

MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
September 9, 2019

Planning Commissioners Present: Gary East, Lee Hardy, Bob Berman, Mike Franklin, Jim Hanselman, Bill Branigan, and Jim Patrick.

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

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

2. **Approval of Minutes.**

A. Approval of the Planning Commission Work and Regular Session Meeting Minutes of August 26, 2019.

MOTION was made by Commissioner Berman, seconded by Commissioner Franklin to approve the Planning Commission work and regular session meeting minutes of August 26, 2019 with minor corrections. The motion carried unanimously in a voice vote.

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

4. **Action Items.**

A. **Appointment of a New Planning Commission Representative for the Vision 2040 Advisory Committee.**

MOTION was made by Commissioner Franklin, seconded by Commissioner Berman to appoint Commissioner Gary East as the new Planning Commission representative for the Vision 2040 Advisory Committee. The motion carried unanimously in a voice vote.

5. **Public Hearings.** At 7:03 p.m. Chair Patrick opened the public hearing portion of the meeting.

Chair Patrick read the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Commissioners Franklin and Hardy reported a drive by for both location. Hanselman reported a site visit. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File 1-AX-19 / 3-Z-19.**

Tokos gave his staff report. Berman asked for more information on the zoning for residential in industrial. Tokos said the existing Comprehensive Plan called for the entire corridor to be light industrial. The applicant chose I-1 zoning because it best met their needs. It didn't preclude a mobile home park from continuing but meant it would be a nonconforming use in that zone. Franklin asked if the park could replace mobile homes with that zoning designation. Tokos said they would be able to replace units in the existing park without review. If they added to the number of homes they would need a review.

Hanselman asked if the wetlands on this property were protected or if the rules would change. Tokos said it didn't affect this at all because the City hadn't adopted any Goal 5 protections for light industrial zoning and the Department of State Lands would be reviewing it.

Proponents: Adam Springer addressed the Commission stating he represented the applicant. He noted that the property was currently nonconforming in the county. He said since the property was going from a septic system to a sewer hookup it would be better for the wetlands. Branigan asked if their plan was to continue as a mobile home park if they were annexed. Springer confirmed they would because they would be on the City sewer system. Hardy asked if the sewer system would have to be reconfigured if the use of a mobile home park was to be discontinued and the use was converted to light industrial. Springer said the sewer system already came through the property through an easement and it was configured currently to handle 14 mobile homes.

Opponents: none were heard.

Hearing closed at 7:14 p.m.

Branigan wasn't opposed to the request and recommended it go forward to the City Council. Hanselman thought it fit with the overall plan for the City and was pleased it would continue as housing. Franklin thought it was exactly what the City hoped to see when a County property needed to connect to city services. Berman agreed and didn't have a problem with approving. Hardy didn't have a problem with the request. East supported the request. Patrick supported the request and said it was nice to see residential units being added to the City.

MOTION was made by Commissioner Branigan, seconded by Commissioner Franklin to approve File No. 1-AX-19 / 3-Z-19 and forward a favorable recommendation to the City Council to designate an I-1 light industrial zoning; remove the property from the Newport Rural Fire Protection District, the Seal Rock Water District; and the Lincoln County Library District, and include the staff recommendation for conducting a proper survey. The motion carried in a unanimous voice vote.

B. File 1-CP-19.

Tokos reviewed his staff report noting the printed copies of the public comments by Wendy Engler and Chris Torp that were provided to the Commission. Hardy asked if there had been any discussions concerning enforcement mechanics. Tokos reported there had been and was always on the radar. There was an expectation that enforcement would be scaled to whatever program the City chose to use for managing parking.

Public Testimony:

Terry Obteshka addressed the Commission. As a concerned citizen of Newport, he didn't think parking meters were good for Newport and asked why the city would jeopardize economic success. Obteshka gave examples on how he thought parking meters will alter tourists visiting Newport. He felt meters in Nye Beach would create a new issue with parking enforcement and congestion. Obteshka reminded that Newport would be the only beach community with parking meters.

Eileen Obteshka addressed the Commission. She felt meters were the opposite of what Newport wanted. Obteshka felt there needed to be more signage, which would direct people to use underutilized parking lots such as the Hurbert Street lot. She felt metering was a death sentence for the Nye Beach community. Local residents shouldn't be charged more than what they were already being charged.

Gary Lahmen addressed the Commission. He asked the Commission to include electric vehicle usage in the recommendation.

Chris Torp addressed the Commission. He was a former member of the Advisory Committee (AC) and was there to answer any questions. Patrick asked why he thought there wasn't parking on Bay Blvd and Hatfield Drive. Torp said it was because it wasn't striped, but noted the city was using it as striped inventory.

Jeanne Bailey-Moe addressed the Commission and said she was a business owner in the Nye Beach area. She had 34 signatures from business owners who were against meters in Nye Beach. Bailey-Moe wanted to see parking enforced and noted that the three hour parking hadn't been enforced in Nye Beach. She thought meters would send tourists to Depoe Bay to shop and eat. Hanselman asked how many times she drove out of a town because they had meters. She said she wouldn't shop in a town with meters and would choose to park in another areas without meters.

Jay Feuerbacher addressed the Commission. He had five properties on Coast Street. He explained that when the Nye Beach Hotel was allowed to use City streets as part of their parking, it took away most of the parking for his houses near the hotel. Feuerbacher was opposed to meters in front of his homes in Nye Beach. He noted how often he wasn't able to park by his home with his accessible sticker which made it difficult to get to his home. Feuerbacher wanted something fair implemented for parking in the area and didn't think meters would make a difference with people parking for long periods of time. He didn't think he should pay for parking in front of his home.

Rolland Woodcock addressed the Commission. He agreed with what people were saying and felt the issue of people looking for parking was worse. Woodcock liked the idea of a trolley to pick people up from the PAC parking lot because it was underutilized. He noted that when he lived in Portland they implemented meters and didn't change people coming to the city. He felt some people wouldn't care about meters and there were others would. There should be provisions for people for whom the cost for meters was a factor in their budget. He felt they needed to figure out how to provide parking outside of Nye Beach that would get visitors into Nye Beach. He asked the Commission to consider all the different people who visited Newport.

Lisa Hall addressed the Commission and said she owned a business on the Bayfront. She explained how she wouldn't go to downtown Corvallis because of their meters and wouldn't pay extra money for parking to shop at Nye Beach. Hall thought there was a problem at the Bayfront. She asked people coming into her business if they would visit the Bayfront if there were meters. Most said no. Hall didn't feel parking meters were the answer.

Greg Morrow addressed the Commission and said he owned property on the Bayfront and another property at Nye Beach that had its own parking lot. He asked how the Parking District money was used, how parking licensing funds were used, and how meter funds were used. Morrow said managing his own parking lot was hard but having parking was good for his business. He wasn't for meters because he had his own parking lot and that meant people would come to his business. Morrow suggested diagonal parking to help with parking because a lot of people didn't know how to parallel park. Berman asked for his thoughts on metering for the Bayfront. Morrow said he had no solution with the Bayfront. He noted that he wasn't opposed to putting a parking structure on his property. Morrow didn't see anything positive with metering but felt something should be done. He liked the idea of a trolley system.

Carol Pike addressed the Commission. She had a business on the Bayfront and noted that a lot of employees used the parking on the Bayfront. Pike like the idea of a trolley and said her issue was if people were limited on the time they spent on the Bayfront it would make them spend less money there.

Jeanne Bailey-Moe addressed the Commission again and thought signage would help with Nye Beach.

Robert Hayes addressed the Commission and said he owned two properties on the Bayfront. He was scared of parking meters. He liked the idea of a trolley and felt all the business owners would pitch in for this. At one point there was a fund used in Nye Beach that business owners contributed to. Hayes reminded that the waterfront was a working waterfront and was something that brought people there. Money from meters

would only go to managing the meters and replacing them. They would drive people off the waterfront and kill businesses there.

Janet Webster addressed the Commission. She had businesses on the Bayfront and lived there. Webster was on the AC and she wanted to clarify that the AC voted to send the report to the Commission without a consensus on the report. She said there needed to be additional outreach and some broader thinking on what the AC couldn't address. There were three different distinct districts that needed three different plans. Webster reminded that the AC didn't propose meters in Nye Beach. She also noted that restaurants and the fish plants on the Bayfront had a large number of staff parking there. The AC looked into a Trolley and the issue was with funding. The AC felt this could be a solution, especially for staff parking. Webster said it would be a big cost but it didn't mean the City shouldn't look into it. She felt there needed to be incentives to use permits. Parking was now a year round issue for the Bayfront instead of just seasonal.

Woodcock addressed the Commission again and asked if ongoing overhead costs were more for meters or a trolley system. Tokos said he could speak on this after public testimony was completed.

Dan Stackada addressed the Commission and agreed with the trolley system. It would be something that people would want to come to Newport to do for a small fee.

Fran Matthews addressed the Commission and said she has been a business owner for many years on the Bayfront. The fisheries and tourists overlapped on the Bayfront and there was a way to look at working together. The City tried a trolley before and the challenge was that it took too long to do the circle. Staff were spending 45 minutes on the trolley to get to work. Matthews suggested putting together a shuttle system from the Hurbert Street parking lot to the Bayfront. She would be willing to subsidize this for employee use and thought other businesses would contribute. Matthews asked if the report said anything about value of parking space. Tokos said there was nothing calculated in the report for this but that it was large. Matthews thought diagonal parking signage would be advantageous. She thought if businesses knew the parking value of each space, people would look at the parking different by seeing that they are losing money by taking up the parking. Matthews wasn't opposed to parking meters and having them be seasonal.

Dylan McEntee addressed the Commission and said he had a businesses on the Bayfront. Employee parking on the Bayfront was a problem. The City has said that parking enforcement didn't mark tires and there were people who abused this. McEntee wasn't 100 percent for meters but didn't think they would be a problem for 60 percent of the year. He felt they should work with Officer Garbarino to find solutions. He didn't think the fisheries should be able to use any parking spot they wanted to.

Greg Morrow addressed the Commission again and said he thought a trolley would alleviate some of the pressure on parking.

Matthews addressed the Commission again and said they had demonstrated that group transportation was good businesses. It would be forward thinking for the city to progressively look into to group transportation.

Hayes addressed the Commission again and said the Sea Food and Wine Festival people work for tips. If there was a trolley system for tips, it could be operate on tips.

Chris Torp said the City had a trolley system from the hotels to different areas before. He thought a shuttle system could work. Hood River was doing this and got a grant for \$50,000 for 8 weeks to run a shuttle. He said Lincoln County Transit was figuring it would cost around \$200,000 a year to do a transit loop. Van pools were another discussion the AC had. Business owners and fish plants said they would support shuttles. There needed to be a lot more work done before it could be a part of the Comprehensive Plan.

Woodcock said if it was a requirement that the Trolley system as a 15 minute loop, design the system to a 15 minutes.

Tokos addressed some of the public member's questions. He said that the parking approach for Nye Beach was altered by the AC and framed in the document to conduct outreach with Nye Beach to see if metering or a non-metering was preferable. The recommendation for the Bayfront was to do a hybrid permit/metering. Tokos noted that employee behavior was key. The metering would be done with kiosks and with the thought to change behavior. A tourist loop had been discussed. A 15 minute loop was included in the report. The capital costs, maintenance, and cost of someone to run this was around \$200,000 for the concept in the report. Tokos discussed the maintenance needs for current parking. Metering would be an upfront of \$430,000 and it would be paid off in 2-3 years. Then there would be revenue to pay for different things. The fees for the parking district was used for sidewalk work and other smaller projects for sidewalks and stripping. The Harbor sidewalk project and City Center surface lot resurfacing was partially funded by parking district funds. Tokos explained that anything that would be implemented would be seasonal. There was recognition that the Bayfront was a working waterfront and was unique to the Oregon coast. Tokos explained that the license through the AC's work said that solutions from the outcome of the report weren't going to be a deterrent to people visiting the Bayfront.

Hearing closed at 8:50 p.m.

East thought there were big problems that needed to be dealt with. He felt a lot of the public comments presented had been touched on in the report. East would make a recommendation to move forward with the process of implementing the report, along with the comments made at the meeting.

Hardy said there hadn't been any definite answers arrived at the meeting. She felt having a standing committee address this formally and carefully with the eye to the financial impact and the efficacy that they tried to do in terms of enforcement will be valuable and important going forward.

Berman thought the matter was complex and there wasn't any easy answers. After listening to the testimony, it became apparent to him that metering wasn't a viable alternative. He couldn't forward a favorable recommendation to the City Council as long as it included a key element of metering.

Franklin thought that in light of the testimony he felt that the Comprehensive Plan needed some things such as staff parking taken care of first. He thought they needed to fully explore properties the city owned for parking in areas such as the Skate Park area and the corner next to Don and Ann Davis Park. Franklin liked the trolley idea and thought a 15 minute loop needed to be explored more. He thought it could be privately run and needed to be pitched to local cab companies. Franklin was nervous of meters and the testimony at the meeting made him think they shouldn't push a recommendation to the City Council.

Hanselman appreciated the public comment. He thought the study didn't look at the people who were turning away from the Bayfront because there was no parking. Hanselman thought that the City needed to work with employers to keep their staff from parking on the Bayfront, find a way to monetize parking spaces, and look at how much meters would cut into additional business they might gain. He felt parking was a big problem and didn't think meters were the worst thing, but also didn't think they were the solution.

Branigan said he served on the Advisory Committee (AC) and the process had dragged on for many years. He said the members of the AC did a great job because trying to solve parking issues was an impossible job. They looked at trolleys and building a parking structure on the Bayfront. He felt staff parking and the fish plants were a major problem. Branigan acknowledged that people came to Newport for the Bayfront and the fishing experience. This meant there would be trucks on the Bayfront and there wasn't a lot to be done about because they needed to park when the fleets came in. Meters didn't bother Branigan because they would be used to try to change behavior. If they could persuade a lot of the employees to park elsewhere it would help. Branigan felt they needed to create a permanent committee and have them take a look at trolleys. He reminded that the AC's discussions had been that meters wouldn't be operable 24 hours a day. There also wouldn't be meters, they would be kiosks. Branigan recommended moving forward with the plan as laid out along with forwarding the public comments to the City Council.

Patrick said he read the textbook for public parking. The main point of it was that for every block face there should be one open parking spot. Metering would stop the congestion and should be the goal. Patrick wasn't fond of metering but felt as long as metering wasn't treated as revenue, and treated as a way to manage parking spots, they would be successful. He noted that a surface parking lot cost \$20,000 to \$40,000 a spot, a parking structure was around \$100,000 a spot, and a trolley could cost anywhere from \$100,000 to \$200,000. He reminded that everything needed a funding source and without a funding source they couldn't do anything. There was a current shortfall and the money needed to come from either the businesses, tourists, or locals, and was something to think about. Patrick's takeaway was that the City Center didn't care, and Nye Beach didn't want meters but needed more studies and buy in. He had no problem recommending this to the City Council. The Bayfront needed some combination with meters and permits. They needed to start trying things, and see if they could manage the conditions. He reminded that there were no fishermen or fish plant representatives at the meeting saying they were against it, so there was some buy in on the Bayfront.

MOTION was made by Commissioner Branigan, seconded by Commissioner Berman to amend NMC Chapter 2 to add Section 2.05.085 establishing a Parking Advisory Committee. The motion carried in a voice vote. Franklin was a nay.

MOTION was made by Commissioner Branigan, seconded by Commissioner East to forward a favorable recommendation for the Public Parking Facilities Element of the Newport Comprehensive Plan to the City Council as submitted, with the caveat that the Nye Beach area be studied in more depth before any distinct plans were made as to how it was effected; the Bayfront would go forward with the plan as is; and there would be a continued review by the Parking Advisory Committee on a frequent basis with actions made as they go along.

Franklin said he was mainly against the City's direction of forcing parking meters in all areas as a goal and looking at them as a source of revenue. He felt they needed to look into other options first because metering was too big of a jump. Branigan said the AC had been looking at it for three years already and he thought it needed to go forward and not relitigate it again. Hanselman said that Branigan's motion left it open ended with the Nye Beach area and said he could support it if there was a timeframe for them to look at it. He felt they couldn't just keep rehashing it. Branigan agreed. He reported that based on the outreach meetings on metering he went to, Nye Beach wanted to see the results of utilizing meters on the Bayfront before they would buy into them. He suggested giving a timeframe of within one year after the installation on the Bayfront for review. Hanselman thought that was an attempt to put a timeline and felt it was important. Berman agreed there was a need to go forward but there were ideas given to the Commission at the meeting that weren't addressed in the report such as shuttles, adjustments to time limits, and better enforcement. He thought the new standing committee could look at these things but felt that if these items weren't mentioned as goals or implementation measures, they wouldn't be addressed. Berman wanted to see the goals and implementations measures reworked without meters and include some of the other suggestions the Commission heard at the meeting. Hanselman asked if Berman thought this was something they should do. Berman said yes, and he wanted to see it done before they forwarded a positive recommendation to the City Council.

Patrick didn't think a year was enough time to review and reminded that everything needed a funding source. He thought they needed to give metering a try. Patrick didn't think meters would be a funding source but would possibly pay for enforcement. Franklin asked what would happen if meters were a drain on funding. Patrick said they would pulled them out. He felt the new standing committee needed to watch over them to make sure they were doing what they were supposed to do without becoming a funding source. Hardy noted that she was in favor with establishing a new committee but not with the meters because there wasn't enough information yet.

MOTION was made by Commissioner Branigan, seconded by Commissioner East to forward a favorable recommendation for the Public Parking Facilities Element of the Newport Comprehensive Plan to the City Council as submitted, with the caveat that the Nye Beach area be formally studied in more depth before any

distinct plans were made as to how it was effected within a year of the implementation of parking meters on the Bayfront; the Bayfront would go forward with the plan as is; and there would be a continued review by the Parking Advisory Committee on a frequent basis with actions made as they go along. Commissioners Branigan, Patrick, and East were a yes. Commissioners Hardy, Berman, Franklin, and Hanselman were a nay. Motion failed.

MOTION was made by Commissioner Berman, seconded by Commissioner Franklin, that the soon to be new Parking Advisory Committee, established by the approved ordinance, revise the goals and policies of the Public Facilities Element of the Comprehensive Plan related to public parking, in conformance with the opinions expressed at this evening; deemphasize or eliminate parking meters; and bring revisions back to the Planning Commission for consideration. The motion carried in a voice vote. Branigan and Patrick were a nay.

Patrick didn't think the Commission could give the problem back to the standing committee and then direct them to come back with something that didn't include meters. He didn't think this process was right. Hardy asked Berman if what he was saying was that he wanted the standing committee to be formed but not to have the decisions predisposed for them. Berman confirmed it was.

6. New Business.

A. City Council Appointment of Gary East as a Planning Commission Member.

Tokos acknowledged that the City Council appointed Gary East as a new Planning Commission Member.

B. C-2 Zoning Restriction on Residential Development on the Ground Floor.

Tokos reviewed his staff report. Richard Engelmann addressed the Commission. He explained they wanted to build on a lot and was told they couldn't do it because the bottom floor needed to be commercial in a C-2 zone. Engelmann felt it was a good question for the Commission to look into. Patrick thought the discussion should be sent to a work session. He felt it wouldn't hurt to take another look at it and think long term with it.


MOTION was made by Commissioner Branigan, seconded by Commissioner Berman to hold a work session meeting to further discuss the C-2 Zoning restriction on residential development on the ground floor. The motion carried unanimously in a voice vote.

7. Unfinished Business. None were heard.

8. Director Comments. None were heard.

9. Adjournment. Having no further business, the meeting adjourned at 9:33 p.m.

Respectfully submitted,


Sherri Marineau
Executive Assistant

