



MEETING MINUTES

**CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION
Newberg Public Safety Bldg. - 401 E. Third Street, Newberg, OR
Wednesday, September 30, 2009, 7:00 PM**

I. ROLL CALL

Members

Present: Matson Haug (Chair) Michael Sherwood (Vice)
Robert Larson Sally Dallas
Alan Halstead Leslie Lewis
Warren Parrish

Staff

Present: Barton Brierley, City of Newberg Planning and Building Director
Jessica Nunley, Assistant Planner
Ken Friday, Yamhill County Planning
Jennifer Nelson, Recording Secretary

Others

Present: Elizabeth Fettig, Joseph Fettig

II. CONSENT CALENDAR

1. Minutes of the September 30, 2008 meeting.

MOTION #1: Halstead/Sherwood to approve the NUAMC minutes from September 30, 2008. (7 Yes/0 No) Motion carried.

III. COMMUNICATIONS FROM THE FLOOR

Two citizens were present at the beginning of the meeting, and they were offered the opportunity to speak on issues not on the agenda. No additional items were brought forth.

IV. QUASI-JUDICIAL PUBLIC HEARING

1. **APPLICANT:** Betsy Fettig
REQUEST: Amend the Newberg Comprehensive Plan to include a 1.24-acre parcel within the Urban Growth Boundary and change the designation from Yamhill County VLDR to Newberg IND. In addition, change the zoning of the property from Yamhill County VLDR 2.5 to Yamhill County LI.

Chair Matson Haug introduced the hearing, read the required statements for quasi-judicial hearings, and called for any abstentions, biases, conflicts of interest, or ex parte contact.

Commissioner Alan Halstead stated his brother owns property immediately adjacent to north and east of the applicant's property and he chose to abstain from the hearing.

Commissioner Michael Sherwood stated the applicant had completed some work at his home as potential bias, but he said it would not affect his decisions tonight.

Commissioner Warren Parrish and Chair Haug stated they did drive by the property to validate knowledge where it was located.

Ms. Jessica Nunley, Assistant Planner, presented the staff report and recommended adopting the Resolution 2009-021. City Council and the Yamhill County Board of Commissioners will need to review and approve the Urban Growth Boundary (UGB) amendment with the corresponding Comprehensive Plan amendment from Yamhill County designation, from Very Low Density Residential (VLDR) to Newberg Industrial (IND), with a Stream Corridor (SC) overlay (see official meeting packet for full report).

Mr. Ken Friday, Yamhill County Planning, also distributed an additional list of conditions to the limited use overlay zone (see official meeting packet for full report).

Commissioner Sherwood asked if City staff were in agreement with the additional conditions provided by the County. Mr. Brierley replied they were in agreement with the conditions.

Commissioner Parrish asked if sewer and water could easily be expanded and who would be responsible for the costs. Ms. Nunley replied City lines can be extended and the property owners would be responsible for the costs.

Commissioner Haug asked if connections to sewer and water would be available when annexation occurs. Ms. Nunley stated they would be and the uses are limited on-site prior to connecting to city utilities, citing County condition (I) that requires the owners to sign a consent to annex form so that development happens after annexation.

Public testimony was opened.

Ms. Elizabeth (Betsy) Fettig stated their intentions to use property as an offsite home for their decorative concrete business, their intention is to sell a portion of the property in the next six months to offset economic and financial issues; this would make the property more desirable for sale.

No opponents appeared. There were no further written testimonies submitted. The public testimony was closed. The staff gave their final recommendation to pass the resolution including the County recommendations and the zoning change with the limited use overlay added by the County staff.

MOTION #1: Lewis/Sherwood to recommend to the City Council and the Yamhill County Board of Commissioners to approve the Newberg Comprehensive plan amendment by adopting Resolution 2009-021 also recommending approval of the zone change from Yamhill County VLDR 2.5 to Yamhill County Light Industrial with the County staff recommended conditions for limited use overlay.

Commissioner Leslie Lewis said it is already in the URA and analysis proves characteristics that lend to industrial zoning and it is in character with surrounding properties. She felt it should be brought in and the zoning changed.

Commissioner Sally Dallas agreed it was a compatible fit for what is around it.

Commissioner Parrish stated it met the criteria and he also liked the Yamhill County staff recommendations.

Commissioner Sherwood felt it was necessary to bring it in. He was excited about it and would love to see more industrial areas like this in Newberg.

Commissioner Haug said his only concern was with the stream corridor, but the City has good protection for this, so he is 100% behind it.

Commissioner Larson agreed with the staff recommendations and agreed with the proposals.

VOTE #1: (6 Yes/0 No/1 Abstain [Halstead]) Motion carried.

2. **APPLICANT:** Betsy Fettig
 REQUEST: Zone change from Yamhill County HI to Yamhill County LI
 for a property located within the Newberg Urban Growth Boundary
 LOCATION: 2808 Wynooski Road, Tax Lot 3228-1800
 YAMHILL COUNTY FILE: Z-02-09

Chair Matson Haug introduced the hearing, stated the same required statements for quasi-judicial hearings applied, and called for any abstentions, biases, conflicts of interest, or ex parte contact.

Commissioner Halstead abstained for same the same reasons stated in the previous hearing. Commissioners Parrish, Sherwood, and Haug said their previous hearing statements also applied here.

Ken Friday presented staff report and distributed another list of recommendations and conditions for the zone change request (see official meeting packet for full report).

Commissioner Haug asked if the County recommendations only differed in item (H). Mr. Friday replied there were also slight changes in item (G) and the Commission would be adopting it with the new County recommendations.

Commissioner Sherwood asked if the City and County staff were in agreement. Both responded they were.

Mr. Friday also mentioned some late written correspondence was received from adjacent property owners, stating their full support of the zone change to Light Industrial.

Ms. Fettig added they requested this because there were more options to use this property in Light Industrial and it speaks better to their business and other possible options they can pursue.

Public testimony was closed. Staff did not have anything further to add and recommended approval.

MOTION #2: Sherwood/Dallas to adopt the zone change from Heavy Industrial (HI) to Light Industrial (LI) with the limited overlay conditions as submitted by County Staff.

Commissioner Sherwood spoke of the intent to put their business at this location and felt Light Industrial fit nicely there; he understands their desire to sell and hopefully more industrial efforts could be encouraged there.

Commissioner Parrish asked about the County recommendation for the one septic system in item (D). Mr. Friday explained it was a leftover condition from the existing limited use overlay and the City requested this. The property owners were comfortable with this condition.

VOTE #2: (6 Yes/0 No/1 Abstain [Halstead]) Motion carried.

V. NUAMC POSITION APPOINTMENT

TIME – 7:48 PM

Mr. Brierley explained that Commissioner Sally Dallas' term has expired and offered several solutions to fill or reappoint the position.

MOTION #3: Halstead/Parrish to reappoint Sally Dallas for another three-year term.

Commissioner Lewis felt it made sense to keep someone on with historical perspective of all the work that has been done with the Urban Reserve Area (URA) and Southeast Transportation Plan.

Commissioner Parrish asked staff if there was any further business to be completed for the Newberg Area Urban Management Commission (NUAMC) by the end of the year. Staff stated there were a couple of items to be addressed either by the end of the year or in January.

VOTE #3: (7 Yes/0 No) Motion carried.

VI. ITEMS FROM STAFF

1. Urban Reserve Area Update
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Mr. Brierley gave updates on the process for the URA adopted by the City Council and County Board of Commissioners. It had been submitted to the State and was remanded. It will have to go through another round of public hearings (City Council in the winter and County by spring, hopefully), then back to the Department of Land Conservation and Development (DLCD).

2. South Industrial Area Master Plan Update

Mr. Brierley spoke of the Wyooski and Hwy 219 area, including property heard tonight. The area is part of the URA proposal that was recently remanded by LCDC and is still in progress. It was recommended to include a portion of the area in the UGB, which is in progress. The plan includes transportation and utility networks, a land use plan, and code amendments for large lot industrial zones. Planning Commission recommended that City Council accept the plan as a vision for the south Newberg area. It will go to City Council for a hearing in November.

3. South Industrial UGB Amendment Update

Mr. Brierley said draft findings from the consultant they have been working with on this should be received today and the hearing will be in the next three to four months. This amendment needs to be considered at an upcoming NUAMC meeting. There had been funding for engineering analysis of the Southeast Transportation Plan, but the State pulled it. They applied for the next round but there is still no funding.

VII. ITEMS FROM COMMISSIONERS

None.

VIII. ADJOURN

The meeting adjourned at 8:13 PM.

Adopted by the Newberg Urban Area Management Commission this 1st day of June, 2010.

AYES: 6 NO: 2 ABSTAIN: 2 ABSENT: 1
(list names) McKinney

ATTEST:


Recording Secretary Signature


Chair