



## **PLANNING COMMISSION WORK SESSION AGENDA**

**Monday, May 09, 2022 - 6:00 PM**

**City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365**

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All public meetings of the City of Newport will be held in the City Council Chambers of the Newport City Hall, 169 SW Coast Highway, Newport. The meeting location is accessible to persons with disabilities. A request for an interpreter, or for other accommodations, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613, or [p.hawker@newportoregon.gov](mailto:p.hawker@newportoregon.gov).

All meetings are live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone wishing to provide written public comment should send the comment to [publiccomment@newportoregon.gov](mailto:publiccomment@newportoregon.gov). Public comment must be received four hours prior to a scheduled meeting. For example, if a meeting is to be held at 3:00 P.M., the deadline to submit written comment is 11:00 A.M. If a meeting is scheduled to occur before noon, the written comment must be submitted by 5:00 P.M. the previous day. To provide virtual public comment during a city meeting, a request must be made to the meeting staff at least 24 hours prior to the start of the meeting. This provision applies only to public comment and presenters outside the area and/or unable to physically attend an in person 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.

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### **1. CALL TO ORDER**

*Jim Patrick, Bill Branigan, Bob Berman, Jim Hanselman, Gary East, Braulio Escobar, Dustin Capri, and Greg Sutton.*

### **2. UNFINISHED BUSINESS**

**2.A Transportation System Plan Part II– Land Use Regulations (Partial).**

[Memorandum](#)

[Updated Work Program](#)

[Nyla L Jebousek Letter - 05-09-2022](#)


**3. NEW BUSINESS**

**4. ADJOURNMENT**

# City of Newport

## Community Development Department

### Memorandum

To: Planning Commission/Commission Advisory Committee  
 From: Derrick I. Tokos, AICP, Community Development Director   
 Date: May 5, 2022  
 Re: Transportation System Plan Part II – Land Use Regulations (Partial)

For Monday's work session, I will have a substantially complete set of the land use regulatory changes for your review. My plan is to present them to you, obtain your initial feedback, and then send out a hardcopy the following day for you to look over in greater detail. That will give you a little more than a week to email me any additional comments you may have so that I can address them in a final draft for your May 23<sup>rd</sup> work session. This will also provide our office additional time to coordinate with Angelo Planning Group, the consultant that was tasked with assisting the city with code updates, so that they can perform a technical review of the draft that I have put together and provide recommendations for how the language can be improved. I would also like them to double check that we are picking up revisions the City is required to make to comply with the State's Transportation Planning Rule.

This means that the initial public hearing will occur on June 13, 2022. We have not noticed the hearing yet, and are still planning to advertise it as broadly as possible.

Enclosed is an updated work program to reflect the change. While I have a draft of the HCA Housing Needs Analysis, I'd like to present it to the Housing Study Advisory Committee first. They are meeting on May 12<sup>th</sup>, and I can provide you with an updated version for the May 23<sup>rd</sup> work session. The City Council considered the car camping code amendments "in concept" at its April 18<sup>th</sup> meeting and they will be looking for significant changes. The League of Oregon Cities is planning to send out guidance relevant to that issue by the end of the month. With that in mind, I moved that item to June 13<sup>th</sup>. City staff will be meeting with concerned citizens on May 17<sup>th</sup> and that discussion will likely influence how that code concept is reworked as well.

The Urban Renewal Agency is on board with the Request for Proposals (RFP) for making the 35<sup>th</sup> and US 101 Agency owned property available for redevelopment. They will likely approve the RFP at their next meeting. That calls for us to move forward with land use changes that Jet Planning recommended; however, we have a reasonable amount of time to address them since the property will not be available for development until the latter part of 2023. I moved an initial draft of those changes to the June 13<sup>th</sup> work session. Starfish Cove may or may/not make a June 13<sup>th</sup> public hearing. I have had several conversations with the developer and they are still modifying their plans to address city requirements and site constraints.

The July 11<sup>th</sup> work session is unchanged. The Short Term Rental (STR) Work Group signed off conceptually on a package of code amendments at its April meeting and that is what I will be presenting to you. The Boston Timbers UGB Land Swap is listed for a public hearing that day. The developer is still working through the County process, so that could move. Review of the HCA Constructability Assessment and an initial hearing on the JET Planning recommendations will need to occur in August.

Attachments  
 Updated Work Program



# Tentative Planning Commission Work Program

*(Scheduling and timing of agenda items is subject to change)*



April 11, 2022

CANCELLED

April 25, 2022

Work Session

- Review Draft RFP for Repurposing URA 35th/US 101 Property in South Beach
- File No. 1-CP-17, Transportation System Plan Part 1 - Comprehensive Plan Changes

April 25, 2022

Regular Session

- File 1-Z-22 Public Hearing to Consider Housekeeping and 2021/22 Legislative Amendments

May 9, 2022

Work Session

- File No. 1-CP-17, Transportation System Plan Part 2 – Land Use Regulations (partial)

May 9, 2022

Regular Session

- File 1-CUP-22 Conditional Use Permit for McWatkins Airport Industrial Village (Firm)

May 23, 2022

Work Session

- Review Results of HCA Housing Needs Analysis
- File No. 1-CP-17, Transportation System Plan Parts 1 & Part 2 – Final Review

May 23, 2022

Regular Session

- Final Order/Findings for File 1-CUP-22 CUP for McWatkins Airport Industrial Village

June 13, 2022

Work Session *(First HCA/HPS Public Event in June)*

- Initial Review of Draft of SB Commercial/Industrial Code Revisions (from JET Planning Audit)
- Consider Car Camping Ordinance Being Developed for the City Council

June 13, 2022

Regular Session

- Initiate Draft SB Commercial/Industrial Code Revisions (from JET Planning Audit)
- Public Hearing File No. 1-CP-17 Newport TSP Amendments
- Starfish Cove 20-lot Planned Development North Side of Yaquina Head (Projected)

June 27, 2022

CANCELLED

July 11, 2022

Work Session

- Review Results of HCA Buildable Lands Inventory
- Potential Code Revisions for Short-Term Rental Work Group Consideration (Placeholder)
- Identify Candidates for City Center Revitalization Project Advisory Committee

July 11, 2022

Regular Session

- Potential Second Public Hearing File No. 1-CP-17 Newport TSP Amendments
- File No. 1-UGB-20 Revised UGB Land Swap for Boston Timber Opportunities (Projected)

At the last meeting of the TSP Advisory Committee, language to include the intersection of US Hy 101 and San Bay-O Circle was specifically written to be included in the TSP. Now that language has been modified to:

The Revised Draft Newport TSP #5. Add project to "Coordinate with ODOT to develop signage and/or pavement marking solutions where appropriate to limit side street blockage by stopped vehicles".

This project must be specifically named, as was discussed and agreed to at the last meeting of the TSP Advisory Committee, and must become a tier 1 financially constrained project that needs immediate attention. San Bay-O Circle must be specifically named because it is the only intersection in town, specifically discussed, with its unique and singular configuration. It needs the specific attention and construction discussed at the TSP Advisory Committee meeting, including a signal. The TSP consultant initially committed to putting it on the list. Fortunately for us, Bob Berman raised the issue at the last TSP meeting after my repeated public comment at prior meetings. I have a petition in support of a traffic control signal at our corner signed by 100 residents and persons who work near and are affected by this intersection, as evidence that I am not the only one who is concerned and cares about this issue.

I learned a lot in gathering the signatures. I was told about waiting 20 minutes to be able to exit our street onto US Hy 101. I was shown a picture of a severe car crash proximate to our intersection and was told about others. People thanked me for gathering signatures. There are 62 dwelling units in our neighborhood and multiple businesses also use our intersection.

Former public works director Tim Gross described this area as "traffic chaos". The TSP consultant admitted this area has the highest number of accidents in Newport. A prior neighbor was hit pulling out of our intersection as he was finally moving away. The park survey identified our area of town as having the largest number of children. School buses use our street. In the summer pulling up to our stop sign is pulling up to the side of cars, which are backed up from 20<sup>th</sup> to at least McDonalds. If persons stop and allow us an exit, we are pulling into a center turn lane, that competes with left turn cars going to Subway, which also uses our street for its drive-up window. We then come to a complete stop because of the pedestrian lane ODOT installed, forcing us to merge into 35 mph traffic from a

dead stop. No one consulted with us regarding the pedestrian lane, which makes this exponentially worse. We are the only street with this configuration in Newport, with no other exit for our neighborhood. It's been suggested we use private property to drive to Fred Meyer parking lot then turn onto 20<sup>th</sup> Street to a traffic light. The manager of Sea Town told me this is a trespass. Driving over 8 blocks out of our way is inconsistent with Goal 6 and is not a legitimate public policy solution. ODOT and former Sen. Roblan's office repeatedly advised me to work with the TSP to deal with this issue. I have been trying to solve this problem since Fred Meyer arrived and ODOT added the 20<sup>th</sup> St signal to our neighborhood. I didn't move to this problem; it came to me. We were passed over during this development. The goals of the TSP are to address public safety problems. We deserve safety at our intersection. We were entitled to a stop light under ODOT's rules for decades. In 2020 the system for calculating it was finally disclosed to me because the estimate for the 2020 US Census was over 10,000 population which disqualified us from the signal we were entitled to for years. This problem is becoming increasingly more dangerous as tourism increases, with our populations quadrupling last summer despite Covid.

We want to keep our stop sign and want a left turn sensor at our corner. The ODOT pedestrian lane already has flashing yellow signals for stopping 101 traffic for pedestrians. We want red lights at the pedestrian lane to stop traffic for us and a cross walk north of our intersection to create an ingress/egress zone at our intersection. This is a modest request and a critical safety issue for a complete neighborhood population and business area. Again, this project must be a tier 1 financially constrained project that needs immediate attention. With the Federal infrastructure dollars coming to Oregon there has never been a better time to solve this problem. Please amend the TSP to include this language about our intersection.