



## **PLANNING COMMISSION WORK SESSION AGENDA**

**Monday, March 09, 2020 - 6:00 PM**

**City Hall, Conference Room A, 169 SW Coast Hwy, Newport, OR 97365**

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The meeting location is accessible to persons with disabilities. A request for an interpreter for the DEAF AND HARD OF HEARING, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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**1. CALL TO ORDER**

**2. UNFINISHED BUSINESS**

**3. NEW BUSINESS**

**3.A Discussion on Scope and Parameters for Needed Updates to the Nye Beach Overlay (Report to Council)**

[Memorandum](#)

[Partial Minutes from the February 18, 2020 City Council Meeting](#)

[Core Zone Proposal](#)

[NMC Chapter 14.30, Design Review](#)

[Newport Peninsula Urban Design Plan](#)

[Photo Inventory of Past and Present Nye Beach Development \(through 2015\)](#)

[Map Illustrating Nye Beach Building Footprints and Lotting Pattern](#)

**3.B Discuss Transportation System Plan (TSP) materials and Spring Outreach**

(Firm).  
Memorandum


#### 4. ADJOURNMENT

# City of Newport

## Community Development Department

# Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director 

Date: March 6, 2020

Re: Nye Beach Core Zone Proposal or Other Potential Changes to the Nye Beach Design Review Overlay

At its February 18, 2020 meeting, the Newport City Council adopted a motion directing the Planning Commission to initiate legislative amendments to C-2 zoned property within the Historic Nye Beach Design Review Overlay to prohibit residential use at street grade along the west side of Cliff Street, and to report back to the Council on how to proceed with the Core Zone proposal (minutes attached). At this evening's regular meeting, the Commission will have an opportunity to initiate the targeted amendment related to Cliff Street. This work session has been scheduled to address the other part of the Council's motion related to the Core Zone Proposal.

A copy of the core zone proposal is enclosed. It was developed by a group of citizens in 2015, including some of the members of an ad-hoc work group that were assisting city staff on updates to the Design Review Overlay that were completed in 2015. Below is a comparison of the key provisions of the Core Zone Proposal in relation to the current Design Review Overlay Requirements:

Core Zone Proposal	Existing	
	Non-Discretionary Design Standards	Discretionary Design Guidelines
32-ft maximum building height	35-ft	50-ft
72-ft maximum frontage (building) width	Up to 65-ft	Over 65-ft
No more than two lots combined	No limit	No limit
Would apply to C-2 property south of NW 6 <sup>th</sup> Street and north of Olive Street	All C-2 in the overlay	All C-2 in the overlay
C-2 uses as permitted	Same	Same
No Change to Design Guidelines	Same	Same

When considering the proposal, the Planning Commission should weigh whether or not the new standards would more effectively achieve the purpose of the Design Review District. To assist you in that evaluation, I have enclosed a copy of the Design Review land use regulations, including the purpose statement, and the Newport Peninsula Urban Design Plan policies contained in the

Comprehensive Plan (a.k.a. the Glick Study). It would also be appropriate for the Commission to consider existing development, the standards they were built to, and whether or not existing projects that are taller, or larger than what would be permissible under the Core Zone proposal are consistent with the purpose of the district and Comprehensive Plan policies. To assist with that, I have enclosed a photo inventory of a number of existing buildings in Nye Beach, along with a brief summary of relevant development parameters. This same inventory was provided to the ad-hoc work group when the Nye Beach regulations and guidelines were updated in 2015; however I clarified/updated some of the information. Also attached is a map illustrating the lotting pattern and building envelopes of development in Nye Beach as of July of 2018 (the last time the City undertook a LiDAR flight to map building footprints. Dotted lines on the map represent actual lot lines (versus tax lots).

The Core Zone Proposal was brought forward out of a concern that the mass and height of buildings being developed was out of character with the predominant architectural style of 1 to 2 ½ story wood frame buildings with gable or hip roofs that were clad with clapboard, shingle, or fire retardant siding. Projects cited as inconsistent included Archway Place and the Mcentee Building. In 2015 the Commission and Council elected to address the issue of building mass by dropping the threshold for Planning Commission design guideline review for new buildings from those that are 100-feet in length, to new buildings exceeding 65-feet in length. A height allowance of 50-feet was retained, with Planning Commission review being required for buildings over 35-feet in height.

While the Commission has been asked by the City Council to provide its recommendations related to the Core Zone Proposal, it may convey to the Council its thoughts on other changes that may be needed in Nye Beach. In doing so, the Commission should clearly frame the problem/issue that needs to be addressed.

For additional context, below is a summary of the evolution of ordinances and design guidelines relevant to the Nye Beach Design Review Overlay.

- Ordinance No. 1758 (1997): Built upon the Nye Beach Study (Seventh Amendment to the Newport Urban Renewal District), completed in 1989, and the Newport Peninsula Urban Design Plan that was completed in 1994 and adopted into the Newport Comprehensive Plan. Established the Nye Beach Design Review Overlay. Development subject to review by Design Review Committee for compliance with discretionary design guidelines. Initial set of guidelines were developed. Buildings over 100 feet in length were subject to Planning Commission approval as a conditional use and were similarly required to comply with discretionary design guidelines. Created a C-2 mixed use zone where residential use was prohibited at street grade along high volume streets (Coast, Olive, Cliff, Beach, and Third). Residential at street grade was prohibited at street grade elsewhere in the district where the property was commercially developed.
- Ordinance No. 1838 (2001): The Nye Beach Design Review Overlay was set to expire on January 1, 2002. This ordinance set a new expiration date of January 1, 2010 unless reenacted by the City Council.
- Ordinance No. 1865 (2003): Complete overhaul of the Nye Beach Design Review Overlay. This package of amendments included a set of “clear and objective” standards for housing within the district, to comply with a new state law passed in 2001 (ref: ORS 197.307(4)). Design Review Committee was eliminated, and code established two levels of review, a staff level review for compliance with non-discretionary design standards and Planning Commission review for compliance with discretionary guidelines. Design guidelines were updated and non-discretionary standards developed. Typical dimensional standards were reduced by 50% and new development could claim on-street parking as a credit against typical off-street parking requirements. New residential at street grade in the C-2 district was limited to the footprint that existed in 2004. The 100-foot threshold for Commission review remained. Code was to be reviewed for potential updates in 10-years.



- Ordinance No. 1946 (2008): Amendment initiated by the Council at the request of Nye Beach residents. Loosened up the restrictions on new residential development at street grade in the C-2 zone, north of NW 6<sup>th</sup> and south of NW 2<sup>nd</sup> Court, where the properties fronted Coast, Cliff, and Olive Streets. Established development standards for such uses.
- Ordinance No. 2084 (2015): Satisfied the 10-year review requirement put in place with Ordinance No. 1865. Design standards and guidelines were updated and additional projects were subject to Planning Commission Design Guideline review (i.e. buildings over 65-feet in length as opposed to the previous 100-foot threshold). New guidelines were developed to address solar access. Code provisions were updated and reorganized, and the boundary of the Nye Beach Design Review Overlay was amended.
- Ordinance No. 2120 (2017): Clarified that conditional use review is required for new or expanded commercial uses over 2,000 square feet in size (not commercial and residential); revised a zero foot garage setback allowance added with Ordinance No. 2084; and clarified that density refers to the number of residential units allowed on a property, not the size of units. Ordinance was a response to the single family detached home built at Coast and Olive.
- Ordinance No. 2160 (2019): Initiated by the Planning Commission at the request of Nye Beach property owners. Amendment further expanded the allowance for new residential at street grade in the C-2 zone to include all property within the Overlay north of NW 6<sup>th</sup> Street and south of NW 2<sup>nd</sup> Court.

In working through these materials, you may see reference to the “Glick Study.” Fred Glick Associates, now Fred Glick Design, was hired as part of a consulting team to develop an urban design plan for Nye Beach, including recommendations for land acquisition and infrastructure investments. That project, known as the Nye Beach Study, was adopted as the seventh amendment to the City of Newport Urban Renewal Plan in 1989. The study recommended the city develop mixed use zoning and development regulations to complement the Urban Renewal Agency’s investments. Fred Glick and Associates was hired to assist with that effort, which resulted in the development of the Newport Peninsula Urban Design Plan (1991-1994), recommendations from which were adopted into the Comprehensive Plan. That plan called for the creation of six urban design districts, one of which would encompass Nye Beach. The City implemented the recommendations of the Peninsula Urban Design Plan for Nye Beach, with the establishment of the Nye Beach Historic Design Review Overlay in 1997 (Ordinance No. 1758). This is the only one of the urban design districts to have been established. Both of these planning documents can be viewed on the city website at: <https://newportoregon.gov/dept/cdd/CompPlanDocuments.asp>.

This work session is an opportunity for the Commission to discuss what, if any, changes are needed to the land use regulations and/or the design guidelines/standards that apply within the Nye Beach Design Review Overlay. It is my hope that, coming out of the discussion, there will be clear enough direction from the Commission regarding the issue(s) that need to be resolved, so that I can prepare a draft letter to the Council for review at a future work session. This work session is not intended to delve into the process for implementing any needed changes. That would be a discussion for another day, if the Commission believes that land use regulations and/or design guidelines need to be revised.

Attachments:

Partial Minutes from the February 18, 2020 City Council Meeting  
 Core Zone Proposal  
 NMC Chapter 14.30, Design Review  
 Newport Peninsula Urban Design Plan (Comprehensive Plan Policies)  
 Photo Inventory of Past and Present Nye Beach Development (through 2015)  
 Map Illustrating Nye Beach Building Envelopes and Lotting Pattern

# MINUTES FROM 2-18-20 City Council Meeting

of understanding with Central Lincoln PUD to extend a high voltage power line through the reservoir properties to improve resiliency of the electrical grid serving the City of Newport. The motion carried unanimously in a voice vote.

**Report and Possible Action Regarding the Historic Nye Beach Overlay.** Hawker introduced the agenda item. Nebel reported that on February 3, the City Council met in a work session to review several issues related to Nye Beach. He stated Council discussed the Nye Beach Turnaround Pavement Project. He noted there were no objections expressed from the Council in proceeding with that project as presented by Public Works Director/City Engineer, Tim Gross. He added Council heard from Wendy Engler regarding the overlay zone. He reported there were two specific issues that were discussed.

Nebel stated one was confirmation that the City Council has referred the discussion on the Nye Beach Core Zone proposal to the Planning Commission. He indicated the second was urgency in dealing with lots located on the west side of Cliff Street. He noted the short-term fix that was suggested for avoiding a situation where multiple lots are used to build one single large house, is to exclude residential on the ground floor for property on the west side of Cliff Street. He reported this would help achieve the initial concept of having small shops below and housing above for future projects. He added it would facilitate potential hotel development or other similar appropriate uses in this area.

Nebel stated Cliff Street was designed as a walkable commercial street that would serve as a connector between the Visual Arts Center and the Performing Arts Center. He noted this concept would be impacted should multiple lots be purchased with large single-family homes constructed on this oceanfront property. He mentioned Wendy Engler suggested that the city consider pursuing assistance through Oregon's Transportation Growth Management Program (TGM) for possible funding opportunities to assist in discussion of the Nye Beach Core Overlay Zone proposal. He added he had a phone call with TGM, and learned the city would need to come to a consensus first on a project before grant discussion could take place. He noted applying for competitive grants and noncompetitive grants at the same time would not create a conflict. He suggested Council move forward with a request for the Planning Commission to consider initiating amendments to the C-2 zoned property within the Nye Beach Overlay, to prohibit residential uses at street grade along the west side of NW Cliff Street.

MOTION was made by Parker, seconded by Jacobi, to direct the Planning Commission to initiate legislative amendments to C-2 zoned property within the historic Nye Beach Design Review Overlay to prohibit residential use at street grade along the west side of Cliff Street, in addition to the previous request relating to review and recommendations on how to proceed with the core zone proposal previously referred to the Planning Commission. The motion carried unanimously in a voice vote.

Sawyer thanked Wendy Engler and Charlotte Boxer.

**Report and Possible Action on 2020 Legislative Session Bills.** Hawker introduced the agenda item. Nebel reported that House Bill 4001 has been introduced to direct the Housing and Community Services Department to study laws relating to housing in the state. He explained it also declares an emergency exists in the state of Oregon. He stated current amendments have added significantly more impact on local units of government, including funding for shelters and elimination of zoning restrictions on where shelters can be located. He noted the League of Oregon Cities has indicated support for new resources for shelters. He reported this could be problematic since it would eliminate local control over questions as far as appropriate locations for homeless shelters in communities.

# MEMORANDUM

January 21, 2015

Attention: Derrick Tokos and members of the ad-hoc members of the Nye Beach Work Group

Subject: Proposal for a Nye Beach Core Area Zone Change

The ten-year review of the Nye Beach Design Review District is in Progress. The committee has been working on tightening and clarifying the document. This will make it more easily understood for builders and developers. It has been hard work, ten months of it, and we have achieved much in simplification and clarity. However, many of us feel that the restrictions on height and mass are not adequately addressed.

Following is the Newport Peninsula Urban Design Plan description of Nye Beach. This comprehensive plan, from 1993, is the definitive plan for all of Newport's growth and planning.

"Nye Beach District: The Nye Beach District is significant for the collection of cohesive architectural resources and landscape elements which reflect a working-class neighborhood. The area consists of wood frame buildings, 1 to 2 1/2 stories in height, covered with gables and hip roofs, and clad with clapboard, shingle and/or fire retardant siding. The landscape character of the area is defined by the use of rock walls, terraces, sidewalks, and small front lawns. There are some small-scale commercial buildings within this residential neighborhood, which relate directly in building materials, scale, and massing to the character of the area. (Some changes have occurred in the neighborhood, including building alterations such as retardant siding materials and infill of non-compatible buildings on once vacant properties.)

The Nye Beach sub-area is most important as a cohesive neighborhood, defined by the character of these vernacular buildings and the building/site relationship. Every effort should be made to integrate the goals of the Nye Beach Study (seventh amendment to the Newport Urban Renewal Plan) with any new developments in this area for maximum benefit to the city and community." This definition, first adopted in 1993, was included in the original 1997 NBDRD and in the 2003 revision.

We strongly feel that the current design overlay revision discussions have not addressed our concerns about mass and scale. These are the most important issues for maintaining the character of the Nye Beach neighborhood.

Eric Ridenour, our Sera consultant, suggested that one of the best ways to control height and mass is by a zone change. We are proposing that creating a special Nye Beach Core Zone, (NBCZ) could deal with these issues effectively. Please review the

attached map of the Nye Beach area that would be affected by the proposed zone change. This limited area designated for a zone change would have a very large impact on maintaining and enhancing the character of Nye Beach as defined in the Comprehensive Plans characterization of Nye Beach.

#### NYE BEACH CORE ZONE (NBCZ)

C2 uses as permitted

Nye Beach Design Review guidelines remain in effect

32 ft height limit

72 ft. frontage width (façade to the street the most important)

No more than two lots combined

Zone area defined as:

All properties, fronting on the east side of Coast Street

All properties from Coast Street to the bluffs of the ocean

From Olive Street on the south to 6<sup>th</sup> street on the north.

Nye Beach has a number of small-scale developments, both living above and shop below and multiple commercial/residential units on a small scale that have been highly successful. We have listed examples of several below that fit the character of Nye Beach. We would like to see more of these kinds of building plans in the future. We have also included several photos depicting good examples of existing building in Nye Beach that fit our proposal.

Arr Place

Green Gables

Nye Beach Montessori

The Chowder Bowl

The Grand Victorian

Linda and Michael's Gifts

Nye Cottage Beads

Café Mundo

222 Building (TuTuTu)

Panini (Shorepine)

Key Books

Things Rich and Strange (Bucky -Rhonda)

For Artsake (Overlook)

Nye Beach Book House

Aprils


Nanas (Rodden)

Toujours	Queen of Hearts
Oregon Coast Properties	The Tea Party
Nicki's Hair Salon	Salon on 3 <sup>rd</sup>
Peerless Puffin	Illingworths
Deep End Café	Zach's Bistro

Thank you for your consideration.


The Nye Beach Design Review Ad-Hoc Work Group members:

Jody George (SW)

 C. VICTORY

Raven Wilson

Frances Van Wert

 Lottus Clump

Attachments: 2





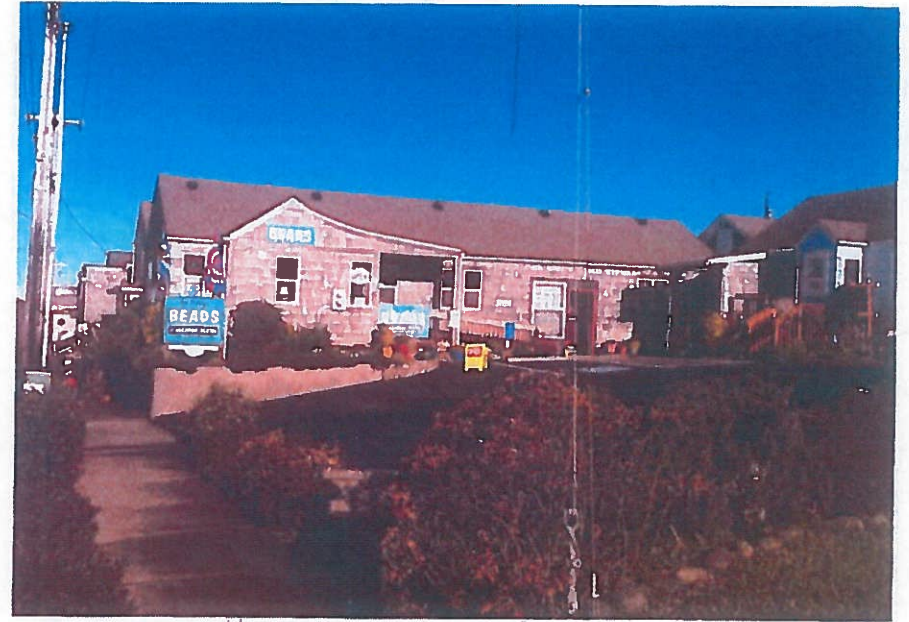
Parking lot



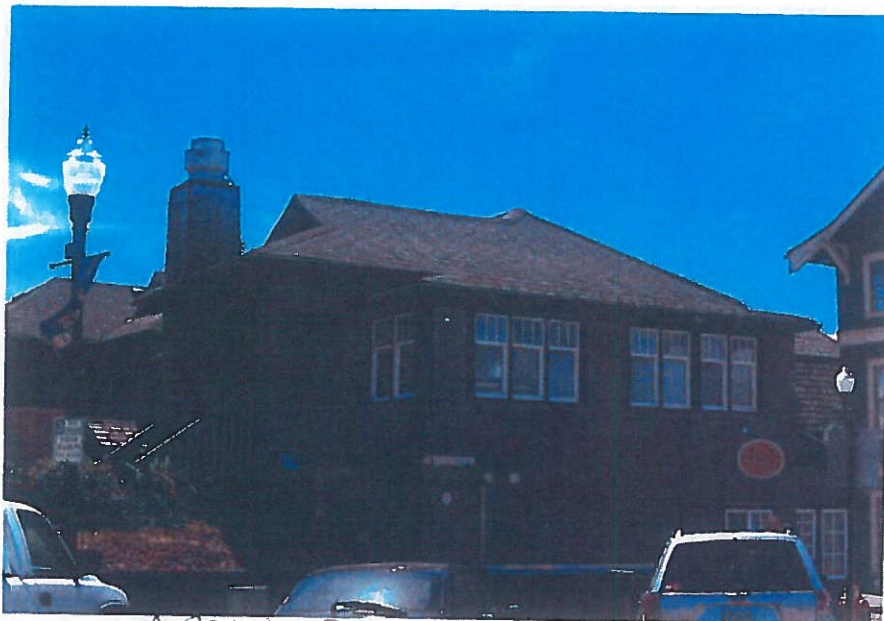
...then change preserve and strengthen  
the historic and scenic character of the neighborhood.



Fairhaven Vacation Rentals - Coast St.



NYE Cottage Beads - Coast St.

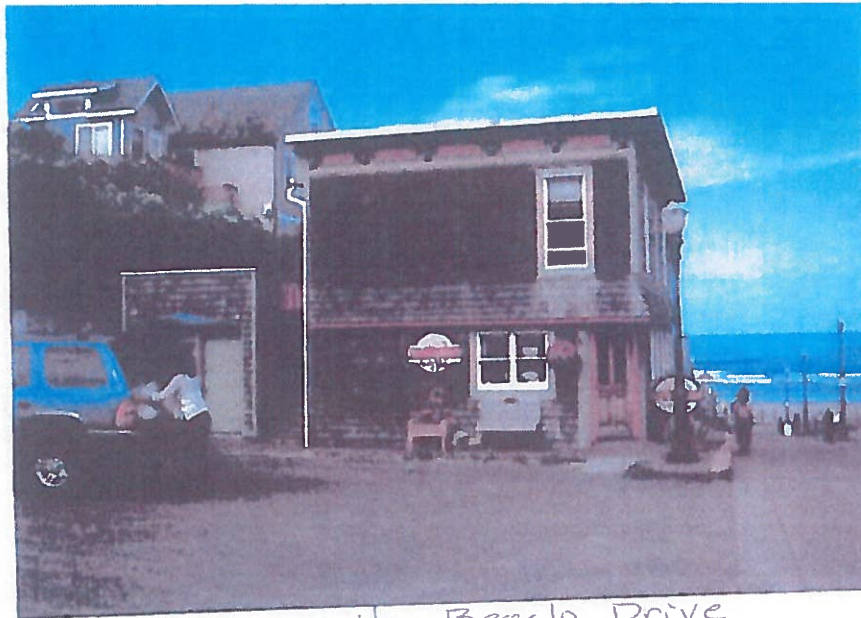


APRIL'S Restaurant - Cliff & NW 3rd



Toujours Boutique - Beach Drive

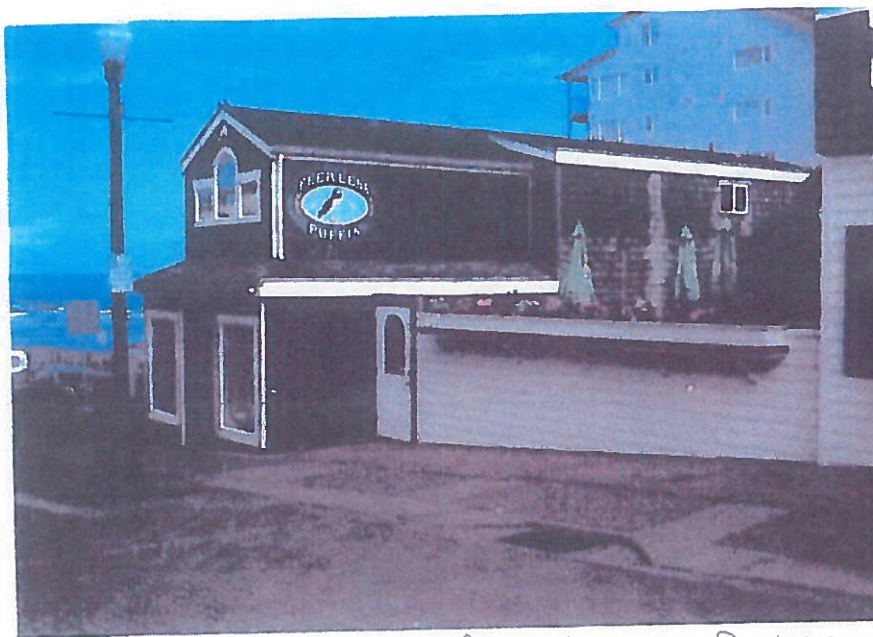




Hillingsworth - Beach Drive



Chowder Bowl - Beach Drive



Peerless Puffin - Beach Drive



Queen of Hearts - Beach Drive



This re-developed house steps back each floor, reducing mass and letting in more light.



Rich + Strange - Coast St.



Jovi + Pannini - Coast St.



Cafe Mundo + Periwinkle - NW 2nd Ct.



Key Books - NW 2nd Ct

## CHAPTER 14.30 DESIGN REVIEW STANDARDS

### 14.30.010 Purpose

Design review districts may be adopted by the City of Newport in accordance with applicable procedures to ensure the continued livability of the community by implementing standards of design for both areas of new development and areas of redevelopment. Design review is an important exercise of the power of the City to regulate for the general welfare by focusing on how the built environment shapes the character of the community.

The Newport Comprehensive Plan identifies six potential urban design districts within the Newport Peninsula including the City Center District (and Highway 101 corridor), Waterfront District, Nye Beach District, Upland Residential District, East Olive District, and the Oceanfront Lodging/Residential District. Additionally, neighborhood plans may be adopted for other areas of Newport that include as an objective the implementation of design review to maintain and/or provide a flexible approach to development by offering two methods of design review from which an applicant can choose. One method of design review is under clear and objective design standards and procedures to allow development that is consistent with the standards to occur with certainty in a timely and cost effective manner. A second alternative method of design review is review under design guidelines, which are a more flexible process for proposals that are creative/innovative and meet the identified guidelines of the applicable design review district.

It is further the purpose of these standards to:

- A. Preserve the beautiful natural setting and the orientation of development and public improvements in order to strengthen their relationship to that setting.
- B. Enhance new and redeveloping architectural and landscape resources to preserve and strengthen the historic, scenic and/or identified neighborhood character and function of each setting.

- C. Improve the vehicular and pedestrian networks in order to improve safety, efficiency, continuity, and relationships connecting Newport neighborhoods.
- D. Strengthen Newport's economic vitality by improving its desirability through improved appearance, function, and efficiency.
- E. Improve the built environment in order to strengthen the visual appearance and attractiveness of developed areas.
- F. Implement the goals and objectives of the adopted neighborhood plans.

#### 14.30.020 Design Review Districts: Overlay Zones Established

The following:

- A. Historic Nye Beach Design Review District. The Historic Nye Beach Design Review District Overlay Zone shall be indicated on the Zoning Map of the City of Newport with the letters HNBO and is the area described as follows:

Beginning at the northeasterly corner of SW Hurbert Street and SW 2nd Street; thence westerly along the north line of SW 2nd Street to the west line of SW Dolphin Street, said point also being the southeast corner of Lot 1, Block B, Barlow Blocks Addition to the City of Newport; thence north along the west line of SW Dolphin Street to 10 feet beyond the north line of Lot 7, said Barlow Blocks Addition; thence westerly, 10 feet north of and parallel with said north line of Lot 7 to the Pacific Ocean; thence northerly along the Pacific Ocean to the south line of NW 12th Street; thence east along the south line of NW 12th Street to the east line of an alley between NW Spring Street and NW Hurbert Street; thence south along the east line of said alley way to the north line of NW 10th Street; thence southwesterly to the southwest corner of the intersection of NW 10th Street and NW Brook Street; thence south along the west line of NW Brook Street to the south line of NW 8th Street;



thence east along the south line of NW 8th Street to the west line of NW Hurbert Street; thence south along the west line of NW Hurbert Street to the north line of NW 6th Street; thence east to the northeast intersection of NW 6th Street and NW Hurbert Street; thence south along the east line of NW Hurbert Street and SW Hurbert Street to the north line of SW 2nd Street and the point of beginning.

#### 14.30.030 Adoption of Design Review: Guidelines and Standards

The document entitled "Newport Design Review: Guidelines and Standards" dated July 29, 2015, is hereby adopted by reference and made a part hereof. The guidelines and standards contained therein shall be the guidelines and standards applicable to the Historic Nye Beach Design Review District.

#### 14.30.040 Design Review Required

The following development activities in an established design review district are required to obtain a design review permit under the design standards in an identified design review district or, in the alternative, to apply for a design review permit and to obtain approval under the design guidelines for that design review district:

- A. New construction, substantial improvement, or relocation of one or more dwelling units.
- B. New construction, substantial improvement, or relocation of a commercial or public/institutional building.
- C. New construction, substantial improvement, or relocation of a residential accessory structure that contains more than 200 square feet of gross floor area and is not more than 10 feet in height.
- D. New construction, substantial improvement, or relocation of a commercial accessory structure that contains more than 120 square feet of gross floor area.

- E. An addition that increases the footprint of an existing building by more than 1,000 square feet.

#### 14.30.050 Exemptions

The following activities are exempt from the provisions of this chapter:

- A. Development activity that is subject to the provisions of Newport Municipal Code [Chapter 14.23](#), Historic Buildings and Sites.
- B. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions.
- C. Development that does not involve the construction, substantial improvement, or relocation of a dwelling unit, commercial or public/institutional building, or accessory structure.
- D. Conversion of space within an existing structure into an accessory dwelling unit.

*(Section 14.30.050 revised by Ordinance No. 2152, adopted on November 4, 2019; effective December 4, 2019.)*

#### 14.30.060 Approval Authority

The following are the initial review authorities for a Design Review application:

- A. Community Development Director. For projects subject only to the design standards specified in the document entitled "Newport Design Review: Guidelines and Standards," dated July 29, 2015. The approval or denial of a Design Review application by the Community Development Director is a ministerial action performed concurrent with City review of a building permit.
- B. Planning Commission. For projects that require design review under the design guidelines contained in the document entitled "Newport Design Review: Guidelines and Standards," dated July 29, 2015, including the following:

1. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that is over 65 feet in length or 35 feet in height; or
2. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that does not meet the design standards contained in the document entitled "Newport Design Review: Guidelines and Standards" dated July 29, 2015; or
3. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that involves a conditional use, a variance, or any other type of land use permit for which a Type III Land Use Action decision process is required, pursuant to [Chapter 14.52](#), Procedural Requirements.

#### 14.30.070 Application Submittal Requirements

- A. For requests that are subject to Community Development Director review for compliance with design standards, an application for Design Review shall consist of the following:
  1. A completed and signed City of Newport Building Permit Application Form.
  2. Building plans that conform to the submittal requirements for a building permit that include a site plan, floor plan, exterior architectural elevations, cross-section drawings, and construction specifications illustrating how the design standards have been met.
  3. A written checklist identifying the design elements used to comply with the design standards.
- B. For requests that are subject to Planning Commission review for compliance with design guidelines, an application for Design Review shall consist of the following:

1. Submittal requirements for land use actions listed in [Section 14.52.050](#).
  2. Exterior elevations of all buildings on the site as they will appear after development. Such plans shall indicate the material, texture, shape, and other design features of the building(s), including all mechanical devices.
  3. A parking and circulation plan illustrating all parking areas, drive isles, stalls, and points of ingress/egress to the site.
  4. A landscape plan showing the location, type and variety, size and any other pertinent features of the proposed landscaping and plantings for projects that involve multiple-family (more than 2 units), commercial, and public/institutional development.
  5. A lighting plan identifying the location and type of all permanent area lights, including parking area lighting, along with details of the lighting fixtures that are to be installed.
  6. A written set of proposed findings that explain how the project complies with the applicable design guidelines.
  7. Any other information the applicant believes is relevant to establishing that the project complies with applicable design guidelines.
- C. All plans shall be drawn such that the dimensions can be verified with an engineers or architects scale.

#### 14.30.080 Permitted Uses

In addition to uses permitted outright or conditionally in the underlying zoning district, the following uses are permitted within areas subject to design review.

##### A. Historic Nye Beach Design Review District.

1. Tourist Commercial (C-2) zoned property.
  - a. Up to five (5) multi-family dwelling units per lot or parcel are permitted outright provided they

are located on a floor other than a floor at street grade.

- b. A single-family residence is permitted outright if located on a floor other than a floor at street grade.
- c. A single-family residence is permitted outright, including the street grade floor, within a dwelling constructed prior to January 1, 2004. Residential use at the street grade is limited to the footprint of the structure as it existed on this date.
- d. Single family, duplex, triplex, fourplex and multifamily dwelling units, including at the street grade, are permitted outright on property located south of NW 2<sup>nd</sup> Court and north of NW 6<sup>th</sup> Street.

*(Section 14.30.080(A)(1)(d) was amended by Ordinance No. 2160, adopted on January 6, 2020; effective February 5, 2020.)*

- 2. High Density Multi-Family Residential (R-4) zoned property.
  - a. Uses permitted outright in the C-2 zone district that are not specified as a use permitted outright or conditionally in the R-4 zone district, are allowed subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 14.34, Conditional Uses and subject to the limitation that the use not exceed a total of 1,000 square feet of gross floor area. This provision does not preclude an application for a use as a home occupation under [Chapter 14.27](#), Home Occupations.

#### 14.30.090 Prohibited Uses

The following uses are prohibited within areas subject to Design Review.

##### A. Historic Nye Beach Design Review District

- 1. Any new or expanded outright permitted commercial use in the C-2 zone district that exceeds 2,000 square feet of gross floor area.



New or expanded uses in excess of 2,000 square feet of gross floor area may be permitted in accordance with the provisions of [Chapter 14.34](#), Conditional Uses.

2. Recreational vehicle parks within the Tourist Commercial (C-2) and Public Structures (P-1) zoning districts.

*(Section 14.30.090 revised by Ordinance No. 2120, adopted on September 18, 2017; effective October 18, 2017.)*

#### 14.30.100 [Special Zoning Standards in Design Review Districts](#)

All zoning standards and requirements applicable under Ordinance No. 1308 (as amended) in the subject zoning district shall apply, except that the following additional zoning standards are applicable for the design review district as applicable in the underlying zoning designation and shall be modified for each district as specified.

##### A. Historic Nye Beach Design Review District:

1. No drive through windows are allowed.
2. Commercial buildings with frontage on NW and SW Coast Street, W Olive Street, NW and SW Cliff Street, NW Beach Drive, and NW Third Street shall be set back from the property line fronting the street no more than 5 feet unless the development provides for a pedestrian oriented amenity (such as a courtyard, patio, or café with outdoor seating), compliance with the setback is precluded by topography or by easement, or a larger setback is authorized by the Planning Commission through the design review process.
3. Required yards and setbacks established in [Chapter 14.11](#) (Required Yards and Setbacks) and [Chapter 14.18](#) (Screening and Buffering between Residential and Non-Residential Zones) shall be reduced by 50%, except for [Section 14.11.030](#), Garage Setback, which is to remain at 20-feet. A setback for a garage that is less than 20-feet may be permitted if it is found by the Planning Commission to be consistent with the

Design Review Guidelines pursuant to NMC  
[14.30.060\(B\)](#).

4. The following adjustments to [Chapter 14.12](#) (Minimum Size) and [Chapter 14.13](#) (Density Limitations, Table "A") are allowed within the District.
  - a. The minimum lot area within both the R-4 and C-2 zones shall be 3,000 square feet.
  - b. The minimum lot width for the R-4 zone shall be 30 feet.
5. Residential use permitted on C-2 zoned property located south of NW 2<sup>nd</sup> Court and north of NW 6<sup>th</sup> Street shall comply with the following additional requirements:
  - a. The maximum residential density is 1,250 square feet per unit.
  - b. The maximum building height is 35 feet.
  - c. The maximum lot coverage in structures is 64%. If the proposed residential use provides at least 1 off-street parking space for each dwelling unit in a below-grade parking structure (for the purposes of this section below-grade is defined to mean that 50% or more of the perimeter of the building is below-grade) located directly below the residential portion of the structure, the maximum lot coverage allowed is 90%.
  - d. The residential use provides at minimum 1 off-street parking space for each dwelling unit.
  - e. At least one residential building per lot is set back from the property line abutting the street no more than 5 feet.

*(Section 14.30.100(A)(5) was amended by Ordinance No. 2160, adopted on January 6, 2020; effective February 5, 2020.)*
6. The following adjustments to the off-street parking requirements of [Chapter 14.14](#) (Parking, Loading,

and Access Requirements) are provided for uses within the District:

- a. Commercial uses shall have the first 1,000 square feet of gross floor area exempted from the off-street parking calculation.
- b. All uses within the District shall be allowed an on-street parking credit that shall reduce the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property subject to the following limitations:
  - i. Each on-street parking space must be in compliance with the City of Newport standards for on-street parking spaces.
  - ii. Each on-street parking space to be credited must be completely abutting the subject property. Only whole spaces qualify for the on-street parking credit.
- e. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are allowed except as authorized by the City of Newport.

*(Section 14.30.100 revised by Ordinance No. 2120, adopted on September 18, 2017; effective October 18, 2017.)*

#### 14.30.110 Modification of a Design Review Permit

A modification of an approved design may be requested of the approving authority for any reason by an applicant. Applications for a modification shall be submitted and processed in the same manner as the original application.

- A. If the requested modification is from an approval issued under design standards, the modification request shall be approved by the Community Development Director if the modification also meets the design standards.

- B. If the modification does not meet the design standards or if the modification is from an approval issued under the design guidelines, the modification shall be processed under the design review process for compliance with the applicable design guidelines. The Commission's authority is limited to a determination of whether or not the proposed modification is consistent with the applicable design review guidelines.

*(Chapter 14.30 was revised by Ordinance No. 2084; adopted September 21, 2015; effective October 21, 2015.)*

## **NEWPORT PENINSULA URBAN DESIGN PLAN<sup>1</sup>**

### **Findings:**

Newport's historic peninsula district is the heart of the city. The City of Newport anticipates that population, employment growth, and increased tourism on the peninsula, combined with automobile-dependent development, will negatively affect the quality of life and lifestyle, as well as the physical character of the historic core of the city. The peninsula's ability to accommodate change requires careful attention to urban design in order to preserve and strengthen the inherent qualities which have guided Newport's development to date. These summary findings are more fully developed in the Newport Peninsula Urban Design Study, which is incorporated herein as a background reference document and provides substantial evidence for these findings, policies, and implementation strategies. It is our key finding that is necessary to both stimulate and guide development in order to graciously incorporate change and preserve the peninsula as a wonderful place to live. Consequently, the following policies are adopted for the peninsula.

### **Policies:**

1. Preserve the beautiful natural setting and the orientation of development and public improvements in order to strengthen their relationship to that setting.
2. Enhance new and redeveloping architectural and landscape resources to preserve and strengthen the historic and scenic character and function of each setting.
3. Improve the vehicular and pedestrian networks in order to improve safety, efficiency, continuity, and relationships connecting the peninsula neighborhoods.
4. Coordinate with the Oregon Department of Transportation (ODOT) highway projects which are compatible with and responsive to these policy objectives and design districts implementing said policies.
5. Improve cohesion of each neighborhood subject to design district overlay by enhancing its function, character, and relationship to its natural setting and orientation.
6. Preserve and strengthen the ability of peninsula institutions to continue as centers

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<sup>1</sup> Chapter added by Ordinance No. 1677 (July 6, 1993).

of employment.

7. Improve the built environment in order to strengthen the visual appearance and attractiveness of developed areas.
8. Strengthen the peninsula's economic vitality by improving its desirability through improved appearance, function, and efficiency.
9. Preserve and enhance the existing housing supply. Encourage the increase of affordable housing in Newport.
10. Adopt up to six urban design districts on the peninsula for the purpose of implementing said policies in a manner consistent with the purpose of implementing said policies in a manner consistent with the character and function of each area as further defined herein.

#### **Implementation:**

The urban design policies may be implemented by additional specific policies related to these objectives in the transportation system plan, especially as these may relate to integration of pedestrian, vehicular and bicycle environments and networks, parking, and coordination with ODOT.

These policies may also be implemented by specific development/zoning code amendments requiring integration of key policy elements into development plans. Such policies may include a system of incentives to achieve density, height, pedestrian orientation, and scenic enhancement.

The key implementation for these urban design policies specifically authorized by this amendment shall be the creation of urban design districts. The purpose of each design district shall be to preserve and enhance the function and character of each district area. Design districts shall be considered as refinement plans and adopted as zoning and development code overlays. The character and function of the six urban design districts is as follows:

#### **1.) City Center District (including U.S. Highway 101 Corridor).**

##### **A. City Center**

The City Center area shall be characterized by Twentieth Century Commercial and Vernacular style structures. This area will be the most intensively developed commercial node on the peninsula. It will be enhanced as the City Center by development of a transportation network which links this area to all others on the peninsula. The building sites and public rights-of-way are to be

characterized by land efficient parking and views of the Pacific Ocean and Yaquina Bay.

B. City Center North

City Center North shall be characterized by concentrating government buildings into a government center both east and west of U.S. Highway 101. It will serve as a gateway to the peninsula while linking with the Center in both function and character.

C. City Center South

City Center South shall focus on the Pacific Communities Hospital development. Development in this area shall be pedestrian and bicycle oriented, with effective linkages to the City Center and the U.S. Highway 101 Corridor.

2.) Waterfront District.

Historically, this area was the original development site with the City of Newport. Marine dependent industries--timber transport, fishing, etc.--were the first source of livelihood for early settlers and inhabitants and shall continue to be referenced in the design of the area. The Waterfront District shall continue to reflect the working class character of the commercial fishing industry. Appropriately, existing commercial buildings line both sides of Bay Boulevard and are of wood frame construction, clad with stucco, masonry and tin, covered with flat and gable roofs, 1 - 3 stories in height, with zero building setbacks. Many buildings have awnings, and some are built on pilings above the water. Piers project beyond the buildings. The historic character of the area is strong due to numerous intact, original buildings which date from the 1870's through the 1940's, and preservation of these historic buildings should continue to the extent possible. (At the intersection of Hatfield Drive and Bay Boulevard, the addition of contemporary buildings and lack of intact historic buildings has changed the character of the area to the east.) The U.S. Coast Guard Station/Ocean House Hotel Site is noteworthy architecturally as a unique building of the Colonial Revival style within the City of Newport. The location of this building on a bluff above the Waterfront District is an important aspect of its significance and shall be preserved.

3.) Nye Beach District.

The Nye Beach District is significant for the collection of cohesive architectural resources and landscape elements which reflect a working-class neighborhood. The area consists of wood frame buildings, 1 to 2½ stories in height, covered with gable and hip roofs, and clad with clapboard, shingle and/or fire retardant siding. The landscape character of the area is defined by rock walls, terraces, sidewalks, and small front lawns. There are some small scale commercial

buildings within this residential neighborhood which relate directly in building materials, scale, and massing to the character of the area. (Some changes have occurred in the neighborhood, including building alterations such as retardant siding materials and infill of non-compatible buildings on once vacant properties.) The Nye Beach sub-area is most important as a cohesive neighborhood, defined by the character of these vernacular buildings and the building/site relationship. Every effort should be made to integrate the goals of the Nye Beach Study (Seventh Amendment to the Newport Urban Renewal Plan) with any new developments in this area for maximum benefit to the city and community.

4.) Upland Residential District.

Quiet area of well-maintained, modern single-family residential homes to be maintained overlooking Yaquina Bay. Sites are characterized by steep slopes and shall be sensitively developed. Existing vegetation, such as shore pines, fir, hemlock, and Monterey Cypress, is important to the character of this area, as well as the entire peninsula, and should be preserved.

5.) East Olive District.

This district consists of mixed use development and the middle school, high school, county fairgrounds, and city/ county maintenance shops. The East Olive District shall redevelop with emphasis on attractive development character and corridor improvements, including efficiently organized vehicular, pedestrian and bicycle traffic, and site planning that emphasizes pedestrian orientation and children's safety.

6.) Oceanfront Lodging/Residential District.

Multi-story buildings of varying heights, including rectangular oceanfront motels of contemporary construction. Occasional views of ocean between buildings to be encouraged. Orientation of visitors to the ocean is to be enhanced by the emphasis of native/naturalized plantings on public and private property. Multi-family residential structures to be encouraged. Single-family homes south of motel area, on bluff overlooking the beach, to be respected by adjacent developments. Parking conflicts to be improved by site planning and new buildings to reflect pedestrian orientation. Beach accesses to be maintained or enhanced. Public open spaces to be encouraged.

**Specific Peninsula Implementation Strategies:**

Development on the peninsula and in each urban design district may use these additional implementation strategies:

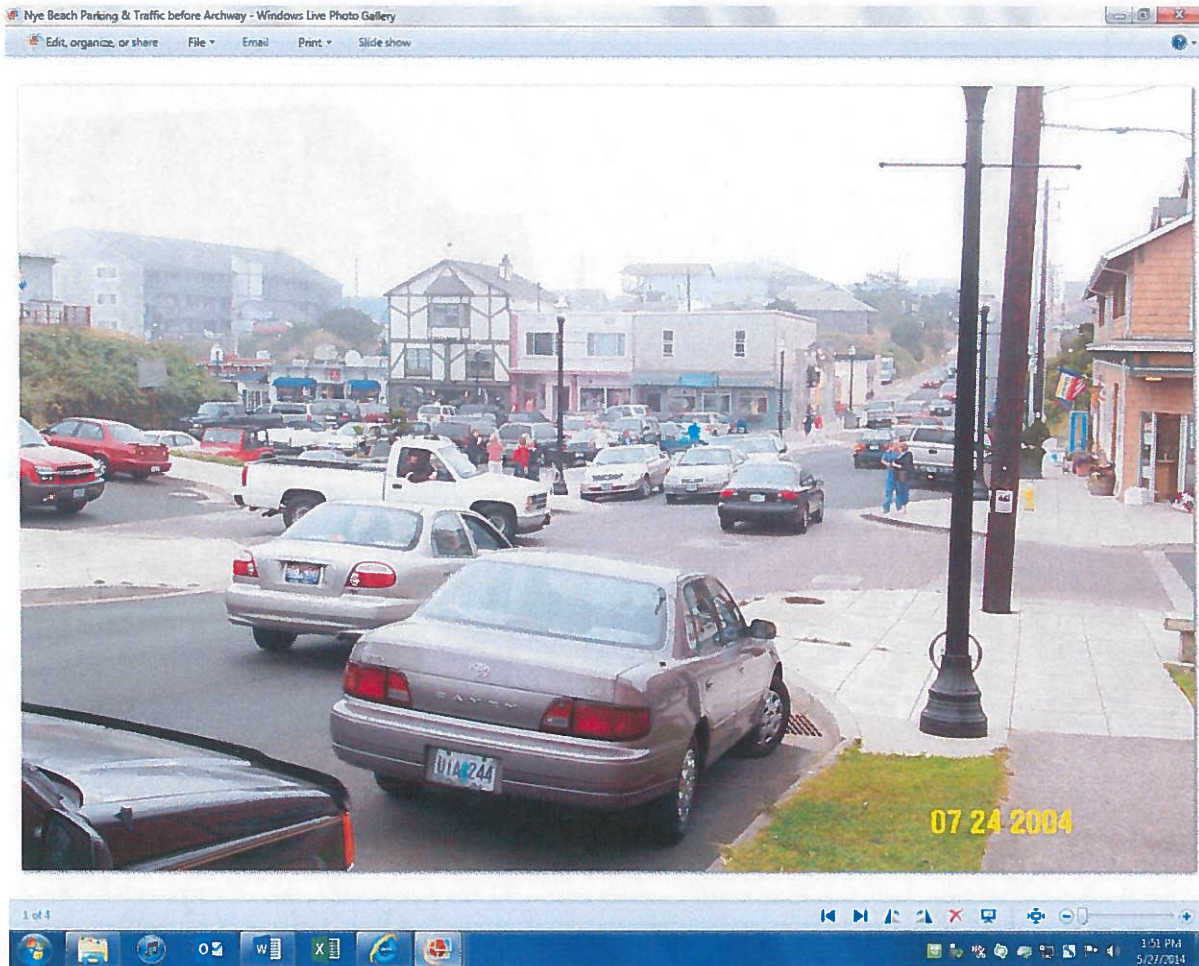
1.) Encourage development of a pedestrian-friendly environment throughout the



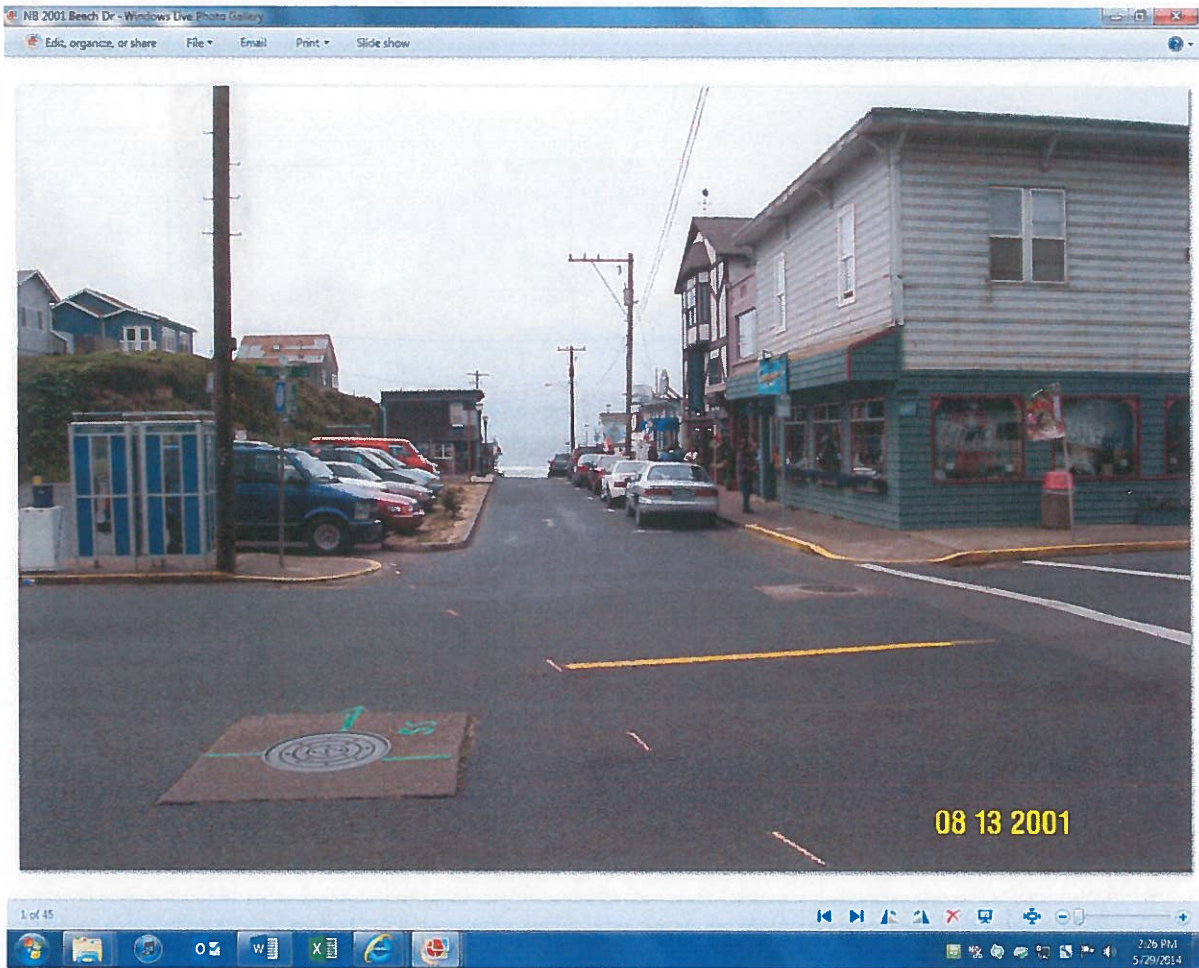
- peninsula through creation of public open spaces and pedestrian amenities within each of the peninsula's primary sub-areas. Such public places should be supportive of intensive commercial activity centers (such as the City Center), tourist areas (such as the Waterfront and Oceanfront Lodging areas), and orientation to major natural features (such as Yaquina Bay and the Pacific Ocean).
- 2.) Work with the Oregon Department of Transportation to develop the best coast parkway design, responsive to both the City of Newport's commercial development interests and user accessibility requirements. Include U.S. Highway 20, the East Olive entrance, as a major component of the work with ODOT. Co- ordinate compliance with Oregon's Transportation Rule for improved traffic flow and safety for cars, pedestrians, bicycles, and--where appropriate--transit throughout the peninsula. Further:
    - (a) Develop a strong, local circulation network by forming north-south streets (7th north from Bayley to 15th; and 9th north from Bayley to 12th) parallel to U.S. Highway 101 through the central peninsula area.
    - (b) Preserve the Yaquina Bay Bridge as a beautiful piece of architecture that greatly enhances the Newport Peninsula's entrance from the South.
  - 3.) Encourage developer partnerships in implementation of these urban design principles through a system of incentives (e.g., density, height, pedestrian orientation).
  - 4.) Use the redesign of U.S. Highway 101 to link the existing City Center with office employment centers and to link the Waterfront with Oceanfront Lodging/Residential and Nye Beach. Strive to fully integrate U.S. Highway 101 improvements into the City of Newport.
  - 5.) Establish visual continuity by seeking opportunities for relocating or undergrounding utilities and implementing a signage program and signage ordinances.
  - 6.) Preserve the significant scenic qualities from the Waterfront to the top of the Upland Residential bluff and from the Embarcadero through the Yaquina Bay State Park. Foster developer partnerships in implementation of these scenic preservation principles through a system of incentives (e.g., density, height, pedestrian orientation, parking reductions).
  - 7.) Preserve the natural character of the Newport peninsula--its remaining stands of significant native vegetation--by utilizing creative site planning on both public and private development projects. Carefully monitor potential impacts of new development and redevelopment efforts. (Definition of "significant" here is relative, since a single tree--a Douglas Fir or a Monterey Cypress, for example--is significant when located anywhere along the Uplands Residential bluff skyline above the

Waterfront, helping form the peninsula's characteristic appearance from the South.)

- 8.) Support the scenic restoration process (a) by implementing improvements within the highway and local street rights-of-way and (b) through the development and redevelopment processes of both commercial and residential lands. Scenic enhancement measures will be compatible with development rights.
- 9.) Resolve the traffic congestion and spatial limitations relating to use of the Lincoln County Fairgrounds, the Newport High School, and the Newport Middle School.

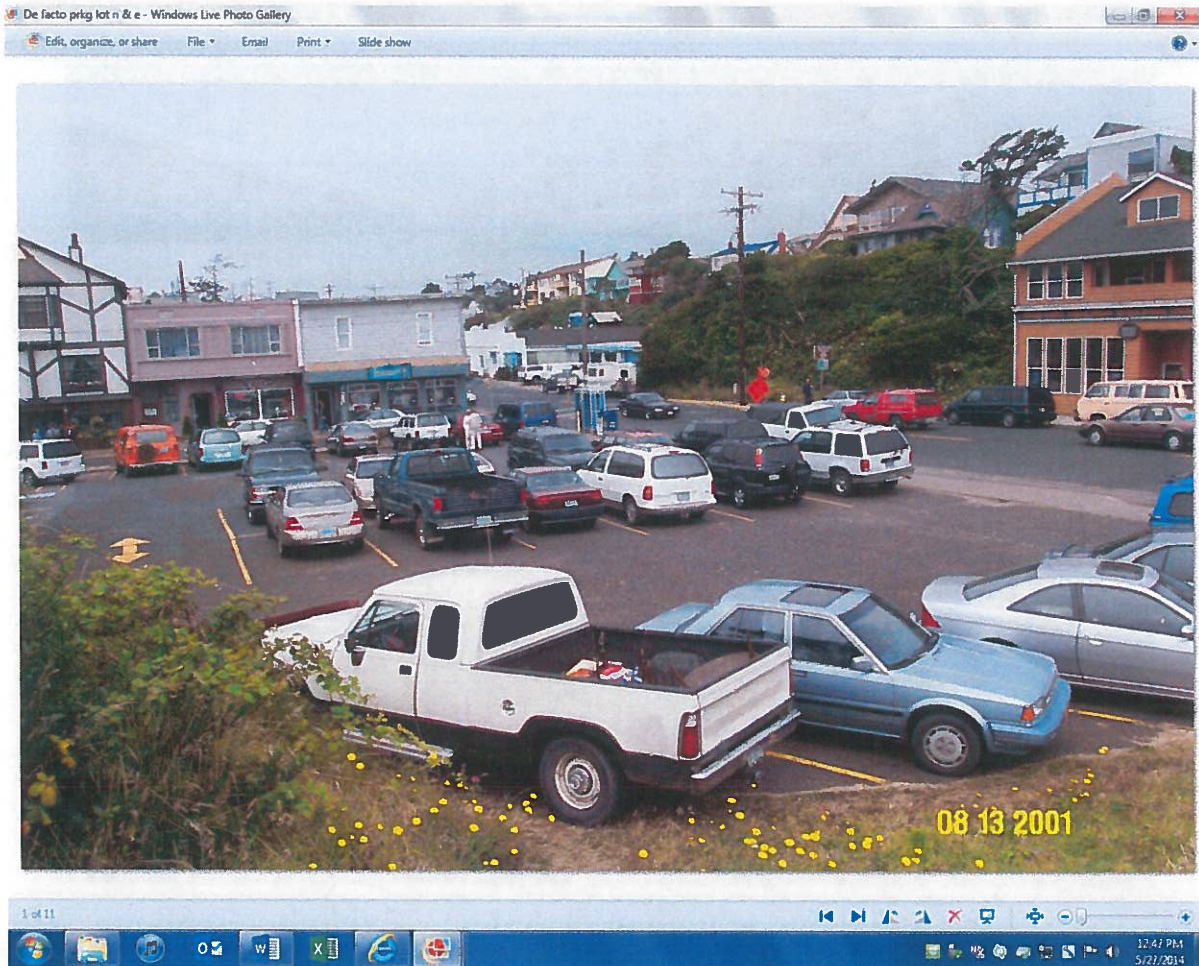


***Nye Beach Prior to Archway Place***

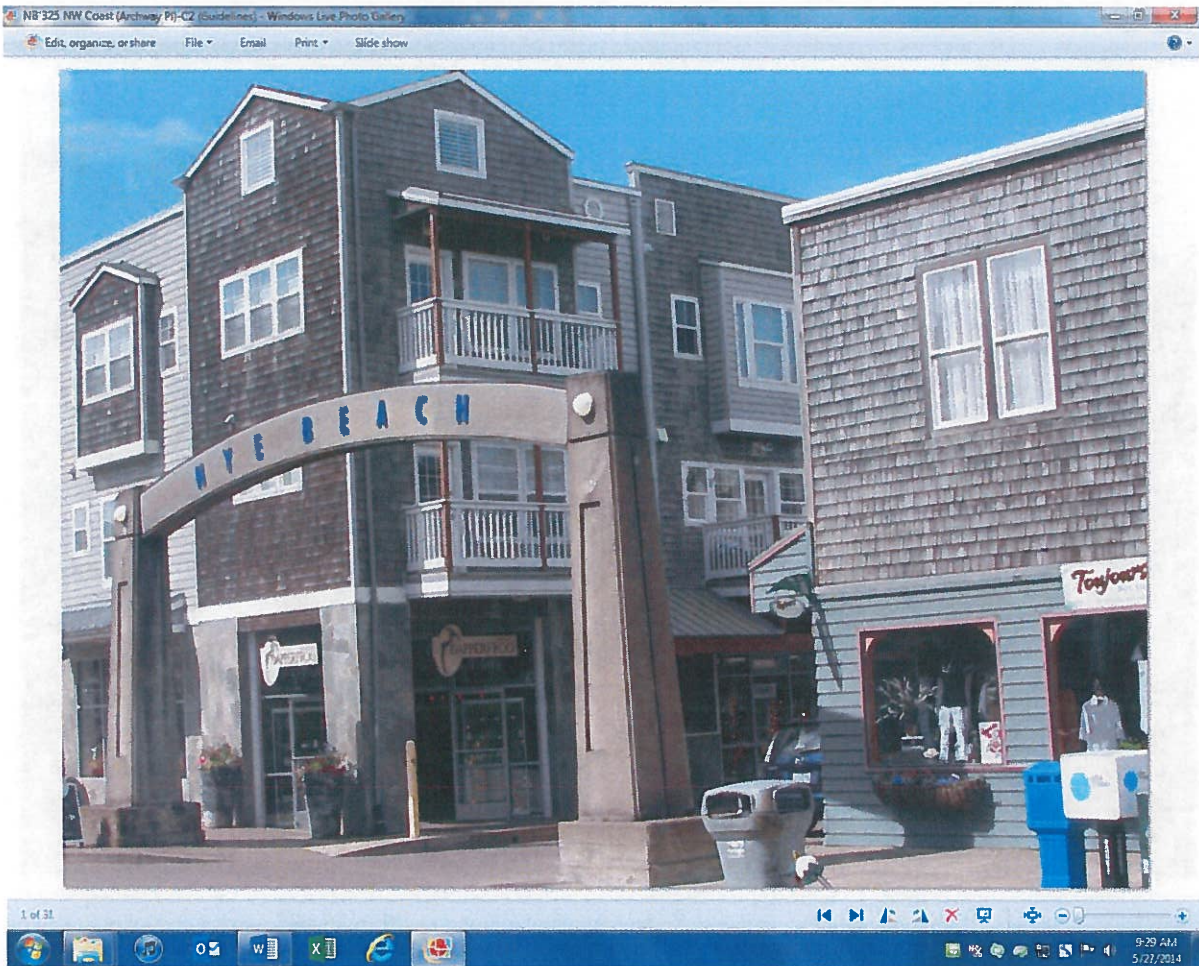


***Nye Beach Prior to Archway Place***





**Nye Beach Prior to Archway Place**



**Archway Place – 325 NW Coast Street**

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Zero setbacks; approximately 90% lot coverage; building height is 42.25 feet. Land Use Action(s) --Planning Commission: (1) Conditional Use Permit #2-CUP-06 (for building with an exterior dimension of over 100 feet, and to allow for four additional residential units above the five residential units permitted outright in the C-2 zoning district of the HNBO; and (2) Design Review #2-NB-06 (for design) applying design review guidelines.

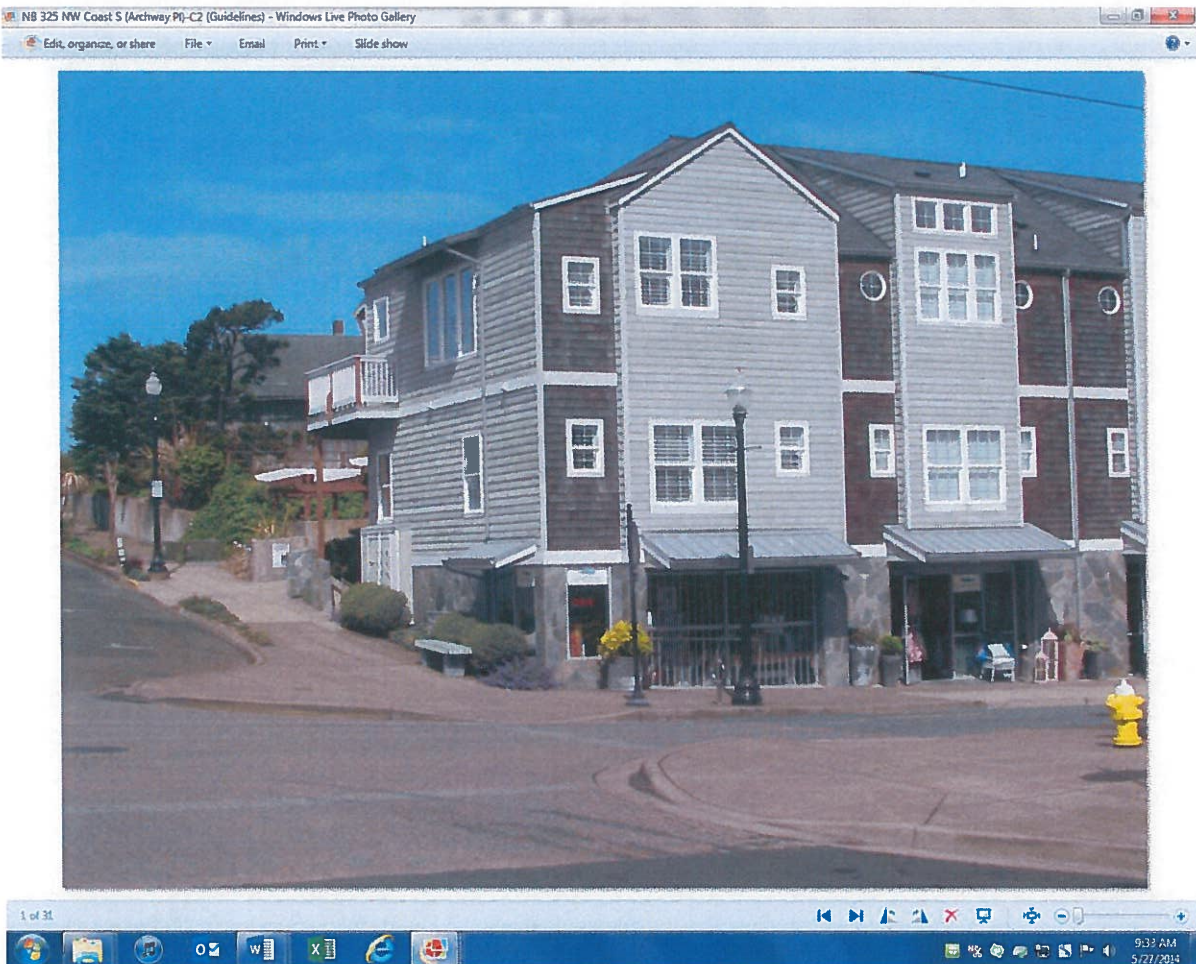




***Archway Place – 325 NW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Zero setbacks; approximately 90% lot coverage; building height is 42.25 feet.

Land Use Action(s) --Planning Commission: (1) Conditional Use Permit #2-CUP-06 (for building with an exterior dimension of over 100 feet, and to allow for four additional residential units above the five residential units permitted outright in the C-2 zoning district of the HNBO; and (2) Design Review #2-NB-06 (for design) applying design review guidelines.



***Archway Place – 325 NW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Zero setbacks; approximately 90% lot coverage; building height is 42.25 feet. Land Use Action(s) --Planning Commission: (1) Conditional Use Permit #2-CUP-06 (for building with an exterior dimension of over 100 feet, and to allow for four additional residential units above the five residential units permitted outright in the C-2 zoning district of the HNBO; and (2) Design Review #2-NB-06 (for design) applying design review guidelines.



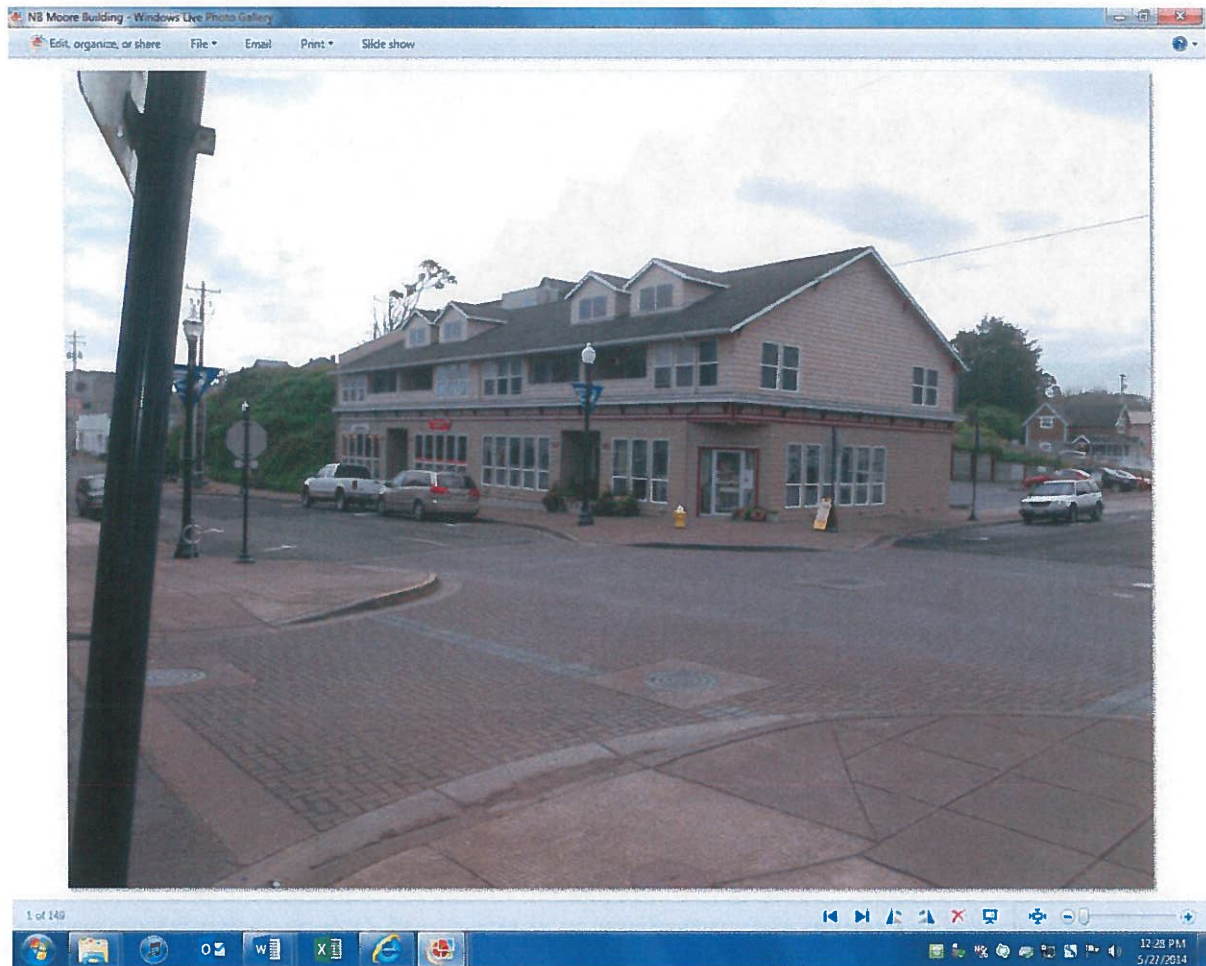


**McEntee Building -- 522-526 NW Coast Street**

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Separated Yard Buffer = 5 feet.

Bulk & Setbacks Provided: Setbacks = zero (front); lot coverage is less than 80%; building height averages to 34.25 feet; Separated yard buffer is 5 feet. Building is 86-feet in length.

Land Use Action(s) --Planning Commission: Design Review #3-NB-05 to allow for the construction of a commercial building with five residential units on upper floors.

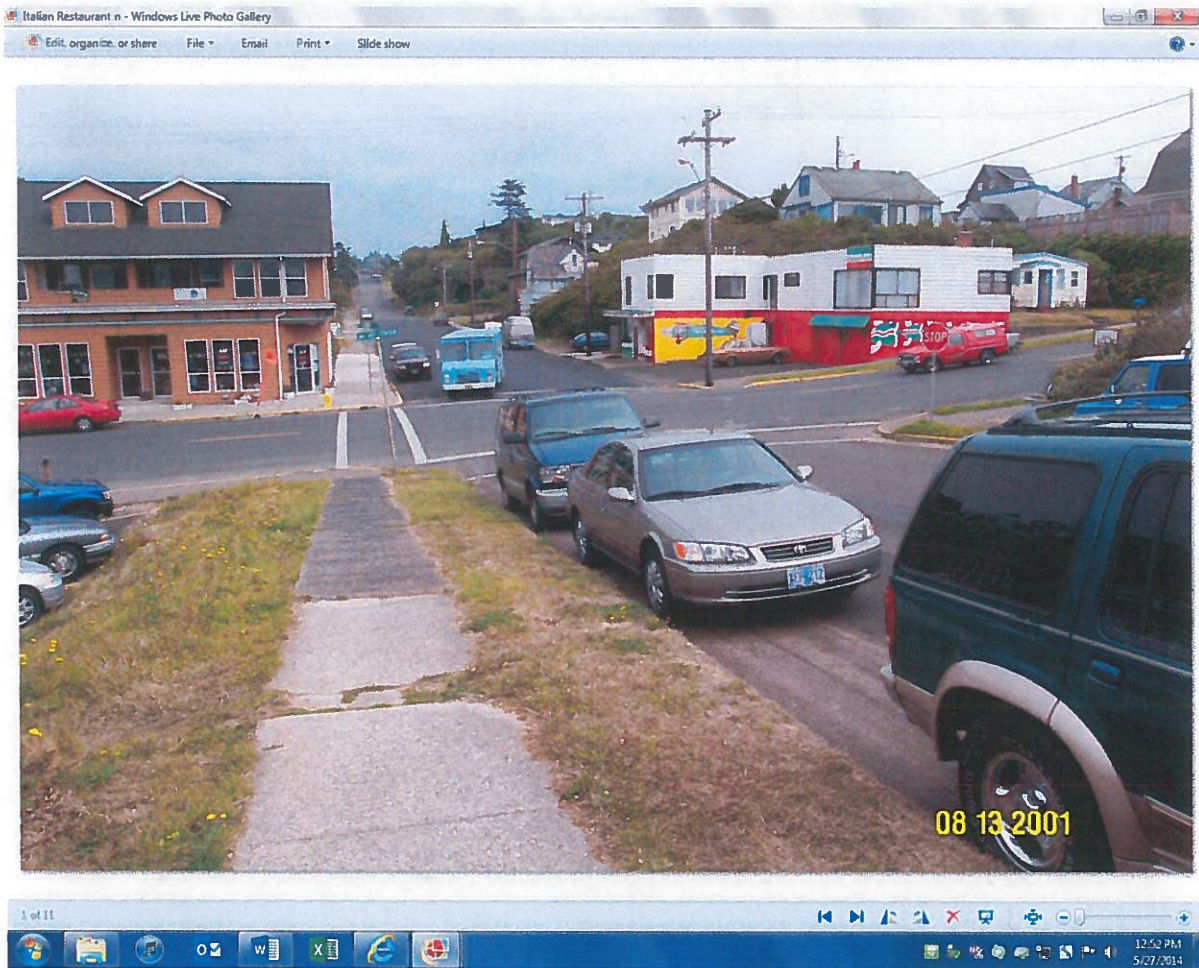


***Moore Building – 320-326 NW Coast Street***

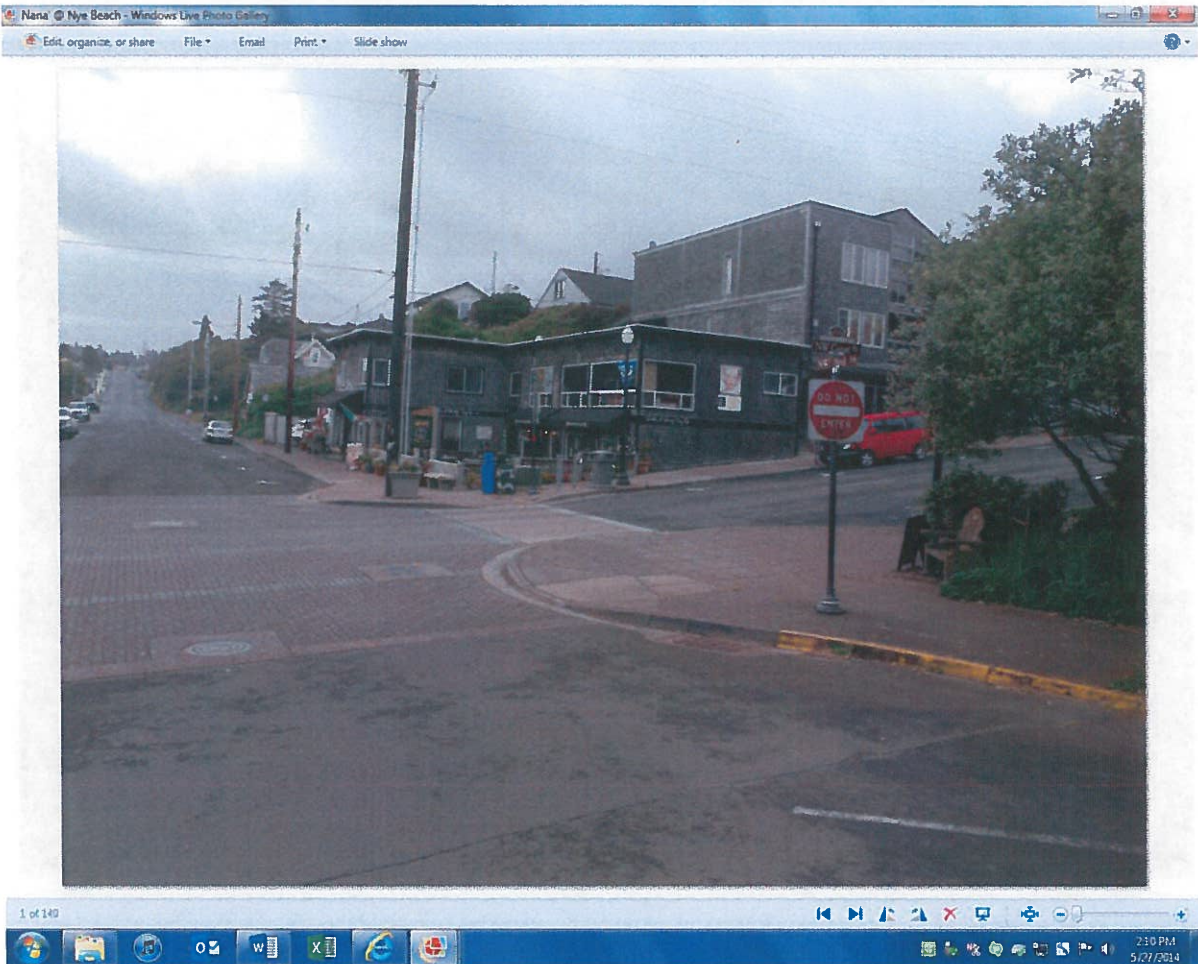
Zoning C-2/'Tourist Commercial:' Required Setback = zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setback = zero; 39% lot coverage; building height is less than 35 feet. Building is just under 100-ft in length along NW Coast Street.

Land Use Action(s) --Planning Commission: (1) Conditional Use Permit #1-CUP-98 (to allow for the construction of a commercial building with residential units on the second floor in the C2 zoning district of the HNBO; (2) HNBO Design Committee (before design guidelines were developed): Design Review #5-NB-97 & #6-NB-98 (for design).



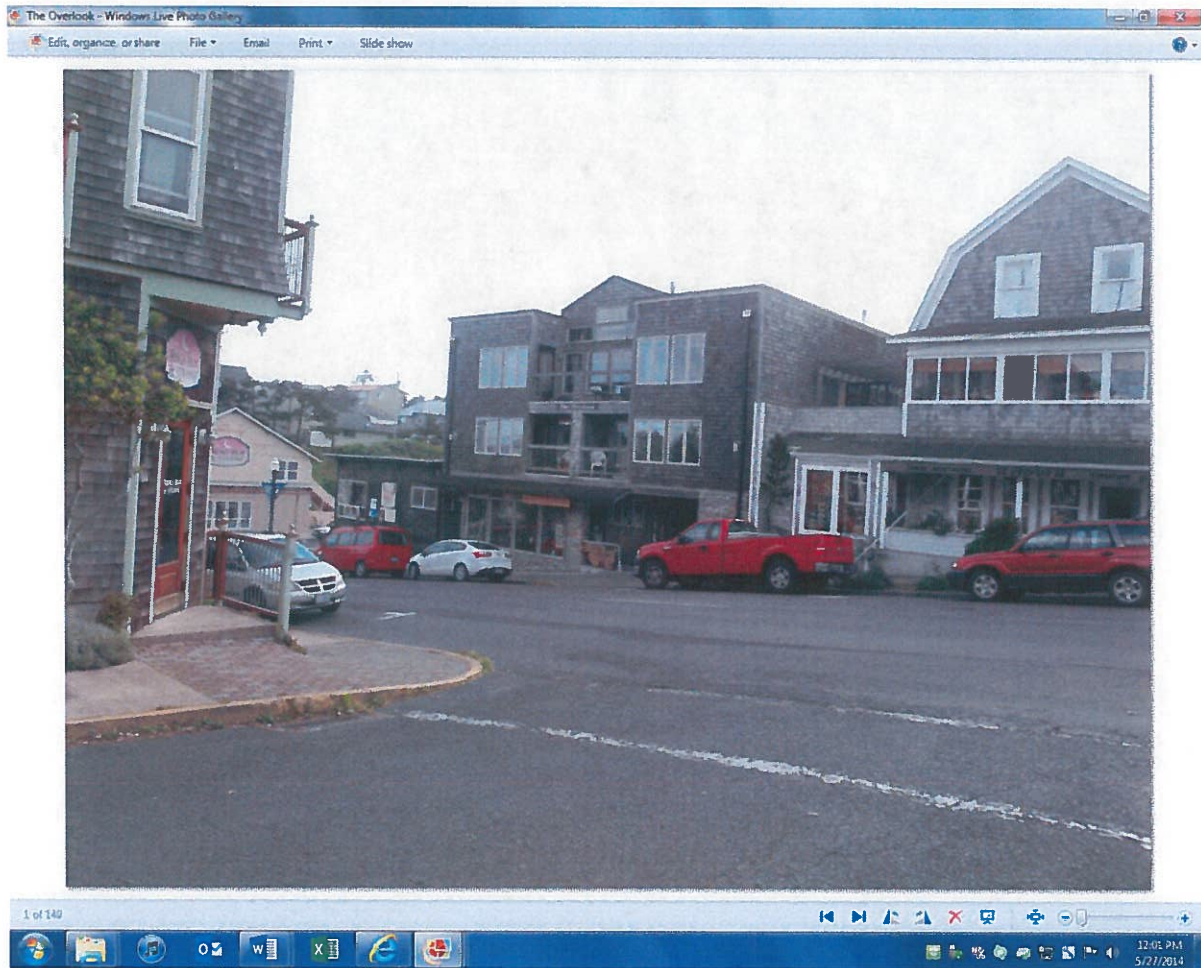


***The Italian Restaurant, and the little house, prior to Nana's Irish Pub and the Overlook buildings, respectively.***



***No design review required for the Nana's (previously The Italian Restaurant) building because the remodel was just for minor facade and siding improvements.***





***The Overlook – 258 NW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setbacks = zero; lot coverage (NA); building height is approximately 34 feet, 8-inches. Building is 57.5 feet deep with roughly 50-feet of frontage along Coast Street. Land Use Action(s) --Planning Commission: Design review to allow for the construction of a commercial building with three residential units on upper floors.



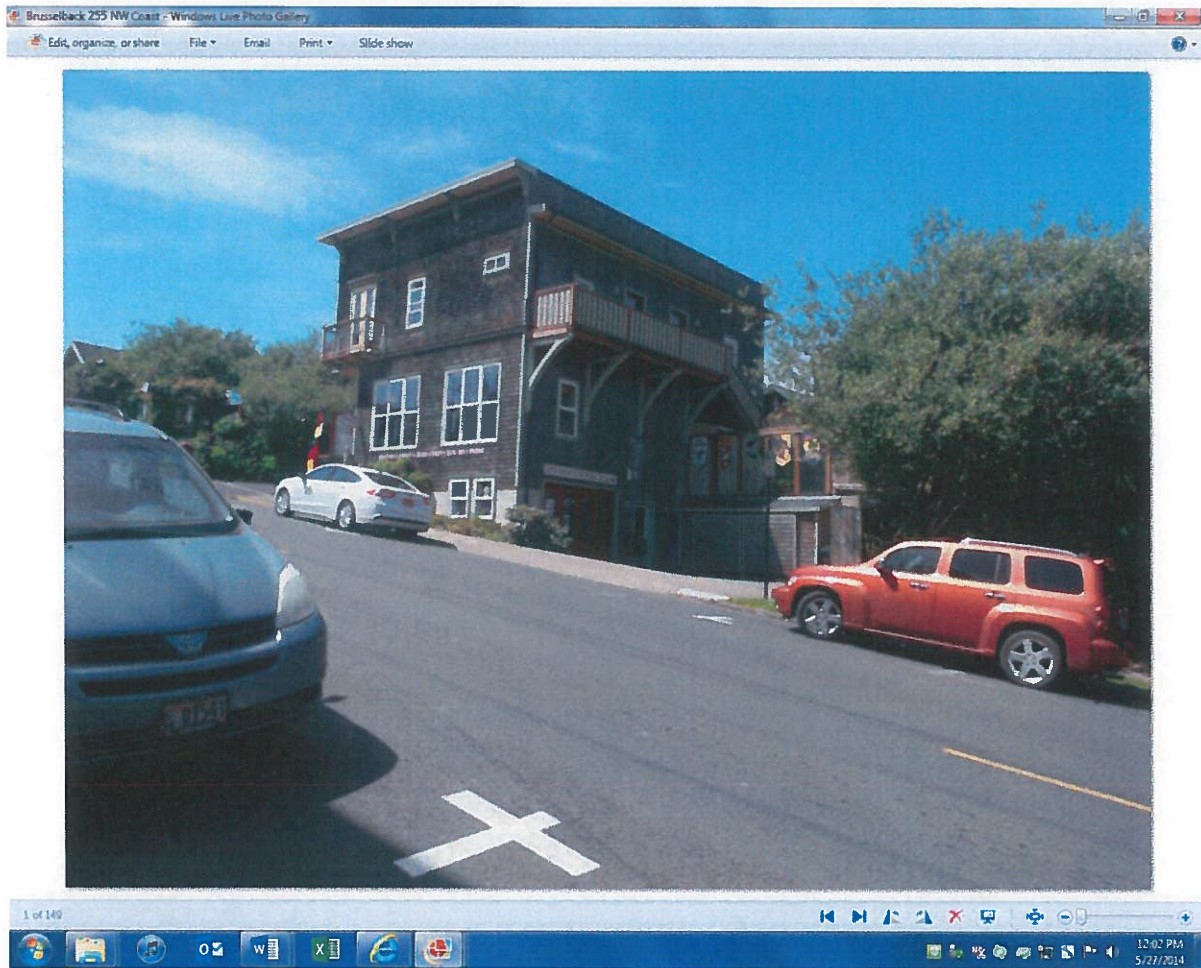


***Courter Relocated Building – 407 NW High Street***

Zoning R-4/'High Density Multi-Family Residential:' Required Setback =15 feet for front, 5 feet for sides and 10 feet for back; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Setbacks = Met standard requirements.

Land Use Action(s): HNBO Design Committee (before design guidelines were developed): Design Review #1-NB-98 & 11-NB-98 (Original request is for the relocation of the house from NW Elizabeth Street to NW High Street).

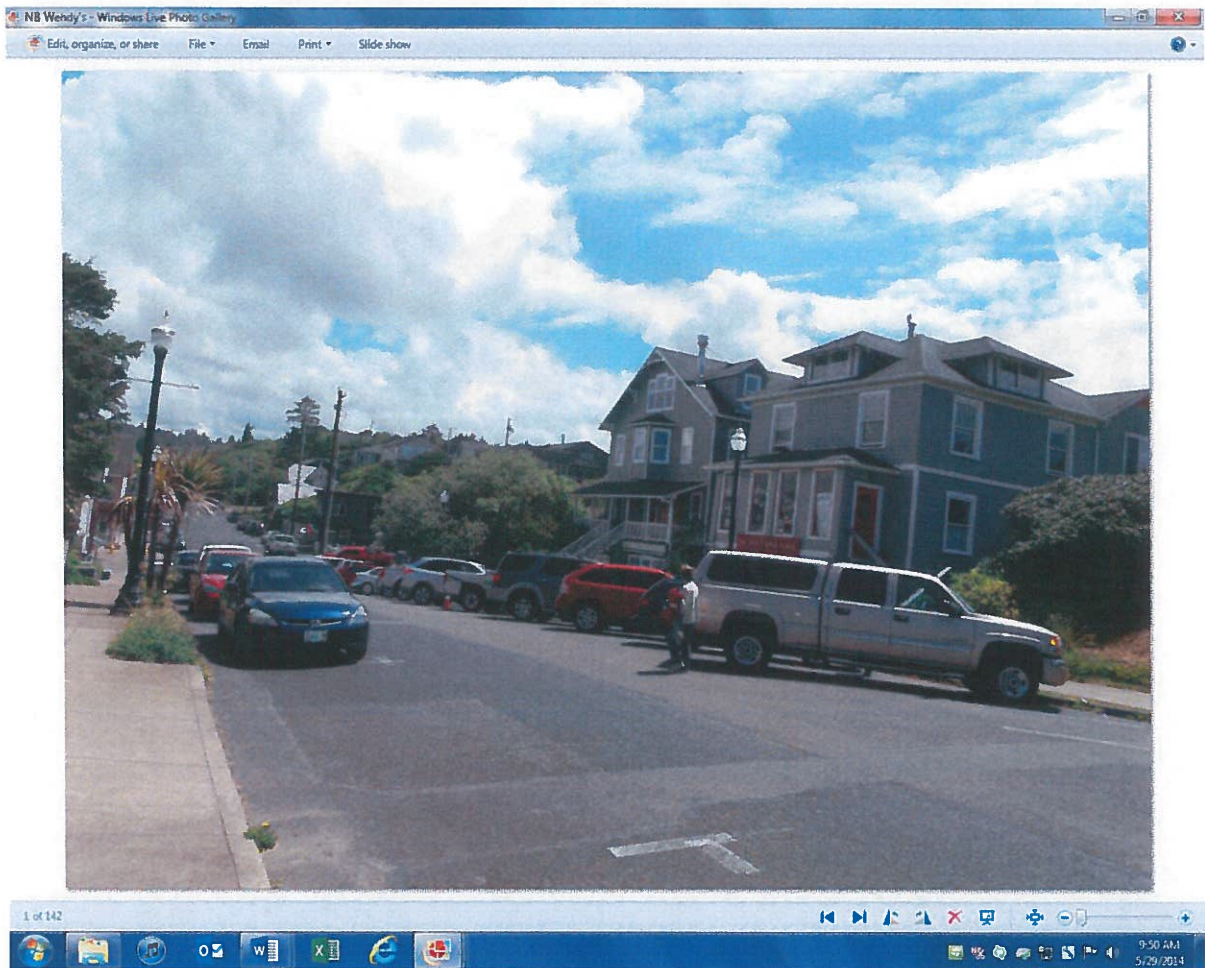


***Brusselback Building – 255 NW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setbacks = Zero; lot coverage (NA); building height is approximately 30 feet and the building footprint is 40 feet at its widest. Land Use Action(s) --Planning Commission: Design review to allow for the construction of a commercial building to house retail use for the street grade floor and a vacation rental use for the upper floor.







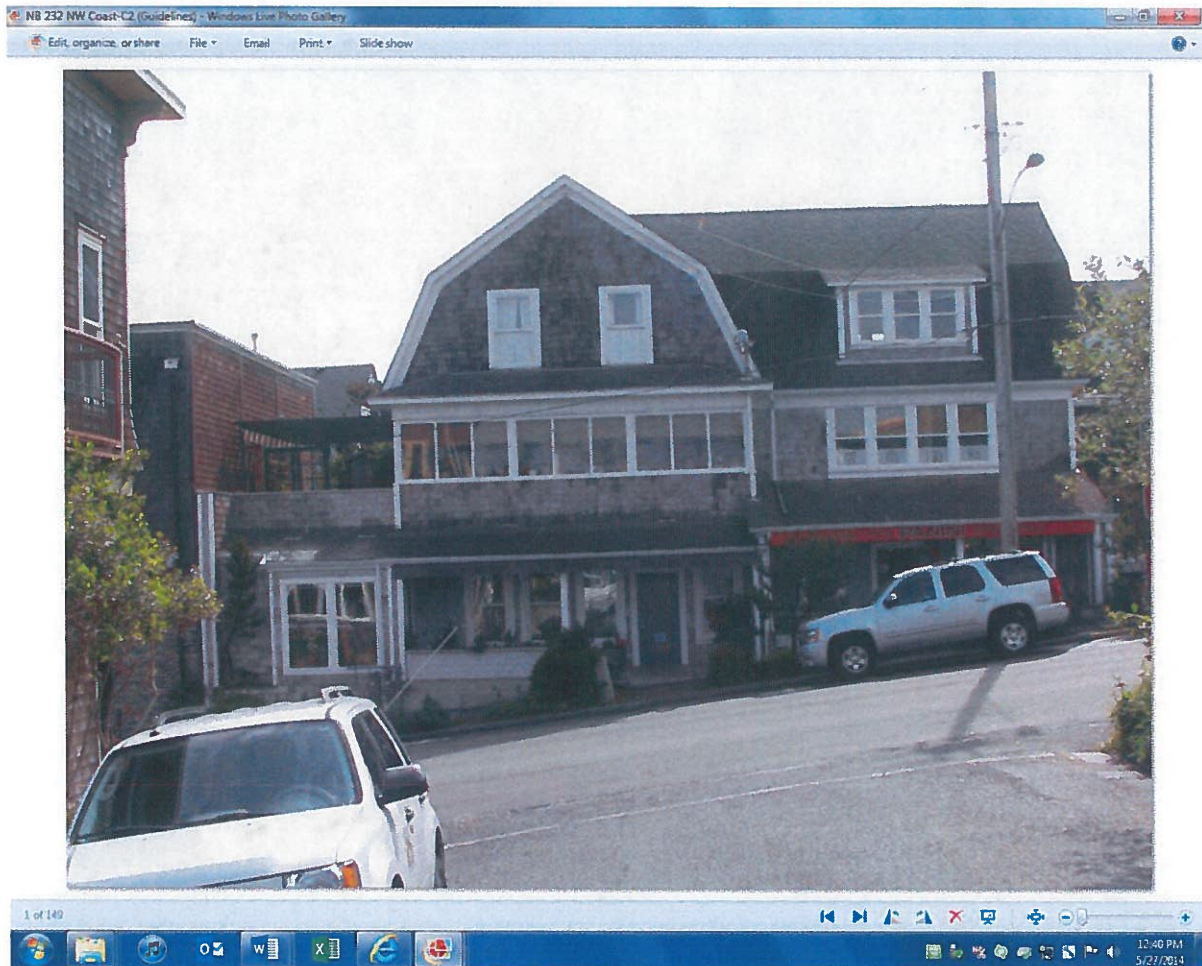




***Café Mundo – 209 SW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setbacks = (NA); lot coverage (NA); building height is approximately less than 35 feet.

Land Use Action(s): Staff: Design Review #1-NB-06.

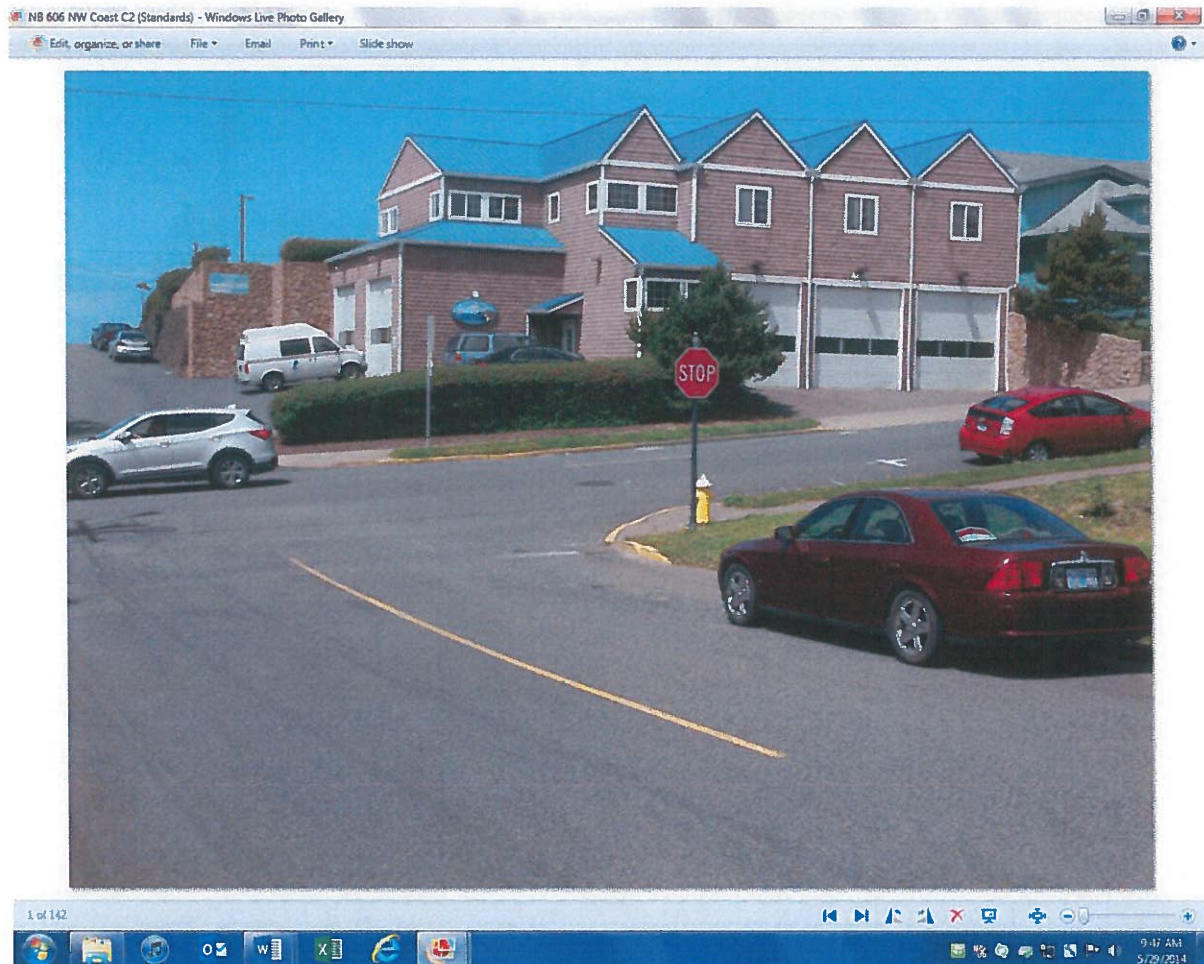


***Panini Bakery & Jovi's Building – 232 NW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setbacks = Zero (front); lot coverage (NA); building height is approximately 35 feet. 65-feet of frontage along NW Coast Street.

Land Use Action(s): HNBO Design Committee (before design guidelines were developed): Design Review #7-NB-00, #9-NB-00 & #1-NB-01 (Original request is for the relocation of the Hodel House from NW High Street to NW Coast Street).





***Ambulance Facility – 609 NW Coast Street***

Zoning C-2/'Tourist Commercial:' Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft.  
 Bulk & Setbacks Provided: Zero setbacks; approximately 32.5% lot coverage; building height is 27 feet.  
Land Use Action(s): HNBO Design Committee (before design guidelines were developed): Design Review #4-NB-98 (for the development of an ambulance facility).



***Inn at Nye Beach/Vikings Cottages/Vikings Motel – 729 NW Coast Street (prior to 2015 remodel)***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Landscaping = 10%.

Bulk & Setbacks Provided: Zero (front and side); approximately less than 50% lot coverage; building height is 41 feet; Landscaping is more than 10%.

Land Use Action(s): HNBO Design Committee (before design guidelines were developed): Design Review #1-NB-02 (originally for the remodel of old existing structures);





***Inn at Nye Beach/Vikings Cottages/Vikings Motel – 729 NW Coast Street (prior to 2015 remodel)***

Zoning C-2/'Tourist Commercial:' Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Landscaping = 10%.

Bulk & Setbacks Provided: Zero (front and side); approximately less than 50% lot coverage; building height is 41 feet; Landscaping is more than 10%.

Land Use Action(s): HNBO Design Committee (before design guidelines were developed): Design Review #1-NB-02 (originally for the remodel of old existing structures);

With the 2015 remodel (File# 1-NB-15, building height was adjusted to 43-feet, 3-inches. The hotel possesses rough 140-feet of frontage along NW Coast Street.



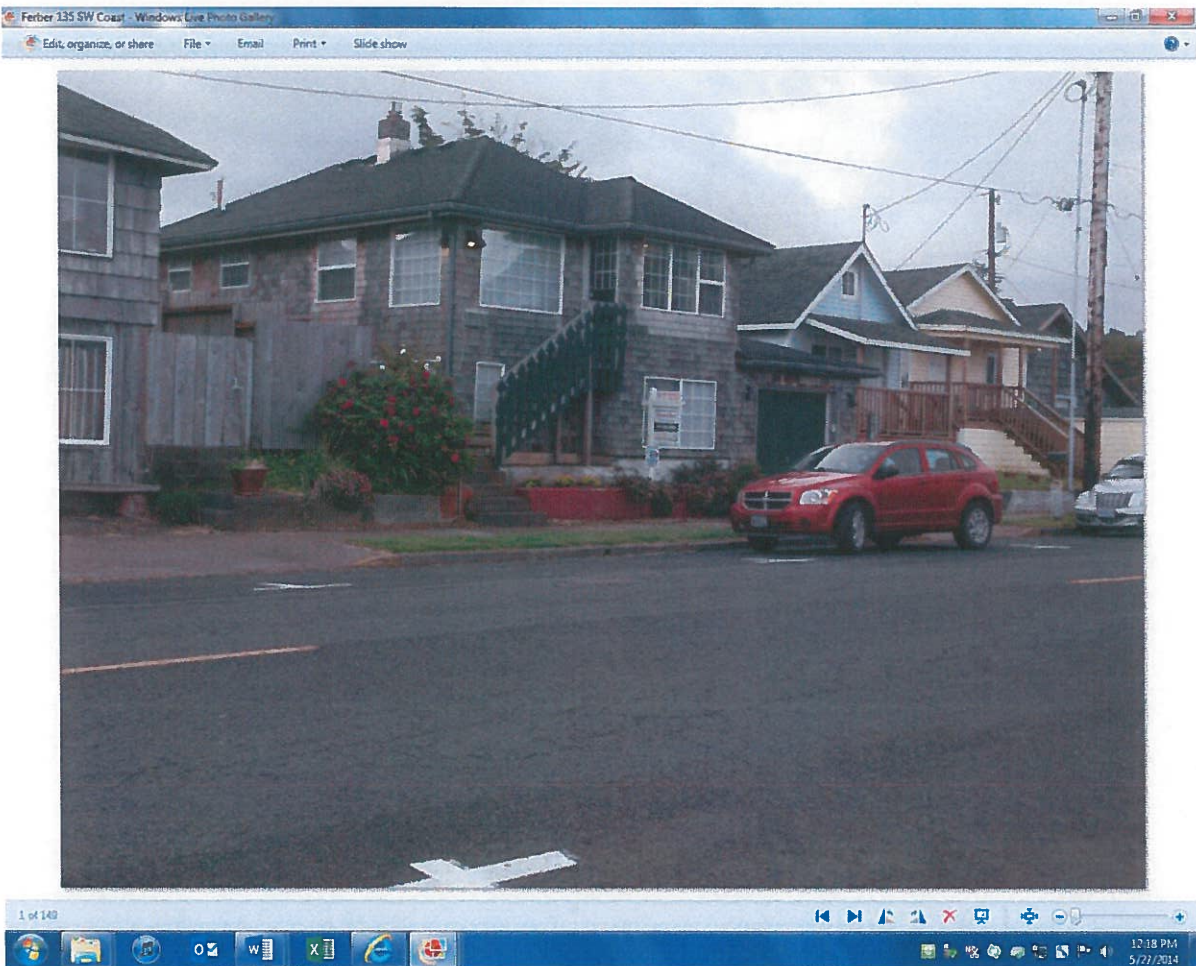
### **29 SW Coast Street**

Zoning R-4/"High Density Multi-Family Residential:" Required Setbacks =15 feet for front, 5 feet for sides and 10 feet for back; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: front yard (NA), 6 feet & 10 feet for side yards, 19-plus feet for back yard; less than 64% lot coverage; building height are 32 feet and is 34 feet.

Land Use Action(s): HNBO Design Committee): Design Review #1-NB-97 (for the development of five individual residences to be used as vacation rentals).





**127 SW Coast Street**

Zoning R-4/"High Density Multi-Family Residential:" Required Setbacks = 7.5 feet for front, 2.5 feet for sides and 5 feet for back yard; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Met setback requirement; Building height is less than 35 feet.

Land Use Action(s): HNBO Design Committee: Design Review #10-NB-01 (for the remodel of an existing single-family dwelling).



***The Grand Victorian – 105 NW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Landscaping = 10%.

Bulk & Setbacks Provided: Setbacks: Met required standards; lot coverage (NA); building height is 35 feet. Footprint varies between 30-35 in length.





***Niki's Building-- 107 SW Coast Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setbacks = Zero; lot coverage (NA); building height is approximately 39 feet.

Land Use Action(s): HNBO Design Committee: Design Review #2-NB-01 (Original request was when the property was zoned R-4 and the request was to replace an old single-family house with a new residence. Since then, the property has been rezoned C-2/"Tourist Commercial."



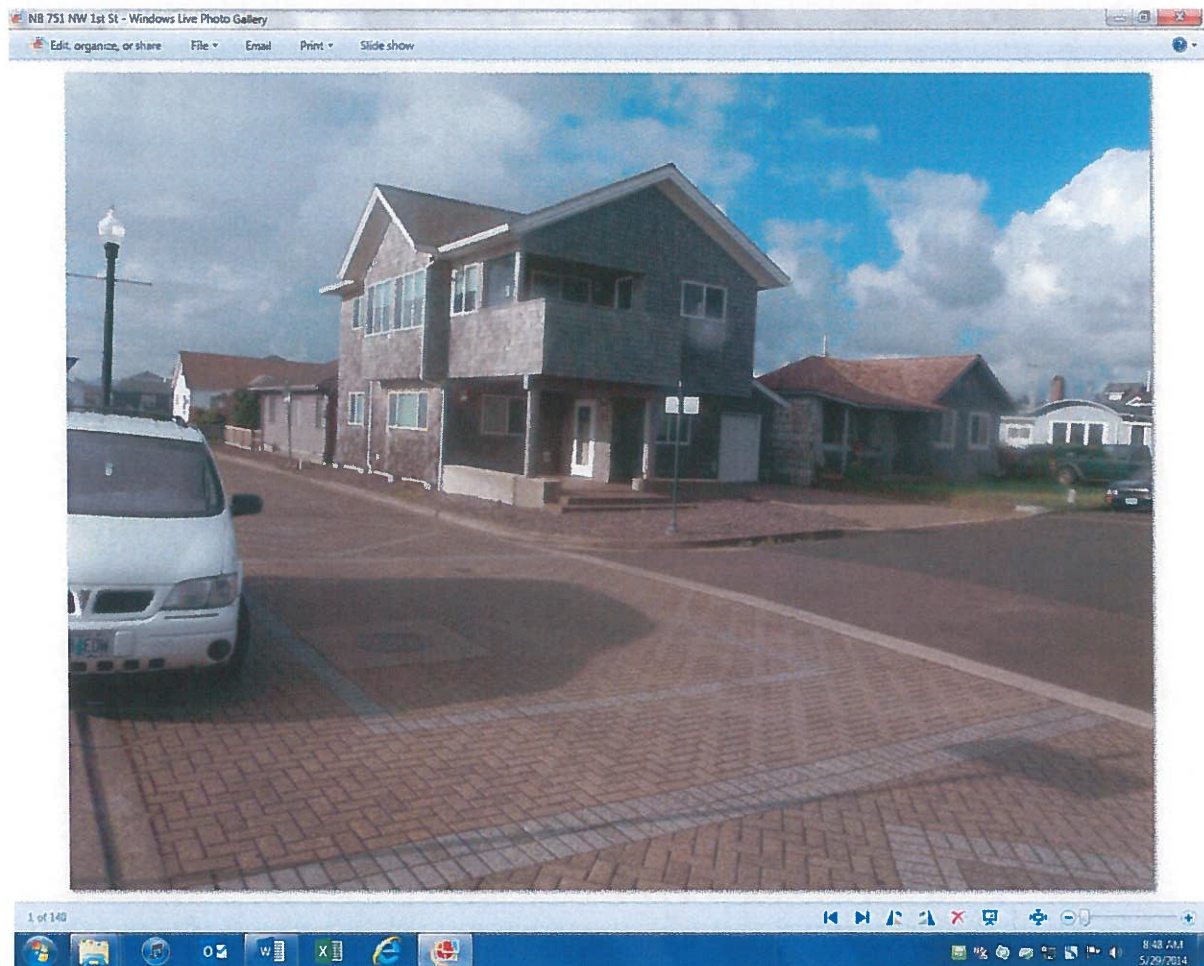
***Briggs @ Nye Beach --751 NW 1<sup>st</sup> Street & 14 NW Cliff Street***

Zoning C-2/"Tourist Commercial." Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Landscaping = 10%.

Bulk & Setbacks Provided: Setbacks: Met required standards; lot coverage (NA); building height is approximately 35 feet.

Land Use Action(s): Staff: Design Review (Standards) for the remodeling, including adding a floor over an existing lower floor.





### **750 NW 1<sup>st</sup> Street**

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Landscaping = 10%.

Bulk & Setbacks Provided: Setbacks: Met required standards; lot coverage (NA); building height is 27 feet.

Land Use Action(s): Staff: Design Review (Standards) for a new residence;



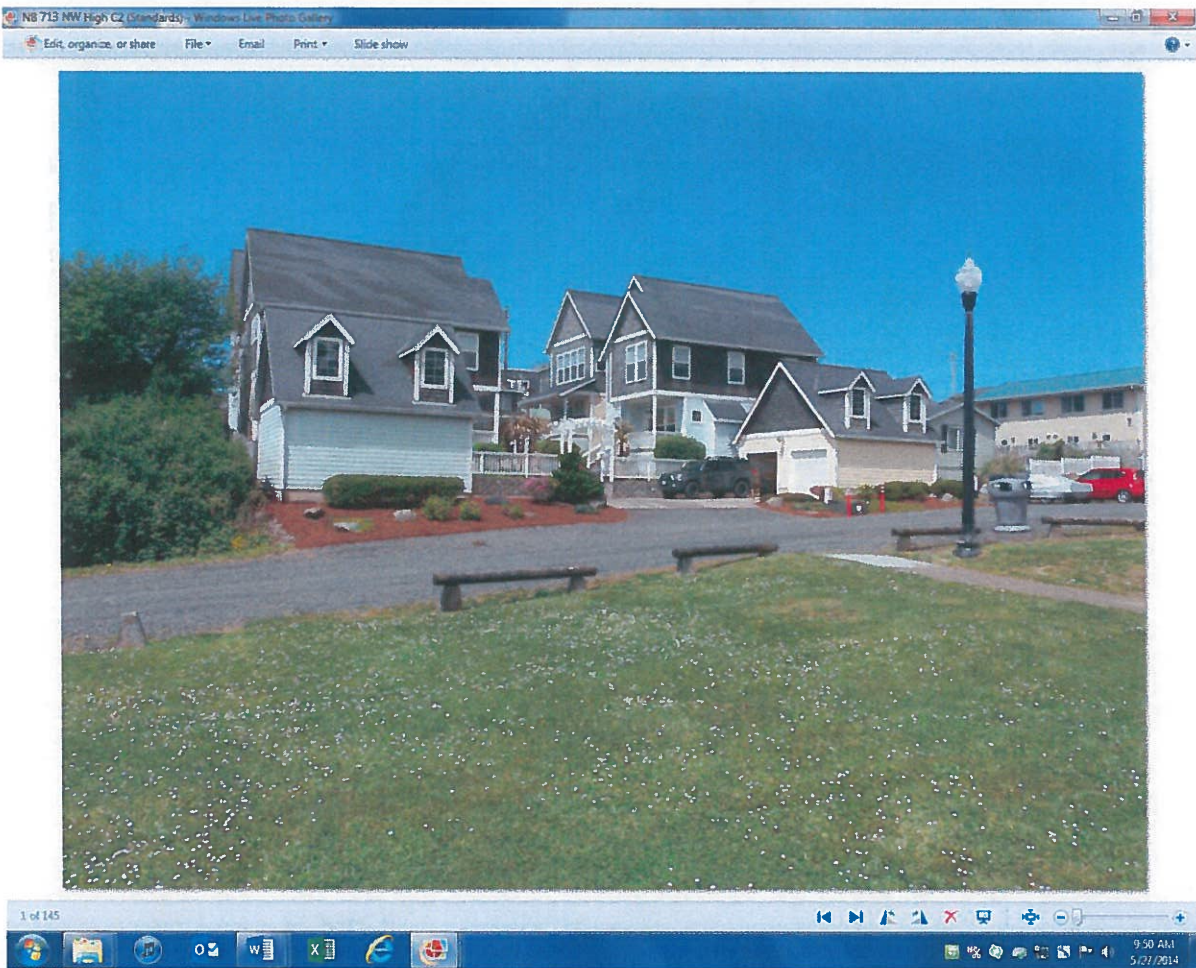


**544 NW Alpine & 540 NW Alpine**

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 feet; Landscaping = 10%.

Bulk & Setbacks Provided: Setbacks: Met required standards; lot coverage (NA); building heights are 35 feet.

Land Use Action(s): Staff: Design Review (Standards) for a new residence;

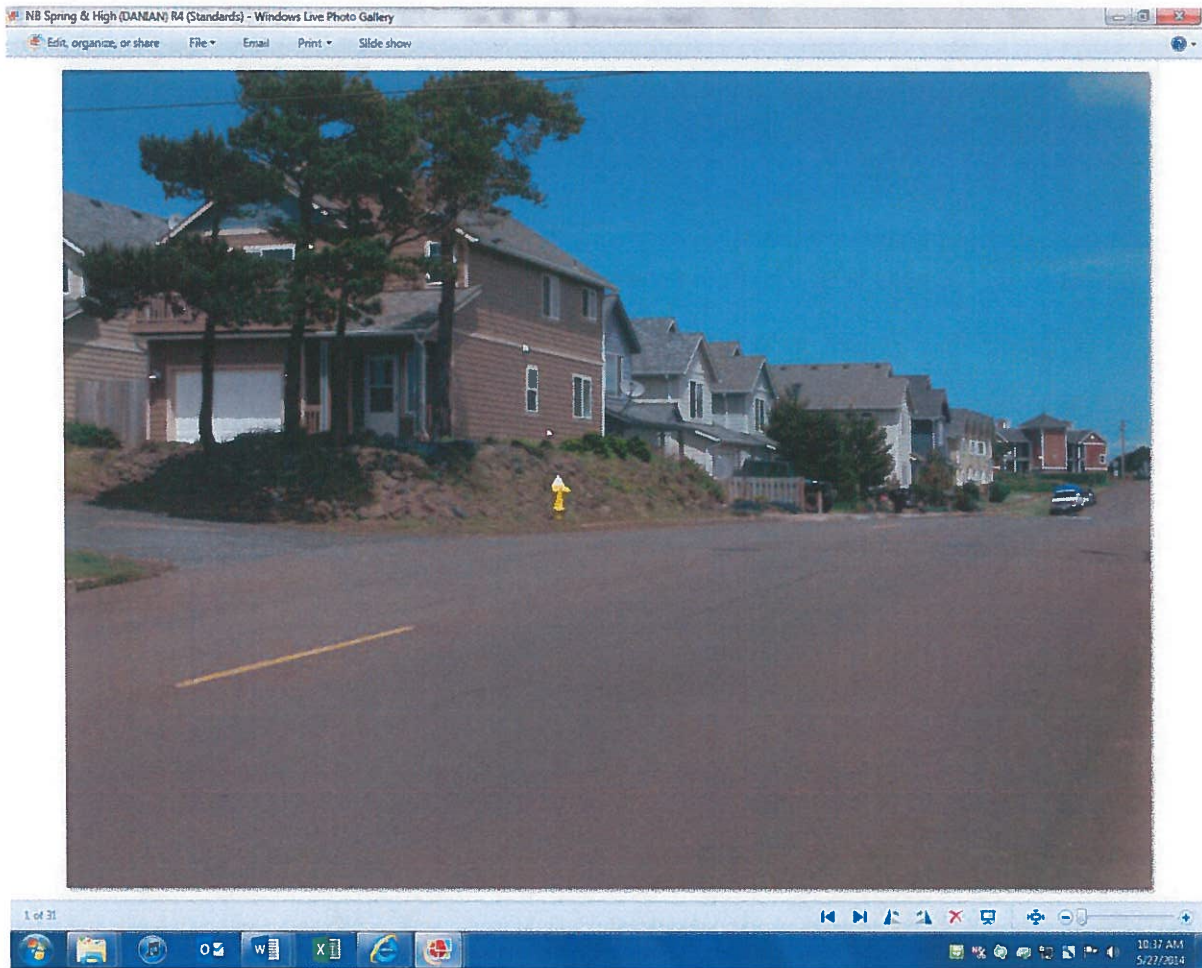


***High Street Cottages --713 NW High Street***

Zoning C-2/"Tourist Commercial:" Required Setback = Zero; Lot Coverage = 85%-90%; Max Height = 50 ft. Bulk & Setbacks Provided: Setbacks = 6 feet (front), 3 feet (side) and 3 feet (rear); lot coverage is less than 80%; building heights are 22 feet & 32 feet.

Land Use Action(s): Staff: Design Review (Standards); Planning Commission Approvals for Conditional Use Permit #1-CUP-05 to allow for multiple dwelling units (4 units on two lots); and Variance #7-VAR-05 to allow for 6-foot garage setback from the required 10 feet setback.





***DANIAN PUD –NW Coast & NW High Street between NW 9th & 10th Streets***

Zoning R-4/"High Density Multi-Family Residential:" Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back yard; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Met setback requirement; Building heights are 35 feet.

Land Use Action(s): Staff Approval (using Design Standards).





***DANIAN PUD –NW Coast & NW High Street between NW 9th & 10<sup>th</sup> Streets***

Zoning R-4/“High Density Multi-Family Residential:” Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back yard; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Met setback requirement; Building heights are 35 feet.

Land Use Action(s): Staff Approval (using Design Standards)



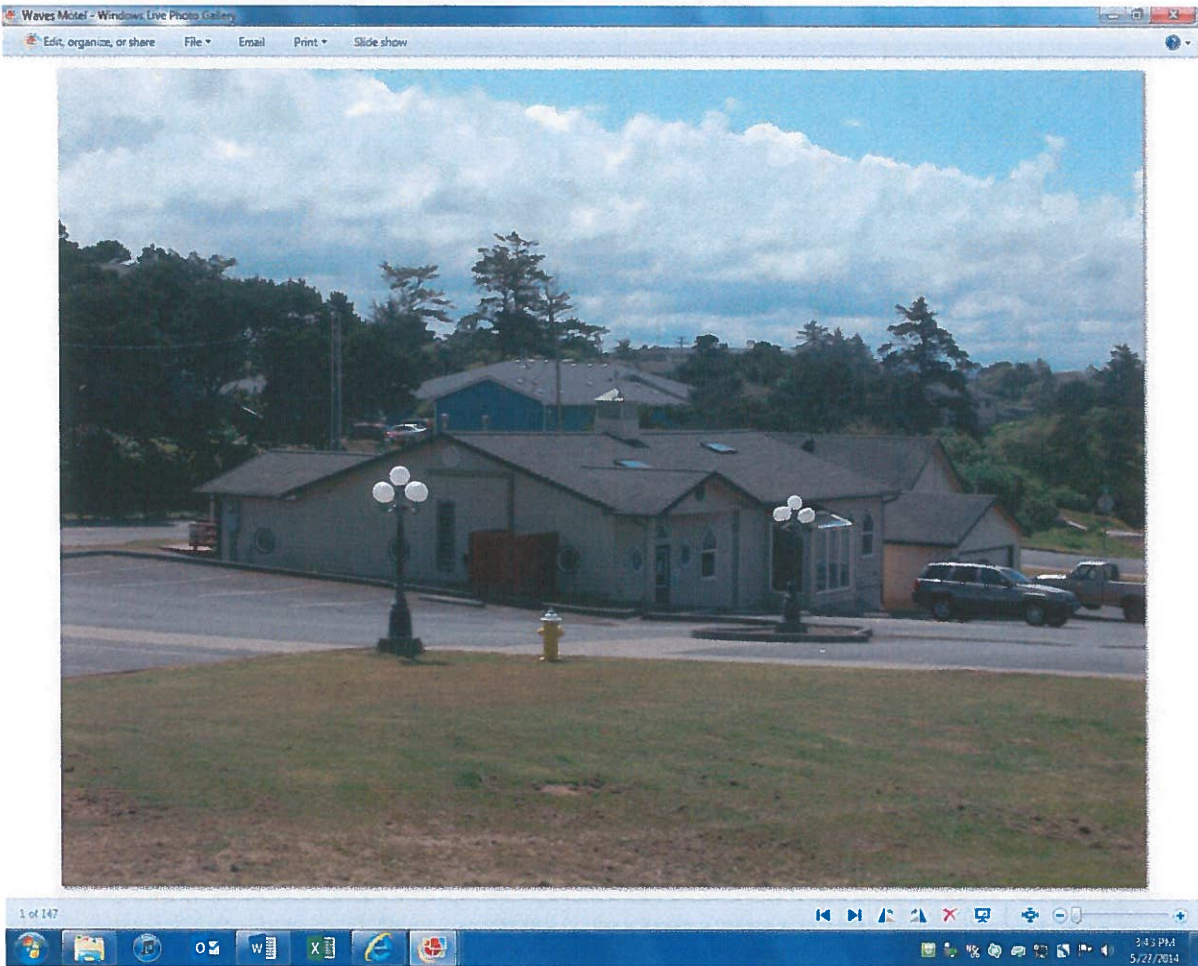
**929 NW Hurbert Street**

Zoning R-2/"Medium Density Single-Family Residential:" Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back; Lot Coverage = 57%; Max Height = 30 feet.

Bulk & Setbacks Provided: Met standards.

Land Use Action(s): HNBO Design Committee: Design Review #10-NB-01 (for the remodel of an existing single-family dwelling).





***Waves Motel Annex –807 NW Spring Street***

Zoning R-4/“High Density Multi-Family Residential:” Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Setbacks: Met all setbacks, lot coverage is less than 64%, landscaping more than 10%, height is less than 35 feet.

Land Use Action(s): (1) HNBO Design Review Committee (before design guidelines were developed): Design Review #10-NB-02 (originally for the relocation of an existing residence from the C-2 portion, to the R-4 portion, of the motel property to be used as a vacation rental, thus requiring a conditional use permit; Planning Commission Approval of Conditional Use Permit #11-CUP-07 (for hotel use in an R-4 zone).



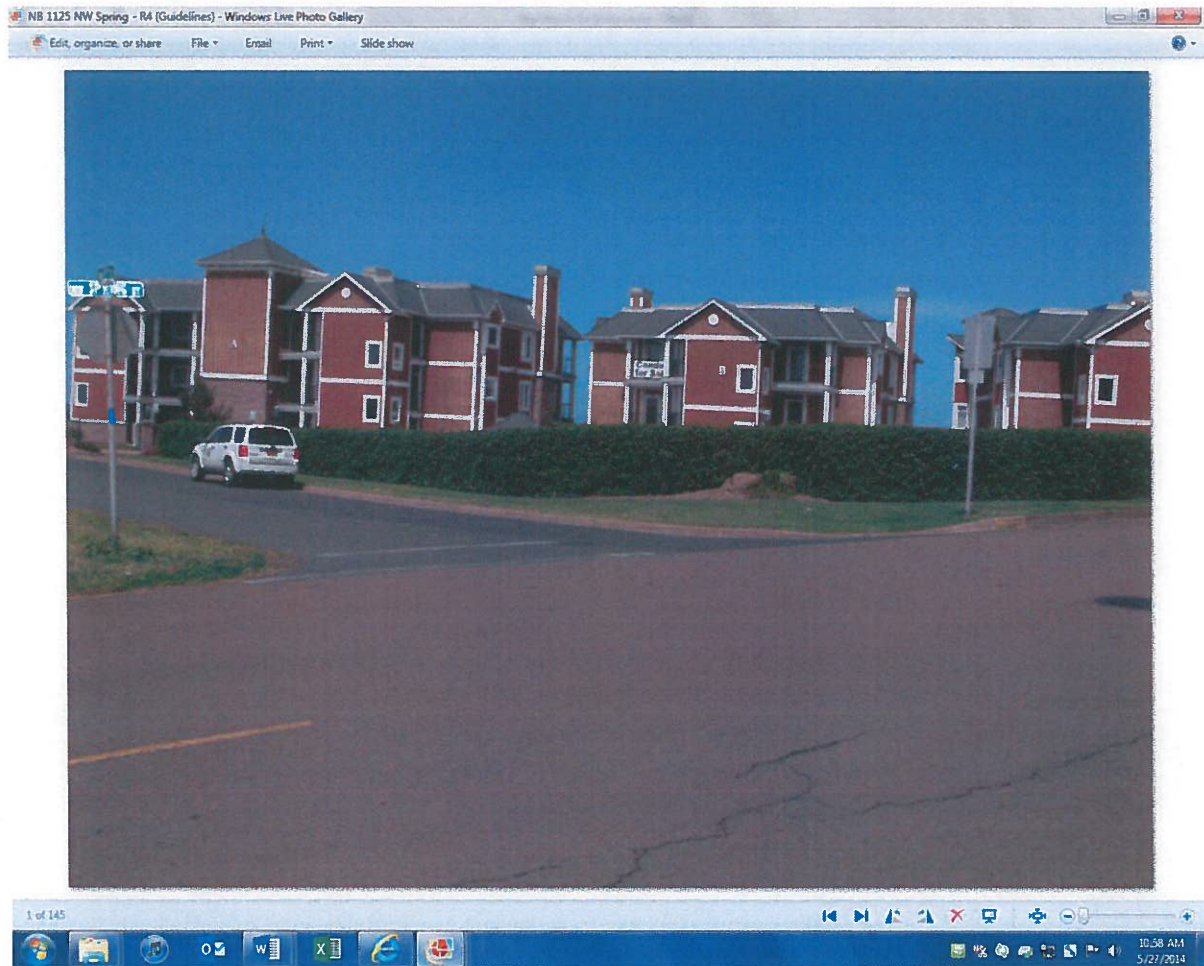


**Painter Residence--645 NW 11<sup>th</sup> Street**

Zoning R-4/'High Density Multi-Family Residential:' Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided:

Land Use Action(s): HNBO Design Committee: Design Review #10-NB-01 (for the construction of a single-family dwelling).



***Nye Beach Condominiums –1125 NW Spring Street***

Zoning R-4/'High Density Multi-Family Residential:' Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Setback: Met setbacks standards, lot coverage is less than 50%, landscaping is more than 10%, Height 36.33 feet (exceeded limit).

Land Use Action(s): Planning Commission Approvals Design Review (Guidelines) #1-NB-05 to allow for construction of residential condominiums; and for Variance #10-VAR-05 to allow for a height of 36 feet 4 inches.





***Spring Street Oceanview Condos –1120 NW Spring Street***

Zoning R-4/"High Density Multi-Family Residential:" Required Setbacks =7.5 feet for front, 2.5 feet for sides and 5 feet for back; Lot Coverage = 64%; Max Height = 35 feet.

Bulk & Setbacks Provided: Setback: Met setbacks standards, lot coverage is less than 64%, building height is 35 feet.

Land Use Action(s): Staff Approval (using Design Standards)







# Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director 

Date: March 6, 2020

Re: Transportation System Plan - Spring Outreach

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The consultants working on the Transportation System Plan update are wrapping up their work on materials to be presented at the Project Advisory Committee Meeting, which will be held on March 12<sup>th</sup> at 6:00pm in the City Hall Council Chambers. That meeting will include a summary of stakeholder outreach conducted to date, and a review of the draft program for the Community Workshops that have been tentatively scheduled for April 22 through April 24.

It appears that the consultants may not have the materials ready until the end of the day on Friday, March 6<sup>th</sup> or possibly even Monday. With that in mind, I will plan on distributing the materials at the work session so that we can get your preliminary thoughts on how the work is progressing, particularly with respect to the program for the workshops.