

**MINUTES**  
**City of Newport Planning Commission**  
**Regular Session**  
**Newport City Hall Council Chambers**  
**October 28, 2019**

**Planning Commissioners Present:** Gary East, Lee Hardy, Bob Berman, Jim Hanselman, Mike Franklin, Bill Branigan (*by phone*), 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 Regular Session Meeting Minutes of October 14, 2019.

Commissioner Berman noted minor corrections to the minutes.

**MOTION** was made by Commissioner Berman, seconded by Commissioner East to approve the Planning Commission regular session meeting minutes of October 14, 2019 with minor corrections. The motion carried unanimously in a voice vote.

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

4. **Action Items.**

A. **Final Order and Findings for File 8-NCU-19.**

**MOTION** was made by Commissioner East, seconded by Commissioner Franklin to approve the Final Order and Findings for File 8-NCU-19 as presented. The motion carried unanimously in a voice vote.

5. **Public Hearings.** At 7:02 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. Commissioners Hanselman and Franklin reported a site visit at the Oregon Coast Aquarium. Commissioner Branigan reported he volunteered at the Oregon Coast Aquarium. 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 6-CUP-19.**

Tokos reviewed the staff report. He noted that the corrected notice had been published. The Fire Department concerns had been addressed and they were on board with the final order and findings.

Hearing closed at 7:06 p.m.

East asked if the fire Department was satisfied with the emergency access to the facility. Tokos reported they are satisfied that their concerns were addressed. Hardy said she would approve the request since the Fire Department concerns were addressed and they approved them.

**MOTION** was made by Commissioner Berman, seconded by Commissioner Franklin to approve File 8-NCU-19 final order and findings with conditions as presented. The motion carried unanimously in a voice vote.

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

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

8. **Director Comments.**

Tokos told the Commissioners that Rachel Cotton's last day was on November 1st. He also noted that the City Council would be holding a hearing on the Parking Study on November 18th and a notice would be sent out to all the affected groups. The Short-Term Rental Implementation Workgroup would be meeting on November 19th.

Tokos reported that the City was working with the Port on the permit for the log yard that was never implemented, and at some point it would have to go away. The Port was trying to recruit industrial uses there and were sensitive to any perception that they are not. The 2015 permit was issued right before the 2013 traffic impact analysis expiration date was up. Port management and the Port Commission had changed since then. They had a TIGER grant they secured and they were negotiating on whether or not to move forward with the de-barker and log hauling operation. A lot had changed for them and they did not currently have a project for the industrial property they owned. There was still a building permit for the log yard and the Port was doing incremental work to keep it active. They were paying \$16,000 a year in installment payments for System Development Charges (SDCs). The City was working with them on how to phased this down. Hanselman noted the News Times article that suggested the Port wanted a six month extension on the permit. Tokos would be looking into what was reported in the article. He noted there were limitations on what the City could do under the structural code. At some point the City would have to let it go. When the Port actually had their industrial end user, the City would work with them at that time to figure it out. Tokos explained that if they didn't proceed with the development they would be refunded the SDCs. Berman was concerned with this and questioned if the City had already spent the SDCs collected. Tokos explained that SDCs weren't used upfront. They were put in an account to be held for development and the balance rarely went down so low that the City couldn't refund amounts like this. Tokos also noted that if the City refunded the SDCs there wouldn't be any interest paid back to them.

Tokos reported that he was asked to serve on the State Rules Committee to work on HB 2001. He noted the rules needed to be rolled out by the summer of the next year. Tokos explained he would report back to the Commission when the rules were put together. The ADU piece would be going to the City Council on November 24th. The Geologic Hazards hearing would be continued on the November 4th City Council meeting because of a request made by Oregon Shores to hold the record open. They also requested an emergency clause to put the new rules into effect immediately once approved.

Patrick asked if things would slow down when Cotton left her position. Tokos said it would slow things down and he would be handling things until someone was hired.

Tokos explained he needed to get an RFP for the tsunami evacuation considerations to help put together recommendations on what the City could do in terms of beach access, which would be rolled into the Transportation System Plan. Tokos thought there might be Federal funding available through resiliency grants.

9. **Adjournment.** Having no further business, the meeting adjourned at 7:16 p.m.

Respectfully submitted,



Sherri Marineau  
Executive Assistant