



**CITY OF NEWPORT
CITY COUNCIL WORKSHOP
NEWPORT CITY HALL**

February 3, 2022 – IMMEDIATELY FOLLOWING THE REGULAR COUNCIL MEETING

****May Be Held Electronically****

<https://us02web.zoom.us/j/81762303694?pwd=K1pYYzMyQXJIWEN5dkSyVU95bm1YUT09>

MAYOR: Laurie Elliott
COUNCIL: Kevin Chapdelaine
Tom Ingemann
Marvin Taylor
Rozlyn Johnson

City Administrator:
Supt. of Public Works:
Fire Chief:
Asst. to the City Admin:
Law Enforcement (WCSO):

Deb Hill
Bruce Hanson
Steven Wiley
Travis Brierley
Bill Harrell

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. RESIDENTIAL PARKING ORDINANCE
4. PAVEMENT RATING AND CIP
5. FUTURE MEETING AGENDA ITEMS
6. ADJOURNMENT



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MEMORANDUM

Memo Date: January 11, 2022
Meeting Date: January 20, 2022
To: City of Newport, City Council
From: Nathan Fuerst, City Planner
Subject: Residential Parking Requirement Revisions

Applicant: City of Newport (City Council)

Action Requested:

The City Council is asked to discuss the proposed amendments to residential parking requirements, and to provide any feedback or revisions to staff. If satisfied, the City Council should guide staff to bring the amended text forward for a first reading of ordinance amendments.

Background:

This item is returning to the City Council's Workshop agenda to provide an update on revisions proposed and feedback received at the January 20, 2022 Council Workshop meeting.

At its last meeting, the council raised concerns about including all residential properties into parking requirements for residential properties. This would include properties that are used as single family residences, but are not in a residential zoning district. As previously proposed, the residential parking requirements (including the overall number of vehicles, and restrictions on specific types of vehicles) would only apply to properties in the RE, R-1, R-1A districts. This omitted the R-2 district.

There may also be cases where a property in a Mixed Use, Business, or Industrial zone is used as a single family residence. In those circumstances, the properties would not be held to the standards proposed in these amendments. A review that encompasses these concerns is below followed by a summary of all proposed revisions.

Including Single Family Uses

Section 36-163(a) only includes RE, R-1, and R-1A properties as written. In order to ensure that all properties used as a single family residence are held to the same standard, the City could create a new cross-reference in Section 36-161 *Standards for All Uses*, subsection (5) *Off-street parking areas and driveways*.

In doing this, all properties with a single-family use, regardless of the zoning district, would be subject to the requirements established in 36-163(a).

This would be reinforced by several other code sections, including Section 36-162 *Standards for Nonresidential Uses*, subsection (15) *Exceptions for legal nonconforming structures*, which states:

The standards in this subsection do not apply to legal nonconforming single-family residential structures and properties in business and industrial districts, provided they are continuously used

for residential purposes only, and provided any additions or alterations to these structures meet the standards of the R-1 District and other applicable zoning and building code standards.

Another subsection which reinforces the proposed cross-reference is 36-162 (17) *MX District parking standards*, which states:

- a. *Parking requirements in the MX districts shall be governed by section 36-161(5) except for the following:*
1. *Surface parking lots in the MX-2 and MX-3 districts shall be located at the side or rear of buildings and not in the front yard area. Surface parking lot or driveway access may not make up more than 25 percent of lot frontage.*
 2. *The required front setback for surface parking lots in the MX-1 and MX-3 districts shall include a planted boulevard that is a minimum of 20 feet in width and that meets the landscaping requirements of this chapter. City-owned right-of-way areas on the east side of Hastings Avenue shall be considered to meet all or part of the 20-foot boulevard requirement for the parcels adjacent to the right-of-way.*

Creating a new cross-reference in Section 36-161(5) would allow adoption of the same standards specifically for all single-family properties, while remaining consistent with existing City code requirements. Properties not used as a single-family residence in the R-2, Mixed Use, Business, and Industrial districts would be held to performance standards specified in sections 36-162, 36-163 and elsewhere in City Code.

Revisions Proposed:

Revisions to residential parking requirements are summarized below:

- City Code Section 32-39 *Residential Zones*
 - Length of Parking – vehicle parking is limited on residential streets to no continuous period longer than 24 hours.
 - Recreational Vehicles (RV’s) – an exemption for recreational vehicles is removed, and such vehicles are included in the definition and storage requirements for “recreational equipment”.
- City Code Section 36-161 *Standards for All Districts*
 - Single Family Properties – This amendment would add a requirement that all single-family properties are subject to the requirements in 36-163(a) (summarized below).
- City Code Section 36-163 *Standards for Residential Districts*
 - Number of vehicles – Residents are limited to four (4) vehicles in any yard areas at any one time. Currently the City’s ordinance limits property owners to three (3) vehicles in front yard areas.
 - ~~Exception for number of drivers~~ – The Council provided staff with feedback to remove this flexibility on the basis that it creates significant challenges for enforcement.
 - Exception for screened recreational equipment - If completely screened from the public right of way and abutting properties, recreational equipment will not count towards the total of four. Recreational equipment must be stored according to performance standards.

- Commercial vehicles – Residents are permitted one ~~up to two~~ commercial vehicle provided such vehicles do not exceed 14,000 pounds gross vehicle weight or 20 feet in length.
- Semi-trucks prohibited – Semis are prohibited from being stored on residential property.
- Off road vehicles – Such vehicles are not considered recreational equipment and must be stored inside or out of public view.
- City Code Section 36-1 *Definitions*
 - Definitions are proposed for the following currently undefined terms:
 - *Motorcycle*
 - *Passenger car*
 - *Off-road motor vehicle*

Planning Commission Recommendation:

At its regular meeting on December 12, 2021, the Planning Commission motioned unanimously to recommend the revisions proposed in the staff report reviewed by the Council on January 20, 2022. The council has since deviated from the recommendation provided by the Planning Commission with respect to flexibility to the overall number of vehicles, and commercial vehicles.

Staff Recommendation

The City Council is asked to discuss the proposed amendments to residential parking requirements, and to provide any feedback or revisions to staff. If satisfied, the City Council should guide staff to bring the amended text forward for a first reading of ordinance amendments.

Attachments:

Draft Code Sections

- Redlined version – Draft City Code Revisions
- Clean version – Draft City Code Revisions

Staff Reports

- Staff Report – January 20, 2022 Council Meeting ([link only](#))

Existing Code Sections

- City Code Section 32-39 – Residential zones ([link only](#))
- City Code Section 36-161 – Standards for all uses ([link only](#))
- City Code Section 36-162 – Standards for nonresidential uses ([link only](#))
- City Code Section 36-163 – Standards for residential districts ([link only](#))

Sec. 32-39. Residential zones.

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Recreational equipment includes, but is not limited to, operable and licensed, as required by the state, [recreational vehicles](#), travel trailers, chassis-mounted campers, tent trailers, slide-in campers, airplanes, and converted buses; snowmobiles and trailers, boats/watercraft and trailers, all-terrain vehicles, motorcycles and utility trailers. A fish house, boat, snowmobile or other recreational equipment when stored or kept on a trailer shall be considered as one unit. The term "recreational equipment" does not include a motor vehicle designed or used for off-road racing, off-road use or demolition derby.

Residential zone means all areas zoned for residential uses (R-1, R-1-A, R-2, ~~R-3~~ & RE) ~~and Planned Development District (PDD) areas~~ in the city.

- (b) *Truck or bus parking in residential zones.* No person shall park, stop, or stand any vehicle licensed by any state at over 12,000 pounds for more than two hours upon any private property or public street in a residential zone. Parking, either on-street or off-street, of vehicles licensed by any state at over 12,000 pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two acres in size.
- (c) *Equipment.* No person shall park, stop, or stand any trailer that weighs over 10,000 pounds (lbs), back-hoe, front-end loader, bobcat, grader, asphalt paver, asphalt roller, or related road machinery or equipment for more than 24 hours upon any private property or public street in a residential zone, except as permitted under subsection (d) of this section. No more than one such vehicle or piece of equipment shall be allowed on a single parcel of property.
- (d) *Construction parking.* In the event building construction or grading is to be performed in a residential zone, the clerk-administrator may grant permission for parking equipment restricted under subsection (c) of this section upon the premises for a reasonable period of time during construction. The permission shall be in writing, provided that the permission may at the clerk-administrator's discretion be endorsed on the building permit issued for the construction.

[\(e\) Length of parking. A vehicle may not be upon any residential street or right-of-way in any one place for a longer continuous period than 24 hours.](#)

- (f) *Exemption for large parcels.* The provisions of this section shall not apply to parcels of two acres or greater, provided that such parcels may not be used as rental vehicle or equipment parking space. In addition, any vehicle permitted under this exemption shall be screened from view from any adjacent lot by trees, fencing, or a storage building as permitted by the underlying zoning requirements. In no case shall any vehicle permitted under this exemption be parked closer than 40 feet from any adjacent property line.

~~(f) Exemption for recreational vehicles. The provisions of this section shall not apply to recreational vehicles.~~

~~(g) Conditions and restrictions. The city council may grant the privilege of truck parking in areas zoned for planned development district in the required conditional use permit for planned development districts, subject to conditions and restrictions as to truck use of the area.~~

- (h) *Recreational equipment storage.*

- (1) *Generally.* Except as provided or as specifically allowed within the specific zoning districts, all materials and equipment shall be stored within a building.
- (2) *Exceptions.* Licensed and operable recreational equipment units may be parked or stored on property outside a building as follows:

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- a. In the front yard, provided they are kept on an established driveway, and entirely on the equipment or vehicle owner's property. Recreational equipment may not be parked or stored on public property or an improved street right-of-way.
 - b. In the side yard abutting an attached or detached garage provided the recreational equipment is not closer than two feet from the side lot line. The area must be surfaced with asphalt, concrete or crushed decorative rock but shall not be placed within drainage and utility easements unless approved by the zoning administrator. Parking or storage of recreational equipment on the side yard abutting the principal building is prohibited.
 - c. In the rear yard not closer than five feet from the rear lot line, five feet from the side lot lines, and not within drainage and utility easements.
 - d. A property can only store recreational vehicles and equipment that are registered to or licensed by the owner or occupant of the property.

(Code 1997, §§ 910.01, 1300.14; Ord. No. 2017-8, 12-21-2017)

Sec. 36-161. Residential zones.

(5) Off-street parking areas and driveways

- (a) Surfacing standards. All off-street parking areas and driveways, shall be constructed with an improved surface to meet the following requirements:
 1. In all nonresidential districts (MX, B and I districts), all driveways, parking, loading, and service areas shall be constructed with a concrete, asphalt or a similar durable and dustless surface that meets the city's public works design manual. The periphery of all parking areas and drives in nonresidential districts (except parking areas for single-family and two-family residential uses in those districts) shall be constructed with poured-in-place concrete curbing, unless otherwise approved by the city.
 2. In Residential (R) districts, the first 40 feet of the driveway or the driveway area between the street and garage, whichever is less, shall be paved with concrete, asphalt or an acceptable surface that meets the city's public works design manual, except for properties whose main access is on a non-paved roadway.
 3. For residential uses, the maximum driveway width shall be 24 feet at the curb line and property line. For commercial, office, or industrial uses, the maximum driveway width shall be 32 feet at the curb line and property line.
 4. On residential properties, any parking or driveway surface located in the side or rear yard shall be constructed of one of the following: concrete, asphalt, Class V gravel (minimum six inches compacted), landscape rock (minimum six inches compacted), landscape paver blocks, or brick that meets the standards in city's public works design manual. All parking surfaces draining to a public paved street shall be paved, unless otherwise approved by the city. The city may exempt a property owner from the paving requirement if the property owner can demonstrate the runoff from the rock surface is solely directed onto his property or surface runoff meets the city's public works design manual.
- (b) Drainage standards. Parking, loading and service areas of commercial and industrial uses shall be graded and drained so as to dispose of all surface water accumulation within the parcel to meet the city's public works design manual and other applicable stormwater management requirements. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the city.

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- (c) Maintenance standards. The city can require the entire or greater portion of driveways that serve commercial and industrial uses or the first 40 feet of residential uses to be paved to comply with the city's public works design manual at the point of property sale. If the pavement surface of a driveway or parking lot has deteriorated beyond maintenance or repair and does not comply with the public works design manual, the owner shall be required to remove and replace the driveway or off-street parking area pavement at the point of property sale in accordance with this division and the city's public works design manual.
 - (d) Setbacks. All parking areas shall be set back a minimum of five feet from property lines. All driveways shall be setback a minimum of five feet from side and rear property lines. Parking areas and driveways shall meet the standards in section 18-73.
 - (e) Size. In the R-1 and R-1A districts, the total area of the driveway and parking areas shall not exceed 35 percent of the front yard area. The lot coverage in the RE and nonresidential districts, including off-street parking areas, shall meet the requirements in sections 36-208 and 36-238.
 - (f) Easements. The parking or driveway surface may not encroach on any drainage and utility easement, except the front yard drainage and utility easement abutting the street.
 - (g) Standard parking space dimensions. Each off-street parking space shall be a minimum of nine feet wide by 18 feet deep. Access drives and aisles shall be a minimum of 24 feet wide for two-way traffic, and 18 feet wide for one-way traffic. Parking space dimensions for angled parking shall be approved by the zoning administrator, based on acceptable planning standards.
 - (h) Compact car parking dimensions. Parking spaces for compact cars may be included within a parking lot plan approved by the zoning administrator provided the spaces comprise no more than 40 percent of the spaces for the entire use or project, and provided they shall be clearly identified on the site and their location shall be designed carefully into the overall site plan. The spaces shall be a minimum of eight feet wide by 16 deep.
 - (i) Handicapped parking. Parking for handicapped persons shall be provided in accordance with state and federal regulations.
 - (j) Access. All off-street parking spaces for commercial and industrial uses shall have access from a private driveway and shall not access directly onto a public street.
 - (k) Location. All parking spaces shall be on the same lot as the principal use for which they are intended, unless the city approves off-site parking for a principal use.
 - (l) Off-site parking location. When required accessory off-street parking facilities are provided elsewhere than on the lot on which the principal use served is located, written authority of the property owner for using the property for off-street parking shall be filed with the city, confirming that the required number of off-street parking spaces will be maintained on the property during the existence of such principal use. No such parking facility shall, at its closest point, be located more than 400 feet from the principal use or building served.

(m) Single Family Residences. All properties with a single-family residential use shall adhere to exterior storage and screening requirements established in Sec. 36-163(a)

Sec. 36-163. Standards for residential districts.

- (a) *RE, R-1 and R-1A standards.* The following standards are applicable to the RE, R-1 and R-1A Residential districts:
 - (1) *Exterior storage and screening.*
 - a. All waste, refuse, garbage and containers shall be kept in a building or in a fully screened area, except as allowed before a scheduled collection.

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- b. All non-operating vehicles or equipment shall be kept within a fully enclosed building.
 - c. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, on concrete, blacktop, or similar durable hard surface free of dust. ~~subject to the following conditions and exceptions:~~
 - ~~1. All vehicles parked in the front yard shall be on concrete, blacktop, or similar durable hard surface free of dust.~~
 - ~~2. No more than three vehicles may be parked in the front yard at any one time, only one of which may be over 6,000 pounds gross vehicle weight or over 20 feet in length.~~
 - ~~3. Additional operable vehicles above the limit of three may be parked in the front yard on a temporary basis, for no more than 48 consecutive hours.~~
 - d. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.
 - e. No more than four vehicles including passenger cars, trailers, recreational vehicles, recreational equipment, truck, bus, off-road vehicles, or similar may be parked or stored in any yard area on a residential property at any one time, subject to the following conditions and exceptions:
 - 1. Vehicles, recreational vehicles, and equipment parked on a trailer shall be counted as one vehicle.
 - 2. One commercial vehicle may be parked on a residential property at any time. Commercial vehicles may not exceed 14,000 pounds gross vehicle weight or 20 feet in length.
 - 3. Semi trucks, semi tractors, and semi trailers are prohibited from being parked or stored on any residential property.
 - 4. Off-road motor vehicles are prohibited from being parked or stored in the front yard and shall be screened from public view or parked or stored in an enclosed structure.
 - 5. Recreational equipment, as defined and regulated in Sec. 32-39, shall not count towards the total vehicles stored on a property if completely screened, as defined in Sec. 36-1, from the public right of way and abutting properties.

Sec. 36-1. Definitions.

Motorcycle- All two or three wheeled motrized vehicles. Typical vehicles in this category have saddle type seats and are steered by handlebars rather than steering wheels. This category includes motorcycles, motor scooters, mopeds, motor powered bicycles, and three wheel motorcycles.

Passenger cars- All sedans, coupes, and station wagons manufactured primarily for the purpose of carrying passengers and including those passenger cars pulling recreational or other light trailers.

Off-road motor vehicle- motor vehicle designed or used for track racing, off-road racing, off-road use or demolition derby

Sec. 32-39. Residential zones.

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Recreational equipment includes, but is not limited to, operable and licensed, as required by the state, recreational vehicles, travel trailers, chassis-mounted campers, tent trailers, slide-in campers, airplanes, and converted buses; snowmobiles and trailers, boats/watercraft and trailers, all-terrain vehicles, motorcycles and utility trailers. A fish house, boat, snowmobile or other recreational equipment when stored or kept on a trailer shall be considered as one unit. The term "recreational equipment" does not include a motor vehicle designed or used for off-road racing, off-road use or demolition derby.

Residential zone means all areas zoned for residential uses (R-1, R-1-A, R-2 & RE) in the city.

- (b) *Truck or bus parking in residential zones.* No person shall park, stop, or stand any vehicle licensed by any state at over 12,000 pounds for more than two hours upon any private property or public street in a residential zone. Parking, either on-street or off-street, of vehicles licensed by any state at over 12,000 pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two acres in size.
- (c) *Equipment.* No person shall park, stop, or stand any trailer that weighs over 10,000 pounds (lbs), back-hoe, front-end loader, bobcat, grader, asphalt paver, asphalt roller, or related road machinery or equipment for more than 24 hours upon any private property or public street in a residential zone, except as permitted under subsection (d) of this section. No more than one such vehicle or piece of equipment shall be allowed on a single parcel of property.
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- (e) *Length of parking.* A vehicle may not be upon any residential street or right-of-way in any one place for a longer continuous period than 24 hours.
- (f) *Exemption for large parcels.* The provisions of this section shall not apply to parcels of two acres or greater, provided that such parcels may not be used as rental vehicle or equipment parking space. In addition, any vehicle permitted under this exemption shall be screened from view from any adjacent lot by trees, fencing, or a storage building as permitted by the underlying zoning requirements. In no case shall any vehicle permitted under this exemption be parked closer than 40 feet from any adjacent property line.
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 - 2. In Residential (R) districts, the first 40 feet of the driveway or the driveway area between the street and garage, whichever is less, shall be paved with concrete, asphalt or an acceptable surface that meets the city's public works design manual, except for properties whose main access is on a non-paved roadway.
 - 3. For residential uses, the maximum driveway width shall be 24 feet at the curb line and property line. For commercial, office, or industrial uses, the maximum driveway width shall be 32 feet at the curb line and property line.
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 - (k) Location. All parking spaces shall be on the same lot as the principal use for which they are intended, unless the city approves off-site parking for a principal use.
 - (l) Off-site parking location. When required accessory off-street parking facilities are provided elsewhere than on the lot on which the principal use served is located, written authority of the property owner for using the property for off-street parking shall be filed with the city, confirming that the required number of off-street parking spaces will be maintained on the property during the existence of such principal use. No such parking facility shall, at its closest point, be located more than 400 feet from the principal use or building served.
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Sec. 36-163. Standards for residential districts.

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 - (1) *Exterior storage and screening.*
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 - c. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, on concrete, blacktop, or similar durable hard surface free of dust.
 - d. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.
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 3. Semi trucks, semi tractors, and semi trailers are prohibited from being parked or stored on any residential property.
 4. Off-road motor vehicles are prohibited from being parked or stored in the front yard and shall be screened from public view or parked or stored in an enclosed structure.
 5. Recreational equipment, as defined and regulated in Sec. 32-39, shall not count towards the total vehicles stored on a property if completely screened, as defined in Sec. 36-1, from the public right of way and abutting properties.

Sec. 36-1. Definitions.

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