

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
July 8, 2019
6:00 p.m.

Planning Commissioners Present: Jim Patrick, Lee Hardy, Bob Berman, and Mike Franklin.

Planning Commissioners Absent: Jim Hanselman, and Bill Branigan (*all excused*).

PC Citizens Advisory Committee Members Present: Dustin Capri.

Public Members Present: Meg Reed, and Mona Linstromberg.

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

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
 2. **Unfinished Business.** No unfinished business.
 3. **New Business.**
- A. **Review Framework for a New Tsunami Hazard Overlay Zone.** Tokos reviewed his staff memo on the framework for the tsunami hazard overlay zone and results from the last legislative session for House Bill (HB) 3309.

Meg Reed, Coastal Shore Specialist for the Department of Land Conservation and Development (DLCD) addressed the Commission. Reed explained that they had been working with coastal communities to update their land use regulations. She noted that there had been three tsunami inundation areas created that she would speak about at the meeting. Reed reviewed a handout that she shared with the Commission, initiated by the Coastal Caucus, that explained HB 3309. Tokos said the handout provided an explanation on why the new legislation was created. He noted that what the Commission would be deciding was if they wanted to limit or prohibit certain uses in the tsunami inundation zones. Hardy asked if the City could have stronger restrictions than the State. Tokos confirmed they could. Franklin asked how the rules applied to existing buildings. Reed said the rules would only affect new building.

Franklin asked if retirement and assisted living facilities would fall under the hospital category if the area was subject to the XXL inundation zones. Cotton explained they wouldn't. They would fall under the special occupancy structures in Section 1.100 (3)(D). Franklin asked if under the current rules, would a new addition being built at the Whaler Hotel have a timeframe to build. Tokos said that if the Commission elected to go with Large, this property would be outside of that zone. The Commission needed to look at what was reasonable within the boundary and what they wanted to restrict. He thought Large was a reasonable way to go. Capri asked how many had been Large. Reed explained that there were four that were Large or above, one at the boundary between Medium and Large, and the rest were Small or Medium. There were two that were XL, and there had never been an XXL. Franklin asked if the City did nothing, could someone rebuild if there was a fire. Tokos said they would have to meet current code. They would be allowed to rebuild under the nonconforming code even if the City imposed restrictions. Cotton noted that Section 4.12 (4)(a)(iv) applied to just schools, and was not the Performing Arts Center or something like that.

Cotton continued reviewing the DLCD model code with the Commission. She stated this was an opportunity for Newport to make it mandatory. It would create goals for the hazards sections of the Comprehensive Plan, the Transportation System Plan update, and for signage. She wanted to see if the Commission was receptive to the model code. The Commission was in general agreement of being receptive of it. Reed explained they

suggested adopting XXL in the model code and it wouldn't apply to prohibited use, it would only apply to the requirement for evacuation improvements or any new land divisions. A new subdivision, for example, would be required to put in signage to direct people to high ground or require them to put in sidewalks or something to make sure there were connections to existing routes. This was why the DLCD recommended XXL as the boundary to the zones and then the City could put discretionary restrictions in place. Patrick suggested requiring builds in Large zones to do certain upgrades. A discussion ensued regarding how best to categorize different uses in Large to XL boundaries.

Cotton stated that most of the communities that have adopted the essential facilities had gone with XXL. She asked if the Commission needed more information on what was in or out of Newport, or if they wanted to give more flexibility. Berman thought it would be good to know what was in or out. Reed noted that unless it was specifically built to withstand a tsunami, they considered the location would be destroyed in a big event. She noted there was a use exception that if someone showed strategic need they could allow certain uses. Franklin was in favor of expanding to just south of the bridge for emergency services so they had assistance. Tokos said outside of a new pump station down south, there wasn't anything needed for services. He said what he was hearing was that the Commission would like to see a proposal that set a boundary with prohibitions on uses to be on a Medium to Large scale, and an XXL for site improvement requirements for development. The Commission was in general agreement with this. Tokos said a map would be put together to show where the existing essential facilities and special occupancy facilities were. Cotton thought the language for exceptions would be a good thing to keep.

Cotton asked for input on adding regulations for residential uses and hotels/motels. Patrick thought that if they were talking about residential, the South Beach State Park should be included. Berman thought it was important to include RV parks that were expanding. He thought the limitations needed to apply to essential services such as fire, police and the hospital. Cotton said what she heard was the consensus was to take out residential and hotels/motels. Patrick wanted to also include utility installations so they continue after tsunami inundations. To address this, Tokos suggested looking at the engineering tsunami load standards to see if there was anything in them that was appropriate for utilities to at least increase the chances they would withstand a tsunami.

Cotton noted that one of the general policies was to request a tsunami hazard disclosure statement for new development in tsunami hazard areas. This would let developers know what they are getting into. Cotton noted that North Bend did a good job of emphasizing that developers knew what they were doing and it was a danger. Tokos asked if there had been a conversation on including this on real estate disclosure forms. Reed said it wasn't included and currently it asked if there were any known geologic hazards. They would have to disclose if there was an earthquake, not tsunami. Cotton would put maps together and include an inventory list. She said what she heard was there was good support of increased evacuation pathways and signage.

Reed reviewed the Beat the Wave maps and said the publication would be coming in August. She showed maps for the Bayfront, Agate Beach, Nye Beach, and South Beach State Park. She explained that South Beach was a challenging area to evacuate, and new trails and signage could help with this. Reed pointed out that there were some large dunes in the South Beach State Park that could be used as higher ground for a large event. The Commissioners didn't think it was a good message to suggest people utilize the dunes as high points. Reed said a technical publication would be available in August. DOGAMI was working on a public piece that would be coming out the next year.

- B. Review Draft Public Parking Facilities Element to the Newport Comprehensive Plan.** Tokos reviewed his staff memo on the parking facilities element and said it was recommended by the study advisory committee. He noted that this committee had just disbanded. What was presented was a policy guidance for the Comprehensive Plan and policy to establish a standing committee. Tokos explained that the Study Committee was recommending the start of the legislative process. He reported that the thought was to initiate metering and permitting in the Bayfront first. Nye Beach would be an expanded discussion and metering for the area would be revisited at a later date. Tokos reported that the Study Committee agreed to postpone metering outside of the Bayfront. Capri asked what the payback period was for meters. Tokos would bring this information back to the Commission. Berman noted that there wasn't any guidance on who should be on

the committee in the ordinance. Tokos said this was done intentionally. The discussions reduced the number of members from nine members to seven. The discussion was to allow some flexibility to allow committees to change over time based on what they were struggling with. Berman asked if any city officials would be included. Tokos said there would be a City Council liaison, but they wouldn't be a voting member.

A discussion ensued regarding rules for duplexes, accessory dwelling units, and tiny homes and when the Commission would be working on implementing these rules.

Meeting adjourned at 6:59 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant