

**MINUTES**  
**City of Newport Planning Commission**  
**Work Session**  
**Newport City Hall June 9, 2014**

**Planning Commissioners Present:** Jim Patrick, Bill Branigan, Gary East, Rod Croteau, Bob Berman, and Mike Franklin.

**Citizens Advisory Committee Members Present:** Lee Hardy and Dustin Capri.

**Citizens Advisory Committee Members Absent:** Suzanne Dalton (*excused*).

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Chair Patrick called the Planning Commission work session to order at 6:32 p.m. and turned the meeting over to CDD Tokos.

**A. Unfinished Business.**

1. **Review draft changes to Flood Insurance Rate Maps.** Tokos said that he trusted that the Commissioners had looked at the materials. He said that here we have one of three different flood-related issues moving along on different timeframes on the Federal, State, and down to the local level. Tokos explained that the flood insurance maps show where the 100-year floodplain is; and if a property is within that area, flood insurance is required. Flood insurance can be obtained optionally as well. The issue with the flood insurance maps was that the hydrologic studies were done in the late 70s, and the paper maps were adopted in the early 80s. Then the 1982 maps were digitized, and new maps were issued in 2009; which is what we are using now. Outside of picking up amendments done over the years parcel by parcel, there was nothing else; they didn't update the hydrologic analysis. What this round does is update the hydrologic analysis within the coastal area taking into consideration changes in wave height and frequency. They have pretty good data with wave intensity over the years and good tide gauges. From that, DOGAMI prepared this study. Tokos hasn't seen the study, just the maps that derived from it. DOGAMI is the contractor for FEMA in this in our area. Tokos said what is here is an initial very draft edition more for the jurisdictions to take a quality control look at. When they release the preliminary maps, then they will be taking formal comment from the general public and everybody at that point. They want the local jurisdictions to see if there are any major errors or anything problematic. Their timeframe for having the preliminary documents is September or October. Tokos noted that this edition of mapping is Lidar-based, which provides highly accurate elevation data. They haven't updated the hydrologic data for streams and rivers; it's still based on the late 70s work. Tokos said that because it's largely on a bluff, a lot of coastal area didn't get impacted on the north side. More property in Newport came out as opposed to what went in. They lowered the flood elevation from 13 feet to 11.5 feet in the bay. They had pretty good tide gauge data for at least 40 years and felt they could take that down a little bit.

Tokos said there were three particular areas to look at and had attached some sample maps. The first was along the Bay Front showing the before and after. He noted that a lot of Port areas are out. It basically cleared up the line work along the Bay. There are a lot of commercial buildings on the bay side of Bay Boulevard that now will be out as opposed to all of them on the bay side being in previously. Similarly along the coast line it is comparable. Berman asked in looking at the proposed maps, if the way to interpret them is that anything that is blue is now included. Tokos confirmed that blue is in. He said on the coast there is a pretty static elevation of 38 feet on the existing 2009 maps; on the new ones those are broken down into segments of the coast line. The State looked at it in greater detail; and the flood elevations vary. The first is just over 22 feet, and the next segment is 32.5 feet. It's based on the coastal conditions and the dynamics as the waves come in. That's why some coastal areas are different than others where previously they weren't because they didn't have much detail.

There was some discussion about the effect of the Cascadia zone. Patrick said that he didn't understand on the first map how they are getting the area underneath a house removed. Tokos said there are three areas that got our attention so far. One of them is Neolha Point and the assisted living facility where there is the dynamic of drainage and the bay. That is only one. We prepared comments and sent them off to the State; and they will take that and decide whether that warrants changes. Tokos noted that photos were attached from 2005 when a pretty significant event happened. It was when Neolha Point was being constructed as depicted in these photos. Tokos said that the comment from Jonathan Allen was that they didn't know tide gauge data. This was 11.9 feet; pretty close to the 100-year flood event, which is 11.5 feet. Tokos believes that they haven't really factored in that drainage properly. That is what really caused it. Franklin asked if it was not properly backfilled during the course of construction. Tokos said the water was coming from the south from the drainage; and there was so much water that it went over the top. It's lower on the other side, and it just inundated it. Tokos said in this case, we think these properties should stay in. They are likely to receive another flood. They should be in the 100-year floodplain and insurance should be mandatory.

Tokos said that the Nye Beach Turnaround is a different issue that we are further engaging them on. They are adding quite a bit of area inland. From the seawall they are taking it all the way up to the Peerless Puffin, which is quite a bit further than previously. It's our view that the existing map would be fine and is more accurate of what would happen in a 100-year event. The lowest level of parking would be impacted, but not much above that. Tokos said that he is trying to find some information on when the last time was that the seawall was overtopped and how far it went. That seems like an area where they are adding property they shouldn't have. Patrick said that by Lidar they are showing water running through the middle of a building. He wondered how they are getting Lidar if there is a building there. Franklin had a question about the water following the curb line down there. Patrick said that looking at the top of the red that is about three feet higher than the door of the VAC, four feet higher than the door of the bathrooms, and about two feet higher than the front door at the pump station. Franklin added that those three items are excluded from being in the red. He wondered if they take into consideration the walls between the parking lots. Tokos said that elevation should be accounted for. As Jonathan explained, part of it has to do with the seawall and the methodology they used for predicting storms. The seawall doesn't have much give and will get overtopped as opposed to angled rip-rap, which will dissipate some of it. Tokos noted that they are saying that it will run up; but we don't think it will happen to that degree at that location. Franklin wondered what they mean by flood. He said that any water that comes up will decrease with the tide. There is no standing water in this area; it goes back into the storm drain and drains out. Tokos said this would not be related to Nye Creek; it would all be wave action. Patrick said that if that kind of flood event happens, Nye Creek will back up. Tokos noted that Nye Creek was never mapped as being within any kind of floodplain. Big Creek is mapped, but it is a more free-flowing distributary; Nye Creek is more fully piped. Berman wondered if this map stayed exactly like this, would that mean that if the City sold that parking lot for development the developer would have to pay for insurance. Tokos said there are two commercial buildings this effects; Peerless Puffin and the one right behind it. Those would be impacted and have to buy flood insurance. Franklin said that's the deck of the Chowder Bowl and a piece behind the Puffin. Tokos said when getting into this kind of detail, if any part of a building is impacted, it needs flood insurance. Franklin noted that they took out that area down there; the center of the road and all the way around. Patrick said he's not buying that in real life. Franklin noted that the art gallery at the bottom of the turnaround has been there for about 100 years. Tokos said that had been compromised in the past with storms going through its windows. That would stay in. That is extremely low and is the most suspect anyway. Patrick said the building is impacted, but the ground behind it isn't; and that doesn't make sense. Franklin said in reality it will come down from the top, which is in the red, and get behind the building. Maybe that particular area needs to remain in.

Croteau asked about the Big Creek Road area and wondered if there was no further refinement there because quite a bit of area has been removed. Tokos said this is elevation mapping. They didn't change the hydrologic analysis for creeks, which is problematic because it's not flowing as it did in the 70s. He said that those are homes that have flooded before; immediately on Harney right along there and those back on the west side. But yet they are being removed; and that is what our concern is. If there is no flood history and they are being removed, that is entirely appropriate; but there is plenty of history of that here. Tokos noted that in the materials is a chart showing the changes in Newport acreage. Over 161 acres were removed, 82 acres added, and close to 1400 acres had no change. They are actually pulling out more than they are putting in; but it needs to be logical. We don't want them pulled out, and then we get a flood and they don't have insurance. Branigan asked when the last time was that the Harney homes flooded. Tokos said that he hasn't had a chance to pull that information. Hardy said that the homes she manages on Iler had high water in the last 25 years. They had submerged garage floors. Tokos said there are construction standards for flood insurance. When doing construction, you have to elevate the lowest floor area of finished space at least one foot above the 100-year flood base and below that point has to be flood proofed. He said most of the time with crawl spaces, they use very large vents. There are special vent enclosures that allow flood water to pass through. They are slightly different than what you would normally put over those.

Croteau asked if there are plans to do hydrologic data on creeks and rivers in the future. Tokos said no, not in the foreseeable future because it's largely funding based. Croteau asked then if it will just remain 70s data. Tokos said with just better elevation data.

Tokos said by and large that is where a lot of errors were. Hardy said that she recalled at one time getting a definition of flood as being if a square mile or two square miles were submerged. If that much was not submerged, then it wasn't considered a flood. Tokos said that he hasn't heard that. Hardy said that was when she was talking to an insurance agent regarding the Iler properties.

Again, Tokos said this is one of three things coming down the pike. There will also be new flood insurance rate changes. The original attempt was to take it to actuarial rates, but it was unworkable. The legislature is still shooting for full actuarial rates. It's still out there. Another thing is that the Endangered Species Act (ESA) is being settled at the State level. There will be some changes to when a property is damaged due to flood and you want to replace it in an area that has certain habitat; and you can't just do that without some sort of mitigation. Tokos said he doesn't know more than that. He doesn't know the program coming out of the legislature, but that also is coming down the pike.

Berman asked if these maps based on Lidar have nothing to do with inundation. Tokos said these have nothing to do with tsunami.

Croteau asked what the Planning Commission needs to do with this. Tokos said eventually the Commission will be required to adopt changes to the flood insurance program, which will include the maps and text changes to the code for review in floodplains. It will be worked through in work session, and then the Commission will hold hearings on the new ordinance. We will be notifying folks within impacted areas. They will have questions about the changes, so the Commissioners will want to be up-to-date on those issues. He noted however that the Commission doesn't have as wide a range of options on this as on a lot of stuff.

**Adjournment.** Having no further discussion, the work session meeting adjourned at 7:03 p.m.

Respectfully submitted,

  
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Wanda Haney,  
Executive Assistant