



**CITY OF NEWPORT
PLANNING COMMISSION MEETING MINUTES
NEWPORT CITY HALL
May 10, 2022**

1. CALL TO ORDER

Chair Leyde called the Planning Commission to order at 5:30 p.m. on May 10, 2022.

2. ROLL CALL

Present (5): Chairman Brandon Leyde, Commissioner Maria Bonilla, Commissioner Anthony Mahmood, Commissioner Tami Fuelling, and Commissioner Michael Kermes.

Not Present (0): None.

3. MEETING MINUTES

A. April 12, 2022

Commissioner Mahmood motioned to approve the Planning Commission Minutes from April 12, 2022. Seconded by Commissioner Kermes. Approved 5-0.

4. PUBLIC HEARING- Zoning Text Amendment

City Planner Nathan Fuerst stated there are two items to discuss tonight and they both require public hearings. The first is a zoning text amendment. Specifically, they are looking to add their use as a conditional use in the MX-3 district. The second request is a conditional use permit (CUP) to allow that use on a property in the city. The subject area is the old imperial camper site. The applicant is bioLawn and they are looking to use the northwest corner of that site. The southeast area of the property would be a future redevelopment area and not subject to the CUP request.

Planner Fuerst stated the first question is how we define the use for the zoning text amendment. The use could be defined generally such as a contracting office, specialty contractor, or contracting administration. The other option would be more specific such as landscaping consultant, limited landscaping company, or lawn service consultant. Staff recommends the more general approach which is going to allow the city more flexibility over time and gave a proposed definition for a contracting office. The second questions is how do we want to codify this zoning text amendment into the city code. We could create criteria that is used as qualifying criteria such as size and location of parcel. Conditions of a CUP are noise, screening, landscaping, hours of operation, etc.

Planner Fuerst stated with a CUP there are required findings or criteria that should be considered by the city when deciding whether to approve a CUP. These include consistency with the comprehensive plan, zoning, mitigating negative impacts to health and safety and public infrastructure, providing adequate screening and landscaping to mitigate impacts on surrounding uses, etc. bioLawn is proposing a number of improvements to this site. Staff is proposing eleven proposed conditions as listed in the staff report.

Chair Leyde opened the Public Hearing for the Zoning Text Amendment at 5:48 p.m. on May 10, 2022.

Bill Sumner, residing at 737 21st Street, addressed the Commission. Mr. Sumner inquired if the one quarter of the four blocks that is owned by city property will impact required setbacks any differently than if that was owned by a private party. Planner Fuerst stated the zoning district will remain MX-3 so the setbacks will be the same for all uses. Mr. Sumner stated he is thankful to see this increased flexibility to bring in a quality business.

Chair Leyde closed the Public Hearing for the Zoning Text Amendment at 5:50 p.m. on May 10, 2022.

Commissioner Mahmood motioned to recommend the zoning text amendment request, with the language drafted by staff, to the City Council for approval. Seconded by Commissioner Fueling. Approved 5-0.

5. PUBLIC HEARING- CUP bioLawn, 1139 Tibbetts Place

Chair Leyde opened the Public Hearing for the CUP for bioLawn at 5:51 p.m. on May 10, 2022.

Mr. Sumner stated he approves this use of a CUP to bring in this new business to Newport.

Chair Leyde closed the Public Hearing for the CUP for bioLawn at 5:53 p.m. on May 10, 2022.

Commissioner Fuelling motioned to recommend the Conditional Use Permit request by bioLawn to the City Council for approval with conditions 1-11 recommended by staff. Seconded by Commissioner Bonilla. Approved 5-0.

6. YARD DEFINITIONS

Assistant to the City Administrator Travis Brierley stated that due to recent development and also looking at our fence ordinance, one thing we keep running into is definitions of front yards that is causing restrictions and non-conformities. Double frontage and double cornered parcels cause issues. Staff is looking at bringing proposed ordinance changes to the next Planning Commission for a Public Hearing. The changes would have language similar to our neighboring cities.

Member Bonilla inquired what a double corner lot looks like. Assistant Brierley brought up an online map to point out an example of a double corner lot. Assistant Brierley explained that a single corner lot has two front yards and two backyards.

Assistant Brierley stated we want to reasonably apply the definitions of our code and still keep safety at the forefront.

7. COMMISSION REPORTS

None.

8. ADJOURNMENT

Commissioner Bonilla motioned to adjourn the Planning Commissioner Meeting. Seconded by Commissioner Kermes. Approved 5-0.

The Planning Commission Meeting was adjourned at 5:58 p.m. on May 10, 2022.

Respectfully Submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Brandon Leyde, Chairman