

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
July 27, 2020
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, and Bill Branigan.

Planning Commissioners Absent: Mike Franklin (*excused*), and Gary East.

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri.

PC Citizens Advisory Committee Absent: Greg Sutton (*excused*) and Braulio Escobar.

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.**
 - A. **File 1-Z-20 Draft Newport Municipal Code Amendments Related To Car Camping.** Tokos reviewed the House Bill that passed and how it applied to car camping. He noted that Benton and Washington Counties had options that the Commission should consider. He reviewed the Benton County ordinance which had a spacing requirement between vehicles and a perimeter setback. This wasn't in the city's draft because there were so many properties that went up to a property line. Tokos reviewed Washington County and their additional provisions that said camping could be no less than 10 feet from property lines, and storage and sanitary facilities could be no less than 20 feet from property lines of any residential use. He noted that Portland and Eugene added provisions for transitional housing that built in an allowance that didn't limit them to camping tents or other structures.

Tokos reported that Washington County limited the maximum number of vehicles for camping to three, and added "unless otherwise provided in statute" because they recognized it might come back up again in the legislative session to lift the three vehicle limitation. If they did lift the limitation entirely, one way to manage the numbers was to impose a spacing requirement like Benton County which was to space vehicles 12 feet apart. A typical parking space was 9 feet by 18 feet. Tokos thought the spacing could be done by stall rather than distance apart. This might be easier because the city was mainly dealing with parking lots. They could also put in language that said one stall separation where stripped. If a parking lot wasn't stripped, they could go with a fixed distance.

Tokos asked for the Commissioner's thoughts on changes before it was brought forward in a public hearing. Hardy asked how a homeless person could identify themselves if they didn't have a driver's license. Tokos explained that it would be the church's function to allow people to stay there. A person that was homeless for a long time might not have a driver's license or vehicles. Hardy thought the religious facilities needed to work in a way to identify the person's true identity. Tokos explained the guidelines in the code and asked if anything should be added. Hardy said it was easy to do a criminal background check to find qualified tenants. She explained that without this it could lead to abuses such as people who were runaways, and those who were hiding to avoid being served papers and arrest warrants. Hardy was concerned that religious facilities didn't have the sophistication to think about their inherent liabilities by housing certain types of individuals in their parking lots.

Patrick didn't think the spacing issue would work because properties abutted each other. He thought stall

spacing would work better. Tokos suggested they use Washington County's language as an outlet in case the legislature changed the three vehicle limit number. Berman liked this. Tokos asked for the Commissioner's thoughts on the visibility of storage and sanitary facilities. Patrick thought that screening from public view would be the easiest way to do it. Tokos thought going with stall spacing would manage the total numbers for a three vehicle limit. Berman said they needed an alternative to non-stripped lots. Tokos asked if one stall spacing was enough or if it should be different. Patrick thought it was enough. He asked if there were three car campers, did it mean there needed to be five stalls. Tokos confirmed it would.

Berman asked if they were addressing the allowance of a family of four in one car. He was concerned four people couldn't sleep in one car and there was a chance part of the family would end up in a tent outside. Tokos said the legislature during the special session made it clear that they were open to jurisdictions working on transitional housing under the statutory framework to allow camping in tents. He asked if the Commission wanted to work this way or stick to just allowing vehicle camping. Hanselman preferred not mingling concepts so rules could be targeted to the specific objective they were dealing with, instead of trying to cover both. He would rather it be just vehicles and say people would have to be confined to the vehicle. Hanselman had concerns on vehicles being "clown cars" where there were 10 people in a vehicle. He was also concerned that Section 13 allowed any person to offer any number of overnight camping on a person's property. Hanselman didn't want to see this extended to just any property. Berman didn't agree. He thought if someone had an open lot and they met the other requirements for having an onsite host, why not allow them to do it. Tokos explained that the access to sanitary facilities and the requirement for an onsite host would limit this. You could tailor the language to say that commercial and industrial zones were permissible. Berman thought they shouldn't have this in residential zones. Hanselman thought residential zones already had regulations for RV parking and camping unit. Tokos confirmed that the city ordinance didn't allow someone to set up an RV, connect into city services, and reside in it on a residential lot. This was only allowed as a temporary use when someone was building on their lot. Hanselman saw this as a direct conflict to allow homeless camping without letting someone use their RVs on their own property. He thought the Commission needed to be consistent on what the ordinance would allow when the possibility of changes being made by the legislation. If it was strictly religious institutions, it would help define it very clearly. Hanselman didn't think residential areas were well served for this.

Patrick thought car camping wouldn't work in residential zones and thought it should be in commercial and industrial zones. He thought someone with a large corner parking lot could do camping at those locations. Hardy asked if it would be left to the individual facilities to address the impact on density with respect to forcing religious institutions, participants and services to park on the street, or would they be putting limits on the duration a homeless person could live on a parking lot. Tokos explained that it would be up to the facility to determine how long they could stay. Hanselman thought this had been framed as an overnight camping event and asked if this changed. Tokos confirmed that the thought hadn't been framed as limiting it to a one night stay. The thought was that a limitation of three vehicles would force turnover. Hanselman asked if the vehicle would have to move after every night's stay. Tokos didn't think that detail had been determined. He asked if the Commission thought this should be regulated by the city or by the religious facilities. Hanselman had concerns that when people had to exit the parking lot everyday it set up a gold rush concept every night the lot was opened up for stays. He wanted to help make it easier for institutions. Hanselman also thought that allowing someone to use the space for seven consecutive days without moving was alright, and something to the Commission should explore. Berman thought this was arbitrary and didn't help to solve the problem. Tokos suggested that they leave it up to the facility to determine their standard. Berman asked if they didn't put a limitation, who would enforce the evictions. Tokos said it was the churches property and they would enforce. If it went further, they could do trespassing on the lot. Hardy thought the eviction laws could effect this and raising the minimum wage was better option. Patrick noted that any stay over 30 days meant the person was a tenant and would have to have an eviction. He wanted a limit so this wasn't a factor.

Tokos noted that what he heard was the Commission was open to expanding this beyond places of worship to commercial, industrial and public zoned properties; one stall spacing or 10 feet if not striped; add a screening requirement of storage and sanitary facilities; and they were okay with the change to a three vehicle limit unless the statute was revised. Berman thought that since many parking lots ran up to the sidewalks and curbs, they should add something about shielding. Tokos asked what the sanitary facilities should be screened from.

Berman thought they should be screened from public view. Hardy thought that was vague. Patrick thought there should be a setback for sanitary facilities. Tokos would add language for screening and spacing for sanitary facilities off of the property line. He noted that Washington County said sanitary and storage should be 20 feet away from property line from any residential use because they were worried about commercial use. Patrick agreed with keeping them away from residential. He asked if there were any religious facilities interested yet. Tokos said there hadn't been yet, but what they were trying to do was create a pathway/framework where there would be an option to do it. Berman asked if the County was doing this. Tokos didn't know. Berman asked Tokos to talk to the County to see if they were. Patrick suggested adding minor words in the language now until they figured out what the problems were.

Berman noted that one of the counties limited the size of the vehicle to 120 square feet. He felt this seemed very small. He wanted it framed to say it had to be an RV or tiny home. Berman just didn't want to cap the size of the living unit to be too small. Tokos reported that he would work the amendment into a work session to review first. The Commission was in general agreement with this.

3. New Business.

- A. **Review Scope Of Work For South Beach US 101 Commercial - Industrial Corridor Refinement Plan.** Tokos reviewed his memorandum. He noted there were four to five years left on the project and he was asking what the priorities should be. Currently they were assessing commercial and industrial lands along the Hwy 101 corridor; identifying development or land acquisition opportunities; looking for a consulting firm/team; working on financing plans; adapting a reuse of the properties on 32nd and 34th Streets and some relocations; and preparing a good active public engagement plan during the pandemic. The plan was to have the plan completed by the end of 2021. Work would start after the first of the year with an end around late summer or the fall of 2021.

Capri asked how the city would get rid of the property at 35th and HWY 101 and asked if it would be for sale. Tokos reported that this would be done through a competitive bid process. The thought was that they would attract a service retail after the traffic light was done. Capri asked if there were parameters for the use of the properties and if not, what happened to the property. Tokos explained that it was always service use, but wasn't just for a grocer. They could frame what the concept for the use of the property should be and roll that into the bid process. This was a City Council decision. Capri thought the mindset should be that the property should be at a discount, and it should be framed to incentivize a grocer in South Beach. Tokos said there were limitations on the site. A discussion ensued regarding the different standards grocers had to develop. Tokos reminded that a lot of retailers were open to modifying their standard plan, the conditions just needed to be right for them. He didn't think there was justification to give a \$100,000 discount for a concept for a 2.3 acre property along with requiring a list of potential uses and a design template. Capri was concerned that a discount would be given to a larger corporation and there would be disappointment from the public and City Council because of it. Tokos thought there could be a range of retail use for the site. It would be framed more broadly and then they would have to ferret out what those uses would be. Capri was concerned about public perception and that they could be tearing down a restaurant just to build another, or selling the property with a discount to a big corporation. Tokos explained that this would have a lot to do with how they framed the proposal. He didn't see a circumstance where there would be a single use. You wouldn't want to limit it to a single use because you may not get that use at all. Capri thought that being more specific on how the property should be developed was more important when selling a property at a discount. Tokos thought they wouldn't want to go in saying what use it should be. They should give the public options and then get their input. Capri thought this process should be done before anyone bought the property.

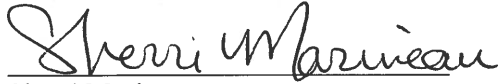
Berman asked if the project would be pay as you go or bonding. He thought bonding required public authorization. Tokos didn't think bonding would be an option but more of a short term loan. A short term bank loan could almost double what they had in terms of available resource. Pay as you go limited it to the increment up to the year 2025, which was the deadline for new projects. A short term bank loan could leverage the last two years of increment and buy themselves basically an additional \$4,00,000 in project funds.

Tokos asked if the Commission was okay with this and noted he would run this by the City Council. Patrick

thought it was fine. Berman thought everything in the statement were things that needed to be done to get to a point where this needed to get wrapped up. Branigan noted he would go ahead with it.

Adjourn. The meeting adjourned at 6:59 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Sherri Marineau". The signature is written in a cursive style with a large, looping initial "S".

Sherri Marineau,
Executive Assistant