

PLANNING COMMISSION MINUTES - SPECIAL MEETING
Newberg Public Library - Newberg, Oregon
THURSDAY, MARCH 26, 1998 AT 7 P.M.

Approved at the April 9, 1998 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Stephen Ashby
Myrna Miller

Steve Hannum
Paula Fowler

Matson Haug

Planning Commission Members Absent:

Lon Wall

Warren Parrish

Staff Present:

Mike Soderquist, Community Development Director
Barton, Brierley, Planning Manager
Peggy Hall, Recording Secretary

II. OPEN MEETING

Chair Miller opened the meeting at 7:00 p.m. She announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

Commissioner Haug wished to amend the agenda and provide additional information on process and procedures for meeting transactions.

III. CONSENT CALENDAR

None.

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

None.

V. QUASI-JUDICIAL PUBLIC HEARINGS

No hearings were scheduled.

PUBLIC HEARING (#1)

- 1. APPLICANT:** City of Newberg (*CONTINUED FROM 12-11-97, 1-8, 2-12, 3-12-98 MEETINGS*)
REQUEST: Approval of an ordinance amending the Newberg Comprehensive Plan policies and Comprehensive Plan Map, and amending the Newberg Development Code and Zoning Map relating to residential needs.
LOCATION: City wide
FILE NO: GR-2-95 **RESOLUTION NOS.: 97-80**
CRITERIA: Newberg Development Code, Section 10.20.030

Abstentions/ex-parte contact: None.

Objections: None.

Staff Report: Mr. Barton Brierley provided a brief background on maximum/minimum lot sizes for dwelling and accessory dwelling units.

Commissioner Haug asked for clarification for R-4 zoning. Mr. Brierley provided an update which would be discussed later.

Mr. Brierley gave a brief explanation of the R-1, R-2 and R-3 maximum lot designations. Duplex on a 10,000 sq. Ft lot on R-3 zone would be allowed. A triplex unit would also be allowed. Discussion was held concerning other unit types was also discussed. Duplexes are allowed in R-1 with conditional use and would also have to meet density requirements. In R-3 zones single family homes on newly created lots are not permitted. However, single family homes on existing lots in R-3 zones are allowed, unless constructed prior to 1973. Discussion was held concerning grandfather rights. The options provided to the Commission are outlined in the staff report.

The purpose of discussion was to make sure that there were no overlaps unless at designated areas. Option 3 noted the creation of overlaps and moving the maximum lot size to 15,000 total sq. ft. Staff recommendation is that the Planning Commission adopt the second option.

Commissioner Haug noted pages 103 and 104 of the Development Code references lot sizes. Permitted uses include multi-family dwellings, manufactured homes created prior to 1992, but single family dwellings are not allowed. Design standards and point system in original residential needs analysis is critical to whole process. Density, livability and quality of projects are important factors to consider.

Mr. Brierley stated the design review portion is scheduled for the next meeting.

Commissioner Haug expressed concerns regarding the importance of R-4 zoning designations being included when other zoning designations are discussed.

Mr. Brierley recommended that the Commission make a decision on this portion and not formulate a final resolution to be forwarded to the City Council before the other zoning designations and revisions are discussed and concluded.

Chair Miller said that the Commission should try to gain a better understanding and get a handle on the whole revision components. Chair Miller noted that with the additional Commission meeting each month, it will be helpful in resolving certain issues rather than try to complete all portions at one time.

Commissioner Haug expressed concerns about the quality of projects which he may bring to the City Council as a private citizen.

Commissioner Ashby referred to page 24 of the report referencing residential needs and the increase of densities. Discussion ensued on what was the policy (increase or not to increase?).

Commissioner Haug suggested that the City Council and the Planning Commission discuss growth and growth management in order to arrive at guiding procedures. It would be a way to take discretionary aspects out of the design, unless quality is shown. The City can have higher density and comfortable neighborhoods. The City of Forest Grove adopted residential design rules for R-1, R-2 and R-3 designations. Commissioner Haug said that if we are going to densify and have urban reserve areas between the towns, we need to guarantee that the visual aspects of the community are in place.

Commissioner Ashby asked why such a concern to densify. Discussion was held concerning population growth projections not as yet available.

Chair Miller asked for public testimony. Staff noted no additional correspondence had been received.

Proponent:

Ms. Kelli Highley, 619 S. River Street, Newberg, Oregon, requested a delay in her testimony on this issue in order to combine her testimony on this issue with the upcoming accessory dwelling unit discussion. Chair Miller gave Ms. Highley the option to present testimony at this time. Ms. Highley said she would wait.

Sid Friedman, 31909 NE Corral Creek Road, Newberg, Oregon, testified on behalf of Friends of Yamhill County and wished to reiterate their support of staff's recommendation. Mr. Friedman noted that the 1000 Friends of Oregon and Friends of Yamhill County provide guidelines to maintain livability and consensus in Newberg. Mr. Friedman said that another option for the Commission to consider would be to partition the property which would provide flexibility for larger lots. Mr. Friedman noted reasons for densification: The City's Comprehensive Plan and Yamhill County's Comprehensive Plan call for compact urban centers for efficient urbanization. The Plans also discourage sprawling developments.

Mr. Brierley asked that the Commission deliberate on this issue before moving on to the accessory dwelling unit discussion. Chair Miller closed the public testimony portion of the discussion.

Public Agency reports: None.
Letters: None.

Commission Deliberation:

Commissioner Haug said that he is not in a position to recommend anything to the Council unless the Commission includes R-4 discussion requiring a certain amount of density in R-3.

Commissioner Fowler said that the Commission should now deliberate on the matter and a final decision could be forwarded to the Council at a later time with other related matters.

Motion #1:	Haug/Ashby moved that before recommending any density issues to the City Council, they are to include R-4 recommendations (in addition to R-1, R-2 and R-2 zoning designations); and to further establish quality standards (point system) would also be addressed.
-------------------	--

Amendment to Motion #1:	Ashby/Haug moved to add that a Planning Commission statement reflecting density standards (targets) should be added.
--------------------------------	---

Vote on Amendment:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
---------------------------	--

Vote on Motion #1 as amended:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
--------------------------------------	--

Chair Miller clarified that density will be addressed and resolved prior to any recommendations forwarded to the City Council.

Mr. Brierley continued with the accessory dwelling unit discussion. Mr. Brierley stated that it provides an opportunity for persons to live independently with the closeness of having someone next door. Mr. Brierley also noted that the City's ordinances do not designate who has to live in the accessory unit, but merely notes that it provides housing very economically. It also provides value to the property and economical

benefits to the City without the City having to provide additional street, sidewalk and extra services to new construction. Zoning districts providing single family residential units will change to duplex or multi-family districts. Staff's recommendation is to allow this designation in an R-2 (5,000 sq. ft lots); allow it in an R-3 zone which already have existing single family homes; but not allow in it in R-1 unless a conditional use permit is granted.

Commissioner Haug asked for clarification in dealing with hardship cases and lot size capacity (parking spaces, congestion, open space, walk-way space).

Mr. Brierley discussed parking indicating with the inclusion of the accessory unit, the property would require a total of three parking spaces.

Commissioner Haug stated that if a conditional use was allowed in R-1, rather than solely under a hardship condition, the City might consider changing the language to establish standards which would be completely disjointed from the people and the hardships they are experiencing. Discussion was held concerning conditional use and hardship standards/criteria.

Proponents:

Kelli Highley, 619 S. River Street, Newberg, Oregon, felt it would be best to separate the two issues rather than put them together. Her house was built in 1937 and instead of adding on to that structure, she and her husband purchased a manufactured home. The lot is 5,000 sq. ft. The original dwelling is now a garage. Prior to turning the existing structure into a garage, they asked the City what the requirements were in order to provide housing (1-2 bedrooms) for her husband's parents. Ms. Highley noted that the City staff advised them that the lot size was too small to allow for two dwelling units. Their request is for a hardship due to the parents' health. Parking for the property has been provided for in the back of the property. Ms. Highley recommended that the Commission adopt the staff's recommendation for approval.

Sid Friedman, 31909 NE Corral Creek Road, Newberg, Oregon, again spoke of Friends of Yamhill County which also supported the proposal for all zones, including R-1 designations. Mr. Friedman noted that the primary or accessory unit must be owner occupied which may address some of the neighborhood conversions raised by Commissioner Haug. The proposal makes sense in R-1 as well as other zones because this is where the bulk of residential housing is located and where the need would be most recognized. Mr. Friedman said that the Commission should adopt design guidelines which would address livability, in particular building (point system) designs.

Chair Miller closed this portion of the public hearing.

Discussion was held concerning density issues. Mr. Soderquist asked for clarification that the Planning Commission desired not to forward these issues to the City Council unless other adjoining issues were discussed and resolved.

Commissioner Ashby said that once the population growth estimate is received, things may change. Mr. Soderquist stated that the County has hired someone to work on the population growth projections.

Commissioner Haug said there will probably be numerous population projections from many sources and it may be a political decision on which one would be used in managing growth. There is an incentive to adopt the higher estimate due to the receipt of potential revenues. Mr. Soderquist said that population estimates are often reviewed quite frequently (adjustments are always made).

Commissioner Haug noted he too supports accessory units in R-1. The Commission should address the need for residential guidelines and point systems, especially in R-1. Commissioner Haug said that as an example, if a unit is allowed to be free standing, what would happen to parking, yard space, livability and aesthetics. If hardship allowances are requested, there should be full review in order to assure quality and

livability standards are in place. Discussion was held concerning the impact of assuring quality of surrounding properties. Mr. Brierley stated the aspect of accessory units in R-3 and R-4 is moot because of the maximum lot space requirement.

Motion #2:	Ashby/Fowler to adopt a non-binding resolution which accepts R-2, R-3 and R-4, allows for accessory units and considers design standards with conditional use in R-1.
-------------------	--

Amendment to Motion #2:	Haug/Hannum to allow permitted uses in R-2, R-3 and R-4 and provide for a non-discretionary point system (explicit set of rules dealing with building and landscape designs).
--------------------------------	--

Vote on Amendment to Motion #2:	4 Yes/1 No [Ashby]/2 Absent (Parrish/Wall). Motion carried.
--	---

Vote on Motion #2, as amended:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
---------------------------------------	--

Mike Soderquist stated there is not an R-4 designation at this point. Commissioner Haug said that if there is an R-4, it would be applicable.

Commissioner Hannum asked if there was any difference if there were existing dwellings (single family) located on the property. Mr. Brierley stated that it in R-3 zones, it would be a moot issue.

Chair Miller said this issue would be a continuation hearing and discussions would continue dealing with accessory units, density and maximum lot size.

Commissioner Haug asked to present additional information and provide further direction to staff:

1. Bring to attention aspects of point system on R-1 dealing with residential needs. Need some way to evaluate design quality in R-1.
2. A visual survey was completed over a year ago concerning free standing homes. How many front protruding garages are to be allowed? How many homes need front porches?

Commissioner Ashby asked for a point of order dealing with issues brought forward by Commissioner Haug.

Motion #3:	Haug/Ashby asked that staff review the City of Forest Grove's rules in R-1 areas.
-------------------	--

Amendment to Motion #3:	Haug/Ashby to amend the motion to direct staff to bring forth to the Planning Commission on design review standards (point systems).
--------------------------------	---

Vote on Amendment:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
---------------------------	--

Vote on Motion #3 as amended:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
--------------------------------------	--

Chair Miller called for a break at 8:40 p.m. The meeting reconvened at 8:45 p.m.

LEGISLATIVE PUBLIC HEARINGS (#2)

2. APPLICANT: City of Newberg (*CONTINUED FROM 12-11-97, 1-8, 2-12, 3-12-98 MEETINGS*)
REQUEST: Approval of an ordinance amending the Newberg Comprehensive Plan and Newberg Development Code relating to street standards, as required for compliance with the Transportation Planning Rule.
LOCATION: City wide
FILE NO: GR-4-95 **RESOLUTION NOS.: 97-83, 98-90 (adopts portions)**
CRITERIA: Newberg Development Code, Section 10.20.030

Abstentions/conflicts of interest: None.

Objections: None.

Staff Report: Mr. Brierley noted that he would break down the discussion into two sections (A/B).

1. Access management. Discussion was held concerning accessibility, mobility, minor and major collector streets, and minor and major arterial streets. (Revised Figure 10 addresses access standards). On a major arterial street (i.e. College Street), public street intersections would not be allowed any closer than 600 feet to the next intersection. Required frontage would be required for each additional driveway. Mr. Soderquist said that a U-shaped driveway would be considered two driveways.

Commissioner Haug asked for clarification concerning distance and frontage for driveway standards.

Mr. Brierley continued the discussion on access standards involving driveway setback standards from intersecting streets and minimum spacing of median openings. Discussion was held concerning maximum width of driveways (including space for RV's).

Commissioner Hannum stated that the Commission adopted block standards not to exceed 500 feet. Mr. Brierley asked that the block length be modified for major arterioles (Section 10.60.137 of the City's Development Code).

Public Testimony: None.

Public Agency reports: None.

Letters: None.

Staff Recommendation: To adopt the recommendation as proposed and amended relating to 500 feet block lengths.

Chair Miller closed the public hearing.

Commission Deliberation:

Motion #4:	Haug/Hannum to adopt revised Figure 10.
Amendment to Motion #4:	Haug/Ashby amended motion dealing with the resolution of the final major arterial block length (Development Code Section 10.60.137).
Vote on Amendment:	5 Yes/2 Absent (Parrish/Wall). Motion carried.

Vote on Motion #4 as amended:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
--------------------------------------	--

Further discussion was held concerning minimal spacing. Mr. Brierley recommended approval of Figure 10 as proposed and direct staff to come back with a Resolution which would address block length on major arterials.

Mr. Brierley continued the discussion involving landscaping and street amenities. Mr. Brierley noted that if there were any questions, he would recommend postponement.

Motion #5:	Haug/Ashby moved to postpone for a staff detailed report.
-------------------	--

Vote on Motion #5:	5 Yes/2 Absent (Parrish/Wall). Motion carried.
---------------------------	--

Chair Miller continued the two hearings for next month.

VI. ITEMS FROM STAFF

Mr. Brierley asked the Commission members to list three topics: "**I would like to forward a recommendation to the City Council on: (short range - not immediate issues).**" With Commissioners Parrish and Wall absent, the discussion of the Commission members present provided the following topic areas: (Mr. Brierley noted that Commissioner Parrish provided responses which are included in these topic areas)

1. Northern Arterial (reported twice)
2. Getting Traffic off Hwy 99W
3. Transportation
4. Design review
5. Residential design quality standards
6. Density (goes with policy for growth)
7. Downtown core redevelopment
8. Water Availability - dealing with the issue of availability for water, expansion of the wells vs. conservation, storage, quality
9. Improve traffic flow - all areas
10. Clearly and explicitly declare a policy on growth (all growth issues and not just the issue of growth) but also direction. Do we expand the City in all directions or get a direction on growth?
11. Consistent growth policy
12. Develop a wider base for jobs (all \$\$ levels) -(suggest that we should not develop jobs because jobs bring forth growth). Strategic plan and economic development plan.
13. River Front - commercial, recreational development, economic revitalization
14. Bypass
15. Direction of long term growth
16. Provide for orderly growth.

Mr. Brierley stated that each Commissioner would be given five "votes" . The final categories were identified as follows:

1. Design Review/Quality (4 votes)
2. Downtown core redevelopment (3 votes)
3. Clearly and explicit policy on growth/direction of growth/density (6) votes
4. Develop a wider base for jobs all \$\$ levels (3 votes)
5. Water availability (0 votes)

6. Riverfront development (3 votes)

7. Transportation congestion: bypass/improve traffic flow/getting traffic off Hwy 99W. Look at solutions for resolving; ideas involving mass transit (northern arterial) (6 votes)

The results of the categories will be provided in a memo (due April 9th) which will be reviewed by the Commission prior to forwarding on to the Council.

2. Update on Council Items

Mr. Brierley presented information concerning the development of the Werth property (industrial property located behind Fred Meyer's). The Council approved a \$1million loan to put in water and sewer lines in order to accommodate a new reservoir. The Council also approved a new economic development coordinator/planner position which would deal with long range planning, redevelopment of the downtown core and manage the City's Economic Development Revolving Loan Fund (EDRLF) program. The Council addressed the sign code issue by directing staff to have community input, forward to the Planning Commission and provide recommendations to the Council.

Mr. Soderquist also noted a sign summit is scheduled for April 2nd at 7:00 p.m. (George Fox University Cap & Gown Room). It is scheduled for a focus group format. Commissioner Haug said he was concerned about the business community being impacted by enforcement. Discussion was held about more than four Planning Commission members attending any type of function which may give rise to a quorum of the Commission being present without proper notice.

Mr. Brierley stated that in addition to the sign summit, there is an informational session for real estate developers and interested parties scheduled for April 9th (9:00 a.m. - 12:00 p.m.). This is sponsored by the Community Development Department. The session will be held at Alfie's Wayside Inn conference center.

Mr. Soderquist stated that on Tuesday, March 31st, Leadership Newberg will be discussing Government Day held at the Armory. The Community Development Department personnel will be speaking. A chartered bus will take people around the City facilities to view well fields, water and wastewater plants, reservoirs, etc.). The tour starts at 3:30 and will conclude around 4:45 p.m. If any Planning Commission member is interested, please contact the Community Development office.

3. Corrected Creekside Resolution 98-89

Mr. Brierley stated that the correction clarifies the statements concerning attached and detached structures.

Motion #6:	Haug/Fowler to approve Resolution No. 98-89 as corrected.
Vote on Motion #6 as amended:	5 Yes/2 Absent (Parrish/Wall). Motion carried.

VII. ITEMS FROM COMMISSIONERS

Commissioner Haug reviewed his discussions with City Attorney Terry Mahr dealing with procedures and ethics.

Commissioner Haug provided list of issues on sign ordinance (sign interpretation, definition, summit). Provide information to Planning Commission and City Council members to inform them on what choices are available.

1. Goal Setting for 1998

Commissioner Haug provided information to the Commission concerning growth management summit (handout).

Commissioner Haug said he would suggest that the Commission review the information contained in the City of Stayton land use seminar on procedures for meetings and advising the audience on what they can expect. Commissioner Haug asked that staff review the information and possibly make it available for the audience at the front table where the agendas and related meeting information is provided.

VIII. STAFF AND COMMISSION REPORTS

Next Planning Commission Meeting, April 9, 1998.

VIII. ADJOURNMENT

The meeting was adjourned at approximately 10:00 p.m.

Passed by the Planning Commission of the City of Newberg this 9th day of April, 1998.

AYES:

7

NO:

0

ABSTAIN:
(list names)

0

ABSENT:

0

ATTEST:

Peggy R. Hall
Planning Commission
Recording Secretary Signature

4-9-98
Date

Peggy R. Hall
Print Name

**INFORMATION RECEIVED INTO THE RECORD
AT THE MARCH 26, 1998 PLANNING COMMISSION MEETING.**

**THIS INFORMATION IS ON FILE AT THE COMMUNITY DEVELOPMENT OFFICE
ATTACHED TO THE MINUTES OF THE MEETING AND IN THE PROJECT FILE IT
PERTAINS TO.**

PROJECT FILE #

PROJECT FILE #

LABELS FROM THE 3/26/98
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REGISTRATION CARD

Sid Friedman GR-2-95
31909 NE Corral Creek
Newberg, OR 97132

Kelli Highley GR-2-95
619 S.River
Newberg, OR 97132