwelling adjacent to the front door. The license will contain the following information:

1. Number or other identifying mark unique to the short-term rental operating license which indicates the license is issued by the City of Port Orford with the date of expiration;
2. The name of the licensee or representative and a telephone number where the licensee or representative may be contacted;
3. The number of approved parking spaces for 1-R and 2-R only;
4. The maximum occupancy permitted for the short-term rental;
5. Tsunami Evacuation Map at every exit;

6. Day of week of trash pickup;
 7. The property address.
- I. The licensee shall be in compliance with the Transient Lodging Tax pursuant to City of Port Orford Municipal Code Ordinance [5.09](#), and subject to the Tax Administrator's authority under that ordinance.
 - J. **No Recreational Vehicle.** No recreational vehicle, travel trailer, or tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including recreational vehicles is permitted in conjunction with a short-term rental.
 - K. **Good Neighbor Policy and Guidelines.** The property owner and contact person shall acknowledge the City's Good Neighbor Policy, shall post them in every short-term rental, and provide copies to all short-term rental renters:

Good Neighbor Policy:

Commitment to Community: We share our Expectations of Conduct with guests in multiple ways: on our website, at time of booking, and upon arrival. These are enforceable standards required by the local jurisdictions. This is good information for residents, too!

- **Neighbors & Noise** The neighborhood general quiet hours are from 10pm-7am.
- **Parking** Parked vehicles may not block driveways, bike lanes or emergency vehicle access lanes; Obstructed access means delays, and delays could cost someone's life. Park Smart.
- **Speed Limits** Be mindful of posted speed limits. If you're not sure, slow down.
- **Garbage** All garbage will be put in the provided secure containers, and will be picked up once a week.
- **RVs** Occupied trailers and tents are not allowed on the premises at any time.
- **Pets** Leash you pet, unless you are in a clearly defined off leash area. Also, clean up after them.
- **Fires** Fires are only allowed in designated areas, and should never be left unattended. Outdoor fires are prohibited in Prot Orford during many months of the year. Check with Coos Forest Protective Association (CFPA) on current restrictions before lighting any outdoor fires. www.cfpa.net (541) 267-3161).
- **Drones** Be mindful of where you are flying, and respectful of private property and wildlife. ~~(State Parks?)~~ Some State Parks prohibit drone use.

05.05.090- Additional operational requirements

- A. **Advertising and License Number.** The licensee or authorized agent shall put the annual Short-Term Rental Operating License number on all advertisements for the specific property, if legally possible.
- B. **Complaints.**

1. *Response to Complaints.* The licensee or representative shall respond to neighborhood questions, concerns, or complaints within thirty (30) minutes. Unresolved complaints shall result in an immediate violation of this ordinance.
2. *Record of Response.* The licensee or representative shall maintain a record of complaints and the actions taken in response to the complaint, if relevant, in an electronic or written manner deemed reasonable to document the interaction. This record can then be must available for City inspection upon request to investigate a complaint.

C. ***Specific Prohibitions.*** The following activities are prohibited on the premises of a short-term rental during periods of transient rental:

1. Events in 1-R and 2-R. Examples of events include, but are not limited to, company retreats, weddings, rehearsal dinners, organizational meetings, family reunions, anniversary or birthday parties etc.
2. Unattended barking dogs.
3. Activities that exceed noise limitations during quiet hours set in this ordinance.

05.05.100- Implementation of this Ordinance and Application to Short-Term Rentals

Operating Licenses on the Date of its Adoption. All new/initial Short-Term Rental Licenses issued after the date this ordinance is adopted shall implement and comply with all provisions in this ordinance. This section shall govern the implementation and applicability of this ordinance to short-term rentals that are lawfully established, registered and operating on the date of adoption of this ordinance (Lawful Pre-Existing Short-Term Rentals)

A. **Lawful Pre-Existing Short-Term Rentals** To qualify as a Lawful Pre-Existing Short-Term Rental, the property owner must be able to demonstrate the following with credible evidence to the satisfaction of the City Administrator.

1. The short-term rental has a license during the 12 months preceding adoption of this ordinance.
2. Proof the short-term rental has been rented during the 12 months preceding adoption of this ordinance for a verifiable number of nights.
3. The short-term rental owner paid the Transient Lodging Tax during the 12 months preceding the adoption of this ordinance for a verifiable number of nights.

~~B. **Deferred Compliance with Some STR Requirements for Rentals of Lawful Pre-existing Short-Term Rentals.** Lawful Pre-existing Short-Term Rentals, as defined in this section, shall be subject to and comply with all of the operational requirements in this ordinance except for the following:~~

- ~~1. *New application or renewal precluded due to the subarea Cap.* The residential area caps limitation in Section 05.05.040 (C) shall not apply to the first 5 registration renewals for Lawful Pre-Existing Short-Term Rentals following adoption of this ordinance. Property owners must still renew their registration annually but will not be denied due to the residential area cap during the first 5 renewals.~~
- ~~2. *New application or renewal precluded due to a 300-foot density limit.* The 300-foot minimum separation density requirement in Section 05.05.040 (D) shall not apply to the Lawful Pre-Existing Short-Term Rentals following adoption of this ordinance. Registrants must still renew their registration annually but will not be denied due to there being an active registered short term rental property within 300 feet of the applicant's property.~~

~~C. **Compensation for Reasonable Investment in a Dwelling Unit as a Short-Term Rental.** When the operation of a short-term rental must be curtailed or eliminated as a result of this ordinance.~~

- ~~1. The 5-year deferred compliance (amortization period) provided for in this section for Lawful Pre-existing Short-Term Rentals shall be deemed just compensation for any reasonable investment that the property owners may have made in the dwelling unit for its use as a short-term rental that cannot otherwise be recouped, through use of the dwelling unit for long-term residential tenancy. In the event that an owner deems the amortization period provided for herein to be insufficient compensation to recoup his or her reasonable investment in the property's actual use as a lawful short-term rental (*i.e.*, hosted homeshare or vacation home rental) or imposition of these regulations results in a demonstrable reduction in the property's fair market value, such a property owner shall apply for additional compensation from the City pursuant to this section.~~
- ~~2. To seek additional compensation, the property owner shall submit a written claim for additional compensation with the City Administrator within 90 days after the adoption of this ordinance. In such claim, the property owner shall provide documentation of the owner's reasonable investments in the property exclusively for its use as a transient rental that exceed the value that can be recouped from continued transient rental use of the property for the amortization period and which cannot be put to any other economically viable use of the property. The property owner's burden of proof requires credible evidence that this ordinance caused a reduction in fair market value of the property as a lawful short-term transient rental as compared to use of the property for long-term tenancy that cannot be recouped by the amortization period provided in this section. For purposes of this section, "credible evidence" means a professional real estate appraisal of the property's value with and without the regulations in this ordinance, less the rental value derived from the 5-year amortization period for herein. If the property owner is able to demonstrate that application of this ordinance resulted in a loss in property value that cannot be recouped through the amortization period provided for herein, the City Administrator may provide additional compensation in a form and amount of the Port Orford City Council's choosing based upon the evidence.~~
- ~~3. The property owner may appeal any such final determination pursuant to Section 05.05.140.~~

05.05.110- Violations

In addition to complaints related to nuisance and noise and other violations of the City of Port Orford Municipal Code, the following conduct also constitutes a violation of this ordinance and is a civil infraction:

- A. The discovery of material misstatements or providing of false information in the application or renewal process.
- B. Representing a dwelling unit as available for occupancy or rent as a short-term rental where the owner does not hold a valid operating license issued under this ordinance, or

making a short-term rental available for use, occupancy or rent without first obtaining a valid operating license.

- C. Advertising or renting a short-term rental in a manner that does not comply with the standards of this Ordinance.
- D. Failure to comply with the substantive or operational standards in sections 050.050.080, 050.050.090, 050.050.100 or any conditions attached to a particular short-term rental license.

05.05.120- Penalties

- A. In addition to the fines and revocation procedures described below, any person or owner who uses, or allows the use of, or advertises, property in violation of this ordinance is subject to the enforcement authority of the City Administrator.
- B. Each twenty-four (24) hour period in which a dwelling unit is used, or advertised, in violation of this ordinance or any other ordinance of the City of Port Orford Municipal Code shall be considered a separate occurrence for calculation of the following fines:
 - 1. The first occurrence of one or more violation(s) will incur a warning or other fine amount otherwise specified in City of Port Orford Municipal Code, whichever is greater.
 - 2. A second occurrence of one or more violation(s) within a 12-month period is subject to a \$250 fine or other fine amount otherwise specified in City of Port Orford Municipal Code, whichever is greater.
 - 3. A third occurrence and all subsequent occurrences of violation(s) within a 12-month period is subject to a \$500 fine or other fine amount otherwise specified in City of Port Orford Municipal Code, whichever is greater.
- C. **Revocation & Suspension.** The following actions are grounds for immediate revocation or suspension of a Short-Term Rental Operating License and cessation of use of the dwellings unit for short-term tenancy:
 - 1. Failure to renew a Short-Term Rental Operating License as set forth in City of Port Orford Municipal Code 05.10.060 while continuing to operate a short-term rental.
 - 2. The receipt by the City of 3 or more unresolved complaints about the short-term rental within a 12-month period alleging violations of the requirements of this Ordinance.
 - 3. The discovery of material misstatements or providing of false information in the application or renewal process is grounds for immediate revocation of the Short-Term Rental Operating License.
 - 4. Such other violations of this ordinance of sufficient severity in the reasonable judgment of the City Administrator, so as to provide reasonable grounds for immediate revocation of the Short-Term Rental Operating License.
- D. **Notice of Decision/Appeal.** If the property owner is fined or a Short-Term Rental Operating License is revoked as provided in this section, the City Administrator shall send written notice to the property owner stating the basis for the decision. The notice shall include information about the right to appeal the decision and the procedure for filing an appeal. The property owner may appeal the City Administrator's decision under the procedures set forth in City of Port Orford Municipal Code Ordinance 05.05.130. Upon receipt of an appeal, the City Administrator shall stay the decision until the appeal has been finally determined by the Port Orford City Council.

05.05.130- Appeals of Short-Term Rental Operating License Determinations. Any decisions by the City approving, denying, or revoking a Short-Term Rental Operating License may be challenged, only pursuant to this section. This includes a decision by the City Administrator made pursuant to Section 050.050.100 regarding a Lawful Pre-Existing Short-Term Rental.

- A. **Filing Requirements – Notice.** The property owner or authorized agent may appeal a Short-Term Rental Operating License decision to approve, deny or revoke an operating license under City of Port Orford Municipal Code 05.05.100.
- B. **Authority to Decide Appeal.** The Port Orford City Council shall be responsible for deciding all appeals under this ordinance.
- C. **Time for Filing.** A property owner is required to file a written notice of appeal including a written description of the legal basis for the appeal no later than 14 calendar days after the license application, renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted.
- D. **Fee for Appeal.** The Port Orford City Council may establish by resolution a fee for filing an appeal, which shall be a jurisdictional requirement.
- E. **Procedures.** The City Administrator may establish administrative procedures to implement the appeal process provided in this section, including any required forms. The Port Orford City Council may adopt procedures for hearings not in conflict with this section, including but not limited to time limitations on oral testimony and limitations on written argument.
- F. **Hearing.** Within 35 days of receiving the notice of appeal, the City Administrator shall schedule a hearing on the appeal before the Port Orford City Council. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant. The Port Orford City Council may direct the City Attorney to draft findings of fact and interpretations of code or law to be considered at a later meeting.
- G. **Standard of Review and Decision.** The Port Orford City Council shall determine whether the City’s decision was based on a preponderance of the evidence. A decision of the Port Orford City Council shall be based on the evidence received, in writing and signed by the chair, no later than 30 days after the close of the hearing. The Port Orford City Council may determine not to fine, suspend or revoke the license. If the Port Orford City Council upholds the decision to revoke the Short-Term Rental Operating License, the City Administrator shall order the licensee to discontinue the use of the property as a short-term rental. If the Port Orford City Council reverses the decision to suspend or revoke the operating license, the property owner shall continue to use the property as a short-term rental.
- H. **Finality.** The Port Orford City Council’s decision shall be final on the date of mailing the decision to the appellant. The Port Orford City Council’s decision is the final decision of the City and is appealable only by writ of review to Circuit Court.

05.05.140- Discontinuance of Short-Term Rental Occupancy.

- A. **After Revocation.** After a Short-Term Rental Operating License has been revoked, the dwelling unit may not be used or occupied as a short-term rental unless a subsequent license is granted, and the licensee whose license has been revoked shall not be eligible to reapply for a short-term rental license for the same property for a period of two years.
- B. **After Expiration.** If a Short-Term Rental Operating License expires, the dwelling unit may not be used or occupied as a short-term rental until such time as a subsequent license has been granted for that property.

05.05.150- Remedies Not Exclusive

The remedies provided in this ordinance are in addition to, and not in lieu of, all other legal remedies, criminal and civil, which may be pursued by the City to address any violation of this code, the Development Code, or other public nuisance.

The foregoing ordinance was enacted by the Common Council of the City of Port Orford this ___th day of ____ 1 and effective the ___th day of ____ by the following vote:

DATED :

Passed or Failed by the following Roll Call Vote

Yes: _____

No: _____

Passed _____ Failed_____

Mayor, Pat Cox

Date

Attest: City Recorder, Joseph Harrison

Date

RESOLUTION 2023 – 16
ORDINANCE ESTABLISHING CITY OF PORT ORFORD
EMERGENCY RESPONSE COMMISSION

WHEREAS, the Common Council for the City of Port Orford determines that Port Orford is geographically isolated from County and State agencies that are able to respond to emergencies; and

WHEREAS, due to said geographical isolation it is possible and perhaps likely that County, State and Federal Agencies may be impeded in their responses to a declaration of a City emergency; and

WHEREAS, the Common Council deems it in the public interest to develop plans and resources for self-response to a declared emergency; and

WHEREAS, the Common Council deems it to be in the best interest of the Citizens of Port Orford to establish an Emergency Response Commission of responsible citizens to study and advise the City Council on its options for Emergency Response;

NOW THEREFORE, the Common Council for the City of Port Orford ORDAINS:

The Emergency Response Commission for the City of Port Orford is hereby established per Code section 2.10.010 et seq, as contained on Exhibit A, attached and incorporated hereby and herein.

Dated this _____th day of _____, 2023

Mayor, Pat Cox _____ Date

Attest: City Recorder, Joseph Harrison _____ Date

First Reading _____/_____/_____
Second Reading _____/_____/_____

Chapter 2.10

EMERGENCY RESPONSE COMMISSION

Sections:

	2.10.010	Creation.
2.10.020		Composition of members-Terms-Filling of vacancies.
2.10.030		Election of chairman and vice-chairman.
2.10.040		Compensation.
2.10.050		Secretary.
2.10.060		Meetings-Quorum
2.10.070		Powers and duties
2.10.080		Authorization for expenditures required.

2.10.010 **Creation.**

There is created an Emergency Response Commission (Hereinafter: Commission) for the City of Port Orford, Curry County, Oregon. (Ord. 2023- Jul 2023)

2.10.020 **Composition of members, Terms, Filling of vacancies**

The Emergency Response Commission shall consist of up to seven members, all of whom are to be appointed by the Mayor, subject to approval by the Common Council of the City of Port Orford.

Not more than one member of the Commission shall be a member of the Common Council; said member to be a non-voting member, except in the case of a tie vote. The member of the Common Council shall also act as Council liaison.

2.10.030 **Qualifications**

All members of the Commission shall be electors residing in City Limits of the City of Port Orford.

At its first meeting the Commission shall choose the terms of office of said all six members, whether present or not, by lot as follows: The names shall be placed on strips of paper and the strips placed in a hat. The first name drawn will be position One. The second name drawn shall be position two. And so on. Position One shall serve for one year; Position Two for two years; Position Three for three years; and so on until all positions are given a term of years. Council Liaison shall immediately thereafter notify the mayor and city council, in writing, of such allotment.

At the expiration of the initial terms of each member, the successor to the vacancy shall hold office for four years.

Any vacancy shall be filled by the mayor subject to approval by the Common Council for the unexpired portion of that term.

2.10.040 **Election of chairman and vice-chairman**

The Commission, at its first meeting, shall elect a chairman and vice-chairman from their members, and said chairman and vice-chairman shall hold office during the pleasure of the commission.

2.10.050 Compensation

Members of the Commission shall receive no compensation.

2.10.060 Agenda and Minutes

All Commission meetings are subject to Oregon Public Records and Meetings laws. Commission Agenda and Minutes shall be prepared by City Staff and advertised electronically on the City 's website as directed by the City Administrator, and otherwise as required by Oregon Public Meeting law. If City Staff is unavailable, Agenda and Minutes may be prepared by any reasonable means, including but not limited to contract transcriptionist or by member of the Commission selected by the Commission for that purpose. Any minutes or agenda not prepared by City Staff shall be delivered to the City Administrator for retention in the City records.

2.10.070 Meetings Quorum.

Four members at any time shall constitute a quorum for purpose of conducting Commission business. The Commission shall meet at least once a month, at such times and places as may be fixed by the commission. Special meetings may be called at any time by the chairman, or by three members of the commission, by written notice served upon each member of the commission at least twenty-four (24) hours before the time specified.

2.10.080 Powers and duties.

It shall be the duty of the Commission, and they shall have the power, except as otherwise provided by law, to recommend and make suggestions to the City Council concerning Planning for, Provisioning, and Responding to Emergencies as declared by the City of Port Orford. Such Emergencies include but are not limited to: Tsunamis, Conflagrations, Earthquakes and Chemical Spills.

2.10.090 Authorization for expenditures required.

The Commission shall have no authority to make any expenditures on behalf of the city, or to obligate the city for the payment of any sums of money, except as herein provided, and then only after the common council of the city of Port Orford shall have first authorized such expenditures for said purpose by appropriate ordinance or resolution, which ordinance or resolution shall provide the administrative method by which said funds shall be drawn and expended. (Ord. 244 ' 8, 1972)

City of Port rford



TO: Mayor and City Council

FROM: City Administrator

DATE: July 20, 2023

RE: DLCD Grant to update Housing Plan and Related Codes

ISSUE:

A Resolution authorizing application to Oregon Department of Land Conservation and Development (DLCD) to help pay costs to update City housing plans and related codes.

BACKGROUND:

The lack of housing of all types and price ranges, including but not limited to affordable housing, has resulted in the Oregon Legislature passing laws authorizing additional types of housing in local jurisdictions. Many of the laws require such housing elements for larger cities. Port Orford due to its size, is not required to follow some of those laws.

However, the City's Contract Planner Crystal Shoji has conferred with representatives of DLCD, and presented information to the City's Planning Commission regarding opportunities for funding available to Port Orford to voluntarily participate in adding such diverse housing types and options to our Municipal Code.

Crystal has informed me that this work was approved by the Port Orford City Council, March 17, 2022, and that proposed code language was developed and reviewed by the Planning Commission for several months; it was determined to be hearings-ready. The hearings were not held and the project was not completed. Crystal states that Port Orford definitions and requirements for manufactured homes, mobile homes and recreational vehicle use and others have changed through Oregon law, and that the Port Orford Code needs to be updated to address the changes. Grant monies from DLCD are available to complete the process are available at this time, and DLCD officials have suggested that we apply.

DISCUSSION:Housing Related State Law Changes

As mentioned earlier, state laws have created requirements for additional housing types. A descriptive term for this housing is called "middle housing."

197.758 Development of middle housing; local regulations. (1) As used in this section:

(a) "Cottage clusters" means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.

(b) "Middle housing" means:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes;

(D) Cottage clusters; and

(E) Townhouses.

(c) "Townhouses" means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

The law then allows for approval of partitions to accommodate middle housing.

92.031 Middle housing land division; conditions of approval. (1) As used in this section, "middle housing land division" means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2) or (3).

The Planning Commission has heard from our contract planner and recommends to the City Council that we adopt plans and ordinances to implement these laws, on a voluntary basis where not required.

Grant Application

Crystal Shoji has communicated with DLCD who has encouraged us to fill out a grant application. Shoji believes that the work of the grant will be under \$20,000, with the City match being such related in-kind work from staff, and Planning Commission and City Council.

The application blank form is attached as an exhibit with the understanding that it will be completed by the date of council consideration July 20, 2023.

The application is due by July 31, 2023, and part of the application is a Resolution of support from the City Council.

RECOMMENDATION:

Adopt Resolution Supporting Grant to DLCD to update City Housing Plans and related ordinances.

Department of Land Conservation and Development



Application for Housing Planning Assistance Grants & Consultant Support

2023-2025

Contents

Program Description	1
Who Can Apply	1
Grant Program Contact	2
Eligible Projects and Evaluation Criteria	2
Review Process	5
Eligible Costs	5
Application Instructions	6
Application	attached

PLANNING ASSISTANCE

PROGRAM DESCRIPTION

The Department of Land Conservation and Development (DLCD) provides resources to help Oregon communities prepare and update local land use plans and implementing ordinances to respond to growth management and resource protection issues and changes in state agency programs and requirements.

By the end of the 2023 legislative session, DLCD anticipates the Oregon Legislature to appropriate funds to DLCD for the purpose of providing planning assistance to local governments to:

- 1) Develop, adopt, and implement plans needed to support housing production, affordability, and choice, including housing capacity analyses (HCA) and housing production strategies (HPS) under Goal 10.

Please note: DLCD does not recommend commencing a housing capacity analysis in the 2023-25 biennium as administrative rules will be updated by January 1, 2025, consistent with [House Bill 2001 \(2023 Session\)](#). If your city has an upcoming HCA deadline, please contact the housing team.

- 2) Develop, adopt, and implement urbanization and public facilities plans to support development readiness or amend an Urban Growth Boundary where a need is identified.
- 3) Update local development codes and comprehensive plans to comply with applicable state housing statutes and reduce regulatory barriers to housing production.

DLCD is appropriated these funds until the end of the 2023-25 biennium (June 30, 2025), at which point unspent funds are reverted to the General Fund. To provide as much time as practicable to support project timelines, DLCD is beginning the application process before the beginning of the 2023-25 biennium to provide jurisdictions as much time as possible to complete this work.

Please note that, at the time of publication of these application materials, the Legislature has not yet approved funding for certain kinds of housing planning assistance. As such, while DLCD can confirm some funding availability, the full scope and amount of funding availability is tentative at this time.

The deadline for all housing planning applications is **July 31, 2023**.

WHO CAN APPLY

Planning Assistance applications will be accepted from the following applicant types. For applicants requesting multiple services, please submit a separate application form for each project.

Cities and Counties

- Any city or county with an applicable statutory requirement related to housing, including:
 - Goal 10 planning (housing capacity analysis and housing production strategy) for cities above 10,000 population
 - Goal 14 planning (UGB amendments, land exchanges, and urban/rural reserves) where a need has been identified
 - Middle housing requirements under ORS 197.758
 - Other housing-related statutory requirements, such as accessory dwelling units, manufactured/prefabricated homes, and clear and objective standards.
- A city or county optionally seeking to facilitate housing production, affordability, and choice within their community.

Note: A third party may apply on behalf of a city or county. Grant or consultant support awarded to a city or county will be contingent on the ability of the city or county to manage and participate in a project.

Regional Entities

- Counties, regional governments, or councils of government seeking to pursue a regionally-based project or support one or more cities or counties with a housing-related project or projects.

GRANT PROGRAM CONTACTS

DLCD staff are available to answer your questions regarding application requirements and status. **The first point of contact is the regional representative for your jurisdiction.** You can find the regional representative assigned to your jurisdiction or region at <https://www.oregon.gov/lcd/CPU/Pages/Regional-Representatives.aspx>.

If you cannot contact your regional representative, please contact:

For housing-related questions, please contact the housing team:
Housing.dlcd@dlcd.oregon.gov

For grant- or application-related questions:

Angela Williamson, Grants and Periodic Review Administrative Specialist
DLCD.GFGrant@dlcd.oregon.gov or (971) 239-2901

ELIGIBLE PROJECTS AND EVALUATION CRITERIA

Planning Assistance is used to help complete projects necessary for local governments to achieve the following priorities:

Project Evaluation Criteria and Priorities

1. The project fulfills a housing-related statutory obligation.
2. The project facilitates housing production, affordability, and choice where it is needed most.
3. The project emphasizes fair and equitable housing outcomes.

The Planning Assistance evaluation review criteria, explained in sections 1 through 5 below, address program priorities, considerations to ensure appropriate use of funds, and other program objectives. Please address these, as applicable, in your application attachment.

Projects are not expected to satisfy non-mandatory criteria, but those that rate well under one or more of them will have an improved likelihood of receiving grant or consultant support.

1. Project Objectives

The *project objectives* are clearly stated; address the problem, need, opportunity, and issues; are defined in a manner consistent with the statewide planning goals; and directly relate to a clear statement of expected outcomes. The project objectives need to be reasonably achievable.

2. Program Priorities

The project addresses the *program priorities* as follows:

1. The project fulfills a housing-related statutory obligation.

First priority for grant and consultant support will be for projects fulfilling a housing-related statutory obligation, including the on-going implementation of Goal 10 and related provisions. Funding will be awarded in consideration of statutory applicability, deadlines, and local capacity to fulfill statutory requirements. Examples of projects include, but are not limited to projects in which a local government is required to:

- Develop a housing capacity analysis in accordance with ORS 197.296 or ORS 197.297 and OAR chapter 660, divisions 7 and 8.
Please note: DLCD recommends against a city commencing a housing capacity analysis in the 2023-25 biennium as administrative rules will be updated by January 1, 2025, consistent with House Bill 2001 (2023 Session). If your city has an upcoming HCA deadline, please contact the housing team.
- Adopt a housing production strategy in accordance with ORS 197.290 and OAR chapter 660, division 8.
- Adopt a housing coordination strategy in accordance with House Bill 2001 (2023 Session).
- Amend local development codes to comply with the provisions of ORS 197.758 allowing middle housing.
- Amend local development codes to comply with other housing-related statutory requirements, including:
 - ORS 197.307 – clear & objective requirements
 - ORS 197.312 – accessory dwellings
 - ORS 197.314 – manufactured/prefabricated housing
 - Other housing-related statutory requirements
- Amend an Urban Growth Boundary when a housing need is identified in a housing capacity analysis.

2. The project facilitates housing production, affordability, and choice where it is needed most.

Additional prioritization will be given to projects that substantially encourage housing production, affordability, and choice, especially in communities facing severe disparities in cost burden and other housing outcomes. This includes prioritization for smaller, capacity-constrained jurisdictions seeking to support housing production. Examples of potential projects include, but are not limited to:

- Any project included in criterion #1 that is not statutorily required.
- Develop or adopt a plan or action that facilitates housing production, affordability, and choice, such as a code audit/amendment, local affordable housing funding strategy, or local program related to housing.
- The adoption of urban reserves to facilitate future Urban Growth Boundary amendments where a need is identified.
- Facilitate an Urban Growth Boundary land exchange to bring land into the UGB that is more likely to support the development of needed housing.
- Adopt or amend a concept area & development readiness plan that enables and facilitates housing production in an identified area within an Urban Growth Boundary.

3. The project emphasizes fair and equitable housing outcomes.

Additional prioritization will be given to projects that emphasize equitable outcomes & engagement and affirmatively further fair housing, which means:

“meaningful actions that, when taken together, address significant disparities in housing needs and access to opportunity and replace segregated living patterns with truly integrated and balanced living patterns to transform racially and ethnically concentrated areas of poverty into areas of opportunity and foster and maintain compliance with civil rights and fair housing laws.”

3. Project Description

The *approach, budget (if requesting a direct grant), products, and timing* are defined for every task and are reasonable considering the benefits of the project and the work proposed is reasonably likely to achieve the project objectives.

A sample work program is provided as a template that jurisdictions may use for this purpose. If an applicant expects the project to look substantially similar to the template, they do not need to submit a separate project scope. However, if the applicant expects the project to include significant differences from the provided templates, they must submit a project scope thoroughly tailored to the expected work for the project (see the attached application for detail on what to include).

Priority will be given to proposals that provide detailed project descriptions with well-defined tasks, products, and timelines.

4. Grantee Capacity

The application and past performance on grant-funded projects (where applicable) demonstrate that there is *adequate local capability* to successfully manage the project. Past performance on grant-funded projects will affect the prioritization of submitted proposals.

5. Leverage

The applicant demonstrates commitment to the project through contribution of *matching contributions*. Matching funds are *not mandatory* for an application to be successful, but a demonstration of local commitment can tip the balance in favor of some proposals. Matching funds do not need to be from the applicant's budget – they could come from another state agency, a federal agency, or a foundation. In-kind and other non-cash match are also considered, such as staff time dedicated to a project.

REVIEW PROCESS

Applications will be reviewed considering the evaluation criteria explained above. The department will award those applications that best satisfy these criteria.

The department will notify applicants of award decisions at the earliest time possible. To start projects as soon as possible, DLCDC is aiming to notify applicants of award decisions within 30 days, but this is subject to change. Unsuccessful applications may be reconsidered if additional assistance becomes available.

Once awards are determined, the DLCDC grant manager will work closely with the grantee to complete the scope of work and execute a grant agreement. Again, this will be completed at the earliest time possible; it usually takes 60 to 90 days after the award to complete a grant agreement and several months to execute a contract with a DLCDC-provided consultant. DLCDC staff aims to **execute grant agreements by approximately November 1, 2023 and consultant contracts by January 1, 2024**. This process can take longer depending on the complexity of the scope of work.

ELIGIBLE COSTS

Grant funds may be expended only for direct project-related costs associated with the funded project. Eligible costs include salary of staff assigned to the project, consultant fees, postage, supplies, and printing. Equipment purchases and indirect costs, including general administrative overhead and software costs, are not eligible.

Costs incurred prior to signing a grant agreement are not eligible project costs. This includes costs of preparing the grant application, preparing a statement of work for the grant agreement, and any other work completed before grant agreement execution.

Priority will be given to proposals that provide detailed project descriptions with well-defined tasks, products, and timelines.

4. Grantee Capacity

The application and past performance on grant-funded projects (where applicable) demonstrate that there is *adequate local capability* to successfully manage the project. Past performance on grant-funded projects will affect the prioritization of submitted proposals.

5. Leverage

The applicant demonstrates commitment to the project through contribution of *matching contributions*. Matching funds are *not mandatory* for an application to be successful, but a demonstration of local commitment can tip the balance in favor of some proposals. Matching funds do not need to be from the applicant's budget – they could come from another state agency, a federal agency, or a foundation. In-kind and other non-cash match are also considered, such as staff time dedicated to a project.

REVIEW PROCESS

Applications will be reviewed considering the evaluation criteria explained above. The department will award those applications that best satisfy these criteria.

The department will notify applicants of award decisions at the earliest time possible. To start projects as soon as possible, DLCDD is aiming to notify applicants of award decisions within 30 days, but this is subject to change. Unsuccessful applications may be reconsidered if additional assistance becomes available.

Once awards are determined, the DLCDD grant manager will work closely with the grantee to complete the scope of work and execute a grant agreement. Again, this will be completed at the earliest time possible; it usually takes 60 to 90 days after the award to complete a grant agreement and several months to execute a contract with a DLCDD-provided consultant. DLCDD staff aims to **execute grant agreements by approximately November 1, 2023 and consultant contracts by January 1, 2024**. This process can take longer depending on the complexity of the scope of work.

ELIGIBLE COSTS

Grant funds may be expended only for direct project-related costs associated with the funded project. Eligible costs include salary of staff assigned to the project, consultant fees, postage, supplies, and printing. Equipment purchases and indirect costs, including general administrative overhead and software costs, are not eligible.

Costs incurred prior to signing a grant agreement are not eligible project costs. This includes costs of preparing the grant application, preparing a statement of work for the grant agreement, and any other work completed before grant agreement execution.

Grant funds are provided on a reimbursement basis for products in accordance with the reimbursement schedule specified in the grant agreement.

APPLICATION INSTRUCTIONS

1. Complete the grant application. Be specific and thorough in describing all proposed grant products as described in the application form. Submit application materials **by July 31, 2023** to:

By e-mail to: DLCD.GFGrant@dlcd.oregon.gov

Please note that we will not be accepting applications by mail. If your jurisdiction requires special accommodations, please reach out to a Grant Program Contact as soon as possible.

2. Include a resolution or letter from the governing body of the city or county demonstrating support for the project. The application must include a resolution or letter from the governing body of the city or county demonstrating support for the project. If the applicant is a regional entity proposing a joint project including multiple local governments, a letter from the local government governing body or administrator with authorization to execute intergovernmental agreements supporting the application may be included in lieu of a resolution. The letter of support may be received by DLCD after the application submittal deadline, but it must be received before planning assistance is awarded.

3. DLCD will confirm receipt of applications by e-mail, review applications promptly, contact applicants if additional information is needed to complete review, and notify applicants of our decision.

Important Planning Assistance Dates

Date	Planning Assistance Milestone
June 1, 2023	Application period opens; materials distributed
June 5, 2023 10:30a – 12p	Open Forum for follow-up question & answer Zoom link Meeting ID: 265 799 1542 Passcode: 664570
July 31, 2023	Application period closes; materials submittal deadline
September 1, 2023	Anticipated funding decision; award notices sent
October – November 2023	Direct grant agreements anticipated execution
November – December 2023	Consultant contract anticipated execution
May 31, 2025	Project completion deadline



Department of Land Conservation and Development 2023-25 HOUSING PLANNING ASSISTANCE APPLICATION

Please complete each section in the form below. Fill out the requested information in the spaces provided. **For applicants requesting multiple services, submit a separate form for each. Submit completed applications by COB July 31, 2023.**

Date of Application:

Applicant:

If applying on behalf of a jurisdiction or pursuing a joint project, please also include the recipient jurisdiction name(s)

Street Address:

City:

Zip:

Contact name and title:

Contact e-mail address:

Contact phone number:

Requested Service:

	Direct Grant (& budget estimate)	DLCD-Provided Consultant
Housing Planning Assistance Projects		
Development Code Amendment	<input type="checkbox"/> \$	<input type="checkbox"/>
Housing Capacity Analysis (HCA) ¹	<input type="checkbox"/> \$	<input type="checkbox"/>
Housing Production Strategy (HPS)	<input type="checkbox"/> \$	<input type="checkbox"/>
Housing Implementation Plan (not an HCA or HPS)	<input type="checkbox"/> \$	<input type="checkbox"/>
Urbanization Planning Assistance Projects		
Urban Growth Boundary Land Exchange	<input type="checkbox"/> \$	<input type="checkbox"/>
Urban Growth Boundary Amendment ²	<input type="checkbox"/> \$	<input type="checkbox"/>
Urban Reserves	<input type="checkbox"/> \$	<input type="checkbox"/>
Public Facilities Area Plan	<input type="checkbox"/> \$	<input type="checkbox"/>

1. DLCD does not recommend commencing a housing capacity analysis in the 2023-25 biennium as administrative rules will be updated by January 1, 2025, consistent with [House Bill 2001 \(2023 Session\)](#). If your city has an upcoming HCA deadline, please contact the housing team at housing.dlcd@dlcd.oregon.gov

2. A UGB amendment requires a land deficiency identified in a Housing Capacity Analysis (HCA).

Project Title:**Project Summary:** (Summarize the project and products in 50 words or fewer)**Project Description & Work Program**

Please carefully review the attached Sample Work Program. The work programs included represent typical tasks and work products associated with common project types. If you expect the project to be substantially similar (i.e. there may be minor variations, but major project deliverables align with applicant expectations) to the scope included in the Sample Work Program, the applicant does not need to submit a work plan.

However, if the applicant anticipates a proposal for a project that is substantially different from the projects included in the Sample Work Program, please include an attachment detailing the proposed project, addressing each of the following in an attachment. *Applicants proposing distinct or unique projects are expected to submit detailed proposals that specify the work tasks, products, and timelines unique to their proposal. Priority will be given to proposals that provide well-defined tasks, products, and timelines.*

Is this project expected to be similar to the attached Sample Work Program? Yes No

If “yes”, please skip to the “Tasks, Timelines, and Budget” section below. If “no”, please attach a detailed work program including the following.

A. Goals and Objectives. The purpose of housing planning assistance projects is outlined in the attached Sample Work Program. Please state the goals or overall purpose of the project. Describe particular objective(s) the community hopes to accomplish. Please indicate whether this is a stand-alone project or is part of a longer multi-year program. If it is the latter, describe any previous work completed, subsequent phases and expected results, and how work beyond this project will be funded.

B. Products and Outcomes. Please describe the product(s) and outcome(s) expected from the proposed project in detail, including a brief description of any anticipated significant effect the project would have on development, livability, regulatory streamlining, and compliance with state/federal requirements, equitable socioeconomic benefits, or other relevant factors.

C. Work Program, Timeline & Payment. Please include a comprehensive work program describing the specific tasks, timelines, expected budget, and deliverables. Public engagement is a necessary component of any planning process but may be tailored to fit the project context. Some projects, such as code amendment or technical projects, may not require extensive engagement in comparison to major projects with substantial local policy impacts. If other changes are necessary, please consult with your Regional Representative.

Tasks, Timelines, and Budget

List and describe the major tasks, including:

- The title of the task;
- Anticipated timeline for each task, including the tentative start date after the grant agreement or consultant contract is executed, task completion dates, and project completion date. Note that all tasks must be completed before the end of the biennium. We request that project timelines conclude no later than May 31, 2025;
- For direct grant projects, anticipated budget for the task; and
- Expected local contribution, including budget, staff time, and resources.

Important Planning Assistance Dates

Date	Planning Assistance Milestone
June 1, 2023	Application period opens; materials distributed
June 5, 2023 10:30a – 12p	Open Forum for follow-up question & answer Zoom link Meeting ID: 265 799 1542 Passcode: 664570
July 31, 2023	Application period closes; materials submittal deadline
September 1, 2023	Anticipated funding decision; award notices sent
October – November 2023	Direct grant agreements anticipated execution
November – December 2023	Consultant contract anticipated execution
May 31, 2025	Project completion deadline

Task	Title	Timeline (Month, Year)	Estimated Budget*	Local Contribution
1		___ to ___	\$ ___	\$ ___
2		___ to ___	\$ ___	\$ ___
3		___ to ___	\$ ___	\$ ___
4		___ to ___	\$ ___	\$ ___
5		___ to ___	\$ ___	\$ ___
6		___ to ___	\$ ___	\$ ___
7		___ to ___	\$ ___	\$ ___
8		___ to ___	\$ ___	\$ ___
TOTAL		___ to ___	\$ ___	\$ ___

** Budget estimates are only required for Direct Grant requests. Applicants requesting DLCD-provided consultants can leave this field blank.*

If the project is part of a multi-year program, provide an overview of the expected timelines in sequence of expected start dates and completion date for each phase and describe subsequent phases to be completed.

Project Criteria and Additional Information

1. **Evaluation Criteria.** Include a statement that addresses the program priorities and evaluation criteria presented in the application instructions (“Eligible Projects and Evaluation Criteria”).
2. **Project Partners.** List any other public or private entities that will participate in the project, including federal and state agencies, council of governments, city and county governments, and special districts. Briefly describe the role of each (e.g., will perform work under the grant; will advise; will contribute information or services, etc.). If the project includes multiple jurisdictions, briefly describe the capacity and support of those jurisdictions to support and participate in the project.
3. **Advisory Committees.** List any advisory committee or other committees that will participate in the project.
4. **Cost-Sharing and Local Contribution.** DLCD funds may comprise a portion of overall project costs; if so, please identify sources and amounts of other funds, staff time, or services that will contribute to the project’s success. Cost-sharing (match) is not required but recommended. **Will a consultant be retained to assist in completing grant products?** Yes No
Will you be utilizing this funding to dedicate your own staff resources in completing grant products? Yes No

Local Official Support

The application **must include a resolution or letter from the governing body** of the city or county demonstrating support for the project. If the applicant is a regional entity proposing a joint project including multiple local governments, a letter from the local government governing body or administrator with authorization to execute intergovernmental agreements supporting the application may be included in lieu of a resolution. The letter of support may be received by DLCD after the application submittal deadline, but it must be received before planning assistance is awarded.

Submit your application electronically with all required information to:

Ethan Stuckmayer, Housing Program Division Manager
 E-mail: DLCD.GFGrant@dlcd.oregon.gov

Please note that we will not be accepting applications by mail. If your jurisdiction requires special accommodations, please reach out to a Grant Program Contact as soon as possible.

If you have questions about the Housing Planning program or projects funded by this round of planning assistance, please contact:

DLCD Housing Team
Housing.dlcd@dlcd.oregon.gov

If you have questions about the Grant Program or application process, please contact:

Angela Williamson, Grants and Periodic Review Administrative Specialist
DLCD.GFGrant@dlcd.oregon.gov or (971) 239-2901

For all correspondence, please include the appropriate [Regional Representative](#).

Mid-Willamette Valley	Melissa Ahrens	melissa.ahrens@dlcd.oregon.gov
Central Oregon	Angie Brewer	angie.brewer@dlcd.oregon.gov
North Coast & Lower Columbia	Brett Estes	brett.estes@dlcd.oregon.gov
Eastern Oregon	Dawn Hert	dawn.hert@dlcd.oregon.gov
Portland Metro (West)	Laura Kelly	laura.kelly@dlcd.oregon.gov
Southern Oregon	Josh LeBombard	josh.lebombard@dlcd.oregon.gov
Portland Metro (East)	Kelly Reid	kelly.reid@dlcd.oregon.gov
South Coast	Hui Rodomsky	hui.rodmsky@dlcd.oregon.gov
South Willamette Valley	Patrick Wingard	patrick.wingard@dlcd.oregon.gov

APPLICATION DEADLINE: July 31, 2023

RESOLUTION 2023 – 17
RESOLUTION TO SUBMIT TO OREGON DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT AN APPLICATION FOR A GRANT TO
UPDATE HOUSING PLAN AND CODE SECTIONS

WHEREAS, the Common Council for the City of Port Orford is aware of the increased demand for housing of all types and price ranges; and

WHEREAS, the Council is aware that the State of Oregon has adopted laws and rules to increase the available types of housing to meet said demand, including but not limited to cottage clusters; and

WHEREAS, the Council determines it is in the best interest of the City to update its Housing Plan and sections of its land development ordinances to allow for housing of all types and price ranges; and

WHEREAS, the Council acknowledges that the City does not have the funds to completely pay for the updates, but does have employees and volunteers who can contribute in-kind to said work; and

WHEREAS, the Oregon Department of Land Conservation and Development has grant funds available to local jurisdictions to help pay for the updates;

NOW THEREFORE, the Common Council for the City of Port Orford
RESOLVES

To Submit to the Oregon Department of Land Conservation and Development for a Grant to Update Housing Plan and Code Sections

Dated this 20th day of July, 2023

Mayor, Pat Cox

Date

Attest: City Recorder, Joseph Harrison

Date

PUBLIC: When you join the meeting (5-10 min. prior to the meeting)

- **If you plan to speak/comment during the meeting (when permissible to do so), please announce your name and “how: you are joining the meeting (computer, phone, in person). Speak slowly and clearly so the organizer may “find” you and identify your “caller” location**
- **Please wait to be called on to speak, to avoid talking over someone**
- **When you are not speaking, please mute yourself (so the organizer doesn’t have to do this)**
- **Please limit side conversations and multitasking while you are in the meeting**
- **Be aware even if you are not on camera, sound can be heard over unmeted phones and will be distracting. And if you are on camera “absences” will be noticeable and distracting**
- **To minimize feedback noise, we will only have the meeting host, Mayor and one other speaker unmuted at any time during the meeting.**
- **Please be aware that if poor etiquette is being observed, it may be called out so you have an opportunity to fix the situation.**