

PLANNING COMMISSION MINUTES
Newberg Public Library - Newberg, Oregon
THURSDAY, APRIL 23, 1998 AT 7 P.M.

Approved at the May 28, 1998 Planning Commission Meeting

I. ROLL CALL

Planning Commission Members Present:

Stephen Ashby
Myrna Miller
Paula Fowler

Steve Hannum
Lon Wall

Matson Haug
Warren Parrish

Staff Present:

Barton Brierley, Planning Manager
Barbara Mingay, Planning Technician
Randy Naef, Utility 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.

III. COMMUNICATIONS FROM THE FLOOR

None.

IV. STAFF PRESENTATION

1. Staff presentation: "Water Issues and Rate Review" by Randy Naef, City Utility Manager

Mr. Randy Naef, Utility Manager, and the Citizens Rate Review Committee members in attendance: Karlene Ferrell, Kelli Highley, Rebecca Ratcliff, Matson Haug, Myrna Miller. Commissioner Fowler is also a member. Mr. Barry Babin joined the meeting at approximately 7:40 p.m.

Mr. Naef provided a brief over view of the 1992 Water Master Plan. The Marion County Planning Commission denied the City's water application. The City of Newberg chose not to pursue an appeal. Staff requested a plan for supply and demand. The system provides five wells which produce 4.4 to 4.9 mg from Yamhill County and Marion County. A series of 4 springs also produce approximately 3 million gallons. Mr. Naef also reviewed the summer of 1996 and 1997 peak demands. Mr. Naef said that last summer there were approximately 10 days that exceeded peak demand of 4.9 mg per day. There was 8mg storage, some of which are reserved for fire storage. Discussion was held concerning reliability and redundancy of system (mechanical failures/safety net) concerning supply and storage, and how much untreated water is available.

In the past there were other engineering efforts in dealing with the water situation (source, demand and storage). Mr. Naef reviewed the options provided to the City Council. Discussion was held

concerning Ranney Collector (pipes that radiate out from the bank of the river under the main channels through a filtration system). The City still has water rights under the Ranney Collector system. Mr. Naef noted the Regional Water Providers Consortium was a viable option, but seemed to be a future prospect. The City could also purchase water from other sources (Wilsonville, Portland). Further discussion was held concerning conservation, building reservoirs, shortfalls, utilizing existing reservoir and providing better circulation.

Mr. Naef reviewed with the Commission what options the City Council chose to pursue. Further defined the costs and laid out the non-costs (pro and con factors):

Option		Total Cost	Rate Impact
1B	Well 7	\$1,960,000	none
2B	Garrin's Ferry	5,100,000	\$4.58
3	Otis Springs	3,420,000	\$1.62

CONSERVATION

8 - Aggressive conservation	\$2,320,000	none
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STORAGE ALTERNATIVES

7B	West Reservoir	\$ 7,300,000	\$8.45
7A	East Reservoir	\$ 6,100,000	\$6.35

Mr. Naef also reviewed the capacity and system impact for each option, concluding with putting the options together:

- Currently peak demand exceeds supply and it is highly probably that a curtailment program will be needed next summer to address the situation.
- City needs to pick a course of action to develop more supply immediately (basic demand and redundancy).
- Infrastructure improvements need to go forward per Master plan - storage, distribution system, fire flows.
- Demand side considerations.

Mr. Naef next reviewed water management and capital projects options (Table 2) dealing with options, pro's and con's, implementing ability and environmental impacts.

Commissioner Haug discussed the prior Marion County well permit application/process. Mr. Naef reviewed what the City's actions were in deciding not to pursue Well #7. Further discussion was held concerning if and when the City decides to pursue the permit application for Well #7.

Commissioner Parrish inquired whether Well #8 was included. Mr. Naef said that Well #8 is in long range plan and the City was applying for Well #7 only.

Mr. Sid Friedman asked about the City's pipelines and existing well fields.

Discussion was held concerning water right transfers, environmental impacts, source redundancy, land acquisition costs, reduced stream flow water quality, reduced stream flows, fire protection, pipeline construction (new), and reliability of sources.

Commissioner Parrish said it had been indicated that the improvements would occur until peak season and maybe through to 1999. Discussion was held concerning the water treatment plant and the monitoring system. Commissioner Parrish inquired about the 1991 permit and the possibility of the use of that permit for Garrin's Ferry. Mr. Naef invited the Commission to take a tour of the water treatment plant. The new implementation system will provide automated system and not require operators to be on site during certain procedures.

Mr. Naef discussed the Garrin's Ferry water option which may include the land use process. Mr. Naef also reviewed the amount needed for fire suppression.

Discussion was held concerning the City's ordinances and resolutions involving water use, water conservation (odd/even water use) and develop coordinated watering program with major irrigators.

Commissioner Haug said we should be conscientious of water use as a resource, curtail unnecessary consumption and learn how to conserve as a lifestyle, capturing gray water and the need for conservation. Mr. Naef said that the theme would be education.

Mr. Sid Friedman asked about the components of conserving and impact upon infrastructure. Mr. Naef noted that the City of Ashland has been actively pursuing conservation programs.

Mr. Barry Babin, Citizens Rate Review Committee member, discussed the City losing revenues from year-round reduction in consumption. Discussion was held concerning future source, availability of water, surveys and other ways to find water source.

Discussion was held concerning a regional water source drawn from the Willamette above some major sources of pollution and how the Bureau of Reclamation is working on alternative source provisions.

Mr. Barry Babin addressed the Well 7 permit process with Marion County Planning Department and Marion County Board of Commissioners.

Commissioner Haug discussed how the cities of Dayton and Lafayette are having problems with their water source. Commissioner Parrish said that they should look into the farmers possibly providing water. Mr. Naef said that talking with the farmers in the Garrin's Ferry area is important. Mr. Naef said he received an encouraging response from one farmer and from another that was not in favor or against the project. Further discussion was held concerning the zone of influence and the water table.

Mr. Barry Babin inquired about well head protection, well field evaluations and zones of influence surrounding the wells.

Ms. Kelli Highley discussed the requirement of a buffer around well designs and control of agricultural use. Mr. Naef reviewed well head issues around the State.

Mr. Johann May addressed consumption rates and what levels are acceptable.

Commissioner Haug discussed the Citizen Rate Review Committee communicating conservation programs and efforts and get the education out there. The Committee would assume the responsibility for obtaining this information. Discussion was held concerning how the City is in a position of not being able to provide for the alternatives/options and how these programs would be available or what would need to be in reserves for the future. Mr. Naef reviewed the Summary of Water Resources/Expenses and Projected Capital Needs. Chair Miller noted that the former Committee requested a reserve of \$5 million and the infrastructure needed a major over-haul.

Commissioner Parrish discussed Otis Springs as being a viable source (build a reservoir and treatment plant) would address the immediate crisis and additional capacity. Discussion was held concerning reservoir around Corral Creek Road and whether the City has considered purchasing and developing the property. Mr. Naef said that the Master Plan generically designates an area.

Ms. Kelli Highley asked for the names of the springs: Oliver, Skelton, Atkinson and Snider. Discussion was held concerning peak usage and fire reserves. Mr. Naef said that fire flow is the quantity of water needed to put out fire. Discussion was also held concerning the rate impact for Well #7 and the use of the reserves (either \$1.2 or \$5 million). Discussion was held concerning watering conservation programs and the request from CPRD for grass seed for their various fields. Ms. Highley inquired when system development charges will be introduced into the rate review process.

Mr. Sid Friedman requested information about what portion of the projected expenses were needed to meet current demands and the demands of projected population growth. Mr. Naef said that the Oregon Revised Statutes provide a formula in determining the projections.

Mr. Babin addressed the potential of SDC's in the growth area within the corporate limits of the City. Mr. Naef said it would be a trade off between the home builders and other developers.

Commissioner Haug said he recommended that the City monitor usage and the cost associated with monitoring, seasonable usage and the use by the various categories. Mr. Naef said the City already has this information available. Commissioner Haug also referenced a recent Oregonian article regarding conservation.

Mr. Johann May stated that the City's ordinances do not provide for outside users and large water consumers who are not paying taxes to help pay for the expenses.

Commissioner Haug discussed a tiered system for residential and business users..

Mr. Naef addressed service to the specific population (amount of people per gallons) in peak demands.

Mr. Johann May inquired about the number of homes under construction in relation to the water projection.

Commissioner Haug addressed water quality to increase the value of the water. How polluted will the Willamette River get before it affects the City's source? Discussion was held concerning the condition of the City's existing water supply and its filtration system. Mr. Naef suggested that Commissioner Haug or anyone else who was interested can meet with him to review the information he has concerning the City's water quality. Mr. Naef said the City's water is below detectable limits.

Commissioner Parrish asked about the condition of the Willamette River. Mr. Naef discussed the DEQ study.

Mr. Babin thanked the Commission for opening up the discussion to the audience and Mr. Naef's professional input.

Ms. Highley asked about the DEQ study and the new findings and whether or not it would affect the City's aquifer. Mr. Naef said it would affect it, but the City presently monitors the water quality.

Commissioner Hannum discussed the three part section on the Newberg pool contaminants.

Commissioner Haug provided testimony concerning the projected population growth and how to deal with pollution. Mr. Naef said there are Basin Council's that are working with citizens and communities.

Chair Miller recessed the meeting at 9:10 p.m. The meeting reconvened at 9:15 p.m.

- V. LEGISLATIVE PUBLIC HEARINGS** (complete registration form to give testimony - 5 minute maximum per person, unless otherwise set by majority motion of the Planning Commission). "No new public hearings after 10 p.m. except by majority vote of the Planning Commissioners."

OPEN FOR PUBLIC HEARING.

Chair Miller entered ORS 197, relating to the Public Hearing process into the record, and opened the Public Hearing.

1. **APPLICANT:** City of Newberg (*CONTINUED FROM MEETINGS SINCE 12/97*)
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
CRITERIA: Newberg Development Code, Section 10.20.030
TOPICS: R3/R4 Zone; Minimum Densities, Historic Landmarks, Manufactured Home Parks, Parking

Chair Miller suggested that the Commission deal with the first issue R3/R4. The Commission members agreed.

Abstentions/ex-parte contact: None.

Objections: None.

Staff Report: Ms. Mingay reviewed the Commission's options (page 2). Ms. Mingay further reviewed Table V-2 and maximum and minimum residential densities. Staff has recommended approval. Ms. Mingay distributed a map showing currently available HDR designated properties. There is a need for additional consideration of R3 land. Most is developed as single or duplex rather than apartment development. The split would help with designated land with higher density. Recommending R3/R4 split or R2.5/R3 and minimum densities.

Chair Miller stated that Mr. Gary Buhler, a proponent for expanding R-3 residential designations, appeared to testify but left the meeting prior to speaking. Mr. Brierly noted it would be addressed in the transportation portion.

Proponent: None.

Opponent: None.

Public Agency reports: None.

Letters: None.

Proponent/Opponent Rebuttal: None.

Commission Deliberation:

Commissioner Haug agree with staff's recommendation. Commissioner Haug expressed additional comments concerning minimum and maximum lot sizes, decreasing density, would propose concept but for piece by piece basis. Only explicitly for lands within the City. Use the designation SR3/SR4 (split) for new land to not confuse current R3/R4 designations as they exist.

Commissioner Ashby asked for clarification of the "tools" the Commission was to work with (City's policy of maintaining designations). Ms. Mingay provided information addressing developments in R3 zones (apartments/duplexes). Discussion addressing affordable housing being in the form of manufactured homes. Once the population projections are received, the Commission can determine the location of certain zoning designations. Commissioner Ashby asked where the City Council stands concerning maximum and minimum density.

Commissioner Haug discussed his split zoning designation being more reliable in determining what a particular section would look like. Does not necessarily mean that it would have to be applied to a specific area.

Ms. Mingay said there are designated areas in R3/R4 within the City. There are other smaller land owners that would be affected other than the two major land owners in the community.

Commissioner Parrish discussed the concept of the City's Comprehensive Plan in relation to density. Ms. Mingay presented information concerning where R3 zoning is located throughout the City. The R-3 high density has ability to reach service, but acts as a buffer. Commissioner Haug said he is concerned with creating a tool concerning density. Commissioner Haug presented information concerning the potential split of SR3/SR4 allowing a lighter density where it would be a higher density in an R3/R4.

Discussion was held concerning potential redeveloped and retrofit property, NW Newberg Specific Plan. This would be a tool when new land comes in - there would be a choice and give us a more

certain description of what would happen in that zone (overlay) with possible mini-urban centers. Ms. Mingay stated that the primary difference is density. R3 and R4 are basically the same as the current R-3. Ms. Mingay presented information concerning possible up zoning. Ms. Mingay also noted the City may be forced into reviewing the situation before periodic review, how the land balance (state scale), residential, medium density, multi-family housing, etc. can be met. Discussion was held concerning revamping the Comprehensive Plan now before redoing the zoning.

Commissioner Haug clarified his statements addressing density and potential of creating more or less density depending upon location of the property. Ms. Mingay noted that there are people seeking high density property.

Chair Miller discussed state requirements concerning maintaining certain zoning and R-3 property designations. Discussion was held concerning developing certain property (R1 and R2 land), but very little R-3 property.

Discussion was held about developing programs concerning affordable housing. Ms. Mingay said she would provide the information concerning available property in certain zoning designations.

Commissioner Ashby said that the decisions involving density and population projections are yet to be determined.

Commissioner Parrish asked Commissioner Haug to present information concerning his SR3/SR4 concept.

Commissioner Haug said we need to understand the City's growth policy and reach a consensus through the collaboration process. Conceptualize a zoning option that would have useful value for planning, predicting what the density may be and he would like to see:

1. Staff present a zoning overview of urban reserve, urban growth boundary, undeveloped land and need analysis. All citizen planners need to have this information before proceeding.
2. Take R-1 and single family affordable housing and have smaller lot sizes for that zoned area which would provide a predictable land value.

Commissioner Hannum said that in looking over actual built densities for 1992-1996 (pages 7-9), Bramble Creek is the classic bad example of an R3 use (32 units and only 2.7 acres). In terms of goals, maybe it was mis-zoned. Discussion was held concerning accommodating population.

Mr. Barton Brierley provided information concerning Comprehensive Plan notations and building dwellings.

Discussion was held concerning that R3 is being built as R3, but there is not enough R3 built out within the letter of the law. Commissioner Haug said that the proposal gives an option to consider.

Chair Miller reviewed the options presented.

Motion #1:	Ashby/Hannum moved to having minimum densities and R-3 and R-4 split and residential needs analysis tabled to the first meeting in September in order to take up other items at the next meeting.
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Vote on Motion #1:	The motion carried (unanimously).
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Commissioner Parrish further described the problems with not arriving at a decision. Commissioner Haug provided additional information concerning SR split. Chair Miller clarified how the proposals would fit in to the City's plans.

Ms. Mingay stated that staff supports delaying it to the fall just the issue of R3/R4 split issue and minimum density or dump it. The other issues dealing with fencing, historic landmarks, manufactured home parks, parking, lot area requirements for dwelling units will be presented at the next meeting. Ms. Mingay said she would like to clear the residential needs from the docket.

Commissioner Haug discussed disruption for property owners and their property values (more predictable and manageable zoning designations).

Chair Miller said the matter would be tabled as well as the second hearing.

PUBLIC HEARING (#2)

2. **APPLICANT:** City of Newberg (*CONTINUED FROM MEETINGS SINCE 12/97*)
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.: 98-91 (adopts street amenities section)**
CRITERIA: Newberg Development Code, Section 10.20.030
TOPICS: Transit Feasibility, Mixed Use, Site Design, Building Design

This matter was continued.

VI. STAFF AND COMMISSION REPORTS

1. Update on Council items
Mr. Barton Brierley said the Council voted to make a decision to fill the vacant City Council position at the May 4th City Council meeting.
2. Other Reports.
Mr. Brierley advised the Commission of the walking tour beginning at NAP's at 5:15 p.m. on April 29th (walking tour of downtown Newberg to review signs). Everyone is invited to attend. Mr. Brierly also noted the Council's volunteer dessert scheduled at the citizen center.
3. Next Planning Commission Meeting, May 14, 1998

VII. ITEMS FROM COMMISSIONERS

Commissioner Parrish visited the Creekside PUD and discussed problems with Phase I and II: trees close too the curb, private roads having cars park on both sides (clearly marked "no parking"), people living in the homes, potential emergency fire problems, and the area is supposed to be open, close proximity to sewer pump station, etc. Commissioner Parrish encouraged the Commission to view the area.

Commissioner Parrish reviewed Phase II concerns: Lots 200, 208, 214, 218 and 224 (lots on south end). Discussion was held concerning these lots involving slope, trees 2" from the curb, proposed park property getting narrower, parked cars blocking access, dedicated open space.

Commissioner Parrish discussed the riverfront development being oriented toward recreation and the Willamette Valley Greenway. Mr. Brierley said that staff will bring to the City Council a riverfront proposal.

Commissioner Ashby said he looked at the Creekside Development and it did appear that there was a path for the public to access the open space. Mr. Brierley said there is a grading problem.

VIII. ADJOURN

Hannum/Haug to adjourn at 10:55 p.m.

Passed by the Planning Commission of the City of Newberg this 28th day of May, 1998.

AYES:

6

NO:

0

ABSTAIN:

0

(list names)

ABSENT: 1

(Lonwall)

ATTEST:

Peggy R. Hall

Planning Commission Recording Secretary Signature

Peggy R. Hall

Print Name

5-28-98

Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE APRIL 23, 1998 SPECIAL 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.**

None

LABELS FROM THE 4/23/98
PLANNING COMMISSION
MEETING FROM THOSE WHO
GAVE PUBLIC TESTIMONY
REGISTRATION CARD

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