

Minutes
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
Monday, August 12, 2013

Commissioners Present: Jim Patrick, Glen Small, Rod Croteau, Mark Fisher, Gary East, and Bill Branigan.

Commissioners Absent: Jim McIntyre (*excused*).

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, Small, Croteau, Patrick, Fisher, East, and Branigan were present; with McIntyre absent but excused.

B. Approval of Minutes.

1. Approval of the Planning Commission regular session meeting minutes of July 8, 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. Consent Calendar. Nothing on the consent calendar.

E. Public Hearings.

Legislative Actions:

1. **File No. 2-Z-13:** Consideration of proposed legislative text amendments to Chapter 14.6 of the Newport Municipal Code to replace fixed minimum lot size and minimum acreage requirements for manufactured dwelling parks with maximum density and minimum common open space benchmarks. The changes should make it easier for manufactured dwelling parks to provide space for smaller units such as park models or recreational vehicles. The revisions also clarify that recreational vehicles may be used as a place of habitation within manufactured dwelling or RV parks. The Planning Commission will make a recommendation on this matter to the City Council.

Patrick opened the public hearing for File No. 2-Z-13 at 7:01 p.m. by reading the summary of the file from the agenda; and he called for the staff report. Tokos noted that the Planning Commission had met in work session on May 28th and June 24th to discuss these proposed changes. The reason to initiate the changes flows from the update to the Housing element of the Comprehensive Plan drafted in 2011, which committed the City to see if park model RVs could be allowed as a viable housing type. He said that, following discussion that ensued about allowing park models outside of manufactured dwelling and recreational vehicle parks, it was determined to limit them to the Manufactured Dwellings and Recreational Vehicles section of the code. Tokos noted that the provision that the number of spaces for manufactured dwellings shall not exceed 6 per acre has been deleted. The requirement that each space shall contain at least 5,000 square feet has been deleted and changed to language that the maximum density is one unit for every 2,500 square feet of lot area in R-2 and one for every 1,250 square feet in R-3 and R-4. A provision was added that RVs may be used for habitation provided they are connected to the park's water, sewage, and electrical supply systems. In these cases, the RVs count against the density limitations of the zoning district. The language that manufactured dwelling parks have to be at least an acre was deleted and was replaced with language that there shall be common area of at least 2,500 square feet or 100 square feet per unit, whichever is greater. Tokos said that on the balance, these changes go away from setting such vast standards that were barriers for park models being feasible and should make it easier for park owners to place park model units in their parks. Tokos said the other change to Section 14.06.050 (Recreational Vehicles) adds language under item "A" to make it clear that the provision that prohibits RVs being used for habitation applies only to those outside manufactured dwelling parks; RVs within a park or those authorized for temporary living quarters can be used for habitation. Tokos noted that state law requires that cities allow RVs to be used for habitation within RV parks.

Small noted that in the findings park models are referenced, but in the ordinance it simply says recreational vehicles. He wondered if it is the understanding that park models are RVs, or if that should be described in the ordinance. Tokos said it is understood. He noted that nowhere in the ordinance is reference made to park models because it is structured to avoid the thought that park models are different than RVs, because a park model is an RV. Small wondered if this gives a manufactured dwelling park owner leeway to exclude fifth-wheel and Class C RVs and go to park models. Tokos said if they want to. He said that it is the owner's choice as

a private developer to not allow more-conventional motor homes or RVs and only allow park model RVs in their own parks. A manufactured dwelling park can make the distinction of what they allow; state statute only prohibits jurisdictions from doing that.

Proponents, Opponents, or Interested Parties: No one was present wishing to provide testimony.

Patrick closed the hearing at 7:10 p.m. for Commission deliberation. Branigan noted that the Commission has gone through this a couple of times. He thought that changing this will help achieve our goal for more affordable housing by encouraging RV parks to open up. He is in support of the changes. East and Fisher agreed. Croteau agreed and said that hopefully it will encourage affordable housing. Small said that was his take on it also. He said it gets us another step toward the affordable housing piece that is important to us. He felt it was a reasonable change. Patrick said this also allows for redevelopment of those mobile homes, which are well past their expiration date. These parks only have a certain amount of space for those homes and can't get double-wide or single-wide homes in there. Park models will allow them to develop with something that is useful and affordable.

With everyone in agreement, a vote was taken to recommend that the City Council consider adopting the proposed text amendments to Chapter 14.6 of the Newport Municipal Code as presented in File No. 2-Z-13. The decision carried unanimously in a voice vote.

F. New Business.

1. Upcoming Planning Commissioner Training in Portland on 9/16/13, sponsored by the Oregon City Planning Directors Assn. Tokos noted that included in the packet was an announcement of an upcoming Planning Commissioner training that he wanted to provide to the Commissioners. He said that he knows a number of those speakers. He noted that we do have budget to send one or two individuals if anyone is interested. Branigan and Fisher expressed a desire to attend, and the Commissioners felt that would be good representation. CDD staff will make the arrangements.

G. Unfinished Business.

1. Update on status of City's applications for the Urban Growth Boundary amendment and the Transportation System Plan amendment considered at public hearings before the Lincoln County Planning Commission. Tokos said that the reason the Planning Commission did not hold a meeting on July 22nd was because the Lincoln County Planning Commission held a meeting, and Tokos had to attend because both City issues were on their agenda. Tokos noted that both actions were recommended favorably to the County Board of Commissioners for adoption. He said that the County didn't make changes to the UGB expansion. They did tweak the language on the TSP, but specific to the County and how they implement. It had to do with the role of their conditional use permit that applies to land within the UGB. He said it was pretty minor. He has inquired, but has not received word of when the Board of Commissioners will be considering action. He assumes there will be approval there as well. For the UGB expansion, following Board of Commissioner approval, it will go to DLCD for acknowledgement, which he assumes there will be. At the County Planning Commission level, the 1000 Friends of Oregon weighed in with support. ORCA, which was one of the appellants to the Teevin Bros. log yard, weighed in with support also. DLCD changed from a neutral stance to support. Tokos said it is just a matter of time to get this acknowledged. As soon as the County adopts the TSP, it will go to the Oregon Transportation System; and he said that he knows that ODOT is anxious to get there

H. Director's Comments.

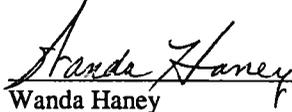
1. Update on Teevin Bros. appeal. Tokos said that we are still waiting for word from LUBA that the record has been finally settled and what the briefing schedule is for the appellant and the respondent. Fisher asked if LUBA will be actually looking at the documents and rule on the record or if they could actually have hearings. Tokos said that LUBA is limited to the record. The nature of their hearings is that is where the attorneys get to argue what is in the record and why it should be compelling one way or the other. He said that once we get the brief from the appellant, we will know what they are arguing. But, until we get the briefing schedule from LUBA, we don't know what the schedule will be. Notice will be given that everybody accepts what is in the record, and after that nobody can say there are other documents that should be in there. The appellant provides their documents, and we will have an opportunity to respond. That is where the City Council will have to decide how active it wants to be in this. Does it want Teevin's attorneys to handle the substantive stuff and the City will deal with the procedural stuff; that conversation still has to be had. Tokos said that this appeal is not the only thing Teevin is working on. He hasn't heard anything new in terms of the lease agreement.

2. Infrastructure Task Force. Tokos noted that an Infrastructure Task Force has been formed largely with City Council and Budget Committee members and representatives of Finance, Tokos, and Tim Gross. The task force will be meeting half a dozen times between now and November to come up with a recommendation on how the City might adjust how it does business to come up with better funding for infrastructure. Tokos said this came about following discussion regarding rate increases. The idea of this committee was to expand this to a broader conversation to infrastructure generally to include not only water, sewer, and storm water, but also parks, and buildings; the full scope of things that the City has an obligation to maintain and what funding sources it is using. Tokos said the group has put together a good schedule for working through those issues and having a recommendation coming out at the end of the year. He noted that some actions may come down to the Planning Commission to work through.

Croteau noted that last week there was an article about the dams in the newspaper that he thought made it sound like it was based on new information. Tokos thought this was old news being rehashed somewhat. The state engineer responsible for dam inspections shared with the City Council what he had shared with Tim Gross that we have to take a harder look at this. Tokos said that he believes this was information already shared with the Public Works Director and that he tried to share with the Planning Commission on why this project is important. He doesn't know that it was presented directly to the Council by Gross as it was by the state engineer. That is why the article ran. Tokos noted that the City just accepted the proposal from HDR to do the more-detailed analysis that will get at further design problems and potentially solutions.

I. **Adjournment.** Having no further business to discuss, the meeting adjourned at 7:22 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Wanda Haney". The signature is written in black ink and is positioned above a horizontal line.

Wanda Haney
Executive Assistant