

MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
June 13, 2022

Planning Commissioners Present: Jim Patrick, Bob Berman, Braulio Escobar, Gary East, Jim Hanselman, and Bill Branigan (by telephone).

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

Public Members Present: Robert Emond, Mable Mosley, Anya Chavez, Gordon Petty, Gary Lahman, Jerry Robbins, James Feldman, and Nyla Jebousek (by telephone).

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 Patrick, Branigan, Hanselman, Berman, Escobar, and East were present. Patrick announced the passing of Lee Hardy who served as Planning Commissioner for many years.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Work Session Meeting Minutes of May 9, 2022.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Work Session meeting minutes of May 9, 2022 with minor correction. The motion carried unanimously in a voice vote.

B. **Approval of the Planning Commission Regular Session Meeting Minutes of May 9, 2022.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session meeting minutes of May 9, 2022 with minor corrections. The motion carried unanimously in a voice vote.

C. **Approval of the Planning Commission Work Session Meeting Minutes of May 23, 2022.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Work Session meeting minutes of May 23, 2022 with minor correction. The motion carried unanimously in a voice vote.

D. **Approval of the Planning Commission Regular Session Meeting Minutes of May 23, 2022.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session meeting minutes of May 23, 2022 as written. The motion carried unanimously in a voice vote.

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

4. **Action Items.**

A. **Initiate Draft SB Commercial/Industrial Code Revisions.**

MOTION was made by Commissioner Berman, seconded by Commissioner East to the initiate the public hearings process for the draft South Beach Commercial/Industrial code revisions. The motion carried unanimously in a voice vote.

5. **Public Hearings.** At 7:03 p.m. Chair Patrick opened the public hearing portion of the meeting. Chair Patrick acknowledged 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-17/ 7-Z-17.**

Tokos reviewed the staff memorandum and acknowledged the four public comments received that day from Ulrike Bremer, Jennifer Ames, Laurie Sanders, and Wendy Engler. He then reviewed the project schedule; the key Transportation System Plan (TSP) components; the tracking sheet; the amendments to the Transportation element of the Comprehensive Plan; the Goals and Policies; and changes to the land use codes.

Tokos reviewed the TSP critical success factors; the TSP outreach efforts; the key themes from the community feedback; the preferred solution for the US 101/20 intersection; the typical implementation timeframe; and the US 101 circulation options for a short couplet or retaining two way traffic on US 101 with a bike lane. He discussed the comment that was received about how the couplet would cut off a block near Angle Street and displace the Farmer's Market. Tokos reminded the parking lot where the market was located at was always intended as a temporary use.

Tokos reviewed the NHBD collector/local street sections. (33:45-34:07) He discussed yield street cross-sections, (34:21-34:40) and shared street cross-sections. (34:50-35:40) and the well vetted solution for low-volume streets and the alignments with on the ground conditions for dead end streets on Vista Drive, Cherokee Lane, and Golf Course Drive. (36:05-38:23)

Tokos reviewed the summary of the code changes pointing out the revisions since the last Planning Commission work session meeting.

Berman asked what the procedures were when they decided a project was important, and wanted to wrap it into the project list. Tokos noted the expectation was that they didn't necessarily have to alter the TSP to move forward with an individual project. The value of having the projects included in the TSP was how it helped when going after grant funding. The State and Federal agencies wanted to see that projects were vetted publicly when considered giving funding for them. If they wanted to add to the TSP or adjust the fiscally constrained list, they could do a more expedited amendment process that went to the Planning Commission and the City Council. Tokos

pointed out that Lighthouse Drive would be picked up and run through a public hearing process, and would be added in as one of the policies on the document.

Escobar asked what the benefit of having the couplet was. Tokos explained a big benefit was that they would be using urban renewal funds for improvements they did for transportation in the city center area of the Newport. One of the objectives of the urban renewal program, and why they put it in place was to create funding to rebuild and rework that transportation network in a way that better served the properties and helped revitalize the area. Areas south on US 101 near the hospital and further north had more commercial structures built back on larger lots and what you would typically see on a highway corridor. The downtown area was built closer and tighter to a right of way that carried a tremendous amount of traffic. This area wasn't comfortable or attractive for people to walk to businesses. The couplet would take the four to five block street sections and create a one way alignment on both US 101 and 9th Street. This would free up the right of way next to the travel lanes so they could retain off street parking and significantly widen the sidewalks with the expectation the buildings would redevelop and have separation for the traffic. Tokos explained this would mean that there would only be two lanes of traffic for pedestrians to cross and it would slow traffic down as well. This would help with those that wanted to see more housing downtown where there was infrastructure to support it. Tokos noted there was another option to maintain the two way traffic on US 101. This would likely mean they would see a different type of build form in the area.

Robert Emond addressed the Commission. He reported that he represented the Nye Beach Neighborhood Association. They drafted a statement for traffic calming that was adopted by the Association. Emond read the statement into the record. He noted they were glad to see the that traffic calming was emphasized and thought of in the traffic calming process was included because typically the plans didn't take into account the people and businesses that were in the area. This was what they wanted to emphasize as a neighborhood association.

Mable Mosley addressed the Commission and reported that she rode the dollar bus until they cut down their services. They now only operated only on Tuesdays and Thursdays and she relied on the bus to get around town and this affected her. Mosley noted how she and her sister had stopped driving in the recent years. She said they needed more funding for people who rode the buses and wanted to see the schedule go back to what it was.

Anya Chavez, President of the Farmers Market addressed the Commission. She stated that she understood that the short couplet proposal would eliminate the parking lot for the Farmers Market that they used nine months out of the year. Chavez reported that there was no other space for the market to set up on US 101 in Newport. They depended on the visibility on US 101. Chavez noted that the market offered services and products to the community. Taking away the parking lot location would devastate the market as a business and affect the livelihood of all the members of the market. On behalf of the Farmers Market, Chavez asked the Commission to consider that this wasn't just about traffic but people's livelihoods.

Gordon Petty addressed the Commission. He noted, in regards with the bus service, it was hard to get people who were certified to drive a bus. Petty reported that he couldn't drive a bus because of the cost to get a passenger endorsement license. He thought the city should pay for this, and step up to take care of the bus problem.

Fire Chief, Robert Murphy addressed the Commission. He acknowledged the memorandum he submitted and wanted it noted that the TSP process had a lot of work put into it. Other than the concerns on street widths, he was supportive of the TSP and hoped his concern didn't reflect on his support for the plan. Murphy reported his primary concerns were on the narrowing of streets to allow widths that were for 500 trips per day. 500 trips were quite a bit, and he understood the development constraints. Murphy wasn't concerned about current inventory for streets. He was more concerned about looking into the future and the only places being left for infill for development was in the fringes of the urban growth boundary. The terrain made it restrictive to do development to loop a road or to grid a road to allow streets widths to be smaller than 20 feet. Making a street 14 feet wide and having a car parked on it meant the fire trucks couldn't fit down the streets. Murphy reported he couldn't go with quick response vehicles in Newport and could only support fire engines. Having parked cars on a 14 foot street made the streets not accessible for fire engines. Murphy noted that the wildland fire land was also a consideration. Narrow roads locations were where people would be trying to get out of areas in emergencies and this would create a problem for fire trucks to gain access. Murphy wasn't saying universally there shouldn't be a situation that they should allow a street width less than 20 feet. He thought this should be the exception, not the rule.

Gary Lahman addressed the Commission. He urged them to remember that times were changing. When talking about roadways and bike lanes, he saw new modes of transportation like e-bikes, e-skateboards, and other electric vehicles being used. Lahman didn't know the regulation on if they needed to be on sidewalks or not. It was difficult to take into account all these new modes of transportation. Lahman urged the Commission to think of the new modes of transportation and the need to provide lanes for them, along with signage for the use of the lanes.

Jerry Robbins addressed the Commission. He reported he lived on Oceanview Drive. He thought that the enhanced traffic flow for a short couplet would help reduce traffic wanting to choose Oceanview Drive as an alternative route. Berman pointed out that this area had two options in the TSP for extending Nye Street as a vehicle route to Oceanview Drive, making Oceanview Drive a one way with a bike/ped lane, or extending Nye Street as a bike/ped access to Oceanview Drive and leaving Oceanview Drive as a two way street. He asked if Robbins had a preference. Robbins thought that considering the Nye Street extension would affect a few people who lived along where he lived, it would be obnoxious for them to have vehicular traffic on both sides of their houses. He would strongly oppose having the Nye Street extension be open to motorized vehicles. Robbins thought as a bike/ped alternative it was good and it made sense to make the bike route along Nye Street instead of Oceanview Drive. He also noted that several years ago they had recommended that Oceanview Drive, from US 101 to Nye Beach, be one way traffic going southbound traffic and have the other lane be for bikes and pedestrians. Robbins would advocate for this.

Nyla Jebousek asked if the Commission received the petition she submitted to have a signal at San-Bay-O Circle and US 101. Patrick confirmed they did. Jebousek reiterated what she said in the past for public safety being number one for the TSP. She reminded that the past Public Works Director described the area as traffic chaos. When they did the Parks Study in the past to identify the areas of town where they had the largest number of children, their street was within the area that had the largest number of children in town. They wanted to have a stop sign and a left turn sensor that would utilize the pedestrian lane, and add more signals and a cross walk on the north side of their intersection to let them get out of their street. Jebousek listed examples of the problems people had trying to get out of their street onto US 101. She wanted them to add to the TSP a signal at San-Bay-O Circle on US 101.

Chair Patrick closed the hearing at 8:25 p.m.

Berman thought they should discuss some of the items brought up in the public testimony. He thought the Fire Chief had a good suggestion on the shared streets to allow a conditional/optional approval for street dimensions. Tokos noted this presented some challenges. The state categorized this as needed housing and the city was required to provide a clear and objective path to approval. Having something at the discretion of the Fire Marshall, the City Engineer, or himself as the Planning Director wouldn't pass muster. The only way to get there was to give a higher standard and say what the clear and objective standard was. If they couldn't meet this they could go through a discretionary process. The problem with this was they wouldn't see the development happen because there was too much discretion. Tokos explained the 14 feet in the current code was only available if there was 150 average daily trips (ADT) or fewer, which as 15 homes or fewer. If they were above the 150 ADT, this was where the 16 foot standard came into play. Tokos noted the struggle was how to accommodate a range of needs for housing, terrain, and fire apparatus access to neighborhoods. This was the tradeoff they came with. Moving into a discretionary means for housing was difficult, but it could be done with commercial. Tokos explained they didn't have to do these, but the basic standard they had now for 36 feet wouldn't work in areas of Newport currently. He noted that they could choose to change 14 feet to 16 feet. Patrick thought they could either lower the trip count or widen the roads. He didn't have trouble with the 14 feet and the 150 trip count after Tokos explained it. Tokos noted the Commission didn't have to decide on this. They could ask the Council to consider making adjustments to those things before the code was modified so they wouldn't have to come up with a specific number. Berman liked this idea. He asked where the 10 trips per house came from. Tokos explained this was a standard way of evaluating traffic. East asked if the 16 feet with new development required them to have driveway parking for each house. Tokos reported there would be off-street parking standards. There would be no parking on streets. Instances where people parked on these streets would be a parking enforcement issue. The Commission was in general consensus to recommend the Council that there was a place for the reduced street standards and the Commission wanted the Council to take a look at possibly flexing the widths and/or the ADT numbers to find an agreeable balance.

Tokos clarified that the city didn't make decisions on what transit services were provided by Lincoln County Transit. The city provided funding for the loop service. There was always the opportunity to talk to the Council on whether they would like to adjust funding for the loop. Tokos reiterated that the city didn't make hiring decisions or choices on how to prioritize dial a ride or other transit services. This was up to the County. Escobar noted that the barrier to not have enough funding to be able to be licensed to drive a bus wasn't a part of the TSP but something to bring up to the Council. Berman asked if a joint meeting with the Council and the County was set up. Tokos reported this happened infrequently but was one thing to add to the Council's next meeting.

Escobar asked to discuss the comments on the Farmers Market. Tokos explained that the City would weigh heavily on the needs of the market for this solution. He noted that if the couplet was done it didn't mean the parking lot would go away, it would just be reconfigured. Escobar reminded that the lot was for future development. Tokos noted any development of the lot would require a discussion on what to do with the market. It was a very important part of the local community and meant a lot to the vendors and people who went there. The Council understood this and it would be a part of the discussion.

Berman asked if Jebousek's statement that there would never be a signal at San-Bay-O Circle because of ODOT standards was true. James Feldman with ODOT addressed the Commission and confirmed it didn't meet signal warrants. Berman asked if signage and paving options would be the best that could be done. Feldman reported that this would need to go through Region 2 traffic engineer review to determine what might be appropriate there. Tokos noted that they didn't ask for a signal, they asked to have some attention be made with a specific project included in the plan. This had been identified on the add list for INT13 that would look to do something short of a signal that would improve egress from San-Bay-O onto US 101.

Patrick asked for a discussion on the Nye Beach traffic calming questions. Berman asked if the document referenced specific streets. Tokos reported that it only had a lump sum amount for street calming. This was something the Council would need to prioritize in terms of where it would go. They would be putting together an administrative procedure for determining how the roll out for this would happen.

Berman noted that his original intent when he brought up the discussion for Item 3 on the add list was to find some way for them to not close Eads Street every time school was open. He noted that what was included was something different. He asked if they could modify this language or add another project to examine alternatives to full street closures during school hours. He suggested the school find a better crossing so the street could be used during the day. Tokos thought they could add this to Item 3. The Commission was in general agreement with this.

Patrick asked about the discussion on e-bikes and electronic transportation. Tokos believed there were current things in the code for e-bikes and skate boards that could be handled outside of the land use process. For purposes of the TSP, there was policy language included that recognized that the city needed to be astute to, and recognize, emerging technologies and take the appropriate steps to accommodate those. Tokos reminded what was permissible was also dealt with under the motor vehicles rules as far as what was permissible in travel lanes. He confirmed that the TSP had language that addressed emergent technologies. Tokos noted that the document also addressed franchise agreements for things like electric scooters. Berman asked if they had it on the city's list to look at potential codes for emerging technologies. Tokos reported it was already on the list for the scooters.

Escobar asked if for the intersection of US 101 and 20, the concept for prohibiting turns on Olive Street going westbound was off the table at that point. Tokos confirmed it was because it wasn't workable.

Tokos noted that what he was hearing was outside of some minor technical items they were likely to do when working this into a formal ordinance, the only substantive thing they were requesting was that if the Commission decided to do a recommendation to move this forward, the Council should play around with the narrower low volume street section widths or the ADT thresholds to try to come up with something that was a little more workable for the Fire Chief. Branigan thought that the San-Bay-O Circle needed to be highlighted to the Council. Escobar asked if the traffic at San-Bay-O Circle could be addressed by adjusting the timing of the stop lights on either side of the intersection on US 101. Berman thought the distance would be too far for it to make a difference.

Escobar noted that the notion to add a specific project rubbed him the wrong way and highlighting one made him uncomfortable. Tokos noted it was on the task under edit 5 on the edit sheet and

called out on both of the two edit sheets. This would be added. Berman asked if there would be a merge in the executive summary so the Council had one document. Tokos confirmed this was correct.

MOTION was made by Commissioner Berman, seconded by Commissioner Hanselman to make a favorable recommendation to the City Council for File 1-CP-17/7-Z-17 to include the discussed changes. The motion carried unanimously in a voice vote.

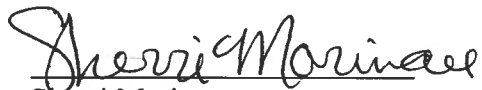
6. **New Business.** None were heard.

7. **Unfinished Business.** None were heard.

8. **Director Comments.** Tokos reminded that there wouldn't be a meeting on June 26th. He expected the Starfish Cove to come in and would land on the July 11th meeting. Tokos would populate a new work program

9. **Adjournment.** Having no further business, the meeting adjourned at 8:53 p.m.

Respectfully submitted,


Sherri Marineau
Executive Assistant

