

**TUESDAY, JANUARY 19, 2021**  
**JOINT COUNCIL/PLANNING COMMISSION WORK SESSION**  
**PROPOSED MUNICIPAL CODE LANGUAGE; CRITERIA FOR STREET RENAMING,**  
**6:00 PM**

Mayor Burge called the work session to order at 6:00 p.m.

Present: Mayor Scott Burge, Council President Megan Greisen, Councilor Joel Haugen, Councilor Brandon Lesowske, Councilor Tyler Miller, Interim City Manager Alexandra Rains, Chief Norm Miller, City Recorder Susan Reeves, City Planner Laurie Oliver Joseph, Program Analyst Huell White, Program Analyst Intern Isaac Butman, and Legal Counsel Peter Watts.

Remote: Councilor Pete McHugh, Planning Commission Vice Chair Scott Jensen, Alternate Planning Commissioner Marisa Jacobs and Craig Marquardo.

Program Analyst Intern Isaac Butman went over the staff report. He explained the City has no existing language or criteria in the Scappoose Municipal Code (SMC) pertaining to street renaming. Staff has reviewed the renaming procedures of other cities and drafted a new chapter of code language to be included in Title 12 of the SMC to address the subject. Staff requests that City Council and Planning Commission review the proposed code amendments and provide feedback so that a final draft can be brought to Council for adoption. Title 12 of the SMC addresses streets, sidewalks, and public places, however, street renaming is not addressed, and no other part of the SMC provides guidance for the renaming of streets. The naming of *new* streets is covered in Chapter 17.154 of the Development Code. No changes to the Development Code are recommended at this time. Proposed changes would only pertain to the renaming of an *existing* street. When consulting with the City Attorney about this matter, it was noted that a lack of measurable criteria for street renaming leads to inconsistent results and frustration from applicants and impacted parties to street renaming. Further, lack of measurable criteria can lead to inequitable decision-making processes. Street renaming can become contentious and having an application, process, and objective decision-making criteria spelled out in municipal code can help applicants and impacted parties be informed about the process of street renaming, clarify how they can participate in the process, and most importantly, will specify the criteria on which the decision will be based. For cities that do not have criteria for street renaming within their municipal codes, they must rely on ORS 227.120, the controlling section of the Oregon Revised Statutes related to renaming existing streets. The majority of cities in Columbia County and throughout Oregon do not directly address street renaming in their municipal code and default to relying on ORS 227.120 instead. The language in ORS 227.120 is attached as Exhibit 1 (in the staff report) for your review. ORS 227.120 does not mention anything about application materials or format, or judgment criteria for street name change proposals. The proposed code amendment addresses this by outlining application requirements and criteria for determining if a name change is appropriate. These sections were developed based on an evaluation of other cities' renaming processes and requirements throughout Oregon. The proposed amendment, renaming criteria, application requirements, and renaming standards are consistent with other cities' approaches to street renaming. Research has shown that application requirements and judgement criteria, where they exist, are mostly consistent throughout cities in Oregon; however, there is some variation in street renaming code language concerning the application fee, whether or not a percentage of abutting property owners are required to agree to the change, and the

criteria for naming a street after a person. **Table 1** summarizes these differences in other jurisdictions. Proposed Chapter 12.24 has addressed these differences by incorporating multiple approaches that have commonality between other municipalities; appear to be best practices based on broad adoption by other municipalities in Oregon; and are consistent with current street naming standards in the Scappoose Development Code. **Table 1** shows that where a municipality formalizes citizen-initiated street renaming processes, application fees as well as noticing fees (in some cases) are assessed. Research has shown that the cost of street renaming can be considerable in terms of staff time, noticing expenses, and other administrative costs. Further, each street sign costs approximately \$90, and each intersection has two signs. A street that encompasses 10 intersections will cost around \$1000 for materials, plus labor costs, just to re-sign. The fully loaded costs of renaming can quickly become significant. Based on the information in **Table 1**, requiring fees is reasonable to recover the cost from a citizen-initiated street name change. These could include:

1. An application fee to cover staff time to process an application from start to finish.
2. A deposit to initiate the process and to cover noticing costs.
3. Requirement for applicant to pay the balance of the noticing costs, if any, or be issued a refund of any unused deposit.

Program Analyst Intern Isaac Butman explained in addition to the City of Scappoose, other organizations are involved with street name changes as well and will incur their own costs for instituting a street renaming. These organizations include but are not limited to:

- The Scappoose Fire District
- The 911 District
- Columbia County
- The State of Oregon and other municipalities or private organizations that track and record street name data (Google, Waze, the United States Department of Transportation, the United States Post Office, Comcast, Columbia River People's Utility District, etc.)
- Local residents, property owners, and business owners directly and indirectly affected by the name change.

Program Analyst Intern Isaac Butman explained staff recommends Council and Planning Commissioners review proposed SMC Chapter 12.24 (attached as Exhibit 2 in the staff report) and provide feedback so that staff can edit the code language as needed and bring this back to Council for adoption. Additionally, staff is looking for guidance on setting the fee for the application/noticing of a street rename request.

Program Analyst Intern Isaac Butman explained this morning the City received public comment in the form of an email and there are two issues that he would like to address.

**\*\*Email received\*\***

Public Comment for January 19th. Street renaming.

As most of you know, in January of 2020 I had approached the Planning Commission and the City Council about possibly renaming Seely Lane after the owners of Creekside Apartments - who are retiring after having owned the property for well over 20 years. The street has no addresses on it, neither residential or commercial. There is no impending development

(according to city staff). No issues that would impact the fire department, the post office, etc. The only things on that street are Creekside Apartments and now Chief Concomly Park. It is easily the most hassle-free street the city could ever consider.

Eventually, there will be additional development on the road, and the road will possibly end up connecting to 1st Street. I made this request in a timely manner so as to not be more complicated in the future.

Council refused to allow my request to be addressed at the time, with some members indicating that they would prefer to have formal code specific to the city in place before doing so. This, regardless of the fact that other streets have been renamed without such code being in place. Now, after a year, according to staff review and recommendations, the only notable change in the code would be a fee being put in place. With the exception of the city of Portland, no other examples listed by staff provided any notable changes to the current code.

The only possible issue I would contend is that in some cities the person a street is named after must be deceased, whereas most others it is simply someone who can be shown to have provided a notable contribution to the community. We have never required that a person be deceased in the past. In fact, there are dozens of streets in this city and surrounding areas named after living people or prominent families (including our former city manager). So I would hope that Council would not inject this requirement into our code.

That said, beyond what I mentioned I have no suggestions for the code language, nor do I mind paying a fee (even if it is added after the fact). I just ask that you do so expeditiously so that I can move forward with my request.

Thank you for your time and consideration on the matter.

Craig Marquardo  
Creekside Apartments  
Scappoose

**\*\*End of public comment email\*\***

Program Analyst Intern Isaac Butman explained there are a couple of items in the email that he would like to address. He explained in paragraph one it is stated "The street has no addresses on it, neither residential or commercial". He stated this refers to Seely Lane, that is inaccurate because Chief Concomly Park is addressed off of Seely Lane. He explained in paragraph four "the only notable change in the code would be a fee being put in place" and that is also inaccurate because as we stated, there is no current code that addresses renaming a street, only naming a street for the first time. He thanked Council for their time and explained they are here to listen to Councils feedback that they can edit this code and bring it back for approval. He explained, specifically, they are also looking for direction on the fee itself.

Councilor Lesowske thanked Isaac for all of the information, it is very helpful in their decision-making process. He asked about the proposed code language under 12.24.010 B. 7.

A petition containing signatures of at least 51 percent of the residents and property owners abutting the street, stating that they agree that the street should be renamed, and that they consent to the suggested name change. He asked Isaac if he could please explain why he included residents and not just property owners?

Program Analyst Intern Isaac Butman replied absolutely and explained this is a question that he had as well, so he consulted with City Planner Laurie Oliver Joseph on this. He explained often times there are renters or people who sublet, and we wanted to ensure that the people who have the highest chance of being impacted by a street renaming are involved in the renaming of the street.

Councilor Lesowske asked for a property that is a multi-family housing that would be along a potential name change street would a letter from that group or some other way or means for a group to be able to share that they approve or would like to have this move forward, or like an HOA. He asked would an HOA have to show that they reached out to every single resident?

Program Analyst Intern Isaac Butman replied that is not something he focused on and he will have to review that.

City Planner Laurie Oliver Joseph explained if Council had any ideas on how to word what Councilor Lesowske talked about in regard to making sure there is a means for a group to share if they approve or not, staff is open to hearing suggestions. She explained staff is totally open to that, this is the minimum required noticing.

Councilor Lesowske asked 12.24.020 B. 7. A street name shall not be approved if the Fire District opposes the name change pursuant to a safety concern. He asked for an example of when this would be an issue.

Program Analyst Intern Isaac Butman replied an example would be if you had NW 1<sup>st</sup> Street and 1<sup>st</sup> Street NW, if somebody made a 911 call those could get transposed quickly or Rose versus Rosa.

Councilor McHugh explained he feels the proposed process that is being presented is above and beyond what a normal person would be willing to do. He would rather leave it the way it is, or he likes what Hillsboro or St. Helens has.

Interim City Manager asked Laurie and Isaac when they were looking into this process did you find that the States process was less onerous or difficult that we would use if we did not adopt our own?

Program Analyst Intern Isaac Butman replied it is hard to say because the State requirements are very vague, and it can be hard to negotiate the process as an applicant and if you want to be involved as a citizen you really have to dig through your specific municipal code to figure out where in the process you can have your voice heard. He explained what would come out of this code would be some kind of an application form that would list these requirements in a way that

would be easily understandable and accessible to everybody. He explained in that manner this code, he believes, is less burdensome in that the intention is to make it so everybody could be involved.

City Planner Laurie Oliver Joseph explained this is mirroring the State process but has criteria by which to judge the application. She explained, just to clarify, it wasn't staff that desired to draft code, it was at the recommendation of the City Attorney, and then Council directed staff to work on this.

Councilor Haugen stated to Isaac that he did an excellent presentation and he really appreciates the packet of information. He stated he takes Councilor McHugh's point about creating a lot of steps to go through, but then again this can be contentious in a community, so the thoroughness of approach is a strong argument for that. He explained in terms of fees, he would suggest, if we go ahead with this, is that you operate on a cost recovery basis and use that as an index for the fee structure, if that is workable.

Councilor Lesowske replied he would support the fee structure that Councilor Haugen suggested.

Mayor Burge replied he does like that idea of a cost structure, but along with a deposit to cover it, and anything that is not used would be refunded.

Councilor McHugh asked if Council could waive the fees?

Legal Counsel Peter Watts replied you as Council could certainly put language in to do that if you were inclined to do that. He stated as long as this is consistent with State law you have a lot of flexibility.

Mayor Burge explained Craig Marquardo asked how does present proposal differ from the process and rules that were applied at the last street change, Roger Kucera Way?

Mayor Burge replied Roger Kucera Way was a new road and was built at the time Veterans Park was built, so it was named, not renamed. He spoke about the time there was a discussion about renaming High School Way and there was no process, so there is something to say about having some sort of process. He stated if we are going to have a process, the fees should be the actual cost of making the street name change, paid by the applicant.

Council President Greisen explained she is in support that the fees are more on a flat fee rate so it would be easier on staff.

City Planner Laurie Oliver Joseph explained there are other agencies that would be involved and would be required to work on this, and they wouldn't be seeing any of the fees.

Mayor Burge explained he wouldn't be opposed to something that says, "upon written request by the applicant, the Council may waive the fee".

Council President Greisen wanted to echo City Planner Oliver Joseph that this is not so much of a burden to our department and our staff, but this goes far beyond us and our community and the people that serve us will have to make some serious changes, financially and with their time, and

there is no way that we can have a fee that will help all of them. She thinks there does need to be a very systematic approach to this because of those ramifications and the repercussions it can have on everyone else, including us.

Mayor Burge explained Craig Marquardo asked, does every one of these examples show that someone has to be deceased before a street is named after them, or is there other criteria?

Program Analyst Intern Isaac Butman replied there are two typical directions, and he would say the vast majority require that someone had been deceased for an amount of time. He explained there is one municipality that he looked at that doesn't have that requirement. He did find with that requirement that there are two major reasons behind it. He explained the first is to ensure that a person full lifetime's worth of achievements is being recognized. He explained the second reason, to be frank, is to save the City embarrassment because every once in a while, after someone passes, a detail comes out about their life that had not been brought to light that could cause an embarrassment. He explained it wouldn't be easy to change the name back and some of the cities that do require that do that from a protective stance. He stated not to say that would happen, but that is what he found.

City Planner Laurie Oliver Joseph explained the question that Council would need to consider is when this request comes before you, because it will, do you want criteria to be able to base your decision on or do you want to just kind of debate it and talk about how you feel about it. She explained that is what we are trying to do, to make your decision easier so that you have something to look at and say, are they meeting the criteria or not. She explained it seems like it might be in your best interest to have something to fall back on, by which to evaluate the application.

Councilor Haugen replied, he agrees, it is a lot cleaner and leaving it as it is currently is messy.

Council President Greisen explained she is in full support of some criteria that Council can lean back on.

Councilor Miller stated what he is hearing is a lot of reasons and a lot of impacts and he is trying to find the argument for actually allowing this. He explained there seems to be a lot of negatives that come with a street renaming, but at the same time too, we of course want to be responsive to our citizens.

Mayor Burge stated he thinks it is just having criteria to fall back on so there is a standard.

Planning Commission Vice Chair Jensen explained he thinks if this is being reviewed by the Fire District it should also be reviewed by the Postmaster. He stated as far as the fees, we all want something simple. He stated even if it is an onerous process, at least there is a process.

Craig Marquardo gave an update on the reasoning why he requested the street renaming and why he chose Seely Lane. He is hoping that that death requirement is not mandatory.

Planning Commissioner Jacobs explained she agrees with having a process, especially as the City continues to grow. She explained she also agrees with having a fee schedule. She asked about the section in the draft about notice and wondered if there should be electronic

notifications in there as well. She explained instead of waiting one year after the person has been deceased, she recommends waiting five years because things could come to light.

Councilor Haugen stated he thinks Planning Commissioner Jacobs' suggestion of five years, isn't a bad idea.

Council President Greisen is in favor of giving it more time, greater than one year.

Legal Counsel Peter Watts explained we can add the electronic noticing as a requirement, but the notice in the newspaper is a State Statutory requirement.

Planning Commission Vice Chair Jensen replied as far as the electronic notice question, he doesn't think the City wants to be blazing the trail on that. He stated if it is on the City's website that could be a way to start.

City Planner Laurie Oliver Joseph replied we are currently posting notices on the City's website. She explained she would hate to have noticed some people and not others in a particular type of communication, like email.

City Planner Laurie Oliver Joseph explained it looks like the consensus for now is we move forward with making a few edits to this code, based on what we heard tonight, and then bring it back again for another look.

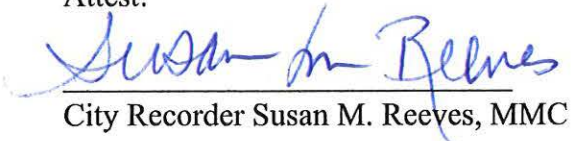
Mayor Burge replied yes.

### **Adjournment**

Mayor Burge adjourned the work session at 6:49 p.m.

  
\_\_\_\_\_  
Mayor Scott Burge

Attest:

  
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City Recorder Susan M. Reeves, MMC