

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room 'A'
Monday, May 28, 2013

Planning Commissioners Present: Bill Branigan, Jim Patrick, Rod Croteau, and Jim McIntyre.

Planning Commissioners Absent: Mark Fisher (*excused*), Glen Small (*excused*), and Gary East.

Citizens Advisory Committee Members Present: Lee Hardy, Suzanne Dalton, and Bob Berman.

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 6:02 p.m. and turned the meeting over to CDD Tokos.

A. Unfinished Business.

1. Review the draft amendment of the Port Facilities element of the Newport Comprehensive Plan. Tokos noted that the packet included the new draft of the Port Facilities element, which was discussed at an earlier work session. He did include the old, out-of-date Port Facilities language that is in the Comprehensive Plan. The capital improvements listed in the existing plan date to the 80s and are no longer relevant. Because the Port just completed their new Strategic Business Plan and Capital Improvements Plan, it is time for the City to update our Comprehensive Plan to roll in their priorities and put in policy for how the City and the Port should coordinate with each other. Tokos said that he has shared this with Port General Manager Don Mann; and when this moves to actual hearing, Don will be in attendance to testify. Tokos noted that he borrowed a lot from the Port's planning documents and reworked it so it was more abbreviated. The document begins with the Port's background, explaining that the Port District was formed in 1910 to promote water-related commerce in Lincoln County. It talks about the boundaries. The vision statement comes from Port documents. Berman noted that it says "we will be" one of the top Oregon coast ports. He wondered if Newport isn't number one. Tokos said he will change that language to "strives to be". Tokos said the vision and mission statements get at the focus being on waterborne commerce that will respect the natural environment while maintaining a working water front. It recognizes recreational fishing and ocean observing. There is a reference to economic development. The Port took that economic development work the City did and used that for a lot of what they did. The mission statement talks about economic development and working with partners. The Governance section notes that the Port District is governed by a Board of Commissioners. The Existing Port Facilities section talks about where those are located. The Service Facilities section is descriptive about what facilities the Port has and lists those located on the south side and those on the north side. There are more details in the appendix. Then there is the estimated value of their assets. A typographical error in the first sentence of the last paragraph (prior to the table) under service facilities was pointed out where the word "are" should be removed. Under the Utilities section, it notes that the Port has a detailed utilities plan, which is cross referenced. The Design Criteria and Level of Service section Tokos worked in because it is useful when talking about capital improvements so it seemed to be a logical piece. This section covers the Port's docks, piers, buildings, and parking areas. The next section is Capital Improvement Projects, which explains what constitutes a capital improvement and presents how projects have been prioritized. The projects have been listed here with an estimated cost of improvements. Additional details are included in the actual facilities plan. Then the document goes into the Financing section. This lists different funding options, and Tokos did add a few such as the marine board grants because the Port pursues those periodically. Tokos said that is the part of the Comprehensive Plan under the Public Facilities component, which is the descriptive piece. He said the next part moves into the goals and policies. The City had goals and policies for water, wastewater, storm drainage, and airport; but never for the Port before. So Tokos put together language for the goals for the Port and two policies. The goal is for the City to collaborate with the Port on the implementation of its Capital Improvement Plan. Policy 1 is that the City will coordinate with the Port when planning to upgrade public facilities within the Port District and seek to partner on projects to achieve mutually beneficial outcomes. Policy 2 is that the City will assist the Port in its efforts to secure funding for capital projects. When looking for grants, funding agencies are looking to see that we do communicate and coordinate. There are certain types of grants where the City has to be the lead. This is committing us to do that sort of thing from time to time. This says that yes we do coordinate. He said this is almost just housekeeping; things we should do so information is current and coordinates well with the Ports policies. Berman wondered if it was appropriate that their capital improvement projects should be listed in our plan; or just as a cross-reference. He wondered if we would have to update everything when the Port does; for instance, if they prioritize annually. Tokos said that the Port hadn't updated since the Newport Urban Renewal District paid for the last update, which was the early 90s. It is not a routine document they update. He said that it should be good for the next ten to fifteen years. He noted that the City's Public Works Department looks at this part of the Comprehensive Plan, which gives them something to compare. Croteau agreed that it is a forward-looking document, and it should be another ten years before we see it again.

2. Review draft language regarding park models for an amendment to the Newport Zoning Ordinance. Tokos noted that this is the additional material distributed tonight that the Commissioners didn't have the benefit of reviewing prior to the meeting; so he wanted to walk through it. The first piece was the excerpt from the Housing element of the Comprehensive Plan. He noted that when the City did the housing study and needs analysis that was adopted in 2011, one of the key priorities of the Planning Commission was to do some work on encouraging park model RVs in residential districts to make it more of a housing option. That is noted under Implementation Measure 8.2 in this text. Tokos thought this was a good opportunity to talk about this and make sure that everyone is on the same page as to what a park model is, create a regulatory plan, and for him to get the Commission's direction on this. Tokos had included some illustrations of what these structures look like. The next page of materials provided answers to common questions about park models from the State Building Codes Division. Tokos noted that park models basically are RVs covered under those statutes and designed under RV codes. The first answer defines a park model as an RV that does not exceed 400 square feet, built on a single chassis, mounted on wheels, and may be connected to utilities. They are basically small manufactured dwellings. They may have a deck or carport. That is the definition in state law, and our rules dovetail with that. Tokos noted that park models are designed to look more like homes and typically are not hauled around. The wheels and other trailer features are taken off at the site. Branigan asked that if we do the zoning change, what the difference would be if someone hauled in a 40-foot travel trailer. Tokos said that is what the Commission needs to talk about. He said that he can bring examples of how other jurisdictions tackle it. He noted that it excludes motorized vehicles. Lofts are not included in the square footage. The next FAQ is how a park model should be titled or registered. If a park model is 8.5 feet or less, it can be titled and registered with the DMV. If it is more than 8.5 feet wide, it is defined as a manufactured structure and ownership documents are recorded as a conventional manufactured home would be. The Q and A talks about permits to transfer; which would be an oversize permit or a trip permit. A park model can be installed in manufactured dwelling parks. Tokos noted that we made changes to the manufactured home and RV code in order to make it consistent with state law. An issue has to do with the minimum lot size the Commission set. When you look at the RV park rules, if you put two or more RVs on a single lot, you have an RV park. Park models can be parked on individual lots with the approval of the local planning department. Park models do require installation permits, which is covered under OARs. That talks about the need for specific anchoring, which is in Lincoln County because of high winds; skirting; etc. The transporter or manufacturer who delivered the park model can remove the axles, wheels, tires, and hitch; but the detached transportation equipment must be left on the site somewhere for future use. Installers have to be licensed contractors and have proper certifications. The Q and A talks about decks adjacent to a unit, which would be covered under the typical state residential structural code. That is the same for a cabana. Cabanas are limited to a maximum of 240 square feet by OAR. Tokos noted that when dealing with RVs, park models, and manufactured dwellings, a lot of the rules are under OARs or state statutes; so the City has to live by those, and sometimes they may not make a whole lot of sense. Tokos said that limitations of zoning are that RV parks are not allowed in all residential districts, and when you put two RVs on a lot, that makes it an RV park; which is a different set of rules. Patrick noticed that it says that you can't use the RV to power a cabana. Tokos said that is because the electrical system is designed for the park trailer itself; and anything accessory has to be separate. Tokos said that the next sheet of paper is from the OAR. It talks about the allowable floor area, which is 400 square feet. That does not apply to a motorized RV. With a fifth wheel, you get a little extra square footage; 430 square feet. It goes into some other specific elements; bay windows, use of awnings, etc. Details are spelled out in the Administrative Rule. Safety Standards talks about standards for RVs as published by the National Fire Protection Assn. and other agencies. These are not standards that we apply to houses and not things that the Building Official applies; they are implemented at the manufacturer. Accessory structures are the only one that triggers for us; the residential code applies to accessory structures on the property. The next page contains definitions. There are three for RVs in the zoning code. The RV definition mentions the 400 square-foot limitation. These definitions were added in 2010. Patrick wondered if we needed to put in the 430 square feet for a fifth wheel. Tokos agreed that we could. He noted that the RV park definition conforms to state law. The RV storage is for more than two with no occupancy allowed. The next pages are the Manufactured Dwellings and RV code itself (Chapter 14.6). It contains the rules for manufactured dwellings on individual lots, which does not permit RVs. We have rules for manufactured dwelling parks and then for RVs generally (14.05.050). If we allow park models to be set up for habitation, we would have to change 14.06.05 (A) and (B). Item (C) about it being unlawful to discharge waste water unless connected to sewer would be okay. RV parks are limited to R-4 districts, where it is a conditional use. Then the code goes into that RV spaces shall not be less than 600 square feet. Tokos said the Commission had a lot of conversation about that.

One thing under Manufactured Dwelling Parks was a standard under 14.06.040(D) that each manufactured dwelling space shall contain at least 5,000 square feet. That 5,000 square feet requirement would have to be worked with for park models. There is no way that with that kind of lot size it could pencil out for such a modest structure. Patrick said that Longview Hills probably has lots that size; but Pacific Shores isn't anywhere near that. Tokos said that Pacific Shores would be nonconforming and would fall under those rules. Tokos said that setting some sort of minimum lot size for park models might be something to consider. The decision would be whether the minimum size is adequate or if we should allow a smaller lot. Another question is if we should allow this type of use in all residential districts. Tokos said that is the kind of feedback he needs. He can draft rules in a range of different scenarios. Tokos said that he needs guidance for where these units would be appropriate within the community. Berman wondered what the minimum lot size is in nonresidential districts, and Tokos said typically 5,000 square feet. Nye Beach is different with its old platted lots.

Tokos said that the next thing for the Commission to look at were examples to see what park models look like. He said that these are Oregon companies that manufacture park models. He said that looking at the Fleetwood information; they have a value model that Tokos said to him looks basically like a modular office. He said that looking at the floor plan; you have a living area, dining, bedroom, bathroom, and little kitchen. It doesn't necessarily come with washer and dryer space, but that is an option in some of the other models. He said it is pretty basic. There is an optional porch, and an optional closet. Moving on to the Dream Park model, which is at the top end, it has more architectural features. It has a dormer, a more elaborate porch, interior loft space, more windows, and a specific area for a washer and dryer. Tokos said that the Cascadia value series is a mirror image of the Fleetwood. There are some bay window options. The McKenzie has two different rooflines and looks less boxy. There is more in the way of windows. Croteau wondered what the cost range was, but Tokos said that he didn't print that off. The assumption was that prices would be more modest than manufactured dwellings; in a more affordable range. Tokos said that the Cascadia series offers more loft space, roof options, bay windows, and optional porch. Tokos said that his point is that if the Commission is looking for standards to differentiate between fifth wheels and park models, some of these features could be specified. Tokos said that if the Commission is looking to put together clear and objective standards that can be applied by staff, requirements could be put in for varied roofs, must have a porch, and things like that that would force them out of the basic model and into the higher end. In that way, staff is not left to something more objective; which we want to avoid. Tokos noted that these pictures and floor plans would give the Commissioners a sense of what a park model would look like. Just for information, Suzanne noted that she had just typed in park models in her search engine and got a cost of \$21,000. She had a question of what the timeline was for whether we establish a policy or code and the timeline for implementation. She said she was feeling a responsibility to first drive around town. Tokos said that we are not in a rush and there is no specific timeline to move this package forward. This is just one of the recommendations that came out of the housing piece. He said we will take a few work sessions where the Commission can put language together and put together a timeline that you want to move on. He said we will want to move quickly enough though that the subject matter remains fresh. We will move through it in a reasonable timeline, but there is no specific timeline.

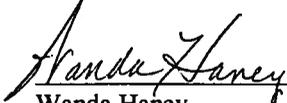
Tokos said that, in terms of what to focus on, the Commission can look at this narrowly and make this easier to put park models in manufactured dwelling parks or on individually-owned lots. You can look at allowing them in the full scope of residential districts or just in high density. Does the Commission want to see design standards in place for park models or just as they are? Tokos said that is the kind of feedback he would like to start with. For the next round of discussions, Tokos can bring more information; but he needs a better sense of what type of information the Commission would like. Hardy wondered if Tokos had any idea of the life span of park models versus manufactured homes versus stick-built. She said that might be some of the consideration for where you want to allow them.

Croteau said that he looks at these differently than ADUs and sees them as being fairly more high density. He said it defeats the purpose of the 50' x 100' lots. Hardy noted that the larger lots would allow them to have a garage and storage however. Berman noted that the objective is to have affordable housing. Croteau thought if density is a consideration that requiring a 5,000 square foot lot will likely preclude this type of structure. Smaller lots which increase density will allow them. Croteau thought that is a big issue we need to face. Patrick wondered if they could be allowed as ADUs, which can be detached. Tokos said that an ADU can't be over a certain percentage of the size of the primary dwelling; so park models wouldn't have an ADU. Park models could be an ADU, he could see that desire if the RV code were changed. Patrick said that he has no problem putting park models in manufactured home parks. He said if we allow park models on individual lots, he thinks we would have to have some standards for architectural treatments because that is the only way to separate them from trailers and fifth wheels. Dalton noted that Tokos had mentioned other jurisdictions and wondered if he could get examples of what they have done. Tokos said that they are more common in the county, but he will try to find cities that have allowed park models. Patrick said that it is state law that a manufactured home can be placed anywhere. Tokos agreed that we can't treat a manufactured home any differently than a stick-built home, but some CC&Rs can prevent them. Berman asked what about these in a geologic hazard area as it had been set up in the original draft of that code. Tokos said these would be handy on moving land. Tokos asked if for purposes of zoning, the Commission wanted to see language that would allow park models in typical residential zones. He said that he can bring a map and have further conversation whether other districts would be appropriate. Can we limit them just to parks or allow on individual lots? Patrick said that we have to be careful about opening it up. Maybe we need to designate an area and have an overlay. Tokos said that he is unsure park models could meet the architectural treatment requirements in Nye Beach. Perhaps they could with custom work, but most designs would run into problems with the overlay standards. Patrick agreed that we have to look at the zoning map to see if there are places for these. He said that there is a lot of R-3 zoning being used as single family because they have large lots. Croteau noted that there is language for RV parks now. That is R-4 and is conditional. Tokos said that the reason for RV parks being a conditional use is because of the review. RV parks have to have common area and some common facilities, consolidated storage areas maybe, and some common parking area. All of that gets looked at. That is why those standards exist. Croteau asked if when trying to adapt RV park language to park models there is an issue of their size and lot size. Tokos said that lot size is not driving it. They could put two on a lot if we keep the lot size high. He said we haven't been approached to put these on 5,000 square foot lots because the value of property is too high. Croteau said we have to have a way of making it square foot appropriate for park models to fit into what we already have for RV park language. Tokos said it will be independent of that. He said we need to think about it in terms of an RV pad versus an individual lot pad. He said that maybe the Commissioners want to drive around and visualize if we make it more permissible, how will that transform neighborhoods

and affect values. Patrick said that the area in Lincoln City south of Devils Lake would be a good area to see. Tokos suggested maybe if the Commissioners have time to drive around and take a look and think about that. Then when we get back to the conversation, you will have that context. Tokos agreed that we want to be very careful about how we approach these. He said it is different than ADUs.

B. Adjournment. Having no further discussion, the work session meeting adjourned at 7:00 p.m.

Respectfully submitted,



Wanda Haney
Executive Assistant