

MINUTES
Nye Beach Design Review Overlay
Ad Hoc Work Group Meeting
Newport City Hall Conference Room A
Wednesday, June 17, 2015

Ad Hoc Members Present: Don Huster, Kathy Cleary, Wendy Engler, Jody George, and Michael Franklin.

Planning Commission Liaison Present: Jim Patrick.

Guests Present: Frances Vanwert and Chuck Victory.

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

The meeting came to order at 10:30 a.m. Tokos distributed copies of the agenda, the amended Design Review Code, the map (which hasn't really changed), the Design Review Guidelines, and the updated glossary. He still needs to do some formatting and cross-referencing; but it's getting closer. With this copy of the glossary, all of the illustrations are included (1 through 12). Everyone thought this helped tremendously and thanked Tokos for the good job. Tokos noted that he did swap out some of the graphics and added others to make it easier to copy. He said that first he would like to go through the changes to the Municipal Code or Zoning Ordinance and then go through the Guidelines, which the group has reviewed and provided comments on before, and he incorporated those.

Review draft Zoning Code Changes incorporating guidelines. Tokos noted that with respect to the Zoning Ordinance Chapter 14.30 (Design Standards), the Purpose section was preserved, and there were really no changes to that. As is standard practice for the Planning Commission when updating code chapters, the definitions are incorporated in one chapter of the ordinance so they will be moved to the definitions chapter of the design code. The ten-year Council review requirement that was Chapter 14.30.030 has been deleted because that has been satisfied with this effort. Under Chapter 14.30.020 (Design Review Districts: Overlay Zones Established) he will have a legal description plugged in here when it goes through the formal adoption process. That will be a text description of what is illustrated on the map. The "Adoption of Design Review: Guidelines and Standards," which is Section 14.30.030, we basically have that provision right now. It will be updated to reference the adoption date of the new guidelines and illustrations, and that is how they become official. Section 14.30.040 (Design Review Required) gets into more significant changes. This had exemptions rolled in with it, and Tokos broke them out separately; which is our practice in the ordinance. He noted that substantial improvements are defined as 50% of the fair market value of the structure. Instead of single-family dwelling, there's a reference to just dwelling unit to pick up multi-family developments. In regard to relocation projects, he said the group may want to discuss that. He couldn't figure out a reason for it being specific to structures being brought into the district. Whether it's relocated from outside the district or not, it would have to meet the Guidelines so he went ahead and made it generalized so it now applies to relocation within the district. Everyone generally agreed with that thought. He reduced the threshold for commercial accessory structures to 120 square feet. It was 300 square feet. The 120 square feet matches up with the Building Code for when a permit triggers. For the ease of administration it is easier to get it right when you're not having to decide what the alignment is with these thresholds. If a building permit is required, you have to look at design review. Everyone thought it's good that it matches up. As far as the exemptions, Tokos noted that the first one was already in there. We do have a chapter of the ordinance that deals with historic buildings. They are exempt and would continue to be under this proposal. They have their own set of standards that they have to follow. Item "B" is new. It's in our definition for substantial improvement. It would be like somebody having to meet local health code or safety improvements; and they aren't subjected to design review. Patrick asked if ADA falls under that; and Tokos confirmed it would. Franklin asked what sanitary specifications would be; and Tokos explained failed sewer lines or storm water lines. Tokos said this was implied, but now it's explicitly stated that if it's not a substantial improvement or new construction, it's not subjected to design review. Cleary asked what about if someone's adding a window. Tokos said that's not substantial. Cleary said then they could put in anything. Franklin said the hope is they stay with the feel of the house. Cleary said she questioned that one. Lots of time there's an absentee landlord. George asked how that would be enforced if they don't pull a permit. Tokos said commercial would. Patrick said not with replacement. George said they could take out the window trim and there's not really any way to monitor that. Tokos said the design guidelines weren't set up to deal with that originally. That would get into greater detail.

Tokos said that Section 14.30.060 (Approval Authority) explains what goes down what path. The Community Development Director is the approval authority for complying with design standards; the nondiscretionary stuff. This mirrors how it's currently set up. It's done as part of the building permit. It's not subject to notice. It's a checklist. He did make a change to the Planning Commission review. It now reads, "new construction, substantial improvement, or relocation of a commercial or public building that is over 65 feet in length or 35 feet in height." It currently wouldn't trigger on a dwelling. He asked if the group wanted it to. He said that he would say not a dwelling unit. The height and length issue as discussed has been commercial development; hotels and motels. Patrick thought we need to pick up apartments. He said maybe say multi-family. Tokos said we could just

say dwelling unit. In most cases a single-family home is not over 35 feet, and 65 feet is huge for a home. Maybe he'll just keep that in there. Number 2 explains that it gets kicked to the Guidelines if they can't meet the standards. Number 3 explains that if they come with a proposal that involves a conditional use permit, a variance, or something, it all goes to the Planning Commission. Even if the standards are met but it needs a public hearing on another matter, it all goes before the Planning Commission.

Section 14.30.070 covers the submittal requirements. First for those to the Community Development Director; which is largely just a building permit application, plans, and a checklist. Patrick asked if a lighting plan shouldn't be in here too. Tokos said it should be under the Guidelines, and that's for the Planning Commission; not the Community Development Director, which are Design Standards. He said it's not necessary to have it under the Community Development Director submittal, but he will put it under the Planning Commission. We don't have a trigger for it that he is aware of. Franklin asked if it wouldn't have to pass electrical review for state lighting requirements. Patrick said we have our own lighting requirements down there. We have rules for it. It doesn't call for it in the plans. The Inn at Nye Beach had to pick up and do it. Tokos said he would add lighting plan under the Planning Commission. Submittals to the Planning Commission include exterior elevations, lighting plan, landscaping plan, written findings, and any other information that the applicant believes establishes the projects' compliance. Plans should all be drawn to scale; that way we can verify.

Section 14.30.080 covers permitted uses. In Tourist Commercial (C-2), up to five multi-family dwelling units per lot are permitted outright provided they are located on floors other than street grade. That's an existing allowance. Engler asked if there isn't an exemption on 3rd Street. Tokos said that's under item "A-1-d"; "single-family, duplex, triplex, fourplex, and multi-family dwelling units, including at street grade, if located on property south of NW 2nd Court and north of NW 6th Street fronting NW and SW Coast Street, NW and SW Cliff Street, and W Olive Street." Engler thought it was on 3rd Street. Tokos said that most of 3rd Street is not C-2; most is R-4. Engler said that west of Coast is C-2 and is mostly residential. She wondered if those were torn down, would someone have to put a storefront below. Tokos noted that item "c" provides that a single-family residence is permitted outright, including at street grade, within a dwelling constructed prior to January 1, 2004. He said those are the allowances in the current code. He just cleaned it up by putting it in one spot. Under item "2", in the high density multi-family residential (R-4) zoned property, that's an existing allowance that basically uses permitted outright in the C-2 zone are subject to a conditional use permit. The limitation for the conditional use is 1,000 square feet as it is now. That's as it is now, it's just cleaned up so it's easier to work with.

Under Section 14.30.090 (Prohibited Uses), any new or expanded use in the C-2 zone that exceeds 2,000 square feet is prohibited unless there's a conditional use permit. That is in there now. Recreational vehicle parks are prohibited within the C-2 and Public Structures (P-1) zones. Huster wondered if 2,000 square feet is the right number there. Tokos said that's not a design trigger; just for a conditional use permit. If they have a conditional use permit, the Planning Commission will see the whole thing because the applications are consolidated. They could have a conditional use for expansion over 2,000 square feet that wouldn't trigger anything more robust. It might not be over 35 feet in height or the side of the building might not be over 65 feet in length. Those issues might not be in play, which is a different trigger. He asked if 2,000 square feet is right; that's what's in there now. He said you could have one where it triggers it and you end up in the guidelines because it's big enough that it will trigger that as well. If they meet the standards, for the Planning Commission Tokos would advise that they do and that the Commission is just reviewing the conditional use permit. He said this is only on new or expanded uses, but if a pre-existing structure is expanding above 2,000 square feet then it's triggered. Cleary thought maybe we need a lower number. Huster said that he wouldn't want to go lower. Tokos explained that where they've taken down a home and put in retail, that's new. Vanwert asked if it could be broken out. Could you separate it so that new is different than expanded? Cleary said or put a cap on the total size. Franklin asked if we don't already have that. Tokos said each lot will have its own limitation based on size. Huster said you can't go that big down there anyway. He asked what if it's multi-story. What if they hold to a 1500 square-foot footprint but do multi-level? Franklin noted that it's gross floor area. Huster said it wouldn't look different, just more square footage for one particular commercial application. Patrick said this says prohibited. Tokos said unless there's a CUP obtained. He said when it has triggered a conditional use, you are looking at design guidelines anyway because they tend to be big structures. Huster said maybe it's about right for checks and balances.

Tokos said next the code gets to special standards (14.30.100) such as no drive-through windows are allowed. That's in there now. There is a requirement that commercial buildings fronting certain streets are not set back more than five feet. There is also a guideline that gets at that as well. The purpose is to keep the buildings close to be walkable. The sidewalks are public rights-of-way. Franklin said then that's beyond the sidewalk and is within five feet unless it's sitting back for something like a patio or a courtyard. Tokos said that the next special standard is that the required yards and setbacks are reduced by 50% except for garages. That will remain at 20 feet. That is something the group talked about early on. Then it acknowledges the minimum lot size; 3,000 square feet area and 30 feet lot width. Huster asked what happens with an existing nonconforming lot. Tokos said if it's an existing legal lot, you are fine. There may be some really old ones that are smaller. As long as it's lawfully created in the first place, it's okay. Number 5 Residential Uses gets at ones that are permitted on C-2 in those specific areas. Those were dimensional standards. It includes 35 feet height. You have maximum height and lot coverage. Franklin said that will keep the size of structures down quite a bit. Tokos said that Number 6 gets at adjustments to off-street parking requirements. The first 1,000 square feet of floor area for commercial uses is exempted from the calculation. That is an existing provision. A parking

credit is allowed if there's an on-street space abutting the property. The provision requiring a conditional use permit over 100 feet has been deleted. It's been replaced with a provision in the Design Guidelines for the Planning Commission with 65 feet threshold for review instead of 100 feet dimension. Franklin asked why on 6-A the first 1,000 feet is exempt. Tokos explained that it's a way to encourage density down there. The issue is to provide off-street parking. Hopefully it's striking the right balance given the public assets down there. Engler asked if the 1250 square feet means they can't build bigger. Tokos said it's density; the number of units you can have. If you have a 5,000 square foot lot, you can have no more than four units. Engler asked, regarding the parking, does the City allow for compact spaces. Tokos said 40% of overall spaces can be compact. Cleary asked what the difference was in size. Tokos said standard spaces are 9' x 18', and compact is 7.5' x 15' or 16'. Tokos said there had been language about the allowance of B&B uses on any floor of a dwelling, and that is now gone. That's taken care of in the VRD code. The remonstrance agreement is also handled separately under the transportation standards; so it was taken out. We have consolidated the review procedures in another chapter, and that's why they're pulled out of here. He left the "Modification of a Design Review Permit" section (14.30.110) in here. It talks about if you are changing the design. If you were approved under Design Standards, you take it back through and go back through review under the Standards. If it was under the Guidelines and Planning Commission approval, then you have to take it back to the Commission. Cleary asked who is to know they are modifying. Tokos said we'll see it in the building plans. You can eliminate an element and not be subjected to go back through. For example, if you had a small out building and decided not to build it, you wouldn't have to go back; or if you replace it with something that doesn't require design review. Huster asked if someone removed the Gingerbread they would; and Tokos confirmed that. If it was something like they left the corbels off, that would be picked up in the inspection. If it's not consistent with the building plans, then we require correction at that point. Franklin asked if then that's something that will be picked up and not just slip through. Cleary said that's been her concern all along; enforcement. Engler asked if the original application fee would apply. Tokos said if they have to go back, we have to notice it and incur the costs on that front. Patrick said we typically don't encounter this unless the builder ran into something during construction. Tokos mentioned for instance that the Inn at Nye Beach won't be constructing their spa building. The owner assumed that it was okay, but the engineering geologist said it's not okay with a building that close to the edge of the bluff. There will be an at-grade space that is open.

Tokos next covered Section 14.01.020 (Definitions). He noted that the biggest change was to "substantial improvements." What was in the existing code was split between 25% and 35% thresholds. We use 50% in the floodplain and in the Sign Code; and we're looking to standardize with that version. So if what you're doing exceeds 50% of the market value that constitutes substantial improvements. Patrick asked if that's the market value of the structure only. Engler asked, not assessed value? Tokos said we use market value off the assessment. Patrick said right now that is way out in front. Tokos said he made a slight adjustment to the definition of gross floor. We had one for parking and how it's calculated for parking. We really would like just one definition, so now it's the same.

Review updates to the Design Guidelines and Standards incorporating revisions from the February 25, 2015, meeting:

Tokos said that he found the original graphic photo file, so that's why the photos look so much better. Huster asked if they're digitized so they can be reproduced; and Tokos confirmed that. He said that a lot of what you see are changes to be cross-references to the Municipal Code; just cleanup. Under the Design Guidelines on the top of page 4, that is important cleanup; 65 feet in length and 35 feet in height. That's typically for commercial projects. That's the new proposed dimensional standards as opposed to 100 feet and 35 feet triggers for Planning Commission review. Under Guideline 1, another reference to the illustrations was added. On Guideline 2 (Building Scale) he made a change that the group requested at the last meeting; "building elements oriented towards a public or private street." That's what that guideline is about. He added a bullet point that gets at if the building is greater than 2 stories or longer than 40 feet, you need to emphasize breaking it up by using those methods. Franklin noted that it also has the 6 foot step-back on floors above the second floor. Tokos confirmed that it does. He said you have to do at least two of the four elements listed. Engler asked if it only has to be stepped back 6 feet if it's above 35 feet. Tokos noted that you could be over 65 feet in length and not trigger the height and still do a second story. When you get the third story, you are pushing 35 feet anyway. Under Design Guideline 3 (Roof Design), he added some references to illustrations from what the group talked about previously.

On Design Guideline 4 Tokos made the requested change to the second bullet for the exception to commercial if they have to provide for fire egress. On the third bullet, he cleaned up the language to say "Separation between building walls at the street level..." Franklin wondered if we should add fire egress on that as well. What if there's a door on the side? If they had 3 feet or 5 feet between buildings because that is the only way somebody could get into a fire door; say there's a cliff behind them. Tokos said this says they have to avoid separation at street level. Typically our fire department doesn't have a problem with a longer building as long as they have a way around either end.

Tokos made no changes to Guidelines 5 and 6. On Guideline 7 (Connected Pedestrian Network), the group asked him to put in language that makes it clear this is talking about linkage between adjoining public and private spaces, and not private to private spaces.

For Guideline 8 (Exterior Lighting and Glare Avoidance), Tokos added language on the first bullet point stating such that no direct glare occurs onto public right-of-way or adjacent property; and on the second bullet the group wanted to allow targeted

uplighting if it's used to draw attention to a specific design element by being directed at that feature. Huster asked if there wouldn't be glare if you're looking up. Tokos said if there's downlighting on the building, we don't want it to glare onto the public right-of-way. We want it directed back at the building or straight down. Engler said that she has a problem with the light poles that PUD uses. They only have bright bulbs; ones made for highways. She sees a problem if your bedroom window is next to one of those poles. Cleary thought that the lighting they put in Nye Beach is a problem. Tokos said that's an issue for a future conversation with PUD. The City would love to see street lighting downward directed. Engler thought maybe if we lobbied the PUD. Tokos said the City is a pretty big customer. George wondered if it could be just a bulb issue. Tokos said they could put a shield that looks like a hat over the existing lights. Franklin said if it's just a bulb issue, do they just replace them. Huster wondered if PUD is just not interested in finding them, or they don't exist anymore. Tokos said it's a culture change with PUD, and there probably are some cost considerations. Maybe if we had a citizens committee to see that it happens. We are only two or three years from their franchise coming up; and that's something we probably can work into that. Patrick said with the new LEDs he bet you can get a beautiful design that would direct light down. Engler said when she talked to Paul Davies who was with PUD, he said that PUD wants to provide affordable power, they don't want to store poles or inventory. That is why the City had to do the Bay Front and Marine Science Drive. Tokos said the City doesn't want to maintain an inventory either. Tokos said we might want to get a street lighting district.

Tokos noted that Guideline 9 (Requirements for Solar Access), he relocated out of the Standards per the group's recommendation. The language is all the same, he just moved it into the Guidelines.

Tokos said that there were relatively minor changes to the Standards. On page 10, he added the chimney element to siding. George said that she would like to see board and batten included as an outright use. It is a moderately priced, very traditional, very casual, beachy finish. Franklin said it can also look very cheap if the whole house is done in it. Patrick said that fake board and batten is nothing but T-111. Franklin mentioned a rough-sawn cedar that you put the bats on; and when it's painted it looks cheap. Cleary wondered if board and batten is added to the list, can we require that it be heavy-duty. Could we write in the materials it needs to be made out of? Franklin said it's not a big deal if it's just used on the gable end or a little, but if the solid structure is mainly T-111, it would look cheap. Huster said maybe just as accent. George thought that was the conversation at the last meeting that she wasn't able to attend; if you just used it as an accent. Tokos said that it's limited to no more than 10% under Design Standard 3. Huster said maybe that covers it then. Franklin thought that something should be there saying that you can't use that as the major element. Patrick noted that it lists the options for the main siding. Engler said that 10% is not very much. She said she just saw a gorgeous corrugated metal building in Yakima. George said that people can go overboard with board and batten. We can't cover all of that. Tokos said if someone feels strongly about board and batten, they can go to the Planning Commission. George said Greg Morrow is using it on his building down there, and it doesn't bother her. She wondered if it's permissible. Everyone agreed that it's an improvement over what it was; and these codes aren't in effect yet. Tokos said he wasn't sure Morrow is doing enough modification in terms of value to trigger review in the first place; he probably isn't. Tokos said it's important to think that these are Design Standards. They are black and white; if they meet them, they go. When it's administrative, it's better to be conservative for alternative elements. It's not like they can't seek Planning Commission approval and get public input. If they're building under the Standards and it's an allowance, we have to let it go. Engler asked what the fee is for design review. Tokos couldn't remember the exact number, but said it's several hundred dollars.

Cleary said on page 8 where it says Element B "Main Façade Features," at least two are required. She wondered if that's out of all twenty; or just through nine and then two out of roof details and two out of siding. She thought that if it's only two out of all of the choices, that's not enough. Franklin asked if it isn't one from Element A and two from Element B. Cleary said if they choose a sunroom and also choose a porch from the main façade features that takes up two and they don't have to do anything under roof detail or siding. Tokos noted that the group spent a fair amount of time talking about breaking them up. Requiring two from each element wouldn't be hard at all. George said she sees how Element A would be just one. Looking at Element B, Tokos thought it wouldn't be tough to do two from each subcategory; porches and verandas, roof details, and siding. Cleary said as it is if they want a porch on two sides of the house that takes care of it. Shouldn't there be two in roofs and for siding. Huster said he prefers it the way it is. Patrick said he didn't want to see two out of roof details. Cleary said maybe say out of each element a minimum of one has to be chosen. Patrick said why don't we say select one out of each subsection; pick one from porches, roof, and siding. Huster said historically, Nye Beach structures were simple to fancy. We don't want to require too much. Cleary said but we want to require enough. She wondered about the difference between Element A and Element B "Roof Details." Tokos said that roof details are more decorative. Element A is basic roof pitch and roof design. Cleary asked so they pick one out of Element A and then pick roof details. Tokos said Element B is artistic, and Element A is basic structure. George agreed that it's not enough if they only have to pick two out of all of Element B. Tokos said if they have to pick one; they have to put siding on their house. It's almost better to go with four rather than two. Patrick agreed we need to be careful. He thinks there's a lot of things that wouldn't work if they pick one out of each. Everyone thought it was better to say pick at least four out of the twenty. Tokos said if it's pick two, they will pick siding because they have to side the place. He said for Element B it has a total of twenty. They will be picking at least four. Everyone thought that was fair. Engler asked if windows have to be trimmed. It was noted that is a choice on the bottom of page 10.

Under “Multiple Family Dwellings” on page 11, Tokos noted that the strike-out language is what the group discussed wanting to strike. It was language that SERA put together and gets at trying to put standards to the depth of a building in addition to the length of a building. What Tokos got from the group at the last meeting was that it didn’t make a lot of sense. Engler asked why it doesn’t. Tokos said we can’t put in nondiscretionary standards. What does “approach” mean; is it within five feet, ten feet, or what? The discussion was if it’s 65 feet in length, we can’t go more than 65 feet in depth. How does that work for structures that aren’t just a box; say L-shaped. If it’s 65 feet on any face, it gets into the Design Guidelines anyway. So, he took that out completely.

Tokos noted that on page 15, he pulled the SERA-suggested solar access requirements and put it in the Guidelines as number 9 instead. The strike-out at the bottom of page 15 is for commercial as opposed to residential, but it’s the same language. He thinks “C” at the bottom of page 16 was a strike-out, but he doesn’t remember the specific discussion; maybe it just didn’t make sense. Patrick noted that sometimes the side of a building is up against another building; and like with the Inn at Nye Beach, a situation where they couldn’t put windows on the north side because it was a fire wall. You can’t meet the standards on a fire wall. He thinks that’s why we struck this. Cleary wondered if that will leave a loophole later on. Should we leave it in there with a caveat about fire walls? Patrick thought striking this won’t leave us open to anything.

Tokos noted that on page 17 in Item “D” he removed the reference to payment in lieu of parking, which is no more. On page 18, the solar access requirements were moved to the Guidelines.

Cleary told Tokos he did a good job.

Tokos noted that on the Design Review Glossary and Illustrations he swapped out a lot of the illustrations and went with ones that would photocopy. Patrick noted that the definition is there for regular board and batten siding. George noted that for the corner board picture, Tokos used the one that is incorrect. It makes more sense if he were to use the correct picture. She said to look at the example on page XVI. Tokos said also on page XVI he should label those illustrations “preferred” and “avoid” as well. George said to her the corner board illustration is confusing. Cleary said if you remodel, you can do anything; that’s where the rub comes from. Tokos said if it’s less than 50% of market value, there’s no review. Huster said, but you are starting with something. Cleary said it seems there should be restrictions for remodeling as well to keep within the guidelines. Tokos said you do see that with architectural review in some areas. This wasn’t set up to deal with changes in structures. As long as it conforms to this definition, board and batten could be added. Cleary asked if there are standards, or it’s just a board. Patrick said you can get 16 inch; but it’s usually 12 inches or smaller. He said the problem with board and batten is they split. Franklin wondered if it would make sense to state that it does not include 4’ x 8’ sheets. Patrick said there’s no definition of any sheet goods at all. Tokos said he could expressly put in the definition “no plywood.” Franklin mentioned a product, Breckenridge, that looks like real cedar and then you put the batten over them. It looks nice, and he wondered if by just saying plywood we would be eliminating that. Patrick said for outright if you stick with board and batten, you can get away with it. He thinks we should define that stuff somewhere in here. Huster wondered if we defined the distance between the batten strips would that help or be confusing; maybe a maximum of 16 inches, or we could do 12 or 8. George would like a maximum of 12 inches. Huster said it depends on the size of the structure. Patrick suggested sticking with the original definition of wide and thin boards; and we can play with that.

Everyone told Tokos this was a good job.

Tokos said after you get out of the definitions, the rest were just illustrations. The illustrations starting at number 7 are new; 1 through 6 are pre-existing. Numbers 7, 8, and 9 were redone. Illustration 10 gets at massing, 11 shows transitional materials, and 12 is an example of solar shading. On illustration 11, Tokos will write the descriptions under those two as was discussed.

Next Steps: Tokos is planning to take this to the next Planning Commission work session for discussion and to present what the group has just seen with the changes that have been talked about. Coming out of that, he hopes to get direction from the Planning Commission to initiate the amendment process. Cleary asked how he expects it to go. Tokos thinks it will go fairly well. A lot is clarification and some additional cleanup. The biggest thing is that guideline review will be required for structures that are 65 feet in length and 35 feet in height where it used to be 100 feet in length and 35 feet in height. There are some additional guidelines developed; solar is one. Massing is further clarified in terms of what we’re looking for. And there’s material transitions and things of that nature. Those are the biggies. Patrick said it’s also a lot clearer. It will be easier to look at and get a pretty good idea if a project will fit. Tokos said there is also more in the way of treatment required. Huster asked if Tokos had a timeframe for the process. Tokos said if the Commission comes out of the work session and says initiate the adoption process, he would put it together. We would notify the State 35 days prior to the hearing. The initial hearing would be set a month and a half out. If that goes well, the second hearing at the City Council would be two to four weeks after that. Cleary said so this could be adopted as soon as fall; and Tokos said absolutely. He said that he doesn’t see anything terribly controversial. Patrick said the boundary changes maybe. Tokos said he had talked to John, and he is fine with it. Patrick was thinking up north where there is some R-4 property we are pulling into the district, and we took some out. He doesn’t expect much from them; but you never know. Engler said if it can fit in, she would like to request that Tokos include an illustration on the first page of a building

that is commercial below with living above because we are including businesses. She said maybe he could take one out. She likes the Linger Longer Lodge because it's still there. Patrick prefers to take out the Starr Cottage because there's too much Gingerbread.

Tokos said this is the last meeting of the Ad Hoc Group, but he will provide the members with notification of the hearings.

Discussion of Proposed Nye Beach Center Zone Change: Vanwert noted that several members of the group had met independently and had turned in a proposal for a zone change in the core area of Nye Beach. She asked Cleary, George, Engler, and Victory if they were okay with the recommendations made here in this document or if they wanted to proceed with that zone change proposal as well. Those members felt that while it's likely the proposed zone change might help with development, they felt comfortable that these changes here will cover their concerns satisfactorily. Vanwert said the whole reason for the proposed zone change was to address mass and scale. She asked if this code change adequately addresses that. Engler thought there were interesting concepts to that, but she wondered if they wanted to go ahead wouldn't that be a separate thing and not incorporate that into this document? Tokos said they could pursue that separately at some point in time. It's true that loading that into this document would complicate it more. It's a concept that could be picked up at another point in time; particularly if this wasn't accomplishing what they wanted.

Other Topics:

Engler thought it was certainly good to get this taken care of.

Cleary said if we're doing this, she would be interested in someone being able to develop those six lots on Coast and Olive. She wondered if these guideline changes have helped to do that. Engler asked if she meant like the cottage cluster concept. Tokos said he has talked to one individual about that; and it can be done. Cleary asked if some of these changes makes that easier. Tokos said it doesn't do anything on that. Franklin thought the seller was set on selling only if the buyer builds cottage cluster style. Huster said it's been several years since he talked to the owner; but it didn't pencil out for Huster. He believes the owner paid too much for the property and is trying to get that back. Cleary said that Huster had brought up the requirement about having driveways next to each unit. We talked about group parking to help with that situation. Huster said have a common parking area. It meets the intent of the code. It would go before the Planning Commission for discussion. Franklin didn't think we have done anything to affect that negatively or positively. Huster thought the issue for those corner lots is more economic than zoning. George said the Planning Commission would figure out how to make it happen. Huster said that nothing prohibits cluster parking. Patrick agreed that the Commission doesn't get involved in where the off-street parking is.

Engler said she would like to see us encourage single-family homes or where you live above retail. She said that was Don Davis' original thing. He saw a village. She didn't know if we're saying that in the document. Patrick said it's set up for people to do it. Either they will do it or they won't. It comes down to what pencils out and what people want to buy.

Tokos said something to pick up separate from this process is something that came out of our student housing conversation; property tax exemptions for multi-family developments. If a developer makes their rent affordable, they would be eligible for a property tax exemption for ten years. The City has to start a conversation with the County. It's most effective if all taxing entities are on board. There's multiple unit, and then there's multi-family; he will have to double check on those. Either way the units, or some portion of the units, have to be offered at a certain price below market rate.

Adjournment. Having no further business, the meeting adjourned at 12:15 p.m.

Respectfully submitted,

Wanda Haney
Executive Assistant