

**MINUTES**  
**City of Newport Planning Commission**  
**Regular Session**  
**Newport City Hall Council Chambers**  
**February 28, 2022**

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

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

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:14 p.m. On roll call, Commissioners Patrick, Branigan, Berman, Hardy, Hanselman, Escobar, and East were present.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Regular Session Meeting Minutes of February 14, 2022.**

Berman reported one minor correction to the work session meeting minutes.

**MOTION** was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session meeting minutes of February 14, 2022 with minor corrections. The motion carried unanimously in a voice vote.

3. **Action Items.**

A. **File 1-NB-22: Final Order and Findings of Fact for the Design Review Modifications to The Whaler @ Nye Beach Hotel.**

**MOTION** was made by Commissioner Berman, seconded by Commissioner Escobar to approve File 1-NB-22 Final Order and Findings of Facts as written. The motion carried unanimously in a voice vote.

5. **Public Hearings.** At 7:16 p.m. Chair Patrick opened the public hearing portion of the meeting.

A. **File 2-MISC-21.**

Tokos reported the public hearing item had been withdrawn. He explained this was extension for the 5th Street Loft subdivision that the Commission granted in 2018. The owners posted a cash deposit financial security for 150 percent of the cost for public improvements that were still needed. This allowed the final plat to be recorded and meant they no longer needed to ask for Planning Commission approval for an extension. The applicants already received a staff level extension which had been exhausted.

Patrick asked if the Commission needed to do any updating on these extensions because construction projects were being dragged out for longer periods of time because of limited supplies. Tokos suggested bringing it in with the the housekeeping work for the Commission so they could look at tweaking the timelines. Patrick thought they needed to add another six months because it was taking people extra time to do things currently. Tokos thought this was a good point and noted they wouldn't change the land use codes if basic development was such that granting additional time would be problematic.

## **6. New Business.**

**A. Update on the City's COVID Policies.** Tokos reported the City Council elected to go back to hybrid meetings on April 1st. They were able to accommodate this anyone who wanted to participate through Zoom could still do so.

Berman asked if the policy document that was attached to the agenda was the existing policy. Tokos confirmed it was and said he would forward the new policy to the Commission when he had it.

**B. March 7th HCA/HPS Project Kickoff.** Tokos reported they wanted to get the analysis going. He was hoping the consultants that were coming to Newport could hear from the community. Tokos asked if any Commissioners were available to meet with them and City Council to allow the consultants to get a feel for Newport. Berman asked if this would be a joint Council and Commission meeting. Tokos confirmed it would be if there was a quorum. Commissioners Berman, Patrick, Branigan, and Hanselman stated they could attend. Tokos noted the meeting would be noticed as a joint session.

## **7. Unfinished Business.**

**A. Update on Yaquina Bay Estuary Management Planning Process.** Tokos explained that he added this agenda item so the Commission knew what was happening to move this forward. There would be some regulatory changes for uses in the bay and the Commission would need to do work on the Comprehensive Plan for inventory on the bay.

## **8. Director Comments.**

**A. Ordinance Change to the Recreational Marijuana Spacing Requirements.** Tokos reported the City Council decided they wanted to make a change to the spacing standards to allow sale of recreational marijuana to go from 1,000 feet apart from each other, child care and schools. The State changed the rules relative to schools and carved out exceptions that would allow for retailers to be closer to schools if there was a geographical barrier that would prevent kids from going to the retailer from schools. They also carved out that retailers established before August 2017 could be as close as 500 feet to schools. Tokos reported the reason for the change was because a retailer on the bayfront could no longer be located on the bayfront and asked the Council to amend the code so they could relocate.

Tokos reported they received an appeal on the animal shelter conditional use decision and they would be talking to the City Council about the process moving forward. It would be an on the record review. Tokos reported that he went ahead and had a transcript of the Commission hearing done and they would be able to move the process forward rather quickly.

9. **Adjournment.** Having no further business, the meeting adjourned at 7:28 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 the printed name.

Sherri Marineau  
Executive Assistant

