

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
March 12, 2018
6:00 p.m.

Planning Commissioners Present: Jim Patrick, Lee Hardy, Bob Berman, Rod Croteau, and Jim Hanselman.

Planning Commissioners Absent: Bill Branigan, and Mike Franklin (*excused*)

PC Citizens Advisory Committee Members Present: Karmen Vanderbeck & Dustin Capri.

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

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** No unfinished business.
3. **New Business.**
- A. **Review Draft Amendments to the Storm Drainage Element of the Newport Comprehensive Plan.** Tokos reviewed the prioritizing of Phase 3 projects and how the draft amendments were laid out. Berman noted that on Page three there was a paragraph return where it shouldn't be. Tokos would correct this. Berman also noted that on Page five the prioritization should have consistent bullets and questions that were appropriate. Tokos would correct this as well.

Hanselman said the prioritization section didn't appear to have areas without stormwater control and didn't see them in the Master Plan report. He wondered if they did this based purely on outfalls known and located. He didn't think there was any stormwater control on the west side so many properties had to deal with runoff from neighboring properties and all other surfaces. He thought any area that didn't have stormwater facilitates needed to be a part of the project. Berman thought the erosion potential at that location was huge. Hanselman thought neighborhoods without any stormwater control needed to be listed as a significant priority. He said because pump stations had problems and when they couldn't handle excess water, they flood out to the beach and onto people's properties. He didn't like that these areas were being overlooked. Tokos said he would talk to Tim Gross about it. He thought some of it would be picked up on the Transportation System Plan but didn't know if it would be a full analysis. Tokos said what they could do was identify where targeted additional improvements were needed. Hanselman described the areas that needed improvements. Patrick said the City needed to deal with ODOT not taking responsibility on runoff from the highway. A discussion ensued regarding areas that needed improvements. Tokos said we could put in a policy recommendation for some additional analysis to be done in the area. Capri asked who paid for these things. Tokos said the analysis would come out of Stormwater, and the construction costs would depend on the nature of the improvements. He said that the Agate Beach construction had some Urban Renewal funds potentially available and that analysis would come out of utility fees for storm drainage. Hanselman wanted see the lack of some the areas being covered added to the report.

Berman said the criteria didn't include projects to create infrastructure where there was none at that time. Tokos said there was a lacking of capacity in the system. He said there was limited infrastructure, not no infrastructure, and it was more on the rural scale. Patrick said there needed to be a line in the report about onsite water disposal about where the City allowed and didn't allowed it. He was worried about projects being placed in areas that would create slides and thought it needed a mechanism. Patrick asked if they had identified most of the blocks yet. Tokos said under Goal 1 they could add a policy to recognize geo-technical limitations. Croteau asked if the DOGAMI maps were helpful in this regard. Tokos felt they were more generalized. Hardy said it was easy to research. Patrick said they could define areas. Tokos said there was limited information the further you were from the coast line. Berman asked if DOGAMI had done LIDAR. Tokos said they had and there was some terrain modeling that showed where there was ancient landslides. He said just because they had the information on ancient landslides, they would still need to do additional analysis of the area.

Tokos covered Goal 1 for Stormwater Drainage. Capri asked what happened when a project went over budget when building a street. Tokos said you wouldn't be able to not do it and would have time to assess when digging into the street. He said an existing deficient storm system would be factored into the budget. Patrick said Policy 4 should say "and to the underlying geology." Capri thought it would be interesting to have an option for a geologist to sign off on stormwater mitigation, but he didn't think any of them would do it. Tokos thought the policy was spot on but needed to

be cognizant of approving and adding new development. He said this would be done by the developer and something to think about. Capri said he wasn't opposed to Policy 4. Tokos said to be clear it wouldn't be a geologist who would be doing the analysis, it would be a civil engineer. Berman noted that he didn't like the way the policies were listed on the report and thought revenue bonds should be put at the bottom.

Tokos covered Goal 2. Hanselman asked if the framework was hit at a population size. Tokos said the threshold was closer to the Corvallis size of 50,000. Berman noted that the comma close to the third line should be taken out. Tokos noted that small scale development was not in the Master Plan. Berman asked where the options came from. Tokos said the boilerplate was a lot of common options that came from what different jurisdictions were using. Capri thought there should be an option to waive the standards to hire an expert to prove what the site required. Tokos said they should always have the option. He said the City wasn't experts in geological permits but they could make sure that the project was proceeding according to the recommendations of the geologist or drainage analysis. Capri was concerned about having to stick to boilerplates. Tokos said it was more of an option rather than a mandate. He did say the 25 year was a mandate with a threshold. Berman suggested adding the word "optional" after "development" in Policy 2. Tokos said he would clarify that it would be optional.

Croteau said at some point they would have to determine what small scale was. Capri asked if it was square footage. Tokos said it was tricky. He said they were talking about development areas which meant they were talking about redevelopment. He said the City had a reasonably good handle on the conditions of the conveyance system. He said they would be tying into it and working on improving the condition of the system. Capri asked if this was what Tim Gross was already doing. Tokos said when Gross was making a decision, it was about adding a significant amount of impervious surface. He didn't know if a city with small incremental development would do much of anything to try to stay on top of incremental additions to the overall impervious surface and drainage. Capri said he thought that water and sewer bills didn't pay for infrastructure improvements. Tokos said the storm drainage infrastructure fee was intended to help the City chip away at the existing deficiency but didn't have the resources to pay for it all. He said the remainder would be paid for by revenue bonds.

Tokos reviewed Goal 2, Policy 3. Capri asked for an example. Tokos said it was things like silk fences, bio bags, and erosion control blankets. Tokos reviewed Policy 4 and impervious surfaces. Hanselman asked if they were including parking lots. Tokos said pervious pavement or concrete could be done for a parking lot that was used on a continuous basis. The challenge was that it was a different mix and they would end up using different materials to patch. Patrick asked if Nye Beach was pervious. Tokos said the pavers weren't pervious. Berman asked if it was appropriate to have examples in the policy. Tokos said it wasn't uncommon to call them out. He said he would add "or similar measures" to the policy. Tokos reminded the PC that they could use, up to a point, the road to hold water.

Tokos reviewed Policy 5. Berman asked why it was limited to City properties. Tokos said the City had control over these properties and could readily ensure that they're followed. Hanselman asked if it covered schools because he didn't like the idea of pesticides near children. Tokos said the City would discourage this but there were areas they would still use it. Hanselman assumed City staff would be trained to apply pesticides. Capri asked if rainwater catchment was a possibility for irrigation. Tokos said it could be used to irrigate but it couldn't be run back into the house and flushed back into the public system.

Tokos reviewed Goal 3 Policies next. He asked the PC if there was anything missing or anything they wanted added. None were heard. He said he planned to bring the plan back to the PC on the March 26th meeting.

- B. Discuss Draft Major Amendment 13 to the South Beach Urban Renewal Plan.** Tokos reviewed his presentation on Draft Major Amendment 13 to the South Beach Urban Renewal Plan. He explained the process and noted that the City talked to the County to engage them. Tokos said the date was extended to 2025 to complete the final round of projects. Berman questioned how it would work if a new project could be initiated in 2025 but the district had to close in 2027. Tokos said it meant there would be an agreement that would shift the funding from the project back to the City as an intergovernmental agreement. Berman asked what would happen if there was money left over. Tokos said it would be kicked back to the taxing districts. Croteau asked for the final date. Tokos said the last borrowing would be in 2019-2020 and debt retirement would accelerate over in the last few years. Berman asked what was the big contributors to the two million. Tokos said South Shore, the Rogue Brewery, and anything since the 1980's. He explained that real properties were taxed and Government properties weren't. Tokos noted that the Wilder development was outside of the Urban Renewal area.

Tokos asked for the PC's thoughts on prioritizing Phase 3 projects. He covered the priorities. Croteau asked for the location on the redundant bay under-crossing pipeline. Tokos explained where the location was. He noted that new projects couldn't be added to the plan. Berman asked if the intent was to get everything done by 2027. Tokos said no, the high priority projects were what they wanted to complete. Croteau asked if the 35th Street sidewalks were inevitable,

was it something the City could begin on now to prevent future encroachment in the area. Tokos said the City wanted to give people a heads up and it was most of the development on the north side. Capri asked about the easements noted on page 41. Tokos said if it was needed it would be a targeted easement. Vanderbeck asked about outside funding options. Tokos said there would be funding for 40th Street and Highway 101 because there would be commercial partners to help fund it. He noted that the redundant bay under-crossing pipeline might have Federal dollars for resiliency there.

- C. **Updated Tentative Planning Commission Work Program.** Tokos reviewed the updated work schedule with the PC. Patrick asked to add a discussion on height adjustments to get some rules in place. Tokos said if the PC didn't like the current rules they could change them, say they couldn't be done, or change them to variances to show hardships. Hardy thought there should be some rational parameters that were clearly stated and accurate. She didn't think simplistic definitions were sufficient. Tokos reiterated that they could be changed and said he didn't know that the standards were problematic. Patrick said standards had worked for setbacks, but not for height. He wanted to know why there were height restrictions. Tokos said heights had to do with fire and safety for commercial structures. Hardy thought the way that heights were measured needed clarification. Tokos said there could be a conversation on this. He said to keep in mind that when dealing with height the existing residential neighborhoods had fixed development patterns. Tokos said when changing the height definition, it would apply across the board and to keep in mind the existing development pattern when doing it. A discussion ensued regarding the history of height adjustments in the City. Patrick wanted some rationale presented to the PC to base things on. Croteau asked to see how other jurisdictions did their calculations. Tokos said he would add this to the work program.

Tokos reminded the PC that they would be having a discussion on the Nye Beach Design Review later in the year. He said they weren't addressing it at this time so it didn't get convoluted with the Vacation Rental process.

4. **Director's Comments.** No Director comments.
5. **Adjournment.** Having no further discussion, the meeting adjourned at 7:22 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant