

MINUTES
City of Newport Planning Commission
Regular Session Meeting
Newport City Hall Council Chambers
September 25, 2023

Planning Commissioners Present: Bill Branigan, Jim Hanselman, John Updike, Bob Berman, Braulio Escobar, Gary East, and Marjorie Blom (*by phone*).

City Staff Present: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Branigan called the meeting to order in the City Hall Council Chambers at 7:00 p.m. On roll call, Commissioners Branigan, Berman, Escobar, Hanselman, East, Updike, and Blom were present.

2. **Approval of Minutes.**

Branigan reported minor corrections to both sets of the minutes.

A. **Approval of the Planning Commission Work Session Meeting Minutes of September 11, 2023.**

MOTION was made by Commissioner Hanselman, seconded by Commissioner Escobar to approve the Planning Commission Work Session meeting minutes of September 11, 2023, with minor corrections. The motion carried unanimously in a voice vote.

B. **Approval of the Planning Commission Regular Session Meeting Minutes of September 11, 2023.**

MOTION was made by Commissioner Hanselman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session meeting minutes of September 11, 2023, with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Action Items.**

A. **File 1-PD-23 / 3-ADJ-23: Final Order and Findings of Fact for the Final Development Plan and Adjustment Permit for the Oregon State University 77 Apartment-Style Student Housing Residential Units.**

Berman asked why this application didn't have to conform to the trash enclosure ordinance. Tokos explained that the application was submitted before the trash enclosure ordinance came into effective, and it couldn't be subject to the new rules, as per Oregon state law.

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Final Order and Findings of Fact for File -PD-23 / 3-ADJ-23. The motion carried unanimously in a voice vote.

5. **Public Hearings.** At 7:07 p.m. Chair Branigan opened the public hearing portion of the meeting. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Berman and Branigan reported a drive through the Bayfront. Branigan called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. File 3-Z-22: Amendments to Chapter 14.14, Parking and Loading Requirements.

Tokos covered the amendments to Chapter 14.14, Parking and Loading Requirements that reduced the minimum off-street parking requirements for new development or redevelopment in areas where public parking was managed with meters or a combination of parking meters and permits. He reported that the package of amendments was reviewed by the Parking Advisory Committee at their meetings, as well as the Commission's review at prior work session meetings. Tokos explained that the Planning Commission would be making a recommendation to the City Council as to whether or not the amendments were necessary and furthered the general welfare of the community.

Berman pointed out the inconsistencies of terminology when referencing metered zones, hybrid paid/permit hybrid, and permits/timed zones. He thought the terminology should be consistent and included in the definitions.

Berman commented as a side note, that drive ins or drive throughs weren't addressed in these amendments. He thought if they did any future street vacations, the city should be able to make the vacation revocable if the development didn't proceed. Tokos would have to look into this but noted that it was immaterial to what the Commission was reviewing that evening. Berman wanted to see a mechanism for the titled to be transferred back to the city if the proposed use was not followed through on for a vacation. Tokos explained this would require a separate ordinance. The city followed the statues verbatim, and there was nothing in the statue that said vacations were conditional. Berman stated he would pursue this the next time a vacation came up.

Berman asked for clarification on the commentary that said if Nye Beach implemented a paid parking program it would no longer be subject to a business license fee. He thought this only went away if there were meters. Tokos explained the relief of the business license fee would go into effect when meters or paid permit parking was implemented. Berman asked Tokos to take another look at this to make sure that was correct. He questioned if there would be any permit only zones in the city. Tokos reported Nye Beach would be permit only once changed.

Urdike pointed out there wasn't any public in attendance for the hearing, and asked what the noticing requirements for these types of hearings was. Tokos explained the city did the required notice for the hearing by publishing it in the local newspaper. If there was a large planning effort like the Transportation System Plan, they would do a city wide post card mailing so the public could find out about future changes. They were not required to do a large outreach for a typical legislative change such as this hearing. Berman asked if the city reached out to Bayfront business owners. Tokos reported they contacted the Bayfront business owners through the Parking Advisory Committee, and the principal focus for the outreach concerned the parking meter program rollout.

Berman asked if once the meters were implemented on the Bayfront, would the new rules apply to all three area districts. Tokos reported the rules would only apply to the Bayfront because it was the only area with meters, and the reduction was keyed off of meters. If Nye Beach did a permit only program, they would only get relief from the fee on their business license, not from the parking requirements. Urdike asked if a parking permit program in Nye Beach would have to be

weighed in on by the Parking Advisory Committee. Tokos confirmed it would. He wasn't sure if the parking permit program for Nye Beach would have to be run by the Commission, but he would want to show it to them so they were aware of the changes. This could also just be done by a fee resolution through the City Council.

Escobar asked when the pricing for the metering would be finalized. Tokos reported they still needed to wrap up the outreach meetings with the fish plants. The Parking Advisory Committee make a change to a couple of the pricing elements at their last meeting. Tokos suspected it would be around the end of October when the fee resolution would be put together.

Berman asked if permits would be available seasonally, or just month to month. Tokos explained the guarantee was subject to permit availability, and they were capping the number of permits. There would be options to have either a monthly permit or a six month permit for peak periods.

Hanselman asked if someone who had a permit could park in a meter spot. Tokos confirmed they could only do this if they were in a meter/permit zone. They couldn't park in the meter only zones with a permit.

Chair Branigan closed the hearing at 7:33 p.m.

MOTION was made by Commissioner Hanselman, seconded by Commissioner Berman to make a favorable recommendation to the City Council for File 3-Z-22. The motion carried unanimously in a voice vote.

6. **New Business.** None were heard.
7. **Unfinished Business.** None were heard.
8. **Director Comments.** None were heard.
9. **Adjournment.** Having no further business, the meeting adjourned at 8:26 p.m.

Respectfully submitted,



Sherri Marineau
Executive Assistant