



PLANNING COMMISSION REGULAR SESSION AGENDA
Tuesday, May 26, 2020 - 7:00 PM
City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

This meeting will be held electronically. The public can live-stream this meeting at newportoregon.gov/citygov/comm/pc.asp. The meeting will also be broadcast on Charter Channel 190. Public comment may be made, via e-mail, up to two hours before the meeting start time at publiccomment@newportoregon.gov. Additionally, anyone wishing to speak on any agenda item, or during public comment, should e-mail their telephone number, and the item they wish to address, up to two hours before the start of the meeting, to s.marineau@newportoregon.gov, and staff will telephone that person when that item is being discussed at 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

2. APPROVAL OF MINUTES

2.A Approval of the Planning Commission Regular Session Meeting Minutes of April 13, 2020.

[Draft PC Reg Session Minutes 04-13-2020](#)

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-CUP-20: Conditional Use Permit for Construction of the Newport Basics Public Market at the Old Apollos Site.

[Memorandum](#)
[Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)
[Attachment G](#)
[Attachment H](#)
[Attachment I](#)
[Attachment J](#)
[Attachment K](#)
[Attachment L](#)
[Attachment M](#)
[Attachment N](#)
[Attachment O](#)

5.B File Nos. 1-CP-18 and 3-Z-20: Amendments to the Comprehensive Plan and Zoning Ordinance to Establish a Tsunami Hazards Overlay Zone. (Continued from the April 13, 2020 Hearing Date).

[Memorandum](#)
[Staff Memorandum - CORRECTED](#)
[Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)
[Attachment G](#)
[Attachment H](#)
[Additional Public Testimony - Grusing](#)
[Additional Public Testimony - Chadwich](#)

5.C File No. 2-Z-20: Amendments to NMC Section 14.30.080, Permitted Uses; and Section 14.30.100, Special Zoning Standards in Design Review Districts, to Prohibit Residential Uses at Street Grade Within the Historic Nye Beach Design Review District for Property Along the West Side of NW Cliff Street. (Continued from the April 13, 2020 Hearing Date).

[Memorandum](#)
[Staff Memorandum](#)
[Attachment A](#)
[Attachment B](#)

[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)
[Attachment G](#)

6. **NEW BUSINESS**
7. **UNFINISHED BUSINESS**
8. **DIRECTOR COMMENTS**
9. **ADJOURNMENT**

Draft MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
April 13, 2020

Planning Commissioners Present By Conference Call: Gary East, Lee Hardy, Bob Berman, Mike Franklin, Jim Hanselman, Bill Branigan, and Jim Patrick.

City Staff Present: 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 7:00 p.m. On roll call, Commissioners East, Hardy, Berman, Franklin, Hanselman, Branigan, and Patrick were present.

2. **Approval of Minutes.**

A. Approval of the Planning Commission Work and Regular Session Meeting Minutes of March 9, 2020.

Commissioner Berman submitted minor corrections to the March 9, 2020 Work Session meeting minutes.

MOTION was made by Commissioner Berman, seconded by Commissioner Franklin to approve the Planning Commission Work and Regular Session Meeting Minutes of March 9, 2020 with minor corrections. The motion carried unanimously in a voice vote.

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

4. **Action Items.** None were heard.

5. **Public Hearings.** At 7:32 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. None were heard. 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 1-CP-18 / 3-Z-20.**

Tokos reported that he would present the staff report at the hearing continuation on May 26, 2020. Berman asked how it was determined who would be noticed for the hearing. Tokos said all properties within the XXL boundary were noticed. Patrick asked who Jean Dahlquist was affiliated with and requested there be clarification on the acronym for her organization at the hearing continuation.

MOTION was made by Commissioner Hardy, seconded by Commissioner East to continue the public hearing for File 1-CP-18 and 3-Z-20 to the May 26, 2020 Regular Session meeting. The motion carried unanimously in a voice vote.

B. **File 2-Z-20.**

Tokos reported that he would present the staff report for the hearing continuation on May 26, 2020. Berman asked if there had been any discussions with the property owners related to issues on the west side of Cliff Street. Tokos reported that other than the testimony provided by Charlotte Boxer, he talked to two owners and neither had concerns with the proposed changes.

MOTION was made by Commissioner Berman, seconded by Commissioner Branigan to continue the public hearing for File 2-Z-20 to the May 26, 2020 Regular Session meeting. The motion carried in a voice vote. Hardy abstained.

6. New Business.

A. Updated Planning Commission Work Program.

Tokos noted the updated work program was based on his best guess on when they would be able to hold public hearings were there was full confidence that people could participate in a meaningful way. He reviewed the program and noted there were three quasi-judicial applications on the program that the City was legally obligated to complete their review within 120 days. Berman asked if there had been any discussions on flexibility to these rules. Tokos reported there had been, and this was one of the things the League of Oregon Cities could get addressed. He noted that written advice from LUBA said this was something that needed to be dealt with by the Legislature, not the Governor.

Patrick asked for an update on the progress with the Transportation System Plan. Tokos reported that in the interest of not having the consultants work hours from home, the project was put on hold. The dates for workshops in mid-May probably wouldn't happen, but the June public workshops might. Tokos explained that they also proposed to budget some additional Urban Renewal dollars for this project, recognizing that the types of outreach they envisioned might not be the best form of outreach. They might have to do more in the way of online surveying than they budgeted. Their best guess for when the public workshops would be held was in mid-June.

Patrick asked about doing video conferences for the Planning Commission meetings. Tokos said the City Council did a dry run on this at their last meeting, and it had a mixed bag of results. He thought the Commission might need to do this moving forward if there were any restrictions on who could attend public meetings. Tokos thought the Commission might do a dry run by video before they used it for a real meeting, and they might have to run the May 26th meeting this way. Patrick asked if they would need to notice the dry run. Tokos confirmed they would.

Hardy asked for an update on the waiver for the 30 day rental requirement for Short-Term Rental (STR) licenses for the Nye Sands Condo units, and asked if there had been any action on this. She also questioned if there would be any issues for other STR owners on the 30 day use requirement due to the restrictions on rental activity at that time period. Tokos thought there would be a conversation with the STR Implementation Work Group about this. If STRs were banned for rentals for 3 months, they would have to discuss a provision in the rules. Hardy asked about the preexisting request for the Nye Sands condos. Tokos explained they would make sure this would happen and be addressed.

7. Unfinished Business. None were heard.

8. Director Comments. None were heard.

9. Adjournment. Having no further business, the meeting adjourned at 7:18 p.m.

Respectfully submitted,

Sherri Marineau
Executive Assistant

Case File: #1-CUP-20
 Date Filed: February 20, 2020 (Complete March 12, 2020)
 Hearing Date: Originally April 13, 2020. Rescheduled to May 26, 2020/Planning Commission

PLANNING STAFF REPORT

Case File No. 1-CUP-20

- A. **APPLICANT:** Dustin Capri, AIA, Capri Architecture, LLC (applicant). Charles Eggert in an individual capacity and as manager of Elsinore Investments, LLC (owners).
- B. **REQUEST:** Approval per Chapter 14.03.080(18)/“Water-Dependent and Water-Related Uses” of the Newport Municipal Code (NMC) for a conditional use permit to replace the former Forinash Gallery, Shark’s Restaurant, M&P Thai Restaurant and Apollo’s Night Club with a new 11,859 square foot mixed use building. The new building will include 3,000 square feet of retail market space, 2,000 square feet of restaurant space, and 6,859 square feet of light industrial space for food production.
- C. **LOCATION:** 836, 838, 844, 846, 848, 852, & 856 SW Bay Blvd.
- D. **LEGAL DESCRIPTION:** Lots 2, 3, & 4, Block 1, Plan of Newport, including a portion of a vacated alley, together with Parcels 1 and 2 of Partition Plat 1999-18 (Assessor’s Map 11-11-08-CA, Tax Lots 2500, 2501, 2800, and 3300).
- E. **LOT SIZE:** Approximately 17,424 sq. ft. per Lincoln County Tax Assessor records.
- F. **STAFF REPORT**
1. **REPORT OF FACT**
 - a. **Plan Designation:** Yaquina Bay Shoreland.
 - b. **Zone Designation:** W-2/“Water-Related.”
 - c. **Surrounding Land Uses:** Tourist-oriented retail (north), tourist-oriented retail and fish processing (east), condominiums (west), and Coast Guard operations (south).
 - d. **Topography and Vegetation:** The property is relatively level having been cleared for development in the past. A large retaining wall exists near the west property boundary, with the finished grade of the condominiums to the west being 20-25 feet above that of the subject site. A small amount of landscaping exists at the southwest corner of the property. Otherwise, the property is largely devoid of vegetation.
 - e. **Existing Structures:** Forinash Gallery (1,224 sq. ft.), Shark’s Restaurant (978 sq. ft.), and Apollo’s Night Club/M&P Thai Restaurant (8,256 sq. ft.)
 - f. **Utilities:** All are available to the site.
 - g. **Development Constraints:** Geologic hazards area.

- h. **Past Land Use Actions:** File No. 1-TSP-11 – Approval of a temporary structures permit for a 20-ft x 30-ft tent and fenced area to expand Apollo’s footprint during the Seafood and Wine Festival. Approved 2/7/11.

File No. 4-CUP-07. Permitted a 335 sq. ft. portion of the Apollo’s Nightclub building for use of a real estate office. Approved 6/4/07.

File No. 4-CUP-06. Permitted 600 sq. ft. of the Apollo’s Night Club building for use as a retail gift shop. Approved 4/24/06.

File No. 9-CUP-03. Approved use of the building at 836-848 SW Bay Blvd as a restaurant and bar (i.e. Apollo’s Night Club).

File No. 6-PAR-99. Approved a partition creating the parcels upon which Forinash Gallery and Shark’s Restaurant are situated. Affects 852, & 856 SW Bay Blvd. Approved 8/4/99.

File No. 2-CUP-91. Permitted the remodeling and retail use of buildings located at 852 & 856 SW Bay Blvd. Approved 3/11/91.

- i. **Notification:** The original hearing date of April 13, 2020 was cancelled due to the COVID-19 pandemic. A new hearing date was set for May 26, 2020. Notification to surrounding property owners and to city departments/public agencies announcing the new public hearing date was mailed on May 6, 2020; and notice was published in the Newport News-Times on May 15, 2020.

- j. **Attachments:**

- Attachment "A" – Application Form
- Attachment "B" – Lincoln County Assessor Property Reports
- Attachment "C" – Lincoln County Assessor Map
- Attachment "D" – Proposed Business Plan
- Attachment "E" – Application Narrative
- Attachment "F" – Response to Completeness Review / Updated Site Plan
- Attachment "G" – Survey of the Existing Property
- Attachment "H" – Renderings of the Proposed “Basics Market”
- Attachment "I" – Architectural Elevations of the Proposed “Basics Market”
- Attachment "J" – Signage Concepts for “Basics Market”
- Attachment "K" – Zoning Map of the Area
- Attachment "L" – Aerial and Topographic Map of the Area
- Attachment "M" – 2013 Aerial Photograph
- Attachment "N" – Uses in the W-2 Zoning District
- Attachment "O" – Public Hearing Notice

- 2. **Explanation of the Request:** Pursuant to Chapter 14.03.080(18)/“Water-dependent and Water-related Uses” of the Newport Municipal Code (NMC), a retail use that is permitted outright in a C-2/“Tourist Commercial” zoning district requires a conditional use permit to be located in a W-2/“Water-Related” zoning district.

The applicant is requesting the conditional use permit to construct a new 11,859 square foot mixed-retail, light industrial building. The facility will include 3,000 sq. ft. of retail market space, 2,000 sq. ft. of restaurant space, and 6,859 sq. ft. of industrial space for food production. Retail market and restaurant uses are permitted outright in a C-2 zone district (NMC 14.03.070(2)(a) and (2)(d)). Manufacturing in conjunction with a use permitted outright in a C-2 zone district requires conditional use approval (NMC 14.03.080(19)). The applicant indicates that manufacturing will be for food production that will, in part, occur to support the restaurant and market activities. Some of the manufactured goods will be distributed off-site. The Planning Commission is charged with interpreting the zoning ordinance in circumstances that require factual, policy or legal discretion (NMC 14.52.030(B)(9)). The extent to which goods manufactured in conjunction with a use permitted outright in a C-2 zone must be directed to support the permitted uses (i.e. the market and restaurant operations) fits within the Commission's interpretive purview.

In their business plan, the applicant notes:

Basics, LLC will create and construct the region's first Public Market located on Bay Boulevard in Newport's waterfront district. The space will be designed for use as an open-air public market featuring locally produced products with accessible prices. This concept may feature a USDA compliant food production space with additional ODA compliant hot and cold foods stations.

The open-air marketplace will allow for tastings and purchases.

Our public space business hours will be regular retail hours with potential for 7 days a week: 10a - 8p, hours may vary. Production facility may be in operation outside public business hours.

The public market does not anticipate heavy odor or noise from the site.

The public market objective is to provide jobs and enhance community gathering in the Coastal communities of Lincoln County. Target design is open air warehouse/marketplace and partial food manufacturing facility. We will leverage current brand status of Basics, LLC and Wild Rose Foods by introducing product lines to Newport customers.

Offering public market style philosophies, we may open the conversation with our neighbors about everything from soil management to the weather and how it all coalesces at Basics Public Market on Bay St. to offer "just what you need" to get your "nourishment from the ground up!"

3. **Evaluation of the Request:**

- a. **Comments:** No comments have been received in response to the notice mailed to surrounding property owners and to city departments/public agencies on May 6, 2020 or legal ad published in the Newport News-Times on May 15, 2020.

b. **Conditional Use Criteria (NMC Chapter 14.34.050):**

- (1) The public facilities can adequately accommodate the proposed use.
- (2) The request complies with the requirements of the underlying zone or overlay zone.
- (3) 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.
- (4) A proposed building or building modification is consistent with the overall development character of the neighborhood with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.

c. **Staff Analysis:**

NMC 14.34.040(A) requires that applications include a site plan showing the dimensions and arrangement of the proposed development on the lot. The applicant provided a site plan of the proposed building layout (Attachment "F"), exterior architectural renderings and elevations of the proposed building (Attachments "H" and "I") and illustrations of proposed signage (Attachment "J"). This should provide the Planning Commission with enough information to evaluate the application.

NMC 14.52.030(B)(9) indicates that a Type III decision-making procedure, with review and approval by the Planning Commission, is required for interpretations of the Zoning Ordinance that involve factual, policy or legal discretion. The Zoning Ordinance allows manufacturing in conjunction with uses permitted outright in a C-2 zone, but does not specify the extent to which the manufacturing operations must be linked to the permitted use. Policy discretion is involved in determining how much of a link is needed between the market/restaurant and manufacturing activities; therefore, Planning Commission review is required.

To grant the permit, the Planning Commission must find that the applicant's proposal meets the following criteria.

- (1) The public facilities can adequately accommodate the proposed use.

Public facilities are defined in the Zoning Ordinance as sanitary sewer, water, streets and electricity. All public facilities are available and serve the property.

The applicant notes that the current site consists of three separate buildings that are currently in poor condition. One building was used as a nightclub, restaurant, retail space and office building. The second building was being used as a restaurant and the final building was used as an art gallery. These uses represented significant impacts with large occupancies and therefore

represent a considerable historical impact to the public facilities along Bay Boulevard. The applicant indicates that the new proposed use is a slightly larger building but represents a significantly smaller impact on the public facilities and infrastructure.

Additionally, the applicant indicates that they have met with city staff to review the site conditions and believe that the public infrastructure and facilities are adequate to accommodate the proposed development.

As shown on the applicant's site plan (Attachment "F") and the aerial map (Attachment "L"), street and sidewalk access to this developed site is available off SW Bay Boulevard. This public street is a fully improved, paved collector roadway. The Planning Commission may accept this information as sufficient evidence that street and sidewalk access to the property is adequate. The City provides water service to the site via a 12-inch main in SW Bay Boulevard. Sewer service is provided by a 10-inch gravity line in SW Bay Boulevard. Storm drainage is collected in catch basins and directed under SW Bay Boulevard to the bay. The existing facility utilizes these services. The services have been sized to accommodate regional development in the area, including industrial users such as the fish plants along SW Bay Boulevard and the Commission can rely upon the presence of these utilities to establish that the water, sewer, and storm drainage services are adequate to support the proposed uses. Electric service is available to the existing building.

Given the above, it is reasonable for the Planning Commission to find that the public facilities can adequately accommodate the retail use.

(2) The request complies with the requirements of the underlying zone or overlay zone.

This criterion addresses requirements of the underlying or overlay zone. Each zoning district includes "intent" language. For the W-2 district, it includes the following:

"All conditional uses in a W-2 district shall also comply with the following standard: In areas considered to be historic, unique, or scenic, the proposed use shall be designed to maintain or enhance the historic, unique, or scenic quality." (NMC 14.03.040)

The applicant has provided architectural renderings, elevation drawings, and signage details (Attachments "H," "I," and "J"). This gives Planning Commission members a clear sense of how the new building will look when it is completed.

The applicant acknowledges that the Bayfront area falls into this category, as it is historic, unique, and scenic. They believe that the proposed building contributes to the spirit and overall design concept of a unique working waterfront. They have incorporated space for a mural, on the south facing

elevation, to complement and build upon the visual art present on other buildings along the Bayfront (Attachment "I"). Additionally, the building height maintains a lower profile that is sensitive to upslope residential users, and comparable to many buildings along the same side of the street.

The applicant asserts that the proposed project will enhance the southern part of the Bayfront by replacing existing buildings that are in disrepair and providing a new facility to help promote local food production and a new public market. The food production component will largely focus on the production of cheese and dairy products. Additionally, they point out that the existing parcels and buildings do not comply with city landscaping requirements, which they will rectify with 197 sq. ft. of landscape area and 61 sq. ft. of landscape planters. The applicant points out that they are committed to ensuring that the new building will comply with the parking requirements, building height, lot coverage, building setbacks, bicycle storage, and landscaping standards of the Newport Municipal Code.

For these reasons, it would be reasonable for the Planning Commission to find that the new building compliments the unique qualities of the area and that, therefore, this criterion is satisfied. This is a subjective approval standard, and if Commission members feel that there are aspects of the design that are out of place, then it would be appropriate to point them out so that the applicant may respond.

Another aspect of the W-2 zone district that the Planning Commission should consider is the provision that allows "manufacturing in conjunction with a use permitted outright in a C-2 zone district subject to conditional use approval (NMC 14.03.080(19)). The application materials loosely discuss the relationship between the food production manufacturing component of the operation and the restaurant and market uses. The Commission may want to consider imposing a condition of approval to provide clarity as to how closely these aspects of the operation need to be related. It appears that the applicant has structured their business such that food production is necessary to supply the market and restaurant, with off-site sales being an ancillary activity. Assuming that is the case, then it would be reasonable for the Commission to stipulate that manufacturing of food and food-related goods are to supply, and be principally oriented to, the operations of the market and restaurant uses.

- (3) 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.

This criterion relates to the issue of whether the proposed use has potential "adverse impacts" greater than existing uses and whether conditions may be attached to ameliorate those "adverse impacts." Impacts are defined in the Zoning Ordinance as including, but not being limited to, the effect of nuisances such as dust, smoke, noise, glare, vibration, safety, and odors on a neighborhood. Adequate off-street parking, or the lack thereof, may also be considered by the Commission under this criterion.

The applicant indicates that they believe the proposed replacement building will not adversely impact nearby properties. Their narrative (Attachment "E") includes a chart listing the parking credit associated with the former uses of the property. Using City parking ratios listed in NMC Chapter 14.14, the site is credited with 49 spaces. By the same measure, the proposed use generates a demand for 29 parking spaces.

Parking at the existing site is situated along the north side of the property. The former Apollos night club claimed parking to the rear of the building; however, that space is effectively a narrow, dead-end alley that was of marginal use for that purpose. A 2013 aerial image of the property illustrates this point (Attachment "M").

The applicant's site plan shows between 5-7 parking spaces, depending upon whether the loading dock is in use. This is a modest reduction in off-street parking when compared to what was functionally available at the Apollo's site. However, parking demand attributed to the new use is significantly lower than what previously existed, and it would be reasonable for the Planning Commission to conclude that, for this reason, the proposal will result in no greater adverse impact relative to the demand for vehicle parking.

The applicant's property, and the parcel to the north, have shared the use of the existing SW Bay Blvd curb cut. This arrangement is illustrated on the 2013 aerial photograph. The applicant's site plan illustrates a parking arrangement that will prevent the property to the north from using the driveway as they have historically, and they may need to reconfigure improvements on their own property as a result. When asked about the access arrangement, the applicant's attorney responded that there is no recorded cross-access easement in place giving the owner to the north a right to cross his client's property to access SW Bay Blvd (Attachment "F"). Since there is no information in the record indicating that a recorded easement exists, it would be reasonable for the Commission to conclude that the proposed parking arrangement will not adversely impact adjacent property owners' right-of-access onto SW Bay Blvd.

The applicant notes that use of the building will be consistent with the current restaurants and general retail businesses that have historically occupied this property. They point out that the historic bayfront has multiple industrial food production facilities and that the industrial food production that will occur at this site is consistent in appearance and use with the neighboring fish processing facilities. Noise from the market and production component will occur from within an enclosed structure, and the applicant expects that they will be minimal and certainly less intrusive than the previous Apollo's night club. The applicant indicates that all food production equipment and cooking facilities will comply with the requirements of the Oregon Health Department, Oregon Structural Specialty Code and Oregon Department of Agriculture, which protect air quality and noise. A condition of approval is recommended

requiring the applicant comply with such requirements. Lastly, the applicant indicates that they believe the new modernized facility will benefit the surrounding businesses and not have any adverse impacts and that, overall, the project will contribute to the thriving tourism and food production spirit of the Newport Bayfront.

Given the above, it is reasonable for the Planning Commission to find that this criterion has been satisfied.

- (4) A proposed building or building modification is consistent with the overall development character of the neighborhood with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.

The applicant notes that, regarding the building height, great care was taken to design a structure that would have minimal impact on the adjacent properties. The roof height on the western facade (back of building) starts at approximately 15'-6" and peaks at the eastern facade (Bay Boulevard) at approximately 25' tall. This is significantly lower than the maximum allowable building height of 35'. This was achieved by utilizing a 1"/12" roof slope to minimize the height of the building and keep it at a community scale. The existing retaining wall on the back of the property will be maintained and not altered as a part of the project. The geotechnical engineer and structural engineer will determine the precise setback to ensure the existing retaining wall is unaltered. In terms of the building shape, the structure is consistent with the frontage of the existing structures and will be similar in massing to the existing structures in this location. The nature of the building is to attract tourists, provide a public market for the community, and provide space for local food production. The design reflects this, with exciting details and views to experience the food production components from the public market. The Bayfront area as a whole strives to attract tourists, promote industry and employment for the community and this building will support those goals.

The applicant may need to adjust aspects of the exterior design to comply with building codes, fire codes, and other public health and safety regulations, including accessibility requirements. It is unlikely though that such changes would materially impact size or height of the building. If that does happen, then it would be appropriate for the Commission to require a new conditional use permit, and a condition to that effect is included below.

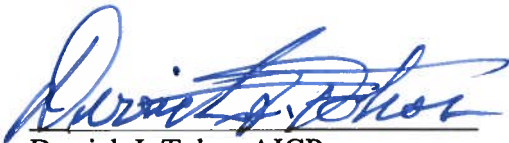
Given the above, it is reasonable for the Planning Commission to find that the use will be consistent with the overall development character of the neighborhood regarding building size and height.

4. **Conclusion:** If the Planning Commission finds that the applicant has met the criteria established in the Zoning Ordinance for granting a conditional use permit, 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 replace the former Forinash Gallery, Shark's Restaurant, M&P Thai Restaurant and Apollo's Night Club with a new 11,859 square foot mixed use building, can satisfy the approval criteria for a conditional use 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 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. Onsite manufacturing of food and food-related goods shall supply, and be principally oriented to, the operations of the market and restaurant uses.
3. 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.



Derrick I. Tokos AICP
Community Development Director
City of Newport

May 21, 2020

City of Newport Land Use Application

Attachment "A"

1-CUP-20

15 Int Form

PLEASE PRINT OR TYPE - COMPLETE ALL BOXES - USE ADDITIONAL PAPER IF NEEDED

Applicant Name(s): Capri Architecture, LLC - Attn:Dustin Capri, AIA	Property Owner Name(s): Keystone Pacific, LLC & Elsinore Investments, LLC Attn: Charles Eggert
Applicant Mailing Address: 747 SW 13th Street Newport, OR 97365	Property Owner Mailing Address: 18555 SW Teton Avenue Tualatin, OR 97062
Applicant Telephone No.: 541-961-0503	Property Owner Telephone No.: 503-555-1212
E-mail: dustin@capriarchitecture.com	E-mail: charlie.eggert@keystone-pacific.com
Authorized Representative(s): Applicant/Owner	
Authorized Representative Mailing Address:	
Authorized Representative Telephone No.:	E-Mail:

Project Information

Property Location: 836, 838, 844, 846, 848, 852 & 856 SW Bay Boulevard, Newport, OR 97365	
Tax Assessor's Map No.: 11-11-08-CA	Tax Lot(s): 03300, 02800, 02500, 02501
Zone Designation: W2 Comp Plan Designation:	Legal Description: See Attached Survey
Brief Description of Land Use Request(s): Demolish 1,224sf General Retail Building (Forinash Gallery), 978sf Eating and Drinking Establishment Building (formerly Shark's Restaurant), 8,256sf Eating and Drinking Establishment, General Office and General Retail Building (formerly Apollo's Night Club & M&P Thai Restaurant). Construct new combined 3,000sf General Retail Market, 2,000sf Eating and Drinking Establishment and 6,859sf Industrial use Building. The industrial component of the project will be for food production. The new approximately 11,859sf building is proposed to be constructed in the City of Newport W2 Zone.	
Existing Structures: 1 Structure Tax Lot 03300 & 02800, 1 Structure Tax Lot 02500, 1 Structure Tax Lot 02501	
Topography and Vegetation: Flat site with retaining walls along West (back) property lines. Minimal vegetation.	

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 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 Amendment
<input type="checkbox"/> Design Review	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Other _____
<input type="checkbox"/> Geologic Permit	<input type="checkbox"/> Temporary Use Permit	

FOR OFFICE USE ONLY

Date Received: <u>2/24/2020</u>	File No. Assigned: <u>1-CUP-20</u>	Date Accepted as Complete: _____
Received By: <u>SM</u>	Fee Amount: <u>\$802-</u>	Accepted By: _____
	Receipt No.: <u>3909</u>	

(SEE REVERSE SIDE)

Community Development & Planning Department • 169 SW Coast Hwy, Newport, OR 97365 • Derrick I. Tokos, AICP, Director

625-20-00014-PLNG

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 & 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)



 Property Owner Signature(s)

 Authorized Representative Signature(s)

 January 13, 2020
 Date Signed

 Date Signed

 Date Signed

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.

Lincoln County Property Report

Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R392623	Neighborhood:		Owner and	ELSINORE INVESTMENTS LLC
Map Taxlot:	11-11-08-CA-02500-00	N216		Mailing Address:	18555 SW TETON AVE TUALATIN, OR 97062
Tax Map:	11s11w08CA	Property Class:	201	Site Address(es):	852 SW BAY BLVD
Web Map:	View Map				
Info:	P.P. 1999-18, PARCEL 2, ACRES 0.03, DOC201812701				
Tax Code:	104				
Acres:	0.03				

Improvements							
Description	Area	Yr Built	Found	Heat	Plumb	BDMS	Value
MAIN AREA	978 sq ft	1962					\$65,590

[Foundation Code List](#) [Heating/AC Code List](#) [Plumbing Code List](#)

Value History						
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax	
2019	65,590	47,180	112,770	98,430	1,789.25	
2018	51,930	47,180	99,110	95,570	1,734.35	
2017	51,930	47,180	99,110	92,790	1,718.96	
2016	49,740	47,180	96,920	90,090	1,682.58	
2015	49,740	47,180	96,920	87,470	1,559.98	
2014	49,740	47,180	96,920	84,930	1,524.98	
2013	41,540	41,150	82,690	82,460	1,446.18	
2012	46,730	41,150	87,880	80,060	1,388.17	

Sales History				
Sale Date	Price	Document	Type	Code
12/11/2018	\$250,000	201812701/201812357	13	CWD
02/15/2012	\$60,000	201201690	27	WD
04/10/1991	\$110,000	MF228-1270	33	MISC

Land		Related Accounts		Disclaimer
Description	Acres	Market Value	Special Use Value	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
COMMERCIAL DEV SITE	0.03	42,180		
		5,000		

Description	Acres	Market Value	Special Use Value
COMMERCIAL SITE DEVELOPMENT			

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 10/2019.

Today's Date: 05/19/2020

Lincoln County Property Report

Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R510871	Neighborhood:		Owner and	ELSINORE INVESTMENTS LLC
Map Taxlot:	11-11-08-CA-02501-00	N216		Mailing Address:	18555 SW TETON AVE TUALATIN, OR 97062
Tax Map:	11s11w08CA	Property Class:	201	Site Address(es):	856 SW BAY BLVD
Web Map:	View Map				
Info:	P.P. 1999-18, PARCEL 1, ACRES 0.07, DOC201812362				
Tax Code:	104				
Acres:	0.07				

Improvements							
Description	Area	Yr Built	Found	Heat	Plumb	BDMS	Value
MAIN AREA	1224 sq ft	1962			HB		\$120,770

[Foundation Code List](#) [Heating/AC Code List](#) [Plumbing Code List](#)

Value History					
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax
2019	120,770	118,580	239,350	213,510	3,881.19
2018	95,610	118,580	214,190	207,300	3,761.95
2017	95,610	118,580	214,190	201,270	3,728.60
2016	91,580	118,580	210,160	195,410	3,649.58
2015	91,580	118,580	210,160	189,720	3,383.53
2014	91,580	118,580	210,160	184,200	3,307.45
2013	76,490	102,350	178,840	178,840	3,136.50
2012	86,050	102,350	188,400	178,110	3,088.23

Sales History					
Sale Date	Price	Document	Type	Code	
12/11/2018	\$450,000	201812362	27	WD	
09/09/1999	\$200,000	MF389-0895	18	WD	

Land			Related Accounts	Disclaimer
Description	Acres	Market Value	Special Use Value	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
COMMERCIAL DEV SITE	0.07	113,580		
COMMERCIAL SITE DEVELOPMENT		5,000		

uses, required permits or licenses, and development rights on specific properties before making decisions based on this information.
Tax data exported 10/2019.

Today's Date: 05/19/2020

Lincoln County Property Report

Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R394965	Neighborhood:		Owner and	EGGERT CHARLES W
Map Taxlot:	11-11-08-CA-	N216		Mailing Address:	18555 SW TETON AVE TUALATIN, OR 97062
02800-00		Property Class:	201	Site Address(es):	836 SW BAY BLVD ;838 SW BAY BLVD ;846 SW BAY BLVD ;848 SW BAY BLVD ;844 SW BAY BLVD
Tax Map:	11s11w08CA				
Web Map:	View Map				
Info:	NEWPORT, BLOCK 1, LOT 2,3 & PTN VAC ALLEY, 2006/07 VALUE ORDERED BY BOPTA, DOC201805535				
Tax Code:	104				
Acres:					

Improvements							
Description	Area	Yr Built	Found	Heat	Plumb	BDMS	Value
MAIN AREA	5832 sq ft	1970					\$327,630
MAIN AREA 2ND FLOOR	2424 sq ft						\$0

[Foundation Code List](#) [Heating/AC Code List](#) [Plumbing Code List](#)

Value History						
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax	
2019	327,630	290,350	617,980	617,980	11,233.64	
2018	259,380	290,350	549,730	549,730	9,976.18	
2017	286,840	321,500	608,340	608,340	11,269.70	
2016	274,770	321,500	596,270	596,270	11,136.23	
2015	274,770	321,500	596,270	596,270	10,634.04	
2014	274,770	321,500	596,270	596,270	10,706.50	
2013	229,470	277,000	506,470	506,470	8,882.52	
2012	258,160	277,000	535,160	535,160	9,279.15	

Sales History					
Sale Date	Price	Document	Type	Code	
06/06/2018	\$850,000	201805535	34	WD	
04/30/2007	\$662,829	200706317	18	WD	
12/26/2003	\$425,000	200321923	29	WD	
02/18/2000	\$802,270	MF397-1814	31	WD	

Land	Related Accounts	Disclaimer
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Description	Acres	Market Value	Special Use Value
COMMERCIAL DEV SITE	0.2	280,350	
COMMERCIAL SITE DEVELOPMENT		10,000	

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 10/2019.

Today's Date: 05/19/2020

Lincoln County Property Report

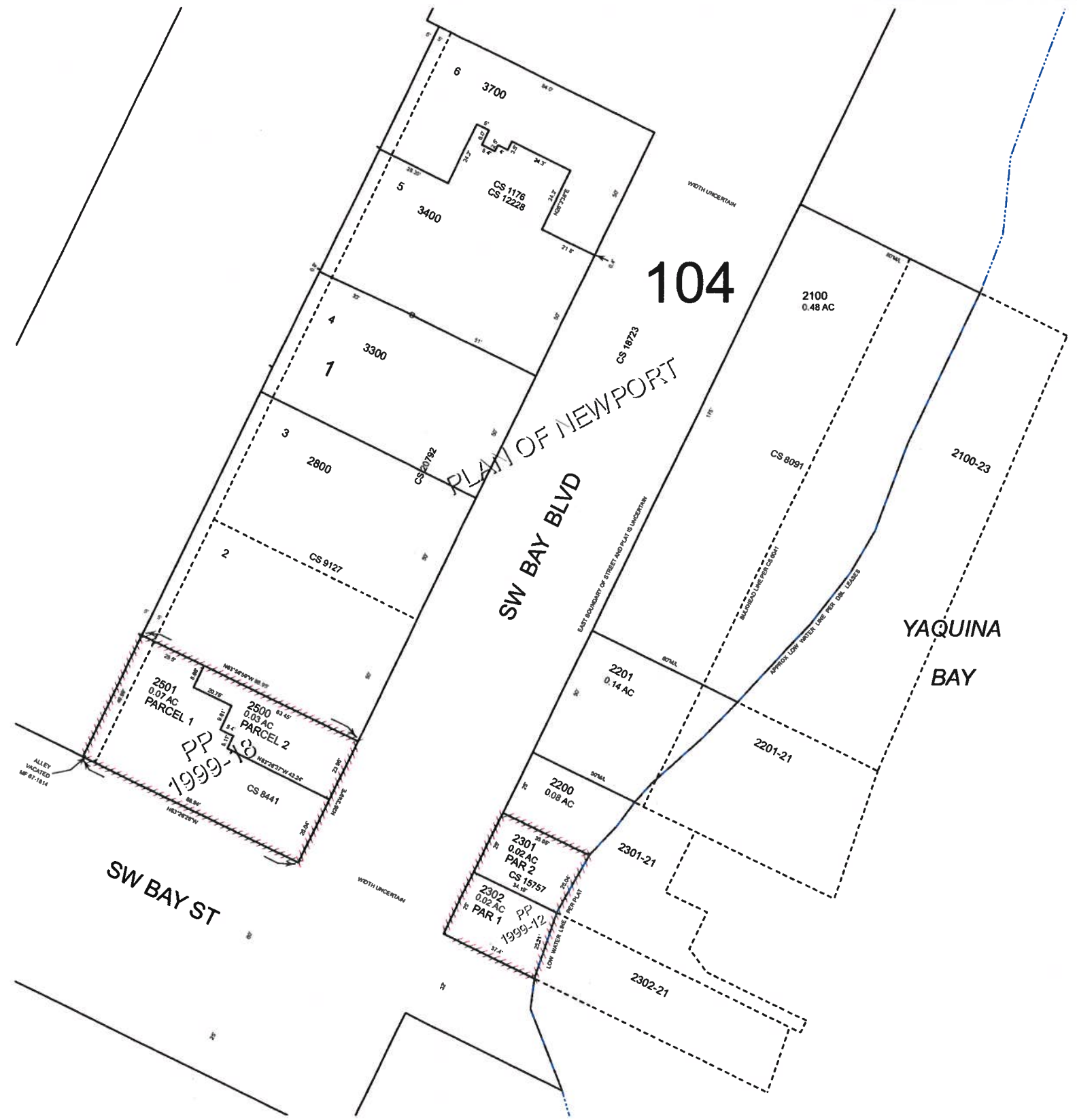
Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R399663	Neighborhood:		Owner and	EGGERT CHARLES W
Map Taxlot:	11-11-08-CA-	N212		Mailing Address:	18555 SW TETON AVE
03300-00		Property Class:	200	Site Address(es):	TUALATIN, OR 97062
Tax Map:	11s11w08CA				
Web Map:	View Map				
Info:	NEWPORT, BLOCK 1, LOT 4, PTN OF & VAC ALLEY, DOC201805535				
Tax Code:	104				
Acres:					

Improvements					
No Inventory					
Value History					
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax
2019	0	139,700	139,700	126,800	2,304.94
2018	0	139,700	139,700	123,110	2,234.14
2017	0	155,230	155,230	119,530	2,214.32
2016	0	155,230	155,230	116,050	2,167.40
2015	0	155,230	155,230	112,670	2,009.40
2014	0	155,230	155,230	109,390	1,964.18
2013	0	133,050	133,050	106,210	1,862.72
2012	0	133,050	133,050	103,120	1,788.01
Sales History					
No Sales Data					

Land		Related Accounts		Disclaimer
Description	Acres	Market Value	Special Use Value	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
COM UNDEV SITE	0.1	139,700		

based on this information.
Tax data exported 10/2019.

Today's Date: 05/19/2020



Revised: SEB
11/25/2019

Basics Public Market – New Construction

Proposed Business Plan

Basics, LLC will create and construct the region's first Public Market located on Bay Boulevard in Newport's waterfront district. The space will be designed for use as an open air public market featuring locally produced products with accessible prices. This concept may feature a USDA compliant food production space with additional ODA compliant hot and cold foods stations. The open air marketplace will allow for tastings and purchases.

Our public space business hours will be regular retail hours with potential for 7 days a week: 10a – 8p, hours may vary. Production facility may be in operation outside public business hours.

The public market does not anticipate heavy odor or noise from the site.

The public market objective is to provide jobs and enhance community gathering in the Coastal communities of Lincoln County. Target design is open air warehouse/marketplace and partial food manufacturing facility. We will leverage current brand status of Basics, LLC and Wild Rose Foods by introducing product lines to Newport customers.

Offering public market style philosophies, we may open the conversation with our neighbors about everything from soil management to the weather and how it all coalesces at Basics Public Market on Bay St. to offer *"just what you need" to get your "nourishment from the ground up!"*

www.basicsmarket.com

www.wildrosefoods.com



Headquarters 123 NE Sandy Blvd. Portland, OR 97232
503.555.1212 info@basicsmarket.com basicsmarket.com

7. Written findings of fact addressing the following criteria:

(a) That the public facilities can adequately accommodate the proposed use.

(i) The current site consists of three separate buildings that are currently in poor condition. One building was used as a nightclub, restaurant, retail space and office building. The second building was being used as a restaurant and the final building was used as an art gallery. These uses represented significant impacts with large occupancies and therefore represent a considerable historical impact to the public facilities along Bay Boulevard. The new proposed use is a slightly larger building but represents a significantly smaller impact on the public facilities and infrastructure. This is shown in the use breakdown below. Meetings occurred with City of Newport Public Works Director, Tim Gross, Community Development Director, Derrick Tokos, and Building Official, Joseph Lease, to review the site conditions and ensure the public infrastructure and facilities were adequate to accommodate the proposed development. It was determined that the significant infrastructure impacts of the existing development would offset any new demands created by the proposed new structure.

(b) That the request complies with the requirements of the underlying zone or overlay zone.

(i) In the W/2 zone, there is a provision stating, "In areas considered to be historic, unique, or scenic, the proposed use shall be designed to maintain or enhance the historic, unique, or scenic quality." The Bayfront area falls into this category, as it is historic, unique, and scenic. The proposed building certainly contributes to the spirit and overall design concept of a unique working waterfront. The proposed project will enhance the Southern part of the Bayfront by replacing existing buildings that are in disrepair and providing a new facility to help promote local food production and a new public market. The food production component will largely focus on the production of cheese and dairy products. Additionally, the existing parcels and buildings do not comply with the City of Newport landscaping requirements. Per Section 14.19.080, the new proposed development will incorporate 10% of the lot area utilizing one square foot of planter boxes per every three feet of otherwise required landscaping. The lot size is 17,776sf and we are providing 197sf of landscape area and 61sf of landscape planters. The new building complies with the parking requirements, building height, lot coverage, building setbacks, bicycle storage, and landscaping standards of the Newport Municipal Code.

basics

Headquarters 123 NE Sandy Blvd. Portland, OR 97232
503.555.1212 info@basicsmarket.com basicsmarket.com

(c) That 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 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.)

(i) The proposed renovation has no adverse impacts on the nearby properties. The current buildings and uses represent occupancy and parking demand of 49 spaces and the proposed use represents a significant reduction in occupancy and parking demand of 29 spaces (see breakdown below). Additionally, the new facility will provide 5 off-street parking.

Existing Buildings / Uses (Parking Credit - 49 Spaces)

Forinash Gallery (NMC General Retail - 1 space / 300sf) - 1,224sf = 4.1 Spaces
Shark Restaurant (NMC Eating and Drinking Establishments - 1 space / 150sf) - 878sf = 5.9 Spaces
Shark's Restaurant Kitchen / Support (NMC Industrial - 1.5 spaces / 1,000sf) - 100sf = 0.2 space
Apollo's Level 1 Restaurant and Nightclub (9-CUP-03) (NMC Eating and Drinking Establishments - 1 space / 150sf) - 5,338sf = 35.6 Spaces
Apollo's Level 1 Kitchen / Support (4-CUP-07) (NMC Industrial - 1.5 spaces / 1,000sf) - 625sf = 0.9 space
Apollo's Level 1 Retail Gift Shop (4-CUP-06) (NMC General Retail - 1 space / 600sf) - 600sf = 1.0 Space
Apollo's Level 2 Offices (9-CUP-03) (NMC General Office - 1 Space / 600sf) - 400sf = 0.7 space
Apollo's Level 2 Storage (9-CUP-03) (NMC Warehouse - 1 Space / 2,000sf) - 1,293sf = 0.6 space

Proposed Building / Uses (Parking Demand New Building - 29 Spaces)

Industrial Food Production Level 1 (NMC Industrial - 1.5 spaces / 1,000sf) - 6,859sf = 10.3 spaces
General Retail Market Level 1 (NMC General Retail - 1 space / 600sf) - 3,000sf = 5 Spaces
Food Court / Restaurant (NMC Eating and Drinking Establishments - 1 space / 150sf) - 2,000sf = 13.3 Spaces

The use of the building will be consistent with the current restaurants and general retail businesses that have historically occupied this property. The Historic Bayfront has multiple industrial food production facilities and the industrial food production that will occur at this site is consistent in appearance and use with the neighboring fish processing facilities. The noise from the market and production component will be minimal and certainly less invasive than the previous Apollo's night club. All of the food production equipment and cooking facilities will comply with the requirements of the Oregon Health Department, Oregon Structural Specialty Code and Oregon Department of Agriculture, which protect air quality and noise. The new modernized facility will benefit the surrounding businesses and not have any adverse impacts. Overall, the project will contribute to the thriving tourism and food production spirit of the Newport Bayfront.



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503.555.1212 info@basicsmarket.com basicsmarket.com

(d) If the application is for a proposed building or building modification, that it 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.

(i) The existing buildings on these properties are in poor condition and in need of replacement. The Newport Bayfront has an eclectic design style with various building types that contribute to the overall experience of the Bayfront. The new building will utilize similar materials as many of the buildings in the neighborhood with metal siding, large storefront windows, sidewalk overhangs to provide protection from the elements, and wood accents to bring warmth to the exterior of the building.

Regarding the building height, great care was taken to design a structure that would have minimal impact on the adjacent properties. The roof height on the western façade (back of building) starts at approximately 15'-6" and peaks at the eastern façade (Bay Boulevard) at approximately 25' tall. This is significantly lower than the maximum allowable building height of 35'. This was achieved by utilizing a 1"/12" roof slope to minimize the height of the building and keep it at a community scale. The existing retaining wall on the back of the property will be maintained and not altered as a part of the project. The geotechnical engineer and structural engineer will determine the precise setback to ensure the existing retaining wall is unaltered. In terms of the building shape, the structure is consistent with the frontage of the existing structures and will be similar in massing to the existing structures in this location. The nature of the building is to attract tourists, provide a public market for the community, and provide space for local food production. The design reflects this, with exciting details and views to experience the food production components from the public market. The Bayfront area as a whole strives to attract tourists, promote industry and employment for the community and this building will support those goals.

8. A written statement describing the nature of the request.

The Basics Public Market will comprise of a new approximately 11,859sf building located on Newport's Historic Bayfront. The new facility will include approximately 3,000sf of general retail market, 2,000sf of eating and drinking space, and 6,859sf of food production. It will be constructed in the City of Newport W2 Zone.

Derrick Tokos

From: Dustin J.I. Capri <dustin@capriarchitecture.com>
Sent: Thursday, March 12, 2020 1:14 PM
To: Derrick Tokos
Cc: Bryan Coluccio; Clare Paul; Kaye Barnes; Charlie Eggert; Laurie Mooney; Daphne&AmandaCapri
Subject: Re: Basics Conditional Use Permit Application (File No. 1-CUP-20)
Attachments: 2B.pdf

Derrick,

I spoke to Charlie Eggert today and he asked me to forward you the revised site plan. Attached below. Please note that the loading area is designed to be pulled into. Therefore although the parking lot and loading area share a drive aisle the loading will not obstruct the parking lot while being used. Please let us know if the City of Newport requires any additional information for the CUP application.

Thanks!

Dustin

--

Dustin J. Capri, AIA, NCARB, LEED AP ND
Architect

Capri Architecture, LLC
p. 541.961.0503
w. www.capriarchitecture.com
a. 747 SW 13th Street, Newport, OR 97365

On Mar 6, 2020, at 8:29 AM, Derrick Tokos <D.Tokos@NewportOregon.gov> wrote:

Hi Bryan,

Thank you for the timely response. This addresses what we need in terms of a supplemental narrative. Once we receive an updated site plan showing how your client is satisfying the City's parking and loading requirements, then we will have the information needed to complete the application so that a staff report can be prepared for the hearing. In addition to parking stalls, drive isles, etc., the updated plan will need to show what, if any, changes will be made to the existing driveway approach onto SW Bay Blvd.

Thank you,

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

From: Bryan Coluccio [<mailto:bryan.coluccio@keystone-pacific.com>]
Sent: Tuesday, February 25, 2020 11:20 AM
To: Derrick Tokos <D.Tokos@NewportOregon.gov>; Clare Paul <C.Paul@NewportOregon.gov>
Cc: Kaye Barnes <kaye.barnes@keystone-pacific.com>; Charlie Eggert <charlie.eggert@keystone-pacific.com>; dustin@capriarchitecture.com
Subject: RE: Basics Conditional Use Permit Application (File No. 1-CUP-20)

Derrick,

I am in-house counsel for the Eggert family, Basics, and their affiliates. Charlie Eggert forwarded to me your February 24, 2020 email to our architect Dustin Capri. In your email, you asked a few questions and/or requested explanation on a few matters relating to the conditional use permit. I am responding to the following question:

Please explain in narrative form ... how the parking lot design will functionally work with a neighboring property that shares the same driveway approach onto SW Bay Blvd.

Answer: The neighboring property has no rights to any driveway or right-of-way access, neither of which are with any third party. The parking lot design and access to the lot is not intended to provide access to any neighboring property.

When we were in negotiations with the previous property owners, Deborah Hayter and Brian Timme, the preliminary title report made an oblique reference to "an unrecorded driveway and parking lease agreement." The alleged unrecorded agreement was made June 1986, nearly thirty-four years ago. During our due diligence before closing the purchase, we did not locate any documents supporting any third-party right of access, including the so-called June 1986 "unrecorded agreement." The title company did not locate any supporting documents. And most importantly, the prior owners Hayter/Timme were unaware of any unrecorded lease agreement regarding the driveway or parking area. Hayter/Timme acquired the property in April 2007. During the entirety of the more than ten year period that Hayter/Timme owned the property, no person or entity asserted a claim to any right to use the driveway or parking area. In order to close our purchase of their property, Hayter/Timme affirmed the following facts under penalty of perjury (see the attached Grantor Declaration of Use):

* * *

4. As further consideration for Grantee's (Chuck Eggert/Basics) purchase of the Subject Property, Grantor (Hayter/Timme) affirms, warrants, and acknowledges under oath and penalty of perjury that during the entirety of Grantor's ownership of the Subject Property:

4.1 No third party has asserted any rights, uses, or claims to the Subject Property in reliance upon the unrecorded lease; and

4.2 No third party has exercised or claimed any rights to or uses of the driveway and/or parking area described in the unrecorded lease; and

4.3 Grantor has freely exercised unfettered and unimpaired use of the driveway and parking area described in the unrecorded lease, without any limitation or restriction.

In sum, no neighboring party has a right or claim to use our privately-owned parking area, or to any ingress or egress via our privately-owned driveway.

Derrick, let me know if you have any questions or need additional information. Charlie and Dustin will respond to the other questions and requests in your email.

Best,

Bryan

KEYSTONE-PACIFIC

Bryan P. Coluccio

Vice President/General Counsel | Keystone-Pacific, LLC
18555 SW Teton Avenue | Tualatin, OR 97062
Main Phone (503) 303-0360 | Direct (503) 272-6049
Fax (503) 214-8326

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From: Charlie Eggert <charlie.eggert@keystone-pacific.com>
Sent: Monday, February 24, 2020 1:34 PM
To: Bryan Coluccio <bryan.coluccio@keystone-pacific.com>
Subject: Fwd: Basics Conditional Use Permit Application (File No. 1-CUP-20)

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From: Derrick Tokos <D.Tokos@NewportOregon.gov>
Sent: Monday, February 24, 2020 10:28:29 AM
To: 'Dustin J.I. Capri' <dustin@capriarchitecture.com>
Cc: Charlie Eggert <charlie.eggert@keystone-pacific.com>; Clare Paul <C.Paul@NewportOregon.gov>
Subject: Basics Conditional Use Permit Application (File No. 1-CUP-20)

Dustin,

As I mentioned on the phone, we will be scheduling the conditional use permit application for a public hearing on March 23, 2020. The meeting will start at 7:00 pm and will be held in the Newport City Hall Council Chambers. While you are not required to make a formal presentation, it is important that you and/or your client attend to answer any questions the Planning Commission members may have about the project.

I need a couple of additional items from you prior to the hearing. First, we will need a updated site plan showing how you will be satisfying the parking and loading requirements of NMC Chapter 14.14, specifically the accessible parking requirements of 14.14.050, design standards of 14.14.090, and loading requirements of 14.14.110. In addition to the updated site plan, please explain in narrative form, how loading areas will be managed such that parking is available to customers and employees, and how the parking lot design will functionally work with a neighboring property that shares the same driveway approach onto SW Bay Blvd.

Additionally, please provide an updated narrative explaining that food products manufactured at this location will be sold on the premises and how off-site sales will be ancillary to the retail and market use. As we have discussed, non-water related/dependent food production for off-site sales in of itself is not a permitted use in the W-2 zone. The way we get there is by it being a support use that is ancillary to the market and retail sales. The narrative and/or business plan need to be tightened up in this regard.

Derrick I. Tokos, AICP

Community Development Director

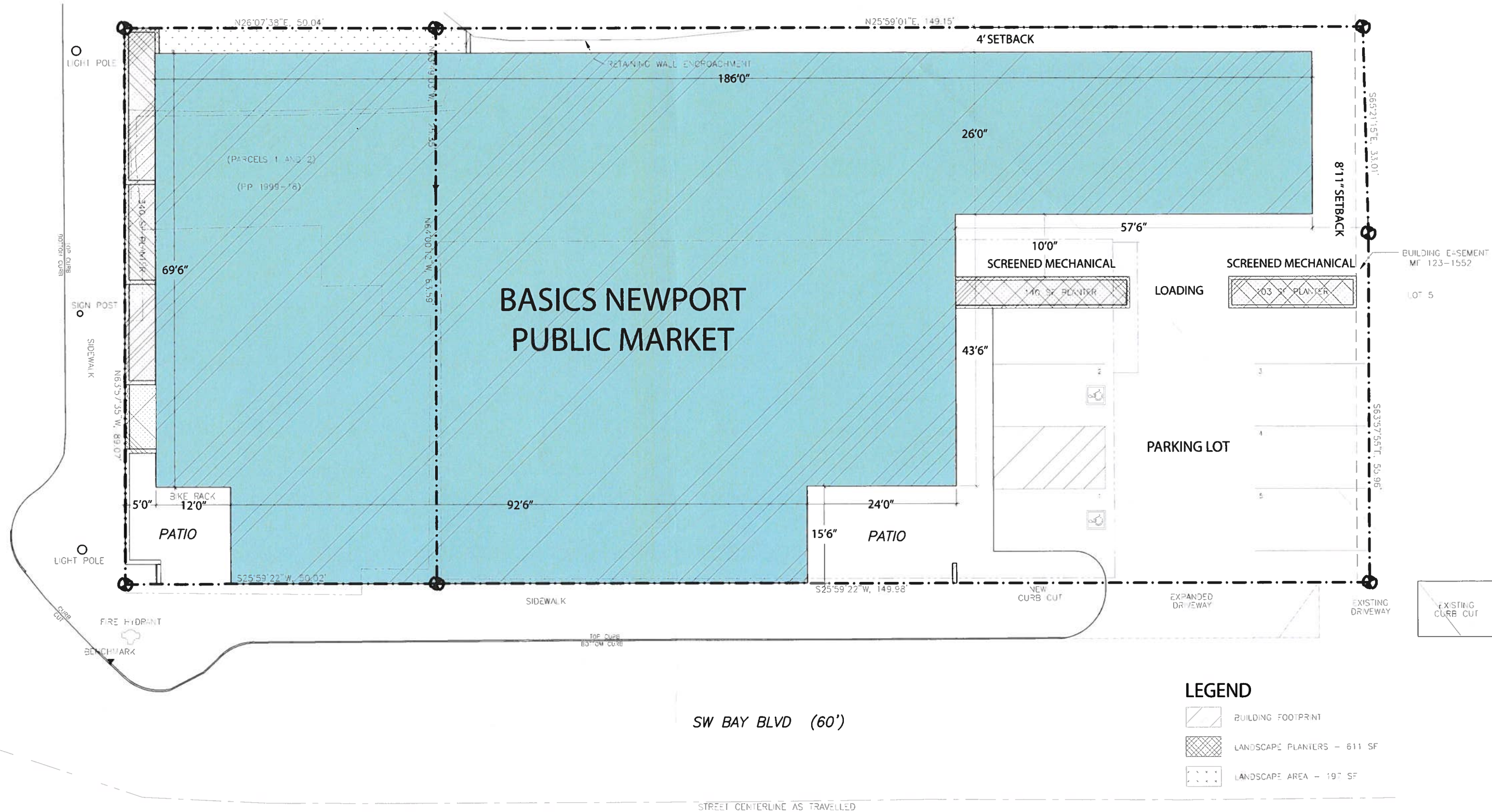
City of Newport

169 SW Coast Highway

Newport, OR 97365

ph: 541.574.0626 fax: 541.574.0644

d.tokos@newportoregon.gov

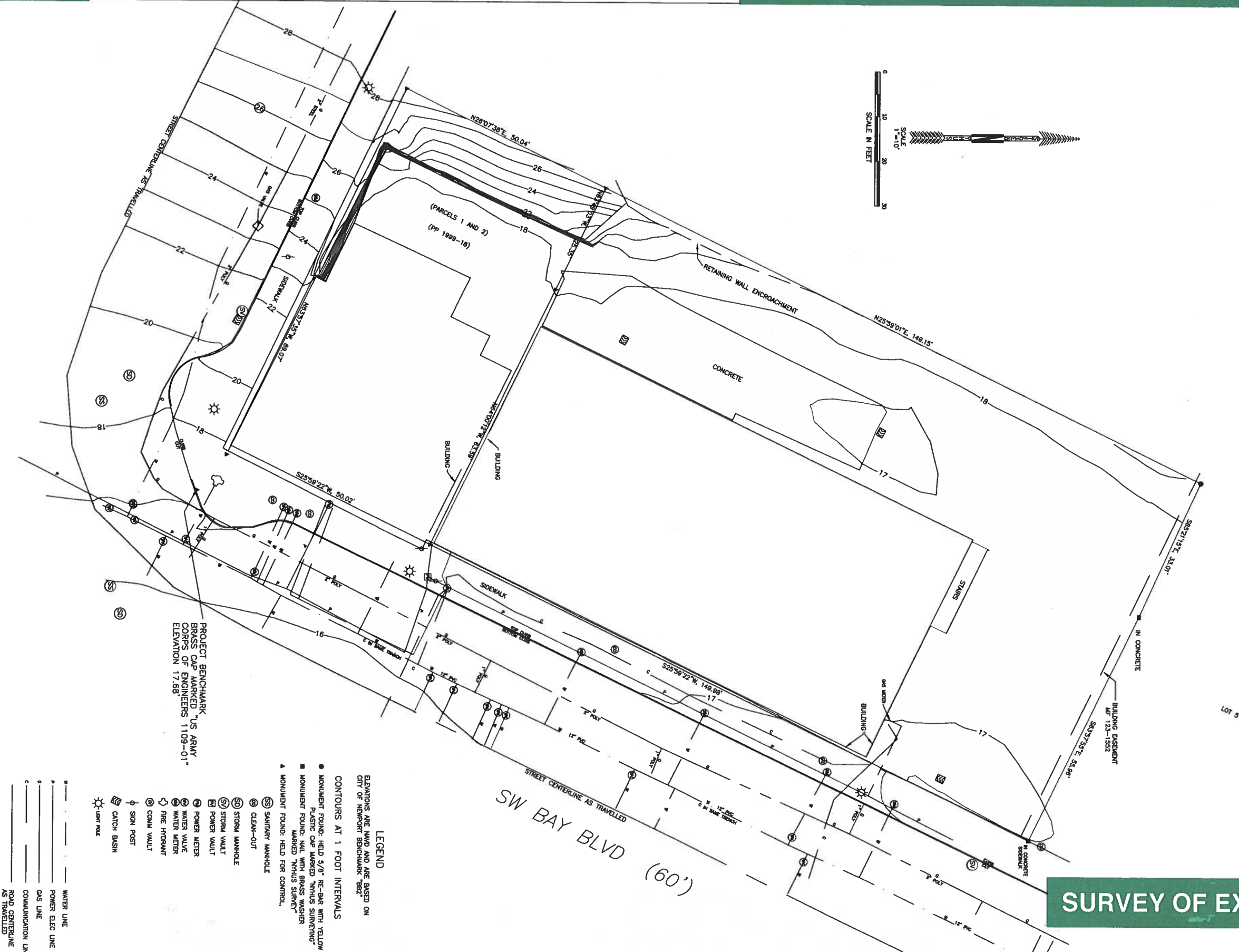


SITE PLAN - 1/16"=1'0"

NYHUS SURVEYING INC.
 GARY NYHUS / STEVEN NYHUS
 PROFESSIONAL LAND SURVEYOR
 P.O. BOX 208
 THISSILL RD. TIDEWATER, ORE 97380
 (541) 528-5234

CHECK BY: SEN
 DRAWN BY: GJM
 DATE: 9-4-2018
 PROJECT: 1800070-0
 SCALE: 1" = 10'

DRAWN BY: GJM
 CHECKED BY: SEN
 DATE: 9-4-2018
 PROJECT: 1800070-0
 SCALE: 1" = 10'



SITE SURVEY PREPARED FOR CHARLES EGGERT
 IN LOTS 1, 2, 3 AND 4, BLOCK 1 AND PORTION OF VACATED ALLEY
 PLAN OF "NEWPORT"
 LOCATED IN THE SW 1/4 OF SECTION 8, T11S, R11W, W.M.
 CITY OF NEWPORT, LINCOLN COUNTY, OREGON
 (11-11-08-CA TAX LOTS 2500, 2501, 2800 AND 3300)
 SEPTEMBER 4, 2018



- LEGEND**
- ELEVATIONS ARE SHOWN AND ARE BASED ON
 CITY OF NEWPORT BENCHMARK "882"
- CONTOURS AT 1 FOOT INTERVALS**
- MONUMENT FOUND: HELD 5/8" RE-BAR WITH YELLOW PLASTIC CAP MARKED "NYHUS SURVEYING"
 - MONUMENT FOUND: NAIL WITH BRASS WASHER MARKED "NYHUS SURVEY"
 - ▲ MONUMENT FOUND: HELD FOR CONTROL
 - ⊙ SANITARY MANHOLE
 - ⊖ CLEAN-OUT
 - ⊙ STORAGE MANHOLE
 - ⊙ STORAGE VAULT
 - ⊖ POWER VAULT
 - ⊖ POWER METER
 - ⊖ WATER METER
 - ⊖ WATER VALVE
 - ⊖ FIRE HYDRANT
 - ⊖ COMM VAULT
 - ⊖ SIGN POST
 - ⊖ CATCH BASIN
 - ☼ LIGHT POLE
- WATER LINE
 - POWER ELEC LINE
 - GAS LINE
 - COMMUNICATION LN
 - ROAD CENTERLINE AS TRAVELLED

SURVEY OF EXISTING PROPERTY

basics

NEWPORT PUBLIC MARKET

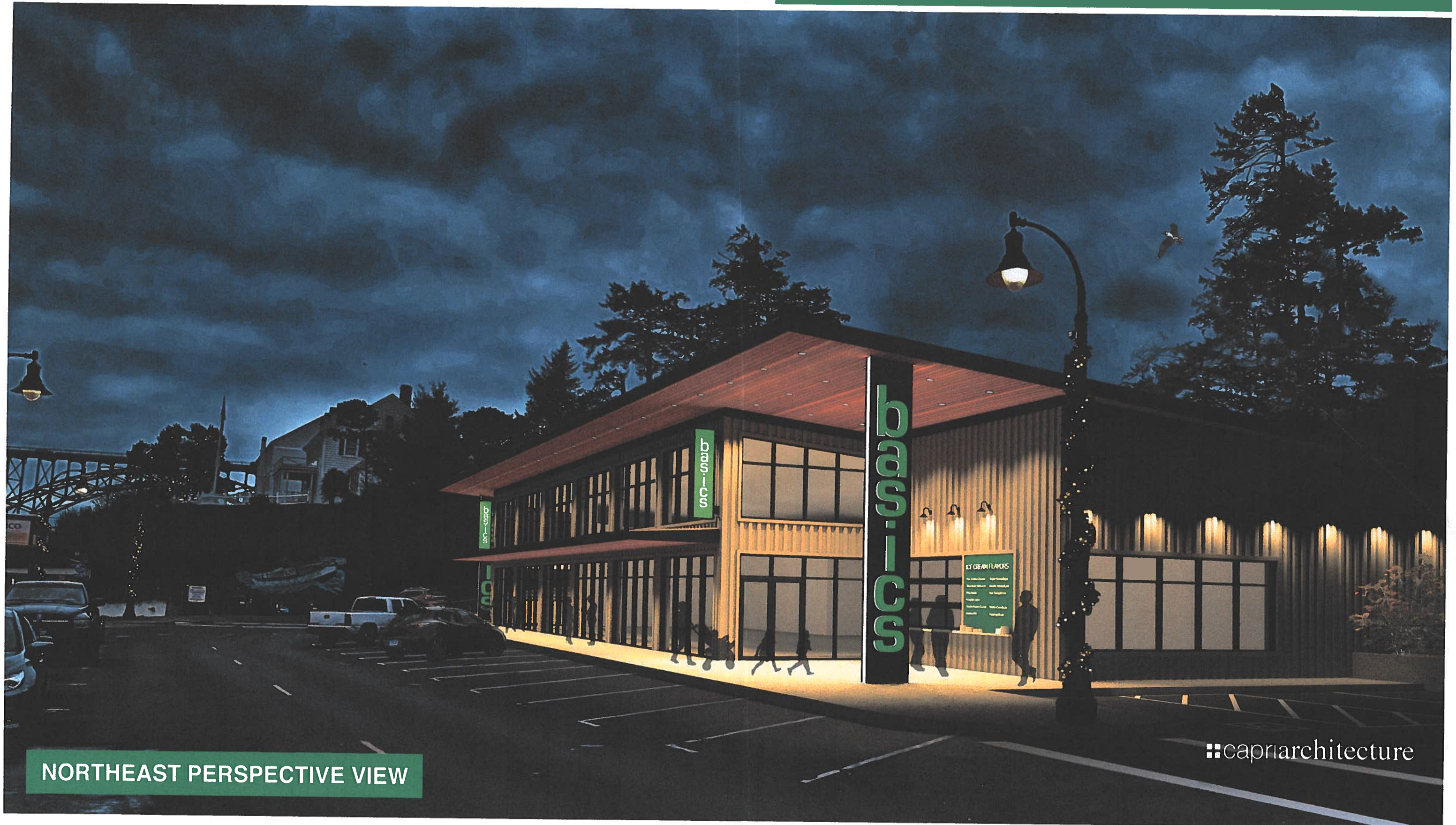
Headquarters 123 NE Sandy Blvd. Portland, OR 97232
503.555.1212 info@basicsmarket.com basicsmarket.com

Attachment "H"
1-CUP-20

36

capriarchitecture

541.961.0503 info@capriarchitecture.com



NORTHEAST PERSPECTIVE VIEW

capriarchitecture

basics

NEWPORT PUBLIC MARKET

Headquarters 123 NE Sandy Blvd. Portland, OR 97232
503.555.1212 info@basicsmarket.com basicsmarket.com

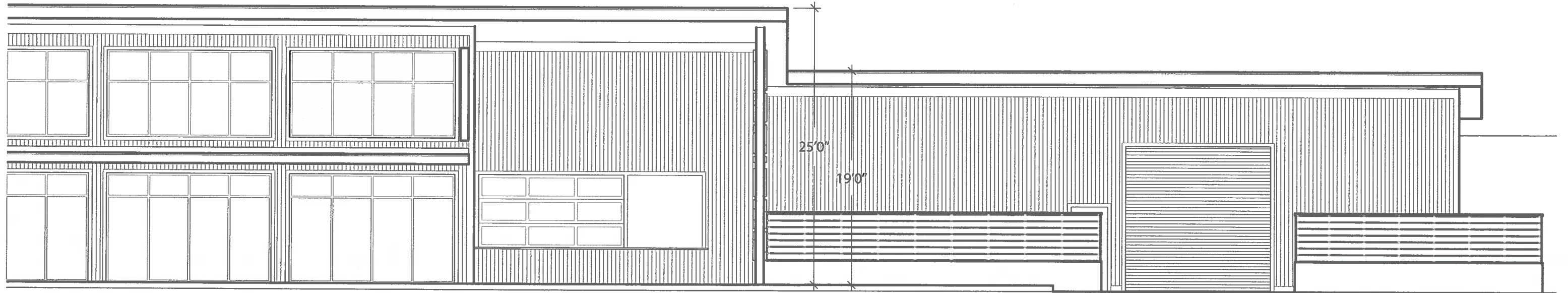
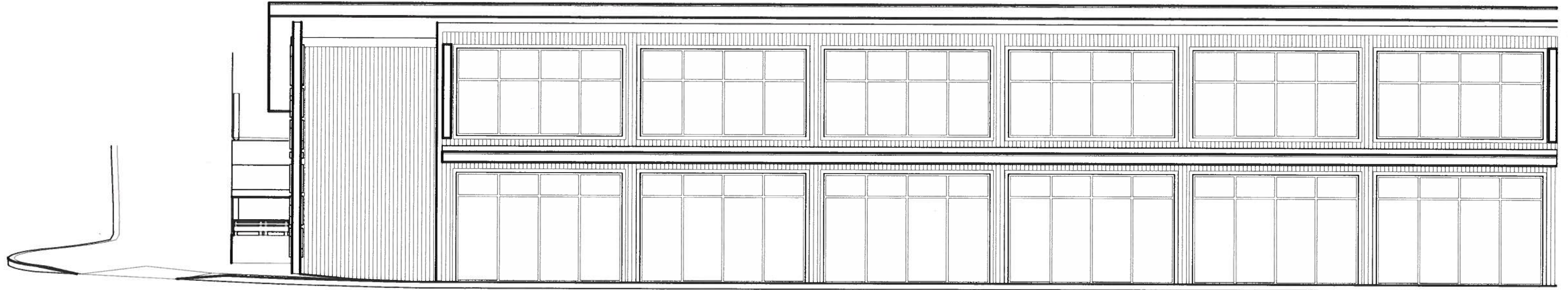
capriarchitecture

541.961.0503 info@capriarchitecture.com

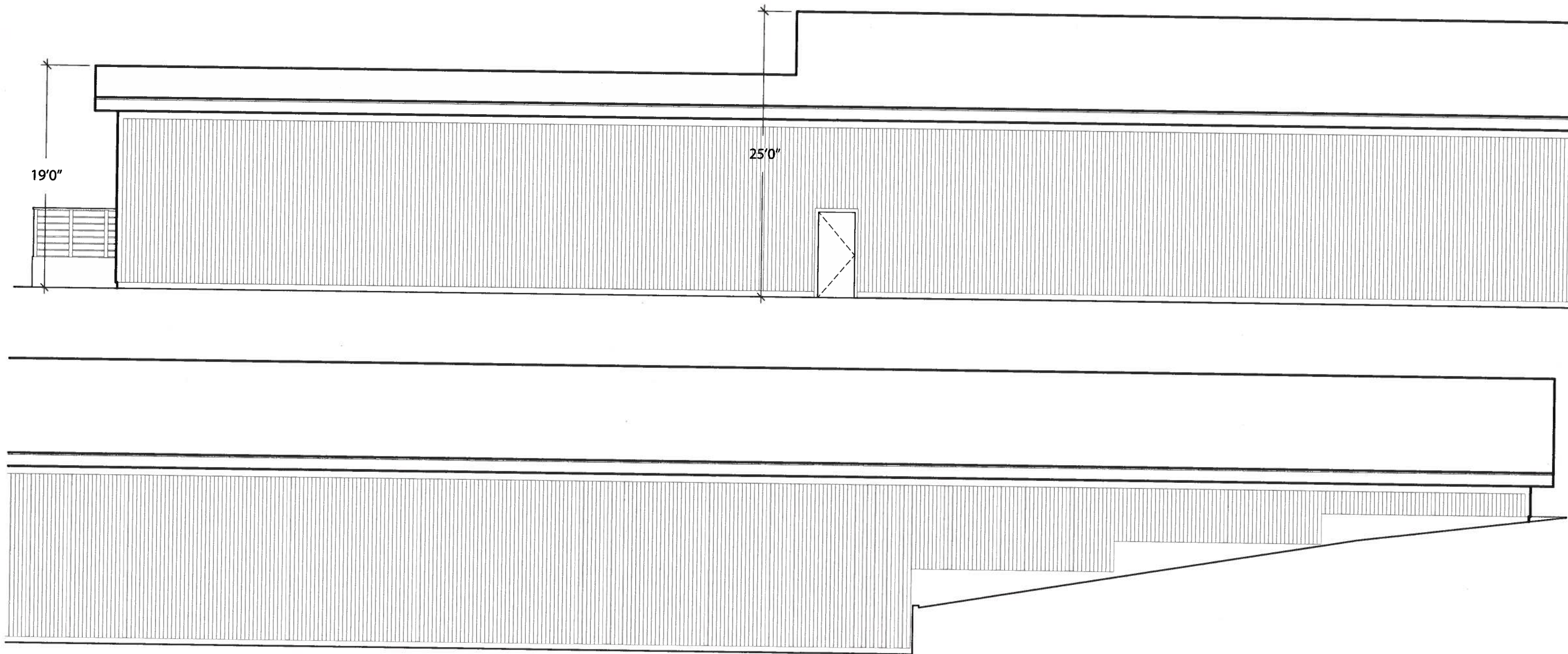


SOUTHEAST PERSPECTIVE VIEW

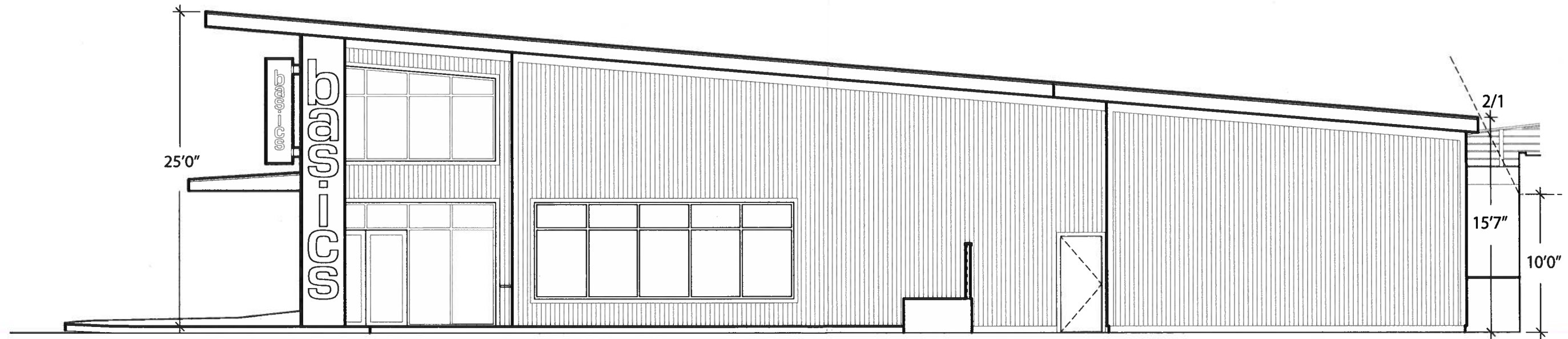
capriarchitecture



EAST ELEVATION - 1/8"=1'0"



WEST ELEVATION - 1/8"=1'0"



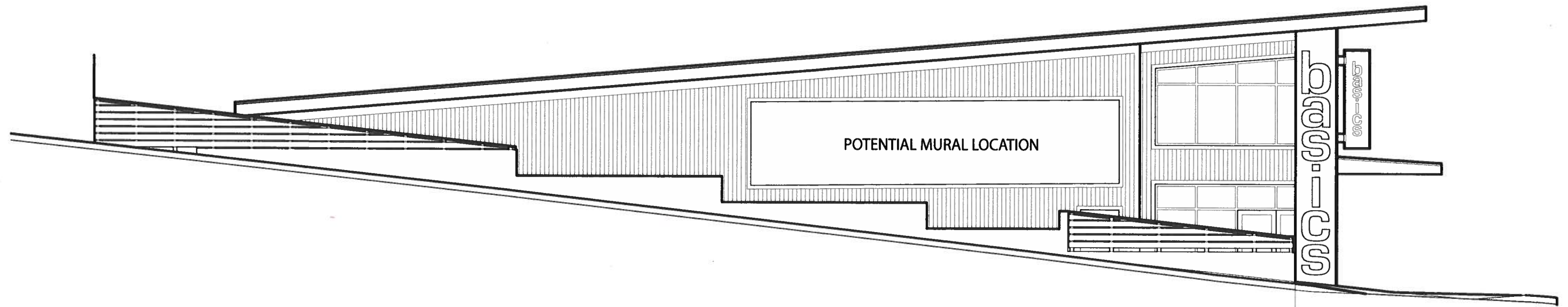
NORTH ELEVATION - 1/8"=1'0"

basics

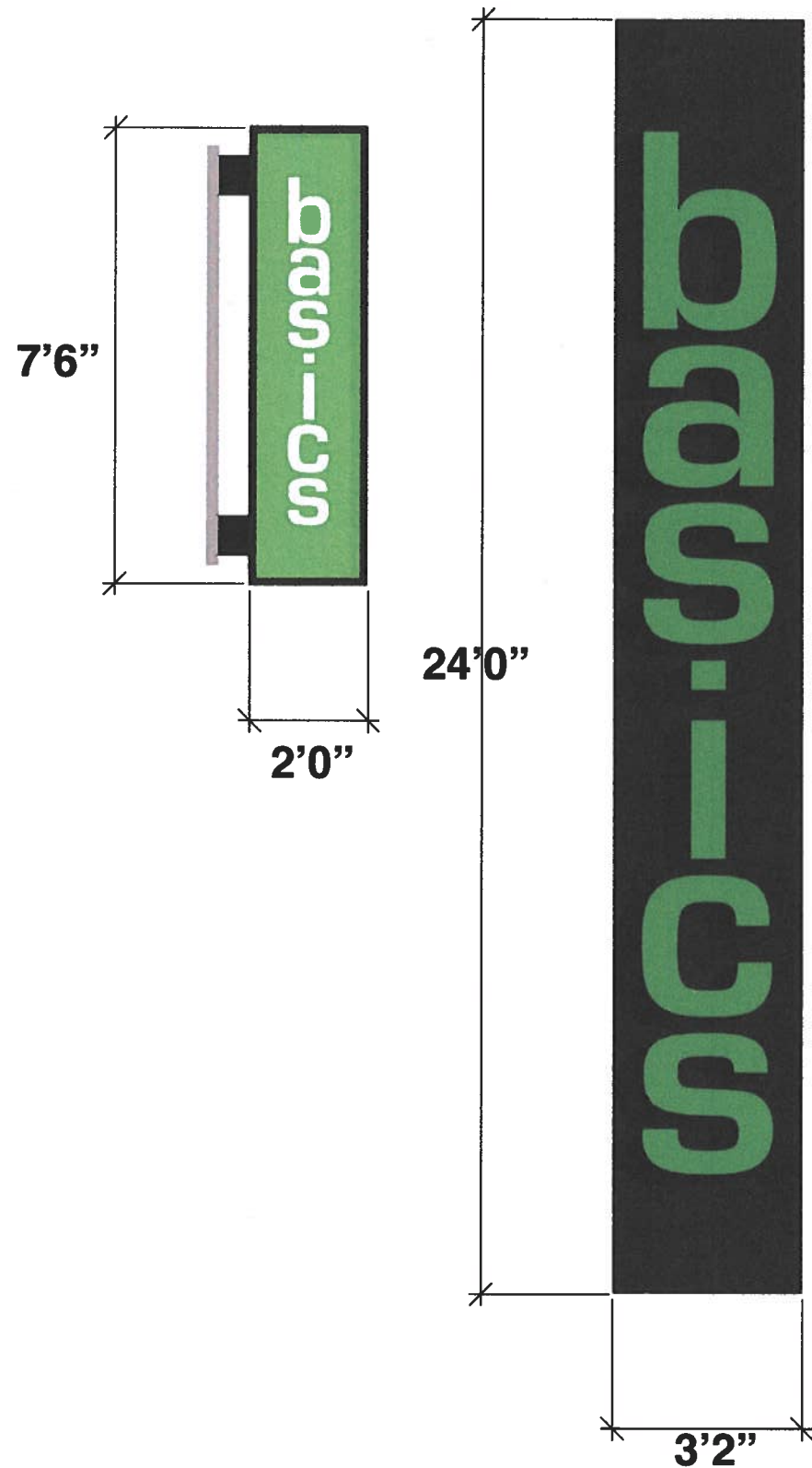
NEWPORT PUBLIC MARKET

Headquarters 123 NE Sandy Blvd. Portland, OR 97232
503.555.1212 info@basicsmarket.com basicsmarket.com

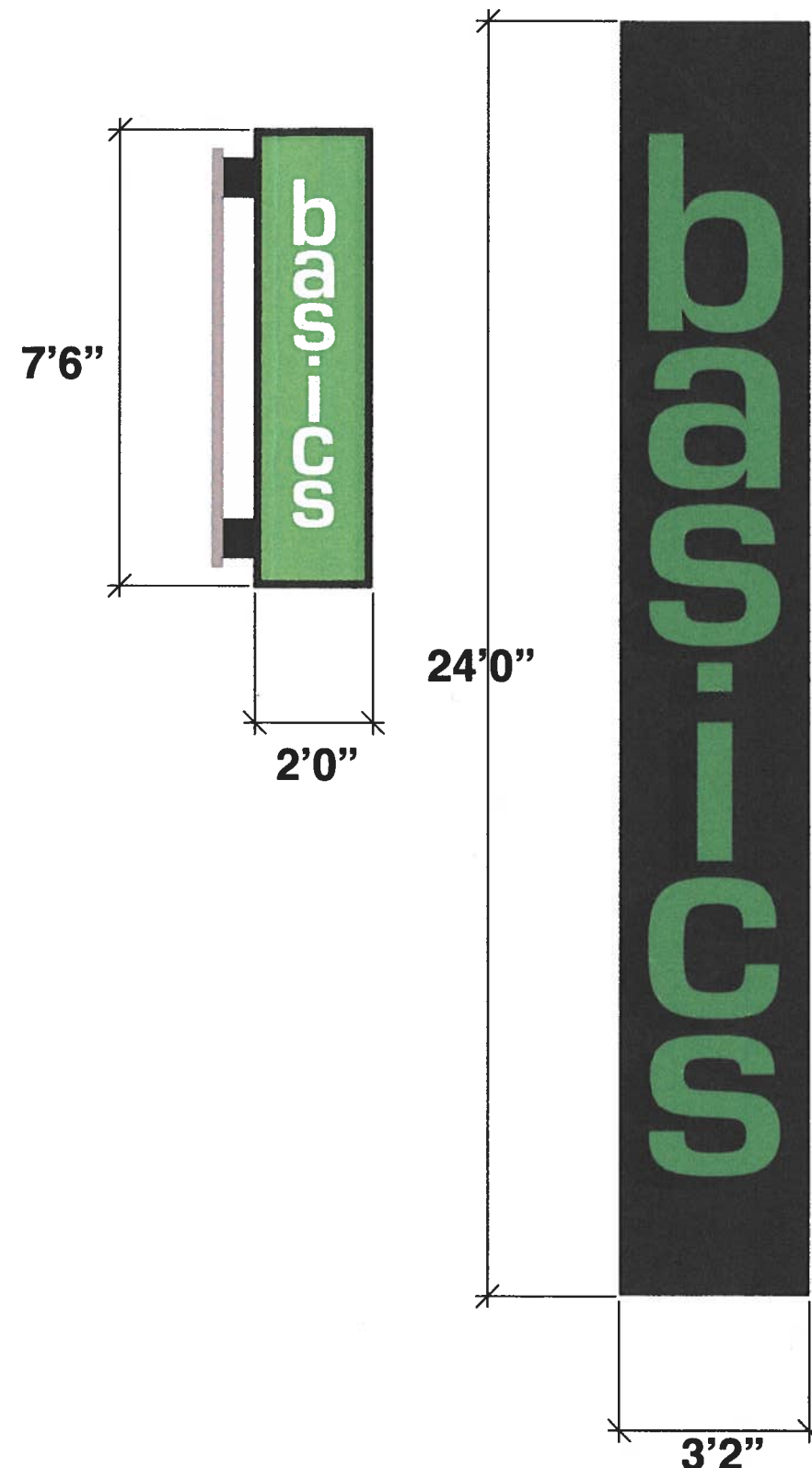
capriarchitecture
541.961.0503 info@capriarchitecture.com



SOUTH ELEVATION - 1/8"=1'0"



SOUTH STREET FRONTAGE SIGNS

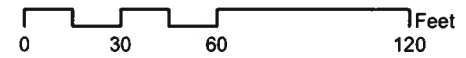


EAST STREET FRONTAGE SIGNS

NOTE: SIGNAGE IS CONCEPTUAL



Zoning Map
836 to 856 SW Bay Blvd



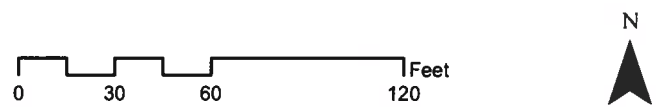
This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify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



**Aerial and Topographic Map
 836 to 856 SW Bay Blvd**

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

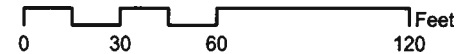
This map is for informational use only and has not been prepared for, nor is it suitable for legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its compilation or use and users of this information are cautioned to verify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





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

2013 Aerial Image
836 to 856 SW Bay Blvd



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.

Attachment "N"

1-CUP-20

Rev. 2/98

**CITY OF NEWPORT
USES IN THE WATER DEPENDENT AND RELATED ZONING DISTRICTS**

W-1/"Water Dependent"**Permitted Uses:**

Aquaculture
 Boat Rentals, Sport Fishing, and Charter Boat Services
 Docks, Wharves, and Piers
 Dry Docks, Boat Repair, Marine Services, and Marine
 Railway Facilities
 Fuel Facilities for Boats or Ships
 Marinas and Port Facilities
 Seafood Processing and Packaging Plants
 Terminal Facilities for Loading and Unloading Ships and
 Barges
 Marine Research and Education Facilities of Observation,
 Sampling, Recording, or Experimentation On Or Near the
 Water

Conditional Uses:

Ice Production and Sales, Refrigeration Repair, and Cold
 Storage To Serve the Seafood Industry
 Boat Building and Marine Equipment Manufacture
 Parking Lots
 Warehouses
 Uses Allowed in the Adjacent Estuarine Management Unit
 Water-Dependent Uses That Meet the Intent of the W-1
 District

W-2/"Water Related"**Permitted Uses:**

Aquaculture
 Boat Rentals, Sport Fishing, and Charter Boat Services
 Docks, Wharves, and Piers
 Dry Dock, Boat Repair, Marine Services, and Marine
 Railway Facilities
 Fuel Facilities for Boats or Ships
 Marinas and Port Facilities
 Seafood Processing and Packaging Plants
 Terminal Facilities For Loading and Unloading Ships and
 Barges
 Marine Research and Education Facilities of Observation,
 Sampling, Recording, or Experimentation On Or Near the
 Water
 Ice Production and Sales, Refrigeration Repair, and Cold
 Storage to Serve the Seafood Industry
 Boat Building and Marine Equipment Manufacture
 Parking Lots
 Warehouses
 Uses Allowed in the Adjacent Estuarine Management
 Unit
 Water-Dependent Uses That Meet the Intent of the W-1
 District
 Bait, Tackle, and Sporting Goods Stores Specializing in
 Water-Related Merchandise
 Seafood Markets

Conditional Uses:

Uses Permitted Outright in the C-2 District
 Offices Not on the Ground Floor of an Existing Building
 Residences (prohibited at street grade; for floors other
 than street grade, residences allowed subject to issuance of
 a conditional use permit; density limitations same as R-4;
 see Section 2-4-1 of the Zoning Ordinance).

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

The City of Newport Planning Commission will hold a public hearing electronically on Tuesday, May 26, 2020, at 7:00 p.m. to consider File No. 1-CUP-20, a request submitted by Keystone Pacific, LLC & Elsinore Investments, LLC, 18555 SW Teton Avenue, Tualatin, OR 97062 (Dustin Capri, Capri Architecture, authorized representative) per Section 14.03.080/"Water-Dependent and Water-Related Uses" of the Newport Zoning Ordinance, for a conditional use permit to construct a new 3,000 square foot general retail market, 2,000 square foot eating and drinking establishment, and 6,859 square foot industrial use building for food production. The subject property is located in a W-2/"Water-Related" zone. Three existing buildings will be demolished. The property is located at 836, 838, 844, 846, 848, 852 & 856 SW Bay Blvd, Newport, OR 97365 (Tax Map 11-11-08-CA, Tax Lots 2500, 2501, 2800 & 3300). The applicable criteria per NMC Chapter 14.34.050 are that: 1) The public facilities can adequately accommodate the proposed use; 2) the request complies with the requirements of the underlying zone or overlay zone; 3) 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; and 4) a proposed building or building modification is consistent with the overall development character of the neighborhood with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright. **This hearing will be held electronically.** The public can live-stream the Planning Commission meeting at newportoregon.gov/citygov/comm/cc.asp. The meeting will also be broadcast on Charter Channel 190. Public comment may be made, via e-mail, up to two hours before the meeting start time at publiccomment@newportoregon.gov. Additionally, anyone wishing to give testimony at the public hearing should e-mail their telephone number, and the hearing item they wish to address, up to two hours before the start of the meeting, to s.marineau@newportoregon.gov, and staff will telephone that person when that item is being discussed at the meeting. Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances which 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. Submit testimony in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. 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 (Planning) Department (address above) 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 the above address. Contact Derrick Tokos, Community Development Director, (541) 574-0626, (address above).

FOR PUBLICATION ONCE ON FRIDAY, MAY 15, 2020.

**CITY OF NEWPORT
PUBLIC NOTICE¹**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing to consider the following Conditional Use Permit outlined below. This hearing will be held electronically.

File No. 1-CUP-20:

Applicants & Representatives: Keystone Pacific, LLC & Elsinore Investments, LLC, 18555 SW Teton Avenue, Tualatin, OR 97062 (Dustin Capri, Capri Architecture, authorized representative).

Request: Approval of a request per Section 14.03.080/“Water-Dependent and Water-Related Uses” of the Newport Zoning Ordinance, for a conditional use permit to construct a new 3,000 square foot general retail market, 2,000 square foot eating and drinking establishment, and 6,859 square foot industrial use building for food production. The subject property is located in a W-2/“Water-Related” zone. Three existing buildings will be demolished.

Location/Subject Property: 836, 838, 844, 846, 848, 852 & 856 SW Bay Blvd, Newport, OR 97365 (Tax Map 11-11-08-CA, Tax Lots 2500, 2501, 2800 & 3300).

Applicable Criteria: NMC Chapter 14.34.050: (1) The public facilities can adequately accommodate the proposed use; 2) the request complies with the requirements of the underlying zone or overlay zone; 3) 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; and 4) a proposed building or building modification is consistent with the overall development character of the neighborhood with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.

Testimony: **This hearing will be held electronically.** The public can live-stream the Planning Commission meeting at newportoregon.gov/citygov/comm/cc.asp. The meeting will also be broadcast on Charter Channel 190. Public comment may be made, via e-mail, up to two hours before the meeting start time at publiccomment@newportoregon.gov. Additionally, anyone wishing to give testimony at the public hearing should e-mail their telephone number, and the hearing item they wish to address, up to two hours before the start of the meeting, to s.marineau@newportoregon.gov, and staff will telephone that person when that item is being discussed at the meeting.

Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances which 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. Letters sent to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 5:00 p.m. 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.

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 (address above in “Reports/Application Material”).

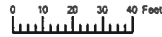
Time/Place of Hearing: Tuesday, May 26, 2020; 7:00 p.m.; City Hall Council Chambers (address above in “Reports/Application Material”).

MAILED: May 6, 2020.

PUBLISHED: May 15, 2020/News-Times.

¹ Notice 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 utilities within Lincoln County; and (3) affected city departments.

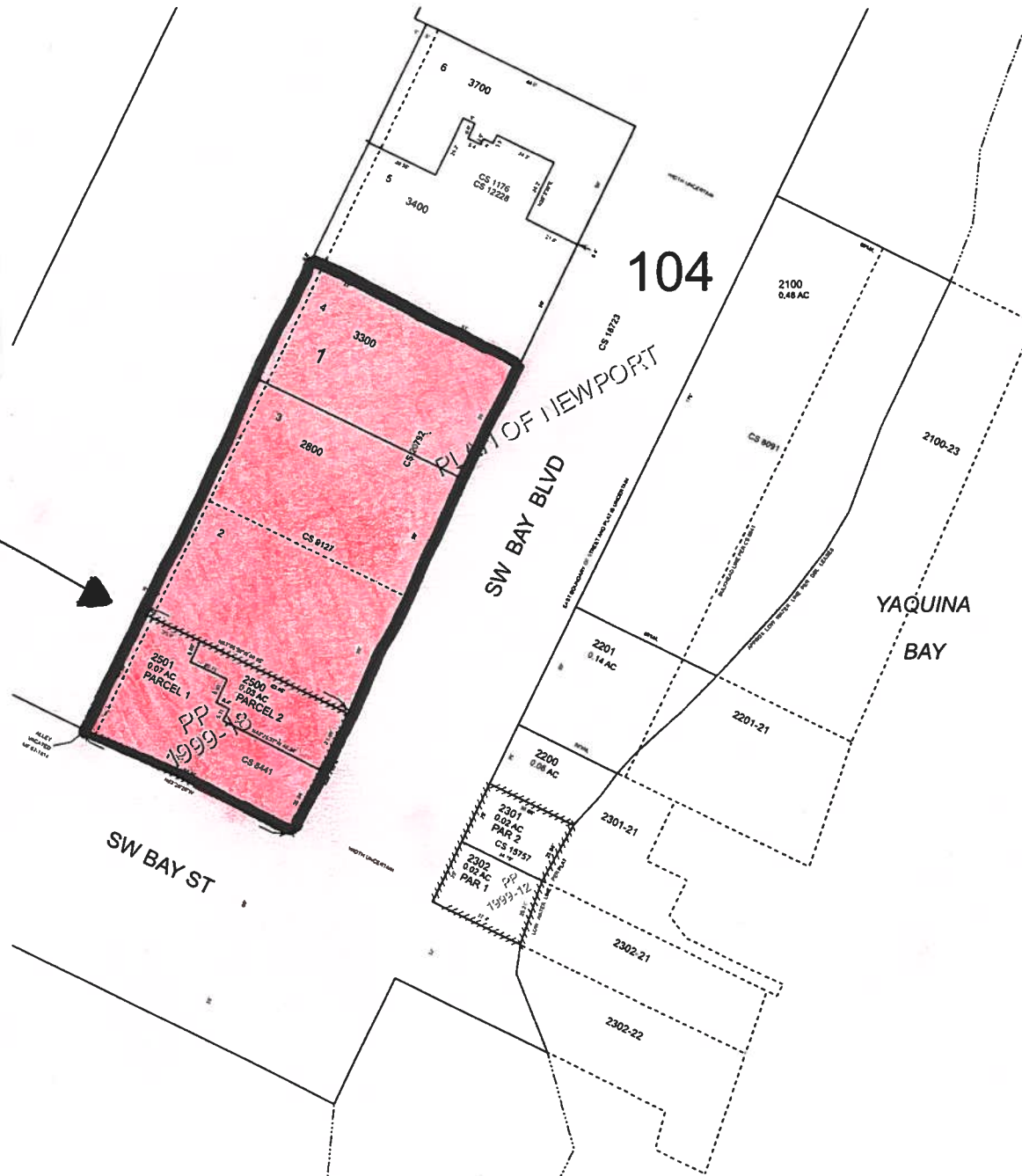
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



DETAIL MAP NO. 1
N.E. 1/4 S.W. 1/4 SEC. 8 T. 11S. R. 11W. W.M.
LINCOLN COUNTY
1" = 30'

11 11 08 CA
DETAIL MAP NO 1
NEWPORT

Subject Properties
File No. 1-CUP-20



Revised: 05/12/05

12/05

NEWPORT
DETAIL MAP NO 1
11 11 08 CA

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

Joseph Lease
Building Official

Rob Murphy
Fire Chief

Tim Gross
Public Works

Derrick Tokos
Planner

Jason Malloy
Police Chief

Mike Murzynsky
Finance Director

Laura Kimberly
Library

Michael Cavanaugh
Parks & Rec

Spencer Nebel
City Manager

Beth Young
Associate Planner

EXHIBIT 'A'
(Affected Agencies)

(1-CUP-20)

769 SW BAY BLVD LLC
113 SE BAY BLVD
NEWPORT; OR 97365

BAKER JON P &
BAKER LYNN D J
38695 RIVER DR
LEBANON; OR 97355

BAY BLVD LLC
ATTN CHARLOTTE BOXER
4627 N CONGRESS AVE
PORTLAND; OR 97217

BAY VIEW CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
833 13TH ST SW
NEWPORT; OR 97365

CAPRI DUSTIN &
CAPRI AMANDA
CAPRI ARCHITECTURE
747 SW 13TH
NEWPORT; OR 97365

CHENG HANN S &
FEY LILLIE C
818 SW 13TH ST
NEWPORT; OR 97365

DRAGER WILLIAM G JR COTTEE &
DRAGER RAEBETH C COTTEE
ATTN BORST VALERIE
635 35TH AVE SE
ALBANY; OR 97322

DULCICH REALTY ACQUISITION LLC
ATTN PACIFIC SHRIMP CO
ATTN DEBBIE SELLERS
PO BOX 1230
NEWPORT; OR 97365

EGGERT CHARLES W
18555 SW TETON AVE
TUALATIN; OR 97062

EGGERT CHARLES W
18555 SW TETON AVE
TUALATIN; OR 97062

ELM STREET LLC
ATTN CHARLOTTE BOXER
606 N TOMAHAWK ISLAND DR
PORTLAND; OR 97217

CHARLES EGGERT
ELSINORE INVESTMENTS LLC
18555 SW TETON AVE
TUALATIN; OR 97062

ERLANDER J MARK
1211 SW BAY ST
APT A
NEWPORT; OR 97365

LAFRANCHISE JANINE
833 SW 13TH ST
APT #2
NEWPORT; OR 97365

MCENTEE CINDY M &
DIXON JUDITH A &
DIXON KEVIN ETAL
622 SW BAY BLVD
NEWPORT; OR 97365

MCENTEE WILSON GABRIELLE
PO BOX 717
NEWPORT; OR 97365

NEWPORT REAL ESTATE LLC
3 E RAMONA AVE
COLORADO SPRINGS; CO 80905

NEWPORT TOWNHOMES LLC
ATTN BOOKS TO GO
8101 SW NYBERG ST
#218
TUALATIN; OR 97062

ROLES WILMA E (TOD)
834 SW 13TH ST
NEWPORT; OR 97365

SELVEY VICTOR B
381 SUNSHINE AVE
PHILOMATH; OR 97370

SMITH BRADFORD M &
SMITH BEVERLY M
2455 S 5TH ST
LEBANON; OR 97355

STARLIGHT ONE LLC
ATTN BORNSTEIN SEAFOODS INC
ATTN RICH GRIFFITH
PO BOX 188
BELLINGHAM; WA 98227

TAYLOR BRYCE R TRUSTEE &
TAYLOR CARLY S TRUSTEE
PO BOX 12247
SALEM; OR 97309

UNITED STATES OF AMERICA
% US COAST GUARD
DISTRICT 13
915 2ND AVE
SEATTLE; WA 98104

VEAL CONNECTION CORPORATION
2225 GROSSE AVE
SANTA ROSA; CA 95404

WISHOFF BRADDEN J &
WISHOFF SALLY A
18886 LAFAYETTE AVE
OREGON CITY; OR 97405

YELTRAB FAMILY LLC
845 SW 12TH ST
NEWPORT; OR 97365

YOST PROPERTIES LLC
3756 CHEROKEE DR S
SALEM; OR 97302

KEYSTONE PACIFIC, LLC &
ELSINORE INVESTMENTS, LLC
ATTN: CHARLES EGGERT
1855 SW TETON AVENUE
TUALATIN, OR 97062

Exhibit "A"

Adjacent Property Owners
Within 200 Feet

Sherri Marineau

From: Sherri Marineau
Sent: Wednesday, May 06, 2020 9:46 AM
To: 'odotr2planmgr@odot.state.or.us'; 'lisa.phipps@state.or.us'
Subject: Conditional Use Permit - 1-CUP-20
Attachments: Notice - File 1-CUP-20 PC May 26 Hearing.pdf

I have attached a copy of a public notice concerning a land use request that was sent previously. The original public hearing date for this request was canceled and has been rescheduled for May 26, 2020. The notice contains a brief explanation of the request, a property description and map, and a date for a public hearing. You may want to review this information to determine if there are any effects to your department and if you would like to make comments.

We must have your comments at least 10 days prior to the hearing period in order for them to be considered. **Should no response be received, a "no comment" will be assumed.**

Sherri Marineau
City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0629 fax: 541.574.0644
s.marineau@newportoregon.gov



Sherri Marineau

From: Sherri Marineau
Sent: Wednesday, May 06, 2020 9:46 AM
To: Derrick Tokos; Spencer Nebel; Tim Gross; Robert Murphy; Michael Murzynsky; Joseph Lease; Jason Malloy; Laura Kimberly; Michael Cavanaugh; Beth Young
Subject: Conditional Use Permit - 1-CUP-20
Attachments: File 1-CUP-20 City Dept & Utilities Notification-May 26 Hearing.pdf; Notice - File 1-CUP-20 PC May 26 Hearing.pdf

I have attached a copy of a public notice concerning a land use request that was sent previously. The original public hearing date for this request was canceled and has been rescheduled for May 26, 2020. The notice contains a brief explanation of the request, a property description and map, and a date for a public hearing. You may want to review this information to determine if there are any effects to your department and if you would like to make comments.

We must have your comments at least 10 days prior to the hearing period in order for them to be considered. **Should no response be received, a "no comment" will be assumed.**

Sherri Marineau
City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0629 fax: 541.574.0644
s.marineau@newportoregon.gov



Memorandum

To: Planning Commission

From: Derrick I. Tokos, AICP, Community Development Director 

Date: May 21, 2020

Re: File No. 1-CP-18 / 3-Z-20 - Amending the Natural Features Section of the Newport Comprehensive Plan and Adding a New Municipal Code Chapter 14.46 Establishing a Tsunami Hazards Zoning Overlay

On April 13, 2020, the Planning Commission continued the public hearing on this proposed legislative amendment to May 26, 2020 due to the COVID-19 pandemic. No new information has been submitted into the record since that time.

PLANNING STAFF MEMORANDUM

FILE No. 1-CP-18 / 3-Z-20

CORRECTED

I. Applicant: City of Newport. (Initiated pursuant to motion of the Newport Planning Commission on March 9, 2020).

II. Request: Amend the Natural Features section of the Newport Comprehensive Plan to include background, a rationale, and policies for guiding development within tsunami inundation areas. Further, the proposal amends the Newport Zoning Ordinance (i.e. Title XIV of the Newport Municipal Code) to establish a new Tsunami Hazard Overlay Zone that limits certain uses in tsunami inundation areas in a manner comparable to provisions contained in ORS Chapter 455 that were removed with the passage of HB 3309 (2019).

III. Planning Commission Review and Recommendation: The Planning Commission reviews proposed amendments to the Comprehensive Plan and Zoning Ordinance, and provides a recommendation to the City Council. Later, the City Council will hold an additional public hearing prior to any decision on the amendments.

IV. Findings Required: The Newport Comprehensive Plan Chapter entitled "Administration of the Plan" (p. 288-289) allows amendments of this nature if findings can be made that there is (a) a significant change in one or more conclusions; or (b) a public need for the change; or (c) a significant change in community attitudes or priorities; or (d) a demonstrated conflict with another plan goal or policy that has a higher priority; or (e) a change in a statute or statewide agency plan. Revisions must comply with applicable Statewide Planning Goals. With respect to the Zoning Ordinance amendments, the Commission must determine that the changes are necessary and further the general welfare of the community (NMC 14.36.010).

V. Planning Staff Memorandum Attachments:

Attachment "A"	Draft Natural Features Section of the Newport Comprehensive Plan
Attachment "B"	Draft Amendments Establishing a Tsunami Hazards Overlay
Attachment "C"	Maps Illustrating the Extent of the Tsunami Hazards Overlay
Attachment "D"	Minutes from the 7/8/19, 8/12/19, 8/26/19, and 2/24/20
Attachment "E"	2019 OSSC High Hazard Occupancy Classification
Attachment "F"	Email from Jean Dahlquist, dated March 30, 2020
Attachment "G"	News-Times articles
Attachment "H"	Notice of public hearing

VI. Notification: The Department of Land Conservation & Development was provided notice of the proposed legislative amendment on February 24, 2020. Because this amendment will limit the range of permissible uses, notice of the Planning Commission hearing was mailed on March 13, 2020 to persons owning property within the tsunami inundation area in accordance with ORS 227.186. Notice was published in the Newport News-Times on April 3, 2020.

VII. Comments: An email was received from Jean Dahlquist requesting a copy of the staff report.

VIII. Discussion of Request: In 2017 the City of Newport, along with a number of other coastal communities, secured grant funding from the Department of Land Conservation and Development (DLCD) to (a) improve the capacity of coastal jurisdictions to prepare and plan for, absorb impacts of, recover from, and/or adapt to

extreme weather events and climate-related hazards; and (b) identify activities that restore habitat to strengthen the resilience of coastal ecosystems and decrease the vulnerability of coastal communities to extreme weather events and climate-related hazards.

Some of the funding has been used by the Oregon Department of Geology and Mineral Industries (DOGAMI) to prepare “beat the wave” time/distance maps for tsunami inundation areas within the partner jurisdictions. This includes socio-economic vulnerability and potential structural damage assessments for the affected areas. DOGAMI completed this work, the analysis and maps for which are included in a publication titled “Open-File Report O-19-05, Tsunami evacuation analysis of Newport, Lincoln County, Oregon.”

A second phase of the project, and the topic for this hearing, relates to the development of a tsunami hazard overlay. When the Commission discussed this issue in January of 2018, there was general agreement that the ORS Chapter 455 prohibitions on new essential facilities and special occupancy uses within tsunami inundation areas were sufficient, and there wasn’t a need for the City to restrict additional uses. There was; however, interest in (a) integrating the development and improvement of tsunami evacuation infrastructure into the land use and development review processes, and (b) providing incentives for development design that reduce risk and increase resiliency.

On June 25, 2019 the Governor signed HB 3309, which repealed the ORS Chapter 455 prohibitions. Considering this change, the Planning Commission determined that it needed to revisit whether the City should reinstate the prohibition on new essential facilities and certain special occupancy uses within tsunami inundation areas by way of adopting a tsunami hazards overlay zone.

Over a series of four work sessions, the Commission developed a package of amendments to the City’s Comprehensive Plan to provide the background, rationale, and policy support for an overlay, and worked through the mechanics of putting in place a new tsunami hazards zoning overlay.

The Natural Features Section of the Newport Comprehensive Plan provides context for the policies that follow (Attachment "A"). The format is akin to an executive summary, with more detailed technical studies being referenced with citations or adopted as appendices. There are several components to this section that are dated and should be updated in the future. Proposed amendments are limited to the project at hand, which is to update the City’s policy and regulatory documents related to tsunami hazards. Provisions related to earthquake risk are being replaced in their entirety, as they are quite dated. This section of the document deals with earthquake risk generally, not just the Cascadia Event, and the new language has been pulled, in large part, from the City of Newport Addendum to the Lincoln County Natural Hazard Mitigation Plan, dated July 2015 (Adopted by the City Council with Resolution No. 3725). A new section has been added addressing tsunami’s specifically. Much of the language is borrowed from model provisions contained in DLCDC’s publication titled “Preparing for a Cascadia Subduction Zone Tsunami: A Land Use Guide for Oregon Coastal Communities” dated April of 2015.

Three policies are being added under Goal 1, which commit the City to (a) put in place a tsunami overlay zone to limit certain uses within inundation areas and (b) adopt tsunami resilient building code requirements for high risk structures. The third policy, relating to vertical evacuation structures, has already been implemented in the zoning ordinance. A new Goal 2 and associated policies has been added to encapsulate the education and outreach needed to effectively plan for hazard events. It has been tailored to address “all hazards,” not just tsunami’s, and speaks to both the City’s internal and external constituencies.


A new Chapter 14.46 will be added to the Municipal Code to create a tsunami hazards overlay zone (Attachment "B"). It includes a purpose section, drawing authority from Statewide Planning Goals 7 and 18, and the Natural Features Section of the Comprehensive Plan. The tsunami hazards overlay corresponds with the “XXL” tsunami inundation area boundary, as depicted on the maps titled “Local Source (Cascadia

Subduction Zone) Tsunami Inundation Map Newport North, Oregon” and “Local Source (Cascadia Subduction Zone) Tsunami Inundation Map Newport South, Oregon” produced by DOGAMI, dated February 8, 2013. The overlay will prohibit new essential facilities, which include hospitals and related medical facilities, emergency vehicle shelters, police/fire stations, and emergency preparedness centers. Special occupancy structures that would be prohibited include large schools, assisted/senior living facilities, day care facilities, child care facilities, jails/detention facilities, and hazardous facilities. Uses classified as hazardous include those identified as High Hazards in the 2019 Oregon Structural Specialty Code (Attachment "E"). Large schools and child care facilities would be prohibited in areas subject to medium size events. All other listed uses would be prohibited from areas likely to be inundated because of a worse case “XXL” event. Uses permitted in water-dependent or water-related zones are not subject to the limitations. The overlay includes a discretionary land use exception process, with standards, that would be subject to review and approval by the Planning Commission. Existing “prohibited uses” would become non-conforming and could continue as they are presently operating.

Another component of the proposal are design standards that apply to all new, or substantial improvements to, multifamily, residential, commercial, industrial, or institutional development within the new tsunami hazard overlay zone. Such development will be required to provide all-weather pedestrian access between buildings to adjacent rights-of-way or evacuation routes, directional signage to evacuation routes, and the posting of emergency evacuation information within buildings. In circumstances where a developer elects to construct a vertical evacuation structure within the overlay, language has been added requiring such structures meet the same design standards as those that presently apply to evacuation structures that would exceed the height limit of the zone district within which they are located.

Proposed changes consider updated mapping and analysis by DOGAMI regarding the risk to life and property from a tsunami associated with a near shore Cascadia Event. Further, they borrow from best practices that recognize the importance of placing essential facilities where they are most likely to be operational after a Cascadia Event, and the need to protect populations with mobility issues that would have a difficult time evacuating to designated assembly areas. Restrictions on high hazard uses acknowledge the impact to the environment that would result from such uses being compromised by wave forces from a tsunami. Lastly, the design standards ensure that evacuation wayfinding and routes will be enhanced over time, so that residents, employees, and visitors can effectively and efficiently reach assembly areas when the need arises. Unlike some coastal communities, Newport has ample land outside of tsunami inundation areas to accommodate prohibited uses. For these reasons, it would be reasonable for the Commission to find that the Comprehensive Plan amendments are necessary because of (a) a significant change in one or more conclusions and (b) a public need for the changes. Further, this same rationale supports a finding that the changes to the Newport Municipal Code are necessary and further the general welfare of the community.

IX. Conclusion and Recommendation: The Planning Commission should review the recommended amendments to the Newport Comprehensive Plan and Newport Municipal Code make a recommendation to the City Council. As this is a legislative process, the Commission may recommend changes to the amendments. If the Commission provides a favorable recommendation then formal findings, in ordinance format, will be prepared for the City Council’s consideration, including the requisite statewide planning goal analysis. The Council may also make changes to the proposal prior to, or concurrent with, the adoption of an implementing ordinance.



Derrick I. Tokos AICP
Community Development Director
City of Newport

April 13, 2020

(Deleted language shown in ~~strikethrough~~ and language to be added is depicted with a double underline. Staff comments, in *italics*, are provided for context and are not a part of the revisions)

NATURAL FEATURES

Introduction:

Various sections of Newport's Comprehensive Plan have anticipated a demand for additional land to accommodate growth. Sometimes that growth encroaches into areas that are environmentally sensitive or geologically hazardous. Unfortunately, not all developers or other users of the land are aware that several environmental factors exist restricting the development potential of much of the land in the Newport area. Many areas have limitations for development, so special care must be taken prior to and during construction. If care is not taken in those areas, major financial and property losses and possible loss of life may occur.

The prevention of loss of property and/or life is a goal unto itself and should be a major consideration when identifying environmental constraints. But there are also properties that are the site of significant natural features. To protect those features, care must also be taken in nearby development.

This section of the plan will discuss the various environmental issues that face the City of Newport. Where possible, sensitive or hazardous lands will be identified and policies will be developed to protect them. Where not known, procedures must be established to identify and protect these areas.

Geology:

The underlying geology of an area dictates the land forms created by erosive forces. Wind and rain sculpt the land into hills and valleys, wave action builds beaches, streams and rivers flatten mountains, and the earth's internal forces push the land upward to start the process over again.

People, too, shape the land to serve their needs. Houses and shopping centers are built, roads are cut, land is cleared, all to facilitate the needs and desires of a greater number of people. But how do all these forces interact and how do we avoid situations that are in conflict? To answer these questions, we must first examine the underlying geology and then identify inherent problems created because of that geology.

The Newport area is predominantly composed of five geologic units: the Nye mudstone, the Astoria formation, the Yaquina formation, the Cape Foulweather basalt, and the Quaternary marine deposits. A bulletin describing the characteristics of the five units and mapping the general location of each is the Environmental Geology of Lincoln

County, Oregon, prepared by the State of Oregon Department of Geology and Mineral Industries.¹ The map of the Newport area also shows a geologic cross section that bisects the heart of Newport.

The Environmental Geology bulletin contains an appendix that summarizes planning concerns in the Newport area:

"Coastal erosion and landslides are extensive from Otter Rock southward to Yaquina Head. Here the abundance of landslides is due to the steep seaward dip of the underlying bedrock. Problems are especially apparent where highway fills have been placed across canyons or small valleys. Repairs are required annually in these areas. Sliding extends east of the highway, and in some areas the power lines require frequent repair and realignment.

"There are large landslides on both the north and south sides of Yaquina Head. The landslide on the south side has made several buildings unusable. In Agate Beach, subsurface drainage is restricted and a public sewerage system is necessary before additional developments are made.

"In the vicinity of Jumpoff Joe [sic] in Newport, the sea coast has retreated as much as several hundred feet since the turn of the century. A number of homes have been destroyed or badly damaged in recent years [the 1940's] as a result of landslides in this area. Before any additional shoreline areas are developed, the stability of the slope should be studied by soil engineers and geologists. Often an apparently stable slope can be reactivated by the addition of houses and streets.

"From Nye Beach southward to Yaquina Bay the shoreline is being eroded by storm waves. People considering building structures on these cliffs should be aware that the cliffs are eroding back about one foot per year, and erosion could be much more severe if landslides occur. The practice of placing embankments over steep vegetated slopes is extremely hazardous because the vegetation will decompose to produce a slip plain at the interface between the embankment and the original ground.

"East of the shoreline in Newport from about Nye Beach south to the bay, the marine terraces are overlain by loose dune sand. These sands are stabilized where covered by vegetation; however, where the vegetation has been removed or none has grown, the sand is exposed to erosion or transport by wind. Frequently during high winds, the sand can be observed drifting across streets and into properties adjacent to the street.

¹ State of Oregon Department of Geology and Mineral Industries, Bulletin 81: Environmental Geology of Lincoln County, Oregon, 1973.

"Just east of Newport, in the vicinity of ~~McClean~~ McLean [sic] Point, much of the slope has been affected by landslides. Development in this area should proceed with great caution. The making of steep cuts, removal of toe support, the additional weight of embankments on the upper slopes, and the addition of moisture from the developments, including subsurface sewage disposal, all add to the instability of the slope. Serious problems can arise, especially following periods of extremely heavy rainfall. Developments in this area could suffer serious slope problems unless the slopes and embankments are properly constructed and a public sewerage system is installed.

"The area south of Yaquina Bay from Highway 101 eastward as far south as Henderson Creek is subject to a seasonal high water table. Before development reaches a greater density, a public sewerage system should be installed. A high water table creates problems for foundations of structures, and in some areas the water will stand at the surface after a heavy rainfall."²

The geologic and climatic environment of Newport is attended by a variety of natural hazards that have the potential for creating serious problems involving property. On the other hand, an understanding of these conditions and a sensible approach to coping with them in the planning stages of development can eliminate much of the grief that might otherwise occur.

In order for planning and development to go forward in such a way as to lessen the damage brought on by these conditions, the data and suggestions in this section are introduced as policies for the City of Newport. Local sites shall be evaluated by qualified geologists in order to protect the individual land owners, investors, and developers from problem areas in Newport that are subject to geologic hazards. The geologists shall also make suggestions as to how these problems can be avoided or corrected.

Areas Subject to Geologic Hazards

Marine Terraces

A significant portion of Newport is situated on a marine terrace. These elevated platforms, representing former strand- lines of the sea, extend the full length of the city, interrupted only by headlands and the Yaquina Bay. The terrace materials consist of weakly cemented sand, silt, and pebbly sand overlain in many areas by old, fairly stable dunes. Bedrock beneath the terrace and dune sediments tilts seaward and is exposed in sea cliffs in some places.

² ibid., pgs. 168-169.

"The margins of these terrace areas adjacent to the ocean are attractive places to build, and many small beach cottages, permanent homes, condominiums, and motels occupy these locations. Unfortunately, the sea cliffs at the terrace margins are slowly but continually receding. Wave erosion during storms and high tides undermines the cliffs, while rain, wind, and frost loosen the upper portions; as a result, masses of terrace material slip seaward at unpredictable rates and in unexpected places.

"In general, marine terrace margins can be expected to retreat from 6 inches to 1 foot per year; however, in certain areas, recession can average more than 10 feet per year. In some locations, erosion may not be evident for a decade and then 10 or 15 feet of the cliff may drop off in a single season. Occasionally, very large areas involving a number of acres of land may slide seaward, such as in the Jump-Off [sic] Joe area of Newport.

"Excessive slippage along terrace margins is due to the sliding of weakened, water-saturated bedrock along its seaward-tilted bedding planes. Of course, the overlying terrace sediments move with it. Particularly vulnerable to bedding-plane failure is the Nye Mudstone. This type of movement may have vertical and horizontal components of only 2 feet to as much as 50 feet. At first the surface of the slide block is not disrupted, but it is generally back-tilted, or rotated down, on the landward side. Water often accumulates in a sag pond at the back of the slide.

"The surface of these slump areas may range from 50 to 100 feet wide and from 200 to 1,000 feet long. To the untrained eye, such apparently level areas of ocean frontage might appear to be desirable building sites. Unfortunately, however, these areas are extremely unstable since the ground surface must adjust to constant wave erosion at the toe of the slide. In a short time, the entire slump block can be eroded away. During the limited life of the slump block, home owners will be plagued with continual problems of settlement, such as cracks in walls, jammed doors and windows, and water- and sewer-line difficulties."³

Old Dune Areas

In certain areas, such as South Beach and Nye Beach, large old sand dunes have developed a thick soil profile and have remained stable for many years. "However, the need for easily excavated fill material and the preparation of ground for building sites has led to the removal of the stabilizing soil layer and has exposed loose sand. If these exposed areas are not immediately stabilized, the wind will soon erode basins and troughs, causing the sand to migrate to adjacent housing areas where it can cover driveways, sidewalks, streets, and lawns."⁴

³ ibid., p. 127.

⁴ ibid., p. 132.

Sandspits and Active Dunes

"Sandspits and their active dunes are of recent origin and should be regarded as relatively temporary features. Some parts of the spits and dunes are built up quickly by water and wind and destroyed by the same agents a few years later. Their instability results from the interplay of numerous environmental factors, including ocean currents, size and number of storms, volume of stream sediment entering the ocean, and variations in tides and wind patterns."⁵

Sandspits and active dunes are found mostly at the mouth of Yaquina Bay and in South Beach. "Preservation of vegetation on the dunes south of Yaquina Bay is recommended since excavation into loose sand could initiate further dune migration....It is essential that the foredune be preserved. Construction in this dune area could be hazardous."⁶

Hillside Development Areas

"Nearly all aspects of hillside land development combine to create slope instability unless the entire construction project is properly engineered. It should be emphasized that slope failure may occur 5 [sic] to 10 [sic] years after the start of the development, by which time the developer may have divested himself of interest and responsibility.

"Development of hillside properties⁷ has a considerable adverse effect on slope stability. Whenever material is excavated from a side hill, it results in a steeper than natural slope. Material excavated from the cut is usually placed immediately downslope to provide a nearly horizontal area for a yard or garden. Both operations create instability by oversteepening and adding weight to the slope.

"Most hillside housing developments progress gradually....By the time the development is complete, nearly half of the ground surface is covered by buildings, streets, driveways, and sidewalks, preventing normal infiltration of precipitation. Not only will the total rainfall be concentrated in small areas, but additional water will build up from septic-tank drainage, roof drains, and lawn sprinkling, causing possible oversaturation of downslope soils and eventual slope failure involving large sections of the total hillside area."⁸

⁵ Ibid., p. 132.

⁶ Ibid., p. 132.

⁷ Properties with a slope greater than 12%.

⁸ State of Oregon, Bulletin 81: Environmental Geology of Lincoln County, Oregon, p. 135.

Inland Mountainous Areas

"Construction inland from the coast...usually involves steep topography along the valleys of the major rivers and smaller streams. (Flood-plain development and its associated hazards are discussed under 'Flood-prone Areas,' below.) Since the early days of settlement...these valleys have provided the best access inland from the ocean. As a result, farms, small towns, roads, and highways have followed them. Logging roads have penetrated far into the mountainous areas along the steep walls of the smaller tributary streams, and some of these roads have come into permanent use.

"The valleys were excavated by streams to great depth during the ice ages of the Pleistocene when sea levels were considerably lowered. Melting of the ice during interglacial episodes caused a rise in sea level and gradual drowning and silting up of the lower reaches of the valleys. Meandering streams now impinge on the steep walls, removing support of the weathered rock and soil mantle, causing new landslides and renewed movement of old slide masses. Man-made cuts for road construction, basement excavations, and other purposes have the same effect on the potentially unstable soil and rock."⁹

Summary

The Newport area has many places that are subject to geologic hazards. As the city grows, those areas are being encroached upon more and more. Another conflict is that those areas with the worst geologic problems are also the areas most desirable for development and, therefore, command the highest prices.

The different geologic units pose different problems that cannot be summarized in a general section of any report. Consequently, it is necessary to generally identify hazardous areas and require site specific studies prior to development. All possible geologic hazards should be explored and satisfactory solutions determined prior to any construction. If correction will be uneconomical, the project should be abandoned. To ignore a geologic hazard is to invite disaster.

Earthquakes:

~~"Earthquakes are products of deep-seated faulting and subsequent release of large amounts of energy. Vibrations radiating from the fracture are felt or recorded at the Earth's surface as earthquakes. In some places, such as the San Andreas Fault in California, the fault producing the earthquake can be mapped at the surface, but usually the fault is buried~~

⁹ ibid., p. 135.

(concealed) and cannot be observed at the surface. In Lincoln County, faults are numerous in the bedrock units. Snavely and others (1972 a, b, c) indicate a complex system of northwest and northeast trending normal faults, some of which have large vertical displacements. The age of faulting is not well established, but the youngest bedrock unit involved is late Miocene (15 m.y. [million years]). No faulting is present in the marine terrace deposits of late Pliocene to early Pleistocene, indicating that fault movement is at least older than 0.5 m.y. Although faulting is extensive in the County, no master earthquake-producing fault system is indicated.

"Earthquake summaries by Berg and Baker (1963) and Couch and Lowell (1971) provide historical earthquake data for Lincoln County. The data indicate that the recorded seismic history extends back only some 70 years to the late 1800's....During this period, seven earthquakes were reported: four at Newport with intensity ratings (Modified Mercalli) of IV; one at Waldport, intensity rating IV; one at Seal Rock, intensity rating III; and one at Alsea, intensity rating III..."¹⁰ (See Table 1 on page 34.)

"These studies also indicate that distant earthquakes, such as in the Gorda Basin off the southwest Oregon coast, could produce intensities of between VI and VII. Ground motion during earthquakes, from nearby earthquake epicenters as well as distant earthquakes, can affect not only buildings, bridges, and similar structures but also areas of potential land subsidence and landslides. Granular soils, especially thick sections of loose, saturated sand and gravel, will consolidate and subside as a result of shaking ground motion. Because subsidence is usually uneven, buildings on such ground may be tipped or destroyed. In regions of moderate to high relief with unstable slopes and saturated ground conditions (such as most of Lincoln County during winter and spring months), earthquake vibrations could start massive slope failure. In addition, fluid response in saturated lowlands soils could result in liquefaction as downslope flow, even on gentle slopes."¹¹

¹⁰ Ibid, p. 124.

¹¹ Ibid, p. 125.

Table 1
City of Newport

Year	Date	Location	Intensity	Remarks
1897	Jan. 26	Newport	IV	
1902	June 14	Newport	IV	
1916	Jan. 14	Newport	IV	
1928	Sept. 4	Newport	IV	Felt for radius of 10 miles
1940	May 25	Waldport	IV	Felt at Toledo and Depoe Bay;
				small objects moved at Waldport.
1941	Oct. 19	Seal Rock	III	
1957	Mar. 22	Alesea	III	

The Pacific Northwest experienced a subduction zone earthquake estimated at magnitude 9 on January 26, 1700. The earthquake generated a tsunami that caused damage as far away as Japan. Cascadia subduction zone earthquakes and associated tsunamis have occurred on average every 500 years over the last 3,500 years in the Pacific Northwest. The time between events has been as short as 100 to 200 years and as long as 1000 years. The geologic record indicates that over the last 10,000 years approximately 42 tsunamis have been generated off the Oregon Coast in connection to ruptures of the CSZ (19 of the events were full-margin ruptures and arrived approximately 15-20 minutes after the earthquake).¹⁰

Earthquake-induced damages are difficult to predict, and depend on the size, type, and location of the earthquake, as well as site-specific building and soil characteristics. Presently it is not possible to accurately forecast the location or size of earthquakes, but it is possible to predict the behavior of soil at any particular site. In many major earthquakes, damages have primarily been caused by the behavior of the soil. The Department of Geology and Mineral Industries (DOGAMI) has developed maps for the City of Newport that show areas of higher risk (relative to other areas) during a damaging earthquake. Specifically, the maps display relative amplification hazards, relative liquefaction hazards, areas subject to earthquake-induced landslides, and hazards attributed to the combined effects of ground shaking. The maps are referenced as Figures NA-4 to NA-7 in the Newport Addendum to the Lincoln County Natural Hazard Mitigation Plan, dated July 2015.

Newport's concentrated population and resources, as well as the soil characteristics and relative earthquake hazards, as depicted on the referenced maps, are cause for further study and significant effort toward mitigating the earthquake hazards, including seismically upgrading essential facilities and ensuring new development adheres to modern, earthquake-resistant building codes.

¹⁰ Oregon Natural Hazard Mitigation Plan. Department of Land Conservation and Development. 2015.

Tsunami's:

The Oregon coast is well known for its spectacular scenery and natural resources. However, because the coast lies at the interface between land and the Pacific Ocean, it also is a zone of great instability and vulnerability. Over time, we have gained a greater awareness of our coast's geologic hazards and its risks to people and property.

Coastal Oregon is not only vulnerable to chronic coastal hazards such as coast erosion from winter storms and sea level rise, but it is also subject to the potentially catastrophic effects of a Cascadia earthquake event and related tsunami. These types of powerful and devastating earthquakes of magnitude 9+ are generated at the Cascadia Subduction Zone (CSZ) where the eastward-moving Juan de Fuca tectonic plate dives under the westward-moving North American plate just off the Oregon coast. These large earthquakes will occur under the ocean just offshore of our coast and will produce extremely destructive tsunamis that can strike the coast 15 and 20 minutes after the earthquake, leaving devastation in their path. It is likely that in most Oregon coast communities, including [insert jurisdiction name], the only warning of an approaching tsunami will be the earthquake itself.

The geologic record shows that the largest of these large CSZ earthquakes and accompanying tsunamis occur about every 500 years, plus or minus 200 years. The last such earthquake and tsunami occurred over 300 years ago, on the evening of January 26th, 1700. This means that we are in the time window where a destructive CSZ earthquake and tsunami could occur and the probability of that occurrence will continue to increase over time. This time the stakes are much higher as the great earthquake and catastrophic tsunami could occur when tens of thousands of Oregonians and visitors are enjoying coastal beaches and towns. To address this increasing risk and substantially increase resilience within our community, the City of Newport is proactively addressing tsunami preparedness and mitigation within its land use program. Land use planning that addresses tsunami risk is an essential tool to help increase resilience to a potentially catastrophic tsunami event within Newport.

The Department of Geology and Mineral Industries (DOGAMI) have developed Tsunami Inundation Maps (TIMs) which provide the essential information for defining tsunami risk along the Oregon coast.^{11A} The City of Newport, by this reference, has adopted the TIM's applicable to its corporate limits and urban growth boundary, as a part of its comprehensive plan hazard inventory. The TIMs are referenced in the tsunami related plan policies and land use regulations for purposes of differentiating between areas of higher versus lower risk, which inform the placement of essential and certain special occupancy facilities, evacuation route planning and the application of tsunami resistant building codes.

DOGAMI has further completed a study to provide local government with a quantitative assessment of the time, speed, and challenges affecting tsunami evacuation in Newport and nearby coastal communities for the worst case scenario identified with the TIM mapping.^{11B} This "Beat the Wave" analysis and mapping is a resource the City may use to refine its tsunami resiliency planning efforts.

^{11A} DOGAMI Tsunami Inundation Map Linc-06 and Linc-07, Tsunami Inundation Maps for Newport North-South, Lincoln County, Oregon, Plate 1

^{11B} DOGAMI Open File Report O-19-05, Tsunami Evacuation Analysis of Newport, Lincoln County, Oregon

Staff: The lead sections of the Natural Features Section of the Newport Comprehensive Plan provide context for the policies that follow. The format is akin to an executive summary, with more detailed technical studies being referenced with citations or adopted as appendices. There are a number of components to this section that are dated and should be updated in the future. The amendments proposed are limited to the project at hand, which is to update the City's policy and regulatory documents related to tsunami hazards.

The earthquake provisions are being replaced in their entirety, as they are quite dated. This section of the document deals with earthquake risk generally, not just the Cascadia Event, and the new language has been pulled, in large part, from the City of Newport Addendum to the Lincoln County Natural Hazard Mitigation Plan, dated July 2015 (Adopted by the City Council with Resolution No. 3725). The resolution, and maps referenced in the new section, are enclosed for your review.

A new section has been added addressing tsunami's specifically. Much of the language is borrowed from model provisions contained in DLCD's publication titled "Preparing for a Cascadia Subduction Zone Tsunami: A Land Use Guide for Oregon Coastal Communities" dated April of 2015. A copy of the relevant chapter is enclosed for reference.

Flood-prone Areas:

"Stream flooding: Flooding of the coastal lowlands in Lincoln County is an annual menace, occurring several times in some years. Major floods causing extensive damage have occurred at least ten times since 1921, generally in December or January, but some have been as early as November 20 or as late as March 31. The interval between major floods has been from 1 year to as long as 15 years, with the average just over 5 years.

"Floods are always associated with periods of heavy rainfall, especially after the ground has been soaked to near capacity or after the ground has been deeply frozen. Snow melt can add considerably to the flood intensity. Near the mouths of streams, flooding can be markedly increased by high tides resulting from strong onshore winds during severe winter storms.

"Destructive flooding by streams occurred in Lincoln County during the winters of 1921, 1931, 1964-65, and 1972. Summarized briefly here, the high water inundated the flood plains of all the major streams. Houses, barns, and livestock were lost; bridges, sections of railroad, and boat docks were swept away; logs and debris from inland were carried out to sea and lodged on distant beaches; residential and business areas of some communities were under water, as were also some resorts; highways throughout the County were blocked by floodwaters and landslides. During the 1964-65 floods, the entire County was isolated.

"Control of flooding in Lincoln County by construction of flood-control dams appears to be extremely unlikely due to the configuration of the stream valleys relative to the cost and effectiveness of a reservoir. Levees and dikes can offer some protection from floods in the lower reaches of the streams where the tidal effect is pronounced.

"The severity of floods in Lincoln County and Newport together with the infeasibility [sic] of adequate flood control structures points out that flood control measures must be in the form of flood-plain zoning regulations."¹²

The outline of flood-prone areas on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA) should be adequate for determining flood prone areas. "Flood-plain zoning and strict construction criteria are imperative if the annual flood loss is to be reduced.... It is essential that local government, the land developer, real estate agent, builder, and prospective lot-buyer become aware of areas of potential flooding before committing themselves to developing the property."¹³

"Ocean Flooding: Ocean flooding is unpredictable and can occur any time of the year. Its causes include storms at sea, strong westerly winds, tidal forces, and large unusual waves. Large unusual waves, although of short duration, can be very destructive. They include tsunamis caused by earthquakes on the sea floor and additive waves created when the crests of several in-phase waves are superimposed and reach the shore simultaneously.

"In the past 33 years [1940-1973], wind and high tides have twice caused excessive flood damage along Oregon's coast. A third destructive wave was a tsunami resulting from the Alaska 'Good Friday' earthquake of 1964; smaller seismic waves have occurred since that time. Although there is no accurate method of predicting the frequency and magnitude of ocean flooding, the occurrence of three damaging floods in 33 years suggests an average of about once every 10 years. Similar waves in the future will probably be even more destructive because of the greatly increased construction of residences, motels, and

¹² *ibid.*, p. 125.

¹³ *ibid.*, 140.

condominiums at or just above the normal high-tide line. The presence of logs above normal high-tide level is clear evidence of the elevations the sea can reach."¹⁴

Again, the Flood Insurance Rate Maps have determined from past experience the maximum wave elevations for velocity flooding (V Zones) and areas of shallow marine flooding (AO Zones). The siting of future structures should be based on these maps.

Ocean Shorelands:

This section summarizes inventory information about the shorelands adjacent to the Pacific Ocean. Policy statements follow the inventory information. Identification of the shorelands boundary was based upon the consideration of several characteristics of the land. Resources and hazard areas within the ocean-related portion of the shorelands boundary are mapped on the Ocean Shorelands Map on page 50 (that map can be used by property owners and developers to help determine the level of review required before issuance of development permits). These include:

- 1.) Beaches, as identified in the Oregon Beach Law.
- 2.) Dunes, as identified in the 1980 Newport Comprehensive Plan by RNKR Associates.¹⁵
- 3.) Younger, stabilized dunes and open sand and wet interdunes as identified in the Soil Conservation Service (SCS) study Beaches and Dunes of the Oregon Coast (for areas not identified in the RNKR study).¹⁶
- 4.) Areas of 100-year coastal flood with wave action as identified on the Flood Insurance Rate Maps.
- 5.) Shoreland protection measures as mapped by RNKR Associates.¹⁷
- 6.) Significant shoreland and wetland biological habitat identified by Dr. D.W. Thomas and the U.S. Fish and Wildlife Service.¹⁸
- 7.) Coastal headlands.

¹⁴ Ibid, p. 141.

¹⁵ RNKR Associates, Environmental Hazard Inventory: Coastal Lincoln County, Oregon, 1979.

¹⁶ U.S. Soil Conservation Service, Beaches and Dunes of the Oregon Coast, 1975.

¹⁷ RNKR Associates, Environmental Hazard Inventory: Coastal Lincoln County, Oregon, 1979.

¹⁸ D.W. Thomas, Significant Shoreland and Wetland Biological Habitats and Riparian Vegetation, 1981.

- 8.) Areas necessary for water-dependent and water-related uses, specifically recreational uses and navigation facilities.
- 9.) Landslide areas as identified by RNKR Associates in 1979 (map numbers 13:25 through 16:25).
- 10.) Features of exceptional scenic quality.
- 11.) Riparian vegetation along streams is included within significant wildlife habitat areas.
- 12.) The conditionally stable dunes landward of the foredune.
- 13.) The older, stabilized dunes of the South Beach dune sheet.
- 14.) The deflation plain east of the foredune and the stabilized dunes.

Beaches and Dunes

Ocean Beaches

Formations: There are four stretches of ocean beach within the Newport urban growth boundary (UGB):

- 1.) Beverly Beach: The area from Yaquina Head to north of Schooner Creek.
- 2.) Agate Beach: The area from Yaquina Head south to Jump-Off Joe Rock.
- 3.) Nye Beach: The area from Jump-Off Joe Rock south to the north jetty.
- 4.) South Beach: The area south of the south jetty to the southern urban growth boundary.

The sand of the Newport beaches is similar to other Oregon beaches. Sea cliff erosion and marine deposition or erosion are the major factors affecting the supply of sand on the beach. The stability and movement of sand on the beach varies seasonally. The sand is generally eroded from beaches during winter storms. Gentler waves in summer deposit sand on the beach.

This on-and-off shore movement of sand is in addition to the transport of sand along the beach (littoral drift). There appears to be a seasonal reversal in the direction of sand transport along the beach. Waves from the south-west accompany the prevailing winds in the winter months and wind and waves from the northwest predominate during the summer. Sand movement appears to be essentially in balance when averaged over several years. This condition is known as "zero net littoral drift."

The impact of this zero net littoral drift and the extension of the jetties at the entrance to Yaquina Bay has been accretion of sand adjacent to the north and south jetties. The accumulation of sand by the jetties has resulted in some further erosion at greater distances from the jetty. The accumulation of sand on either side of the jetties at the mouth of Yaquina Bay led to dune formation when much of that sand blew inland.

Recreational Uses: The recreational values of the beaches have long been recognized by Oregonians. These beaches are important resources that have long held an attraction for residents and visitors. As the name implies, many agates have been found at Agate Beach. Agate Beach, Nye Beach, and South Beach have razor clams. The beaches, especially during the summer, are populated with beachcombers, surfers, sailboarders, runners, kite fliers, and many other recreation enthusiasts.

Oregon Beach Law: The 1967 Legislature passed the Oregon Beach Law (ORS 390.605-390.700) to codify the public's right to use the dry sand areas of the beaches. The Shoreland Boundary Line was established by that legislation to resolve the question of ownership and the right of the public to use the dry sand areas of the Oregon beaches. In the landmark court case of State Ex Rel Thornton v. Hay, the Oregon Supreme Court said that the state had effectively proven the public's right to use the land seaward of the shoreland boundary line even though the ownership may rest with a private land owner. (It should be noted that the wet sand areas are property of the state as determined by the 1899 Oregon legislature except where sold before 1947.)

The area between the mean high water and the vegetation line is an area where the public's right is paramount but where private ownership is recognized. The state legislature grappled with the question of erosion and the receding nature of the coast line in creating this in between area and in 1969 exempted these lands from taxation.

The Oregon Beach Law also regulates improvements, motor vehicle and aircraft use, pipelines, cable or conduit crossings, and removal of natural products on the ocean shore (ORS 390.635- 390.725). Implementation requirements of the Land Conservation and Development Commission's Beaches and Dunes Goal further restricted permits for beach front protective structures to where development existed before January 1, 1977. Pursuant to this requirement, the Oregon Transportation Commission adopted new Beach Improvement Standards on March 28, 1978.

In addition to the above law, Goal 18/"Beaches and Dunes" limits the issuance of permits for beach front protective structures to those areas where development existed on January 1, 1977. Development means houses, commercial and industrial buildings, and vacant subdivision lots that are physically improved through the construction of streets and the provision of utilities to the lot. Also included are areas where an exception to (2) of the implementation requirements of Goal 18 has been approved.

Dune Areas

The material underlying much of the area within the Newport UGB is sand. Most of this is marine terrace deposits, although these are sometimes difficult to distinguish from older sandstone bedrock or older stabilized dunes. Once the old town area of the city between Nye Beach and the bayfront had dunes, but the area is now largely developed and little remains of these dunes.

All of these areas have sandy soils of either the Netarts, Warrenton, or Yaquina series wherever the soil profile has begun to develop. These series have been mapped by the SCS, and the maps are on file at the Newport Planning Department. It is important to protect these lands from erosion that would create open sand area.

There is a small area with active hummock dunes between Yaquina Bay State Park and the north jetty that is not shown separately on the Ocean Shorelands map because it lies seaward of the beach zone line. The most significant dune area is in South Beach, which is discussed below.

South Beach Dune Complex

The information about dune forms summarized below is drawn from the Beaches and Dunes Handbook for the Oregon Coast¹⁹ and the report and mapping of RNKR Associates in Environmental Hazard Inventory: Coastal Lincoln County, Oregon.²⁰ These are the most recent sources of information concerning the South Beach dunes.

The South Beach dune complex is the largest dune area in Newport. It was built up from the sand supply on the accretion beach next to the south jetty. RNKR Associates described several types of dune landforms within this South Beach dune sheet, which is the only dune complex identified within the Newport UGB. These dunes are shown on Sheet 4 of the Ocean Shorelands Map (beginning on page 50). The dune complex is located primarily within South Beach State Park, although it extends a short way north and south of the park.

¹⁹ U.S. Soil Conservation Service, Beaches and Dunes of the Oregon Coast, 1975.

²⁰ RNKR Associates, Environmental Hazard Inventory: Coastal Lincoln County, Oregon, 1979.

The four dune landforms identified in this area are:

- 1.) Active foredunes: a ridge of sand adjacent to the swash zone of the beach extending south from the mouth of Yaquina Bay.
- 2.) Conditionally stable dunes: present on the landward side of the active foredunes.
- 3.) Older stabilized dunes: present in approximately the center of South Beach State Park.
- 4.) Deflation plain: present on the landward side of the other dune types.

Each of these dune types has different resource values, hazards, and development limitations.

The active foredune collects sand blown from the open beach. The foredune develops where European beach grass causes wind-blown sand to accumulate in a long ridge. These dunes need protection if they are to remain effective barriers to wind erosion and ocean storms. Foredunes are dynamic landforms subject to substantial growth in height and width on accretion beaches, and are vulnerable to rapid removal on eroding beaches. Therefore, buildings are not appropriate on active foredunes.

The conditionally stable dunes landward of the foredune have developed a denser vegetative cover, including more plant species. Although no longer subjected to wind erosion like foredunes, conditionally stable dunes have not had time for significant soil development. Conditionally stable dunes may be appropriate for development with special precautions in places that are not subject to hazards such as ocean flooding.

The older, stabilized dunes of the South Beach dune sheet exhibit soil development and tree cover. Since this dune area is entirely within a state park, no development is anticipated.

To the east of the foredune and the stabilized dunes is an extensive deflation plain. A deflation plain is created when the wind removes dry sand particles from areas landward of the foredune. The summer water table limits the depth of sand removal because groundwater moisture binds the sand together. Standing water is common during the winter when the water table is higher. Some deflation plains are subject to ocean flooding.

All of South Beach is known to have a groundwater aquifer, these dunes deposits are generally thin, and they cannot (as in other places on the Oregon coast) be relied on to supply large volumes of ground water. The dune sands rarely exceed 15 feet in thickness (except in a small area of South Beach) and are deposited directly on marine terrace material. The dune aquifer is not subject to significant development pressures because much of the aquifer is within South Beach State Park. Areas outside the park slated for development are or will be served by municipal water and sewer systems.

The primary value of the South Beach dune complex is recreational. Two deflation plain wetlands south of the old jetty railroad and open sand areas have been identified as significant habitat, as discussed below. The parcel of land between South Beach State Park and Yaquina Bay has been identified as being suited for tourist commercial uses subject to compliance with zoning regulations.

In addition to the dune forms in the South Beach Dune Complex described above, the following additional dune landforms are located within the Newport UGB:

- 1.) Open sand dunes areas, in the absence of vegetation, operate only in response to sand supply and wind. Open dune sand areas are defined as wind-drifted sand in the form of dunes and ridges which are essentially devoid of vegetation.

Active open dune sand areas are highly dynamic and may advance onto forest land, pasture land, crop land, roads, railroads, lakes, and stream channels, thereby endangering residential, commercial, and industrial property. Yet, at the same time, many open sand dunes have tremendous aesthetic and recreational importance.

- 2.) Interdunes include a broad range of geomorphic landforms varying from wet open dune sand forms to wet areas in recent and older stabilized dunes.

In general, broad areas that are both stable and wet were mapped as wet interdune, and the stabilized area was shown as being secondary. This arrangement points out the major unit to be managed. Most wet interdunes are principally wildlife habitat areas. However, many areas mapped as wet interdunes are old deflation plains or reexposed coastal terraces. A primary development limitation is the inability of some wet interdune areas to accommodate subsurface sewage disposal.

- 3.) Younger stabilized dunes are youthful, cross-bedded, windstable dune landforms that have weakly-developed sandy soils with little or no development of cemented nodules, lenses, or horizons. Vegetation on these dunes ranges from native grasses, European beachgrass, and shrubs such as scotch broom and tree lupine to woody species. The dominant tree is shore pine, but Sitka spruce, western hemlock, Douglas Fir, western red cedar, Oregon crabapple, and red alder also occur.

The younger stabilized dunes are differentiated from older stabilized dunes by differences in soil profile characteristics and the predominance of shore pine and other woody species. Texture and cementation are the primary criteria use for differentiation, although organic matter, depth, and distribution are also considered.

The younger stabilized dune mapping unit includes the stabilized dunes and transition forests. These areas contain many species of birds, mammals, amphibians, and reptiles. Occasional snags serve as nesting areas for a variety of birds.

Younger stabilized dunes offer opportunities for the placement of man-made facilities. Established vegetation provides shelter from the wind and a location from which to venture out into the open sand. However, on-site investigation is needed because building sites may be limited by slope, depth of water table, and horizontal and vertical permeability if septic- tanks are used. Some septic drain field failures have been reported in areas mapped as younger stabilized dunes. Surface or subsurface drainage that significantly reduces soil moisture in stable areas might result in the killing of low shrubs and should be avoided. Excavation and vegetation removal in stabilized dune areas needs to be well managed to prevent exposure of open sand to wind erosion and subsequent blow-outs.

DRAFT

Shoreland Hazards

Ocean Flooding

Ocean flooding is the inundation of lowland areas along the coast by salt water due to tidal action, storm surge, or tsunamis (seismic sea waves). Landforms in Newport subject to ocean flooding include beaches, the bases of sea cliffs, marshes and low-lying interdune areas. All areas shown on the Flood Insurance Rate Map in Zone V and areas below the 10 foot elevation south of and adjacent to the south jetty are considered to be areas subject to ocean flooding.

The National Flood Insurance Program (FIA) requires that all living areas or residences built or rebuilt within the floodplain be built so that the lowest habitable floor is at least one foot above the base flood level. In addition, buildings, foundations, and other structures must be built so that flood problems are not worsened in other areas. The City of Newport flood plain management regulations for coastal high hazard zones have been recognized as appropriate by FEMA.²¹

Shoreline Protection Measures

Ocean wave undercutting and consequent sea cliff erosion has been identified as a major source of beach sand. The following description of landslide areas also notes the role of ocean wave action. In an effort to protect property from cliff retreat, sand movement, and ocean flooding, several shoreline protection features have been built.

RNKR Associates mapped riprap armor along the shoreline in order to inventory these features. These are shown on the Ocean Shorelands map beginning on page 50. Control of shoreline protection features by local authorities is needed to prevent unexpected changes in beach equilibrium or aggravated erosion of adjacent lands. RNKR suggested several questions to be answered in the review of new shoreline protection structures which have been incorporated into ordinances controlling development along the shoreland.

In addition to city policies and regulations, beach areas within the vegetation line established by ORS 390 are under the jurisdiction of the Oregon State Parks and the Division of State Lands. A permit is required from those agencies prior to the construction of any beach front protective structures.

²¹ Federal Emergency Management Agency, letter to the City of Newport, 1987.

Landslide and Coastal Erosion Areas

Landslide and Coastal Erosion areas were mapped within the Newport urban growth boundary in the 2004 document titled Evaluation of Coastal Erosion Hazard Zones Along Dune and Bluff Backed Shorelines In Lincoln County, Oregon: Cascade Head to Seal Rock, by the Oregon Department of Geology and Mineral Industries (OFR O-04-09). The document and maps are included here by reference. The report describes several types of mass movement (mud flow, slump, soil creep, and debris avalanche) and defines the mapped landslide areas:

Prehistoric Mass Movements: Generally speaking, these are very large landslide and slide blocks that predate historical observations on the Oregon coast (about 150 years) and are deeply eroded with no evidence of recent slide activity.

Potentially Active Mass Movements: These are areas of mass movements that are currently stable (no bowed trees or cracked soil and pavement) but with evidence of recurrent movement in the last 150 years. Unlike the prehistoric slides, these features are generally not extensively eroded and have well-preserved topography indicative of recent movement. Many show no evidence of movement since 1939 or 1967 aerial photography but are probably more likely to have movements than the prehistoric slide areas.

Active Mass Movements: These areas have evidence such as bowed trees and cracked soil or pavement that indicate ongoing down slope movement of large masses of soil or rock.

Quaternary Landslides: Quaternary landslides were mapped by Snavely and others (1976 and 1996). These landslides are shown in inland portions of the City and were not investigated in the 2004 DOGAMI report.

Landslide Terrain: Areas identified as landslide terrain were interpreted by Schlicker and others (1973) from aerial photos and reconnaissance-level fieldwork. The terrain may be landslide or just rolling topography similar to that produced by landslide processes and needs to be field checked.

Bluff and Dune-Backed Shoreline Hazard Areas: Coastal bluff and dune-backed shoreline areas characterized by existing, active erosion processes and three zones of potential future erosion (high, moderate, and low) that respectively depict decreasing risk of becoming active in the future as modeled in the DOGAMI report. The respective hazard zones are more particularly described as follows:

Active Erosion Hazard Zones – For dune-backed shorelines, the active hazard zone encompasses the active beach to the top of the first vegetated foredune, and includes those areas subject to large morphological changes adjacent to the mouths of bays due to inlet migration. On bluff-backed shorelines the active hazard zone includes actively eroding coastal bluff escarpments and active or potentially active coastal landslides.

High Risk Erosion Hazard Zones – For dune backed shorelines, the high risk scenario is based on a large storm wave event (wave heights 47.6 ft high) occurring over the cycle of an above average high tide, coincident with a 3.3 ft storm surge. For bluff-backed shoreline areas, the high risk zone portrays bluff retreat that would occur if only gradual erosion at a relatively low mean rate were to occur over a 60-year period after the slope reaches and maintains its ideal angle of repose (for talus of the bluff material).

Moderate Risk Erosion Hazard Zones – For dune-backed shorelines, the moderate risk scenario is based on an extremely severe storm event (waves 52.5 ft high) coupled with a long term rise in sea level of 1.31 ft. For bluff-backed shoreline areas, the moderate risk zone portrays an average amount of bluff retreat that would occur from the combined processes of block failures, retreat to an angle of repose, and erosion for 60 to 100 years.

Low Risk Erosion Hazard Zones – For dune-backed shorelines, the low risk scenario is similar to the moderate risk approach but incorporates a 3.3 ft vertical lowering of the coast as a result of a Cascadia subduction zone earthquake. For bluff-backed shoreline areas, the low risk zone illustrates a worst case for bluff retreat in 60-100 years considering maximum bluff slope failure, erosion back to an ideal angle of repose, and gradual bluff retreat for 100 years.

Shoreland Resources

Significant Habitats

Significant material regarding shoreland and wetland biological habitats and riparian vegetation along the ocean shoreline in Lincoln County were compiled by Dr. D.W. Thomas in September 1981.²² Recent aerial photographs and additional information from the Nature Conservancy, Oregon Department of Fish and Wildlife (ODFW), the U.S. Army Corps of Engineers, OCC&DC, and the U.S. Fish and Wildlife Service National Wetlands Inventory were obtained during that study. In July 1983, the City of Newport, in coordination with Lincoln County and the Oregon Department of Fish and Wildlife, reexamined the Thomas Study in the South Beach dune complex. The Ocean Shorelands Map (beginning on page 50) was amended to include only those areas considered by ODFW to be significant shoreland and wetland biological habitat (see the description of South Beach's significant habitat areas on the next page).

²² D.W. Thomas, *Significant Shoreland and Wetland Biological Habitat and Riparian Vegetation*, 1981.

The City of Newport also amended the Ocean Shoreland map to exclude the Yaquina Estuary north and south jetties and existing jetty access roads as significant habitat.

The following significant shoreland and wetland biological habitats on Newport's ocean shorelands have been noted and are shown on the Ocean Shorelands map (beginning on page 50):

- > Grant Creek west of Highway 101.
- > An unnamed drainage east and west of Highway 101 just to the north of the Newport Municipal Airport property and south of South Beach State Park.
- > South Beach dune complex.
- > The cliffs and offshore rocks at Yaquina Head.

Coastal Headlands

There are two headlands within the Newport urban growth boundary, and one is the well-known Jump-Off Joe Rock. A prominent headland in the last century, only skeletal remains are left, and it is now a minor promontory of the marine terrace upon which most of the City of Newport is located. It has been subject to rapid and substantial marine erosion and seacliff retreat. (See the History and the Parks and Recreation sections of this plan.)

The remaining and more prominent coastal headland is Yaquina Head. This headland is formed by the Cape Foulweather basalt. The surficial extent of this geologic unit was mapped in 1973 by Schlicker.²³ The seaward exposure of this unit is included within the shorelands boundary as a major visual resource of the Newport area. Walker, Havens, and Reickson's Visual Resources Analysis of the Oregon Coastal Zone identified Yaquina Head as an area with potential for an exceptional coastal experience. Congress designated about 100 acres of the Head as an Outstanding Natural Area (ONA) on March 5, 1979, in Section 119 of Public Law 96-199. The act also provided for wind energy research within the ONA. The boundary of the Yaquina Head ONA established by this act is shown on the Ocean Shorelands map.

Once the site of a privately-owned commercial quarry, the primary developed land uses on this headland now are the Yaquina Head Lighthouse and a few residences.

²³ State of Oregon, Bulletin 81: Environmental Geology of Lincoln County, Oregon, 1973.

Recreation Associated with the Pacific Ocean

Yaquina Head, city and state parks, and several public rights-of-way to the ocean beaches provide for recreational opportunities along the ocean shorelands. The designation of the beaches as a special recreational area by the State of Oregon and the acquisition and development of Agate Beach, South Beach, and Yaquina Bay State parks encompass all of the area that is especially suited for recreation along the ocean shorelands within the Newport UGB. Public access to the beach outside of state parks occurs over public rights-of-way or specially acquired parcels. Major public access points are noted on the Ocean Shorelands map and the Inventory Of Oregon Coastal Beach Access Sites, published by Benkendorf and Associates,²⁴ hereby included within this plan by reference.

Navigation Facilities

Navigation facilities are important uses in the ocean shorelands area. Navigation facilities currently consist of the jetties at the mouth of Yaquina Bay, the Yaquina Bay Lighthouse, and the Yaquina Head Lighthouse.

GOALS/POLICIES NATURAL FEATURES

Goal 1: To protect life and property, to reduce costs to the public, and to minimize damage to the natural resources of the coastal zone that might result from inappropriate development in environmentally hazardous areas.

Policy 1: In areas of known hazards, the City of Newport shall require a site evaluation of the potential dangers posed by environmental hazards prior to city review and approval of a proposed development. It shall be the applicant's burden to show that construction in an environmentally hazardous area is feasible and safe. Site investigations in geologic hazardous areas shall be prepared by a registered geologist or engineer.

Policy 2: The city shall maintain and, where necessary, update ordinances that control development in an environmentally hazardous area.

Policy 3: Where hazardous areas are not specifically identified but a potential hazard may exist, the City should establish procedures within its land use regulations to require a site-specific analysis tool, such as a geologic report.

Policy 4: The city shall continue its participation in the Flood Insurance Program administered by the Federal Emergency Management Agency.

²⁴ Benkendorf and Associates, Inventory of Oregon Coastal Beach Access Sites, 1989.

Policy 5: Development within the Ocean Shorelands Boundary, as identified on the Ocean Shorelands Map, shall comply with development criteria established within the Zoning Ordinance, except to the extent development is permitted in accordance with the variance procedures of the Zoning Ordinance. The city shall, from time to time, evaluate those regulations to assure compliance with city goals.

Policy 6: Nonstructural solutions to problems of erosion or flooding shall be preferred to structural solutions. Where flood and erosion control structures are shown to be necessary, they shall be designed to minimize adverse impacts on water currents, erosion, and accretion patterns.

Policy 7: Engineering solutions or other measures to provide appropriate safeguards shall be required prior to issuance of building permits in identified hazardous areas if required by a geological report.

Policy 8: The City of Newport will utilize DOGAMI's Tsunami Inundation Maps as the basis of a zoning overlay to guide the placement of new essential and special occupancy structures and develop related tsunami hazard resiliency measures.

Policy 9: Enact building codes to enhance resiliency of structures within tsunami inundation areas, with an emphasis on those serving high-risk populations or that are necessary for post tsunami recovery.

Policy 10: Provide for the development of vertical evacuation structures in areas where reaching high ground is impractical.

Staff: The three policies being added commit the City to (a) put in place a tsunami overlay zone limits certain uses within inundation areas and (b) adopt tsunami resilient building code requirements for high risk structures. The third policy, relating to vertical evacuation structures, has already been implemented in the zoning ordinance. The policy requiring a tsunami hazard and disclosure statement for new development in hazard areas has been dropped. If the Commission believes that it is an essential item, then a City legal review would be needed, in addition to outreach to affected property owners and the real estate community.

A number of DLCD's model policies are not included as they are either redundant or call for the city to take additional steps that may or may not be viable, or would require further review and analysis before they could be implemented. A copy of the full package of policies, presented at the August 26, 2019 Commission work session is enclosed.

Goal 2: Promote public education of known hazards, and facilitate orderly and expedient evacuation of residents and visitors in response to a catastrophic event.

Policy 1: Periodically update, implement, and refine natural hazard mitigation and emergency operations plans, and ensure city ordinance and regulations respond to plan recommendations.

Policy 2: Encourage and support hazard education, outreach, training and practice.

Policy 3: Develop robust and redundant evacuation routes that are well signed and integrated with evacuation assembly areas, shelters and supply caches.

Policy 4: Collaborate with local, state, and federal partners to effectively leverage resources, and establish a culture of preparedness supporting evacuation route planning to minimize risk and maximize hazard resiliency.

Staff: This new goal encapsulates the education and outreach needed to effectively plan for hazard events. It has been tailored to address “all hazards,” not just tsunami’s, and speaks to both the City’s internal and external constituencies. It is intended to address, in summary form, like type concepts presented at the August 26, 2019 work session.

Goal 23: To protect and, where practical, enhance identified environmentally sensitive areas.

Policy 1: Identified environmentally sensitive areas shall be mapped on the Ocean Shorelands Map.

Policy 2: Residential development and commercial and industrial buildings shall be prohibited on active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping, and beaches and deflation plains that are subject to ocean flooding. Other development in these areas shall be permitted only if the findings required in Policy 8, below, are met and it is demonstrated that the proposed development:

- > Is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves; and
- > Is designed to minimize adverse environmental effects.

Policy 3: Foredunes shall not be breached by non-natural causes except in an emergency and shall be restored after the emergency by the party causing the breach.

Policy 4: The city shall cooperate with federal and state agencies, private individuals, and others in the determination of natural areas.

Policy 5: The city will complete the Goal 5 process for wetlands identified on the U.S. Fish and Wildlife Service Wetland Inventory maps by the next regularly scheduled periodic review.

Policy 6: The criteria for review of all shore and beach front protective structures shall provide that:

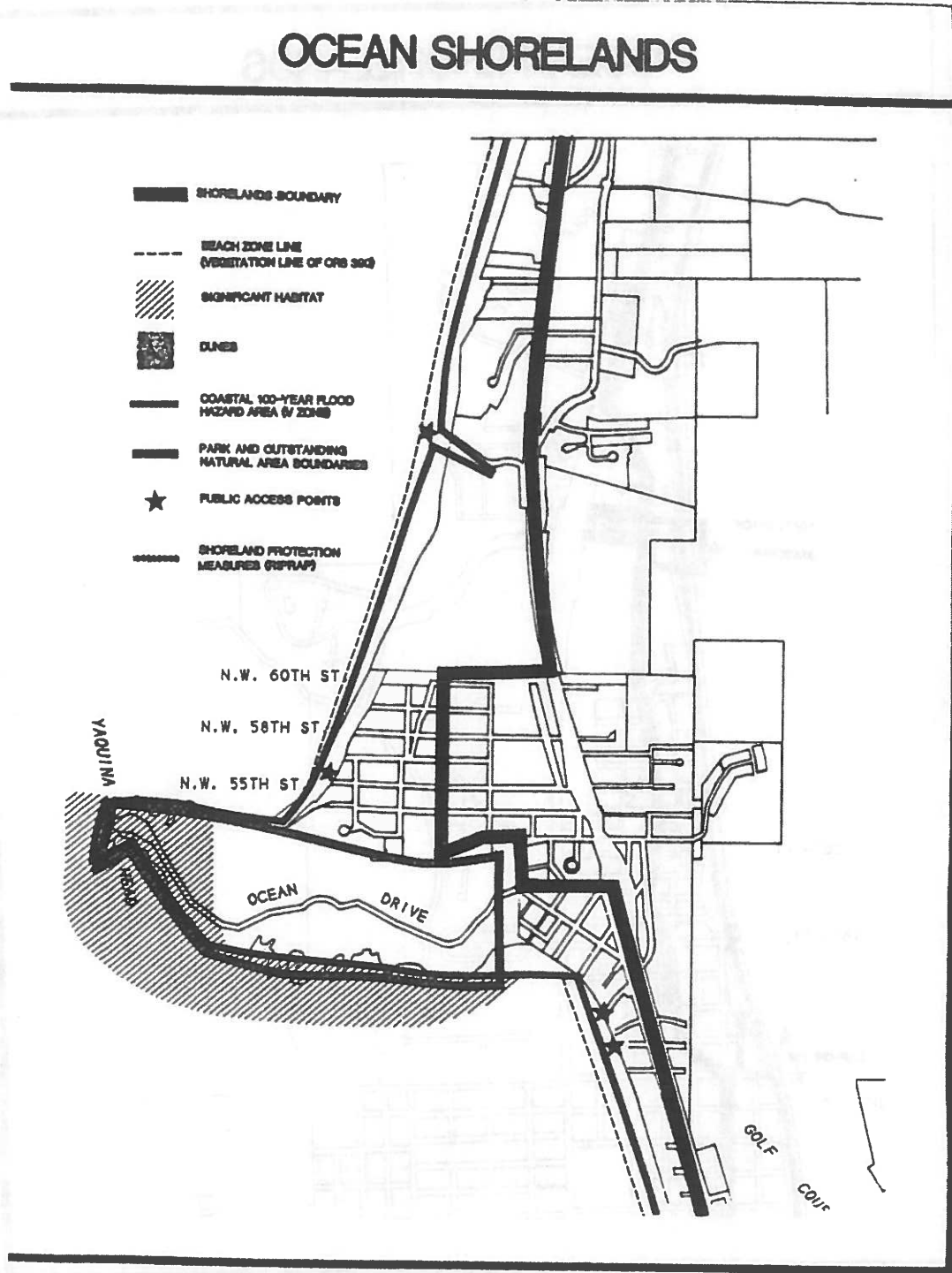
- > Visual impacts are minimized;
- > Necessary access to the beach is maintained;
- > Negative impacts on adjacent property are minimized; and
- > Long-term or recurring costs to the public are avoided.

Policy 7: Significant shoreland and wetland biological habitats and coastal headlands shall be protected. Uses in these areas shall be consistent with the protection of natural values.

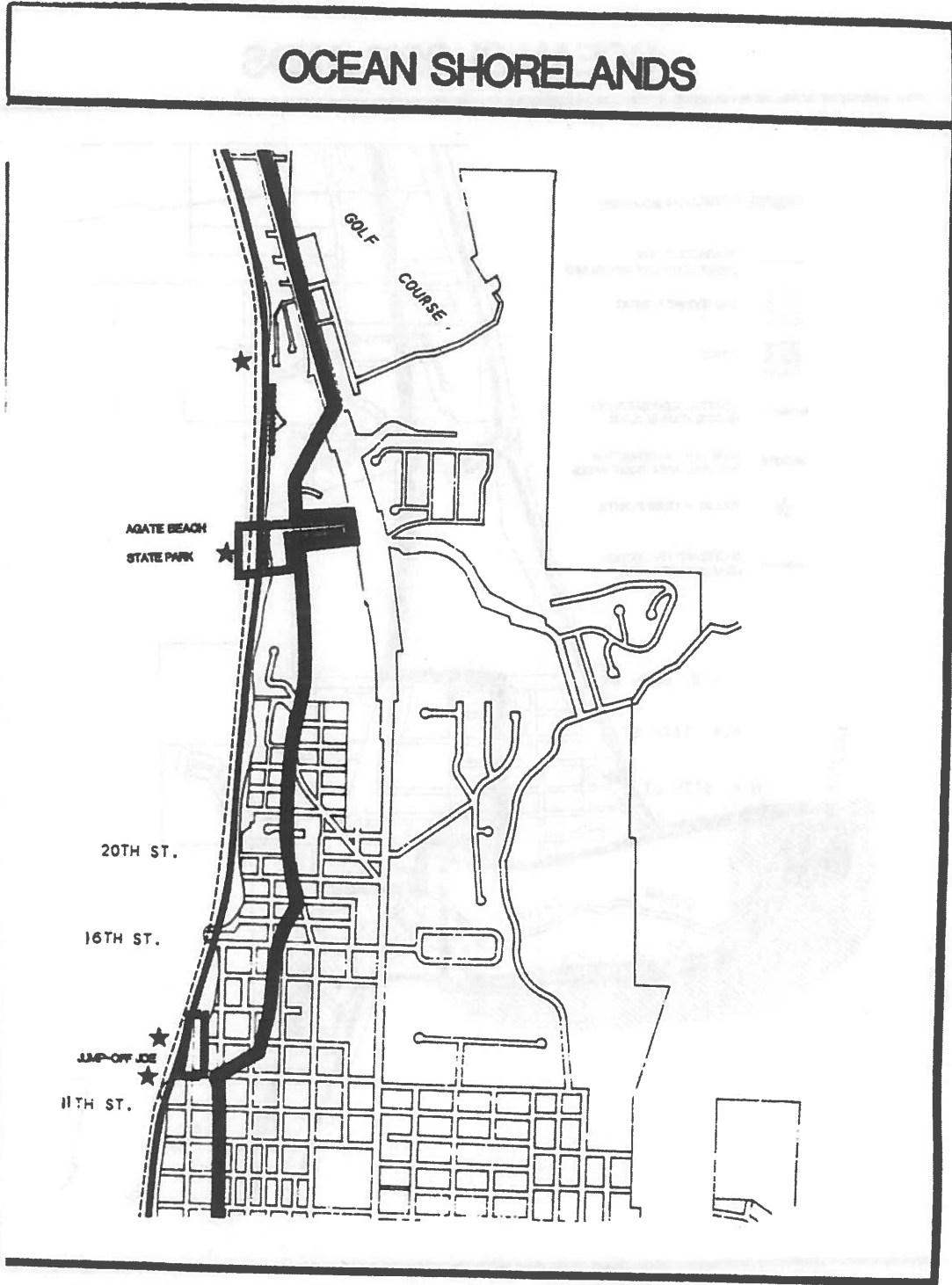
Policy 8: Development in beach and dune areas other than older, stabilized dunes shall only be permitted if the following issues are examined and appropriate findings are made:

- > The type of use proposed and the adverse effects it might have on the site and adjacent areas;
- > Temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
- > Methods for protecting the surrounding area from any adverse effects of the development; and
- > Hazards to life, public and private property, and the natural environment that may be caused by the proposed use.

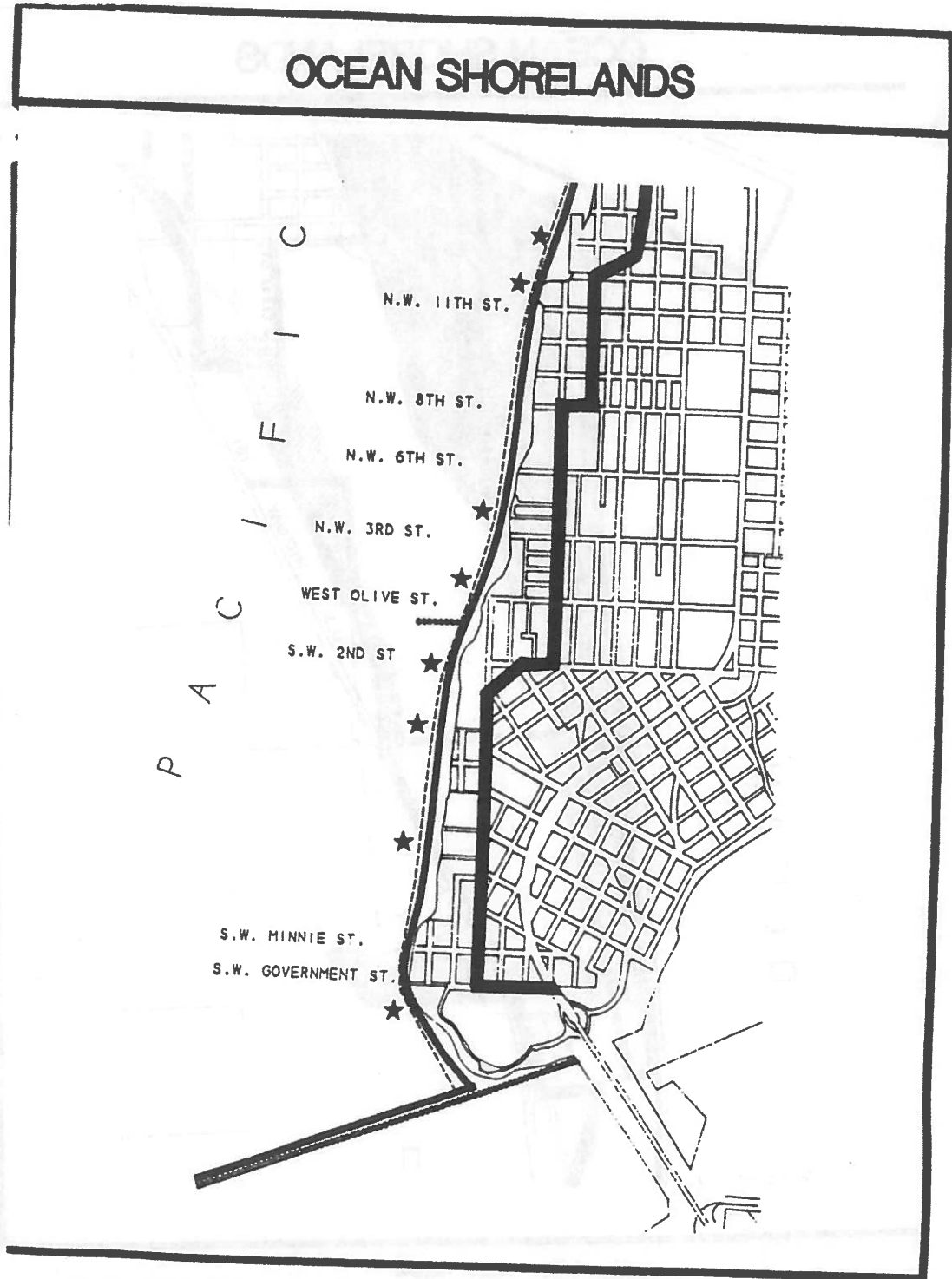
Policy 9: Excavations and fill shall be limited to those minimal areas where alteration is necessary to accommodate allowed development. Cleared areas, where vegetation is removed during construction, shall be revegetated or landscaped to prevent surface erosion and sedimentation of near shore ocean waters.



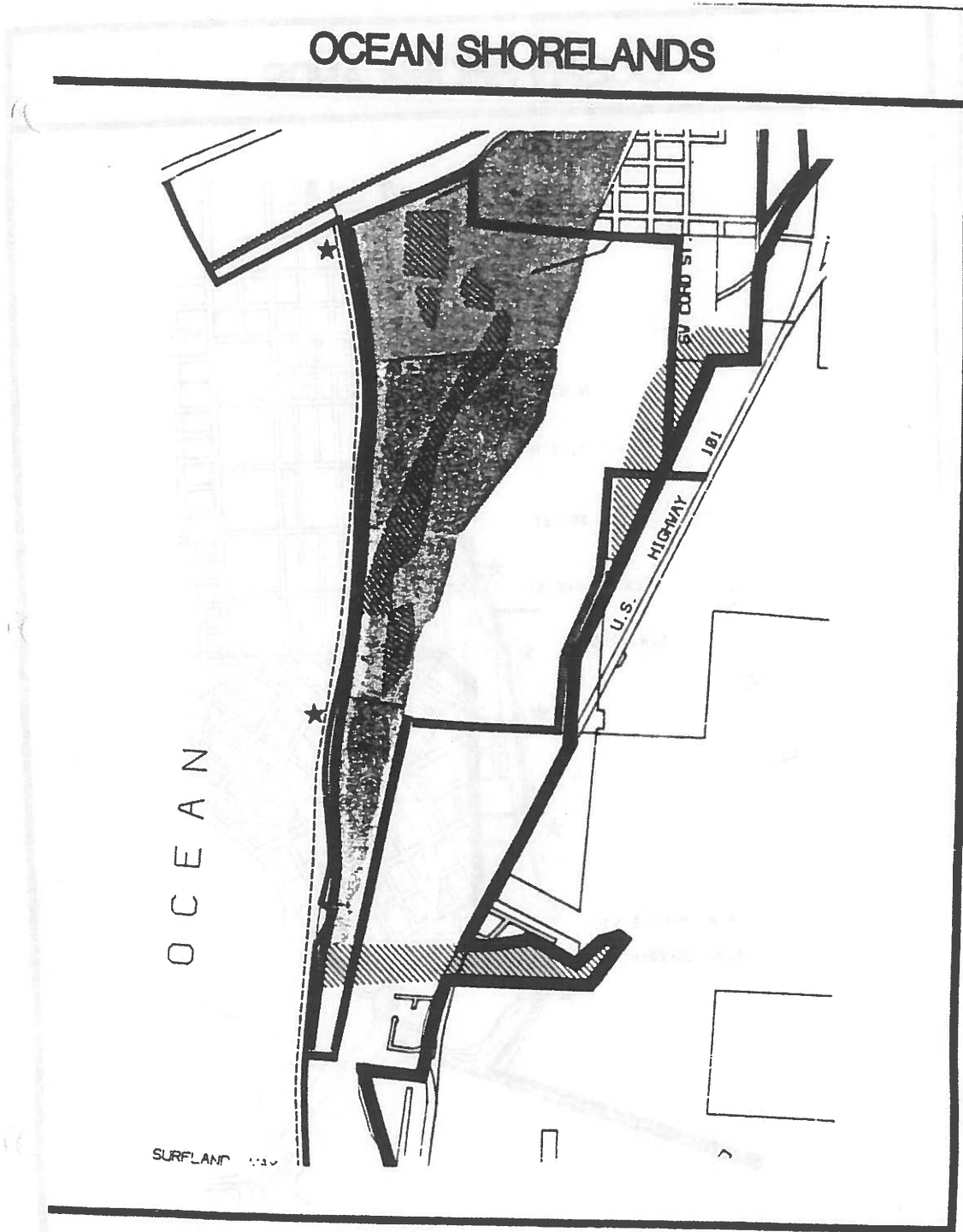
Page 50. CITY OF NEWPORT COMPREHENSIVE PLAN: Natural Features.



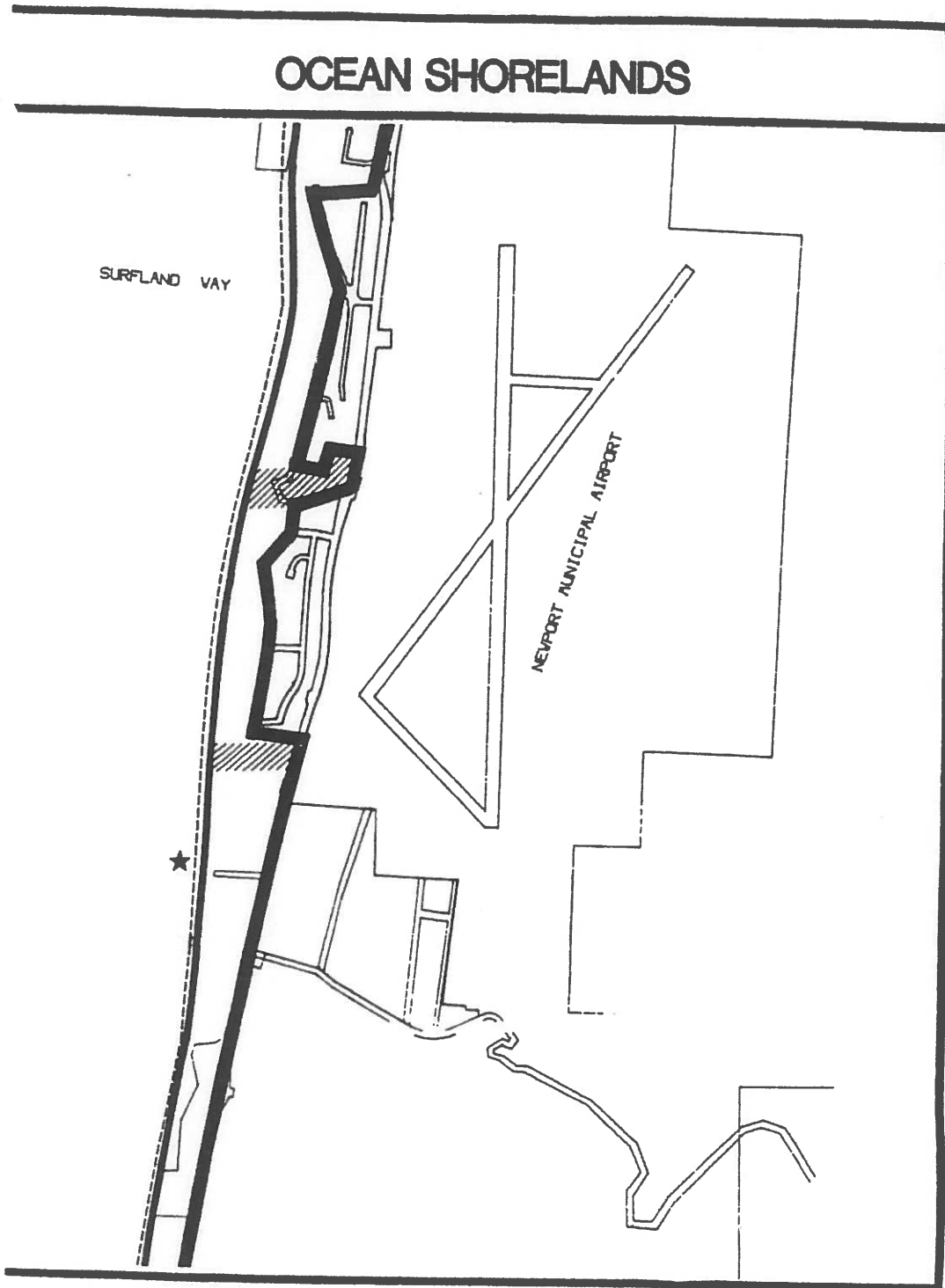
Page 51. CITY OF NEWPORT COMPREHENSIVE PLAN: Natural Features.



Page 52. CITY OF NEWPORT COMPREHENSIVE PLAN: Natural Features.



Page 53. CITY OF NEWPORT COMPREHENSIVE PLAN: Natural Features.



Page 54. CITY OF NEWPORT COMPREHENSIVE PLAN: Natural Features.

Ordinance No. 2166: 2/24/20 Draft Tsunami Hazards Overlay Zone

(Staff comments, in *italics*, are provided for context and are not a part of the code.)

CHAPTER 14.46 TSUNAMI HAZARDS OVERLAY ZONE

14.46.010 Purpose

The purpose of this section is to promote the public health, safety, and general welfare to minimize risks to essential facilities, and special occupancy structures serving high risk populations within a tsunami inundation area, consistent with Statewide Planning Goals 7 and 18, and the Natural Features Section of the Newport Comprehensive Plan.

Staff: The purpose section is more abbreviated than what the Commission reviewed at its August 26th work session, with cross references to the appropriate Statewide Planning Goals and Natural Features Section of the Comprehensive Plan, which provide context and policy direction for development of the regulations.

14.46.020 Definitions

As used in this chapter:

- A. Hazardous facility means structures housing, supporting or containing sufficient quantities of toxic or explosive substances to be of danger to the safety of the public if released. Such facilities are subject to a high hazard (Group H) occupancy classification by the Oregon Structural Specialty Code.
- B. Tsunami inundation area means those portions of the City of Newport within the "XXL" tsunami inundation area boundary, as depicted on the maps titled "Local Source (Cascadia Subduction Zone) Tsunami Inundation Map Newport North, Oregon" and "Local Source (Cascadia Subduction Zone) Tsunami Inundation Map Newport South, Oregon" produced by the Oregon Department of Geology and Mineral Industries (DOGAMI), dated February 8, 2013.
- C. Vertical evacuation structure means a stand-alone structure, portion of a building or constructed earthen mound designed for vertical evacuation from a tsunami that is accessible to evacuees, has sufficient height to place evacuees above the design level of tsunami

inundation, and is designed and constructed with the strength and resiliency needed to withstand the effects of tsunami waves.

Staff: This is a truncated version of the list of definitions the Commission previously reviewed. Definitions for Child Care Facility, Day Care Facility, and Substantial Improvement already exist in NMC 14.01.020, Definitions, so they need not be replicated in this chapter. Definitions for Essential Facility, School, and Special Occupancy Structures are not needed as the uses that fall within these definitions are addressed directly in the code.

14.46.030 Overlay Zone Established

A Tsunami Hazards Overlay Zone District shall be indicated on the Zoning Map of the City of Newport with the letters of THOZ, the boundaries of which encompass and conform to the tsunami inundation area.

Staff: This is required language to establish an overlay zone and tie it to the City's official zoning map.

14.46.040 Relationship to Underlying Zone Districts

Except for the prohibited uses set forth in section [14.46.050](#), all uses permitted pursuant to the provisions of the underlying zone may be permitted, subject to the additional requirements and limitations of this chapter.

Staff: This section is as presented at the August 26, 2019 work session.

14.46.050 Prohibited Uses

A. Unless authorized in accordance with section [14.46.060](#), the following uses are prohibited in the Tsunami Hazard Overlay Zone:

1. Hospitals and other medical facilities having surgery and emergency treatment areas;
2. Fire and police stations;
3. Emergency vehicle shelters and garages;

4. Structures and equipment in emergency preparedness centers;
 5. Standby power generating equipment for essential facilities;
 6. Structures and equipment in government communication centers and other facilities required for emergency response;
 7. Medical, assisted, and senior living facilities with resident incapacitated patients. This includes residential facilities, but not residential care homes, as defined in ORS 443.400;
 8. Jails and detention facilities;
 9. Day care facilities;
 10. Hazardous facilities; and
 11. Tanks or other structures containing, housing or supporting water or fire- suppression materials or equipment required for the protection of uses listed in this section.
- B. Unless authorized in accordance with section [14.46.060](#), the following uses are prohibited in the portions of the Tsunami Hazard Overlay Zone subject to inundation from a Small (S) or Medium (M) magnitude local source tsunami event:
1. Buildings with a capacity greater than 250 individuals for every public, private or parochial school through secondary level;
 2. Child care facilities;
 3. Buildings for colleges or adult education schools with a capacity greater than 500 persons; and
 4. Tanks or other structures containing, housing or supporting water or fire- suppression materials or equipment required for the protection of uses listed in this sub-section.

- C. The provisions of this section do not apply to water-dependent and water-related facilities, including but not limited to docks, wharves, piers and marinas.

Staff: The list of uses is very similar to what the Commission reviewed at the August 26, 2019 work session. References to assisted and senior living were added and the number of incapacitated residents staying at such facilities, including medical facilities, has been removed. A carve out is included for residential care homes, which serve 5 or fewer individuals in a residential setting. Residential facilities are included. These can be licensed for up to 15 individuals. Both terms are defined in NMC 14.01.020, Definitions. Note that not all residential care homes or facilities house incapacitated individuals. The threshold between a child care facility and day care facility is 12 children.

14.46.060 Use Exceptions

A use listed in section [14.46.050](#) may be permitted upon authorization of a Use Exception issued in accordance with a Type III decision-making procedure as outlined in Chapter 14.52, Procedural Requirements, provided the following requirements are satisfied:

- A. Public schools may be permitted upon findings that there is a need for the school to be within the boundaries of a school district and fulfilling that need cannot otherwise be accomplished.
- B. Fire or police stations may be permitted upon findings that there is a need for a strategic location.
- C. Uses otherwise prohibited, such as child or day care facilities, are allowed when accessory to a permitted use, provided a plan is submitted outlining the steps that will be taken to evacuate occupants to designated assembly areas.
- D. Other uses prohibited section [14.46.050](#) may be permitted upon the following findings:
 - 1. There are no reasonable, lower-risk alternative sites available for the proposed use; and

2. Adequate evacuation measures will be provided such that life safety risk to building occupants is minimized; and
3. The structures will be designed and constructed in a manner to minimize the risk of structural failure during the design earthquake and tsunami event.

Staff: This section is as presented at the August 26, 2019 work session.

14.46.070 Vertical Evacuation Structures

All vertical evacuation structures, irrespective of their height, shall adhere to the provisions set forth in NMC 14.10.020(D)(1-4).

Staff: This section is as presented at the August 26, 2019 work session.







14.46.080 Evacuation Route Improvement Requirements

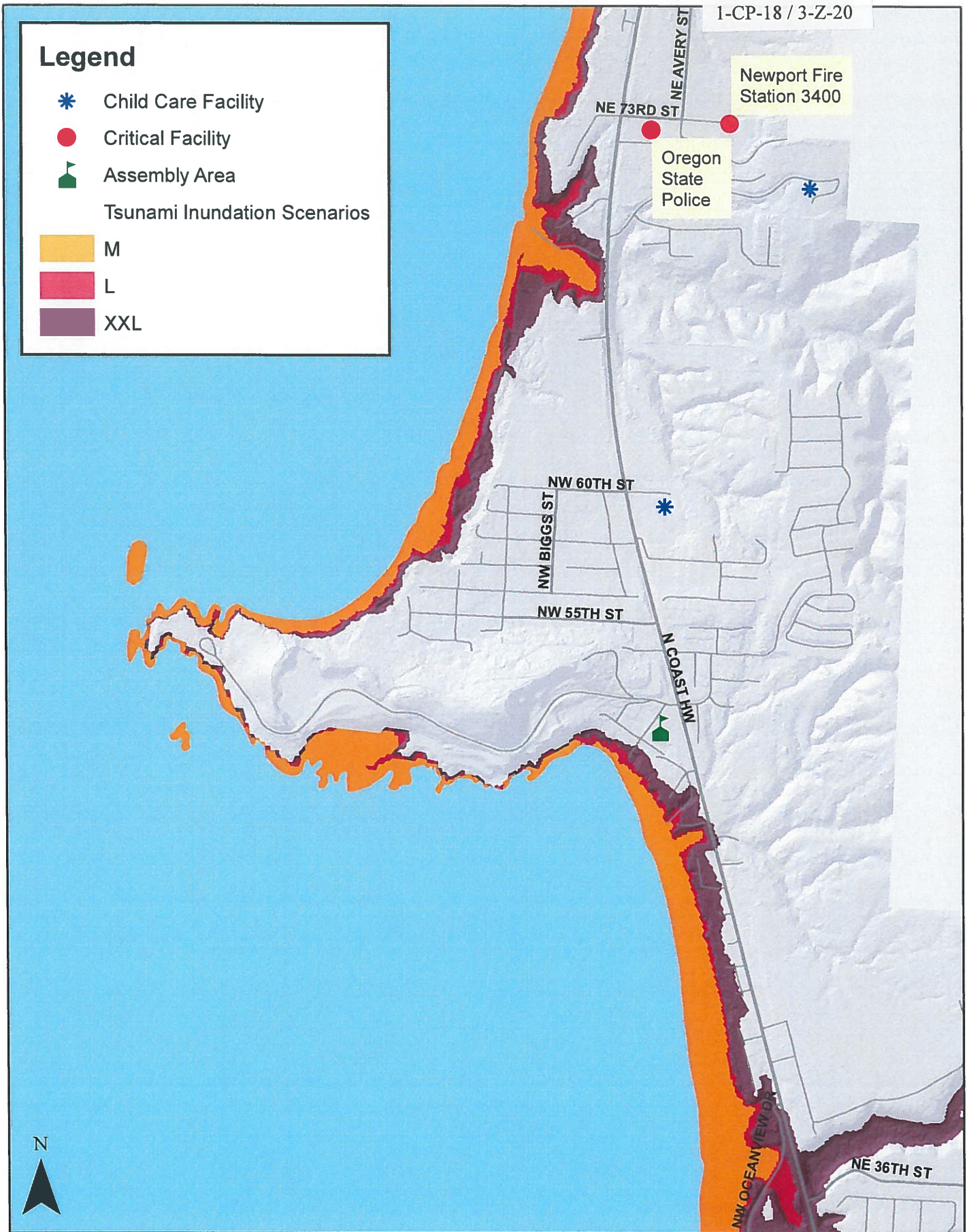
All new, or substantial improvements to, multifamily residential, commercial, industrial or institutional development on existing lots and parcels and land divisions in the Tsunami Hazard Overlay Zone shall:

- A. Provide all-weather pedestrian access from the building(s) to adjacent public rights-of-way or City designated evacuation routes; and
- B. Install wayfinding signage, in a format and location approved by the City, indicating the direction and location of the closest evacuation routes; and
- C. Post emergency evacuation information in public areas, meeting rooms, or common areas, alerting residents, visitors, and employees to the tsunami threat. Such information shall include a map indicating the direction and location of the closest evacuation route.

Staff: This section has been revised to list the types of route improvements the City can reasonably expect to require at this time.

Legend

-  Child Care Facility
-  Critical Facility
-  Assembly Area
- Tsunami Inundation Scenarios
-  M
-  L
-  XXL



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

North Newport Critical Facilities and Tsunami Inundation Scenarios

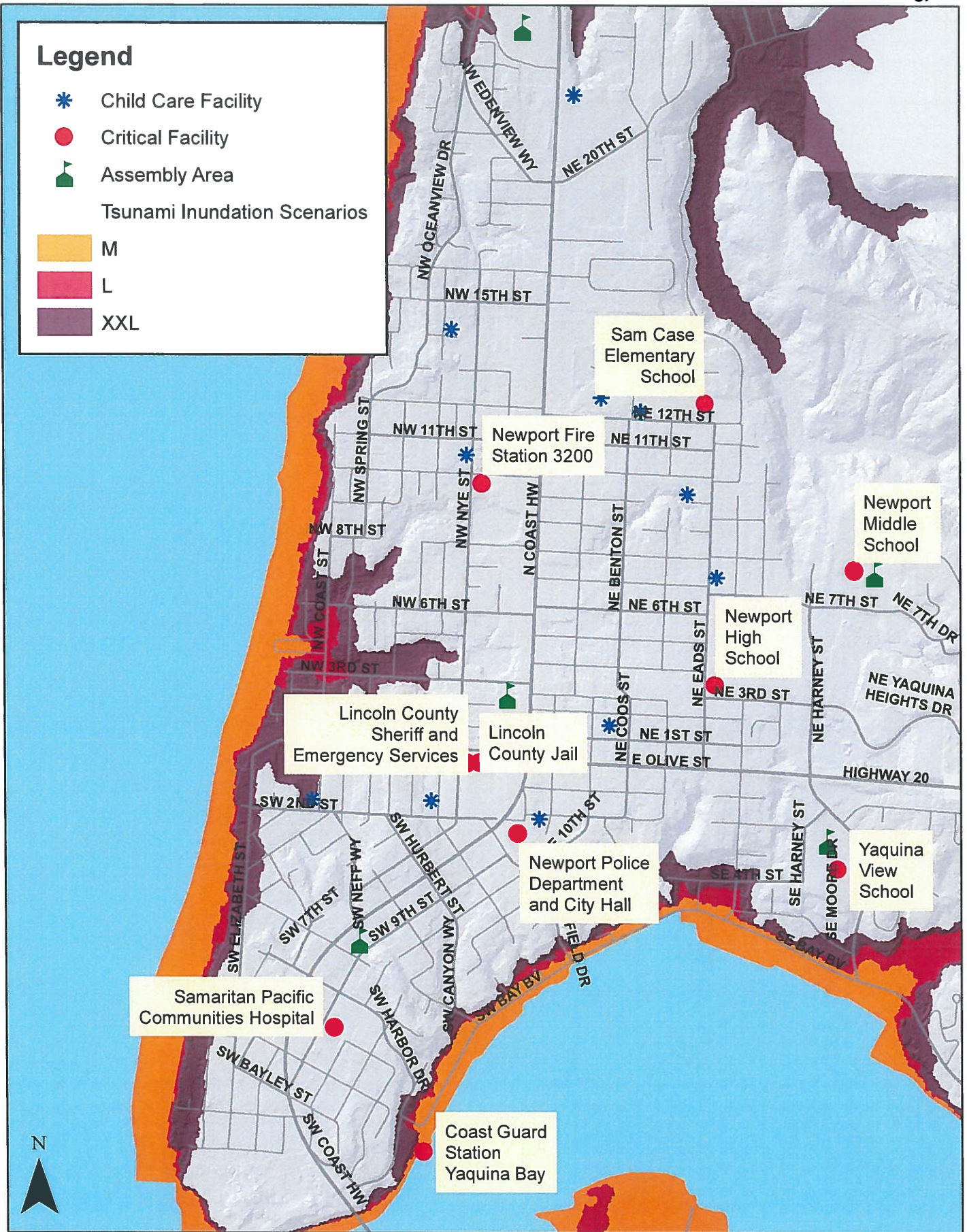
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Image Taken July 2018
 4-inch, 4-band Digital Orthophotos
 Quantum Spatial, Inc. Corvallis, OR

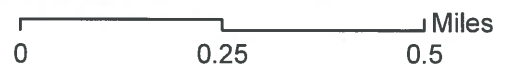


Legend

- * Child Care Facility
- Critical Facility
- ▲ Assembly Area
- Tsunami Inundation Scenarios
- M
- L
- XXL



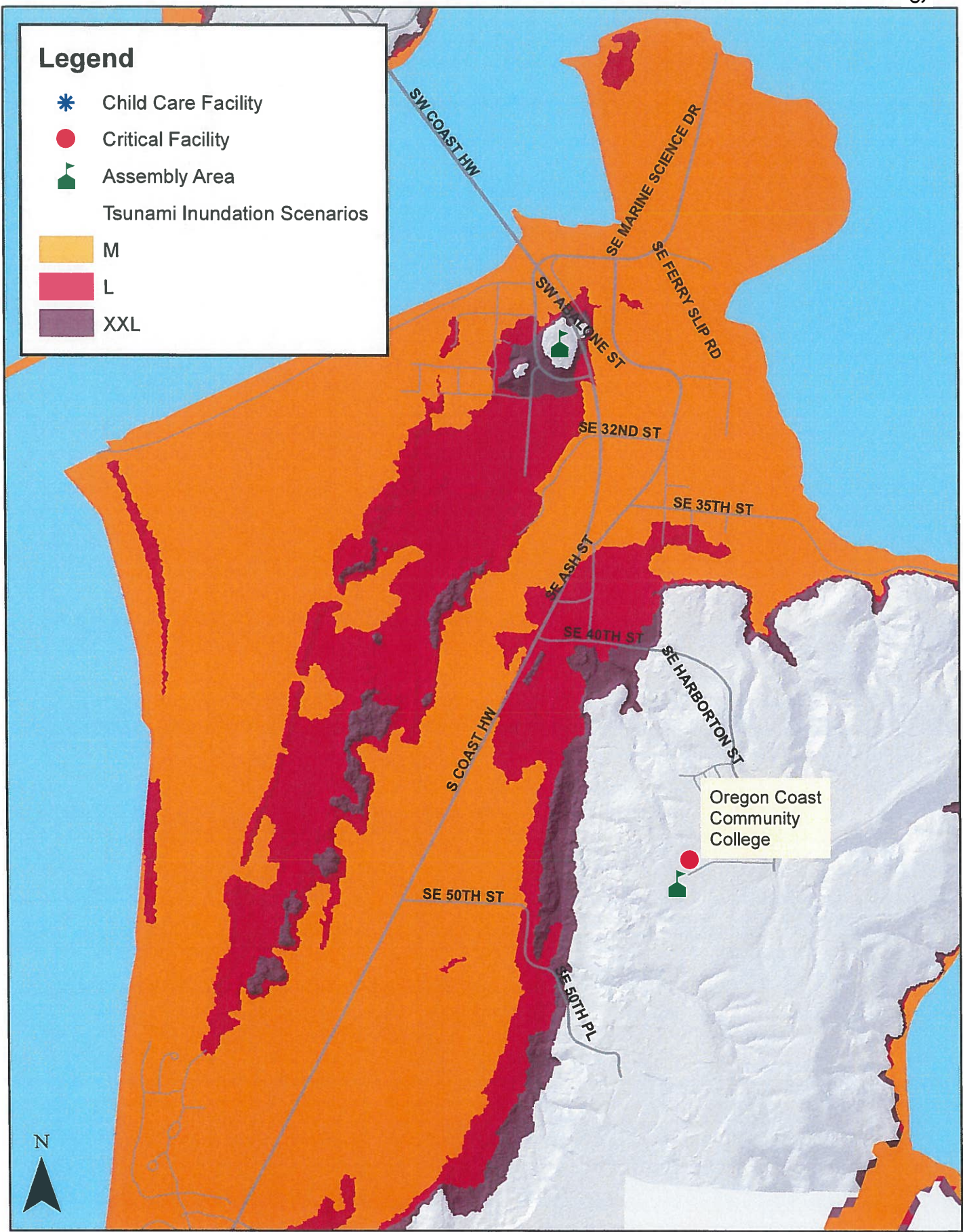
Central Newport Critical Facilities and Tsunami Inundation Scenarios



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Legend

- * Child Care Facility
 - Critical Facility
 - 🏠 Assembly Area
- Tsunami Inundation Scenarios
- M
 - L
 - XXL

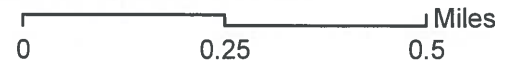


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South Beach Critical Facilities and Tsunami Inundation Scenarios

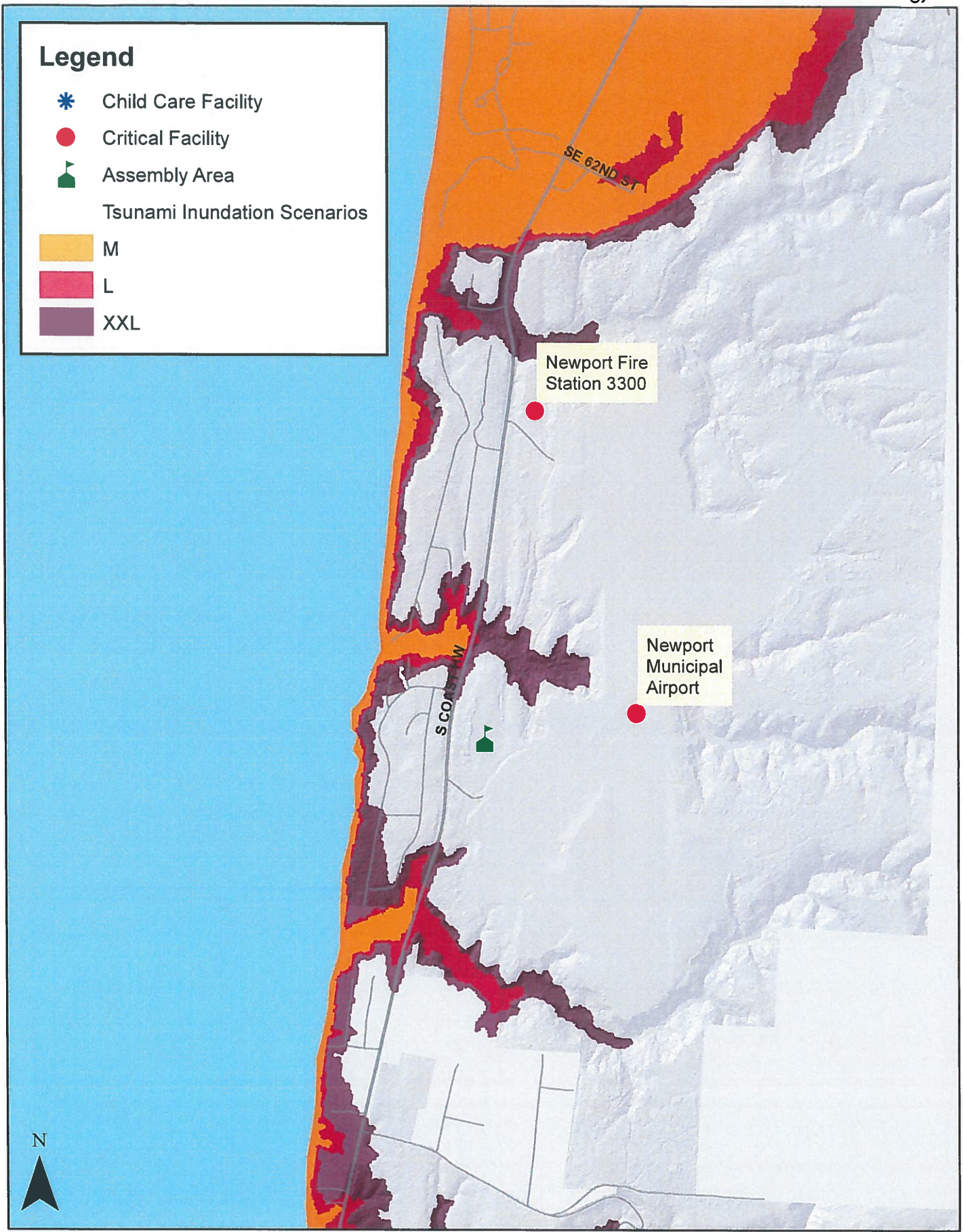
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Legend

- * Child Care Facility
 - Critical Facility
 - ▲ Assembly Area
- Tsunami Inundation Scenarios
- M
 - L
 - XXL



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

Newport Airport Neighborhood Critical Facilities and Tsunami Inundation Scenarios

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 Quantum Spatial, Inc. Corvallis, OR



MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
July 8, 2019
6:00 p.m.

Planning Commissioners Present: Jim Patrick, Lee Hardy, Bob Berman, and Mike Franklin.

Planning Commissioners Absent: Jim Hanselman, and Bill Branigan (*all excused*).

PC Citizens Advisory Committee Members Present: Dustin Capri.

Public Members Present: Meg Reed, and Mona Linstromberg.

City Staff Present: Community Development Director (CDD) Derrick Tokos; Associate Planner, Rachel Cotton; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.** No unfinished business.
3. **New Business.**
- A. **Review Framework for a New Tsunami Hazard Overlay Zone.** Tokos reviewed his staff memo on the framework for the tsunami hazard overlay zone and results from the last legislative session for House Bill (HB) 3309.

Meg Reed, Coastal Shore Specialist for the Department of Land Conservation and Development (DLCD) addressed the Commission. Reed explained that they had been working with coastal communities to update their land use regulations. She noted that there had been three tsunami inundation areas created that she would speak about at the meeting. Reed reviewed a handout that she shared with the Commission, initiated by the Coastal Caucus, that explained HB 3309. Tokos said the handout provided an explanation on why the new legislation was created. He noted that what the Commission would be deciding was if they wanted to limit or prohibit certain uses in the tsunami inundation zones. Hardy asked if the City could have stronger restrictions than the State. Tokos confirmed they could. Franklin asked how the rules applied to existing buildings. Reed said the rules would only affect new building.

Franklin asked if retirement and assisted living facilities would fall under the hospital category if the area was subject to the XXL inundation zones. Cotton explained they wouldn't. They would fall under the special occupancy structures in Section 1.100 (3)(D). Franklin asked if under the current rules, would a new addition being built at the Whaler Hotel have a timeframe to build. Tokos said that if the Commission elected to go with Large, this property would be outside of that zone. The Commission needed to look at what was reasonable within the boundary and what they wanted to restrict. He thought Large was a reasonable way to go. Capri asked how many had been Large. Reed explained that there were four that were Large or above, one at the boundary between Medium and Large, and the rest were Small or Medium. There were two that were XL, and there had never been an XXL. Franklin asked if the City did nothing, could someone rebuild if there was a fire. Tokos said they would have to meet current code. They would be allowed to rebuild under the nonconforming code even if the City imposed restrictions. Cotton noted that Section 4.12 (4)(a)(iv) applied to just schools, and was not the Performing Arts Center or something like that.

Cotton continued reviewing the DLCD model code with the Commission. She stated this was an opportunity for Newport to make it mandatory. It would create goals for the hazards sections of the Comprehensive Plan, the Transportation System Plan update, and for signage. She wanted to see if the Commission was receptive to the model code. The Commission was in general agreement of being receptive of it. Reed explained they

suggested adopting XXL in the model code and it wouldn't apply to prohibited use, it would only apply to the requirement for evacuation improvements or any new land divisions. A new subdivision, for example, would be required to put in signage to direct people to high ground or require them to put in sidewalks or something to make sure there were connections to existing routes. This was why the DLCD recommended XXL as the boundary to the zones and then the City could put discretionary restrictions in place. Patrick suggested requiring builds in Large zones to do certain upgrades. A discussion ensued regarding how best to categorize different uses in Large to XL boundaries.

Cotton stated that most of the communities that have adopted the essential facilities had gone with XXL. She asked if the Commission needed more information on what was in or out of Newport, or if they wanted to give more flexibility. Berman thought it would be good to know what was in or out. Reed noted that unless it was specifically built to withstand a tsunami, they considered the location would be destroyed in a big event. She noted there was a use exception that if someone showed strategic need they could allow certain uses. Franklin was in favor of expanding to just south of the bridge for emergency services so they had assistance. Tokos said outside of a new pump station down south, there wasn't anything needed for services. He said what he was hearing was that the Commission would like to see a proposal that set a boundary with prohibitions on uses to be on a Medium to Large scale, and an XXL for site improvement requirements for development. The Commission was in general agreement with this. Tokos said a map would be put together to show where the existing essential facilities and special occupancy facilities were. Cotton thought the language for exceptions would be a good thing to keep.

Cotton asked for input on adding regulations for residential uses and hotels/motels. Patrick thought that if they were talking about residential, the South Beach State Park should be included. Berman thought it was important to include RV parks that were expanding. He thought the limitations needed to apply to essential services such as fire, police and the hospital. Cotton said what she heard was the consensus was to take out residential and hotels/motels. Patrick wanted to also include utility installations so they continue after tsunami inundations. To address this, Tokos suggested looking at the engineering tsunami load standards to see if there was anything in them that was appropriate for utilities to at least increase the chances they would withstand a tsunami.

Cotton noted that one of the general polices was to request a tsunami hazard disclosure statement for new development in tsunami hazard areas. This would let developers know what they are getting into. Cotton noted that North Bend did a good job of emphasizing that developers knew what they were doing and it was a danger. Tokos asked if there had been a conversation on including this on real estate disclosure forms. Reed said it wasn't included and currently it asked if there were any know geologic hazards. They would have to disclose if there was an earthquake, not tsunami. Cotton would put maps together and include an inventory list. She said what she heard was there was good support of increased evacuation pathways and signage.

Reed reviewed the Beat the Wave maps and said the publication would be coming in August. She showed maps for the Bayfront, Agate Beach, Nye Beach, and South Beach State Park. She explained that South Beach was a challenging area to evacuate, and new trails and signage could help with this. Reed pointed out that there were some large dunes in the South Beach State Park that could be used as higher ground for a large event. The Commissioners didn't think it was a good message to suggest people utilize the dunes as high points. Reed said a technical publication would be available in August. DOGAMI was working on a public piece that would be coming out the next year.

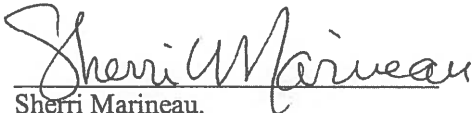
- B. Review Draft Public Parking Facilities Element to the Newport Comprehensive Plan.** Tokos reviewed his staff memo on the parking facilities element and said it was recommended by the study advisory committee. He noted that this committee had just disbanded. What was presented was a policy guidance for the Comprehensive Plan and policy to establish a standing committee. Tokos explained that the Study Committee was recommending the start of the legislative process. He reported that the thought was to initiate metering and permitting in the Bayfront first. Nye Beach would be an expanded discussion and metering for the area would be revisited at a later date. Tokos reported that the Study Committee agreed to postpone metering outside of the Bayfront. Capri asked what the payback period was for meters. Tokos would bring this information back to the Commission. Berman noted that there wasn't any guidance on who should be on

the committee in the ordinance. Tokos said this was done intentionally. The discussions reduced the number of members from nine members to seven. The discussion was to allow some flexibility to allow committees to change over time based on what they were struggling with. Berman asked if any city officials would be included. Tokos said there would be a City Council liaison, but they wouldn't be a voting member.

A discussion ensued regarding rules for duplexes, accessory dwelling units, and tiny homes and when the Commission would be working on implementing these rules.

Meeting adjourned at 6:59 p.m.

Respectfully submitted,

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

Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
August 12, 2019

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

PC Citizens Advisory Committee Members Present: Dustin Capri

City Staff Present: Community Development Director (CDD) Derrick Tokos; Associate Planner, Rachel Cotton; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.**
 - A. **Continued Review of the Framework for a New Tsunami Hazard Overlay Zone.** Cotton reviewed the changes that were done since the last time the Commission saw the land use provisions. A discussion ensued regarding the requirement for a tsunami hazard acknowledgement and disclosure statement for new development in tsunami hazard areas. Topics included why the city would want to take responsibility and an example that released the city from any and all claims. Hanselman was concerned that the City would take responsibility if they were asking for waivers. A discussion ensued on why the City should ask for waivers. Cotton asked if the Commission wanted to remove Item 4 on the disclosure form. Franklin suggested saying the City would not be responsible for any claims. Cotton explained the disclosure would let people know they were building in a geologic hazards area, there was a life safety risk, and the property owner assumed the risk.

A question was raised on what would happen with new development in the flood plain. Tokos explained that if the property was within the 100 year floodplain, the owner was required to get flood insurance. New construction would have to be built one foot above base flood elevation, and a real estate disclosure form would be required. He noted the legislative change concerning the disclosure form was built into State law. Cotton asked for the Commission's input on the disclosure statement. A discussion ensued on the four items on the disclosure statement. The Commission was in general agreement to not include Item 4. Tokos questioned if the Commission saw a use for a disclosure statement at all. He thought that if they were going to do the statement, there needed to be engagement with the local insurance agencies to see if it was valuable. Cotton noted that the insurance agents she had talked to said they didn't take anything into account concerning tsunamis unless the owner asked about flood insurance. She would talk to more insurance agents about the disclosure statement.

Cotton reviewed the changes to Section 1.110. Berman thought that the capacity for "special occupancy structures" for colleges, adult education schools, and medical facilities with residents should have lower numbers than what was listed. He also suggested removing Section 6.h. from the list. Cotton would take off Section 6.h. and look into the occupancy for OCCC to see if it was greater than 500, and talk to Meg Reed of the DLCDC about the scalability of the provisions.

Cotton reviewed the prohibited uses in different magnitude events. Her thoughts were to include new build uses that the City wouldn't want to rebuild in the case of a major event. Berman asked how the OMSI building fit on the list. Cotton thought it would fit as a public assembly with a capacity greater than 300. A discussion ensued regarding the reasoning on how child care and medical facilities fit in their magnitude zones, and how complicated it was to evacuate occupants at these facilities. Cotton said what she was hearing was to move Section 4.a. Items iv, v, vi, and vii to the "M" magnitude events list, move Section 4.b. Items ii, iii, iv, and vi to the "XXL" magnitude events list, and take out Section 4.b.v.

Cotton asked if the Commission wanted to include an addition to say that childcare should be prohibited in Section 4 as an accessory to a prohibited use, be allowed in "M", and be prohibited in an "XXL". Patrick was inclined to permit childcare centers in "XXL" if they had a good evacuation plan in place. Cotton said she would add to Section 4.c. that childcare centers would be allowed when they were an accessory to a permitted use provided adequate evacuation measures would be provided such that life safety risk to building occupants was minimized. Tokos suggested avoiding the use of "adequate" and use "provide exclusively" instead. For the sake of time, the Commission was in agreement to move the discussion to that night's Regular Session meeting.

3. **New Business.**

- A. **Amendments to NMC Section 14.16.050, Development Standards for Accessory Dwelling Units.** Tokos reviewed the amendments. He said the deadline to do the amendments was determined by Section 7 of HB 2001 that stated it was due by January 1, 2020.

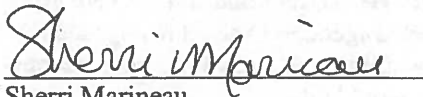
Berman pointed out that Chapter 14.16.050(H) said that Accessory Dwelling Units (ADU) shall share connections with the primary dwelling and questioned if they needed to continue to be on the same connection. A discussion ensued regarding ADUs sharing services with the main dwelling and if the Commission wanted to delete Item H. The Commission was in general agreement to remove Item H. Franklin question if the maximum floor area was the footprint of the ADU. Tokos said it was the habitable floor area of the living area. Hanselman asked if setbacks would be changed. Tokos said this only applied to non-habitable structures such as garden sheds.

Berman asked if someone built an ADU that they wanted to later rent, would they be required to have a parking space. Tokos said they would only need to provide off-street parking if it was a short-term rental. A discussion ensued regarding the recommendation by the State to allow one or two ADUs per dwelling unit on a parcel and how ADUs should be limited in Newport. The Commission was in general agreement to limit one ADU per parcel. Tokos said he would bring this option in the language to the Commission.

- B. **Updated Planning Commission Work Program.** For the sake of time, the work program discussion was moved to the Planning Commission regular session meeting.

Adjourned at 6:57 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
August 26, 2019
6:00 p.m.

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

Planning Commissioners by Phone: Bill Branigan

PC Citizens Advisory Committee Members Present: Dustin Capri

Public Members Present: Madeline Shannon, and Mona Linstromberg.

City Staff Present: Community Development Director (CDD) Derrick Tokos; Associate Planner, Rachel Cotton; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.

2. **Unfinished Business.**

A. **Continued Review of the Framework for a New Tsunami Hazard Overlay Zone.** Cotton reviewed the changes that had happened from the previous Planning Commission meeting discussion. She asked for the Commission's thoughts on the Hazard Acknowledgement and Disclosure Statement and if it should be included. Hanselman questioned what the benefit to the City would be. Cotton explained it was an educational tool. Hanselman thought there were better ways to educate without having to sign a document. Hardy thought the disclosure was important and should be acknowledged. Hanselman thought it should be acknowledged by all residents. After a discussion, Cotton noted that apart from Hanselman, the Commission was in general agreement to include the statement.

Cotton reviewed the tsunami evacuation facilities improvement plan. Berman thought the plan should be incorporated into the Transportation System Plan (TSP) and Park System Master Plan (PSMP). Cotton explained that the PSMP was essentially done and TSP was already scoped and didn't necessary include evacuation. Tokos noted that there were a few projects in TSP the City needed to make sure was vetted enough in order to engage new development projects to incorporate trails or signage for evacuations. Berman was concerned that a large portion of the pages would be duplicates on each of the plans. Tokos explained they would create something like a technical memo that was 6-8 pages that explained what the projects were and the rationale. Cotton asked if the Commission thought it was useful to establish technical projects connected to "Beat the Wave". The Commission was in general agreement that it should.

Cotton reviewed the DLCD Model Code changes. She explained that she added back in the Evacuation Policy Concepts Section #3. Capri asked what the lighting conditions were. Cotton explained this section was about how the signs would be lit at night and noted she could share the standards on this with the Commission. Capri thought this was vague in the code. Cotton would clarify this.

Cotton explained that the language for the rationale for the policies related to reducing development risk in high tsunami risk areas. This was meant to cover both XXL and M general policies. Cotton reported that the Newport High School had a capacity of 662 students. Berman asked why in Section 8.viii. "incapacitated" needed to be included. He felt the distinction wasn't necessary. Hanselman thought medical didn't cover senior living and assisted living facilities. He thought the term "daycare" should be mentioned in this list. Tokos said the reason it wasn't included was that "daycare" picked up smaller facilities while the term "child care" was broader. Hanselman thought it should be included. Berman reminded that there were elderly daycare facilities and felt it should be included. Capri suggested adding a line item for any facility with incapacitated persons. Tokos suggested it say assisted living or nursing homes. Berman thought the number for medical facilities should be changed from 50 down to 20, or taken out. The Commission was in general

agreement to take out the number for medical facilities. Tokos suggested looking into residential facilities and how they tie back to State licensing for group homes to see how to weave them into the code. Cotton noted there seemed to be a consensus to include these in the XXL. Franklin asked if temporary structures should be included in the special occupancy structures. Cotton explained that if they were included in this section it would limit event locations for things such as the Seafood and Wine Festival.

Cotton reviewed the evacuation route improvement requirements next. Berman asked if there were any other categories other than low density residential. Cotton said there wasn't. Branigan asked what the definition of "substantial improvement" was. Cotton explained it was anything 50 percent or more of the real market value. Cotton asked the Commission if they wanted to include Section 6.a.iii. A discussion ensued regarding what the posting requirements should be. Tokos thought it should be geared to a well thought out plan centered around lodging. Capri was concerned that the code referenced the TSP and TEFIP when they weren't in place yet. Cotton said until they were in place, the City wouldn't have to do the requirements, and placed importance on figuring out how extensive the TEFIP needed to be. Cotton said they could leave the section out and wait until the TEFIP was adopted. Tokos suggested adding a statement that these provisions did not apply to special events. Cotton noted the items that were taken out for the evacuation route improvements in Section 6.c. Capri thought wayfinding was important. Berman thought there needed to be consistency. Cotton explained that the design standards would address this.

Cotton covered the vertical evacuation structures next. Patrick noted that the numbers in this section jumped from 7 to 9 and 8 had been left out. Cotton would fix the numbering. Tokos reviewed the next steps. He thought there would be another work session meeting with the Commission and suggested Meg Reed with the DLCDD be present to answer questions.

3. New Business.

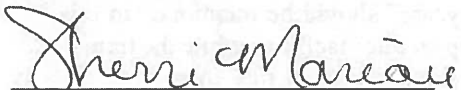
- A. Update on the Short-Term Rental Ordinance Implementation. Tokos reviewed the update on the short-term rental (STR) implementation. He noted that the work group had already met on August 20th. The materials given to the Commission were the same that was shared with the work group. LodgingRevs had been hired to manage a 24/7 hotline for complaints. Staff training would be held on Aug 29th for the hotline. There would be a community roll out once the staff training was done. The City would order signs with the hotline information for all the rentals to post. Tokos noted that there was a cushion in the LodgingRevs contract that would help pay for the signs.

Tokos reported there had been an initial advertising sweep for unlicensed STRs and the Community Service Officer (CSO) would be working on notifying them. Berman asked that the CSO be educated on the occupancy limits rules. Tokos covered the number of STR licenses that had renewed, the incomplete renewals, and the units that didn't renew. The STRs that didn't renew would have to submit new applications. Because they were nonconforming they had a right to submit a new license application.

Tokos noted that the STR waitlist wouldn't be touched until after November 1st when the deadline for the applications in process was over. The STR Work Group would meet in late October/early November again. There would be a focus on the centralized complaint system at this meeting. Hanselman asked if the applications that were incomplete were because the applicants didn't supply the materials requested from the letter. Tokos reported it was. He reminded that the ordinance stated that applicants would have 30 days from August 15th to provide the additional information for their incomplete applications.

Adjourned at 6:59 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
February 24, 2020
6:00 p.m.

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

Planning Commission Citizens Advisory Committee Members Present: Braulio Escobar, and Greg Sutton.

Planning Commission Citizens Advisory Committee Members Absent: Dustin Capri (*excused*).

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

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.**
 - A. **Update on City Council Direction to Initiate Targeted Nye Beach Code Amendments.** Tokos gave an update on the direction the City Council gave on the February 18th meeting to initiate targeted Nye Beach code amendments that would restrict residential on street grade along the west side of NW Cliff Street. He reviewed a draft of the NMC Chapter 14.30 amendments that were handed out to the Commissioners.

Hanselman asked if the amendments applied to just single family residential. Tokos explained it applied all residential. Berman asked if the amendments would undo what the Commission had already worked on. Tokos reported that this change only affected Cliff Street and brought the rules back to where they were prior to the updates that happened in 2008. Hardy questioned why there was resistance towards building large homes on Cliff Street. Tokos explained that because there was a lot of money spent on the Cliff Street improvements, building large houses on that street would be inconsistent with the infrastructure that had already been put in place. Franklin asked if this would be a “taking” issue. Tokos explained the City would have to provide the required Measure 56 notice to the property owners on Cliff Street because the residential right at street grade granted to them in 2008 was being taken away. He noted that the City Council wanted the Commission to consider this modification and also ask themselves if there were more significant changes that needed to be added for Nye Beach.

3. **New Business.**
 - A. **Review Updated Set of Tsunami Hazard Overlay Zone Amendments / Hazard Mitigation Plan.** Tokos reviewed his staff memorandum and he handed out a copy of an email from Meg Reed at the DLCD to the Commission. He explained that the draft copy of amendments to the Natural Features Section of the Newport Comprehensive Plan included a rationale, background, and policies for guiding development within tsunami inundation areas. Tokos reviewed the draft ordinance establishing a Tsunami Hazards Overlay Zone and explained that the overlay expressly limited certain uses in tsunami inundation areas in a manner comparable to provisions contained in ORS Chapter 455 that were removed with the passage of HB 3309 (2019). He noted that HB 4119 was likely to be approved during the Oregon Legislature’s short session. This was a refinement of HB 3309 that would require certain structures in tsunami inundation areas be designed to higher standards. Tokos noted that the City would update its building codes to comply with the law if this was passed. It would not impact the proposed amendments, but would be a supplemental set of standards that would apply to certain projects.

Tokos asked for the Commissioner's comments on the document. Branigan noted that if the spelling of McLean was correct the "[sic]" should be removed. Hardy asked why the dates of events in Table 1 were deleted. Tokos explained that since it cut off in 1957, there was enough of an explanation that they didn't need to go beyond this. Hardy thought that including it would give a cleaner perspective based on what actually happened rather than the assumption that it was going to be 500 years. Tokos explained that specific events were best left in background documents. This was because the City would have to otherwise replicate documents and there wasn't enough time to go back and research everything that had happened.

Berman noted that the last sentence on page 8 had two extra hyphens that needed to be removed. He also questioned on page 9 if saying the tectonic plates were "westward-moving" was correct. He thought the words should be taken out. Patrick didn't think it should be removed because the Atlantic was in fact pushing the plates west. Branigan noted that the actual jurisdiction names needed to be adding in the last sentence of paragraph 2. He also pointed out that the first sentence in paragraph 4 of page 9 should be changed to said that the Department of Geology of Mineral Industries "has" developed Tsunami Inundation Maps. Hanselman thought that the argument on the first two sentences on page 14 of the document were wrong. He had concerns that they were referencing old science and not a net zero drift. Tokos thought this was fair and explained that there were items in the Natural Features section that needed to be updated that were separate from this project. This could be done at some point but it would be a different project and a little bit more involved to tackle.

Tokos reviewed the additions to the Natural Features Goals/Policies next. Hardy questioned why the tsunami hazard and disclosure statement for new development in hazard areas had been removed. Tokos explained that the Commission could discuss adding it back in but it would have to be run through legal review to understand what purpose it served. Berman thought that in previous Commission minutes there was general agreement that they wanted the disclosure statement included. Tokos said there needed to be legal review to decide if the document would reside in the planning file, or if it was something that was recorded for the property. A discussion ensued regarding the value of a disclosure statement, if a statement should be filed away or recorded, and how a disclosure statement would affect development. Hardy was in favor of requiring a disclosure statement. Hanselman reminded the Commission that a lot of buyers didn't know what the natural hazards were and didn't do the proper due diligence. He felt a disclosure statement would inform buyers. Tokos explained that the question the Commission should answer was where would the disclosure statements be held and referenced. Franklin didn't see how the disclosure statement would help any more than the public education that was already happening in the area through signage and news reports. Tokos explained that Goal 2 delved into the public education aspect of this. It extended the requirement to advise guests in short-term rentals to hotels. The Commission was in general agreement to go ahead with the education goal. Berman requested that the syntax be consistent in structure throughout all of the policies.

Patrick requested there be a link online to see the hazard maps. Berman asked what the maps that started on Page 27 of the document were. Tokos explained that they represented the natural features of Newport and noted that they needed to be updated. Berman asked if Chapter 14.46.020(B) was referencing the City or the Urban Growth Boundary of Newport. Tokos explained this was the City limits because they could only apply zoning inside the City.

Berman suggested that Chapter 14.46 say "the latest version" of the maps instead of specifically the 2015 maps. Tokos agreed it should be the latest version and said they would do conscious updates when there were changes in the inundation areas. Franklin asked how the "Emergency vehicle shelters and garages" prohibition in Chapter 14.46.050(A)(3) affected the current ambulance service in Nye Beach. Tokos explained this change would make the current ambulance service nonconforming, and when they went away they wouldn't be allowed to come back. Berman asked why tanks had been repeated in Prohibited Uses A and B. Tokos said the tanks supported the other uses in the same zone. This addressed situations such as when a tank was located in the inundation area but the facility was outside of the inundation area. Berman thought it was redundant. He noted that the first tank reference said "section" and the second said "sub-section". This needed to be the same wording.

Berman questioned if “adult day care” should be included in the list. Tokos thought this was the same as assisted living facilities. Berman explained that it was different. Tokos suggested a definition be added to synch up to State terminology.

Hanselman asked how many local schools had 250 children. Tokos thought the high school and middle school had this many. Hanselman suggested the number be adjusted because he didn’t want to see smaller schools left out. Tokos didn’t think numbers should be included in B.1 and B.3. He wanted it clear that this didn’t apply to the new OSU MSI education building because it was a tsunami evacuation structure. Franklin asked if a trade school would be prohibited if the numbers were taken out. Tokos explained they would unless the trade school was tailored toward water-related trades. This type of trade school would be exempt because it was considered necessary for work in the water related zones. Berman asked if 14.46.080 applied to water related zones. Tokos believed it would but would change it to make it expressly clear that it did.

Tokos asked the Commission if they were good with the scope of changes to the Tsunami Hazards Overlay Zone. The Commission was in general agreement that they were.

- B. Review Amendments to the Stormwater Facilities Element of the Comprehensive Plan.** Tokos reviewed his staff memorandum and the final draft of proposed changes to the Storm Drainage Element of the Newport Comprehensive Plan. He explained that the Statewide Planning Goal 11 addressed public facilities planning, and this goal was implemented in OAR Chapter 660, Division 11. The administrative rule called for certain elements of public facilities plans to be adopted into a Comprehensive Plan, namely a list of the identified projects (OAR 660-011-0045). System Development Charge eligible capital projects would also be identified in the project list. The current draft responded to issues raised by Commission and Advisory Committee members to make sure the projects and recommendations were appropriately added to the Comprehensive Plan. Language was also clarified and a new Policy 5 has been added under Goal 1 related to the management of stormwater in geologically hazardous areas.

Tokos reviewed the Goals and Policies section of the Public Facilities Element. He explained that regulations would need to be developed on how the City would be handling impacts to the system in an equitable manner on a project by project basis. Berman asked if Policy 5 needed to have a term that related back to the geologic hazards. Tokos thought that saying “City designated” would suffice. Patrick suggested adding LIDS to the policies. Berman didn’t like limiting Goal 2, Policy 5 to City properties and wanted to see good housekeeping policies that anyone could adhere to. He wanted the policies made available to anyone doing development. Hanselman noted that the Civil West review had omitted properties. He asked that the City request Civil West provide the findings from Oceanview Drive up to 48th Street on the west side of Hwy 101 that were relative to what the storm sewer was to those neighborhood. Tokos would look into this.

Tokos asked the Commission if it was acceptable to initial the legislative process at the next meeting. The Commission was in general agreement to do so.

- 4. Adjourn.** The meeting adjourned at 7:13 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

day care during religious functions shall be classified as part of the primary occupancy.

305.2.2 Five or fewer children. A facility having five or fewer children receiving such day care shall be classified as part of the primary occupancy.

305.2.3 Five or fewer children in a dwelling unit. A facility such as the above within a *dwelling unit* and having five or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the *Residential Code*.

SECTION 306 FACTORY GROUP F

306.1 Factory Industrial Group F. Factory Industrial Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as a Group H hazardous or Group S storage occupancy.

306.2 Moderate-hazard factory industrial, Group F-1. Factory industrial uses that are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following:

- Aircraft (manufacturing, not to include repair)
- Appliances
- Athletic equipment
- Automobiles and other motor vehicles
- Bakeries
- Beverages: over 16-percent alcohol content
- Bicycles
- Boats
- Brooms or brushes
- Business machines
- Cameras and photo equipment
- Canvas or similar fabric
- Carpets and rugs (includes cleaning)
- Clothing
- Construction and agricultural machinery
- Disinfectants
- Dry cleaning and dyeing
- Electric generation plants
- Electronics
- Engines (including rebuilding)
- Food processing establishments and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities more than 2,500 square feet (232 m²) in area.
- Furniture
- Hemp products
- Jute products
- Laundries
- Leather products
- Machinery
- Metals
- Millwork (sash and door)
- Motion pictures and television filming (without

- spectators)
- Musical instruments
- Optical goods
- Paper mills or products
- Photographic film
- Plastic products
- Printing or publishing
- Recreational vehicles
- Refuse incineration
- Shoes
- Soaps and detergents
- Textiles
- Tobacco
- Trailers
- Upholstering
- Wood; distillation
- Woodworking (cabinet)

306.3 Low-hazard factory industrial, Group F-2. Factory industrial uses that involve the fabrication or manufacturing of noncombustible materials that during finishing, packing or processing do not involve a significant fire hazard shall be classified as F-2 occupancies and shall include, but not be limited to, the following:

- Beverages: up to and including 16-percent alcohol content
- Brick and masonry
- Ceramic products
- Foundries
- Glass products
- Gypsum
- Ice
- Metal products (fabrication and assembly)
- Wood barrel and bottled wine aging facilities in *wineries*

SECTION 307 HIGH-HAZARD GROUP H

307.1 High-hazard Group H. High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed in *control areas* complying with Section 414, based on the maximum allowable quantity limits for *control areas* set forth in Tables 307.1(1) and 307.1(2). Hazardous occupancies are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this section and the requirements of Section 415. *Hazardous materials* stored, or used on top of roofs or canopies, shall comply with this code.

307.1.1 Uses other than Group H. An occupancy that stores, uses or handles *hazardous materials* as described in one or more of the following items shall not be classified as Group H, but shall be classified as the occupancy that it most nearly resembles.

1. Buildings and structures occupied for the application of flammable finishes, provided that such buildings or areas conform to the requirements of Section 416.

2. Wholesale and retail sales and storage of flammable and combustible liquids in mercantile occupancies conforming to this code.
3. Closed piping system containing flammable or combustible liquids or gases utilized for the operation of machinery or equipment.
4. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment listed by an approved testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour fire barriers constructed in accordance with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711, or both.
5. Cleaning establishments that utilize a liquid solvent having a flash point at or above 200°F (93°C).
6. Liquor stores and distributors without bulk storage.
7. Refrigeration systems.
8. The storage or utilization of materials for agricultural purposes on the premises.
9. Stationary storage battery systems installed in accordance with this code and the Mechanical Code.
10. Corrosive personal or household products in their original packaging used in retail display.
11. Commonly used corrosive building materials.
12. Buildings and structures occupied for aerosol product storage shall be classified as Group S-1, provided that such buildings conform to the requirements of this code.
13. Display and storage of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in quantities not exceeding the maximum allowable quantity per control area in Group M or S occupancies complying with Section 414.2.5.
14. The storage of black powder, smokeless propellant and small arms primers in Groups M and R-3 and special industrial explosive devices in Groups B, F, M and S, provided such storage conforms to the quantity limits and requirements prescribed in this code.

TABLE 307.1(1)
MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA OF HAZARDOUS MATERIALS POSING A PHYSICAL HAZARD^{a, i, m, n, p}

MATERIAL	CLASS	GROUP WHEN THE MAXIMUM ALLOWABLE QUANTITY IS EXCEEDED	STORAGE ^b			USE-CLOSED SYSTEMS ^b			USE-OPEN SYSTEMS ^b	
			Solid pounds (cubic feet)	Liquid gallons (pounds)	Gas cubic feet at NTP	Solid pounds (cubic feet)	Liquid gallons (pounds)	Gas cubic feet at NTP	Solid pounds (cubic feet)	Liquid gallons (pounds)
Combustible dust	NA	H-2	See Note q	NA	NA	See Note q	NA	NA	See Note q	NA
Combustible fiber ^q	Loose Baled ^o	H-3	(100) (1,000)	NA	NA	(100) (1,000)	NA	NA	(20) (200)	NA
Combustible liquid ^{c, i}	II IIIA IIIB	H-2 or H-3 H-2 or H-3 NA	NA	120 ^{d, e} 330 ^{d, e} 13,200 ^{e, f}	NA	NA	120 ^d 330 ^d 13,200 ^f	NA	NA	30 ^d 80 ^d 3,300 ^f
Cryogenic flammable	NA	H-2	NA	45 ^d	NA	NA	45 ^d	NA	NA	10 ^d
Cryogenic inert	NA	NA	NA	NA	NL	NA	NA	NL	NA	NA
Cryogenic oxidizing	NA	H-3	NA	45 ^d	NA	NA	45 ^d	NA	NA	10 ^d
Explosives	Division 1.1	H-1	1 ^{c, g}	(1) ^{c, g}	NA	0.25 ^g	(0.25) ^g	NA	0.25 ^g	(0.25) ^g
	Division 1.2	H-1	1 ^{c, g}	(1) ^{c, g}		0.25 ^g	(0.25) ^g		0.25 ^g	(0.25) ^g
	Division 1.3	H-1 or H-2	5 ^{c, g}	(5) ^{c, g}		1 ^g	(1) ^g		1 ^g	(1) ^g
	Division 1.4	H-3	50 ^{c, g}	(50) ^{c, g}		50 ^g	(50) ^g		NA	NA
	Division 1.4G	H-3	125 ^{c, i}	NA		NA	NA		NA	NA
	Division 1.5	H-1	1 ^{c, g}	(1) ^{c, g}		0.25 ^g	(0.25) ^g		0.25 ^g	(0.25) ^g
Division 1.6	H-1	1 ^{c, g}	NA	NA	NA	NA	NA			
Flammable gas	Gaseous Liquefied	H-2	NA	NA (150) ^{d, e}	1,000 ^{d, e} NA	NA	NA (150) ^{d, e}	1,000 ^{d, e} NA	NA	NA
Flammable liquid ^c	IA IB and IC	H-2 or H-3	NA	30 ^{d, e} 120 ^{d, e}	NA	NA	30 ^d 120 ^d	NA	NA	10 ^d 30 ^d
Flammable liquid, combination (IA, IB, IC)	NA	H-2 or H-3	NA	120 ^{d, e, h}	NA	NA	120 ^{d, h}	NA	NA	30 ^{d, h}

(continued)

TABLE 307.1(1)—continued
 MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA OF HAZARDOUS MATERIALS POSING A PHYSICAL HAZARD^{a, i, m, n, p}

MATERIAL	CLASS	GROUP WHEN THE MAXIMUM ALLOWABLE QUANTITY IS EXCEEDED	STORAGE ^b			USE-CLOSED SYSTEMS ^b			USE-OPEN SYSTEMS ^b	
			Solid pounds (cubic feet)	Liquid gallons (pounds)	Gas cubic feet at NTP	Solid pounds (cubic feet)	Liquid gallons (pounds)	Gas cubic feet at NTP	Solid pounds (cubic feet)	Liquid gallons (pounds)
Flammable solid	NA	H-3	125 ^{d, e}	NA	NA	125 ^d	NA	NA	25 ^d	NA
Inert gas	Gaseous	NA	NA	NA	NL	NA	NA	NL	NA	NA
	Liquefied	NA	NA	NA	NL	NA	NA	NL	NA	NA
Organic peroxide	UD	H-1	1 ^{e, g}	(1) ^{e, g}	NA	0.25 ^g	(0.25) ^g	NA	0.25 ^g	(0.25) ^g
	I	H-2	5 ^{d, e}	(5) ^{d, e}		1 ^d	(1) ^d		1 ^d	(1) ^d
	II	H-3	50 ^{d, e}	(50) ^{d, e}		50 ^d	(50) ^d		10 ^d	(10) ^d
	III	H-3	125 ^{d, e}	(125) ^{d, e}		125 ^d	(125) ^d		25 ^d	(25) ^d
	IV	NA	NL	NL		NL	NL		NL	NL
V	NA	NL	NL	NL	NL	NL	NL	NL		
Oxidizer	4	H-1	1 ^g	(1) ^{e, g}	NA	0.25 ^g	(0.25) ^g	NA	0.25 ^g	(0.25) ^g
	3 ^k	H-2 or H-3	10 ^{d, e}	(10) ^{d, e}		2 ^d	(2) ^d		2 ^d	(2) ^d
	2	H-3	250 ^{d, e}	(250) ^{d, e}		250 ^d	(250) ^d		50 ^d	(50) ^d
	1	NA	4,000 ^{e, f}	(4,000) ^{e, f}		4,000 ^f	(4,000) ^f		1,000 ^f	(1,000) ^f
Oxidizing gas	Gaseous	H-3	NA	NA	1,500 ^{d, e}	NA	NA	1,500 ^{d, e}	NA	NA
	Liquefied									
Pyrophoric	NA	H-2	4 ^{e, g}	(4) ^{e, g}	50 ^{e, g}	1 ^g	(1) ^g	10 ^{e, g}	0	0
Unstable (reactive)	4	H-1	1 ^{e, g}	(1) ^{e, g}	10 ^{e, g}	0.25 ^g	(0.25) ^g	2 ^{e, g}	0.25 ^g	(0.25) ^g
	3	H-1 or H-2	5 ^{d, e}	(5) ^{d, e}	50 ^{d, e}	1 ^d	(1) ^d	10 ^{d, e}	1 ^d	(1) ^d
	2	H-3	50 ^{d, e}	(50) ^{d, e}	750 ^{d, e}	50 ^d	(50) ^d	750 ^{d, e}	10 ^d	(10) ^d
	1	NA	NL	NL	NL	NL	NL	NL	NL	NL
Water reactive	3	H-2	5 ^{d, e}	(5) ^{d, e}	NA	5 ^d	(5) ^d	NA	1 ^d	(1) ^d
	2	H-3	50 ^{d, e}	(50) ^{d, e}		50 ^d	(50) ^d		10 ^d	(10) ^d
	1	NA	NL	NL		NL	NL		NL	NL

For SI: 1 cubic foot = 0.028 m³, 1 pound = 0.454 kg, 1 gallon = 3.785 L.

NL = Not Limited; NA = Not Applicable; UD = Unclassified Detonable.

- a. For use of control areas, see Section 414.2.
- b. The aggregate quantity in use and storage shall not exceed the quantity listed for storage.
- c. The quantities of alcoholic beverages in retail and wholesale sales occupancies shall not be limited provided the liquids are packaged in individual containers not exceeding 1.3 gallons. In retail and wholesale sales occupancies, the quantities of medicines, foodstuffs or consumer products, and cosmetics containing not more than 50 percent by volume of water-miscible liquids with the remainder of the solutions not being flammable, shall not be limited, provided that such materials are packaged in individual containers not exceeding 1.3 gallons.
- d. Maximum allowable quantities shall be increased 100 percent in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. Where Note e also applies, the increase for both notes shall be applied accumulatively.
- e. Maximum allowable quantities shall be increased 100 percent when stored in approved storage cabinets, day boxes, gas cabinets, gas rooms or exhausted enclosures or in listed safety cans in accordance with Section 414.18. Where Note d also applies, the increase for both notes shall be applied accumulatively.
- f. Quantities shall not be limited in a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
- g. Allowed only in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
- h. Containing not more than the maximum allowable quantity per control area of Class IA, IB or IC flammable liquids.
- i. The maximum allowable quantity shall not apply to fuel oil storage complying with Section 2802.
- j. Quantities in parentheses indicate quantity units in parentheses at the head of each column.
- k. A maximum quantity of 220 pounds of solid or 22 gallons of liquid Class 3 oxidizers is allowed when such materials are necessary for maintenance purposes, operation or sanitation of equipment when the storage containers and the manner of storage are approved.
- l. Net weight of the pyrotechnic composition of the fireworks. Where the net weight of the pyrotechnic composition of the fireworks is not known, 25 percent of the gross weight of the fireworks, including packaging, shall be used.
- m. For gallons of liquids, divide the amount in pounds by 10 in accordance with Section 414.1.5.1.
- n. For storage and display quantities in Group M and storage quantities in Group S occupancies complying with Section 414.2.5, see Tables 414.2.5(1) and 414.2.5(2).
- o. Densely packed baled cotton that complies with the packing requirements of ISO 8115 shall not be included in this material class.
- p. The following shall not be included in determining the maximum allowable quantities:
 1. Liquid or gaseous fuel in fuel tanks on vehicles.
 2. Liquid or gaseous fuel in fuel tanks on motorized equipment operated in accordance with this code.
 3. Gaseous fuels in piping systems and fixed appliances regulated by the *Fuel Gas Code*.
 4. Liquid fuels in piping systems and fixed appliances regulated by the *Mechanical Code*.
- q. Where manufactured, generated or used in such a manner that the concentration and conditions create a fire or explosion hazard based on information prepared in accordance with Section 414.1.3.

TABLE 307.1(2)
MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA OF HAZARDOUS MATERIALS POSING A HEALTH HAZARD^{a, c, f, h, i}

MATERIAL	STORAGE ^b			USE-CLOSED SYSTEMS ^b			USE-OPEN SYSTEMS ^b	
	Solid pounds ^{d, e}	Liquid gallons (pounds) ^{d, e}	Gas cubic feet at NTP (pounds) ^d	Solid pounds ^d	Liquid gallons (pounds) ^d	Gas cubic feet at NTP (pounds) ^d	Solid pounds ^d	Liquid gallons (pounds) ^d
Corrosives	5,000	500	Gaseous 810 ^e Liquefied (150)	5,000	500	Gaseous 810 ^e Liquefied (150)	1,000	100
Highly Toxic	10	(10)	Gaseous 20 ^g Liquefied (4) ^g	10	(10)	Gaseous 20 ^g Liquefied (4) ^g	3	(3)
Toxic	500	(500)	Gaseous 810 ^e Liquefied (150) ^e	500	(500)	Gaseous 810 ^e Liquefied (150) ^e	125	(125)

For SI: 1 cubic foot = 0.028 m³, 1 pound = 0.454 kg, 1 gallon = 3.785 L.

- a. For use of control areas, see Section 414.2.
- b. The aggregate quantity in use and storage shall not exceed the quantity listed for storage.
- c. In retail and wholesale sales occupancies, the quantities of medicines, foodstuffs or consumer products, and cosmetics containing not more than 50 percent by volume of water-miscible liquids and with the remainder of the solutions not being flammable, shall not be limited, provided that such materials are packaged in individual containers not exceeding 1.3 gallons.
- d. Maximum allowable quantities shall be increased 100 percent in buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. Where Note e also applies, the increase for both notes shall be applied accumulatively.
- e. Maximum allowable quantities shall be increased 100 percent where stored in approved storage cabinets, gas cabinets or exhausted enclosures as specified in this code. Where Note d also applies, the increase for both notes shall be applied accumulatively.
- f. For storage and display quantities in Group M and storage quantities in Group S occupancies complying with Section 414.2.5, see Tables 414.2.5(1) and 414.2.5(2).
- g. Allowed only where stored in approved exhausted gas cabinets or exhausted enclosures as specified in this code.
- h. Quantities in parentheses indicate quantity units in parentheses at the head of each column.
- i. For gallons of liquids, divide the amount in pounds by 10 in accordance with Section 414.1.5.1.

- 15. *Stationary fuel cell power systems* installed in accordance with this code and the *Mechanical Code*.
- 16. *Capacitor energy storage systems* in accordance with this code.
- 17. Group B *higher education laboratory* occupancies complying with Section 428.

- Division 1.3
- Division 1.4
- Division 1.5
- Division 1.6

- Organic peroxides, unclassified detonable
- Oxidizers, Class 4
- Unstable (reactive) materials, Class 3 detonable and Class 4

307.2 Hazardous materials. *Hazardous materials* in any quantity shall conform to the requirements of this code, including Section 414.

307.2.1 Storage of Class 1.4G (Class C, Common) fireworks. A permanent building used for the temporary storage of 1.4G (Class C) fireworks, as authorized by a retail sales permit under ORS 480.127, may be classified as either a Group M, Group S-1 or a detached Group U occupancy, provided:

- 1. The total amount of 1.4G retail fireworks is less than 5,000 pounds (2268 kg) gross weight; or
- 2. Where the building is protected by an *approved automatic sprinkler system* and the amount of 1.4G retail fireworks is less than 10,000 pounds (4536 kg) gross weight.

307.3 High-hazard Group H-1. Buildings and structures containing materials that pose a detonation hazard shall be classified as Group H-1. Such materials shall include, but not be limited to, the following:

Detonable pyrophoric materials

Explosives:

- Division 1.1
- Division 1.2

307.3.1 Occupancies containing explosives not classified as H-1. The following occupancies containing explosive materials shall be classified as follows:

- 1. Division 1.3 explosive materials that are used and maintained in a form where either confinement or configuration will not elevate the hazard from a mass fire to mass explosion hazard shall be allowed in H-2 occupancies.
- 2. Articles, including articles packaged for shipment, that are not regulated as a Division 1.4 explosive under Bureau of Alcohol, Tobacco, Firearms and Explosives regulations, or unpackaged articles used in process operations that do not propagate a detonation or deflagration between articles shall be allowed in H-3 occupancies.

307.4 High-hazard Group H-2. Buildings and structures containing materials that pose a deflagration hazard or a hazard from accelerated burning shall be classified as Group H-2. Such materials shall include, but not be limited to, the following:

Class I, II or IIIA flammable or combustible liquids that are used or stored in normally open containers or systems, or in closed containers or systems pressurized at more than 15 pounds per square inch gauge (103.4 kPa).

Combustible dusts where manufactured, generated or used in such a manner that the concentration and conditions create a fire or explosion hazard based on information prepared in accordance with Section 414.1.3.

Cryogenic fluids, flammable.

Flammable gases.

Organic peroxides, Class I.

Oxidizers, Class 3, that are used or stored in normally open containers or systems, or in closed containers or systems pressurized at more than 15 pounds per square inch gauge (103 kPa).

Pyrophoric liquids, solids and gases, nondetonable.

Unstable (reactive) materials, Class 3, nondetonable.

Water-reactive materials, Class 3.

307.5 High-hazard Group H-3. Buildings and structures containing materials that readily support combustion or that pose a physical hazard shall be classified as Group H-3. Such materials shall include, but not be limited to, the following:

Class I, II or IIIA flammable or combustible liquids that are used or stored in normally closed containers or systems pressurized at 15 pounds per square inch gauge (103.4 kPa) or less.

Combustible fibers, other than densely packed baled cotton, where manufactured, generated or used in such a manner that the concentration and conditions create a fire or explosion hazard based on information prepared in accordance with Section 414.1.3.

Consumer fireworks, 1.4G (Class C, Common)

Cryogenic fluids, oxidizing

Flammable solids

Organic peroxides, Class II and III

Oxidizers, Class 2

Oxidizers, Class 3, that are used or stored in normally closed containers or systems pressurized at 15 pounds per square inch gauge (103 kPa) or less

Oxidizing gases

Unstable (reactive) materials, Class 2

Water-reactive materials, Class 2

307.6 High-hazard Group H-4. Buildings and structures containing materials that are health hazards shall be classified as Group H-4. Such materials shall include, but not be limited to, the following:

Corrosives

Highly toxic materials

Toxic materials

307.7 High-hazard Group H-5. Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials (HPM) are used and the aggregate quantity of materials is in excess of those listed in Tables 307.1(1) and 307.1(2) shall be classified as Group H-5. Such facilities and areas shall be designed and constructed in accordance with Section 415.11.

307.8 Multiple hazards. Buildings and structures containing a material or materials representing hazards that are classified in one or more of Groups H-1, H-2, H-3 and H-4 shall conform to the code requirements for each of the occupancies so classified.

SECTION 308 INSTITUTIONAL GROUP I

308.1 Institutional Group I. Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which care or supervision is provided to persons who are or are not capable of self-preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

308.2 Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions specified in Section 308.2.1 or 308.2.2.

308.2.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

This group shall include, but not be limited to, the following:

Congregate living facilities

Halfway houses

Social rehabilitation facilities

308.2.2 Condition 2. This occupancy condition shall include buildings subject to licensure by the Oregon Department of Human Services in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living facilities with or without a Memory Care Endorsement

Residential care facilities with or without a Memory Care Endorsement

Residential treatment facilities

Group homes and facilities

308.2.3 Six to 16 persons receiving custodial care. A facility housing not fewer than six and not more than 16 persons receiving custodial care shall be classified as Group R-4.

308.2.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the *Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Appendix T of the *Residential Code*.

308.3 Institutional Group I-2. Institutional Group I-2 occupancy shall include buildings and structures used for *medical care* on a 24-hour basis for more than five persons who are *incapable of self-preservation*. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals
Nursing homes
Psychiatric hospitals

308.3.1 Occupancy conditions. Buildings of Group I-2 shall be classified as one of the occupancy conditions specified in Section 308.3.1.1 or 308.3.1.2.

308.3.1.1 Condition 1. This occupancy condition shall include facilities that provide nursing and medical care but do not provide emergency care, surgery, obstetrics or in-patient stabilization units for psychiatric or detoxification, including but not limited to nursing homes and foster care facilities.

308.3.1.2 Condition 2. This occupancy condition shall include facilities that provide nursing and medical care and could provide emergency care, surgery, obstetrics or in-patient stabilization units for psychiatric or detoxification, including but not limited to hospitals.

308.3.2 Five or fewer persons receiving medical care. A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the *Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Appendix T of the *Residential Code*.

308.4 Institutional Group I-3. Institutional Group I-3 occupancy shall include buildings and structures that are inhabited by more than five persons who are under restraint or security. A Group I-3 facility is occupied by persons who are generally *incapable of self-preservation* due to security measures not under the occupants' control. This group shall include, but not be limited to, the following:

- Correctional centers
- Detention centers
- Jails
- Prerelease centers
- Prisons
- Reformatories

Buildings of Group I-3 shall be classified as one of the occupancy conditions specified in Sections 308.4.1 through 308.4.5 (see Section 408.1).

308.4.1 Condition 1. This occupancy condition shall include buildings in which free movement is allowed from sleeping areas, and other spaces where access or occupancy is permitted, to the exterior via *means of egress* without restraint. A Condition 1 facility is permitted to be constructed as Group R.

308.4.2 Condition 2. This occupancy condition shall include buildings in which free movement is allowed from sleeping areas and any other occupied *smoke compartment* to one or more other *smoke compartments*. Egress to the exterior is impeded by locked *exits*.

308.4.3 Condition 3. This occupancy condition shall include buildings in which free movement is allowed within individual *smoke compartments*, such as within a residential unit comprised of individual *sleeping units* and group activity spaces, where egress is impeded by remote-

controlled release of *means of egress* from such a *smoke compartment* to another *smoke compartment*.

308.4.4 Condition 4. This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Remote-controlled release is provided to permit movement from *sleeping units*, activity spaces and other occupied areas within the *smoke compartment* to other *smoke compartments*.

308.4.5 Condition 5. This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Staff-controlled manual release is provided to permit movement from *sleeping units*, activity spaces and other occupied areas within the *smoke compartment* to other *smoke compartments*.

308.5 Institutional Group I-4, day care facilities. Institutional Group I-4 occupancy shall include buildings and structures occupied by more than five persons of any age who receive *custodial care* for fewer than 24 hours per day by persons other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following:

- Adult day care
- Child day care

308.5.1 Classification as Group E. A child day care facility that provides care for more than five but not more than 100 children 2½ years or less of age, where the rooms in which the children are cared for are located on a *level of exit discharge* serving such rooms and each of these child care rooms has an *exit door* directly to the exterior, shall be classified as Group E.

308.5.2 Within a place of religious worship. Rooms and spaces within *places of religious worship* providing such care during religious functions shall be classified as part of the primary occupancy.

308.5.3 Five or fewer persons receiving care. A facility having five or fewer persons receiving *custodial care* shall be classified as part of the primary occupancy.

308.5.4 Five or fewer persons receiving care in a dwelling unit. A facility such as the above within a *dwelling unit* and having five or fewer persons receiving *custodial care* shall be classified as a Group R-3 occupancy or shall comply with the *Residential Code*.

SECTION 309 MERCANTILE GROUP M

309.1 Mercantile Group M. Mercantile Group M occupancy includes, among others, the use of a building or structure or a portion thereof for the display and sale of merchandise, and involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public. Mercantile occupancies shall include, but not be limited to, the following:

- Department stores
- Drug stores
- Markets
- Greenhouses for display and sale of plants that provide public access.

Derrick Tokos

From: Jean Dahlquist <jdahlqu1@gmail.com>
Sent: Monday, March 30, 2020 10:46 AM
To: Derrick Tokos
Subject: Re: Contact Us - Web Form

Good morning Derrick,

Just checking in. I know a lot of cities have slowed down/extended meeting dates due to the pandemic. Any information would be greatly appreciated.

Wishes for good health,

--Jean

On Tue, Mar 10, 2020 at 10:35 AM Jean Dahlquist <jdahlqu1@gmail.com> wrote:
Good morning,

When you get a chance, and when they are available, may we also take a look at the staff reports for 1-CP-18 / 3-Z-20 "Amends the Natural Features Section of the Newport Comprehensive Plan to provide a rationale, background, and policies for guiding development within tsunami inundation areas" and 2-CP-18 "Amends the Storm Drainage Element of the Newport Comprehensive Plan, establishing new goals and policies, and updating capital projects to align with recommendations contained in a Stormwater Master Plan" ?

V/R

--Jean

On Tue, Mar 3, 2020 at 4:17 AM Jean Dahlquist <jdahlqu1@gmail.com> wrote:
Thank you so much, I really appreciate it!

-Jean

On Mon, Mar 2, 2020 at 2:02 PM Derrick Tokos <D.Tokos@newportoregon.gov> wrote:
Hi Jean,

Please accept this response as confirmation that I received your email and that we will provide you a copy of the staff report when it is available.

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

-----Original Message-----

From: jdahlqu1@gmail.com [mailto:jdahlqu1@gmail.com]
Sent: Monday, March 02, 2020 11:34 AM
To: Derrick Tokos <D.Tokos@NewportOregon.gov>
Subject: Contact Us - Web Form

City of Newport, OR :: Contact Us - Web Form

The following information was submitted on 3/2/2020 at 11:33:52 AM

To: Derrick Tokos
Name: Jean Dahlquist
Email: jdahlqu1@gmail.com
Phone: (414) 477-1567
Subject: 2-Z-20

Message: Good morning,

My name is Jean Dahlquist and I am conducting some research for FHCO. I was hoping to obtain the staff report and all corresponding attachments for 2-Z-20, the "Eliminates residential use at street grade in a portion of the City's C-2/Tourist Commercial zone adjacent to NW Cliff Street," when available.

Additionally, I've been in communication with several other cities, and they have found this resource helpful: <https://www.housinglandadvocates.org/wp-content/uploads/2018/04/Goal-10-Guidance-Letter-to-Cities-and-Counties-signed.pdf>. They have also found it helpful for me to take a quick look at their Goal 10 findings, as I have a pretty good sense as to whether FHCO and HLA would want to submit a comment letter, and what they would say. Thus, if this would also assist your workflow to receive feedback earlier, please let me know and I would be more than happy to oblige.

Please confirm the receipt of this e-mail and I look forward to hearing from you soon!

Very Respectfully,

--Jean

State lawmaking, local impacts

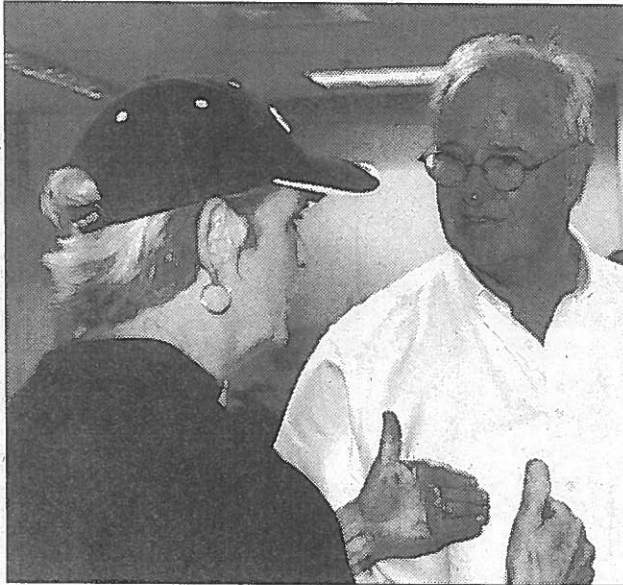
*Gomberg holds
Newport town hall*

BY MADELINE SHANNON
Of the News-Times

NEWPORT — State Rep. David Gomberg (D-Central Coast) stopped in Newport Sunday as part of a tour of coastal town halls, during which he updated Newport-area residents about state legislation this past session that concerned coastal residents here. Attendees and the lawmaker discussed topics as diverse as immigration, the Big Creek Dams, the Senate Republicans' walkout, the last week of the legislative session and the state's public employees retirement system (PERS).

"I think there was a great deal of drama and a fair amount of conflict but there's also a lot of things that got done," Gomberg said. "There were transformational things that got done. There were a lot of high-profile issues."

While not all the issues affected by bills from this legislative session were discussed at the Newport town hall on Sunday,



David Gomberg talks to a constituent at the Newport town hall on Sunday. The Newport stop was one of a series of talks along the coast Gomberg organized following the end of the legislative session. (Photo by Madeline Shannon)

Gomberg and the locals in attendance delved into the local implications for some political issues coming down from the state legislature, as well as what local issues here mean for Gomberg and his colleagues in Salem. Among the topics of conversation at Sunday's town hall:

Development on the coast

Residents worried about development along the coast, especially in areas close to quickly-eroding

cliffs or within the tsunami inundation zone. The Oregon Department of Geology and Mineral Industries is trying to redraw those areas, according to Gomberg.

"Using the best available science, they want to move the line from where it's currently established to further east," Gomberg said Sunday. "When we talk about moving that line further away from the beach, meanwhile, our urban growth boundaries

GOMBERG on Page A7

"Scam Jam" set for Newport

State Attorney General Ellen Rosenblum, the AARP and other experts will hold a seminar on how to avoid fraud and scams on July 24 from 1-3 p.m. In the digital age, when threats range from phone calls from people impersonating the IRS to theft of personal information

through hack social media, information on how to protect yourself is more important than ever.

The jam will take place at the 60+ Activities Center in Newport. Register online, visit newportoregon.gov for recreation or call (541) 265-9617.

MEETINGS

Wednesday, July 10
North Lincoln Fire & Rescue District #1 Board of Directors: 4 p.m., St. Clair Station, 4520 SE Highway 101, Lincoln City.

Lincoln City Public Arts Committee: 4:15 p.m., Lincoln City Community Center, 2150 NE Oar Place.

Newport Library Board: 5:15 p.m., McEntee Meeting Room, Newport Library.

Depoe Bay Planning Commission: 6 p.m., council chambers, city hall.

Lincoln County Board of Commissioners and Lincoln City City Council: 6 p.m., joint work session, followed by the regular meeting of the county commissioners, council chambers, Lincoln City City Hall, 801 SW Highway 101.

Toledo Planning Commission: 6:30 p.m., chambers, city hall.

Thursday, July 11
Waldport City Council: 2 p.m., council room, city hall.

Seal Rock Water Board of Commissioners: 6 p.m., district office, 1 Grebe St., Seal Rock.

Seal Rock Fire Protection District: 6:30 p.m., 1034 St., Seal Rock.

Devils Lake Improvement Board of Directors: 6 p.m., council chambers, Lincoln City City Hall.

Lincoln Soil & Conservation District Board: 7 p.m., 411 NE Avery St B, Newport.

LAW ENFORCEMENT TIP OF THE WEEK

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GOMBERG

Continued from page A3

on the eastern side of our communities don't move. So the areas where we have the ability to do new, critical facilities becomes more and more compressed."

That makes it more difficult to move schools, police stations, fire stations, and other government agencies and buildings out of harm's way, Gomberg added.

"Some of our communities have buildable space outside the inundation zone, some of them do not," Gomberg said. "They won't even give us money to move a school outside the inundation zone."

While state restrictions curb development and growth in the earthquake zone, Gomberg expressed sentiments that push back on the laws that prohibit new building in the western third of the state.

"I think the state needs to get serious about emergency planning," he said. "Simply having rules that say nothing can go on in the earthquake zone is old thinking, and frankly, I think it's dumb thinking."

Recyclable materials & systems

This legislative session, the state passed two laws limiting the use of plastic straws and prohibiting single-use plastic bags, two major environmental pieces of legislation that mirrored local efforts to curb the use of plastic bags in Newport. HB 2509, or the Sustainable Shopping Act, was passed after the City of Newport's passage of an ordinance banning plastic bags.

Plastic wasn't the only target of the state legislature this year, however.

"There was one bill that came through that was going to ban styrofoam food containers," Gomberg said. "That one didn't make it all the way through the system."

Another local effort Gomberg supports is the new Georgia-Pacific Mill Juno Project, which will convert 100,000 tons of waste a year. While that didn't prove contentious at the town hall in New-

HOMELESS

Continued from page 1

Another source of income could come from the city itself. A budget line Jones called "aspirational" would source a fee-for-service contract with either the city or the county.

"There aren't nonprofits in town that have the charitable mission to execute this kind of mission and have the staff available and an extra \$10,000 a month sitting around," Jones said. "There has to

be some kind of acknowledgment that some type of public entity is going to subsidize a certain part of that."

Charitable income, grant writing, federal premium subsidies through agencies like the Federal Emergency Management Agency (FEMA) and utility subsidies were all income streams talked about during Monday's meeting.

Estimated projections of \$2,500 to keep the

shelter staffed and \$600 to \$700 a month in insurance were also included in the cost projections, with insurance running so high because of the volatility of the population housed in such a shelter, Jones said. An estimated \$2,000 a month would be taken up by rent, and Jones predicted the shelter would be limited to operating in a commercial or industrial zone.

While no specific

location was identified for where to rent or build a homeless shelter, at least one task force member said they didn't think it should necessarily be near the day shelter at Grace Wins Haven.

"I don't agree that it should be by Grace Wins," said the shelter's manager Traci Flowers. "That's my neighborhood and I'll tell you that myself. I don't agree that it should be next door neighbors

with Grace Wins, but I do believe it needs to be close enough that they can get services from both places to make their situation successful."

The opening of a permanent homeless shelter could be one of the recommendations the Homelessness Task Force submits to the Newport City Council, which would take action on the issue in a regular city council meeting.

AQUARIUM

Continued from page 1

Money will come from lottery bonds with stipulations.

"It can only be used for the capital construction projects," said Dumas. "So, the improvements that we're making in the entryway, the children's nature play area, the marine wildlife center and the galleries."

Work is going to start with the Pacific Rim gallery tank in the fall of 2019, converting it from a cold to a warm water

tank around the time the aquarium kicks off the public portion of the campaign before beginning phase I and starting on the entryway.

"We already had over \$6 million raised for this \$18.2 million campaign, so this additional \$5 million will bring us up to \$11.2 million," said Dumas.

More information on the campaign, as well as ways to contribute, can be found online at aquarium.org/campaign.



The new Pacific Rim gallery will be a conversion of the current Coastal Waters gallery exhibit, and is the first project on the docket for the Oregon Coast Aquarium this fall. (Photo courtesy of the Oregon Coast Aquarium)

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als & systems

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Plastic wasn't the only target of the state legislature this year, however.

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Another local effort Gomberg supports is the new Georgia-Pacific Mill Juno Project, which will convert 100,000 tons of waste a year. While that didn't prove contentious at the town hall in Newport, some residents of the east part of Lincoln County have opposed the project.

"Those are examples of the kinds of things that are going on, and I anticipate we're going to see more things like that," Gomberg said.

Big Creek Dams

Gomberg wasn't the only person to come out in support of state funding for Big Creek Dams, which local officials say need to be rebuilt to withstand a Cascadia earthquake.

"We are the first dam to come to the legislature," said Newport Mayor Dean Sawyer. "We are the first to come to plans for the seismic rehabilitation of our dam."

The Big Creek Dams, Gomberg explained, are some of the most seismically vulnerable dams in the state. It wouldn't even take a large earthquake to impact the dams, and the city has talked to state officials about securing funding to help with rebuilding the dams.

"At the end of the day, we were able to come home with \$4 million to begin that planning process," Gomberg said.

Local officials say that assistance is very much needed, and not just for the city.

"We're looking at this not from a Newport perspective, but from a regional perspective," said Sawyer. "That dam is very fragile."

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Call Forwarding Package	✓	✓	✓
Call Rejection	✓	✓	✓
Caller ID Package <small>Caller ID • Call Waiting • Call Waiting with caller ID</small>	✓	✓	✓
Conference Calling	✓	✓	✓
Distinctive Ringing	✓	✓	✓
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Selective Call Acceptance	✓	✓	✓
VoiceMail	✓	✓	✓

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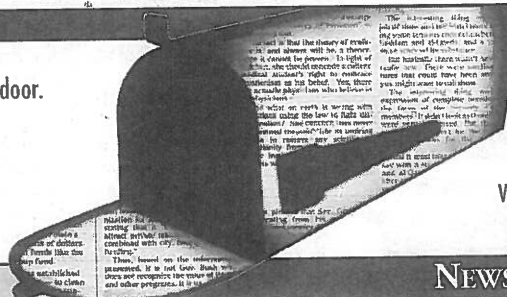
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06/19

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NEWS TIMES

ery's dog, Brandy, greatly injure having suffered bites on of her legs, her tail and her neck — but McGreenery was scratched and bitten by
021 raccoons in her effort to save her dog from the attack. While visiting the hospital for her wound, McGreenery tested negative for rabies.

yard considerably, and he felt really bad about Brandy being hurt," said McGreenery. "But he loved those raccoons, they were like his little pets."
She recently took her story to the Newport City Council, where she asked for the

WILDLIFE on Page A7

BEAT THE WAVE

Tsunami plans show routes, risks

BY MADELINE SHANNON
Of the News-Times

NEWPORT -- Run, or walk fast, to your nearest evacuation center.

That's the message in a new "Beat the Wave" report for the City of Newport.

The city's planning commission got a tsunami evacuation update from the Oregon Department of Geology and Mineral Industries on Monday. They learned where, when and how fast to evacuate if a tsunami is about to hit the city's coastline.

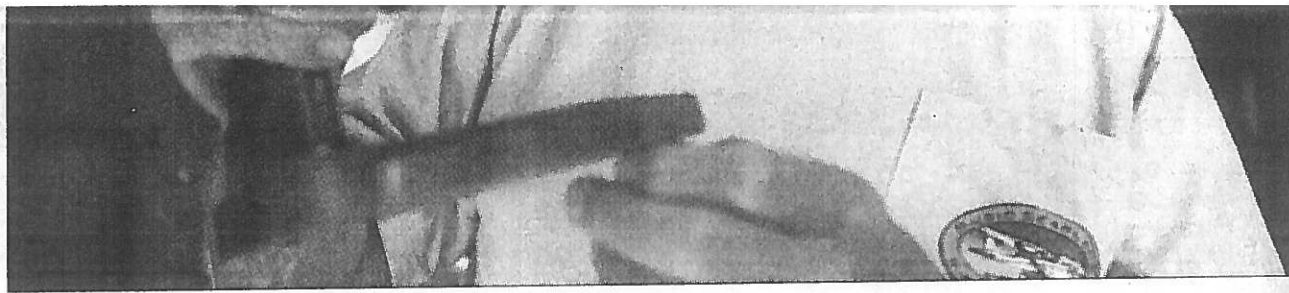
The report lays out evacuation routes that Newport residents can use to escape the oncoming wave in the

event of an earthquake.

"Another service this work provides is it highlights what areas can use more work and more attention," said Laura Gabel, a coastal field geologist for DOGAMI.

Perhaps one of the most unnerving — although not unexpected — findings in Gabel's report is the timing of the first wave of a tsunami, which would hit the beaches in 24 to 26 minutes after the start of an earthquake. By the time that wave reaches Safe Haven Hill, Gabel said, 30 minutes would elapse from the beginning of the quake.

TSUNAMI on Page A4



Spike Nasmyth, who spends his summers in Siletz, shows a model of the F-4 phantom aircraft he was piloting when shot down over North Vietnam. Nasmyth — who spent more than six years as a prisoner of war — was part of the 43rd Fighter Squadron, known as the "Triple Nickels." (Photos by Shelby Wolfe)

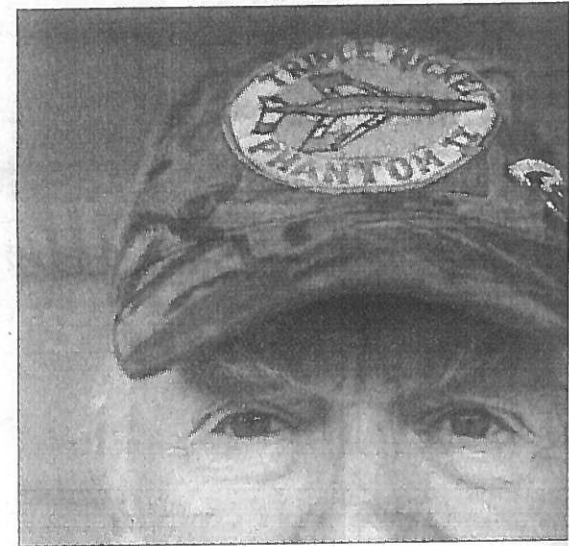
Veteran recounts day in POW camp

BY BRET YAGER
Of the News-Times

By any reasonable measure, Spike Nasmyth's body should be in the ground somewhere in Vietnam.

A prisoner of war who survived more than a half dozen years in such notorious detention centers as the "Hanoi Hilton" and "The Zoo," Nasmyth was beaten, trussed up so he could barely breathe, left to die with infection spreading from shrapnel wounds, revived and tortured again.

He made up bogus information to give to his interrogators, concocted names of imaginary superiors and created whatever fiction would bring relief and medical treatment.



VETERAN on Page A5

1-CP-18
OREGON COAST COMMUNITY COLLEGE

9/14/18

Lincoln County poised to grow its own teachers

Meet

Date:
Sunday-Sept 23rd

**Toledo Memorial Field
385 NW A Street
9 a.m. to 4 p.m.**

Due to the overwhelming success of the 1st Annual Toledo Swap Meet, we are bringing it back in September!

**Admission \$2.00 per person
All proceeds go to charity!
Children under 12 free**

**For more information
Call: 541-336-3183
or email:**

director@toledooregon.org

Put on by the
Toledo Chamber of Commerce
in conjunction with the
Toledo Active Group

*Be sure to
reserve your
space early!*

**Car Parts
Motorcycle Parts
Tools
Household Items
Furniture
Clothes
Antiques
Other Cool Stuff!**

**Find what you've
been looking for or
get rid of what you
can't use!**

**Everyone is
Welcome**

**Lots of Food and
Fun for Everyone!**

121

TSUNAMI

Continued from page 1

"It would be about 35 minutes to the eastern edge of the peninsula," Gabel said. "The Bayfront also has wave times of 30 to 32 minutes."

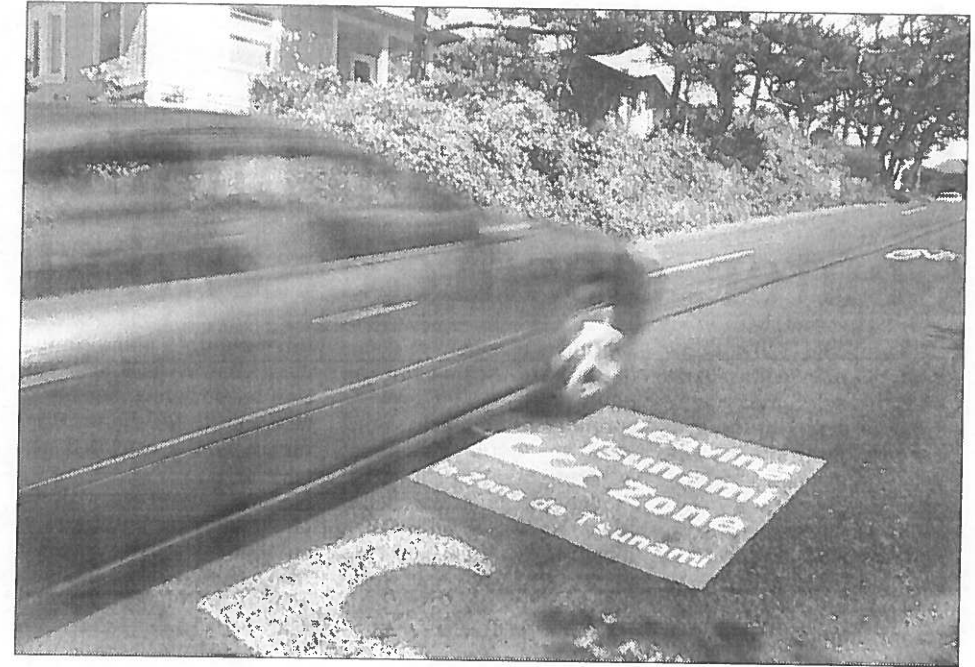
There are four plans to come out of the DOGAMI assessment. The first would have people take specific evacuation routes depending on where they are in the city. The routes guide those evacuating up and out of the areas most affected by incoming waves.

"This is the best possible option for areas where we know we have mass gatherings of people," said Jenny Demaris, Lincoln County emergency services manager. "There are other areas of Lincoln County where they have one route only."

The parts of town that would be hit the hardest would be the Bayfront, South Beach and the neighborhood surrounding the Hatfield Marine Science Center, according to Gabel. The Bayfront is particularly vulnerable because the edge of the waterfront is built on pilings which would collapse.

"The shaking will cause a lot of that road [in the Bayfront] to separate completely," said Gabel. "It won't just be a matter of sand covering the road, it'll be landslides

A car drives past a tsunami evacuation zone marked on Sixth Street near Nye Beach. (Photo by Shelby Wolfe)



that will potentially block places."

"Pedestrian walking speeds," or the speed someone would have to walk to get to safety before the first wave hits, were outlined in colored lines. Yellow paths to evacuation spots in the city indicate there's time to evacuate if someone walks slowly. The succeeding colors on the map indicate increasing walking speeds, with light orange

meaning walk and dark orange meaning walk fast.

If there is very little time, pink lines indicating a slow run are shown, with that color turning to purple for a regular run and blue meaning better sprint.

With each color, Gabel stressed, time is going to be short to evacuate.

"We don't want the message with yellow to be that you can grab a cup of coffee on your way out," Gabel said.

The plan also detailed where people can go to seek shelter from the tsunami.

Certain bridges along the city's coastline could collapse in a tsunami, and for people who had not sought shelter or climbed to higher ground in the city, the loss of a bridge or the destruction or blockage of a street would affect how those in a certain part of the city could get out before the

next wave.

"What you're actually providing to those individuals who happen to be standing, sitting in a car or working at a business is that they have multiple options," Demaris said.

Having more choices to pick from when evacuating, she said, is essential to safely getting more people out if one route is blocked.

The roads perpendicular to Yaquina Bay Road will be paths uphill out of danger.

"Wherever they are, they're not going to be able to shop for another route up or downstream," Gabel said.

Charts/maps:

<https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/236178/DOGAMI.pdf>

Reach reporter Madeline Shannon at mshannon@newportnewstimes.com

2018 FALL GUN & SPORTSMAN SHOW

SATURDAY & SUNDAY
SEPTEMBER 22 & 23

LINN COUNTY FAIRGROUNDS

Admission
\$7

We will be holding an
ARPC sponsored

Oregon Concealed Carry Class

Saturday, 9:30am - 11:00am & 12:30pm - 2:00pm
Sunday 12:30pm - 2:00pm

Cost: \$20 plus gun show admission

FREE PARKING
400 TABLES OF
GUNS & AMMO

I-5 EXIT 234
SAT: 9AM-5PM
SUN: 9AM-3PM

541-491-3755

NYE COTTAGE

B.E.A.D.S.

New Hours!

Tuesday - Saturday 10am - 5pm

Monday Noon - 5pm

Closed Sundays

208 NW Coast St., Nye Beach (Newport)
541-265-6262

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

The Newport Planning Commission will hold a public hearing on Monday, April 13, 2020, at 7:00 p.m. in the City Hall Council Chambers to consider Ordinance No. 2166 (File Nos. 1-CP-18 and 3-Z-20), which put in place policies and establish a new Tsunami Hazards Overlay Zone to limit new essential facilities and special occupancy structures in tsunami inundation areas. Essential facilities include hospitals and related medical facilities, emergency vehicle shelters, police/fire stations, and emergency preparedness centers. Special occupancy structures that would be prohibited include large schools, assisted/senior living facilities, day care facilities, child care facilities, jails/detention facilities, and hazardous facilities. The Newport Comprehensive Plan Section entitled "Administration of the Plan" (p. 288-289) allow amendments of this nature if findings can be made that there is (a) a significant change in one or more conclusions; or (b) a public need for the change; or (c) a significant change in community attitudes or priorities; or (d) a demonstrated conflict with another plan goal or policy that has a higher priority; or (e) a change in a statute or statewide agency plan. Revisions must comply with applicable Statewide Planning Goals. Further, Newport Municipal Code Section 14.36.010, requires the Planning Commission find that the change is required by public necessity and the general welfare of the community. The Planning Commission makes a recommendation to the City Council as to whether the amendments should be adopted. Testimony and evidence must be directed toward the request above or other criteria, including criteria within the Comprehensive Plan and its implementing ordinances, which 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 public hearing. The hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. 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 proposed code amendments, additional material for the amendments, and any other material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 (address above).

(FOR PUBLICATION ONCE ON FRIDAY, April 3, 2020)

LEGAL DEADLINES:

Wednesday Edition: 5:00pm
Thursday PRIOR
Friday Edition: 5:00pm
Tuesday PRIOR

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NOTICE OF PUBLIC AUCTION

Pursuant to ORS Chapter 819, Notice is hereby given that the following vehicle will be sold for cash to the highest bidder, on 4/14/20. The sale will be held at 10:00 A.M. by CAR CARE TOW PRO INC, 2795 SE 23RD DRIVE, LINCOLN COUNTY, OR. 2015 Toyota Sienna VIN #5TDK33D-C4FS621241. Amount due on lien \$11,530.00; Reputed owner(s) VIN: RUI; TOYOTA CRDT CORP. A3 A10 (85-10)

NOTICE OF PUBLIC MEETING

Oregon Cascades West Council of Governments: A public meeting of the Board of Directors of the Oregon Cascades West Council of Governments (OCWCOG) will be held on Tuesday, April 7, 2020 at 3:00 pm via audio and videoconference. The purpose of this meeting is to convene an emergency meeting of the Board of Directors of the OCWCOG. For further information about OCWCOG, please visit our website at www.OCWCOG.org. A3 (96-3)

NOTICE OF A PUBLIC HEARING

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FORM LB-1

NOTICE OF BUDGET

A public meeting of the NRFPD will be held on (Governing body)
NEWPORT FIRE DEPARTMENT STATION 3200, Oreg
 (Location)

fiscal year beginning July 1, 20 19 as approved by the (Municipality)

the budget is presented below. A copy of the budget may be inspected

between the hours of 9:00 a.m., and 5:00 p.m.

budget is for an annual; biennial budget period. This budget was

different than the preceding year. If different, the major changes and the

Possible combination with Newport Fire Department

Contact Peter Boris, Pres Telephone number (541) 867-3719

FINANCIAL SUMMARY -

TOTAL OF ALL FUNDS	Ac
1. Beginning Fund Balance/Net Working Capital	2C
2. Fees, Licenses, Permits, Fines, Assessments & Other Service Charges.....	
3. Federal, State & all Other Grants, Gifts, Allocations & Donations	
4. Revenue from Bonds & Other Debt	
5. Interfund Transfers/Internal Service Reimbursements	
6. All Other Resources Except Current Year Property Taxes	
7. Current Year Property Taxes Estimated to be Received.....	
8. Total Resources—add lines 1 through 7.....	

FINANCIAL SUMMARY - REQUIREMENTS

9. Personnel Services	
10. Materials and Services	
11. Capital Outlay	
12. Debt Service	
13. Interfund Transfers.....	
14. Contingencies.....	
15. Special Payments.....	
16. Unappropriated Ending Balance and Reserved for Future Expenditure	
17. Total Requirements—add lines 9 through 16.....	

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT FTE

Name of Organizational Unit or Program	FTE for Unit or Program
Name <u>CITY OF NEWPORT</u>	
PROPERTY TAX LEVY	
Permanent Rate Levy	Rate or Amount
Local Option Levy	
Levy for General Obligation Bonds	

THE DATE SPECIFIED IN THIS SUMMONS OR ON A FUTURE DATE, and may make such orders and take such action as authorized by law. RIGHTS AND OBLIGATIONS (1) YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY IN THIS MATTER. If you are currently represented by an attorney, CONTACT YOUR ATTORNEY IMMEDIATELY UPON RECEIVING THIS NOTICE. Your previous attorney may not be representing you in this matter. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY and you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. TO REQUEST APPOINTMENT OF AN ATTORNEY TO REPRESENT YOU AT STATE EXPENSE, YOU MUST IMMEDIATELY CONTACT the Lincoln County Juvenile Court, 225 West Olive Street, Newport, Oregon 97365, phone number (541) 265-4236, between the hours of 8:00 a.m. and 5:00 p.m. for further information. IF YOU WISH TO HIRE AN ATTORNEY, please retain one as soon as possible and have the attorney present at the above hearing. If you need help finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll free in Oregon at (800) 452-7636. IF YOU ARE REPRESENTED BY AN ATTORNEY, IT IS YOUR RESPONSIBILITY TO MAINTAIN CONTACT WITH YOUR ATTORNEY AND TO KEEP YOUR ATTORNEY ADVISED OF YOUR WHEREABOUTS (2) if you contest the petition, the court will schedule a hearing on the allegations of the petition and order you to appear personally and may schedule other hearings related to the petition and order you to appear personally. IF YOU ARE ORDERED TO APPEAR, YOU MUST APPEAR PERSONALLY IN THE COURTROOM, UNLESS THE COURT HAS GRANTED YOU AN EXCEPTION IN ADVANCE UNDER ORS 419B.918 TO APPEAR BY OTHER MEANS INCLUDING, BUT NOT LIMITED TO, TELEPHONIC OR OTHER ELECTRONIC MEANS. AN ATTORNEY MAY NOT ATTEND THE HEARING(S) IN YOUR PLACE. PETITIONER'S ATTORNEY, Michelle Branam, Assistant Attorney General, Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, Phone: (503) 934-4400, ISSUED this 26th day of March, 2020. Issued by: Michelle Branam #032737 Assistant Attorney General. A3 A10 A17 (88-17)

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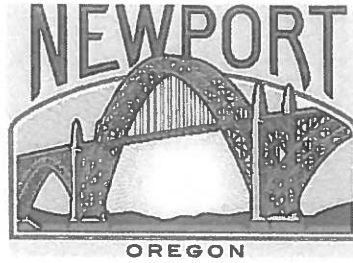
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NOTICE HEARING CITY The N Commit public 1 day, At 7:00 p.r Council considr Municip Section 14.30.1C ing Star Review hibit rest street gr areas N toric Ny Review along the Cliff Stre 2nd Cot Street. T lations i uses at this loca Newport (NWC) St, the Comi

4/13/20

CITY OF NEWPORT
 169 SW COAST HWY
 NEWPORT, OREGON 97365

COAST GUARD CITY, USA



phone: 541.574.0629
 fax: 541.574.0644
<http://newportoregon.gov>

mombetsu, japan, sister city

PUBLIC NOTICE OF POTENTIAL LAND USE CHANGE

This is to notify you that the City of Newport has proposed land use regulations that may affect the permissible uses of your property and other properties.

Specifically, the City is considering an ordinance that would prohibit new essential facilities and special occupancy structures in areas likely to be inundated by a tsunami attributed to a Cascadia Subduction Zone Earthquake. Essential facilities include hospitals, police/fire stations, and emergency preparedness centers. Special occupancy structures that would be prohibited include large schools, assisted/senior living facilities, day care facilities, child care facilities, jails and detention facilities, and hazardous facilities. The proposed changes are contained in draft Ordinance Number 2166.

On Monday, April 13, 2020, at 7:00 pm or soon thereafter, the City of Newport Planning Commission will conduct a public hearing regarding the adoption of Ordinance Number 2166. The hearing will be held in the Newport City Hall Council Chambers, located at 169 SW Coast Highway, Newport, OR 97365.

The city has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property. Newport Municipal Code Section 14.36.010 allows city land use regulations to be amended by the City Council, upon recommendation of the Planning Commission, when it is determined that such changes are required by public necessity and the general welfare of the community. These are the approval criteria for the proposed land use regulations, and testimony and evidence must be directed toward these criteria or other criteria, including criteria within the Newport Comprehensive Plan and its implementing ordinances, which persons believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to an issue precludes an appeal, including to the Land Use Board of Appeals, based on that issue.

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CITY OF NEWPORT
 169 SW COAST HWY
 NEWPORT, OREGON 97365



phone: 541.574.0629

fax: 541.574.0644

<http://newportoregon.gov>

COAST GUARD CITY, USA

mombetsu, japan, sister city

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YAQUINA BAY MEM ASSN
PO BOX 527
NEWPORT, OR 97365

YECK ERNEST
PO BOX 1256
NEWPORT, OR 97365

YECK FRED A TRUSTEE
PO BOX 352
NEWPORT, OR 97365

YECK FRED ARTHUR TRUSTEE
PO BOX 352
NEWPORT, OR 97365

YECK FRED ARTHUR TRUSTEE &
JINCKS DAVID A
PO BOX 352
NEWPORT, OR 97365

YELTRAB FAMILY LLC
845 SW 12TH ST
NEWPORT, OR 97365

YENCHIK RONNIE J &
YENCHIK STEPHANIE R
818 NE GRANT ST
NEWPORT, OR 97365

YOST PROPERTIES LLC
189 LIBERTY ST NE
SALEM, OR 97301

YOUNG JAMES &
YOUNG JOYCE
1781 CRESCENT AVE
EUGENE, OR 97408

YOUNG JONATHAN B &
YOUNG SANDRA F
4742 LIBERTY RD S #260
SALEM, OR 97302

YOUNG ROBERT B
6995 NW DIAMOND PL
CORVALLIS, OR 97330

YOUNG RUSSELL W &
YOUNG WENDI A
2845 NE ILER ST
NEWPORT, OR 97365

ZANDER SHAWN &
ZANDER SARAH
PO BOX 1312
SILVERTON, OR 97381

ZANEVELD J RONALD V &
ZANEVELD JACQUELINE L
3835 NW GLEN EDEN DR
CORVALLIS, OR 97330

ZANEVELD J RONALD V TRUSTEE &
ZANEVELD JACQUELINE L TRUSTEE
3835 NW GLEN EDEN DR
CORVALLIS, OR 97330

ZAPHIROPOULOS LEIGH &
MCCORNACK BRYN A
PO BOX 416
SOUTH BEACH, OR 97366

ZAWALSKI RODNEY M TSTEE &
ZAWALSKI THERESA LYNN TSTEE
6735 GLADYS AVE
OTTER ROCK, OR 97369

ZAYTSEV LEONID
17496 SE HEMRICK RD
BORING, OR 97009

ZIEMKOWSKI JAMES A TRUSTEE &
ZIEMKOWSKI BETTY L TRUSTEE
PO BOX 326
IDYLLWILD, CA 92549

ZIMMERMAN CRAIG D (TOD) &
ZIMMERMAN MARCIA (TOD)
PO BOX 74
MCNEAL, AZ 85617

ZIRGES MALCOLM H &
ZIRGES GLORIA M
PO BOX 938
NEWPORT, OR 97365

ZLATEV TINKO &
ALESKSANDROVA ANET
519 NE 20TH PL
NEWPORT, OR 97365

Exhibit "A"

Property Owners Mailing Labels

File 1-CP-18

1505 NW SPRING STREET LLC
1143 MANOR DR
SONOMA, CA 95476

224 INVESTMENTS LLC
ATTN DOUBLE S FOODS LLC
302 SHELLY ST #2
SPRINGFIELD, OR 97477

4354 S COAST LLC
4354 S COAST HWY
SOUTH BEACH, OR 97366

4584 S COAST LLC
4354 S COAST HWY
SOUTH BEACH, OR 97366

5TH STREET SHED LLC
1609 SW JOSHUA ST
PORTLAND, OR 97219

628 BAY LLC
PO BOX 1172
NEWPORT, OR 97365

ABRUZZINI LAURA TRUSTEE
PO BOX 5963
EUGENE, OR 97405

ABUFADIL SAMER &
ABUFADIL MIYOKO MUNEYUKI
1033 SW ARDMORE AVE
PORTLAND, OR 97205

ACOCK CHARLES W &
ACOCK MICHELE M
3142 RESERVOIR RD
WALLA WALLA, WA 99362

ADAMS MARSHALL G &
ADAMS JUDITH A
1110 NW 30TH ST
CORVALLIS, OR 97330

ADAMS RITA L &
CRABTREE BEVERLY J & KRAUSE
JOHN H
513 SE POWELL AVE
CORVALLIS, OR 97333

ADAMS ROBERT R TSTEE &
ADAMS MARY H TSTEE & ATTN SUSAN
STUTZMAN
2827 45TH AVE SE
OLYMPIA, WA 98501

ADAMS THOMAS J TSTEE &
ADAMS SHIRLE TSTEE
106 SE VIEW DR
NEWPORT, OR 97365

ADD LLC
PO BOX 225
LAKE OSWEGO, OR 97034

ADKINS GARY W &
ADKINS JEANETTE K
230 TANGLEWOOD LN
SELAH, WA 98942

ADLER MICHAEL P
1390 SEA RIDGE LN
GEARHART, OR 97138

ADOLF DAVID D &
ADOLF DARCI L
428 NW 21ST PL
NEWPORT, OR 97365

ADRANGI BAHRAM
PO BOX 83731
PORTLAND, OR 97283

AGATE BEACH CONSTRUCTION INC
PO BOX 39
SEAL ROCK, OR 97376

AGATE BEACH LAND CO
ADDRESS UNKNOWN,

AGATE SHORELINE CONDO
ASSOCIATION OF UNIT OWNERS
105 NW 45TH
NEWPORT, OR 97365

AGNELLO MARK S TRUSTEE
158 NATIONAL ST
SANTA CRUZ, CA 95060

AIRTHERM CORPORATION
PO BOX 426
LONGVIEW, WA 98632

AKINS GLENDA L TSTEE
625 NW ALPINE ST
NEWPORT, OR 97365

ALAINE TREVOR
18257 SW SANTORO DR
BEAVERTON, OR 97007

ALLEN WILLIAM VYRLE II
% CLIFTON TERESA I CONT
1232 SHOT POUCH RD
BLODGETT, OR 97326

ALLUMBAUGH FRANK
PO BOX 1521
NEWPORT, OR 97365

ALTA VISTA LAND LLC
ATTN JOSEPH JENG
674 GIRALDA DR
LOS ALTOS, CA 94024

AMAISMEIER LOUISE B
1201 HORN LN
EUGENE, OR 97404

AMARANDOS ANNA &
AMARANDOS MARK
25292 ABILENE CT
LAGUNA HILLS, CA 92653

ANDERSON DENNIS B
4263 S COAST HWY
SPACE #1
SOUTH BEACH, OR 97366

ANDERSON JILLANE L
412 SE 4TH ST
NEWPORT, OR 97365

ANDRE DONALD W &
ANDRE JEANNIE L
PO BOX 1818
NEWPORT, OR 97365

ANDRES VALENTINO W JR
PO BOX 1583
VANCOUVER, WA 98668

ANDREWS JUDY A &
ROSS GARY P
587 S LOCUST ST
SISTERS, OR 97759

ANE FORESTS OF OREGON INC
ATTN HFI CONSULTANTS
PO BOX 1929
BATTLE GROUND, WA 98604

ANHEUSER BUSCH LLC
ATTN TAX DEPT WARREN LANCE
ONE BUSCH PL
ST LOUIS, MO 63118

ANNICHIARICO JOHN &
ANNICHIARICO COLLEEN
66290 BLACK HORSE LN
BEND, OR 97701

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ANTHONY LISA K
4224 SE LAMBERT ST
PORTLAND, OR 97206

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2 STONY CREEK LN
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HOMEOWNERS ASSOCIATION
PO BOX 800
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ARMITAGE WILLIAM TODD &
ARMITAGE BARCLAY MARC
21288 S LELAND RD
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193 NW 70TH ST
NEWPORT, OR 97365

ARVIZU ERNEST M TSTEE &
STEELE LINDA KAY TSTEE
4216 E DESERT SKY CT
CAVE CREEK, AZ 85331

ASSOC OF UNIT OWNERS OF
COURTYARD COTTAGES CONDO, THE
713 NW HIGH ST
NEWPORT, OR 97365

ASSOC OF UNIT OWNERS OF THE
KENNEDY BLDG CONDO, THE
526 NW COAST ST
NEWPORT, OR 97365

ASSOCIATION OF UNIT OWNERS OF
EMBARCADERO CONDOMINIUMS INC
1000 SE BAY BLVD
NEWPORT, OR 97365

ATKINSON KATHLEEN M TSTEE &
ATKINSON KATHLEEN M TSTEE &
ATKINSON NIEL B JR
140 NW 48TH ST
NEWPORT, OR 97365

ATKINSON THOMAS E
PO BOX 1301
ALBANY, OR 97321

AVERY TOM
3550 NW GLEN EDEN DR
CORVALLIS, OR 97330

AXEN DOUGLAS J &
AXEN SANDRA K
6447 HOGAN DR N
KEIZER, OR 97303

AYLSTOCK RALPH H &
AYLSTOCK RITA K
PO BOX 403
SOUTH BEACH, OR 97366

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BAILEY JUDITH A
14361 EDENBERRY DR
LAKE OSWEGO, OR 97035

BAILEY HAROLD RICHARD
91909 PRAIRIE RD
JUNCTION CITY, OR 97448

BAILEY ROBERT F &
BAILEY KATHIE L
PO BOX 354
AMITY, OR 97101

BAIN WILLIAM D & CATHERINE J
4910 NW WOODY WAY
NEWPORT, OR 97365

BAKALISH ROBERT &
BAKALISH SUSAN K
507 NW ALPINE ST #206
NEWPORT, OR 97365

BAKER CHARLES E JR TSTEE &
BAKER CHERYL J TSTEE
460 NW MERRIE DR
CORVALLIS, OR 97330

BAKER DAVID
1000 SE BAY BLVD M-1
NEWPORT, OR 97365

BAKER JASON L &
BAKER JUDY L
11160 SW EDEN CT
TIGARD, OR 97223

BAKER JOHN H &
BAKER SANDRA K
6300 SE ROETHE RD
MILWAUKIE, OR 97267

BAKER JOHN H, TOD &
BAKER SANDRA K, TOD
6300 SE ROETHE RD
MILWAUKIE, OR 97267

BAKER JON P &
BAKER LYNN D J
38695 RIVER DR
LEBANON, OR 97355

BALDWIN SCOTT G
412 N WADDILL
MCKINNEY, TX 75069

BALL EARNESTINE E &
BALL GARY LEE
PO BOX 624
NEWPORT, OR 97365

BALOSKY PATRICIA A
4445 N COAST HWY
NEWPORT, OR 97365

BANK OF NEW YORK MELLON
ATTN ESCROW DEPT SELECT
PORTFOLIO SERV INC
3815 S WEST TEMPLE
SALT LAKE CITY, UT 84115

BARKER KELLY O &
PIAZZA CATHY M
540 SW 4TH ST
NEWPORT, OR 97365

BARKER PATRICIA A &
FELTNER JANICE C
4132 NW CHEROKEE LN
NEWPORT, OR 97365

BARNACLE INVESTMENTS LLC
2140 NORWOOD ST
EUGENE, OR 97401

BARNES BRIAN R & SHERRILL D
85290 RIDGETOP DR
EUGENE, OR 97405

BARR ROBERT D TRUSTEE &
BARR BERYL L TRUSTEE
590 E PARKWAY CT
BOISE, ID 83706

BARRETT THOMAS M
5210 SE THIESSEN RD
MILWAUKIE, OR 97267

BARTLETT DEBRA A &
WARDIN JOHN F, ETAL
21510 SW JOHNSON RD
WEST LINN, OR 97068

BARTON ALMINE
PO BOX 300
NEWPORT, OR 97365

BARTON RUTH CLAIRE
862 SE 5TH ST
NEWPORT, OR 97365

BARTOW PROPERTIES LLC
PO BOX 88
COLTON, OR 97017

BARUAH BUBUL &
BARUAH MRIDUSMITA
37067 HOLLY ST
FREMONT, CA 94536

BATES ENTERPRISES III LLC
6706 NE 107TH ST
VANCOUVER, WA 98686

BAUMBACH JOHN L &
KAREN
496 SOUTH 100 WEST
JEROME, ID 83338

BAY BLVD LLC
ATTN CHARLOTTE BOXER
4627 N CONGRESS AVE
PORTLAND, OR 97217

BAY KNOLL HOMEOWNERS
ASSOCIATION THE
1212 SW LEE
NEWPORT, OR 97365

BAY VIEW CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
833 13TH ST SW
NEWPORT, OR 97365

BAYSTONE CONDO
ASSOCIATION OF UNIT OWNERS
822 SE 5TH ST
NEWPORT, OR 97365

BAYWOOD MANOR CONDO
ASSOCIATION OF UNIT OWNERS
161 HIGH ST SE STE 122
SALEM, OR 97308

BEACH HOME CONDO
AT SOUTHSORE ASSN OF UNIT
OWNERS
220 SW 62ND ST
NEWPORT, OR 97365

BEACH HOME CONDO AT
SOUTHSORE
ASSOCIATION OF UNIT OWNERS
220 SW 62ND
NEWPORT, OR 97365

BEACHLAND ESTATES CONDOMINIUM
ASSOCIATION OF UNIT OWNERS ATTN
LINCOLN COUNTY
225 W OLIVE ST
NEWPORT, OR 97365

BEAGLEY QUENTIN L &
DIECKHOFF SUSAN D
2193 WISCONSIN ST
EUGENE, OR 97402

BEAN JOSEPH W TRUSTEE &
MUNGER KAREN L TRUSTEE
435 CHESHIRE FARM LN
ST LOUIS, MO 63141

BEARD DUANE G TRUSTEE &
BEARD SHEIRY T TRUSTEE
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BECHARD SANDRA K
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VANCOUVER, WA 98661

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41266 MANITAU RD SE
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BEDNARZ LINDA TRUSTEE
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BEEEMER DORIS K
2545 NE DOUGLAS ST
NEWPORT, OR 97365

BEEEMER RICHARD K TRUSTEE
2545 NE DOUGLAS ST
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BEERS LORI G TSTEE
PO BOX 202
RUFUS, OR 97050

BEGGS LARRY DEAN &
BEGGS MARY ANN
409 SE SCENIC LOOP
NEWPORT, OR 97365

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IGLESIAS TRICIA L
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GLENDALE, AZ 85306

BELL MICHAEL F TSTEE &
BENTLEY BELL JANET G TSTEE &
SMITH ERIC I & HAWKES JESSICA
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SIMPSONVILLE, SC 29680

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BELVEAL DIXIE
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BENDEL SHANE L &
BENDEL AMY L
3409 SW CHESTNUT ST
NEWPORT, OR 97365

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19 LINDENWOOD DR
LITTLETON, CO 80120

BENNETT STEVEN G &
BENNETT MARLA J
2255 DAWNWOOD DR
PHILOMATH, OR 97370

BENNEY ROGER &
CRANER SHERYL
570 EDGEWOOD DR
SILVERTON, OR 97381

BENSON JONATHAN A &
KENYON BENSON SONYA J
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NEWPORT, OR 97365

BENSON ROY R &
BENSON PAMELA C
PO BOX 690
GREEN VALLEY, AZ 85622

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PORTLAND, OR 97266

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BERMAN ELI &
OZ LINDA
5379 RUETTE DE MER
SAN DIEGO, CA 92130

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354 SE 2ND ST
NEWPORT, OR 97365

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

BERTULEIT MARGARET
354 SE 2ND ST
NEWPORT, OR 97365

BERTULEIT MARGARET TRUSTEE
354 SE 2ND ST
NEWPORT, OR 97365

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393 NW CRESWELL LN
ALBANY, OR 97321

BICE DALLAS FRANKLIN TRUSTEE &
BICE MARGARET FRANCES TRUSTEE
PO BOX 852
NEWPORT, OR 97365

BIG CREEK POINT ASSOCIATION AWLP
ATTN CASCADE MGMT INC
13221 SW 68TH PKWY
STE 310
PORTLAND, OR 97223

BIGGI CONSTRUCTION LLC &
BIGGI JOHN S JR
11605 SW NORMANDY LN
WILSONVILLE, OR 97070

BISHOP ANGELA
PO BOX 946
NEWPORT, OR 97365

BIXLER TONY S &
BIXLER ASHLEY M
3537 SE DOGWOOD ST
SOUTH BEACH, OR 97366

BLACKBURN MICHAEL A &
BLACKBURN PATRICIA L
PO BOX 2568
LEBANON, OR 97355

BLACKTAIL DEVELOPMENT LLC
3330 HAYDEN BRIDGE RD
SPRINGFIELD, OR 97477

BLADINE PHILIP N &
BLADINE MARGARET G
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MCMINNVILLE, OR 97128

BLAIR SHARON &
HETH MICHELLE & WANKER MARK
21373 JOHNSON RD
WEST LINN, OR 97068

BLAKESLEE PROPERTIES LLC
PO BOX 1450
SHERWOOD, OR 97140

BLAKESLEE WILLIAM C &
BLAKESLEE SHEILA K
PO BOX 1450
SHERWOOD, OR 97140

BLICKENSDEFER ROBERT TRSTEE &
BLICKENSDEFER SARA TRUSTEE
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ALBANY, OR 97321

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BOHLENDER LAURA J TRUSTEE
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GALT, CA 95632

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NEWPORT, OR 97365

BORNE DONNEL &
BORNE VICKIE L
PO BOX 504
NEWPORT, OR 97365

BOSTON TIMBER OPPORTUN LLC
ATTN HANCOCK FOREST MGMT
17700 SE MILL PLAIN BLVD
STE 180
VANCOUVER, WA 98683

BOTTOMLY THERESE A &
FRANCIS MICHAEL S
3740 SW DOSCH RD
PORTLAND, OR 97201

BOWDEN RONALD W &
BOWDEN KERI L
6241 SW LURADEL ST
PORTLAND, OR 97219

BOWDLE KEITH S &
BOWDLE SALLY J
2645 NW ZINFANDEL LOOP
MCMINNVILLE, OR 97128

BOWMAN JERROLD W &
BOWMAN SYLVIA D
8104 NW ARBORETUM RD
CORVALLIS, OR 97330

BOWMAN MERLIN G TTEE
3263 SANDALWOOD LN NW
SALEM, OR 97304

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4627 N CONGRESS AVE
PORTLAND, OR 97217

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4627 N CONGRESS AVE
PORTLAND, OR 97217

BRACE ROBERT A COTSTEE &
CHEUNG CECILIA Y COTSTEE
2350 NW SAVIER
#414
PORTLAND, OR 97210

BRADLEY RAYMOND J
700 LAWRENCE ST
EUGENE, OR 97401

BRAINARD KIT E TRUSTEE &
BRAINARD JOANNE E TRUSTEE
205 SW 58TH ST
SOUTH BEACH, OR 97366

BRAMBLEY MICHAEL R &
PHILLIPS BRAMBLEY ANITA C
330 ADAIR DR
RICHLAND, WA 99352

BRANDT STEPHEN B
6970 NW CABERNET PL
CORVALLIS, OR 97330

BRANIGAN B D REVOCABLE TR &
BRANIGAN BARBARA DIANE TRUSTEE
170 NW 73RD CT
NEWPORT, OR 97365

BRASSEUR ERIC A
2910 SW BRANT ST
UNIT L
NEWPORT, OR 97365

BRATENG KHLOELLA A
PO BOX 483
SOUTH BEACH, OR 97366

BRAXBEACH LLC
PO BOX 240
NEWPORT, OR 97365

BRAXLING ARTHUR &
BRAXBEACH LLC
PO BOX 240
NEWPORT, OR 97365

BREADEN BARBARA L &
BREADEN RONALD P
2155 DEVOS ST
EUGENE, OR 97402

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0342 SW DAKOTA ST
PORTLAND, OR 97239

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BRESNAN ELIZABETH F TSTEE
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LOS GATOS, CA 95033

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BRICE JANET L COTSTEE
1188 HAWK CT NW
SALEM, OR 97304

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BRIDGER VICKI JO
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AURORA, CO 80013

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BRIGL RANDY &
BRIGL LORENA
184 73RD PL
SPRINGFIELD, OR 97478

BRIM RICHARD &
BRIM JUDY
370 SW 29TH ST UNIT D
NEWPORT, OR 97365

BRINGETTO LOIS
161 NW 73RD CT
NEWPORT, OR 97365

BROKKEN DONNA F TRUSTEE
2895 SW FAIRMONT DR
CORVALLIS, OR 97333

BROLIN CO LLC
ATTN PRICE ANNE
12844 SE 235TH PL
KENT, WA 98031

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ASSOCIATION OF UNIT OWNERS
326 SW 12TH ST
NEWPORT, OR 97365

BROWN DARRELL T &
BROWN JAN M
4306 KATY LN
EUGENE, OR 97404

BROWN DUSTIN &
PERTH CLAY
PO BOX 410125
BIG WATER, UT 84741

BROWN GREG T &
CHAPPELL JASON GAGE
69215 MARTINGALE
SISTERS, OR 97759

BROWN KENNETH
518 SW SMITH CT
NEWPORT, OR 97365

BROWN LARRY M &
BROWN SHARON S
13275 SW WHISTLING WAY
BEAVERTON, OR 97008

BROWN RICCI &
SHAO FENGZHI
1147 NE NEWPORT HEIGHTS DR
NEWPORT, OR 97365

BROWN STEVEN R TRUSTEE &
BROWN MARIAN S TRUSTEE
PO BOX 550
NEWPORT, OR 97365

BROWN TAILS LLC
PO BOX 550
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BRUNTLETT CATHERINE L
PROPERTIES LLC, THE
6012 N ALBERTA
SPOKANE, WA 99205

BRUSSELBACK LAWRENCE J &
BRUSSELBACK WENDY C
255 NW COAST ST
NEWPORT, OR 97365

BRUSSELBACK LON &
BRUSSELBACK WENDY
255 NW COAST ST
NEWPORT, OR 97365

BRUTKE ROBERT W TRUSTEE &
BRUTKE VICKIE J TRUSTEE
139 SE J ST
SUITE B
GRANTS PASS, OR 97526

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BUCKLEY D PAUL
1507 CRESTVIEW DR
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BUNGAY BARBARA
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BUNGAY PROPERTIES LLC
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BUNKER PAMELA
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14645 N 90TH LN
PEORIA, AZ 85381

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DARLING BUUS DAWN TRUSTEE
5202 WAINWRIGHT CT
RIVERSIDE, CA 92507

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BYLUND BEN E
3663 MAHLON AVE
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MCCLARNAN JOSEPH H TRUSTEE
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45021 COUGAR CIRCLE
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6005 SW ARBOR DR
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CAILLIER BRUCE W TSTEE &
CAILLIER SHARON M TSTEE
5820 SW ARBOR DR
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CAILLIER BRUCE WARREN TTEE &
CAILLIER SHARON MARIE TTEE &
CAILLIER B W & S M TSTEE
5820 SW ARBOR DR
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CALE DAVID R &
CALE JULIE S
2197 MAIER LN
ALBANY, OR 97321

CALLAHAN MICHAEL DAVID
6018 SW CUPOLA DR
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CAMPBELL ELIZABETH I TRUSTEE
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CANNON COURT LLC
PO BOX 1555
MCCALL, ID 83638

CAPRI DAVID J G TSTEE &
DOUGHERTY CAPRI JILL M TTEE
PO BOX 1022
NEWPORT, OR 97365

CAPRI DUSTIN &
CAPRI AMANDA
747 SW 13TH
NEWPORT, OR 97365

CAPSHAW BRADLEY L &
SCHNEIDER CAPSHAW LINDA
353 NW 5TH ST
NEWPORT, OR 97365

CARLON HEATHER A PROP LLC
1222 W WARN WAY
SPOKANE, WA 99208

CARLSEN MICHAEL BRADLEY &
CARLSEN ALICE KRISTINA
90531 DIAMOND RIDGE LOOP
COBURG, OR 97408

CARLSON JULIA A TSTEE
2094 MUSKET ST
EUGENE, OR 97408

CARLSON MICHAEL &
CARLSON CANDACE
552 W YELLOW SPRINGS
FAIRFIELD RD
YELLOW SPRINGS, OH 45387

CARMODY BONNIE
261 SE VIEW DR
NEWPORT, OR 97365

CARMODY KEVIN
7 PREMIUM POINT LN
BROOKFIELD, CT 6804

CARNE JAMES EDMUND TRUSTEE
5790 SW BARNACLE CT
SOUTH BEACH, OR 97366

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CARPLES JULIA
2204 SE 60TH AVE
PORTLAND, OR 97215

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2721 ST CLOUD OAKS DR
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HERBERT KATHRYN E
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NEWPORT, OR 97365

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46589 MCKENZIE HWY
VIDA, OR 97485

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CARUTHERS DALE AMY TSTEE
4900 INTREPID DR
LAS VEGAS, NV 89130

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6034 SW CUPOLA DR
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CAVELL ROBERT B &
CAVELL LORI R
1900 FRONT ST NE
SALEM, OR 97301

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ATTN SHAWN CAYO
1519 18TH ST
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ATTN BRIAN BARTH MGR ACCT &
FINANCE
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201 NW 52ND ST
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334 NW HIGH ST
NEWPORT, OR 97365

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CHAMBERLAIN MARCIA
12305 MACINTOSH ST
APPLE VALLEY, CA 92308

CHAN HOMESTEAD LLC
ATTN DAVID K CHAN & LEANN CHENG
4402 NW SENECA CT
CAMAS, WA 98607

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

CHAPMAN JOHN W &
CHAPMAN AMY B
357 SE 35TH ST
SOUTH BEACH, OR 97366

CHAPMAN LUCINDA
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CHAPMAN WILLIAM T
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NEWPORT, OR 97365

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ATTN CHIPMAN VICTOR
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CHUNG DONG SUN
220 SW 60TH LOOP
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CHURCH LDS
REAL EST DIV
50 E NORTH TEMPLE
SALT LAKE CITY, UT 84150

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

CITY OF NEWPORT
ATTN MINOR J CHRISTOPHER
236 W OLIVE ST
NEWPORT, OR 97365

CITY OF NEWPORT
% LINCOLN COUNTY SCHOOL DIST
LEASE
PO BOX 1110
NEWPORT, OR 97365

CITY OF NEWPORT
% NEWPORT SHRIMP CO, LESSEE
PO BOX 1230
NEWPORT, OR 97365

CITY OF NEWPORT
% OREGON COAST AQUARIUM INC
LEASE
PO BOX 2000
NEWPORT, OR 97365

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

CITY OF NEWPORT, OREGON
ATTN: MCCARTHY PENELOPE CITY
ATTORNEY
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CLARK PATRICK
PO BOX 172
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COAST HOUSE LLC
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FERBER NORMAN L TRUSTEE &
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NEWPORT, OR 97365

GILLETT JODY
PO BOX 597
SOUTH BEACH, OR 97366

GILSON CHARLES W TSTEE &
GILSON MARCIA TSTEE
1731 PHEASANT CT
PHILOMATH, OR 97370

GILSON JANIS AITKIN &
GILSON JANIS AITKIN TRUSTEE
360 LYDIA LN
LEBANON, OR 97355

GKM HOSPITALITY LLC
531 SW FALL ST
NEWPORT, OR 97365

GLENN ROBERT R &
GLENN SARAHLU
6410 SW ARBOR DR
SOUTH BEACH, OR 97366

GLICK DAVID E &
GLICK CYNTHIA A
66474 JERICHO RD
BEND, OR 97703

GOBER JAMES O TRUSTEE
PO BOX 1106
NEWPORT, OR 97365

GODDARD JEFFREY WINN &
GODDARD RAMONA GEORGES
311 SE 35TH ST
SOUTH BEACH, OR 97366

GODINET NANCY KATHRYN RHODEN
625 SE 4TH ST
NEWPORT, OR 97365

GOLD MICHAEL R &
GOLD KRISTINE A
1240 CINNAMON TEAL DR
REDMOND, OR 97756

GOLDADE HOLBROOK CHLOE M
405 SE SCENIC LOOP
NEWPORT, OR 97365

GOLDBERG URI
548 SW 5TH ST
NEWPORT, OR 97365

GOLDSMITH JAMES C &
GOLDSMITH LESLIE JO
6068 CRAMPTON DR N
KEIZER, OR 97303

GOLITZ FAMILY LLC
262 S ELM ST
DENVER, CO 80246

GOMES EDWARD L &
GOMES ROBERTA
3054 ANDRE LN
TURLOCK, CA 95382

GOODWIN RALPH
PO BOX 455
JOHN DAY, OR 97845

GOOLD MICHAEL &
GOOLD WANDA
3859 DAKOTA RD SE
SALEM, OR 97302

GOPLEN HANS &
GOPLEN JANELL
611 SE 3RD ST
NEWPORT, OR 97365

GOUGH RICHARD J COTRUSTEE &
GOUGH DIANA C COTRUSTEE
13459 PROVINCIAL HILL WAY
LAKE OSWEGO, OR 97035

GOULD GEORGE F
184 NE 57TH ST
NEWPORT, OR 97365

GRAHAM JOHN W TRUSTEE
3480 EOLA DR NW
SALEM, OR 97304

GRAMOLL KURT &
GRAMOLL JUNKO
3816 WELLINGTON PL
NORMAN, OK 73072

GRANSEE KAREN
230 SW 60TH LOOP
NEWPORT, OR 97365

GRANT-CHURCHWELL CATHLENE CYD
TRUSTEE
PO BOX 5427
EUGENE, OR 97405

GRANTHAM & HOOPER
% SOUTH BEACH GROCERY INC CONT
PO BOX 581
SOUTH BEACH, OR 97366

GRASSLEY JAMES L &
GRASSLEY LORRAINE
18734 64TH LANE NE
KENMORE, WA 98028

GRAY DONALD M &
GRAY MAUREEN T
105 NW 43RD ST
NEWPORT, OR 97365

GRAY JOAN M TRUSTEE
411 SE FOGARTY ST
NEWPORT, OR 97365

GRAY LANE R &
GRAY RUTH A
452 SE 4TH ST
NEWPORT, OR 97365

GREEN NATALIE &
HENRY STEVEN
PO BOX 452
SOUTH BEACH, OR 97366

GREENE ORRIN &
GREENE DEBRA
818 SW 3RD AVE
#221-1633
PORTLAND, OR 97204

GREENMAN KENNETH JOE TRUSTEE &
GREENMAN BARBARA J TRUSTEE
5930 SW ARBOR DR
SOUTH BEACH, OR 97366

GREGORY DAVID &
BENEDETTI CHRISTINE
424 SW 297TH ST
FEDERAL WAY, WA 98023

GREGORY DAVID E &
BENEDETTI CHRISTINE M
424 SW 297TH
FEDERAL WAY, WA 98023

GREGORY JEFFREY KIM &
GREGORY SUSAN KAY
7731 SW 194TH TER
BEAVERTON, OR 97007

GRENZER ROBERT FRED
17507 NW SAUVIE ISLAND RD
PORTLAND, OR 97231

GRINDSTAFF JULIE A
4201 SILVER SPUR CT
ROCKLIN, CA 95765

GROSS ROBERT J
9480 SW GRABHORN
BEAVERTON, OR 97007

GSBN LLC
PO BOX 720
SOUTH BEACH, OR 97366

GULLERUD ERIC N &
GULLERUD CHERIE P
PO BOX 2475
CORVALLIS, OR 97339

GUST AURI M &
COOPER WILLIAM H
33102 134TH AVE SE
AUBURN, WA 98092

GUTZEIT CLARY &
GUTZEIT PATRICIA
1000 SE BAY BLVD
UNIT 239/339
NEWPORT, OR 97365

GUTZEIT CLARY C &
GUTZEIT PATRICIA J
1000 SE BAY BLVD
UNIT G-239
NEWPORT, OR 97365

GUTZEIT PATRICIA &
GUTZEIT CLARY C
1000 SE BAY BLVD
UNIT G-15
NEWPORT, OR 97365

HAAS WILLIAM F &
HAAS EILEEN DALY
9439 17TH LN
TERREBONNE, OR 97760

HABBERSTAD JAMES M
2110 WEST SCENIC DR
THE DALLES, OR 97058

HABITAT HUMANITY OF YAQUINA
% MORRIS AMBER CONT
PO BOX 1311
NEWPORT, OR 97365

HABITAT HUMANITY OF YAQUINA
% TAYLOR MERLENE CONT
PO BOX 1311
NEWPORT, OR 97365

HACKWORTH CRAIG &
HACKWORTH DONNA
205 SW 60TH LOOP
SOUTH BEACH, OR 97366

HAFEN JACAUUELYN K &
FREHNER SANDRA GAYLE & HAMRICK
LISA D
370 SW 29TH ST, UNIT A
NEWPORT, OR 97365

HAFEN JACQUELYN K TRUSTEE &
FREHNER SANDRA G & HAMRICK LISA
D
370-A SW 29TH ST
NEWPORT, OR 97365

HAGUES YOLANDA R &
MAHER MARC
11611 NE ANGELO DR
VANCOUVER, WA 98684

HAIMA DOUG
PO BOX 56
ALBANY, OR 97321

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

HALL DANIEL &
HALL BONNYE
144 SW 26TH ST
#8
NEWPORT, OR 97365

HALL DAVID WALTER TRUSTEE &
HALL MARGARET RUTH TRUSTEE
8310 COUNTERPANE LN
JUNEAU, AK 99801

HALL DIANA L
PO BOX 199
SOUTH BEACH, OR 97366

HALL EDWIN &
HALL BROWYN
19505 SE 42ND CIRCLE
CAMAS, WA 98607

HALL JOHN L TSTEE
ATTN CLARE JOSEPH
135 MAIN ST
9TH FLOOR
SAN FRANCISCO, CA 94105

HALLER BRIAN H
PO BOX 805
NEWPORT, OR 97365

HALLMARK INNS & RESORTS INC
PO BOX 1747
LAKE OSWEGO, OR 97035

HALLSTROM JAMES A TTEE &
HALLSTROM DIANE L TTEE & DETRICK
G F & L A TTEES
PO BOX 2812
EUGENE, OR 97402

HALSEY STEVE
351 SE PENTER LN
NEWPORT, OR 97365

HAMILTON LLOYD B TRUSTEE &
HAMILTON JANE A TRUSTEE
2699 WESTWOOD DR
PLACERVILLE, CA 95667

HAMMER PAUL M
PO BOX 2550
EUGENE, OR 97402

HAMRICK BRET A
PO BOX 492
NEWPORT, OR 97365

HAMRICK BRETT A
PO BOX 492
NEWPORT, OR 97365

HAMSTREET DOROTHY A ETAL
ATTN NEWPORT MARINE CO
PO BOX 1067
NEWPORT, OR 97365

HANCHER SCOTT E &
HANCHER KIMBERLY F
14236 174TH AVE NE
REDMOND, WA 98052

HAND LARRY L &
HAND KAREN L
848 N RAINBOW BLVD
LAS VEGAS, NV 89107

HANNAH PAUL &
HANNAH VIRGINIA C
533 SE 4TH ST
NEWPORT, OR 97365

HANSCAM STEVEN
4427 COULTER LN
SWEET HOME, OR 97386

HANSELMAN JAMES E &
RONZIO JOANN M
4044 NW CHEROKEE LN
NEWPORT, OR 97365

HANSEN INVESTMENTS LLC
PO BOX 1476
NEWPORT, OR 97365

HANSEN LAURA S TRUSTEE &
FREY BRUCE E TRUSTEE
6780 NW MOUNTAIN VIEW DR
CORVALLIS, OR 97330

HANSON JAMES D TSTEE &
HANSON SKYE B TSTEE
3334 W NEBRASKA ST
TUCSON, AZ 85747

HARANG MARIE
PO BOX 63
NEWPORT, OR 97365

HARBOR CRESCENT HOMEOWNRS
ASSN
882 SE CRESCENT PL
NEWPORT, OR 97365

HARBOR VILLAGE MHP LLC
6305 SEASIDE WALK
LONG BEACH, CA 90803

HARGETT KURT DALE &
HARGETT CORRINA L
2823 NE JACKSON PL
NEWPORT, OR 97365

HARGIS ELWIN E &
HARGIS JUDITH L
PO BOX 253
NEWPORT, OR 97365

HARLAN GAIL
5935 SW ARBOR DR
SOUTH BEACH, OR 97366

HARRINGTON JAMES L JR &
HARRINGTON TERRI A
494 GRIFFIN RD
GRANTS PASS, OR 97527

HARRIS LEANN J
1536 NE 61ST AVE
PORTLAND, OR 97213

HARRISON TERRY &
HARRISON KRISTA
1197 THRONE DR
EUGENE, OR 97402

HARTOG PHILIP
PO BOX 686
SOUTH BEACH, OR 97366

HARTWELL PETER LEE TRUSTEE &
HARTWELL MOLLY MARGARET TSTEE
110 SW 61ST ST
SOUTH BEACH, OR 97366

HASTING THOMAS D &
HASTING SHARON M
PO BOX 470
NEWPORT, OR 97365

HATHAWAY CHARLES G
240 SW 61ST ST
NEWPORT, OR 97365

HATZEL JOSEPH G &
ABEL HATZEL WENDY K
PO BOX 1780
COOS BAY, OR 97420

HAUGEN TROY &
HAUGEN IMELDA
2036 SW WILLOW PKWY
GRESHAM, OR 97080

HAUS ALBERT S JR (TOD) &
HAUS DIANNE M (TOD)
890 SE BAY BLVD
#203
NEWPORT, OR 97365

HAY FAMILY LIMITED PARTNERSHIP
PO BOX 1747
LAKE OSWEGO, OR 97035

HEARING MICHAEL
1163 NW 10TH ST
CORVALLIS, OR 97330

HEARNE BRETT &
HEARNE EILEEN
407 SE 4TH ST
NEWPORT, OR 97365

HEATH JUDITH A TRUSTEE &
HEATH ANN F (TOD)
18 TANGLEWOOD DR
LAKE OSWEGO, OR 97035

HEATH KENNETH D &
HEATH MARTHA A
615 NW SPYGLASS CT
ALBANY, OR 97321

HEIL F CHARLES W &
HEIL PATRICIA J
22239 SW SEQUOIA TERR
SHERWOOD, OR 97140

HEISLER PETER
567 SE VISTA DR
NEWPORT, OR 97365

HEISLER PETER &
HEISLER HEATHER
567 SE VISTA DR
NEWPORT, OR 97365

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

HEITSTUMAN THOMAS M & DEBRA D
PSC 476 BOX 484
FPO, AP 96322

HEITZLER GREGORY &
LINGEMANN AARON
8 COMSTOCK LN
SANTA CRUZ, CA 95060

HELBLING PATRICK T
210 APPLE CREEK LANE
SANTA ROSA, CA 95401

HENDERSON ROBERT R
2750 SW COHO ST
APT B
NEWPORT, OR 97365

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2011 FRANKFORT AVE
#408
LOUISVILLE, KY 40206

HENDRICKS LIVING TRUST &
HENDRICKS BYRON J TRUSTEE &
HENDRICKS NANCY J TRUSTEE
1220 20TH ST SE
SALEM, OR 97302

HENDRICKSON DEAN A TSTEE &
HENDRICKSON JEAN A TSTEE
854 SE 5TH ST
NEWPORT, OR 97365

HERBERT EDWARD A &
HERBERT BEVERLY E
6660 PALOMINO CIRCLE
WEST LINN, OR 97068

HERKERT GREGORY E TRUSTEE &
HERKERT BARBARA L TRUSTEE
1105 SE 1ST ST
NEWPORT, OR 97365

HERROLD JOAN L &
HERROLD TRACY K
40896 ELK RIDGE LN
STAYTON, OR 97383

HERRON THOMAS E &
HERRON ANN L
178 NW 73RD CT
NEWPORT, OR 97365

HERZBERG CARL A & KATHY T &
CLEVELAND KIMBERLY T &
CLEVELAND STEPHEN E
605 WALNUT ST
LEBANON, OR 97355

HESSLER CARLOS DANIEL &
HESSLER HEATHER M
38 INDIAN FIELD DR
SOUTH DENNIS, MA 2660

HETH MICHAEL S &
HETH CATHERINE H
258 NE 5TH ST
NEWPORT, OR 97365

HETH MICHELLE K
1181 RYAN CT
WEST LINN, OR 97068

HETTMAN GARY L &
HETTMAN MARSHA M
3010 MOSSY LN
TOLEDO, OR 97391

HICKEY KHAKHANANG
1377 MOONSHINE PARK RD
LOGSDEN, OR 97357

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

HIGH ROAD CONDOMINIUMS
ASSOCIATION OF UNIT OWNERS
634 NW 10TH
NEWPORT, OR 97365

HIGHFILL ROBERT T &
HIGHFILL MILDRED
2830 NE ILER ST
NEWPORT, OR 97365

HILDERBRAND KENNETH S JR &
HILDERBRAND LINDA M
PMB 300
2226 N COAST HWY
NEWPORT, OR 97365

HILL ASHLEY R
408 SE 35TH ST
NEWPORT, OR 97365

HILL PETER STEPHEN
13795 SE LAURIE AVE
MILWAUKIE, OR 97222

HILL TERRANCE & JUDITH
INVESTMENT PROPERTIES LLC
835 NE CARPATHIAN DR
CORVALLIS, OR 97330

HILL TERRANCE A TRUSTEE &
HILL JUDITH L TRUSTEE
835 NW CARPATHIAN DR
CORVALLIS, OR 97330

HILLIER CLAIRE A
2824 SW COHO ST
#A
NEWPORT, OR 97365

HILLYER REBECCA &
RIEDL JOHN
5529 QUINCE ST NE
SALEM, OR 97305

HILTON NANCY L
PO BOX 1503
NEWPORT, OR 97365

HINDS CYNTHIA KELLEY TTEE
569 GILPIN ST
DENVER, CO 80218

HOCKEN JEAN TRUST
ESTATE ATTN VICTORIA GRUSING
345 NE BENTON ST
NEWPORT, OR 97365

HODGES PAUL W &
LEON HODGES LISA A
275 W SAN MARCOS DR
CHANDLER, AZ 85225

HOENE FREDERICK J TRUSTEE &
HOENE ANN MARIE TRUSTEE
19579 NW MELROSE DR
PORTLAND, OR 97229

HOFER VANDEHEY ROBERTA
20481 WINLOCK LN
FOSSIL, OR 97830

HOFFMAN CRAIG S &
HOFFMAN REBECCA L
251 SE 123RD ST
SOUTH BEACH, OR 97366

HOFFMEISTER JUANITA A TRUSTEE
546 36TH AVE NW
SALEM, OR 97304

HOFSTETTER HANS KIRK &
MOELLER MARY JO
2255 DORCHESTER DR S
SALEM, OR 97302

HOGAN FRANK A &
HOGAN JUDY A TRUSTEES
42 QUIET HILLS RD
POMONA, CA 91766

HOLBROOK JONATHAN B &
GOLDADE TERESA J
405 SE SCENIC LOOP
NEWPORT, OR 97365

HOLEN H J TRUSTEE
PO BOX 29
NEWPORT, OR 97365

HOLT DONALD M &
HOLT PING
112 NW WADE WAY
NEWPORT, OR 97365

HOOKER STEVE M
526 NW HIGH ST
NEWPORT, OR 97365

HOORNBECK FRANK K TSTEE &
HOORNBECK BILLEE W TSTEE
1000 SE BAY BLVD
B505/605
NEWPORT, OR 97365

HOOTS THOMAS G &
HOOTS JUDITH C
2526 NE DOUGLAS
NEWPORT, OR 97365

HOOVER PHYLLIS M
PO BOX 1073
NEWPORT, OR 97365

HOPE SANDRA A
3250 NW OCEANVIEW DR #5
NEWPORT, OR 97365

HORNING ROBERT W TRUSTEE &
HORNING SUZANNE R W TRUSTEE
8701 ESTERO BLVD
#708
FT MYERS BEACH, FL 33931

HOSKINS STEPHANIE
6614 BROOKHOLLOW CT NE
KEIZER, OR 97303

HOSTS OF AMERICA INC
ATTN HALLMARK INNS & RESORTS, INC
PO BOX 1747
LAKE OSWEGO, OR 97035

HOTTER JEFFREY LYNN TSTEE &
HOTTER DEBRA KAY TSTEE
1125 LYNN WAY
SUNNYVALE, CA 94087

HOUCK EVERETT J &
HOUCK SHARON
531 PIONEER MTN LP
TOLEDO, OR 97391

HOUCK EVERETT JEAN
HOUCK SHARON
531 PIONEER MTN LOOP
TOLEDO, OR 97391

HOUSING AUTHORITY OF
LINCOLN COUNTY
PO BOX 1470
NEWPORT, OR 97365

HOWARD SISTERS LLC THE
ATTN STEVE CARPENTER
PO BOX 958
LEBANON, OR 97355

HUBER SHAUN RILEY &
LEE OLIVIA ASTILLERO
PO BOX 1567
NEWPORT, OR 97365

HUFF THOMAS R TSTEE
3055 NW VAUGHN ST
PORTLAND, OR 97210

HUFFMAN RONALD M
PO BOX 2388
LAKE OSWEGO, OR 97035

HUGHES COLLEEN C LVG TRUST &
HUGHES COLLEEN C TRUSTEE
269 LINNAEUS AVE
COOKEVILLE, TN 38501

HULET JENNIFER &
HULET BRETT & WALBOM JACQUI &
WALBOM JEFF
415 SE SCENIC LOOP
NEWPORT, OR 97365

HULL DEAN ALAN TSTEE
ATTN KENNETH L LITTLE
6711 KATELLA AVE
2ND FLOOR
CYPRESS, CA 90630

HULSEY JOSHUA D
475 SE 35TH CT
UNIT A7
NEWPORT, OR 97365

HUMBLE EDWARD P &
HUMBLE MICHELE M
10948 KNIGHT CT SE
OLYMPIA, WA 98501

HUNNEL GAROLD E
PO BOX 220358
MILWAUKIE, OR 97269

HUNT AURELIA CASTERLINE
PO BOX 706
SOUTH BEACH, OR 97366

HUNT DONALD J
546 NW COAST ST
NEWPORT, OR 97365

HUNTER BARBARA &
PENDERGRASS VICKIE
130 NW 70TH ST
NEWPORT, OR 97365

HUNTER MARIA C
2540 NW PACIFIC ST
NEWPORT, OR 97365

HUSSA JOHN K &
HUSSA CAROLYN M
2090 SUMMIT DR
LAKE OSWEGO, OR 97034

HUTMACHER NICKOLAS G
PO BOX 4731
SALEM, OR 97302

HYDE DAVID
2750 SW COHO ST
UNIT C
NEWPORT, OR 97365

HYDE JARED &
EAGER ELLEN
502 NW BROOK ST
NEWPORT, OR 97365

ICNAVA ENTERPRISES LLC
ATTN ISMAEL NAVA GUILLERMO
CHANDA NAVA
253 NE 53RD ST
NEWPORT, OR 97365

INDUSTRIAL WELDING SUPPLY INC
PO BOX 20340
SALEM, OR 97307

INGRAM GARREN L &
INGRAM BARBARA L
PO BOX 881
TUALATIN, OR 97062

INNIS WILLIAM E TSTEE &
INNIS JEANNE S TSTEE
1517 COURT ST NE
SALEM, OR 97301

INVESTORS XII LLC
860 OHARE PARKWAY
STE 100
MEDFORD, OR 97504

IVERSON JOHN C &
IVERSON LISA M
1354 E SANTIAM ST
STAYTON, OR 97383

JACKS PLACE LLC
10837 FERNDAL RD
DALLAS, TX 75238

JACKS SEAFOOD INC
155 SW DOLPHIN ST
NEWPORT, OR 97365

JACKSON DEBRA LYNN &
GLIDDEN BYRON J
31532 FOX HOLLOW RD
EUGENE, OR 97405

JACKSON MARILYN J TSTEE
144 SW 26TH ST
#3
NEWPORT, OR 97365

JACKSON ROBERT C &
JACKSON PAMELA M
2734 NW PACIFIC PL
NEWPORT, OR 97365

JACKSON WILLIAM LONGSTRETH TR
1906 WILLOW SPRINGS WAY
FT COLLINS, CO 80528

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434 NW 21ST PL
NEWPORT, OR 97365

JAMES JOHN E
PO BOX 875
NEWPORT, OR 97365

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SCHAEFER EDWARD A III TRSTEE &
BARRON MICHAEL TRUSTEE, ETAL
1201 BOLTON ST STOREFRONT
BALTIMORE, MD 21217

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PO BOX 1570
NEWPORT, OR 97365

JINCKS LELAND G TRUSTEE &
JINCKS JANE K TRUSTEE
PO BOX 1570
NEWPORT, OR 97365

JJ & MK PROPERTIES LLC
PO BOX 641
SALEM, OR 97308

JMB PROPERTIES NEWPORT LLC
1755 GARLAND LN
BOULDER, CO 80304

JOHANNESSEN ROBERT &
JOHANNESSEN ROBERT ETAL ATTN
LARRY & PATTY DALE
2575 SW 45TH ST
CORVALLIS, OR 97333

JOHANSON DENNIS H TSTEE &
JOHANSON SUE ANN TSTEE
656 WYATT LN
PHILOMATH, OR 97370

JOHNS DEIDRE M
750 NW 2ND ST
NEWPORT, OR 97365

JOHNSEN CARLA A TRUSTEE
3659 224TH PL SE
ISSAQUAH, WA 98029

JOHNSON BLAKE &
JOHNSON MARY
4215 AGNESS RD
AGNESS, OR 97406

JOHNSON BRUCE W
37090 SOAP CREEK RD
CORVALLIS, OR 97330

JOHNSON CHERYL M
61329 TRIPLE KNOT RD
BEND, OR 97702

JOHNSON MICHAEL &
JOHNSON VIRGINIA W
2809 NE ILER ST
NEWPORT, OR 97365

JOHNSON RICHARD H COTTEE &
JOHNSON LAVONNE J COTTEE
3504 NW CONRAD DR
BEND, OR 97703

JOHNSON RUTH A LIVING TRUST &
JOHNSON RUTH A TRUSTEE
PO BOX 149
SOUTH BEACH, OR 97366

JOHNSON STEVEN C &
JOHNSON DEANN E
34047 FOX DR NE
ALBANY, OR 97322

JOHNSTON PERRY N TRUSTEE &
JOHNSTON CYNTHIA M TRUSTEE
6275 SW MAIN ST
BEAVERTON, OR 97008

JOHNSTON STEVEN G &
JOHNSTON SUSAN M
10779 N MINNEWAWA
CLOVIS, CA 93619

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NEWPORT, OR 97365

JONES CYNTHIA L &
JONES DAVID F
2653 BRENTWOOD AVE
BURLEY, ID 83318

JONES DAVID M &
REDMOND MICHELE S
6825 BOLAND WAY
OTTER ROCK, OR 97369

JONES GREGORY F &
JONES PRESCOTT B
20368 HONEY GROVE RD
ALSEA, OR 97324

JONES JODY L
PO BOX 1047
KIHEI, HI 96753

JONES JOHN B
2140 LOS ANGELES AVE
BERKELEY, CA 94707

JORDAN WARREN &
JORDAN RITA
PO BOX 194
SOUTH BEACH, OR 97366

JORGENSEN PAUL D &
JORGENSEN KAREN L
4284 AVALON
EUGENE, OR 97402

JOSTAD CHRIS
1075 ORCHARD CT
STAYTON, OR 97383

JT RENTAL PROPERTIES LLC
570 WEST HOLLEY RD
SWEET HOME, OR 97386

K/H INVESTMENTS LLC
PO BOX 608
APPLE VALLEY, CA 92307

KAISER FRANCIS &
KAISER JEAN
1904 EAGLES RIDGE NW
ALBANY, OR 97321

KANE JOSEPH A &
KANE EILEEN S
0841 SW GAINES ST
UNIT #1200
PORTLAND, OR 97239

KANG SUSIE TRUSTEE
4008 CORTE BELLA
MODESTO, CA 95356

KANIHO WILLIAM &
KANIHO DENISE
5925 SW ARBOR DR
SOUTH BEACH, OR 97366

KAPLAN JAN &
CANNING PATRICIA
1500 SW 5TH AVE
UNIT 1405
PORTLAND, OR 97201

KAPLAN KENNETH &
MOSSBERG JULIE
20511 DEFOREST
WOODLAND HILLS, CA 91364

KARNES RICHARD &
KARNES ROBERT
1260 WADE RD
SILETZ, OR 97380

KATZ JEFFREY B
3302 NW PANORAMA DR
BEND, OR 97703

KAY KENNETH E &
KAY DIANE S
612 SE 5TH ST
NEWPORT, OR 97365

KBJB LLC
302 CALIFORNIA AVE
LIBBY, MT 59923

KEHOE DELORES F TRUSTEE
3400 SARATOGA ST
UNIT A
WELLINGTON, CO 80549

KELLER RICHARD J
700 SE 5TH ST
NEWPORT, OR 97365

KELLER RODNEY &
KELLER BARBARA
2056 CHASE LOOP SW
ALBANY, OR 97321

KELLEY CHRISTOPHER &
KELLEY DEBORAH R
2017 NE EDGEWATER DR
PORTLAND, OR 97211

KELLEY PATRICK J &
KELLEY WENDY L
104 NW FRANKLIN
BEND, OR 97701

KELLEY SUE ANN
PO BOX 1466
NEWPORT, OR 97365

KELLOR LLC
59 WAILEA GATEWAY PL
UNIT 203
WAILEA, HI 96753

KELSON CRAIG &
KELSON KATHY
45 OLALLA RD
TOLEDO, OR 97391

KEMP CHARLES D &
KEMP JANE K
1693 S 24TH ST
EL CENTRO, CA 92243

KENT MICHAEL LAWRENCE &
KENT CINDY LOU
3608 NW TWINBERRY PL
CORVALLIS, OR 97330

KENYON MARCY J
123 NW HIGH ST
NEWPORT, OR 97365

KERTON MICHAEL D COTSTEE &
KERTON CAROL J COTSTEE
5745 SW ARBOR DR
SOUTH BEACH, OR 97366

KIER BRIAN
4033 NW SARAH MARIA CT
ALBANY, OR 97321

KIGERL A W & LARRABEE K L
% RIPKA GARY & LUCERO TABITHA,
CONT
9667 YAQUINA BAY RD
NEWPORT, OR 97365

KIGERL ALLAN WAYNE &
LARRABEE KATHERINE L % GLTRI LLC,
CONT
PO BOX 809
NEWPORT, OR 97365

KIKER KEVIN D &
KIKER FIONA M
988 TWIN HILLS DR
JEFFERSON, OR 97352

KING CHRISTOPHER
2544 NE DOUGLAS ST
NEWPORT, OR 97365

KINGS ESTUARY SHELLFISH LLC
PO BOX 797
SOUTH BEACH, OR 97366

KINGZETT ROBERT P
6419 FIESTA CT
KLAMATH FALLS, OR 97603

KISS RICHARD J &
KISS MARICELA
3840 EVERGREEN AVE
DEPOE BAY, OR 97341

KISTLER JOHN A &
KISTLER RUTH J
1125 SE SPRUCE WAY
NEWPORT, OR 97365

KITSELMAN BRADLEY A TSTEE &
KITSELMAN ELIZABETH A TSTEE
2510 NW 374TH CIR
LA CENTER, WA 98629

KLESCHEN PETER JOHN
2300 LARCH CAMP RD
MISSOULA, MT 59803

KLOSTER MAX B &
KLOSTER SANDRA
750 WYATT LN
PHILOMATH, OR 97370

KNIGHT DONALD C TRUSTEE &
KNIGHT PATSY M TRUSTEE
660 DRIVER VALLEY RD
OAKLAND, OR 97462

KOODRICH JOHN &
KOODRICH MARGARET ANNE
60460 SNAP SHOT LP
BEND, OR 97702

KOSS JIM L &
CRETSINGER JANET C
20215 SW TREMONT WAY
BEAVERTON, OR 97007

KRAMIEN STANLEY RICHARD JR &
KRAMIEN DEBRA L
17600 NE OLDS LN
NEWBERG, OR 97132

KRAUSE ETHEL
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KRUPKIN ALEX &
SHEPPARD LORRAINE
2085 NW LANCE WAY
CORVALLIS, OR 97330

KUEBRICH P H REV LVG TST EST &
KUEBRICH K J REV LVG TST &
KUEBRICH KAREN J TRUSTEE
3136 FIR OAKS CT SW
ALBANY, OR 97321

KULOK LISA A &
OTIS DIANA I
2232 NW PINNACLE DR
PORTLAND, OR 97229

LA QUINA SHORES HOMEOWNERS
ASSOCIATION ATTN SANDRA HOPE
3250 NW OCEANVIEW DR #5
NEWPORT, OR 97365

LACKNER WILLIAM &
LACKNER SCOTT
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LAFRANCHISE JANINE
833 SW 13TH ST
APT #2
NEWPORT, OR 97365

LAHMAN GARY D &
JACOBI CYNTHIA A
428 NW 17TH ST
NEWPORT, OR 97365

LAKIN JANET M TRUSTEE
PO BOX 310
REDMOND, OR 97756

LAMPI FAMILY LLC &
LAMPI KIRSTEN & TOMITA TATSUO
29091 LAKESIDE DR
CORVALLIS, OR 97333

LANDING AT NEWPORT, THE
ASSOCIATION OF UNIT OWNERS
890 SE BAY BLVD
NEWPORT, OR 97365

LANDWAVES INC
2712 SE 20TH AVE
PORTLAND, OR 97202

LANEY LAURA &
LANEY ALBERT
2415 NW THURMAN ST
PORTLAND, OR 97210

LAQUINA SHORES HOMEOWNERS
ASSN
ATTN SANDRA HOPE
3250 NW OCEANVIEW DR #5
NEWPORT, OR 97365

LARSELL JOHN F TRUSTEE &
LARSELL JOANNE TRUSTEE
1283 NW 14TH ST
LINCOLN CITY, OR 97367

LARSELL RICHARD A (TOD)
32006 GRIFFITH DR
TANGENT, OR 97389

LARSEN STEVEN C TRUSTEE &
LARSEN KAREN L TRUSTEE
10327 SW PICKS WAY
TIGARD, OR 97224

LARSON PATRICK D
3900 NW CHEROKEE LN
NEWPORT, OR 97365

LATHROP STEVEN R &
REED LATHROP CHRISTIE L
96 NW 33RD PL
UNIT D
NEWPORT, OR 97365

LATTA JUDY L
810 SE 5TH ST
NEWPORT, OR 97365

LAVEN ARNE &
LAVEN SUDHA
2538 NW HOSMER LAKE DR
BEND, OR 97703

LAVOIE ROSE M
392 NW 3RD ST
SP 20
NEWPORT, OR 97365

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2777 NE JACKSON PL
NEWPORT, OR 97365

LAWSON PAUL L &
LAWSON SHARON L
5535 E EVERGREEN BLVD #7305
VANCOUVER, WA 98661

LC APARTMENTS LLC
1231B STATE ST
SANTA BARBARA, CA 93101

LEDERMAN DAVID W &
LEDERMAN LOIS B
6325 SW ARBOR DR
SOUTH BEACH, OR 97366

LEE APRIL M
3319 W AUGUSTA CT
COEUR D'ALENE, ID 83815

LEE JOHN N
41463 MCKENZIE HWY
SPRINGFIELD, OR 97478

LEE SHI NONG
1130 NE 7TH DR
NEWPORT, OR 97365

LEEPER WILBERT D &
LEEPER ARTEMIA F
2730 NE HARNEY DR
NEWPORT, OR 97365

LEHMAN JOHN A &
LEHMAN LISA M
333 NW 9TH AVE
UNIT 1206
PORTLAND, OR 97209

LEHN RANDY W &
LEHN JANICE M
38129 WEIRICH DR
#42
LEBANON, OR 97355

LEHNHERR NEIL
1000 SE BAY BLVD
UNIT A-2
NEWPORT, OR 97365

LEHRMAN MARCUS &
GEORGE JODY L
232 NW COAST ST
NEWPORT, OR 97365

LEHRMAN RORY A &
LEHRMAN ANGELA M
215 NW HIGH ST
NEWPORT, OR 97365

LEINBACH JAMES D
6345 SW ARBOR DR
SOUTH BEACH, OR 97366

LEISER JENNIFER P TSTEE &
LEISER STEVEN J TSTEE
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SALT LAKE CITY, UT 84124

LENS INC
PO BOX 1190
JEFFERSON, OR 97352

LEO ROGER J TRUSTEE
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LAKE OSWEGO, OR 97035

LEONARD EDWARD T
2929 SE OCEAN BLVD #143-9
STUART, FL 34996

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LESLIE JEANNINE TETU
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WEITKAMP LAURIE A
PO BOX 550
SOUTH BEACH, OR 97366

LEWIS CANDACE ANN REVOC TRST &
LEWIS CANDACE ANN TRUSTEE
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NEWPORT, OR 97365

LEWIS HAL
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LAGUE LOUISE
6685 W BURNSIDE RD
UNIT 353
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LIHOU DAVID F &
GIDLEY SHARON P
2810 NE HARNEY DR
NEWPORT, OR 97365

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300 DESERT SUN LN
RENO, NV 89508

LIL MACS LLC
ATTN ALEMA J MCCREA
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PORTLAND, OR 97215

LIMBRUNNER LOUIS L &
LIMBRUNNER MARY M
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NEWPORT, OR 97365

LINCOLN CO HISTORICAL SOCIETY
ATTN JONES CAROL
545 SW NINTH ST
NEWPORT, OR 97365

LINCOLN COUNTY
PUBLIC PARK
225 W OLIVE ST
RM 110
NEWPORT, OR 97365

LINCOLN COUNTY
225 W OLIVE ST
NEWPORT, OR 97365

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

LIND PAMELA J
411 SE SCENIC LOOP
NEWPORT, OR 97365

LIND PHILIP RICHARD TSTEE &
LIND PAMELA J BARLOW TSTEE
411 SE SCENIC LOOP
NEWPORT, OR 97365

LINDSEY JAMES DUNCAN
6437 NW FINISTERRE AVE
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LINDSTROM ZACHARY KENDALL &
LINDSTROM ASHLEE J
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LINK JACKSON C TRUSTEE
2100 PARK DR
LEBANON, OR 97355

LINSTROMBERG PAT JOAN TTEE
ATTN LESLIE HOGAN
931 WASHINGTON SW
ALBANY, OR 97321

LITT SANDRA S TRUSTEE
7438 SE MADISON
PORTLAND, OR 97215

LITTLE CREEK COVE
ASSOCIATION OF UNIT OWNERS
3641 NW OCEANVIEW DR
NEWPORT, OR 97365

LITTLE CREEK COVE LTD
3641 NW OCEAN VW DR
NEWPORT, OR 97365

LITTLE CREEK HEIGHTS CONDO
ASSOCIATION OF UNIT OWNERS
3711 NW OCEAN VIEW DR
NEWPORT, OR 97365

LITTLE CREEK TRUST, THE
BOLDT ROBERT L TRUSTEE & BOLDT
GERI L TRUSTEE
4080 DEEP WOODS LANE N
SALEM, OR 97304

LITTLE RAYMOND
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215 E SHERMAN AVE
HOOD RIVER, OR 97031

LITWER LACH RUBEN
215 E SHERMAN AVE
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LIU XIN &
QU WEIWEI
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NEWPORT, OR 97365

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UNIT D-21
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LLOYD PARTNERS LLC &
OSHANICK LARRY & KAREN &
LINDSTROM ZACHARY K & ASHLEE
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LODGE CRAIG &
LODGE DAWN L
4920 NW WOODY WAY
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LOE MATT
70 NORTH 400 EAST
DELTA, UT 84624

LOEW LEONARD F COTRUSTEE &
LOEW MARLA H COTRUSTEE
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SOUTH BEACH, OR 97366

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LOFTON JOAN E TRUSTEE
11550 LOGSDEN RD
SILETZ, OR 97380

LOGAN DONALD &
LOGAN DOROTHY
2088 CATALINA DR
BULLHEAD CITY, AZ 86442

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HELLMAN LAURA
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ASSOCIATION OF UNIT OWNERS
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LOONEY SUSAN P TRUSTEE
540 NW 33RD ST
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70 E CRESCENT AVE
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LOT & MISC HOLDING LLC &
DELLAS LLC
11832 SW PALERMO ST
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LOVAS STEPHEN E COTTEE &
LOVAS SONJA S COTTEE
PO BOX 2170
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LOWE STEVEN S &
LOWE BRENDA K
1168 ENGLEWOOD DR
RICHLAND, WA 99352

LU YINGHSUAN
237 SW 29TH ST
NEWPORT, OR 97365

LUGO RAFAEL &
LUGO ROBYN
853 NE LAKEWOOD DR
NEWPORT, OR 97365

LUKE LOWELL H &
LUKE RUTH A
1812 1/2 E BROADWAY ST
HELENA, MT 59601

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LUM YU YE TRUSTEE & LUM BRIAN
4050 WYCOMBE DR
SACRAMENTO, CA 95864

LUND GERALD N
1000 SE BAY BLVD
SLIP 41
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LUND WILLIAM
PO BOX 22
SEAL ROCK, OR 97376

LUND WILLIAM &
LUND LISA
PO BOX 22
SEAL ROCK, OR 97376

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1753 NE YAQUINA HEIGHTS DR
NEWPORT, OR 97365

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NEARY MICHAEL P
330 NW 25TH ST
NEWPORT, OR 97365

LUXFORD DENNIS R &
LUXFORD CAROL L
PO BOX 1414
VENETA, OR 97487

LYMAN DEBORAH &
LONG DAVID ET AL
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NEWPORT, OR 97365

LYNCH MICHAEL &
LYNCH MONICA
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VANCOUVER, WA 98660

LYNNE PROPERTIES LLC
10499 CHAMPOEG RD NE
AURORA, OR 97002

MABE JIM &
WHITEHEAD SHERY
7250 NUNES LN
EUREKA, CA 95503

MACIAS JOSEPH L
28140 ZEPHYR DR
TRACY, CA 95304

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112 NW BROOK ST
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MAGANA STEVEN (TOD)
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MAGUIRE PATRICK HENRY
1406 NW OCEANVIEW DR
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MAIER JOHN C
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MALONE DAVID P &
MALONE CYNTHIA M
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TOPANGA, CA 90290

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MAN TONY T
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SHANKS HARRIS COLLEEN
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PORTLAND, OR 97223

MANNING GORDON D JR
ATTNN G MANNING, NOAA MARINE
CENTER
2002 SE MARINE SCIENCE DR
NEWPORT, OR 97365

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MAPES NEVA V ATTN MANSER ROD
CPA
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EUREKA, CA 95501

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MARGGI PAMELA R
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CLACKAMAS, OR 97015

MARIAS WILLIAM A
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NEWPORT, OR 97365

MARINER ENTERPRISES INC
DBA MARINERS SQUARE
250 SW BAY BLVD
NEWPORT, OR 97365

MARK DONALD
2226 N COAST HWY #231
NEWPORT, OR 97365

MARK DONALD E
2226 N COAST HWY #231
NEWPORT, OR 97365

MARKHAM CLARENCE M &
MARKHAM KATHERINE K
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MARQUART JAMES B &
MARQUART PENNY
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% FRANANO ROBERT ATTN ROBERT O
LAMPL
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MARSH BARRY H & CAROLYN TRTEES
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MARSHALL RICK &
MARSHALL ANN
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MASON DENNIS &
MASON BETTY
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MASSEY DWAIN E &
MASSEY JOYCE A
23500 SE FRANQUETTE DR
AMITY, OR 97101

MASSEY DWAIN E COTRUSTEE &
MASSEY JOYCE A COTRUSTEE
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MASSONI BARBARA L TRSTEE
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MASTEN PATRICIA A TRUSTEE &
MASTEN KENNETH D TRUSTEE
9217 ST ANDREWS CIRCLE
KLAMATH FALLS, OR 97603

MATEAM PARTNERSHIP
ATTN FORD SALLY M
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MATHEWS BRENDAN
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MATHEWSON BETH H & JONES DAVID
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MATTSON DIANE
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1990 VAN BUREN
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MCCALLISTER NANCY P & LUECKER
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MCCARTHY CINDY
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MCCLOSKEY VICKY J
838 ALVINA ST SE
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MCCORD DENNIS R TSTEE &
MCCORD PAULA J TSTEE
18345 SE CHELDELIN RD
GRESHAM, OR 97080

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MCCOY DONNA L
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MCCULLEY JOAN J TRUSTEE
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MCDOWELL MINDY &
MCDOWELL SCOTT
6553 S MADISON CT
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MCENTEE BRUCE
3536 SE DOGWOOD
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MCENTEE CELESTE
449 SE SCENIC LOOP
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MCENTEE CINDY
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MCENTEE CINDY M &
DIXON JUDITH A & DIXON KEVIN ETAL
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MCFARLAND LAURIS K
10854 SUMMIT LOOP SE
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MCHENRY JEAN M COTSTEE
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MCKIBBEN MARY ANN CO-TRUSTEE
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MCQUEARY JO ANN TSTEE
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CRUTCHER MCQUIDDY PAMELA
195 NW 70TH ST
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MEADE EVELYN
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#12
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MEEKO CARMEN F
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BORING, OR 97009

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MELDRUM LEA C TSTEE
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STE 730
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MELO DEBRA A
11444 SE 89TH
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ATTN KURT FREITAG
17700 SW UPPER BOONES FRY RD
STE 120
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MEYERS PATRICIA ANN
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CHINA GROVE, NC 28023

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MIKE AND MEG LLC
1779 NW TROON CT
MCMINNVILLE, OR 97128

MILLER KAROLEE F TRUSTEE
26 N BEAVER VALLEY DR
SEAL ROCK, OR 97376

MILLIREN DANIEL LEE
216 PAXTON RD
KELSO, WA 98626

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MINES VICKI R TRUSTEE
9509 NE 73RD ST
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MINOR CHRIS & MARY
517 SW MINNIE ST
NEWPORT, OR 97365

MINOR JOHN C &
MINOR MARY C
517 SW MINNIE ST
NEWPORT, OR 97365

MINOR JOHN CHRISTOPHER &
MINOR MARY C
517 SW MINNIE ST
NEWPORT, OR 97365

MINOR KEITH TRUSTEE &
MINOR LISA TRUSTEE
1806 EAST MAIN ST
MEDFORD, OR 97504

MIRANDA RAFAEL &
MIRANDA MARGARET ANN
3104 NW MORNING GLORY DR
CORVALLIS, OR 97330

MITCHELL BOB G
ATTN MITCHELL HOMES
1120 LINNWOOD DR
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MITCHELL DAVID E &
MITCHELL ALICE E
144 SW 28TH ST
NEWPORT, OR 97365

MITCHELL JOHN C &
MITCHELL GERRI U
1405 ROCKHAVEN DR
MODESTO, CA 95356

MIZE MARK &
MIZE NANCY SUE
215 SW 60TH LOOP
NEWPORT, OR 97365

MO PROPERTIES LLC
622 SW BAY BLVD
NEWPORT, OR 97365

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BOJONELL HILAIRE A TSTEE
7167 NW OAK CREEK DR
CORVALLIS, OR 97330

MONDEN DENISE L &
MONDEN DENNIS L
1440 GEYSER CT
THOUSAND OAKS, CA 91320

MONTGOMERY BARBARA
1431 NW SPRING ST
UNIT A
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MONTGOMERY JOHN &
MONTGOMERY CINDY
1215 OAK ST
JUNCTION CITY, OR 97448

MOORE ASSETS LLC
6421 NW OAK CREEK DR
CORVALLIS, OR 97330

MOORE CASEY C &
MOORE MARCIA L
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MOORE CHARLES J &
MOORE JILL L
2825 NE BIG CREEK RD
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MCKENZIE MELODIE A
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MOORE MICHAEL D &
MOORE LAURIE C
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MORAN JAQUELYNN M H COTRUSTEE
4421 SW MELVILLE AVE
PORTLAND, OR 97239

MOREHOUSE JOHN MATTHEW TTEE
199 SHADOW LN
GRANTS PASS, OR 97526

MORGAN DEBRA E TRUSTEE
1675 MEEK ST
THE DALLES, OR 97058

MORIN KENNETH M &
MORIN CAROLYN A
5920 MALTON AVE
SIMI VALLEY, CA 93063

MORRIS JOHN & GRETCHEN LVG TR &
MORRIS JOHN E TRUSTEE & MORRIS
GRETCHEN R TRUSTEE
6315 NW PONDEROSA AVE
CORVALLIS, OR 97330

MORRISON CHARLES N JR
% IVERSON JAMES C & IVERSON LINDA
S, CONT
767 NW CROSS ST
SEAL ROCK, OR 97376

MORRONE NATALE
704 NW BEACH DR
NEWPORT, OR 97365

MORROW GENI L
2679 UNIVERSITY ST
EUGENE, OR 97403

MORTENSEN RONAL L &
CAROLLO JAMES & MORTENSEN
SIGNE
91000 COMMERCIAL ST
JUNCTION CITY, OR 97448

MORTON GERALD L SR TRUSTEE
614 NW 12TH ST
NEWPORT, OR 97365

MOSER FAMILY LLC
3862 N SHASTA LOOP
EUGENE, OR 97405

MOSSBARGER JOHN T &
MOSSBARGER MARCIA L
PO BOX 1362
NEWPORT, OR 97365

MOUNTAIN PACIFIC INVEST LLC
1155 SW COAST HWY
NEWPORT, OR 97365

MOUNTAIN SEAS DEVELOPMENT LTD
PO BOX 680844
PARK CITY, UT 84068

MPITSOS KAREN J
708 NW BEACH DR
NEWPORT, OR 97365

MSM BROOKSHIRE LLC
ATTN MICHAEL & MARY MCGINNIS
7215 SW ARBOR LAKE DR
WILSONVILLE, OR 97070

MSM PROPERTIES LLC
ATTN STEVEN W MOCK
2397 NW KINGS BLVD #173
CORVALLIS, OR 97330

MT OLYMPUS COVE LLC
ATTN ELIZABETH BREWER FRANZ
10082 SW CRYSTAL ST
BEAVERTON, OR 97008

MUENCHMEYER HANS CHRISTIAN
2330 NE STANTON ST
PORTLAND, OR 97212

MULTI RESORTS OWNRSHP PLAN INC
ATTN OWNERS RESORT & EXCH INC
1521 EAST 3900 SOUTH
SALT LAKE CITY, UT 84124

MURPHY CRAIG S
4607 NW LAVINA ST
VANCOUVER, WA 98663

MURPHY THOMAS A TR &
MURPHY KAREL J H TR
718 SE 5TH ST
NEWPORT, OR 97365

MURRY RICHARD G
PO BOX 1050
NEWPORT, OR 97365

MUSOLF LYNDON R TRUSTEE &
MUSOLF BARBARA N TRUSTEE
5480 SW DOVER LOOP
PORTLAND, OR 97225

MYERS AMANDA KAY &
MYERS DANIEL ERIC
2750 NE ILER ST
NEWPORT, OR 97365

MYERS JAMES W &
MYERS SUSAN R & MYERS ETHEL B
586 SW 5TH ST
NEWPORT, OR 97365

MYKLAK RINA
13111 SW ROCKINGHAM
TIGARD, OR 97223

MYRICK TIMOTHY H &
MYRICK SARAH C
1813 NE CRESTVIEW PL
NEWPORT, OR 97365

NAFTZGER DEBORAH F
833 SW 13TH ST
#1
NEWPORT, OR 97365

NAGEL GEORGE E &
WICKLUND JANET
12936 SE ELDERBERRY DR
SOUTH BEACH, OR 97366

NAGY EVELYN D
PO BOX 10412
EUGENE, OR 97440

NATHAN ANTHONY R &
MARTINO NATHAN PATRICIA
PO BOX 1865
RICHMOND HILL, GA 31324

NAVEIRA DIANA L
205 OUTRIGGER DR
VALLEJO, CA 94591

NEAL BLAKE T
PO BOX 3767
PORTLAND, OR 97208

NEAL BROOK &
ISHIKAWA TATSUO
PO BOX 16417
MISSOULA, MT 59808

NEARY LAURA
535 SW MINNIE ST
NEWPORT, OR 97365

NEBERT DOUGLAS &
NEBERT DEE ANN
4925 NW WOODY WAY
NEWPORT, OR 97365

NEFF ROY S III
32655 GLAISYER HILL RD
COTTAGE GROVE, OR 97424

NEFF ROY S III &
HINES LAURI L
32655 GLAISYER HILL RD
COTTAGE GROVE, OR 97424

NEHMER JASON D &
NEHMER RACHEL R
619 NW COAST ST
NEWPORT, OR 97365

NEIGEBAUER LINDA RAE
3914 NW CHEROKEE LN
NEWPORT, OR 97365

NEIGEBAUER LINDA RAE SELLERS-
3914 NW CHEROKEE LN
NEWPORT, OR 97365

NEIGEBAUER ROSS F &
NEIGEBAUER JANIS D
4016 NW CHEROKEE LN
NEWPORT, OR 97365

NEIGER HAROLD E &
SPIRTOS ANDREA C
5905 SW ARBOR DR
SOUTH BEACH, OR 97366

NEIL MARK D &
HUKILL NEIL LINDA FAYE
25320 LANSING LN
MIDDLETON, ID 83644

NELSON DALE & SUE ANN &
NELSON LYLE & ROSALIE
7399 HWY 219
WOODBURN, OR 97071

NELSON DAVID
PO BOX 503
TOLEDO, OR 97391

NELSON EDWARD IMLAH &
NELSON EILEEN KREMI
160 SW 59TH ST
SOUTH BEACH, OR 97366

NELSON MICHAEL JAMES
9443 SE BIRCH ST
SOUTH BEACH, OR 97366

NELSON ROBERT T
1525 E ALSEA HWY
WALDPORT, OR 97394

NEOLHA POINT HOA INC
ATTN YAQUINA BAY PROP MGMT INC
146 SE FIRST ST
NEWPORT, OR 97365

NESS TROY R &
NESS DOLORES J
209 SE 35TH ST
SOUTH BEACH, OR 97366

NEVILL LELAND ROSS TTEE &
NEVILL SARA LYNN TTEE
8442 W THUNDER MOUNTAIN DR
BOISE, ID 83709

NEWELL ALAN J &
NEWELL HILDA
48-538 DESERT FLOWER DR
PALM DESERT, CA 92260

NEWMAN EMILY J
231 NW CLIFF ST
NEWPORT, OR 97365

NEWMAN WALTER C IV &
TEAGUE MARK
107 MARIE CIR
ROGUE RIVER, OR 97537

NEWPORT AUTO CENTER INC
PO BOX 2310
NEWPORT, OR 97365

NEWPORT BAY ESTATES
HOMEOWNERS ASSOCIATION INC ATTN
TURNER DAVID ROBERT
340 N COAST HWY
NEWPORT, OR 97365

NEWPORT EAGLE LLC
ATTN DAN FALCO
4101 WINDING CREEK RD
SACRAMENTO, CA 95864

NEWPORT HOSPITALITY LLC
135 SE 32ND ST
NEWPORT, OR 97365

NEWPORT HOTEL ASSOCIATES LLC
5809 JEAN RD
LAKE OSWEGO, OR 97035

NEWPORT MARINE COMPANY
ONE SW COLUMBIA
SUITE 1575
PORTLAND, OR 97258

NEWPORT MARINE LIMITED PTNSHIP
ONE SW COLUMBIA
SUITE 1575
PORTLAND, OR 97258

NEWPORT OCEANFRONT
ESTATE LLC
1705 N 22ND ST
BOISE, ID 83702

NEWPORT REAL ESTATE LLC
3 E RAMONA AVE
COLORADO SPRINGS, CO 80905

NEWPORT TOWNHOMES LLC
ATTN JAMES D VICK
698 12TH ST SE
SUITE 230
SALEM, OR 97301

NEWPORT URBAN RENEWAL AGENCY
ATTN SPENCER NEBEL
169 SW COAST HWY
NEWPORT, OR 97365

NGO TUAN KIM &
PHAN LISA
7932 NE HALSEY ST
PORTLAND, OR 97213

NGUYEN THANH N &
NGUYEN HONG T
5948 LEGACY ST SE
SALEM, OR 97306

NGUYEN TUAN TRUSTEE &
NGUYEN UYEN TRUSTEE
17 DRY CREEK LN
LAGUNA HILLS, CA 92653

NICHOLS VALERIE K
940 NW WESTWOOD PL
CORVALLIS, OR 97330

NIELSEN DAVID DUSTIN TRUSTEE &
NIELSEN TOBY LYNN TRUSTEE
31947 W OCEAN AVE
ARCH CAPE, OR 97102

NIX HENRY DANIEL JR &
NIX LYNNE B
2031 ROCKWOOD DR
SACRAMENTO, CA 95864

NOLE ALBERTH
1437 E PARK AVE NE
SALEM, OR 97301

NOLTA DUSTIN L
PO BOX 815
TOLEDO, OR 97391

NORBURY SARA &
NORBURY REGINALD
5382 SUNNYVIEW RD NE
SALEM, OR 97305

NORDGAARDEN DARLENE G &
HAYES TERRY A
13809 CRESTED BUTTE DR NE
ALBUQUERQUE, NM 87112

NORRIS TREVOR J REV LVG TRST &
NORRIS TREVOR J TRUSTEE
1 FISHERMANS REACH
ROSS ON WYE, HR9 6BE

NORTH SEA PROPERTIES LLC
ATTN CHAMPION STUART
5331 SW MACADAM AVE
STE 258
PORTLAND, OR 97239

NORTH SHORE TERRACE CONDO
ASSOCIATION OF UNIT OWNERS
433 N COAST HWY
NEWPORT, OR 97365

NORTHAM JOYCE H TRUSTEE
4125 NW TAMARACK DR
CORVALLIS, OR 97330

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

NORTHWEST PROP HOLD ORE LLC
PO BOX 422
ORANGE CITY, IA 51041

NORWOOD JAMES TODD
PO BOX 201
YACHATS, OR 97498

NOVELLO JOSEPH III &
NOVELLO MARGARET ANN
227 NE SAN-BAY-O CIRCLE
NEWPORT, OR 97365

NYE BEACH HOLDINGS LLC
449 SE SCENIC LOOP
NEWPORT, OR 97365

NYE BEACH PLAZA CONDOMINIUMS
ASSOCIATION OF UNIT OWNERS ATTN
ROGER ANTHONY
4224 SE LAMBERT
PORTLAND, OR 97206

NYE DANIELLE EASLY &
NYE SANDERS MCFARLAND
63890 JOHNSON RD
BEND, OR 97701

NYE HOTEL LLC
ATTN LEE DAVID
13635 NW CORNELL RD
SUITE 170
PORTLAND, OR 97229

NYE PLACE LLC
13999 S CLACKAMAS RIVER DR
OREGON CITY, OR 97045

NYE SANDS CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
507 NW ALPINE ST
NEWPORT, OR 97365

NYE VILLAGE ASSOCIATES
PO BOX 1930
NEWPORT, OR 97365

NYE VILLAGE OFFICE CONDO
ASSOCIATION OF UNIT OWNERS
530 NW 3RD ST
NEWPORT, OR 97365

NYGAARD MARY
1030 SW MARK ST
NEWPORT, OR 97365

OAD PROPERTY COMPANY LLC
PO BOX 1957
NEWPORT, OR 97365

OBERBILLIG ROBERT L TRUSTEE &
OBERBILLIG JUDITH A TRUSTEE
150 SW 61ST ST
SOUTH BEACH, OR 97366

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

OCEAN EQUITY INVESTMENTS LLC
526 NW COAST AVE
STE A
NEWPORT, OR 97365

OCEAN VISTA CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
801 NW COAST ST
NEWPORT, OR 97365

OCEANS EDGE LLC
ATTN MATHEWS DON & FRANCES
345 SW BAY BLVD
NEWPORT, OR 97365

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

ODELL GARY R & JANE E DEC TRST
7153 CEDAR OAKS DR
GRANITE BAY, CA 95746

ODELL MICHAEL &
KENNEDY TERESA
6024 SW CUPOLA DR
SOUTH BEACH, OR 97366

ODMAN PATRICIA COTSTEE &
ODMAN DELBERT COTSTEE
PO BOX 9546
YAKIMA, WA 98909

OFFICER CASEY W &
OFFICER DONNA M
238 NW 24TH ST
NEWPORT, OR 97365

OGARA MICHAEL J &
OGARA JANELLE I
7524 SW LAVIEW DR
7524 SW LAVIEW DR
PORTLAND, OR 97219

OHEARN TIMOTHY
PO BOX 2515
SAUSALITO, CA 94966

OKA JOANNE
PO BOX 543
NEWPORT, OR 97365

OKUNO KOJI
316 N LOTUS ISLE DR
PORTLAND, OR 97217

OLD TOWN CONDOMINIUMS
ASSOCIATION OF UNIT OWNERS
501 COLDWATER CRK DR
ROCK SPRINGS, WY 82901

OLDENBURG LELAND
PO BOX 1802
NEWPORT, OR 97365

OLIVE STREET LLC
ATTN CHARLOTTE A BOXER
4627 N CONGRESS AVE
PORTLAND, OR 97217

OLSEN JEFFRY SCOTT TRUSTEE &
OLSEN ELIZABETH THERESA TTEE
2407 NW PACIFIC ST
NEWPORT, OR 97365

OLSON MARGARET M TSTEE
9705 SW EAGLE LN
BEAVERTON, OR 97008

OLSON ROBERT E TRUSTEE &
OLSON JERRYANN TRUSTEE
230 NE SAN-BAY-O CIR
NEWPORT, OR 97365

OLSON TWYLAH F
PO BOX 81
NEWPORT, OR 97365

OMALLEY MARTIN JAMES TSTEE
475 SE 35TH ST
UNIT B-9
SOUTH BEACH, OR 97366

ONEIL THOMAS A TSTEE &
ONEIL ROSEMARY J TSTEE
2223 PRIMROSE LOOP
PHILOMATH, OR 97370

OPHEIM TAMMY &
OPHEIM JOEL
14151 NW WILLIS RD
MCMINNVILLE, OR 97128

ORANGE LINDA J &
HUFFMAN ARDIS L
1420 NW SPRING ST
NEWPORT, OR 97365

ORCA HOUSE LLC
PO BOX 10788
SPOKANE, WA 99209

OREGON BEACH HIDEAWAYS LLC
17067 HOOD CT
SANDY, OR 97055

OREGON COAST AQUARIUM INC
PO BOX 2000
NEWPORT, OR 97365

OREGON COAST BANK INC
PO BOX 2280
NEWPORT, OR 97365

OREGON COAST PARADISE LLC
22226 CLIFF AVE S
#204
DES MOINES, WA 98198

OREGON MINK INC
11658 BARON RD
MT ANGEL, OR 97362

OREGON MUSEUM OF
SCIENCE & INDUSTRY ATTN CARLSON
PAUL E
1945 SE WATER AVE
PORTLAND, OR 97214

OREGON STATE UNIVERSITY
306 KERR ADMINISTRATION BLDG
CORVALLIS, OR 97331

ORR RODNEY E TRUSTEE &
GREIG SHANDRA D TRUSTEE
14777 EVANS VALLEY RD
SILVERTON, OR 97381

OSHANICK LARRY &
OSHANICK KAREN
2525 NE BIG CREEK RD
NEWPORT, OR 97365

OSTERHOUDT MICHELE R
544 NW 15TH ST
NEWPORT, OR 97365

OUDERKIRK J F &
PRICE FRANK STEPHEN TSTEE & PRICE
THERESE M WANNER TSTEE
855 CHRISTIANSEN RD
TOLEDO, OR 97391

OUDERKIRK W S WOODY
2844 SW BRANT ST
NEWPORT, OR 97365

PAC PERL LLC
PO BOX 2658
ALBANY, OR 97321

PACES MILL LLC
ATTN GERALD BARRETT
PO BOX 1514
NEWPORT, OR 97365

PACIFIC CHOICE SEAFOOD CO
ATTN PACIFIC SHRIMP CO
PO BOX 1230
NEWPORT, OR 97365

PACIFIC CREST CONDOMINIUMS
HOMEOWNERS ASSOCIATION INC ATTN
JOHN MELDRUM TREASURER
13705 COON HOLLOW RD SE
SUBLIMITY, OR 97385

PACIFIC HOMES BEACH CLUB
HOMEOWNERS ASSN INC
3339 NE AVERY ST
NEWPORT, OR 97365

PACIFIC SHORES RV RESORT
OWNER'S ASSOCIATION ATTN
RITACCO CO
924 SW 8TH ST
NEWPORT, OR 97365

PACK GILLIAN F M
76 NW 33RD PL
UNIT G
NEWPORT, OR 97365

PALACIOS DANIEL
5805 SW ARBOR DR
SOUTH BEACH, OR 97366

PALM CHRISTOPHER &
PALM LYNDA
1000 SE BAY BLVD
#537
NEWPORT, OR 97365

PALMER LEVORA
PO BOX 2207
NEWPORT, OR 97365

PALSER GREGORY J TSTEE &
HARLAND DEBRA L TSTEE
2560 NW PACIFIC ST
NEWPORT, OR 97365

PAPPALARDO VINCENT J
4624 NW CHEROKEE LN
NEWPORT, OR 97365

PARASHAK BONNIE L TRUSTEE &
PARASHAK PAUL M TRUSTEE
1323 NE 5TH ST
NEWPORT, OR 97365

PARCO MARIE J TRUSTEE
18124 WEDGE PRKWY
#915
RENO, NV 89511

PARKER CHILDRENS TRUST &
PARKER LARRY TRUSTEE
PO BOX 74
SILETZ, OR 97380

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

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

PARKER MIKE THOMAS
733 NW SECOND ST
NEWPORT, OR 97365

PARKS ROBERT E &
PARKS DEBRA RAE
321 SE FOGARTY ST
NEWPORT, OR 97365

PARMA NORTHWEST INC
235 MAPLEWOOD RD
RIVERSIDE, IL 60546

PARNAS MARGARET T &
PARNAS STANLEY J & ELKS JENNIFER
R
7250 SANDY PLAINS AVE
LAS VEGAS, NV 89131

PARNES EILEEN M
1000 SE BAY BLVD
UNIT B-2
NEWPORT, OR 97365

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

PARRISH GILFORD L TSTEE &
PARRISH KATHLEEN G TSTEE
6804 N PLACITA CHULA VISTA
TUCSON, AZ 85704

PARSONS BRUCE C TRUSTEE &
PARSONS BRUCE C TRUSTEE
PO BOX 190
TOLEDO, OR 97391

PARSONS MICHAEL G &
PARSONS SANDRA A
1447 NW THOMPSON ST
NEWPORT, OR 97365

PARSONS STANLEY S &
PARSONS KAYE D
1815 29TH AVE W
EUGENE, OR 97405

PASSMORE LANETTE &
PASSMORE MITCHELL & PASSMORE
DELPHI
132 SW 27TH ST
NEWPORT, OR 97365

PASSMORE MITCHELL W &
PASSMORE DELPHI M
132 SW 27TH ST
NEWPORT, OR 97365

PATEL JAYANTI N &
PATEL SAROJ J
PO BOX 1900
CLACKAMAS, OR 97015

PATTON LANCE J &
PATTON TERRA L
6797 SW WINDING WAY
CORVALLIS, OR 97333

PATTON LANCE J TSTEE &
PATTON TERRA L TSTEE
6797 SW WINDING WAY
CORVALLIS, OR 97333

PAVELEK GERALD F &
PAVELEK ANNE M & PAVELEK
RICHARD A & PAMELA
3592 BUENA VISTA RD S
JEFFERSON, OR 97352

PAVLISICK MARK ANDREW
PO BOX 191
WALDPORT, OR 97394

PAVLOVICH JOHN &
VANDAALAN KATHLEEN ANN
802 LIVE OAK ST
BAY CITY, TX 77414

PEDERSON JENS C &
PEDERSON KATHERINE L
PO BOX 247
SOUTH BEACH, OR 97366

PEITERSON DANA M TSTEE &
PEITERSON GAIL A TSTEE &
PEITERSON GAIL & DANA TTEES
1254 MOKAPU BLVD
KAILUA, HI 96734

PELICAN HOUSE LLC
ATTN GERALD HUGHES
PO BOX 10788
SPOKANE, WA 99209

PENCE EONN M &
PENCE CHARLA M
1000 SE BAY BLVD
#546
NEWPORT, OR 97365

PENDLETON JEFFREY R &
HEWITT KELLY C
2840 NE ILER ST
NEWPORT, OR 97365

PENTER WARREN H TRUSTEE
434 SE GRANT ST
NEWPORT, OR 97365

PERKINS CAROL J
1417 NW THOMPSON ST
NEWPORT, OR 97365

PERKINS DEANE M &
PERKINS BARBARA L
PO BOX 1814
NEWPORT, OR 97365

PERLENFEIN MIKE &
PERLENFEIN DELORIS
2858 NW PINEVIEW DR
ALBANY, OR 97321

PERLENFEIN STEVEN R TRUSTEE
631 KOUNS DR NW
ALBANY, OR 97321

PERRY ANTHONY J &
PERRY VIRGINIA H
5645 SW ARBOR DR
SOUTH BEACH, OR 97366

PERSINGER HAROLD D TRUSTEE
844 SE 5TH ST
NEWPORT, OR 97365

PESTANA RICKY D &
PESTANA JANICE M
750 1ST
UNIT 12
LAKE OSWEGO, OR 97034

PETERS MICHELE A
6026 SW CUPOLA DR
NEWPORT, OR 97365

PETERSON NORMAN S TRUSTEE &
PETERSON ROSEMARY TRUSTEE
63 CHESNEY DR
HENDERSON, NV 89074

PETERSON ROY C
2748 NNW PACIFIC PL
NEWPORT, OR 97365

PETERSON SUSANNA J
2766 NW PACIFIC PL
NEWPORT, OR 97365

PFAU KRISTINE LOUISE TRUSTEE
700 W B ST
DIXON, CA 95620

PFORSICH GUY R &
SHERMER ANGIE M
61907 BROKEN TOP DR
BEND, OR 97702

PHILLIPS VICKIE LEE TRUSTEE
2840 NE HARNEY DR
NEWPORT, OR 97365

PICKENS STANLEY S TRUST
PICKENS STANLEY S TRUSTEE
PO BOX 128
NEWPORT, OR 97365

PIERSMA RANDALL J &
PIERSMA BONNIE LEE
4732 CARIBOU DR SW
ALBANY, OR 97321

PIETI MICHAEL &
PIETI ANGELA
5615 SW ARBOR DR
SOUTH BEACH, OR 97366

PIETROK 2 LLC
665 N 164TH ST
OMAHA, NE 68118

PINA RICHARD A
1980 NE STURDEVANT RD
TOLEDO, OR 97391

PIONEER TELEPHONE COOP
ATTN MIKE WHALEN FINANCIAL
MANAGER
PO BOX 631
PHILOMATH, OR 97370

PLANT KAY C TRUST &
PLANT GEORGE JR TRUSTEE
1183 SE HARBOR CRESCENT DR
NEWPORT, OR 97365

PLEDGER WILLIAM H &
PLEDGER FELICIA C
19720 INNES MKT RD
BEND, OR 97701

PLETSCHET FRANCES B TSTEE
PO BOX 2220
NEWPORT, OR 97365

PONDER HAYDEN L SR
ATTN VICKIE S MAY
5000 SAN MARQUE CIR
CARMICHAEL, CA 95608

POPE MAX A & ROBERTA I
PO BOX 86
NEWPORT, OR 97365

PORT DOCK FOUR CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
313 SW 2ND ST
NEWPORT, OR 97365

PORT OF NEWPORT
% POWELL JERRY D & POWELL
BARBARA L LEASE
343 SW BAY BLVD
NEWPORT, OR 97365

PORT OF NEWPORT
600 SE BAY BLVD
NEWPORT, OR 97365

PORT OF NEWPORT
% USA NOAA LEASE ATTN: KUNZE
MOLLY
7600 SAND POINT WAY NE
SEATTLE, WA 98115

PORT OF NEWPORT
% OREGON STATE UNIVERSITY LEASE
ADMIN SVC BLDG A 524
911 NE 11TH AV
CORVALLIS, OR 97331

PORT OF NEWPORT
% OREGON COAST AQUARIUM INC
LEASE
PO BOX 2000
NEWPORT, OR 97365

POST DANIEL A TRUSTEE &
POST NANCY C TRUSTEE
2771 NW PINEVIEW DR
ALBANY, OR 97321

POTTHOFF JOHN &
POTTHOFF KAY
4905 TURNER RD SE
SALEM, OR 97317

POTTHOFF JOHN COTRUSTEE &
POTTHOFF KAY COTRUSTEE
2764 CINDERcone CT SE
SALEM, OR 97306

POTTHOFF JOHN TRUSTEE &
POTTHOFF HARU KAY TRUSTEE
4905 TURNER RD SE
SALEM, OR 97317

POWELL JEFF &
POWELL TAMMY
PO BOX 813
NEWPORT, OR 97365

POWELL JEROLD H
PO BOX 522
SOUTH BEACH, OR 97366

PRANGL LAWRENCE J
2902 NW BAYSHORE LP
WALDPOR, OR 97394

PRATER BEACH SHACK LLC
1166 NW SOLAR PLACE
CORVALLIS, OR 97330

PRATT MARVIN &
PRATT DAWN D
3437 SW HIGHWAY 47
FOREST GROVE, OR 97116

PREECE ALLAN E
PO BOX 628
NEWPORT, OR 97365

PREMO JANICE C &
GRAHN PAMELA S
6968 OAKRIDGE DR
GLADSTONE, OR 97027

PRENTICE MAEGAN
32483 OAKVILLE RD
SITE #21
ALBANY, OR 97321

PRESCOTT BRIAN DAVID &
PRESCOTT WENDY CRISTEEN
230 SW 61ST ST
SOUTH BEACH, OR 97366

PRICE ANNE E
12844 SE 235TH PL
KENT, WA 98031

PRICE MATTHEW C &
PRICE ERIN M
19 FIRESIDE DR
BOX 2
CADMENTON, MO 65020

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

PRIMONT DANIEL A &
PRIMONT DIANE F
235 SW 60TH LP
SOUTH BEACH, OR 97366

PUBLIC PARK

PUD REV INVESTMENT LLC
844 NE NEWPORT HEIGHTS DR
NEWPORT, OR 97365

PUENTES PHILLIP J TRUSTEE &
PUENTES DENISE TRUSTEE
6971 RIESLING WAY SE
SALEM, OR 97306

PURCELL DONALD E
890 SE BAY BLVD
UNIT 113
NEWPORT, OR 97365

PURDY LUKAS
PO BOX 1797
BEND, OR 97709

QUINN MARY LOU
2620 SW BRANT ST
NEWPORT, OR 97365

QUINTESSENTIAL COFFEES LLC
1101 MATTHEWS
WASHOUGAL, WA 98671

QUIRKE MATTHEW PATRICK
PO BOX 91
NEWPORT, OR 97365

R C CONSULTING INC
ATTN RAUL R C CHAVEZ
2701 DEL PASO RD
STE 130332
SACRAMENTO, CA 95835

RABIDEAU LARRY &
MANN CHERYL
144 PT FOSDICK CIR NW
GIG HARBOR, WA 98335

RADER DEL &
RADER COLLEEN
16500 NE 36TH ST
VANCOUVER, WA 98682

RAGLAND FALESIA INEZ
613 18TH ST
#A
RICHMOND, CA 94801

RAINERY RICHARD L &
KLOSE KAY E
1144 SW MARK ST
NEWPORT, OR 97365

RAIRIGH DON P &
RAIRIGH LEONA S
28145 E HWY 20
BEND, OR 97701

RAJALA DONNA M (TOD)
507 NW ALPINE ST
UNIT 304
NEWPORT, OR 97365

RAMSOSA LLC
87300 GYPSY LN
EUGENE, OR 97402

RANDONE PAMELA INEZ TRUSTEE &
GORTON DAVID W
PO BOX 574
SOUTH BEACH, OR 97366

RASMUSSEN ALFRED J &
CODY CHARLOTTE A
1542 NW SPRING ST
NEWPORT, OR 97365

RAUSCHENBACH RORY &
RAUSCHENBACH LEILA
21975 GRAND AVE
WILDOMAR, CA 92595

RAV RE HOLDINGS LLC
ATTN RONALD VORMITTAG
PO BOX 2920
OREGON CITY, OR 97045

REA NEAL F TSTEE &
REA JANA J TSTEE
607 SE 5TH ST
NEWPORT, OR 97365

REDDING KEVIN
890 SE BAY BLVD #306
NEWPORT, OR 97365

REDEAU SHARON E &
NICHOLSON MARK D
10631 248TH AVE NE
REDMOND, WA 98053

REDFIELD MARK E
PO BOX 811
SALEM, OR 97308

REDHAWK RENTALS LLC
1075 YASEK LOOP
TOLEDO, OR 97391

REED JEFF R &
REED LEONA A
1304 NEWALL RD
NEWBERG, OR 97132

REED MARY BETH
41642 FISH HATCHERY DR
SCIO, OR 97374

REGATTA CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
144 SW 26TH ST
NEWPORT, OR 97365

REICH DANNY E &
REICH TERESA G
142 VALLEY CHAPEL RD
WALLA WALLA, WA 99367

REICHSTEIN W H & RUTH &
ALEXANDER MARION ATTN SCHEPP
SUZANNE
550 ELM WAY #301
EDMONDS, WA 98020

REINHARD CAROL S TRUSTEE
21680 BUTTE RANCH RD
BEND, OR 97702

REINWASSER RANDOLPH A TTEE
4301 NW CHEROKEE LN
NEWPORT, OR 97365

REITZ RANDALL C TRUSTEE &
REITZ JANICE D TRUSTEE
1660 N DOWER AVE
FRESNO, CA 93723

REYNOLDS D RICHARD &
REYNOLDS MARIANNE
211 NW 73RD CT
NEWPORT, OR 97365

RGH SB PROPERTY LLC
PO BOX 501
NEWPORT, OR 97365

RICE JASON M
18425 NE MARINE DR
SLIP C6
PORTLAND, OR 97230

RICHARDS SANDRA G &
RICHARDS BRIDGET E
655 SE 22ND ST
OCALA, FL 34471

RICHEN SYLVIA M &
JOLLEY RICK B & HOUGHTON CYNTHIA
L
9130 SW SUMMERFIELD CT
TIGARD, OR 97224

RICHMOND REGINALD R TRUSTEE &
RICHMOND SHERREL R TRUSTEE &
BSG GROUP LLC
890 SE BAY BLVD, UNIT 210
NEWPORT, OR 97365

RICHMOND REGINALD RAY TRSTEE &
RICHMOND SHERRELL RAE TRSTEE &
BSG GROUP LLC
890 SE BAY BLVD, UNIT 210
NEWPORT, OR 97365

RICHMOND REGINALD RAY TTEE &
RICHMOND SHERREL RAE TTEE
890 SE BAY BLVD
UNIT 210
NEWPORT, OR 97365

RICKUS MICHAEL A &
RICKUS JULIA M
156 NW 73RD CT
NEWPORT, OR 97365

RIDDLE GORDON H III &
RIDDLE CAROL A
155 SW 27TH ST
NEWPORT, OR 97365

RIDER ROY L REVOC LVG TRUST &
RIDER SANDRA N REVOC LVG TST &
RIDER ROY L & SANDRA N TRSTEEES
6230 NW VINEYARD DR
CORVALLIS, OR 97330

RIEDL JOHN J &
HILLYER REBECCA L
5529 QUINCE ST NE
SALEM, OR 97305

RIPLEY KENNETH S
9211 124TH ST NE
ARLINGTON, WA 98223

RIZZUTI JOHN RAYMOND &
RIZZUTI SUEANNE
1634 SORRENTO LN
RICHLAND, WA 99352

ROBERTS CASEY &
ROBERTS VICKY
904 KUPULAU DR
KIHEI, HI 96753

ROBERTS DORIS M TRUSTEE &
ROBERTS C L & WOOLSEY J &
MCKINNEY PHYLLIS
256 EAGLE POINT DR
WOODLAND, WA 98674

ROBERTS KENT B &
ROBERTS LORI S
375 CORBETT CREEK RD
COLVILLE, WA 99114

ROBERTS YOLANDA LISA
1411 W PIKES PEAK AVE
COLORADO SPRINGS, CO 80904

ROBESON CHRISTINA
ATTN EMBARCADERO
1000 SE BAY BLVD
UNIT C-107
NEWPORT, OR 97365

ROBINSON DOUGLAS &
ROBINSON CUTTALIYA
PO BOX 83
CORVALLIS, OR 97339

ROBINSON MARK C &
ROBINSON JANICE M
324 MIRAFIELD LN
AUSTIN, TX 78737

ROCA PROPERTY MGMT LLC
601 E 3RD ST
THE DALLES, OR 97058

ROCHA DEBORAH S
PO BOX 1102
ACTON, CA 93510

RODDEN MARY ANN
411 36TH WAY
SACRAMENTO, CA 95816

ROGERS GARRY &
LUTZ ANN
480 20TH ST SE
SALEM, OR 97301

ROGERS JEAN M
12721 QUARTZ VALLEY RD
FORT JONES, CA 96032

ROGERS JOHN R &
ROGERS DEANNA K
412 SE FOGARTY ST
NEWPORT, OR 97365

ROGERS VERNON DAVID JR &
ROGERS RHONDA
PO BOX 82
NEWPORT, OR 97365

ROGGENSACK JODY M &
ROGGENSACK RICHARD D
890 N GRANT ST
CANBY, OR 97013

ROHUS DAVID G &
ROHUS TRACEY G
4784 NE VAUGHN AVE
TERREBONNE, OR 97760

ROHUS GENE &
ROHUS TRACEY
4784 NE VAUGHN AVE
TERREBONNE, OR 97760

ROLES WILMA E (TOD)
834 SW 13TH ST
NEWPORT, OR 97365

ROLIE FAMILY LLC
18075 S ABIQUA RD NE
SILVERTON, OR 97381

ROLIE LOREN P
18075 S ABIQUA RD NE
SILVERTON, OR 97381

ROLSTON RICHARD D TRUSTEE &
ROLSTON JANA M TRUSTEE
1608 HAVEMEYER LANE
REDONDO BEACH, CA 90278

ROMERO S JULIA
4618 NW CHEROKEE LN
NEWPORT, OR 97365

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

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

ROPP HOWARD
5995 NE HWY 20
CORVALLIS, OR 97330

ROSBOROUGH ROBERT J
37680 S HWY 213
MT ANGEL, OR 97362

ROSE BRIAN S TSTEE &
ROSE JULIE M TSTEE
637 SE SAINT ANDREWS DR
PORTLAND, OR 97202

ROSE J SCOTT COTSTEE &
ROSE JENNIFER STONE COTSTEE
2400 WESTON CENTRE
112 E PECAN; STE 2400
SAN ANTONIO, TX 78205

ROSE KURT M TRUSTEE &
ROSE KATHERINE A TRUSTEE
40698 MCDOWELL CRK DR
LEBANON, OR 97355

ROSE SCOTT &
ESTEP ERIN
3960 STERLING WOODS DR
EUGENE, OR 97408

ROTH J T JR &
ROTH THERESA
PO BOX 4564
TUALATIN, OR 97062

ROTH JOSEPH C &
ROTH PAULA C & DIAZ RAMON
STEPHAN
PO BOX 92
LOCKWOOD, CA 93932

ROWBOTHAM LYNN D TSTEE &
ROWBOTHAM RANDALL G TSTEE &
BORTON HALEY TSTEE
25000 NW ST HELENS RD, #4
PORTLAND, OR 97231

ROWEN ROBERT D &
ROWEN DONNA M
PO BOX 777
CAMAS, WA 98607

ROWLEY DONALD M TRUSTEE &
ROWLEY JEAN TRUSTEE
PO BOX 133
NEWPORT, OR 97365

ROWLEY WILLIAM D TRUSTEE
PO BOX 1746
NEWPORT, OR 97365

ROWLEYS STORAGE LLC
4822 S COAST HWY
SOUTH BEACH, OR 97366

RTG LLC
ATTN RALPH GOODWIN
PO BOX 455
JOHN DAY, OR 97845

RTH RENTALS LLC
PO BOX 501
NEWPORT, OR 97365

RUDINSKY PAUL & CATHY &
HARRISON JAMES & MADELAINE
86325 WILD TURKEY WAY
EUGENE, OR 97402

RUEF CLEM SR LLC
11658 BARON RD NE
MT ANGEL, OR 97362

RUEGSEGGER NEAL &
RUEGSEGGER LYLLIAN
1016 SW MARK ST
NEWPORT, OR 97365

RUFUS BETTY L (TOD)
1534 NW SPRING ST
NEWPORT, OR 97365

RUGGERI JAMES L &
RUGGERI CAROL B
1121 SE SPRUCE WAY
NEWPORT, OR 97365

RUHLAND W STEVEN TRUSTEE &
AVRITT JUDITH K TRUSTEE
19981 EVELYN CT
SONORA, CA 95370

RUTLEDGE KIRK G &
RUTLEDGE KAREN H
2120 TURNAGE ST NW
SALEM, OR 97304

RV AGATE BEACH LLC
ATTN JULIE HARRIS VESTA
HOSPITALITY LLC
900 WASHINGTON ST #760
VANCOUVER, WA 98660

RYDER THOMAS R TSTEE &
RYDER CAROLYN H TSTEE
370 SW COLUMBIA ST
BEND, OR 97702

S BEACH OREGON LLC
PO BOX 727
PORT ORCHARD, WA 98366

SACCHETTI JOSEPH A TRUSTEE &
SACCHETTI JULIE M TRUSTEE
6016 SW CUPOLA DR
SOUTH BEACH, OR 97366

SACKET MILA
1112 SW MARK ST
NEWPORT, OR 97365

SAKHINA AWAL LLC
1982 KODIAK ST SW
ALBANY, OR 97321

SALEM SOUTHSORE LLC
3470 MOCK ORANGE CT S
SALEM, OR 97302

SALTER MICHAEL &
SALTER WANDA J
11603 E WETHERSFIELD
SCOTTSDALE, AZ 85259

SAMMONS B F &
SAMMONS LYNDA R
2512 THOMAS PL
FORT WORTH, TX 76107

SANDERS PAULETTE E
PO BOX 1306
NEWPORT, OR 97365

SANFORD JULIE K &
EVANS RICHARD J
2380 SQUAK MTN LP SW
ISSAQUAH, WA 98027

SANTUARIO JESUS
2219 NE DOUGLAS AVE
NEWPORT, OR 97365

SARGERT BARRY
PO BOX 1642
NEWPORT, OR 97365

SARGERT BARRY ETAL
% PORT OF NEWPORT LEASE
600 SE BAY BLVD
NEWPORT, OR 97365

SATO JUSTIN &
SATO TAMARAH
20131 SERANGO DR
WEST LINN, OR 97068

SAVAGE JOHN MARSHALL &
SAVAGE KIM ELAINE
PO BOX 189
SOUTH BEACH, OR 97366

SAVICKY RICHARD
UHLENHAKE MARVIN & E
111 MAIN ST
SPRINGFIELD, OR 97477

SAVICKY RICHARD T
111 MAIN ST
SPRINGFIELD, OR 97477

SAVICKY RICHARD T &
OBRIEN DAWN A
34332 SEAVEY LOOP RD
EUGENE, OR 97405

SAXTON FRED S &
SAXTON BONNIE J
1081 SE 1ST
NEWPORT, OR 97365

SAXTON FREDERICK M &
SAXTON TONYA M
9459 SE CEDAR
SOUTH BEACH, OR 97366

SAYLER STEPHANIE M TRUSTEE &
BRUCE MERRITT N TRUSTEE
12 THOMAS OWENS WAY
STE 100
MONTEREY, CA 93940

SCANLON MIKE &
SCANLON SONJA
646 WIMBLEDON CT
EUGENE, OR 97401

SCANLON ROBERT R &
SCANLON JANET E
PO BOX 973
NEWPORT, OR 97365

SCARBOROUGH JENNIE E
216 SE 35TH ST
NEWPORT, OR 97365

SCHAAP PAULA &
KADEL ANDREW
2213 RIVER PLAZA DR
SACRAMENTO, CA 95833

SCHATZ RICHARD L &
SCHATZ MICHAEL W ATTN HENRY T
SCHATZ
7420 NORTH STREET SW
LAKEWOOD, WA 98498

SCHIBIG PAUL L
PO BOX 1637
NEWPORT, OR 97365

SCHIEWE ROY &
SCHIEWE COLLEEN
103 SE BAY BLVD
NEWPORT, OR 97365

SCHKADE PATRICIA A TRUSTEE
ATTN JENNIFER LEEJOICE
238 DESERT ARROYO CT
HENDERSON, NV 89012

SCHLECHTER ANTONE P &
SCHLECHTER THERESA M
PO BOX 525
GERVAIS, OR 97026

SCHMIDT JON &
SCHMIDT CARMEN
5419 YAQUINA BAY RD
NEWPORT, OR 97365

SCHMITHORST HAL A
628 MIAMI AVE
TERRANCE PARK, OH 45174

SCHMOLZI RUSSELL W &
SCHMOLZI WENDY M
1000 SE BAY BLVD
C-19
NEWPORT, OR 97365

SCHONAU MARK R &
SCHONAU KATHLEEN A
2807 E DESERT LN
PHOENIX, AZ 85042

SCHOONER LANDING SHARE
ASSOCIATION
PO BOX 703
NEWPORT, OR 97365

SCHOPP DENNIS &
SCHOPP NANCY JO
60 HAWORTH RD
PASCO, WA 99301

SCHRANTZ JEFFREY
152 SE VIEW DR
NEWPORT, OR 97365

SCHRANZ CARL &
SCHRANZ DIANE
1298 S KALAMATH
DENVER, CO 80223

SCHROEDER SKY &
SCHROEDER OLIVIA
4915 NW WOODY WAY
NEWPORT, OR 97365

SCHROEDER W L TSTEE
635 NW 34TH ST
CORVALLIS, OR 97330

SCHUDEL STEVEN P TRUSTEE &
SCHUDEL JULIE A TRUSTEE
3430 BELL FOUNTAIN RD
CORVALLIS, OR 97333

SCHUTTPELZ BEVERLY
826 SE 5TH
NEWPORT, OR 97365

SCHUTTPELZ HAROLD J &
SCHUTTPELZ BEVERLY Y
826 SE 5TH ST
NEWPORT, OR 97365

SCONCE JOHN &
SCONCE KATHLEEN
5405 NW PACIFIC COAST HWY
#44
WALDPOR, OR 97394

SCOTT JULIAN E TRUSTEE &
SCOTT BEVERLY J TRUSTEE
8555 SE 28TH AVE
MILWAUKIE, OR 97222

SCOTT LORNA AVERY TSTEE
1182 NW CHARLEMAGNE PL
CORVALLIS, OR 97330

SEA REACH CONDO
ASSOCIATION OF UNIT OWNERS
2750 SW COHO ST
NEWPORT, OR 97365

SEA SYSTEMS INC
1102 SE SPRUCE WAY
NEWPORT, OR 97365

SEAPY JANE M TRUST &
SEAPY JANE M TRUSTEE & SEAPY
ROBERT W TRUSTEE
14741 SE FOSTER RD
PORTLAND, OR 97236

SEARS GERALDINE L TSTEE
890 SE BAY BLVD
UNIT 209
NEWPORT, OR 97365

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
ATTN SALLY LINDSEY
1908 NE SISKIYOU ST
PORTLAND, OR 97212

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

SEASCAPE CONDO INC
ATTN SEASCAPE/RICHARD SHIMMEL %
RON CHATTERTON CPA
855 E BERKELEY ST
GLADSTONE, OR 97027

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

SEASONG CONDOMINIUM
ASSOCIATION OF UNIT OWNERS
544 NW 16TH ST
NEWPORT, OR 97365

SEEVERS JAMES M TSTEE &
SEEVERS JAMES M TSTEE
1102 SE SPRUCE WAY
NEWPORT, OR 97365

SEAVIEW HOMES LLC
193 NW 70TH
NEWPORT, OR 97365

SEE DAVID M
534 N COAST HWY
NEWPORT, OR 97365

SEIDLER ROBERT E &
SEIDLER BECKY J
85 N RIVERTON CT
OTIS, OR 97368

SEMM RUSSELL
6300 CORNELL RD
LINCOLN, NE 68516

SERBU DANIEL A
PO BOX 716
YACHTS, OR 97498

SEVEN MOUNTAIN INDUSTRIAL LLC
1121 SE SPRUCE WAY
NEWPORT, OR 97365

SEVERSON CHARLES F III &
SEVERSON JANE B TRUSTEE
PO BOX 435
WALDPORT, OR 97394

SEVERSON CYNTHIA J &
SEVERSON THOMAS E
11915 NE HWY 99
VANCOUVER, WA 98686

SEXTON DAVID ERIC &
SEXTON NANCY EARLENE
428 WEST COAL AVE
HOBBS, NM 88240

SEXTON KENNETH D &
ATKINS CYNTHIA M
860 E ST NE
SALEM, OR 97301

SEYB STANFORD P
PO BOX 2043
NEWPORT, OR 97365

SHAMBAUGH WALTER F &
JAMES CAROL A
3690 NE MEGGINSON ST
NEWPORT, OR 97365

SHANGRI LA CORP
4080 REED ROAD SE #150
SALEM, OR 97302

SHAPLAND MARK E &
SHAPLAND KATHERINE J
3331 FOREST GALE DR
FOREST GROVE, OR 97116

SHATTUCK TOD L TSTEE
18425 SW PHEASANT ST
BEAVERTON, OR 97006

SHEN ALLEN KUOLUN TRUSTEE &
CHUNG CHONGLI EDITH TRUSTEE
6420 SW ARBOR DR
NEWPORT, OR 97365

SHEPARD WARREN &
SHEPARD SALLYANN
735 COUNTY RD 70
WEISER, ID 83672

SHILLITTO DOUGLAS C
9001 MT LASSEN AVE
VANCOUVER, WA 98664

SHILO INN NEWPORT LLC
11600 SW SHILO LN
PORTLAND, OR 97225

SHIM CONNIE &
SHIM JAY
PO BOX 3764
SALEM, OR 973002

SHIPLEY MARY L
110 NE 32RD ST
NEWPORT, OR 97365

SHIRTS VANESSA D &
SHIRTS CHARLES E
2730 NE ILLER ST
NEWPORT, OR 97365

SHRIFTER THOMAS C &
SHRIFTER SUSAN L
225 SW 29TH ST
NEWPORT, OR 97365

SHUBERT EUGENE &
SHUBERT LINDA
557 SE 4TH ST
NEWPORT, OR 97365

SIGLEO ANNE C
1541 NW SPRING ST
NEWPORT, OR 97365

SILVA JANET K
PO BOX 986
WILTON, CA 95693

SIMMERMAN KATHLEEN R
25115 LAVEL RD
JUNCTION CITY, OR 97448

SIMMONS CLAUDE B &
SIMMONS WANDA K
20680 NE SIERRA DR
BEND, OR 97701

SIMMONS SHARON A TRUSTEE
4004 NW WITHAM HILL DR
#166
CORVALLIS, OR 97330

SIMS BRETT &
SIMS KAREN J & SIMS SHANE P &
ALMA A
16370 SW STAHL DR
TIGARD, OR 97223

SINISCAL GEORGE F
PO BOX 1085
LINCOLN CITY, OR 97367

SJ AUTOMOTIVE REAL ESTATE
INVESTMENTS LLC ATTN STEVEN J
JACKSON
1250 EAST I 30
ROCKWALL, TX 75087

SKOCH JAMES M
504 HAMER RD
SILETZ, OR 97380

SLATE JAMES L &
SLATE VIRGINIA C
40374 TONGA LN
SPRINGFIELD, OR 97478

SMI GROUP XVI LLC
1030 BATTELLE BLVD
STE 102
RICHLAND, WA 99354

SMITH ANGELA A
PO BOX 2262
NEWPORT, OR 97365

SMITH BRADFORD M &
SMITH BEVERLY M
2455 S 5TH ST
LEBANON, OR 97355

SMITH CATHEY E
245 NW ELDERBERRY LN
DALLAS, OR 97338

SMITH G & J FAM TRST &
SMITH GARY B TRUSTEE
2421 E SOUTHERN AVE
STE 6
TEMPE, AZ 85282

SMITH GARY R &
SMITH CAROL S
5520 STATE LINE RD
MISSION HILLS, KS 66208

SMITH KAREN P
PO BOX 1717
NEWPORT, OR 97365

SMITH KENNETH L
75-6081 ALII DR
APT #V-V 104
KAILUA KONA, HI 96740

SMITH LOREN J &
SMITH NANCY L
30361 LOREN LN
CORVALLIS, OR 97333

SMITH MICHAEL VALENTINE &
SMITH LYNN MCNEILL
393 N STOCKTON AVE
OTIS, OR 97368

SMITH PHYLLIS M
5629 S COAST HWY
SOUTH BEACH, OR 97366

SMITH SCOTT D &
SMITH BEVERLY S
20331 S MONPANO OVERLOOK DR
OREGON CITY, OR 97045

SMITH STEPHEN F &
GRIEVE MARY E
PO BOX 1516
NEWPORT, OR 97365

SMITH VERA M ESTATE
ATTN SMITH MICHAEL T
2375 CRESTVIEW DR S
SALEM, OR 97302

SMUGGLERS COVE RESORT I
OWNERS ASSOCIATION
PO BOX 1134
NEWPORT, OR 97365

SNAPPS RICHARD L &
SNAPPS VALERIE J
5852 SW CUPOLA DR
NEWPORT, OR 97365

SOLOMON MARK A TSTEE &
SOLOMON BARBARA L TSTEE
10296 SWEET FENNEL DR
LAS VEGAS, NV 89135

SONNENBERG EUGENE A TRUSTEE &
SONNENBERG LINDA G TRUSTEE
PO BOX 275
SOUTH BEACH, OR 97366

SORELLA A LLC
2345 SW HWY 101
DEPOE BAY, OR 97341

SORELLA B LLC
2345 SW HWY 101
DEPOE BAY, OR 97341

SORELLA LLC
1127 OLALLA RD
TOLEDO, OR 97391

SORENSEN DUANE L TRUSTEE &
SORENSEN MARGARET M TRUSTEE
2715 NW ROYAL OAKS DR
CORVALLIS, OR 97330

SORTE MARY JEAN TRUSTEE
1225 11TH AVE SW
ALBANY, OR 97321

SOUTH BAY INDUSTRIAL CONDO
ASSOCIATION OF UNIT OWNERS ATTN
MINOR CHRISTOPHER
PO BOX 510
NEWPORT, OR 97365

SOUTH BEACH COMM ASSOC
ATTN STOCKER JACK
PO BOX 176
SOUTH BEACH, OR 97366

SOUTH BEACH INN VESTMENTS LLC
16114 E INDIANA AVE
STE 200
SPOKANE VALLEY, WA 99216

SOUTH BEACH INN VESTMENTS LLC
ATTN HOSPITALITY ASSOC INC
45 SE 32ND ST
NEWPORT, OR 97365

SOUTH BEACH MANOR LLC
ATTN MARVIN PRATT, CEO
2040 A ST
FOREST GROVE, OR 97116

SOUTH BEACH PROPERTY
INVESTMENTS LLC
PO BOX 97
LEBANON, OR 97355

SOUTH SHORES DEVELOPMENT LLC
4809 S COAST HWY
SOUTH BEACH, OR 97366

SOUTHBEACH HEIGHTS LLC
ATTN HILL LLOYD W
1750 BLANKENSHIP RD
#400
WEST LINN, OR 97068

SOUTHSHORE HOMEOWNERS ASSOC
220 62ND ST
NEWPORT, OR 97365

SOUTHSHORE OWNERS ASSOCIATION
220 SW 62ND ST
NEWPORT, OR 97365

SPARROW MARGARET A &
FISCHER KAY A
24625 EVERGREEN RD
PHILOMATH, OR 97370

SPECTRUM PROPERTIES LLC
301 S REDWOOD ST
CANBY, OR 97013

SPINK MARCUS &
SPINK DANA
PO BOX 811
NEWPORT, OR 97365

SPIVA JUSTIN &
SPIVA JOHN & SPIVA JC
820 WHITMAN ST
WALLA WALLA, WA 99362

SPROUL DANIEL I &
SPROUL SUSIE K
2710 NE HARNEY DR
NEWPORT, OR 97365

SPULNIK PHILIP A TRUSTEE
PO BOX 847
WALDPORT, OR 97394

SPY LLC
PO BOX 614
NEWPORT, OR 97365

STANGER LORENE L &
STANGER GORDON R
1230 NE LAKEWOOD DR
NEWPORT, OR 97365

STANWOOD FRED R &
STANWOOD PATRICIA
10881 SE 258TH PL
DAMASCUS, OR 97089

STARFISH POINT CONDOMINIUM
ASSOCIATION
140 NW 48TH ST
NEWPORT, OR 97365

STARFISH POINT INC
140 NW 48TH ST
NEWPORT, OR 97365

STARK NEAL E TRUSTEE
5034 SW VERMONT ST
PORTLAND, OR 97219

STARLIGHT ONE LLC
ATTN BORNSTEIN SEAFOODS INC ATTN
RICH GRIFFITH
PO BOX 188
BELLINGHAM, WA 98255

STARR BRENDA M (TOD)
PO BOX 2232
NEWPORT, OR 97365

STATE OF OREGON
% DEPT OF FISH & WILDLIFE ATTN
KAREN TOFTE REALTY
4034 FAIRVIEW INDUSTRIAL DR SE
SALEM, OR 97302

STATE OF OREGON
% DEPT OF TRANSPORTATION ROW
SECTION/MS#2
4040 FAIRVIEW INDUST DR SE
SALEM, OR 97302

STATE OF OREGON
% OREGON PARKS & REC DEPT
725 SUMMER ST NE
STE C
SALEM, OR 97301

STATE OF OREGON
% BOARD OF HIGHER EDUCATION
OREGON STATE UNIVERSITY
PO BOX 1086
CORVALLIS, OR 97339

STATE OF OREGON
% BOARD OF HIGHER EDUCATION
PO BOX 3175
EUGENE, OR 97403

STATTON MATTHEW W E
31431 WATERLOO RD
LEBANON, OR 97355

STATZ JOACHIM P &
STATZ C JEAN
144 SW 26TH ST
UNIT 4
NEWPORT, OR 97365

STATZ JOE P &
STATZ C JEAN
144 SW 26TH ST
UNIT 4
NEWPORT, OR 97365

STEEL STRING INC
2712 SE 20TH AVE
PORTLAND, OR 97202

STEIN JAMES H &
STEIN JEANNINE M
354 SE 35TH ST
SOUTH BEACH, OR 97366

STEMPSON GREGORY L &
JOHNSON LORENE N Y
2672 NW NORDEEN WAY
BEND, OR 97701

STEPHAN LEO E &
STEPHAN S J
4061 HAYES ST
#38
NEWBERG, OR 97132

STERLING PHIL
17225 BECK RD
DALLAS, OR 97338

STEVENS GARY L
PO BOX 733
SOUTH BEACH, OR 97366

STEVENS GREGORY H &
STEVENS DAVID T
3955 CEANOOTHUS PL
APT B
CALABASAS, CA 91302

STEWART KEVIN &
STEWART DANIELLE L
2100 NE WALNUT DR
REDMOND, OR 97756

STICKNEY SCOTT B &
STICKNEY RHONDA G
360 E 10TH AVE
STE 101
EUGENE, OR 97401

STIERS DAVID OGDEN
ATTN CATHLEEN DONNELLAN
PO BOX 1548
NEWPORT, OR 97365

STOCKER MARION E ESTATE
9566 LOGSDEN RD
SILETZ, OR 97380

STOCKTON DONALD B &
STOCKTON JUDITH D
PO BOX 206
TANGENT, OR 97389

STOCKTON GLENN F TRUSTEE &
STOCKTON LORI A TRUSTEE
2405 E 16TH ST
BREMERTON, WA 98310

STOCKTON JUDITH DAWN &
KICKNER SHIRLEY STOCKTON
PO BOX 206
TANGENT, OR 97389

STOUT DIANE
475 SE 35TH ST
UNIT A-8
NEWPORT, OR 97365

STRAUS MARVIN J &
STRAUS SANDRA H
3711 NW OCEANVIEW DR
#A-3
NEWPORT, OR 97365

STREIT SANDRA S
3145 SW MARICARA ST
PORTLAND, OR 97219

STRICKLAND DAVID J &
STRICKLAND REBECCA S
485 COVEY LN
EUGENE, OR 97401

STUBBLEFIELD JAMES M &
STUBBLEFIELD VONDA J
PO BOX 338
MONUMENT, OR 97864

SUMMERFELT SCOTT &
SUMMERFELT AMY
3202 BRIDLE PATH CT
GARLAND, TX 75044

SUMNER RICHARD R &
SUMNER CAROL J
1525 NW 14TH ST
CORVALLIS, OR 97330

SUNDMAN ARJEN &
MAXWELL KAREN E
105 NW 45TH ST #1
NEWPORT, OR 97365

SUNTERRA PACIFIC INC
1417 116TH AVE NE
BELLEVUE, WA 98004

SURE BET LLC
ATTN LOREN WRIGHT
3214 NE 42ND ST
VANCOUVER, WA 98663

SUTHERLAND DENNIS SR &
SUTHERLAND DENNIS JR
24184 SILETZ HWY
SILETZ, OR 97380

SVENDSEN MARK T &
SVENDSEN DIAN SESLAR
PO BOX 1389
PHILOMATH, OR 97370

SWAN DAVID JOHN &
SWAN SHARON RAE
1195 S PINE ST
CANBY, OR 97013

SWYERS ELIZABETH A
890 SE BAY BLVD
UNIT 314
NEWPORT, OR 97365

SYKES JOE M &
SYKES ANNA J
571 COUNTY RD 283
GAINSVILLE, TX 76240

SZEKELY MARGARET ANNE
890 SE BAY BLVD
UNIT 101
NEWPORT, OR 97365

TAH3N LLC
552 NW 3RD ST
NEWPORT, OR 97365

TAKUSH DONALD R TRUSTEE &
TAKUSH DONALD R TRUSTEE
1915 NE PAX PL
CORVALLIS, OR 97330

TARVER ALAN CLAY
747 NW COTTAGE ST
NEWPORT, OR 97365

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

TATTERSALL SHARON D
2634 SW BRANT ST
NEWPORT, OR 97365

TATUM RICHARD E &
BRUNETTE MARGARET J
2749 NE ILER ST
NEWPORT, OR 97365

TAYLOR BRYCE R TRUSTEE &
TAYLOR CARLY S TRUSTEE
PO BOX 12247
SALEM, OR 97309

TAYLOR ELMER H &
TAYLOR DOROTHY P
555 NW ALPINE ST
NEWPORT, OR 97365

TENDERELLA LARRY &
TENDERELLA KIMBERLY
475 SE 35TH ST, C-16
NEWPORT, OR 97365

TESCH MARIE E TSTEE
3120 SHIRE LN
WALNUT CREEK, CA 94598

TETON CREEK CONDOMINIUMS
OWNERS ASSOCIATION
PO BOX 215
PHILOMATH, OR 97370

TEXAS HOLDINGS INC
522 FAIRDALE
FRIENDSWOOD, TX 77546

THE ASSN OF UNIT OWNERS OF
WIZARDS OF THE SEA CONDO
1505 NW SPRING ST
NEWPORT, OR 97365

THEIS PAMELA ANN TRUSTEE &
THEIS RONALD DALE TRUSTEE
5962 NW BURGUNDY DR
CORVALLIS, OR 97330

THOMAS JENNIE C TRUSTEE
532 NW RIVERSIDE
BEND, OR 97703

THOMAS ROBERT &
THOMAS LAURA
4026 RAVELLO DR
LAKE HAVASU CITY, AZ 86406

THOMASON LUESSIA
944 SW MARK ST
NEWPORT, OR 97365

THOMPSON JAMES D TSTEE &
THOMPSON KATHLEEN M TSTEE
2274 MONTROSE DR
THOUSAND OAKS, CA 91362

THOMPSON RICHARD L &
THOMPSON SHERRY L
2771 CARRIAGE WAY
WEST LINN, OR 97068

THOMPSON ROBERT E TRUSTEE &
THOMPSON SANDRA E TRUSTEE
1449 NE YAQUINA HEIGHTS DR
NEWPORT, OR 97365

THORGAARD GARY H &
THORGAARD FLORENCE REBECCA
PO BOX 514
CLARKSTON, WA 99403

THORNTON ROBERT &
BY THE SEA X LLC
7459 N HURON AVE
PORTLAND, OR 97203

THORSSON KRISTOFER H TRUSTEE &
THORSSON LEANNE M TRUSTEE
504 SE 70TH AVE
PORTLAND, OR 97215

TIAN HU &
WANG HUIYING
26741 VENADO DR
MISSION VIEJO, CA 92691

TIDWELL VAUGHN C
2236 PACIFIC AVE
FOREST GROVE, OR 97116

TILSON MURRAY M &
TILSON NANCY K
136 SE LARCH ST
NEWPORT, OR 97365

TODD BRIAN D &
TODD RENEE
PO BOX 545
BURNS, OR 97720

TODD STEPHEN M
PO BOX 7043
BROOKINGS, OR 97415

TONE STEVE
3250 NW OCEANVIEW DR
UNIT 10
NEWPORT, OR 97365

TOP HAT MUSHROOMS INC
39344 JORDAN RD
SCIO, OR 97374

TOY HARRY A &
TOY L PATRICIA ATTN:ERICK TOY
1190 SE BAY BLVD
PO BOX 805
NEWPORT, OR 97365

TOY HARRY A TRUSTEE &
TOY LEOTA P TRUSTEE ATTN TOY
ERICK
1190 SE BAY BLVD
NEWPORT, OR 97365

TRAN THANG
2574 GLEN DUNDEE WAY
SAN JOSE, CA 95148

TRAPP LISA B
15977 ABIQUA RD NE
SILVERTON, OR 97381

TRIDENT SEAFOODS CORPORATION
ATTN TOM MOORE
5303 SHILSHOLE AVE NW
SEATTLE, WA 98107

TRIPP RANDALL W
1000 SE BAY BLVD
NEWPORT, OR 97365

TRIPP ZDENKA TSTEE
30833 PETERSON RD
PHILOMATH, OR 97370

TRONQUET PETER J TRUSTEE &
TRONQUET CATHY W TRUSTEE
5730 SW BARNACLE CT
SOUTH BEACH, OR 97366

TROYER ENTERPRISES LLC
1244 SE BAY BLVD
NEWPORT, OR 97365

TROYER PHYLLIS M
1244 SE BAY BLVD
NEWPORT, OR 97365

TRUAX GLORY
424 NW 21ST PL
NEWPORT, OR 97365

TRUAX GLORY J
424 NW 21ST PL
NEWPORT, OR 97365

TRUSSELL KAREN J TSTEE &
CRAMER MARIE
1379 LAZY DRK DR NE
KEIZER, OR 97303

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

TRYON VERNON L &
TRYON SHERRIE L
PO BOX 1058
WALDPORT, OR 97394

TUCKEY JIM
1441 PASO REAL AVE
SP #127
ROLAND HEIGHTS, CA 91748

TURNER DAVID
340 N COAST HWY
NEWPORT, OR 97365

TURNER KEITH D &
TURNER LUANN M
13219 NW 35TH CT
VANCOUVER, WA 98685

TYNER KARAN J
PO BOX 1740
NEWPORT, OR 97365

UNDERSEA GARDENS INC
250 SW BAY BLVD
NEWPORT, OR 97365

UNITED STATES OF AMERICA
% DEPT OF COMMERCE NTL OCEANIC
& ATMOSPHERIC ADMN
1325 EAST WEST HWY
SILVER SPRING, MD 20910

UNITED STATES OF AMERICA
% ENVIRONMENTAL PROTECTION AG
2111 SE MARINE SCIENCE DR
NEWPORT, OR 97365

UNITED STATES OF AMERICA
% US COAST GUARD DISTRICT 13
915 2ND AVE
SEATTLE, WA 98104

UNITED STATES OF AMERICA
% ARMY CORPS OF ENGINEERS
PORTLAND DIST
PO BOX 2946
PORTLAND, OR 97208

UNITED STATES OF AMERICA
% BUREAU OF LAND MANAGEMENT
YAQUINA HEAD FIELD OFFICE
PO BOX 936
NEWPORT, OR 97365

UNITED STATES OF AMERICA
% GENERAL SERVICES ADMIN ATTN
OGLE BILL/WAR DEPARTMENT
REAL ESTATE DIV GSA CENTER
AUBURN, WA 98001

VACATION INTERNATIONALE INC
ATTN TRADING PLACES INTL
1417 116TH AVE NE
STE 100
BELLEVUE, WA 92630

VANCE JOSEPH R &
VANCE MOLLIE K
611 SE 4TH ST
NEWPORT, OR 97365

VANCIL ROD
8220 GAGE BLVD
#745
KENNEWICK, WA 99336

VANDERLIP DAVID L TSTEE &
VANDERLIP MARIA R TSTEE
37990 COURTNEY CREEK RD
BROWNSVILLE, OR 97327

VANDERPOOL CHARLES
547 NW COAST ST
NEWPORT, OR 97365

VANLANINGHAM THOMAS &
VANLANINGHAM MARIA
13001 WOODRIDGE CIR
BELLEVUE, OR 98123

VANWERT FRANCES C TRUSTEE
742 NW 2ND CT
NEWPORT, OR 97365

VARGAS EDGARDO &
LOPEZ VERONICA LOBO
2121 NE 37TH TER
HOMESTEAD, FL 33033

VARGHESE ROY &
CHACKO MANIYAMMA
12059 WAGNER ST
CULVER CITY, CA 90230

VARNER DOUGLAS
923 SE BAY BLVD
#50
NEWPORT, OR 97365

VEAL CONNECTION CORPORATION
2225 GROSSE AVE
SANTA ROSA, CA 95404

VELA PAUL &
CARTER ROGER
5134 CHERIE CT SE
SALEM, OR 97306

VERITAS CORP
4111 LIVINGSTON
CENTRAL POINT, OR 97502

VERVILLE HEATHER K &
BRAZEAU RICHARD B
951 15TH ST
ARCATA, CA 95521

VET LLC
PO BOX 70
NEWPORT, OR 97365

VICE ROGER &
VICE PATRICIA
5215 FIRST ST
CROSBY, TX 77532

VICTORY CHARLES
105 NW HIGH ST
NEWPORT, OR 97365

VILLA BY THE SEA LLC
ATTN ROBERT H FOSS MANAGER
920 SCENIC WOOD PLACE
ALBANY, OR 97321

VOGEL CARL STEPHENS III
292 W GALENA PARK BLVD
APT #1126
DRAPER, UT 84020

VORONAEFF KENT D
3795 DONALD ST
EUGENE, OR 97405

VTS PROGRAM REMAINDER LLC
ATTN VACATION INTERNATIONALE INC
1417 116TH AVE NE
STE 100
BELLEVUE, WA 98004

WAL MART REAL ESTATE
BUSINESS TRUST #01-1925 TAX
DEPARTMENT #0555
PO BOX 8050
BENTONVILLE, AR 72712

WALBEY JERRY &
WALBEY MARTHA
PO BOX 140258
BOISE, ID 83714

WALDE MARVIN L TRUSTEE &
WALDE SHIRLEY A TRUSTEE
110 SE 10TH ST
COLLEGE PLACE, WA 99324

WALISER MICHAEL E &
SCHELLINGER STACY K
538 NW HIGH ST
NEWPORT, OR 97365

WALKER HOUSE LLC
616 NW 35TH ST
CORVALLIS, OR 97330

WALL RICHARD E
1000 SE BAY BLVD
UNIT 101
NEWPORT, OR 97365

WALLIS CURTIS L &
SCOTT PHILLIS A
PO BOX 331
LINCOLN CITY, OR 97367

WALSH ROBERT G &
WALSH CAROL H
310 NW GILBERT WAY
NEWPORT, OR 97365

WANKER MARK JOSEPH
21373 SW JOHNSON RD
WEST LINN, OR 97068

WARD NELLIE C &
HARDESTY SUE A
PO BOX 2304
NEWPORT, OR 97365

WARD PAUL S COTSTEE &
WARD JUDITH A COTSTEE
241 SW BIRCH ST
DALLAS, OR 97338

WARD STEPHEN E TRUSTEE &
WARD ANDREA C TRUSTEE
3323 E ASTORIA DR
LAS VEGAS, NV 89121

WARDELL DOUGLAS L JR
5401 EAST RIDGE ST S
SALEM, OR 97306

WARNATH STEPHEN C TRUSTEE &
WARNATH MAXINE A TRUSTEE &
WARNATH STEPHEN C TRUSTEE
1052 PAPER MILL CT NW
WASHINGTON, DC 20007

WARNER ALICE
PO BOX 50624
EUGENE, OR 97405

WARREN JAMES RAYMOND &
WARREN DIANA CAROL
323 NW LEE ST
NEWPORT, OR 97365

WARREN TONIA K
PO BOX 223
NEWPORT, OR 97365

WATSON CORY E &
WATSON SHERRON
568 SE BENSON RD
NEWPORT, OR 97365

WEAVER DORA C TRUSTEE
12362 SE PARADISE LANE
SOUTH BEACH, OR 97366

WEBSTER S A &
WEBSTER JANET G
113 SE BAY BLVD
NEWPORT, OR 97365

WELLS FAMILY TRUST &
WELLS WILLIAM P TRUSTEE & WELLS
PHYLLIS D TRUSTEE
2535 NE DOUGLAS ST
NEWPORT, OR 97365

WELLS WAVEL L TRUSTEE &
WELLS LAURA L TRUSTEE
10 LOST BRIDGE RD
LAWTON, OK 73507

WELTON RICHARD C
PO BOX 44
DEPOE BAY, OR 97341

WELTON VINCENT E
3530 N COAST HWY
NEWPORT, OR 97365

WEST WALTER L &
WEST HELEN & WEST JAMES P ETAL
29765 TOWN CENTER LOOP WEST
WILSONVILLE, OR 97070

WESTHUSING JANA &
HIGGINS MARY JO
135 NW 33RD ST #B1
NEWPORT, OR 97365

WESTON DAVID W COTSTEE &
WESTON SHERRY W COTSTEE
861 SW CANTERBURY CT
DALLAS, OR 97338

WETHERILL JAMES G &
WETHERILL LANA R
25804 NE OLSON RD
BATTLE GROUND, WA 98604

WETHERILL JAMES G TRUSTEE &
WETHERILL LANA R TRUSTEE
25804 NE OLSON RD
BATTLE GROUND, WA 98604

WETLANDS CONSERVANCY
4640 SW MACADAM AVE
STE 50
PORTLAND, OR 97239

WEYERS STEPHEN G & KRIS M &
BRATT LAWRENCE P & CHARLENE TR
PO BOX 473
FOLSOM, CA 95630

WHALER MOTEL INC
155 SW ELIZABETH
NEWPORT, OR 97365

WHALES SPOUT CONDOMINIUM
HOMEOWNERS ASSOCIATION
370 SW COLUMBIA
BEND, OR 97702

WHEELER LOIS I TSTEE
1000 SE BAY BLVD
UNIT H-4
NEWPORT, OR 97365

WHEELER WADE &
WHEELER STEPHANIE
6549 19TH AVE NE
SEATTLE, WA 98115

WHITAKER CLAUDE &
WHITAKER DONNA
3415 23RD AVE NW
ALBANY, OR 97321

WHITE ELIZABETH BUSCH TRSTEE &
WHITE HUGH RICHARD TRUSTEE
146 NW 28TH ST
CORVALLIS, OR 97330

WHITE MARY A
1043 PLEASANT VALLEY RD
SWEET HOME, OR 97386

WHITE PINE PROPERTIES LLC
ATTN CAMILLE A NORWICK
121 LA PAZ LOOP
SANTA FE, NM 87508

WHITEHEAD SHERY L
7250 NUES LN
EUREKA, CA 95503

WHITEMAN CARL R &
WHITEMAN LORENE RAE
1825 NE TIDE AVE
LINCOLN CITY, OR 97367

WHITLOCK SHERMAN F &
WHITLOCK CINDY L
6390 SW ARBOR DR
SOUTH BEACH, OR 97366

WHITMAN LUKE D &
DAUBLE ALISON
2010 NW ROBIN HOOD ST
CORVALLIS, OR 97330

WHITMORE STEPHEN HARRIMAN
PO BOX 320
SOUTH BEACH, OR 97366

WHITTEMORE DONNA LEE TRUSTEE
450 ROLLING HILLS DR
MESQUITE, NV 89027

WHITTLE EQUITIES LLC
1443 EDGECLIFF LN
PASADENA, CA 91107

WIEBE MARTHA W TSTEE &
WIEBE DAVID A TSTEE
10205 HELMICK RD
MONMOUTH, OR 97361

WIESE RANDOLPH M &
WIESE MELISSA J
PO BOX 1365
NEWPORT, OR 97365

WIKE NANCY &
WIKE JENNIFER & HILLYER ANGELA
PO BOX 943
LAKE OSWEGO, OR 97034

WILDCARD INVESTMENTS LLC
PO BOX 570
BEAVERCREEK, OR 97004

WILES JOHN E &
BECKER JOHN
844 NE NEWPORT HTS DR
NEWPORT, OR 97365

WILLETT CONRAD J &
GAIL E
1426 NW SPRING ST
NEWPORT, OR 97365

WILLIAMS BURTON T &
WILLIAMS PATRICIA M
PO BOX 514
NEWPORT, OR 97365

WILLIAMS CHARLES M SR TRUSTEE &
WILLIAMS JANET K TRUSTEE
5715 SW BARNACLE CT
NEWPORT, OR 97365

WILLIAMS EDWARD &
WILLIAMS ANNE M
611 S IMMONEN RD
LINCOLN CITY, OR 97367

WILLIAMS MARILYN J &
WILLIAMS DALE B
2735 SE 33RD PL
PORTLAND, OR 97202

WILLIAMS PENNY M
2750 NE HARNEY DR
NEWPORT, OR 97365

WILSON DOUGLAS A &
WILSON QUIMBY A
5630 SW ARBOR DR
SOUTH BEACH, OR 97366

WILSON JIMMY D COTRUSTEE &
WILSON LORI K COTRUSTEE
63356 NELS ANDERSON RD
#8
BEND, OR 97701

WILSON MARC R
PO BOX 987
PACIFIC CITY, OR 97135

WILSON PAUL TRUSTEE &
WILSON CAROL TRUSTEE
PO BOX 107
SALEM, OR 97308

WILSON RICHARD C &
WILSON LIZA A
PO BOX 928
CORVALLIS, OR 97339

WILSON THERESA M &
WILSON MICHAEL L
PO BOX 423
SOUTH BEACH, OR 97366

WILSON THOMAS D &
WILSON SUSETTE A
330 NW 185TH AVE
#274
PORTLAND, OR 97229

WILSON WILLIAM R &
MCBEE WILSON REBECCA C
PO BOX 575
NEWPORT, OR 97365

WINGARD CONSTRUCTION INC &
WINGARD GEORGE F TRUSTEE
2323 FAIRMOUNT BLVD
EUGENE, OR 97403

WINTER JOHN W JR &
WINTER ELIZABETH A
5954 SW CUPOLA DR
SOUTH BEACH, OR 97366

WINTERS JODY A
1000 SE BAY BLVD
UNIT H-6
NEWPORT, OR 97365

WITZKE EDWARD PAUL TSTEE
PO BOX 874
PHILOMATH, OR 97370

WOLCOTT KENT P &
WOLCOTT APRIL A
PO BOX 128
TOLEDO, OR 97391

WOLD RACHEL &
WOLD TYRONE
12590 SW GLACIER LILLY CIR
PORTLAND, OR 97223

WOLF ANDREW D
1960 SW OLD SHERIDAN RD
MCMINNVILLE, OR 97128

WOLF GREG
1710 SW HARBOR WAY
202
PORTLAND, OR 97201

WOLFE BRANDON
5876 S LONE ELDER RD
AURORA, OR 97002

WOLZ LORRAINE MARSTON &
WOLZ FRANK ANDREW
5722 E CORRINE DR
SCOTTSDALE, AZ 85254

WOOD RICHARD W &
WOOD JANET L
138 SE 35TH ST
SOUTH BEACH, OR 97366

WOOD STREET LLC
5500 NE MOORE CT
HILLSBORO, OR 97124

WOODBURN ORNAMENTALS INC
13009 MCKEE SCHOOL RD NE
WOODBURN, OR 97071

WOODCOCK ROLAND PAGET &
WOODCOCK ERICA ELIZABETH &
WOODCOCK WILLIAM CARTER JR
105 NW 45TH ST #2
NEWPORT, OR 97365

WOODED OCEAN ESTATES ASSOC
ATTN JEFF RAMIREZ
8807 EAST MILL PLAIN BLVD
VANCOUVER, WA 98664

WOODILL MARION
3333 SW PACIFIC COAST HWY
WALDPORT, OR 97394

WOODS GARY &
WOODS FAYE
6035 SW ARBOR DR
SOUTH BEACH, OR 97366

WOODS MICHAEL R &
WOODS FLORENCE M
1617 NE 205TH AVE
FAIRVIEW, OR 97024

WOOTEN LAWRENCE M &
WOOTEN ARZU K
2723 NW PACIFIC PL
NEWPORT, OR 97365

WORDEN MARK R
363 NW 3RD ST
NEWPORT, OR 97365

WORK LOLA HELEN TRUSTEE
5044 ANDERSON WAY
THE DALLES, OR 97058

WORRAL ROBERT COTSTEE &
WORRAL POOLE LINDA COTSTEE
60895 JENNINGS RD
BEND, OR 97702

WRAY JOHN M &
WRAY SHEILA N
PO BOX 1566
NEWPORT, OR 97365

WRIGHT & ASSOC DEV COMPANY INC
2333 NW VAUGHN
PORTLAND, OR 97210

WRIGHT RICHARD EARL &
WRIGHT DEBORAH LEE
PO BOX 722
NEWPORT, OR 97365

WROBEL CHARLES J
16971 S CLACKAMAS RIVER DR
OREGON CITY, OR 97045

WROBEL CHARLES TRUSTEE &
AFFENTRANGER HELEN H TRUSTEE
16971 S CLACKAMAS RIVER DR
OREGON CITY, OR 97045

WYNDHAVEN RIDGE LLC
PO BOX 247
STAYTON, OR 97383

XU HEQIN
2498 NW MASER DR
CORVALLIS, OR 97330

YANG JRMING J &
WANG TINGYU
4445 NW SNOWBRUSH DR
CORVALLIS, OR 97330

YAQUINA ART ASSOC
PO BOX 274
NEWPORT, OR 97365

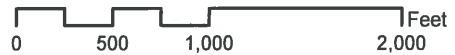
YAQUINA BAY DEVELOPMENT
CORPORATION ATTN ALAN WELLS
202 NW 6TH
CORVALLIS, OR 97330

YAQUINA BAY DEVELOPMENT CORP
2925 SE FERRY SLIP RD #52
NEWPORT, OR 97365



Tsunami Inundation Overlay Zone
Panel 1: Affected Tax Lots

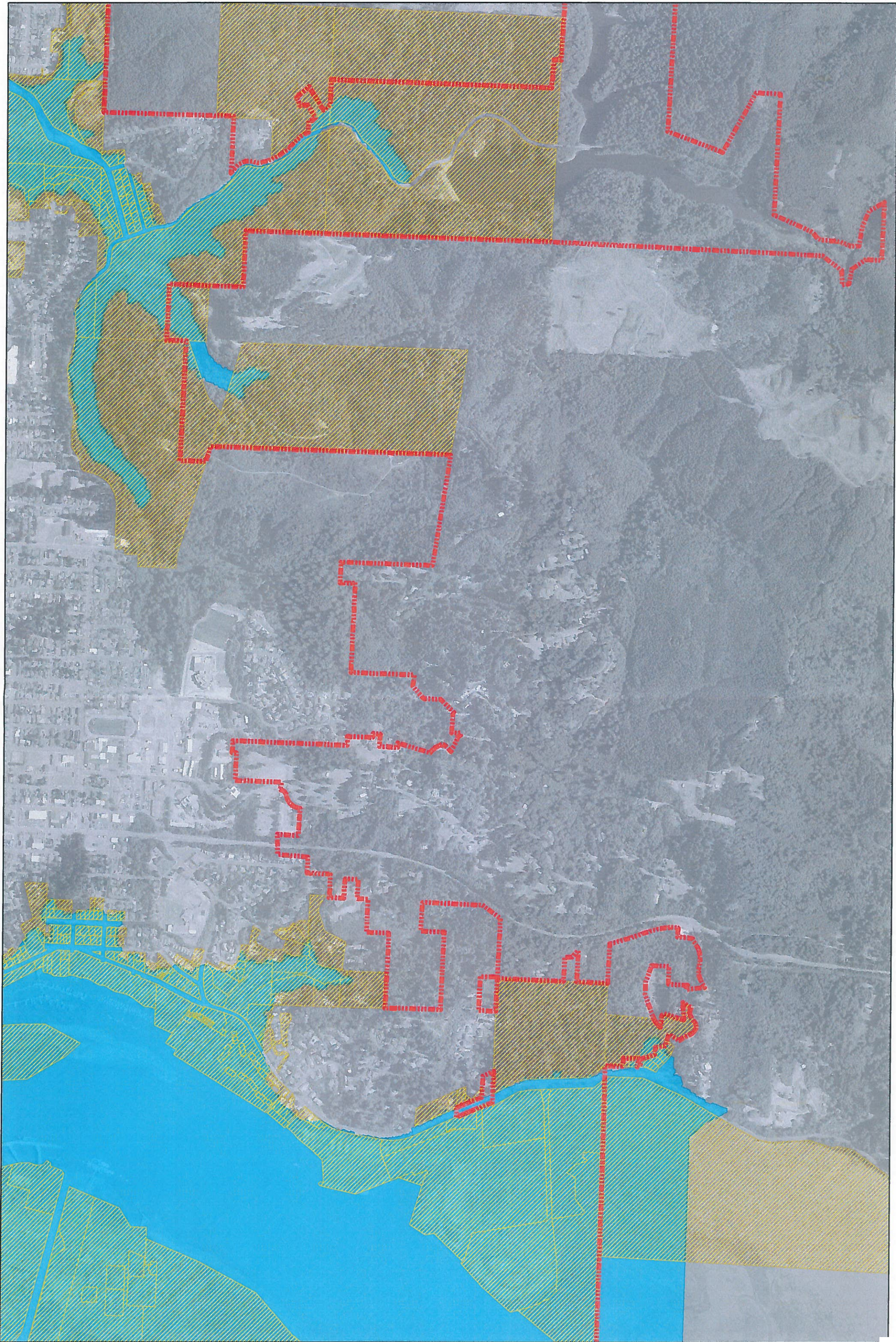
Image Taken July 2018
 4-inch, 4-band Digital Orthophotos
 Quantum Spatial, Inc. Corvallis, OR



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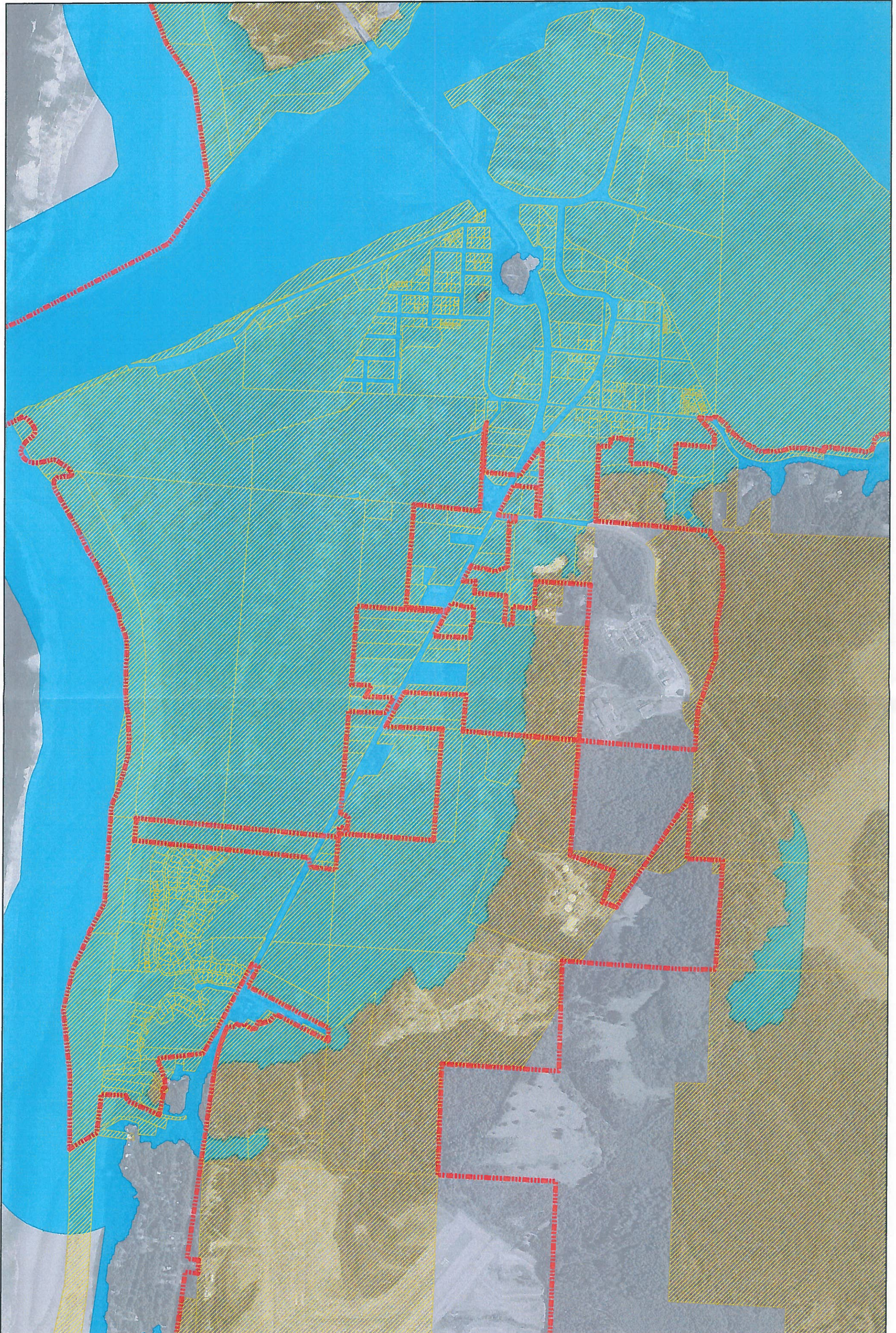


Tsunami Inundation Overlay Zone
Panel 4: Affected Tax Lots

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



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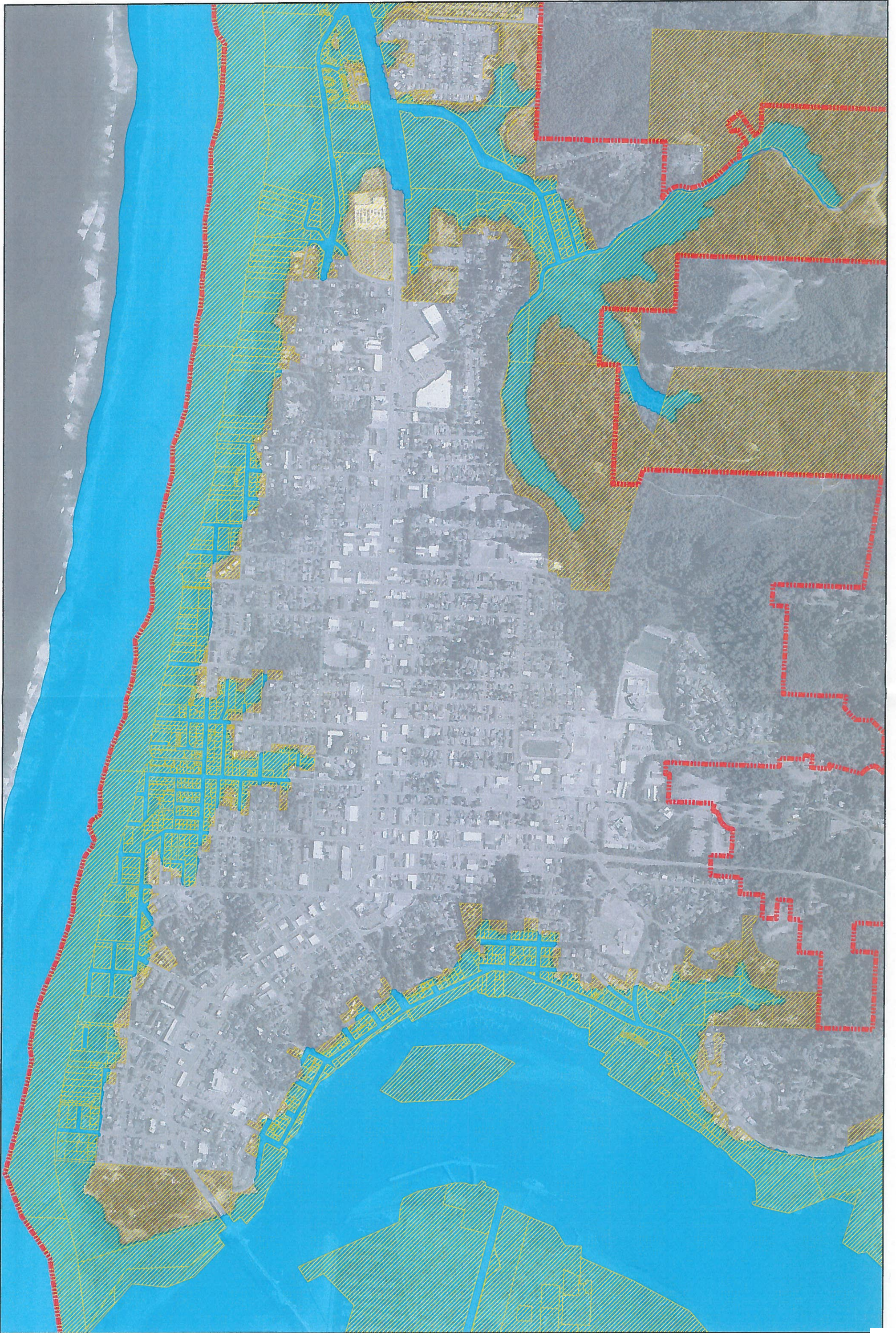


Tsunami Inundation Overlay Zone
Panel 3: Affected Tax Lots

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



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**Tsunami Inundation Overlay Zone
 Panel 2: Affected Tax Lots**

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



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Derrick Tokos

From: [REDACTED]
Sent: Sunday, April 12, 2020 11:16 PM
To: Derrick Tokos
Subject: Ordinance Number 2166 Public Hearing

My family trust currently owns dwellings at 270 NW Gilbert Way in Newport. While the front fill of dirt from over 70 years ago has shifted from time and digging rock hounds from the beach, most of the land is very securely rock. The property is 100 feet above the ocean.

It was zoned for public facilities previously.

I would like to retain the ability to have childcare and senior housing built at a safe place on the property, if needed in the future.

Victoria Grusing, Trustee
Jean Hocken Trust
[REDACTED]

Sherri Marineau

From: Derrick Tokos
Sent: Monday, April 13, 2020 12:14 PM
To: Sherri Marineau
Subject: Fwd: Public comment on Ordinance Number 2166

■

Please post and distribute to Commission members.

Derrick

Sent from my iPhone

Begin forwarded message:

From: William Chadwick [REDACTED]
Date: April 13, 2020 at 12:10:52 PM PDT
To: Derrick Tokos <D.Tokos@NewportOregon.gov>
Cc: William Chadwick [REDACTED]
Subject: Public comment on Ordinance Number 2166

This is a comment in SUPPORT of proposed ordinance number 2166 for the City of Newport Planning Commission public hearing on April 13, 2020. With the known earthquake and tsunami hazards in Newport, as has been well-documented by DOGAMI, it is reasonable and critically important to prohibit the building of new essential facilities and special occupancy structures in areas likely to be inundated by future tsunamis. This ordinance will help prevent loss of life and critical services and will make Newport much more resilient to such an event. I am glad the city is being proactive about this issue, particularly after the recent changes in state law, as reviewed in the staff report.

Sincerely,
William Chadwick

[REDACTED]

Memorandum

To: Planning Commission

From: Derrick I. Tokos, AICP, Community Development Director 

Date: May 21, 2020

Re: File No. 2-Z-20 - Amending Chapter 14.30 of the Newport Zoning Ordinance to Prohibit New Residential Use at Street Grade along the West Side of NW Cliff Street

On April 13, 2020, the Planning Commission continued the public hearing on this proposed legislative amendment to May 26, 2020 due to the COVID-19 pandemic. No new information has been submitted into the record since that time.

Case File: 2-Z-20
Hearing Date: April 13, 2020/Planning Commission

PLANNING STAFF MEMORANDUM
FILE No. 2-Z-20

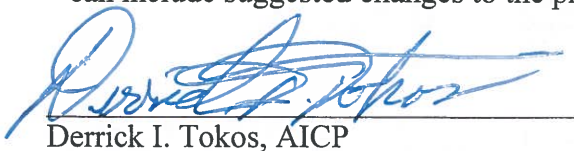
- I. **Applicant:** Initiated at the direction of the City Council, by motion of the Newport Planning Commission on March 9, 2020.
- II. **Request:** Amendments to Section 14.30.080, Permitted Uses, and Section 14.30.100, Special Zoning Standards in Design Review Districts, to prohibit new residential uses at street grade in C-2 zoned areas within the Historic Nye Beach Design Review District that are along the west side of NW Cliff Street. The City's current land use regulations allow new residential uses at street grade.
- III. **Findings Required:** This is a legislative action whereby the City Council, after considering a recommendation by the Newport Planning Commission, must determine that the changes to the Municipal Code are necessary and further the general welfare of the community (NMC 14.36.010).
- IV. **Planning Staff Memorandum Attachments:**
- Attachment "A" – Draft Ordinance No. 2165
 - Attachment "B" – Packet from 2/18/20 City Council Meeting
 - Attachment "C" – Minutes from the 2/24/20 Planning Commission work session
 - Attachment "D" – Email from Jean Dahlquist, dated March 2, 2020
 - Attachment "E" – Newport Peninsula Urban Design Plan Component of the Comprehensive Plan
 - Attachment "F" – Select Sheets from the Housing Element of the Comprehensive Plan
 - Attachment "G" – Notice of public hearing
- V. **Notification:** The Department of Land Conservation & Development was provided notice of the proposed legislative amendment on February 24, 2020. Because this amendment will limit the range of permissible uses, notice of the Planning Commission hearing was mailed on March 6, 2020 to persons owning property along the west side of NW Cliff Street in accordance with ORS 227.186. Notice was published in the Newport News-Times on April 3, 2020.
- VI. **Comments:** An email was received from Jean Dahlquist requesting a copy of the staff report.
- VII. **Discussion of Request:** At a February 3, 2020 work session, the City Council heard from Wendy Engler, a Nye Beach resident, asking that the City initiate targeted amendments to the C-2 zoning within the Overlay that would repeal an allowance for new residential uses at street grade, for those properties situated on the west side of NW Cliff Street, between NW 2nd Court and Olive Street (Attachment "A"). A couple of the affected properties are up for sale and Ms. Engler conveyed that she is concerned that the properties could be developed with very large homes, which would be inconsistent with what was envisioned for the area when the streetscape improvements were installed. One of the affected owners, Charlotte Boxer, conveyed to the Council that she supports the amendments. There was general agreement amongst the Council members that the targeted amendments made sense, and at their February 18, 2020 regular meeting they adopted a motion directing the Planning Commission initiate the requisite amendments (Attachment "B"). On March 9, 2020 the Commission formally initiated the amendment process. The amendment affects a relatively small number of properties, fewer than 20 tax lots (ref: map, Attachment "G").

As was noted with File 5-Z-19 (later Ordinance No. 2160), the document titled “Nye Beach Study – Seventh Amendment to the City of Newport Urban Renewal Plan,” dated January 25, 1989, informed the development of the C-2 zone district, and is cross-referenced in the Newport Peninsula Urban Design Plan. A provision of the 1989 plan states: “*The new C-2* (Overlay Zone) is meant to accommodate existing residential uses in the C-2 areas of Nye Beach, which predominate, by making them conforming within C-2* and by creating an environment conducive to cottage industries and preservation of housing.*” This provision was implemented with a land use standard that allowed single-family residences at street grade in the C-2 within a dwelling constructed prior to 2004. In such cases, residential use at street grade was limited to the footprint of the structure as it existed on that date. This type of limitation was intended to prohibit new or expanded residential at street grade in the C-2 zone, presumably to provide room for cottage industries to grow (e.g. residential over retail). This code provision initially applied to all areas zoned C-2 within the Nye Beach Design Review District, but was later altered by an amendment in 2008 that allowed new residential at street grade in certain areas, including along Cliff Street (Ordinance No. 1946). This proposed amendment repeals the change that was made in 2008 with respect to the west side of NW Cliff Street. If approved, new residential uses along this section of Cliff Street would be limited to portions of a building that are not situated at street grade. Existing dwellings at street grade could be replaced provided the new dwelling is contained within the existing footprint.

Comprehensive Plan policies that guide zoning for the area, include those listed in the portion of the document dedicated to the Newport Peninsula Urban Design Plan (Attachment "E"). While many of the policies and strategies are focused on architectural design, siting, and visual appearance of development, implemented with the guidelines and standards of the Historic Nye Beach Design Review District, some may be relevant to this proposal. They include improving neighborhood cohesion (Policy 5) and strengthening the peninsula’s economic vitality by improving its desirability through improved appearance, function, and efficiency (Policy 8). Urban renewal streetscape investments along NW Cliff Street create conditions where retail commercial, residential over retail, or lodging would be attractive uses along the west side of NW Cliff Street, and it would be reasonable for the Commission to find such uses to be more complimentary of the existing built form than large, single-family homes. Further, the City’s buildable lands and housing needs assessment calls for new housing in the C-2 zone to be multi-family, which would still be permissible if the units are not at street grade (Attachment "F"). The Commission can rely upon this assessment if it is concerned that the amendment could have a detrimental impact on the City’s ability to realize needed housing.

The Commission members should consider the above analysis, or other policies and/or implementation strategies it believes to be relevant when determining whether the proposed amendment is necessary and furthers the general welfare of the community.

- VIII. **Conclusion and Recommendation:** The Planning Commission should review the proposed amendments and make a recommendation to the City Council. The Commission recommendation can include suggested changes to the proposed amendments.



Derrick I. Tokos, AICP
Community Development Director
City of Newport

April 9, 2020

Draft Ordinance No. 2165, Amending NMC Chapter 14.30 Related to Residential Uses at Street Grade in the C-2 District

(Deleted language shown in ~~strikethrough~~ and new language is underlined. Staff comments are not a part of the amendments. They are preceded with the term "Staff" and are *italicized*.)

CHAPTER 14.30 DESIGN REVIEW STANDARDS

14.30.010 Purpose

Design review districts may be adopted by the City of Newport in accordance with applicable procedures to ensure the continued livability of the community by implementing standards of design for both areas of new development and areas of redevelopment. Design review is an important exercise of the power of the City to regulate for the general welfare by focusing on how the built environment shapes the character of the community.

The Newport Comprehensive Plan identifies six potential urban design districts within the Newport Peninsula including the City Center District (and Highway 101 corridor), Waterfront District, Nye Beach District, Upland Residential District, East Olive District, and the Oceanfront Lodging/Residential District. Additionally, neighborhood plans may be adopted for other areas of Newport that include as an objective the implementation of design review to maintain and/or provide a flexible approach to development by offering two methods of design review from which an applicant can choose. One method of design review is under clear and objective design standards and procedures to allow development that is consistent with the standards to occur with certainty in a timely and cost effective manner. A second alternative method of design review is review under design guidelines, which are a more flexible process for proposals that are creative/innovative and meet the identified guidelines of the applicable design review district.

It is further the purpose of these standards to:

- A. Preserve the beautiful natural setting and the orientation of development and public improvements in order to strengthen their relationship to that setting.
- B. Enhance new and redeveloping architectural and landscape resources to preserve and strengthen the historic, scenic and/or identified neighborhood character and function of each setting.

- C. Improve the vehicular and pedestrian networks in order to improve safety, efficiency, continuity, and relationships connecting Newport neighborhoods.
- D. Strengthen Newport's economic vitality by improving its desirability through improved appearance, function, and efficiency.
- E. Improve the built environment in order to strengthen the visual appearance and attractiveness of developed areas.
- F. Implement the goals and objectives of the adopted neighborhood plans.

14.30.020 Design Review Districts: Overlay Zones Established

The following:

- A. Historic Nye Beach Design Review District. The Historic Nye Beach Design Review District Overlay Zone shall be indicated on the Zoning Map of the City of Newport with the letters HNBO and is the area described as follows:

Beginning at the northeasterly corner of SW Hubert Street and SW 2nd Street; thence westerly along the north line of SW 2nd Street to the west line of SW Dolphin Street, said point also being the southeast corner of Lot 1, Block B, Barlow Blocks Addition to the City of Newport; thence north along the west line of SW Dolphin Street to 10 feet beyond the north line of Lot 7, said Barlow Blocks Addition; thence westerly, 10 feet north of and parallel with said north line of Lot 7 to the Pacific Ocean; thence northerly along the Pacific Ocean to the south line of NW 12th Street; thence east along the south line of NW 12th Street to the east line of an alley between NW Spring Street and NW Hubert Street; thence south along the east line of said alley way to the north line of NW 10th Street; thence southwesterly to the southwest corner of the intersection of NW 10th Street and NW Brook Street; thence south along the west line of NW Brook Street to the south line of NW 8th Street; thence east along the south line of NW 8th Street to the west line of NW Hubert Street; thence south along the west line of NW Hubert Street to the north line of NW 6th Street; thence east to the northeast intersection of NW 6th Street and NW Hubert

Street; thence south along the east line of NW Hubert Street and SW Hubert Street to the north line of SW 2nd Street and the point of beginning.

14.30.030 Adoption of Design Review: Guidelines and Standards

The document entitled "Newport Design Review: Guidelines and Standards" dated July 29, 2015, is hereby adopted by reference and made a part hereof. The guidelines and standards contained therein shall be the guidelines and standards applicable to the Historic Nye Beach Design Review District.

14.30.040 Design Review Required

The following development activities in an established design review district are required to obtain a design review permit under the design standards in an identified design review district or, in the alternative, to apply for a design review permit and to obtain approval under the design guidelines for that design review district:

- A. New construction, substantial improvement, or relocation of one or more dwelling units.
- B. New construction, substantial improvement, or relocation of a commercial or public/institutional building.
- C. New construction, substantial improvement, or relocation of a residential accessory structure that contains more than 200 square feet of gross floor area and is not more than 10 feet in height.
- D. New construction, substantial improvement, or relocation of a commercial accessory structure that contains more than 120 square feet of gross floor area.
- E. An addition that increases the footprint of an existing building by more than 1,000 square feet.

14.30.050 Exemptions

The following activities are exempt from the provisions of this chapter:

- A. Development activity that is subject to the provisions of Newport Municipal Code [Chapter 14.23](#), Historic Buildings and Sites.

- B. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions.
- C. Development that does not involve the construction, substantial improvement, or relocation of a dwelling unit, commercial or public/institutional building, or accessory structure.

14.30.060 Approval Authority

The following are the initial review authorities for a Design Review application:

- A. Community Development Director. For projects subject only to the design standards specified in the document entitled "Newport Design Review: Guidelines and Standards," dated July 29, 2015. The approval or denial of a Design Review application by the Community Development Director is a ministerial action performed concurrent with City review of a building permit.
- B. Planning Commission. For projects that require design review under the design guidelines contained in the document entitled "Newport Design Review: Guidelines and Standards," dated July 29, 2015, including the following:
 - 1. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that is over 65 feet in length or 35 feet in height; or
 - 2. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that does not meet the design standards contained in the document entitled "Newport Design Review: Guidelines and Standards" dated July 29, 2015; or
 - a.
 - 3. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that involves a conditional use, a variance, or any other type of land use permit for which a Type III Land Use Action decision process is required, pursuant to [Chapter](#)

14.52, Procedural Requirements.

14.30.070 Application Submittal Requirements

- A. For requests that are subject to Community Development Director review for compliance with design standards, an application for Design Review shall consist of the following:
1. A completed and signed City of Newport Building Permit Application Form.
 2. Building plans that conform to the submittal requirements for a building permit that include a site plan, floor plan, exterior architectural elevations, cross-section drawings, and construction specifications illustrating how the design standards have been met.
 - b.
 3. A written checklist identifying the design elements used to comply with the design standards.
- B. For requests that are subject to Planning Commission review for compliance with design guidelines, an application for Design Review shall consist of the following:
1. Submittal requirements for land use actions listed in Section 14.52.050.
 2. Exterior elevations of all buildings on the site as they will appear after development. Such plans shall indicate the material, texture, shape, and other design features of the building(s), including all mechanical devices.
 3. A parking and circulation plan illustrating all parking areas, drive isles, stalls, and points of ingress/egress to the site.
 4. A landscape plan showing the location, type and variety, size and any other pertinent features of the proposed landscaping and plantings for projects that involve multiple-family (more than 2 units), commercial, and public/institutional development.
 5. A lighting plan identifying the location and type of all permanent area lights, including parking area lighting, along with details of the lighting fixtures that are to be installed.

6. A written set of proposed findings that explain how the project complies with the applicable design guidelines.
 7. Any other information the applicant believes is relevant to establishing that the project complies with applicable design guidelines.
- C. All plans shall be drawn such that the dimensions can be verified with an engineers or architects scale.

14.30.080 Permitted Uses

In addition to uses permitted outright or conditionally in the underlying zoning district, the following uses are permitted within areas subject to design review.

A. Historic Nye Beach Design Review District.

1. Tourist Commercial (C-2) zoned property.
 - a. Up to five (5) multi-family dwelling units per lot or parcel are permitted outright provided they are located on a floor other than a floor at street grade.
 - b. A single-family residence is permitted outright if located on a floor other than a floor at street grade.
 - c. A single-family residence is permitted outright, including the street grade floor, within a dwelling constructed prior to January 1, 2004. Residential use at the street grade is limited to the footprint of the structure as it existed on this date.
 - d. Single family, duplex, triplex, fourplex and multifamily dwelling units, including at the street grade, are permitted outright on property located south of NW 2nd Court and north of NW 6th Street, except for properties situated along the west side of NW Cliff Street.

Staff: On February 18, 2020 the City Council, at the request of Newport resident Wendy Engler, directed the Planning Commission to pursue amendments to the Historic Nye Beach Design Review Overlay to prohibit new residential uses at street grade for C-2 zoned property situated along the west side of NW Cliff Street. The concern is that the existing allowance for new residential at street grade,

established in 2008 (Ordinance No. 1946), opened the door for very large single family homes to be built, inconsistent with the vision for that area.

2. High Density Multi-Family Residential (R-4) zoned property.
 - a. Uses permitted outright in the C-2 zone district that are not specified as a use permitted outright or conditionally in the R-4 zone district, are allowed subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 14.34, Conditional Uses and subject to the limitation that the use not exceed a total of 1,000 square feet of gross floor area. This provision does not preclude an application for a use as a home occupation under [Chapter 14.27](#), Home Occupations.

14.30.090 Prohibited Uses

The following uses are prohibited within areas subject to Design Review.

A. Historic Nye Beach Design Review District

1. Any new or expanded outright permitted commercial use in the C-2 zone district that exceeds 2,000 square feet of gross floor area. New or expanded uses in excess of 2,000 square feet of gross floor area may be permitted in accordance with the provisions of [Chapter 14.34](#), Conditional Uses.
2. Recreational vehicle parks within the Tourist Commercial (C-2) and Public Structures (P-1) zoning districts.

(Section 14.30.090 revised by Ordinance No. 2120, adopted on September 18, 2017: effective October 18, 2017.)

14.30.100 Special Zoning Standards in Design Review Districts

All zoning standards and requirements applicable under Ordinance No. 1308 (as amended) in the subject zoning district shall apply, except that the following additional zoning standards are applicable for the design review district as applicable in the underlying zoning designation and shall be modified for each district as specified.

A. Historic Nye Beach Design Review District:

1. No drive through windows are allowed.
2. Commercial buildings with frontage on NW and SW Coast Street, W Olive Street, NW and SW Cliff Street, NW Beach Drive, and NW Third Street shall be set back from the property line fronting the street no more than 5 feet unless the development provides for a pedestrian oriented amenity (such as a courtyard, patio, or café with outdoor seating), compliance with the setback is precluded by topography or by easement, or a larger setback is authorized by the Planning Commission through the design review process.
3. Required yards and setbacks established in [Chapter 14.11](#) (Required Yards and Setbacks) and [Chapter 14.18](#) (Screening and Buffering between Residential and Non-Residential Zones) shall be reduced by 50%, except for [Section 14.11.030](#), Garage Setback, which is to remain at 20-feet. A setback for a garage that is less than 20-feet may be permitted if it is found by the Planning Commission to be consistent with the Design Review Guidelines pursuant to NMC [14.30.060\(B\)](#).
4. The following adjustments to [Chapter 14.12](#) (Minimum Size) and [Chapter 14.13](#) (Density Limitations, Table "A") are allowed within the District.
 - a. The minimum lot area within both the R-4 and C-2 zones shall be 3,000 square feet.
 - b. The minimum lot width for the R-4 zone shall be 30 feet.
5. Residential use permitted on C-2 zoned property located south of NW 2nd Court and north of NW 6th Street, except for properties situated along the west side of NW Cliff Street, shall comply with the following additional requirements:
 - a. The maximum residential density is 1,250 square feet per unit.
 - b. The maximum building height is 35 feet.

- c. The maximum lot coverage in structures is 64%. If the proposed residential use provides at least 1 off-street parking space for each dwelling unit in a below-grade parking structure (for the purposes of this section below-grade is defined to mean that 50% or more of the perimeter of the building is below-grade) located directly below the residential portion of the structure, the maximum lot coverage allowed is 90%.
- d. The residential use provides at minimum 1 off-street parking space for each dwelling unit.
- e. At least one residential building per lot is set back from the property line abutting the street no more than 5 feet.

Staff: This change aligns with the earlier revision, so that the standards listed apply to all C-2 zoned areas within the Nye Beach Overlay where residential is allowed at street grade.

- 6. The following adjustments to the off-street parking requirements of Chapter 14.14 (Parking, Loading, and Access Requirements) are provided for uses within the District:
 - a. Commercial uses shall have the first 1,000 square feet of gross floor area exempted from the off-street parking calculation.
 - b. All uses within the District shall be allowed an on-street parking credit that shall reduce the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property subject to the following limitations:
 - i. Each on-street parking space must be in compliance with the City of Newport standards for on-street parking spaces.
 - ii. Each on-street parking space to be credited must be completely abutting the subject property. Only whole spaces qualify for the on-street parking credit.
 - a. On-street parking spaces credited for a specific use

may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are allowed except as authorized by the City of Newport.

(Section 14.30.100 revised by Ordinance No. 2120, adopted on September 18, 2017; effective October 18, 2017.)

14.30.110 Modification of a Design Review Permit

A modification of an approved design may be requested of the approving authority for any reason by an applicant. Applications for a modification shall be submitted and processed in the same manner as the original application.

- A. If the requested modification is from an approval issued under design standards, the modification request shall be approved by the Community Development Director if the modification also meets the design standards.
- B. If the modification does not meet the design standards or if the modification is from an approval issued under the design guidelines, the modification shall be processed under the design review process for compliance with the applicable design guidelines. The Commission's authority is limited to a determination of whether or not the proposed modification is consistent with the applicable design review guidelines.

(Chapter 14.30 was revised by Ordinance No. 2084; adopted September 21, 2015; effective October 21, 2015.)

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: February 18, 2020

Agenda Item:

Report and Possible Action regarding the Historic Nye Beach Overlay.

Background:

On February 3, the City Council met in a work session to review several issues related to Nye Beach. Council discussed the Nye Beach Turnaround Pavement Project. There were no objections expressed from the Council in proceeding with that project as presented by Public Works Director/City Engineer, Tim Gross.

In addition, Council heard from Wendy Engler regarding the overlay zone. There were two specific issues that were discussed. One was confirmation that the City Council has referred the discussion on the Nye Beach Core Zone proposal to the Planning Commission. This was done by the Council at an earlier meeting with the Planning Commission planning to initiate discussion on this effort next month.

In addition, Wendy Engler indicated there is some urgency in dealing with lots located on the west side of Cliff Street. The short term fix that was suggested for avoiding a situation where multiple lots are used to build one single large house, is to exclude residential on the ground floor for property on the west side of Cliff Street. This would help achieve the initial concept of having small shops below and housing above for future projects. It would also facilitate potential hotel development or other similar appropriate uses in this area. Cliff Street was designed as a walkable commercial street that would serve as a connector between the Visual Arts Center and the Performing Arts Center. This concept would be impacted should multiple lots be purchased with large single family homes constructed on this oceanfront property.

Wendy Engler suggested that the City consider pursuing assistance through Oregon's Transportation Growth Management Program for possible funding opportunities to assist in discussion of the Nye Beach Core Zone proposal. On this issue, there are a couple of things for the City Council to consider. A couple of years ago we had Oregon's Transportation Growth Management Program representatives walk Nye Beach with us to discuss some of the concepts for promoting more cottage-style housing in this area. The conclusion from the program manager, at that time, was that they did not see that as fitting the primary purpose of this program to increase densification and mixed uses in a geographic area. Wendy Engler had been in contact with Laura Buhl, Land Use and Transportation Planner, who indicated that TGM is a potential resource, however, there are no guarantees whether this project would be funded. In order to be funded, the project would need to be consistent with TGM's mission, goals, and objectives. This would be

determined by TGM by reviewing an application submitted by the City. It should be noted that the City is anticipating making a request through a different TGM program to address property redevelopment issues including, mixed uses in City Center relating to the North Side Transportation Planning Project. I have not had an opportunity to talk to Laura Buhl as of the date of this memo. I hope to have an opportunity to talk to her prior to the Council meeting on February 18. I would like to have further guidance and find out whether TGM would consider multiple proposals from the City for potential projects through these different programs.

At this point, I think it is appropriate for Council to move forward with a request for the Planning Commission to consider initiating amendments to the C-2 zoned property within the Nye Beach Overlay, to prohibit residential uses at street grade along the west side of NW Cliff Street. This would be a separate and distinct action from the core zone proposal review that Council has previously forwarded to the Planning Commission. Furthermore, I think it would be appropriate for the Council to receive some feedback from the Planning Commission on the need and value to utilize a facilitator, either through TGM or through other budgeted funds, related to that discussion.

Recommendation:

I recommend the City Council Consider the following motion:

I move to direct the Planning Commission to initiate legislative amendments to C-2 zoned property within the historic Nye Beach Design Review Overlay to prohibit residential use at street grade along with the west side of Cliff Street, in addition to the previous request relating to review and recommendations on how to proceed with the core zone proposal previously referred to the Planning Commission.

Fiscal Effects:

None by these actions.

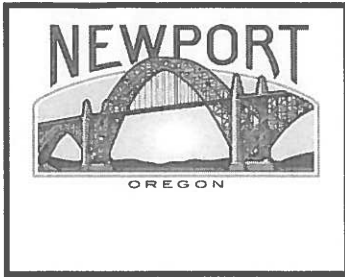
Alternatives:

As suggested by Council

Respectfully Submitted,



Spencer R. Nebel
City Manager



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Meeting Date: February 18, 2020

Title: Potential Refinements to the Historic Nye Beach Design Review Overlay

Prepared by: Derrick I. Tokos, AICP, Community Development Director

Recommended Motion: I move to direct the Planning Commission to initiate legislative amendments to C-2 zoned property within the Historic Nye Beach Design Review Overlay to prohibit residential at street grade along the west side of NW Cliff Street, and to report back to the Council on whether or not more extensive changes are needed.

Background Information: On January 6, 2020, the City Council considered Ordinance No. 2160, which contained a targeted set of amendments to C-2 zoned property within the Nye Beach Design Review Overlay that would allow new residential use at street grade on all C-2 zoned property in the Overlay situated south of NW 2nd Court and north of NW 6th Street. The amendments were initiated by the Planning Commission at the request of a couple of property owners in the area.

Prior to the Ordinance No. 2160 amendments, new residential uses at street grade in the zone were limited to properties south of NW 2nd Court and north of NW 6th Street that front NW and SW Coast Street, NW and SW Cliff Street, and W. Olive Street. That allowance was the result of a Council initiated package of amendments in 2008, made at the request of certain property owners in Nye Beach (Ordinance No. 1946). Before that amendment, residential use at street grade in C-2 zoned areas within the Overlay was limited to properties where a residential use existed prior to 2004, and to the footprint of the structure as it existed on that date.

At the January 6, 2020 hearing, the Council heard testimony from Wendy Engler, a Newport resident, who expressed support for the Ordinance No. 2160 changes, but asked the Council to direct the Planning Commission to explore whether or not other aspects of the Historic Nye Beach Design Review Overlay need to be reworked. After approving the ordinance, the City Council made a motion to direct the Planning Commission to examine whether or not the Overlay needs to be amended more broadly, and to report back to Council. The Commission has reserved time on its March 9, 2020 work session agenda to review the matter.

At a February 3, 2020 City Council work session, Ms. Engler asked the City Council to initiate targeted amendments to the C-2 zoning within the Overlay that would repeal the allowance for residential uses at street grade, granted in 2008, for those properties situated on the west side of NW Cliff Street, between NW 2nd Court and Olive Street. A

couple of the affected properties are up for sale and she is concerned that they could be developed with very large homes, which would be inconsistent with what was envisioned for the area when the streetscape improvements were installed. There was general consensus from the Council that the targeted amendments made sense.

Ms. Engler also asked that the Council explore whether or not Transportation Growth Management (TGM) community assistance programs could be leveraged to facilitate a broader discussion about how desired mixed use development options can be achieved in Nye Beach. This was assessed by the TGM program in 2018, and at that time the state program manager determined that the community's focus was too much on reducing residential densities, which is contrary to the TGM programs objectives. The Council deferred further discussion of this issue to the February 18, 2020 meeting.

The recommended motion, will get the process started for the targeted amendments requested by Ms. Engler, while allowing the Planning Commission to deliberate and share its thoughts on whether or not more significant changes may be needed in Nye Beach. A letter is enclosed from Charlotte Boxer, one of the affected owners along NW Cliff Street, expressing her support for the amendments. If the Commission determines that additional work is needed, they will have an opportunity to frame the general scope and parameters of what they believe should be done in a report to the Council. This will also provide an opportunity to evaluate whether or not such work could be framed such that it is a better fit for the TGM program.

There are four Community Assistance Programs offered by the State of Oregon's TGM program to help communities resolve land use and transportation planning issues, including Education and Outreach, Code Assistance, Quick Response, and Transportation System Plan Assessment. These are awarded throughout the year, on a non-competitive basis. They also offer a competitive grant process for larger projects. The competitive grant process may be a good fit for developing a set of land use regulations and incentives for the City Center area that would pair with the Transportation System Planning work that is currently underway.

Fiscal Notes: None at this time. Funding may be needed in FY 20/21 if it is determined that a more substantial round of amendments are needed in Nye Beach.

Alternatives: The Council could elect to make no motion at this time, and wait for the Commission to report back before determining whether or not targeted or more extensive changes are needed in Nye Beach.

Attachments:

Partial Minutes from the 1/6/20 City Council Regular Meeting
 Partial Minutes from the 2/3/20 City Council Work Session
 Letter from Charlotte Boxer, received via email on 2/11/20
 One page list of TGM Community Assistance Programs

- P. Ratification of the Mayor's Reappointment of Braulio Escobar to the Retirement Board of Trustees for a term expiring on December 31, 2023;
- Q. Ratification of the Mayor's Appointment of Laura Kimberly, Jenni Remillard, Loren Joling, Richard Giles, Richard Brodeur, and Rebecca Stiles to the Sister City Committee for Terms Expiring on December 31, 2021;
- R. Ratification of the Mayor's appointments of Paula Miranda (stakeholder representing the Port of Newport) and Kathy Windell (at-large member) to the Vision 2040 Advisory Committee for terms expiring on December 31, 2023; and the reappointment of Leslie Palotas (At-Large Member) for a term expiring on December 31, 2024.

Allen noted a minor change to the December 2, 2019 regular meeting minutes.

MOTION was made by Goebel, seconded by Hall, to approve the consent calendar as amended. The motion carried unanimously in a voice vote.

PUBLIC HEARINGS

Public Hearing and Potential Adoption of Ordinance No. 2160, an Ordinance Related to Residential Use at Street Grade in C-2 Zone Portions of the Historic Nye Beach Design Review District. Hawker introduced the agenda item. Nebel reported on December 9, 2019, the Planning Commission held a public hearing on a request to consider amending the Historic Nye Beach Design Review District regulations expanding the area for new residential development which can occur at street level at the C-2 zone. He noted at the October 21 work session, the commission targeted a set of draft amendments to NMC 14.30.080 and 14.30.100 that would allow new residential use at street grade on all C-2 zoned property in the district situated south of NW 2nd Street and north of NW 6th Street. He stated written and public comments were received and have been relayed in the attached materials from Community Development Director Derrick Tokos. He indicated the Planning Commission voted unanimously to forward a favorable recommendation of these changes to Council. He recommended the Mayor conduct a public hearing on ordinance No. 2160, an ordinance related to residential use at street grade in C-2 zone portions of the Historic Nye Beach Design Review District.

Sawyer opened the public hearing, on Ordinance No. 2160, at 6:25 P.M. He called for public comment.

Wendy Engler, a Newport resident, stated she is in favor of the concept of the proposed ordinance, especially for the two specific properties who petitioned the city for the change. She added, however, that her support is tempered by concern over the current development standards that will apply to these properties and other streets. She noted some of the building standards are not consistent with the comprehensive plan polices related to Nye Beach, most notably, standards that allow multiple lots to be combined into a single tract for a single-family home in a C-2 area are not conducive to the pedestrian friendly, small scale mixed use neighborhood envisioned in the peninsula urban design plan of the comprehensive plan. She indicated this is notable on Cliff Street, where millions of dollars were spent for a walkable street and some commercial activity, not private homes. She urged the Council to direct the Planning Commission to follow through on their motion that passed unanimously at the August 28, 2017, meeting. She

stated the motion was to review the core zone proposal and to include review of other aspects of the Nye Beach overlay as needed such as modification of loud uses in C-2.

Planning Commissioner Bob Berman reported he fully supports the ordinance being reviewed tonight. He indicated the ordinance was developed as a targeted modification, small in scope, and only applied to six or eight potential properties that are undeveloped. He stated the ordinance does not affect the entire overlay or the entire area. He urged Council to support the ordinance. He added Engler made some excellent points about unintended consequences of past actions, and that it's time to review the development standards of the Nye Beach overlay. He emphasized it's time to see what other things can be done to enhance purposes of the Nye Beach overlay, in particular the problem of multiple lots being combined for large single-family residences.

Jan Kaplan, a Newport resident, stated he is in support of Engler's comments. He noted Nye Beach is known throughout the state, and the city needs to be careful about making changes to code that would change the nature of the area. He suggested before Council goes forward making changes, that the overall review be carried out.

Sawyer closed the public hearing at 6:33 P.M. for Council deliberation. Goebel stated he agrees with the concept, and he is concerned that there are bigger structures going in and combining lots, which may not be the real desire of the neighborhood. He indicated he would like the Planning Commission to look at that issue. Jacobi suggested Council direct the Planning Commission to review standards in Nye Beach.

MOTION was made by Goebel, seconded by Allen, to read Ordinance No. 2160, an Ordinance related to residential use at street grade in C-2 zone portions of the Historic Nye Beach Design Review District, by title only, and place for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2160. Voting aye on the adoption of Ordinance No. 2160 were Allen, Parker, Jacobi, Hall, Botello, Sawyer, and Goebel.

MOTION was made by Jacobi, seconded by Hall, to direct the Planning Commission to review the Nye Beach overlay specifications. The motion carried unanimously in a voice vote.

Nebel explained in 2017, Council had to review and renew the overlay zone, and the Planning Commission recommended reviewing this on a broader basis. He noted since then, time was consumed by the vacation rental issue. Goebel asked if the Nye Beach Neighborhood Association would be involved. Nebel replied the Planning Commission will have an initial discussion and then present a report to Council for further direction. Hall recommended the Planning Commission take a physical walkthrough of the area affected by the proposal.

Public Hearing and Potential Adoption of Ordinance No. 2159 Amending Section 4.30 of the Newport Municipal Code Regarding Single Use, Plastic, Carryout Bags, and Aligning this Section of the Newport Municipal Code with House Bill 2509. Hawker introduced the agenda item. Nebel reported that on April 15, 2019, the Newport City Council adopted Ordinance No. 2148 which created regulations on the use of single use, carryout, plastic bags in the City of Newport. He noted this ordinance was effective July 1, 2019, for large retailers and is effective January 1, 2020, for smaller retailers. He stated, concurrently, House Bill 2509 was introduced and ultimately approved by the State Legislature and signed into law by the Governor. He indicated this bill also regulates single use, carryout, plastic bags.

February 3, 2020
4:00 P.M.
Newport, Oregon

CITY COUNCIL WORK SESSION

CALL TO ORDER AND ROLL CALL

The Newport City Council met in a work session on the above date and time in Conference Room A of the Newport City Hall. In attendance were Sawyer, Goebel, Jacobi, Hall, Allen, and Botello. Also in attendance was Mona Linstromberg, Francis Van Wert, Wendy Engler, Jay Caplan, and Trish Caplan.

Staff in attendance was Spencer Nebel, City Manager; Derrick Tokos, Community Development Director; Tim Gross, Public Works Director; and Peggy Hawker, City Recorder/Special Projects Director.

DISCUSSION ITEMS

City Manager's Report. Nebel reported first on the agenda is discussion regarding the plans for the Nye Beach Turnaround. He noted the second issue is the Nye Beach Core Zone Proposal. He stated there is a housekeeping item, the upcoming meeting with the County Commission. He added Council will enter executive session to discuss real property transactions and consider exempt public records regarding privileged attorney/client written communications. He recommended spending 25 minutes on the Nye Beach Turnaround and 25 minutes on the core zone proposal.

Nye Beach Turnaround Improvements. Nebel reported Gross provided a report regarding the plans for the Nye Beach Turnaround. He noted there have been a number of discussions over the past few years regarding this project. He stated Gross has outlined the proposal for this project which would occur prior to the summer tourist season, if the Council is ready to move forward with this project. He added former Councilor Engler has had some concerns about how this project would take place and has shared those with several Council members in the past. He stated he thinks it is appropriate to have a discussion with Council on the Nye Beach Turnaround to get final direction on how Council wants to proceed with this project.

Gross reported the rehabilitation involves replacing the pavement and restriping, replacing the pieces of curb that are broken or missing, and stopping the sand from drifting across the lower parking lot with a shallow retaining wall exactly like the upper retaining wall. He added restriping the parking lot would add two more parking spots. He noted he is not planning to do anything with the landscape islands on the sides, except for filling them in with topsoil. Goebel clarified where the shallow retaining wall would be located. Allen asked for an example of the safety concerns in the Nye Beach Turnaround. Gross replied there have been two claims regarding tripping in the area.

Parker asked if there are plans for the overgrown trees in the area. Gross replied that is a topic for another discussion. Goebel asked how the Council is preventing the project. Gross replied typically this project would be a maintenance project that the Council does not need to approve. He added the discussion would occur during the budget process when funds are appropriated. He explained that when he started the work on this project, he was directed by the City Manager to stop work because of Council concerns. Nebel asked if Council is interested in moving forward with the project or having a major

redesign. Gross stated regardless of a redesign, this project still needs to happen, and happen quickly. He emphasized the deterioration of the area. Nebel reported he needs to know if the Council is comfortable with what is being proposed, or if the Council wants to look at something else. He suggested if the Council wants to do a major reconstruction of this site, he recommends not investing in repaving yet.

Goebel suggested a comprehensive look at the area. Parker clarified there would be asphalt available for the repaving and the bid process for the project. Botello suggested visiting the site. Gross emphasized the urgency of the project. Goebel clarified where the paving would be, and asked if Beautification people could speak about the area. Nebel suggested there would be time for a site visit before the next Council meeting. Allen explained his history with this item. Parker summarized some members of Council aren't sure of the scope, that the parking lot needs to be paved and sand needs to be kept out of storm drains. He stated he agrees there is a lot of community input needed on the larger design issue, but after spring break, visitor use really spikes. He indicated it would be nice to see the paving and limited scope of work to stop sand.

Goebel clarified Gross would need a month and half to complete the project. Nebel directed Gross to bring in drawings of the proposal. Sawyer said the Council would return to this item after Gross returned. Hall clarified if the Nye Beach folks would speak on the issue. Nebel replied they would speak during the second item on the agenda. Allen asked if the whole Council would tour the site. Parker replied he would show Botello the area.

Nye Beach Core Zone Proposal. Nebel reported a number of years ago the Planning Commission and the City Council updated a number of issues related to the Nye Beach overlay zone. He noted one of the issues that was not addressed at that time was a proposal from a number of residents within Nye Beach to develop a core zone proposal that would limit the bulk and size of buildings within the prescribed area within the overlay zone. He stated, at the time, the Planning Commission indicated that it was an issue that they would revisit at a later point, but it was important to move forward with the items where there was agreement. He indicated these changes were ultimately approved by the City Council and were incorporated in the code. He reported the Planning Commission has indicated that they will initiate the review in March.

Nebel stated Engler is also concerned, specifically, about potential development on Cliff Street. He noted, as indicated in her communication, once a building permit is applied for, the rules in place at the time of application will apply for any development. He added Engler is suggesting that the City considers pursuing assistance through Oregon's Transportation Growth Management Program for possible funding opportunities to assist in redevelopment. He noted the city did have discussions about potential funding from this program a couple of years ago, and, at the time, the nature of what was requested was in conflict with the purpose of this program. He added once the city has a better scope of what would be sought in this type of project, he could have further discussions about potential funding of these efforts.

Engler reported on Cliff Street there are four lots for sale that people have been wanting to buy in order to build a single, large house. She explained the area was intended to have small shops below and housing on top. She suggested the west side of Cliff Street code requirements go back to before 2008, and exclude residential on the ground floor. Tokos explained north of Second Court, Cliff Street is limited to commercial on the ground floor, but south to Olive is not. Hall explained the location of the code change request. Tokos explained the request is a legislative code amendment that could be considered

separate from the overall code. Goebel asked if this item would go to the Planning Commission. Engler requested direction for the City Manager to approve a legislative code amendment to change that section of Cliff to its previous 2008 status, where commercial is required on the ground floor.

Engler reported she is interested in having TGM bring the people in Nye Beach together as a facilitator to discuss what they would like Nye Beach to look like. She explained that was not discussed as part of the Nye Beach design review. She gave the example of the C-2 restrictions making an artist studio prohibited or conditional use. Nebel stated he would bring a report back on this on February 18. Goebel asked what happened in the past when TGM was approached. Engler replied there was a communication breakdown. Nebel added if TGM doesn't work out, then the Council could put some funding toward hiring a different facilitator. Nebel stated he would discuss the idea with them again. Goebel asked for clarification on the process. Nebel explained the Council could recommend Engler's first proposal to the Planning Commission at its next meeting.

Nye Beach Turnaround Improvements. Gross explained the maps of the area. The council came to a consensus to move forward with the project.

Joint County Commission and City Council Work Session. Nebel explained the county meets once a year with the Newport City Council in a joint work session, and this year's date is February 12 at 6:00 P.M. He suggested only three or four items in total to discuss with the county. Discussion ensued on the top items. Hall asked to be excused from the meeting since she teaches. Council agreed the Housing Rehabilitation Fund, update on County Commons and Farmer's Market, concerns with the Jump-Off Joe site, and shelter for the homeless were the top four issues.

EXECUTIVE SESSION

MOTION was made by Allen, seconded by Parker, to enter executive session pursuant to ORS 192.660(2)(e) to Discuss Real Property Transactions and pursuant to ORS 192.660(2)(f) to Consider Exempt Public Records Regarding Privileged Attorney/Client Written Communications. The motion carried unanimously in a voice vote, and Council entered executive session at 5:13 P.M.

Council left executive session and returned to its work session at 5:50 P.M.

ADJOURNMENT

Having no further business, the meeting adjourned at 5:50 P.M.

Derrick Tokos

From: Spencer Nebel
Sent: Thursday, February 13, 2020 9:15 AM
To: Derrick Tokos
Subject: FW: Letter in support of Nye Beach Zoning Amendment
Attachments: City Manager Letter re Zoning Amendment.docx

Importance: High

Spencer R. Nebel

City Manager
City of Newport, Oregon 97365
541-574-0601
s.nebel@newportoregon.gov

From: Charlotte Boxer <charboxer2@comcast.net>
Sent: Tuesday, February 11, 2020 10:35 AM
To: Spencer Nebel <S.Nebel@NewportOregon.gov>
Subject: Letter in support of Nye Beach Zoning Amendment
Importance: High

Dear Mr. Nebel,

I was asked to provide a written letter in support of returning the west side of Cliff Street to pre-2008 status. Attached is my letter, which also contains a short narrative as to why I feel so strongly about this request.

Please let me know if I can provide you any further information. I appreciate that I have an opportunity to put this recommendation in writing for your review, and hopefully support, for this important correction to the Historic Nye Beach neighborhood.

Thank you,
Charlotte Boxer
Owner – 213 NW Cliff Street

February 10, 2020

Spencer Nebel, City Manager
City of Newport
169 SW Coast Hwy
Newport, OR. 97365

Sent via email

Re: C-2 Zoning Amendment on Cliff Street

Mr. Nebel,

I am writing this letter in support of a zoning amendment for the west side of Cliff Street. I am the owner of the property at 213 NW Cliff Street, which is located on the west side of Cliff Street. I purchased this property in early 1998 with a vision of developing it into a mixed-use property. As time passed, I also acquired two buildings on the bay front (which I still own) and the restaurant property on Olive Street which I recently sold to The Hallmark Inn. At this stage of my life, I have decided to list the property for sale and let someone else do the development and enjoy my retirement. However, that does not mean I have lost my desire to see the neighborhood flourish with a mix of uses under the C-2 zoning.

Over the years many of us envisioned that the Nye Beach neighborhood would become a neighborhood of small retail shops, restaurants, and quaint housing. A place where tourists and locals would have a chance to shop, eat and enjoy the ambiance of a fun coastal neighborhood. The change in permitted uses with the 2008 amendment now allows residential at the street level and has already impacted the ambiance of the neighborhood by allowing the 5 residential homes at the corner of Olive Street and Coast Street to be built. In my opinion, that development is exactly what I *don't* want to see happen to my property. My property is 9800 sf and could accommodate small-scale development as a boutique hotel or a mixed-use project of retail and housing, which is what was originally intended prior to the 2008 amendment. Now it could also potentially allow a huge McMansion up to 65' long to be built by combining the four lots into one home site. This is not my vision or hope for the neighborhood, nor is a project that looks like the corner of Olive and Coast Street.

The Sylvia Beach Hotel, the American Classic VRD and the Minthorn House are operating under the pre-2008 rules and this would put the rest of the west side of Cliff Street under the same rule. It is important for the leaders of our community to share a vision of what we want our neighborhoods and our city to look like as development takes place. Cliff Street was improved with the brick streets and underground utilities to encourage walkability and help facilitate the development of a mix of commercial and residential within the neighborhood. I sincerely hope the city council will embrace this vision too. By returning the west side of Cliff Street to pre-2008 status it would ensure future development as commercial and/or mixed-use which was the original vision for Cliff Street.

Thank you,
Charlotte Boxer, 1050 SW Mark Street, Newport, OR.

TGM Community Assistance Programs

In addition to grants, TGM provides several other services to help resolve land use and transportation planning issues. Community Assistance projects have a more narrow scope and shorter timeline than grant projects. They are awarded throughout the year on a non-competitive basis.

Code Assistance

Local governments use TGM Code Assistance to help identify and remove barriers to smart growth in their zoning and development codes. TGM staff or planning consultants hired by TGM work with communities to:

- review and revise local planning policies and code standards; and
- solve specific code problems identified by the community.

Cities can also use TGM's Model Development Code for Small Cities to update their codes independently or with the support of a consultant.

Education and Outreach

Through workshops and presentations, TGM helps communities identify solutions to community design, land use, and transportation challenges. TGM workshops and presentations are generally tailored to meet the specific needs of a community.

Quick Response

Quick Response focuses on bridging the gap between long range transportation planning and subsequent actions affecting specific properties. Design consultants hired by TGM identify ways to facilitate readiness for development and improve access to local destinations, while encouraging walking, biking and using transit.

TSP Assessment

TSP Assessment helps local governments evaluate their existing transportation systems plans. TGM will identify the TSP's strengths and weaknesses, discuss the need for and timing of a potential update, and help develop a scope of work.

More Information

More information on Community Assistance is on our website, including program brochures, eligibility requirements, and information on completed projects: <https://www.oregon.gov/lcd/TGM>.

The following DLCD staff can provide additional guidance specific to their program:

<u>Code Assistance</u>	Laura Buhl	503-934-0073	laura.buhl@state.or.us
<u>Education and Outreach</u>	Evan Manvel	503-934-0059	evan.manvel@state.or.us
<u>Quick Response</u>	Stacey Goldstein	503-934-0048	stacey.goldstein@state.or.us
<u>TSP Assessment</u>	Bill Holmstrom	503-934-0040	bill.holmstrom@state.or.us

MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Conference Room A
February 24, 2020
6:00 p.m.

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

Planning Commission Citizens Advisory Committee Members Present: Braulio Escobar, and Greg Sutton.

Planning Commission Citizens Advisory Committee Members Absent: Dustin Capri (*excused*).

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

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **Unfinished Business.**
 - A. **Update on City Council Direction to Initiate Targeted Nye Beach Code Amendments.** Tokos gave an update on the direction the City Council gave on the February 18th meeting to initiate targeted Nye Beach code amendments that would restrict residential on street grade along the west side of NW Cliff Street. He reviewed a draft of the NMC Chapter 14.30 amendments that were handed out to the Commissioners.

Hanselman asked if the amendments applied to just single family residential. Tokos explained it applied all residential. Berman asked if the amendments would undo what the Commission had already worked on. Tokos reported that this change only affected Cliff Street and brought the rules back to where they were prior to the updates that happened in 2008. Hardy questioned why there was resistance towards building large homes on Cliff Street. Tokos explained that because there was a lot of money spent on the Cliff Street improvements, building large houses on that street would be inconsistent with the infrastructure that had already been put in place. Franklin asked if this would be a "taking" issue. Tokos explained the City would have to provide the required Measure 56 notice to the property owners on Cliff Street because the residential right at street grade granted to them in 2008 was being taken away. He noted that the City Council wanted the Commission to consider this modification and also ask themselves if there were more significant changes that needed to be added for Nye Beach.
3. **New Business.**
 - A. **Review Updated Set of Tsunami Hazard Overlay Zone Amendments / Hazard Mitigation Plan.** Tokos reviewed his staff memorandum and he handed out a copy of an email from Meg Reed at the DLCD to the Commission. He explained that the draft copy of amendments to the Natural Features Section of the Newport Comprehensive Plan included a rationale, background, and policies for guiding development within tsunami inundation areas. Tokos reviewed the draft ordinance establishing a Tsunami Hazards Overlay Zone and explained that the overlay expressly limited certain uses in tsunami inundation areas in a manner comparable to provisions contained in ORS Chapter 455 that were removed with the passage of HB 3309 (2019). He noted that HB 4119 was likely to be approved during the Oregon Legislature's short session. This was a refinement of HB 3309 that would require certain structures in tsunami inundation areas be designed to higher standards. Tokos noted that the City would update its building codes to comply with the law if this was passed. It would not impact the proposed amendments, but would be a supplemental set of standards that would apply to certain projects.

Tokos asked for the Commissioner's comments on the document. Branigan noted that if the spelling of McLean was correct the "[sic]" should be removed. Hardy asked why the dates of events in Table 1 were deleted. Tokos explained that since it cut off in 1957, there was enough of an explanation that they didn't need to go beyond this. Hardy thought that including it would give a cleaner perspective based on what actually happened rather than the assumption that it was going to be 500 years. Tokos explained that specific events were best left in background documents. This was because the City would have to otherwise replicate documents and there wasn't enough time to go back and research everything that had happened.

Berman noted that the last sentence on page 8 had two extra hyphens that needed to be removed. He also questioned on page 9 if saying the tectonic plates were "westward-moving" was correct. He thought the words should be taken out. Patrick didn't think it should be removed because the Atlantic was in fact pushing the plates west. Branigan noted that the actual jurisdiction names needed to be adding in the last sentence of paragraph 2. He also pointed out that the first sentence in paragraph 4 of page 9 should be changed to said that the Department of Geology of Mineral Industries "has" developed Tsunami Inundation Maps. Hanselman thought that the argument on the first two sentences on page 14 of the document were wrong. He had concerns that they were referencing old science and not a net zero drift. Tokos thought this was fair and explained that there were items in the Natural Features section that needed to be updated that were separate from this project. This could be done at some point but it would be a different project and a little bit more involved to tackle.

Tokos reviewed the additions to the Natural Features Goals/Policies next. Hardy questioned why the tsunami hazard and disclosure statement for new development in hazard areas had been removed. Tokos explained that the Commission could discuss adding it back in but it would have to be run through legal review to understand what purpose it served. Berman thought that in previous Commission minutes there was general agreement that they wanted the disclosure statement included. Tokos said there needed to be legal review to decide if the document would reside in the planning file, or if it was something that was recorded for the property. A discussion ensued regarding the value of a disclosure statement, if a statement should be filed away or recorded, and how a disclosure statement would affect development. Hardy was in favor of requiring a disclosure statement. Hanselman reminded the Commission that a lot of buyers didn't know what the natural hazards were and didn't do the proper due diligence. He felt a disclosure statement would inform buyers. Tokos explained that the question the Commission should answer was where would the disclosure statements be held and referenced. Franklin didn't see how the disclosure statement would help any more than the public education that was already happening in the area through signage and news reports. Tokos explained that Goal 2 delved into the public education aspect of this. It extended the requirement to advise guests in short-term rentals to hotels. The Commission was in general agreement to go ahead with the education goal. Berman requested that the syntax be consistent in structure throughout all of the policies.

Patrick requested there be a link online to see the hazard maps. Berman asked what the maps that started on Page 27 of the document were. Tokos explained that they represented the natural features of Newport and noted that they needed to be updated. Berman asked if Chapter 14.46.020(B) was referencing the City or the Urban Growth Boundary of Newport. Tokos explained this was the City limits because they could only apply zoning inside the City.

Berman suggested that Chapter 14.46 say "the latest version" of the maps instead of specifically the 2015 maps. Tokos agreed it should be the latest version and said they would do conscious updates when there were changes in the inundation areas. Franklin asked how the "Emergency vehicle shelters and garages" prohibition in Chapter 14.46.050(A)(3) affected the current ambulance service in Nye Beach. Tokos explained this change would make the current ambulance service nonconforming, and when they went away they wouldn't be allowed to come back. Berman asked why tanks had been repeated in Prohibited Uses A and B. Tokos said the tanks supported the other uses in the same zone. This addressed situations such as when a tank was located in the inundation area but the facility was outside of the inundation area. Berman thought it was redundant. He noted that the first tank reference said "section" and the second said "sub-section". This needed to be the same wording.

Berman questioned if “adult day care” should be included in the list. Tokos thought this was the same as assisted living facilities. Berman explained that it was different. Tokos suggested a definition be added to synch up to State terminology.

Hanselman asked how many local schools had 250 children. Tokos thought the high school and middle school had this many. Hanselman suggested the number be adjusted because he didn’t want to see smaller schools left out. Tokos didn’t think numbers should be included in B.1 and B.3. He wanted it clear that this didn’t apply to the new OSU MSI education building because it was a tsunami evacuation structure. Franklin asked if a trade school would be prohibited if the numbers were taken out. Tokos explained they would unless the trade school was tailored toward water-related trades. This type of trade school would be exempt because it was considered necessary for work in the water related zones. Berman asked if 14.46.080 applied to water related zones. Tokos believed it would but would change it to make it expressly clear that it did.

Tokos asked the Commission if they were good with the scope of changes to the Tsunami Hazards Overlay Zone. The Commission was in general agreement that they were.

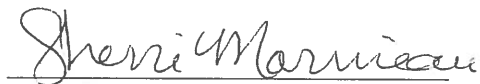
- B. Review Amendments to the Stormwater Facilities Element of the Comprehensive Plan.** Tokos reviewed his staff memorandum and the final draft of proposed changes to the Storm Drainage Element of the Newport Comprehensive Plan. He explained that the Statewide Planning Goal 11 addressed public facilities planning, and this goal was implemented in OAR Chapter 660, Division 11. The administrative rule called for certain elements of public facilities plans to be adopted into a Comprehensive Plan, namely a list of the identified projects (OAR 660-011-0045). System Development Charge eligible capital projects would also be identified in the project list. The current draft responded to issues raised by Commission and Advisory Committee members to make sure the projects and recommendations were appropriately added to the Comprehensive Plan. Language was also clarified and a new Policy 5 has been added under Goal 1 related to the management of stormwater in geologically hazardous areas.

Tokos reviewed the Goals and Policies section of the Public Facilities Element. He explained that regulations would need to be developed on how the City would be handling impacts to the system in an equitable manner on a project by project basis. Berman asked if Policy 5 needed to have a term that related back to the geologic hazards. Tokos thought that saying “City designated” would suffice. Patrick suggested adding LIDS to the policies. Berman didn’t like limiting Goal 2, Policy 5 to City properties and wanted to see good housekeeping policies that anyone could adhere to. He wanted the policies made available to anyone doing development. Hanselman noted that the Civil West review had omitted properties. He asked that the City request Civil West provide the findings from Oceanview Drive up to 48th Street on the west side of Hwy 101 that were relative to what the storm sewer was to those neighborhood. Tokos would look into this.

Tokos asked the Commission if it was acceptable to initial the legislative process at the next meeting. The Commission was in general agreement to do so.

- 4. Adjourn.** The meeting adjourned at 7:13 p.m.

Respectfully submitted,



Sherri Marineau,
Executive Assistant

Derrick Tokos

2-Z-20

From: Derrick Tokos
Sent: Monday, March 02, 2020 2:02 PM
To: 'jdahlqu1@gmail.com'
Subject: RE: Contact Us - Web Form

Hi Jean,

Please accept this response as confirmation that I received your email and that we will provide you a copy of the staff report when it is available.

Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0626 fax: 541.574.0644
d.tokos@newportoregon.gov

-----Original Message-----

From: jdahlqu1@gmail.com [mailto:jdahlqu1@gmail.com]
Sent: Monday, March 02, 2020 11:34 AM
To: Derrick Tokos <D.Tokos@NewportOregon.gov>
Subject: Contact Us - Web Form

City of Newport, OR :: Contact Us - Web Form

The following information was submitted on 3/2/2020 at 11:33:52 AM

To: Derrick Tokos
Name: Jean Dahlquist
Email: jdahlqu1@gmail.com
Phone: (414) 477-1567
Subject: 2-Z-20

Message: Good morning,

My name is Jean Dahlquist and I am conducting some research for FHCO. I was hoping to obtain the staff report and all corresponding attachments for 2-Z-20, the "Eliminates residential use at street grade in a portion of the City's C-2/Tourist Commercial zone adjacent to NW Cliff Street," when available.

Additionally, I've been in communication with several other cities, and they have found this resource helpful: <https://www.housinglandadvocates.org/wp-content/uploads/2018/04/Goal-10-Guidance-Letter-to-Cities-and-Counties-signed.pdf> . They have also found it helpful for me to take a quick look at their Goal 10 findings, as I have a pretty good

sense as to whether FHC and HLA would want to submit a comment letter, and what they would say. Thus, if this would also assist your workflow to receive feedback earlier, please let me know and I would be more than happy to oblige.

Please confirm the receipt of this e-mail and I look forward to hearing from you soon!

Very Respectfully,

--Jean

NEWPORT PENINSULA URBAN DESIGN PLAN¹

Findings:

Newport's historic peninsula district is the heart of the city. The City of Newport anticipates that population, employment growth, and increased tourism on the peninsula, combined with automobile-dependent development, will negatively affect the quality of life and lifestyle, as well as the physical character of the historic core of the city. The peninsula's ability to accommodate change requires careful attention to urban design in order to preserve and strengthen the inherent qualities which have guided Newport's development to date. These summary findings are more fully developed in the Newport Peninsula Urban Design Study, which is incorporated herein as a background reference document and provides substantial evidence for these findings, policies, and implementation strategies. It is our key finding that is necessary to both stimulate and guide development in order to graciously incorporate change and preserve the peninsula as a wonderful place to live. Consequently, the following policies are adopted for the peninsula.

Policies:

1. Preserve the beautiful natural setting and the orientation of development and public improvements in order to strengthen their relationship to that setting.
2. Enhance new and redeveloping architectural and landscape resources to preserve and strengthen the historic and scenic character and function of each setting.
3. Improve the vehicular and pedestrian networks in order to improve safety, efficiency, continuity, and relationships connecting the peninsula neighborhoods.
4. Coordinate with the Oregon Department of Transportation (ODOT) highway projects which are compatible with and responsive to these policy objectives and design districts implementing said policies.
5. Improve cohesion of each neighborhood subject to design district overlay by enhancing its function, character, and relationship to its natural setting and orientation.
6. Preserve and strengthen the ability of peninsula institutions to continue as centers

¹ Chapter added by Ordinance No. 1677 (July 6, 1993).

of employment.

7. Improve the built environment in order to strengthen the visual appearance and attractiveness of developed areas.
8. Strengthen the peninsula's economic vitality by improving its desirability through improved appearance, function, and efficiency.
9. Preserve and enhance the existing housing supply. Encourage the increase of affordable housing in Newport.
10. Adopt up to six urban design districts on the peninsula for the purpose of implementing said policies in a manner consistent with the purpose of implementing said policies in a manner consistent with the character and function of each area as further defined herein.

Implementation:

The urban design policies may be implemented by additional specific policies related to these objectives in the transportation system play, especially as these may relate to integration of pedestrian, vehicular and bicycle environments and networks, parking, and coordination with ODOT.

These policies may also be implemented by specific development/zoning code amendments requiring integration of key policy elements into development plans. Such policies may include a system of incentives to achieve density, height, pedestrian orientation, and scenic enhancement.

The key implementation for these urban design policies specifically authorized by this amendment shall be the creation of urban design districts. The purpose of each design district shall be to preserve and enhance the function and character of each district area. Design districts shall be considered as refinement plans and adopted as zoning and development code overlays. The character and function of the six urban design districts is as follows:

1.) City Center District (including U.S. Highway 101 Corridor).

A. City Center

The City Center area shall be characterized by Twentieth Century Commercial and Vernacular style structures. This area will be the most intensively developed commercial node on the peninsula. It will be enhanced as the City Center by development of a transportation network which links this area to all others on the peninsula. The building sites and public rights-of-way are to be

characterized by land efficient parking and views of the Pacific Ocean and Yaquina Bay.

B. City Center North

City Center North shall be characterized by concentrating government buildings into a government center both east and west of U.S. Highway 101. It will serve as a gateway to the peninsula while linking with the Center in both function and character.

C. City Center South

City Center South shall focus on the Pacific Communities Hospital development. Development in this area shall be pedestrian and bicycle oriented, with effective linkages to the City Center and the U.S. Highway 101 Corridor.

2.) Waterfront District.

Historically, this area was the original development site with the City of Newport. Marine dependent industries--timber transport, fishing, etc.--were the first source of livelihood for early settlers and inhabitants and shall continue to be referenced in the design of the area. The Waterfront District shall continue to reflect the working class character of the commercial fishing industry. Appropriately, existing commercial buildings line both sides of Bay Boulevard and are of wood frame construction, clad with stucco, masonry and tin, covered with flat and gable roofs, 1 - 3 stories in height, with zero building setbacks. Many buildings have awnings, and some are built on pilings above the water. Piers project beyond the buildings. The historic character of the area is strong due to numerous intact, original buildings which date from the 1870's through the 1940's, and preservation of these historic buildings should continue to the extent possible. (At the intersection of Hatfield Drive and Bay Boulevard, the addition of contemporary buildings and lack of intact historic buildings has changed the character of the area to the east.) The U.S. Coast Guard Station/Ocean House Hotel Site is noteworthy architecturally as a unique building of the Colonial Revival style within the City of Newport. The location of this building on a bluff above the Waterfront District is an important aspect of its significance and shall be preserved.

3.) Nye Beach District.

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 2½ 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 these vernacular buildings and the building/site relationship. Every effort should be made to integrate the goals of the Nye Beach Study (*Seventh Amendment to the Newport Urban Renewal Plan*) with any new developments in this area for maximum benefit to the city and community.

4.) Upland Residential District.

Quiet area of well-maintained, modern single-family residential homes to be maintained overlooking Yaquina Bay. Sites are characterized by steep slopes and shall be sensitively developed. Existing vegetation, such as shore pines, fir, hemlock, and Monterey Cypress, is important to the character of this area, as well as the entire peninsula, and should be preserved.

5.) East Olive District.

This district consists of mixed use development and the middle school, high school, county fairgrounds, and city/ county maintenance shops. The East Olive District shall redevelop with emphasis on attractive development character and corridor improvements, including efficiently organized vehicular, pedestrian and bicycle traffic, and site planning that emphasizes pedestrian orientation and children's safety.

6.) Oceanfront Lodging/Residential District.

Multi-story buildings of varying heights, including rectangular oceanfront motels of contemporary construction. Occasional views of ocean between buildings to be encouraged. Orientation of visitors to the ocean is to be enhanced by the emphasis of native/naturalized plantings on public and private property. Multi-family residential structures to be encouraged. Single-family homes south of motel area, on bluff overlooking the beach, to be respected by adjacent developments. Parking conflicts to be improved by site planning and new buildings to reflect pedestrian orientation. Beach accesses to be maintained or enhanced. Public open spaces to be encouraged.

Specific Peninsula Implementation Strategies:

Development on the peninsula and in each urban design district may use these additional implementation strategies:

1.) Encourage development of a pedestrian-friendly environment throughout the

- peninsula through creation of public open spaces and pedestrian amenities within each of the peninsula's primary sub-areas. Such public places should be supportive of intensive commercial activity centers (such as the City Center), tourist areas (such as the Waterfront and Oceanfront Lodging areas), and orientation to major natural features (such as Yaquina Bay and the Pacific Ocean).
- 2.) Work with the Oregon Department of Transportation to develop the best coast parkway design, responsive to both the City of Newport's commercial development interests and user accessibility requirements. Include U.S. Highway 20, the East Olive entrance, as a major component of the work with ODOT. Co-ordinate compliance with Oregon's Transportation Rule for improved traffic flow and safety for cars, pedestrians, bicycles, and--where appropriate--transit throughout the peninsula. Further:
 - (a) Develop a strong, local circulation network by forming north-south streets (7th north from Bayley to 15th; and 9th north from Bayley to 12th) parallel to U.S. Highway 101 through the central peninsula area.
 - (b) Preserve the Yaquina Bay Bridge as a beautiful piece of architecture that greatly enhances the Newport Peninsula's entrance from the South.
 - 3.) Encourage developer partnerships in implementation of these urban design principles through a system of incentives (e.g., density, height, pedestrian orientation).
 - 4.) Use the redesign of U.S. Highway 101 to link the existing City Center with office employment centers and to link the Waterfront with Oceanfront Lodging/Residential and Nye Beach. Strive to fully integrate U.S. Highway 101 improvements into the City of Newport.
 - 5.) Establish visual continuity by seeking opportunities for relocating or undergrounding utilities and implementing a signage program and signage ordinances.
 - 6.) Preserve the significant scenic qualities from the Waterfront to the top of the Upland Residential bluff and from the Embarcadero through the Yaquina Bay State Park. Foster developer partnerships in implementation of these scenic preservation principles through a system of incentives (e.g., density, height, pedestrian orientation, parking reductions).
 - 7.) Preserve the natural character of the Newport peninsula--its remaining stands of significant native vegetation--by utilizing creative site planning on both public and private development projects. Carefully monitor potential impacts of new development and redevelopment efforts. (Definition of "significant" here is relative, since a single tree--a Douglas Fir or a Monterey Cypress, for example--is significant when located anywhere along the Uplands Residential bluff skyline above the

Waterfront, helping form the peninsula's characteristic appearance from the South.)

- 8.) Support the scenic restoration process (a) by implementing improvements within the highway and local street rights-of-way and (b) through the development and redevelopment processes of both commercial and residential lands. Scenic enhancement measures will be compatible with development rights.
- 9.) Resolve the traffic congestion and spatial limitations relating to use of the Lincoln County Fairgrounds, the Newport High School, and the Newport Middle School.

- The average density of residential permits in High Density Residential (HDR) was 9.9 du per net acre.
- Nearly half of development was single-family (detached and attached), with the majority in HDR (210 du) at an average of 8.2 du per net acre and most of the remaining single-family development in LDR (128 du) at 4.8 du per net acre.
- Most high density multifamily development was in HDR or Commercial Plan Designations
 - In HDR condos and apartments averaged 14.2 and 16.4 du per net acre respectively
 - In Commercial Plan Designations condos average 32.6 du per net acre

Table 12. Density of dwelling units approved through building permits issued for new residential construction, dwelling units per net acre by Comprehensive Plan Designation, Newport UGB, January 1, 2000 and December 31, 2010

	Total DU, Lots with a Permit Issued 2000 to 2010	Percent of DU	Acres of Land	Density (DU/Acre)
Low Density Residential				
Single-Family	128	19%	26.5	4.8
Manufactured	34	5%	4.2	8.2
Dup/TrSF/Quad	2	0%	0.2	12.5
Condo	2	0%	0.2	8.7
LDR Subtotal	166	24%	31	5.3
High Density Residential				
		0%		
Single-Family	210	30%	25.5	8.2
Manufactured	86	12%	9.6	9.0
Dup/TrSF/Quad	4	1%	0.2	25.0
Condo	81	12%	5.6	14.4
Apartment	56	8%	3.4	16.4
HDR Subtotal	437	63%	44	9.9
Commercial Plan Designation				
		0%		
Single-Family	6	1%	0.4	14.0
Manufactured	1	0%	0.1	9.1
Dup/TrSF/Quad	4	1%	0.1	28.6
Condo	74	11%	2.3	32.6
Apartment	3	0%	0.1	42.9
Commercial Subtotal	88	13%	3	29.1

Source: City of Newport Building Permit Database and Lincoln County Assessor's Database, 2010

Analysis by ECONorthwest

Note: DU is dwelling units

Note: "Total DU, Lots with a Permit Issued 2000 to 2010" shows the number of dwelling units on lots where a permit was issued during the 10-year period. Accounting for the newly permitted and existing dwellings on the lots is important for accurately calculating the density of development on the lots

Note: Density was calculated based on Total DU divided by acres of land. Although some of the total dwellings were not developed over the 10-year period, accurately calculating residential density requires accounting for existing dwelling units.

The Joint Center for Housing Studies indicates that demand for higher density housing types exists among certain demographics. They conclude that because of persistent income disparities, as well as the movement of the echo boomers into young adulthood, housing demand may shift away from single-family detached homes toward more affordable multifamily apartments, town homes, and manufactured homes.

- Forty-two percent of needed dwelling units will locate in the Low Density Residential designation.
- Forty-seven percent of needed dwellings will locate in the High Density Residential designation.
- Eleven percent of needed dwelling units will locate in commercial plan designations.

Table 15. Allocation of new housing units by plan designation, Newport, 2011-2031

Housing Type	Plan Designation						Total	
	Low Density Residential		High Density Residential		Commercial Designations			
	DU	Gross Ac	DU	Gross Ac	DU	Gross Ac	DU	Gross Ac
Single-family detached	339	69	169	21	0	0	508	91
Multifamily	17	2	229	14	93	6	339	21
Total	356	71	398	35	93	6	847	112
Percent of Acres and Units								
Single-family detached	40%	62%	20%	19%	0%	0%	60%	81%
Multifamily	2%	2%	27%	12%	11%	5%	40%	19%
Total	42%	64%	47%	31%	11%	5%	100%	100%

Source: ECONorthwest

Note: Multifamily includes single-family attached.

The final step of the housing needs analysis is an evaluation of the sufficiency of vacant residential land with the Newport UGB to accommodate expected residential growth over the 2011 to 2031 period. This section includes an estimate of Newport's residential land sufficiency, based on the analysis in the housing needs analysis.

Table 16 shows a comparison of buildable residential land with demand for residential land to determine the sufficiency of residential land in the Newport UGB to accommodate growth over the 2011 to 2031 period. Table 16 shows:

- **Land Supply.** Newport has more than 1,700 acres of vacant and partially vacant buildable land.
- **Land Demand.** Newport will have demand for about 106 gross acres of residential land.
- **Land Sufficiency.** Newport has enough land to accommodate residential growth over the 20-year period, with a surplus of about 1,650 gross acres of residential land.

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

The Newport Planning Commission will hold a public hearing on Monday, April 13, 2020, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 2-Z-20, amendments to Newport Municipal Code (NMC) Section 14.30.080, Permitted Uses; and Section 14.30.100, Special Zoning Standards in Design Review Districts, to prohibit residential uses at street grade in C-2 zoned areas within the Historic Nye Beach Design Review District that are along the west side of NW Cliff Street between NW 2nd Court and W Olive Street. The current regulations allow residential uses at street grade at this location. Pursuant to Newport Municipal Code (NMC) Section 14.36.010, the Commission must find that the change is required by public necessity and the general welfare of the community in order for it to make a recommendation to the City Council that the amendments be adopted. Testimony and evidence must be directed toward the request above or other criteria, including criteria within the Comprehensive Plan and its implementing ordinances, which 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. The hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. 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 proposed code amendments, additional material for the amendments, and any other material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 (address above).

(FOR PUBLICATION ONCE ON FRIDAY, April 3, 2020)

budget is for an [X] annual; [] biennial budget period. This budget was prepared on a basis of accounting that is: [X] the same as; []

different than the preceding year. If different, the major changes and their effect on the budget are:

Possible combination with Newport Fire Department

Table with 3 columns: Contact, Telephone number, E-mail. Contact: Peter Boris, Pres; Telephone: (541) 867-3719; E-mail: paboris@peak.org

FINANCIAL SUMMARY - RESOURCES

Table with 4 columns: TOTAL OF ALL FUNDS, Actual Amounts 20 18 -20 19, Adopted Budget This Year: 20 19 -20 20, Approved Budget Next Year: 20 20 -20 21. Rows include Beginning Fund Balance, Fees, Federal Grants, Revenue from Bonds, etc.

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION

Table with 4 columns: Object Classification, Actual Amounts, Adopted Budget, Approved Budget. Rows include Personnel Services, Materials and Services, Capital Outlay, Debt Service, etc.

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM*

Table with 4 columns: Name, FTE for Unit or Program, Adopted Budget, Approved Budget. Row for CITY OF NEWPORT.

PROPERTY TAX LEVIES

Table with 4 columns: Levy, Rate or Amount Imposed, Rate or Amount Approved. Rows for Permanent Rate Levy, Local Option Levy, Levy for General Obligation Bonds.

(87-03)

THE DATE SPECIFIED IN THIS SUMMONS OR ON A FUTURE DATE, and may make such orders and take such action as authorized by law. RIGHTS AND OBLIGATIONS (1) YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY IN THIS MATTER. If you are currently represented by an attorney, CONTACT YOUR ATTORNEY IMMEDIATELY UPON RECEIVING THIS NOTICE. Your previous attorney may not be representing you in this matter. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY and you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. TO REQUEST APPOINTMENT OF AN ATTORNEY TO REPRESENT YOU AT STATE EXPENSE, YOU MUST IMMEDIATELY CONTACT the Lincoln County Juve-

nile Court, 225 West Olive Street, Newport, Oregon 97365, phone number (541) 265-4236, between the hours of 8:00 a.m. and 5:00 p.m. for further information. IF YOU WISH TO HIRE AN ATTORNEY, please retain one as soon as possible and have the attorney present at the above hearing. If you need help finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll free in Oregon at (800) 452-7636. IF YOU ARE REPRESENTED BY AN ATTORNEY, IT IS YOUR RESPONSIBILITY TO MAINTAIN CONTACT WITH YOUR ATTORNEY AND TO KEEP YOUR ATTORNEY ADVISED OF YOUR WHEREABOUTS (2) If you contest the petition, the court will schedule a hearing on the allegations of the petition and order you to appear personally and may sched-

ule other hearings related to the petition and order you to appear personally. IF YOU ARE ORDERED TO APPEAR, YOU MUST APPEAR PERSONALLY IN THE COURTROOM, UNLESS THE COURT HAS GRANTED YOU AN EXCEPTION IN ADVANCE UNDER ORS 419B.918 TO APPEAR BY OTHER MEANS INCLUDING, BUT NOT LIMITED TO, TELEPHONIC OR OTHER ELECTRONIC MEANS. AN ATTORNEY MAY NOT ATTEND THE HEARING(S) IN YOUR PLACE. PETITIONER'S ATTORNEY: Michelle Branam, Assistant Attorney General, Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, Phone: (503) 934-4400, ISSUED this 26th day of March, 2020. Issued by: Michelle Branam #032737 Assistant Attorney General. A3 A10 A17 (88-17)

NOTICE OF A PUBLIC HEARING CITY OF NEWPORT: The Newport Planning Commission will hold a public hearing on Monday, April 13, 2020, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 2-Z-20, amendments to Newport Municipal Code (NMC) Section 14.30.080, Permitted Uses; and Section 14.30.100, Special Zoning Standards in Design Review Districts, to prohibit residential uses at street grade in C-2 zoned areas within the Historic Nye Beach Design Review District that are along the west side of NW Cliff Street between NW 2nd Court and W Olive Street. The current regulations allow residential uses at street grade at this location. Pursuant to Newport Municipal Code (NMC) Section 14.36.010, the Commission must find

that the change is required by public necessity and the general welfare of the community in order for it to make a recommendation to the City Council that the amendments be adopted. Testimony and evidence must be directed toward the request above or other criteria, including criteria within the Comprehensive Plan and its implementing ordinances, which 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. The hearing may include a report

by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. 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 proposed code amendments, additional material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 (address above). A3 (86-03)

4/13/20

AFFIDAVIT OF MAILING OF NOTICE OF LAND USE ACTION

File No(s). 2-Z-20

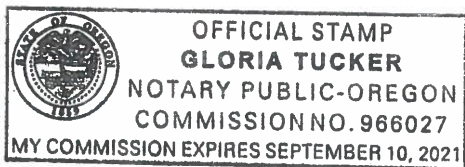
I, Sherri Marineau, duly appointed Executive Assistant of the City of Newport, do hereby certify that the notice of a land use action attached hereto and by this reference made a part hereof is a true and complete copy of the original of such notice, and that said original was deposited in the United States mails at Newport, Oregon, with first-class postage thereon prepaid, addressed to each of the persons owning property and entitled to receiving notice, as said persons are named in Exhibit "A", attached hereto and by this reference made a part of hereof, at the last known address of each person as shown by the records of the Lincoln County Assessor at Newport, Oregon, on the *6th* day of *March, 2020*.

STATE OF OREGON)
)ss.
County of Lincoln)

Sherri Marineau

Sherri Marineau
Executive Assistant

SUBSCRIBED AND SWORN to before me this 6 day of March, 2020.



Gloria Tucker

Notary Public of Oregon

My Commission Expires: 9/10/2021

CITY OF NEWPORT
169 SW COAST HWY
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



phone: 541.574.0629
fax: 541.574.0644
<http://newportoregon.gov>

mombetsu, japan, sister city

PUBLIC NOTICE OF POTENTIAL LAND USE CHANGE

This is to notify you that the City of Newport has proposed land use regulations that may affect the permissible uses of your property and other properties.

Specifically, the City is considering an ordinance that would prohibit new residential use at street grade for property situated along the west side of NW Cliff Street between NW 2nd Court and W Olive Street. The proposed changes are contained in draft Ordinance Number 2165.

On Monday, April 13, 2020, at 7:00 pm or soon thereafter, the City of Newport Planning Commission will conduct a public hearing regarding the adoption of Ordinance Number 2165. The hearing will be held in the Newport City Hall Council Chambers, located at 169 SW Coast Highway, Newport, OR 97365.

The city has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property. Newport Municipal Code Section 14.36.010 allows city land use regulations to be amended by the City Council, upon recommendation of the Planning Commission, when it is determined that such changes are required by public necessity and the general welfare of the community. These are the approval criteria for the proposed land use regulations, and testimony and evidence must be directed toward these criteria or other criteria, including criteria within the Newport Comprehensive Plan and its implementing ordinances, which persons believe apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to an 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. The hearing may include a report by staff, and testimony from proponents and opponents to draft Ordinance Number 2165. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing.

Draft Ordinance Number 2165, and related materials, are available for inspection and may be purchased for reasonable cost at the Community Development Department, Newport City Hall, located at 169 SW Coast Hwy, Newport Oregon 97365. For additional information concerning draft Ordinance Number 2165, you may contact Derrick Tokos, City of Newport Community Development Director, at 541-574-0626 or d.tokos@newportoregon.gov. Testimony may also be submitted via this email address.

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CITY MANAGER
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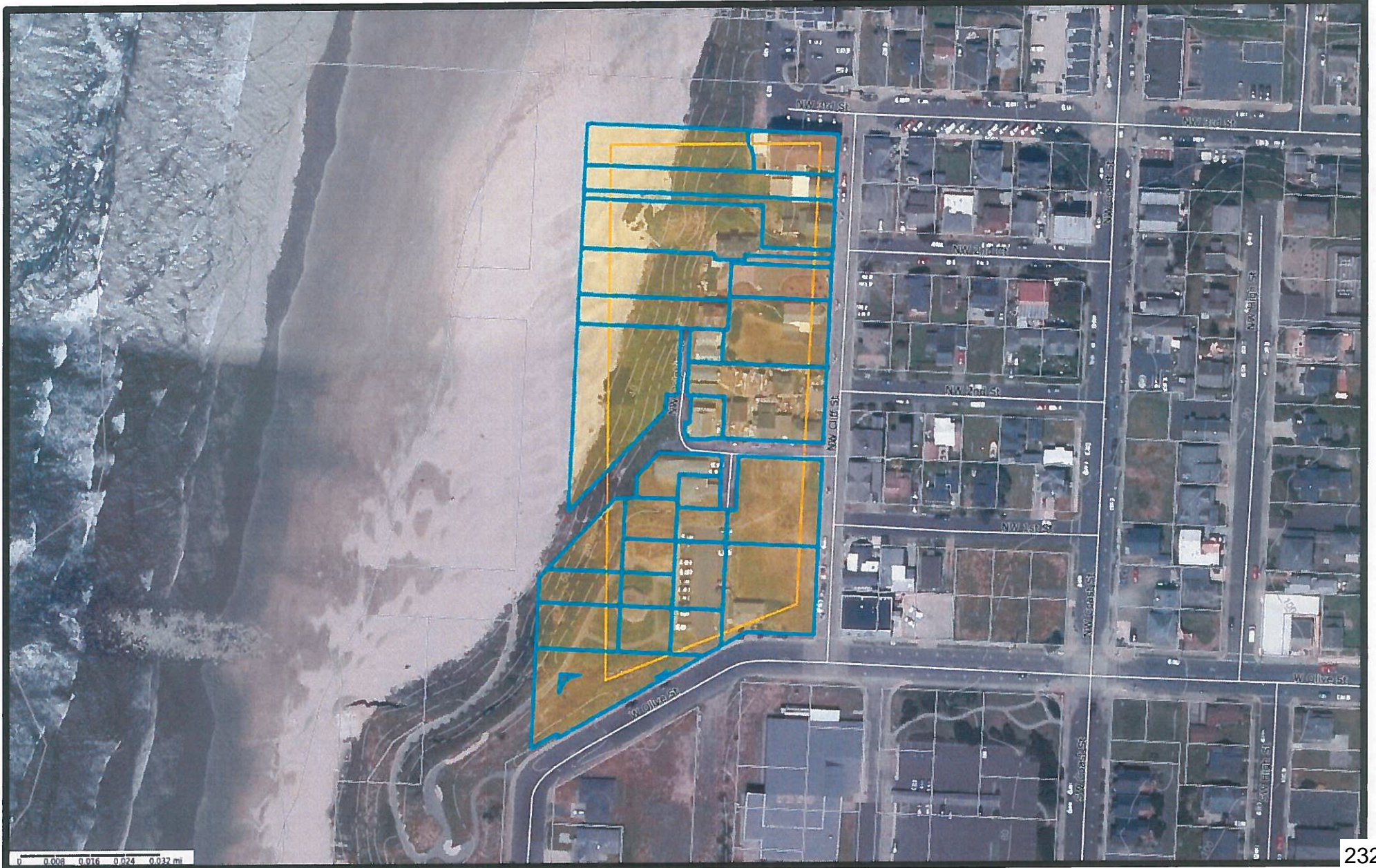
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