

**MINUTES**  
**Joint City of Newport Planning Commission &  
Lincoln County Planning Commission Work Session  
Newport City Hall Council Chambers  
Monday, November 26, 2012**

**City of Newport Planning Commissioners Present:** Jim Patrick, Gary East, Jim McIntyre, and Mark Fisher.

**City of Newport Planning Commissioners Absent:** Bill Branigan, Glen Small, and Rod Croteau.

**Lincoln County Planning Commissioners Present:** Cris Torp, Phil Spulnik, Mark McMahon, Dick Johnson, and Andra Bobbitt.

**Lincoln County Planning Commissioners Absent:** Sam Galasso, Steve Morrill, and Judith Pelletier.

**City of Newport PC Citizens Advisory Committee Members Present:** Bob Berman, Lee Hardy, and Suzanne Dalton.

**City of Newport PC Citizens Advisory Committee Members Absent:** Lisa Mulcahy.

**City of Newport Staff Present:** Community Development Director (CDD) Derrick Tokos, Public Works Director (PWD) Tim Gross, and Executive Assistant Wanda Haney.

**Lincoln County Staff Present:** Lincoln County Planning Director Onno Husing.

Chair Patrick called the joint work session to order at 6:00 p.m. and turned the meeting over to CDD Tokos.

**A. Topics of Discussion.**

1. Newport annexation of Big Creek Reservoirs. Newport CDD Tokos said that he had put together some information in the meeting packets. He noted that the Newport Planning Commission has discussed this at work session a couple of times. The Newport City Council has the desire to annex Big Creek Reservoirs, which serve as the City's domestic water storage area. Tokos explained that, given the condition of the dams, we know that in the next 5-10 years we will need to do a considerable amount of work; including reconstructing one if not both dams. The City needs to do improvements to the reservoir area that would be a whole lot easier to implement if the reservoirs were in the City and under public designation. The reservoir area is immediately adjacent to the city limits and is now under Timber Conservation zoning. When doing dam reconstruction, one requirement would be that the City would have to record deed restrictions; which is something that the City Attorney advised is not in the City's interest. Tokos noted that the City is working with EcoNorthwest for analysis of doing an expansion, and the City will have to do a needs assessment. He noted that the annexation process is not really tailored for a public designation; it is more for housing and commercial development. Tokos said that the other reason the City is looking for annexation is that the City's master plan for parks has long considered the reservoir area as a park site. There is demand for an additional 7.5 acres of park land. Tokos noted that the memo included in the packet contains three different options for what that extension could look like. One approach would be to do an expansion that would be properties owned by the City. There was some concern that wasn't a clean fit with the need to protect our water supply. The City doesn't own all the land that we would like to control to protect our water supply. Another option is to include the land within the immediate water shed (everything that drains down to the reservoirs). A third option would be to have a buffer of a certain distance off the reservoirs. The assessment that has been done would recommend 1,000 feet to protect the water supply; which would be somewhere between the orange and red lines shown on the map on display. Newport PWD Gross said that it would probably be beyond the orange line on the left side. Tokos said that one of the reasons the City had EcoNorthwest assist is that they have done a number of annexations and have dealt with the State in that capacity. They have done some research, and there are a number of buffers. Tokos said that the City wants to move on this relatively quickly and get this piece done even though we know that it will be some time before we are doing the reservoir work. Tokos noted that a UGB expansion can be initiated by the City Planning Commission. It must be approved by both the City and the County. There will be hearings before both Planning Commissions, the City Council, and the Board of Commissioners. The City Council and the Board of Commissioners met once to talk about this, and the County Commissioners were receptive to this concept.

Lincoln County Planning Director Husing noted that for the County Planning Commission this is just an opening introduction to the fact that the City wants to do this. He noted as well that there was a meeting between the City Council and the County Commissioners where they talked about this, and the Commissioners were generally favorable with the concept. He noted that Commissioner Thompson has noted that there is a lot of fishing activity at the reservoirs, and the Commission raised a road maintenance issue. Husing said that this is still preliminary, and the County is waiting to see what the City will be asking for.

He said that the larger question is how this will fall under DLCD's land annexation procedure. He said it will be some time before it gets presented as a formal proposal because details have to be worked out with DLCD for this kind of annexation. He said that Oregon land use doesn't see it that way; those are rural uses outside the UGB; and that is something the City is working on with DLCD. He said that once that is worked out, the City will be in better shape to decide what they want to do. Tokos said that something the City is working on with the City Attorney is how that and the statute that governs a municipal water supply could potentially conflict with each other. He said that we hope to have that sorted out before long. He said the other has to do with the fact that the UGB amendment and the annexation are different. The City is looking only to annex lands that it owns. With the UGB expansion, if there are other lands, there will be a clear message that those are the properties that the City would like to acquire in the future.

Commissioner Johnson asked what the general time frame is. Tokos said that he had hoped to have this for consideration by the City Planning Commission on December 10<sup>th</sup>, but he is unsure that we will have it at that time. He said it may be January before it gets to the City Planning Commission; then the County Commission would be looking at February or March. Commissioner Bobbitt asked if Tokos had any other examples where this has already happened. She wondered if most cities own their own water shed. Tokos said it is a mixed bag. He has no examples that mirror Newport. Some are inside, and some outside where jurisdictions can actually annex. He hopes to have examples as we go along. Gross said there is a difference between the water shed and the reservoirs, which are structures built for supplying water to the City. Commissioner McMahon asked if the County loses taxes. Tokos said that he would assume not much since most of it is city-owned. Husing said he knows a certain amount of county resources will fall out because they will have a different tax rate. He added that TC is low tax anyway. Husing said that he has already discussed this with County Counsel Wayne Belmont. He noted that the County may actually come out quite well with the City taking on the maintenance of the road if the whole thing goes forward. He said the County is waiting to see how things play out with DLCD. The City may have considerably different ideas than DLCD and may face a decision at that time. The County Board of Commissioners has had quality conversation with the City. But there are certain things that DLCD sees as rural use versus urban use. Husing said that he is highly supportive that the reservoirs get fixed and on time. He said that in the worst case, if this process doesn't happen and the City has to do a conditional use, they will have a ready partner to work with. He said if this is a policy issue that the City has more control over their assets, they may want to take this up in the legislative arena.

Commissioner Patrick said that the City is trying to get them on our side. He said we are trying to find something defensible. He wondered if there was anything besides fishing and maintenance of the road that the County has concerns with. Husing said that what he is taking from the conversation of the Board of Commissioners is that even if the City gets less than a clear line from DLCD, they may want to go ahead and make a case that the State is looking at it incorrectly. Husing said the County Planning Commission will look at it and suggested to keep running it up the flagpole. He said that if DLCD stands between this, the legislature is coming up. But Patrick noted that is one more layer of government; another set of rules and bodies to go through to get approvals. He said the City would like to protect what we think we need to; it's not like the City wants to just take it over. Husing said that he understood the motivation. He said it is above him how this will play out. He gave the City his blessing and said to do what we want to do. He said the County is cooperative. He believes that getting a conditional use from the County is not a big deal; but said, if this raises the City's comfort level, he wished us good luck. Gross said it isn't so much the conditional use permitting as it is all the things that go along with it. It is the authorization to the adjacent property owners to do whatever they want (clear cutting for example), which has had a significant impact on the City's water quality. He said there is very significant impact from land within 1,000 feet. The City is trying to protect water quality and let owners use their land for whatever they want. Gross said that he would love to have control of the road. He added that, when we raise the dam, the road will be under water. He said all of these things come into play. The City is limited in what it can do. Some things will have to change for us to make the improvements we need to.

Patrick said the City can't guarantee that the lower reservoir will stay; we can fix the upper dam for a reasonable cost. Gross said that the City had seismic evaluations done on both structures. Having pretty good seismic information now, we can see what work we can do and what the costs of doing that are. He said moving the dam completely is the best option. He said neither structure is in good shape; but the lower dam is a foregone loss. McMahon said that he had wondered what the motivation was, but now he can see that the City has a real problem here. Gross said it started in the middle of the construction of the new water treatment plant. They realized that we had a major issue and moved all equipment off the lower dam. The intake is now below the dam. He explained that the Big Creek ravine is a millennial estuary. They built on what was there. The upper reservoir was constructed in the 70s to much higher construction standards, but they didn't go all the way down to bedrock. The material that is left is very liquefiable. There is estuary material in the lower dam and in an earthquake event, it would go. There is 10-15 feet of bad material in the upper reservoir. Gross said that is how we got to this point. We have to do some major work. We will be going outside boundaries of properties we own. He said that the City wants a bit more control there to do some of those things.

Husing told the County Planning Commissioners that they will hear more later. He said this was just a first introduction to the City's dilemma and what they hope to accomplish.

2. Proposed amendments to the Territorial Sea Plan (potential action item). Tokos noted that everyone was handed a lengthy document that was received this afternoon from DLCD. That includes basically a full explanation of the amendments they are doing. It is called Part 5 of the Territorial Sea Plan. He said they provided some context of how this package is coming together in terms of how wave energy development projects are evaluated in the territorial sea. It's not just visual. For this agenda item, Tokos is looking to see if there is a desire to review this in greater detail and provide a recommendation to the State at some future meeting. He said this document is going to take some time to digest. Tokos noted that the City Planning Commission was involved on the visual side of things. The State did some work to identify view sites, and some members of the Planning Commission and Husing were there evaluating sites. The packet included information on the scoring. His memo also included a link to the full visual assessment if the Commissioners want to look at that on the website. Tokos explained that on the inventory chart, higher numbers mean more sensitive areas.

Commissioner Fisher said that he is left with a feeling that larger government (State and Federal) is an engine in this making this go down the road no matter what the locals want. He wondered if the visual analysis is even going to get much weight when it gets up to the people at the other end. Tokos said the jury is out in terms of how visual standards will be applied with the joint review team (JART) and how it's handled with the DSL. Fisher said that he has the feeling that they will get the facilities out there no matter what the locals want and wondered if that is right. Tokos said that they are giving good consideration to a number of groups that represent interests. The fishing industry has been heavily engaged in this process and has been heard. Johnson mentioned the letter Husing had distributed from the County Commissioners that talks about the position of the fishermen. Husing said it is quite a statement from the Board of Commissioners. Johnson thought the letter came out a little strongly. He noted that it keeps saying the fishermen want to be cooperative, but they are saying they don't think it is a good deal to have offshore energy. Fisher said that when the fishermen had the opportunity in the very beginning they never got together with a firm consensus saying no, yes, or this but not that. Each fishing boat was an individual. Fisher said fishing is an industry that is a great benefit to our state, and wondered if power lines are more important than this renewable industry out in the ocean. He thought the fishermen didn't stand up initially.

Husing said that, rolling back to how this unfolded, in 2005 it was primarily people within the State government and Oregon Inc. saying our coast would be a great place for wave energy developments. He said that is when many of us woke up suddenly. People began applying in 2006. The communities basically rose up and demanded to talk to the legislators. They were concerned that at least there should be a planning process for some means of figuring out in advance where these things should be. In 2007, many of us were successful in changing the dynamic; especially in the south coast, where it was getting near the possibility of having sabotage and violence. The Governor called time out and said let's do a plan, and the federal government said the same thing. The federal government said that if the State is doing a plan, they will hold off approving anything. They said you make the plan; but in that bargain you will find places for wave energy and potentially offshore wind. That is part of the bargain we struck. It's here whether we like the fundamental plan or not. We are in the eleventh hour in the process for the State itself. Husing said he believes we are having a profound impact on the process. He said that the view shed thing is an important piece, and we had to badger the State into doing that and had to pressure them on having special representation. If the plan plays out, he doesn't know how water-tight that will be. When the wave energy people put out sites where they wanted development, there was push-back from the communities perspective of why they should need that kind of real estate committed in advance. Husing said the big weakness in the plan we have been handed is the three-mile limit. He said what happens in the federal waters is going to be the important thing; and to complete this, we need a plan for the complete Continental Shelf. He said the communities have no choice but to stay very involved. He said the plan will get adopted. There will be all these overlays. When those actual applications come in, they will go to JART, and there will be local representation on the JART. Husing thinks the timeframe may be January, February, or March. He said that then we will need to go out beyond 3 miles and engage the federal government. Later we will have to participate with the JART process as the actual applications under the plan come in. Husing said it may be a never-ending thing. There may never be full closure.

Johnson agreed with what Fisher had said about the fishermen not getting together. He said that this letter from the Board of Commissioners was the first time they are saying they don't believe it is necessary in the Oregon territorial sea to establish very many sites. He said this letter backs them more than he has seen prior. Fisher wondered if the money coming in that the State will make from wave energy is going to be important enough to get rid of what we have. He said the electricity isn't staying here. We are already generating more than we need. He said that the local folks won't see 5 cents a person per year. Patrick said we are mandated to come up with a certain percentage of renewable energy, but hydro dams don't count. That will come from wave or wind. He said PUD has to buy this power somewhere; they might as well buy it here. Fisher said that he is sorry that as a State we may give up what we shouldn't. Patrick added that so much of our fishing grounds are tied up for research already. Husing said that, as the Board of Commissioners' letter points out, there were some of the best minds in the fishing industry (some committed, outstanding representatives) at that meeting that night. They worked out the coordinates. It would be in Federal waters beyond 3 miles. Husing said he thought it was fabulous that they said "give us the research; we don't want to see utility-scale commercial-type of wave energy development on our part of the Oregon coast." He thought that was quite a historic action they took and was a good outcome for our community. Advisory Committee member Berman asked that if it wasn't true that if we hadn't undergone this process, the Feds could have issued those permits anyway, and the siting would have already been done with no input from the State. Husing said that was true, and that is when we stood up to get a

plan going. He thought it is very good for this community to say "let's find a place to do R&D to find out if this even makes sense." He said that is why this statement that came out is an outstanding approach; focus on research, which is what we do best, and hold off putting footprints for the utility-scale stuff.

Tokos wondered if this document is ready to bring for decision-making. He said it looks like it needs more definition of the actual rules that would apply to sites offshore. This will actually be reviewed by OPAC on December 4<sup>th</sup>. This is on the preliminary track. What the sites should be goes before the TSP advisory committee on the 6<sup>th</sup> to make a recommendation and ultimately before DLCD for adoption in January or February. Husing said this fall there was more or less a statement that all of this would be done by the end of January, which means LCDC adoption. Given that we have been going through this 4-5 years, and we just got the maps on October 15<sup>th</sup>, how could we possibly review them and settle on these sites and run this back through the communities in that time frame. He spoke with the Governor's office, and they assured him that the time frame is up for discussion on how realistic that is. But he does think they are trying to hold our feet to the fire. He said that is why the FINE committee met and the Board of Commissioners is trying to get out there at this key point of the process. He doesn't think this will get done by the end of January. It is a fluid situation. The number of sites in play now has been knocked back considerably. He said that if the State is not going to require more than a handful of sites, then maybe this can get done; at least the first stage of it. In that case, it might come together in early 2013. Right now it is kicked back to the communities to go over the sites that the wave energy would like.

Citizens Advisory Committee member Dalton asked Husing to please let the County Commissioners know that this letter is important and send back a thank you. She said that when she looked at the report that says draft all over it, she found the most significant part to be the next steps, which is the last paragraph. She said understanding what those next steps are might be part of what happens with this letter. She said it also seems important to know who are the representatives that can help advocate for what this part of the plan is. She wondered if we have representatives in all of those roles. She asked if we have a voice and where we can have representatives, if we do. She wondered what Tokos wanted from the Planning Commissions. Tokos said that in terms of representatives, the City doesn't specifically have any. We have a City Council member, David Allen, who serves on these committees but not in the capacity of a City Councilor. Tokos said the challenge at staff level has been that there is the desire by policy committees and some at the State to engage local governments and get feedback on a variety of issues; but he doesn't know that it has been very successful. Tokos added that we just got the document today at 2:00 p.m., and the State is saying they will accept our comments and take them to the December 4<sup>th</sup> meeting. There is no way to review it and provide meaningful comments by December 4<sup>th</sup>. That has been the challenge. He said that the City Council is very receptive of what the City Planning Commission's thoughts are on this. Tokos said that going forward, we need to be engaged. He is looking for feedback at this juncture whether the Planning Commissions want to provide anything. He wondered if they wanted to make any comments on what standards would be applied to wave energy offshore. He said we have a lot of substance of what the standards should be. He said he is not prepared to distribute maps yet; they are still too fluid. He said this is one that might take more time. Husing said the frustration has been that you have long periods of time when there's nothing and then there's all this stuff. He said that the problem with this process is how to meaningfully engage these bodies. He believes we did have an impact at the staff level after this group talked about the visual piece. DLCD met with the locals. We did the review and now have something in place. He said it keeps evolving. Now all of a sudden, we have to make comments on things. Husing said that if the County's letter to the Governor resonates with this committee, maybe now is the perfect time to stand with the FINE committee and the County Commissioners and say that we want these to be research and are not fond of commercial-scale development and we will continue to work on the other parts of the process. We need to weigh in on siting these industries.

County Planning Commissioner Spulnik said the safest way for the County and the City to handle this is to come up with a zone that is for siting of onshore facilities and then not have any properties in that zone. Then they would have to come ask for a rezone of the property, and that way we have control. Tokos said that the City actually has that piece covered. There is a conditional use permit requirement for any utility distribution. Husing said that both the City Council and Board of Commissioners are not without leverage; especially when this comes to shore. He noted that even under the original bill in 1987, there are mandates that the State will collaborate with local governments so that offshore will be compatible with onshore. Later on when they are involved in the JART process, there is an onshore component of this that could deal with zone changes and conditional use permits. He said that he has been preaching behind the scenes that they need to go to the wave energy people and tell them not to get the communities feeling defensive because you will need to bring this to the shore and will need their collaboration. He said that for the wave energy industry it is about establishing a business partnership.

Johnson said that when you look through the Visual Resource Management report, they have 70 state parks; but there are private property view sites that are really important. He thought there is more to be done on this. He said this is a very subjective thing. He wondered if DLCD shouldn't form two teams to go out independent of each other to review sites and see how they compare. He thought there needs to be more work on the visual management. Husing said remember the last joint workshop this group had and then right after that they dove into this and spent time working with the communities. He said there are so many overlaps between each site looking north and south that they permeate the territorial sea. Those arcs that went out 20-30 miles are covering those private properties between. He noted that Lincoln County ranked very, very high; and

almost all sites in Lincoln County ended up being a Class one view shed. In a Class one zone, a company that wants to apply has to go through visual analysis and show what the device looks like. Husing said that we are not done with this. We need to press the State and do our own analysis for the outer continental shelf. He said there is a difference of opinion of what will happen in the JART process, and we won't really know until we have a developer and we are trying to work with them on this process. He added that this is so advanced over not having anything.

McMahon wondered if it had been discussed whether Counties or Cities were going to get revenues from these resources that we are allowing in our area. Husing said that is one thing that comes up at every meeting, and the State shrugs their shoulders. We may see legislation on that. McMahon said we could easily impose a tax on those that are generating energy. Tokos said the problem is that the City doesn't have jurisdiction out there. Within our jurisdiction, we have the franchise fee. He doesn't see that the City will ever have any jurisdiction offshore. Husing said that he thinks that is a valid topic of discussion that needs to be brought up again and again. Fisher said that when he was on the Port Commission and the Scottish Power came to them, the bottom line was that it was clear that it was never going to pencil out. He is still not convinced that it will ever pencil out with the limited amount of area they will be able to use. He said the question is when they will figure that out, and will we already be giving up land use before they figure that out. Husing said that early and often is when to have the revenue conversation and have that conversation with our legislators. Fisher wondered if the County Planning Commission should draft a letter fairly soon, that if there is talk about this, there should also be talk about the money. Husing said if the Commissions take action embracing the policy from the County, they could build in a desire to ramp this discussion up on revenue share. He said there seriously needs to be that conversation. Fisher said that he wasn't sure the Planning Commissions were the right place. He thought it should maybe be coming from the County Commission or the City Council.

Patrick asked what the group needed to accomplish. Tokos said that for the City Planning Commission, his question was if they have the desire to provide a recommendation to the City Council on one or both of these issues. If so, he can bring it back on December 10<sup>th</sup> to have discussion on this document in detail in terms of standards that would apply to wave energy and whether it makes sense or not. He can bring back the County's letter and talk further about if the Planning Commission wants to forward a recommendation to the City Council based on Lincoln County's statement. Tokos said that he can contact the State and tell them the Planning Commission will be taking up discussion of this letter on December 10<sup>th</sup> and would like to see any other maps or documents on what sites are appropriate. Tokos said it will be a work session item to talk about. The City Planning Commission agreed. Husing said that for the County Planning Commission, he could draft a written statement on behalf of them that will go to the County Commissioners that the Planning Commission is behind them, that we had this meeting tonight, and support their letter and encourage them to go forward with discussion about revenue sharing. The consensus of the County Planning Commission was for Husing to do that and to share the letter with them prior to sending it.

3. South Beach Transportation Overlay Zone. Tokos noted that the City has adopted the amendments to the TSP, and some elements go into effect on December 5<sup>th</sup>. Those sections that apply to the city limits will become effective then; those that apply to the UGB are not effective until the County adopts complimentary sections in their plan and the State puts into effect alternative mobility standards. Tokos explained that the State has a standard mobility standard that is a threshold for the maximum congestion they will allow on 101. He said for example, say that now they allow 80% of capacity to be used; with the alternate mobility standard, they will allow 97% to be used. They will allow more vehicles. In exchange for that, what the City agreed to do is track development and consumption of trips. The bridge is a congestion point, and there is no funding or planning that has been done that will allow replacement of that bridge in the next 20 years. The State is saying that they have come to the conclusion that they will not be addressing that in 20 years, so they are okay allowing more congestion so it won't stop development in South Beach. It assumes that the City is working on whatever changes can be made to improve the traffic flow on 101. The City is prepared to do that through urban renewal with the traffic change at 35<sup>th</sup> and development on parallel roads. Those are the things the City has agreed to. The City is not required to construct the intersection at 35<sup>th</sup> and relocate the signal before additional congestion is allowed. Tokos said what the City needs from the County is for them to put in place some policies in their TSP that compliment and support what the City has done; something that says yes the County will work with the City when development occurs in unincorporated areas to make sure that the City has the opportunity to count trips coming off that development so that just one jurisdiction is keeping track. Tokos added that the County may want to make changes to their maps to back up how the City has changed our road system out there to sync that up as much as we can; particularly those within the UGB.

Husing said that the last time the Planning Commission met, the key question asked was about trip caps and budget; what does that trip cap budget look like, how much more traffic would there be than now, and how long before we hit that cap. He said the head room before we hit that cap would be 3-4 times as much traffic as we have now going through South Beach. There would have to be a real building boom. Husing said the County's part is to adopt their piece and report any development. He said that nothing different will be experienced unless development goes hog wild. Husing said that the County Planning Commission would be interested in hearing the City's experience and how they felt comfortable with this and why it was a positive. He said he will come back soon to the County Planning Commission and ask them to look at this language that syncs up with what the City has done and will collaborate with the City.

Patrick said that it has taken 8 years for the City and ODOT to get here. It's been acknowledged that the City and the State can't do anything about the bridge. Patrick explained that the standard the State uses says our intersections in Newport are failing. If you sit through two lights, it is failing. That same standard applies in South Beach. The State uses the 30<sup>th</sup> highest hour, which on the coast is a weekend in August. The City wanted to make sure that we could develop South Beach without the State imposing a moratorium. Money is not there to fix the road, and the State is still not fixing the bridge. The reason for this trip budget is that it gives us some headroom. This is syncing up a lot of things we are trying to do in South Beach. He said that is how we got to where we are. We were trying to dance around the State. If the City doesn't grow in the next 20 years, the system still fails due in large part because of pass-through (tourism) traffic. Spulnik asked if the South County grows faster than Newport, if anyone had taken into account that traffic going over the bridge. Tokos said that these models are not perfect, but that was accounted for. Husing said that larger businesses will be partners. It is standard operating procedure for them to know that they have to make contributions to building out infrastructure. Patrick said with this trip budget, developers will know what they will have to come up with. Before it was the State telling them what they wanted. Husing said that he is in favor of alternative mobility standards. The City is hoping to gain leverage for money for the bridge, or at least get the discussion accelerated on what to do with the bridge. You are not just throwing up your hands. The City has to commit to arterial improvements, which takes some pressure off the highway. The alternative standard lets development proceed. It tracks these trips and requires in exchange that the City go through off-system parallel road network improvements. He thought it is a good outcome. Patrick also thought it would help. He said it probably is not going to stop background traffic, and that is where most of the congestion is coming from. That will happen regardless, but it should alleviate some of our problem with lack of money.

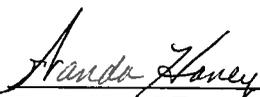
Berman asked if there is any possibility of initiating a planning process for the bridge. Tokos said there is that possibility. He said that the State realizes that, now that they have imposed weight limits on the bridge, at some point that is writing on the wall, and it will get stricter and stricter down the road. They realize they have to start somewhere. They have to start with a basic analysis. The City is talking to ODOT regional planning group. We are working in conjunction with the County to see if we can get it in the work with the region.

Johnson noted that this just needs to be incorporated into the County's plan, and he thought that sounded good. He noticed that it says that the budget for each zone is in CDD somewhere, and it mentions that a registered engineer has to do it. He wondered when they have to do that; is it just big developments. Tokos explained that who does the analysis has to do with the size of development. The registered engineer has to do with big developments. If it's just a small addition to a retail shop or something like that, they can come in and ask CDD to prepare a letter. The bigger developments are more complex. Because they place so many trips on the system, it triggers the TIA. That is where they need to look at nearby intersections. Johnson wanted to confirm that south of the bridge on County land that then their rules would have to cover that. Tokos said that something the County might need to look at is do you have TIA regulations. If not, you may want to adopt something like the City has. Husing wanted to talk with Tokos about that. He said that he, Tokos, and ODOT will bring this back to the County Planning Commission. The consultants are preparing this. There is sample language that would slip right into the County's code. Commissioner Torp said his concern is that if the language is based on Newport, what about other areas. Husing said it is for Newport only. Husing said that if they don't have sewer, then they are limited to septic and would only be able to add a little because of limitations on septic. Tokos agreed that in most circumstances there would be very few opportunities to generate enough traffic in unincorporated areas to warrant a TIA, but some could happen. Husing said the County may want to talk about that. Spulnik asked if the fact that only part of Wilder has been given final approval was taken into account. Tokos said Landwaves was asked what they expect to accomplish in the next 20 years, which lead to a trip total; and they are comfortable. They very much support this proposal. Patrick said that the number of trips gets driven more by the commercial side of development rather than residential. Spulnik said that with the way the economy is, he doesn't see big development in 10 years or longer. Patrick noted that it is commercial land the City is deficient on; we have plenty of residential. Commissioner McIntyre said that the north side doesn't have large parcels of commercial, and there are only a couple south of the bridge. He said that as a former developer, he doesn't see south side development because of the bridge. The north side is where the population is. If a developer doesn't build on the north side, they won't draw traffic across the bridge. He believes it becomes an impediment. Brief discussion ensued regarding development in South Beach.

Johnson asked if some of the trip budget zones aren't in the County, and Tokos confirmed they are. Husing said that when ODOT comes, he has been promised that they will have clear maps so that the County Planning Commission will know exactly. Patrick noted that this allows for some flexibility of moving trips around.

**B. Adjournment.** Having no further discussion, the joint work session meeting adjourned at 8:07 p.m.

Respectfully submitted,

  
Wanda Haney, Executive Assistant