

MINUTES  
City of Newport Planning Commission  
Work Session  
Newport City Hall Conference Room A  
June 26, 2017  
6:00 p.m.

**Planning Commissioners Present:** Jim Patrick, Bill Branigan, Lee Hardy, Jim Hanselman, Bob Berman, and Mike Franklin.

**Planning Commissioners Absent:** Rod Croteau (*excused*)

**PC Citizens Advisory Committee Members Present:** Dustin Capri, and Karmen Vanderbeck

**City Staff Present:** Community Development Director (CDD) Derrick Tokos, and Executive Assistant Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **New Business.**
  - A. **Newport Vision 2040 Press Release.** Tokos invited the Planning Commissioners to take the new survey. Once vetting is done, the Advisory Committee & the City Council will have a workshop in August. They will assign and identify priorities. The survey will run through July. There have been 150 responses so far.
  - B. **Garage Setbacks in the Nye Beach Design Review Overlay.** Patrick noted the last page in the packet didn't have the name of who submitted the letter. It was from Cathy Briggs. Marineau read Briggs' letter to the PC for the record. Wendy Engler requested that all the letters that were submitted for the topic be read for the record. Capri read the letter he submitted. Marineau then read an email submitted by Charlotte Boxer.

Tokos explained that in work sessions, the PC doesn't make decisions. The CC requested the PC's thoughts on setbacks. Tokos said that he told the applicant, Brodie Becksted, that the topic would be discussed at the meeting. He also informed Briggs and Boxer about the work session meeting. Tokos explained that whatever rules are changed will not affect the three properties on West Olive that already had plans submitted for by Becksted.

Patrick asked for the public members present to state their names for the record. In attendance: Wendy Engler, Dean Burgess, Paul Brookhyser, Gloria Tucker (News Times), Veronica Williams, Martha Wilberg, and Jerry Barrett. Engler asked if garages were required. Tokos said that there needs to be off street parking but it doesn't have to be in the form of a garage. Engler asked if they didn't want to put in parking, they could get a conditional use permit. Tokos said yes, discretionary reviews are an option. Capri asked if a conditional use for parking would be a staff level decision. Tokos explained that it would go to the PC. Mr. Becksted chose not to go down the discretionary road by adding garages.

Branigan asked if the building permit that is issued has a zero set back. Yes, and the other two permits applied for do as well. Tokos explained that it is a C-2 zone and in 2008 there was an amendment in the Nye Beach guideline to allow single family residences and other residential uses. In C-2 zones, there are no setback requirements. The building has to be located within 5 feet of the property line as well.

Berman asked Capri to expand on his nonresidential first floor solution. He envisioned it as mixed use with commercial on the first floor.

Williams expressed her concerns about the safety of the corner at Olive Street. She felt that approving the design showed no concern for public safety and was more about making a buck. Brookhyser asked what the size of the lot was and what the off street parking requirements were. Tokos said the three lots are 45 feet by 55 feet each and explained that the code doesn't require access consolidation for parking. Brookhyser said vehicles can't see anything when they back up and cross sidewalks. Tokos said there is a green strip between the sidewalk and side of the road. He talked to City Engineer, Tim Gross, who didn't view this as a safety issue. Brookhyser disagreed. Williams asked if the permits for all three lots have been issued. Tokos explained the building permits have not been issued for two of them, but the applications have been submitted. The rules that were in effect on the day the permit was submitted are what is applied, according to the no change rule. The City doesn't have discretion to say no on an application when it meets the standards. Berman said that if the PC believes it is a problem, changes can be made in the future.

Williams asked if someone could sue the City if there was an accident at these sights. Patrick said anyone can sue if they want to. Tokos explained that it was unlikely there would be a case as the owner chose to build homes that met the standards that were in effect at the time.

Brookhyser asked if the lot sizes were smaller than normal. Tokos explained in the Nye Beach area the minimum lot size is smaller at 3,000 square feet. Capri said he would like it if off-street parking wasn't required in the area because it creates a weird layout for the design.

Barrett asked Capri about the footprint size was that he referenced in his letter. Capri explained the size and setbacks requirements affect the size and layout. Barrett asked if zero setback are required. Tokos explained that garages need to have a zero or 20 foot setback with a portion of the property within 5 feet of the property line. Franklin said it sounded like there needed to be new rules for residential. Tokos said the PC may want to look at garage setbacks if they chose to look at new requirements. Patrick said that he saw two issues here. The first was the change in 2008 to have residential in a C-2 zone. He thought this was what went wrong originally. The City made accommodations for someone at the time and didn't foresee what was going to happen in the area. The second issue was the original plans submitted for Becksted's property had a 2.5 foot setback for the garage on the drawings. The way the current rules are written made them choose a zero or 20-foot setback to be compliant with standards.

Wilberg said that she couldn't believe it was not considered a safety concern. Vanderbeck suggested that standards be added to the three properties; such as blinking lights for safety concerns. Hardy suggested engaging an insurance specialist who could make recommendations to ensure liability. Berman said that addressing the parking requirements could alleviate some of the problems. The PC was open to discuss these and other issues at the July 10th meeting.

3. **Adjournment.** Having no further discussion, the meeting adjourned at 6:55 p.m.

Respectfully submitted,



Sherri Marineau,  
Executive Assistant