

File #16-003ZTA – Limited onsite occupancy of RV's
April 5, 2017

Present were Councilors Sue Lorain, Daniel Jesse, Kerry Smith, Mayor Matt Brown, Attorney Peter Watts, Planner Carole Connell and Administrator Chad Sweet.

The public hearing was called to order at 7:45 pm by Mayor Matt Brown in a legislative matter to amend Section 6.170 Recreational Vehicles by allowing limited onsite occupancy of up to two (2) Recreational Vehicles and amend Section 1.030 Definitions Recreation Vehicles.

Brown asked if any council member needs to declare any exparte contact, conflict of interest or personal bias. None was declared. Brown asked if there were any audience challenges to the Council being able to make an impartial decision. None was voiced.

Connell summarized the staff report noting the goal of the action was to make the RV use section more flexible.

Correspondence was entered into the record.

Paula Madden, P O Box 966, Portland, OR 97207 – inhabiting an RV would increase Gearhart's zoning density and violate low density residential standards and possibly conflict with Short Term Vacation Rental Regulations, challenging the capacity of septic systems trigger the requirement of a sewer system. Placement of RVs for living could adversely impact neighbor's privacy and increase noise levels. There is the potential for illegal dumping of waste water. Adoption of the ordinance will require additional staff for enforcement and impact property values and tax revenues. She firmly opposed the proposed amendment.

David Bowes, davidpbowes@yahoo.com – the proposed amendment is confusing and complicated and should not be adopted. He would like to see a total ban on RVs at residential homes.

Jamey Hampton, 2981 NW 53rd Dr., Portland, OR 97210 – firmly opposed to the proposed measure, Gearhart streets and driveways are no designed the use and the use of RVs would create a negative impact on our town.

Leena Riker, P O Box 2366, Gearhart, OR 97138 – strongly opposed to the amendment; it will increase population density, burden the residential septic systems, enforcement will be difficult, parking RVs on small lots will give the City an RV park image.

Lisa Cerveney & David Russell, P O Box 2368, Gearhart, OR 97138 – ask the proposal be denied. Parking RVs on commercial sites is preferable: it does not infringe on neighbors privacy, there are no unsightly views, it does not create a high density issue on property or streets, RV parks are located within minutes.

Wendy & Ed Ulman, 1553 SW Elizabeth St, Portland, OR 97201 – they do not think it is a plus to grant the request. Permit request would rise during holidays and event weekend and asked if the city has the resources to monitor activity, owners who rent would benefit monetarily while neighbors and city services would have to deal with any problems, twice a year permits could result in quite a few RVs at any given time.

Carole Ehlen, 1840 SW Hawthorne Terrace, Portland, OR 97201 – RVs on residential property would increase Gearhart zoning density, it could be contrary to Short Term Vacation Rental Regulation, challenge the capacity of septic systems and trigger the requirement for a sewer system, placement could adversely impact neighbors privacy and increase noise levels, parking on city streets would increase the current problems. There is a potential for illegal dumping of waste water. Adoption of the ordinance will require additional staff for enforcement and impact property values and tax revenues. Her family firmly opposed the proposed amendments which would considerably alter the character of the city.

Testimony was open to proponents.

Judd Todd, P O Box 2326, Gearhart, OR 97138 – Todd stated there is a need. Holidays bring lots of RVs into town on holiday weekends, with the ordinance would come enforcement not by the police but by the City Administrator. He feels a 96 hour permit over a holiday weekend is too short to get family members here and out of town and the time should be expanded. He has had no problems with RVs that have parked in his neighborhood.

Jim Schultz, 428 C Street, Gearhart, OR 97138 – he has had family and friends stay over Memorial Day Weekend and use the RV, since he was told it is illegal he has tried to change the ordinance. With the evolution of the ordinance there is a need. People who use RVs are responsible. Currently the ordinance is unenforceable.

Testimony was open to opponents.

Jeanne Mark, P O Box 2627, Gearhart, OR 97138 – her preference is not to have 20 or 40 motel units for 96 hours.

Lisa Cerveny, P O Box 2368, Gearhart, OR 97138 – she would like to see the amendment denied and read from her letter.

David Russell, P O Box 2368, Gearhart, OR 97138 – Russell read the letter submitted by Paula Madden, P O Box 966, Portland, OR 97207.

David Russell, P O Box 2368, Gearhart, OR 97138 – Gearhart has had several ordinances impacting the quality of life – short term rentals, a new sports bar, and RV's are now allowed, he asked to please allow the residential nature of Gearhart to live on, don't allow occupancy of RVs.

Jack Zimmerman, P O Box 2480, Gearhart, OR 97138 – with the proposed 96 hour standard he asked if the city can assure the citizens it can measure, monitor and enforce the 96 hour standard.

There was no neutral testimony.

The public testimony was closed at 8:15pm.

Sweet reviewed the evolution of the RV ordinance, discussion followed on measurement of zoning density, the limiting number of occupants on short term rental properties, waste water disposal, public need, residential nature of the Gearhart and the comp plan. On **MOTION** by Jesse, 2nd by Lorain, Ordinance No 903 was approved as amended. Motion carried (3-1) Lorain - aye, Jesse – aye, Smith – aye, Brown – nay.

Matt Brown, Mayor

Chad Sweet, City Administrator