

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video
May 26, 2020
6:00 p.m.

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

Planning Commissioners Absent: Bill Branigan (*excused*).

PC Citizens Advisory Committee Members Present by Phone: Dustin Capri , Braulio Escobar, and Greg Sutton.

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

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** None were heard.
- A. **Tentative Planning Commission Work Program.** Tokos reviewed the updated work program with the Commission and no questions were asked.
- B. **Nye Beach Core Zone Proposal or Other Potential Changes to the Nye Beach Design Review Overlay.** Tokos noted the email from Berman that he submitted. Tokos reviewed his response letter with the Commission and reviewed Bob's revisions.

Berman noted that the original letter was more general to say the City Council may want to look at the changes. He thought Nye Beach was the only defined neighborhood that had an overlay and had a potential for a different vision. Berman rewrote the letter to include visioning. He agreed with Tokos' notes and Berman wanted the Commission to address Engler's additional comments. He noted here was typo and thought the word "to" should not be redlined after the words "we encourage".

Hanselman was glad to see the inclusion. Even though they looked at the 2015 Ad Hoc Committee work, they might have missed out on concepts the City Council wanted the Commission to pursue. He wanted to see the work expanded and to have the 2040 Vision group as a productive way to move.

Berman noted that Engler's letter brought up a point on requiring a conditional use permit for compatible enterprises. He asked if the Commission could look at it on their own or how that would proceed. Tokos said they could look on their own. The reason it was structured this was because a call was made when doing a full restructuring of the commercial and industrial codes to not try to specify every personal use that would be potentially permissible and made it a staff level review. It could be revisited but didn't think it was an impediments but something they could look at. Berman asked if there was a fee for this. Tokos yes. Berman questioned if the fees would be a slight impediment. Franklin asked how much the fees were. Tokos reported that the fee were around \$600-700 dollars. Berman thought it was substantial and he didn't know how to get around it without opening up the code and listing permissible uses. Tokos said this was a challenge because you would need to go through all the potential perspective uses, but it could be done. He thought it could be put on a work session meeting to look at.

Berman asked for an example of what was inappropriate use. Tokos gave an example of a real estate company that made the argument that they were tailored to tourists and why they wanted to be in Nye Beach. The question is if this was the best used in this area or if it should be more general. Berman wanted to see this on the list of potential work session topics in the future. East asked about the timeline for City Council. Berman

noted this was a different topic. Patrick was okay with looking into it and wanted to look at adjusting the fees. He didn't like the list of what approved uses compared to what wasn't if it was a staff level decision.

Tokos asked if there was a general consensus, the typo would be fixed and he would bring it forward to the June 8th Planning Commission meeting for adoption and forward it to the City Council. He noted that personal services could be placed on a Work Session meeting. The Commission was in general consensus to move forward with the letter. Tokos confirmed that the final form would be shown to the Commission on June 8th.

3. New Business.

- A. **HB 2001 Medium City Model Code and Rule Making Process Update.** Tokos reviewed the PowerPoint presentation with the Commission and explained the rule making decision on the administrative rules. Hanselman asked if any of the previous programs for tax abatement played into the communities efforts for housing. He thought that HB 2001 seemed to be a one size fits all. Tokos reported that the City adopted tax incentives for multi-family housing. There was one program for lower density housing that hasn't been adopted. He didn't know how it played into it. He noted they needed to adopt the changes by the end of the fiscal year. If they were to submit it for an extension it would need to be done by the end of the year, but didn't think that was necessary.

Tokos reviewed the six major rulemaking decisions. He walked through the model code and unreasonable cost and delay information. Tokos thought they would be hard pressed to come up with something different for duplexes. He reviewed the definition of duplexes and explained that the changed boiled down to if they wanted to allow three dwelling units on a lot. Patrick asked if this needed to be done when adopting the rules. Tokos said the code needed to be adopted by June 30, 2021, otherwise they would have to adopt the State's code.

East thought there should be a few more work sessions on this issue. Tokos said there would be more opportunities when this was put in the code. He thought there would be some policy choices relative to how they dealt with accessory dwelling units (ADUs) and policy choices on parking. Patrick was of the opinion that there shouldn't be three dwellings per lot. Berman and Escobar agreed. Hanselman thought there were streets that made it more difficult to traverse and it would be hard to get emergency vehicles get through them due to more parking on streets.

Tokos reviewed off-street parking. Berman asked how the code would apply for short-term rentals when they couldn't require more than two parking spaces. Tokos would look at it and explained that the language was more for a commercial activity and not subject to this legislative. He noted that there was flexibility to adopt off-street parking but they had to make sure they adopted a code before June of 2021 that was compliant with the administrative rule. East asked if duplexes could be required to have garages. Tokos thought garages and driveways were off-street and didn't think they needed to get into the issues of requiring garages with these unit. Berman wanted more discussion on this topic. Patrick said he was looking for objections on this legislature for the code or if they needed to have something . Tokos noted the Rules Advisory Committee was metrocentric with people from larger communities that don't represent Newport. He explained how the rules gave flexibility to require off-street parking. Berman's explained that his main concern was with short-term rentals.

Tokos reviewed the next steps and adoption schedule. He would get back to the Commission on the short-term rentals on June 8th and could get back to the City Council at that time. Berman asked if comments were required from specific communities. Tokos said all comments were accepted.

- B. **COVID-19 Small Business Assistance Grant Program Update.** Tokos gave an update on the grant program. He reported that one million dollars would be used from the earnings of the South Beach Urban Renewal District funds for grants. Applications were due by 5pm on Friday, May 29th and the City had received around 130 applications so far. Patrick asked how this was advertised. Tokos noted this was done through the Chamber, the Rotary, and business organizations. The Small Business Center at OCCU was advertising and there was also a press release.

Berman asked why the grant was open to any business in the Urban Grown Boundary and not just the city limits. Tokos explained that it was because they were pulling the money from the South Beach URD and felt the area should be included. A good portion of the unincorporated areas outside of city limits is in South Beach. Berman didn't agree with this.

Tokos reviewed the eligibility for the businesses by reviewing the overview of the grant program with the Commission. This was about helping business going again. Tokos hoped to get awards out by the first week of June. Patrick asked for a report back on grant awards. Franklin asked if golf course in city limits. Tokos explained it fell in the UBG so eligible. Capri asked about the limit of 30 employees for restaurants. Tokos explained this was the equivalent of 30 fulltime employees

Escobar asked if there was a timeline on when the app knew when they got the grant awards. Tokos said this would be in the middle of June. Greg asked who made the decision. Tokos said City manager after committee scored applications. They may make a recommendation on if applications should get prorated amounts to so more businesses received awards.

- C. **Furlough and Proposed Fiscal Year 20/21 Staffing Reductions.** Tokos explained that current events impacted revenue in local government and therefore we had to make changes. The City was in a position to have to deal with a structural deficit already and the compounding short term impacts of COVID 19 affected room tax and other things. All employees that are full time would take 12 furlough days. City Hall would be closed on Fridays from June 5th through August 28th. There would be no inspections on Fridays during this time. Tokos noted that the City would not be filling the permit tech potion and the department would be operating at a minus. This position gave administrative support and things would be tight without the position being filled. The City was committing to what was in the hopper and nothing new. The Transportation System Plan was being reworked because we couldn't do outreach because of the COVID-19.

Patrick wanted to commend the City on how they were taking a hit and handling things. Tokos said to expect the furloughs across the board in governments and agencies.

4. **Adjourn.** The meeting adjourned at 6:58 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant