



PLANNING COMMISSION REGULAR SESSION AGENDA
Monday, April 26, 2021 - 7:00 PM
City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

This will be a hybrid meeting which means that it will be held electronically, via Zoom, with a limited number of people (up to 15) allowed to attend in-person. The meeting will be live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190.

Anyone interested in making public comment is allowed to attend in-person, subject to congregant limitations (up to 15).

Anyone wishing to provide virtual public comment should make a request by noon on the day of the meeting, at publiccomment@newportoregon.gov, and ask for the Zoom meeting information.

Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. The e-mail must be received by noon on the scheduled date of the meeting. Written comments received by noon on a Planning Commission meeting date, will be included in the agenda packet. These comments will be acknowledged, at the appropriate time, by the Chair. If a specific request is made to read written public comment into the record during a meeting, staff will be provided a maximum of three minutes to read the comment during the meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER AND ROLL CALL

Jim Patrick, Bill Branigan, Lee Hardy, Bob Berman, Jim Hanselman, Gary East, and Braulio Escobar.

2. APPROVAL OF MINUTES

2.A Approval of the Planning Commission Work Session Meeting Minutes of April 12, 2021.
[Draft PC Work Session Minutes 04-12-2021](#)

2.B Approval of the Planning Commission Regular Session Meeting Minutes of April 12, 2021.

[Draft PC Reg Session Minutes 04-12-2021](#)

3. CITIZENS/PUBLIC COMMENT

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.

4. ACTION ITEMS

5. PUBLIC HEARINGS

5.A File 1-NCU-21: Alteration of a Nonconforming Use to Allow an Addition of Two (2) Mobile Home Sites to an Existing 14-Unit Mobile Home Park.

[Memorandum](#)
[Attachment A](#)
[Attachment A-1](#)
[Attachment A-2](#)
[Attachment A-3](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)
[Attachment G](#)

5.B File 2-NCU-21: Alteration of an Existing Nonconforming Natural Gas Facility to Allow Construction of Three New Concrete Foundations to Support Equipment, Pressure Vessels, Process Piping, and New Cable Tray.

[Memorandum](#)
[Attachment A](#)
[Attachment A-1](#)
[Attachment A-2](#)
[Attachment A-3](#)
[Attachment B](#)
[Attachment C](#)
[Schematic Illustration of Pretreatment Equipment to be Installed](#)

5.C File 1-NB-21 / 2-CUP-21: Design Review and Conditional Use Permit For a 25 Guest Room Hotel With Office, Dining and Lobby Space Identified as The Whaler at Nye Beach.

[Memorandum](#)

[Attachment A](#)

[Attachment A-1](#)

[Attachment A-2](#)

[Attachment A-3](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F](#)

[Attachment G](#)

[Attachment H](#)

[Additional Public Testimony - Norm Ferber](#)

[Additional Public Testimony - Jan Kaplan](#)

[Additional Public Testimony - Wendy Engler](#)

[Additional Public Testimony - Oregon Shores Conservation Coalition](#)

[Attachment A-2 - Revised Building Plans and Elevation Drawings Dated 4-5-21](#)

6. NEW BUSINESS

7. UNFINISHED BUSINESS

7.A Updated Planning Commission Work Program.
[PC Work Program_4-26-21](#)

8. DIRECTOR COMMENTS

9. ADJOURNMENT

Draft MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
April 12, 2021
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Bob Berman, Jim Hanselman, Braulio Escobar, Gary East, and Bill Branigan.

Planning Commissioners Absent: Lee Hardy (*excused*).

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri, and Greg Sutton.

City Staff Present by Video Conference: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

Public Members Present by Video Conference: Lisa Phipps, and Susannah Montague.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **New Business.**
 - A. **Yaquina Bay Estuary Management Plan Update.** Tokos introduced Lisa Phipps, the Department of Land Conservation and Development (DLCDD) North Coast Regional Representative. Phipps presented a PowerPoint presentation concerning the Yaquina Bay Estuary Management Plan Update. She gave an overview of the project, its goals, and the process their agency had set out for completing the Plan update. The Plan, adopted almost 40 years before, included natural resource and land use inventories to inform where conservation and development areas should be established. It also served as a technical resource to support the development of local policies and regulations that influence how in-water work was to be performed. Phipps noted they built some dollars into the project to go to jurisdictions to assist with this process. They hoped that by providing some financial compensation for the jurisdiction's time it would help mitigate some of the challenges.

Capri entered the meeting at 6:03 p.m.

Branigan asked if the intent of the project was for local jurisdictions, was there any intent for this to become a legislative issue for the State. Phipps reported there wasn't and it was intended to address local needs. Berman asked what the adoption process would be, and if it would lay out requirements for the individual authorities to comply with the documents once it was adopted. Phipps explained the City of Newport already has an estuary plan. If changes were made to update the Comprehensive Plan, Ordinance, or both, then it would become the policy the city would follow. Tokos noted the city wasn't obligated to adopt anything, but thought there might be something in this plan the city would want to adopt. This would happen through a legislative process. Berman asked if Newport decided to adopt this, and the Port of Newport did not, how do conflicts get resolved. Phipps reported that the Port did not have to adopt this. The Port could agree on their own to adopt some of the policies, but this was a land use process for the city and the county.

Hanselman asked what kind of scientific expertise would be a part of the project. Phipps reported the consultants and stakeholders would have a lot of expertise. The stakeholders included the Oregon Department of Fish and Wildlife, the Department of State Lands, NOAA Fisheries, and the Army Corp of Engineers. They were bringing in a lot of resource experts, industry representatives, natural resource groups, and political perspectives, as well as the consultants. Hanselman asked if the old plan was available to review. Phipps thought the City had it available, and the Estuary Management Plan was available on the DLCDD's website.

Hanselman and Sutton expressed interest in being a representative on the committee. Tokos reminded there would need to be a motion made to designate the representative at that night's regular session meeting.

- B. Newport Beach Access Resiliency Plan Evaluation Memo.** Tokos reviewed his memorandum and explained how KPFF Consulting Engineers had been retained by the DLCD to evaluate beach access locations within the City of Newport to identify two to three locations best suited for seismic improvements and to provide recommendations on the scope and nature of such improvements. Their work could then be used by the City to secure funding to implement the recommendations, increasing the likelihood that the improved access points will be passable as points of egress following a nearshore Cascadia earthquake.

KPFF visited beach access points north of the Yaquina Bay Bridge, and reviewed available geotechnical documentation. They recommended the Nye Beach Turnaround, Agate Beach State Recreation Site, and Schooner Creek at NW 68th Street as candidate sites for retrofits. City staff and Meg Reed reviewed the document and concurred with the analysis. KPFF was developing a package of retrofit options for the three locations and expected to have concept drawings prepared within the next couple of weeks. This project was fully funded with a grant from the National Oceanic and Atmospheric Administration. Work had to be completed by the end of the fiscal year.

Patrick noted the descriptions of the Yaquina Bay North and South were listed as the same thing as well as the Lucky Gap North surfer access. Tokos noted they looked at both access points at the surfer access and walked both locations. There had been some difficulty at the access to the north side of this location to hold the toe of the stairs at this location when it came to creating an easier access from the stairs. The sand had eroded at this area, which made it difficult to access it and create a stable landing.

Berman asked how much the State Parks would be involved and what their policies were for maintaining access points. He thought there seemed to be a conflict on what was described in the memo and what State Parks insisted on. Tokos explained they had conveyed to KPFF that any retro fit working being done below the vegetation line, that would be subject to State Park jurisdiction, would had to be vetted with them before it landed in a final report to make sure there were no issues should those solutions be pursued in the future. Berman asked if this went through, did it mean a permanent bridge would be installed at Agate Beach to get over the creek. Tokos thought this might be a possibility. He noted this work would be done completed by the end of the fiscal year because of the time limit on the NOAH funds. He would bring back their recommended solutions so the Commission had a chance to look at it.

3. Unfinished Business.

- A. Review Initial Draft of Code Amendments Related to Operation of Food Carts.** Tokos introduced Susannah Montague, a food cart owner who had made a presentation to the City Council on food carts. Montague explained that as far as the five hour time limit went, she thought it was reasonable for a fixed stand to be open for five hours shifts in lieu of moving the food cart every five hours. Her thoughts were to be open from 11 a.m. to 3 p.m. at the same location. Montague explained that for the location rules, she was okay with being a part of a pod but wasn't pursuing it at that time. She noted that the County standards to operate a food cart were already set high for them to get approved. She thought that using the County's existing requirements took a lot of the burden off of the Commission to insure only quality food carts and operators were in Newport. Montague also noted that the County required restrooms to be within five feet on the food cart and she met this standard with porta potties.

Berman asked Montague if she considered a trailer that was a permanently parked to be a mobile or fixed stand. Montague thought this should be a fixed stand. Berman asked for her thoughts on generator sounds. Montague noted that her current plan was to have a generator, but the more she thought of it she would need a location where they could plug into electricity and not use generator. Escobar asked if there was any reason for a five hour limit if they were to be a semi-permanent stand. Montague explained that she was trying to see how she could operate under the five hour time limit. She thought she could do this by being open for a total of five

hours. She would be happy with operating five hours or less a day, but didn't want to have to move her food cart every five hours.

Capri thought this made a lot of sense. He asked if someone was able to currently put a food truck on a privately owned property in Newport. Tokos noted that what they were currently addressing was if they could place a food cart on a private property in Newport. The five hour limit was a part of the initial discussion. Capri thought that if someone owned private property, and it was zoned for it, why would the City be against allowing them. Tokos reminded that this was what they were working on currently. He reviewed how the food truck rules came into play because of a request in the past for one to be placed at the Wilder development. Capri thought they should give consideration to trucks that wanted to buy a property and put a food truck there permanently. Escobar thought standalone food carts in Newport could benefit from this. Hanselman noted he was fine with food trucks being close to a brick and mortar restaurant, but thought a permanent truck on a private property would start to feel like a brick and mortar. A discussion ensued regarding the differences between brick and mortar restaurants and permanently fixed food trucks. Capri asked if people weren't allowed to do a pod on a private property in Newport under the current ordinance. Tokos confirmed this was correct.

Tokos acknowledged the public comment that was submitted by Janet Webster. She had a specific concepts she wanted to do on a property she had that was next to the School District. There was a separate vending code that prohibited vending close to schools. Tokos reminded the Commission that this was something they needed to take a look at.

Tokos reviewed the concepts for mobile food trucks and cart regulatory changes with the Commission. Berman asked if more than one definition for mobile food trucks was needed. Tokos explained this was defined by the County and the State, and he was trying to use the same terminology throughout.

Montague noted that for the discussion on transient versus non-transient vendors, she was speaking as a non-transient vendor. She noted that a generator was a part of her current plan but she might not need one. Montague reported that the County and Portland did allow generators. The newer generators were quieter and less stinky. She offered to research these and report back to the Commission.

Hanselman asked Montague what size of generator was required for a food truck. He thought that if they were regulated by sound or size that could be a solution to allowing generators. Montague wanted to look into this before the Commission made a decision. Capri asked if there was a noise ordinance for the City. Tokos confirmed there was one with a certain decibel level requirement. Berman thought they needed to look at requiring generators to comply with the noise ordinance. Tokos would bring information on the noise ordinance back to the Commission.

4. Adjourn. The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Sherri Marineau,
Executive Assistant

Draft MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers by Video Conference
April 12, 2021

Planning Commissioners Present by Video Conference: Jim Patrick, Bob Berman, Jim Hanselman, Braulio Escobar, Gary East, and Bill Branigan.

Planning Commissioners Absent: Lee Hardy (*excused*).

City Staff Present by Video Conference: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:10 p.m. On roll call, Commissioners Hanselman, Branigan, Berman, Escobar, East, and Patrick were present.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Work and Regular Session Meeting Minutes of March 22, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner East to approve the Planning Commission Work and Regular Session Meeting Minutes of March 22, 2021 with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Action Items.**

A. **Motion to appoint the Policy Advisory Committee Representative for the Estuary Management Plan.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to appoint Jim Hanselman as the policy advisory committee representative for the Estuary Management Plan. The motion carried unanimously in a voice vote.

5. **Public Hearings.** At 7:12 p.m. Chair Patrick opened the public hearing portion of the meeting.

Chair Patrick read the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Patrick reported a conversation he had with Julie Garrand where they talked about short-term rentals in terms that pertained to the public hearing. Hanselman reported a conversation with Carla Perry who asked him for additional information about HB 2001 and copies of Planning Commission minutes. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File 4-Z-20.**

Tokos noted that this was a City initiated proposal and there was no applicant. He acknowledged the testimony received after the staff report was posted from Shannon Nottestad, Linda Shubert, article in the NewsTime publication from Rose Jade and Lucinda Taylor, Kari and Kim Vertner, Janet Kiger-Hellard, Diane Killia, Lucinda Taylor, Elizabeth Burch, Racel Cotton, and Samuel Goldberg.

Berman noted that some of the additional testimony came in that day and close to the hearing start time. He didn't like to be rushed through reviewing testimony and thought they should have a policy that if something came in four hours before the meeting, the testimony would be read into the record by staff. Berman noted this didn't happen very often but the huge batch of testimony right before the hearing needed more time to digest. Patrick thought another option would be to continue the hearing so they had time to read additional testimony and digest it. Tokos reminded that they could continue to receive testimony close to the meeting time for each hearing. In this case, the testimony they had been receiving had common themes that concerned goal tend, additional density residential areas, and parking. They would be working through these issues during the meeting.

Tokos reviewed his staff report. He reminded that these amendments had nothing to do with any changes to the rules for short-term rentals. The proposal was to amend Newport Municipal Code (NMC) Chapter 14 to implement mandatory, and certain optional provisions of HB 2001 (2019) that would allow duplexes (i.e. two-family dwellings) on all lots and parcels in residential zone districts where single-family detached dwellings were permitted. Cottage clusters were added as a new housing type in R-3 and R-4 zone districts, and design standards were included for both cottage cluster and townhouse developments. The revisions further addressed the interplay between duplexes, accessory dwelling units, and multi-family uses, and an on-street parking credit option for new residential development had been developed similar to what the City currently had in place for portions of Nye Beach.

Tokos reminded that all medium sized cities were required to treat duplex units the same as single family detached and had to allow them on all lots where single family detached dwellings were allowed. If the city didn't do this by their own ordinance, city staff would have to then apply the model code as of June 30th. Tokos explained that the Commission had already reviewed the large city provisions and they elected to not do the optional rules to allow fourplexes on individual lots that allowed single family detached. The only options they went with was the allowance for cottage clusters in R-3 and R-4 zones where that density was already permitted. There was also no density change with townhouses, but the Commission expressed interest in pursuing design standards for them.

Tokos explained that there were options on how to make Accessory Dwelling Units (ADUs) work now that the City was required to allow duplexes. One mandate was to allow an ADU with a duplex which would mean three dwelling units on a property where presently there could only be two. Some Commissioners had voiced concerns about going down this path. Option two would just allow ADUs in conjunction with single family detached on a property. This was the minimum they could apply to comply with the State law. There was also flexibility with option two to allow ADUs with townhouses and for parking. Tokos reminded they couldn't treat duplexes any differently from single family detached. The draft code had the maximum amount of off-street parking they could require for a duplex and still comply with the State law. Another area they could go, but wasn't required, was to give an on-street parking credit where one was. There would also be six stipulations to this which were: 1) there could be no short-term rental on the property; 2) there needed to be measurable defined on-street parking spaces available in that area that was on both sides of the street; 3) each on-street parking space needed to be 22-ft long by 8-ft wide; 4) parking spaces had to be on the same side of the street and abutting the property; 5) on-street parking spaces could not obstruct the clear vision area; and 6) there was no assumption that the parking spaces were only for the property and had to be open to the general public.

Tokos reported that some people giving testimony were citing streets that didn't have sufficient parking that would not qualify. The Commission needed to consider the parking requirements because it could be an impediment to housing development.

Tokos reported he had only made one change in the code since the Commission saw it at the last work session meeting. This was to address a question by the DLCD who were a little confused on the transition for a duplex to a multi-family development. The added language clarified that the number of units was in

any particular building. Two units in a building was a duplex and three or more in a building was multi-family. This cleaned up the distinction between the two.

Tokos noted that the Fair Housing Council made a comment saying they wanted to see a Goal 10 finding included. The City wasn't required to make a Goal 10 finding or findings of compliance with any statewide goals until this package of amendments was up for final adoption in front of the City Council. He wouldn't put an ordinance together until after the Commission acted and made a recommendation to the Council so he could account for any changes they did following public testimony.

Berman pointed out that on Page 4 of 6 of the draft it stated "Option 2 could be expanded to allow a duplex for each townhome." Tokos would change this from a duplex to an ADU. Berman also noted on Page 5 of 6 it stated the rental units were priced at "60% median area income" and thought this was phrased wrong. Tokos would change it to "at a price point affordable."

Opponent: Janet Kiger-Hellard addressed the Commission and voiced her concerns on parking. She stated she lived in Portland and saw what happened when population increased. Kiger-Hellard wasn't clear on how many people would be allowed to park at apartment buildings. She was concerned about people having multiple cars at one residence. Kiger-Hellard was concerned about multi-family uses and large gatherings with no parking. She wanted to see this clarified better and asked if the changes were for all neighborhoods or just Nye Beach. Patrick explained this was for all neighborhoods because the City would be complying with the State law that said they had to allow duplexes on lots anywhere single family detached was allowed. He reminded that they could only require one parking space per dwelling unit. Multi-family had other rules for parking and had to supply their own parking in the complexes. Kiger-Hellard reported that she didn't have a problem with development as long as it was done for the betterment of the whole community. She had a problem with duplexes and multi-family developments with large families that didn't have off-street parking allocated for them.

Berman asked for an explanation on the parking requirements. Tokos explained that for purposes of the off-street parking requirements they presently require two off-street parking spaces for single family detached homes, and one off-street parking space for each unit of a duplex. The duplex parking was the maximum they could require by law. They could put together an on-street parking credit for areas where there were fully developed street sections and ample on-street parking. They also had to be sensitive on over parking as well. Tokos reminded that he included an analysis the State did on parking for smaller jurisdictions such as Newport. He noted there would always be people who have a greater abundance of vehicles but this was a modest percentage of the total. They were trying to on balance for those with high and low vehicle demand, and figured out if they had the amount of parking required dialed in right.

Hanselman asked if the on-street parking requirement was only given to specific sizes of cities. Tokos thought there were different recommendations for different sized cities. The State was recommending that medium cities not require off-street parking, but it wasn't a requirement. Hanselman found it difficult that a single family home that was required to have two off-street parking spaces for its one resident had a greater parking requirement than a duplex who had two living residents. Tokos reminded that there were instances in single family homes where there were multiple households living in them and have multiple vehicles. Duplexes tended to be a more modest in size and, to a point, would limit the pressure on parking. What they were seeing practically was that a duplex building really wasn't all that different from a single family detached. Hanselman was concerned about narrow streets with parking and there not being access for emergency vehicles. Having more cars on substandard streets would increase the risk to the health of people in neighborhoods. Hanselman thought they needed to establish which streets would be free of this because many streets in town were so narrow. Tokos noted this was why they framed the code with the six conditions to determine if a parking credit would be allowed. This credit would not be available for a street narrower than 36 feet in width.

No other proponents, opponents, or interested parties were present. Patrick closed the hearing at 8:00 p.m. for Commission deliberation.

Escobar expressed that he was leaning toward not allowing an ADU on a duplex parcel. He didn't have a problem with allowing an ADU on a single family lot. He was concerned about allowing three dwellings in the R-1 and R-2 zones. He then noted that what he was hearing was that they couldn't require two off-street parking spaces for each side of a duplex. He wasn't in favor of the off-street parking options.

Branigan thought they should stick to the minimum for ADUs and duplexes, and not allow ADUs on duplexes. They didn't have any choice when it came to the parking. He was in favor of the additional permit parking if the person couldn't have additional parking on the streets.

East was in favor of a single ADU for a single family dwelling, but no additional ADUs with duplexes. He thought most developments on R-1 lots were big enough that architects would include a single car garage with the setback in the design to get at least two parking spots, one in the garage and one in the driveway. Some duplexes in town had been built with a garage are enough parking in front of it to park the vehicles on the property and not on the street.

Berman agreed with the consensus on ADUs and didn't think there should be three dwellings on one lot. He thought that as far as parking went, they were trying to encourage development that wouldn't pencil out if they required as much parking on-site. There were other locations where the zone only required them to have one parking space for multiple units. He didn't like the off-street parking credit and voted to drop it and vote to have one space per dwelling in a duplex, and two spaces for single family dwellings.

Hanselman didn't think that ADUs were appropriate for duplex lots. The parking was a problem and there needed to be something done. Hanselman felt it was important for developers to be able to develop but also important to not overload streets with parked cars and make problems. He suggested requiring a parking permit for one parking spot on the street.

Patrick thought they should just do ADUs and the duplexes now, and then look at it later if they wanted to add on. He saw situations where they might want to add an ADU with a duplex if there was ground to do it. Patrick wanted to get a matrix put together that gave a list on what they needed to do if they wanted to do add an ADU or a duplex, to know what the limits were. Given the constraints they were putting on off-street parking, he didn't have a problem with this. There would have to be a street that had some room on it to get the credit. If the streets didn't meet the constraints, they wouldn't be able to get the credit.

Berman noted that number 2 of the 6 conditions said the dwelling unit could not be a short-term rental. He noted that there was nothing to prohibit a future owner to offer it as a short-term rental, and asked if at that point they would lose their off-street parking credit. Tokos explained the short-term rental code required owners to provide one off-street parking per bedroom they rented. They would have to provide off-street parking or they wouldn't be able to do a short-term rental, unless they were in Nye Beach.

Tokos reiterated that what he was hearing was there was general support for Option 2 for one ADU for every single family detached. He noted there hadn't been any discussion on townhouses. He asked for the Commission's thoughts. Patrick didn't see how this would work for townhouses to have an ADU. Tokos guessed they would have to be attached. He gave an example of how a project with townhomes would have an ADU on the lower floor and a townhouse on the upper floors. He noted they wouldn't be large. Berman didn't think they should get into it. Patrick suggested waiting until there was a demand for it and someone came in to ask about it. Tokos reiterated that what he was hearing was the Commission was in general support for Option 2, with no on-street parking credit.

MOTION was made by Commissioner Berman, seconded by Commissioner East to make a recommendation to the City Council with Option 2 for accessory dwelling units and no off-street parking credit. The motion carried unanimously in a voice vote.

MOTION was made by Commissioner Escobar, seconded by Commissioner Berman to confirm that the Planning Commission considered the housing initiatives related to development incentives and were comfortable with where they were at, given what was adopted in 2017. The motion carried unanimously in a voice vote.

Berman asked about the public testimony that was received that implied that the County didn't allow an ADU on single family detached. Tokos explained the State required every city to do this and counties were a little bit different.

6. New Business.

A. Citizen Involvement Advisory Committee. Tokos noted there was an opportunity for a Commissioner to be an additional liaison in this statewide citizen committee. There was a House Bill that talked about adjusting State Planning Goal 1 to beef up public engagement. This was a good example of one of the challenges they had with public outreach. Nothing frustrated the public and policy makers more than when they were invited to engage in a public discussions where there was no flexibility to deal with the matter. He hoped that at some point the Legislature would recognize this. Then they wouldn't have to adopt mandates through a public hearing process and invest our time into educating people on what the new mandate was.

7. Unfinished Business.

A. Updated Planning Commission Work Program. Tokos noted there would be three public hearings at the next meeting. He reported the Whaler was doing a neighborhood meeting before their public hearing and this was not something he would be able to work into his staff report.

Tokos explained that the street vacation had been continued to the May 3rd Council meeting and reported that the Port Commission needed to act on this because it was within 500 feet of the docks. This would happen on the April 27th. Berman asked if Tokos had talked to the City Attorney about the Commission's concerns on citizen initiated versus Council initiated vacations. Tokos confirmed he had spoken to the Attorney who had reviewed the ordinance that was put together for adoption. He affirmed he was comfortable with how it was laid out. The public benefit was one of the factors the Council could weigh when they were doing a city initiated street vacation. They weighed this when they choose to initiate a city initiated process and they could reevaluate this when it came before them after the hearings with the Commission. The Council was under no obligation to proceed if they didn't believe it was in the public's benefit to do so. Berman noted he listened to the original Council meeting and didn't hear it explained to them. The Council rules talked about a substantial public benefit. Berman saw a difference between a substantial public benefit and a public benefit. He was concerned that the Council wasn't aware of this and wanted it explained to them. Tokos noted that he had done his best to express to the Commission that they could consider the public benefit in terms of the policies, not the statute. In his opinion the applicant's attorney made a mistake raising this issue by saying that a policy making body couldn't consider the public interest. Tokos reported that the City Attorney did address this in writing and included a letter in the Council packet affirming that he was onboard with how the ordinance was set out. Escobar noted that the Council was told that the Commission was precluded from considering the public benefit and ended up having an affirmative vote as a result. Tokos noted there was an affirmative vote with the three conditions they could only impose because they were in the public benefit. The conditions for this benefit included a requirement for a traffic study to be done, as well as a reservation of the public utility easement. Berman wasn't comfortable with this and noted Councilor Collette said that he didn't understand the distinction between

citizen initiated and Council initiated vacations. He reported that he would be writing a letter to the Council for the hearing to give his thoughts on this as a private citizen.

Patrick shared that he sat in on the first Affordable Housing CET Distribution Committee meeting. He reported that he had made a comment to the committee that it was his opinion that the Planning Commission preferred that they wanted them to get the most bang for the buck out of whatever they had to spend the funds on. Patrick asked if the Commission was okay with this. The Commission was in general agreement with the statement.

8. **Director Comments.** None were heard.

9. **Adjournment.** Having no further business, the meeting adjourned at 8:29 p.m.

Respectfully submitted,

Sherri Marineau
Executive Assistant

Case File: # 1-NCU-21
 Date Filed: March 23, 2021
 Hearing Date: April 26, 2021/Planning Commission

PLANNING STAFF REPORT
Case File No. 1-NCU-21

- A. **APPLICANT:** Dennis B. Anderson, owner (Adam Springer, authorized agent).
- B. **REQUEST:** Approval of a request per Section 14.32/“Nonconforming Uses, Lots, and Structures” of the Newport Municipal Code, to add two additional mobile homes sites to a nonconforming, 14-unit mobile home park.
- C. **LOCATION:** 4263 South Coast Highway
- D. **LEGAL DESCRIPTION:** Lincoln County Assessor’s Tax Map 11-11-20-AB, Tax Lot 00500 in the City of Newport, County of Lincoln, Oregon.
- E. **LOT SIZE:** Approximately 3.01 acres.
- F. **STAFF REPORT**

1. **REPORT OF FACT**

- a. **Plan Designation:** Industrial.
- b. **Zone Designation:** I-1/“Light Industrial.”
- c. **Surrounding Land Uses:** A mix of light-industrial and residential uses.
- d. **Topography and Vegetation:** The developed portion of the property is level and cleared with scattered landscaping. The balance of the site is a wetland with vegetation consistent with that type of setting.
- e. **Existing Structures:** 14 mobile homes.
- f. **Utilities:** All are available to the site.
- g. **Development Constraints:** Wetlands.
- h. **Past Land Use Actions:** File No. 1-AX-19/3-Z-19 – owners petition to annex into the city limits as a nonconforming, 14-unit mobile home park was approved with Ordinance No. 2158. Light-industrial zoning was applied to the property with that ordinance, consistent with the “Industrial” Comprehensive Plan designation for properties in this portion of South Beach situated along US 101.
- i. **Notification:** Notification to surrounding property owners and to city departments/public agencies was mailed on March 29, 2021; and the notice of public hearing was published in the Newport News-Times on April 16, 2021.

j. **Attachments:**

- Attachment "A" – Application form
- Attachment "A-1" – Applicant narrative
- Attachment "A-2" – Applicant's site plan
- Attachment "A-3" – Applicant's evidence of prior use
- Attachment "B" – Lincoln County Assessor Property Report
- Attachment "C" – Survey of the property (Record #20279)
- Attachment "D" – Zoning map of the property
- Attachment "E" – Aerial map of the property showing utilities and wetlands
- Attachment "F" – Public hearing notice
- Attachment "G" – Ordinance No. 2158

2. **Explanation of the Request:** Pursuant to Section 14.32.070/“Alteration, Expansion, or Replacement of Nonconforming Uses and Structures” of the Newport Municipal Code, after verification of the status of a nonconforming use pursuant to Subsection 14.32.060, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood.

The applicant is seeking approval to expand the 14-unit mobile home park by adding two additional mobile home sites. They note in their narrative (Attachment "A-1") that the two spaces have been Recreational Vehicle (RV) pads in the past, complete with electric, sewer, and water hook-ups. They further note that the Park has been licensed by the State for 15 units in the past. Ingress and egress onto US 101 will remain the same. The applicant has roughly sketched in where the units would be placed on an aerial photograph included as part of their application (Attachment ""A-2"").

3. **Evaluation of the Request:**

- a. **Comments:** All surrounding property owners and affected city departments and public utilities were notified on March 29, 2021. The notice was published in the Newport News-Times on April 16, 2021 (Attachment "F"). No comments were received in response to the notice.
- b. **Application Submittal Requirements:** Pursuant to NMC 14.32.040, applications must include a completed application form, scaled site plan, names and addresses of property owners within the notification area, survey work if structures will not satisfy setback requirements and exterior architectural elevations if structures will exceed building height limitations.

Applicant's site plan (Attachment ""A-2") was not drawn “to scale;” however, it contains sufficient information for the Commission to consider the request. A condition of approval can be imposed requiring a more accurate drawing if the Commission elects to approve the application.

- c. **Verification of Status of Nonconforming Use or Structure:** Pursuant to NMC Section 14.32.060, upon receiving an application to alter, expand, or replace a nonconforming use or structure, the approval authority shall determine that the use or structure is nonconforming. Such determination shall be based on findings that:

- The use or structure was legally established at the time the Zoning Ordinance was enacted or amended; and
- The use has not been discontinued for a continuous 12-month period.

The approval authority may require the applicant provide evidence that a use has been maintained over time. Evidence that a use has been maintained may include, but is not limited to, copies of utility bills, tax records, business licenses, advertisements, and telephone or trade listings

The approval authority shall verify the status of a nonconforming use as being the nature and extent of the use at the time of adoption or amendment of the Zoning Code provision disallowing the use (September 7, 1982). When determining the nature and extent of a nonconforming use, the approval authority shall consider:

- Description of the use;
- The types and quantities of goods or services provided and activities conducted;
- The scope of the use (volume, intensity, frequency, etc.), including fluctuations in the level of activity;
- The number, location, and size of physical improvements associated with the use;
- The amount of land devoted to the use; and
- Other factors the approval authority may determine appropriate to identify the nature and extent of the particular use.

A reduction of scope or intensity of any part of the use as determined under this subsection for a period of 12 months or more creates a presumption that there is no right to resume the use above the reduced level. Nonconforming use status is limited to the greatest level of use that has been consistently maintained since the use became nonconforming. The presumption may be rebutted by substantial evidentiary proof that the long-term fluctuations are inherent in the type of use being considered.

- d. **Applicable Criteria (Section 14.32.070):** After verification of the status of a nonconforming use pursuant to Subsection 14.32.060, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood. In making this finding, the approval authority shall consider the factors listed below. Adverse

impacts to one of the factors may, but shall not automatically, constitute greater adverse impact on the neighborhood.

- (1) The character and history of the use and of development in the surrounding area;
- (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood;
- (3) Adequacy of infrastructure to accommodate the use. For the purpose of this subsection, infrastructure includes sewer, water, and streets;
- (4) The comparative numbers and kinds of vehicular trips to the site;
- (5) The comparative amount and nature of outside storage, loading, and parking;
- (6) The comparative visual appearance;
- (7) The comparative hours of operation;
- (8) The comparative effect on solar access and privacy;
- (9) Other factors that impact the character or needs of the neighborhood.

The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood.

To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, and alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to:

- (1) Surfacing or parking areas and landscaping;
- (2) Exterior design of structures;
- (3) Outdoor displays, storage, and signage.

e. **Staff Analysis:**

In order to grant the permit, the Planning Commission must find that there is substantial evidence that the Commission can rely upon to verify the nature and extent of the existing nonconformity, and that the expansion will not result in a greater adverse impact on the neighborhood considering the criteria listed under NMC 14.32.070. With that in mind, staff offers the following analysis:

- (1) The nature and extent of the existing non-conforming use was established in 2019 when the City annexed the 14-unit mobile home park and applied an I-1/"light-industrial" zoning designation to the property that does not allow residential uses (Attachment "G"). The 2018 aerial image of the property, which serves as the base map for the applicant's site plan (Attachment "A-2") and City generated zoning and utility maps (Attachments "D" and "E") illustrate the location of the units.

(2) The Planning Commission must find that alteration and expansion of the nonconforming mobile home park will not result in a greater adverse impact on the neighborhood. Assuming the Commission can verify the nonconforming mobile home park to be essentially what exists today, the applicants have provided findings addressing the criteria for a “no greater adverse impact” determination:

(a) The character and history of the use and of development in the surrounding area.

- (i) The applicant notes, in their narrative, that the property has been used as a mobile home park for more than 40 years and that it is bordered by another mobile home park to the north. They further point out that residential uses exist to the south and that the site is separated from uses to the east by an established wetland.
- (ii) The applicant’s site plan shows that the two (2) mobile homes are to be placed on the east side of the portion of the property that has been developed as a mobile home park. This is the area the applicant indicates had been previously dedicated to RV use.
- (iii) Based on findings and testimony regarding the character and history of the use and of development in the surrounding area, the Planning Commission determines that the expansion of the use would not cause any greater adverse impact on the neighborhood.

(b) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood.

- (i) The applicant explains that expanding the mobile home park to include two additional units within the developed footprint will not noticeably increase noise, vibration, dust, odor, fumes, glare, or smoke within the neighborhood.
- (ii) Based on findings and testimony regarding the comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood, the expansion of the use would not cause any greater adverse impact on the neighborhood.

(c) Adequacy of infrastructure to accommodate the use (including sewer, water, and streets).

- (i) The applicant points out that the property is on city sewer and water, and that its vehicle entry point is US 101. They further indicate that, once on the property, the mobile homes are accessed over a gravel road that is 20-feet at its narrowest, and

approximately 40-feet wide towards the back of the property where the two new units are to be placed. They note that the existing driveway will be extended to reach the new sites.

- (ii) Sewer service is provided by an 8-inch gravity main that parallels the property's US 101 frontage. Accessing sewer service was the reason the owner annexed into the City. Water service is provided by way of a 12-inch main that is also on the east side of the highway. Both services are more than adequate to serve two additional mobile home units (Attachment "E").
- (iii) The project is accessed directly off of US 101, a paved public highway designed to accommodate a substantial volume of vehicle traffic.
- (iv) Based on findings and testimony regarding the adequacy of infrastructure, the expansion of the use would not cause any greater adverse impact on the neighborhood.

(d) The comparative numbers and kinds of vehicular trips to the site.

- (i) The applicant indicates that two (2) additional units will not create a noticeable increase in the number of vehicle trips to the site. They expect a 14% increase in the number of trips and that there will be no change in the kind of trips (i.e. trips would be residential in nature with occasional service and delivery calls).
- (ii) Based on findings and testimony regarding the comparative numbers and kinds of vehicular trips to the site, the expansion of the use would not cause any greater adverse impact on the neighborhood.

(e) The comparative amount and nature of outside storage, loading, and parking.

- (i) Parking is to be provided on site. The applicant notes that each of the new mobile home sites will have two parking spots with limited outdoor storage areas. They point out that the existing driveway can be used for loading and unloading.
- (ii) The applicant's site plan (Attachment "A-2") is so rough that it is difficult to understand where the parking is to be provided and how it is to function. From the plan, it is evident that there is ample area for parking; however, it would be prudent for the Commission to impose a condition requiring the applicant provide a scaled drawing of the pad sites and parking areas to ensure that the locations selected compliment the existing parking arrangement.

- (iii) Based on findings and testimony regarding the comparative amount and nature of outside storage, loading, and parking, the expansion of the use would not cause any greater adverse impact on the neighborhood.

(f) The comparative visual appearance.

- (i) The applicant states that the visual appearance will be largely unaffected as the new sites are consistent with the current use. The units will be located at the east end of the developed portion of the property and are unlikely to be visible from neighboring properties as a result of vegetation, or in the case of US 101, other mobile homes.
- (ii) Based on findings and testimony regarding the comparative visual appearance, this modest expansion of the use would not cause any greater adverse impact on the neighborhood.

(g) The comparative hours of operation.

- (i) The applicant notes that the hours of operation are unaffected.
- (ii) Based on findings and testimony regarding the comparative hours of operation, the expansion of the use would not cause any greater adverse impact on the neighborhood.

(h) The comparative effect on solar access and privacy.

- (i) The applicant does not anticipate solar access or privacy issues. The site plan shows the new units spaced at intervals roughly equivalent to existing units. This suggests that the new units will enjoy comparable solar access and will not impact the extent to which each unit in the park enjoys a degree of privacy.
- (ii) Based on findings and testimony regarding the comparative effect on solar access and privacy, the expansion of the use would not cause any greater adverse impact on the neighborhood.

(i) Other factors which impact the character or needs of the neighborhood.

Oregon Revised Statute (ORS) Chapter 446.100 sets forth a limited number of standards for siting mobile homes. It prohibits a dwelling from being placed closer than five (5) feet from a property line, it requires pad sites for new units be at least 30-feet in width and 40-feet in length, and it stipulates that individual units be at least 10-feet apart unless additional separation is required by the Oregon Fire Code or the homes are separated by one-hour fire resistive walls. The Commission can ensure these

standards are met by requiring the applicant submit a compliant site plan prior to issuance of placement permits for the units.

(j) The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood.

(i) The I-1/“light-industrial zone” does not allow residential uses. The high traffic volumes along US 101 provide good business exposure and the expectation is that existing, residential uses along the highway will eventually be redeveloped with commercial or industrial uses. That said, this application is an infill project where the owner is adding two units within the existing built envelope of the park (as opposed to enlarging the overall footprint of the park) and, as such, it will not result in a greater adverse impact on the neighborhood relative to the objectives of the zoning.

(k) To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, and alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to:

- (1) Surfacing or parking areas and landscaping;
- (2) Exterior design of structures;
- (3) Outdoor displays, storage, and signage.

(i) There is no evidence that improvements are needed or justified for the expansion of the park by two additional spaces.

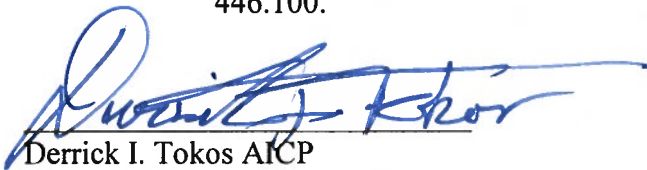
4. **Conclusion:** If the Planning Commission finds that the alteration/expansion of the nonconforming use will not result in a greater adverse impact on the neighborhood, and the applicant has met the criteria established in the Zoning Ordinance for authorizing alteration/expansion of a nonconforming use, then the Commission should approve the request. The Commission can attach reasonable conditions that are necessary to carry out the purposes of the Zoning Ordinance and the Comprehensive Plan. If the Commission finds that the request does not comply with the criteria, then the Commission should deny the application.

G. **STAFF RECOMMENDATION:** As outlined in this report, this application to expand the non-conforming mobile home park to include two additional spaces can satisfy the approval criteria provided conditions are imposed as outlined below. Accordingly, the Commission should approve this request, subject to the following:

1. Approval of this land use permit is based on the submitted written narrative and plans listed as Attachments to this report. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the

property owner to comply with these documents and the limitations of approval described herein.

2. The applicants shall comply with all applicable building codes, fire codes, zoning ordinance requirements, and other public health and safety regulations to ensure that the use will not be detrimental to the safety and health of persons in the neighborhood. The applicants are responsible for obtaining the necessary approvals and permits pertaining to the proposed use.
3. Prior to issuance of placement permits for the two new mobile homes, a scaled site plan shall be provided illustrating the location of the pad sites and parking areas relative to the property boundary, driveway, and nearest existing units. Such plan shall be accompanied with a narrative explaining how each pad site complies with the ORS 446.100.



Derrick I. Tokos AICP
Community Development Director
City of Newport

April 23, 2021



City of Newport Land Use Application

Applicant Name(s):		Property Owner Name(s) if other than applicant		
Dennis B. Anderson				
Applicant Mailing Address:		Property Owner Mailing Address:		
4263 S. Coast Hwy, South Beach OR		97366		
Applicant Phone No.		Property Owner Phone No.		
541-867-4672				
Applicant Email		Property Owner Email		
Authorized Representative(s): <i>Person authorized to submit and act on this application on applicant's behalf</i>				
Adam C. Springer				
Authorized Representative Mailing Address:				
PO Box 1987, Newport OR 97365				
Authorized Representative Telephone No.				
541-272-5500				
Authorized Representative Email. springer@yaquinalaw.com				
Project Information				
Property Location: <i>Street name if address # not assigned</i>				
4263 S. Coast Hwy, South Beach OR				
Tax Assessor's Map No.: 11-11-20-AB		Tax Lot(s): 500		
Zone Designation: Light Industrial		Legal Description: <i>Add additional sheets if necessary</i>		
Comp. Plan Designation:				
Brief description of Land Use Request(s):				
<i>Examples:</i>		Expansion of non-conforming use		
1. Move north property line 5 feet south		Add 2 additional mobile home sites,		
2. Variance of 2 feet from the required 15-foot front yard setback				
Existing Structures: if any				
14 mobile homes, one out-building				
Topography and Vegetation:				
3' Rise and rock roadway				
Application Type (please check all that apply)				
<input type="checkbox"/> Annexation	<i>Expansion of non-conforming use</i>	<input type="checkbox"/> Interpretation	<input type="checkbox"/> UGB Amendment	
<input type="checkbox"/> Appeal		<input type="checkbox"/> Minor Replat	<input type="checkbox"/> Vacation	
<input type="checkbox"/> Comp Plan/Map Amendment		<input type="checkbox"/> Partition	<input type="checkbox"/> Variance/Adjustment	
<input checked="" type="checkbox"/> Conditional Use Permit		<input type="checkbox"/> Planned Development	<input type="checkbox"/> PC	
<input checked="" type="checkbox"/> PC		<input type="checkbox"/> Property Line Adjustment	<input type="checkbox"/> Staff	
<input type="checkbox"/> Staff		<input type="checkbox"/> Shoreland Impact	<input type="checkbox"/> Zone Ord/Map	
<input type="checkbox"/> Design Review		<input type="checkbox"/> Subdivision	<input type="checkbox"/> Amendment	
<input type="checkbox"/> Geologic Permit		<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Other	
FOR OFFICE USE ONLY				
File No. Assigned: 2-CUP-21				
Date Received: 3/23/21	Fee Amount: \$836-	Date Accepted as Complete:		
Received By: sm	Receipt No. 4822	Accepted By:		
City Hall 169, SW Coast Hwy Newport, OR 97365 541.574.0629				



City of Newport Land Use Application

I understand that I am responsible for addressing the legal criteria relevant to my application and that the burden of proof justifying an approval of my application is with me. I also understand that this responsibility is independent of any opinions expressed in the Community Development and Planning Department Staff Report concerning the applicable criteria.

I certify that, to the best of my knowledge, all information provided in this application is accurate.

Dennis B Anderson
Applicant Signature(s)

03-18-2021
Date

Property Owner Signature(s) (if other than applicant)

Date

[Signature]
Authorized representative Signature(s) (if other than applicant)

3/18/2021
Date

Please note application will not be accepted without all applicable signatures.

Please ask staff for a list of application submittal requirements for your specific type of request.

Description of Request

The applicant is proposing the additional of two additional mobile home sites to the property, which is operated as a mobile home park.

In past years, these spaces had been RV pads, complete with electric, sewer, and water hookups. However, when the property was annexed in to the City in 2019, the RV spaces were not included in the application.

Historically, the park was licensed by the State for 15 units. Now that the park is on city sewer, additional units can be accommodated. The expansion meets with density requirements of Newport Code, as there will be 16 sites for 2 acres, which is roughly 5445 square foot per unit.

The ingress and egress to the site are capable of handing 2 additional sites without change.

This proposal will add 2 affordable housing units to Newport at a time when they are needed most.

Proposed Written Findings-

- a) This property has been used as a mobile home park for more than 40 years. It was annexed into the City of Newport in 2019. On the north, the property is bordered by another mobile home park, on the west by Highway 101, on the south by a residential property, and there are wetlands to the east.

This park has had 14 mobile home sites for many years, as well as 2 RV pads with electrical and septic hookups (the property is now on City sewer).

- b) Two additional mobile home sites on the property will not create a noticeable effect with noise, vibration, dust, odor, fumes, glare or smoke within the neighborhood.
- c) The property is on city sewer and city water. Entry to the property is from Highway 101. Once on the property, the mobile homes are accessed over a gravel road that is 20' at its narrowest, and approximately 40' towards the back of the property where the new spaces will be located. The existing driveway will be extended to reach the additional sites.
- d) Two additional units will not create a noticeable increase in the number of vehicle trips to the site. Assuming traffic to the new sites is comparable to the current sites, there will be a 14% increase in the number of trips. The expansion is not expected to change the kind of vehicular trips to the site.
- e) Both new sites will have similar accommodations to the existing site, including 2 parking spots per site and limited outdoor storage areas (as is customary for mobile home parks). The existing driveway can be used for loading and unloading.
- f) The visual appearance will be largely unaffected as the new sites are consistent with the current use.
- g) The hours of operation are unaffected.
- h) There will be no effect on solar access or privacy.
- i) The proposed expansion will provide two additional affordable housing units to Newport, at a time where the need for such units is extremely high.

Map

Site Plan

Attachment "A-2"

1-NCU-21



Printed 03/16/2021

Lincoln County government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users should review the primary information sources to ascertain their usability.



EVIDENCE OF PRIOR USE

2013 AERIAL



Printed 03/16/2021

Lincoln County government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users should review the primary information sources to ascertain their usability.



2007 AERIAL



Printed 03/16/2021

Lincoln County government use only. Use for any other purpose is entirely at the risk of the user. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users should review the primary information sources to ascertain their usability.



Oregon Housing & Community Services

2021 PARK REGISTRATION CURRENT INFORMATION IN OUR FILES

The following is the existing information in our files about your park. Please review the current contact information we have provided, if applicable please use the reverse side of this registration form to make current and up to date changes to park information.

Date: 11-04-2020 Facility Name: Surfsounds Adult Court Park ID: LNC0024
Number of Spaces: Total 15 Vacant: 15# TIN:
Park Status: Open Facility Classification: 55+
Facility Physical Address: 4263 S Coast Hwy
City: SOUTH BEACH State: OR Zip: 97366
Facility Mailing Address: 4263 S Coast Hwy Sp #1
City: SOUTH BEACH State: OR Zip: 97366
Facility Website:
Facility E-mail: db.kool@yahoo.com

Facility Affiliate 1: Contact Type: ONSITE MGR Receive Notices: N
Name: Dennis B. Anderson Listed on Directory: Y
Address: 4263 S Coast Hwy Sp 1 City: South Beach State: OR Zip: 97366
Telephone #: 5418674672 Cell #: No cell phone
E-mail: db.kool@yahoo.com

Facility Affiliate 2: Contact Type: OWNER Receive Notices: Y
Name: Dennis B. Anderson Listed on Directory: N
Address: 4263 S Coast Hwy Sp 1 City: South Beach State: OR Zip: 97366
Telephone #: 5418674672 Cell #:
E-mail: db.kool@yahoo.com

11-04-2020

in which it may concern, as of today's date everything remains the same as Surf Sounds Adult Court 4263 S Coast Hwy Sp 1 South Beach OR, 97366

Owner Mr. Dennis B. Anderson
Mr. Dennis B. Anderson

CKNO 362

11-04-2020

\$ 50.00

SURF SOUNDS ADULT COURT
c/o Dennis Anderson
4263 So. Coast Hwy. Sp 1#
South Beach, OR 97366

Lincoln County Property Report

Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R410542	Neighborhood:	S166	Owner and	ANDERSON DENNIS B
Map Taxlot:	11-11-20-AB-00500-00	Property Class:	737	Mailing Address:	ATTN SURF SOUNDS COURT 4263 S COAST HWY SPACE #1 SOUTH BEACH, OR 97366
Tax Map:	11s11w20AB			Site Address(es):	4263 S COAST HWY
Web Map:	View Map				
Info:	TWNSHP 11, RNG 11, ACRES 3.01, MULT MS'S X# 92160; 99281; 128237; 130207; 137578; 188486; 158444; 62456; 202222; 194156; 86926; 145632; 152753; 97410, Mult Home ID's 173227; 178619; 200877; 202336; 207937; 246934; 223580; 151208; 257417; 251256; 169299;				
Document:					
Tax Code:	124				
Acres:	3.01				

Improvements							
Description	Area	Yr Built	Found	Heat	Plumb	BDMS	Value
MAIN AREA	0 sq ft						\$56,370
Foundation Code List Heating/AC Code List Plumbing Code List							
Value History							
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax		
2020	56,370	356,280	412,650	391,690	7,222.31		
2019	56,370	356,280	412,650	380,290	5,061.79		
2018	56,370	367,300	423,670	369,220	4,934.95		
2017	54,930	367,300	422,230	358,470	5,069.62		
2016	59,740	396,100	455,840	348,030	4,736.18		
2015	59,740	396,100	455,840	337,900	4,314.90		
2014	59,740	396,100	455,840	328,0 (6	4,195.56		
2013	62,150	396,100	458,250	318,510	4,110.70		
2012	69,860	321,510	391,370	309,240	4,015.08		
Sales History							
No Sales Data							

Land	Related Accounts	Disclaimer
	M230216 M26529 M416477	

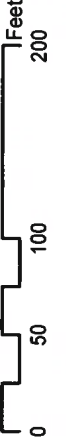
Description	Acres	Market Value	Special Use Value
INDUSTRIAL DEV SITE	2	321,260	
WET LAND ACREAGE	1.1	1,070	
IND SITE DEVELOPMENT		33,950	

M463876 M491504 M502116
M502615 M521816 M54982
M71440 M73995 M88180 M88358
M95270

For assessment purposes only. Lincoln County makes no warranty as to the accuracy of the information provided. Users should consult with the appropriate City, County or State Department or Agency concerning allowed land uses, required permits or licenses, and development rights on specific properties before making decisions based on this information. **Tax data exported 10/2020.**

Today's Date: 04/23/2021

Attachment "D"
1-NCU-21



Zoning Map for 4263 S Coast Hwy

Image Taken July, 2018
4-inch, 4-band Digital Orthophotos
Quantum Spatial, Inc. Corvallis, OR

City of Newport
Community Development Department
188 SW Coast Highway
Newport, OR 97365
Phone: 1.541.574.0829
Fax: 1.541.574.0844



This map is for informational use only and has not been prepared for, nor is it suitable for, legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify all information with the City of Newport Community Development Department.



S COAST HW

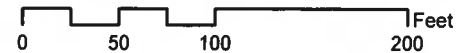
SITE



City of Newport
Community Development Department
189 SW Coast Highway Phone: 1.541.574.0829
Newport, OR 97365 Fax: 1.541.574.0644

**Utilities and Wetlands Map for 4263 S Coast Hwy
(water lines - blue, sewer - green, storm - orange, wetland areas cross-hatched)**

Image Taken July 2018
4-inch, 4-band Digital Orthophotos
Quantum Spatial, Inc. Corvallis, OR



This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its completion or use and users of this information are cautioned to verify all information with the City of Newport Community Development Department.

**CITY OF NEWPORT
PUBLIC NOTICE¹**

Attachment "F"
1-NCU-21

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing to consider the following Nonconforming Use Permit request:

File No. 1-NCU-21:

Owner / Applicant: Dennis B. Anderson (Adam S. Springer, Yaquina Law LLC, representative).

Request: Approval of a request per Section 14.32/"Nonconforming Uses, Lots, and Structures" of the Newport Municipal Code, for an alteration of a nonconforming use to allow an addition of two (2) mobile home sites to an existing 14-unit mobile home park.

Location: 4263 S Coast Hwy (Lincoln County Assessor's Map 11-11-20-AB; Tax Lot 500).

Applicable Criteria: Pursuant to NMC Section 14.32.060(A), the approval authority shall determine that the structure was legally established at the time the Zoning Ordinance was enacted or amended, and that the use has not been discontinued for a continuous 12-month period. The approval authority must also verify the nature and extent of the nonconforming use, considering (1) a description of the use; (2) The types and quantities of goods or services provided and the activities conducted; (3) The scope of the use (volume, intensity, frequency, etc.) including fluctuations in the level of activity; (4) The number, location and size of physical improvements associated with the use; (5) The amount of land devoted to the use; and (6) Other factors the approval authority may determine appropriate to identify the nature and extent of a particular use (NMC Section 14.32.060(B)). Pursuant to NMC Section 14.32.070, after verification of the status of a nonconforming use pursuant to subsection 14.32.030, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood when considering the following factors: (A) (1) The character and history of the use and of development in the surrounding area; (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood; (3) Adequacy of infrastructure, including sewer, water, and streets, to accommodate the use; (4) The comparative numbers and kinds of vehicular trips to the site; (5) The comparative amount and nature of outside storage, loading, and parking; (6) The comparative visual appearance; (7) The comparative hours of operation; (8) The comparative effect on solar access and privacy; (9) Other factors which impact the character or needs of the neighborhood. (B) The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood. (C) To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, an alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to: (1) Surfacing of parking areas and landscaping; (2) Exterior design of structures; and (3) Outdoor displays, storage, and signage.

Testimony: Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Newport Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 12:00 p.m. (Noon) the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The hearing will include a report by staff, testimony (both oral and written) from the applicant and those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial

¹Notice of this action is being sent to the following: (1) Affected property owners within 200 feet of the subject property (according to Lincoln County tax records); (2) affected public/private utilities/agencies within Lincoln County; and (3) affected city departments.

public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

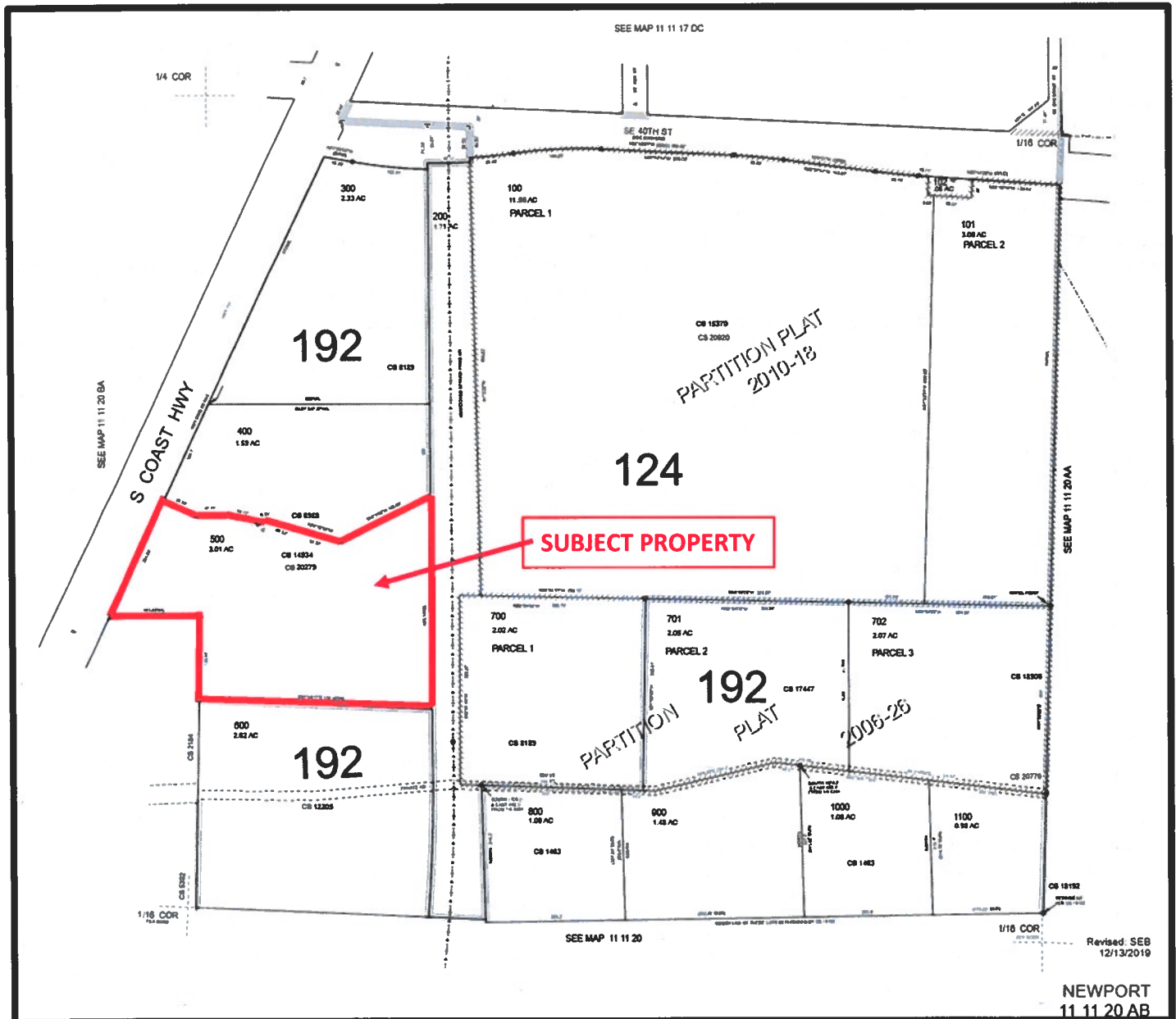
Reports/Application Material: The staff report may be reviewed or a copy purchased for reasonable cost at the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, Oregon 97365, seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost; or copies may be purchased for reasonable cost at this address.

Contact: Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above under "Reports/Application Material").

Time/Place of Hearing: Monday, April 26, 2021; 7:00 p.m.; City Hall Council Chambers (address above in "Reports/Application Material").

MAILED: March 29, 2021.

PUBLISHED: April 16, 2021 / News-Times.



4350 S COAST HWY LLC
631 KOUNS DR
ALBANY, OR 97321

ANDERSON DENNIS B
ATTN SURF SOUNDS COURT
4263 S COAST HWY SPACE #1
SOUTH BEACH, OR 97366

BERTULEIT DONALD J TRUSTEE
354 SE 2ND ST
NEWPORT, OR 97365

FIELD CORA L
PO BOX 533
SOUTH BEACH, OR 97366

GSBN LLC
PO BOX 720
SOUTH BEACH, OR 97366

REDDICK CARL A TRUSTEE &
REDDICK CAROLE J TRUSTEE
2221 SW 1ST AVE
UNIT 1224
PORTLAND, OR 97201

SPY LLC
PO BOX 614
NEWPORT, OR 97365

STOCKER MARION E ESTATE
9566 LOGSDEN RD
SILETZ, OR 97380

TRYON GARY E &
TRYON VERNON &
TRYON ROBERT & TRYON LOREN
PO BOX 975
WALDPOR, OR 97394

ADAM C SPRINGER
YAQUINA LAW LLC
PO BOX 1987
NEWPORT, OR 97365

File 1-NCU-21

Adjacent Property Owners Within 200 Ft

NW Natural
ATTN: Dave Sanders
1405 SW Hwy 101
Lincoln City, OR 97367

Charter Communications
ATTN: Keith Kaminski
355 NE 1st St
Newport OR 97365

CenturyLink
ATTN: Corky Fallin
740 State St
Salem OR 97301

Central Lincoln PUD
ATTN: Randy Grove
PO Box 1126
Newport OR 97365

****EMAIL****
Lisa Phillips
lisa.phipps@state.or.us
DLCD NORTH COAST REGIONAL
SOLUTIONS CTR

****EMAIL****
odotr2planmgr@odot.state.or.us

Joseph Lease
Building Official

Rob Murphy
Fire Chief

Clare Paul
Public Works

Beth Young
Associate Planner

Jason Malloy
Police Chief

Mike Murzynsky
Finance Director

Laura Kimberly
Library

Michael Cavanaugh
Parks & Rec

Spencer Nebel
City Manager

Chris Janigo
Public Works

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING**

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

The City of Newport Planning Commission will hold a public hearing on Monday, April 26, 2021, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 1-NCU-21. The request submitted by Dennis B. Anderson (Adam S. Springer, Yaquina Law LLC, representative) is for approval of a request per Section 14.32/"Nonconforming Uses, Lots, and Structures" of the Newport Municipal Code, for an of a nonconforming use to allow an addition of two (2) mobile home sites to an existing 14-unit mobile home park. The subject property is located at 4263 S Coast Hwy (Lincoln County Assessor's Map 11-11-20-AB; Tax Lot 500). Pursuant to NMC Section 14.32.060(A), the approval authority shall determine that the structure was legally established at the time the Zoning Ordinance was enacted or amended, and that the use has not been discontinued for a continuous 12 month period. The approval authority must also verify the nature and extent of the nonconforming use, considering (1) a description of the use; (2) The types and quantities of goods or services provided and the activities conducted; (3) The scope of the use (volume, intensity, frequency, etc.) including fluctuations in the level of activity; (4) The number, location and size of physical improvements associated with the use; (5) The amount of land devoted to the use; and (6) Other factors the approval authority may determine appropriate to identify the nature and extent of a particular use (NMC Section 14.32.060(B)). Pursuant to NMC Section 14.32.070, after verification of the status of a nonconforming use pursuant to subsection 14.32.030, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood when considering the following factors: (A) (1) The character and history of the use and of development in the surrounding area; (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood; (3) Adequacy of infrastructure, including sewer, water, and streets, to accommodate the use; (4) The comparative numbers and kinds of vehicular trips to the site; (5) The comparative amount and nature of outside storage, loading, and parking; (6) The comparative visual appearance; (7) The comparative hours of operation; (8) The comparative effect on solar access and privacy; (9) Other factors which impact the character or needs of the neighborhood. (B) The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood. (C) To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, an alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to: (1) Surfacing of parking areas and landscaping; (2) Exterior design of structures; and (3) Outdoor displays, storage, and signage. Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 12:00 p.m. (Noon) the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The hearing will include a report by staff, testimony (both oral and written) from the applicant and those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased for reasonable cost at the Newport Community Development Department (address above) seven days prior to the hearing. The application materials, the applicable criteria, and other file material are available for inspection at no cost; or copies may be purchased for reasonable cost at this address as well. Contact Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above).

(FOR PUBLICATION ONCE ON FRIDAY, April 16, 2021)

CITY OF NEWPORT**ORDINANCE NO. 2158****AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF NEWPORT,
WITHDRAWING THE ANNEXED TERRITORY FROM THE LINCOLN COUNTY
LIBRARY DISTRICT, NEWPORT RURAL FIRE PROTECTION DISTRICT,
SEAL ROCK WATER DISTRICT AND ESTABLISHING ZONING FOR THE
ANNEXED TERRITORY****Summary of Findings:**

1. A request to annex real property into the City of Newport was filed by Dennis Anderson, owner of the parcel of land identified as Tax Lot 00500 of Lincoln County Assessor's Tax Map 11-11-20-AB and addressed as 4263 South Coast Highway. Concurrent with annexation, the real property will be withdrawn from the Lincoln County Library District, Newport Rural Fire Protection District, and Seal Rock Water District and the Newport Zoning Map will be amended to apply I-1/"Light Industrial" zoning to the entire parcel.
2. The Planning Commission of the City of Newport, after providing the required public notification, including the notification to the Department of Land Conservation & Development, held a public hearing on September 9, 2019, for the purpose of reviewing the proposed requests and providing a recommendation to the City Council. The Planning Commission public hearing was held in accordance with the appropriate provisions of the Newport Zoning Ordinance, and, after due deliberation and consideration of the proposed changes, the Planning Commission voted to recommend that the City Council approve the property owner's request.
3. The City Council of the City of Newport, after provision of the required public notification, held a public hearing on October 7, 2019, on the requested annexation and withdrawal, and the zoning of the property to be annexed.
4. The City Council made a determination after considering the recommendation of the Planning Commission, and the evidence and argument presented at the public hearing and in the record, that the application complies with the applicable criteria and voted to approve the requested annexation, withdrawal, and zoning designation.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:**Section 1. ANNEXATION, WITHDRAWAL, AND ZONING**

A. Annexation. The following described territory (illustrated in Exhibit "A") is hereby annexed to and incorporated within the City of Newport, Oregon:

That portion of the North one-half of Section 20, Township 11 South, Range 11 West of the Willamette Meridian in Lincoln County, Oregon and being within the tract of land conveyed to

David W. Osborne and Shirley A. Osborne, husband and wife, recorded January 3, 1977, in Book 71, Page 801, and January 3, 1978 in Book 83, Page 207 Deed Records of Lincoln County, Oregon described as follows:

Beginning at the Brass cap set for the North $\frac{1}{4}$ corner of Section 20, Township 11 South, Range 11 West of the Willamette Meridian, Lincoln County, Oregon, said brass cap being in the location as shown on CS #10,451, Lincoln County Survey Records; thence South $10^{\circ}43'50''$ West, (South $10^{\circ}42'19''$ East) for a distance of 845.91 feet to a $\frac{1}{2}$ " iron rod, said point being the true point of beginning of the following described parcel; thence South $89^{\circ}57'21''$ East (East) 141.09 (141.42) feet, more or less to the northeast corner of the Vernon H. Stocker tract described in deed Recorded November 8, 1948 in Book 129, Page 387 Deed records for Lincoln County, Oregon; thence South $0^{\circ}01'51''$ West, 132.44 feet (South 132.44') along said Stocker tract to the North line of the Vernon H. Stocker tract (Parcel Two) as described in Deed Recorded November 7, 1966 in Book 272, Page 404, Deed Records, Lincoln County, Oregon; thence South $87^{\circ}38'17''$ East, 366.13 feet (357.46' M/L) to the former U.S. Spruce Production Railroad right of way; thence North $0^{\circ}01'45''$ East, 337.84 feet (North $0^{\circ}58'05''$ East, 336.14') along the West right of way line; thence South $64^{\circ}01'43''$ West, 159.13 feet (South $64^{\circ}01'43''$ West, 156.06 feet); thence North $74^{\circ}12'58''$ West, 64.31 feet; thence North $72^{\circ}29'35''$ West, 49.52 feet; thence South $83^{\circ}43'12''$ West, 8.35 feet; thence South $68^{\circ}10'05''$ West, 10.00 feet; thence North $74^{\circ}23'26''$ West, 54.12 feet; thence South $89^{\circ}06'03''$ West, 47.77 feet; thence North $65^{\circ}21'35''$ West, 55.55 feet to the East right of way line of said Highway 101; thence South $25^{\circ}07'06''$ West (South $25^{\circ}00'32''$ West), 204.66 feet along said right of way to the point of beginning.

B. Withdrawal. The property annexed to the City of Newport, as described in Section 1 (A) above, is hereby withdrawn from the Lincoln County Library District, Newport Rural Fire Protection District, and Seal Rock Water District, such withdrawal being deemed to be in the best interest of the City of Newport. The City of Newport also hereby elects to assume the liabilities and indebtedness, if any, against the property so withdrawn from the Lincoln County Library District, Rural Fire Protection District, and Seal Rock Water District and further elects to assume such liability to the Seal Rock Water District in the manner provided by ORS 222.520(2)(a).

C. Zoning. Ordinance No. 1308 (as amended) adopting the City of Newport Zoning Map is hereby amended to provide for a zone designation on the Zoning Map for the property annexed to the City of Newport by designating the subject property described in Section 1(A) with an I-1/"Light Industrial" zone designation.

Section 2. The findings attached as Exhibit "B" are hereby adopted in support of the annexation, withdrawal, and zoning designations as adopted in Section 1.

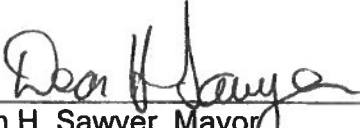
Section 3. In accordance with ORS 222.005, a copy of this ordinance shall be provided, by certified mail, to public utilities and telecommunication carriers operating within the city no later than 10 working days after passage of the ordinance.

Section 4. Once this ordinance is effective, copies of the document shall be forwarded to the Lincoln County Assessor and Oregon Department of Revenue in accordance with ORS 222.010 and ORS 308.225.

Section 5. This ordinance shall take effect 30 days after passage.

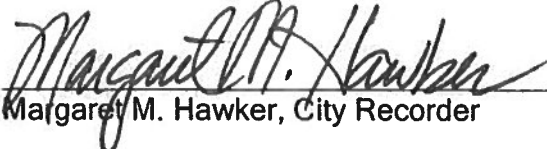
Date adopted and read by title only: October 7, 2019. /

Signed by the Mayor on October 8, 2019.



Dean H. Sawyer, Mayor

ATTEST:



Margaret M. Hawker, City Recorder

BOUNDARY SURVEY FOR DENNIS ANDERSON IN THE NW 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 WEST, WM IN LINCOLN COUNTY, OREGON

North 1/4 Corner of Section 20, Township 11 South, Range 11 West of the Willamette Meridian, Lincoln County, Oregon, said brass cap being in the location as shown on CS 810,451, Lincoln County Survey Records

C.S. # 20279
FILED 24 June 2015
LINCOLN COUNTY SURVEYOR

SURVEYOR'S NARRATIVE

THIS SURVEY WAS DONE TO ESTABLISH THE BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN MICROFILM VOLUME 272-2488 LESS MF 311-0542. THE EXISTING MONUMENTS FOUND ALONG THE EAST SIDE OF HIGHWAY 101 WERE USED FOR THE WESTERN BOUNDARY OF THIS TRACT. THE POINT OF BEGINNING THEN HELD THE DISTANCE FROM THE NORTH QUARTER CORNER OF SECTION 20 FOR THE POINT OF BEGINNING OF THIS TRACT. THE NORTHEAST CORNER OF TAX LOT 1200 WAS THEN FOUND AS SET IN COUNTY SURVEY 6888 AS SHOWN.

THE EAST LINE OF THIS TRACT WAS NOT DETERMINED IN THIS SURVEY, THE DISTANCE APPEARS NOT TO GO ALL THE WAY TO THE RAILROAD RIGHT OF WAY AS CALLED FOR IN THE DEED. THE RAILROAD RIGHT OF WAY HAS BEEN MARKED IN 2 DIFFERENT LOCATIONS AS SHOWN ON THE PLAT. THE NORTH LINE OF THIS TRACT WAS NOT SURVEYED, THE POINTS ARE SHOWN AS THEY ARE ON CS 14,934.

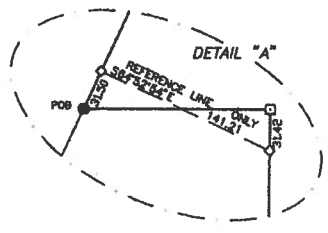
A TOPCON 5 SECOND TOTAL STATION AND TDS RECON DATA COLLECTOR WERE USED TO GATHER THE DATA IN THIS SURVEY.



1" = 60'

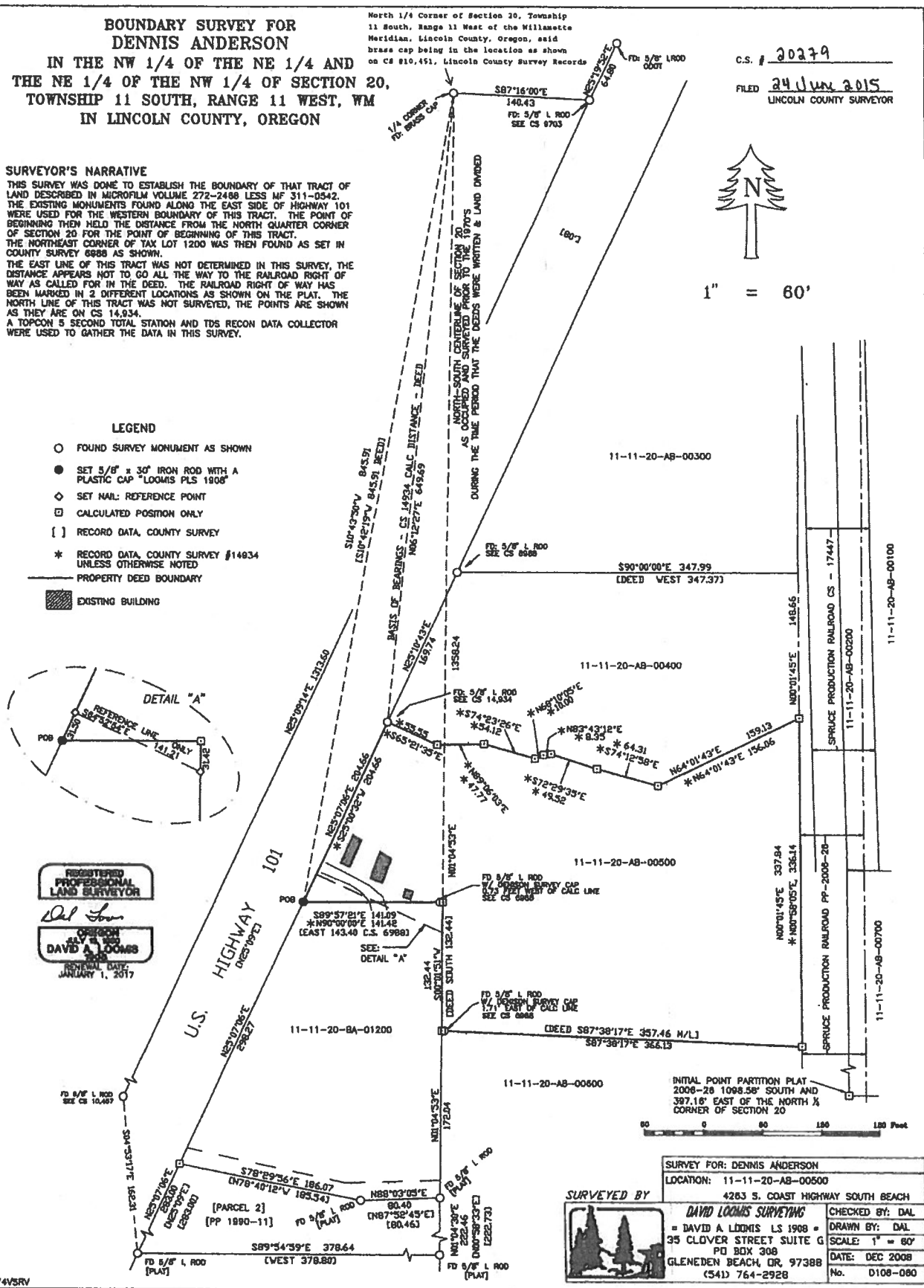
LEGEND

- FOUND SURVEY MONUMENT AS SHOWN
- SET 5/8" x 30" IRON ROD WITH A PLASTIC CAP "LOOMIS PLS 1908"
- ◇ SET NAIL: REFERENCE POINT
- CALCULATED POSITION ONLY
- [] RECORD DATA, COUNTY SURVEY
- * RECORD DATA, COUNTY SURVEY #14934 UNLESS OTHERWISE NOTED
- PROPERTY DEED BOUNDARY
- ▨ EXISTING BUILDING




REGISTERED PROFESSIONAL LAND SURVEYOR
David Loomis
DAVID A. LOOMIS
JANUARY 1, 2017

74VSRV



0 60 120 180 Feet

SURVEY FOR: DENNIS ANDERSON
LOCATION: 11-11-20-AB-00500
4263 S. COAST HIGHWAY SOUTH BEACH

SURVEYED BY
 **DAVID LOOMIS SURVEYING**
= DAVID A. LOOMIS LS 1908 =
35 CLOVER STREET SUITE G
PO BOX 308
GLENEDEN BEACH, OR, 97388
(541) 764-2928

CHECKED BY: DAL
DRAWN BY: DAL
SCALE: 1" = 60'
DATE: DEC 2008
No. D108-080

EXHIBIT "B"

Findings for Requested Annexation of Property, Withdrawal from the Newport Rural Fire Protection District, Newport Library District and Seal Rock Water District, and Establishment of a Zoning Designation

FINDINGS OF FACT

1. The application for annexation, withdrawal, and zoning designation (Newport File No. 1-AX-19/3-Z-19) was filed by Dennis Anderson on July 3, 2019. The application included consideration of a request to: (1) annex approximately 3.01 acres of real property (consisting of land identified as Tax Lot 00500 on Assessor's Tax Map 11-11-20-AB) into the Newport city limits; (2) amend the City of Newport Zoning Map to establish an I-1/"Light Industrial" zoning designation for the property, consistent with the existing Newport Comprehensive Plan designation of "Industrial"; and (3) withdraw said property from the Newport Rural Fire Protection District, Lincoln County Library District, and Seal Rock Water District.
2. The applicant is seeking annexation because they desire to connect the 14-unit mobile home park to city sewer service, and annexation is a prerequisite for obtaining such service.
3. The property subject to the request is located at 4263 S Coast Highway. It is described in Lincoln County Clerk's Office Microfilm Volume 272-2468, less the real property described in Microfilm Volume 311-0542.
4. The legal description of the area to be annexed is as follows:

That portion of the North one-half of Section 20, Township 11 South, Range 11 West of the Willamette Meridian in Lincoln County, Oregon and being within the tract of land conveyed to David W. Osborne and Shirley A. Osborne, husband and wife, recorded January 3, 1977, in Book 71, Page 801, and January 3, 1978 in Book 83, Page 207 Deed Records of Lincoln County, Oregon described as follows:

Beginning at the Brass cap set for the North ¼ corner of Section 20, Township 11 South, Range 11 West of the Willamette Meridian, Lincoln County, Oregon, said brass cap being in the location as shown on CS #10,451, Lincoln County Survey Records; thence South 10°43'50" West, (South 10°42'19" East) for a distance of 845.91 feet to a ½" iron rod, said point being the true point of beginning of the following described parcel; thence South 89°57'21" East (East) 141.09 (141.42) feet, more or less to the northeast corner of the Vernon H. Stocker tract described in deed Recorded November 8, 1948 in Book 129, Page 387 Deed records for Lincoln County, Oregon; thence South 0°01'51" West, 132.44 feet (South 132.44') along said Stocker tract to the North line of the Vernon H. Stocker tract (Parcel Two) as described in Deed Recorded November 7, 1966

in Book 272, Page 404, Deed Records, Lincoln County, Oregon; thence South 87°38'17" East, 366.13 feet (357.46' M/L) to the former U.S. Spruce Production Railroad right of way; thence North 0°01'45" East, 337.84 feet (North 0°58'05" East, 336.14') along the West right of way line; thence South 64°01'43" West, 159.13 feet (South 64°01'43" West, 156.06 feet); thence North 74°12'58" West, 64.31 feet; thence North 72°29'35" West, 49.52 feet; thence South 83°43'12" West, 8.35 feet; thence South 68°10'05" West, 10.00 feet; thence North 74°23'26" West, 54.12 feet; thence South 89°06'03" West, 47.77 feet; thence North 65°21'35" West, 55.55 feet to the East right of way line of said Highway 101; thence South 25°07'06" West (South 25°00'32" West), 204.66 feet along said right of way to the point of beginning.

5. Staff reported the following information regarding the requests:

- A. Plan Designation: The subject territory is within the Newport Urban Growth Boundary and is designated as "Industrial" on the Newport Comprehensive Plan Map.
- B. Zone Designation: City of Newport zoning is established at time of annexation. The I-1/"Light Industrial," I-2/"Medium Industrial," or I-3/"Heavy Industrial" designations are consistent with a Comprehensive Plan designation of "Industrial."
- C. Surrounding Land Uses: Surrounding land uses in the immediate vicinity include a mix of light-industrial and residential uses.
- D. Topography and Vegetation: The developed portion of the property is level and cleared with scattered landscaping. The balance of the site is a wetland with vegetation consistent with that type of setting.
- E. Existing Residences/Buildings: 14 mobile homes.
- F. Utilities: Water and sewer service are available via main lines adjacent to US 101. Vehicle access is from US 101.
- G. Development Constraints: Wetlands.
- H. Past Land Use Actions: None known.
- I. Notification: Required notice to the Department of Land Conservation and Development was provided on August 2, 2019. For the Planning Commission and City Council public hearings, notification in accordance with the NMC Section 14.52.060(C) requirements included mailing notice to surrounding property owners, City departments and other public agencies and utilities, and other individuals on August 5, 2019 and September 16, 2019, respectively. The notice of public hearing was published in the

Newport News-Times on August 30, 2019, September 25, 2019 and October 2, 2019 and posted in four public places, pursuant to ORS 222.120(3).

6. The Planning Commission held a public hearing on the proposed request on September 9, 2019. Testimony was provided by the applicant's attorney, Adam Springer, in support of the request. No other testimony was offered at the hearing and, after considering the testimony and reviewing the staff report, the Commission voted unanimously to recommend approval of the annexation with the property being zoned I-1/"Light Industrial" as outlined in the application.
7. The City Council held a public hearing on the annexation request on October 7, 2019. A Planning Staff Report, dated August 30, 2019, was submitted to the City Council. The Planning Staff Report and attachments as follows are hereby incorporated into the findings:

Attachment "A" - Application Form

Attachment "B" - Application Narrative

Attachment "C" - Aerial Map of Area to be Annexed

Attachment "D" - Notice of Public Hearing and Map

Attachment "E" - Newport Zoning Map

Attachment "F" - Newport Comprehensive Plan Map

Attachment "G" - Uses allowed in the I-1, I-2, and I-3 zones

Attachment "H" - Intent of Zoning Districts

Attachment "I" - Legal Description of the Area to be Annexed

Attachment "J" - Copy of ORS 222.170 through 222.183

Attachment "K" - Copy of ORS 222.460 through 222.465 and ORS 222.524

8. At the October 7, 2019 public hearing, the City Council heard a staff report and allowed for testimony and evidence to be given on the annexation request. Following the close of the public hearing, the Council deliberated and voted to approve the request. The minutes of the October 7, 2019 public hearing are hereby incorporated by reference into the findings.
9. The approval criteria for this annexation request are as follows:
 - A. For the annexation/withdrawal portion of the annexation request, Newport Municipal Code Section 14.37.040 provides *"The required consents have been filed with the City; the territory to be annexed is within the acknowledged urban growth boundary (UGB); and the territory to be annexed is contiguous to the existing city limits."*
 - B. For the zoning map amendment portion of the annexation request, the applicable criteria per Newport Municipal Code Section 14.36.010 are *"Findings that the proposed zoning is consistent with the Comprehensive Plan Map, furthers a public necessity, and promotes the general welfare."*

CONCLUSIONS

1. In regard to the criteria for approval of the annexation request under Newport Municipal

Code Section 14.37.040 the City Council concludes as follows:

- A. In regard to the first criterion (*The required consents have been filed*), the City Council concludes that pursuant to Oregon Revised Statutes (ORS) 222.170(1), the City need not hold an election on the annexation of contiguous territory if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land. The applicant, Dennis Anderson, owns the subject property. By filing this application, Mr. Anderson has provided the requisite consent that the territory be annexed (See Planning Staff Report Attachment "A").
 - B. In regard to the second criterion (*the territory to be annexed is within the acknowledged urban growth boundary (UGB)*), The City Council concludes that City records show that the property is within the Urban Growth Boundary of the City of Newport.
 - C. In regard to the third criterion (*the territory to be annexed is contiguous to the existing city limits*), the east boundary of the subject territory (i.e. real property) is contiguous to the existing city limits (See Planning Staff Report Attachment "E").
2. In regard to withdrawal of the Newport Rural Fire Protection District and Lincoln County Library District, the City Council finds that there are no applicable criteria and that withdrawal of the property from these districts should occur at annexation, since that is the time when the City of Newport becomes the service provider.
 3. In regard to withdrawal of the property from the Seal Rock Water District, the City Council concludes that, in accordance with the City of Newport/Seal Rock Water District Urban Service Area Agreement and ORS 222.520(2)(a), the City is responsible for District indebtedness incurred against the property prior to the date it took over responsibility for water service (i.e. January 1, 2008). Such payment will be made to the District in lump sum prior to the effective date of the annexation ordinance.
 4. In regard to the establishment of a I-1/"Light-Industrial" zoning designation over the subject property, the City Council concludes that the proposed zoning is consistent with the Comprehensive Plan Map, furthers a public necessity, and promotes the general welfare for the following reasons:
 - A. The Comprehensive Plan Map designation for the property is "Industrial" (See Planning Staff Report Attachment "F"). It is implemented with I-1/"Light Industrial," I-2/"Medium Industrial," or I-3/"Heavy Industrial" zoning designations. Property adjacent to the east, under the same Comprehensive Plan designation, is zoned I-1 (See Planning Staff Report Attachment "E"). A list of uses permitted outright and conditionally in the I-1, I-2, and I-3 zones were presented and considered (See Planning Staff Report Attachment "G"), as was the intent language for the I-1, I-2, and I-3 zoning districts (See Planning Staff Report Attachment "H"). Of the industrial zones, the I-1 zoning designation is best positioned to take full advantage of direct access onto US 101 while also

being reasonably compatible with nearby residential zoned areas to the east.

- B. The Comprehensive Plan Map reflects the policy direction contained in the Newport Comprehensive Plan, including an Urban Growth Boundary that sets out the City's buildable land needs for a 20-year planning period, so it is appropriate to conclude that the application of a zone designation in conformance with the Comprehensive Plan, as is the case here, furthers a public necessity and promotes the general welfare.
- C. The Newport Comprehensive Plan identifies a need for employment land and housing. The proposal addresses both objectives. With this annexation, the applicant will be able to connect to City sewer service. This will allow the mobile home park to continue in a non-conforming manner as it is presently developed, preserving much needed housing within the community. The application of an I-1/"Light Industrial" zoning designation will allow the property to redevelop, in time, with commercial or industrial uses, which is the predominant form of development along this stretch of US 101.
- D. Water and sewer services are in place to support the existing development and future redevelopment of the property. US 101 provides adequate access to the property.

OVERALL CONCLUSION

Based on the staff report and attachments, the application material, and other evidence and testimony in the record, the City Council concludes that the requested annexation, withdrawal, and zone designations comply with the criteria established for approval of each of the requests under the applicable criteria as explained in the findings. The requested annexation, withdrawal, and establishment of a zone designation are hereby **APPROVED**.

Case File: #2-NCU-21
 Date Filed: March 24, 2021
 Hearing Date: April 26, 2021/Planning Commission

PLANNING STAFF REPORT

Case File No. 2-NCU-21

- A. **APPLICANT:** NW Natural Gas Company (Mike Smith, Norwest Engineering, authorized representative).
- B. **REQUEST:** Approval of a request per Section 14.32/“Nonconforming Uses, Lots, and Structures” of the Newport Municipal Code, to expand the facility by constructing three new concrete equipment foundations within the existing fenced compound. The new foundations will support equipment, pressure vessels, process piping and a new cable tray.
- C. **LOCATION:** 1702 SE Bay Blvd.
- D. **LEGAL DESCRIPTION:** Lincoln County Assessor’s Tax Map 11-11-09, Tax Lot 01600 in the City of Newport, County of Lincoln, Oregon.
- E. **LOT SIZE:** Approximately 21.62 acres.
- F. **STAFF REPORT**

1. **REPORT OF FACT**

- a. **Plan Designation:** Shoreland.
- b. **Zone Designation:** W-1/“Water Dependent.”
- c. **Surrounding Land Uses:** An estuary to the south and east. Water dependent and industrial zoned land border the property to the north and west. Property to the north is being positioned for industrial development. A disposal site for dredge materials is situated to the west.
- d. **Topography and Vegetation:** The subject property is flat and elevated just above the adjoining estuary. Riprap embankments exist along the perimeter of the site. Upland areas are vegetated with grass.
- e. **Existing Structures:** A large natural gas tank, control building, process building and other small buildings surrounded by a security fence.
- f. **Utilities:** All are available to the site.
- g. **Development Constraints:** Portions of the property, namely along the perimeter of the site, are within the 100-year floodplain and tsunami hazards overlay.

h. **Past Land Use Actions:**

File 2-NCU-18, approved the replacement of an existing glycol cooling system, which cool the compressors that maintain the natural gas as a liquid. The new equipment was placed on pile at two pad sites near the existing system, between the existing process building and the existing electrical building. New piping, a small oil cooler and a cable tray were also approved.

File 1-NCU-17, approved construction of for a new natural gas pre-treatment system to more effectively remove water, carbon dioxide, trace constituents and natural gas liquids from the domestic natural gas before it is delivered to the liquefaction plant.

File 2-NCU-15, approved the replacement of an existing office building (a.k.a. "Control Building") with a new, 3,893 sq. ft., single story office building.

- i. **Notification:** Notification to surrounding property owners and to city departments/public agencies was mailed on March 29, 2021; and the notice of public hearing was published in the Newport News-Times on April 16, 2021.

j. **Attachments:**

Attachment "A" – Application Form

Attachment "A-1" – Applicant's Narrative

Attachment "A-2" – County Assessor Information

Attachment "A-3" – Site Plan and Schematic Drawings

Attachment "B" – Public Hearing Notice and Map

Attachment "C" – Zoning Map of Area

2. **Explanation of the Request:** Pursuant to Section 14.32.070/"Alteration, Expansion, or Replacement of Nonconforming Uses and Structures" of the Newport Municipal Code, after verification of the status of a nonconforming use pursuant to Subsection 14.32.060, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood.

The applicants own property identified as Tax Lot 1600 on Tax Map 11-11-09. The property contains a Liquefied Natural Gas (LNG) storage tank, process buildings and a control building. The property appears to have been acquired by NW Natural in 1974 and the plant was commissioned in 1977. In their written narrative, the applicant states that they are seeking approval to construct three new concrete equipment foundations on a vacant portion of the LNG Plant facility. The new foundations will support equipment, pressure vessels, process piping and a new cable tray that are part of a Pretreatment Regen Optimization project (Attachment "A-1"). The foundations and equipment will be located in the vicinity of the process building (Sheet S-100, Attachment "A-3").

3. **Evaluation of the Request:**

- a. **Comments:** All surrounding property owners and affected city departments and public utilities were notified on March 29, 2021. The notice was published in the Newport News-Times on April 16, 2021. No comments were received in response to the notice.
- b. **Application Submittal Requirements:** Pursuant to NMC 14.32.040, applications must include a completed application form, scaled site plan, names and addresses of property owners within the notification area, survey work if structures will not satisfy setback requirements and exterior architectural elevations if structures will exceed building height limitations.
- c. **Verification of Status of Nonconforming Use or Structure:** Pursuant to NMC Section 14.32.060, upon receiving an application to alter, expand, or replace a nonconforming use or structure, the approval authority shall determine that the use or structure is nonconforming. Such determination shall be based on findings that:
- The use or structure was legally established at the time the Zoning Ordinance was enacted or amended; and
 - The use has not been discontinued for a continuous 12-month period.

The approval authority may require the applicant provide evidence that a use has been maintained over time. Evidence that a use has been maintained may include, but is not limited to, copies of utility bills, tax records, business licenses, advertisements, and telephone or trade listings

The approval authority shall verify the status of a nonconforming use as being the nature and extent of the use at the time of adoption or amendment of the Zoning Code provision disallowing the use (September 7, 1982). When determining the nature and extent of a nonconforming use, the approval authority shall consider:

- Description of the use;
- The types and quantities of goods or services provided and activities conducted;
- The scope of the use (volume, intensity, frequency, etc.), including fluctuations in the level of activity;
- The number, location, and size of physical improvements associated with the use;
- The amount of land devoted to the use; and
- Other factors the approval authority may determine appropriate to identify the nature and extent of the particular use.

A reduction of scope or intensity of any part of the use as determined under this subsection for a period of 12 months or more creates a presumption that there is no right to resume the use above the reduced level. Nonconforming use status is limited to the greatest level of use that has been consistently maintained since the use became nonconforming. The presumption may be rebutted by substantial evidentiary proof that the long-term fluctuations are inherent in the type of use being considered.

d. **Applicable Criteria (Section 14.32.070):** After verification of the status of a nonconforming use pursuant to Subsection 14.32.060, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood. In making this finding, the approval authority shall consider the factors listed below. Adverse impacts to one of the factors may, but shall not automatically, constitute greater adverse impact on the neighborhood.

- (1) The character and history of the use and of development in the surrounding area;
- (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood;
- (3) Adequacy of infrastructure to accommodate the use. For the purpose of this subsection, infrastructure includes sewer, water, and streets;
- (4) The comparative numbers and kinds of vehicular trips to the site;
- (5) The comparative amount and nature of outside storage, loading, and parking;
- (6) The comparative visual appearance;
- (7) The comparative hours of operation;
- (8) The comparative effect on solar access and privacy;
- (9) Other factors that impact the character or needs of the neighborhood.

The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood.

To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, and alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to:

- (1) Surfacing or parking areas and landscaping;
- (2) Exterior design of structures;
- (3) Outdoor displays, storage, and signage.

e. **Staff Analysis:**

In order to grant the permit, the Planning Commission must find that the applicants have provided a complete application, that there is substantial evidence that the Commission can rely upon to verify the nature and extent of the existing nonconformity, and that the expansion will not result in a greater adverse impact on the neighborhood considering the criteria listed under NMC 14.32.070. With that in mind, staff offers the following analysis:

- (1) The applicant's property is located in a W-1/"Water-Dependent" zoning district (Attachment "C"). Utility facilities, such as the LNG Plant, are not permitted uses in this district (NMC 14.03.080).

(2) Consistent with NMC 14.32.040, the applicant submitted a completed application form, narrative, names and addresses of property owners within the notification area, site plan, and structural details. In sum, this constitutes substantial evidence upon which the Planning Commission can decide as to whether or not the new foundations and associated equipment satisfy the City's standards for the alteration and expansion of a non-conforming use.

(3) With respect to NMC 14.32.060, regarding the non-conforming status of the LNG Plant, the applicant has previously provided assessment information indicating that the property was acquired in 1974 and evidence that the facility has been continuously maintained since it was commissioned in 1977. Per the Newport Zoning Ordinance, the LNG Plant is non-conforming if it is established that the facility existed and has been continuously maintained since September 7, 1982. Considering the above, it would be reasonable for the Planning Commission to find, as it has with the last three decisions (File No. 2-NCU-18, 1-NCU-17 and 2-NCU-15), that there is substantial evidence in the City records that the LNG plant qualifies as non-conforming.

(4) After verification of the status of a non-conforming use, pursuant to NMC 14.32.070, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion or replacement will not result in a greater adverse impact on the neighborhood. In making this finding the Planning Commission should consider the following factors:

a. The character and history of the use and of development in the surrounding area.

i. The applicant notes that the property has been utilized in continuous use as an LNG peak-shaving facility since its inception in June of 1977.

ii. The applicant further states that proposed Pretreatment Regen equipment is in keeping with the character of the other existing equipment and buildings on the site and surrounding neighborhood. The existing buildings on the site consist of metal paneling exterior walls and standing seam metal gabled roofs. The proposed new equipment will be of similar construction and visual appearance to existing plant facilities.

iii. The surrounding properties are largely undeveloped. Lands to the north and west will likely develop in an industrial manner in the coming years, to complement the Port of Newport's International Terminal. This would be consistent with the water dependent or heavy industrial zoning that is in place. These types of uses would orient toward Bay Boulevard for the transport of goods and materials by truck or toward the bay for barge or shipping out of the terminal site. In either case, the properties would orient away from the LNG Plant facility.

iv. The alteration/expansion to the non-conforming use is the addition of Pretreatment Regen equipment on three new concrete foundations. The

equipment is situated in close proximity to the existing process building in a secure area; therefore, there does not appear to be any increased risk to neighboring properties from volatile liquids being stored onsite.

v. The applicant provides community access to the estuary and portions of its property for recreational purposes. They are not required to do so, and the new Pretreatment Regen equipment does not impact these areas as it is located within the perimeter of the security fence.

vi. Considering the above, it is reasonable for the Planning Commission to conclude that the addition of Pretreatment Regen equipment is consistent with the character and history of development in the area given that the change will not further exacerbate the nonconforming situation.

b. The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood.

i. The applicant notes that the proposed Pretreatment Regen equipment is not anticipated to create any additional significant vibration, dust, odor, fumes, glare, noise or smoke. The new equipment is comparable in design and function to other existing equipment on site.

ii. Nearby water-dependent and heavy industrial properties are envisioned to develop with uses that generate noise, vibration, dust, odor, fumes, glare, or smoke in excess of anything that could be attributed to the LNG Plant facility.

iii. Considering the above, it is reasonable for the Planning Commission to conclude that the Pretreatment Regen equipment will not create noise, vibration, dust, odor, fumes, glare, or smoke in a manner that would result in a greater adverse impact on the neighborhood.

c. Adequacy of infrastructure to accommodate the use (including sewer, water, and streets).

i. The applicant explains that the existing infrastructure to the site from SE Bay Blvd. is adequate and will accommodate use of the new equipment. A gravel roadway has been extended to the proposed process equipment site. It was installed and used for truck delivery and loading during construction of the recently built Control Building, and is sufficient for installation and maintenance of the Pretreatment Regen equipment. The existing LNG Plant facility utility infrastructure is adequate and no additional utilities are anticipated for the proposed development.

ii. Considering the above, it is reasonable for the Planning Commission to conclude that the addition of the Pretreatment Regen equipment will not cause any greater adverse impact on the neighborhood as it relates to the adequacy of infrastructure to serve the use.

d. The comparative numbers and kinds of vehicular trips to the site.

- i. The applicant notes that no additional vehicular trips to the site are anticipated as a result of the Pretreatment Regen equipment.
- ii. Considering the above, it is reasonable for the Planning Commission to conclude that the addition of the equipment will not cause any greater adverse impact on the neighborhood relative to this criterion.

e. The comparative amount and nature of outside storage, loading, and parking.

- i. The applicant indicates that, per the zoning ordinance, there is no minimum / maximum number of parking spaces required for this development and that a loading area is not required. This is attributed to the nature of the improvements, which are a component of the gas processing operation that do not generate demand for additional staff or service trips that cannot otherwise be accommodated with existing on-site parking and service areas.
- ii. The applicant's site plans and schematic drawings illustrate where the Pretreatment Regen equipment is to be installed (Attachment "A-3"). The equipment is to be an operational component of the LNG Plant facility that is secured to concrete pads and footings and is not being stored on-site.
- iii. Given the above, it is reasonable for the Planning Commission to conclude that the Pretreatment Regen equipment will not cause any greater adverse impact on the neighborhood with respect to comparative amount and nature of outside storage, loading, and parking.

f. The comparative visual appearance.

- i. The applicant states that the construction work will visually match the existing structures in color and general appearance, and surroundings so as to ensure good general visual appearance of the area.
- ii. Considering the above, it is reasonable for the Planning Commission to conclude that the Pretreatment Regen equipment will not cause any greater adverse impact on the neighborhood as it relates to comparative visual appearance.

g. The comparative hours of operation.

- i. The applicant notes that the existing LNG Plant facility is in operation 24/7 and that the new Pretreatment Regen equipment is anticipated to be in operation on the same schedule.
- ii. Based on the above, it is reasonable for the Planning Commission to conclude that the Pretreatment Regen equipment will not cause any greater adverse impact on the neighborhood as far as comparative hours of operation.

h. The comparative effect on solar access and privacy.

- i. The applicant notes that the Pretreatment Regen equipment will be set along the northwest side of the property, a considerable distance from the adjacent neighbors. They further indicate that, at this time, no additional staff is anticipated to be needed and that they do not believe the project will have an effect on solar access or privacy.
- ii. Given the above, it is reasonable for the Planning Commission to conclude that the proposed Pretreatment Regen equipment satisfies this criterion.

i. Other factors which impact the character or needs of the neighborhood.

- i. There are no other apparent factors.

j. The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood.

- i. The LNG plant is in a W-1 zoning district and is nonconforming because utility facilities are not permitted in this zone district. The purpose of the W-1 zone is to protect Yaquina Bay shoreland areas for uses that need contact with or use water for water-borne transportation, recreation, energy production or water supply (NMC 14.03.040). The LNG Plant facility is not dependent upon the bay for any of the factors listed.
- ii. The LNG Plant facility was constructed before the W-1 zoning was in place, and most of the applicant's property is dedicated to this use. In fact, it appears that the confines of the secure facility have remained more or less static. The new Pretreatment Regen equipment is being placed within the fence line, in close proximity to existing buildings and the LNG tank. Therefore, the addition of the equipment will not reduce the amount of land available for water-dependent development.
- iii. Based on the above, it is reasonable for the Planning Commission to conclude that the Pretreatment Regen equipment will not result in a greater adverse impact on the neighborhood relative to the objectives of the current zoning provisions.

4. **Conclusion:** If the Planning Commission finds that the alteration/expansion of the nonconforming use will not result in a greater adverse impact on the neighborhood, and the applicant has met the criteria established in the Zoning Ordinance for authorizing alteration/expansion of a nonconforming use, then the Commission should approve the request. The Commission can attach reasonable conditions that are necessary to carry out the purposes of the Zoning Ordinance and the Comprehensive Plan. If the Commission finds that the request does not comply with the criteria, then the Commission should deny the application.

G. **STAFF RECOMMENDATION:** As outlined in this report, this application to install new Pretreatment Regen equipment can satisfy the approval criteria provided conditions are imposed as outlined below. Accordingly, the Commission should approve this request, subject to the following:

1. Approval of this land use permit is based on the submitted written narrative and plans listed as Attachments to this report. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner to comply with these documents and the limitations of approval described herein.



Derrick I. Tokos AICP
Community Development Director
City of Newport

April 23, 2021



City of Newport Land Use Application

Applicant Name(s):	Property Owner Name(s) if other than applicant
Mike Smith - Northwest Engineering	N.W. Natural
Applicant Mailing Address:	Property Owner Mailing Address:
4110 NE 122nd Ave, Suite 207	1702 Yaquina Bay Rd
Applicant Phone No.	Property Owner Phone No.
503 701 2528	503-226-4211 ext 4301
Applicant Email	Property Owner Email
msmith@northwestengineering.com	hrw@nwnatural.com
Authorized Representative(s): Person authorized to submit and act on this application on applicant's behalf	
Authorized Representative Mailing Address:	
Authorized Representative Telephone No.	
Authorized Representative Email.	

Project Information

Property Location: Street name if address # not assigned	
1702 Yaquina Bay Rd, Newport, OR 97365	
Tax Assessor's Map No.:	Tax Lot(s):
111109	11-11-09-00-01600-00
Zone Designation:	Legal Description: Add additional sheets if necessary
w-1	
Comp. Plan Designation: Shoreline	
Brief description of Land Use Request(s):	
Examples:	Build Foundation for Replacement Equipment
1. Move north property line 5 feet south	
2. Variance of 2 feet from the required 15-foot front yard setback	
Existing Structures: if any	
Buildings, Above Ground Storage Tank, Piping, EQ	
Topography and Vegetation:	
Gravel, Grassy	

Application Type (please check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Interpretation | <input type="checkbox"/> UGB Amendment |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Minor Replat | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Comp Plan/Map Amendment | <input type="checkbox"/> Partition | <input type="checkbox"/> Variance/Adjustment |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Planned Development | <input type="checkbox"/> PC |
| <input type="checkbox"/> PC | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Staff |
| <input checked="" type="checkbox"/> Staff | <input type="checkbox"/> Shoreland Impact | <input type="checkbox"/> Zone Ord/Map |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Geologic Permit | <input type="checkbox"/> Temporary Use Permit | <input type="checkbox"/> Other |

FOR OFFICE USE ONLY

File No. Assigned: 2-NCU-21		
Date Received: 3/24/21	Fee Amount: \$836	Date Accepted as Complete:
Received By: sm	Receipt No. 4825	Accepted By:

City Hall
169, SW Coast Hwy
Newport, OR 97365
541.574.0629

625-2-00008-PLNG



City of Newport Land Use Application

I understand that I am responsible for addressing the legal criteria relevant to my application and that the burden of proof justifying an approval of my application is with me. I also understand that this responsibility is independent of any opinions expressed in the Community Development and Planning Department Staff Report concerning the applicable criteria.

I certify that, to the best of my knowledge, all information provided in this application is accurate.

Applicant Signature(s)

3/23/2021

Date

Property Owner Signature(s) (if other than applicant)

3/24/2021

Date

Authorized representative Signature(s) (if other than applicant)

Date

Please note application will not be accepted without all applicable signatures.

Please ask staff for a list of application submittal requirements for your specific type of request.

**NW NATURAL
NEWPORT LNG Pretreatment
Regen REPLACEMENT
PROCESS EQUIPMENT**

1702 SE Bay Blvd.
Newport, Oregon 97365

Type III Design Review Submittal

Project Number: RV1242

March 23, 2021

**The City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365**



4110 NE 122nd Avenue, Suite 207 Portland, OR 97230

Phone – 503.254.0110 Fax 503.256.1239

CONTACT INFORMATION

Applicant:

NW Natural

Contact: Hunter Wiencken
Hunter.wiencken@nwnatural.com
220 NW Second Avenue
Portland, OR 97209

Applicant's Representatives

Engineering:

Norwest Engineering

Contact: Mike Smith
msmith@norwestengineering.com
4110 NE 122nd Avenue, Suite 207
Portland, OR 97230
503.254.0110

Property Owner:

NW Natural Gas Co

Contact: Wayne Pipes
Wayne.pipes@nwnatural.com
220 NW Second Avenue
Portland, OR 97209
503.721.2496

NARRATIVE AND CODE CONFORMANCE

EXISTING CONDITIONS

The subject site is located on a property between Yaquina Bay Road and SE Bay Blvd. and bordered by Yaquina Bay in the City of Newport. The site is approximately 21.62 acres in size and carries the Water Dependent base zone.

Site Information	NW Natural Newport LNG Pre-Treatment process equipment
Location	1702 SE Bay Blvd.
Property ID	R500726
Tax Lots	Tax Lot 11-11-09-00-01600-00
Site Size	21.62 Acres
Land Use	
Jurisdiction	City of Newport
Comprehensive Plan	
Base Zone	W-1 Water Dependent
Overlay Zones	
Plan District	
Adjacent Base Zones	W-1 Water Dependent, I-3 Heavy
Existing Use	NW Natural Gas Co Control Building, Process Buildings and LNG Tank
Neighborhood District	
Surrounding Areas	Designation / Use
North	I-3 / Industrial, W-1
East	Yaquina Bay
South	Yaquina Bay
West	Yaquina Bay

PROJECT DESCRIPTION

The proposed development will consist of three new concrete equipment foundations to be installed outside in the yard area. The new foundations will support equipment, pressure vessels, process piping and new cable tray. This is all part of a Pretreatment Regen Optimization project at Northwest Natural Gas.

The Natural Gas Pretreatment Regen process equipment site is located adjacent to the pretreatment skid foundation.

PROPOSAL SUMMARY

The applicant proposes to install new Pretreatment Regen process equipment on a vacant portion of the LNG Plant facility property. It is anticipated that the pre-treatment equipment will be comprised of land-based modular units for receiving and processing natural gas by existing

pipeline prior to being liquefied by the existing refrigeration system. The equipment will be oriented between the LNG tank and the new Control Building.

Land Use Request

The applicant is requesting approval of a Type III Land Use Review application for a non-conforming use to allow construction of new foundations for the Pretreatment Regen process equipment centrally located on the site off of NE Bay Boulevard. This new LNG Pre-Treatment process equipment will be located amongst other existing buildings and equipment on the same site.

The proposed design is comparable to the existing non-conforming use in regard to the following:

- The character is of similar development in the surrounding neighborhood and the history of the use is well documented since its occupancy in 1977
- The degree of noise, vibration, dust, odor, fumes, glare, or smoke is consistent with the existing facility use
- There is adequate infrastructure to accommodate the use
- The numbers and kinds of vehicular trips to the site will remain unchanged
- The Pretreatment Regen process equipment visual appearance is comparable to other equipment located on the site
- The Pretreatment Regen process equipment will maintain the same hours of operation
- The Pretreatment Regen process equipment does not have an adverse effect on solar access and privacy

WRITTEN FINDINGS OF FACT NARRATIVE

(a) The Character and history of the use and of development in the surrounding neighborhood.

The property has been in continuous use as an LNG peak-shaving facility since its inception in June of 1977. The addition of the Pretreatment Regen equipment is in keeping with the character of the other existing equipment and buildings on the site and surrounding neighborhood. The existing buildings on the site consist of metal paneling exterior walls and standing seam metal gabled roofs, and the proposed new buildings will be of similar construction and visual appearance to existing plant facilities.

(b) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood.

The proposed Pretreatment Regen process equipment is not anticipated to create any additional significant vibration, dust, odor, fumes, glare, noise or smoke. The new equipment is comparable in design and function to other existing equipment on site.

(C) Adequacy of infrastructure (sewer, water, and streets) to accommodate the use.

The existing infrastructure to the site from SE Bay Blvd. is adequate and will accommodate use of the new equipment. A gravel roadway was extended to the proposed process equipment for truck delivery & loading during construction, as part of the recently built Control Building scope

of work; therefore the existing infrastructure will serve to accommodate the use. The existing LNG Plant facility utility infrastructure is adequate and no additional utilities are anticipated for the proposed development.

(d) The comparative numbers and kinds of vehicular trips to the site.

No additional vehicular trips to the site are anticipated as a result of the proposed process equipment.

(e) The comparative amount and nature of outside storage, loading and parking.

Per the zoning ordinance standard there is no minimum / maximum number of parking spaces required for this development. A loading area is not required.

(f) The comparative visual appearance.

All construction works visually match the existing structures in color and general appearance, and surroundings so as to ensure good general visual appearance of the area.

(g) The comparative hours of operation.

The existing LNG Plant facility is in operation 24/7. The new Pretreatment Regen process equipment is anticipated to be in operation on the same schedule.

(h) The comparative effect on solar access and privacy.

The Pretreatment Regen process equipment is set along the northwest side of the property away a considerable distance from the adjacent neighbors. At this time, no additional staff is anticipated as a result of this new process equipment. Therefore, no effect on any neighboring solar access or privacy is anticipated.

(i) Other factors which impact the character or needs of the neighborhood.

The applicant does not see other factors which will impact the character or needs of the neighborhood. The proposed addition is of like kind to the longstanding and existing use of the property. No additional vehicle or pedestrian traffic, visual or environmental impacts are anticipated. The proposed construction will not affect current public use of the surrounding area.

Conclusion

The above narrative and the attached exhibits set forth evidence meeting all applicable standards and requirements set forth in The City of Newport Community Design Guidelines. Approval of this application will allow the Applicant to construct a well-designed Natural Gas Pretreatment Regen process equipment project and prolong the life of the Newport LNG Plant facility so that it can continue to serve NW Natural customers into the future. The Applicant therefore respectfully requests approval of the subject application.

Lincoln County Property Report

Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R500726	Neighborhood:	N277	Owner and	NORTHWEST NATURAL GAS CO
Map Taxlot:	11-11-09-00-01600-00	Property Class:	23	Mailing Address:	AIMONE DAVID W, TREASURY MGR 220 NW SECOND AVE PORTLAND, OR 97209
Tax Map:	11s11w09			Site Address(es):	1702 SE BAY BLVD
Web Map:	View Map				
Info:	TWNESH 11, RNG 11, TRACT PCM1974-203, ACRES 21.62, MF48-0147				
Document:	MF48-0147				
Tax Code:	104				
Acres:	21.62				

Improvements						
No Inventory						
Value History						
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax	
2020	0	0	0	0	0	
2019	0	0	0	0	0	
2018	0	0	0	0	0	
2017	0	0	0	0	0	
2016	0	0	0	0	0	
2015	0	0	0	0	0	
2014	0	0	0	0	0	
2013	0	0	0	0	0	
2012	0	0	0	0	0	
Sales History						
No Sales Data						

Land		Related Accounts		Disclaimer	
Description	AcresMarket ValueSpecial Use Value				
CENTRALLY ASSESSED	21.62			For assessment purposes only. Lincoln County makes no warranty as to the accuracy of the information provided. Users should consult with the appropriate City, County or State Department or Agency concerning allowed land uses, required permits or licenses, and development rights on specific properties before making decisions based on this information. Tax data exported 10/2020.	

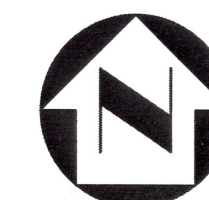


PRETREATMENT REGEN OPTIMIZATION

NEWPORT LNG PLANT
NEWPORT,
LINCOLN COUNTY, OREGON



VICINITY PLAN
SCALE: NTS



DRAWING INDEX	
Drawing No.	Drawing Title
GENERAL	
G-001	COVER SHEET
STRUCTURAL	
S-001	STRUCTURAL GENERAL NOTES SHEET 1
S-002	STRUCTURAL GENERAL NOTES SHEET 2
S-100	OVERALL FOUNDATION PLAN
S-101	FOUNDATION PLAN
S-200	STRUCTURAL DETAILS

CITY OF NEWPORT
MAR 24 2021
RECEIVED



ISSUED FOR PERMIT



		<p>PRETREATMENT REGEN OPTIMIZATION COVER SHEET</p>		<p>G-001</p>
<p>220 NW 2ND AVENUE PORTLAND, OR 97209</p>		<p>NEWPORT LNG PLANT, NEWPORT, LINCOLN COUNTY, OREGON</p>		
0	HG	AW	ISSUED FOR PERMIT	03/16/21
ECCO	DR.	APP.	REVISION	DATE

STRUCTURAL NOTES

ORDER OF PRECEDENCE

IN CASE OF DISCREPANCIES IN CONSTRUCTION DOCUMENTS, THE DRAWINGS SHALL CONTROL OVER THE STRUCTURAL NOTES AND ANY OTHER WRITTEN SPECIFICATIONS. THE STRUCTURAL NOTES SHALL CONTROL OVER ANY OTHER WRITTEN SPECIFICATIONS.

DIVISION 0: DESIGN PARAMETERS

- A. DESIGN CODES
 - 1) 2019 OREGON STRUCTURAL SPECIALTY CODE (OSSC)
 - 2) ADDITIONAL REGULATIONS: STATE OF OREGON OCCUPATIONAL SAFETY AND HEALTH ACT.
- B. OCCUPANCY AND CONSTRUCTION REQUIREMENTS
 - 1) RISK CATEGORY III

C. DESIGN CRITERIA

- 1) LATERAL LOADS
 - a) SEISMIC
 - 1) SEISMIC IMPORTANCE FACTOR, $I_p = 1.25$
 - 2) SEISMIC IMPORTANCE FACTOR FOR COMPONENTS, $I_p = 1.5$
 - 3) MAPPED RESPONSE ACCELERATION:
 - $S_s = 1.612$
 - $S_1 = 0.758$
 - 4) DESIGN SPECTRAL RESPONSE ACCELERATION PARAMETERS:
 - $S_{DS} = 0.86$
 - $S_{D1} =$ NOT USED
 - 5) SEISMIC DESIGN CATEGORY: E
 - 6) BASIC SEISMIC FORCE-RESISTING SYSTEM(S):
 - a. NON-BUILDING STRUCTURES:
 - 7) ANALYSIS PROCEDURES USED: EQUIVALENT STATIC FORCE PROCEDURE
 - b) WIND
 - 1) SUSTAINED WIND SPEEDS = 150 MPH (PER 49 CFR PART 193)
 - 2) ULTIMATE DESIGN WIND SPEED (3-SECOND GUST) $V_{ult} = 235$ MPH
 - 3) NOMINAL DESIGN WIND SPEED $V_{asd} = 182$ MPH
- 2) GRAVITY LOADS
 - a) SNOW LOAD
 - 1) DESIGN SNOW LOAD, USE 20 PSF MINIMUM
 - b) DEAD LOAD = STRUCTURE WEIGHT
 - c) MECHANICAL LOAD(S) = EQUIPMENT WEIGHT
 - 5) ALLOWABLE SOIL BEARING CAPACITY = 2000 PSF
 - a) ALLOWABLE PASSIVE PRESSURE = 350 PCF
 - b) ALLOWABLE FRICTION FACTOR = 0.35

DIVISION 1: GENERAL REQUIREMENTS

- A. GENERAL
 - 1) THESE DRAWINGS HAVE BEEN PREPARED SOLELY FOR USE IN THE CONSTRUCTION OF THE PROJECT LOCATED IN NEWPORT, OREGON. POSSESSION OF THESE DRAWINGS DOES NOT GRANT LICENSE TO CONSTRUCT OR FABRICATE THE WHOLE OR PARTS OF THIS PROJECT IN OTHER LOCATIONS.
- B. COORDINATION
 - 1) COORDINATE WORK IN SUCH A MANNER AS TO MINIMIZE IMPACT ON PLANT OPERATIONS.
 - 2) COORDINATE WORK OF OTHER CRAFTS HAVING INTERDEPENDENT RESPONSIBILITIES FOR INSTALLING, CONNECTING TO, AND PLACING IN SERVICE MATERIALS AND EQUIPMENT.
 - 3) FIELD VERIFY ALL EXISTING ELEVATIONS AND DIMENSIONS SHOWN ON THE DRAWINGS BEFORE PROCEEDING WITH THE WORK. IMMEDIATELY REPORT ANY DEVIATIONS TO THE OWNER AND ENGINEER.
- C. CONSTRUCTION METHODS AND PROJECT SAFETY
 - 1) THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE METHODS, PROCEDURES OR SEQUENCE OF CONSTRUCTION. THE STRUCTURE(S) AND ALL OF ITS PARTS MUST BE ADEQUATELY BRACED AGAINST WIND AND LATERAL EARTH AND SEISMIC FORCES UNTIL THE PERMANENT LATERAL FORCE RESISTING SYSTEMS HAVE BEEN CONSTRUCTED AND ALL ATTACHMENTS AND CONNECTIONS NECESSARY FOR THE STABILITY OF THE STRUCTURE(S) AND ITS PARTS HAVE BEEN MADE. THE OWNER AND ENGINEER SHALL NOT BE RESPONSIBLE FOR ENFORCING SAFETY REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES. CONSTRUCTION MATERIALS SHALL BE EVENLY DISTRIBUTED IF PLACED ON FRAMED FLOORS OR ROOFS. LOADS SHALL NOT EXCEED ALLOWABLE LOADING FOR THE SUPPORTING MEMBERS OR THEIR CONNECTIONS. THE CONTRACTOR'S CONSTRUCTION AND/OR ERECTION SEQUENCE SHALL TAKE INTO CONSIDERATION THE EFFECTS OF THERMAL MOVEMENTS OF THE STRUCTURE DURING THE CONSTRUCTION PERIOD.
 - 2) THE CONTRACTOR SHALL CONFORM TO ALL PLANT SAFETY REGULATIONS AND REQUIREMENTS.

D. SUBMITTALS

- 1) SUBMITTAL PROCEDURES
 - a) IDENTIFY PROJECT CONTRACTOR, SUBCONTRACTOR, AND/OR SUPPLIER.
 - b) ALL SUBMITTALS SHALL BE PROVIDED IN PDF FORMAT. SUBMITTALS SHALL BE RETURNED IN PDF FORMAT VIA EMAIL OR PROJECT WEBSITE.
 - c) ALLOW FIFTEEN (15) WORKING DAYS MINIMUM FOR REVIEW AND RETURN OF SUBMITTALS. PRODUCT PURCHASE/FABRICATION SHALL NOT COMMENCE UNTIL SUBMITTALS ARE RETURNED.
 - d) SHOP DRAWINGS: ALL SHOP DRAWINGS SHALL BE PREPARED ON ELECTRONIC MEDIA. ANY REVISIONS TO THE DRAWINGS SHALL BE CLOUDED AND MARKED WITH REVISION NUMBERS.
 - e) ALL SUBMITTALS SHALL BE REVIEWED, APPROVED AND INITIALED BY THE SUPPLIER/DETAILER AND BY THE CONTRACTOR PRIOR TO SUBMITTING FOR REVIEW BY THE ENGINEER. ANY SUBMITTALS NOT REVIEWED, APPROVED AND INITIALED BY THE SUPPLIER/DETAILER AND CONTRACTOR SHALL BE RETURNED WITHOUT REVIEW.
- 2) SCHEDULE OF SUBMITTALS:
 - a) SHOP DRAWINGS
 - 1) CONCRETE REINFORCING STEEL
 - b) PRODUCT DATA
 - 1) CONCRETE MIX DESIGN
 - 2) CONCRETE REINFORCING MILL TEST REPORTS
 - c) TESTING AND INSPECTION REPORTS
 - d) WELDER CERTIFICATES

E. QUALITY CONTROL

- 1) COMPLY WITH SPECIFIED PROJECT STANDARDS AS A MINIMUM FOR QUALITY FOR THE WORK, EXCEPT WHERE THE DRAWINGS, CODE TOLERANCES, OR SPECIFIC REQUIREMENTS INDICATE HIGHER STANDARDS OR MORE PRECISE WORKMANSHIP.
- 2) CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ALL SITE CONDITIONS CAUSED BY CONSTRUCTION ACTIVITIES.
- 3) PROTECT ALL EXISTING AND NEW UTILITIES, STRUCTURES AND EQUIPMENT FROM DAMAGE.
- 4) CONSTRUCT ALL ITEMS AND COMPONENTS IN FULL ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS. ANY VARIANCE MUST HAVE WRITTEN APPROVAL BY THE ENGINEER PRIOR TO CONSTRUCTION.
- 5) UNLESS OTHERWISE NOTED, ALL NEW WORK SHALL MATCH EXISTING IN LINE AND ELEVATION. SHOULD THESE LINES AND ELEVATIONS CONFLICT WITH THE LINES AND ELEVATIONS SHOWN ON THE DRAWINGS, CONTACT THE OWNER AND ENGINEER IMMEDIATELY.

F. TESTING AND INSPECTION

- 1) SPECIAL INSPECTION IS REQUIRED PER CHAPTER 17 OF THE CODE.
- 2) THE OWNER SHALL EMPLOY ALL SPECIAL INSPECTION SERVICES AND ALL REQUIRED MATERIAL TESTING SERVICES.
- 3) ALL INSPECTIONS ARE TO BE PERFORMED BY AN APPROVED AGENCY REGULARLY ENGAGED IN CONDUCTING TESTS OR FURNISHING INSPECTION SERVICES AND APPROVED BY THE LOCAL BUILDING OFFICIAL.
- 4) PRIOR TO THE BEGINNING OF CONSTRUCTION, THE OWNER SHALL CALL A PRE-CONSTRUCTION MEETING WITH THE OWNER, ENGINEER, BUILDING OFFICIAL, CONTRACTOR AND SPECIAL INSPECTOR(S) TO REVIEW THE SPECIAL INSPECTION REQUIREMENTS.
- 5) DUTIES OF THE SPECIAL INSPECTOR INCLUDE BUT ARE NOT LIMITED TO:
 - a) ACKNOWLEDGE THE SPECIAL INSPECTION PROGRAM AND THE SPECIAL INSPECTION AND TESTING AGREEMENT PROVIDED BY THE LOCAL BUILDING OFFICIAL.
 - b) NOTIFY CONTRACTOR PERSONNEL OF PRESENCE AT THE JOB SITE.
 - c) OBSERVE AND CONFIRM THAT THE WORK REQUIRING SPECIAL INSPECTION IS IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS AND APPLICABLE WORKMANSHIP PROVISIONS OF THE CODE.
 - d) IDENTIFY NON-CONFORMING WORK. ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR FOR CORRECTION, THEN IF UNCORRECTED, TO THE OWNER AND ENGINEER AND BUILDING OFFICIAL.
 - e) FURNISHING INSPECTION REPORTS FOR EACH INSPECTION TO THE CONTRACTOR, OWNER, ENGINEER, BUILDING OFFICIAL AND ANY OTHER DESIGNATED PARTIES IN A TIMELY MANNER AS ESTABLISHED AT THE PRE-CONSTRUCTION MEETING. REPORTS SHALL INCLUDE: DESCRIPTION OF INSPECTIONS AND LOCATIONS; LIST(S) OF NON-CONFORMING ITEMS BROUGHT TO THE CONTRACTOR'S ATTENTION; HOW NON-CONFORMING ITEMS WERE RESOLVED; LIST(S) OF UNRESOLVED ITEMS.
 - f) LIST CHANGES INVOLVING THE WORK REQUIRING SPECIAL INSPECTION THAT WERE AUTHORIZED BY THE ENGINEER AND APPROVED BY THE BUILDING OFFICIAL.
 - g) SUBMIT A FINAL REPORT STATING WHETHER THE WORK REQUIRING SPECIAL INSPECTION WAS, TO THE BEST OF THE SPECIAL INSPECTOR'S KNOWLEDGE, IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS AND APPLICABLE WORKMANSHIP PROVISIONS OF THE CODE. WORK NOT IN CONFORMANCE, UNRESOLVED ITEMS OR ANY DISCREPANCY IN INSPECTION COVERAGE SHALL BE SPECIFICALLY ITEMIZED IN THE FINAL REPORT.
- 6) DUTIES OF THE CONTRACTOR INCLUDE BUT ARE NOT LIMITED TO:
 - a) PROVIDE THE OWNER, ENGINEER AND SPECIAL INSPECTOR A SCHEDULE OF WORK PRIOR TO THE START OF CONSTRUCTION.
 - b) COMPLETE ALL WORK IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS.
 - c) NOTIFY THE SPECIAL INSPECTOR WHEN THE PHASE OF WORK REQUIRING SPECIAL INSPECTION IS TO BEGIN, AND PROVIDE ADEQUATE NOTICE SO THAT THE SPECIAL INSPECTOR HAS TIME TO BECOME FAMILIAR WITH THE WORK TO BE INSPECTED, AND ARRANGE AN INSPECTION SCHEDULE TO COINCIDE WITH THE CONSTRUCTION SCHEDULE. THE CONTRACTOR SHALL PROVIDE A MINIMUM OF 24 HOURS ADVANCED NOTICE TO THE SPECIAL INSPECTOR FOR WORK REQUIRING INSPECTION AND TESTING.
 - d) NOTIFY THE BUILDING OFFICIAL WHEN THE PHASE OF WORK REQUIRING INSPECTION BY THE BUILDING OFFICIAL AS DESCRIBED IN SECTION 110 OF THE CODE IS READY FOR INSPECTION. PROVIDE A MINIMUM 24 HOURS ADVANCE NOTICE TO THE BUILDING OFFICIAL.
 - e) ENSURE THAT ALL WORK REQUIRING SPECIAL INSPECTION SHALL REMAIN ACCESSIBLE AND EXPOSED UNTIL IT HAS BEEN OBSERVED AND INDICATED TO BE IN CONFORMANCE WITH THE SPECIAL INSPECTOR, AND APPROVED BY THE BUILDING OFFICIAL. THE CONTRACTOR SHALL PROVIDE MEANS OF ACCESS TO WORK REQUIRING SPECIAL INSPECTION, INCLUDING BUT NOT LIMITED TO, CRANE SERVICE AND TEMPORARY PLATFORMS.
 - f) PROVIDE THE SPECIAL INSPECTOR WITH ACCESS TO APPROVED CONSTRUCTION DOCUMENTS AT THE JOB SITE.
 - g) MAINTAIN AT THE JOB SITE COPIES OF ALL REPORTS SUBMITTED BY THE SPECIAL INSPECTOR.
 - h) CORRECT ALL NON-CONFORMING WORK.
 - i) IN ADDITION TO THE ABOVE, THE CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT OF RESPONSIBILITY TO THE BUILDING OFFICIAL AND THE OWNER PRIOR TO COMMENCING WORK. THE CONTRACTOR'S STATEMENT OF RESPONSIBILITY SHALL INCLUDE ACKNOWLEDGMENT OF AWARENESS OF THE SPECIAL REQUIREMENTS CONTAINED IN THE STATEMENT OF SPECIAL INSPECTIONS.
- 7) DEFINITIONS
 - a) CONTINUOUS INSPECTION MEANS THAT THE SPECIAL INSPECTOR IS PRESENT AT ALL TIMES OBSERVING AND CONFIRMING THAT THE WORK REQUIRING SPECIAL INSPECTION IS IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS.
 - b) PERIODIC INSPECTION MEANS THAT THE SPECIAL INSPECTOR IS PRESENT PART TIME, OR AT TIME INTERVALS, AS NECESSARY TO OBSERVE AND CONFIRM THAT THE WORK REQUIRING SPECIAL INSPECTION IS IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS.
- 8) WORK REQUIRING SPECIAL INSPECTION
 - a) WORK REQUIRING SPECIAL INSPECTION IS LISTED WITHIN THE TABLES OF REQUIRED SPECIAL INSPECTION AT THE END OF THE GENERAL NOTES.
 - b) IT IS INTENDED THAT THE TABLES OF REQUIRED SPECIAL INSPECTION DEFINE ALL INSPECTIONS REQUIRED BY CHAPTER 17 OF THE CODE. THE SPECIAL INSPECTOR SHALL NOTIFY THE ENGINEER OF ANY REQUIRED INSPECTIONS THAT MAY HAVE BEEN OMITTED FROM THE TABLES.

DIVISION 2: SITE WORK

A. GEOTECHNICAL REPORT

- 1) ALL EXCAVATION, BACKFILL AND SUBGRADE PREPARATION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT TITLED "GEOTECHNICAL ENGINEERING REPORT, NEWPORT LNG - EQUIPMENT FOUNDATIONS, NEWPORT, OREGON BY GEOENGINEERS, DATED AUGUST 6, 2014.
- 2) ALL SITE WORK ASSOCIATED WITH THE PILE FOUNDATIONS SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT TITLED "GEOTECHNICAL ENGINEERING REPORT, NEWPORT LNG PLANT - HEAT EXCHANGER FOUNDATIONS, NEWPORT, OREGON BY GEOENGINEERS DATED FEBRUARY 23, 2018.

B. SITE CONDITIONS

- 1) THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE SITE CONDITIONS.

C. MATERIALS

- 1) COMMON FILL: SELECTED EXCAVATED SITE MATERIALS OR IMPORTED MATERIAL SUBSTANTIALLY FREE OF TOPSOIL AND ORGANIC MATERIAL AND APPROVED BY GEOTECHNICAL ENGINEER.
- 2) STRUCTURAL FILL: CLEAN, FREE-DRAINING, WELL-GRADED, CRUSHED ROCK WITH ALL MATERIAL PASSING THE 1 INCH SIEVE AND NOT MORE THAN 5% PASSING THE NUMBER 200 SIEVE.
- 3) SAND FILL: CLEAN, FREE-DRAINING SAND WITH ALL MATERIAL PASSING THE NUMBER 40 SIEVE.
- 4) FLOWABLE CONTROL DENSITY FILL (FCDF): FLOWABLE, SELF-LEVELING MIXTURE OF PORTLAND CEMENT, FLY ASH, FINE AGGREGATES, AIR ENTRAINING ADMIXTURES AND WATER. EXCAVATABLE: 50 PSI MINIMUM, 100 PSI MAXIMUM 28-DAY COMPRESSIVE STRENGTH. NON-EXCAVATABLE: 125 PSI MINIMUM 28-DAY COMPRESSIVE STRENGTH. SUBMIT MIX DESIGN TO ENGINEER FOR REVIEW AND APPROVAL PRIOR TO PLACING.

D. EXCAVATION

- 1) VERIFY THAT SURVEY BENCHMARKS AND INTENDED ELEVATIONS FOR WORK ARE AS INDICATED.
- 2) REMOVE ALL ORGANIC MATERIAL, TOPSOIL, AND ANY FILL FROM UNDER BUILDINGS AND SLAB AREAS.
- 3) OVER-EXCAVATE AREAS NOT CAPABLE OF IN SITU COMPACTION.
- 4) NOTIFY ENGINEER OF ANY UNUSUAL CONDITIONS ENCOUNTERED IN FOOTING EXCAVATION.
- 5) CLEAN ALL FOOTING AREAS OF LOOSE MATERIAL BY HAND. REMOVE ALL WET, SOFT SOIL FROM FOOTING EXCAVATIONS PRIOR TO PLACING FOUNDATIONS.
- 6) ALL FOOTINGS SHALL BEAR ON FIRM, UNDISTURBED NATIVE SOILS OR COMPACTED STRUCTURAL FILL A MINIMUM OF 12 INCHES BELOW GRADE. NO LOOSE SOIL OR FILL SHALL BE PERMITTED UNDER FOOTINGS OR FOUNDATIONS.
- 7) LOCATION OF ANY EXISTING UNDERGROUND UTILITIES INDICATED ON THESE DRAWINGS ARE APPROXIMATE. VERIFY EXACT LOCATION PRIOR TO COMMENCEMENT OF ANY TRENCHING OR EXCAVATION OPERATIONS.

E. BACKFILL

- 1) SCARIFY AND PROOF ROLL SUBGRADE TO A DEPTH OF 12 INCHES TO IDENTIFY SOFT SPOTS. REMOVE ANY SOFT SPOTS AND BACKFILL WITH STRUCTURAL FILL.
- 2) BACKFILL OVER-EXCAVATED AREAS WITH STRUCTURAL FILL.
- 3) STRUCTURAL FILL: BACKFILL IN LAYERS NOT TO EXCEED 6 INCHES COMPACTED DEPTH.
- 4) SAND FILL: BACKFILL IN LAYERS NOT TO EXCEED 6 INCHES COMPACTED DEPTH.
- 5) COMPACTION SHALL BE PERFORMED AT A MOISTURE CONTENT WITHIN 3% OF OPTIMUM AS DETERMINED BY ASTM D1557.
- 6) COMPACTION SHALL MEET OR EXCEED THE FOLLOWING REQUIREMENTS AS SHOWN AS A PERCENTAGE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557, MODIFIED EFFORT:
 - a) FILL UNDER SLABS: COMPACTED TO 95%.
 - b) FILL UNDER FOUNDATIONS: COMPACTED TO 95%.
- 7) COMPACTION TESTING SHALL BE PERFORMED IN ACCORDANCE WITH ASTM D1556 (SAND CONE METHOD) OR ASTM D6938 (NUCLEAR METHOD).

F. TESTING AND INSPECTION

- 1) TESTING AND INSPECTION PER DIVISION 1.

DIVISION 3: CONCRETE

A. REFERENCES

- 1) ACI 301 - STANDARD SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS
- 2) ACI 302 - GUIDE FOR CONCRETE FLOOR AND SLAB CONSTRUCTION
- 3) ACI 304R - GUIDE FOR MEASURING, MIXING, TRANSPORTING AND PLACING CONCRETE
- 4) ACI 318 - BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE AND COMMENTARY
- 5) CRSI MSP-1 - MANUAL OF STANDARD PRACTICE
- 6) AWS D1.4 - STRUCTURAL WELDING CODE-REINFORCING STEEL

B. CONCRETE REINFORCING

- 1) SUBMITTALS
 - a) SHOP DRAWINGS: INDICATE BAR GRADES, SIZES, SPACING, LOCATION, QUANTITIES, BENDING & CUTTING SCHEDULES.
 - b) MILL TEST REPORTS.
- 2) REINFORCING STEEL
 - a) ASTM A615 GRADE 60 (60 KSI) DEFORMED BAR.
 - 1) THE ACTUAL YIELD STRENGTH BASED ON THE MILL TESTS REPORTS SHALL NOT EXCEED THE SPECIFIED YIELD STRENGTH BY MORE THAN 18,000 PSI AND THE RATIO OF ACTUAL ULTIMATE TENSILE STRENGTH TO THE ACTUAL YIELD STRENGTH SHALL NOT BE LESS THAN 1.25. IF ASTM A615 GRADE 60 REINFORCING DOES NOT SATISFY THESE REQUIREMENTS, ASTM A706 REINFORCING SHALL BE PROVIDED.
 - 2) UNLESS OTHERWISE NOTED ON THE DRAWINGS, LAP SPLICES FOR REINFORCING SHALL BE AS FOLLOWS:
- 3) UNLESS OTHERWISE NOTED ON THE DRAWINGS, LAP SPLICES FOR REINFORCING SHALL BE AS FOLLOWS:

BAR SIZE (US)	BAR SIZE METRIC (SI)	CLASS B SPLICE (INCH)	TOP BAR SPLICE * (INCH)
#3	#10	19	25
#4	#13	25	33
#5	#16	31	41
#6	#19	37	49
#7	#22	54	70
#8	#25	62	80
#9	#29	69	90
#10	#32	77	100
#11	#36	85	110
#14	#43	108	140
#18	#57	139	180

* TOP BARS ARE HORIZONTAL BARS PLACED SUCH THAT MORE THAN 12 INCHES OF FRESH CONCRETE IS CAST BELOW SPLICE.

4) PROVIDE SPECIFIED COVER AS FOLLOWS

- a) CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH: 3 INCHES (-3/8 INCH+1 INCH)
- b) CONCRETE EXPOSED TO EARTH OR WEATHER:
 - 1) #6 BAR AND LARGER: 2 INCHES (-3/8 INCH+5/8 INCH)
 - 2) #5 BAR AND SMALLER: 1 1/2 INCHES (-3/8 INCH+1 1/2 INCH)
- c) CONCRETE NOT EXPOSED TO WEATHER OR IN CONTACT WITH EARTH:
 - 1) SLABS, WALLS, JOISTS:
 - a. #4 BAR AND LARGER: 1 1/2 INCHES (-1/4 INCH+1 1/2 INCH)
 - b. #11 BAR AND SMALLER: 3/4 INCH (-1/4 INCH+1 1/4 INCH)
 - 2) BEAM, COLUMNS, PEDESTALS (PRIMARY REINFORCING, TIES, STIRRUPS, AND SPIRALS): 1 1/2 INCHES (-3/8 INCH+1 1/2 INCH)
- 5) UNLESS OTHERWISE NOTED ON THE DRAWINGS, PROVIDE CORNER BARS TO MATCH HORIZONTAL REINFORCING AT CORNERS AND INTERSECTIONS.

C. CAST-IN-PLACE CONCRETE

- 1) MATERIALS:
 - a) CEMENT: ASTM C150 TYPE III.
 - b) FINE AND COARSE AGGREGATES: ASTM C33.
 - c) WATER: ASTM C1602 CLEAN AND NOT DETRIMENTAL TO CONCRETE.
 - d) ADMIXTURES:
 - 1) AIR ENTRAINMENT: ASTM C260
 - 2) ADMIXTURES: ASTM C494
- 2) ACCESSORIES:
 - a) ISOLATION JOINT MATERIAL: ASTM D1751 ASPHALT IMPREGNATED FIBERBOARD. VERIFY COMPATIBILITY WITH REQUIRED CONCRETE COATING SYSTEMS.
 - b) CORRUGATED PAPER FORMWORK, SUREVOID PRODUCTS, BY VOIDFORM PRODUCTS, INC.
 - c) JOINT SEALANTS: ASTM C920, TYPE S, SIKAFLEX 1CSL, BY SIKA CORPORATION. SELF-LEVELING FOR HORIZONTAL JOINT USE.
 - d) CURING COMPOUND: VOC COMPLIANT ASTM C309 TYPE 1, CLASS B, ALL-RESIN TYPE, NON-YELLOWING ACRYLIC TYPE. VERIFY COMPATIBILITY WITH REQUIRED CONCRETE COATING SYSTEMS.
 - e) BONDING AGENT: VOC COMPLIANT, NON-SOLVENT BASED EPOXY ADHESIVE, "ARMATEC 110 EPOCEM" AS MANUFACTURED BY SIKA CORPORATION, "DURALPREP AC" AS MANUFACTURED BY EUCLID CHEMICAL CO. OR EQUAL.
- 3) POST INSTALLED CONCRETE FASTENERS:
 - a) EXPANSION ANCHORS: MECHANICAL EXPANSION TYPE: ICC-ESR APPROVED KWIK BOLT-TZ BY HILTI, INC. OR ICC-ESR APPROVED STRONG BOLT 2 BY SIMPSON STRONG-TIE.
 - b) CHEMICAL ADHESIVE ANCHORS: CHEMICAL ANCHOR TYPE: ICC-ESR APPROVED HIT-RE 500 V3 BY HILTI, INC. OR ICC-ESR APPROVED SET-XP BY SIMPSON STRONG-TIE. SEE DIVISION 5 NOTES FOR THREADED ROD MATERIAL TO BE USED WITH ADHESIVE ANCHORS.
 - c) ALTERNATE PRODUCTS MUST BE APPROVED IN WRITING BY THE STRUCTURAL ENGINEER PRIOR TO USE OR SUBSTITUTION. PROPOSED ALTERNATE PRODUCT SUBMITTALS WILL BE EVALUATED CONSIDERING ICC-ESR SHOWING COMPLIANCE WITH THE CURRENT CODE FOR SEISMIC USES AND LOAD RESISTANCE. PROVIDE MINIMUM EDGE DISTANCE AND SPACING AS INDICATED IN THE PRODUCT'S ICC-ES REPORT UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- 4) CONCRETE MIX
 - a) ALL CONCRETE SHALL COMPLY WITH THE REQUIREMENTS OF ACI 318. CONCRETE SHALL BE TRANSPORTED AND PLACED IN ACCORDANCE WITH ASTM C94.
 - b) MIX DESIGN:

ITEM	COMPRESSIVE STRENGTH (PSI) *	WATER/CEMENT MAT'L RATIO	MAXIMUM AGGREGATE SIZE (INCH)	AIR ENTRAINMENT (PERCENT) ** 1 INCH) ***
FOOTINGS	4500	0.45	1 1/2	4-6	3

- * COMPRESSIVE STRENGTH AT 28 DAYS UNLESS OTHERWISE NOTED.
- ** LIMIT AIR ENTRAINMENT TO 3% MAXIMUM FOR INTERIOR SLAB-ON-GRADE AND ELEVATED SLABS.
- *** SLUMPS SHOWN ARE THE TARGET SLUMPS WITHOUT THE INTRODUCTION OF ADMIXTURES. MAXIMUM SLUMP WITH ADMIXTURES SHALL NOT EXCEED 7 INCHES FOR SLABS-ON-GRADE AND ELEVATED SLABS OR 8 INCHES FOR ALL OTHER CONCRETE.
- 2) HOT WEATHER CONCRETING SHALL BE IN ACCORDANCE WITH ACI 305R.
- 3) COLD WEATHER CONCRETING SHALL BE IN ACCORDANCE WITH ACI 306R.
- 4) FINISHING
 - a) ALL FINISHING SHALL BE IN ACCORDANCE WITH ACI 301 SECTION 5.
 - b) FORMED CONCRETE SURFACES NOT EXPOSED TO VIEW MAY HAVE A ROUGH FORM FINISH, SF-1.0 IN ACCORDANCE WITH ACI 301 SECTION 5.3.3.3 (a).
 - c) FORMED CONCRETE SURFACES EXPOSED TO VIEW SHALL HAVE A SMOOTH FORM FINISH, SF-2.0 IN ACCORDANCE WITH ACI 301 SECTION 5.3.3.3 (b).
 - d) HORIZONTAL UNFORMED CONCRETE SURFACES SHALL BE SCREEDED AND FLOATED.
 - e) SURFACES RECEIVING GROUT OR BONDED CONCRETE TOPPING SHALL BE A SCRATCHED FINISH TO 1/4 INCH AMPLITUDE.
 - f) INTERIOR SLABS FINISH SHALL BE A TROWELED FINISH.
 - g) EXTERIOR SLAB FINISH SHALL BE A BROOMED FINISH IN THE DIRECTION OF THE FLOOR SLOPE.
 - h) EXPOSED NON-CHAMFERED SLAB EDGES SHALL BE EDGED TO A 1/4 INCH RADIUS AFTER FINISHING. EDGING SHALL NOT FORM RIDGES ON THE SLAB SURFACE.
 - i) EXPOSED EDGES SHALL BE FORMED USING 3/4 INCH CHAMFER UNLESS OTHERWISE NOTED.
 - j) VERIFY FINISHING REQUIREMENTS OF SURFACES SCHEDULED TO RECEIVE PROTECTIVE COATINGS WITH PRODUCT MANUFACTURER.

D. CURING


- 1) CONCRETE SHALL BE CURED BY USE OF A CURING COMPOUND OR BY USE OF AN APPROVED WET CURING PROCESS FOR A MINIMUM OF 7 DAYS AFTER CONCRETE PLACEMENT IN ACCORDANCE WITH ACI 308.1. CURING COMPOUNDS SHALL BE APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN INSTRUCTIONS AND SPECIFICATIONS.

E. GROUT

- 1) ASTM C1107, ICC-ES APPROVED, NON-SHRINK, NON-METALLIC, MINIMUM COMPRESSIVE STRENGTH OF 5000 PSI AT 7 DAYS; FIVE STAR GROUT BY FIVE STAR PRODUCTS OR MASTERFLOW 928 BY BASF.
- 2) EQUIPMENT BASES AND COLUMN BASE PLATES SHALL BE GROUTED IN STRICT ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS.


F. TESTING AND INSPECTION

- 1) TESTING AND INSPECTION PER DIVISION 1.




REGISTERED PROFESSIONAL ENGINEER
74499PE
DIGITALLY SIGNED 03/16/21
OREGON
Jul 25, 2015
SEAN M. DUFFY

ISSUED FOR PERMIT



PROJECT NO: 0031105.00



220 NW 2ND AVENUE
PORTLAND, OR 97209

PRETREATMENT REGEN OPTIMIZATION
STRUCTURAL GENERAL NOTES SHEET 1
NEWPORT LNG PLANT, NEWPORT, LINCOLN COUNTY, OREGON

BAR IS ONE INCH ON ORIGINAL DRAWING.

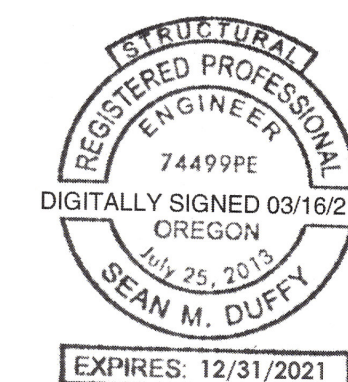
ADJUST SCALE AS SHOWN ACCORDINGLY.

S-001

DWG. NO. S-001
SHEET S-001
DR. KE
APP. DATE 03/16/21
SCALE NONE
APP. BY AMW

TABLE 1 REQUIRED GEOTECHNICAL SPECIAL INSPECTIONS					
SYSTEM or MATERIAL	INSPECTION		FREQUENCY		REMARKS
	OSSC CODE REFERENCE	CODE or STANDARD REFERENCE	Continuous	Periodic	
SOILS					
VERIFY MATERIALS BELOW SHALLOW FOUNDATIONS ARE ADEQUATE TO ACHIEVE THE DESIGN BEARING CAPACITY	1705.6			X	VERIFY PROPER MATERIALS AND PROCEDURES ARE USED ACCORDANCE WITH THE GEOTECHNICAL REPORT.
VERIFY EXCAVATIONS ARE EXTENDED TO PROPER DEPTH AND HAVE REACHED PROPER MATERIAL	1705.6			X	
PERFORM CLASSIFICATION AND TESTING OF COMPACTED FILL MATERIALS	1705.6			X	
VERIFY USE OF PROPER MATERIALS, DENSITIES AND LIFT THICKNESSES DURING PLACEMENT AND COMPACTION OF COMPACTED FILL	1705.6		X		
PRIOR TO PLACEMENT OF COMPACTED FILL, OBSERVE SUBGRADE AND VERIFY THAT SITE HAS BEEN PREPARED PROPERLY.	1705.6			X	
CONCRETE					
INSPECT REINFORCEMENT AND VERIFY PLACEMENT	1705.3 1908.4	ACI 318: CH 20, 25.2, 25.3, 26.6.1-26.6.3		X	
INSPECT ANCHORS CAST IN CONCRETE	1705.3	ACI 318: 17.8.2			ALL BOLTS VISUALLY INSPECTED
INSPECT ANCHOR POST INSTALLED IN HARDENED CONCRETE MEMBERS:	1705.3	APPROVED RESEARCH REPORTS	X		SPECIFIC REQUIREMENTS PER THE APPROVED RESEARCH REPORTS, IF NOT PROVIDED THEY SHALL BE PROVIDED BY THE REGISTERED DESIGN PROFESSIONAL AND APPROVED BY THE BUILDING OFFICIAL. ALL INSPECTIONS SHALL INCLUDE VERIFICATION OF ANCHOR TYPE AND DIMENSIONS, HOLE TYPE AND DIMENSIONS, HOLE CLEANING PROCEDURES, ANCHOR SPACING, EDGE DISTANCES, ANCHOR EMBEDMENT, TIGHTENING TORQUE, AND CONCRETE SUBSTRATE TEMPERATURE.
(a) ADHESIVE ANCHORS INSTALLED IN HORIZONTALLY OR UPWARDLY INCLINED ORIENTATIONS TO RESIST SUSTAINED TENSION LOADS					
(b) MECHANICAL ANCHOR AND ADHESIVE ANCHORS NOT DEFINED IN (a)					
VERIFYING USE OF REQUIRED MIX DESIGN(S)	1904.1 1904.2	ACI 318: CHAPTER 19 ACI 318: 26.4.3, 26.4.4		X	
VERIFY MAINTENANCE OF SPECIFIED CURING TEMPERATURE AND TECHNIQUES	1705.3 1908.9	ACI 318: 26.5.3-26.5.5		X	
VERIFICATION OF FORMWORK, SPECIAL INSPECTIONS APPLY TO SHAPE, LOCATION AND DIMENSIONS OF THE CONCRETE MEMBER BEING FORMED	1705.3	ACI 318: 26.11.1.2(b)		X	

TABLE 5 REQUIRED TESTING for SPECIAL INSPECTIONS					
SYSTEM or MATERIAL	TESTING		FREQUENCY		REMARKS
	OSSC CODE REFERENCE	CODE or STANDARD REFERENCE	Continuous	Periodic	
CONCRETE					
AT THE TIME FRESH CONCRETE IS SAMPLED TO FABRICATE SPECIMENS FOR STRENGTH TESTS, PERFORM SLUMP AND AIR CONTENT TESTS, AND DETERMINE THE TEMPERATURE OF THE CONCRETE	TABLE 1705.3	ASTM C 172 ASTM C 31 ACI 318: 5.6, 5.8	X		FABRICATE SPECIMENS AT TIME FRESH CONCRETE IS PLACED ONCE EACH DAY FOR A GIVEN CLASS OF CONCRETE, OR LESS THAN ONCE FOR EACH 150 YDS OF CONCRETE, OR LESS THAN ONCE FOR EACH 5,000 FT2 OF SURFACE AREA FOR SLAB/WALLS. ONCE EACH SHIFT FROM IN-PLACE WORK OR FROM TEST PANEL AND MINIMUM ONE SPECIMEN FOR EACH 50 CUBIC YARDS. *PRECONSTRUCTION TESTS AS REQUIRED PER THE BUILDING OFFICIAL.*
CONCRETE STRENGTH	TABLE 1705.3	ASTM C39	X		
CONCRETE SLUMP	TABLE 1705.3	ASTM C143	X		
CONCRETE AIR CONTENT		ASTM C231	X		
CONCRETE TEMPERATURE		ASTM C1064	X		



ISSUED FOR PERMIT

 PROJECT NO: 0031105.00

REV	DR.	APP.	ISSUED FOR PERMIT	REVISION	DATE
0	HG	AW	ISSUED FOR PERMIT		03/16/21

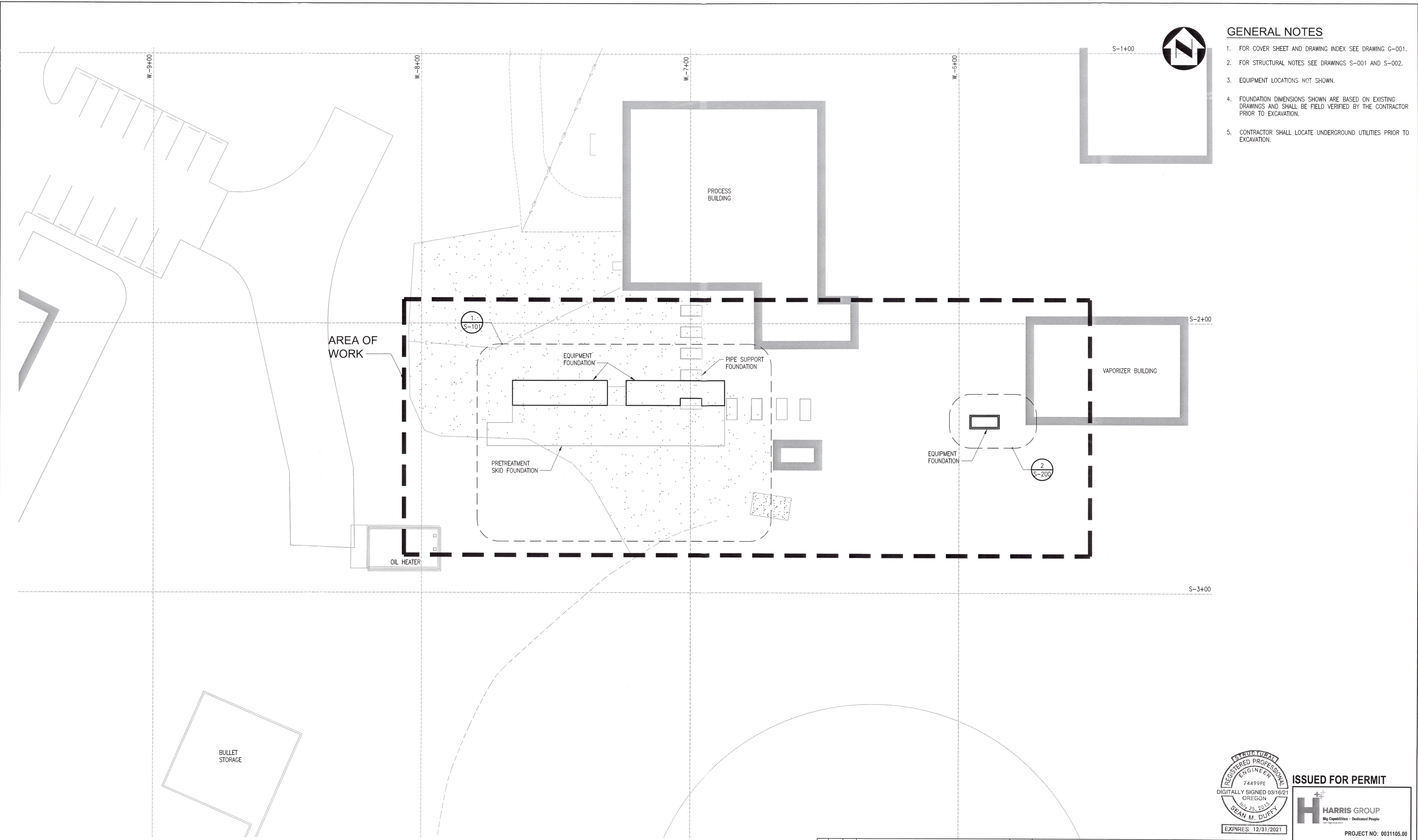


220 NW 2ND AVENUE
 PORTLAND, OR 97209
PRETREATMENT REGEN OPTIMIZATION
 STRUCTURAL GENERAL NOTES SHEET 2
 NEWPORT LNG PLANT, NEWPORT, LINCOLN COUNTY, OREGON

BAR IS ONE INCH ON ORIGINAL DRAWING.
 ADJUST SCALE AS SHOWN ACCORDINGLY.

S-002

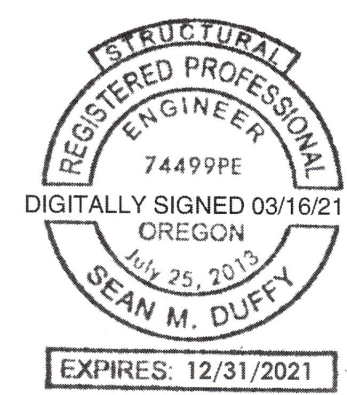
DWG. NO. S-002
 SHEET S-002 SCALE NONE
 DR. KE APP. DATE 03/16/21
 APP. BY AMW



GENERAL NOTES

1. FOR COVER SHEET AND DRAWING INDEX SEE DRAWING G-001.
2. FOR STRUCTURAL NOTES SEE DRAWINGS S-001 AND S-002.
3. EQUIPMENT LOCATIONS NOT SHOWN.
4. FOUNDATION DIMENSIONS SHOWN ARE BASED ON EXISTING DRAWINGS AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO EXCAVATION.
5. CONTRACTOR SHALL LOCATE UNDERGROUND UTILITIES PRIOR TO EXCAVATION.

OVERALL FOUNDATION PLAN
SCALE: 1/16" = 1'-0"



ISSUED FOR PERMIT

 PROJECT NO: 0031105.00

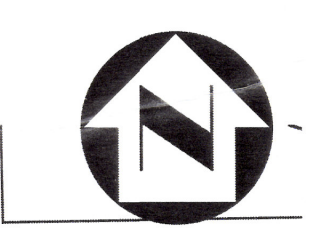
REV	DR.	APP.	REVISION	DATE
0	HG	AW	ISSUED FOR PERMIT	03/16/21

NW Natural
 220 NW 2ND AVENUE
 PORTLAND, OR 97209
 PRETREATMENT REGEN OPTIMIZATION
 OVERALL FOUNDATION PLAN
 NEWPORT LNG PLANT, NEWPORT, LINCOLN COUNTY, OREGON

BAR IS ONE INCH ON ORIGINAL DRAWING.
 ADJUST SCALE AS SHOWN ACCORDINGLY.

S-100

DWG. NO. S-100
 SHEET S-100 SCALE NONE
 DR. KE APP. DATE 03/16/21
 APP. BY AMW



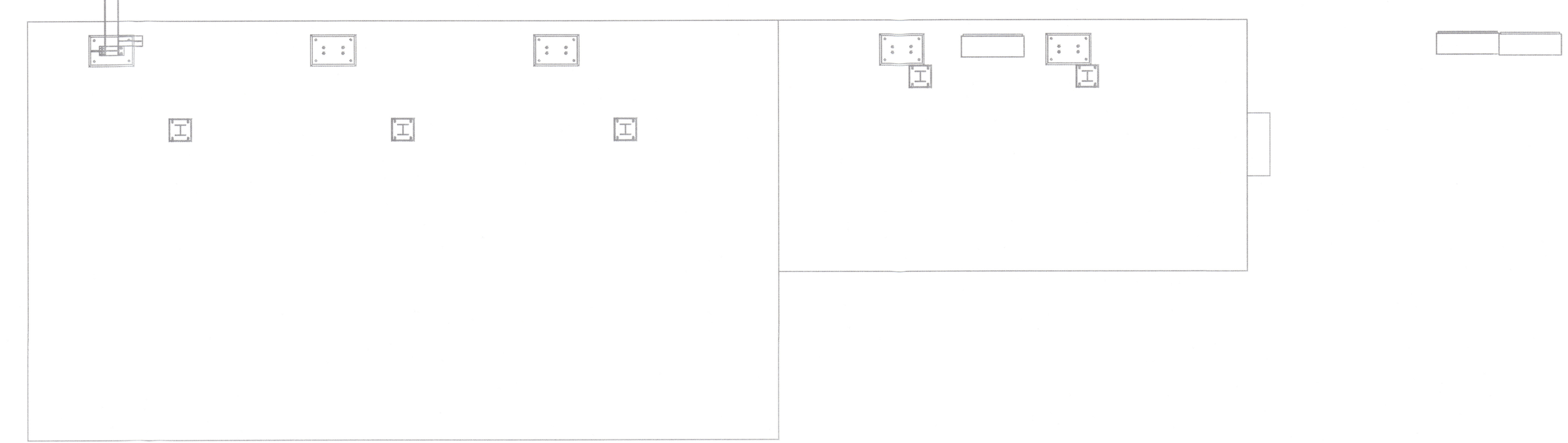
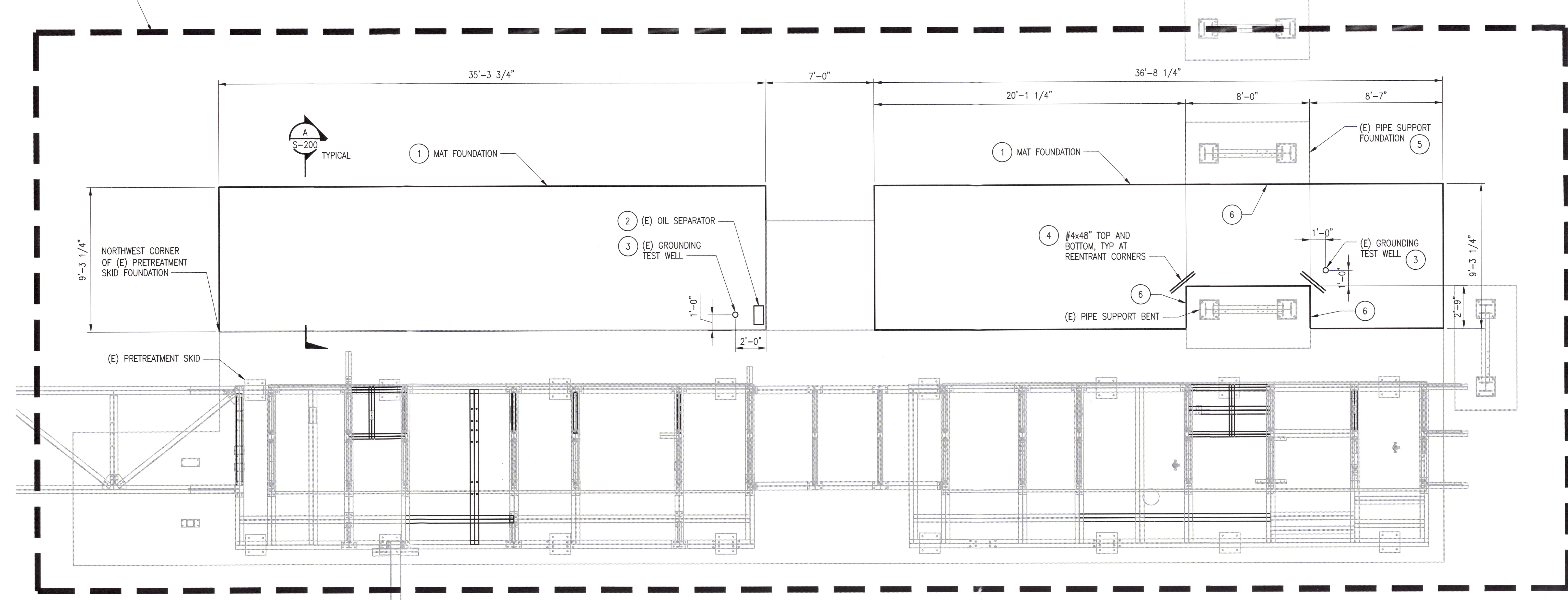
GENERAL NOTES

1. FOR COVER SHEET AND DRAWING INDEX SEE DRAWING G-001.
2. FOR STRUCTURAL NOTES SEE DRAWINGS S-001 AND S-002.
3. EQUIPMENT LOCATIONS NOT SHOWN.
4. FOUNDATION DIMENSIONS SHOWN ARE BASED ON EXISTING DRAWINGS AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO EXCAVATION.
5. CONTRACTOR SHALL LOCATE UNDERGROUND UTILITIES PRIOR TO EXCAVATION.

KEYED NOTES

- 1 18" MINIMUM THICKNESS WITH TOP ELEVATION TO MATCH EXISTING SKID FOUNDATION. FOUNDATION IS LOCATED ON PREVIOUSLY IMPROVED SOIL.
- 2 CLIENT TO RELOCATE EXISTING OIL SEPARATOR.
- 3 CONTRACTOR SHALL PROVIDE SCHEDULE 80 PVC GROUNDING TEST WELL. TEST WELL SHALL MATCH TOP OF CONCRETE ELEVATION AND EXTEND 18" DEEP THROUGH FOUNDATION. FIELD VERIFY LOCATION. COORDINATE LOCATION WITH ENGINEER PRIOR TO PLACING REINFORCEMENT.
- 4 BARS SHALL BE CENTERED ON REENTRANT CORNER. FIRST BAR SHALL BE PLACED AT 1" FROM CORNER, SECOND BAR SHALL BE SPACED 2" FROM FIRST. TOP BARS SHALL BE PLACED 1" CLEAR FROM TOP OF CONCRETE, BOTTOM BARS SHALL BE PLACED BELOW BOTTOM MAT OF REINFORCEMENT.
- 5 NORTH FACE OF EQUIPMENT FOUNDATION SHALL ALIGN WITH SOUTH FACE OF EXISTING PIPE SUPPORT FOUNDATION.
- 6 1/4" EXPANSION MATERIAL WITH JOINT SEALANT ONLY.

AREA OF WORK



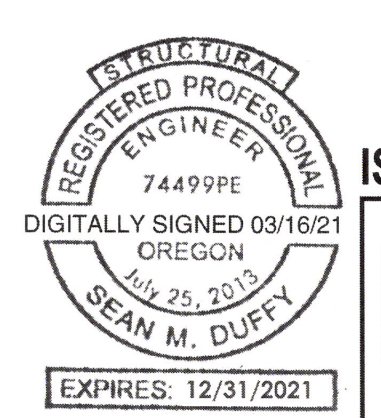
FOUNDATION PLAN
SCALE: 1/4"=1'-0"

1
S-100

REV	DR.	APP.	REVISION	DATE
0	HG	AW	ISSUED FOR PERMIT	03.16/21

NW Natural
220 NW 2ND AVENUE
PORTLAND, OR 97209

PRETREATMENT REGEN OPTIMIZATION
FOUNDATION PLAN
NEWPORT LNG PLANT, NEWPORT, LINCOLN COUNTY, OREGON



ISSUED FOR PERMIT

HARRIS GROUP
Big Capabilities - Dedicated People

PROJECT NO: 0031105.00

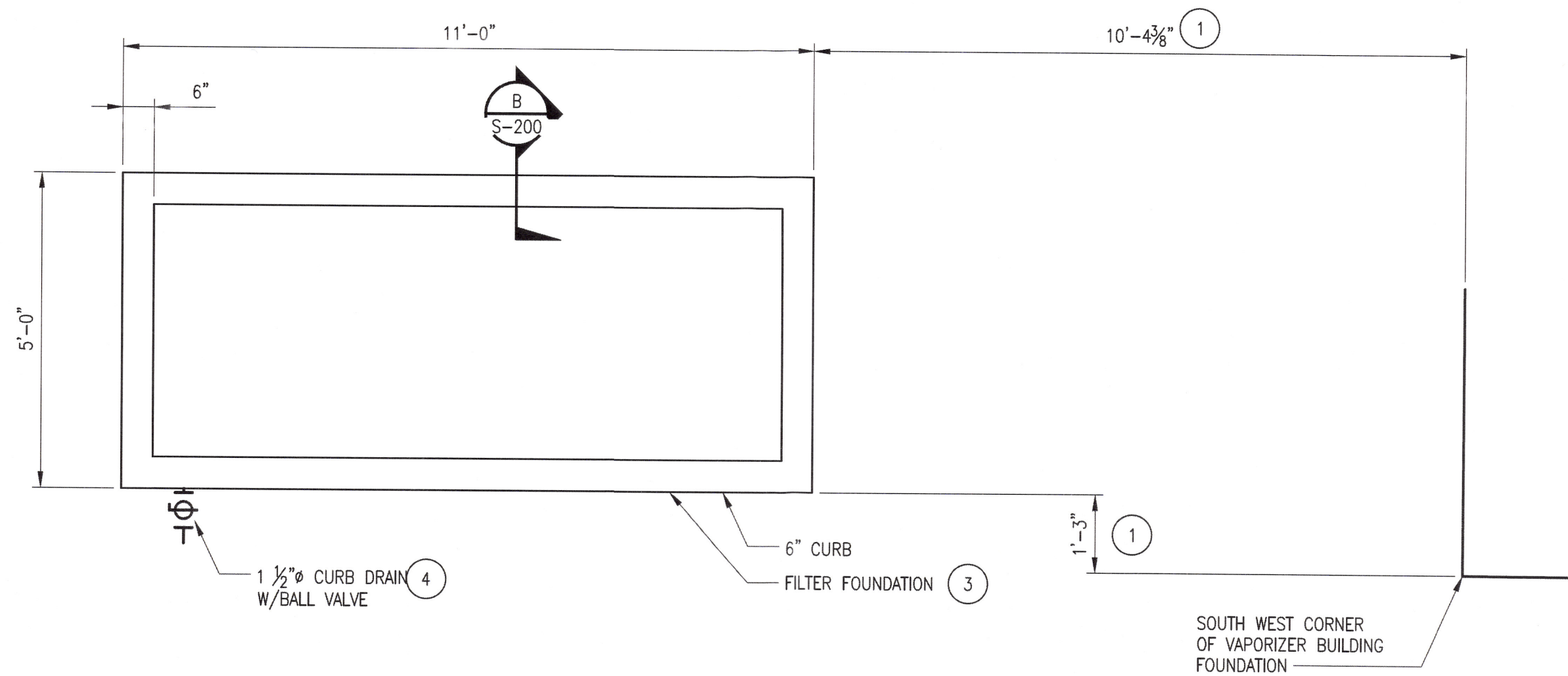
S-101

BAR IS ONE INCH ON ORIGINAL DRAWING.

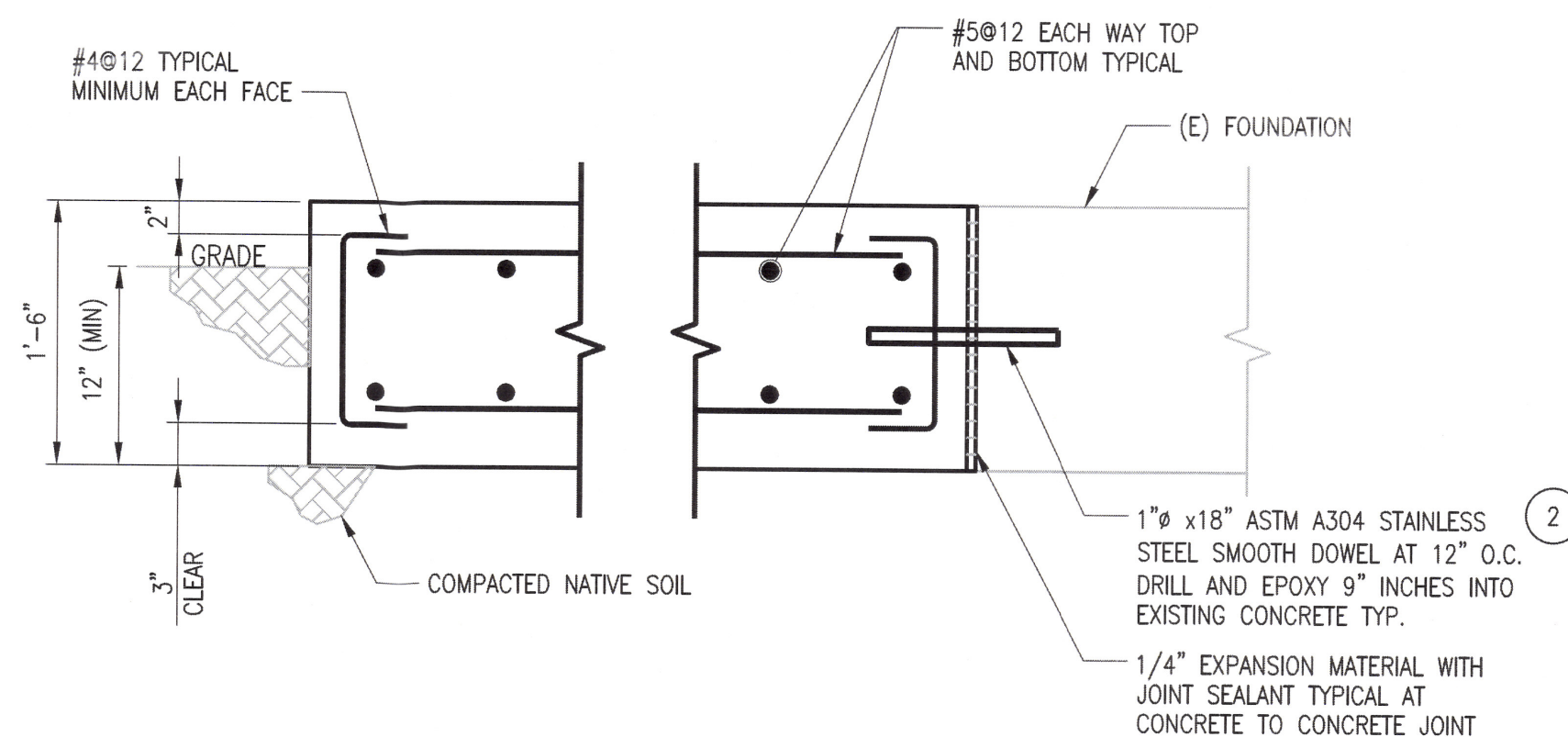
ADJUST SCALE AS SHOWN ACCORDINGLY.

DWG. NO. S-101
SHEET S-101
DR. RVP
APP. BY AMW

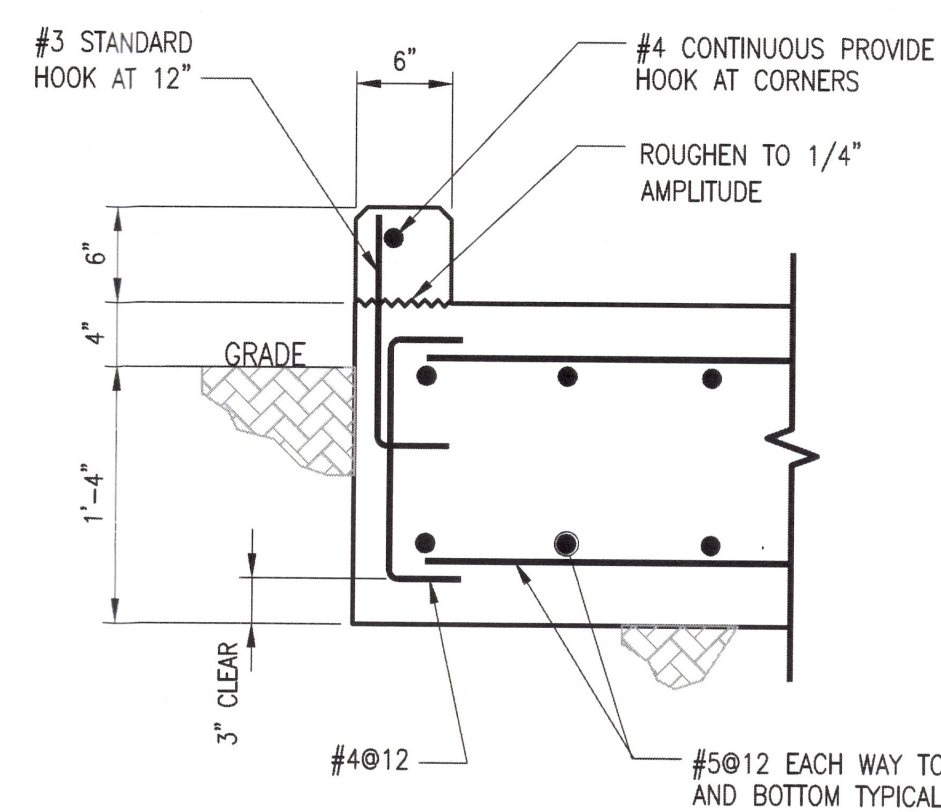
SCALE NONE
DATE 03/16/21



ENLARGED FOUNDATION PLAN
SCALE: 1/2"=1'-0"
2
S-100



SECTION A
SCALE: 1" = 1'-0"
S-101



SECTION B
SCALE: 1" = 1'-0"
S-200

GENERAL NOTES

1. FOR COVER SHEET AND DRAWING INDEX SEE DRAWING G-001.
2. FOR STRUCTURAL NOTES SEE DRAWINGS S-001 AND S-002.
3. EQUIPMENT LOCATIONS NOT SHOWN.
4. CONTRACTOR SHALL LOCATE UNDERGROUND UTILITIES PRIOR TO EXCAVATION.

KEYED NOTES

1. CONTRACTOR SHALL COORDINATE FINAL LOCATION WITH CLIENT AND ENGINEER PRIOR TO EXCAVATION.
2. SMOOTH DOWEL SHALL BE PLACED AT CENTER OF SLAB DEPTH. GREASE DOWEL PRIOR TO POURING CONCRETE. ALL DOWELS PARALLEL, LEVEL AND SQUARE TO FACE OF EXISTING FOUNDATION. CARE SHALL BE TAKEN NOT TO DAMAGE EXISTING REINFORCEMENT.
3. THIS FOUNDATION IS TO BE LOCATED ON UNIMPROVED SOIL SUBJECT TO LIQUEFACTION DURING A SEISMIC EVENT. HARRIS GROUP UNDERSTANDS THAT THE EXISTING PIPING LEADING INTO AND OUT OF THE PROPOSED FILTER ON THIS FOUNDATION ARE CURRENTLY SUPPORTED ON SHALLOW FOUNDATIONS ON UNIMPROVED SOIL, THUS PLACING THE FILTER ON A SHALLOW FOUNDATION WILL NOT INCREASE THE RISK TO THE PLANT. HARRIS GROUP ALSO UNDERSTANDS THAT, IN A SEISMIC EVENT, SAFETY SHUT OFF SYSTEMS ARE IN PLACE UPSTREAM AND DOWNSTREAM OF THE PROPOSED FILTER, FURTHER REDUCING THE RISK TO THE PLANT.
4. CAST VALVE AND PIPE IN FOUNDATION/CURB SUCH THAT INVERT MATCHES THE TOP OF FOUNDATION ELEVATION.



ISSUED FOR PERMIT



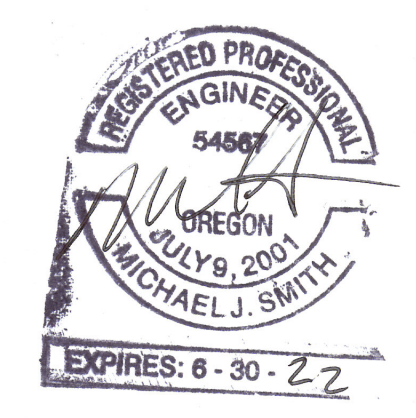
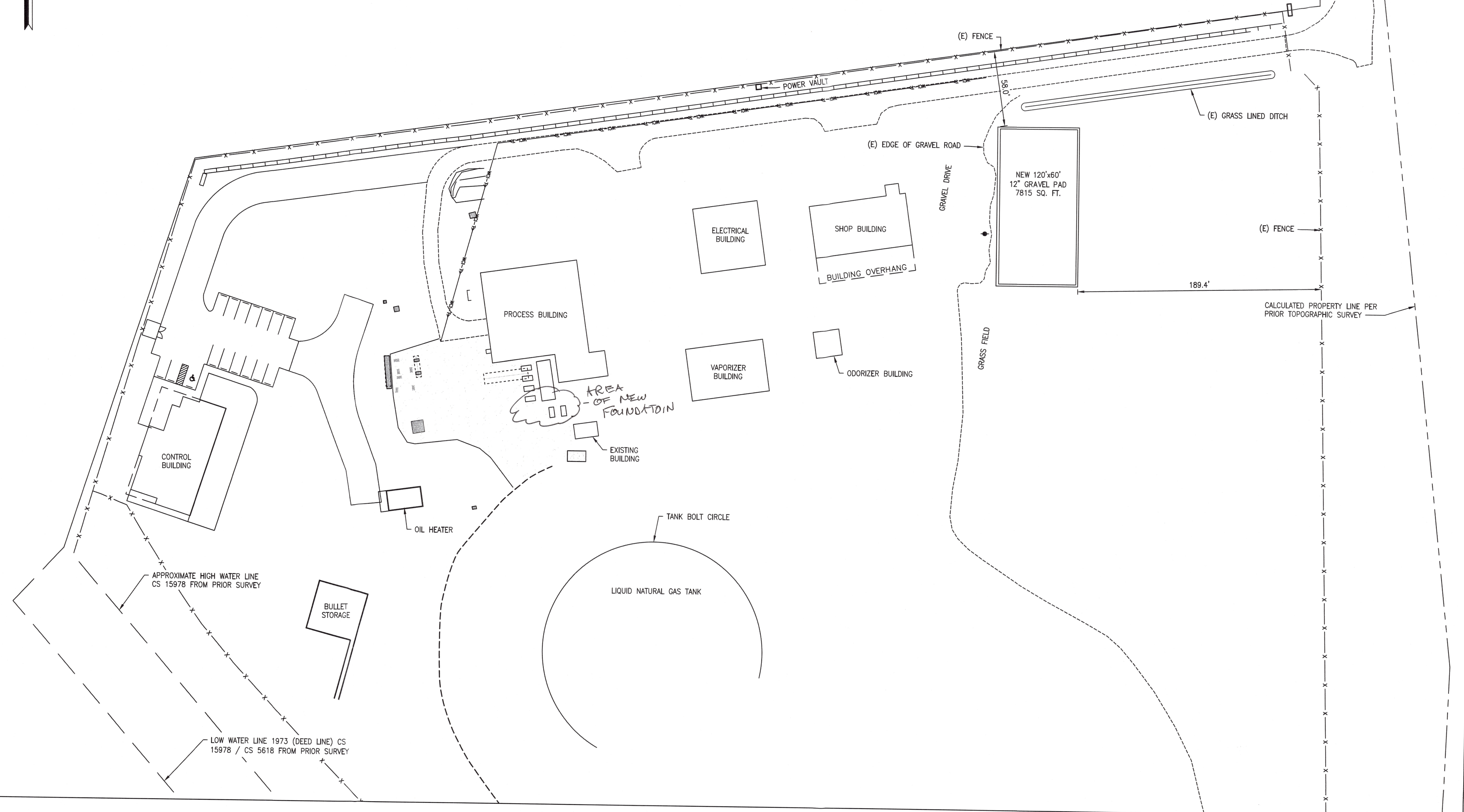
NW Natural 220 NW 2ND AVENUE PORTLAND, OR 97209		PRETREATMENT REGEN OPTIMIZATION STRUCTURAL DETAILS NEWPORT LNG PLANT, NEWPORT, LINCOLN COUNTY, OREGON	
0	HG	AW	ISSUED FOR PERMIT
REV	DR.	APP.	REVISION
			03/16/21
			DATE

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

DWG. NO. **S-200**
SHEET S-200 SCALE NONE
DR. RVP APP. DATE 03/16/21
APP. BY AMW



- GENERAL NOTES:**
1. STATE PLANE COORDINATES ARE BASED ON OREGON STATE PLANE, NORTH ZONE, NAD 83, INTERNATIONAL FEET.
 2. ELEVATIONS ARE IN NAVD88.



NORWEST ENGINEERING, INC.
 CONSULTING ENGINEERS
 PORTLAND, OREGON 503-254-0110
 IRVINE, CALIFORNIA
 www.NorwestEngineering.com

N.E. #		RV1242	
REV	DR.	APP.	DATE
0	RAS	MJS	03/23/21
ISSUED FOR PERMIT			
REVISION			

NW Natural
 220 NW 2ND AVENUE
 PORTLAND, OR 97209

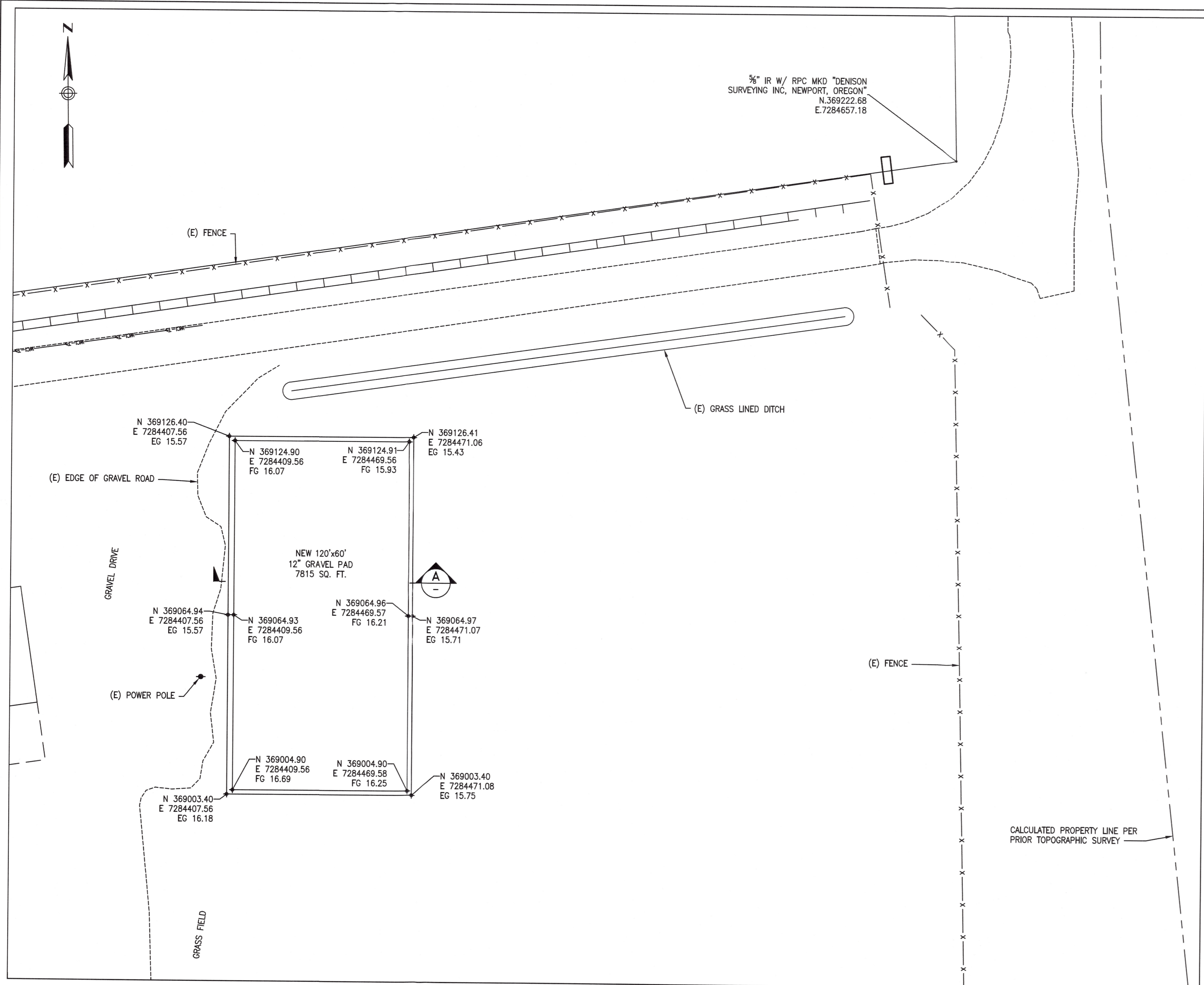
NORTHWEST NATURAL:
 NEWPORT L.N.G TERMINAL
 LOCATION AND SITE PLAN

BAR IS ONE INCH ON ORIGINAL DRAWING.
 ADJUST SCALE AS SHOWN ACCORDINGLY.

D1242-C001

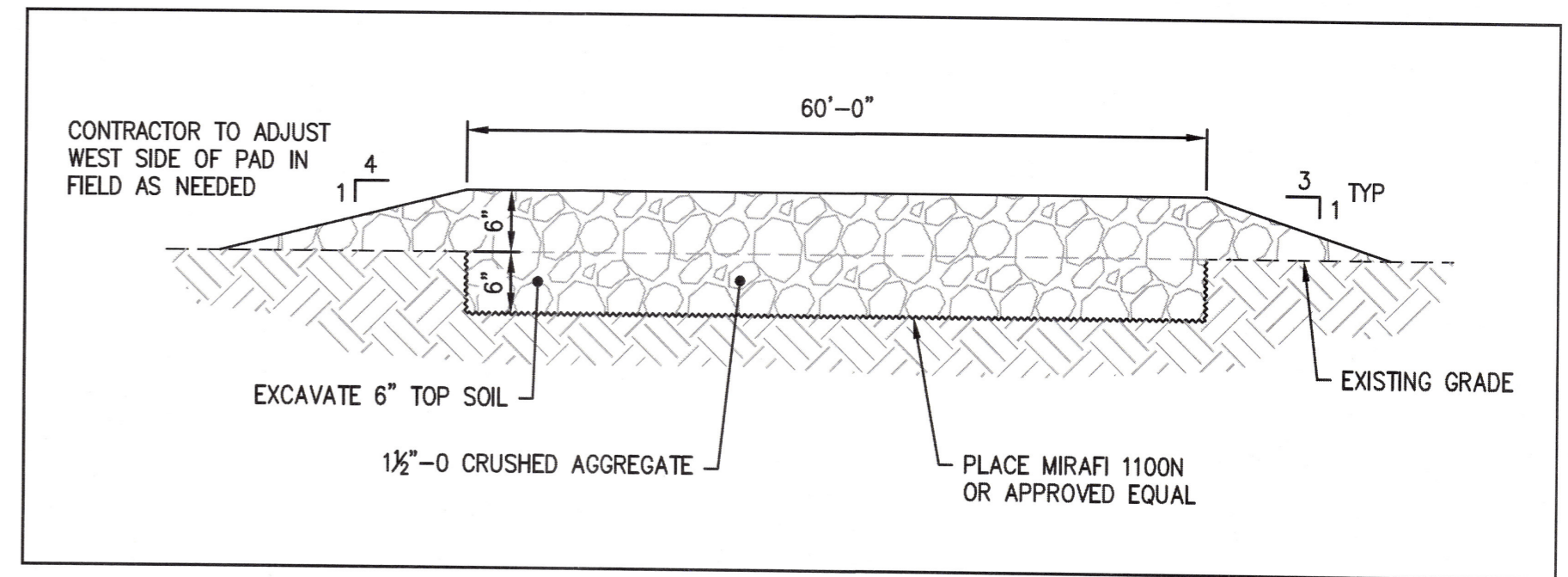
DWG. NO. 1 of 3
 SHEET 1 of 3
 DR. RAS
 APP. BY: MJS

SCALE AS SHOWN
 DATE 03/23/21



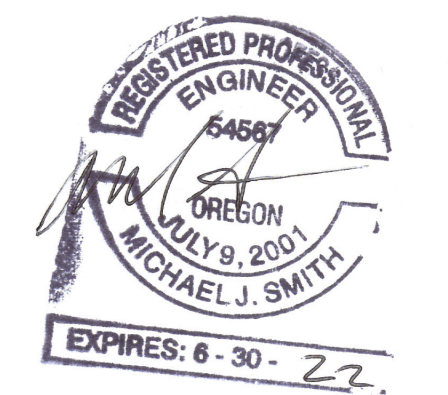
- GRADING NOTES:**
1. CONTRACTOR SHALL POSITIVE GRADE AWAY FROM THE GRAVEL PAD.
 2. VEGETATION AND TOPSOIL SHALL BE REMOVED AND THE SURFACE SCARIFIED 6 INCHES DEEP. CONTRACTOR SHALL REMOVE ROCK AND OTHER UNYIELDING FOUNDATION MATERIAL SIX (6) INCHES BELOW THE EXISTING GRADE.
 3. USE 1 1/2\"-0 CRUSHED AGGREGATE. ENGINEER TO REVIEW AND APPROVE ROCK QUARRY MATERIAL SPECIFICATIONS PRIOR TO IMPORTING. PLACE IN MAXIMUM 6 INCH THICK LOOSE LIFTS AND COMPACT TO A MINIMUM 125 POUNDS PER CUBIC FOOT (PCF) MAXIMUM DRY DENSITY.

ESTIMATED GRADING VOLUMES		
	CUT	GRAVEL FILL
120' x 60' GRAVEL PAD	126 CU YDS	291 CU YDS



A SECTION
N.T.S.

1 GRADING PLAN
1" = 20'



NORWEST ENGINEERING, INC.
CONSULTING ENGINEERS
PORTLAND, OREGON 503-254-0110
IRVINE, CALIFORNIA
www.NorwestEngineering.com

N.E. #
RV1242

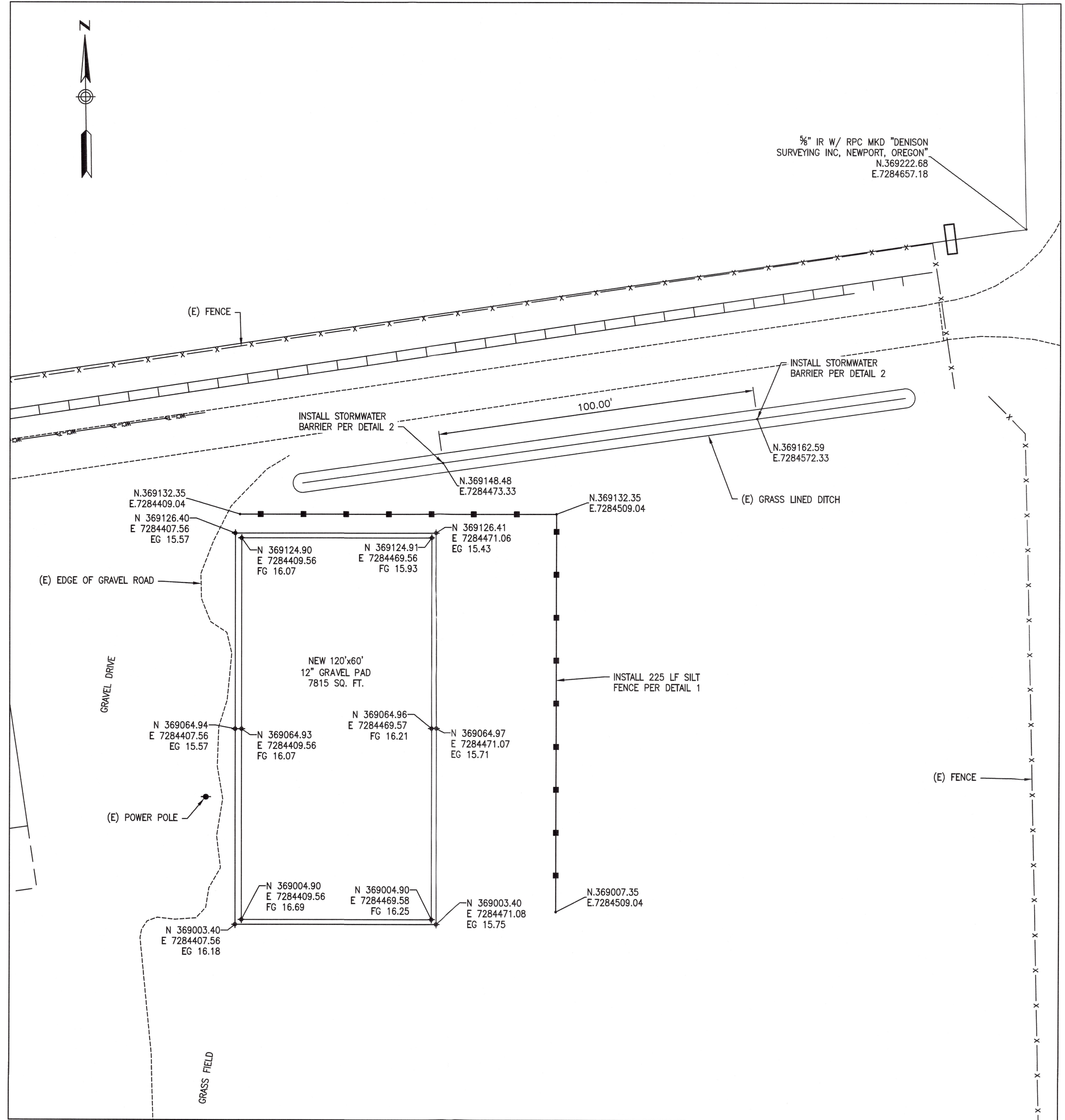
REV	DR.	APP.	ISSUED FOR PERMIT	REVISION	DATE
0	RAS	MJS	ISSUED FOR PERMIT		03/23/21

NW Natural
220 NW 2ND AVENUE
PORTLAND, OR 97209

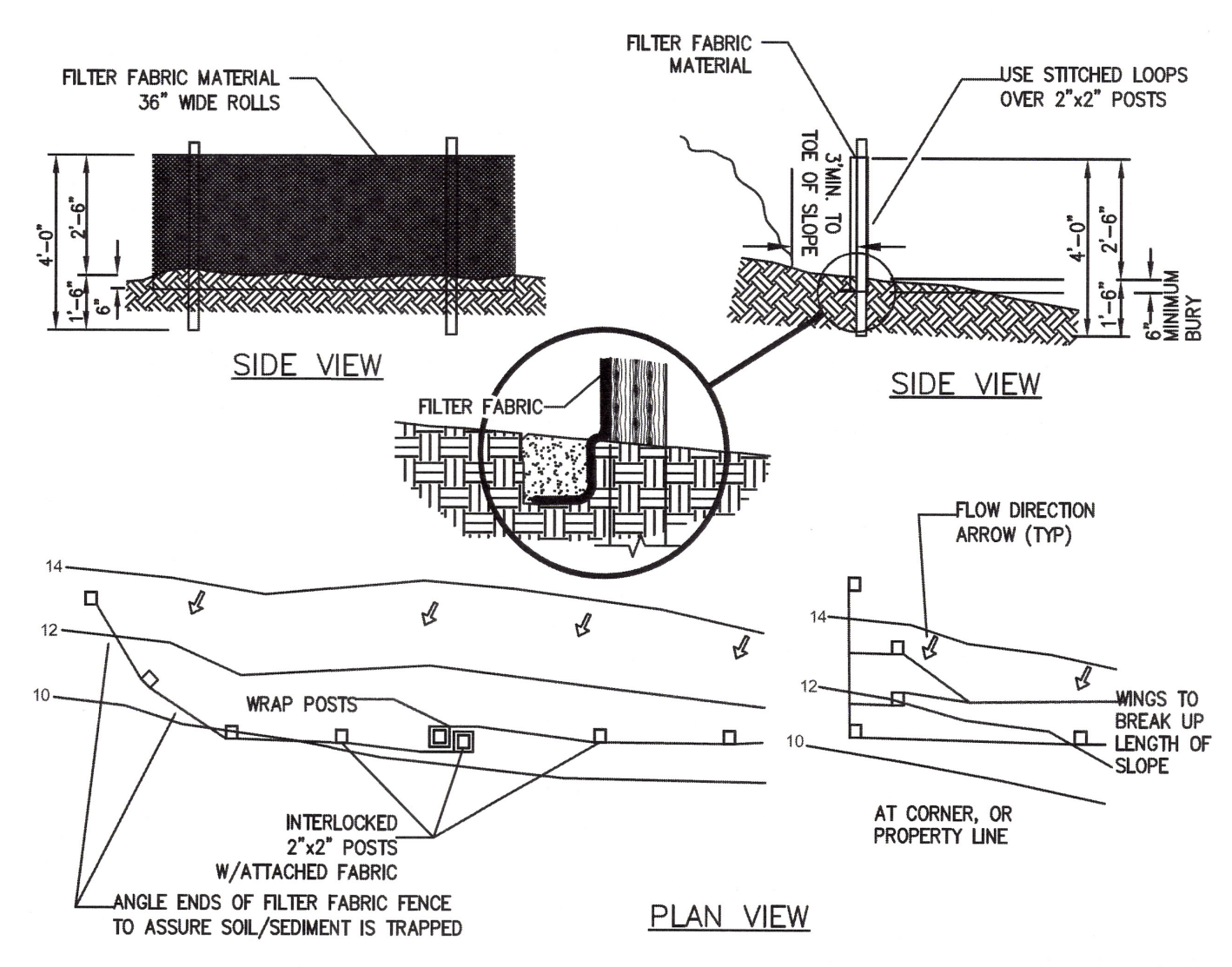
NORTHWEST NATURAL:
NEWPORT L.N.G TERMINAL
GRADING PLAN

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

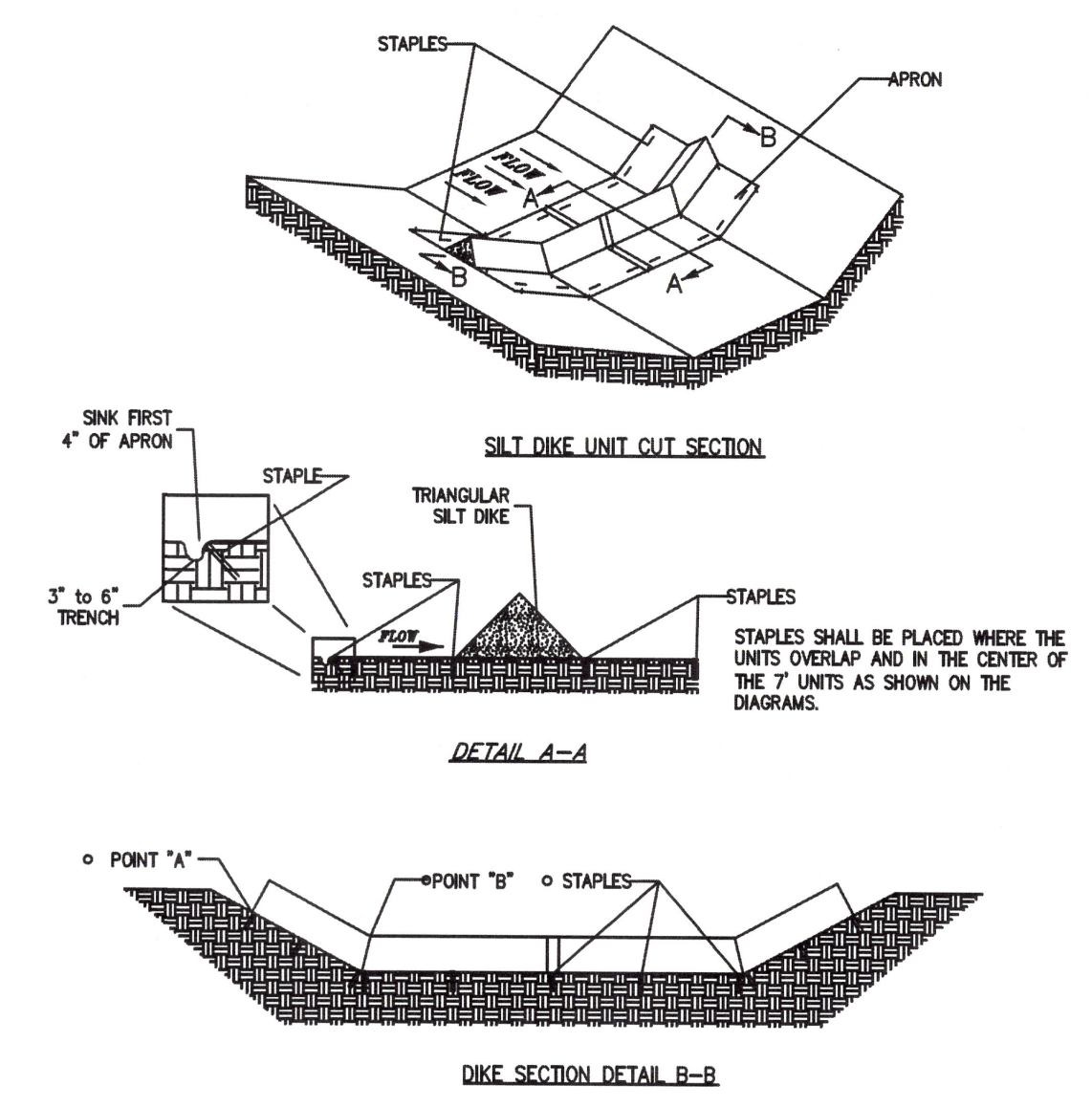
D1242-C002
DWG. NO. 2 of 3
SHEET SCALE AS SHOWN
DR. RAS APP. DATE 03/23/21
APP. BY MJS



1 EROSION CONTROL PLAN
1" = 20'



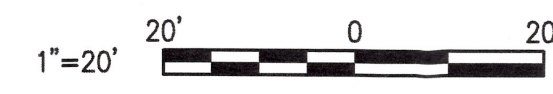
1 TEMPORARY SEDIMENT FENCE
N.T.S.



2 STORMWATER BARRIER
N.T.S.

EROSION CONTROL NOTES

- A. THE IMPLEMENTATION OF THIS EROSION AND CONTROL PLAN (ECP) AND THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, AND UPGRADING OF THESE ECP FACILITIES IS THE RESPONSIBILITY OF THE APPLICANT/CONTRACTOR UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED AND VEGETATION/LANDSCAPING IS ESTABLISHED.
- B. THE ECP FACILITIES SHOWN ON THIS PLAN MUST BE CONSTRUCTED IN CONJUNCTION WITH ALL CLEARING AND GRADING ACTIVITIES, AND IN SUCH A MANNER AS TO ENSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT ENTER THE DRAINAGE SYSTEM, ROADWAYS, OR VIOLATE APPLICABLE WATER STANDARDS.
- C. THE ECP FACILITIES SHOWN ON THIS PLAN ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, THESE ECP FACILITIES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND TO ENSURE THAT SEDIMENT AND SEDIMENT-LADEN WATER DO NOT LEAVE THE SITE.
- D. THE ECP FACILITIES SHALL BE INSPECTED DAILY BY THE APPLICANT/CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING.
- E. THE ECP FACILITIES ON INACTIVE SITES SHALL BE INSPECTED AND MAINTAINED A MINIMUM OF ONCE A MONTH OR WITHIN THE 24 HOURS FOLLOWING A STORM EVENT.



NORWEST ENGINEERING, INC.
PORTLAND, OREGON 503-254-0110
CONSULTING ENGINEERS
IRVINE, CALIFORNIA
www.NorwestEngineering.com

N.E. #
RV1242

REV	DR.	APP.	REVISION	DATE
0	RAS	MJS	ISSUED FOR PERMIT	03/23/21

NW Natural
220 NW 2ND AVENUE
PORTLAND, OR 97209
NORTHWEST NATURAL
NEWPORT L.N.G TERMINAL
EROSION CONTROL PLAN

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.
APP. BY: MJS

D1242-C003

DWG. NO. 3 of 3
SHEET 3 of 3
SCALE AS SHOWN
DATE 03/23/21
APP. BY MJS



**CITY OF NEWPORT
PUBLIC NOTICE¹**

Attachment "B"
2-NCU-21

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing to consider the following Nonconforming Use Permit request:

File No. 2-NCU-21:

Owner / Applicant: Northwest Natural Gas (Mike Smith, Norwest Engineering, representative).

Request: Approval of a request per Section 14.32/"Nonconforming Uses, Lots, and Structures" of the Newport Municipal Code, to alter/expand the footprint of the existing non-conforming natural gas facility to allow construction of three new concrete foundations to support equipment, pressure vessels, process piping and new cable tray. This is all part of a Pretreatment Regen Optimization project at Northwest Natural Gas.

Location: 1702 SE Bay Blvd (Lincoln County Assessor's Map 11-11-09-00; Tax Lot 1600).

Applicable Criteria: Pursuant to NMC Section 14.32.060(A), the approval authority shall determine that the structure was legally established at the time the Zoning Ordinance was enacted or amended, and that the use has not been discontinued for a continuous 12-month period. The approval authority must also verify the nature and extent of the nonconforming use, considering (1) a description of the use; (2) The types and quantities of goods or services provided and the activities conducted; (3) The scope of the use (volume, intensity, frequency, etc.) including fluctuations in the level of activity; (4) The number, location and size of physical improvements associated with the use; (5) The amount of land devoted to the use; and (6) Other factors the approval authority may determine appropriate to identify the nature and extent of a particular use (NMC Section 14.32.060(B)). Pursuant to NMC Section 14.32.070, after verification of the status of a nonconforming use pursuant to subsection 14.32.030, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood when considering the following factors: (A) (1) The character and history of the use and of development in the surrounding area; (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood; (3) Adequacy of infrastructure, including sewer, water, and streets, to accommodate the use; (4) The comparative numbers and kinds of vehicular trips to the site; (5) The comparative amount and nature of outside storage, loading, and parking; (6) The comparative visual appearance; (7) The comparative hours of operation; (8) The comparative effect on solar access and privacy; (9) Other factors which impact the character or needs of the neighborhood. (B) The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood. (C) To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, an alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to: (1) Surfacing of parking areas and landscaping; (2) Exterior design of structures; and (3) Outdoor displays, storage, and signage.

Testimony: Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Newport Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 12:00 p.m. (Noon) the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The hearing will include a report by staff, testimony (both oral and written) from the applicant and those in favor or opposed to the application, rebuttal by the applicant, and questions and

¹Notice of this action is being sent to the following: (1) Affected property owners within 200 feet of the subject property (according to Lincoln County tax records); (2) affected public/private utilities/agencies within Lincoln County; and (3) affected city departments.

deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

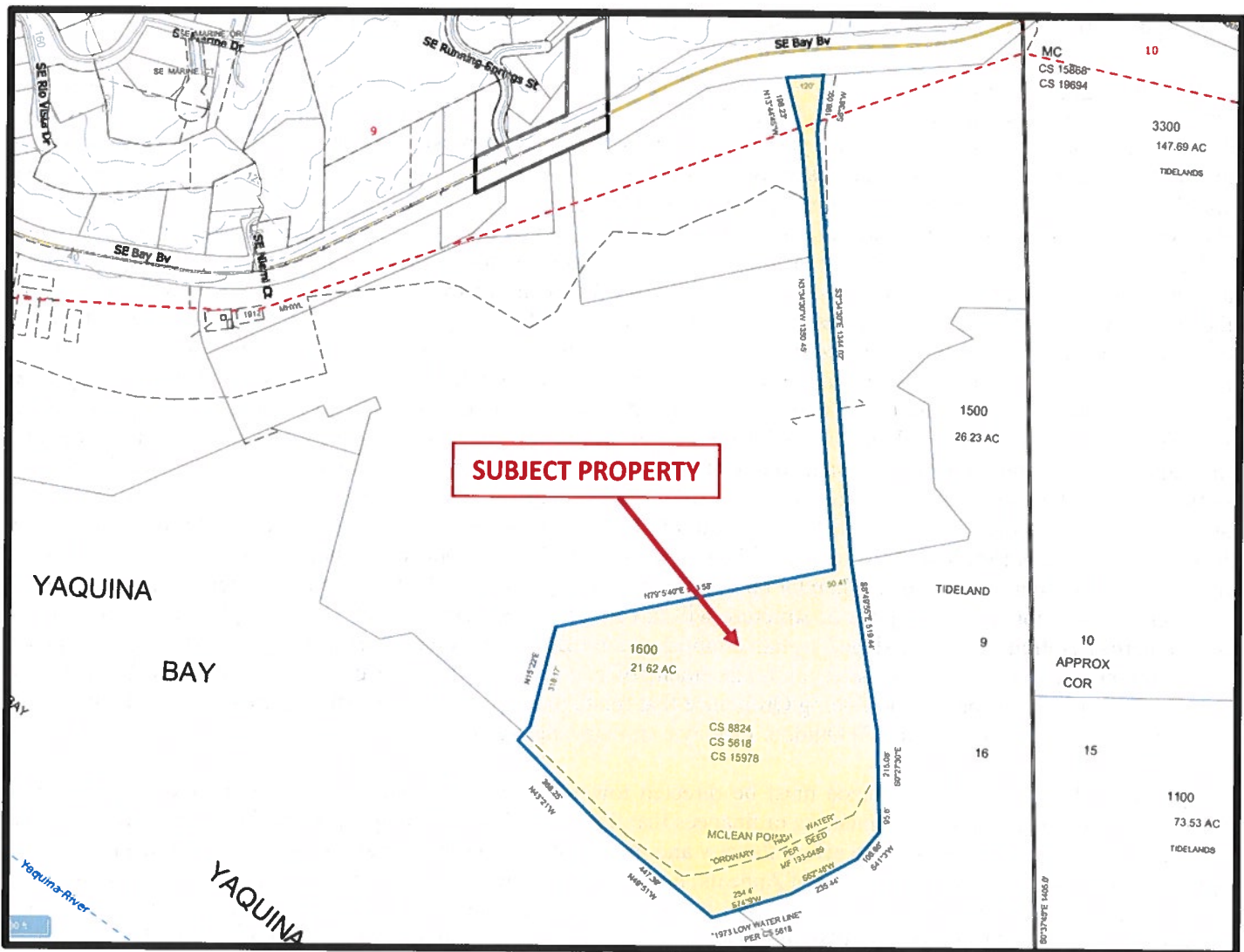
Reports/Application Material: The staff report may be reviewed or a copy purchased for reasonable cost at the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, Oregon 97365, seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost; or copies may be purchased for reasonable cost at this address.

Contact: Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above under "Reports/Application Material").

Time/Place of Hearing: Monday, April 26, 2021; 7:00 p.m.; City Hall Council Chambers (address above in "Reports/Application Material").

MAILED: March 29, 2021.

PUBLISHED: April 16, 2021 / News-Times.



NW Natural
ATTN: Dave Sanders
1405 SW Hwy 101
Lincoln City, OR 97367

Charter Communications
ATTN: Keith Kaminski
355 NE 1st St
Newport OR 97365

CenturyLink
ATTN: Corky Fallin
740 State St
Salem OR 97301

Central Lincoln PUD
ATTN: Randy Grove
PO Box 1126
Newport OR 97365

****EMAIL****
Lisa Phillips
lisa.phipps@state.or.us
DLCD NORTH COAST REGIONAL
SOLUTIONS CTR

****EMAIL****
odotr2planmgr@odot.state.or.us

Joseph Lease
Building Official

Rob Murphy
Fire Chief

Clare Paul
Public Works

Beth Young
Associate Planner

Jason Malloy
Police Chief

Mike Murzynsky
Finance Director

Laura Kimberly
Library

Michael Cavanaugh
Parks & Rec

Spencer Nebel
City Manager

Chris Janigo
Public Works

EXHIBIT 'A'
(Affected Agencies)

(2-NCU-21)

HIGH DOINA FAMILY TRUST &
HIGH DOINA TRUSTEE
PO BOX 552
SILETZ, OR 97380

NORTHWEST NATURAL GAS CO
AIMONE DAVID W, TREASURY MGR
220 NW SECOND AVE
PORTLAND, OR 97209

PORT OF NEWPORT
600 SE BAY BLVD
NEWPORT, OR 97365

RONDYS INC
% PORT OF NEWPORT
LEASE
600 SE BAY BLVD
NEWPORT, OR 97365

MIKE SMITH
NORWEST ENGINEERING
4110 NE 122ND AVE
SUITE 207
PORTLAND, OR 97230

NORTHWEST NATURAL GAS CO
1702 SE BAY BLVD
NEWPORT, OR 97365

File 2-NCU-21

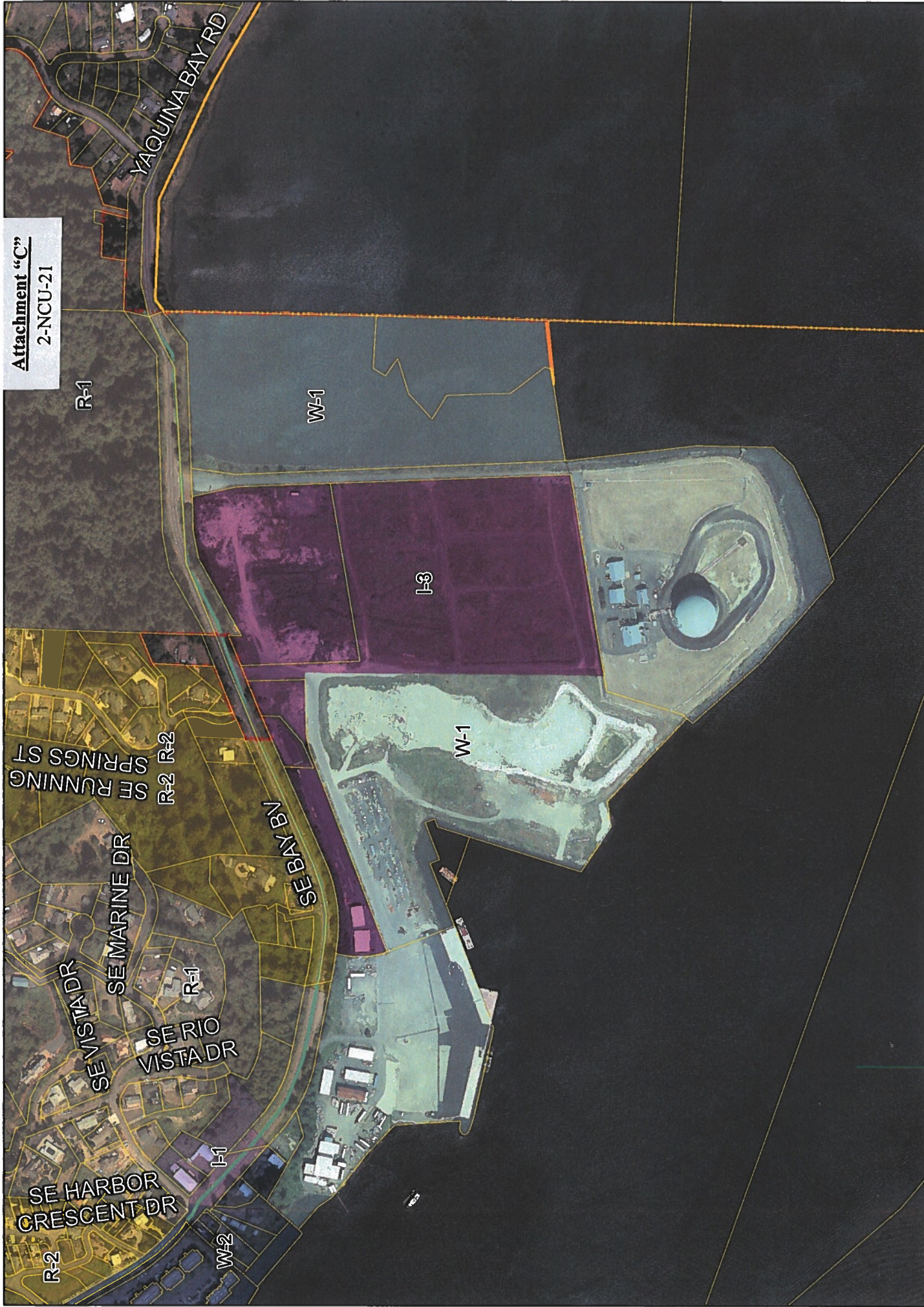
Adjacent Property Owners Within 200 Ft

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING**

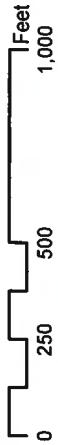
This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

The City of Newport Planning Commission will hold a public hearing on Monday, April 26, 2021, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 2-NCU-21. The request submitted by Northwest Natural Gas (Mike Smith, Norwest Engineering, representative) is for approval of a request per Section 14.32/"Nonconforming Uses, Lots, and Structures" of the Newport Municipal Code, to alter/expand the footprint of the existing non-conforming natural gas facility to allow construction of three new concrete foundations to support equipment, pressure vessels, process piping and new cable tray. This is all part of a Pretreatment Regen Optimization project at Northwest Natural Gas. The subject property is located at 1702 SE Bay Blvd (Lincoln County Assessor's Map 11-11-09-00; Tax Lot 1600). Pursuant to NMC Section 14.32.060(A), the approval authority shall determine that the structure was legally established at the time the Zoning Ordinance was enacted or amended, and that the use has not been discontinued for a continuous 12 month period. The approval authority must also verify the nature and extent of the nonconforming use, considering (1) a description of the use; (2) The types and quantities of goods or services provided and the activities conducted; (3) The scope of the use (volume, intensity, frequency, etc.) including fluctuations in the level of activity; (4) The number, location and size of physical improvements associated with the use; (5) The amount of land devoted to the use; and (6) Other factors the approval authority may determine appropriate to identify the nature and extent of a particular use (NMC Section 14.32.060(B)). Pursuant to NMC Section 14.32.070, after verification of the status of a nonconforming use pursuant to subsection 14.32.030, the approval authority may authorize alteration, expansion, or replacement of any nonconforming use or structure when it is found that such alteration, expansion, or replacement will not result in a greater adverse impact on the neighborhood when considering the following factors: (A) (1) The character and history of the use and of development in the surrounding area; (2) The comparable degree of noise, vibration, dust, odor, fumes, glare, or smoke detectable within the neighborhood; (3) Adequacy of infrastructure, including sewer, water, and streets, to accommodate the use; (4) The comparative numbers and kinds of vehicular trips to the site; (5) The comparative amount and nature of outside storage, loading, and parking; (6) The comparative visual appearance; (7) The comparative hours of operation; (8) The comparative effect on solar access and privacy; (9) Other factors which impact the character or needs of the neighborhood. (B) The approval authority must consider the purpose of the current zoning provisions that cannot be satisfied when determining whether or not the alteration, expansion, or replacement of a nonconforming use or structure will have a greater adverse impact on the neighborhood. (C) To the extent there is a rational nexus, and the City can establish that needed improvements are roughly proportional to proposed development, an alteration, expansion, or replacement of a nonconforming use or structure shall be brought into compliance with provisions of the Zoning Ordinance that relate to: (1) Surfacing of parking areas and landscaping; (2) Exterior design of structures; and (3) Outdoor displays, storage, and signage. Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 12:00 p.m. (Noon) the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The hearing will include a report by staff, testimony (both oral and written) from the applicant and those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased for reasonable cost at the Newport Community Development Department (address above) seven days prior to the hearing. The application materials, the applicable criteria, and other file material are available for inspection at no cost; or copies may be purchased for reasonable cost at this address as well. Contact Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above).

(FOR PUBLICATION ONCE ON FRIDAY, April 16, 2021)



Attachment "C"
2-NCU-21



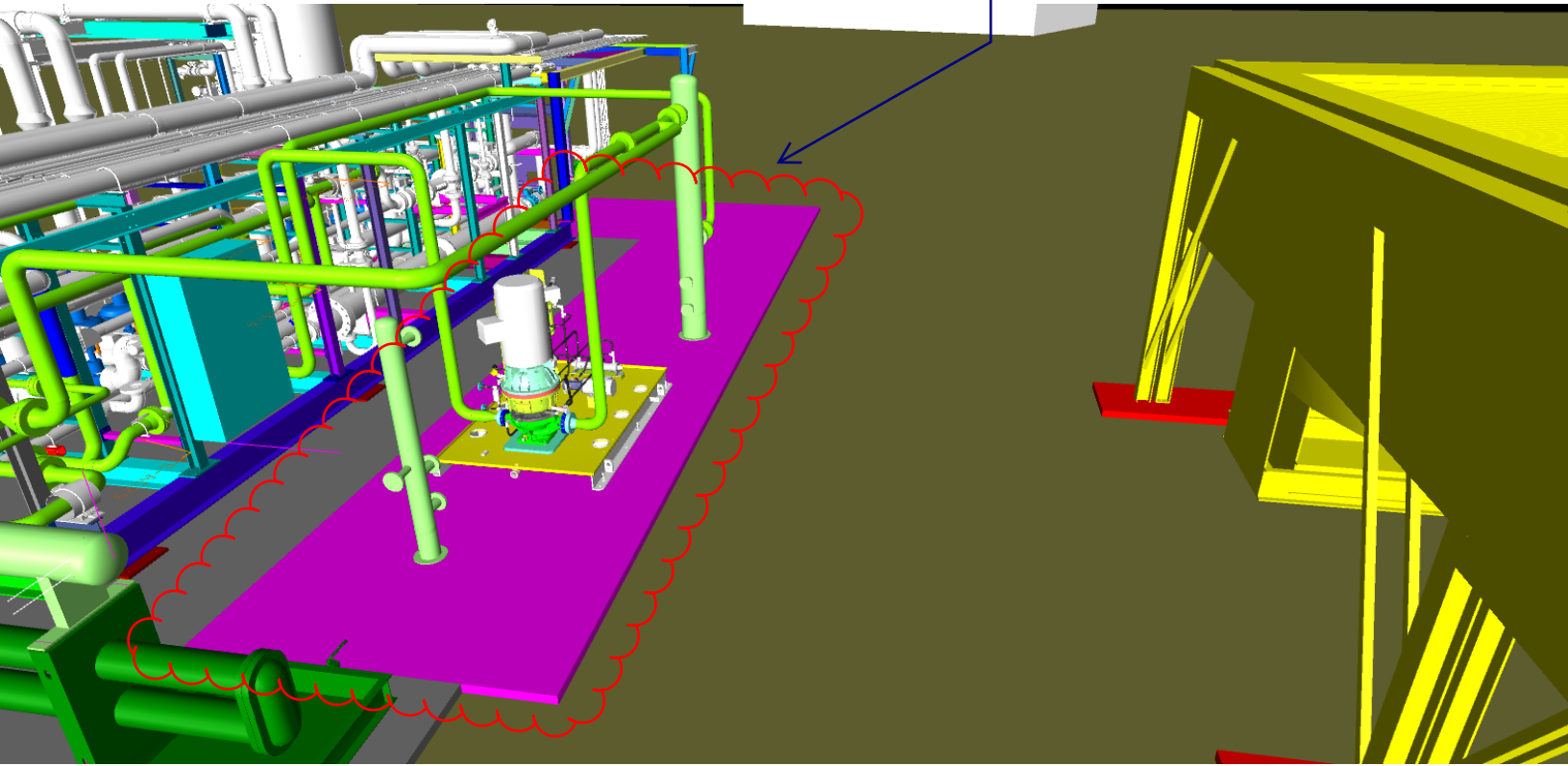
Zoning Map - 1702 SE Bay Blvd

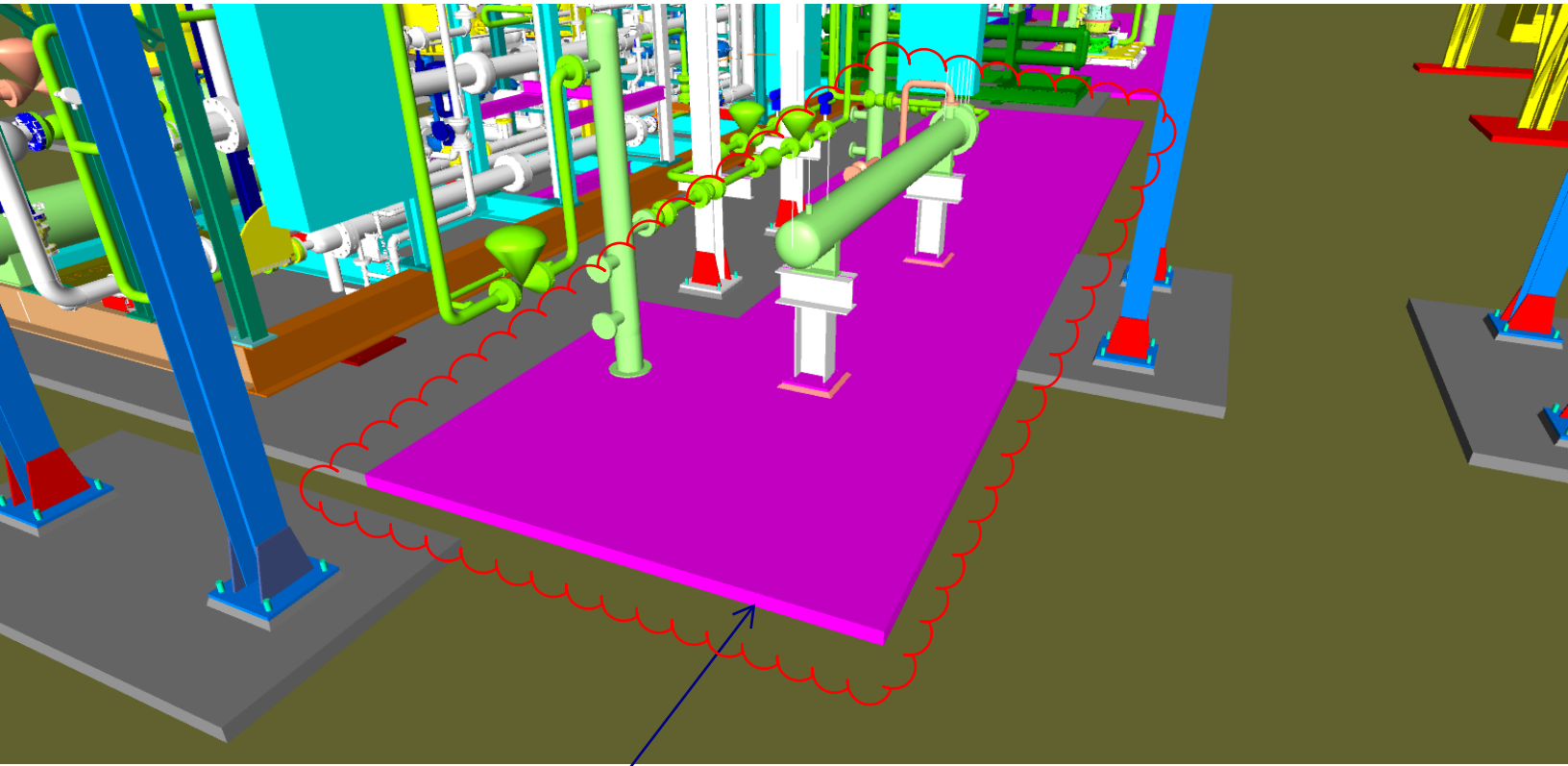
Image Taken July 2013
4-inch, 4-Band Digital Orthophotos
David Smith & Associates, Inc. Portland, OR

NEWPORT
City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365
Phone: 1.541.574.0629
Fax: 1.541.574.0644

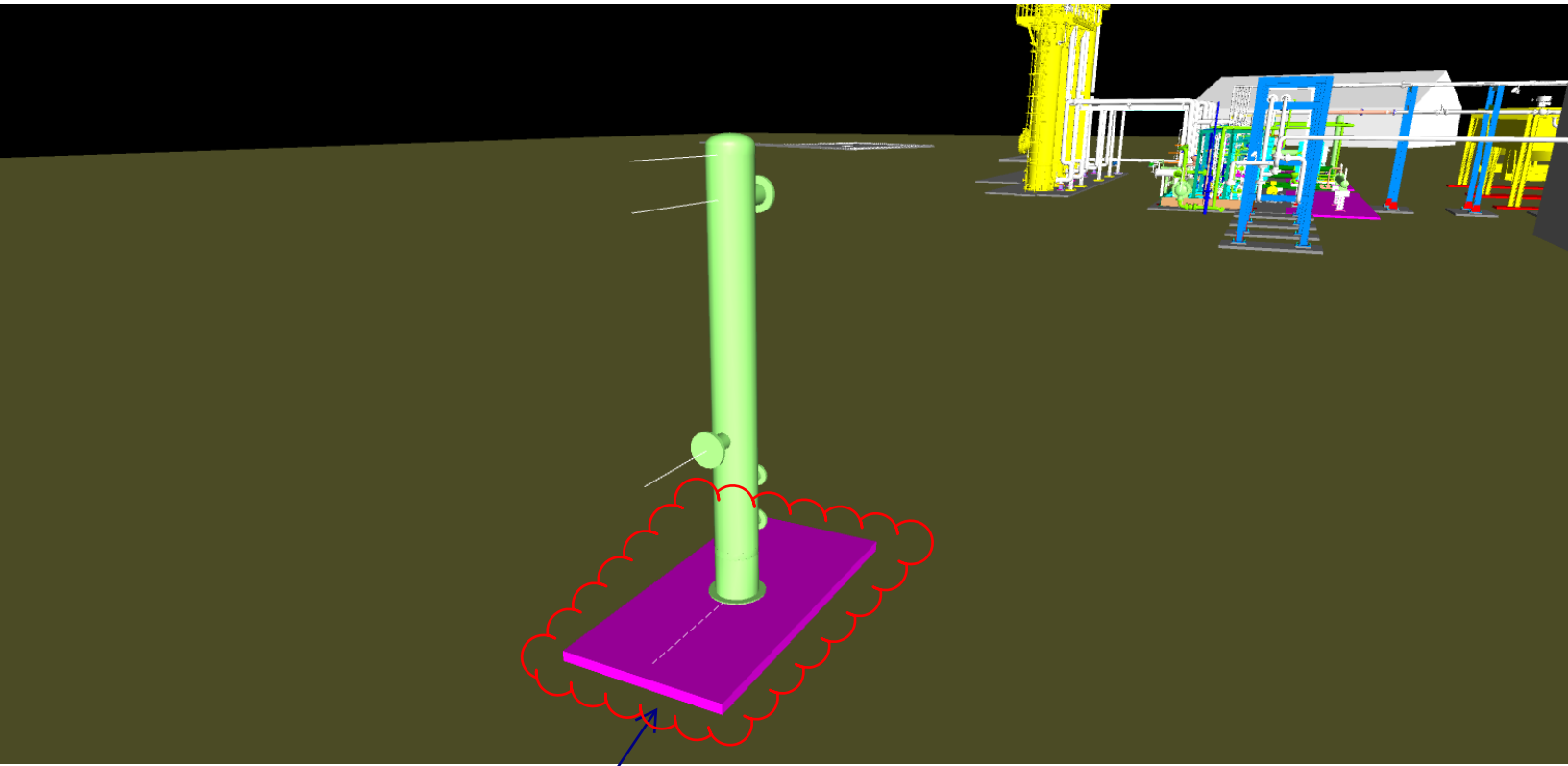
This map is for informational use only and has not been prepared for, nor is it suitable for, legal, engineering, or surveying purposes. It contains data from various sources and is not a warranty of accuracy. © City of Newport 2013.

Magenta pad and green process equipment above - NEW





Magenta pad and
green process
equipment above -
NEW



Magenta pad and
green process
equipment above -
NEW

File: 1-NB-21/2-CUP-21
 Date Filed: April 2, 2021
 Hearing Date: April 26, 2021/Planning Commission

PLANNING STAFF REPORT
File No. 1-NB-21/2-CUP-21

- A. **APPLICANT/PROPERTY OWNER:** Ric Rabourn (Hallmark Inns & Resorts (owners), and Michael Abbott, Architect, (Authorized Representative)).
- B. **REQUEST:** Consideration by the Planning Commission of a request for a conditional use permit and design review under the design guidelines for the Historic Nye Beach Design Review District for a 25-guest room hotel with a café, bar, office and lobby space (identified as "The Whaler at Nye Beach"). Two (2) existing single-family dwellings will be removed.
- C. **LOCATION:** Assessor's Map 11-11-08-BB, Tax Lots 15902 & 15903 (33 SW Elizabeth St; 39 SW Elizabeth St; and 41 SW Elizabeth St). The site is roughly 26,000 sq. ft. in size.
- D. **STAFF REPORT**
- 1.) **Report of Fact**
- a) **Plan Designation:** Commercial
 - b) **Zone Designation:** C-2/HNBO/"Tourist Commercial (Historic Nye Beach Design Review District (HNBO))".
 - c) **Surrounding Land Uses:** Don and Ann Davis Park to the west, the Newport Performing Arts Center to the east, Whaler Motel to the south and Don and Ann Davis Park and Pacific Kitchen at Nye Beach (affiliated with Hallmark Inns) to the north.
 - d) **Existing Structures:** Two-existing single-family residences operated as vacation rental dwellings.
 - e) **Utilities:** All are available to the site.
 - f) **Development Constraints:** Tsunami Hazards Overlay Zone.
 - g) **Past Land Use Actions:** File No. 2-TEP-05, dated 3/24/05, at 39 SW Elizabeth Street. Authorized installation of retaining walls within the public road right-of-way.
 - h) **Attachments:**
 - Attachment "A" – Application Form
 - Attachment "A-1" – Applicant's Narrative
 - Attachment "A-2" – Building Plans and Elevation Drawings of the Proposed Addition *
 - Attachment "A-3" – Invitation to Neighborhood Meeting (Optional, Applicant Initiated)

Attachment "B" – Public Hearing Notice

Attachment "C" – Zoning Map of HNBO

Attachment "D" – Aerial Map of Property Showing Utilities

Attachment "E" – Aerial Map Showing Tsunami Hazard Overlay Zone

Attachment "F" – HNBO Design Review Guidelines and Standards

Attachment "G" – HNBO Design Review Glossary and Illustrations

Attachment "H" – Email from Robin Beckwith, dated 4/10/21

* Note: Reduced for copying purposes. Full size plans available online at: <https://www.newportoregon.gov/dept/cdd/default.asp> or at the Community Development Department.

- 2.) **Explanation of the Request:** The applicant is seeking design review and conditional use permit approval to construct a 25-unit hotel with a common area, office, and food services. The project is identified as "The Whaler at Nye Beach." The property is situated immediately north of the existing Whaler Hotel. Two existing single-family residences, operated as vacation rentals, will be removed. The new hotel will have a footprint of close to 10,000 square feet. It is designed as a three-story, multi-sectional structure with a below grade parking garage. The hotel will have a total finished floor area of 25,669 square feet. Mechanical equipment will be housed in the parking garage, which along with 29 parking spaces and a parking lobby encompass an additional 11,110 square feet. Three (3) at-grade ADA accessible parking spaces will be provided adjacent to the hotels main entrance, internal to the property. Vehicle access is available from SW Dolphin Street with an initial driveway access to the parking garage and an at-grade driveway that connects with the existing Whaler Hotel parking lot.

Guestrooms face northwest and west, across Olive and Elizabeth Streets and Don and Ann Davis Park. New sidewalk will be constructed along the south side of Olive and east side of Elizabeth Street, with a new mid-block crosswalk to align with the pathway entrance to the Park. A crosswalk will also be constructed at the intersection of SW Dolphin Street and Olive. The perimeter of the property will be landscaped and a veranda for a main floor café is incorporated between the building and street, with connections to pedestrian paths. Upper floor units include decks. The main roof of the building sections is at a 6:12 pitch, broken up with dormers at a more gradual 3:12 pitch. The peak height of the building is 40-feet from finished grade. The building is composed of three sections. Its southern component is roughly 55-ft x 40-ft in size and is oriented in an east-west fashion. This portion of the hotel includes eight (8) guestrooms, a kitchen, and office space. The middle component of the hotel is approximately 45-ft x 72-ft in size, with a northwesterly to southeasterly orientation. This area includes the hotel lobby, living room, fireplace, with a second-floor library loft and two (2) large guestroom suites on the third floor. The northern component of the hotel is 90-ft x 40-ft in size, and is positioned in a northeasterly to southwesterly orientation. This portion of the hotel includes 15 guest rooms and a main floor bar. A site plan and architectural elevations illustrating the proposed improvements is enclosed as Attachment "A-2".

3.) **Evaluation of the Request:**

- a.) **Comments:** All affected property owners within the notification area, City departments, and public/private utilities were notified on April 6, 2021. As of April 20, 2021, one comment was received from Robin Beckwith who resides in a home southeast of the proposed development (Attachment "H"). She expressed a concern that the new hotel will block their view of the ocean. The applicant also held a voluntary neighborhood meeting on April 22, 2021 to solicit feedback from individuals living and working in the surrounding area.
- b.) **Applicable Criteria:** The proposed project requires design review and conditional use permit approval by the Planning Commission because the building exceeds 35-ft in height and 65-ft in length, which is the limit that can be approved ministerially by staff under the design standards (NMC 14.30.060(B)(1)). Since the Planning Commission is the designated approval body, a Type III review is required (NMC 14.52.030(B)). A Type III Conditional Use Permit is also required because the hotel is a commercial use that exceeds 2,000 square feet of gross floor area (NMC 14.30.090(A)(1)).

To obtain design review approval the applicant must demonstrate that the proposed development is consistent with Design Guidelines No. 1 through No. 9 of the document entitled "Newport Design Review: Guidelines and Standards," effective July 29, 2015 and incorporated by reference by Newport Municipal Code (NMC) Section 14.30.030. Criteria for the conditional use permit can be found in NMC Chapter 14.34.050. Each of the design review guidelines and conditional use criteria are listed below in the staff analysis.

- c.) **Staff Analysis:** To grant design review and conditional use permit approval, the Planning Commission must find that the applicant's proposal meets the approval criteria listed below. Applicant narrative statements are taken from the memo prepared by Abbott Architecture, dated April 5, 2021 (Attachment "A-1"). Illustrations referenced in the design guidelines are found in Attachment "G."

1.) ***Design Guideline 1: Contextually-Appropriate Design***

Intent: For residential development, the architectural heritage of the Nye Beach area - as documented in historical photos and drawings or by photographs presented in support of the development - shall be maintained.

Approaches:

- *New development should utilize roof types common to the district, such as steep pitched gable, multiple lower pitched gable, or hip.*
- *New development should include in the design common main facade elements (such as porches, verandas, sunrooms and/or other architectural/design features as identified in the design standards or as*

documented to exist within the design review district).

- *Buildings shall feature variety in building shape, height, roof lines, setbacks, and design features consistent with the design guidelines.*
- *For multiple family development (greater than 2 units), trash collection areas shall be screened.*

Reference: *Illustrations #2, #3, #4, #5, and #7.*

Applicant Narrative: Not addressed.

Staff: This guideline applies to residential development, and is not applicable to a hotel/motel project.

2.) Design Guideline 2: Building Scale

Intent: *Commercial building elements oriented towards a public or private street shall incorporate specific elements that contribute to the established scale of the district and support an active streetscape.*

Approaches:

- *Commercial buildings (excluding portions of a hotel/motel where guest rooms are on the ground floor) shall support retail visibility and appropriate district scale by utilizing banks of windows with multiple small windows (less than 20 square feet) and/or large windows with multiple panes along all sides abutting a public right-of-way.*
- *The contextual scale of new large commercial buildings over two stories shall be reduced by using horizontal or vertical divisions and stepped roof lines.*
- *Buildings greater than one story in height shall be designed with canopies, balconies, offsets in the building facade along each public right-of-way, or other architectural/design features that reduce the building's vertical emphasis.*
- *Buildings greater than 2 stories, and/or longer than forty feet (40') shall include two or more of the following elements to break down the scale of the building:*
 - *A significant offset (3' minimum depth, 8' minimum width) in the full building massing (Illustration # 10).*
 - *A step-back (6' minimum) of floors above the second floor.*
 - *Subdivision into a series of distinct building masses, articulated as separate structures.*
 - *Multiple ground floor entries at 30' maximum spacing.*

Reference: *Illustrations #6, # 7 and #8.*

Applicant Narrative: The hotel building has a contextual scale by incorporation of horizontal and vertical divisions including multiple stepped roof lines. The overall building massing has been designed to break apart multiple forms along the elevations and plan. The strategy of breaking the

building into three separate building forms with independent gable roofs achieves the massing breakdown necessary to establish scale with the district.

The hotel building also utilizes canopies and balconies along the public right of way. The hotel building incorporates a public oriented central café veranda to further support an active streetscape along Elizabeth & Olive Streets. This central veranda has two pathways from the sidewalk and will encourage public use for café seating.

Staff: The applicant's architectural elevations illustrate how this design guideline has been satisfied (Sheets A201 – A205, Attachment "A-2"). Large multi-pane windows have been incorporated into ground floor elevations abutting public rights-of-way even though portions of the structure are exempt from that requirement because they include guestrooms on the ground floor. The applicant notes that they have reduced the contextual scale of the building by varying the roof line across three distinct segments of the structure and by incorporating into the design multiple, stepped roof lines. Balconies have been incorporated where the building faces public rights-of-way and the structure is subdivided into distinct building masses with significant off-sets to reduce massing. Considering the above, there is substantial evidence in the record for the Planning Commission to find that this design review guideline has been met.

3.) *Design Guideline 3: Roof Design*

Intent: *Roofs should have similar configuration and character to historic styles in the district.*

Approaches:

- *Roof slopes on commercial projects shall be between 5:12 and 12:12 unless there is a flat roof with parapet.*
- *Mechanical equipment shall be screened and integrated into the roof design.*
- *Roof shapes shall be consistent with traditional styles found in the neighborhood.*
- *A standing seam is recommended for metal roofs.*
- *Gable and hip roof forms are recommended.*
- *Parapet walls shall be integrated into the building.*

Reference: *Illustrations #2, #5, #6 and #7*

Applicant Narrative: The hotel roof plan (Sheet A104, Attachment "A-2") shows the main roof as 6:12 in pitch with multiple dormer breaks. Some lower roofs are treated with roof parapets to help give the building a smaller massing effect. All mechanical equipment will be located in non-rooftop locations within the building forms. Roof configuration is that of a traditional gable with multiple dormers. The gable ends break into smaller forms and cross-gables to further reduce the scale of the roof. Parapet walls

are integrated into the building and are strategically located to break up the massing of the overall building form.

Staff: As noted by the applicant, the 6:12 gable roof pitch is common in Nye Beach and within the slope range that is permitted. Mechanical equipment will be housed below the structure (Sheet A105, Attachment "A-2"). Further, parapet walls are integrated into the design as an accent. Considering the above, there is substantial evidence in the record for the Planning Commission to find that this design review guideline has been met.

4.) *Design Guideline 4: Commercial Buildings Define Continuous Street Edge*

Intent: Support safe and “walkable” streets by creating a traditional town pattern of commercial buildings lining public streets. Create high visibility between commercial interiors and public ways.

Approaches:

- *In commercial areas, commercial buildings shall abut the front property line. Allowable exceptions to the requirement to abut the front property line include areas where the existing buildings adjacent to the property are set back from the property line, where a pedestrian oriented feature such as a courtyard, patio, landscaped area with seating or outdoor cafe seating is included, or where severe topography or an easement precludes the building abutting the front property line.*
- *Commercial buildings shall abut a side yard property line where possible except to allow access for parking or fire egress, the side abuts a zoning district which requires a side yard, or a setback is required for ocean front lots.*
- *Separation between building walls at the street level shall be avoided except for pedestrian and parking access, or a pedestrian oriented feature such as a courtyard, patio, landscaped area with seating or outdoor cafe seating is included.*
- *Front and side yard setbacks, where they exist, shall be fully landscaped or shall provide a pedestrian oriented feature as described previously.*
- *On commercial, institutional, public, and multiple family residential (with three or more units) buildings, a primary entrance to the building shall face the frontage street. Entries from off-street parking lots shall not be made more prominent than the entrance from the street.*
 - *Trash collection areas shall be screened.*

Reference: Illustrations # 5, # 6, # 7, and # 8.

Applicant Narrative: The hotel building abuts the front property line along Elizabeth & Olive Streets. The incorporation of a patio/veranda directly engages with the pedestrian sidewalk along the street edges. The hotel incorporates a central veranda that has direct pedestrian access from the

sidewalks along both Elizabeth & Olive Streets. This central veranda will incorporate café seating and a firepit feature to enhance the community experience upon walking past and/or arrival. The hotel yard along the south elevation includes a new ‘accessible’ pedestrian walkway that connects the east side of the property to the street. The addition of a pedestrian crosswalk further connects to Don Davis Park across Elizabeth Street. The hotel yard along Dolphin Street has incorporated improved pedestrian access via a sidewalk. Portions of this yard are utilized for parking access to the sub-building garage and vehicle access to the hotel porte-cochère entry. All yards are fully landscaped including pedestrian lighting. Trash collections for the hotel building will be incorporated into the sub-building garage area out of view from the exterior.

Staff: This guideline requires commercial buildings abut front property lines. An exception is provided where a pedestrian oriented feature is incorporated between the front lot line and building. This includes courtyards, patios and outdoor café seating. The applicant has incorporated a patio/veranda with café seating between the building and front lot lines along SW Elizabeth and W Olive Streets in keeping with this requirement (Sheet A100, Attachment "A-2"). A corner of the building abuts SW Dolphin Street, which is also a front lot line. As noted by the applicant, where there is a separation between the existing Whaler Hotel and new development, a pedestrian walkway has been incorporated to enhance connectivity. Entrances to the hotel lobby face SW Dolphin Street and West Olive Street. Trash collection will be located in the sub-grade garage so that it is screened from view from public areas by the new building. The applicant’s site plan (Sheet A100) illustrates that the setback areas will be fully landscaped. Considering the above, there is substantial evidence in the record for the Planning Commission to find that this design review guideline has been met.

5.) Design Guideline 5: Consistency with Predominant Styles and Features

Intent: Buildings shall generally be compatible in design and appearance with other buildings in close proximity by including similar types of architectural features and materials.

Approaches:

- *Proposed buildings shall include design features that are consistent with the design standards and are similar in nature to buildings in direct proximity to the site.*
- *Where the surrounding buildings predominately do not include architectural features found in the design standards, the proposed building subject to design review shall include architectural features that are common to the district as identified in the design standards or by findings documenting similar architectural features found within the design review district.*
- *Where the surrounding buildings predominately do not include*

architectural features found in the design standards or in the design review district, innovation and creativity in design may be allowed consistent with the design guidelines.

- *In keeping with traditional styles, where a transition is made in the building's siding material, the transition should occur at an inside corner, rather than an outside corner.*

Reference: *Illustrations # 7, #8, and #11*

Applicant Narrative: The hotel building utilizes traditional building forms such as gable roofs, cross gable features and multiple dormers. The hotel building features the traditional design strategy of 'base, middle and top' along the elevations. Along the street edge a building 'base' is in the form of a solid stone wall supporting the patio/veranda and central café veranda. The building 'middle' is made up of the first-floor walls that separates from the upper hotel floors by use of a siding material and color break along with traditional trim feature at floor level. The building 'top' 2 floors is then made up of traditional shake siding which further breaks the building into smaller forms found within the design district. See exterior elevations on Sheet A205. The primary building materials used are those found around the district including: Stone, Cedar horizontal plank siding (clear) and cedar shake (charcoal grey). The roof will be an architectural comp roof in black oak. See finish samples on Sheet A205. The hotel window fenestration is composed of traditional vertical and square oriented windows. Larger windows along the middle public spaces of the hotel have been broken down by mullions to also fit with the scale of the district. Windows and doors will be traditionally trimmed in wide casement to also fit within the traditional detailing of northwest coastal architecture. The hotel will also feature timber trellising at entryways and above the central café veranda. The timber will be stained with a tint similar to local buildings. See exterior elevation sheets A201 – A205 for graphic representation of all of the above strategies.

Staff: The applicant's narrative, site plan (Sheet A100, Attachment "A-2") and architectural elevation Sheets A201 – A205 illustrate that the new hotel building has been designed in a manner that incorporates architectural features common to the district as required by this guideline.

6.) Design Guideline 6: Parking Orientation and Building Form

Intent: *For commercial and multiple family residential (greater than 2 dwelling units) projects, the building massing shall not be shaped by off-street parking. Building massing should generally take traditional forms that are observed in the district, the historical record of Nye Beach, or that can be demonstrated to be consistent with the dominant architectural styles of the district.*

Approaches:

On-site parking shall be at the rear or side of the building or below street grade underneath the building with access via alleys or interior streets unless, based on review of the project, the review authority determines that topography such as steep slopes precludes side or rear parking. Parking garages shall utilize similar architectural details as the main building. Shared parking facilities are allowed and are encouraged. Views of parking areas from adjacent residential and commercial uses shall be screened through the use of landscaping and/or fencing. Pedestrian paths shall be clearly defined. Textured pavings are preferred over painted stripes for defining walkways.

Reference: *Illustrations #6 and #9.*

Applicant Narrative: The hotel building primary orientation is towards the street frontages of Elizabeth and Olive Streets. The hotel incorporates a central café veranda that engages with pedestrian sidewalks along both streets. The street side of the hotel will have this entrance as secondary to guest to hotel but primary to a passing pedestrian. The primary hotel guest entry will be along the porte-cochere side of the building for a more traditional hotel guest experience. The porte-cochere entry is directly engaged with the public street side by use of direct site lines through the interior lobby of the hotel. This will further enhance the hotel guest experience by direct building engagement to the public street and Nye Beach beyond. The hotel incorporates a sub-building garage which eliminates the impact of onsite surface parking. This strategy benefits the hotel guests and keeps the pedestrian oriented feel of this property from views from the Nye Beach district. See 'Architectural Site Plan' on Sheet A100 for locations of above.

Staff: Off-street parking is provided in a below grade garage except as required to conform with ADA requirements, and landscaping is proposed such that the entrance to the parking garage will be screened from view (particularly as the landscaping matures). Textured pavings are preferred over painted stripes for defining walkways. There are two crosswalks where the Planning Commission may want to require use of textured pavers versus striping so that the visual appearance aligns with crosswalks elsewhere in the Historic Nye Beach Overlay District (HNBO). The crosswalks at Cliff/Olive Streets and Coast/Olive Streets are an example of the textured walkways used in the district. An optional condition of approval is included in the event the Commission chooses to impose a textured pavement requirement.

7.) Design Guideline 7: Connected Pedestrian Network

Intent: *Maintain and reinforce the walking environment of Nye Beach with a network of public sidewalks and private paths.*

Approaches:

- *For commercial projects, provide pedestrian paths to create linkages between adjoining public and private spaces.*
- *Circulation routes shall be continuous and integrated into the larger pedestrian circulation network.*
- *Specialty paving is encouraged.*

Reference: *Illustrations #6 and #9.*

Applicant Narrative: This hotel project will reinforce the pedestrian network by adding new public sidewalks along the street edges of Elizabeth and Olive Streets. The development will also be adding two new public crosswalks from the sidewalks to create a new connection to Nye Beach district and Don Davis park. Further pedestrian enhancement will be extension of the sidewalk to the performing arts center at the East side of the property. Pedestrians will also be able to engage the public street of the hotel by the addition of an accessible pathway along the South edge of the building. New sidewalks on both sides of Dolphin street will give further access around all sides of the new hotel building. Pedestrian pathways have been incorporated along all sides of the hotel building to create a safe human scale feel to the site. See 'Architectural Site Plan' on Sheet A100 for locations of above.

Staff: The applicant's site plan (Sheet A100, Attachment "A-2") illustrates how integrated pedestrian pathways will be constructed in both the public and private space. Like the previous guideline, use of specialty paving is encouraged. New public sidewalk along W Olive, SW Elizabeth, and SW Dolphin Streets will be concrete, consistent with the City's sidewalk standards (WHPacific Sheet, Attachment "A-2"). However, the applicant has more flexibility in how they incorporate specialty paving within the interior of the property, including the pathways, veranda, and porte cochere. The Commission might want to engage with the applicant on how specialty paving can be incorporated into the project.

8.) Design Guideline 8: Exterior Lighting and Glare Avoidance

Intent: *Provide a well-lit public environment, while minimizing the incidence of glare.*

Approaches:

- *Exterior permanent lighting for commercial projects shall be restrained by using lighting features that minimize the impact of lighting such as full-cut off fixtures, low wattage bulbs, and/or recessed or shielded lighting, such that no direct glare occurs onto public right-of-way or adjacent property.*
- *Where building-mounted lighting – wall sconces, awning-mounted downlights, etc. - is used to illuminate an adjacent public sidewalk, the lighting source itself should be recessed or screened to avoid upright and*

glare. Targeted uplighting may be used to draw attention to a specific design element provided it is directed at that feature.

- *Areas used extensively at night shall only be illuminated to the extent necessary for safety and security.*
- *On-site lighting shall be related to the site and retained on the site by directing the light downward, recessing the light, and/or shielding the light. Lighting fixtures shall complement the architectural character of the building.*
- *If landscape lighting is used, the landscape lighting shall be restrained by using lighting techniques (i.e. recessing the light, shielding the light, using low wattage bulbs) that minimize the impact of light.*
- *The use of light poles similar in appearance to the light poles installed as part of the Nye Beach Streetscape Project is acceptable for parking lot lighting and other lighting for which a light pole is used.*

Applicant Narrative: The hotel site lighting design considers a well-lit, warm and welcoming feel. The hotel site lighting fixtures have been carefully selected as no-glare and/or dark-sky compliant. See drawing Sheet L200 for lighting locations and types.

Staff: Building mounted and accent lighting options shown on Sheet L200, Attachment "A-2" are shielded and/or recessed consistent with the guideline requirements and are oriented such that they will not direct glare onto public rights-of-way or adjacent property. No light poles are proposed; however, a pole(s) may be needed for safety purposes, particularly at the intersection of SW Dolphin and Olive Streets. The guideline calls for light poles to match the Nye Beach Streetscape Project, which in this case would be acorn style lighting, the nearest example of which is at Cliff and Olive Streets. A condition requiring acorn style lighting where needed for safety purposes is included in this report for the Commission's consideration.

9.) *Design Guideline 9: Requirements for solar access*

Intent: Ensure new development projects do not excessively shade neighboring properties.

Approaches:

- Commercial and multi-family buildings shall be massed to avoid casting a direct shadow onto the public sidewalk across a bordering street.
- The third story on a commercial or multi-family building shall be stepped back to minimize shadowing of adjoining properties.
- Solar impacts shall be assessed for the following times
 - Time of year: between February 21 and October 21
 - Time of day: between 10:00 am and 2:00 pm
- Projects of greater than 2 stories shall submit a simple solar shading sketch that shows conformance with this standard.

Reference: Illustration #12.

Applicant Narrative: The hotel building sits by itself across from neighboring Nye Beach properties and buildings. Mid-day shade on neighboring buildings does not exist. The hotel building will only shade public sidewalks to the West and North along Elizabeth and Olive Streets at mid-day during fall to spring. See the attached graphic analysis of building shading at public sidewalks during Summer Solstice, Spring and Fall Equinox at the Noon hour (3 graphic pages attached).

Staff: The three graphics referenced by the applicant are included in the last three pages of their narrative (Attachment "A-1"). They demonstrate that the shadow patterns attributed to the three-story hotel building will not extend so far that they would shadow walkways on the far side of a bordering street nor will they impact neighboring properties. Considering the above, there is substantial evidence in the record for the Planning Commission to find that this design review guideline has been met.

10.) *NMC 14.35.050(A), Criteria for Approval of a Conditional Use Permit, the public facilities can adequately accommodate the proposed use.*

Public facilities include city water sewer and street services. City water service is available via 8-inch lines located within W Olive Street, a portion of SW Elizabeth Street, and SW Dolphin Street. A fire hydrant is in place at the east corner of the intersection of W Olive and SW Dolphin Street, proximate to the development site. Wastewater service is available via 8-inch gravity mains along SW Elizabeth Street, W Olive Street, and SW Dolphin Street, although the main in SW Dolphin Street would need to be extended north for it to be a viable option. A structured storm drainage system is in place along W Olive Street and SW Elizabeth Streets. The location of the utilities is depicted on an aerial map of the project site (Attachment "D").

Street access is available to the property by way of an extension of underdeveloped SW Dolphins Street and the applicant's site plan shows how that could be accomplished (Sheet A100, Attachment "A-2"). The applicant's development generates sufficient traffic that their may be justification in requiring they contribute toward the construction of SW Dolphin as a through street. The city owns much of the property on the east side of the undeveloped street, and a proportional, joint funding agreement would need to be worked out for the connection to become a reality. Terrain constraints are another consideration. The applicant/owner and City are in discussions regarding what a through street design would look like and how to equitably pay for its construction. That issue need not be resolved with this permit. The bar for conditional use approval is that public facilities can adequately accommodate the proposed use. With respect to water, sewer, and

stormwater services, there are ample connection points to serve the development. For streets, the SW Dolphin Street right-of-way is available to meet the developments needs and it can be improved to adequately accommodate the proposed use. The developer is responsible for improving the street in a manner that is roughly proportional to the impact of the project and staff would recommend the Commission impose a condition of approval to that effect.

11.) *NMC 14.35.050(B), the request complies with the requirements of the underlying zone or overlay zone.*

The underlying zone that the subject property is located in is a C-2/"Tourist Commercial" District. Overlay zones that apply to the property include the Historic Nye Beach Design Review District (HNBO) and the Tsunami Hazards Overlay Zone (Attachments "C" and "E"). Compliance with HNBO requirements is addressed with the design guideline analysis above.

The C-2 district has a zero-lot line setback, with a lot coverage allowance of up to 85% of the parcel size. The minimum parcel size is 5,000 square feet (3,000 sq. ft. in the HNBO), the maximum building height is 50-feet, and the density limit for hotels/motels is 750 square feet of land area per unit. These density and dimensional standards are listed in Table "A," NMC 14.11.010 and NMC 14.13.010. A requirement of 50 sq. ft. of patio space per hotel unit is met with the proposed veranda (NMC 14.11.020). The applicant's site plan and architectural elevations illustrate how these standards are being satisfied (Attachment "A-2").

Off-street parking standards for hotel/motel units is one space per unit, plus a space for the manager, meaning 26 spaces are required (NMC 14.14.030(25)). Two of the spaces must be ADA compliant, with one being van accessible with an access isle (NMC 14.14.050). The HNBO allows new development to claim an on-street parking credit that reduces the number of required off-street parking spaces by one space for every on-street space abutting the property, with some limitations (NMC 14.30.100(A)(6)). The applicant is not pursuing an on-street parking credit, even though a credit could be an option along SW Elizabeth Street. The applicant is proposing 29 off-street spaces in a below grade garage. Five additional spaces, three of which are identified as ADA spaces, are shown outside the building, near the entrance to the lobby. As drawn, the ADA spaces are not compliant and the applicant is showing more than 40% of the total spaces as compact, which is the maximum percentage that the City will allow (NMC 14.14.060). The applicant's plans show more spaces than are required, and given that an on-street parking credit is an option, the Commission has sufficient evidence before it to conclude that it is feasible the applicant can meet the parking standards. A condition of approval should be imposed requiring the applicant provide a compliant parking layout.

A total of 10% of the lot area is required to be landscaped with an emphasis on it being placed along a street or other property frontage. The applicant's landscaping plan (Sheet L100, Attachment "A-2") illustrates how this standard is being met.

The Tsunami Hazard Overlay Zone requires commercial development provide all weather pedestrian access from the buildings to adjacent public rights-of-way, and the applicant's site plan illustrates how pedestrian linkages, both external and internal to the property, will be enhanced with this development (Sheet A100, Attachment "A-2"). Developments must also provide wayfinding signage in a format and location approved by the City and they must place emergency evacuation information in common areas to alert employees and guests to the tsunami threat. The Commission can address these last two requirements with conditions of approval.

12.) *NMC 14.35.050(C), the proposed use does not have an adverse impact greater than existing uses on nearby properties, or impacts can be ameliorated through imposition of conditions of approval. For the purpose of this criterion, "adverse impact" is the potential adverse physical impact of a proposed Conditional Use including, but not limited to, traffic beyond the carrying capacity of the street, unreasonable noise, dust, or loss of air quality.*

There are a number of hotels in the vicinity of the subject site, including the existing Whaler Hotel, the Elizabeth Street Inn, and Shilo Inns. It is reasonable for the Commission to rely upon the presence of such uses to conclude that the proposed hotel will not have adverse impacts greater than existing uses in the area relative to noise, dust, air quality, etc. SW Elizabeth and W Olive Streets are collector roadways designed to handle large volumes of vehicle traffic, and the applicant site plan (Sheet A100, Attachment "A-2") illustrates how they will be improving pedestrian mobility as a result of the project. SW Dolphin Street will need to be improved by the applicant to accommodate the planned development and the applicant's plans serve as evidence that they are prepared to make a substantial investment in the roadway. It would be reasonable for the Commission to impose a condition requiring the applicant/owner improve the street commensurate to the impact of the project to ensure that this standard is met.

13.) *NMC 14.35.050(D), a proposed building or building modification is consistent with the overall development character of the area with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.*

The Planning Commission should consider existing and potential development that can occur in Nye Beach when weighing whether or not this standard has been met. This parcel is situated at the far southwest corner of the HNBO, bordered by the existing Whaler Hotel to the south, which is just

outside of the overlay, and the Newport Performing Arts Center to the east, which is inside the HNBO but was constructed in the late 1980's before the overlay was established. The Performing Arts Center is larger than the proposed development with an average peak height in excess of 46-ft. The existing Whaler Hotel, which is three stories in height, is roughly 35-ft in height and is narrower and more linear than the proposed development.

The palette of exterior construction materials is depicted on Sheet A 204, Attachment "A-2" is consistent with what is found on other commercial properties in the district, the Inn at Nye Beach, which was the last project that the Commission approved using the design guidelines. That project has a peak height of 47 feet, 3 inches and is more linear than the proposed development, in part because the design guidelines were updated to require that large buildings be segmented. Other comparable commercial development in the district with respect to size and height include the Sylvia Beach Hotel (also three stories facing the street), the Archway Place mixed use development at 42.25-ft in height, and the three-story commercial property at 107 SW Coast at 39-ft in height.

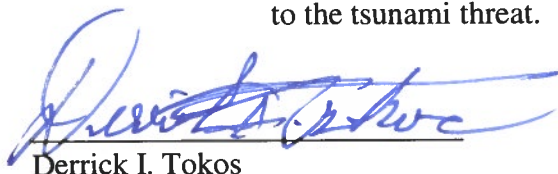
Considering the above, the Commission can reasonably conclude that the proposed building at 40-ft in height, with three distinct building segments that break up its visible mass, is consistent with the overall development character of the area with regard to building size and height.

- 3.) **Conclusion:** If the Commission finds that the application complies with the design guidelines established for the Design Review Overlay District and satisfies the conditional use approval criteria, then the Commission should tentatively approve the request and direct staff to prepare findings of fact and a final order in support of such approval for consideration at the Commission's May 24, 2021 meeting. If the Commission finds that the application does not comply with the criteria, then it should specify where the application fails to meet the criteria and explain how it could be made to comply. If, on the other hand, the Commission finds that the application cannot be made to comply, then it should identify why that is the case and direct staff to prepare findings and a final order for denial so that they may be presented for the Commission's review and possible adoption on May 24th. Pursuant to NZO 14.30.080(B), required modification(s), if any, to the design shall only be specified by the Planning Commission if necessary to avoid a finding that the application does not meet the applicable design guidelines and shall be limited to only those modification(s) necessary to avoid a denial of the permit application.

Conditions of approval the Commission may want to impose include:

1. Approval of this land use permit is based on the submitted written narrative and plans listed as Attachments to the staff report. No use shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the applicant/property owner to comply with these documents and the limitations of approval described herein.

2. Applicant/owner shall construct concrete textured crosswalks at the mid-block crossing of SW Elizabeth Street, opposite Don and Ann Davis Park, and at the intersection of SW Dolphin Street and W Olive Street, in a manner that is substantially similar to existing crosswalks at Cliff/Olive Streets and Coast/Olive Streets.
3. Applicant/owner shall incorporate stamped concrete, artistic tiles, or similar specialty paving elements into the building plans for the internal pathways, veranda, or porte cochere.
4. Acorn style light poles shall be installed within public rights-of-way adjoining the subject property for safety and security purposes in locations deemed appropriate by the City Engineer.
5. Applicant/owner shall improve SW Dolphin Street in a manner that conforms with the City of Newport's street standards and is roughly proportional to the impact of the development on the City's transportation system. This may include minor modifications to the scope and nature of the frontage improvements depicted on Attachment "A-2." All required public improvements shall be completed prior to occupancy.
6. The applicant shall comply with all applicable building codes, fire codes, and other public health and safety regulations to ensure that the use will not be detrimental to the safety and health of persons in the neighborhood. The applicant is responsible for obtaining the necessary approvals and permits pertaining to the proposed use. If the applicant must materially modify the size or height of the building to comply with these codes, then a conditional use permit shall be submitted to establish that the changes are consistent with the overall development character of the neighborhood.
7. Prior to issuance of a building permit, applicant/owner shall submit an off-street parking plan that conforms to City parking standards outlined in NMC Chapter 14.14, including dimensional standards for ADA spaces and the limitation that no more than 40% of the parking stalls may be designed for compact vehicles.
8. Applicant/owner shall install tsunami hazard wayfinding signage in a format and location approved by the City prior to occupancy. Further emergency evacuation information shall be posted in hotel common areas to alert employees and guests to the tsunami threat.







Derrick I. Tokos
Community Development Director
City of Newport
April 22, 2021



City of Newport Land Use Application

Attachment "A"
1-NB-21/2-CUP-21

Applicant Name(s):	Property Owner Name(s) <i>if other than applicant</i>	
Ric Rabourn	Hallmark Inns & Resorts	
Applicant Mailing Address:	Property Owner Mailing Address:	
5 Centerpointe Dr. #590, Lake Oswego	, Oregon, 97035	
Applicant Phone No.	Property Owner Phone No.	
503-635-4555	503-635-4555	
Applicant Email	Property Owner Email	
ric@hallmarkinns.com	ric@hallmarkinns.com	
Authorized Representative(s): <i>Person authorized to submit and act on this application on applicant's behalf</i>		
Michael Abbott (Architect)		
Authorized Representative Mailing Address:		
18510 Pop Keeney Way, Bothell, WA 98011		
Authorized Representative Telephone No.		
206-778-7008		
Authorized Representative Email: michael@abbott-architecture.com		
Project Information		
Property Location: <i>Street name if address # not assigned</i>		
33 SW ELEIZABETH STREET		
Tax Assessor's Map No.: 11-11-08-BB	Tax Lot(s): 15901, 15902, 15903	
Zone Designation: C-2	Legal Description: <i>Add additional sheets if necessary</i>	
Comp. Plan Designation: Commercial	Nye Beach Overlay	
Brief description of Land Use Request(s):		
<i>Examples:</i>		
1. <i>Move north property line 5 feet south</i>	Type III Land Use - DR & CU	
2. <i>Variance of 2 feet from the required 15-foot front yard setback</i>		
Existing Structures: if any		
2 Existing Single Family Houses to be removed		
Topography and Vegetation:		
Flat topography with minimal vegetation. Slopes along street frontages.		
Application Type (please check all that apply)		
<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> Comp Plan/Map Amendment <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> PC <input type="checkbox"/> Staff <input checked="" type="checkbox"/> Design Review <input type="checkbox"/> Geologic Permit	<input type="checkbox"/> Interpretation <input type="checkbox"/> Minor Replat <input type="checkbox"/> Partition <input type="checkbox"/> Planned Development <input type="checkbox"/> Property Line Adjustment <input type="checkbox"/> Shoreland Impact <input type="checkbox"/> Subdivision <input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> UGB Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Variance/Adjustment <input type="checkbox"/> PC <input type="checkbox"/> Staff <input type="checkbox"/> Zone Ord/Map <input type="checkbox"/> Amendment <input type="checkbox"/> Other
FOR OFFICE USE ONLY		
File No. Assigned:		
Date Received:	Fee Amount:	Date Accepted as Complete:
Received By:	Receipt No.	Accepted By:
City Hall 169, SW Coast Hwy Newport, OR 97365 541.574.0629		

	
City of Newport Land Use Application	
<p>I understand that I am responsible for addressing the legal criteria relevant to my application and that the burden of proof justifying an approval of my application is with me. I also understand that this responsibility is independent of any opinions expressed in the Community Development and Planning Department Staff Report concerning the applicable criteria.</p> <p>I certify that, to the best of my knowledge, all information provided in this application is accurate.</p>	
 Applicant Signature(s)	04.02.21 Date
President & CEO	
 Property Owner Signature(s) (if other than applicant)	Date
 Authorized representative Signature(s) (if other than applicant)	4/2/2021 Date
<p>Please note application will not be accepted without all applicable signatures.</p> <p>Please ask staff for a list of application submittal requirements for your specific type of request.</p>	

'Project Design Narrative'

Newport Design Review: Guidelines and Standards
Historic Nye Beach Design Review District
(Effective 7/29/2015)

Whaler @ Nye Beach NEWPORT, OREGON

HALLMARK INNS AND RESORTS
Lake Oswego, Oregon



ABBOTT
ARCHITECTURE

Michael Abbott, AIA, NCARB
(Oregon Architect ARI-5371)

April 5TH, 2021

Design Guideline 2: Building Scale

Intent: Commercial building elements oriented towards a public or private street shall incorporate specific elements that contribute to the established scale of the district and support an active streetscape.

Design Strategies Used:

- The hotel building has a contextual scale by incorporation of horizontal and vertical divisions including multiple stepped roof lines.
- The overall building massing has been designed to break apart multiple forms along the elevations and plan. The strategy of breaking the building into three separate building forms with independent gable roofs achieves the massing breakdown necessary to establish scale with the district.
- The hotel building also utilizes canopies and balconies along the public right of way.
- The hotel building incorporates a public oriented central café veranda to further support an active streetscape along Elizabeth & Olive Streets. This central veranda has two pathways from the sidewalk and will encourage public use for café seating.



Design Guideline 3: Roof Design

Intent: Roofs should have similar configuration and character to historic styles in the district.

Design Strategies Used:

- The hotel roof plan (Sheet A104) shows the main roof as 6:12 in pitch with multiple dormer breaks. Some lower roofs are treated with roof parapets to help give the building a smaller massing effect.
- All mechanical equipment will be located in non-rooftop locations within the building forms.
- Roof configuration is that of a traditional gable with multiple dormers.
- The gable ends break into smaller forms and cross-gables to further reduce the scale of the roof.
- Parapet walls are integrated into the building and are strategically located to break up the massing of the overall building form.



Design Guideline 4: Commercial Buildings Define Continuous Street Edge

Intent: Support safe and "walkable" streets by creating a traditional town pattern of commercial buildings lining public streets. Create high visibility between commercial interiors and public ways.

Design Strategies Used:

- The hotel building abuts the front property line along Elizabeth & Olive Streets. The incorporation of a patio/veranda directly engages with the pedestrian sidewalk along the street edges.
- The hotel incorporates a central veranda that has direct pedestrian access from the sidewalks along both Elizabeth & Olive Streets. This central veranda will incorporate café seating and firepit feature to enhance the community experience upon walking past and/or arrival.
- The hotel side yard along the south elevation incorporates a break between the existing hotel building with a new 'accessible' pedestrian walkway that connects the East side of the property to the street. The addition of a pedestrian crosswalk further connects to Don Davis Park across Elizabeth Street.
- The hotel side yard along Dolphin Street has incorporated improved pedestrian access via a sidewalk. Portions of this side yard are utilized for parking access to the sub-building garage and vehicle access to the hotel porte-cochère entry.
- All yards are fully landscaped including pedestrian lighting.
- Trash collections for the hotel building will be incorporated into the sub-building garage area out of view from the exterior.



Design Guideline 5: Consistency with Predominant Styles and Features

Intent: Buildings shall generally be compatible in design and appearance with other buildings in close proximity by including similar types of architectural features and materials.

Design Strategies Used:

- The hotel building utilizes traditional building forms such as gable roofs, cross gable features and multiple dormers.
- The hotel building features the traditional design strategy of 'base, middle and top' along the elevations. Along the street edge a building 'base' is in the form of a solid stone wall supporting the patio/veranda and central café veranda. The building 'middle' is made up of the first-floor walls that separates from the upper hotel floors by use of a siding material and color break along with traditional trim feature at floor level. The building 'top' 2 floors is then made up of traditional shake siding which further breaks the building into smaller forms found within the design district. See exterior elevations on Sheet A205.
- The primary building materials used are those found around the district including: Stone, Cedar horizontal plank siding (clear) and cedar shake (charcoal grey).
- The roof will be an architectural comp roof in black oak. See finish samples on Sheet A205.
- The hotel window fenestration is composed of traditional vertical and square oriented windows. Larger windows along the middle public spaces of the hotel have been broken down by mullions to also fit with the scale of the district. Windows and doors will be traditionally trimmed in wide casement to also fit within the traditional detailing of northwest coastal architecture.
- The hotel will also feature timber trellising at entryways and above the central café veranda. The timber will be stained with a tint similar to local buildings.
- See exterior elevation sheets A201 – A205 for graphic representation of all of the above strategies.



Design Guideline 6: Parking Orientation and Building Form

Intent: For commercial and multiple family residential (greater than 2 dwelling units) projects, the building massing shall not be shaped by off-street parking. Building massing should generally take traditional forms that are observed in the district, the historical record of Nye Beach, or that can be demonstrated to be consistent with the dominant architectural styles of the district.

Design Strategies Used:

- The hotel building primary orientation is towards the street frontages of Elizabeth and Olive Streets.
- The hotel incorporates a central café veranda that engages with pedestrian sidewalks along both streets. The street side of the hotel will have this entrance as secondary to guest to hotel but primary to a passing pedestrian. The primary hotel guest entry will be along the porte-cochere side of the building for a more traditional hotel guest experience. The porte-cochere entry is directly engaged with the public street side by use of direct site lines through the interior lobby of the hotel. This will further enhance the hotel guest experience by direct building engagement to the public street and Nye Beach beyond.
- The hotel incorporates a sub-building garage which eliminates the impact of on-site surface parking. This strategy benefits the hotel guests and keeps the pedestrian oriented feel of this property from views from the Nye Beach district.
- See 'Architectural Site Plan' on Sheet A100 for locations of above.



Design Guideline 7: Connected Pedestrian Network

Intent: Maintain and reinforce the walking environment of Nye Beach with a network of public sidewalks and private paths.

Design Strategies Used:

- This hotel project will reinforce the pedestrian network by adding new public sidewalks along the street edges of Elizabeth and Olive Streets.
- The development will also be adding two new public crosswalks from the sidewalks to create a new connection to Nye Beach district and Don Davis park.
- Further pedestrian enhancement will be extension of the sidewalk to the performing arts center at the East side of the property.
- Pedestrians will also be able to engage the public street of the hotel by the addition of an accessible pathway along the South edge of the building.
- New sidewalks on both sides of Dolphin street will give further access around all sides of the new hotel building.
- Pedestrian pathways have been incorporated along all sides of the hotel building to create a safe human scale feel to the site.
- See 'Architectural Site Plan' on Sheet A100 for locations of above.



Design Guideline 8: Exterior Lighting and Glare Avoidance

Intent: Provide a well-lit public environment, while minimizing the incidence of glare.

Design Strategies Used:

- The hotel site lighting design considers a well-lit, warm and welcoming feel.
- The hotel site lighting fixtures have been carefully selected as no-glare and/or dark-sky compliant.
- See drawing Sheet L200 for lighting locations and types.

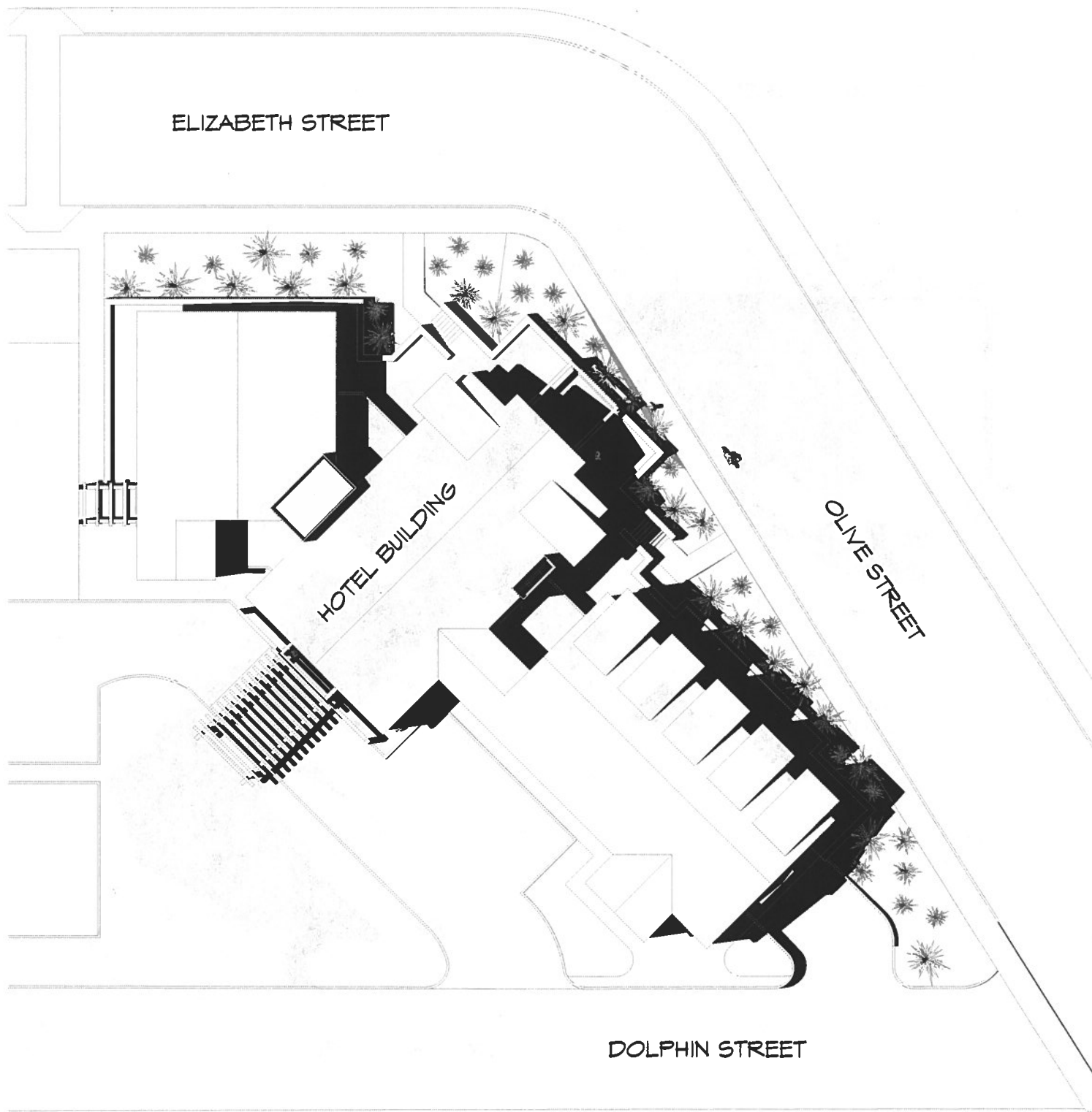
Design Guideline 9: Requirements for solar access:

Intent: Ensure new development projects do not excessively shade neighboring properties.

Design Strategies Used:

- The hotel building sits by itself across from neighboring Nye Beach properties and buildings. Mid-day shade on neighboring buildings does not exist.
- The hotel building will only shade public sidewalks to the West and North along Elizabeth and Olive Streets at mid-day during fall to spring.
- See the attached graphic analysis of building shading at public sidewalks during Summer Solstice, Spring and Fall Equinox at the Noon hour (3 graphic pages attached).



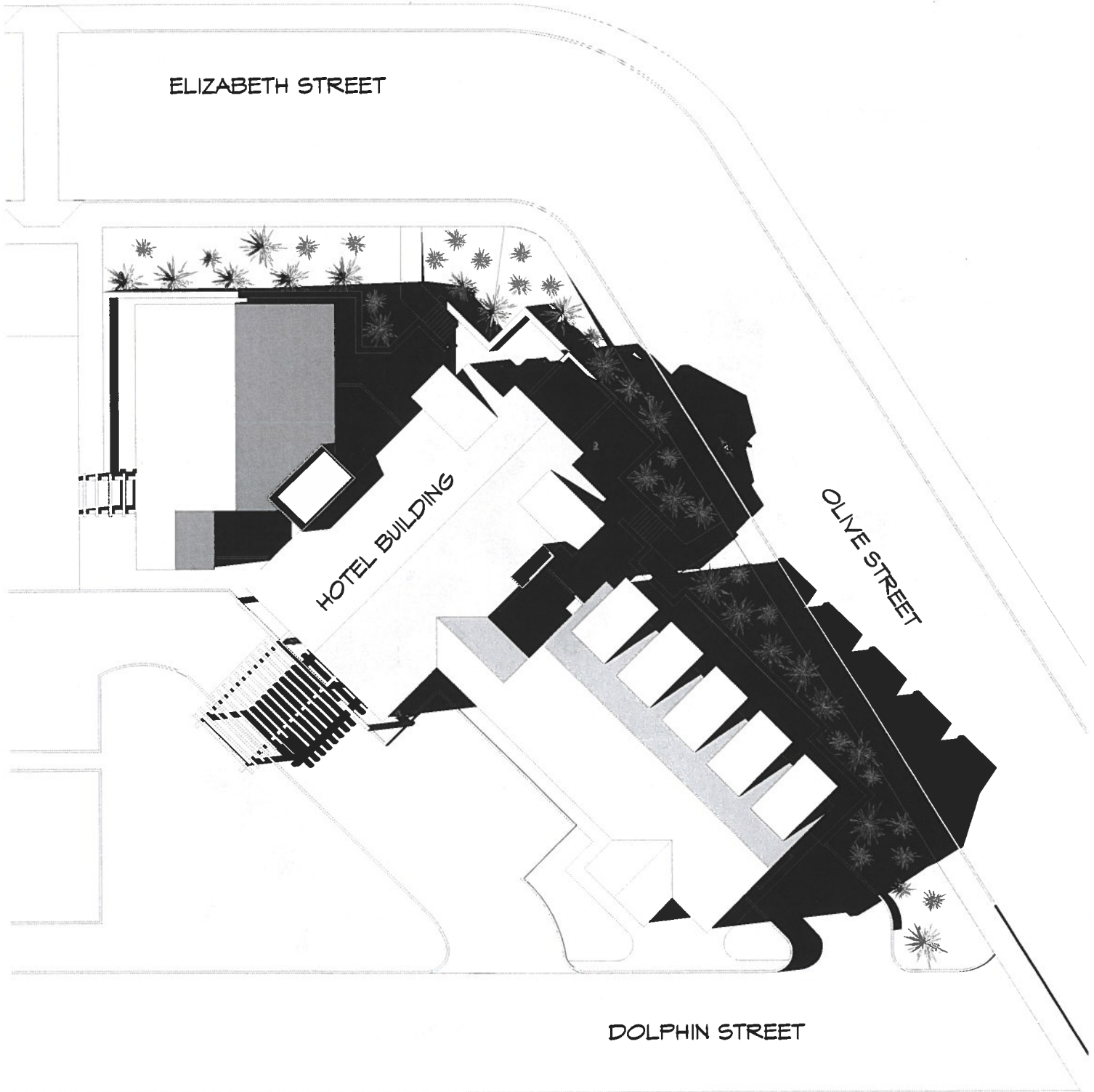


SUN SHADING STUDY - SUMMER SOLSTICE - JUNE 20TH @ NOON

■ = SHADOW CAST FROM HOTEL BUILDING



DATE: 4/5/2021	WHALER @ NYE BEACH	ABBOTT ARCHITECTURE
LAYOUT NAME: SUN SHADING STUDIES	NEWPORT • OREGON • USA	

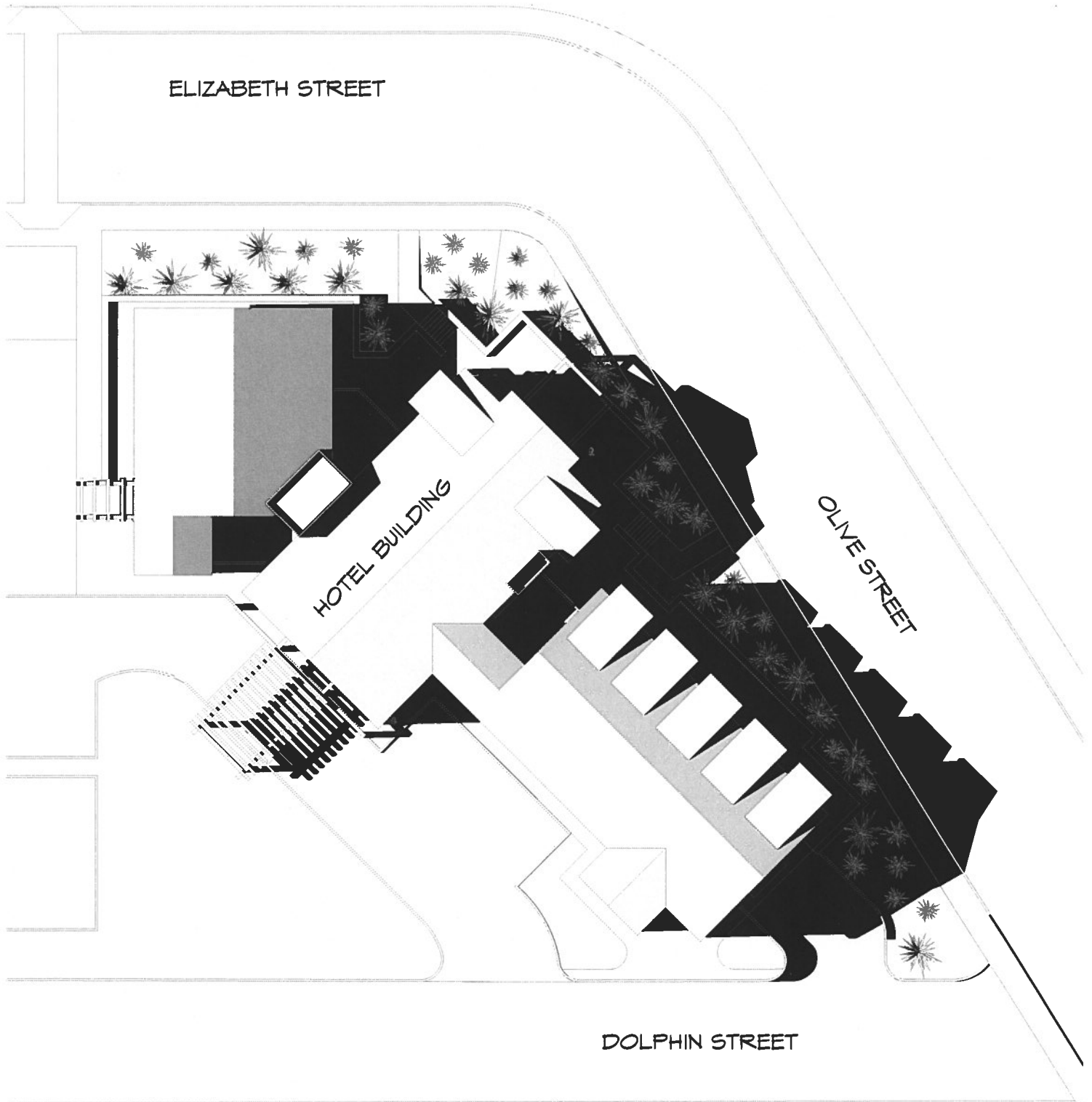


SUN SHADING STUDY - SPRING EQUINOX - MARCH 21ST @ NOON



■ = SHADOW CAST FROM HOTEL BUILDING

DATE: 4/5/2021	WHALER @ NYE BEACH NEWPORT • OREGON • USA	ABBOTT ARCHITECTURE
LAYOUT NAME: SUN SHADING STUDIES		



SUN SHADING STUDY - FALL EQUINOX - SEPTEMBER 20TH @ NOON



■ = SHADOW CAST FROM HOTEL BUILDING

<p>DATE: 4/5/2021</p>	<p>WHALER @ NYE BEACH</p>	<p>ABBOTT ARCHITECTURE</p>
<p>LAYOUT NAME: SUN SHADING STUDIES</p>	<p>NEWPORT • OREGON • USA</p>	



WHALER AT NYE BEACH

Newport • Oregon • USA

ZONING ORDINANCE DATA:

<u>NEWPORT MUNICIPAL CODE - CHAPTER 14 - ZONING</u>	
ZONE:	C-2 (TOURIST COMMERCIAL)
OVERLAY:	NYE BEACH DESIGN REVENUE DISTRICT (*DESIGN GUIDELINES USED)
USE:	HOTEL (PERMITTED)
<u>LOT STANDARDS (PER TABLE "A" 14.13.020 NMC- CH-14 - ZONING)</u>	
MINIMUM LOT AREA:	5,000 SF (3,000 SF NYE BEACH OVERLAY)
LOT COVERAGE:	85-90%
MAX BUILDING HEIGHT:	50 FEET
SETBACKS:	FRONT: 0 FEET (5' ALONG W. OLIVE) SIDE: 0 FEET REAR: 0 FEET
DENSITY PER UNIT:	N/A
PARKING:	1 SPACE PER GUEST UNIT (HOTEL) 1 SPACE FOR MANAGER (HOTEL)
TOTAL REQUIRED:	26 STALLS
TOTAL SHOWN:	29 STALLS

PROJECT DATA:

GUEST UNITS	25
PROPOSED GUEST UNITS	25
<u>PARKING</u>	
SURFACE PARKING ADA STALLS	3
SUB-BUILDING PARKING STALLS	29
TOTAL PARKING STALLS	32
<u>AREA CALCULATIONS</u>	
MAIN FLOOR	9,737 SF
2ND FLOOR	7,420 SF
3RD FLOOR	8,504 SF
TOTAL INTERIOR	25,661 SF
<u>PARKING AREA</u>	
PARKING LOBBY	8,635 SF
MECH./B.O.H.	864 SF
TOTAL GARAGE	11,110 SF
OCEANSIDE EXTERIOR VERANDA	3,395 SF

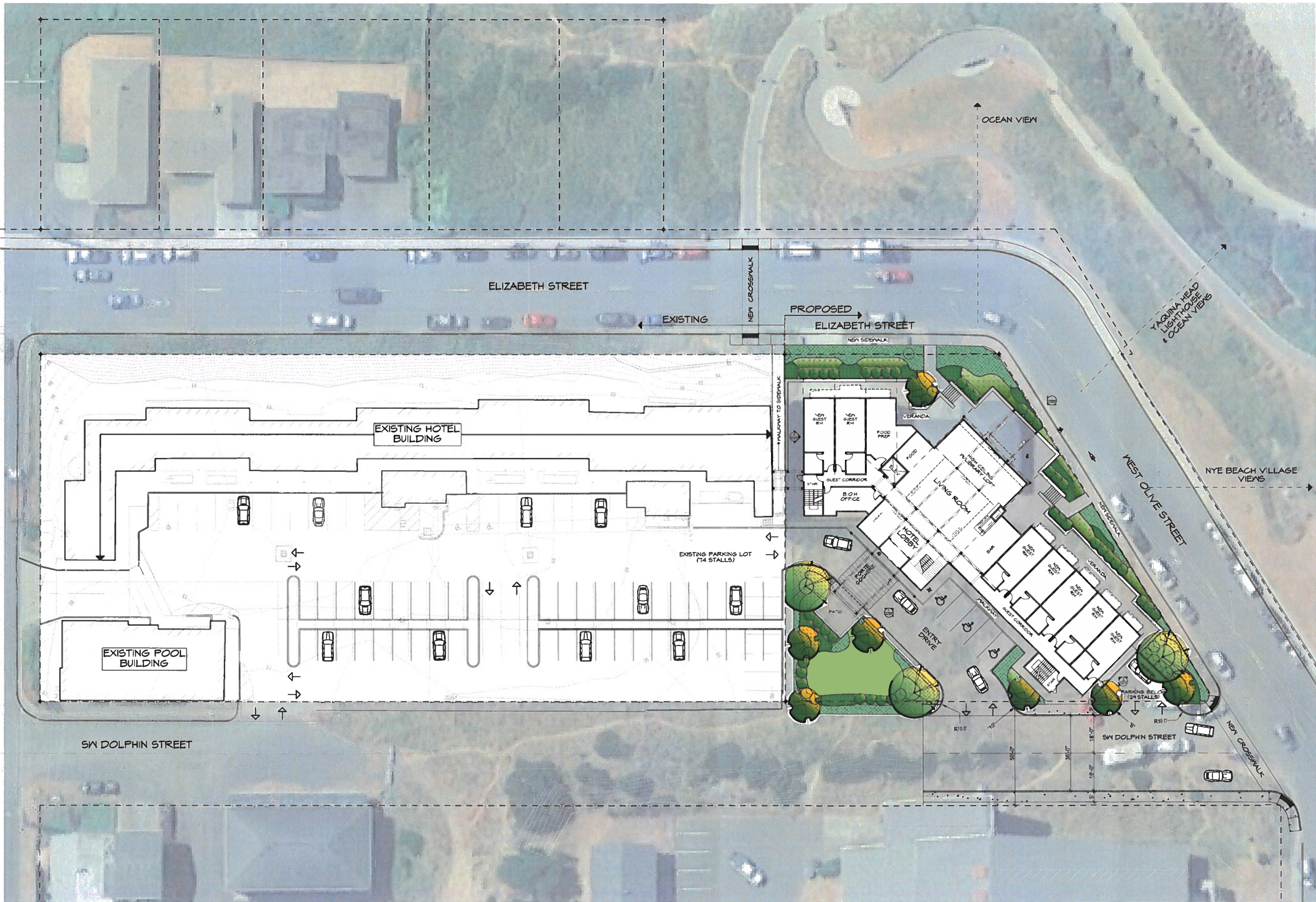
SHEET INDEX

A001	COVERSHEET - PROJECT DATA
C001	TOPOGRAPHIC SURVEY
A100	ARCHITECTURAL SITE PLAN
L100	LANDSCAPE PLAN
A101	1ST FLOOR PLAN
A102	2ND FLOOR PLAN
A103	3RD FLOOR PLAN
A104	ROOF PLAN
A105	PARKING GARAGE PLAN
A201	EXTERIOR 3D VIEWS
A202	EXTERIOR 3D VIEWS
A203	EXTERIOR 3D VIEWS
A204	EXTERIOR ELEVATIONS
A205	EXTERIOR ELEVATIONS

LDDR-SUBMITTAL - 2/14/2020

DATE	2/14/2020
PROJECT	1803
ISSUED BY	MA
LAYOUT NAME	COVER SHEET

A001



ARCHITECTURAL SITE PLAN
SCALE 1" = 20'

REGISTERED ARCHITECT
MICHAEL S. ABBOTT
ARCHITECTURE
SEATTLE WA
STATE OF OREGON
PRELIMINARY

ABBOTT
ARCHITECTURE

Woodinville, WA 98072
P-206.778.7008

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE: 2/14/2020
PROJECT: 1803
DRAWN BY: MA
LAYOUT NAME: ARCHITECTURAL SITE PLAN

A100

PRELIMINARY

WHPacific

WHALER AT NYE BEACH

Newport • Oregon • USA

2/14/2020
 1803
 MA
 LANDSCAPE PLAN
 L100

PLANTING LEGEND

POTENTIAL SPECIES (PER CITY OF NEWPORT ACCEPTABLE SPECIES):

TREES

MEDIUM TREES

SCIENTIFIC NAME	COMMON NAME	SIZE
CARPINUS BETULUS 'FASTIGIATA'	EUROPEAN HORNBEAM	2"
ZELKOVA SERRATA	JAPANESE ZELKOVA	2"
PRUNUS EMARGINATA	BITTER CHERRY	1.5"
RHAMNUS PURSHIANA	CASCARA	1.5"

SMALL TREES

SCIENTIFIC NAME	COMMON NAME	SIZE
MYRICA CALIFORNICA	PACIFIC WAX MYRTLE	1.5"
PRUNUS SERRULATA	FLOWERING CHERRY	1.5"
MALUS FUSCA	PACIFIC CRABAPPLE	1.5"

SHRUBS

LARGE SHRUBS

SCIENTIFIC NAME	COMMON NAME	SIZE
ARCTOSTAPHYLOS COLUMBIANA	HAIRY MANZANITA	5 GAL
CEANOTHUS THYRSIFLORUS	BLUE BLOSSOM	5 GAL
GAULTHERIA SHALLON	SALAL	5 GAL
MAHONIA NERVOSA	DWARF OREGON GRAPE	5 GAL

SMALL SHRUBS

SCIENTIFIC NAME	COMMON NAME	SIZE
ARCTOSTAPHYLOS UVA-URSI	KINNIKINICK	2 GAL
JUNIPERUS CONFERTA	BLUE PACIFIC SHORE JUNIPER	2 GAL
ROSA NUTKANA	NOOTKA ROSE	2 GAL

FORBS/HERBS

SCIENTIFIC NAME	COMMON NAME	SIZE
CALLUNA SP	HEATHER (VARIETIES)	1 GAL
CAMASSIA LEICHTLINII	LARGE CAMAS	1 GAL
ERIGERON GLAUCUS	BEACH ASTER / FLEABANE	1 GAL
FRAGARIA CHILOENSIS	BEACH STRAWBERRY	1 GAL
GALIUM ODORATUM	SWEET WOODRUFF	1 GAL
LUPINUS LITTORALIS	SEASHORE LUPINE	1 GAL
THYMUS PSEUDOLANUGINOSUS	WOOLY THYME	1 GAL

GRASSES

SCIENTIFIC NAME	COMMON NAME	SIZE
CALAMAGROSTIS ACUTIFLORA	FEATHER REED GRASS	1 GAL
DESCHAMPSIA CESPITOSA	OREGON TUFTED HAIR GRASS	1 GAL
SISYRINCHIUM IDAHOENSE	BLUE-EYED GRASS	1 GAL

LAWN

SUNMARK SEEDS FIDO TURF: TURFNET PERENNIAL RYEGRASS (50%), ALLSTAR III PERENNIAL RYEGRASS (21%), SEALINK SLENDER CREEPING RED FESCUE (28%), AND SEASIDE II CREEPING BENTGRASS (1%). APPLICATION RATE: 5 PLS LBS PER 1,000 SQUARE FEET.



CONCEPT LANDSCAPE PLAN
SCALE: 1" = 10'

1
L100



2ND FLOOR PARTITION PLAN
SCALE 1" = 10'

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	2/14/2020	PROJECT	1803	STATE	MA	LAYOUT NAME	2ND FLOOR PLAN
LUMP-SUBMITTAL - 2/14/2020							
A102							

REGISTERED ARCHITECT
 MICHAEL S. ABBOTT
 SEATTLE, WA
 STATE OF OREGON

ABBOTT
 ARCHITECTURE

WOODBRIDGE, WA 98072
 P 206.775.7008



3RD FLOOR PARTITION PLAN
 SCALE 1" = 10'

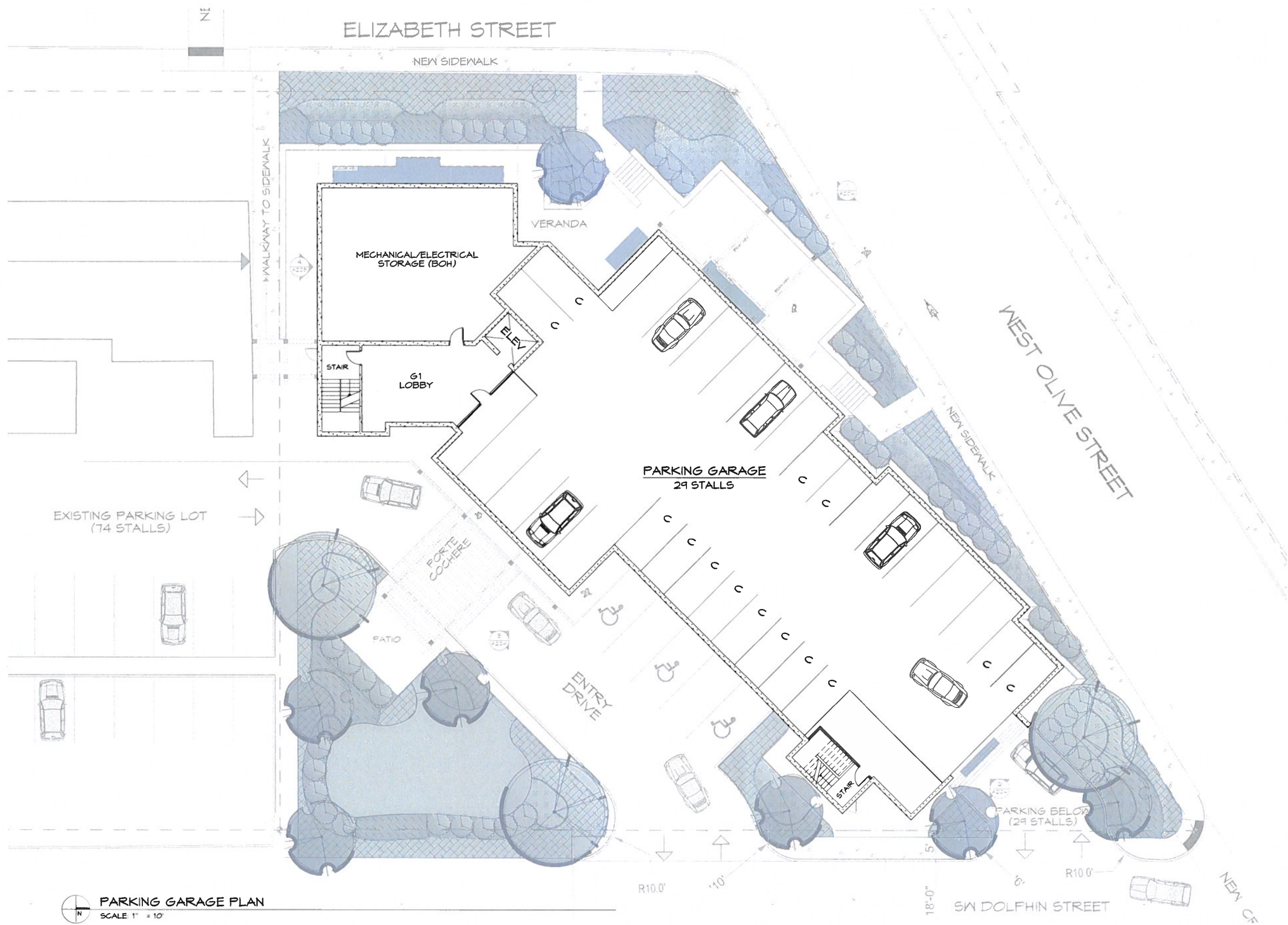
WHALER AT NYE BEACH

Newport • Oregon • USA

LOCK-SUBMITTAL - 2/14/2020

DATE: 2/14/2020
 PROJECT: 1803
 DRAWING: MA
 LAYOUT NAME: 3RD FLOOR PLAN

A103



PARKING GARAGE PLAN
SCALE 1" = 10'

REGISTERED ARCHITECT
MICHAEL S. ABBOTT
SEATTLE WA
STATE OF OREGON
PRELIMINARY

ABBOTT
ARCHITECTURE

Woodville, WA 9872
P 206.776.7008

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE: 2/14/2020
PROJECT: 1803
PROJECT NO: MA
LAYOUT NAME: PARKING GARAGE PLAN
LURK-SUBMITTAL - 2/14/2020

A105

REGISTERED ARCHITECT
 MICHAEL S. ABBOTT
 PRELIMINARY
 SEATTLE WA
 STATE OF OREGON

ABBOTT
 ARCHITECTURE

Woodville, WA 98722
 P 206 778 7028



VIEW FROM OCEANSIDE



VIEW FROM OCEANSIDE



BIRD'S EYE VIEW OF OCEANSIDE

WHALER AT NYE BEACH

Newport • Oregon • USA

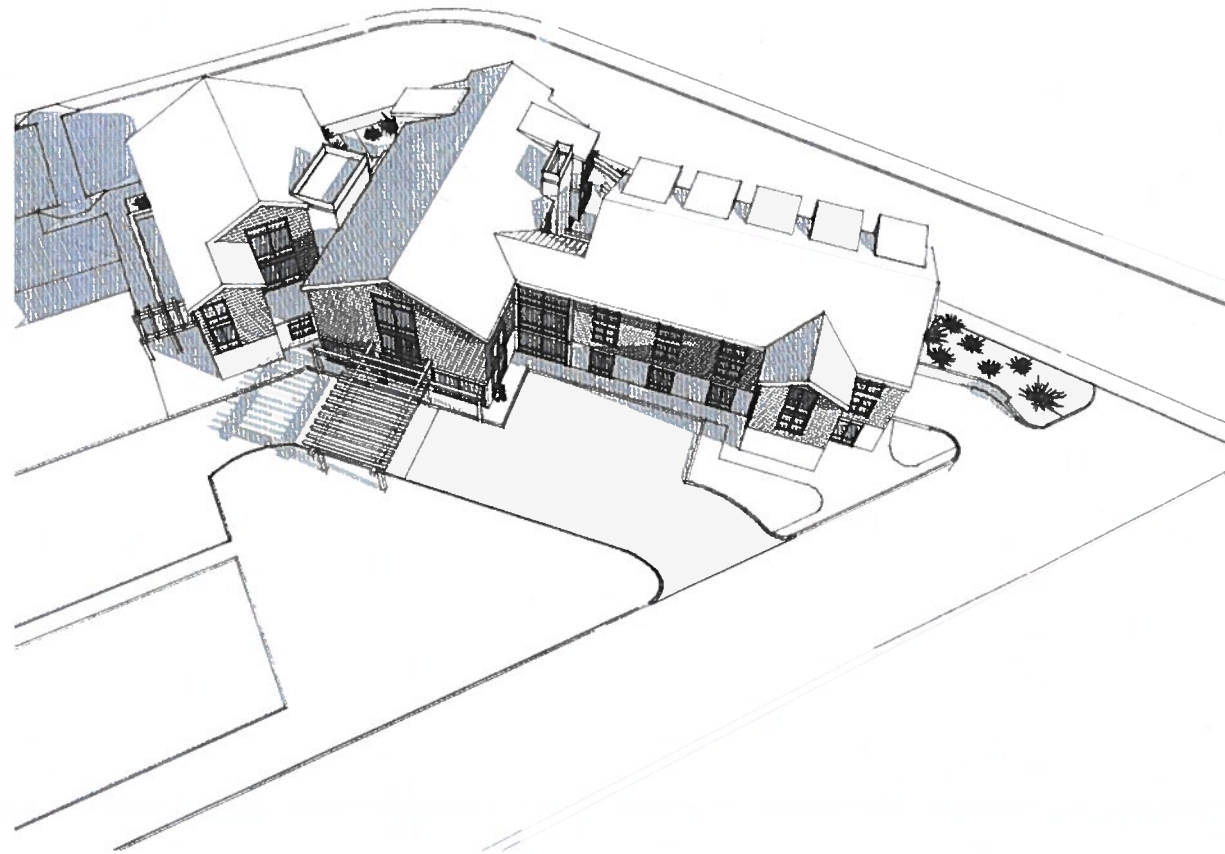
DATE: 2/14/2020
 PROJECT: 1803
 DRAWN BY: MA
 LAYOUT NAME: 3D MODEL VIEWS

LBPS-SUBMITTAL - 2/14/2020

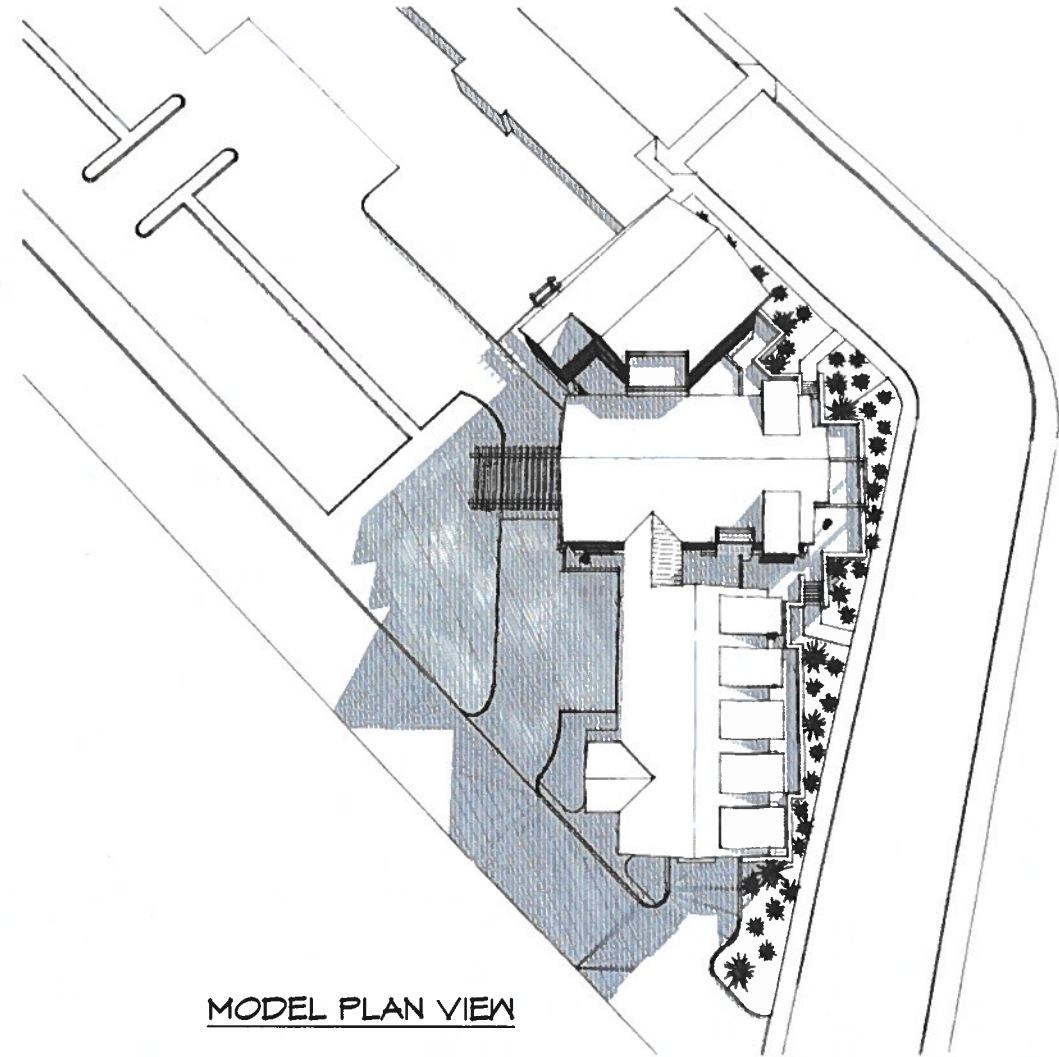
A201



VIEW FROM ENTRY



BIRD'S EYE VIEW OF ENTRY SIDE



MODEL PLAN VIEW



WHALER AT NYE BEACH

Newport • Oregon • USA

LDRS-SUBMITTAL - 2/14/2020	
DATE 2/14/2020	PROJECT 1803
DRAWN BY MA	LAYOUT NAME 3D MODEL VIEWS
A202	



VIEW FROM OCEANSIDE



COLOR RENDERING VIEW FROM OCEANSIDE

REGISTERED ARCHITECT
 MICHAEL S. ABBOTT
 SEATTLE, WA
 STATE OF OREGON
PRELIMINARY
ABBOTT
 ARCHITECTURE
 Woodville, WA 98722
 P 206 778 7028

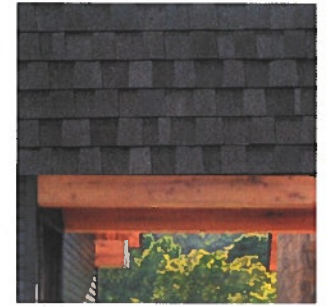
WHALER AT NYE BEACH

Newport • Oregon • USA

LUGR-SUBMITTAL - 2/14/2020
 DATE: 2/14/2020
 PROJECT #: 1803
 DRAWING NO: MA
 LAYOUT NAME: 3D MODEL VIEWS
A203



1 WEST ELEVATION - OCEANSIDE
SCALE: 1/8" = 1'-0"



R-1: COMP ROOFING - COLOR: BLACK OAK
WD-1: TIMBER POSTS & BEAMS



S-1 - SHAKE SIDING - CHARCOAL STAIN



S-2 - PLANK SIDING - CLEAR STAIN



C-1 - BOARD FORMED SITE WALL - COLOR: STONE



2 NORTH ELEVATION - DOLPHIN STREET
SCALE: 1/8" = 1'-0"

WHALER AT NYE BEACH

Newport • Oregon • USA

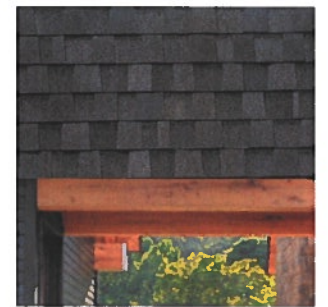
DATE: 2/14/2020
PROJECT: 1803
PERMIT NO: MA
LAYOUT NAME: EXTERIOR ELEVATIONS

2/14/2020
PROJECT: 1803
PERMIT NO: MA
LAYOUT NAME: EXTERIOR ELEVATIONS

A204



3 EAST ELEVATION - ENTRY SIDE
SCALE: 1/8" = 1'-0"



R-1 : COMP ROOFING - COLOR: BLACK OAK
WD-1 : TIMBER POSTS & BEAMS



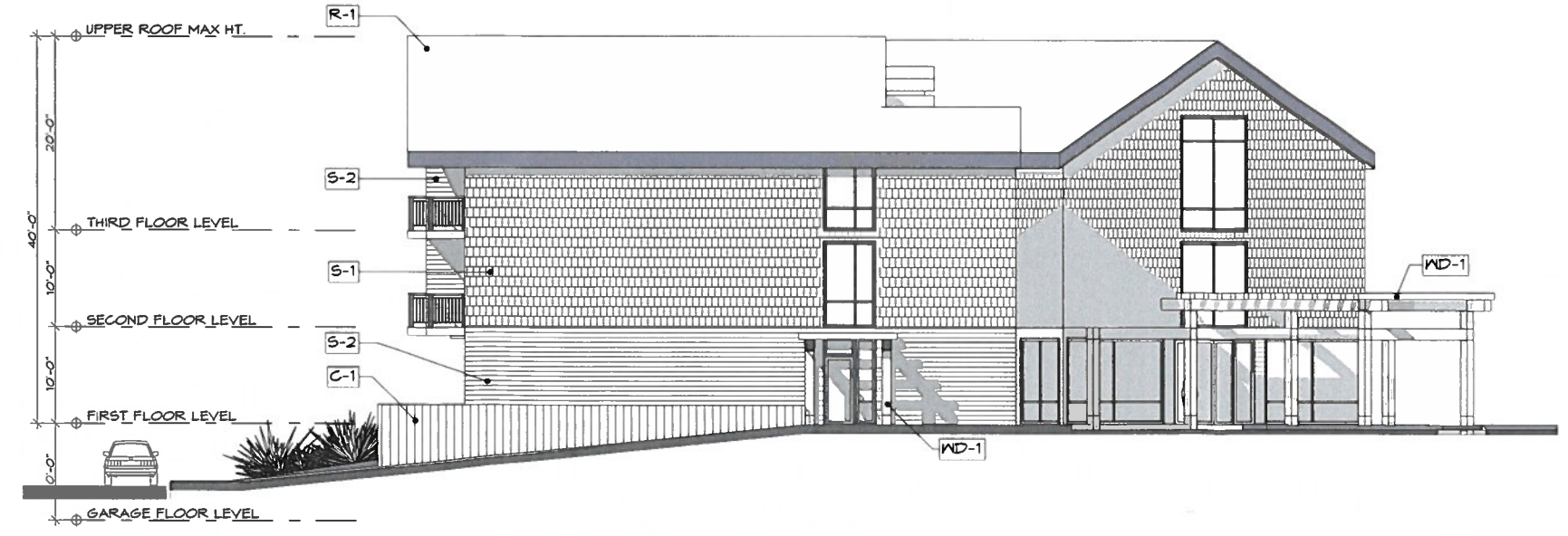
S-1 - SHAKE SIDING - CHARCOAL STAIN



S-2 - PLANK SIDING - CLEAR STAIN



C-1 - BOARD FORMED SITE WALL - COLOR: STONE



4 SOUTH ELEVATION - WALKWAY TO BEACH
SCALE: 1/8" = 1'-0"

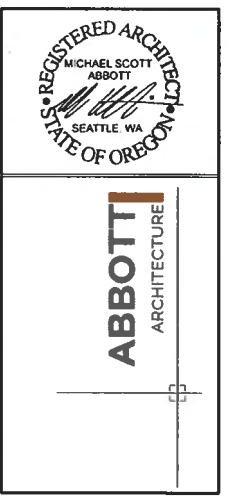
WHALER AT NYE BEACH

Newport • Oregon • USA

LUOR-SUBMITTAL - 2/14/2020

DATE: 2/14/2020
PROJECT: 1803
ISSUED BY: MA
LAYOUT NAME: EXTERIOR ELEVATIONS

A205



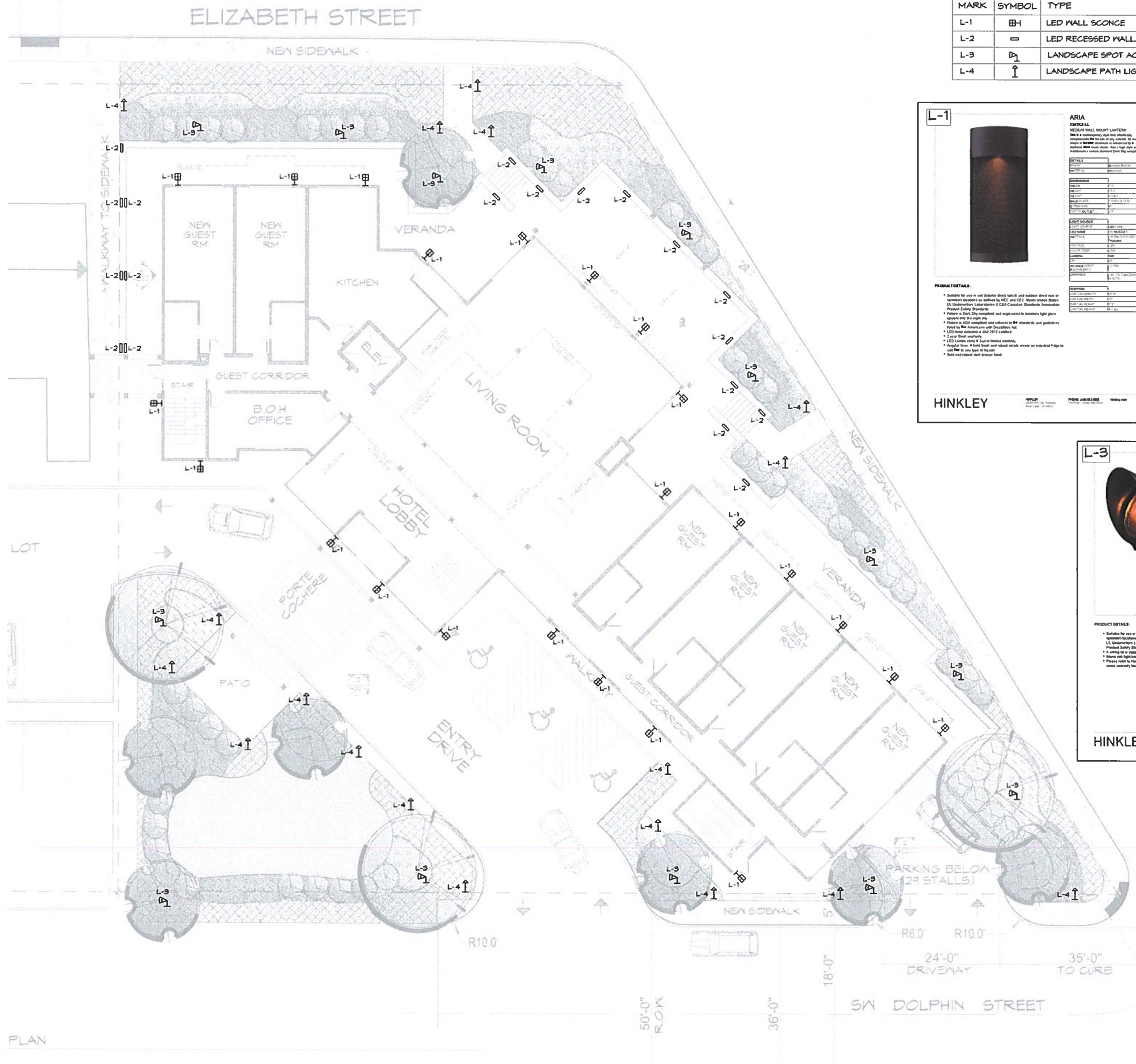
WHALER AT NYE BEACH

Newport • Oregon • USA

DATE: 4/15/2021
 PROJECT: 1803
 DRAWN BY: MA
 LAYOUT NAME: LIGHTING PLAN - SCHEDULE
 L200

EXTERIOR BUILDING/LANDSCAPE LIGHTING SCHEDULE

MARK	SYMBOL	TYPE	MFR	MODEL
L-1	BH	LED WALL SCONCE	HINKLEY	ARIA 230TKZ-LL (BUCKEYE BRONZE)
L-2	○	LED RECESSED WALL/STEP LIGHT	HINKLEY	LUNA LED STEP 12V (15508BZ)
L-3	D	LANDSCAPE SPOT ACCENT	HINKLEY	SMALL SPOT LIGHT 75W (BRONZE)
L-4	↑	LANDSCAPE PATH LIGHT	HINKLEY	HARDY ISLAND 24" (BRONZE)



L-1

ARIA
 RECESSED WALL MOUNT LANTERN
 ARIA is a contemporary style and effectively illuminates the facade of any exterior. Its unique design is a perfect addition to exterior lighting.

DETAILS	FINISHES
Color: Buckeye Bronze	Material: Aluminum
Dimensions: 4 1/2" H x 4 1/2" W	Weight: 1.5 lbs

PRODUCT DETAILS:

- Suitable for use in wet exterior direct splash and outdoor direct rain or spray locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- Fixture is Dark Sky compliant and conforms to the standards and guidelines listed by the American Dark Sky Association.
- Fixture is ADA compliant and conforms to the standards and guidelines listed by the Americans with Disabilities Act.
- LED Lamp uses a 3 year or limited warranty.
- LED Lamp uses a 3 year or limited warranty.
- Angular beam, 4 beam spot and recessed detail shown on individual #s are not included in this fixture.
- See and related data sheets for more information.

HINKLEY

L-2

LUNA LED STEP 120V
 RECESSED
 LUNA LED STEP LIGHT 120V HORIZONTAL
 LUNA LED STEP LIGHT 120V HORIZONTAL is a recessed lighting fixture designed for use in wet exterior direct splash and outdoor direct rain or spray locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.

DETAILS	FINISHES
Color: Bronze	Material: Aluminum
Dimensions: 2 1/2" H x 4 1/2" W	Weight: 1.5 lbs

PRODUCT DETAILS:

- Suitable for use in wet exterior direct splash and outdoor direct rain or spray locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- Fixture is ADA compliant and conforms to the standards and guidelines listed by the Americans with Disabilities Act.
- Fixtures are tested of safety characteristics at various mounting heights.
- Fixtures are tested of safety characteristics at various mounting heights.
- LED integrated components carry a 3-year limited warranty.
- Please refer to Hinkley's literature for complete product warranty details. Some warranty limitations may apply.

HINKLEY

L-3

75W SM SPOT LIGHT
 120V SPOT LIGHT SMALL
 A variety of lighting options.

DETAILS	FINISHES
Color: Bronze	Material: Aluminum
Dimensions: 3 1/2" H x 4 1/2" W	Weight: 1.5 lbs

PRODUCT DETAILS:

- Suitable for use in wet exterior direct splash and outdoor direct rain or spray locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- A variety of lighting options.
- Please refer to Hinkley's literature for complete product warranty details. Some warranty limitations may apply.

HINKLEY

L-4

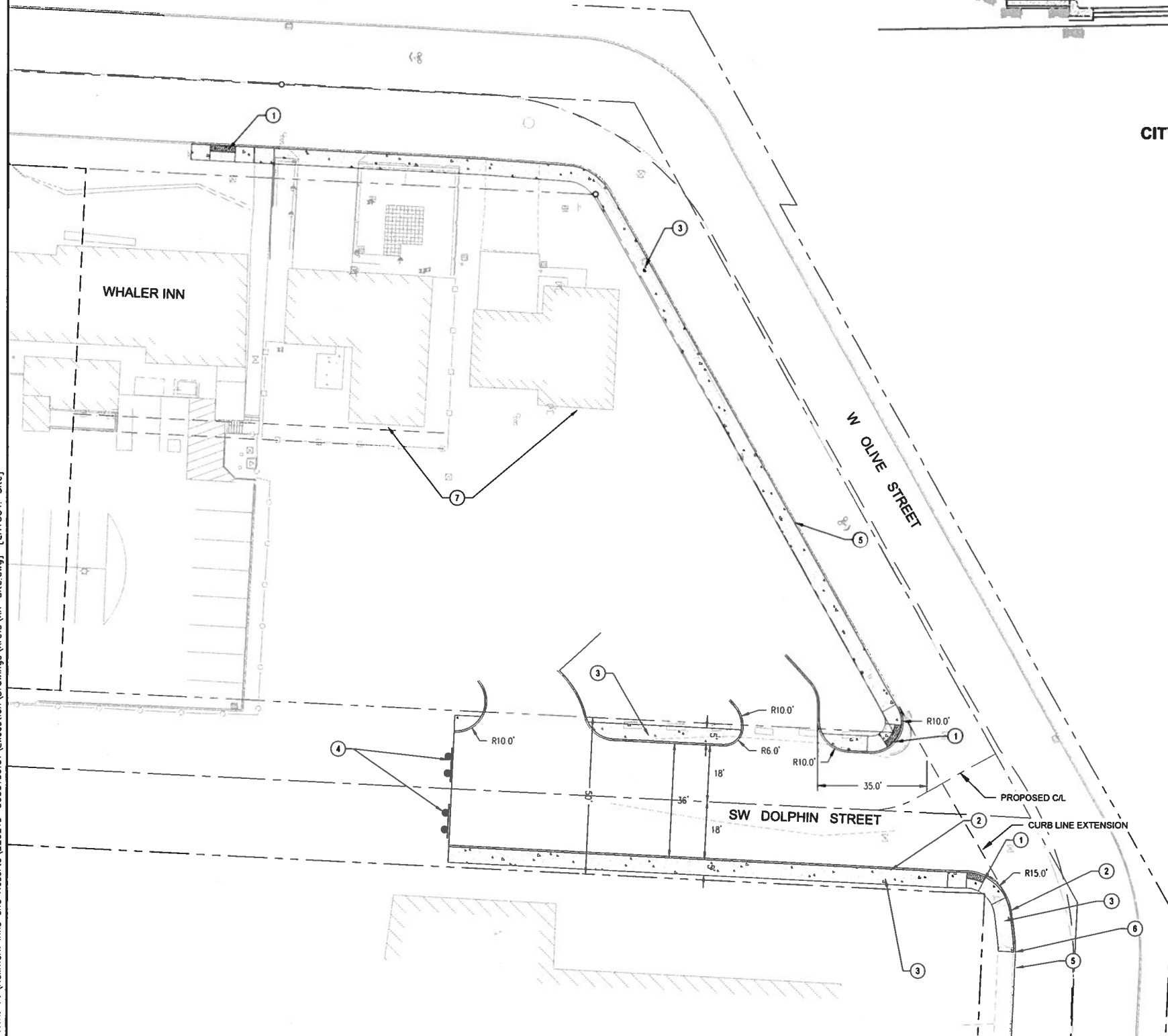
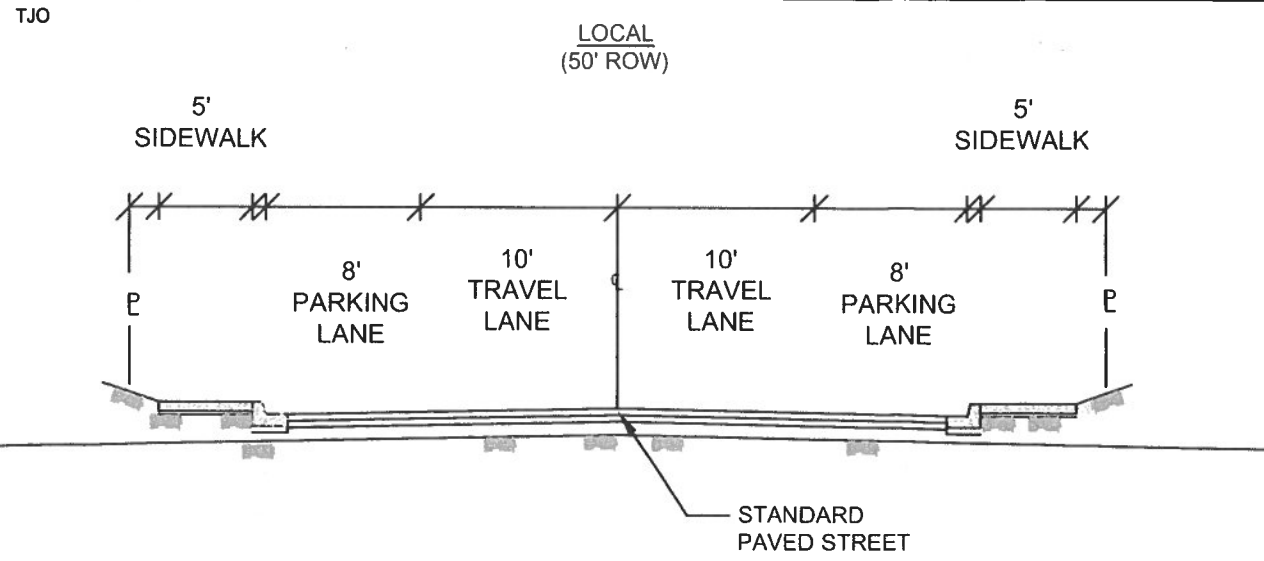
HARDY ISLAND LG CLASSIC 24" PATH LIGHT
 HARDY ISLAND LG CLASSIC 24" PATH LIGHT
 HARDY ISLAND LG CLASSIC 24" PATH LIGHT is a classic design that adds a touch of elegance to any exterior landscape. It is designed to be used in wet exterior direct splash and outdoor direct rain or spray locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.

DETAILS	FINISHES
Color: Bronze	Material: Aluminum
Dimensions: 24" H x 4 1/2" W	Weight: 1.5 lbs

PRODUCT DETAILS:

- A variety of lighting options.
- Suitable for use in wet exterior direct splash and outdoor direct rain or spray locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- The Hardy Island Classic design is a classic design that adds a touch of elegance to any exterior landscape.
- LED Lamp uses a 3 year or limited warranty.
- The Hardy Island Classic design is a classic design that adds a touch of elegance to any exterior landscape.
- LED Lamp uses a 3 year or limited warranty.
- Please refer to Hinkley's literature for complete product warranty details. Some warranty limitations may apply.

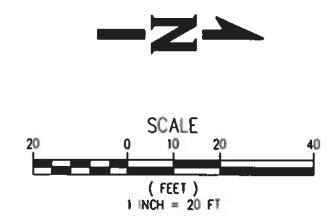
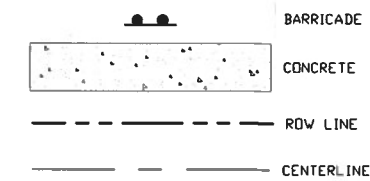
HINKLEY



CONSTRUCTION NOTES

- ① INSTALL PARALLEL ADA RAMP
- ② INSTALL STANDARD CURB & GUTTER
- ③ INSTALL CONCRETE SIDEWALK
- ④ INSTALL BARRICADE
- ⑤ EXISTING CURB TO REMAIN
- ⑥ MATCH EXISTING SIDEWALK
- ⑦ EXISTING BUILDING TO BE REMOVED

LEGEND



DATE: 3/4/2020 11:52 AM | AUTHOR: totl | PLOTTER: DWG To PDF.pc3 | [STYLE: WHP-Standard.ctb] |
 PATH: P:\Helmork Inns and Resorts\229219-C000106.01\Execution\Drawings\Xrefs\XR-Site.dwg | [LAYOUT: Site]

WHPacific
 9755 SW Barnes Rd, Suite 300
 Portland, OR 97225
 503.626.0455 Fax: 503.526.0775
 www.whpacific.com

REGISTERED PROFESSIONAL
 ENGINEER
 81692P
 J. J. OTT
 EXPIRES: 12/31/2020

REVISIONS	NO.	BY	DATE	REMARKS

SHEET INFO					
DRAWN	EDL	CHECKED	TJO	APPROVED	TJO
LAST EDIT	3/2/2020	PLOT DATE	3/4/2020	SUBMITTAL	

SITE PLAN
WHALER INN
 NEWPORT, OREGON
 PROJECT NUMBER: 229219
 DRAWING FILE NAME: XR-SITE
 SCALE: 1" = 20'



We are inviting neighbors of the Whaler to get a first look at our expansion plans. This will also be an opportunity to ask us any questions you may have related to this project. Your invitation and RSVP are required for entry to this event.

Location: Hallmark Resort Newport
744 SW Elizabeth St
Newport, OR 97365

Date: Thursday, April 22, 2021

Time: 6:00 pm – 7:30 pm

RSVP Required: Please email elizabeth@hallmarkinns.com with your name and number of attendees. Due to Covid restrictions, attendees are limited to two per invitation.

We look forward to seeing you on the 22nd.

This is an invitation-only event. Public hearings, as required, will be scheduled in the future.

CITY OF NEWPORT
NOTICE OF A REQUEST FOR DESIGN REVIEW AND CONDITIONAL USE PERMIT¹

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

NOTICE IS HEREBY GIVEN that a request has been filed for design review for a project within the Historic Nye Beach Design Review District under the Design Guidelines as follows:

Applicant: Michael Abbott, Abbott Architecture, representative (Ric Rabourn, Hallmark Resort, property owner).

File Nos. 1-NB-21 / 2-CUP-21

Request: Consideration by the Planning Commission of a request for a conditional use permit and design review under the design guidelines for the Historic Nye Beach Design Review District for a 25 guest room hotel expansion with additional office and lobby space (identified as "The Whaler at Nye Beach"). Two (2) existing single-family dwellings will be removed.

Location: Assessor's Map 11-11-08-BB, Tax Lots 15902 & 15903 (33 SW Elizabeth St; 39 SW Elizabeth St; and 41 SW Elizabeth St).

Applicable Criteria: The development must be consistent with Design Guidelines No. 1 through No. 9 of the document entitled "Newport Design Review: Guidelines and Standards," effective July 29, 2015 and incorporated by reference by Newport Municipal Code (NMC) Section 14.30.030 ("Adoption of Design Review: Guidelines and Standards" of the Historic Nye Beach Design Review District (HNBO)). Copies of the design guidelines are available at the Community Development (Planning) Department located in the Newport City Hall or on the City's website at: https://www.newportoregon.gov/dept/cdd/documents/Newport_Design_Review_and_Guidelines.pdf. Criteria for the conditional use permit can be found in NMC Chapter 14.34.050: (A) The public facilities can adequately accommodate the proposed use; (B) The request complies with the requirements of the underlying zone or overlay zone; (C) The proposed use does not have an adverse impact greater than existing uses on nearby properties, or impacts can be ameliorated through imposition of conditions of approval. For the purpose of this criterion, "adverse impact" is the potential adverse physical impact of a proposed Conditional Use including, but not limited to, traffic beyond the carrying capacity of the street, unreasonable noise, dust, or loss of air quality; and (D) a proposed building or building modification is consistent with the overall development character of the area with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.

Procedure/Testimony: The proposed project requires design review and conditional use permit approval by the Planning Commission because the building exceeds 35-feet in height and 65-feet in length, which is the limit that can be approved ministerially by staff under the design standards (NMC 14.30.060(B)(1)). Since the Planning Commission is the designated approval body, a Type III review is required (NMC 14.52.030(B)). A Type III Conditional Use Permit is also required because the hotel expansion is a commercial use that exceeds 2,000 square feet of gross floor area (NMC 14.30.090(A)(1)). Written comments must be submitted by 12:00 p.m. (noon) on Monday, April 26, 2021, to the Newport Community Development Department (address below in "Application Material/Reports") or else entered into the record during the course of the public hearing on April 26th (location identified below in "Time/Place of Hearing"). Issues that may provide the basis for an appeal to the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period (close of the April 26th public hearing) and must be raised with sufficient specificity to enable the decision maker to respond to the issue. The review process at the Commission will be by public hearing. The Commission will review the request for compliance with the relevant design guidelines. If the Commission finds that the request complies with the relevant design guidelines, the request shall be approved. If the Commission finds that the request does not comply with the design guidelines, the Commission shall identify where the request does not meet the guidelines and may attach conditions of approval necessary to obtain compliance with the design guidelines so that the request can be approved. If the

¹This notice is being sent to affected property owners within 100 feet of the subject property (according to Lincoln County tax records), affected public/private utilities/agencies within Lincoln County, and affected city departments.

application cannot be made to comply with the design guidelines, the Commission may deny the request. The hearing will include a report by staff, testimony (both oral and written) from those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Notice of the decision will be provided to any person who makes written comments during the comment period. Pursuant to ORS 197.763(6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

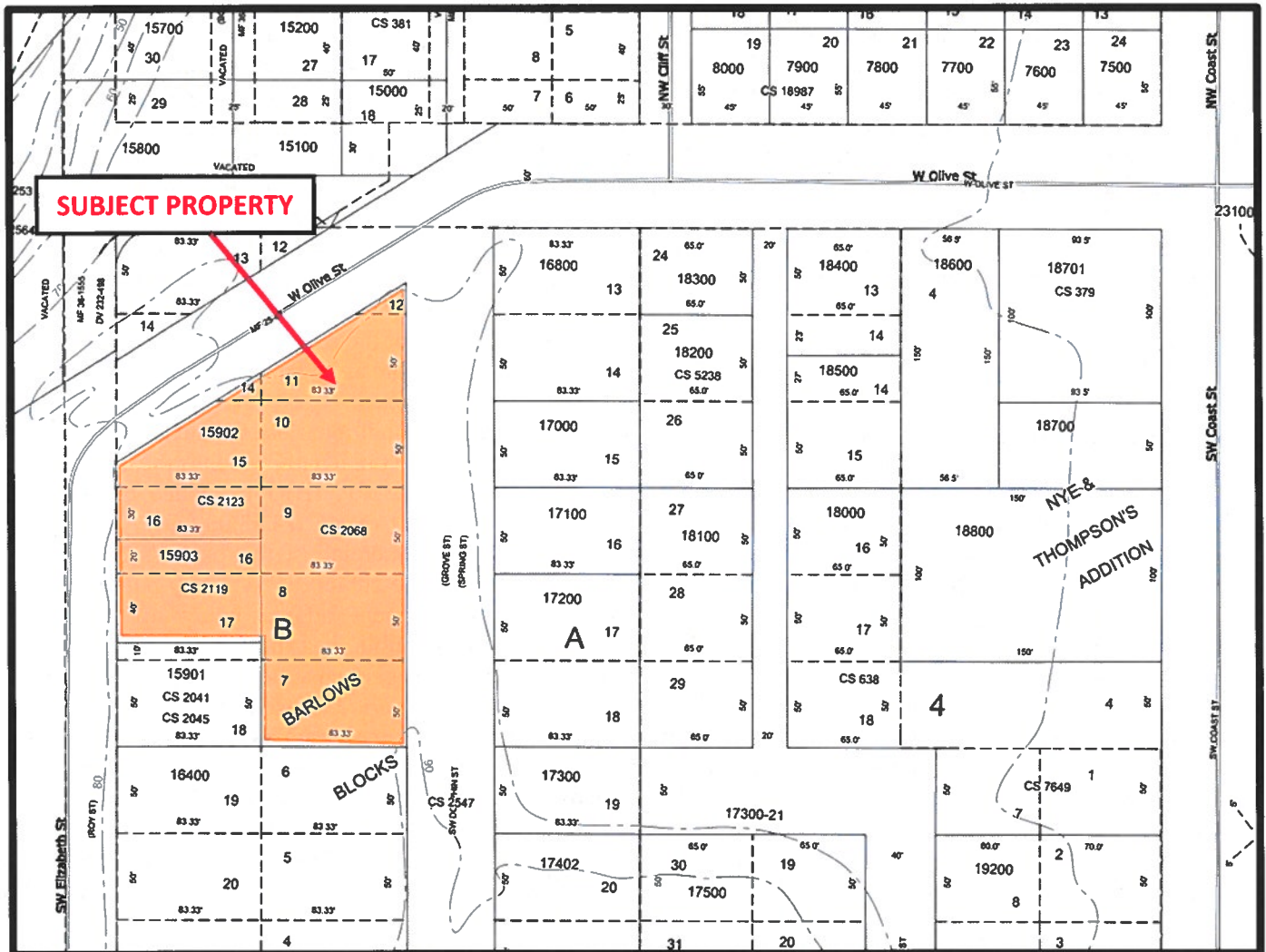
Application Material/Reports: The application materials and the applicable criteria are available for inspection at no cost or copies may be purchased at this address. A copy of the staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, Oregon 97365, generally seven days prior to the hearing.

Contact: Derrick Tokos, Community Development Director, 169 SW Coast Hwy, Newport, OR 97365; phone (541) 574-0626; d.tokos@newportoregon.gov.

Time/Place of Hearing: Monday, April 26, 2021, 7:00 p.m.; City Hall Council Chambers, 169 SW Coast Hwy, Newport, OR 97365.

Mailed: April 6, 2021

Published: Friday, April 16, 2021; Newport News-Times.



MEMO

City of Newport
Community Development Department



*(*distributed via email*)*

Date: April 6, 2021

To: Spencer Nebel, City Manager
Chris Janigo, Public Works
Clare Paul, Public Works
Rob Murphy, Fire
Jason Malloy, Police
Mike Murzynsky, Finance
Michael Cavanaugh, Parks & Rec.
Laura Kimberly, Library
Beth Young, Associate Planner
Derrick Tokos, Community Development
Joseph Lease, Building Official
Public Utilities

From: Sherri Marineau, Executive Assistant

RE: Design Review & Conditional Use Permit - File # 1-NB-21 / 2-CUP-21

I have attached a copy of a public notice concerning a land use request. The notice contains a brief explanation of the request, a property description, and a date for a public hearing. Please review this information to see if you would like to make any comments on this matter.

We must receive comments at least 10 days prior to the hearing in order for them to be considered in the Staff Report. **Should no response be received, a “no comment” response will be assumed.**

sm

Attachment

BOXER CHARLOTTE A
606 N TOMAHAWK ISLAND DR
PORTLAND, OR 97217

BRIGGS LINDA R
751 NW 1ST ST
NEWPORT, OR 97365

BUGBEAR LLC
3625 FALLON CIRCLE
SAN DIEGO, CA 92130

BUGBEAR LLC
3625 FALLON CIRCLE
SAN DIEGO, CA 92130

CAMPOLA RHONDA M
156 SW COAST ST
NEWPORT, OR 97365

**CHAPIN DONALD D &
CHAPIN LINDA L**
6715 OTTER CREST LOOP
OTTER ROCK, OR 97369

CITY OF NEWPORT
CITY MANAGER
169 SW COAST HWY
NEWPORT, OR 97365

CROWE RENTALS LLC
PO BOX 411
TOLEDO, OR 97391

**DUDEK STEVE &
RENNER RITA**
PO BOX 726
MORGAN HILL, CA 95038

**EMOND LISA &
EMOND ROBERT**
720 W OLIVE ST
NEWPORT, OR 97365

ESTENSON CHARLES
519 SW 3RD ST
NEWPORT, OR 97365

**FERBER FAMILY TRUST &
FERBER NORMAN L TRUSTEE &
FERBER MARY MEGOWAN TRUSTEE**
5726 NE BIG CREEK RD
NEWPORT, OR 97365

**FRASER ROBERT T &
GIBSON NORA**
4949 ERSKINE WAY SW
SEATTLE, WA 98116

**GELLIES 1 LLC &
SQUAREHOLE LLC**
PO BOX 61486
HONOLULU, HI 96839

**GEORGE RONALD A &
TAKACS PATRICIA A**
301 SUNSET DR
ENCINITAS, CA 92024

**GESIK JOHN ELMER REV LIV TR &
GESIK JOHN ELMER TRUSTEE &
GESIK ELDORA LOU TRUSTEE**
155 SW DOLPHIN ST
NEWPORT, OR 97365

**GULLEDGE JOHN T &
GULLEDGE CINDY E**
4950 SW WEST HILLS RD
CORVALLIS, OR 97333

GURWELL ROBIN L
115 SW COAST ST
NEWPORT, OR 97365

HALCYON HOTELS LLC
ATTN MCCORMACK WINTHROP
2601 NW THURMAN ST
PORTLAND, OR 97210

HALLMARK INNS & RESORTS INC
ATTN: RIC RABOURN
5 CENTERPOINTE DR
SUITE #590
LAKE OSWEGO, OR 97035

HEISLER PROPERTY HOLDINGS LLC
567 SE VISTA DR
NEWPORT, OR 97365

JACKS PLACE LLC
10837 FERNDAL RD
DALLAS, TX 75238

JONES JOHN B
2140 LOS ANGELES AVE
BERKELEY, CA 94707

KELLAY KATHLEEN
PO BOX 1561
NEWPORT, OR 97365

KROPP HELEN LOUISE TSTEE
PO BOX 15
NEWPORT, OR 97365

KRUPP MARTHA J
721 NW 1ST ST
NEWPORT, OR 97365

LINCOLN COUNTY
ATTN LINCOLN CO PROP MGMT
880 NE 7TH ST
NEWPORT, OR 97365

**LIVERMORE MIQUEL D &
LIVERMORE LINDA R**
5476 SERENITY DR SE
SALEM, OR 97317

MATNEY MARY OLIVE TRUSTEE
650 NE SHERWOOD WAY
CORVALLIS, OR 97330

MAY JAMES T TRUSTEE
1990 VAN BUREN
EUGENE, OR 97405

MCCLENEY BRYAN &
VENDITTI ROBBI
2427 S GAUCHO
MESA, AZ 85202

NEFF ROY S III &
HINES LAURI L
944 N BAYVIEW RD
WALDPORT, OR 97394

NEWPORT HOTEL ASSOCIATES LLC
15924 QUARRY RD
LAKE OSWEGO, OR 97035

NUSS KENNETH &
NUSS VICTORIA
4114 SOUTHVIEW TER
MEDFORD, OR 97504

OBTESHKA TERRY L &
OBTESHKA EILEEN G
105 NW COAST ST
NEWPORT, OR 97365

OCONNELL KENNETH R TRUSTEE &
OCONNELL GWYNETH P TRUSTEE
220 WEST 23RD AVE
EUGENE, OR 97405

ORCA HOUSE LLC
ATTN SALLY HUGHES
2012 W GRACE AVE
SPOKANE, WA 99205

PACIFIC SURF CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
ANDERSON REAL ESTATE
PO BOX 948
NEWPORT, OR 97365

PARKER LARRY E TRUSTEE &
PARKER BISSON EILEEN TRUSTEE
PO BOX 74
SILETZ, OR 97380

PARKER MIKE THOMAS
733 NW SECOND ST
NEWPORT, OR 97365

PARQUE ANTOINETTE E &
TRANTOW WAYNE D
9635 SW WASHINGTON PL
PORTLAND, OR 97225

PELICAN HOUSE LLC
ATTN GERALD HUGHES
2012 W GRACE AVE
SPOKANE, WA 99205

POMBO MATTHEW &
POMBO KRISTAL
269 W POWERS AVE
CLOVIS, CA 93619

PRIDGEON JEFFREY C &
PRIDGEON JILL B
515 SW OLIVE ST
NEWPORT, OR 97365

PURPUREE VICTOR CURTIS &
55 SW COAST ST
NEWPORT, OR 97365

RICKBONE CATHERINE M
PO BOX 1810
NEWPORT, OR 97365

ROGERS JOHN D &
ROGERS TERESA M
PO BOX 2377
NEWPORT, OR 97365

ROMINES ROBERT T (TOD) &
ROMINES AYMEE M (TOD)
143 SW CLIFF ST
NEWPORT, OR 97365

SCANLON PROPERTIES LLC
PO BOX 973
NEWPORT, OR 97365

SEASCAPE CONDO INC
ATTN SEASCAPE
RON CHATTERTON CPA
2564 N 167TH AVE
GOODYEAR, AZ 85395

SEASCAPE CONDO INC
ATTN SEASCAPE UNIT OWNERS ASSN
ATTN SALLY LINDSEY
1908 NE SISKIYOU ST
PORTLAND, OR 97212

SEASCAPE CONDO INC
ATTN SEASCAPE UNIT OWNERS ASSN
BEULAH DAVIS TREAS
1013 BISMARCK ST
KLAMATH FALLS, OR 97601

SEASCAPE CONDO INC
ATTN SEASCAPE UNIT OWNERS ASSN
HILL VICKI
22597 SW 112TH AVE
TUALATIN, OR 97062

SEASCAPE CONDO INC
ATTN SEASCAPE UNIT OWNERS ASSN
PIOTTER VICKI
PO BOX 2276
JASPER, OR 97438

TATE JOHN CLAYTON &
TATE ROBIN LEE
0841 SW GAINES ST
#1612
PORTLAND, OR 97239

TRINIDAD JAMES TRUSTEE &
TRINIDAD CATHY TRUSTEE
1413 KAREN DR
BENICIA, CA 94510

WESLEYSON ALEX THOMAS &
WESLEYSON KATHLEEN
756 SW SECOND ST
NEWPORT, OR 97365

WILSON DARREL L &
WILSON DELORES I
1900 SYLVAN
EUGENE, OR 97403

ZEKAN WILLIAM J &
ZEKAN CAROL K
725 SW 2ND ST
NEWPORT, OR 97365

MICHAEL ABBOTT
ABBOTT ARCHITECTURE
18510 POP KEENEY WAY
BOTHELL, WA 98011

NW Natural
ATTN: Dave Sanders
1405 SW Hwy 101
Lincoln City, OR 97367

Charter Communications
ATTN: Keith Kaminski
355 NE 1st St
Newport OR 97365

CenturyLink
ATTN: Corky Fallin
740 State St
Salem OR 97301

Central Lincoln PUD
ATTN: Randy Grove
PO Box 1126
Newport OR 97365

Email: Lisa Phillips
DLCD Coastal Services Center
lisa.phillips@state.or.us

****EMAIL****
odotr2planmgr@odot.state.or.us

LINCOLN COUNTY ASSESSOR
LINCOLN COUNTY COURTHOUSE
225 W OLIVE ST
NEWPORT OR 97365

Joseph Lease
Building Official

Rob Murphy
Fire Chief

Chris Janigo
Public Works

Beth Young
Associate Planner

Jason Malloy
Police Chief

Mike Murzynsky
Finance Director

Laura Kimberly
Library

Michael Cavanaugh
Parks & Rec

Spencer Nebel
City Manager

Clare Paul
Public Works

Derrick Tokos
Community Development

EXHIBIT 'A'
(Affected Agencies)

(1-NB-21 / 2-CUP-21)

CITY OF NEWPORT
NOTICE OF A REQUEST FOR DESIGN REVIEW AND CONDITIONAL USE PERMIT

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person. Please contact the Community Development Department at the phone number or email listed below for options on how you can participate by video-conference or in person in the hearing.

The Newport Planning Commission will hold a public hearing on Monday, April 26, 2021, at 7:00 p.m. in the City Hall Council Chambers to review File Nos. 1-NB-21/2-CUP-21, submitted by Michael Abbott, Abbott Architecture, representative (Ric Rabourn, Hallmark Resort, property owner). The request is for a conditional use permit and design review under the design guidelines for the Historic Nye Beach Design Review District for a 25 guest room hotel expansion with additional office and lobby space (identified as "The Whaler at Nye Beach"). Two (2) existing single-family dwellings will be removed. The subject property is located at 33 SW Elizabeth St; 39 SW Elizabeth St; and 41 SW Elizabeth St (Assessor's Map 11-11-08-BB, Tax Lots 15902 & 15903). The development must be consistent with Design Guidelines No. 1 through No. 9 of the document entitled "Newport Design Review: Guidelines and Standards," effective July 29, 2015 and incorporated by reference by Newport Municipal Code (NMC) Section 14.30.030 ("Adoption of Design Review: Guidelines and Standards" of the Historic Nye Beach Design Review District (HNBO)). Copies of the design guidelines are available at the Community Development (Planning) Department located in the Newport City Hall or on the City's website at: https://www.newportoregon.gov/dept/cdd/documents/Newport_Design_Review_and_Guidelines.pdf.

Criteria for the conditional use permit can be found in NMC Chapter 14.34.050: (A) The public facilities can adequately accommodate the proposed use; (B) The request complies with the requirements of the underlying zone or overlay zone; (C) The proposed use does not have an adverse impact greater than existing uses on nearby properties, or impacts can be ameliorated through imposition of conditions of approval. For the purpose of this criterion, "adverse impact" is the potential adverse physical impact of a proposed Conditional Use including, but not limited to, traffic beyond the carrying capacity of the street, unreasonable noise, dust, or loss of air quality; and (D) a proposed building or building modification is consistent with the overall development character of the area with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright. The proposed project requires design review and conditional use permit approval by the Planning Commission because the building exceeds 35-feet in height and 65-feet in length, which is the limit that can be approved ministerially by staff under the design standards (NMC 14.30.060(B)(1)). Since the Planning Commission is the designated approval body, a Type III review is required (NMC 14.52.030(B)). A Type III Conditional Use Permit is also required because the hotel expansion is a commercial use that exceeds 2,000 square feet of gross floor area (NMC 14.30.090(A)(1)). Written comments must be submitted by 12:00 p.m. (noon) on Monday, April 26, 2021, to the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, or else entered into the record during the course of the public hearing on April 26th. Issues that may provide the basis for an appeal to the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period (close of the April 26th public hearing) and must be raised with sufficient specificity to enable the decision maker to respond to the issue. The review process at the Commission will be by public hearing. The Commission will review the request for compliance with the relevant design guidelines. If the Commission finds that the request complies with the relevant design guidelines, the request shall be approved. If the Commission finds that the request does not comply with the design guidelines, the Commission shall identify where the request does not meet the guidelines and may attach conditions of approval necessary to obtain compliance with the design guidelines so that the request can be approved. If the application cannot be made to comply

with the design guidelines, the Commission may deny the request. The hearing will include a report by staff, testimony (both oral and written) from those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Notice of the decision will be provided to any person who makes written comments during the comment period. Pursuant to ORS 197.763(6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The application materials and the applicable criteria are available for inspection at no cost or copies may be purchased at the address above. A copy of the staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department (address above) generally seven days prior to the hearing. Contact Derrick Tokos, Community Development Director (address above); (541) 574-0626; d.tokos@newportoregon.gov.

(For Publication once on Friday, April 16, 2021)

LEGAL DEADLINES: WEDNESDAY EDITION: 5:00pm Thursday

FRIDAY EDITION: 5:00pm Tuesday

NOTICE OF A PUBLIC HEARING

CITY OF NEWPORT: This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person...

INVITATION TO BID LINCOLN COUNTY INVITATION TO BID FOR PUBLIC PROJECT

NO. 8081 Close Date: 4/28/2021. Close Time: 1:00:00 PM. APPLICATION OF LONGITUDINAL PAVEMENT MARKINGS TO EXISTING COUNTY ROADS...

PUBLIC NOTICE

The Pacific Communities Health District Board of Directors is meeting on Monday, April 19, 2021 at 4:00 P.M. The agenda includes meeting minutes, financial reports...

NOTICE: The change of the civil forfeiture of: \$3,112 in U.S. Currency. Notice to Bid: Clearing Pursuant to ORS 279C.370...

PURSUANT TO ORS 426.004 019

Notice is hereby given that the following vehicle will be sold for cash to the highest bidder on 4/27/2021. The sale will be held at 10:00am on April 27, 2021...

required to present them, with vouchers attached, to the personal representative of the deceased...

NOTICE OF PUBLIC HEARING AFFECTING THIS AREA

NOTICE IS HEREBY GIVEN that the City of Lincoln County Planning Commission will hold a public hearing on Monday, April 26, 2021...

CITY OF NEWPORT REQUEST FOR DESIGN REVIEW AND CONDITIONAL USE PERMIT

This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person...

implemented through the adoption of an ordinance by the Lincoln County Board of Commissioners. This public hearing will be held on Monday, April 26, 2021...

COMMUNITY SERVICES CONSORTIUM GOVERNING BOARD EXECUTIVE COMMITTEE MEETING

The Community Services Consortium's Governing Board Executive Committee meeting will be held on Friday, April 30, 2021 at 2:30 p.m. via Zoom...

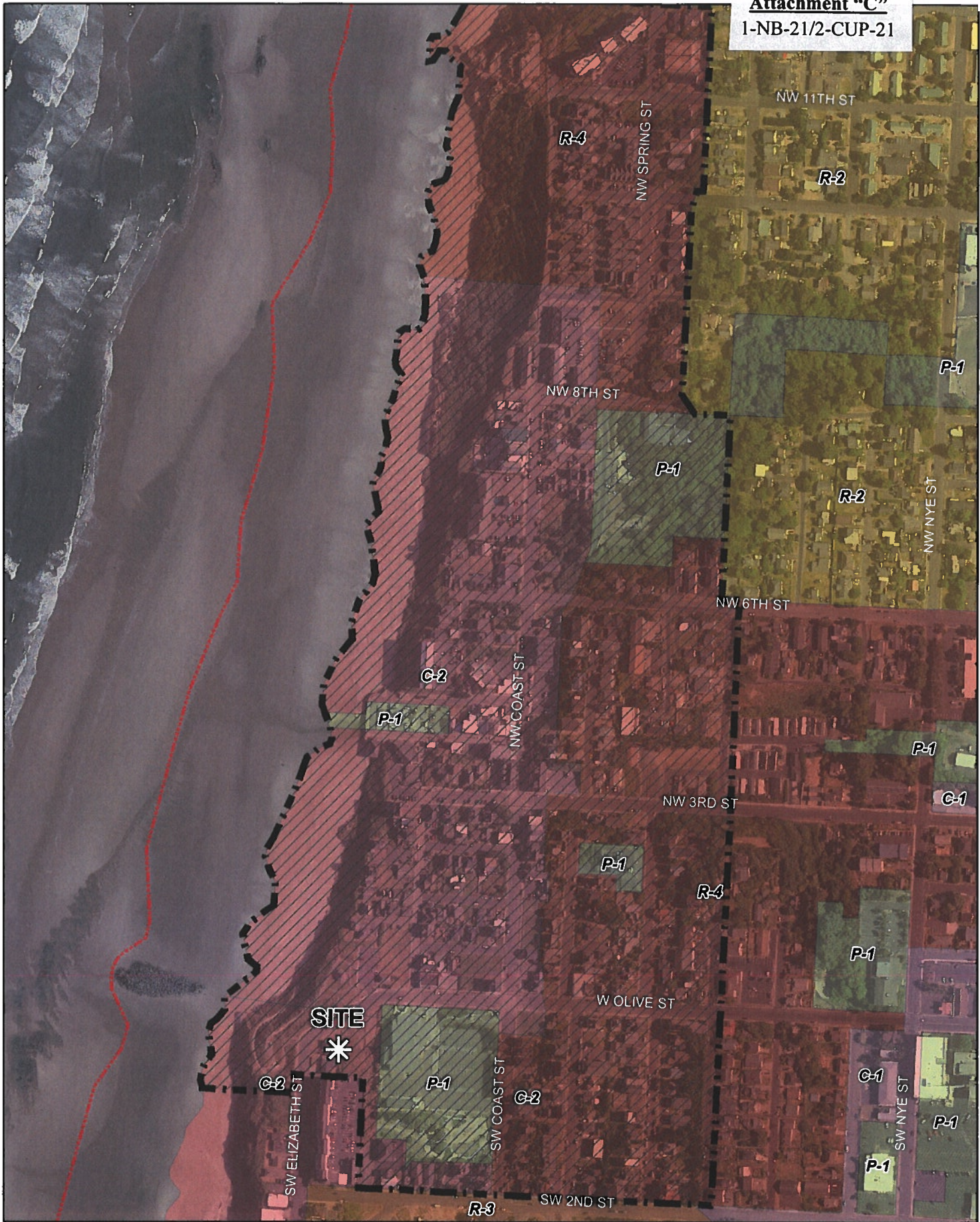
ANNOUNCEMENT

Applications accepted for Vacancy Depece Bay Rural Fire Protection District Board of Directors position. The Depece Bay Rural Fire District Board of Directors will meet on Monday, April 26, 2021...

NOTICE OF A PUBLIC HEARING

CITY OF NEWPORT: This meeting will be a hybrid meeting conducted by video-conference and a limited number of people (up to 15) are allowed to attend in person...

intensity, frequency, etc.) including fluctuations in the level of activity; (4) The number, location and timing of physical improvements associated with the use; (5) The amount of lands devoted to the use; and (6) Other factors the approval authority may determine...

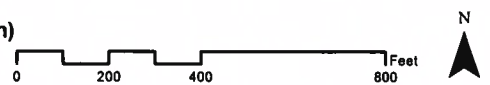


File No. 1-NB-21/2-CUP-21
Zoning Map with Site Highlighted (HNBO in Cross-Hatch)

NEWPORT
 City of Newport
 Community Development Department
 189 SW Coast Highway Phone: 1 541 574 0529
 Newport, OR 97365 Fax: 1 541 574 0544

This map is for informational purposes only and is not to be used for legal, engineering, or surveying purposes. It is not a guarantee of accuracy. The City of Newport is not responsible for any consequences or use of the information contained herein. © 2018 City of Newport, Oregon.

Image Taken July 2018
 4-inch, 4-band Digital Orthophotos
 Quantum Spatial, Inc. Corvallis, OR





File No. 1-NB-21/2-CUP-21 - Aerial and Utilities
(water - blue, sewer - green, storm - orange)

Attachment "E"
1-NB-21/2-CUP-21



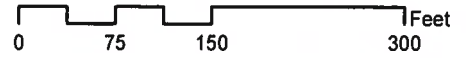
SITE

File No. 1-NB-21/2-CUP-21
Extent of Tsunami Inundation Area (in blue)

NEWPORT City of Newport
Community Development Department
168 SW Coast Highway Phone: 1.541.574.0629
Newport, OR 97365 Fax: 1.541.574.0644

This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify all information with the City of Newport Community Development Department.

Image Taken July 2018
4-inch, 4-band Digital Orthophotos
Quantum Spatial, Inc. Corvallis, OR



NEWPORT DESIGN REVIEW: GUIDELINES AND STANDARDS

November 10, 2003 (Updated June 29, 2015)

City of Newport Ordinance No. 2084



Cliff House 1913



Sylvia Beach Hotel
(New Cliff House)

NEWPORT DESIGN REVIEW

TABLE OF CONTENTS

Design Review District #1 Historic Nye Beach Design Review Requirements



Linger Longer Lodge, Nye Beach 1931



High Street Cottages --713 NW High Street

Introduction	Page 1
Design Guidelines	Page 3
Design Standards	Page 7
Design Standards: Single-Family and Two Family Dwellings	Page 7
Design Standards: Multiple Family Dwellings	Page 11
Design Standards: Commercial/Public/Institutional Buildings	Page 15
Design Standards: Accessory Structures	Page 19

Newport Design Review Glossary and Illustrations

Illustration # 1	Main Facade
Illustration # 2	Roof and Dormer Types
Illustration # 3	Various Examples of Features
Illustration # 4	Various Examples of Features
Illustration # 5	Single Family (Townhouse) and Multiple Family Dwellings
Illustration # 6	Large Multiple Family Residential or Hotel Development
Illustration # 7	Commercial Buildings
Illustration # 8	Commercial Buildings
Illustration # 9	Parking and Pedestrian Layout
Illustration #10	Massing of Larger Buildings
Illustration #11	Transition Materials at Inside Corners, Rather than Outside
Illustration #12	Examples of Solar Shading Study

DESIGN REVIEW DISTRICT # 1 HISTORIC NYE BEACH DESIGN REVIEW REQUIREMENTS

I. INTRODUCTION:

All new, substantially reconstructed, expanded, or relocated single-family, multiple-family, commercial, and public/institutional building developments unless specifically exempted within the Historic Nye Beach Design Review District Overlay Zone are to be reviewed for compliance with the design review requirements established for the zone. Design review is implemented through either of two methods:

- 1) design guidelines or
- 2) design standards.

The design guidelines are mandatory requirements of a general nature with which a proposed building must comply and applications are generally processed as a limited land use application requiring review after public notification. Alternatively, the design standards are mandatory requirements that are of a clear and objective nature and are reviewed in conjunction with an application for a building permit.

The purpose of providing design guidelines and design standards is to guide development consistent with the purposes of the Historic Nye Beach Design Review District as defined in Section 14.30.010 of the Newport Municipal Code (Ordinance No. 1308 (as amended)) and to provide clarity to the process so that development consistent with the design review requirements can move forward with certainty and efficiency.

While the design standards are not intended to discourage creativity and innovation in design, they are established to require incorporation of common elements and features deemed desirable by the community in the Nye Beach area. Freedom of expression in architectural design should be encouraged where it is compatible with the surrounding neighborhood and the character of Nye Beach.

Projects requiring more flexibility than provided by the design standards may utilize the design guidelines to demonstrate a project's consistency with both the general purposes of the guidelines and the character of the immediate neighborhood. Unless specifically exempted by the zoning ordinance, the design standards and guidelines are standards required in addition to the requirements of the base zone.

The Nye Beach District is one of the districts identified by the Newport Comprehensive Plan as suitable for design review. The Newport Comprehensive Plan describes the Nye Beach District in the Chapter titled "Newport Peninsula Urban Design Plan" as follows:

The Nye Beach District is significant for the collection of cohesive architectural resources and landscape elements which reflect a working-class neighborhood. The area consists of wood frame buildings, 1 to 2 1/2 stories in height, covered with gable and hip roofs, and clad with clapboard, shingle and/or fire retardant siding. The landscape character of the area is defined by rock walls, terraces, sidewalks, and small front lawns. There are some small scale commercial buildings within this residential neighborhood which relate directly in building materials, scale, and massing to the character of the area. (Some changes have occurred in the neighborhood, including building alterations such as retardant siding materials and infill of non-compatible buildings on once vacant properties.) The Nye Beach sub-area is most important as a cohesive neighborhood, defined by the character of the vernacular buildings and the building/site relationship.

One intent of design review as applied to development within the district is to maintain the cohesive architectural character of Nye Beach by incorporating common architectural design elements currently and historically found within the neighborhood without requiring strict adherence to a particular architectural style. A few of the architectural styles found currently and historically within the district which demonstrate its architectural character include the following (information on styles below from the Rosalind Clark/City of Albany, *Architecture Oregon Style*, Professional Book Center, Inc. Portland, OR (1983):

The **Bungalow and Craftsman** style prevalent in the 1900-1925 period and features gable or hipped roofs, exterior chimneys of cobblestone or rough brick, rectangular composition with horizontal earth hugging quality, double-hung windows with small panes in the upper sash, large windows often flanked by two smaller windows on front facade, dormer windows with gable, hipped, or shed roof, wood-frame construction, porches, verandas, sunrooms, and sleeping porches often supported by tapered porch posts (truncated obelisks).

The **Stick and Eastlake** style prevalent in the 1870-1900 period and features steeply pitched, multiple gable roofs (sometimes in combination with a hipped roof), verandas or porches, balconies featuring posts with diagonal braces, asymmetrical composition with vertical emphasis, one-over-one double-hung sash windows, bay windows, dormer windows, wood-frame construction with shiplap siding, matched siding with "stickwork" and paneling, decorative Eastlake elements such as rows of spindles and knobs, turned columns, latticework, circular perforations and cutouts, sunbursts, and curved brackets.

The **Colonial and Georgian** Style prevalent in the 1910-1935 period and features low pitched hipped, gable, or gambrel roofs, small chimney, bilateral symmetry, small paned rectangular windows often with shutters, dormer windows, fanlights and side lights with transoms, wood frame construction with six-inch or narrower weatherboard siding or shingles for the smaller Cape Cod cottages, decorative elements including columns in classical orders, pilasters, and broken and scrolled or swan's neck pediments.

This document entitled "Newport Design Review: Guidelines and Standards" and the design review requirements on the following pages have been adopted in Chapter 14.30 of the Newport Municipal Code (Ordinance No. 1308 (as amended)) as implementation tools for the ordinance. Conformance with the design review requirements is mandatory. Chapter 14.30 of the Municipal Code contains additional information on when design review is required and how to apply for design review. A copy of that section of the ordinance should accompany this document.

The design guidelines are intended to provide a general direction for development. The design standards are a method of implementing the broader design guidelines. The design guidelines must be consulted and an explanation of how the project meets the guidelines or why the guideline should not apply needs to be submitted when requesting design review under the design guidelines. For assistance in understanding the guidelines and standards, please consult the attached glossary and illustrations or contact the Community Development Department located at 169 SW Coast Highway, Newport, OR 97365 or (541) 514-0629.

II. DESIGN GUIDELINES: The following guidelines are mandatory for projects requiring design review in Design Review District# 1 (Historic Nye Beach Design Review District) and that do not qualify for review under the design standards. For commercial projects, including hotel/motel, which exceed the maximum dimensions to qualify for the Design Standards approach (i.e. 65-feet in length or 35-feet in height), it is generally expected that building massing and design *meet or exceed* the level of articulation called for in the Design Standards.

Design Guideline # 1: Contextually-Appropriate Design

Intent: For residential development, the architectural heritage of the Nye Beach area - as documented in historical photos and drawings or by photographs presented in support of the development - shall be maintained.

Approaches:

- New development should utilize roof types common to the district, such as steep pitched gable, multiple lower pitched gable, or hip.
- New development should include in the design common main facade elements (such as porches, verandas, sunrooms and/or other architectural/design features as identified in the design standards or as documented to exist within the design review district).
- Buildings shall feature variety in building shape, height, roof lines, setbacks, and design features consistent with the design guidelines.
- For multiple family development (greater than 2 units), trash collection areas shall be screened.

Reference: *Illustrations #2, #3, #4, #5, and #7.*

Design Guideline 2: Building Scale

Intent: Commercial building elements oriented towards a public or private street shall incorporate specific elements that contribute to the established scale of the district and support an active streetscape.

Approaches:

- Commercial buildings (excluding portions of a hotel/motel where guest rooms are on the ground floor) shall support retail visibility and appropriate district scale by utilizing banks of windows with multiple small windows (less than 20 square feet) and/or large windows with multiple panes along all sides abutting a public right-of-way.
- • The contextual scale of new large commercial buildings over two stories shall be reduced by using horizontal or vertical divisions and stepped roof lines.
- Buildings greater than one story in height shall be designed with canopies, balconies, offsets in the building facade along each public right-of-way, or other architectural/design features that reduce the building's vertical emphasis.
- Buildings greater than 2 stories, and/or longer than forty feet (40') shall include two or more of the following elements to break down the scale of the building:
 - A significant offset (3' minimum depth, 8' minimum width) in the full building massing (Illustration # 10).
 - A step-back (6' minimum) of floors above the second floor.

- Subdivision into a series of distinct building masses, articulated as separate structures.
- Multiple ground floor entries at 30' maximum spacing.

Reference: *Illustrations #6, # 7 and #8.*

Design Guideline 3: Roof Design

Intent: Roofs should have similar configuration and character to historic styles in the district.

Approaches:

- Roof slopes on commercial projects shall be between 5:12 and 12:12 unless there is a flat roof with parapet.
- Mechanical equipment shall be screened and integrated into the roof design.
- Roof shapes shall be consistent with traditional styles found in the neighborhood.
- A standing seam is recommended for metal roofs.
- Gable and hip roof forms are recommended.
- Parapet walls shall be integrated into the building.

Reference: *Illustrations #2, #5, #6 and #7*

Design Guideline 4: Commercial Buildings Define Continuous Street Edge

Intent: Support safe and “walkable” streets by creating a traditional town pattern of commercial buildings lining public streets. Create high visibility between commercial interiors and public ways.

Approaches:

- In commercial areas, commercial buildings shall abut the front property line. Allowable exceptions to the requirement to abut the front property line include areas where the existing buildings adjacent to the property are set back from the property line, where a pedestrian oriented feature such as a courtyard, patio, landscaped area with seating or outdoor cafe seating is included, or where severe topography or an easement precludes the building abutting the front property line.
- Commercial buildings shall abut a side yard property line where possible except to allow access for parking or fire egress, the side abuts a zoning district which requires a side yard, or a setback is required for ocean front lots.
- Separation between building walls at the street level shall be avoided except for pedestrian and parking access, or a pedestrian oriented feature such as a courtyard, patio, landscaped area with seating or outdoor cafe seating is included.
- Front and side yard setbacks, where they exist, shall be fully landscaped or shall provide a pedestrian oriented feature as described previously.
- On commercial, institutional, public, and multiple family residential (with three or more units) buildings, a primary entrance to the building shall face the frontage street. Entries from off-street parking lots shall not be made more prominent than the entrance from the street.
- Trash collection areas shall be screened.

Reference: *Illustrations # 5, # 6, # 7, and # 8.*

Design Guideline 5: Consistency with Predominant Styles and Features

Intent: Buildings shall generally be compatible in design and appearance with other buildings in close proximity by including similar types of architectural features and materials.

Approaches:

- Proposed buildings shall include design features that are consistent with the design standards and are similar in nature to buildings in direct proximity to the site.
- Where the surrounding buildings predominately do not include architectural features found in the design standards, the proposed building subject to design review shall include architectural features that are common to the district as identified in the design standards or by findings documenting similar architectural features found within the design review district.
- Where the surrounding buildings predominately do not include architectural features found in the design standards or in the design review district, innovation and creativity in design may be allowed consistent with the design guidelines.
- In keeping with traditional styles, where a transition is made in the building's siding material, the transition should occur at an inside corner, rather than an outside corner.

Reference: *Illustrations # 7, #8, and #11*

Design Guideline 6: Parking Orientation and Building Form

Intent: For commercial and multiple family residential (greater than 2 dwelling units) projects, the building massing shall not be shaped by off-street parking. Building massing should generally take traditional forms that are observed in the district, the historical record of Nye Beach, or that can be demonstrated to be consistent with the dominant architectural styles of the district.

Approaches:

- On-site parking shall be at the rear or side of the building or below street grade underneath the building with access via alleys or interior streets unless, based on review of the project, the review authority determines that topography such as steep slopes precludes side or rear parking.
- Parking garages shall utilize similar architectural details as the main building.
- Shared parking facilities are allowed and are encouraged.
- Views of parking areas from adjacent residential and commercial uses shall be screened through the use of landscaping and/or fencing.
- Pedestrian paths shall be clearly defined. Textured pavings are preferred over painted stripes for defining walkways.

Reference: *Illustrations #6 and #9.*

Design Guideline 7: Connected Pedestrian Network

Intent: Maintain and reinforce the walking environment of Nye Beach with a network of public sidewalks and private paths.

Approaches:

- For commercial projects, provide pedestrian paths to create linkages between adjoining public and private spaces.
- Circulation routes shall be continuous and integrated into the larger pedestrian circulation network.
- Specialty paving is encouraged.

Reference: *Illustrations #6 and #9.*

Design Guideline 8: Exterior Lighting and Glare Avoidance

Intent: Provide a well-lit public environment, while minimizing the incidence of glare.

Approaches:

- Exterior permanent lighting for commercial projects shall be restrained by using lighting features that minimize the impact of lighting such as full-cut off fixtures, low wattage bulbs, and/or recessed or shielded lighting, such that no direct glare occurs onto public right-of-way or adjacent property.
- Where building-mounted lighting – wall sconces, awning-mounted downlights, etc. - is used to illuminate an adjacent public sidewalk, the lighting source itself should be recessed or screened to avoid uplight and glare. Targeted uplighting may be used to draw attention to a specific design element provided it is directed at that feature.
- Areas used extensively at night shall only be illuminated to the extent necessary for safety and security.
- On-site lighting shall be related to the site and retained on the site by directing the light downward, recessing the light, and/or shielding the light. Lighting fixtures shall complement the architectural character of the building.
- If landscape lighting is used, the landscape lighting shall be restrained by using lighting techniques (i.e. recessing the light, shielding the light, using low wattage bulbs) that minimize the impact of light.
- The use of light poles similar in appearance to the light poles installed as part of the Nye Beach Streetscape Project is acceptable for parking lot lighting and other lighting for which a light pole is used.

Design Guideline 9: Requirements for solar access:

Intent: Ensure new development projects do not excessively shade neighboring properties.

Approaches:

- Commercial and multi-family buildings shall be massed to avoid casting a direct shadow onto the public sidewalk across a bordering street.
- The third story on a commercial or multi-family building shall be stepped back to minimize shadowing of adjoining properties.
- Solar impacts shall be assessed for the following times
 - Time of year: between February 21 and October 21
 - Time of day: between 10:00 am and 2:00 pm
- Projects of greater than 2 stories shall submit a simple solar shading sketch that shows conformance with this standard.

Reference: *Illustration #12.*

III. DESIGN STANDARDS (For Design Review District #1: Historic Nye Beach):

A. SINGLE-FAMILY (SF) AND TWO-FAMILY (T) DWELLINGS:

All single-family and two-family dwellings subject to design review are required to either meet the design standards (SFT DS # 1-4) identified below or to apply for design review under the design guidelines.

Design Standards (DS):

SFT Design Standard # 1. Requirement for roofs, main facade features, and other common design elements. All single-family and two-family dwellings subject to design review under the design standards are required to have at least one element from Element A (Roofs) and at least two elements from Element B (Main facade Features) on the main facade or as specified.

- A) **ELEMENT A. Roofs (See Illustration # 2).** All roof types shall contain eaves and rakes with a minimum 12-inch projection and be one of the following:
- (1) Low-pitched (between 3:12 and 5:12) gable roofs) with two or more distinct (minimum of 10 foot width along the facade and 5 foot of depth with a separate roof line) low-pitched gable roof elements on the main dwelling. See *Illustration # 4*.
 - (2) High-pitched gable roofs between 6:12 and 12:12.
 - (3) Hipped roof(s).
 - (4) Gambrel roof(s).
 - (5) A combination of two or more of the above roofs where the proposed dwelling has multiple distinct roof lines of more than 10 feet (measured from eave to eave) for each roof line.
- B) **ELEMENT B. Main Facade Features (at least four features are required).**
See *Illustrations # 2, # 3, and # 4 for examples.*

Porches and verandas:

- (1) A covered porch (open-walled) that is a minimum of 5 feet deep from the front wall of the dwelling to the enclosing porch rail and running at least 75% of the length of the main facade of the dwelling with an elevated porch floor at least 2 feet off the ground.
- (2) A veranda (covered porch or balcony) a minimum of 5 feet deep from the front wall of the dwelling running along the entire length of the main facade the dwelling.
- (3) A sun room (a room projecting from the main facade of the dwelling at least 8 feet for a length of at least 50% of the length of the main facade and with a separate roofline from the main roof) that contains at least 75% of the front facade surface (measured from 2 feet above the floor of the room to the top of the wall) of the room in windows.
- (4) Covered front entry porch that is a minimum of 5 feet deep from the front wall of the dwelling to the enclosing porch rail and a minimum of 5 feet wide.

- (5) Portico (at least 5 feet deep and with a length of at least 50% of the length of the main facade) with exposed rafters, exposed purlins or decorative brackets.
- (6) Columned porch with balustrade that is a minimum of 5 feet deep from the front wall of the building to the enclosing porch rail and extending at least 75 %of the length of the main facade.
- (7) Projecting porch a minimum of 5 feet deep and 10 feet wide supporting an uncovered second-story balcony (which is accessible from the interior living space of the dwelling) on columns with one or more decorative Eastlake elements such as rows of spindles and knobs, turned columns, lattice wall, circular perforations and cutouts, sunbursts, or curved brackets.
- (8) Projecting porch a minimum of 5 feet deep and 10 feet wide supporting a covered second-story balcony (which is accessible from the interior living space of the dwelling) where the covered second-story balcony contains at least one of the following items:
 - (A) A roof line separate and distinct from the main roof line by an offset of at least 2 feet.
 - (B) A minimum of at least 3 exposed rafters, purlins or decorative brackets.
- (9) A covered porch, veranda, or sunroom with a distinct roof from the main roof (with the same roof materials) projecting at least 5 feet from a side building wall for a length of at least 10 feet along the wall and that begins within 10 feet of the main facade wall.

See Illustration # 3 (bottom illustration).

Roof Details

- (10) Exposed rafters (a minimum of 10 rafter ends) on the main facade.
See Illustration # 3.
- (11) A minimum of 3 exposed purlins on each side of the main roof that is exposed by a gable.
- (12) A minimum of 3 decorative brackets on each side of the main roof that is exposed by a gable. See Illustrations # 3 and # 4.
- (13) Dormer (*see Illustration # 2*) of at least 3 feet in width and 2 feet of depth (at least one point of the dormer must measure 2 feet out from the roof) with one of the following dormer roof types facing the direction of the main facade:
 - a) Gable roof.
 - b) Hipped roof.
 - c) Shed roof.
- (14) A cupola located along the main facade or at the corner of the main facade.

Siding/Chimney Elements

- (15) Horizontal weatherboard or clapboard siding composed of boards with a reveal of 3 to 6 inches, or vinyl or aluminum siding that is in a clapboard or weatherboard pattern where the boards in the pattern are 6 inches or less in width or have an exposure of 6 inches or less.
- (16) Shake, rake shake, cedar shingle, board-and-batten, or siding that simulates that shake or shingle appearance on all exterior walls.
- (17) A belt course (8 inch minimum width) running around the entire building and located along the top of the main floor windows that divides the building into two areas with horizontal/beveled siding below the belt course and shake/shingle siding above the belt course. Where more than one floor is proposed, the belt course may start at the top of the windows on the second floor or anywhere between the top of the main floor windows and the bottom of the second floor windows provided there exists at least 5 feet of wall from the top of the windows to the roof. If 5 feet of wall does not exist, the belt course may run along the base of the second story windows and the top of the main floor windows.
See Illustration # 3.
- (18) A bay window or oriel window extending more than 2 feet from the building wall located along the main facade or at the corner of the main facade.
See Illustration # 5 (top illustration).
- (19) Offset(s) in the building face of a minimum of 16 inches for a minimum of 10 feet on the main facade of the dwelling.
See Illustrations #1 and #2.
- (20) Exterior (from grade to above the roof/eave line) chimney of either cobblestone or rough brick.

SFT Design Standard #2. Requirements for windows.

- A) Large windows (20 square feet or more) along the main facade shall be bracketed on each side by smaller windows (no more than 20 percent of the large window surface area). The tops and bottoms of the bracketing windows shall be level with the top and bottom of the large window. If the large window is curved or arched on top, the bracketing windows may continue the line of the curve or arch. If the large window contains multiple smaller (4 or more) panes (or has the appearance of multiple panes), the large window may be unbracketed.
See Illustrations # 3 (bottom illustration) and # 5 (bottom illustration).
- B) Windows shall have a minimum of at least 3 inches of trim around the window except for the portion of the window, if any, that is shuttered.
See illustration # 3 (bottom illustration).

SFT Design Standard # 3. Requirements for exterior finish material:

- A) Plain concrete block, plain concrete, corrugated metal, plywood and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade.

SFT Design Standard # 4. Requirements for main facade features (Element list B)

- A) Where the main facade feature is required to be covered/roofed, the roofing material of the main facade feature shall be roofed to match (with the same material or a material that in color and appearance matches the main roofing material) the main roofing material if the main facade feature roof is not a flat (no pitch) roof.
- B) Where the building contains an offset in the main facade, main facade feature depth may be measured from the interior main facade wall provided the interior wall length is at least 25% of the total main facade length and the main facade feature extends beyond the exterior main facade wall.

See illustration # 4 for an example.

B. MULTIPLE FAMILY (MF) DWELLINGS:

All multiple family dwellings (greater than 2 dwelling units) subject to design review are required to either meet the design standards (MF DS # 1-5) identified below or to apply for design review under the design guidelines. If the proposed multiple family dwelling is to consist of a series of more than 2 attached row houses or townhouse dwelling units where the proposed units do not share a common roof, the applicant may choose to follow the requirements of the single-family-family design review criteria for each of the proposed units as a substitute for Design Standards #1 (A)-(D) listed below.

Multiple-family (MF) Design Standards:

MF Design Standard # 1. All multiple-family dwellings (greater than 2 dwelling units) subject to design review under the design standards shall contain the following design features:

- A) The continuous horizontal distance as measured from end-wall to end-wall of individual buildings shall be less than 65 feet. Where multiple detached buildings are proposed, each building shall be separated by a minimum of 10 feet of landscaped area.
- B) The main front facade elevation of the building shall be divided into smaller areas or planes.

See Illustration # 5 (top two illustrations) and Illustration # 6.

When the front facade elevation is more than 500 square feet in area, the elevation must be divided into distinct planes of 500 square feet or less. For the purpose of this standard, areas of walls that are entirely separated from other wall areas by a

projection, such as the porch or a roof over a porch, are also individual building wall planes. This division can be done by:

- (1) A porch on the ground floor that is at least 4 feet wide or a balcony on a second floor that is at least 2 feet deep and is accessible from an interior room;
 - (2) A bay window or oriel window that extends at least 2 feet;
 - (3) Recessing a section of the facade by at least 2 feet for a length of at least 6 feet; and/or
 - (4) Projecting a section of the facade by at least 2 feet for a length of at least 6 feet.
- C) The roof of the primary structure that is either a gable roof with a slope of 5:12 to 12:12 or a hipped roof. Where the structure contains a roof width of more than 50 feet along the main facade, the roof shall be broken up into 25 foot or greater increments by dividing the roof frontage by 25 and creating approximately even increments (*i.e.* 80/25 = 3 increments of approximately 26 feet). Each roof increment shall incorporate an offset on each roof increment from the following list.
- See Illustration #5 (top two illustrations) and #6 (bottom illustration).*
- Where an applicable roof offset can be combined with a front facade offset (as identified in (B) above) in one feature, the property owner is allowed to do so.
- (1) Cross gable with eaves overhanging on the front facade side.
 - (2) A roof offset of at least 2 feet.
 - (3) Distinct gable or hip roof for each increment
- D) Main entrance. For the purposes of this section, a main entrance is an entrance from outside the building that provides access to two or more dwelling units or to a dwelling unit and a common area.
- (1) The location of a main entrance for each primary building must face the street. On corner lots the main entrance may face either of the streets or be oriented to the corner. If the building is designed with multiple main entrances, only one of the main entrances must meet this requirement.
 - (2) A front porch is required at all of the main entrances that face a street. If the porch projects out from the building, it must have a roof. If the roof of a required porch is developed as a deck or balcony, it may be flat. The covered area provided by the porch must be at least 63 square feet and a minimum of 9 feet wide.
 - (3) For attached individual houses/dwelling units, a covered balcony

on the same facade as the main entrance may be provided instead of a front porch. The covered portion of the balcony must be at least 48 square feet and a minimum of 8 feet wide. The floor of the covered balcony must be no more than 15 feet above grade, and must be accessible from the interior living space of the house.

- E) All street-facing elevations must have landscaping along their foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. The landscaping provided in this section shall be counted as part of the landscaping required by Chapter 14.19 of the Newport Municipal Code (No. 1308, as amended). This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet the following standards:

- (1) The landscaped area must be at least 5 feet wide;
- (2) There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and
- (3) A tree of at least 6 foot in height must be planted in the landscaped area for every 25 feet lineal feet of foundation.

See Illustration # 6.

- F) The parking lot shall be located to the rear of the building's main facade.

See Illustration # 6.

An interior parking structure on a ground floor or lower floor can be utilized for off-street parking provided the access for the interior parking structure is from the side or rear of the building's main facade.

- G) Accessory structures such as storage buildings and garages shall be sided and roofed the same as the main structure. Roofs shall be a minimum of a 3:12 pitch with 12 inch eaves. No accessory structure located within 10 feet of a public right-of-way shall have a solid blank wall of more than 15 feet in length without providing for window(s) with a minimum of 10 square feet in area for every 15 feet in structure length located on the facade facing the public right-of-way.
- H) Recycling and trash collection areas if not located within the main building shall be located in an accessory structure or shall be screened by a sight- obscuring wood fence or evergreen hedge of at least 6 feet in height on at least 3 sides and all sides facing a public right-of-way.
- I) All permanent area lights including parking area lighting shall be full cut-off fixtures. Permanent exterior lights and landscaping lighting

shall be recessed or shielded so that no light source is visible from a public right-of-way or adjacent property.

- J) Mechanical equipment located on a roof shall be screened.

MF Design Standard # 2: Requirements for massing.

- A) Buildings greater than 2 stories, and/or longer than forty feet (40') shall include two or more of the following elements to break down the scale of the building:
- (1) a significant offset (3' minimum depth, 8' minimum width) in the full building massing (*Illustration # 10*)
 - (2) a step-back (6' minimum) of floors above the second floor;
 - (3) subdivision into a series of distinct building masses, articulated as separate structures;
 - (4) multiple ground floor entries at 30' maximum spacing.

MF Design Standard #3. Requirements for windows on all multiple family buildings and accessory buildings with windows or requiring windows:

- A) Large windows (20 square feet or more) along the main facade shall be bracketed on each side by smaller windows (no more than 20 percent of the large window surface area). The tops and bottoms of the bracketing windows shall be level with the top and bottom of the large window. If the large window is curved or arched on top, the bracketing windows may continue the line of the curve or arch. If the large window contains multiple smaller (4 or more) panes (or has the appearance of multiple panes}, the large window may be unbracketed.

See Illustrations # 3 (bottom illustration) and # 5 (bottom illustration).

- B) Windows shall have a minimum of at least 3 inches of trim around the window except for the portion of the window, if any, that is shuttered.

See Illustration # 3 (bottom illustration).

MF Design Standard #4. Requirements for exterior finish material on all multiple-family buildings:

- A) Plain concrete block, plain concrete, corrugated metal, plywood and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade.

MF Design Standard # 5. Requirements for main facade feature on all multiple family dwellings:

- A) Where the main facade feature is required to be covered/roofed, the roofing material of the main facade feature shall be roofed to match the main roofing material with the same material or a material that in color and appearance matches the main roofing material if the main facade feature roof is not a flat (no pitch) roof.
- B) Where the building contains an offset in the main facade, main facade feature depth may be measured from the interior main facade wall provided the interior wall length is at least 25% of the total main facade length and the main facade feature extends beyond the exterior main facade wall.

See Illustration # 4 for an example.

C. COMMERCIAL (C) AND PUBLIC/INSTITUTIONAL (P/I) BUILDINGS:

All principle commercial and public/institutional buildings subject to design review are required to either meet the design standards (CPI DS #1-5 as applicable) identified below or to apply for design review under the design guidelines.

Commercial and Public/Institutional (CPI) Design standards.

Commercial and public/institutional buildings shall meet the following standards:

CPI Design Standard # 1. Requirements for commercial and public/institutional uses excluding hotel/motel uses:

- A) For the purpose of applying for design review under the design standards, the proposed building shall be no taller than 35 feet in height. Buildings taller than 35 feet in height must apply for design review under the design guidelines.
- B) For the purpose of applying for design review under the design standards, the proposed building shall have less than 65 feet of building footprint along the frontage street. Buildings with a footprint of 65 feet or more along the frontage street must apply for design review under the design guidelines.
- C) The proposed building meets the requirements of the Single-family and Two-family Design Standards including one of Element A (Roofs) and three of Element B (Main Facade Features), with the following additional requirement: for buildings with a street frontage of forty feet (40') or longer, porches or verandas fulfilling the Main Facade Features requirement shall have a minimum depth of eight feet (8'). Buildings may also choose from the following additional elements in meeting the Element B (Main Facade Feature) requirement:
 - (1) A canopy of at least 3 feet in depth running along a minimum of 75% of the entire main facade of the building between 8 feet and 12 feet above grade.
- D) Required off street parking is provided at the rear of the building, on one side of the building only (with the parking lot beginning no closer to the street than the front facade of the building), at a shared parking lot located within 200 feet of the building, or participation in the payment in lieu of parking program or a Council approved parking district.

- E) All permanent area lights including parking area lighting shall be full cut-off fixtures. Permanent exterior lights and landscaping lighting shall be recessed or shielded so that no light source is visible from a public right-of-way or adjacent property.
- F) Where the building has frontage on more than one public right-of-way, the second facade shall also contain a design feature of Element B (Main Facade Features) of the Single-family and Two-family Design Standards.
- G) For buildings greater than 2 stories, and/or longer than forty feet (40') shall include two or more of the following elements to break down the scale of the building:
 - (1) a significant offset (3' minimum depth, 8' minimum width) in the full building massing (*Illustration # 10*)
 - (2) a step-back (6' minimum) of floors above the second floor;
 - (3) subdivision into a series of distinct building masses, articulated as separate structures;
 - (4) multiple ground floor entries at 30' maximum spacing.

CPI Design Standard # 2. Requirements for hotel and motel commercial uses:

- A) For the purpose of applying for design review under the design standards, the proposed building(s) shall be no taller than 35 feet in height. Buildings taller than 35 feet in height must apply for design review under the design guidelines.
- B) The building (s) shall meet the multiple family design standards 1(A) - 1(J).
- C) If a separate building is proposed for an office and/or management dwelling unit, the building shall either meet 1) the requirements of (A) and (B) above as applicable or, 2) if the footprint is less than 1000 square feet, the requirements of the Single-family and Two Family Design Requirements.
- D) Required off street parking is provided at the rear of the building, on one side of the building only (with the parking lot beginning no closer to the street than the front facade of the building), or at a shared parking lot located within 200 feet of the building, or a Council approved parking district.
- E) For buildings greater than 2 stories, and/or longer than forty feet (40') shall include two or more of the following elements to break down the scale of the building:
 - (1) a significant offset (3' minimum depth, 8' minimum width) in the full building massing (*Illustration # 10*)
 - (2) a step-back (6' minimum) of floors above the second floor;
 - (3) subdivision into a series of distinct building masses, articulated as separate structures;
 - (4) multiple ground floor entries at 30' maximum spacing.

CPI Design Standard #3.

Requirements for entries and windows on all commercial and public/institutional buildings:

- A) The location of a main entrance for each primary building must face the street. On corner lots the main entrance may face either of the streets or be oriented to the corner. If the building is designed with multiple main entrances, only one of the main entrances must meet this requirement.
- B) Large windows (20 square feet or more) along the main facade shall be bracketed on each side by smaller windows (no more than 20 percent of the large window surface area). The tops and bottoms of the bracketing windows shall be level with the top and bottom of the large window. If the large window is curved or arched on top, the bracketing windows may continue the line of the curve or arch. If the large window contains multiple smaller (4 or more) panes (or has the appearance of multiple panes), the large window may be unbracketed. *See Illustration # 7.*
- C) Windows shall have a minimum of at least 3 inches of trim around the window except for the portion of the window, if any, that is shuttered. No windows on a ground floor level may be mirrored or reflective windows.

CPI Design Standard #4. Requirements for exterior finish material on all commercial and public/institutional buildings: For the purposes of this Standard, the percentage of material coverage shall be calculated after excluding door, windows and louvers for mechanical equipment and ventilation.

- A) The following materials shall be the primary exterior finishes in the district, comprising a minimum of 70% of the exterior skin. Other materials are allowed as accents and contrasting surfaces, consistent with requirement B of this section.
 - Wooden shingles, with a six inch (6") exposure
 - Lap siding in wood or composite wood materials
- B) Plain concrete block, plain concrete, corrugated metal, plywood and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade

CPI Design Standard #5. Requirements for main facade features:

- A. Where the main facade feature is required to be covered/roofed, the roofing material of the main facade feature shall be roofed to match (with the same material or a material that in color and appearance matches the main roofing material) the main roofing material if the roof is not a flat (no pitch) roof. The requirement to match roofing material does not apply if the roof is a flat (no pitch) roof or the roof is screened from view by a parapet wall.
- B. Where the building contains an offset in the main facade, main facade feature depth may be measured from the interior main facade wall provided the interior wall length is at least 25% of the total main facade length and the main facade feature extends beyond the exterior main facade. *See Illustration # 4 for an example.*

D. ACCESSORY STRUCTURES (AS):

Accessory structures for which the design standards (AS DS # 1-3 as applicable) apply and the design standards are not elsewhere specified, must meet the following design standards or apply for design review under the design guidelines:

Accessory Structure (AS) Design Standards:

AS Design Standard #1. Roofs of accessory structures must be either

- A) Gable with a minimum of 3:12 pitch.
- B) Hip, or
- D) Gambrel.

AS Design Standard #2. Requirements for exterior finish materials on all accessory Structure facades:

- A) Plain concrete block, plain concrete, corrugated metal, plywood and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface area of each facade. Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when the board product is 6 inches or less in width or has an exposure (reveal) of 6 inches or less.
- B) Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards with a reveal of 3 to 6 inches, or vinyl or aluminum siding which is in a clapboard or shiplap pattern where the boards in the pattern are 6 inches or less in width.

AS Design Standard #3.

Where a proposed accessory structure is also proposed to be a dwelling unit, the structure must contain two design feature on the main facade from Element B (Main facade Features) of the Single-family Residential list above.

For the purposes of this section, the main facade of an accessory structure dwelling unit is the facade that is the same direction as the main facade of the principle building. In the case of a lot with frontage on more than one public right-of-way, an accessory structure dwelling unit located within 20 feet of a public right-of-way shall have the building wall closest to the right-of-way as the main facade.

If more than one main facade is possible because the property is bounded by multiple rights-of-way, the property owner shall pick the main facade from among the possible choices.

Newport Design Review Glossary and Illustrations

Many of the architectural/illustrations adapted from the City of Eugene Planning and Development Historic Preservation Program and from other sources.

Architectural & Design Review Terms

Arch. A construction technique and structural member, usually (curved and made of masonry. Composed of individual wedge-shaped members that span an opening and support the weight above by resolving vertical pressure into horizontal or diagonal thrust.



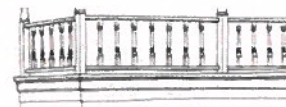
Arch

Architrave. The lowest part of an entablature, or the molded frame above a door or window opening.

Balcony. A platform projecting from the wall or window of a building, usually enclosed by a railing.

Baluster. Any of the small posts that support the upper rail of a railing, as in a staircase.

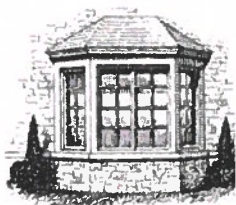
Balustrade. An entire railing system including a top rail and its balusters, and sometimes a bottom rail.



Balustrade

Bargeboard. See "vergeboard" definition.

Bay window. A projecting bay with windows that forms an extension to the interior floor space. On the outside, the bay should extend to ground level (contrast to an oriel window, which projects from the wall plane above ground level).



Bay Window



Oriel Window

Belt course. A horizontal ornamentation that often provided a division between siding styles. See *Illustration # 3*.

Board-and-batten siding. Vertical siding made up of alternating wide and thin boards (other than plywood or pressboard) where the thin boards cover the joints between the wide boards.

Bracket. A small projection, usually carved or decorated, that supports or appears to support a projecting eave or lintel.



Bracket

Capital. The topmost member, usually decorated, of a column or pilaster.

Casement window. A window that is hinged on the side and opens in or out.

Chimney pot. A decorative masonry element placed at the top of a chimney, common on Queen Anne and Tudor Revival buildings.

Clapboards. Narrow, horizontal, overlapping wooden boards that form the outer skin of the walls of many wood-frame houses. In older houses, the exposure (the exposed area of each board not overlapped by another board) ranges from four to six inches.

Column. A vertical shaft or pillar usually circular in section that supports, or appears to support, a capital, load beam or architrave.

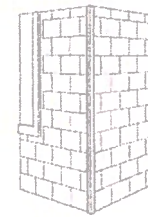
Corbel. A projection from a masonry wall, sometimes supporting a load and sometimes for decorative effect.



Corbel

Corbeled cap. The termination of a brick chimney that projects outward in one or more courses.

Corner board. A board which is used as trim on the external corner of a wood-frame structure and against which the ends of the siding are fitted.



Corner board

Cornice. The exterior trim of a structure at the meeting of the roof and wall; usually consists of bed molding, soffit, fascia, and crown molding. *See Illustration # 8 (top illustration).*

Course. In masonry, a layer of bricks or stones running horizontally in a wall. *See also "belt course."*

Cresting. Decorative grillework or trim applied to the ridge crest of a roof. Common on Queen Anne style buildings.

Cross gable. A gable that is perpendicular to the main axis or ridge of a roof.



Cupola

Cupola. A small, sometimes domed structure surmounting a roof. Found mainly on Italianate and Colonial Revival buildings.

Dentil molding. A molding composed of small rectangular blocks run in a row.

Dormer. A structure containing a vertical window (or windows) that projects through a pitched roof.

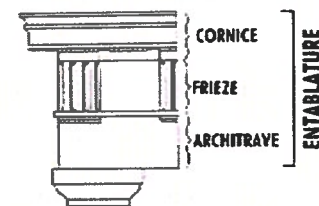


Dormer

Double-hung sash window. A window with two or more sashes; it can be opened by sliding the bottom portion up or the top portion down, and is usually weighted within the frame to make lifting easier.

Eave. The part of the roof that overhangs the wall of a building.

Entablature. Above columns and pilasters, a three-part horizontal section of a classical order, consisting of the cornice at the top, the frieze in the middle, and the architrave on the bottom.



Facade. The face or front of a building. *See Illustration # 1.*

Fanlight. A window, often semicircular, over a door, with radiating muntins suggesting a fan.

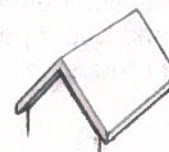
Fascia board. A flat board horizontally located at the top of an exterior wall, directly under the eaves.

French door. Two doors, composed of small panes of glass set within rectangularly arrayed muntins, mounted within the two individual frames. Usually such doors open onto an outside terrace or porch.

Frieze. The middle division of an entablature, below the cornice.

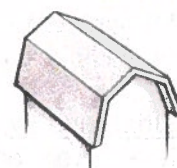
Gable. The vertical triangular portion of the end of a building having a double-sloping roof, usually with the base of the triangle sitting at the level of the eaves, and the apex at the ridge of the roof. The term sometimes refers to the entire end wall. See Illustration # 2.

Gable roof. A roof form having an inverted "V"-shaped roof at one or both ends.



Gable Roof

Gambrel roof. A roof having two pitches on each side, typical of Dutch Colonial and Colonial Revival architecture.



Gambrel Roof

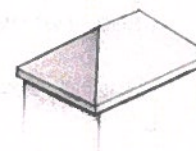
Gingerbread. Highly decorative woodwork with cut out ornament, made with a jigsaw or scroll saw, prominent in Gothic Revival architecture. Gingerbread in the Gothic Revival style can be distinguished from the ornamentation in the Stick and Eastlake styles which featured characteristically curved brackets and rows of spindles and knobs thicker than the gingerbread woodwork and were created with the lathe, the chisel, and the gouge.

Half-timbering. In late medieval architecture, a type of construction in which the heavy timber framework is exposed, and the spaces between the timbers are filled with wattle-and daub, plaster, or brickwork. The effect of half timbering was imitated in Oregon in the 19th and 20th centuries by the Queen-Anne and Tudor Revival styles.



Hipped (hip) roof. A roof which slopes upward on all four sides.

Hood molding. A decorative molding over a window or door frame, commonly found on Italianate style buildings such as the Smeede Hotel in Eugene.



Hip Roof

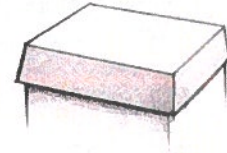
Jerkinhead roof. A gable roof truncated or clipped at the apex - also called a clipped gable roof. Common in Bungalows and Tudor Revival, and Arts and Crafts style buildings.

Latticework. A wood or metal screen composed of interlaces or crossed thin strips.

Leaded glass. Small panes of glass, either clear or colored, that are held in place by strips of lead.

Lintel. A horizontal beam over an opening in a wall that carries the weight of the structure above.

Mansard roof. A roof with two slopes, the lower slope being nearly vertical, often concave or convex in profile. Common to the Italianate and Queen Anne styles.



Mansard Roof

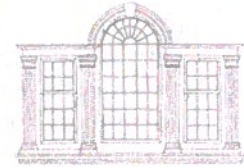
Molding. A decorative band or strip with a constant profile or section generally used in cornices and as a trim around window and door openings. It provides a contoured transition from one surface to another or produces a rectangular or curved profile to a flat surface.

Mullion. The vertical member of a window or door that divides and supports panes or panels in a series.

Muntin. One of the members, vertical or horizontal, that divides and supports the panes of glass in a window.

Oriel window. A window bay that projects from the building beginning above the ground level. See “bay window” definition for illustration.

Palladian window. A window divided into three parts: a large arched central window, flanked by two smaller rectangular windows. These are found in Colonial Revival as well as Italianate buildings.

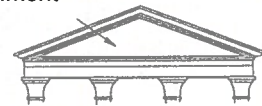


Palladian Window

Parapet. A wall that extends above the roof line. Common in California Mission style buildings. See Illustration # 7.

Pediment. A low triangular gable end, often found in classical architecture.

Pediment



Pent roof. A small, sloping roof, the upper end of which butts against a wall of a house, usually above the first-floor windows.

Pilaster. An engaged pier or pillar, often with capital and base.

Pillar. A post or column-like support.

Pitch. The degree of slope or inclination of a roof.

Plywood. A structural material consisting of sheets of wood glued or cemented together with the grains of adjacent layers arranged at right angles or at a wide angle.

Pointed arch. Any arch with a point at its apex, common but not restricted to Gothic architecture. Tudor Revival buildings also frequently incorporate pointed arch motifs.

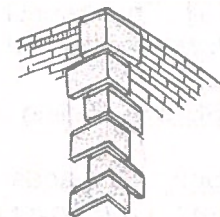
Portico. A porch or covered walkway consisting of a roof supported by columns.

Pressboard. A strong highly glazed composition board resembling vulcanized fiber.



Pent (Shed) Roof

Quoins. Cornerstones of a building, rising the entire height of the wall, and distinguished from the main construction material by size, texture, or conspicuous joining. In masonry construction, they reinforce the corners; in wood construction, they do not bear any load, are made of wood, and imitate the effect of stone or brick.



Quoins

Rafters. The sloping wooden roof-frame members that extend from the ridge to the eaves and establish the pitch of the roof. In Craftsman and Bungalow style buildings the ends of these, called "rafter tails" are often left exposed rather than boxed in by a soffit. See "truss" for illustration.

Ribbon window. A continuous horizontal row, or band, of windows separated only by mullions. Used to some extent in Craftsman designs, but more common in Eugene on post-war modern buildings.

Round arch. A semicircular arch, often called a Roman arch.

Rustication. Masonry characterized by smooth or roughly textured block faces and strongly emphasized recessed joints.

Sash. Window framework that may be fixed or moveable. If moveable, it may slide, as in a double-hung window; or it may pivot, as in a casement window.

<p>6/6 6 over 6 sash is common in older buildings. In the old days, big pieces of glass were expensive, so windows were made from lots of smaller pieces.</p>	<p>9/6 9 over 6 is also common in older buildings for the same reasons.</p>	<p>4/4 These windows became more common after the Civil War.</p>	<p>3/2 This type of window is seen a lot in modern buildings.</p>	<p>3/1 This style was a popular feature on Bungalow homes.</p>	<p>4/1 This style was also a popular feature on Bungalow homes.</p>	<p>1/1 This window is very common on modern buildings.</p>

Shiplap siding. Wooden siding tapered along its upper edge where it is overlapped by the next higher courses of siding.

Side light. A framed window on either side of a door or window.

Siding. The narrow horizontal or vertical wooden boards that form the outer face of the walls in a traditional wood-frame building. Horizontal wooden siding types include shiplap and clapboard/weatherboard, while board-and-batten is the primary type of vertical siding. Shingles, whether of wood or composite material, are another siding type.

Sill. The lowest horizontal member in a frame or opening of a window or door. Also, the lowest horizontal member in a framed wall or partition.

Skirting. Siding or latticework applied below the watertable molding on a building.

Soffit. The underside of the eaves on a building, particularly the boards enclosing the eaves and covering rafter tails.

Stucco. A material, usually composed of cement, sand, and lime, applied to a surface to form a hard, uniform covering that may be either smooth or textured. Also, a fine plaster used in decoration and ornamentation of interior walls.

Surround. The molded trim around a door or window.

Swan's neck pediment. A pediment with an open apex; each side terminates in curves resembling a swan's neck. Found in Oregon mainly on Colonial Revival buildings.

Terra cotta. A red-brown fired but unglazed clay used for roof tiles and decorative wall covering. These roof tiles are common in California Mission style. Glazed terra cotta was frequently used for exterior decoration on commercial buildings of the early 20th Century.

Transom. Horizontal window opening above a door or window.

Truss. A framework of beams (like ribs) that support the roof (usually triangular).



Truss

Tongue and groove. A type of board milled to create a recessed groove along one long side and a corresponding flange along the other that lock together when two or more boards are placed side-by-side. Tongue and groove boards were commonly used for flooring and siding.

Tudor arch. A four centered pointed arch, characteristic of Tudor style architecture in England in the 15th and 16th centuries.

Turret. A small, slender tower, usually corbeled from a corner of a building

Veranda. A covered porch or balcony, running alongside a house; the roof is often supported by columns.

Vergeboard. An ornamental board, sometimes jigsaw cut that serves as trim and is attached to the overhanging eaves of a gable roof; sometimes called a bargeboard.

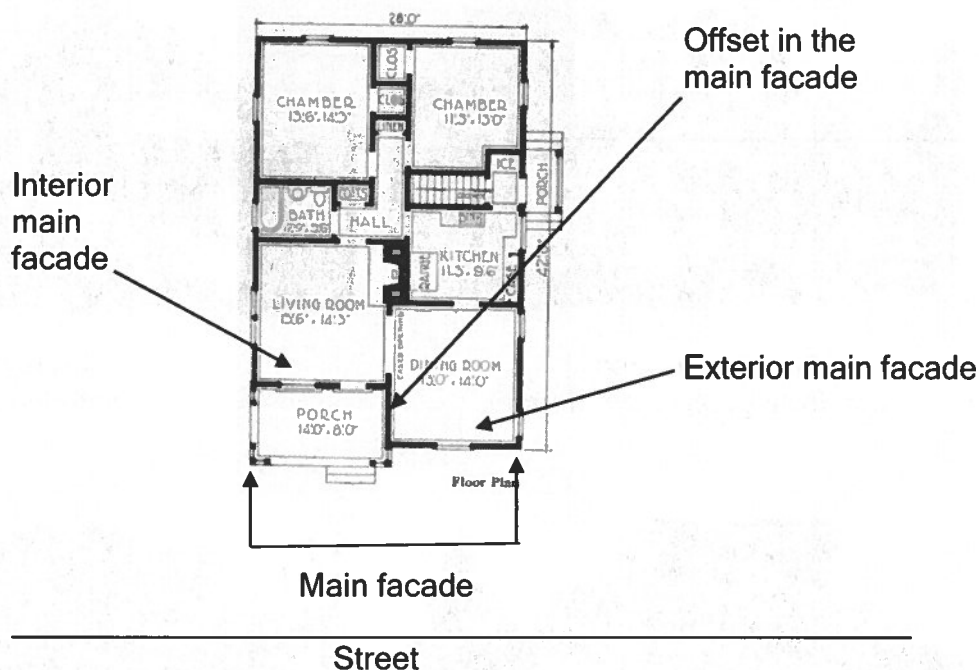


Vergeboard

Water table. A projecting ledge, molding, or string course along the bottom side of a building, designed to throw off rainwater; it usually divides the foundation of a building from the first floor.

Weatherboard siding. Siding, usually wooden, consisting of overlapping, narrow boards usually thicker at one edge; also called clapboard siding.

ILLUSTRATION # 1 MAIN FACADE



The facade is the face or front of the building. The main facade is the building front that faces the street. The main facade includes the building between the two main outer walls. Where the main facade is divided into sections by an offset in the building, the wall of the main facade most distant from the street shall be considered the interior main facade wall. The main facade wall closest to the street shall be considered the exterior main facade wall. Required depth of main facade features such as porches shall be maintained for each portion of the main facade (including interior and exterior main facade walls) from which the feature projects (not including the offset wall). Where the building fronts on more than two streets, unless specified elsewhere to the contrary, the property owner shall pick one of the facades to be the main facade.

ILLUSTRATION # 2
ROOF AND DORMER TYPES



Side gabled roof
with front gabled roof dormer



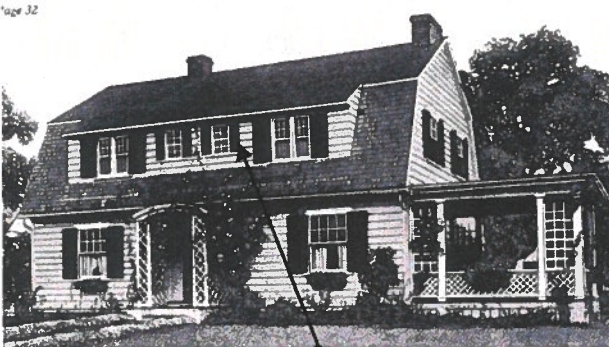
Front gabled roof
with hip roofed porch



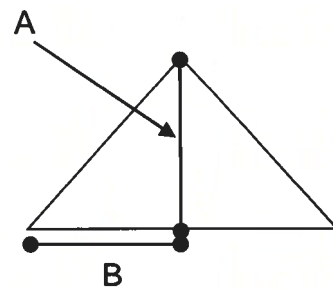
Multiple distinct low pitched gabled roofs
(with clipped gables/jerkinhead roof)



Hip roof
with hip roof dormer

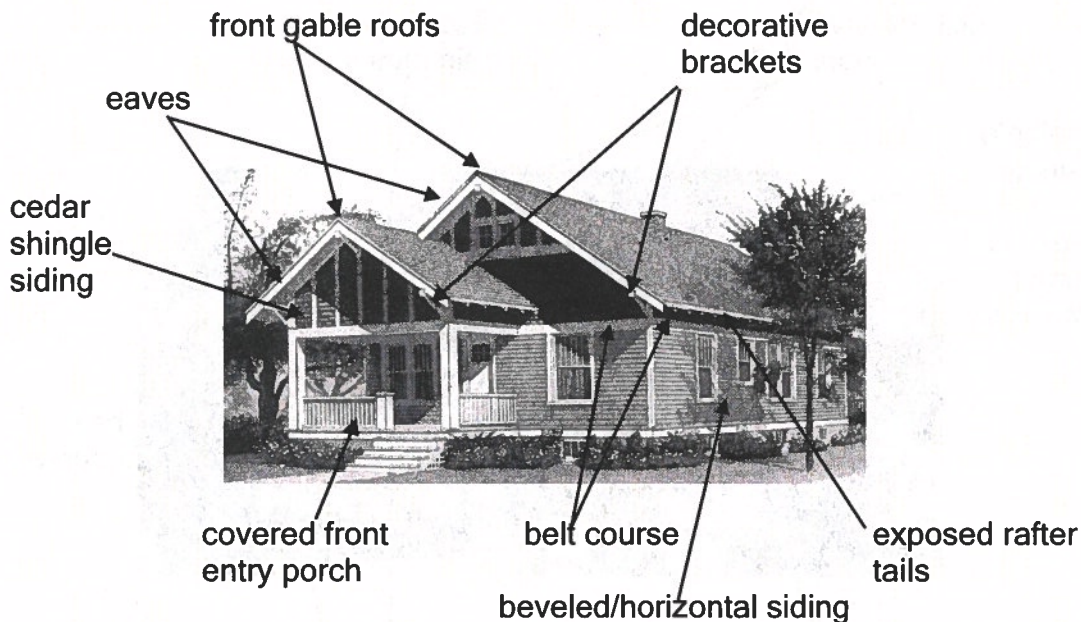


Gambrel roof
with shed roof dormer



Roof slope is measured by ratio from vertical (A) to horizontal (B).

ILLUSTRATION # 3
VARIOUS EXAMPLES OF FEATURES



The house above illustrates a main gable roof with eaves and with a distinct gable roof above the front entry porch located on the main facade of the building. The belt course (white line that wraps around the house at the top of the windows) separates the contrasting siding with the beveled siding below and the cedar shingle siding above. The exposed rafter tails (the ends of the rafters under the eaves) and the decorative brackets are visible on both the main gable roof and the porch gable.

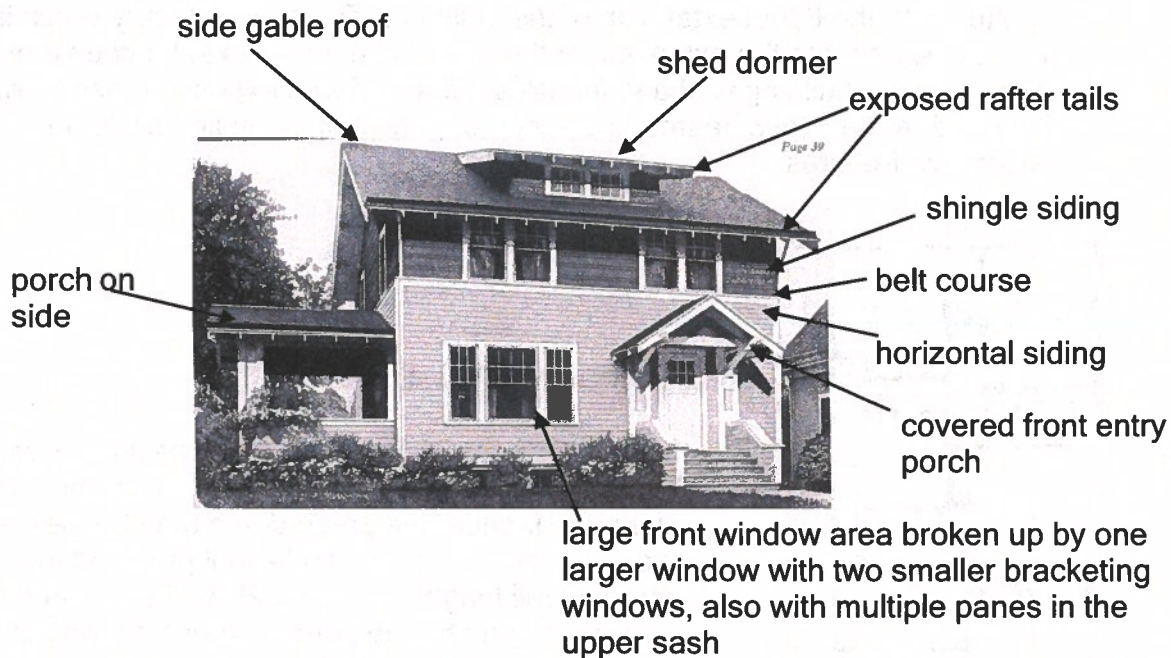
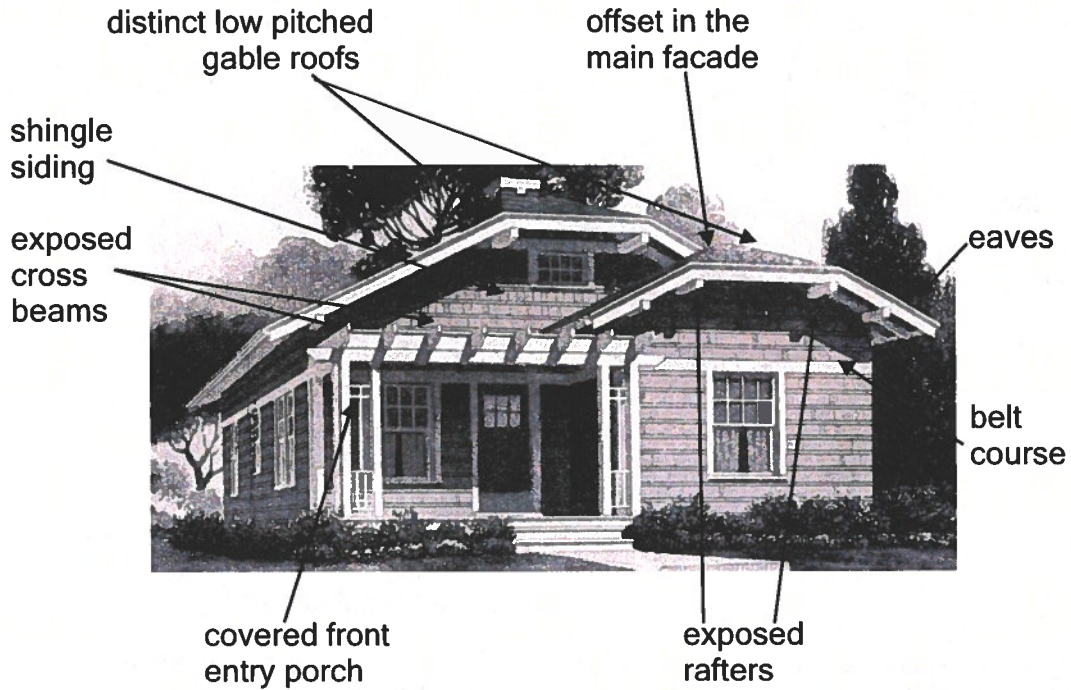
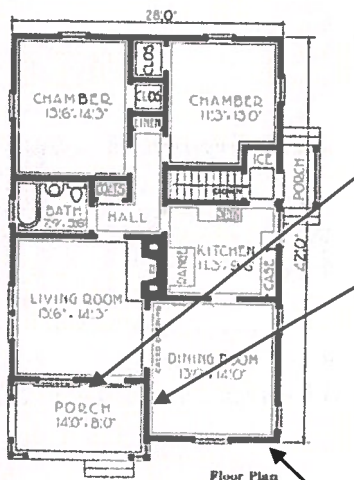


ILLUSTRATION # 4
VARIOUS EXAMPLES OF FEATURES



The house above illustrates a low pitched main gable roof with a distinct low pitched gable roof that extends over the portion of the building that extends out adjacent to the covered front entry porch. An offset in the main facade is created with the 6 foot extension of the building. The covered entry porch is located adjacent to the extension of the main building but is set a couple of feet forward of the building wall and features a flat roof with exposed cross beams. Exposed rafters/cross beams, a belt course, and shingle siding are other decorative features.



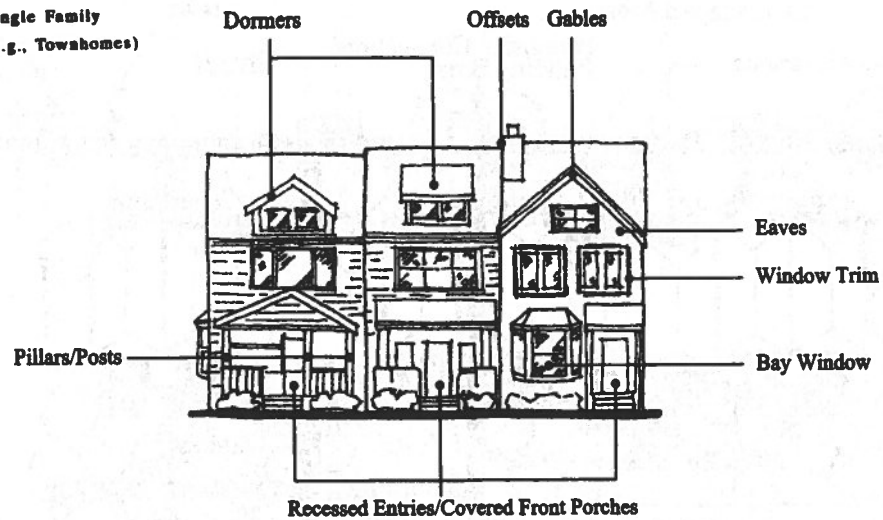
Interior main facade wall.

Offset of about 5 feet in building face and extending 14 feet. Where the building contains an offset in the main facade, the porch depth may be measured from the interior main facade wall provided the interior wall length is at least 25% of the total main facade length and the porch extends beyond the exterior main facade wall.

Exterior main facade wall.

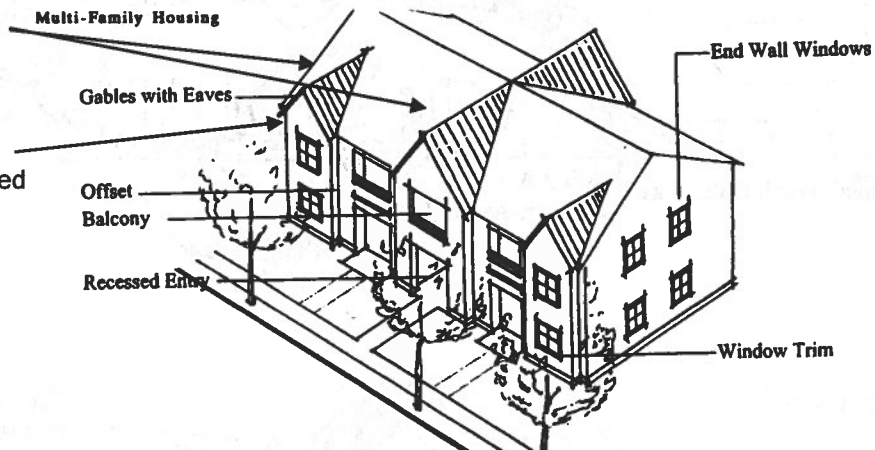
ILLUSTRATION #5 SINGLE FAMILY (TOWNHOUSE) AND MULTIPLE FAMILY DWELLINGS

Single Family
(e.g., Townhomes)



Roof width divided into increments with cross gables.

Main front facade divided into distinct planes.



Duplex / Two family dwelling

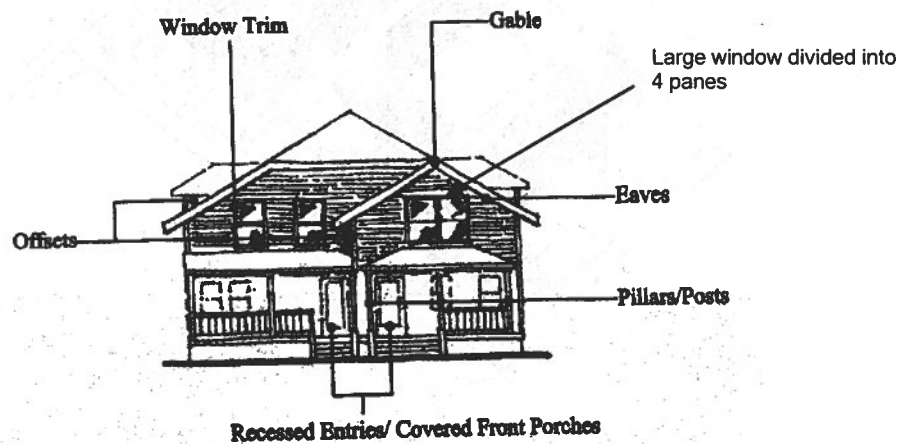


ILLUSTRATION # 6
LARGE MULTIPLE FAMILY RESIDENTIAL OR HOTEL DEVELOPMENT

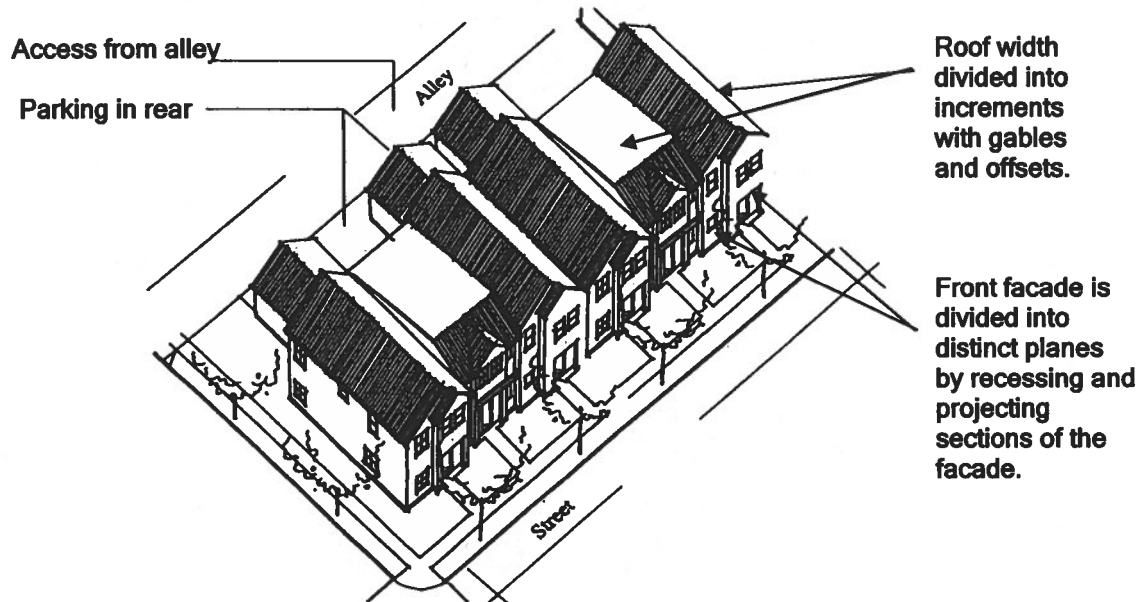
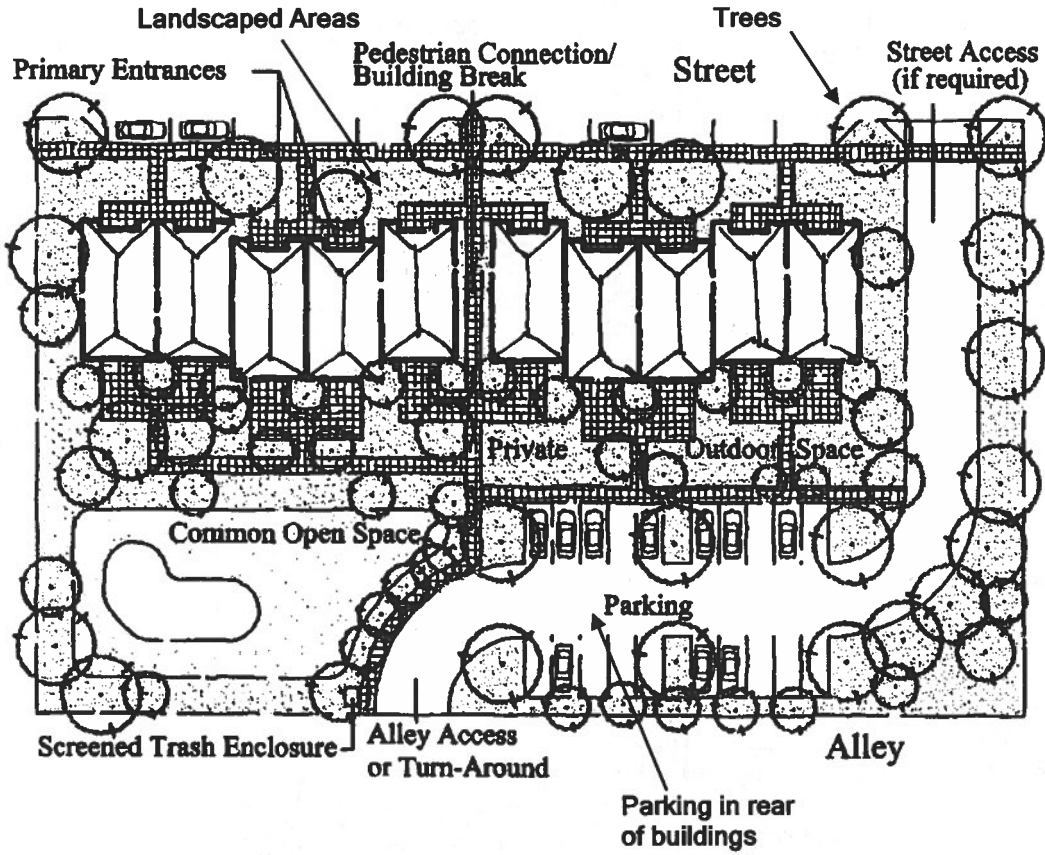
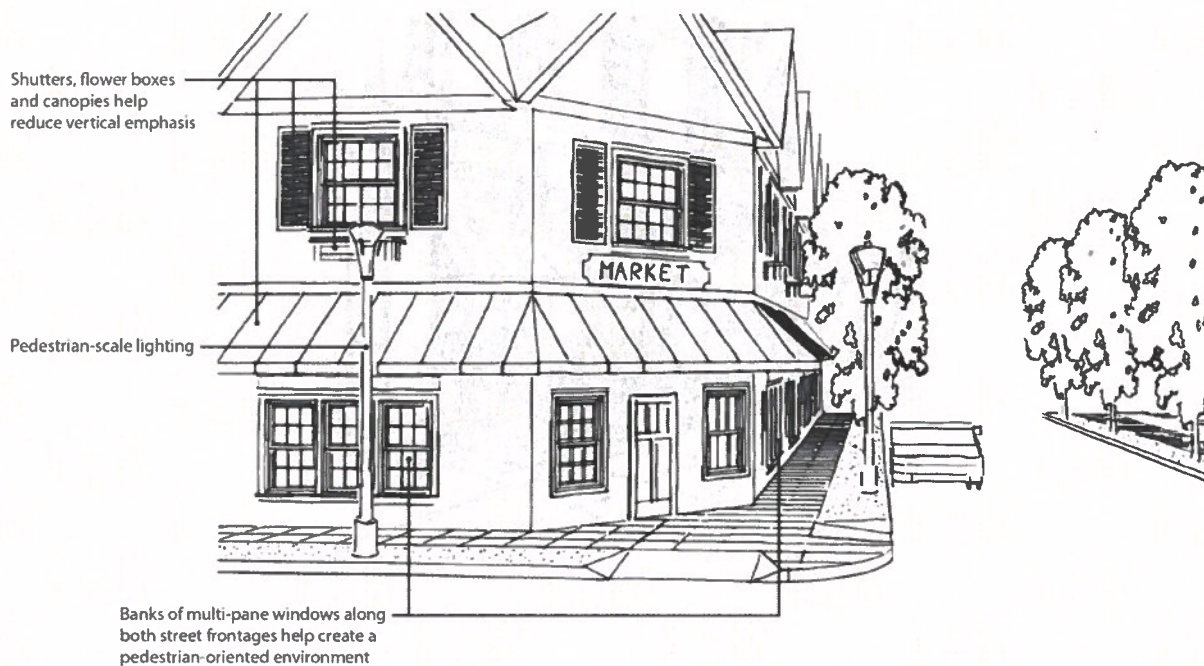


ILLUSTRATION # 7 COMMERCIAL BUILDINGS

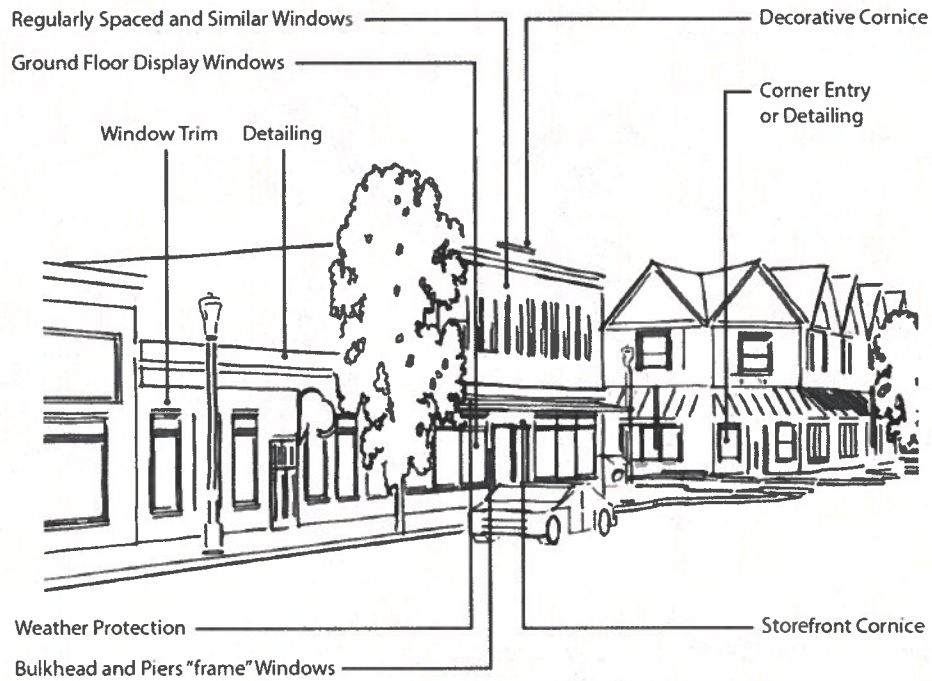


In the illustration above, banks of windows along the ground floor help create a pedestrian oriented environment. Buildings abut the property line such that no building is setback significantly from the other buildings. Buildings vary in size, shape, roof lines and design features but are architecturally compatible through the use of similar design elements such as the use and placement of a common window treatment on the second floor.



Banks of multi-pane windows along both street frontages help create a pedestrian-oriented environment.

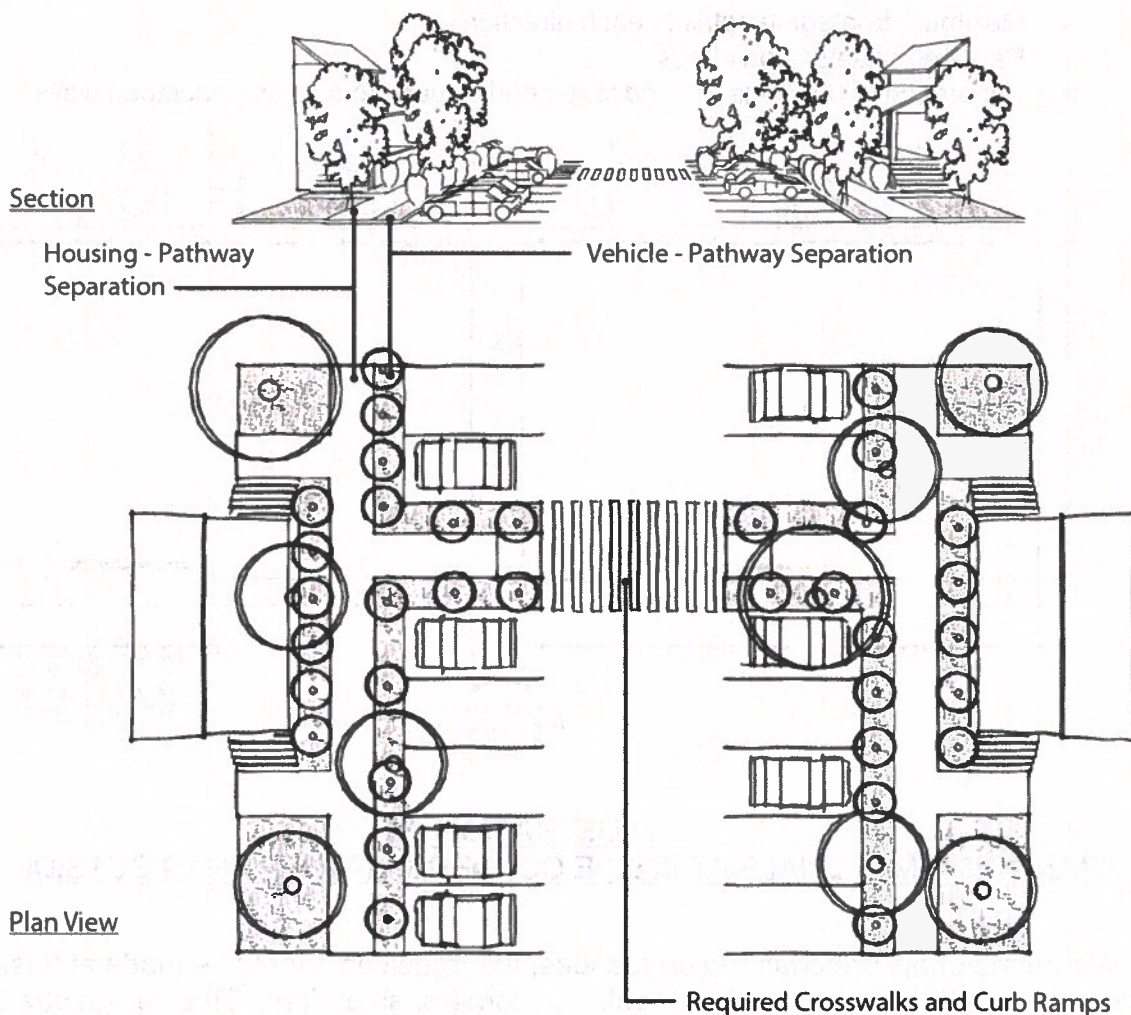
ILLUSTRATION # 8 COMMERCIAL BUILDINGS



The intent of the Design Guidelines is to provide for variety in building shape, size, roof lines and design features - allowing architectural expression within a set of established design styles and types.



ILLUSTRATION # 9 PARKING AND PEDESTRIAN LAYOUT



The illustration above shows an Interior parking lot. Note that the pedestrian pathways are separated from the vehicle travel areas. Where the pathway crosses the parking lot, a landscaped area extends from each side to mark the crossing areas. Additionally, the crossing area is clearly marked. Specialty pavers could also be used to mark the pedestrian crossing area. Trees provide screening for the parking lot. A short hedge (3-4 feet) around the parking lot in the landscaped area would provide additional screening and would further separate the pedestrian and vehicle areas. Breaks in the hedge along large parking lots could be provided to allow easier access to and from parked vehicles.

ILLUSTRATION # 10 MASSING OF LARGER BUILDINGS

This illustration shows several massing requirements:

- Maximum frontage lengths in each direction
- Required offsets in buildings
- Separation of buildings for landscape and/or parking access/pedestrian ways

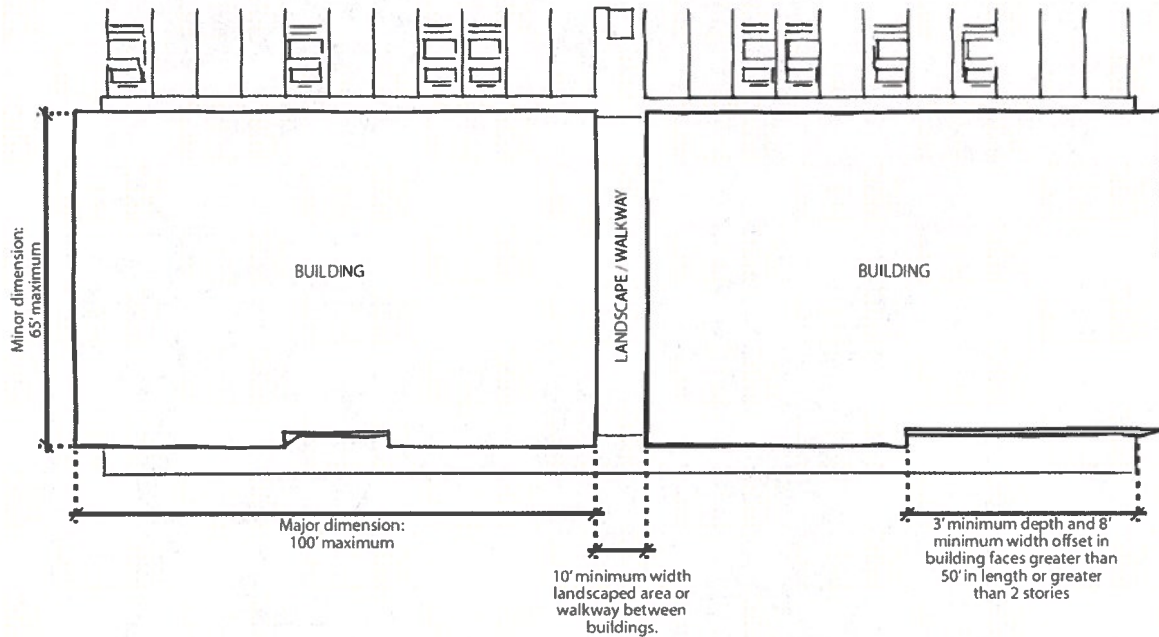
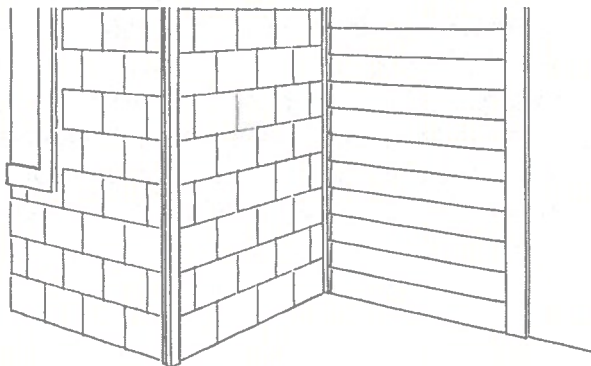
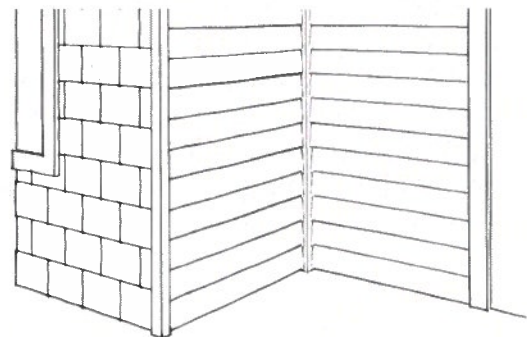


ILLUSTRATION # 11 TRANSITION MATERIALS AT INSIDE CORNERS, RATHER THAN OUTSIDE

Where materials are changed on facades, the transition should be made at “inside” corners, as at left, rather than at “outside” corners, as at right. This design strategy is in keeping with the traditional styles found in the district, as they express volumes of rooms and bays, rather than wall planes.



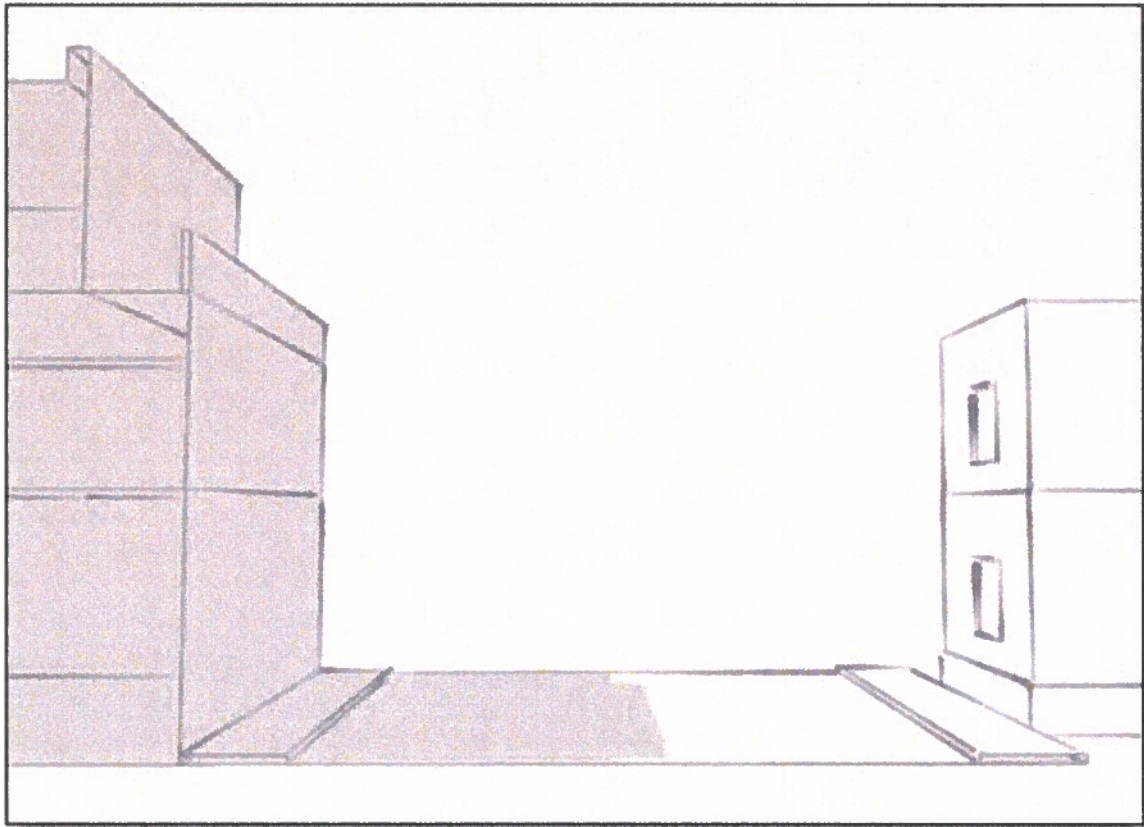
Desired Transition



Transition to Avoid

ILLUSTRATION # 12
EXAMPLES OF SOLAR SHADING STUDY

Solar studies should show the massing of the proposed development, as well as the shading of adjacent public spaces -streets and plazas - that would be shaded at the times specified in the design standards.



Derrick Tokos

From: beckwithdesign@yahoo.com
Sent: Saturday, April 10, 2021 2:18 PM
To: Derrick Tokos
Subject: Contact Us - Web Form

[WARNING] This message comes from an external organization. Be careful of embedded links.

City of Newport, OR :: Contact Us - Web Form

The following information was submitted on 4/10/2021 at 2:17:54 PM

To: Derrick Tokos
Name: robin I Beckwith
Email: beckwithdesign@yahoo.com
Phone: 5415740410
Subject: The Whaler

Message: We live at 115 SW Coast Street. Our view of the ocean will be gone from another tall building. The line of tall motels are west of basically flat land not so the Whaller. Many views will be affected if they are given a permit. Please consider the people that have chosen to live in Nye Beach.

Sherry Marineau

From: Derrick Tokos
Sent: Thursday, April 22, 2021 5:01 PM
Cc: Sherry Marineau
Subject: RE: Contact Us - Web Form

Hi Norm... we will see that the Commission members receive a copy of your letter.

Derrick

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

Sent: Thursday, April 22, 2021 9:18 AM
To: Derrick Tokos <D.Tokos@NewportOregon.gov>
Subject: Contact Us - Web Form

[WARNING] This message comes from an external organization. Be careful of embedded links.

City of Newport, OR :: Contact Us - Web Form

The following information was submitted on 4/22/2021 at 9:17:41 AM

To: Derrick Tokos
Name: NORMAN I FERBER

Subject: Whaler Expansion Planning Commision Meeting

Message: As regards the Whaler Expansion - Planning Commission meeting 4-26-21 Norm Ferber Fairhaven Vacation Rentals

Newport OR.
4-22-21

The Nye Beach Guidelines as I remember their implementation, were in part meant to prevent, redirect and correct planning decisions that did not have or led to less then acceptable implementation of hoped for neighborhood results.

During that period one of (not all) of the directives was to prevent the northward migration of monolithic motel- hotel structures along the coast line.

Similar to natural features (mountain ranges) monolithic structures invariable starve out the moisture necessary (in this case diversity and smaller scale creativity) for development on the leeward side of such monoliths.

They starve the public of the access to a more diverse menu of views and approachability.

The structure that is being suggested, in my point of view , has many redeeming features. The previous owner John Clark always kept his property well maintained and attractive. The landscaping was always maintained and was a positive and difficult thing to maintain directly on the coast. Subsequent remodels and additions (decks) added human size dimensionality to the building.

I think the architects of this proposed structure have gone a long way to continue and improve on that path.

But there is no need to set unnecessary precedents. Exceeding the height of 35' is arbitrary. And I acknowledge that going 40 feet is not a great leap, but it is a leap non the less . (All recent construction projects , at least as I have observed them , have managed to remain within that limit) the length as I measured it of 236' is totally uncalled for (without any peek-throughs to the ocean) and will set a dangerous precedent.

With this expansion northward the only area of non monolithic expansion left is from the Don Davis park to the Nye Beach turnaround. It is no longer beyond the realm of imagination that a very rich individual or corporation could purchase that last set of properties and erect a single structure.

There by further restricting of both the access and visual quality that people from all over come to the coast to enjoy. The subsequent funneling of the public access to the remaining beach entries will cause parking problems and congestion .

That result is already evident on almost any day at either the Don Davis park where parking is insufficient to meet present needs or also at the Nye Beach Turnaround.

Yes there is ample parking at the performing arts center and in some locations along Coast street . But that is increasingly getting utilized and reaching its limits.

My primary concern is not so much with this proposed addition to the Whaler but the next and final step of filling in that last piece on our map. (Don Davis to Nye Beach Turnaround) . Unless the planning commission puts in place some provision that eliminates that possibility it might not happen in my lifetime but will most assuredly happen eventually .

The Inn at Nye Beach in their parking area added a peek through of the Ocean. The Waves (not a structure I necessarily use as an example of good taste) created two separate structures.

Nye Beach has come a long way since I first moved in and subsequently bought and developed property in the mid 1970's.

And no one can deny that it has created its own viable economic base for the benefit of the entire community . Lets try to continue to preserve and improve it .

Thank you Norm Ferber

To: Derek Tokos, Community Development Director
Newport Planning Commission
From: Jan Kaplan
Subject: Testimony for Design Review and Conditional Use Permit for The Whaler at Nye Beach
Date: April 26, 2021

My name is Jan Kaplan and I live at 35 NW High St. in Newport in a house owned by my wife and me. I appreciate the opportunity to offer comment on the Design Review of the proposed hotel. First, I acknowledge the effort made by the owners and architects to be available to, and inform the neighborhood of their plans. I attended this meeting and was very impressed by their thoroughness and attention to attempting to satisfy the Nye Beach Overlay requirements. My impression is that these are responsible businesspeople making a sincere effort to design a building that works commercially and fits architecturally with the neighborhood. Overall, it looks to be a beautiful and well thought out design.

I am however troubled by two things that I hope the Planning Commission can address:

1. From my perspective as a neighborhood resident the mass of the building- over 200 feet long and 40 feet high really doesn't fit the nature of the Design Overlay District and I echo Norm Ferber's concerns about setting precedent for the rest of the District. On the other hand, the building fits very well within the context of the hotel area on Elizabeth St. I'm frankly mainly concerned about the setting of precedent that could be applied North of Olive St. I wonder whether the Planning Commission/City Council could consider redefining the Overlay District to not include this site as well as the rest of Elizabeth St. This would solve the issue of creating precedent. From that perspective the project would serve very well as a transition from Nye Beach to the Hotel District.

Perhaps it would be a good idea to reopen consideration of the Core Zone proposal that was discussed by the Commission a year ago. This could resolve unintended consequences and potential disputes in the future.

2. My second concern is whether the mass of the building will significantly change the nature of the neighborhood from the perspective of the east side. From Olive and Elizabeth Streets the building is designed to feel like it is 3 buildings rather than one mass. I appreciate that. I'm not able to tell what the building mass will look like from the east side. I would appreciate the Commission looking into this and, if this is a problem, requiring modifications to solve it.

Thank you for your attention to these concerns.

Buildings greater than 40' long and over 2 stories

Sherri Marineau

From: Wendy Engler
Sent: Monday, April 26, 2021 12:14 PM
To: Public comment
Subject: Third time - PC Meeting 4/26/2021

[WARNING] This message comes from an external organization. Be careful of embedded links.

Hello Public Comment,

Since submitting my original comment by the time deadline, I discovered another typo that would make it difficult to be read aloud. For ease of reading into the record, I request that this corrected version be used.

Thanks again,
Wendy Engler

From: Wendy Engler
Date: April 26, 2021 at 11:59:55 AM PDT
To: publiccomment@newportoregon.gov
Subject: Public comment for 4/26/2021 PC Meeting - Item 5.C.

Please enter the following email into the public record as testimony on Item 5.C., Whaler Expansion.
I request that it be read into the record by Staff:

I support the Whaler Expansion plans and am impressed with many of the features and attention to details in the proposal.

My requested change relates to Design Guideline #7: to maintain and reinforce a walking environment.
In the proposed plan, the sidewalk width appears to be 5 feet. This is too narrow to support the guideline.

According to the National Association of City Transportation officials, to ensure that pedestrians have a safe and adequate place to walk in commercial areas, the sidewalk width should be 8 to 12 feet.

I request that the width of sidewalks be a minimum of 8 feet. If landscape area needs to be reduced in order to meet this width, I request that a reduction in the required landscape area be made.

Thank you,

Wendy Engler
Newport Oregon



OREGON SHORES
CONSERVATION COALITION

April 26, 2021

City of Newport Planning Commission
c/o Community Development Director Derrick Tokos
Newport Community Development Department
169 SW Coast Hwy
Newport, Oregon 97365

Via Email to: D.Tokos@NewportOregon.gov

**Re: City of Newport File Nos. 1-NB-21/2-CUP-21 (Whaler at Nye Beach)
Applicant/Property Owner: Ric Rabourn (Hallmark Inns & Resort, Owners),
Michael Abbott (Architect, Authorized Representative).
Comments of the Oregon Shores Conservation Coalition**

Dear Chair Patrick and Members of the City of Newport Planning Commission:

Please accept these comments from the Oregon Shores Conservation Coalition and its members (collectively “Oregon Shores”) to be included in the evidentiary record for File Nos. 1-NB-21/2-CUP-21. Oregon Shores is a non-profit organization dedicated to protecting the natural communities, ecosystems, and landscapes of the Oregon coast while preserving the public’s access to these priceless treasures in an ecologically responsible manner. Our mission includes assisting community members in land use matters and other regulatory processes affecting their coastal communities, and engaging Oregonians and visitors alike in a wide range of advocacy efforts and stewardship activities that serve to protect our state’s celebrated public coastal heritage. We have received requests from community members to explore issues associated with the proposal under consideration here. Pursuant to NMC 14.52.090(D) and ORS 197.763(6), Oregon Shores requests that the Planning Commission leave the record open to allow for submission of additional evidence, arguments, or testimony regarding this case file for at least seven days following the Monday, April 26, 2021 public hearing.¹ Please notify us of any

¹ See also NMC 14.52.080(C)(3)(h).

further decisions, reports, or notices issued as well as public hearings held in relation to File Nos. 1-NB-21/2-CUP-21. Oregon Shores will provide further comment as appropriate and allowed in this matter.

For half a century, Oregon Shores has been an active public interest participant in legal processes and policy decisions related to coastal land use, shoreline management, climate adaptation, preserving beach access, and protection of coastal resources in the State of Oregon. We have offered comments and testimony on a number of previous development proposals and matters before the City of Newport, from proposed condominium developments within the Jump-Off Joe landslide complex in the early 1980s, to a more recent proposal just north of the area on NW Spring Street, and the resulting amendments to the City's Geologic Hazards Overlay zone (NMC Chapter 14.21). Oregon Shores strongly believes that all proposed development in the coastal zone must be evaluated against the crucial need to protect our vital and vulnerable coastal environments and preserve equitable access to the coast. The Application materials were made available to the public in electronic format on Friday, April 23, 2021. Based on limited opportunity for review, we provide these written comments in order to underscore the following apparent deficiencies in the Application materials as well as raise the following concerns:

- **Geologic Hazards:** Per DOGAMI Open File Report O-04-09, the subject properties upon which the expansion is proposed (i.e., Tax Lots 15902 & 15903) are mapped with a moderate-risk coastal erosion hazard zone immediately east of their border with SW Elizabeth Street as well as a low-risk coastal erosion hazard zone further east from the street.² The subject properties appear to be located less than a quarter of a mile north from an active mass movement area,³ and Tax Lot 15903 as well as portions of Tax Lot 15902 appear to be mapped with moderate landslide hazards (i.e., landsliding is possible).⁴ Finally, the North Newport Natural Hazards Overlay Zones map also indicates that the proposed project will occur in an area mapped with natural hazards.⁵

However, Oregon Shores was unable to find any meaningful discussion of these hazards within the Application materials. This is particularly concerning with respect to the potential adverse impacts the proposed expansion may have on beach access via Elizabeth Street as well as Don Davis park, where the coastline is unstable. Further information is required to understand the risks to public beach access, coastline stability, and the potential increase in risk of landslide hazard in the area. Prior to any final decision in this matter, Oregon Shores strongly urges the City to request further information regarding these hazards, consistent with the requirements of NMC 14.21.010, 14.21.020, 14.21.030, et. seq. If the City determines that the latter standards are not applicable to this Application, Oregon Shores respectfully requests that the City set forth findings explaining the basis for such a determination.

² DOGAMI Open File Report O-04-09, App. A, 105; These coastal erosion hazards are also mapped on DOGAMI's HAZVU Statewide Geohazards Viewer map, a copy of which is enclosed with this comment.

³ DOGAMI Open File Report O-04-09, 43; *Id.*, App. B, 155, 157.

⁴ A copy of DOGAMI's publicly available HAZVU Statewide Geohazards Viewer map indicated landslide hazards is enclosed with this comment.

⁵ See North Newport Natural Hazards Overlay Zones Map, available at https://www.newportoregon.gov/dept/cdd/documents/North_Newport_Hazards.pdf.

- **NMC 14.35.050(A)-(D):** Although the Staff Report for this matter discusses NMC 14.35.050 in some detail,⁶ Oregon Shores was unable to locate any meaningful discussion of said criteria within the Application Materials themselves. This is of particular concern given the mapped natural hazards in the proposed expansion area: robust stormwater management will be necessary to avoid further exacerbating these risks. Additional information is required to ensure compliance with NMC 14.35.050, particularly with respect to subsections (A) and (B). Prior to any decision on this matter, Oregon Shores strongly urges the City to require the Applicant to submit further information related to this criterion, and provide sufficient time for additional public review of the same.

Oregon Shores believes that our communities, especially those along the Oregon coast, must begin to plan for climate change impacts and the associated multiplier effect climate change has on known and existing coastal hazards immediately. Advance planning is critically important given two opposing forces likely to result from climate change. On the one hand, increased storm frequency and intensity, along with sea level rise and decreased summertime precipitation, will put coastal properties, infrastructure, natural areas, and water sources at risk. As storm surge increases and sea levels rise with climate change, we can expect to see more problems along the coast with homes being undercut by erosion along bluffs or dunes. Oregon's coastal communities will likely see property disappearing, as beaches migrate inland unless blocked by shoreline armoring, while increased visitation and population growth exacerbate the demand for land and resources in vulnerable areas. Given these increasing pressures, the need for climate change adaptive planning is critical. A concerted and systematic approach to the issue will require garnering public and political support for changes to raise the bar for construction and encourage property owners to pursue alternative methods of locating and protecting structures on coastal lands. It is not clear, based on the Application and the materials available, how this proposed development fits within climate resilience planning and anticipation of long-term hazards impacting the public's interest in the shoreline. The Application should be considered in the context of projections of future threats to the westernmost tier of development, including Elizabeth Street.

At the very least, prior to any final decision in this matter, the Planning Commission should seek additional information the aforementioned issues. Thank you for the opportunity to provide this comment.

Sincerely,



Phillip Johnson
Executive Director
Oregon Shores Conservation Coalition
P.O. Box 33

⁶ Staff Report,

Oregon Shores Conservation Coalition
City of Newport File Nos. 1-NB-21/2-CUP-21 (Whaler at Nye Beach)

Seal Rock, OR 97376
(503) 754-9303
phillip@oregonshores.org



Search bar with magnifying glass icon



193

300ft

-124.060 44.636 Degrees

Coastal Erosion Hazard

Very High (Active) Hazard Zone



High Hazard Zone



Moderate Hazard Zone



Low Hazard Zone



NO DATA



Very High (Active) Hazard Zone

Moderate Hazard Zone

High Hazard Zone





Street names: NW Cliff St, NW 2nd St, NW 1st St, W Olive St, SW Coast St, SW Elizabeth St, SW 2nd, SW 3rd St, SW 4th St, SW Surf, SW 5th

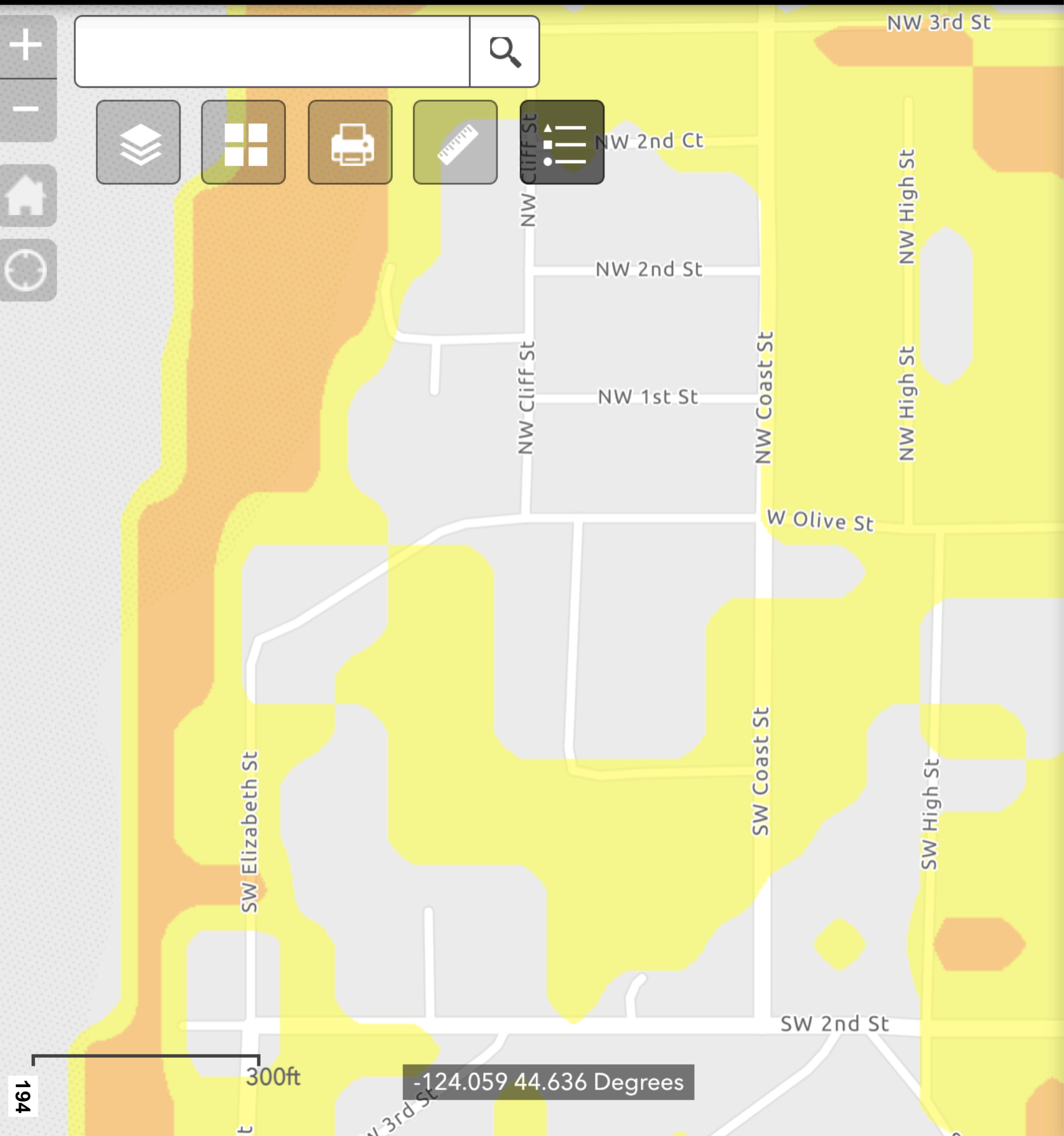
Map navigation controls: zoom in (+), zoom out (-), home, refresh

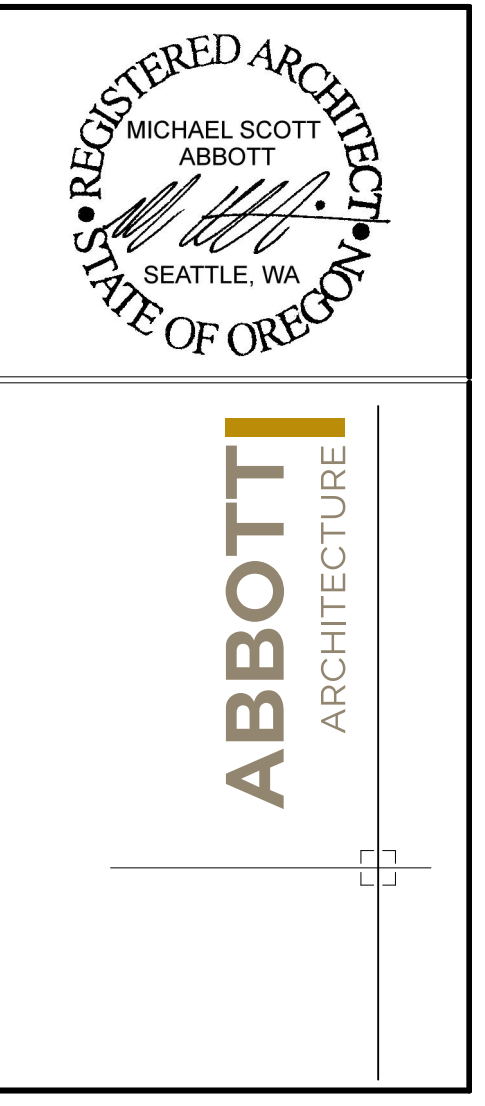
Search bar with magnifying glass icon

Map tool icons: layers, grid, print, scale bar, and a vertical toolbar with a red pin icon

Landslide Hazard

-  Low - Landsliding Unlikely
-  Moderate - Landsliding Possible
-  High - Landsliding Likely
-  Very High - Existing Landslide





WHALER AT NYE BEACH

Newport • Oregon • USA

ZONING ORDINANCE DATA:

NEWPORT MUNICIPAL CODE - CHAPTER 14 - ZONING

ZONE: C-2 (TOURIST COMMERCIAL)
 OVERLAY: NYE BEACH DESIGN REVENUE DISTRICT
 ("DESIGN GUIDELINES" USED)
 USE: HOTEL (PERMITTED)

LOT STANDARDS (PER TABLE "A" 14.13.020 NMC- CH-14 - ZONING)

MINIMUM LOT AREA: 5,000 SF (3,000 SF NYE BEACH OVERLAY)

LOT COVERAGE: 85-90%

MAX BUILDING HEIGHT: 50 FEET

SETBACKS: FRONT: 0 FEET (5' ALONG W. OLIVE)
 SIDE: 0 FEET
 REAR: 0 FEET

DENSITY PER UNIT: N/A

PARKING: 1 SPACE PER GUEST UNIT (HOTEL)
 1 SPACE FOR MANAGER (HOTEL)

TOTAL REQUIRED: 26 STALLS

TOTAL SHOWN: 29 STALLS

TRASH LOCATION: SUB-BUILDING PARKING GARAGE

PROJECT DATA:

GUEST UNITS
 PROPOSED GUEST UNITS 25

PARKING
 SURFACE PARKING ADA STALLS 3
 SUB-BUILDING PARKING STALLS 24
 TOTAL PARKING STALLS 32

AREA CALCULATIONS
 MAIN FLOOR 9,737 SF
 2ND FLOOR 7,428 SF
 3RD FLOOR 8,504 SF
 TOTAL INTERIOR 25,669 SF

PARKING AREA 8,635 SF
 PARKING LOBBY 864 SF
 MECH/B.O.H. 1,611 SF
 TOTAL GARAGE 11,110 SF

OCEANSIDE EXTERIOR VERANDA 3,345 SF

SHEET INDEX

A001 COVERSHEET - PROJECT DATA

C001 TOPOGRAPHIC SURVEY

A100 ARCHITECTURAL SITE PLAN

A101 1ST FLOOR PLAN

A102 2ND FLOOR PLAN

A103 3RD FLOOR PLAN

A104 ROOF PLAN

A105 PARKING GARAGE PLAN

A201 EXTERIOR 3D VIEWS

A202 EXTERIOR 3D VIEWS

A203 EXTERIOR 3D VIEWS

A204 EXTERIOR ELEVATIONS

A205 EXTERIOR ELEVATIONS

L100 LANDSCAPE PLAN

L200 EXTERIOR LIGHTING

C001 CIVIL DIAGRAM

LUDR-SUBMITTAL - 4 / 15 / 2021

DATE: 4/15/2021
 PROJECT: 1803
 DRAWN BY: MA
 LAYOUT NAME: COVER SHEET

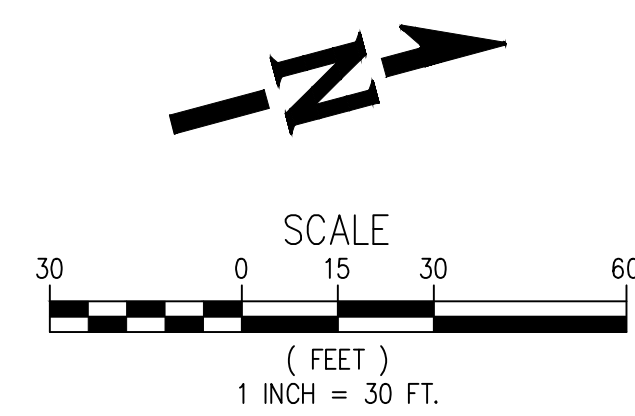
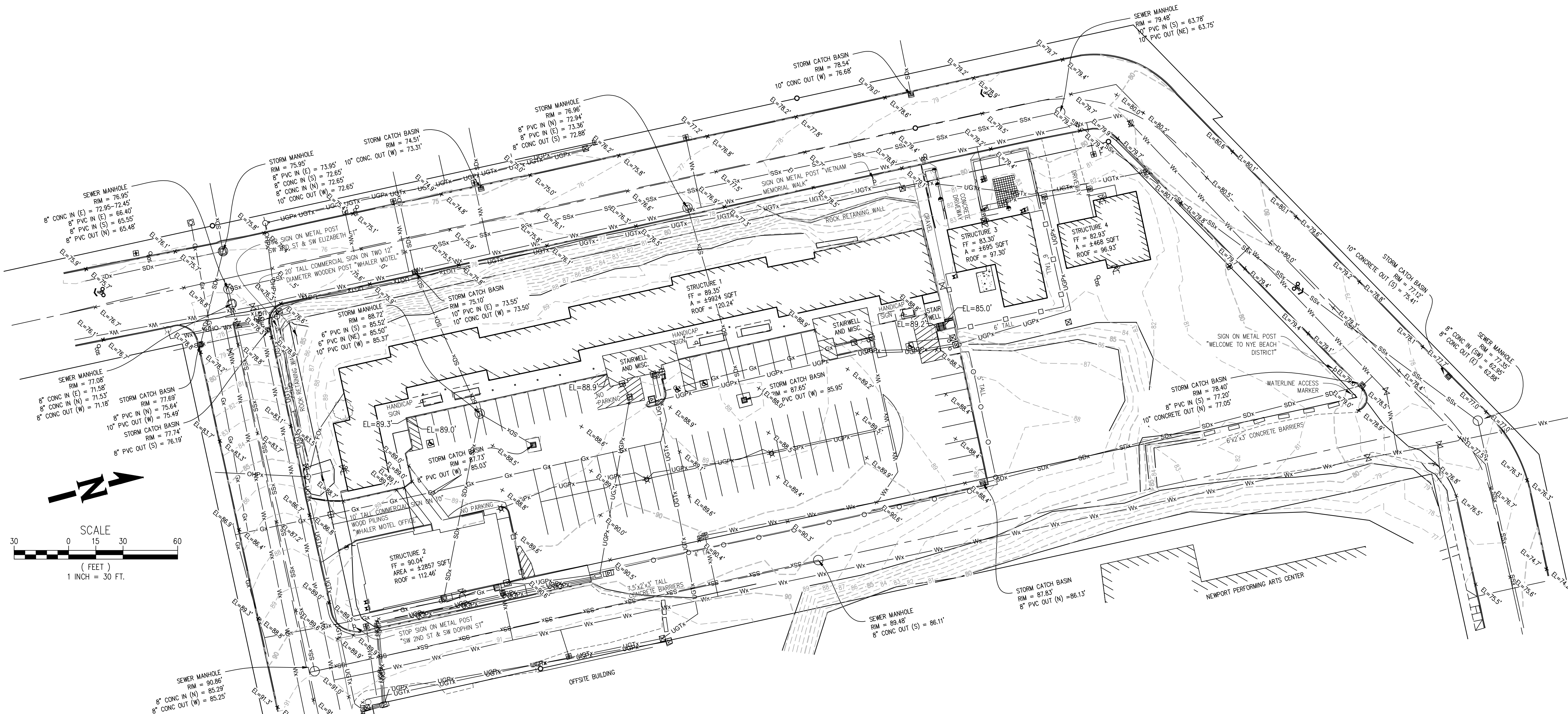
A001

TOPOGRAPHIC SURVEY
155 SW ELIZABETH STREET
 A PORTION OF BARLOWS BLOCK AND BLOOMERS ADDITION,
 LOCATED IN THE CITY OF NEWPORT,
 COUNTY OF LINCOLN,
 STATE OF OREGON

WHPacific
 9755 SW Beavers Rd, Suite 300
 503-826-0455 Fax 503-526-0775
 www.whpacific.com

REGISTERED PROFESSIONAL LAND SURVEYOR

EXPIRES: 12/31/2019



LEGEND

□ _{AC}	AC UNIT	○ _{SCS}	SEWER CLEAN OUT	▨	BUILDING LINE (LIMITS)
○ _{FP}	FLAG POLE	○	SEWER MANHOLE	—Gx	EXISTING GAS LINE
□	MAILBOX	■	STORM TYPE 1 CATCH BASIN	—Fkx	EXISTING OVERHEAD POWER LINE
□	0.6'x0.6' BUILDING COLUMN	○	STORM CLEAN OUT	—OHPx	EXISTING OVERHEAD POWER LINE
○	BOLLARD	○	STORM MANHOLE	—UGPx	EXISTING UNDERGROUND POWER LINE
+	SIGN (ON POST)	■	SQUARE STORM INLET DRAIN	—UGTx	EXISTING UNDERGROUND TELECOMMUNICATIONS LINE
⊗	GAS METER	⊗	TELEPHONE JUNCTION BOX	—SSx	EXISTING SANITARY SEWER LINE
⊗	GAS VALVE	⊗	TELEPHONE PEDESTAL	—SDx	EXISTING STORM LINE
⊗	SPRINKLER CONTROL BOX	⊗	TELEPHONE VAULT	—Wx	EXISTING WATER LINE
⊗	SPRINKLER VALVE	⊗	GUY ANCHOR	—	FENCE - CHAIN LINK
⊗	IRRIGATION HEAD	⊗	UTILITY POLE	—	FENCE - WOOD
⊗	POWER JUNCTION BOX	⊗	UTILITY POLE WITH DROP	—	RETAINING WALL
⊗	POWER METER	⊗	UTILITY POLE WITH LIGHT	—	YELLOW DASHED LINE STRIPING
⊗	POWER TRANSFORMER	⊗	FIRE DEPT. CONNECTION	—	RIGHT-OF-WAY LINE
⊗	POWER VAULT	⊗	FIRE HYDRANT	—	CENTERLINE OF ROAD LINE
⊗	YARD LIGHT	⊗	WATER METER		
		⊗	WATER SPIGOT		
		⊗	WATER VALVE		
		⊗	WATER VAULT		

POINT TABLE

POINT ID	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	373770.69	727508.19	88.39	SET MAG NAIL WITH PINK FLAGGING IN CONCRETE CURB
4	369722.95	727517.20	121.29	FOUND 2-1/2" BRASS DISC "STATE HIGHWAY DEPARTMENT, ELEVATION ABOVE SEA LEVEL, Y1 1936 BENCHMARK" PID-QE1210
5	369702.73	7275682.19	121.13	FOUND 2-1/2" BRASS DISC "OREGON STATE HIGHWAY DEPARTMENT, ELEVATION ABOVE SEA LEVEL, Y1 1936 BENCHMARK" PID-QE2626
10	374591.40	7275263.68	65.77	FOUND 1" IRON ROD IN MONUMENT BOX WITH MISSING LID PER CS-19698
11	373265.99	727503.66	140.17	FOUND 2-1/2" BRASS DISC "LINCOLN COUNTY SURVEYOR, N 1/16, S8, 2003, PLS 1816"
12	371762.11	7274755.82	88.43	FOUND 1/8" IRON ROD IN MONUMENT BOX PER CS-17326
21	368819.88	7278925.86	13.01	FOUND 3-1/2" BRASS DISC "14.15 USCS ELEV 10.35 STAN MONUMENT NO.3" PID-QE1612
31	373724.26	7274683.81	78.39	SET MAG NAIL WITH PINK FLAGGING IN CONCRETE SIDEWALK
32	373381.82	7274847.57	75.90	SET MAG NAIL WITH PINK FLAGGING IN CONCRETE SIDEWALK
33	373358.67	7275140.40	92.03	FOUND 2" BRASS DISC IN CONCRETE SIDEWALK "NEWPORT CITY BENCHMARK 11"
34	373592.15	7275078.25	90.64	SET MAG NAIL WITH PINK FLAGGING IN ASPHALT PARKING LOT
35	373564.093	7274972.74	80.35	SET MAG NAIL WITH PINK FLAGGING IN CONCRETE SIDEWALK
101	373464.46	7275004.23	89.08	SET SCRIBE IN CONCRETE SIDEWALK

THIS SURVEY IS BASED UPON FIELD WORK COMPLETED BY WHPACIFIC NOVEMBER 8, 2019.

THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHOULD NOT BE CONSTRUED AS SUCH. PROPERTY LINES SHOWN ARE BASED UPON EXISTING SURVEY MONUMENTS, DEED DOCUMENTS, AND PLATS OF RECORD.

ELEVATION:
 THE BASIS OF COORDINATES FOR THIS SURVEY WAS ESTABLISHED BY RTK OBSERVATIONS AT NGS TITL BENCH MARK, PID-QE1210. ELEVATION = 121.29 FEET (NAVD88)

BASIS OF BEARING:
 NORTH AMERICAN DATUM OF 1983 (NAD83) (EPOCH 2010), OREGON COORDINATE SYSTEM NORTH ZONE, INTERNATIONAL FEET.

ESTABLISHED BY REAL TIME KINEMATIC (RTK) SURVEY OBSERVATIONS AT PROJECT POINTS 10 & 11, THE RTK OBSERVATIONS WERE CALIBRATED USING THE NATIONAL GEODETIC SURVEY (NGS) PASSIVE CONTROL AND LINCOLN COUNTY GEODETIC CONTROL POINTS; PID-QE1210, PID-QE2626, PID-QE1612, CS-17326, CS-18474, AND CS-19698.

THE BEARING BETWEEN PROJECT POINTS 10 & 11 BEING:
 NORTH 57°20'22" WEST

DISTANCE BETWEEN SAID POINTS BEING:
 2653.37 FT (GROUND)

(ALL PROJECT DISTANCES ARE GROUND DISTANCES)

BASIS OF COORDINATES:
 THE BASIS OF COORDINATES FOR THIS SURVEY WAS ESTABLISHED AT PROJECT POINT 31, BEING A SET NAIL IN CONCRETE WITH PINK FLAGGING.

N. 373724.265 FT
 7274683.806 FT
 COMBINED SCALE FACTOR: 0.999996951
 CONVERGENCE ANGLE: -2°31'37.062"

PRELIMINARY

NO.	BY	DATE	REVISIONS	REMARKS

SHEET INFO	ARJ	ARS	JR	KMB	DATE	PLOT DATE	SUBMITTAL
DRAWN					11/28/2019	11/28/2019	
CHECKED							
APPROVED							
LAST EDIT							

SCALE 1" = 30'

TOPOGRAPHIC SURVEY
HALLMARK INN & RESORT
 NW 1/4, NW 1/4, SEC 08, T. 11 S., R. 11 W., W.M.
 CITY OF NEWPORT, LINCOLN COUNTY, OREGON

PROJECT NUMBER: C000106.01
 DRAWING FILE NAME: C000106.01_V-TS00



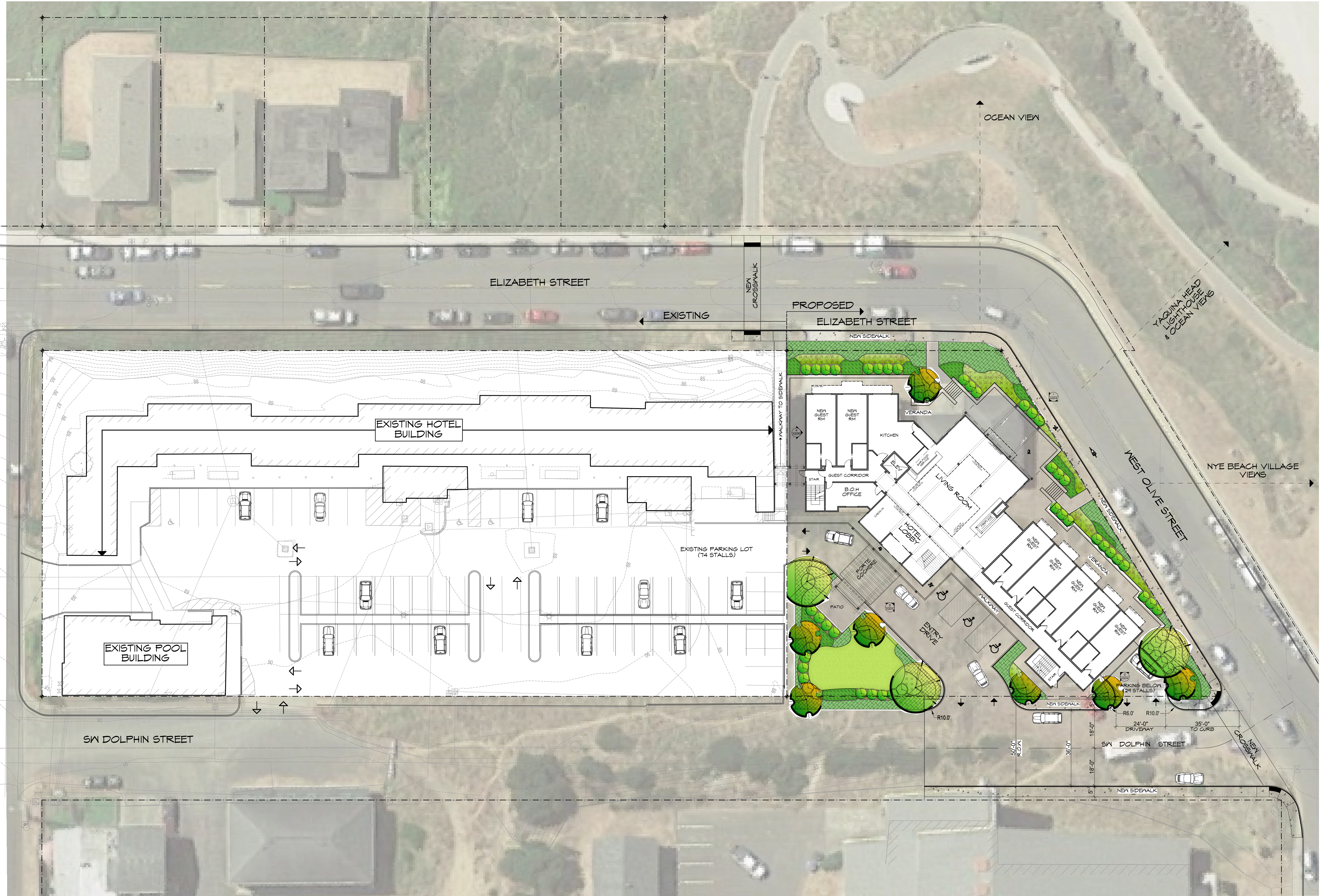
ABBOTT
ARCHITECTURE

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021
PROJECT	1803
DRAWN BY	MA
LOCATION NAME	ARCHITECTURAL SITE PLAN

A100



ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'

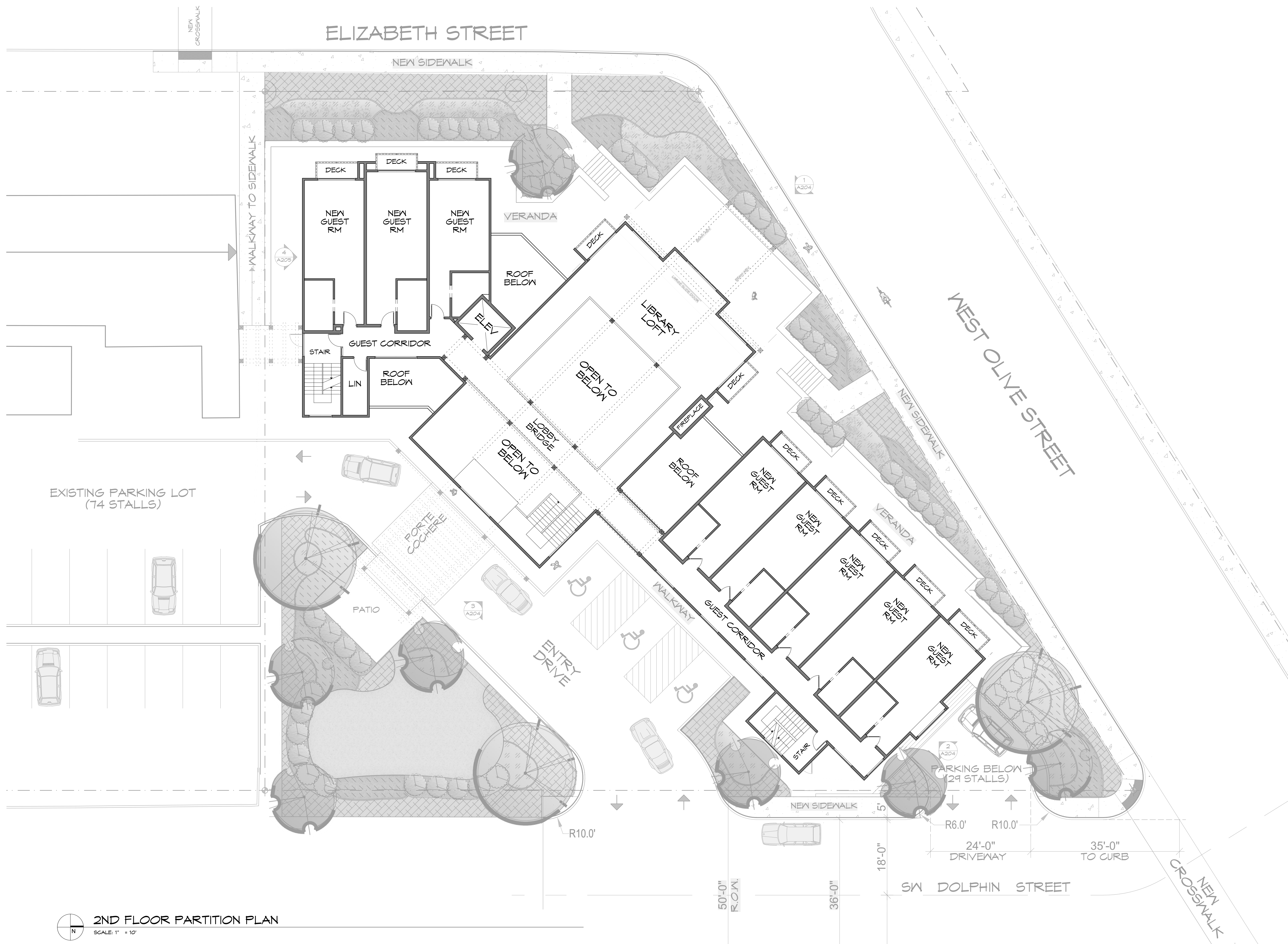


1ST FLOOR PLAN
 SCALE: 1" = 10'

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021
PROJECT	1803
DRAWN BY	MA
LAST NAME	
1ST FLOOR PLAN	
A101	



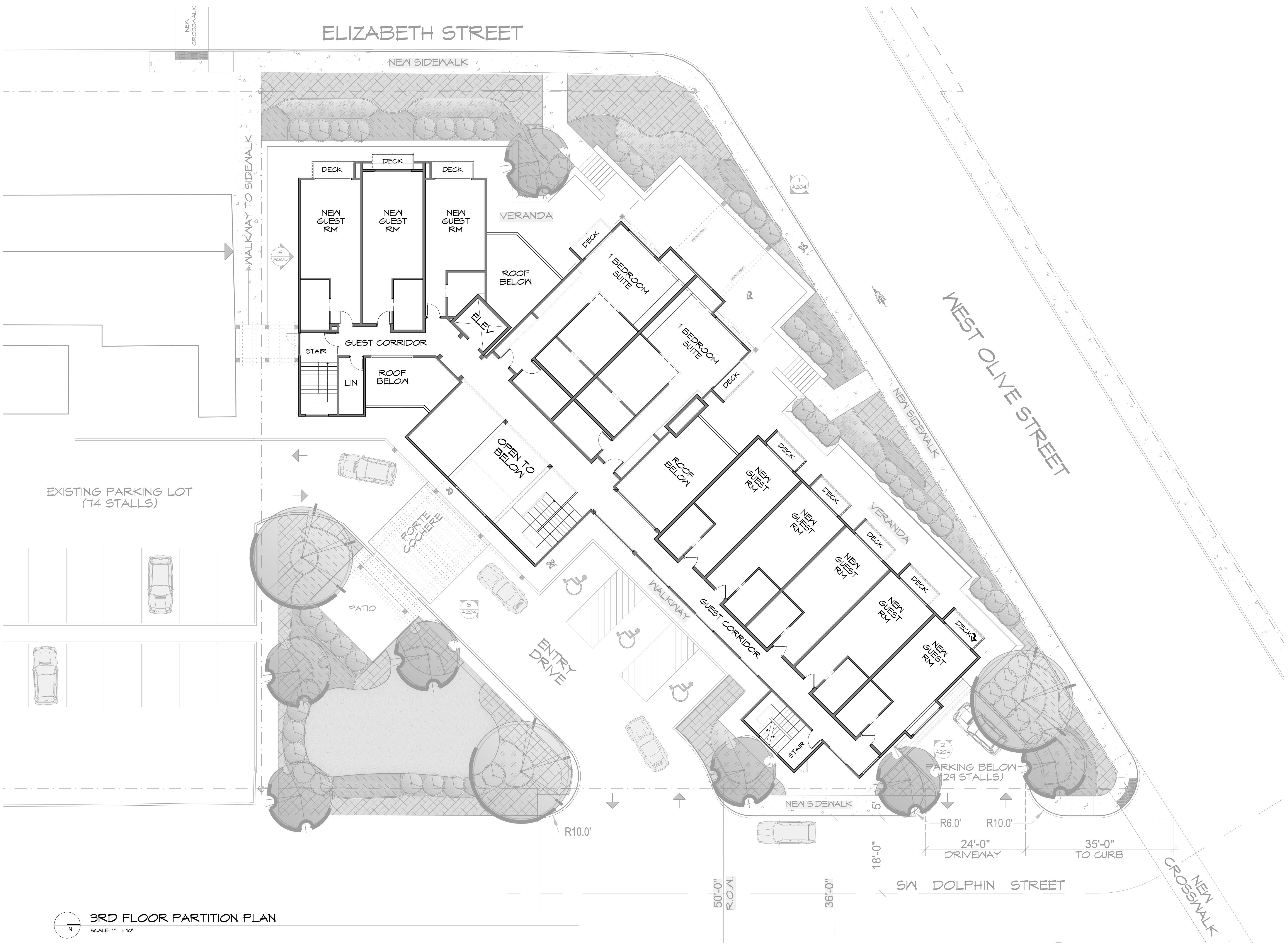
REGISTERED ARCHITECT
 MICHAEL SCOTT
 ABBOTT
 SEATTLE, WA
 STATE OF OREGON

ABBOTT
 ARCHITECTURE

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021
PROJECT	1803
DRAWN BY	MA
LAYOUT NAME	2ND FLOOR PLAN
A102	

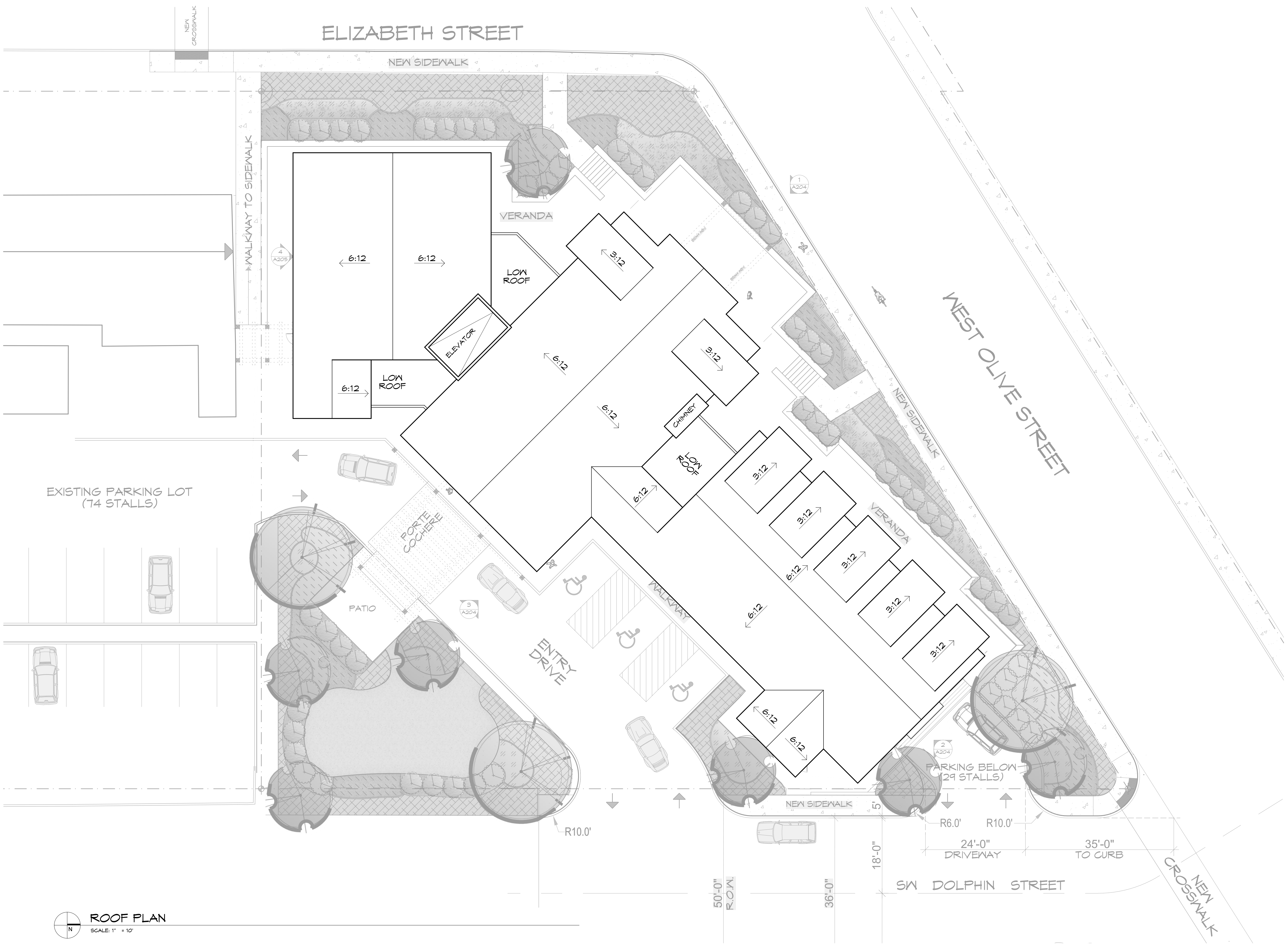


WHALER AT NYE BEACH

Newport • Oregon • USA

3RD FLOOR PARTITION PLAN
 SCALE: 1" = 10'

DATE	4/5/2021
PROJECT	1803
DRAWN BY	MA
LAST NAME	3RD FLOOR PLAN
LUDR-SUBMITTAL - 4 / 5 / 2021	
A103	

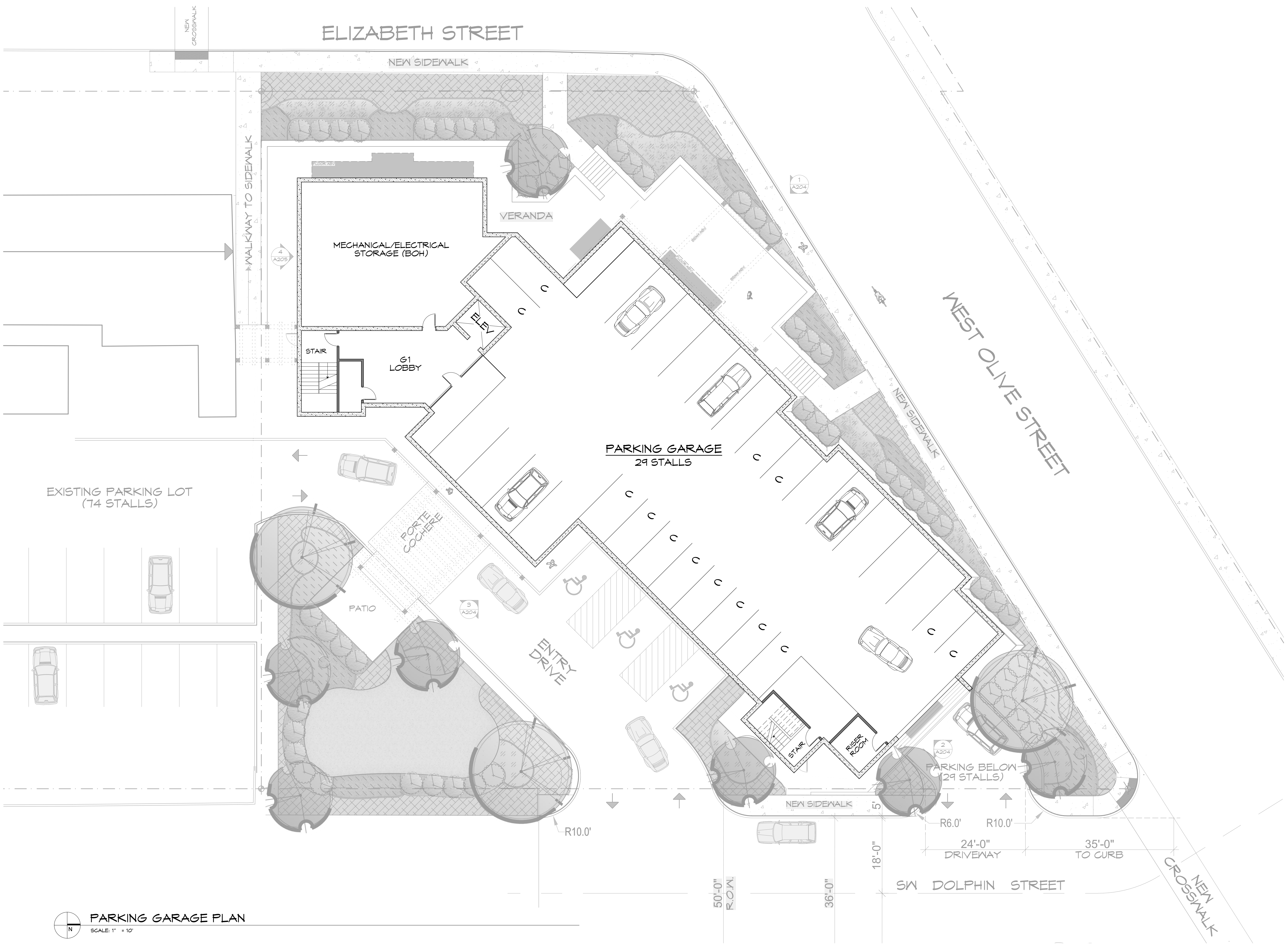


WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021
PROJECT	1803
DRAWN BY	MA
LAST NAME	ISROOF/PLANAN
LUDR-SUBMITTAL - 4 / 15 / 2021	
A104	

ROOF PLAN
 SCALE: 1" = 10'



PARKING GARAGE PLAN
 SCALE: 1" = 10'

WHALER AT NYE BEACH

Newport • Oregon • USA

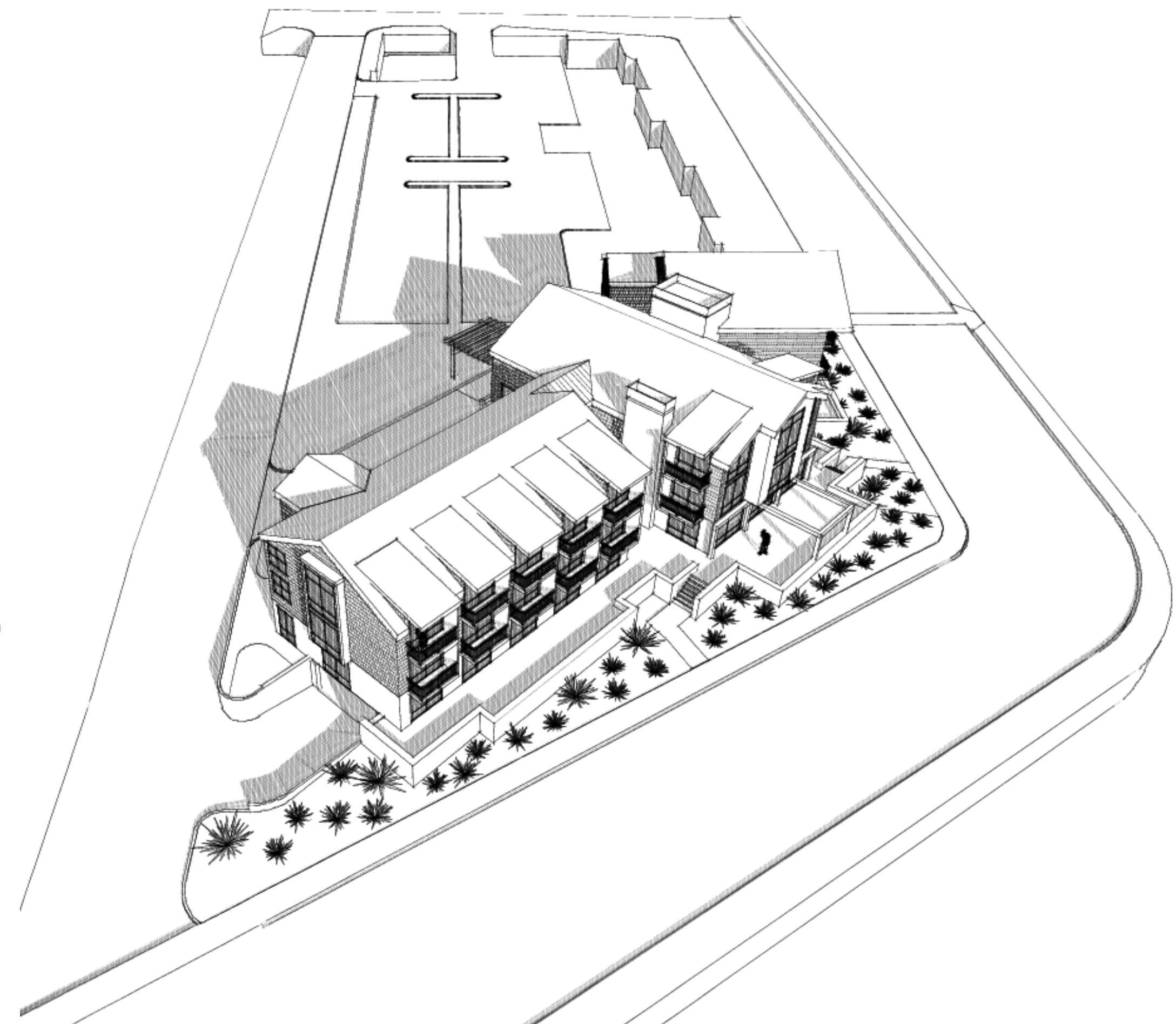
DATE	4/15/2021
PROJECT	1803
DRAWN BY	MA
LOCATION NAME	PARKING GARAGE PLAN
A105	



VIEW FROM OCEANSIDE



VIEW FROM OCEANSIDE



BIRD'S EYE VIEW OF OCEANSIDE



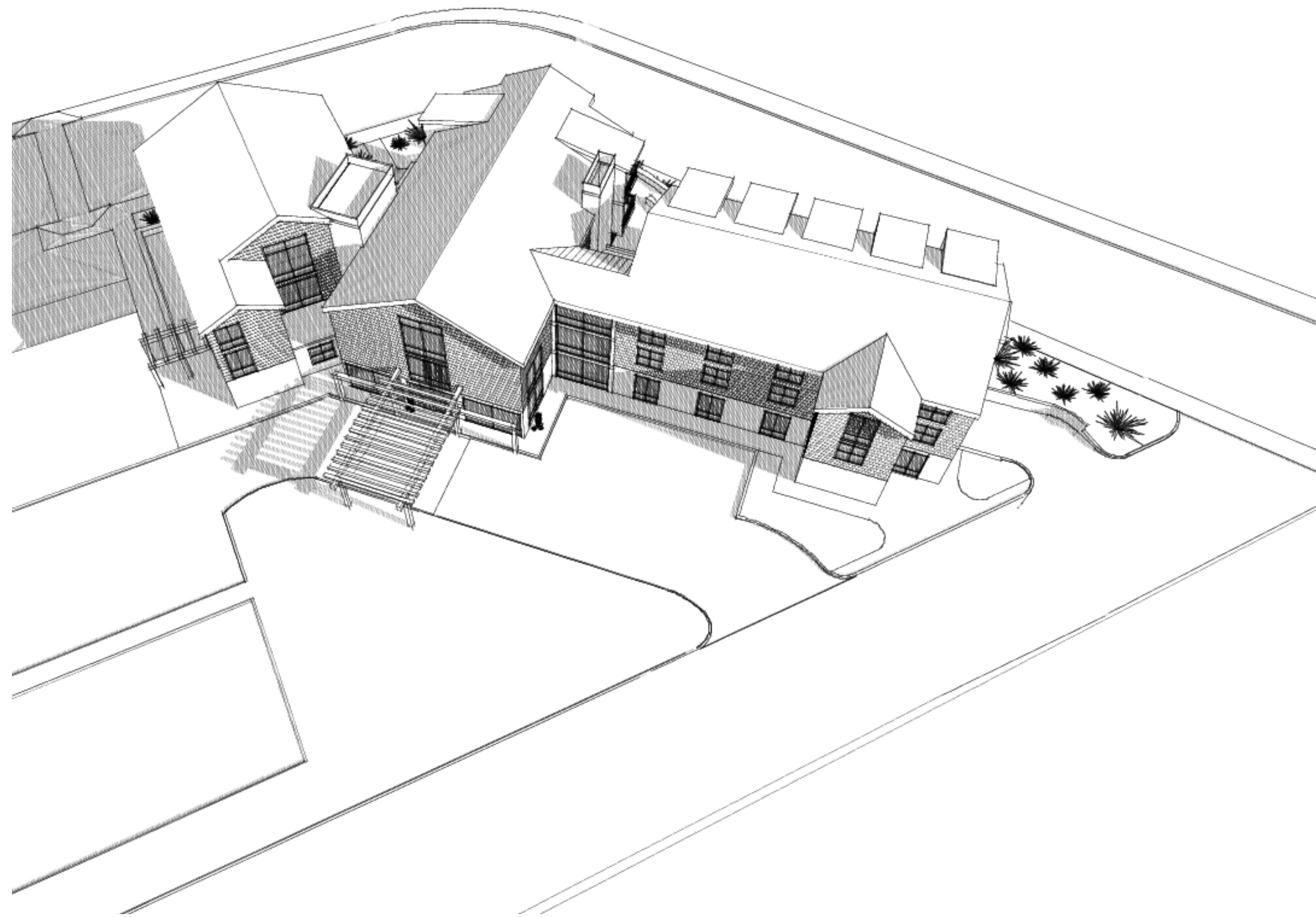
WHALER AT NYE BEACH

Newport • Oregon • USA

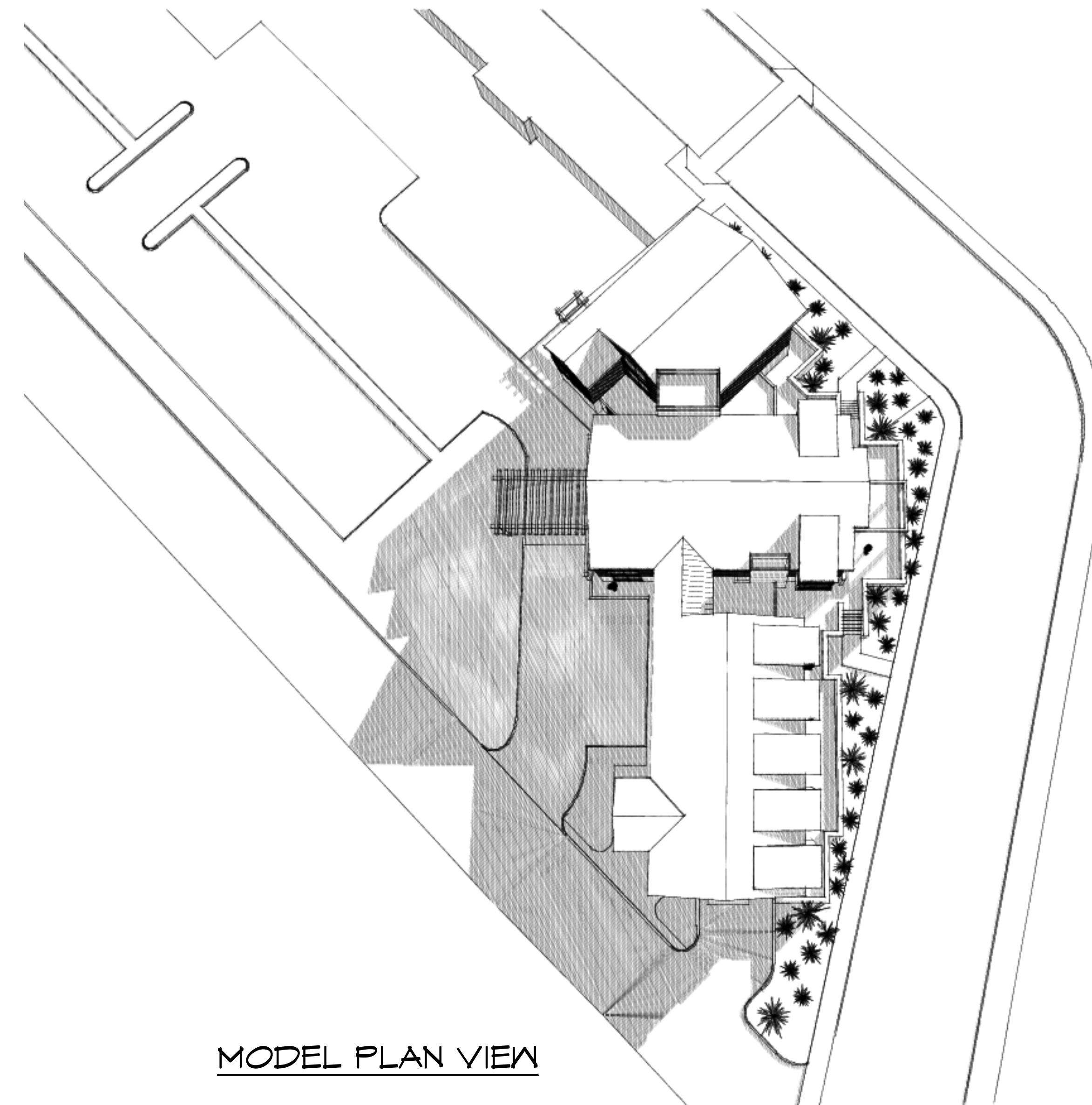
DATE	4/5/2021	PROJECT	1803	DRAWN BY	MA	LAYOUT NAME	3D MODEL VIEWS
LUDR-SUBMITTAL - 4 / 5 / 2021							
A201							



VIEW FROM ENTRY



BIRD'S EYE VIEW OF ENTRY SIDE



MODEL PLAN VIEW

WHALER AT NYE BEACH

Newport • Oregon • USA



VIEW FROM OCEANSIDE



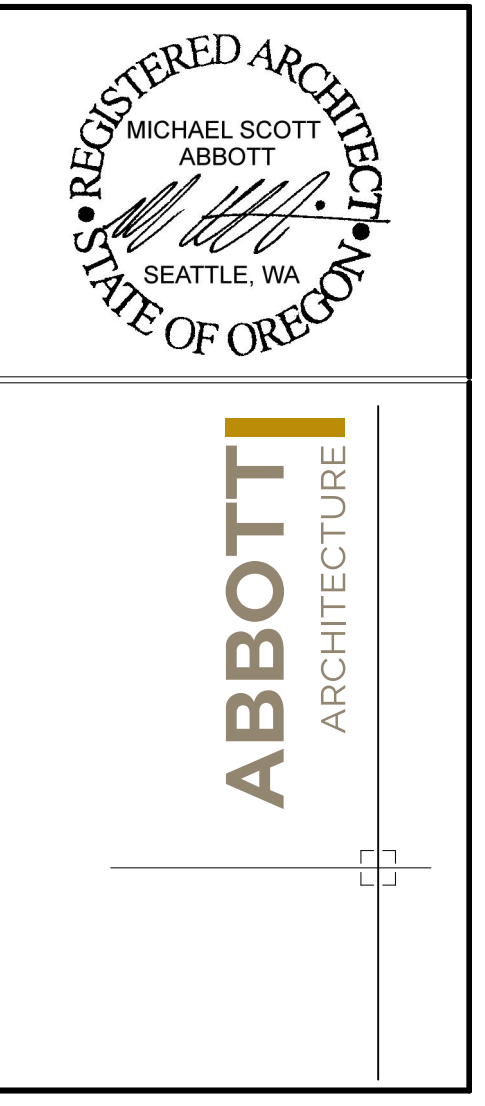
COLOR RENDERING VIEW FROM OCEANSIDE



WHALER AT NYE BEACH

Newport • Oregon • USA

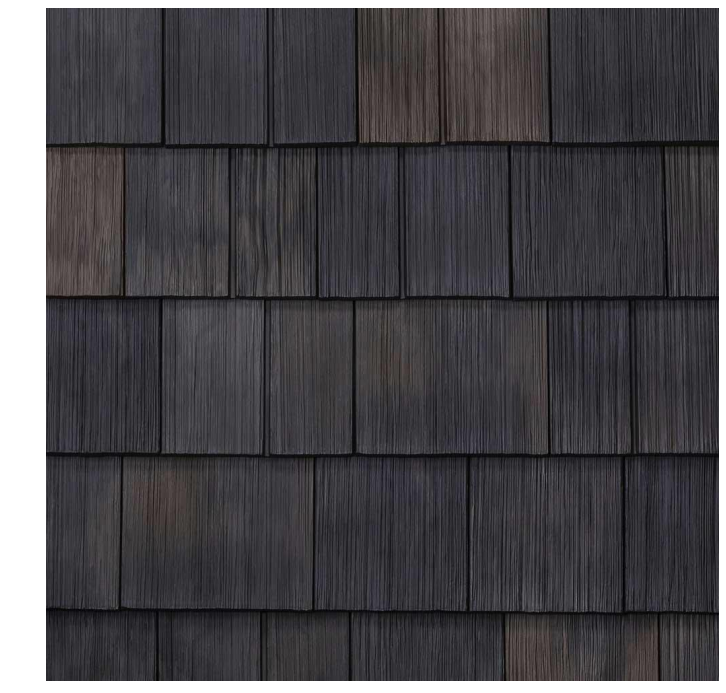
DATE	4/5/2021	PROJECT	1803	DRAWN BY	MA	LAYOUT NAME	3D MODEL VIEWS
LUDR-SUBMITTAL - 4 / 5 / 2021							
A203							



1 WEST ELEVATION - OCEANSIDE
SCALE: 1/8" = 1'-0"



R-1 : COMP ROOFING - COLOR: BLACK OAK
WD-1 : TIMBER POSTS & BEAMS



S-1 - SHAKE SIDING - CHARCOAL STAIN



S-2 - PLANK SIDING - CLEAR STAIN



C-1 - BOARD FORMED SITE WALL - COLOR: STONE

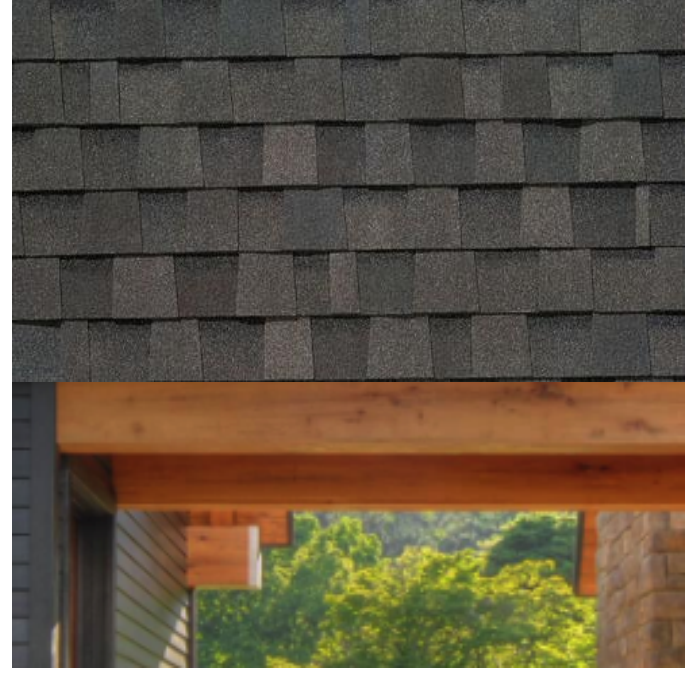
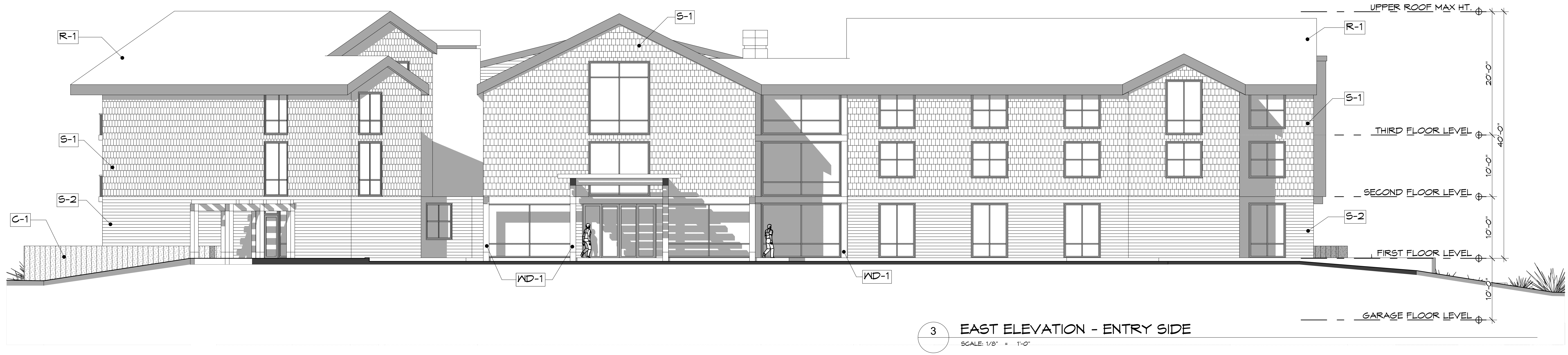


2 NORTH ELEVATION - DOLPHIN STREET
SCALE: 1/8" = 1'-0"

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021	PROJECT	1803	DRAWN BY	MA	LAYOUT NAME	EXTERIOR ELEVATIONS
LUDR-SUBMITTAL - 4/15/2021							
A204							



R-1 : COMP ROOFING - COLOR: BLACK OAK
 WD-1 : TIMBER POSTS & BEAMS



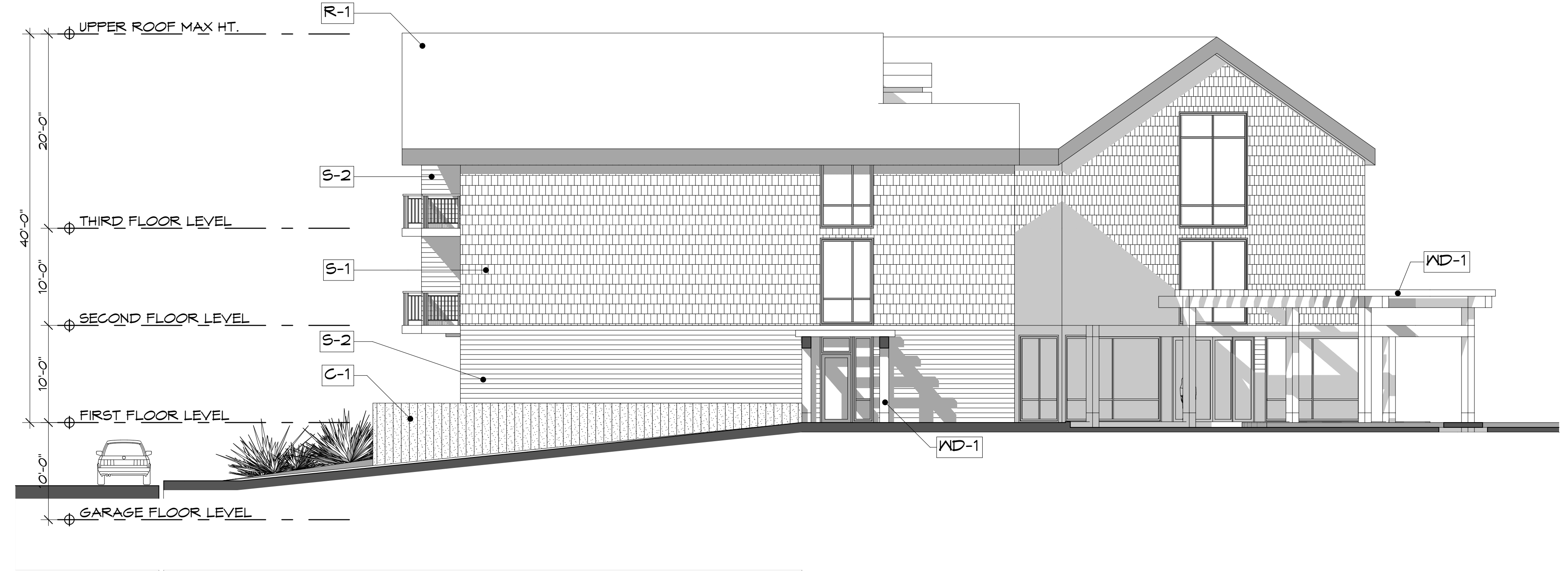
S-1 - SHAKE SIDING - CHARCOAL STAIN



S-2 - PLANK SIDING - CLEAR STAIN



C-1 - BOARD FORMED SITE WALL - COLOR: STONE



WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021	PROJECT	1803	DRAWN BY	MA	LAYOUT NAME	EXTERIOR ELEVATIONS
LUDR-SUBMITTAL - 4 / 5 / 2021							
A205							

PRELIMINARY

WHPacific

WHALER AT NYE BEACH

Newport • Oregon • USA

DATE	4/5/2021
PROJECT	1803
DRAWN BY	MA
LANDSCAPE PLAN	

L100

PLANTING LEGEND

POTENTIAL SPECIES (PER CITY OF NEWPORT ACCEPTABLE SPECIES):

TREES

MEDIUM TREES

SCIENTIFIC NAME	COMMON NAME	SIZE
CARPINUS BETULUS 'FASTIGIATA'	EUROPEAN HORNBEAM	2"
ZELKOVA SERRATA	JAPANESE ZELKOVA	2"
PRUNUS EMARGINATA	BITTER CHERRY	1.5"
RHAMNUS PURSHIANA	CASCARA	1.5"

SMALL TREES

SCIENTIFIC NAME	COMMON NAME	SIZE
MYRICA CALIFORNICA	PACIFIC WAX MYRTLE	1.5"
PRUNUS SERRULATA	FLOWERING CHERRY	1.5"
MALUS FUSCA	PACIFIC CRABAPPLE	1.5"

SHRUBS

LARGE SHRUBS

SCIENTIFIC NAME	COMMON NAME	SIZE
ARCTOSTAPHYLOS COLUMBIANA	HAIRY MANZANITA	5 GAL.
CEANOTHUS THYRSIFLORUS	BLUE BLOSSOM	5 GAL.
GAULTHERIA SHALLON	SALAL	5 GAL.
MAHONIA NERVOSA	DWARF OREGON GRAPE	5 GAL.

SMALL SHRUBS

SCIENTIFIC NAME	COMMON NAME	SIZE
ARCTOSTAPHYLOS UVA-URSI	KINNIKINICK	2 GAL.
JUNIPERUS CONFERTA	BLUE PACIFIC SHORE JUNIPER	2 GAL.
ROSA NUTKANA	NOOTKA ROSE	2 GAL.

FORBS/HERBS

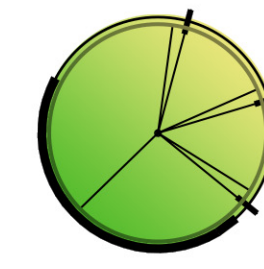
SCIENTIFIC NAME	COMMON NAME	SIZE
CALLUNA SP.	HEATHER (VARIETIES)	1 GAL.
CAMASSIA LEICHTLINII	LARGE CAMAS	1 GAL.
ERIGERON GLAUCUS	BEACH ASTER / FLEABANE	1 GAL.
FRAGARIA CHILOENSIS	BEACH STRAWBERRY	1 GAL.
GALIUM ODORATUM	SWEET WOODRUFF	1 GAL.
LUPINUS LITTORALIS	SEASHORE LUPINE	1 GAL.
THYMUS PSEUDOLANUGINOSUS	WOOLY THYME	1 GAL.

GRASSES

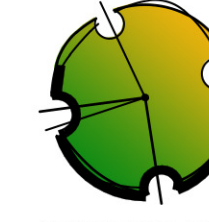
SCIENTIFIC NAME	COMMON NAME	SIZE
CALAMAGROSTIS ACUTIFLORA	FEATHER REED GRASS	1 GAL.
DESCHAMPSIA CESPITOSA	OREGON TUFTED HAIR GRASS	1 GAL.
SISYRINCHIUM IDAHOENSE	BLUE-EYED GRASS	1 GAL.

LAWN

SUNMARK SEEDS FIDO TURF: TURFNET PERENNIAL RYEGRASS (50%), ALLSTAR III PERENNIAL RYEGRASS (21%), SEALINK SLENDER CREEPING RED FESCUE (28%), AND SEASIDE II CREEPING BENTGRASS (1%). APPLICATION RATE: 5 PLS LBS PER 1,000 SQUARE FEET.



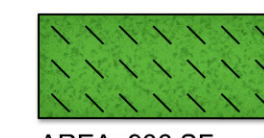
QUANTITY: 3



QUANTITY: 7



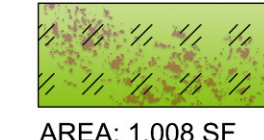
QUANTITY: 52



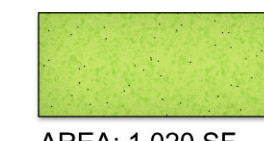
AREA: 936 SF



AREA: 2,412 SF



AREA: 1,008 SF



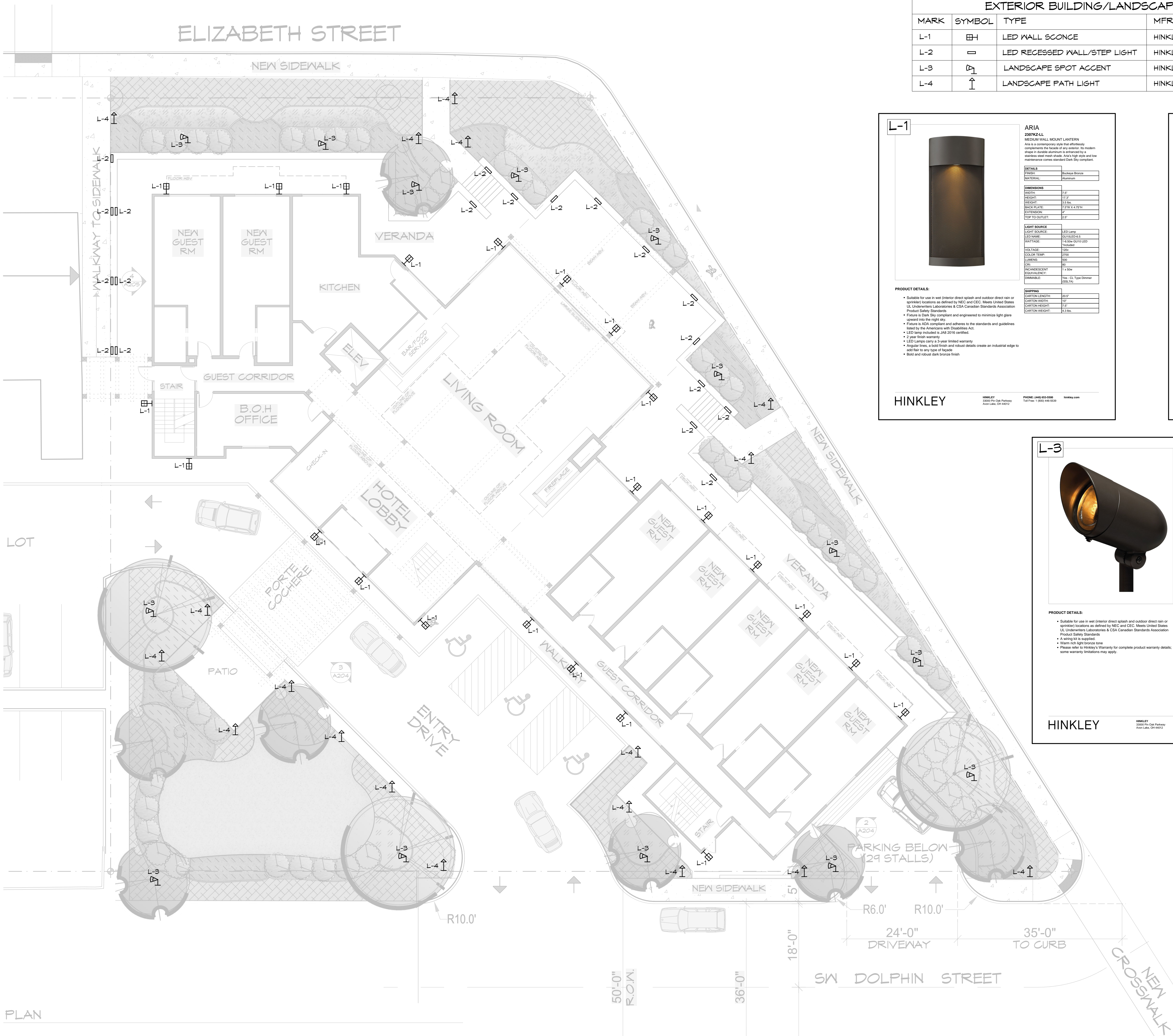
AREA: 1,020 SF



CONCEPT LANDSCAPE PLAN
SCALE: 1" = 10'

1
L100

ELIZABETH STREET



EXTERIOR BUILDING/LANDSCAPE LIGHTING SCHEDULE

MARK	SYMBOL	TYPE	MFR	MODEL
L-1	[Symbol]	LED WALL SCONCE	HINKLEY	ARIA 230TKZ-LL (BUCKEYE BRONZE)
L-2	[Symbol]	LED RECESSED WALL/STEP LIGHT	HINKLEY	LUNA LED STEP 12V (15508BZ)
L-3	[Symbol]	LANDSCAPE SPOT ACCENT	HINKLEY	SMALL SPOT LIGHT 75W (BRONZE)
L-4	[Symbol]	LANDSCAPE PATH LIGHT	HINKLEY	HARDY ISLAND 24" (BRONZE)

L-1

ARIA 230TKZ-LL
MEDIUM WALL MOUNT LANTERN
Aria is a contemporary style that effortlessly complements the location of any residence. Its modern shape in double aluminum is reinforced by a stainless steel mesh shade. Shows high style and low maintenance comes standard. Dark Sky compliant.

DETAILS	
FINISH:	Buckeye Bronze
MATERIAL:	Aluminum
DIMENSIONS	
WIDTH:	11.5"
HEIGHT:	17.25"
DEPTH:	5.75"
BACK PLATE:	1.5" SW x 4.125"
EXTENSION:	4.5"
TOP TO OUTLET:	24.5"
LIGHT SOURCE	
LIGHT SOURCE:	LED Lamp
LED NAME:	3000K/2700K
WATTAGE:	14.5W (OUTLET)
VOLTAGE:	120v
COLOR TEMP:	2700
LUMENS:	800
CFM:	80
INCANDESCENT EQUIVALENCY:	1 x 60w
DIMMABLE:	Yes - CL Type Dimmer (250-7A)
SHIPPING	
CARTON LENGTH:	20.5"
CARTON WIDTH:	10"
CARTON HEIGHT:	12.5"
CARTON WEIGHT:	4.3 lbs.

PRODUCT DETAILS:

- Suitable for use in wet (interior direct splash and outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- Finish is Dark Sky compliant and engineered to minimize light glare upward into the night sky.
- Finish is ADA compliant and adheres to the standards and guidelines listed by the Americans with Disabilities Act.
- LED Lamp included is AIA 2019 certified.
- 2 year finish warranty.
- LED Lamps carry a 3-year limited warranty.
- Angular lines, a bold finish and robust details create an industrial edge to add flair to any type of facade.
- Bold and robust dark bronze finish.

HINKLEY
HINKLEY 15000 PM One Parkway, Avon Lake, OH 44022
PHONE: (440) 651-0500
Toll Free: 1-800-465-0029
hinkley.com

L-2

LUNA LED STEP 120V
5800BZ
Luna step light is the perfect addition to any interior or exterior lighting plan and complements the Hinkley Luna outdoor system collection. A contemporary design makes this step light an acceptable fit. The Luna step light is compatible with any dimmer type (triac and 0-10V) and is easily installed by any professional electrician.

DETAILS	
FINISH:	Bronze
MATERIAL:	2oz. Aluminum Alloy
DIMENSIONS	
WIDTH:	5.5"
HEIGHT:	2"
DEPTH:	2"
WEIGHT:	3.7 lbs.
EXTENSION:	1.5"
TOP TO OUTLET:	2"
LIGHT SOURCE	
LIGHT SOURCE:	Integrated LED
LED NAME:	3000K
WATTAGE:	4W LED (Included)
VOLTAGE:	120v
COLOR TEMP:	2700
LUMENS:	240
CFM:	20
INCANDESCENT EQUIVALENCY:	1 x 25w
DIMMABLE:	Yes - CL Type Dimmer (250-7A)
SHIPPING	
CARTON LENGTH:	12.5"
CARTON WIDTH:	12.5"
CARTON HEIGHT:	2"
CARTON WEIGHT:	1 lbs.

PRODUCT DETAILS:

- Suitable for use in wet (interior direct splash and outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- Rated for both indoor and outdoor use.
- Finish is ADA compliant and adheres to the standards and guidelines listed by the Americans with Disabilities Act.
- Photometrics are based on engine photometrics at various mounting heights.
- Fits a standard gang junction box.
- LED integrated components carry a 10-year limited warranty.
- Warm rich light bronze tone.
- Please refer to Hinkley's Warranty for complete product warranty details. Some warranty limitations may apply.

HINKLEY
HINKLEY 15000 PM One Parkway, Avon Lake, OH 44022
PHONE: (440) 651-0500
Toll Free: 1-800-465-0029
hinkley.com

L-3

75W SM. SPOT LIGHT
5400BZ
120V SPOT LIGHT SMALL
A wiring kit is supplied.

DETAILS	
FINISH:	Bronze
MATERIAL:	Die-Cast Aluminum
CLASS:	Surface Mount, Temperature Sensitive, Low Voltage
DIMENSIONS	
WIDTH:	5.5"
HEIGHT:	8.5"
DEPTH:	4.5"
WEIGHT:	2 lbs.
TOP TO OUTLET:	2"
LIGHT SOURCE	
LIGHT SOURCE:	Spot
WATTAGE:	75W Max
VOLTAGE:	120v
MOUNTING	
LEAD WIRE:	1 x 12"
SHIPPING	
CARTON LENGTH:	8.5"
CARTON WIDTH:	5"
CARTON HEIGHT:	4.5"
CARTON WEIGHT:	2 lbs.

PRODUCT DETAILS:

- Suitable for use in wet (interior direct splash and outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- A wiring kit is supplied.
- Warm rich light bronze tone.
- Please refer to Hinkley's Warranty for complete product warranty details. Some warranty limitations may apply.

HINKLEY
HINKLEY 15000 PM One Parkway, Avon Lake, OH 44022
PHONE: (440) 651-0500
Toll Free: 1-800-465-0029
hinkley.com

L-4

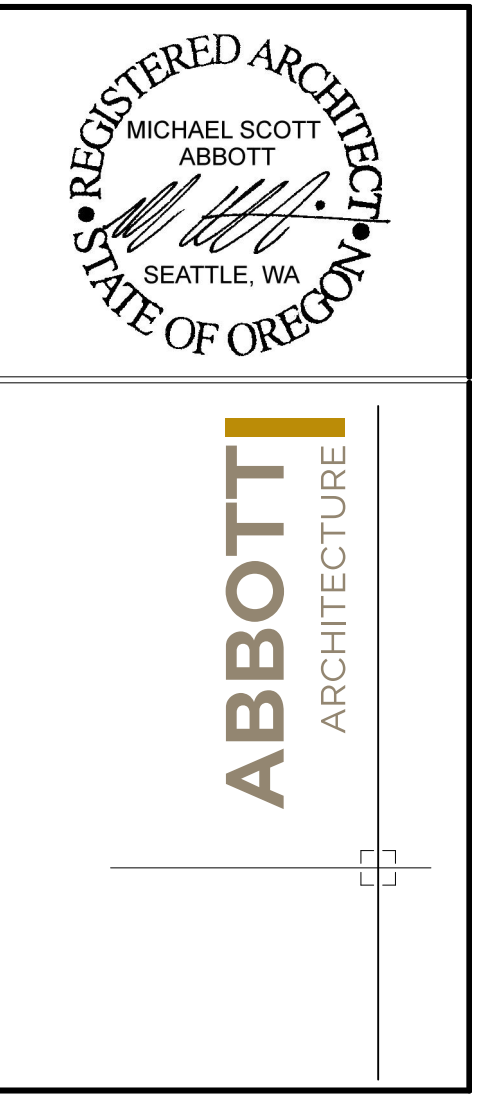
HARDY ISLAND LG. CLASSIC 24" PATH LIGHT
16019M2-LL
HARDY ISLAND LARGE CLASSIC LED PATH LIGHT
Named after the ruggedly beautiful island off the coast of British Columbia, Hardy Island products are meticulously designed to suit the harshest environments. Hardy Path Lights add impeccable style and safety to residential and outdoor lighting environments to create sophisticated curb appeal.

DETAILS	
FINISH:	Matte Bronze
MATERIAL:	Die Cast Brass
CLASS:	Clear
DIMENSIONS	
WIDTH:	24"
HEIGHT:	14"
DEPTH:	4"
WEIGHT:	14 lbs.
TOP TO OUTLET:	2"
LIGHT SOURCE	
LIGHT SOURCE:	LED Lamp
LED NAME:	3000K/2700K/15
WATTAGE:	15.5W (15 LED Included)
VOLTAGE:	120v
COLOR TEMP:	2700
LUMENS:	100
CFM:	10
INCANDESCENT EQUIVALENCY:	1 x 50w
DIMMABLE:	Yes - ONLY On Transformer (250-7A)
MOUNTING	
LEAD WIRE:	1 x 30"
SHIPPING	
CARTON LENGTH:	14.5"
CARTON WIDTH:	10.5"
CARTON HEIGHT:	14.5"
CARTON WEIGHT:	14 lbs.

PRODUCT DETAILS:

- A wiring kit and ground spike is supplied.
- Suitable for use in wet (interior direct splash and outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards.
- Hardy Island Series products carry a lifetime limited warranty.
- LED Lamps carry a 3-year limited warranty.
- The Hardy Island Collection, named for the ruggedly beautiful island off the coast of British Columbia, defines the harshest environments in style with landscape lighting that features fully enclosed lamps and a rich weathered brass finish that will mature naturally over time.
- Rich dark bronze finish.
- Please refer to Hinkley's Warranty for complete product warranty details. Some warranty limitations may apply.

HINKLEY
HINKLEY 15000 PM One Parkway, Avon Lake, OH 44022
PHONE: (440) 651-0500
Toll Free: 1-800-465-0029
hinkley.com



WHALER AT NYE BEACH

Newport • Oregon • USA

DATE: 4/15/2021
PROJECT: 1803
DRAWN BY: MA
LAYOUT NAME: LIGHTING PLAN - SCHEDULE

L200

5'
SIDEWALK

5'
SIDEWALK

8'
PARKING
LANE

10'
TRAVEL
LANE

10'
TRAVEL
LANE

8'
PARKING
LANE


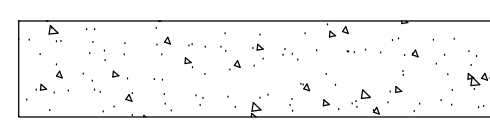
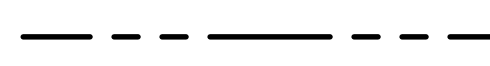

STANDARD
PAVED STREET

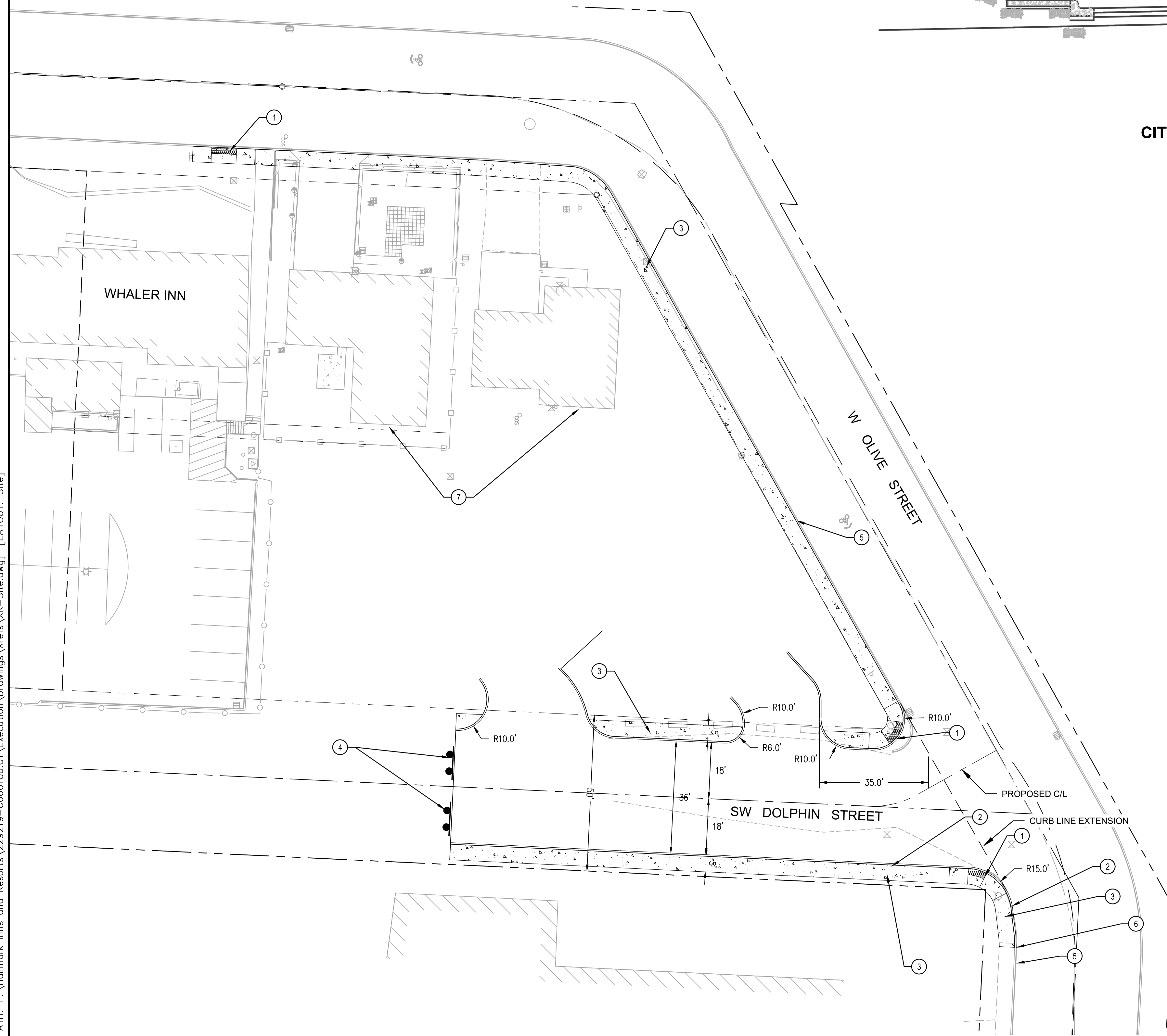
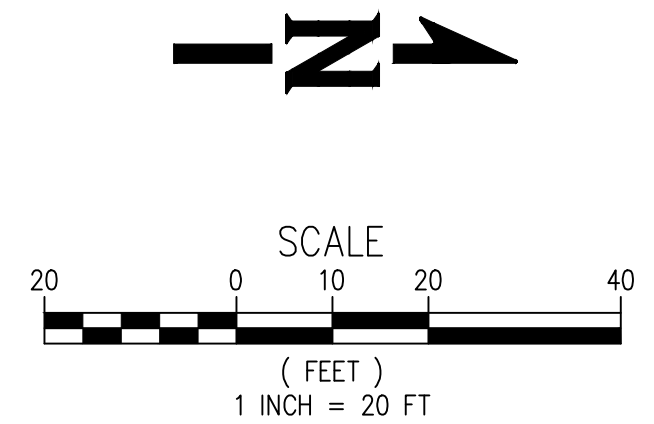
CITY OF NEWPORT TYPICAL ROADWAY LAYOUT
(T-052)

CONSTRUCTION NOTES

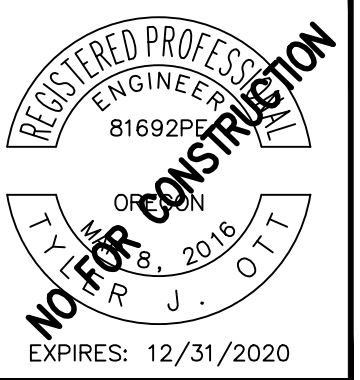
- ① INSTALL PARALLEL ADA RAMP
- ② INSTALL STANDARD CURB & GUTTER
- ③ INSTALL CONCRETE SIDEWALK
- ④ INSTALL BARRICADE
- ⑤ EXISTING CURB TO REMAIN
- ⑥ MATCH EXISTING SIDEWALK
- ⑦ EXISTING BUILDING TO BE REMOVED

LEGEND

-  BARRICADE
-  CONCRETE
-  RDW LINE
-  CENTERLINE



[DATE: 3/4/2020 11:52 AM] [AUTHOR: tott] [PLOTTER: DWG To PDF.pc3] [STYLE: WHP-Standard.ctb]
 [PATH: P:\Hallmark Inns and Resorts\229219-C000106.01\Execution\Drawings\Xrefs\XR-Site.dwg] [LAYOUT: Site]



REVISIONS	NO.	BY	DATE	REMARKS

SHEET INFO	
DRAWN	EDL
CHECKED	TJO
APPROVED	TJO
LAST EDIT	3/3/2020
PLOT DATE	3/4/2020
SUBMITTAL	

SITE PLAN
WHALER INN
 NEWPORT, OREGON
 PROJECT NUMBER 229219
 DRAWING FILE NAME XR-SITE
 SCALE 1" = 20'

Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



January 11, 2021 Work Session

- Initial Review of Land Use Code Amendments to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards (Carried over from 12-13-20 work session).

January 11, 2021 Regular Session

- Organizational Meeting (Elect Chair and Vice-Chair)

January 25, 2021 Work Session

- Discuss Central Lincoln PUD Comments on City's Draft Small Cell Wireless ROW Regulations
- File 5-Z-20 Second Review of Adjustments to Large Wireless and Other Telecommunications Land Use Standards. Will include Provisions for Small Wireless Facilities Outside of the Right-of-Way

January 25, 2021 Regular Session

- File 5-Z-20 Initiate Large Wireless and Other Telecommunications Land Use Standard Legislative Amendments. Will include Provisions for Small Wireless Facilities Outside of the Right-of-Way

February 8, 2021 Work Session

- File 1-CP-17, Review Results from Nov/Jan TSP Outreach, Next Steps
- Second Review of Land Use Code Amendments to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards
- Goal Setting Discussion for FY 2021/2022

February 8, 2021 Regular Session

- Initiate Legislative Process to Amend Land Use Regulations to Implement HB 2001 Duplex, Townhouse, and Cottage Cluster Standards

February 22, 2021 Work Session (Cancelled)

February 22, 2021 Regular Session

- Hearing File 1-SV-21, Vacate a Portion of SW 2nd Street between SW Angle and US 101 (continued to 3/8)

March 8, 2021 Work Session

- Review Council Goals for FY 2021 / 2022
- Concepts for Distribution of Affordable Housing CET Funds

March 8, 2021 Regular Session

- Continued Hearing File 1-SV-21, Vacate a Portion of SW 2nd St between SW Angle and US 101

March 22, 2021 Work Session

- Results of Transportation System Plan Regulatory Review (Tech Memo #3)
- Initial Discussion about Code Options for Lifting Restrictions on the Operation of Food Carts (Council Goal)
- Citizen Proposal to Amend W-2 Zoning to Allow Personal Service Uses (e.g. Real Estate Offices) Subject to Conditional Use Approval

March 22, 2021 Regular Session

- Hearing on File 5-Z-20, Amending NMC Chapter 14 for Large Wireless and Other Telecommunications Land Use Standards, including provisions for small wireless outside ROWs (firm)

Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



April 12, 2021 Work Session

- Yaquina Bay Estuary Management Plan Update (Presentation/Discussion)
- Review Initial Draft of Code Amendments Related to Operation of Food Trucks & Food Carts
- KPFF Assessment of Beach Accesses for Resiliency Retrofit (Informational)

April 12, 2021 Regular Session

- Hearing on File 4-Z-20 Implementing HB 2001 Duplex, Townhouse, and Cottage Cluster Standards

April 26, 2021 Work Session (Cancelled)

April 26, 2021 Regular Session

- File 1-NB-21/2-CUP-21, Design Review Hearing on Hallmark's Whaler Motel Expansion
- File 1-NCU-21, Expansion of Non-Conforming Mobile Home Park from 14 to 16 Spaces (4263 S Coast Hwy)
- File 2-NCU-21, Expansion of Non-Conforming Natural Gas Facility (1702 SE Bay Blvd)

May 3, 2021 Special Joint Commission/City Council Work Session

- Transportation System Plan Project Prioritization, Transportation Standards, 2nd Round Public Outreach

May 10, 2021 Work Session

- Initial Review of Draft Revisions to Transportation Standards in NMC Chapters 13 and 14 Related to Transportation System Plan Update

May 10, 2021 Regular Session

- Final Order/Findings, Design Review Hearing on Hallmark's Whaler Motel Expansion
- Final Order/Findings, Expansion of Non-Conf. Mobile Home Park from 14 to 16 Spaces (4263 S Coast Hwy)
- Final Order/Findings, Expansion of Non-Conforming Natural Gas Facility (1702 SE Bay Blvd)

May 24, 2021 Work Session

- Status Update SB / US 101 Corridor Refinement Plan
- Review DLCDCity Evaluation of Beach Access Points Prioritized for Resiliency Retrofit
- Second Review of Draft Code Amendments Related to Food Trucks & Carts

May 24, 2021 Regular Session

- Initiate Legislative Process to Amend the Newport Zoning Ordinance Related to Food Cart

June 14, 2021 Work Session

- Second Review of Draft Revisions to Transportation Standards in NMC Chapters 13 and 14 Related to Transportation System Plan Update
- Review TGM Grant Application to Update Land Use Regulations along US 101/20 Corridor and Develop Business Façade Improvement Program to Complement Recommendations in the TSP (App Due in July)
- Land Use, Building, and Urban Renewal Bill Summary from 2021 Legislative Session (may bump to July)

June 14, 2021 Regular Session

- TBD

June 28, 2021 Work Session/Regular Session Cancelled