



## **AGENDA & Notice of Planning Commission Work Session Meeting**

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The Planning Commission of the City of Newport will hold a work session meeting at **6:00 p.m., Monday, February 24, 2014**, at the Newport City Hall, Conference Room "A", 169 SW Coast Hwy., Newport, OR 97365. A copy of the meeting agenda follows.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, 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, 541-574-0613.

The City of Newport Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the work session.

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### **NEWPORT PLANNING COMMISSION Monday, February 24, 2014, 6:00 P.M.**

#### **AGENDA**

#### **A. Unfinished Business.**


1. Review ECONorthwest's technical analysis of the three options for boundaries for a North Side Urban Renewal District.

#### **B. New Business.**

1. 2013 CDD Land Use/Building Annual Summary.

#### **C. Adjournment.**

# Memorandum

To: Newport Planning Commission/Advisory Committee  
From: Derrick Tokos, Community Development Director   
Date: February 21, 2014  
Re: Conceptual Boundaries for Northside Urban Renewal District

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Enclosed is initial analysis by ECONorthwest of the conceptual boundaries that you reviewed at your last meeting. In digging into the details they have determined that there is additional capacity under the 25 percent statutory limitation in terms of both assessed value and acreage. This is discussed in detail in their February 19, 2014 memo.

With this in mind, ECONorthwest has distilled the concepts into two options, one which is our original Option No. 1 and another that also picks up the balance of the US 101 corridor up to Walmart and the Agate Beach area. The new Option No. 2, picks up all of the projects discussed, and is larger in terms of its frozen base. This means that the near term hit to the taxing districts will be greater; however, the projects will be finished quicker and the Plan area will be able to close earlier, which benefits the taxing entities. This is a trade-off we may want to discuss.

At this meeting I am looking for your feedback as to whether or not these two concepts should be moved forward for further analysis or, if not, how they should be modified. There will continue to be opportunities for further refinement as ECONorthwest progresses in its analysis. Also, I am looking for confirmation that the priorities we are trying to achieve by forming a district are more or less on track. Those priorities can be summarized as follows:

**AGATE BEACH** – Revitalize residential neighborhood with street and storm drainage improvements.

**US 101/US 20 CORRIDORS** – Improve investment climate through strategic site acquisition for redevelopment, business façade loan program, utility undergrounding, street improvements to facilitate traffic flow, and streetscape enhancements.

**DOWNTOWN REVITALIZATION** - Refine and construct couplet to spread out US 101 traffic and widen commercial footprint.

**HOSPITAL REDEVELOPMENT** - Improve street access, gateway entry, and parking.

**FAIRGROUNDS** – Support community effort to construct multi-purpose event venue and associated infrastructure.

DATE: February 19, 2014

ECO Project #: 21409

TO: Derrick Tokos

FROM: Nick Popenuk

SUBJECT: PRELIMINARY NEWPORT NORTHSIDE URBAN RENEWAL ANALYSIS

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The City of Newport is evaluating the potential to use urban renewal to implement economic development projects on the north side of the City. Preliminary analysis by the City found that to include all of the City's desired urban renewal projects in a new urban renewal area (URA) would result in a URA that exceeds statutory limits on the acreage and/or assessed value of URAs. Thus, the City identified three potential boundaries intended to fall within the statutory limits on assessed value and acreage, while accommodating the majority of the desired projects. The City asked ECONorthwest to evaluate the feasibility of these three boundaries for a new north side URA.

Upon closer examination, ECONorthwest has determined that the City has more capacity (both in terms of acreage and assessed value) to accommodate a north side URA than was previously estimated by the City. We conclude that a north side URA could be created that encompasses the areas and projects shown in all three boundary options. This memorandum describes our analysis.

## Statutory limits

Oregon Revised Statutes (ORS) 457 describes limits on the use of urban renewal. ORS 457.420 states:

(2) No plan adopted after October 3, 1979, shall provide for a division of ad valorem taxes under subsection (1) of this section if...

(b) For municipalities having a population of less than 50,000, according to the latest state census:

(A) The assessed value for the urban renewal areas of the plan, when added to the total assessed value previously certified by the assessor for other urban renewal plans of the municipality for which a division of ad valorem taxes is provided, exceeds a figure equal to 25 percent of the total assessed value of that municipality...; or

(B) The urban renewal areas of the plan, when added to the areas included in other urban renewal plans of the municipality providing for a division of ad valorem taxes, exceed a figure equal to 25 percent of the total land area of the municipality.

The legalese of state statutes makes it difficult to understand the meaning of this section. In laymen's terms, ORS 457.420 states that a new urban renewal area cannot be created if the assessed value and acreage of the area, when combined with all other urban renewal areas in a

city, exceed certain limits. Those limits include 25% of the total acreage of the city, and 25% of the total assessed value of the city. However, for the purposes of calculating assessed value of existing urban renewal areas, the statutes instruct the calculation to be based on “the total assessed value previously certified by the assessor for other urban renewal plans...” In other words, the frozen base value of the existing urban renewal plans.

## Newport capacity for new urban renewal areas

The City has one existing urban renewal area, the South Beach Plan, which is included in the calculations of citywide capacity for new URAs. Table 1 shows original calculations by the City regarding the acreage and assessed value capacity of the City to establish a new north side URA. Based on this analysis, the City estimated that a new north side URA would need to include less than 619 acres and \$145.3 million in assessed value.

**Table 1. Preliminary estimate of urban renewal capacity**

	<b>Amount</b>	<b>% of Total</b>
<b>Assessed Value</b>		
City Total	\$ 1,166,132,304	100%
South Beach Plan	\$ 146,280,150	13%
Remaining Capacity	\$ 145,252,926	12%
<b>Acreage</b>		
City Total	7,151	100%
South Beach Plan	1,169	16%
Remaining Capacity	619	9%

Source: City of Newport, email from Derrick Tokos, 1/31/2014  
Assessed values stated as FY 2011-12

ECONorthwest recalculated these acreage and assessed value capacities, shown in Table 2. For assessed value, ECONorthwest used data provided by the Lincoln County Assessor for FY 2013-14. Most importantly, we determined that the initial City calculations used the full assessed value of the South Beach Plan, rather than the frozen base of the South Beach Plan, as stipulated in ORS 457. This resulted in substantially more capacity as measured by assessed value: \$300.8 million. For acreage, ECO’s analysis confirmed the City’s conclusions on the remaining capacity: 619 acres.

**Table 2. Revised estimate of urban renewal capacity**

	<b>Amount</b>	<b>% of Total</b>
<b>Assessed Value</b>		
City Total	\$ 1,277,344,380	100%
South Beach Plan*	\$ 18,548,383	1%
Remaining Capacity	\$ 300,787,712	24%
<b>Acreage</b>		
City Total	7,151	100%
South Beach Plan	1,169	16%
Remaining Capacity	619	9%

Source: Calculated by ECONorthwest with data provided by Lincoln County Assessor and City of Newport

## Size of proposed north side URA boundaries

The City suggested three potential boundary options for the north side URA. The City provided preliminary estimates of the assessed value and acreage of these three boundary options. ECONorthwest recalculated the assessed value and acreage of these three boundary options. The original estimates and the new calculations are shown in Table 3.

**Table 3. Newport proposed north side URA boundary options, assessed value and acreage, preliminary estimates and revised calculations**

	Original Estimate		Revised Calculation	
	Assessed Value	Acreage	Assessed Value	Acreage
Option 1	\$ 124,127,100	576.0	\$ 146,294,830	282.9
Option 2	\$ 137,763,660	678.0	\$ 162,412,850	342.8
Option 3	\$ 145,205,150	625.0	\$ 169,547,145	316.0

**Sources:**

Original estimates provided by City of Newport, 1/31/2014  
Revised calculations by ECONorthwest, 2/19/2014

The discrepancy in assessed value between the two scenarios is most likely driven by the fact that the original estimates were conducted using FY 2011-12 assessment data, and the revised calculations used the most recent, FY 2013-14 assessment data. The discrepancy in acreage calculations is more complicated.

We believe the reason for the discrepancy is due to the projected coordinate system the city used to display the potential URA boundaries within a GIS mapping application. Many of the city's shapefiles, including the parcel database and existing South Beach URA boundary, use a coordinate system called NAD\_1983\_HARN\_StatePlane\_Oregon\_North\_FIPS\_3601\_Feet\_Intl. This is a standard format used by most jurisdictions within Oregon; it uses feet, with a conical projection, as its basic units of measurement. The conceptual URA boundaries, however, were projected using a coordinate system called WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere. This system uses meters, with a spherical projection, as its basic units of measurement.

In less technical language, the City's original acreage estimate was off because it used a Web Mercator projection, which does not deal with area accurately. It's the same issue that makes Greenland look as big as Africa when you zoom way out on Google Maps. In short, the GIS application thought it was making an acreage calculation using feet on a conical globe, it was actually using meters on a spherical globe.

## Conclusions

The three proposed north side boundary options largely overlap, so the total of all three boundaries is much less than the sum of its parts. Collectively, the boundaries account for 435.0 acres of land, which is less than the 619 acres of capacity. Likewise, the combined assessed value of the three boundary options is far less than the \$300.8 million in capacity. We conclude that the City could create a north side URA that is large enough to encompass all three areas, and all desired projects identified by the City.



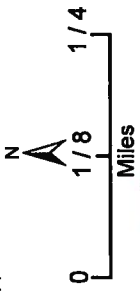
# Newport Urban Renewal Proposed Option 1 with Newport Zoning (Map Created February 20, 2014)

## Zone Designation

- C-1 Retail and Service
- C-2 Tourist
- C-3 Heavy
- I-1 Light
- I-2 Medium
- I-3 Heavy
- P-1 Public Structures
- P-2 Public Parks
- P-3 Public Open Space
- R-1 Low Density Single-Family
- R-2 Medium Density Single-Family
- R-3 Medium Density Multi-Family
- R-4 High Density Multi-Family
- W-1 Water Dependent
- W-2 Water Related

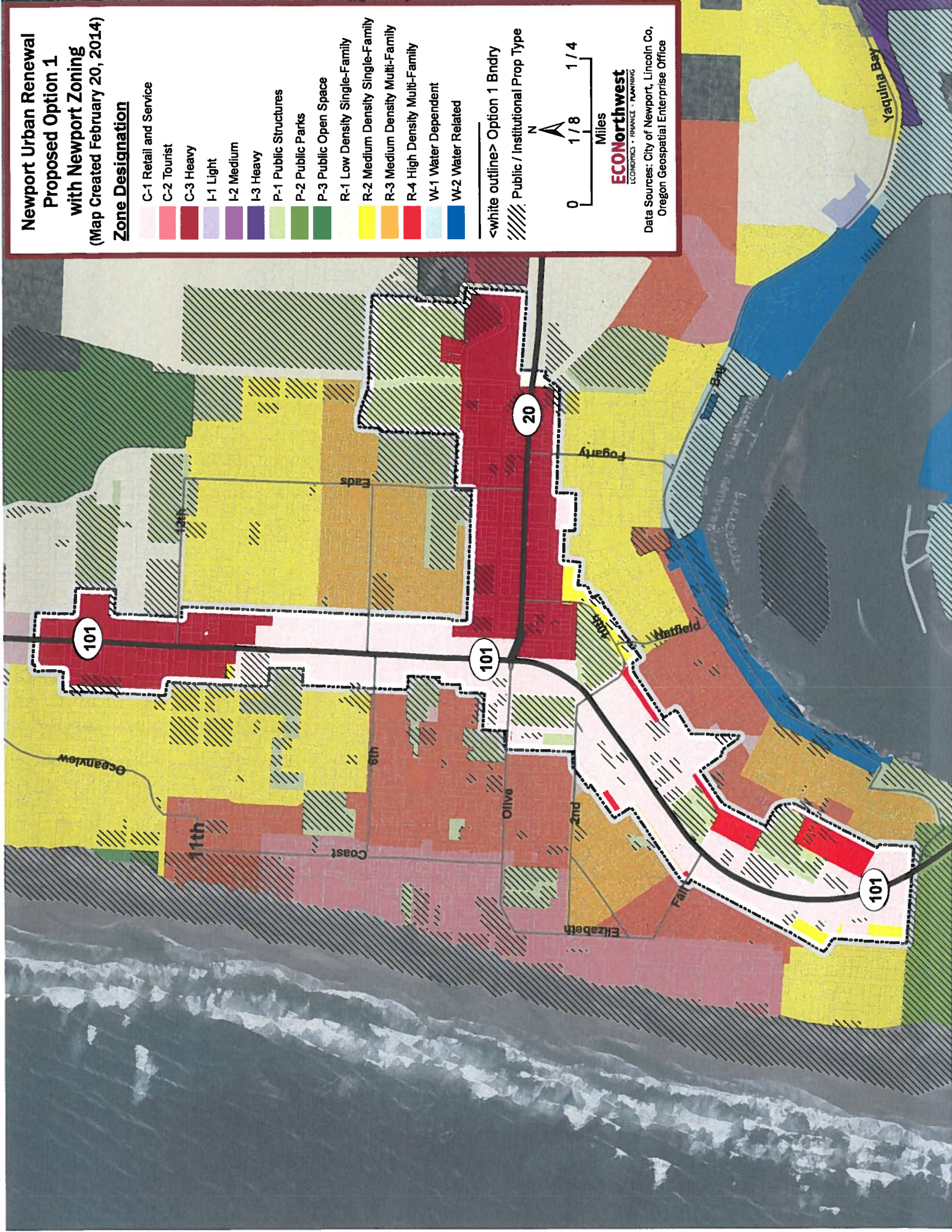
<white outline> Option 1 Bndry

Public / Institutional Prop Type



**ECONorthwest**  
ECONOMICS • FINANCE • PLANNING

Data Sources: City of Newport, Lincoln Co,  
Oregon Geospatial Enterprise Office



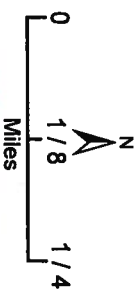


# Newport Urban Renewal Proposed Option 2 NEW with Newport Zoning (Map Created February 20, 2014)

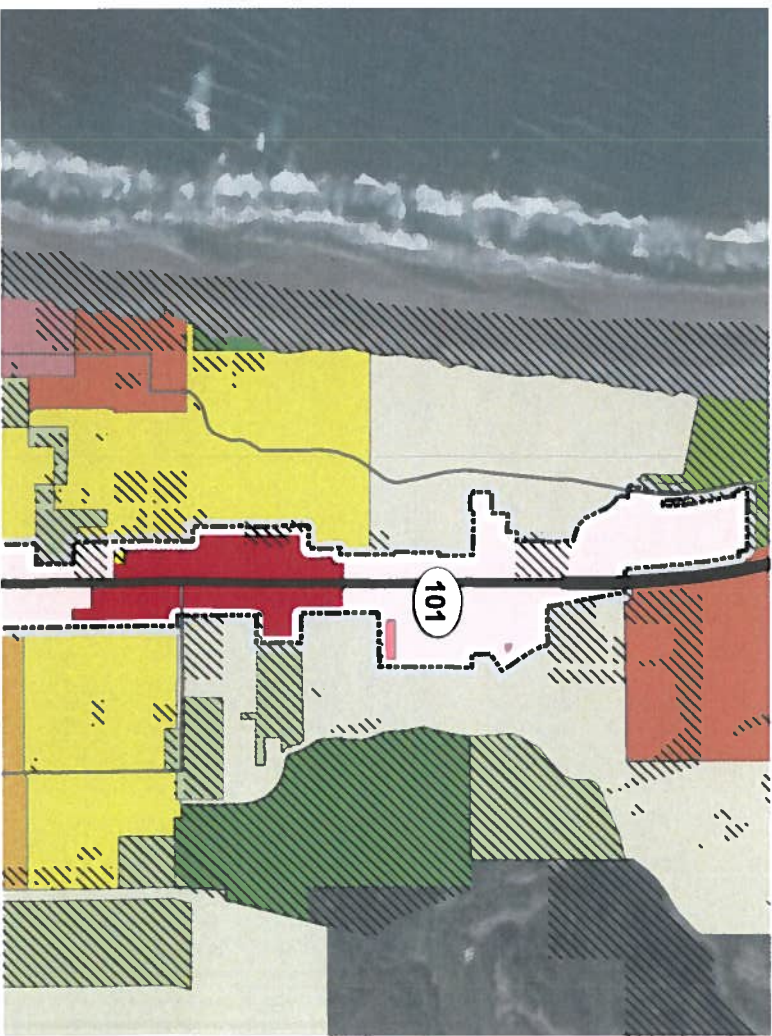
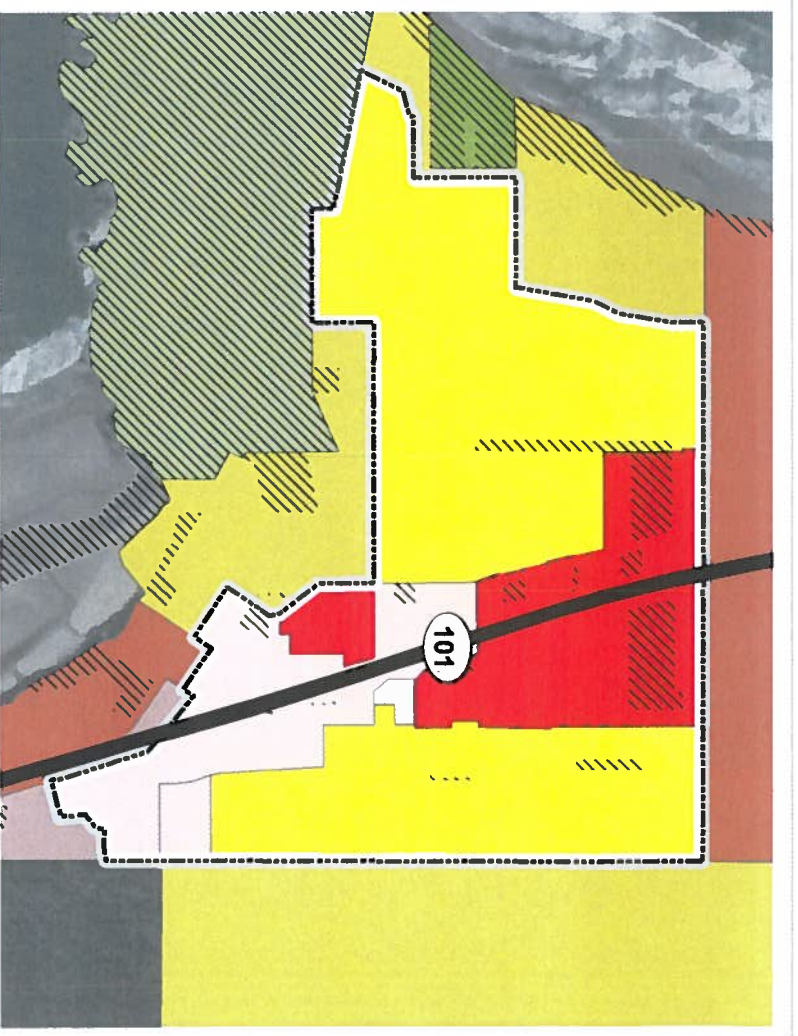
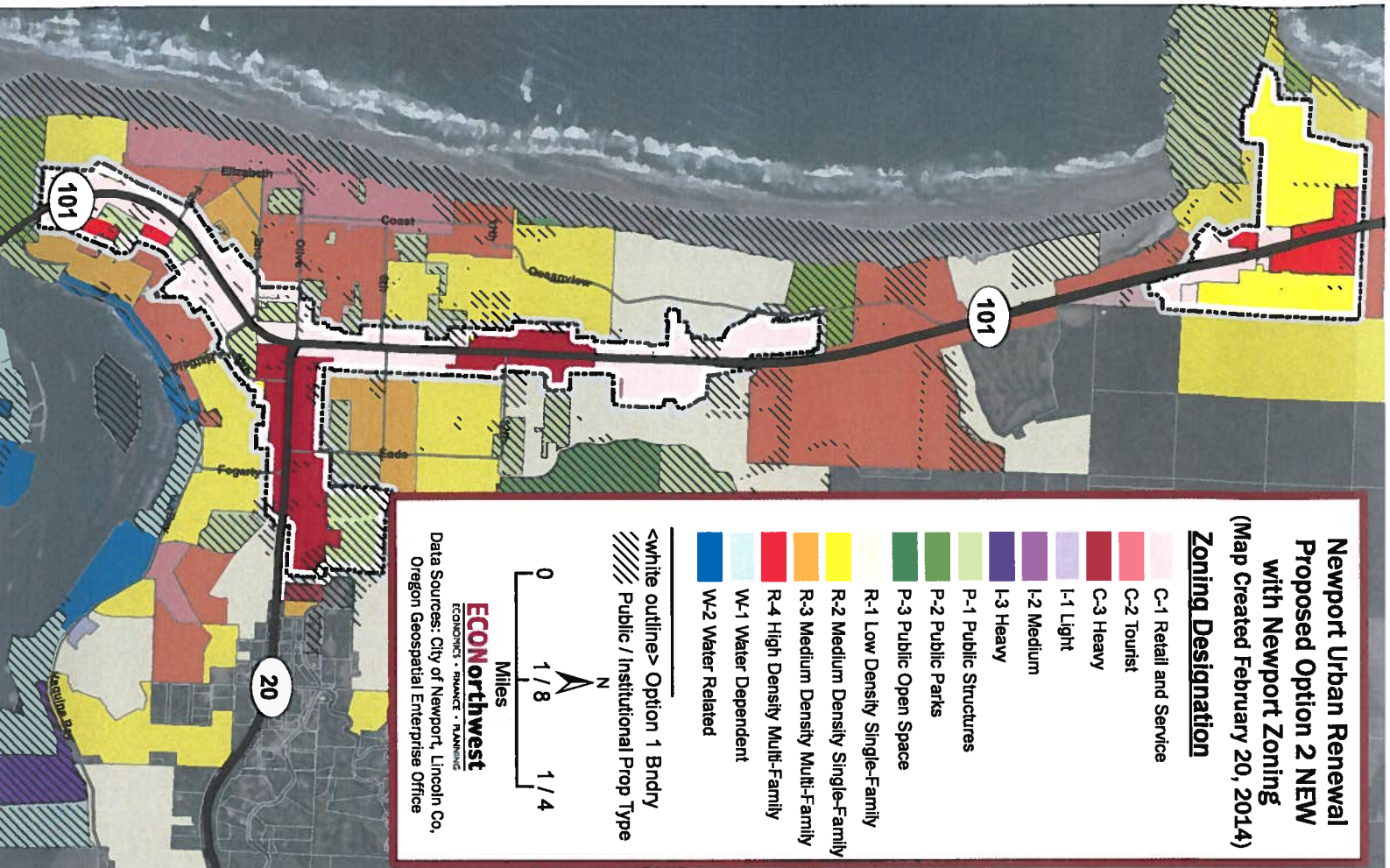
## Zoning Designation

- C-1 Retail and Service
- C-2 Tourist
- C-3 Heavy
- I-1 Light
- I-2 Medium
- I-3 Heavy
- P-1 Public Structures
- P-2 Public Parks
- P-3 Public Open Space
- R-1 Low Density Single-Family
- R-2 Medium Density Single-Family
- R-3 Medium Density Multi-Family
- R-4 High Density Multi-Family
- W-1 Water Dependent
- W-2 Water Related

<white outline> Option 1 Bndry  
Public / Institutional Prop Type



**ECONorthwest**  
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Data Sources: City of Newport, Lincoln Co,  
Oregon Geospatial Enterprise Office





## Newport Urban Renewal Options Summary

	Option 1	Option 2
Description	Original Option 1 boundary	Boundary includes all areas, plus the additional commercial area along Hwy 101
<b>Acreage</b>	283	498
<b>Frozen Base</b>	\$146,294,830	\$268,574,130
<b>Year Fairground project completed</b>	2018	2017
<b>Year All projects will be completed</b>	2034	2030
<b>Total TIF Revenue</b>		
10 Years	\$4,849,949	\$8,821,702
20 Years	\$24,273,813	\$44,328,009
30 Years	\$62,855,895	\$96,512,138
<b>Projects Funded</b>		
Downtown Revitalization and Couplet Refinement Plan	\$100,000	\$100,000
Construction of couplet and related ROW improvements	\$12,500,000	\$12,500,000
Agate Beach US 101 access and collector upgrades	N/A	\$750,000
Agate Beach Neighborhood Refinement Plan	N/A	\$100,000
Agate Beach improvements to existing local street ROW	N/A	\$1,000,000
Intersection realignment (e.g. US 101 and NW 6th)	\$1,000,000	\$1,250,000
Signal installation or adjustment	\$500,000	\$500,000
Right-of-way acquisition	\$500,000	\$500,000
Construct public safety building	\$5,000,000	\$5,000,000
Multi-purpose building (fairgrounds redevelopment)	\$3,000,000	\$3,000,000
Strategic site acquisition for economic development	\$5,000,000	\$5,000,000
Site prep for reuse (demolition, lot aggregation, etc.)	\$2,500,000	\$2,500,000
Parking improvements	\$1,000,000	\$1,000,000
Street tree and landscape island enhancements	\$250,000	\$250,000
Benches, public art	\$250,000	\$250,000
Storefront façade loans/grants	\$1,000,000	\$1,000,000
Wayfinding improvements	\$200,000	\$200,000
Billboard removal	\$500,000	\$500,000
Utility undergrounding	\$4,000,000	\$4,000,000
Agate Beach storm drainage improvements	N/A	\$1,500,000
<b>Total Project Costs</b>	<b>\$37,300,000</b>	<b>\$40,900,000</b>

Notes: Project costs are preliminary estimates, subject to further refinement.

Fairground project may not be the first big project completed in a north side URA, but is used as an illustration of early funding capacity. Assumes 4.5% annual growth rate in TIF revenue, and a scheduled borrowing program to finance construction costs.

Maximum indebtedness for Option No. 1 assumed at \$40 million, with final debt payment and closure of Plan in 2047.

Maximum indebtedness for Option No. 2 assumed at \$45 million, with final debt payment and closure of Plan in 2042.



**New Northside Urban Renewal District**  
**Option No. 1: Conceptual Project Categories and Costs**

**20-Feb-14**

Size: 283 Acres

Frozen Base: \$146,294,830 (2013 dollars)

	Cost Estimate	UR Portion
<b>PUBLIC RIGHTS-OF-WAYS</b>		
<b>Streets</b>		
Downtown Revitalization and Couplet Refinement Plan	\$100,000	\$100,000
Construction of couplet and related right-of-way improvements	\$25,000,000	\$12,500,000
<b>Traffic Flow Improvements</b>		
Intersection realignment (e.g. US 101 and NW 6th)	\$3,000,000	\$1,000,000
Signal installation or adjustment (e.g. US 101 and Abbey, US 101 Hurbert)	\$1,000,000	\$500,000
<b>Acquisition and Development</b>		
Right-of-way acquisition	\$1,000,000	\$500,000
<b>PUBLIC FACILITIES</b>		
Construct public safety building	\$10,000,000	\$5,000,000
Multi-purpose building (fairgrounds redevelopment)	\$9,000,000	\$3,000,000
<b>ACQUISITION/DEVELOPMENT</b>		
Strategic site acquisition for economic development	\$5,000,000	\$5,000,000
Site preparation for reuse (demolition, lot aggregation, etc.)	\$2,500,000	\$2,500,000
Parking improvements	\$1,000,000	\$1,000,000
<b>PUBLIC AMENITIES</b>		
Street tree and landscape island enhancements	\$250,000	\$250,000
Benches, public art	\$250,000	\$250,000
<b>COMMUNITY IMPROVEMENT PROGRAM</b>		
Storefront façade loans/grants	\$1,000,000	\$1,000,000
Wayfinding improvements	\$200,000	\$200,000
Billboard removal	\$500,000	\$500,000
<b>UTILITIES</b>		
Line undergrounding	\$8,000,000	\$4,000,000
<b>Totals:</b>	<b>\$67,800,000</b>	<b>\$37,300,000</b>

**New Northside Urban Renewal District**  
**Option No. 2: Conceptual Project Categories and Costs**

**20-Feb-14**

Size: 498 acres

Frozen Base: \$268,574,130

	Cost Estimate	UR Portion
<b>PUBLIC RIGHTS-OF-WAYS</b>		
<b>Streets</b>		
Downtown Revitalization and Couplet Refinement Plan	\$100,000	\$100,000
Construction of couplet and related right-of-way improvements	\$25,000,000	\$12,500,000
Agate Beach Neighborhood Refinement Plan	\$100,000	\$100,000
Agate Beach US 101 access and collector upgrades	\$1,500,000	\$750,000
Agate Beach improvements to existing local street rights-of-way	\$2,000,000	\$1,000,000
<b>Traffic Flow Improvements</b>		
Intersection realignment (e.g. US 101 and NW 6th)	\$2,500,000	\$1,250,000
Signal installation or adjustment (e.g. US 101 and Abbey, US 101 Hurbert)	\$1,000,000	\$500,000
<b>Acquisition and Development</b>		
Right-of-way acquisition	\$1,000,000	\$500,000
<b>PUBLIC FACILITIES</b>		
Construct public safety building	\$10,000,000	\$5,000,000
Multi-purpose building (fairgrounds redevelopment)	\$9,000,000	\$3,000,000
<b>ACQUISITION/DEVELOPMENT</b>		
Strategic site acquisition for economic development	\$5,000,000	\$5,000,000
Site preparation for reuse (demolition, lot aggregation, etc.)	\$2,500,000	\$2,500,000
Parking improvements	\$1,000,000	\$1,000,000
<b>PUBLIC AMENITIES</b>		
Street tree and landscape island enhancements	\$250,000	\$250,000
Benches, public art	\$250,000	\$250,000
<b>COMMUNITY IMPROVEMENT PROGRAM</b>		
Storefront façade loans/grants	\$1,000,000	\$1,000,000
Wayfinding improvements	\$200,000	\$200,000
Billboard removal	\$500,000	\$500,000
<b>UTILITIES</b>		
Line undergrounding	\$8,000,000	\$4,000,000
Agate Beach storm drainage improvements	\$2,000,000	\$1,500,000
<b>Totals:</b>	<b>\$72,900,000</b>	<b>\$40,900,000</b>

# Memorandum

To: Newport Planning Commission/Advisory Committee

From: Derrick Tokos, Community Development Director *DT*

Date: February 21, 2014

Re: 2013 Land Use/Building Annual Summary

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Attached is a memo that I prepared for the City Council's annual goal setting session, which is scheduled for February 24<sup>th</sup>. It includes a synopsis of 2013 land use and building permit activity, trends, accomplishments, and recommended policy priorities for upcoming years. I would like to use this as the basis for our discussion, and would appreciate your feedback as to whether or not it is going in the right direction, or if there are other issues that you would like to see addressed or conveyed to the City Council as Planning Commission priorities.



# Memorandum

To: Spencer Nebel, City Manager  
 From: Derrick Tokos, Community Development Director  
 Date: February 21, 2014  
 Re: FY 14/15 Goal Setting Information

## SERVICE PRIORITIES

The Community Development Department is responsible for administering the city's land use planning, building services and urban renewal programs, with an emphasis on providing clear, courteous, and consistent service to the Council, Planning Commission, and public. Service priorities for each of these programs are as follows:

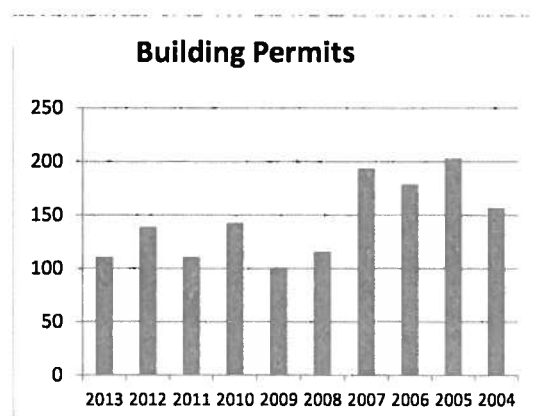
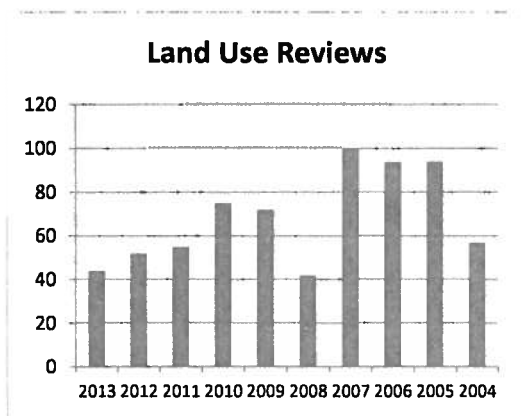
**Land Use Planning** – Assist the citizenry in planning for, and facilitating future growth of the community; evaluate development projects to ensure that they meet city and state land use requirements; respond to customers with planning and zoning questions; and work with constituents to resolve code enforcement issues.

**Building Services** – Review and approve building plans; update building codes and system development charges to comply with state law and local policy; issue electrical and plumbing permits; respond to customers with building questions; and conduct building inspections.

**Urban Renewal** – In consultation with the Urban Renewal Agency, implement and refine, as needed, projects identified in the South Beach Urban Renewal Plan. Project implementation is scheduled to run through 2020, at which point the primary focus will turn to debt retirement. The District is anticipated to close on 12/31/27.

The following is a list of permit traffic for the last couple of years, a ten year trend for land use and building permits, and a brief summary of progress on FY 13-14 and future goals. This information may provide helpful "context" to the Council as it considers goals for FY 14-15, 2-5 years, or beyond 5 years.

	Building Permits	Electrical Permits	Plumbing Permits	Construction Value	Land Use Actions
2012	139 (\$132,044.79)	260 (\$31,373.19)	62 (\$14,419.56)	\$16,103,755	52 (\$24,583.00)
2013	111 (\$68,843.48)	258 (\$28,809.30)	61 (\$12,220.12)	\$8,131,772	44 (\$11,979.00)



Building activity has been slow on the residential side, with ten (10) new single-family starts in calendar year 2013 and fourteen (14) new single-family starts in each of the previous two years. This is as compared to an average of 64 a year during the peak period of 2005-2007. Institutional investments have been steady with the NOAA Pacific Marine Operations Center, Aquarium Science Center, Port Terminal, Lincoln County School District, and Lincoln County facility upgrades occurring over the last three years. This trend should continue with the OMSI development and planned hospital expansion, which may start in the next couple of years. Commercial investments have also been steady with the remodel of the Walmart, Fred Meyer, and Safeway stores over the last couple of years and construction of the new Walgreens and Umpqua Bank buildings. This should continue with O'Reilly Auto Parts and the Teevin Bros. log exporting operation planning to break ground this spring.

#### **ONGOING GOALS**

*A. Maintain and implement economic development strategies*

*B. Involve citizens in every aspect of planning*

#### **FISCAL YEAR 2013-2014 GOALS**

*A. Complete Reservoir Urban Growth Boundary Expansion*

Goal met. The expansion proposal was approved by the City Council on 5/6/13 and was forwarded to the County for its review and approval. The County Planning Commission held a hearing on the UGB expansion on 7/22/13 and recommended unanimously that it be approved by the Board of County Commissioners. A Board of Commissioners meeting is scheduled for mid-March. DLCD will acknowledge the amendment within 2-4 weeks following the County's decision.

*B. Initiate annexation of reservoir properties*

On target for being completed this fiscal year. Annexation cannot occur until UGB expansion is complete. City Council must initiate process. Likely to be scheduled for Council consideration in March or April.

*C. Begin Implementation of Land Bank Concept for Workforce Housing*

Goal met. Draft agreement between the City, Lincoln Community Land Trust, and Community Service Consortium to construct six workforce housing units over the next five years was vetted with policymakers at several meetings. Council tabled the agreement on 9/3/13, pending receipt of additional information about whether or not a broader, countywide effort might be a viable alternative. A Lincoln County Housing Forum was held on 10/24/13. The concept of a broader City/County coalition to fund the construction of workforce housing units was explored at that meeting and is being further developed for presentation to the Council as part of the upcoming budget discussion.

*D. Complete Phase I - Safe Haven Hill Supplemental Geotech/Benefit Cost Analysis*

Goal met. FEMA funded Phase 1 scope of work, including supplemental geotechnical and benefit-cost analysis, were completed in December of 2013. The studies concluded that Safe Haven Hill is a viable tsunami assembly area in the event of a near shore Cascadia event and that planned improvements to the assembly area are critical in order to minimize loss of life.

*E. Leverage URA funds to acquire needed rights-of-way in South Beach*

Goal met. Rights-of-way for SW Abalone, SW 30<sup>th</sup> Street and SW 35<sup>th</sup> Street (west of US 101) should be acquired by the end of fiscal year. Additional rights-of-way SW 35<sup>th</sup> Street east of US 101, Ferry Slip Road and SE 62<sup>nd</sup> Street are targets for acquisition next fiscal year.

*F. Initiate code updates relating to accessory units and park models*

Goal met. Changes adopted by the City Council in September of 2013 with Ordinance No. 2059.

*G. Develop annexation strategy for South Beach industrial areas*

Work has not yet started. It might be best for this discussion to be deferred to next fiscal year so as to avoid confusion (from a property owner's perspective) with the effort to facilitate the withdrawal of properties from the Seal Rock Water District where those properties are no longer receiving service from the district.

#### *H. Prepare initial concepts for new north side Urban Renewal District (bridge to Wal-Mart)*

Goal met. Initial concepts for the creation of a new urban renewal district have been drafted and vetted by the Planning Commission. The City has retained the services of the consulting firm ECONorthwest to review the concepts and assess their viability. That feasibility analysis should be complete by the end of the fiscal year.

#### *I. Conduct periodic review of the Nye Beach Design Review Overlay and determine if changes are needed*

Goal met. City Council held the required 10-year review hearing in December of 2013 and, after taking public testimony, determined that changes are needed. The matter was directed to the Planning Commission, who is putting together an Ad-Hoc Work Group to prepare the amendments. The work group will begin meeting in March.

#### *J. Initiate pre-planning with ODOT for Yaquina Bay Bridge*

Goal met. City and County staff and elected officials have coordinated with ODOT to develop a scope of services for the data and base line modeling that the consultants will develop. Counters were placed to collect traffic data, and a framework has been put in place for how the modeling will be performed. Consultant is preparing initial 20-year growth assumptions, which should be available for review in the spring.

### **2 – 5 YEAR GOALS**

#### *A. Track organizational structure of Community Development Department*

This is an ongoing goal, given that two of the Department's four staff members are working past typical retirement age and should one or both choose to retire, it is important that the Department have in place a plan for ensuring continuity of service. Filling the vacant Senior Planner position this upcoming fiscal year is part of that plan, as is reserving funds in the Building Department budget to hire a full-time Building Official should the need arise.

#### *B. Update LID ordinances to include public input*

City Attorney has prepared a draft set of technical updates; however, the city has an opportunity to pursue Transportation Growth Management Funds from the state to better integrate the LID code with its transportation and zoning standards. Seeking those funding opportunities should be a FY 14-15 priority.

#### *C. Adopt storm drainage and erosion control standards for new development*

The policy framework for developing these standards will come out of the storm drainage and sewer master planning efforts, both of which should be substantially complete next fiscal year. That would then put this work out about 2-years.

#### *D. Initiate process of forming a new north side URA district with support of affected taxing entities*

The feasibility study phase should wrap up this spring so it is reasonable to expect that the decision making process on whether or not to move ahead with forming a district could happen next year.

#### *E. Initiate Phase II URA borrowing and work with Public Works to plan for and implement of priority projects*

The Urban Renewal Agency is in a position to initiate the Phase II borrow and may want to sequence its borrowing across the next couple of fiscal years.

#### *F. Work with ODOT to complete preliminary planning for Replacement of the Yaquina Bay Bridge and related studies*

Base line modeling work, which constitutes the "preliminary planning phase," should be completed by the end of the calendar year. This project is funded by ODOT Region 2 to the tune of about \$150,000.



*G. Complete any recommended changes to the Nye Beach Design Review overlay*

It is reasonable to expect that this work will be completed in FY 14-15.

*H. Wrap up inventory of property assets, agreements, leases and franchises and develop strategies for property acquisitions and sales of city assets*

Inventory work is largely complete and records organized, so the City is now in a position where it can begin to develop strategies for property acquisitions and sales.

*I. Coordinate with the state and FEMA on floodplain and wetland regulatory mandates*

With the new, significant changes to federal policy on flood insurance rates and new inundation maps that FEMA is developing, the City may want to explore whether or not it should participate in the Community Rating System to reduce the financial impacts to property owners.

*J. Move Forward with Phase II Safe haven Hill work if supported by Phase I assessment*

OEM is coordinating with FEMA on a Phase 2 grant for construction work. FEMA has been noncommittal on when the grant will be issued although the funding has been secured. Construction of the sidewalk, trail, staircase, and lighting improvements is estimated to be roughly \$650,000. FEMA will cover 75% of the cost with the local match coming from budgeted Urban Renewal funds.

*K. Coordinate with Public Works initiation of grant funded capital projects, including the Agate Beach Wayside Improvements and US 101*

This is an ongoing goal. A request for proposals is out for design services, and it is reasonable to expect that preliminary engineering will be completed in FY 14-15.

*L. Work with the Park and Recreation Department to update the city's 1993 Park System Master Plan*

No funds were budgeted for this purpose in FY 13-14. This should be a priority for FY 14-15.

**GOALS FOR FY 14-15**

- A. Incorporate storm drainage and sewer master plans into the Public Facilities Element of the Newport Comprehensive Plan.
- B. Coordinate with the Public Works Department on initiating amendments to the Airport Master Plan.
- C. Initiate substantial amendment to System Development Charge methodology to reflect projects from the storm drainage, sewer, and airport master plan updates and ensure that the credit system is equitable.
- D. Complete annexation of the reservoir properties and jurisdictional transfer of Big Creek Road.
- E. Develop strategies for strategic property acquisition and sale of city assets.
- F. Coordinate with the Finance Department to institute credit/debit card payment of land use and building fees.
- G. Secure agreement on multi-jurisdictional partnership to facilitate development of workforce housing.
- H. Leverage URA funds to acquire needed rights-of-way in South Beach.
- I. Complete the design of the SW 30<sup>th</sup> Street and SW Abalone Street extensions.
- J. Move forward with Phase II of the Safe Haven Hill tsunami evacuation route improvements.
- K. Initiate Phase II South Beach Urban Renewal Plan borrowing to support priority projects.

- L. Initiate process of forming a new north side Urban Renewal District (if determined to be feasible).
- M. Coordinate with the Seal Rock Water District and affected property owners to resolve the circumstances where landowners are being taxed for district water service they are no longer receiving.
- N. Seek grant funding for technical assistance to update the City's LID ordinance and better integrate it with the City's transportation and land use requirements.
- O. Assist ODOT and its consultants in completing the base line modelling "preliminary planning" for Replacement of the Yaquina Bay Bridge.
- P. Identify and initiate targeted amendments to the business license code and related provisions of the Municipal Code in consultation with the Finance Department.
- Q. Complete recommended changes to the Nye Beach Design Review Overlay.

## **2 – 5 YEAR GOALS**

- A. Develop annexation strategy for South Beach industrial areas.
- B. Track organizational structure of Community Development Department.
- C. Complete Phase II South Beach Urban Renewal Plan borrowing to support priority projects.
- D. Implement strategies for strategic property acquisitions and sale of city assets.
- E. Coordinate with the state and FEMA on floodplain and wetland regulatory mandates.
- F. Begin to implement new north side Urban Renewal District (if determined to be feasible).
- G. Implement multi-jurisdictional partnership to facilitate development of workforce housing.
- H. Coordinate with Public Works and OMSI on the construction of SW 30<sup>th</sup> Street and SW Abalone Street improvements.
- I. Integrate the City's LID ordinance with City's transportation and land use requirements.
- J. Adopt storm drainage and erosion control standards for new development.
- K. Initiate community engagement on forming an LID to supplement URA funding for street improvements in the Coho/Brant neighborhood.
- L. Facilitate design and construction of Ferry Slip Road improvements to coincide with ODOT construction of the SW 35<sup>th</sup> Street Intersection project.
- M. Seek state matching funds for Phase III South Beach Urban Renewal Plan projects.
- N. Complete improvements to Safe Haven Hill tsunami assembly area.
- O. Coordinate with ODOT on alternatives analysis for replacement of the Yaquina Bay Bridge.
- P. Provide staff support to Bayfront, Nye Beach, and City Center parking districts and assist in updating the district ordinances, as needed.
- Q. Assess opportunities to implement e-permitting to streamline building services.
- R. Work with the Parks and Recreation Department to update the City's 1993 Park System Master Plan.



## **AGENDA & NOTICE OF PLANNING COMMISSION MEETING**

The Planning Commission of the City of Newport will hold a meeting at 7:00 p.m. Monday, February 24, 2014, at the Newport City Hall, Council Chambers, 169 SW Coast Hwy., Newport, OR 97365. A copy of the meeting agenda follows.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, 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, 541-574-0613.

The City of Newport Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

### **NEWPORT PLANNING COMMISSION Monday, February 24, 2014, 7:00 p.m. AGENDA**

- A. Roll Call.**
- B. Approval of Minutes.**
  - 1. Approval of the Planning Commission work session and regular session meeting minutes of January 13, 2014, and the work session meeting minutes of January 27, 2014.
- C. Citizens/Public Comment.**
  - 1. A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Planning Commission on any matter not on the agenda will be given the opportunity after signing the Roster. Each speaker should limit comments to three minutes. The normal disposition of these items will be at the next scheduled Planning Commission meeting.
- D. Action Items.**
  - 1. Appoint new member to the Planning Commission Citizens Advisory Committee.
  - 2. Appoint members to the Nye Beach Design Review Overlay Ad Hoc Work Group.
- E. Consent Calendar.**
- F. Public Hearings.**
- G. New Business.**
- H. Unfinished Business.**
- I. Director Comments.**
- J. Adjournment.**



**Draft MINUTES**  
**City of Newport Planning Commission**  
**Work Session**  
**Newport City Hall Conference Room 'A'**  
**Monday, January 13, 2014**

**Planning Commissioners Present:** Jim Patrick, Bill Branigan, Gary East, Rod Croteau, Mark Fisher, Jim McIntyre, and Bob Berman.

**Citizens Advisory Committee Members Present:** Lee Hardy and Suzanne Dalton.

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Chair Patrick called the Planning Commission work session to order at 6:00 p.m. and turned the meeting over to CDD Tokos.

**A. New Business.**

1. Discussion regarding amendments to the Nye Beach Design Review Overlay (File No. 4-Z-13). Tokos said that as the Commissioners were aware, the City Council held a public hearing on December 16, 2013, to consider whether or not the Nye Beach Overlay needs to be looked at. It was the scheduled 10-year review hearing. We sent full notice to everybody in the district. A few showed up and provided testimony. Tokos had provided a copy of the Council minutes in the packets. He noted that the City Council felt there were enough concerns raised that it warrants additional evaluation and directed it to the Planning Commission to develop recommended amendments. He noted that a lot of conversation was about the mass of structures built since the design review standards were established. Archway Place and the McEntee building were mentioned specifically. Various photographs were provided to the Council and are included in the packet. These were provided by folks trying to explain what is appropriate in the district. Tokos said if they feel it is appropriate, the Commission can set up a process to take this through public dialog. Tokos put together a few steps of how the Commission might want to start a process. Tokos expressed at the City Council and to the public that design review standards really need to be embraced by the community that wants them. For design review to work, you have to have that kind of buy-in. Tokos said this is one where the Commission might want to put together a subcommittee; like we did with vacation rentals. He said if the Commission wants, we can get it advertised and get a list of interested applicants. He thought it is good to have a broad range of perspectives because you will get better results as opposed to with one particular group. He said that there were also some people that said "do not pin us down as far as mass." He said to put together a subcommittee, we can bring back a list of interested folks at a subsequent meeting. He noted that we are not in a rush; there is not a fixed deadline. The City Council had to have that hearing per the ordinance; and that has been held. The Commission has as long as needed.

Once the subcommittee is formed, they would evaluate alternatives to address issues raised in the hearing and identify options for revising the code. If outside assistance is needed, they could work on developing the scope. We may want outside consulting services. If we are getting into different standards, we may want to see what they might produce in built form. We may want an architect to present a charrette and show what these standards are likely to achieve. That expertise is valuable. Tokos thought a scope could be pulled together so he could get it into the budget next year. Fisher asked if we didn't end up spending the final Nye Beach money that was available. Tokos asked if it was parking; and Fisher said that he didn't know if it was urban renewal or what. He said we had people who came in and did work including the arch. Tokos said that he wasn't aware of any funds reserved for Nye Beach that are still available. The last was taking their share of parking funds to do 3<sup>rd</sup> Street improvements. He said it would be general fund dollars. If this is structured in a targeted way, we're not talking big bucks. Patrick said that he would like to get a good mix on the subcommittee. He didn't know if they would need professional help. Croteau said there could be an architect on the committee that was already involved.

Berman said that he got the impression that what a lot of folks were suggesting was the non-enforcement of current design standards. Tokos said that isn't what he heard. It was that the standards allow too much mass. Buildings being too big and too tall was the primary concern. Archway Place was controversial when it went through, and there is lingering resentment. Patrick recalled that before that was the proposed Moon Shadow project. He said not long after that we passed design standards that Moon Shadow would have failed. He said that, because this is the coast, Archway Place covered a stairway; and there was some resentment about us allowing them to do that. He said it wouldn't have changed the look very much. McIntyre said that as he read their testimony, he gathered that there was a patio area on 3<sup>rd</sup> and Coast that was enclosed and ended up being rented. He said that he didn't remember that; and neither did Patrick.

Tokos noted that there is a map in the materials showing some vacant properties that could be redeveloped. One concern was that there would be more buildings of this size, which they felt is inconsistent with the character of what Nye Beach should be about. Croteau asked if the size was decided at the previous review. Tokos said that whether the boundary should be adjusted

or not was not raised as an issue; it wasn't the primary issue. Croteau asked if the boundary was set in the first review. Patrick didn't know if it was expanded or not. Tokos thought the boundary was as originally set. He thought it went back to the mid-90s. McIntyre asked if the boundary was basically what was shown on this map. Tokos said this was a map by Wendy Engler to show what could be developed. The actual district is shown on the notice further on in the packet. Discussion ensued about where the boundary falls; which was described as Hurbert on the west, 10<sup>th</sup> on the north, and 2<sup>nd</sup> on the south.

Tokos said if the Commission goes the subcommittee route, the subcommittee could develop options and bring them back to the Commission for consideration. Whatever adjustments need to be made could be. Then it would be taken out to the public where further adjustments could be made. Then the hearing process could be initiated.

The consensus was that this was a good structure for the process. Patrick said as long as we get the right mix on the subcommittee. McIntyre said like we did on the vacation rental committee. Berman wondered how we decide who is on the subcommittee. Tokos said we will advertise it and bring a list back to the Planning Commission to do the appointments. Berman asked if there would be some characterization of the point of view of these people to make sure there is a balance. Tokos said the Commission can always do interviews and ask questions. Tokos said he expected it will be absolutely clear. He thought we would likely have people like Don Huster, the McEntees, as well as property owners. He said the Commission could certainly ask questions to get a sense.

## **B. Unfinished Business.**

1. Review and discuss City's contract with EcoNorthwest for the feasibility study to form a North Side Urban Renewal District.  
Tokos said that he hoped the Commissioners had looked through the scope of work that he put in the packet. He wanted to walk through it and make sure how the Commission would like to be plugged into this process.

Task 1 is to identify district boundaries. Tokos said that the Commission would recall that from a prior meeting we had where we actually had maps, there were three proposals. Those were provided as recommendations to the City Council, and they accepted them. The first was a tight boundary on the 101 and 20 corridors. The second option was more expansion on that same corridor; assuming the reservoir UGB amendment and annexation goes through and the unincorporated properties in South Beach are annexed. Tokos reminded the Commissioners that per State law, your urban renewal district can have no more than 25% of assessed value or land area at any given time.

Berman asked what the status was for the UGB boundary expansion. Tokos explained that it is still sitting at the County. They haven't been able to get the Board of Commissioners to set a hearing. We received a unanimous favorable recommendation from the County Planning Commission in July. Tokos said what he gets from County Counsel is that they want an MOU in place that guarantees access to property owners on Big Creek and deals with historic recreation fishing on the reservoirs. Tokos hasn't seen any draft. He said this is not a County priority, but we will continue to pursue it. Tokos said in terms of annexing property in South Beach; it is largely industrial, and there are between forty and fifty that can take advantage of the new water line construction. The City Council hasn't made a decision one way or the other on how to approach annexing island areas; but it is on their agenda to have that conversation. Patrick asked how those would affect our amount of area. Tokos said it impacts our acreage quite a bit in terms of what we could bring into a new district. Patrick asked if we couldn't get the narrow option with what is existing though. Tokos said that option 1 gets the immediate corridors. Option 2 could expand that. He said it is about moving the boundaries around.

Tokos said his question under Task 1 is if the Commission wants to see the three option maps we will send over to ECONorthwest before we send them. The way it works is that under Task 1, we will give ECO maps; and they look for feasibility and give us feedback. Tokos said he could go ahead and send the maps based on the feedback the Commission's already provided and then bring them back with ECO's comments; or he could bring a draft before he sends them; or both. Tokos said it seemed to him that the maps is where the Commission probably wants to plug in. Patrick said he would like too, but he's not sure he has the expertise. Tokos said we are putting the maps together as was presented to the Commission previously. It's based on the improvement to land value ratio out of the economic study and the key projects in the master plans that we would like to complete. For the Agate Beach area he would take his best stab at what makes sense based on the TSP; things like stormwater and paving additional streets. The Agate Beach area is more residential than the rest so we would be picking up the better part of the Agate Beach residential area. He wasn't sure if the Planning Commission wants to take a look at that map before it is sent off. Patrick said we might want to. He said we may drop the Agate Beach part. Tokos said we have the three concepts, and it doesn't hurt to get ECO's feedback. We will have those folks that ask why we didn't include Agate Beach. If we have ECO's feedback saying that maybe that's really not the best tool and what the reasons are, that supports it.

Croteau said he wants to see the options and wouldn't mind looking at the maps first; but definitely the scope and options. Fisher said he would like to see them all with more specificity; new sewer, water, tearing down buildings. He would like to see specific projects rather than just generally "we will do this myriad of things and select from those." Tokos said the best we can do is categories; these types of projects. The way this is set up is flexible. It would be the actual citizen group that would single out

the actual projects. This is general and not specifics. Fisher said that he didn't mean "tear down a specific building;" but if they want to do something in the Deco District, put in more specifics of what would be done. Patrick thought we have to have flexibility. He said to think of South Beach where none of the stuff we did down there around NOAA was in there. Fisher said infrastructure was in there. He said that number 8 on the original plan was the convention center at the Port. The Council would have given them all the money and wouldn't have had money for infrastructure. Patrick said you have to keep the flexibility because you never know what you are going to do. Fisher said that he didn't have a problem with flexibility; other jobs as assigned. He would like to know what it is. Tokos agreed that you have to have enough detail; and he can bring that back with the maps. That's the kind of information we will have to send to ECO too; here are some issues that lead to low improvement to land value ratio. Demolition of a dilapidated structure, façade improvements, transportation improvements; those could be piggybacked as categories. These categories may make sense as far as getting in front of a future citizens group that is trying to provide more tasks. Croteau said projects will change the farther down the road we get. McIntyre said it is entirely different than South Beach. Tokos said that we have ballpark costs, and some we have no clue. This process will be putting some numbers out, and that may or may not be sufficient for what folks want to see happen. You can set a maximum level of indebtedness as part of this process. This may not be perfect. The citizen group may have to scale back on this stuff.

Berman asked if Tokos remembered him saying that there was a line item on his property tax statement for urban renewal; and he is miles away from any urban renewal district. He called the County and didn't get an answer. Tokos said he passed that along to the County as well. Tokos agreed there shouldn't be a line item on Berman's statement, but he never got a clear response from the County either. He said only if you are in an urban renewal district basically what is showing on your statement is the portion being set aside for urban renewal as opposed to going to the library or something. Tokos asked Berman if it is a figure or more general information. Berman said it is part of the numbers you add up. Tokos said he passed it along, but Berman will want to talk to the County. The County creates separate tax codes for areas in urban renewal districts. It's a separate line item.

Tokos summed up that for Task 1, the Commission would like to take a look at the maps first and then the feedback from ECO as well.

Tokos noted that Task 2, tax rate verification, is a technical task and needs to be done to get the rates used to calculate financing revenues. It is detailed. ECO will actually go to the County and look at properties in that area. As part of the urban renewal statutes, if there is general obligation debt outstanding that factors in on how it is calculated. We want to be as accurate as we can on this estimation. Tokos continued that Task 3 is to forecast assessed value growth rates. He said that we set up moderate- and low-growth assumptions. Right now South Beach is under a low-growth assumption (3%). It originally was 7.1. This is reflective of the last 10 years. When this was done in 2008, it didn't pick up the economic downturn. The two forecasts will be for low 3% or even less (2.6-2.7%), which is very modest as opposed to the moderate assumption that is based on a 10-year growth scenario. Even with the downturn, that would push it up to 5% or in that range. Tokos assumes that these tasks are things that the Commission would leave up to ECO. The individual items come together under Task 4 where you figure out revenue forecasts and financing plans. Tokos thought this is probably when the Commission might want to plug in; when you see the whole picture. This is where we would see Tax Increment Financing (TIF) forecasts including: historical assessed value data, projections of assessed value and of detailed tax rates, TIF calculations, revenue sharing calculations, and finance plans. Berman asked if that money is ever re-invested. Fisher said that he didn't think it was legal to invest it; they can't risk it. The law doesn't allow it. Tokos said when you do debt schedules and projections you are looking at a three-year window so that money isn't sitting idle for a long period of time.

Tokos asked if Task 4 makes sense as a good place for the Commission to plug in. We would have a work session and might have to have ECO come to that one.

Branigan asked if as part of the financial piece we are going to say realistically what moderate and low should be. Tokos said that ECO will make a recommendation on what should be low and what they would expect for a local government of our size based on last year's; very conservative. The moderate would be based on a more historic trend line; 10 years or longer. Both are reasonable for a feasibility assessment. The maximum level of indebtedness goes along with that. That will build the schedules.

Tokos asked if the Commissioners agreed that Task 4 is a good place to plug in or if they felt they wanted to weigh in on the prior tasks. Patrick said the two prior tasks are grunt work. Tokos said Task 4 is where you see it come together. It will all be there as part of that. There was general agreement that the Commission would plug in on Task 4.

Task 5 is the evaluation of compression impacts. Tokos noted that this is one that he asked ECO to put in here; they don't normally. We want them to look at where the trends are going; this is where compression is happening (the school district for example), and this is what the impact would likely be. Berman asked what compression was. Tokos explained that there is a maximum tax that can be collected against your real property value as opposed to the assessed value. When the assessed value gets close to the real market value, compression starts. You start to hit the hard cap. You effectively start to lose ½%. Tokos said that Lincoln County School District is an example. He said it's not an easy thing to plan for. He noted that urban renewal



isn't necessarily a bad thing for compression; in many respects it is helpful. It improves your real market value. That is why we need a report saying that based on Newport's experience over the last years, this is what would happen with compression conditions. Croteau said this has to be an issue statewide and getting worse.

Task 6 is the final report. Tokos told ECO to go with a long report versus a small one. They do a tiny 2-3 page report or more of a 10-20 page for people that need more introduction. Tokos said to go with the 10-20 page report. Tokos said the way this is structured, we are not engaging the taxing districts as the feasibility stuff is being done. They are wanting to know what the end result is; and that is what this product will provide. Fisher asked if that is enough to do a worthwhile report, and Tokos confirmed that it was. Tokos said that he would really like ECO to do some looking and digging. ECONorthwest has a pretty good model; they are not having to build it. Patrick noted that ECONorthwest did our economic study. Croteau thought they sounded like a good company.

Berman asked Tokos then what happens. Tokos said we get the final reports and we can see if any of these options makes sense or if one makes more sense than the others; and is it good enough that the Planning Commission and the City Council feel we should proceed with a district. If we get instructions from the Council to proceed, then we will talk to the taxing districts and initiate the formal process. It becomes a formal public process. The urban renewal plan itself would be developed. Some of this information could be used for that assuming we stick to those debt schedules. Probably like in South Beach, a citizen group will put together more detailed plans. There may be some other categories, or it may stay more general. Maybe the group will say they want to see something more specific or a certain result. Berman asked if a taxing authority can throw up a roadblock. Tokos said their roadblock could be the potential pressure on the Council. That is why it's important to have those numbers so they understand how they are being impacted. That is also why it is important that we are not the one generating the numbers. Patrick agreed we won't be able to sell it unless it is a win/win for both sides. Tokos said they have to see the long-term benefit. They need to know how long is this increment frozen and are projects that are actually benefiting the districts part of the plan. Tokos said for instance a couplet could actually be an improvement for the hospital district. For the Fire Department if one was public buildings, it might be a new fire hall. There are things that these districts need, and that is part of the puzzle. The key is are the taxing districts seeing other benefits to offset that payment.

Croteau asked if we go forward with the district, would ECO come back for the financing and planning. Tokos said that we could have them assist in that. Tokos said they assisted in South Beach through at least the substantial amendment. Since then, we have been doing updates. Branigan asked how long it would take them to do the study. Patrick said this proposal says 4-6 weeks. Tokos said that he needs to talk with them and set a work schedule in order to plug back in with the Planning Commission. That will draw it out a little bit, but it's still in the 3-4 month range. He said if we can do better, we will. Patrick said we may want to delay it a little bit if the annexation of the reservoir and the City Council decision about annexation in South Beach could affect it. Tokos said that he is unsure when the South Beach annexation question will be resolved. The UGB might move soon. There is a joint meeting on Wednesday night between the City Council and the County Commission, and that is on the list of things to discuss.

Tokos noted that Task 6, the final report, will be brought back to the Planning Commission as well. The compression stuff would be part of that. He asked if the scope of work makes sense. The consensus was that it did.

Dalton thought it was pretty impressive that ECO said they will be able to meet whatever schedule the City sets for them. Tokos said that a fair amount is on the City in making sure ECO has the data they need so that the assumptions they are making is accurate for our particular area. He said this is set up to keep the budget down by putting more on the City's shoulders. The biggest pieces are always the public outreach when we bring the consultants over and they have driving time and additional staff to create that product. Croteau said this is such a small component; it will be a big project. What the City pays for the feasibility study is a small part of the project. He said it is good economics to bring in that expertise. Tokos said this will only get to a certain level of detail. Patrick said if it looks like it works, we will be spending a lot more. Berman asked if the City proceeds, where does that money come from; and Tokos answered it is general fund. Berman asked if the urban renewal district pays that back. Tokos said not for forming a district. He said it is a big selling point to the taxing districts; the biggest of which is the City of Newport. If successful, when it's released it is bringing in more revenue because the properties are worth more. That is the end game. He said that tax is a barometer of how well you did in improving the property in the area.

Patrick said to look at Nye Beach where we were about in the middle as far as elsewhere. Audience member, Bonnie Serkin, said to look at the leverage of the South Beach urban renewal. She said they are not even in the urban renewal district, but they have the Wilder development, the college, they spent \$4.5 million on road improvements to the college, they have fifteen houses, a coffee shop happening, six more houses in the works with a contractor, and three more houses with another developer. She said that is the leverage that comes from this; South Beach is a showcase. Tokos added that there is more to come. The biggest investments in that district will hit the 2016-18 window with the new 35<sup>th</sup> Street improvements and the redo of Ferry Slip. East noted that OMSI is moving forward. Tokos said the Abalone extension will go along with that. He noted that the City doesn't control the 35<sup>th</sup> Street improvements; that will be a State-mobilized project in 2016-18.

C. **Adjournment.** Having no further discussion, the work session meeting adjourned at 6:56 p.m.

Respectfully submitted,

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Wanda Haney  
Executive Assistant

**Draft Minutes**  
**City of Newport Planning Commission**  
**Regular Session**  
**Newport City Hall Council Chambers**  
**Monday, January 13, 2014**

**Commissioners Present:** Jim Patrick, Jim McIntyre, Rod Croteau, Mark Fisher, Gary East, Bill Branigan, and Bob Berman.

**City Staff Present:** Community Development Director Derrick Tokos and Executive Assistant Wanda Haney.

**A. Roll Call.** Chair Patrick called the meeting to order in the Council Chambers of Newport City Hall at 7:00 p.m. On roll call, Berman, McIntyre, Croteau, Patrick, Fisher, East, and Branigan were present.

**B. Approval of Minutes.**

1. Approval of the Planning Commission regular session meeting minutes of November 25, 2013.

**MOTION** was made by Commissioner Fisher, seconded by Commissioner East, to approve the Planning Commission minutes as presented. The motion carried unanimously in a voice vote.

**C. Citizen/Public Comment.** No comments on non-agenda items.

**D. Action Items.**

1. Confirm reappointment of Planning Commission member and appointment of new Planning Commission member.

**MOTION** was made by Commissioner Fisher, seconded by Commissioner East, to accept the reappointment of Patrick and the appointment of Berman. The motion carried unanimously in a voice vote.

2. Election of Planning Commission Chair and Vice Chair for 2014.

**MOTION** was made by Commissioner Branigan, seconded by Commissioner Croteau, to re-elect Patrick as Chair. The motion carried unanimously in a voice vote.

Patrick suggested nominating Croteau as Vice Chair. **MOTION** was made by Commissioner Fisher, seconded by Commissioner McIntyre, to elect Croteau as Vice Chair. Croteau said that he thought there were other Commissioners more qualified. The motion carried in a voice vote, with all but Croteau voting in favor.

3. Select Planning Commission representative to serve on the Business License Group. Fisher said that he would like to serve if no one else was interested. Croteau said that he would also serve if a second Commissioner was needed. Fisher will serve as primary representative, and Croteau will be an alternate representative.

**E. Consent Calendar.** Nothing on the consent calendar.

**F. Public Hearings.**

**Quasi-Judicial Hearings:**

1. File No. 3-AX-13 / 6-Z-13. Consideration of a request initiated by the City Council to eliminate Sections 2(B), 2(C), and 2(D) of Ordinance No. 1931 associated with the 2007 annexation and zoning of 102.23 acres of land in Newport (File No. 1-AX-07 / 2-Z-07). *(The provisions can be removed because the required roadway improvements have been completed and the "trip cap" is no longer needed to comply with the Oregon Transportation Planning Rule (TPR) considering recent amendments that the city made to its Transportation System Plan (TSP) and a new alternative mobility standard that the state has put in place for the affected stretch of US 101.)* The Planning Commission will make a recommendation to the City Council on this matter.

Patrick opened the hearing portion of the meeting at 7:04 p.m. by reading the summary of File No. 3-AX-13/6-Z-13 from the agenda. He read the statement of rights and relevance and asked the Commissioners for declarations of ex parte contact, bias, conflicts of interest, or site visits. Nothing was declared. Patrick called for objections to any of the Commissioners or the Commission as a whole hearing this matter; and none were heard. He called for the staff report. Tokos explained that before the Commissioners was an ordinance that they might think of as tying off loose ends. It was brought forward at the request of Landwaves, and he noted that

Bonnie Serkin was present to speak to that. Tokos explained that essentially in 2007 when the approximately 102 acre annexation occurred, the land was largely owned by Emery Investments, Landwaves, and the GVR industrial site. When it was brought in, the State felt that the Transportation Planning Rule wasn't satisfied and that the project would generate more trips on the network than it could support. There was an appeal by ODOT, and a settlement agreement resulted between the City and Emery, Landwaves, and GVR that restricted vehicle trips that could occur at 40<sup>th</sup> and 101 to 180 peak hour trips. The ordinance was amended to put those restrictions in place by Ordinance No. 1931. Tokos noted that since that time, a tremendous amount of work has been done to update the Transportation System Plan, to identify projects to improve traffic flow, extension of the South Beach Urban Renewal Plan for financing, and establishing alternative mobility standards to allow greater congestion, which involves a trip budget program and standards for assuring frontage improvements are made. All of that was a large package of stuff that the Planning Commission has worked hard on that was adopted by the City and the County. On December 18, 2013, the Oregon Transportation Commission put in place the alternative mobility standards. Tokos said that now we can go back and lift the restrictions from the prior ordinance; and that is what this does. The trip cap of 180 peak hour vehicle trips is replaced with a new trip budget by transportation analysis zones. There is essentially a new trip budget program for this particular area with a little over 1200 vehicle trips allocated; the specific number is in the staff report. Tokos said that all of this has been shared with the affected property owners. ODOT hasn't provided a written comment yet, but in talking with their staff, Tokos is confident that they are comfortable with this approach. He did get feedback from Valerie, the new general planner, indicating that it is consistent with prior conversations and she is comfortable with it. Tokos noted that staff recommendation would be to forward a favorable recommendation to the City Council so that we can get this adopted and get this chapter from our history closed.

**Proponents:** Bonnie Serkin with Landwaves, 2712 SE 20<sup>th</sup> Ave, Portland, OR 97202. Serkin said that Tokos had said it all, and their testimony is in the record. She believes that the record is complete and didn't have anything to add other than asking that the Commission recommend passage of the ordinance. Tokos added that the request was city-initiated because ownership has changed. Now there are a number of property owners of the individual houses in the Wilder development. That is why the Council chose to initiate the process.

No other proponents, opponents, or interested parties were present. Patrick closed the hearing at 7:11 p.m. for Commission deliberation. Berman asked Tokos if there was any chance that when he hears from ODOT, they will object and something would have to be undone. Tokos said that he didn't think that anything we do would have to be undone. He said ODOT may say additional transportation analysis needs to be done to fully establish that the transportation rules have been met. He said that staff believes it is just a case of supplemental findings replacing a set of findings that are already in the record. He believes that ODOT will weigh in prior to the City Council hearing.

**MOTION** was made by Commissioner Fisher, seconded by Commissioner McIntyre, to forward a favorable recommendation to the City Council to adopt the ordinance eliminating Sections 2(B), 2(C), and 2(D) of Ordinance No. 1931. The motion carried unanimously in a voice vote.

**G. New Business.** No new business.

**H. Unfinished Business.** Fisher said that he was unsure why the building code requires that a business, government, or otherwise have doors that open out so people inside can exist if there is a problem, yet the Post Office doors from the lobby open inward. He noted that Nana's Irish Pub does the same thing. He wondered where the code enforcers are. It was discussed that those issues should have been caught when they filed their building plans. It was mentioned that the Fire Marshal should enforce that. Fisher said like for a movie theater the doors would open out. Tokos said there are some limitations on federal buildings; but they do have some prerogative. It does cause issues for resale, and the government may not always own that building so they have been on trend to include property they own. Tokos said if the Commission wants, he will bring this up with the Building Official and get feedback. Fisher thought it is a pretty serious thing because these are places we commonly use. Berman wondered if there is a distinction between residential and a residence converted to bring a business in. Patrick noted that he thought the Post Office predates the building code; but those like the other one should have been caught when they submitted plans.

**I. Director's Comments.** Tokos noted that with Berman's appointment to the Planning Commission, there is a vacancy on the Advisory Committee. He said the department will get an advertisement out for that. Fisher said that he was surprised but pleased that we had seven people apply, and anyone would have come and done a good job.

**J. Adjournment.** Having no further business to discuss, the meeting adjourned at 7:20 p.m.

Respectfully submitted,

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Wanda Haney,  
Executive Assistant



**Draft MINUTES**  
**City of Newport Planning Commission**  
**Work Session**  
**Newport City Hall Conference Room 'A'**  
**Monday, January 27, 2014**

**Planning Commissioners Present:** Jim Patrick, Bill Branigan, Rod Croteau, Mark Fisher, Jim McIntyre, and Bob Berman.

**Planning Commissioners Absent:** Gary East (*excused*).

**Citizens Advisory Committee Members Present:** Lee Hardy.

**Citizens Advisory Committee Members Absent:** Suzanne Dalton (*excused*).

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Chair Patrick called the Planning Commission work session to order at 6:03 p.m. and turned the meeting over to CDD Tokos.

**A. Unfinished Business.**

1. Discussion regarding boundaries for a North Side Urban Renewal District. Tokos noted that he had done additional work on the maps and had three options to look at. He handed out the maps and corresponding conceptual project categories lists.

Tokos began discussion with Option No. 1, which is the proposed boundary that follows Highways 20 and 101. He noted that he did modify the map somewhat from what was in the packet. He added the fairgrounds property. He noted that there will be an open house regarding that property in the next couple of days because the County is re-envisioning what it could be used for. It seemed if all of that property was in there, there may be some range of projects that might fit. Tokos cautioned that on the project charts, he didn't try to be specific. He came up with a range of categories that gives a sense of how the district could be structured and to give ECONorthwest an idea of the maximum indebtedness. There would be a whole citizen group working on pinning down projects specifically. Tokos said that he included the downtown couplet because it is in our Transportation System Plan. He noted that is where it splits the traffic in half so that southbound is on the existing 101 between Hwy. 20 and the bridge, and northbound would be on 9<sup>th</sup> or possibly 7<sup>th</sup>. Fisher asked how much upheaval that would cause those property owners. Tokos said that if you are shooting to revitalize and rejuvenate downtown, these changes would revitalize downtown in a different way. He noted that this was in the Glick Study and in the Traffic Improvement Plan. Fisher asked if the couplet would rejoin the highway at 1<sup>st</sup> Street. Tokos said that he put a map in the packet that was out of the 2008 Local Street Plan. Figure 4.2 Project No. 7 shows more or less where the alignment of 9<sup>th</sup> Street would be. It would take traffic up to Coos Street probably. Northbound traffic would come across the bridge onto 9<sup>th</sup> Street and come across and hit a signal at Coos and Hwy. 20. Traffic continuing north would turn left on 20 and then right on 101; those going to Corvallis would turn right on 20. Tokos said that 7<sup>th</sup> Street was a similar concept; just on the opposite side of 101. He said that what is in here is conceptual and needs to be refined. It was accepted by the State as a better way of managing traffic, but they are not final plans. The couplet is shown as \$20 million in the plan, so he escalated that cost realizing that if the urban renewal district goes in, construction will be a few more years down the road. Branigan asked if that includes purchasing properties. Tokos said that with construction of the couplet there would have to be strategic acquisitions, and several of these categories could trigger at once. We would have to do a refinement plan first, and that's listed here.

Tokos said another project category is traffic flow improvements, which includes intersection realignments where there are problems with doglegged alignments such as at 101 and NW 6<sup>th</sup>. There the City would have to buy out property on one side to align it. He said it doesn't mean that the business goes away. It may mean that it gets rebuilt in a different manner or in a different location. Croteau said if the real issue is traffic flow on 101, he could see the couplet but questioned the 6<sup>th</sup> Street intersection. Tokos said it's not just delays; it's when you have something that sets up impediments. That's just a piece of it. He said that we also have to be cautious about this being contentious; but he doesn't see that at all because we are partnering with businesses looking to redevelop. He said if 6<sup>th</sup> Street is not ripe during the urban renewal period, then it's not. Tokos said these are general categories and based on what is in the TSP that gives the cost of what they should be. He is using 6<sup>th</sup> and 101 as an example because that is probably the worst doglegged intersection. Abbey Street is overdue for a signal, and we could deal with the three-phase light at Hurbert and 101. Hardy said that the Farmers' Market could be moved. Tokos noted that the Farmers' Market will be moving with the construction of the pool so that will resolve itself. The fairgrounds were mentioned as an alternative location for them. Tokos said that they are working on that. Berman asked what happens with the armory, which is a prime piece of property. Tokos said that would be a good site acquisition and relocate the armory to the airport. Fisher asked if that property isn't essentially owned by the City anyway. Tokos said that the State owns the property. There is a reversionary clause. The City did a land swap and picked up some land from them at the airport. He said maybe at some point the National

Guard would be receptive to that. The airport would be a better staging area in case of an emergency. Tokos said strategic site acquisition can mean a lot of things.

McIntyre asked what happened with the air museum at the airport. Tokos said they decided to stay where they were for the near-term. He believes they are actually going to Madras. McIntyre said that if the couplet is put through on 9<sup>th</sup> Street, it goes through a lot of property owned by the hospital. Tokos said those types of details get flushed out with the refinement plan and pretty thorough engagement. Timing wise with the hospital, they haven't quite pulled together their reconstruction plans; but he thought that most of it would be on the east side of 9<sup>th</sup>. They will have some distinct structures on the west side, like the community health center. Tokos said that the hospital has been clearing the houses on the properties they own to the east, and when they expand, it is his understanding that it will be to the east where those homes were.

Tokos said that site prep, lot acquisition, and parking improvements are types of urban renewal investments where you can go in with willing private-sector folks who are looking to deal with their dilapidated structures. Berman wondered if this is where public facilities makes sense. Tokos said a public safety building would probably be a combination police and fire. It wouldn't be fully funded by urban renewal; there potentially would be contributions. Tokos said this is the only public building that seemed to make sense in terms of what is needed. It would provide immediate access to 101. Berman said that the purpose of an urban renewal district is to increase property values across the board, and he doesn't see that having that kind of impact. He said maybe that is a separate discussion; maybe through GO bonds. Tokos said he would expect that would be part of it. He noted that the sewer treatment plant was partially funded by an urban renewal district. He said that growth has demand. There is a time and place for it; not 100%. Tokos said that number is a placeholder. Chief Miranda is trying to get a better handle on an amount.

Tokos noted that there are some funds for landscaping and streetscaping work, which is typical of this type of program. Community improvements such as to storefront façades are included. Berman asked if there was a percent for public art. Tokos said if it's a public building, he thinks it's a 1% for arts approach; but not for typical Public Works projects. The storefront loan would be a revolving loan for businesses to upgrade their street frontage. He put in a placeholder for wayfinding. He included bill board removal to get rid of some along Highways 101 and 20. Hardy asked why because billboards serve a purpose. Tokos said getting rid of them is one way to make your streetscape more attractive. The City no longer allows them; so the plan was that as they need to be rebuilt, they would slowly be going away. Tokos said that is a common approach. Hardy asked what wayfinding was. Tokos said it is signage; maybe in combination with a kiosk. Tokos said that this list tells him that with Option 1, it is probably a wise move to tell ECO to look at around \$35-\$36 million maximum indebtedness.

Fisher asked if the Planning Commission would put this together and pass on a recommendation to the City Council; then if they make modifications, is it a ballot issue. Tokos said it is not a ballot deal. If the maximum is under \$50 million, this is just a public hearings process and is not on the ballot. If the Council decides to move forward, he expects it to be a much more involved process to put together the plan. Tokos said he tried to be sensitive of the taxing districts and consider something they need. The hospital will need to deal with parking improvements, so there could be a potential partnership there. It is similar with the fairgrounds where urban renewal could help with cleaning up the accesses to and from the site. If we go into an urban renewal district, public safety is hit pretty hard by that frozen level. Public safety is the biggest part of the general fund. Being able to construct a public safety building would be appealing. Tokos said there are potential partnerships throughout here. It is wise to keep that in mind as the process moves along. It makes the entities feel better about living with the frozen level because they will be getting something out of it.

Berman asked if Tokos had a list of what those agencies are. Tokos said those include the County, LCSD, and the Port of Newport. He said it is possible that this could include Moore Drive and Highway 20; but this is unlike the prior plan that involved the Bay Front and the South Beach Plan which has been very beneficial to the Port. Tokos said that certainly the County, the hospital, the police, and fire are what agencies jumped out to him. He said that LCSD was a little more difficult; but with the closure of Eads, there may be some possibility there. He said that a lot of these projects are designed to improve the commercial base along 101 and 20, which will benefit all districts. With the couplet, you can also expand your commercial footprint. It would justify commercial rezoning; there would be a demand at that location.

Branigan asked if the line undergrounding would just be up the highway corridors of 101 and 20. Tokos said yes, this is what the PUD is saying it will likely cost. He is unsure it would get it all done; maybe along 101 and not 20. How other things play out is what will determine how the undergrounding will work; but we want to put undergrounding in there. Tokos said that the franchise tax PUD pays the City is entirely designated to a line undergrounding fund. Their entire tax goes there; he thinks it's something like 5% of their gross receipts for properties in the City. Fisher asked if the PUD actually does the work. Tokos said that actually on the Bay Front, we used this fund to bury lines with the street project. We did the work but coordinated with PUD. Berman asked how much is in that fund. Tokos said that he thought there was \$300 thousand or so. A huge chunk was used for the Bay Front. McIntyre asked if the City had considered having developers contribute to undergrounding and that sort of thing. He said that when he developed his last shopping center, they had to contribute 25% of the cost for a new signal at an intersection where the city was requiring it to be established. They also had to pay a portion of undergrounding lines that went

along that street. McIntyre wondered if we could consider that in the plan for redevelopment of commercial properties on 101. Tokos said not as a current regulatory requirement. For a new subdivision, they have to underground utilities. He said what we would like to do is create undergrounding districts in the City; areas where we are targeting everything to go underground, and others not so much.

Tokos said that Option 1 seems doable within the double 25%, but noted that it is 2010-11 assessment data that he is working with. Acreage wise and assessed value wise, when you consider the South Beach district, it is still under the 25% thresholds without factoring in the reservoir annexation and the unincorporated land in South Beach. He asked if the boundaries seemed reasonable, and the consensus was yes.

Next, Tokos moved to Option No. 3 for discussion. Tokos recalled that the Commission wanted to see a scenario that rolled in Agate Beach, so he has been working with that scenario to see what happens if we do an Agate Beach and US 101 and 20 district. What Option 3 shows is that it would be a maximum acreage proposal (780 acres) and would assume that it would only be viable if we actually had annexed the reservoir and the balance of South Beach. Tokos noted that with this option though, he can't get there on assessed value. He trimmed down the corridor a little bit, but can't get there assessed value wise. He said if we do Agate Beach, which is about 300 acres, we would need to trim this down south considerably to make it work; or we would need to trim down what we pencil in for Agate Beach. Tokos talked with Public Works Director Gross, and what he had for Agate Beach is the 101 corridor and upgrades to 60<sup>th</sup> and 56<sup>th</sup>, collector loop at US 101 to clean that up, improvements to local street rights-of-way. The cost of forming LIDs to pave roads on both sides of the highway could come under urban renewal. Storm drainage improvements would coincide with that. Tokos noted that what he reduced was line undergrounding. He said this is not the best, because we will have to scale back the size of this district. We are looking in the \$36 million range probably. Berman asked why not consider separate urban renewal districts, and Agate Beach could stand alone. Tokos said we could talk to ECO. We could do three different districts; but it's most likely worth avoiding going through three different processes and just roll it into one. Berman was thinking that by doing them separately, they maybe could be staggered since there is that limit. Tokos said we could talk to ECO. He said that also when setting this up, it may be like with South Beach where we set up project phases. Phases might give flexibility to work that in. He said that the couplet is not going to hit Phase 1; the construction cycle will probably be broken into three phases. There would be design, acquisition, and construction that could be broken up. Croteau asked if phasing allowed going over the 25% limit. Tokos said no, we have to be good with the 25% at the time the plan is put into effect.

Looking at Option No. 2, Tokos noted that we get close. There is still a little issue with assessed value, but he thought he knew how that can be solved. He said that he just ran out of time in preparing this. He pulled back the US 20 corridor; it stops where the couplet comes in. If the couplet is on 9<sup>th</sup>, the boundary probably wouldn't be much passed Coos. He said what he thought he could do is pull the north end just above the 12<sup>th</sup> Street where there's that dogleg and stop with 6<sup>th</sup> Street being the northern end of it. He expects the assessed value still will not be an acceptable level. He said the only way for it to make since was to take out the east side. He said he was having a hard time coming up with something to make sense and to sell to the districts. Fisher noted that Longview Hills wouldn't benefit; they are entirely private up there. Tokos agreed it didn't make sense to include them. Patrick wondered about drawing the line a couple of blocks back on 101 and just improve accesses and don't deal with the residential area. He suggested that Tokos talk to Gross and see what needs to be done first. Tokos said that access improvements into the west side are needed to clean up accesses into neighborhoods. He said that if it were tied to the commercial core, there's not a ton of projects in Agate Beach. He said that by warrant, the only street that would qualify for a signal is 73<sup>rd</sup>; and it just doesn't have enough volume yet. Croteau didn't think Tokos could do much with the boundary he has. He thought that Option 2 looks like the most reasonable compromise.

Tokos noted that we have ECO under contract to look at three options. Talking through how those options should be set up, Tokos said that one way is to do Option 1 as a middle case scenario. He could trim it down and make a minimalistic approach, which would be like Option 3 only with reduced acreage. Option 1 would be the middle approach. The third option would be what Option 2 is. Or he could do Option 1 as the base and do two different options off of Option 2; maybe just commercial in Agate Beach as Patrick had suggested and get rid of the residential, reducing acreage out there as opposed to down below. Or the acreage could be kept in Agate Beach and reduced down below. There could be two options with Agate Beach, and Option 1 could be 101 and 20 only. Patrick asked if Option 1 would stay as is, and Tokos said pretty much. Patrick said he was happy with that one. Berman asked why go to John Moore intersection. Tokos said it picks up the batch plant. It needs to pick up next to Harney if there are any access improvements interfacing with the fairgrounds. It is substandard at that location. He said that was the thinking there. Tokos said that this Option 1 also picks up the residential that the hospital owns because it won't be residential in the long term. He did widen it a little to make sure we have what would be the 7<sup>th</sup> Street alignment should that get traction so it would be fully included in the boundary. Berman asked who makes that decision and when. Tokos said if the district gets created, phase one would be the refinement plan, do the engagement, and work to figure out what makes sense and what the alignment should look like. Even if 7<sup>th</sup> Street isn't proposed, redevelopment will benefit those properties. Patrick said even if the couplet is built, you still need a way to move off the highway. It was noted that there are more terrain problems with 7<sup>th</sup> than with 9<sup>th</sup>. With 7<sup>th</sup> there is the terrain issue and the residential issue. Berman asked if the property where the animal shelter is sitting is all County property. Tokos said that is all County-owned. He said that he didn't know if that was the magic

boundary. It is tentative. He doesn't know where the County is going with the fairgrounds. He thought that the County has a lot of surplus property on the east side of Harney, so it's not limited to the fairgrounds proper. Tokos said that it's no big deal really. We are doing better at acreage than assessed value. The County property has no assessed value, so adding it doesn't have an effect on that. We are running into assessed value issues; that is what he was struggling with. Croteau agreed that is more difficult than acreage. Tokos said that you have to start kicking out commercial properties. He noted that there is the brand new bank that has rather high assessed value. If they get kicked out because they are north of 6<sup>th</sup>, that will help. The batch plant has high value on the assessment roles; and that will help to drop it down if they are taken off.

Croteau asked if once the boundary and acreage are set, can they be adjusted after that. Tokos said yes they could through a hearings process because that is considered a substantial adjustment. You can constrict or expand a district. We actually did constrict at one point of time on the north side. When pulling properties out, you have to find out what that means on current properties' debt load. Similarly if you are expanding, you have to determine what it does to the districts and how it plays out with the ratio. They are mandatory substantial adjustments that go through public hearings. Tokos said that other taxing districts could politically weigh in. They would let the City Council know, but they don't have the ability to say no. The County had the ability in South Beach because of the unincorporated lands.

Tokos summed up that what he was hearing is that Option No. 1 is good. Option No. 2 will be adjusted into two options; one by reducing acreage in Agate Beach to commercial, and the other reducing commercial on the south end. Tokos will make those adjustments and get that information off to ECONorthwest. They are in the process of getting current assessment information from the County. They will take those three scenarios, look at the general project categories and maximum indebtedness, and provide feedback on whether they make sense or not or whether we need to make adjustments.

Tokos noted that these are very conceptual projects. He was trying to get a sense if it would be largely an infrastructure-type district and what kind of debt level we would be looking at. Berman asked where the rest of the money would come from; would it be GO bonds? Tokos said that the couplet would only get half from urban renewal; the other half would come from the State. We would expect a funding partner there. The stuff in Agate Beach would be an LID with property owner participation. Urban renewal would drive the cost down to make it attractive to those folks. The public safety building would be GO bonds. Tokos asked if anything seemed off, or if the mapping seemed reasonable. Fisher said that he would prefer seeing the money go to safety issues such as cross walks. He said if he had his say, he felt that was more important than the arts. Tokos was trying to recall who Berman had mentioned as another potential partner and was told the National Guard. McIntyre said it seems the Airport area would be good for them; and there was some brief discussion regarding the armory.

**B. Adjournment.** Having no further discussion, the work session meeting adjourned at 7:56 p.m.

Respectfully submitted,

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Wanda Haney  
Executive Assistant



**APPLICATIONS FOR  
CITIZENS ADVISORY COMMITTEE**

## Cindy Breves

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**From:** Peggy Hawker  
**Sent:** Thursday, December 05, 2013 11:15 AM  
**To:** Cindy Breves  
**Subject:** FW: Committee Application

-----Original Message-----

**From:** CommitteeApp@newportoregon.gov [mailto:CommitteeApp@newportoregon.gov]  
**Sent:** Monday, November 18, 2013 5:06 PM  
**To:** n.clark@newportoregon.gov; Peggy Hawker  
**Cc:** djicapri@gmail.com  
**Subject:** Committee Application

**Application for City Council - Email Application**

**Date:** 11/18/2013

**Commission/Committee of Interest:** Planning Commission *Citizen Advisory Committee*

**Name:** Dustin Capri

**Address:** PO Box 178,  
Newport, OR  
97365

**Workphone:** 541-961-0503

**Homephone:** 541-961-0503

**Email:** djicapri@gmail.com

**Occupation:** Planner and Designer

**Employer:** Capri Designs, LLC

**Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value?**  
A city's zoning and planning code have a significant impact on both the built environment and construction-related professions. This affects me professionally, as I work in architecture and planning. It also affects me as a citizen of Newport, as zoning plays a tremendous role in Newport's ability to attract growth, development, tourism, and the associated dollars. A strong code promotes excellent architecture, which in turn positively affects the city's image and draw for businesses and tourists alike. As a designer and urban planner, I feel as though my experience in Department of Defense Planning and local architectural design experience would bring significant value to the planning commission. Additionally, I previously sat on the Planning Commission Citizen Advisory Committee and therefore understand the process and responsibilities of a planning commission member.

**What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest? As a designer and planner, I have been trained to make decisions based on a set of factors appropriate for a given situation - aesthetic, economic, social, etc. Inevitably, when making decisions on architecture or urban planning projects, I develop personal opinions that I must often set aside to ensure I address each decision free of bias and in a way that considers the best interests of the client/stakeholder. This has been something that I have often faced in my career and have learned how to best set my opinions aside early, especially while gathering data to make an educated decision.**

**Describe the process of how you make decisions. I believe in well-researched decisions. I do my best to ensure I understand all aspects of a particular decision before I make it. Gathering information from various perspectives is part of that process. Talking with people involved, looking up relevant articles and studies, and researching case studies are steps I typically take when faced with a difficult decision.**

**What do you think about consensus decision making? What does the consensus decision making process mean to you?**  
**As a practicing urban designer, my process always involves working with various stakeholders to gather data, weigh the pros and cons of various alternatives and ensure that decisions are made as a team. In my profession, the consensus decision making process is critical in order to ensure the success of any project.**

**Describe all other pertinent information/background for this position. - Bachelor of Architecture from University of Oregon School of Architecture and Allied Arts**

- **Leadership in Energy and Environmental Design Associated Professional in Neighborhood Design (LEED-AP ND)**
- **Worked in Architecture in Newport since 2006**
- **Worked as an Planner since 2009**

**APPLICATIONS FOR  
NYE BEACH DESIGN REVIEW OVERLAY  
AD HOC WORK GROUP**

## Wanda Haney

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**From:** Derrick Tokos  
**Sent:** Wednesday, February 19, 2014 4:45 PM  
**To:** Wanda Haney  
**Subject:** FW: Committee Application

-----Original Message-----

**From:** Peggy Hawker  
**Sent:** Wednesday, February 19, 2014 4:45 PM  
**To:** Derrick Tokos  
**Subject:** FW: Committee Application

-----Original Message-----

**From:** CommitteeApp@newportoregon.gov [mailto:CommitteeApp@newportoregon.gov]  
**Sent:** Wednesday, February 19, 2014 4:44 PM  
**To:** Cindy Breves; Peggy Hawker  
**Cc:** jodyymar@yahoo.com  
**Subject:** Committee Application

Application for City Council - Email Application

**Date:** 2/19/2014

**Commission/Committee of Interest:** Nye Beach Overlay Committee

**Name:** Jody George

**Address:** 232 NW Coast St., Newport

**Workphone:** 541- 265- 8565

**Homephone:** 541- 265-n2907

**Email:** jodyymar@yahoo.com

**Occupation:** self

**Employer:** self

Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value? Nye Beach is both my home, and home to my businesses. I am very concerned about its growth and development. I believe it needs to retain its neighborhood character, while encouraging both residences and small business, a fine line for growth. I have worked on the Nye Beach Parking District committee and perceive myself as a cooperative participant with clear goals.

What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest? Recently in my work on the parking district, the idea of a 20 minute parking space for Panini Bakery, one of my tenants, came up. This is a common solution to parking for a in and out coffee shop. Seemed like a win- win situation. In inquiring with my neighbors I found that both a sit down restaurant and a retail store felt that it was unfair, that they too should have a 20 minute spot. Rather than creating tension I just let the subject drop. I think that prioritizing is very important if you want to achieve anything.

Describe the process of how you make decisions. Listening to all the input with an open mind (the first and perhaps most challenging part of the process.) Sometimes I need time, more information may come to light, time to ponder,



sometimes I need to not waste time and make a decision quickly. I do tend to trust my intuition, but I am pretty willing and able to change my mind, if I was uninformed or, heaven forbid, wrong.

What do you think about consensus decision making? What does the consensus decision making process mean to you? To me, the point of a committee is that you need to come, at least generally, to a consensus. The committee as a whole is who presents the ideas. An obstructionist person on a committee has no business being there.

Describe all other pertinent information/background for this position. I`ve lived in Newport since the early 60`s. I went to Newport High School, then, UofO. I`ve watched Nye Beach change dramatically, Newport change dramatically. I bought my first home in Nye Beach in 1973. I swim and surf in the ocean at Nye Beach , I ride my bike on the beach and I care, passionately, what happens here.

## Wanda Haney

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**From:** Derrick Tokos  
**Sent:** Tuesday, February 18, 2014 3:50 PM  
**To:** Wanda Haney  
**Subject:** FW: Committee Application

-----Original Message-----

**From:** Peggy Hawker  
**Sent:** Tuesday, February 18, 2014 3:50 PM  
**To:** Derrick Tokos  
**Subject:** FW: Committee Application

-----Original Message-----

**From:** CommitteeApp@newportoregon.gov [mailto:CommitteeApp@newportoregon.gov]  
**Sent:** Tuesday, February 18, 2014 3:43 PM  
**To:** Cindy Breves; Peggy Hawker  
**Cc:** wendy.engler@yahoo.com  
**Subject:** Committee Application

Application for City Council - Email Application

**Date:** 2/18/2014

**Commission/Committee of Interest:** Nye Beach Design Overlay Review ad hoc work group

**Name:** Wendy Engler

**Address:** 715 NW 3rd St.

Newport, Oregon 97365

**Workphone:** n/a

**Homephone:** 541-961-5959

**Email:** wendy.engler@yahoo.com

**Occupation:** retired

**Employer:** n/a

Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value?  
I want to serve on this committee because I find it challenging and rewarding to work with other citizens to promote economic vitality and livability in our community. I am currently Chair of the City's Wayfinding Committee and a member of the Nye Beach Parking District Committee. I believe I can add value to the Nye Beach Design Review work group based on these interests and experience.

What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest? I have not been in a situation in which I had to make a difficult decision concerning issues of bias and/or conflict of interest.

Regarding bias and conflict of interest as a member of a committee, individuals may have an opinion or bias, but the goal is to make decisions based on the facts. Conflict of interest issues are governed by law and should be disclosed immediately and dealt with accordingly.

Describe the process of how you make decisions. To make a decision, I thoroughly research the topic under consideration and discuss it with others who might be affected by the decision. Based on this information, I will make a decision.

In a committee setting, researching the topic would include discussions with committee members, City staff and citizens to gain a variety of perspectives on the situation. Evaluating the various impacts of any decision reached would be the next step before the committee makes a decision.

What do you think about consensus decision making? What does the consensus decision making process mean to you? I think that consensus decision making is one of the most important goals of city committees.

What the consensus decision making process means to me is that the opinions of all participants are consulted, facts are gathered, and a decision is reached based on general agreement. While sometimes all may not agree with the decision, as a committee all will understand why it was made and will hopefully support it.

Describe all other pertinent information/background for this position. Over the last twenty years, I have served on many City of Newport committees, beginning with the Nye Beach Neighborhood Committee when it was established in 1994.

My employment in Newport has included working for the Lincoln County Extension Office and several restaurants, owning a retail business and developing properties.

Prior to this, as a City of Seattle Park Department employee, my job included master planning and exhibit development at the Woodland Park Zoo.

My City volunteer activities and job experience in both the public and private sector are pertinent to serving on the Nye Beach Design Overlay Review work group as they give me a broad view of our community and an appreciation for the role that city planning plays in strengthening Newport's economic vitality and livability.

## Wanda Haney

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**From:** Cindy Breves  
**Sent:** Monday, February 10, 2014 1:24 PM  
**To:** Wanda Haney  
**Cc:** Derrick Tokos  
**Subject:** FW: Committee Application

Cindy Breves  
Executive Assistant/ Municipal Court Clerk  
169 SW Coast Highway  
Newport, OR 97365  
541-574-0603  
c.breves@newportoregon.gov

-----Original Message-----

**From:** CommitteeApp@newportoregon.gov [mailto:CommitteeApp@newportoregon.gov]  
**Sent:** Monday, February 10, 2014 1:00 PM  
**To:** Cindy Breves; Peggy Hawker  
**Cc:** dhuster@thewoodsidegroup.com  
**Subject:** Committee Application

Application for City Council - Email Application

**Date:** 2/10/2014

**Commission/Committee of Interest:** Nye Beach Design Overlay Ad Hoc Committee

**Name:** Don Huster

**Address:** PO Box 800

South Beach, OR 97366

**Workphone:** 541-270-5187

**Homephone:**

**Email:** dhuster@thewoodsidegroup.com

**Occupation:** Real estate developer / builder

**Employer:** The Woodside Group, LLC

Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value? As a property owner in the Nye Beach Overlay area, I have a vested interest in preserving and enhancing the character and value of the neighborhood. At the same time there is a need for housing and business development throughout Newport so it is important to look forward and identify an appropriate blend of objectives which best meet the overall needs of the area.

What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest? When we proposed to develop the Archway Place project in Nye Beach, there was initially a strong negative bias stirred up by a small number of people even though we were well within the zoning and HNBO guidelines. After a couple of contentious hearings I approached the primary instigators and 'offline' we worked out a civil compromise which enabled the project to proceed. This would not have happened if I had not taken the 'high road' to overcome the emotional issues that had grown out of proportion.

Describe the process of how you make decisions. My decision making process begins by identifying and articulating the decision to be made. Then I gather as much pertinent information as I can get, weigh this information with respect to

pros and cons of various outcomes, and try to make the choice with the best overall benefit in the situation. and of course it is essential to always be open to new information and ideas.

What do you think about consensus decision making? What does the consensus decision making process mean to you? Consensus decision making is a key element of our form of government. It means sharing, listening, and objectively evaluating inputs and opinions from all concerned parties to a matter. We do not always get everything we want but a healthy compromise is probably best for the greatest number of people.

Describe all other pertinent information/background for this position. I was the developer of the Archway Place project in Nye Beach which has brought a tremendous boost to the area. This is a good example of what we and others can coin the neighborhood.



## Wanda Haney

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**From:** Cindy Breves  
**Sent:** Monday, February 10, 2014 8:18 AM  
**To:** Wanda Haney  
**Cc:** Derrick Tokos  
**Subject:** FW: Committee Application

Cindy Breves  
Executive Assistant/ Municipal Court Clerk  
169 SW Coast Highway  
Newport, OR 97365  
541-574-0603  
c.breves@newportoregon.gov

-----Original Message-----

**From:** CommitteeApp@newportoregon.gov [mailto:CommitteeApp@newportoregon.gov]  
**Sent:** Saturday, February 08, 2014 7:50 PM  
**To:** Cindy Breves; Peggy Hawker  
**Cc:** toujoursboutique@gmail.com  
**Subject:** Committee Application

Application for City Council - Email Application

**Date:** 2/8/2014

**Commission/Committee of Interest:** Nye Beach Design Review

**Name:** Kathy Cleary

**Address:** 704 NW Beach Drive

**Workphone:** 541574-6404

**Homephone:** 5415748946

**Email:** toujoursboutique@gmail.com

**Occupation:** Small Business Owner,

**Employer:** Toujours Boutique

Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value?  
My business is directly affected by developments in Nye Beach. I want to be part of the decision making process to see that responsible guidelines exist to guide that development.

I have been in business in Nye Beach for 18 years and have seen both good and bad development. I can add valuable insights and ideas for a responsible direction for this valuable neighborhood.

What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest?

Describe the process of how you make decisions. Gather as much information as possible, weigh the options and decide on the option with the most positives.

What do you think about consensus decision making? What does the consensus decision making process mean to you?  
Consensus is not always easy to attain. Sometimes it takes tough decisions and grueling conversation, give and take.  
Achieving consensus on this committee will have far reaching effects because the decisions will lead to what construction is and is not allowed.

Describe all other pertinent information/background for this position. Previously served on the Planning Commission Citizens Advisory Board, participating in many critical discussions. Participated in the group formed by former Community Development Director, Mike Shoberg in creating the Urban Renewal plan for Nye Beach. Active member of the Nye Beach Merchants Assn. Good decisions are critical for the future of Nye Beach and i want to be part of this process.

## Wanda Haney

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**From:** Cindy Breves  
**Sent:** Friday, January 31, 2014 3:35 PM  
**To:** Wanda Haney  
**Cc:** Derrick Tokos  
**Subject:** FW: Committee Application

Cindy Breves  
Executive Assistant/ Municipal Court Clerk  
169 SW Coast Highway  
Newport, OR 97365  
541-574-0603  
c.breves@newportoregon.gov

-----Original Message-----

**From:** CommitteeApp@newportoregon.gov [mailto:CommitteeApp@newportoregon.gov]  
**Sent:** Monday, January 27, 2014 4:08 PM  
**To:** Cindy Breves; Peggy Hawker  
**Cc:** Chowderbowl@charter.net  
**Subject:** Committee Application

Application for City Council - Email Application

**Date:** 1/27/2014

**Commission/Committee of Interest:** Nye Beach Design Review overlay

**Name:** Michael Franklin

**Address:** 625 NE 11th Street, Newport, OR. 97365

**Workphone:** 541-265-7477

**Homephone:** 541-420-7939

**Email:** Chowderbowl@charter.net

**Occupation:** Restaurant Manager

**Employer:** Newport Chowder Bowl

Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value? The Chowder Bowl has been a part of the Nye Beach neighborhood for the last 33 years and in that time has seen the community slowly grow and become what it is today. Participating in the overlay discussions would guarantee that my input was heard as both business and property owners in the Nye Beach district. My background of commercial and residential construction will allow me to understand in great detail restrictions and/or requirements that could potentially be changed and offer insight into unforeseen consequences that changes may have on our community.

What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest? 6 years ago while working as a construction Superintendent for a large Northwest builder. I discovered while doing numerous warranty service calls, one particular failure in regards to our home that if addressed could and would cost the company a substantial amount of money, and me, possibly my job. The company had been getting calls about garage floor slabs cracking and failing months even years after completion of the homes. It was not every home, it was not always brought to our attention by the homeowners and it was only an issue in our build area. I had started a one year warranty check up in my build area as a way to keep in contact with my homeowners and encourage them to build with us again. It was then, during those inspections that I realized that we had many more failing slabs than we thought. It was after digging through a lot of research and concrete experts opinions that we finally got the answers we needed. The fill material being used out of a particular gravel pit, had a much greater pumice content than others that were randomly used by

our subcontractors and homeowners alike. Its porous makeup was offering the water the path of least resistance even though it was compacted to industry standards. The water was then freezing and heaving the slabs up in the cold months and then settling as it thawed, causing major cracks. My interest was to keep my job, that I loved but, I knew that the right thing to do was speak up on clients behalf. All ended well. New garage floors clients that we provided and compacted the fill and I still showed up to work.

Describe the process of how you make decisions. A lot of time and thought goes into making decisions. Educating yourself on the matter is the biggest responsibility of the person in control of making the decision. In my line of work I have to make decisions everyday. Some small, some big. In the restaurant business the smallest decision can change the outcome of the most important thing, your customer base. Change to a different brand of fries and you may not see it right away but you may have just lost 15% of your customers. It is important to bring everything to the table when it comes to making a decision because without understanding every aspect of an issue you could be doing more damage than good.

What do you think about consensus decision making? What does the consensus decision making process mean to you? I feel that when it comes to government and community issues this is the best way to resolve issues because it leaves a set of blueprints of how the group got to their decision and it is there for people in the future to reflect upon. Consensus decision making is a method in which a group comes to an resolution, keeping personal agendas aside and clearly looking at the facts. As a group all are involved and all come to the agreement that everyone involved supports.

Describe all other pertinent information/background for this position. Before moving to Newport I was in construction management for two large commercial and residential builder. I was offered to relocate to the Tri Cities area to start a new branch for ADAIR HOMES and instead moved to Newport to take over a Family Business. I was trusted with running over 250 jobsites, 2 subdivisions and one commercial project in my six years combined with these companies. The projects took me all over, 10 different counties in Oregon to be exact. Having to learn new contacts and new systems for every county and or city, was a challenge but it was overcome with a lot of systems in place. I was a part of the project from the day of the site evaluation on the potential build site, up until the day the keys were handed to the new homeowners. I miss being involved in the growth of communities and would love to have the opportunity once again.

Thank you for your consideration,  
Mike Franklin