MEETING MINUTES

CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION
NEWBERG PUBLIC LIBRARY – 503 E. HANCOCK, NEWBERG, OR
THURSDAY, SEPTEMBER 21, 2006 7:00 PM

I. ROLL CALL

Chair Ashby — Alan Halstead — Matson Haug
Leslie Lewis (arrived at 7:16) — Michael Sherwood
Robert Soppe

Absent: Sally Dallas

Staff Present:
Barton Brierley, City of Newberg Planning and Building Director
Ken Friday, Yamhill County Planning
Elaine Taylor, Associate Planner
David King, Recording Secretary

OPEN MEETING

Meeting was called to order by Chair Ashby at 7:01 pm.

II. CONSENT CALENDAR (items are considered routine and are not discussed unless requested by the commissioners)

1) Minutes from September 11, 2006 NUAMC meeting – **Commissioner Soppe** had a possible word change but Mrs. Lewis was not present to confirm his suggestion. The minutes were passed by unanimous consent.

2) Resolution 2006-15. **Commissioner Soppe** was concerned about the word "could" on page P13. In light of a lack of unanimity, **Commissioner Soppe** was willing to defer it to the county and city planners. The resolution was passed by unanimous consent.

III. COMMUNICATIONS FROM THE FLOOR (5 minute maximum per person)

Over 30 citizens were present at the beginning of the meeting, and they were offered to speak on other issues not on the agenda.

Hal Kafka, 29550 NE David Lane, Newberg, OR, was concerned about URA expansion. He specifically wants to know when the URA area will be defined. Barton Brierley replied that a proposal is being formulated to bring before NUAMC by the end of 2006 or early 2007.

IV. QUASI-JUDICIAL PUBLIC HEARING

APPLICANT:	Pacific Lifestyle Investments
REQUEST:	Include a 59.5 acre property in the Newberg Urban Reserve Area
LOCATION:	West of Corral Creek Rd., North of Fernwood Rd.
TAX LOT:	3222-2700
FILE NO:	UGB-06-001
RESOLUTION:	2006-15

Chair Ashby mentioned how this is a continuation from an August meeting. Public comment has already been closed.

Final Staff Report:

Barton Brierley reminded the commissioners of the criteria for a goal exception. His counsel was to look closely at the criteria. The transportation issue still requires development of a plan. There are at least three more steps to undergo where future and important transportation issues could be addressed. The staff does recommend this application, in part, because it is part of a larger addition to the URA.

Ken Friday, Yamhill County Planning, recommended that the application not be approved. He is concerned about the language in the resolution about approval of the goal exception. The County must approve the exception.

Questions from Commissioners:

Commissioner Soppe asked Mr. Brierley about the transportation issues mentioned on P38. Mr. Soppe has been told that a transportation plan is coming. He does not believe that a transportation plan can be made to work for this one parcel without it taking the time to address the larger transportation needs in the surround area.

Barton Brierley recommended that commissioners only vote for the application if each one is convinced personally that there are doable solutions to transportation. He then proceeded to define a UGB as containing land for 20 years' growth, and a URA as land for 10-30 years beyond that. The City is targeting a UGB to meet need from 2005 to 2025, and a URA for 2025-2040.

Commissioner Soppe clarified with Mr. Friday that the county must approve the goal exception. NUAMC can recommend that the County consider the exception.

Commissioner Sherwood read from the agenda packet, concerned about the 30% limit of annexing land over a five year period. Mr. Brierley stated that the URA lands cannot be annexed into the City at a rate greater than that. This does not apply to UGB expansions.

Deliberation:

Motion: Halstead/Soppe to recommend denial of the application.

Commissioner Haug spoke of his willingness to start the larger process of bringing more land into the URA in light of what is in line with the city's goals. He felt that putting the area in the URA would be a signal to fix the transportation issues. He is confident that the city processes in place will guard the commission from regretting its decision.

Mr. Brierley clarified the motion was a recommendation that the City Council and County Commissioners deny the application.

Commissioner Halstead agreed that growth will come, but approving it tonight is prematurely forcing the city to take the land in via a quasi-judicial process instead of legislative process.

Commissioner Sherwood added that the property is boxed in and not very accessible. This is a piecemeal application. Why divide up the land without a comprehensive land use and transportation plan.

Commissioner Soppe agreed with Mr. Haug, especially if he really thought that the land would be used for the 2025 to 2040 period. This is a big jump to the east. If it can't wait a couple of years, it's not a 2025-2040 issue. But as a 2007 or 2008 issue, it doesn't have the orderliness and efficient transfer of land use. Goal 14 requires orderly and efficient transition from rural to urban land use. He simply does not see this process on this parcel as such.

Chair Ashby added that the city allowing land to come into the city via the quasi-judicial process implies that it is possible to be orderly and efficient.

Commissioner Lewis pointed out that the only URA in Newberg was established via the legislative process. She believes that the whole URA process is better done via the legislative process so that such future plans will have all the contingent issues well addressed. The applicant doesn't want this in the 2025-2040 time frame; he wants it annexed to the City now. She acknowledged McMinnville's twelve year process to expand the UGB, but still thinks we need to have had broader discussion of all the areas being brought into the URA and UGB before we do this. If we bring in residential land first, without broader study, it's a mistake.

Commissioner Haug thought that transportation is a show-stopper, but we all agree that this area is coming in. He felt that the Commission could trust the public processes still ahead and keep this application moving forward at this time.

Commissioner Lewis thought that we can't say that today, since it's agricultural land, and she has to consider that.

Chair Ashby asked Commissioner Lewis what the process is for making land exception land. She said that involves taking an exception to Goal 3 or 4, and allowed Mr. Friday to better explain the process. Mr. Friday said that all exception land goes through nearly the same process but on a county scale. NUAMC would make a recommendation to the Board of Commissioners.
Commissioner Lewis' position was that it is extremely difficult to identify new exception land and make it through the goal exception process. In the early 1990s, only four properties were accepted out of 80 areas in Yamhill County deemed as possible exception land. It's a very high bar to create new exception land. This is why she is skeptical about this parcel being brought in piecemeal under the exception land process at this time.

Commissioner Soppe verified with Mr. Haug about the city's willingness to bring in new land to develop. Mr. Soppe referenced the Ad Hoc Committee work as evidence of the city moving forward. He doesn't want to see this island of land developed without more plans for the land around it, let alone the transportation plan to access the land. Haug replied that his long time presence on the Planning Commission has convinced him that the processes are in place to move forward with this parcel. Most of the other commissioners agreed that this property will one day be developed.

Commissioner Halstead wants a coherent transportation plan built with the broad scope of Newberg's needs instead of adapting to an individual developer's desires.

MOTION #1: Halstead/Soppe motioned to deny approval of resolution 2006-16 (4 Yes/2 No, 1 absent)

Mr. Brierley made it known that this issue will be brought before a county board and Newberg City Council meetings. He then announced for people to sign a form if they wanted written notification of such meetings.

Commissioner Soppe asked if the issue was still open, and therefore wondered if commissioners should not be discussing the issue. **Mr. Brierley** concurred.

Commissioner Halstead stated that it will be hard to present the case that this is exception land property. There is agricultural land adjacent on three sides.

Commissioner Soppe clarified that he wasn't suggesting it go before the county as exception land.

V. LEGISLATIVE PUBLIC HEARING:

APPLICANT:	City of Newberg
REQUEST:	Urban Growth Boundary amendment for approximately 200 acres.
LOCATION:	Various properties along Chehalem Drive, south of North Valley Rd., and southeast of Bell Road/College Street.
FILE NO:	UGB-05-011
RESOLUTION:	2006-17

Chair Ashby asked for any biases, abstentions, or ex-parte contact. None were mentioned for this application.

Staff report:

Elaine Taylor referred to the location of the property by referencing the colored maps displayed in the room. Her presentation was also made available on a five page handout, which contained copies of the facts and figures presented. The request is for a UGB amendment to add approximately 200 acres.

Why is the city proposing this addition at this time? Three years ago the City of Newberg asked the Ad Hoc Committee to formulate land needs projections, policy changes, and areas for UGB and URA expansion. What has happened so far? The city council has adopted the recommendations on land use projections.

For this UGB expansion there is no new reservoir needed, just supply lines. The sewer system will need a lift stations. Storm drainage has been an issue in this area, as noted in previous meetings, and will need a master plan for competently handling the issue. The Newberg TSP expects improvements to Chehalem Dr., North Valley and Hwy. 240.

After annexation and subdivision, these acres could provide a possible 809 units. Of the 200 acres, 172 acres are suitable for LDR, MDR, and/or HDR units.

End of Side A, Tape 1

In view of these issues, the staff recommends approving this resolution.

Questions for Staff:

Commissioner Soppe asked if the golf course (phase two) was already in the UGB prior to being annexed. **Mr. Brierley** said yes. **Commissioner Soppe** then wanted to understand the 2025 goal of land that should have been in place in 2005, of which the city is already 400 acres behind. Is the city still going to be in a deficit or will the Ad Hoc Committee recommendations—if all adopted—give the city a surplus. **Mr. Brierley** said that the committee proposed more than is needed. Mr. Soppe also wondered

about the zoning of the land to be recommended on P129. **Mr. Brierley** explained visually the rational thought process behind each parcel of land in this area.

Commissioner Sherwood asked again if 30% of available lands can not be brought in over a five period. **Mr. Brierley** explained that the language on P55 addresses complex state laws relating to the timing of the bypass. The policy guards from having the City annexing land too quickly before bypass plans and funding are in place. It relates to annexation to the City, and not to UGB amendments.

Commissioner Sherwood then pointed a number of typos and corrections. These involved the buildable acre figures on the bottom of page 47, a word left out from p. 6, as well as on p. 2

Ken Friday added that the Yamhill County Transportation Plan requires expeditious transfer of jurisdiction from the County to the City upon annexation.

No late correspondences. **Elaine Taylor** said there were letters put in the packets from LCDC and one resident of the affected area.

* * * Five minute break * * *

Public Testimony:

Though twenty one people were still present, no one was present to testify.

Questions for Staff:

Commissioner Lewis asked about a statement on P148. Which people are being included who didn't want to be included.

Elaine Taylor said everyone who attended the neighborhood meetings was mailed a newsletter with information about the hearing, and **Mr. Friday** said that 478 letters were sent out from the county.

Commissioner Soppe wanted to formalize a comment during the break. People who write letters should be strongly encouraged to come and testify so as to clarify their points contained in the letters. He referenced letters on P149 and P150.

Mr. Jon Mangis, who wrote the letter on P150, after showing the location of his property, explained how three different parcels of his could be kept together, even though the resolution brought forth tonight only includes one of his properties. **Commissioner Soppe** wondered if there was a hardship if some land was included and other land was not. Mr. Mangis did not believe so, but on-going conversations are being held with the planning department.

Commissioner Soppe then clarified some other issues, including whether the Aspen Estates would be included. He also stated his appreciation of coming at an area as a whole instead of piecemeal.

Deliberation:

MOTION #2: Haug/Halstead motioned to accept resolution 2006-17 (6 Yes/0 No, 1 absent)

Mr. Brierley said that the resolution will be discussed again at a city council meeting and County Commissioner meeting.

VI. ITEMS FROM STAFF:

Barton Brierley mentioned that a future meeting will need to be scheduled, but there is not a specific date yet.

VII. ITEMS FROM COMMISSIONERS

The adoption of the minutes were brought up again and amended with one correction on page five. The word "northwest" was changed to "north." The minutes were accepted.

VIII. ADJOURN

Chair Ashby adjourned the meeting at 8:50 pm.

Passed by the Newberg Urban Area Management Commission this 30th day of November, 2006.

AYES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1 HALSTEAD
(list names)

ATTEST:

Recording Secretary Signature

Chair Date