PLANNING COMMISSION MINUTES
Newberg Public Library - Newberg, Oregon
THURSDAY, FEBRUARY 12, 1998 AT 7 P.M.

Approved at the March 12, 1998 Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Stephen Ashby
Steve Hannum
Matson Haug
Myrna Miller
Lon Wall
Warren Parrish
Paula Fowler

Staff Present:

Barton Brierley, Planning Manager
Barbara Mingay, Planning Technician
Mike Soderquist, Community Development Director
Larry Anderson, Engineering Supervisor
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.

Chair Miller welcomed Barton Brierley, Planning Manager who then gave a brief statement reflecting his background: graduation from Oregon State University, involved in projects dealing with master transportation plans, public facilities, wetlands, housing and population projects with the City of Grants Pass. Mr. Brierley also noted he received a bachelor's degree from BYU in Utah.

III. CONSENT CALENDAR

1. Approval of January 8, 1998 Planning Commission Minutes.

Motion #1:	**Fowler/Hannum** voted to approve the consent calendar items, approving the minutes of the January 8, 1998 Planning Commission Meeting.

Vote on Motion #1:	The Motion carried unanimously.

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

Ms. Barb Mingay, Planning Technician, reviewed the statement prepared by City Attorney Terrence Mahr concerning communications between Planning Commission members outside public meetings (e-mail, etc.).

Chair Miller stated there would be a five minute time limit and that questions posed to the presenter would be held until after they have given their testimony so as to not interrupt their testimony.

Commissioner Haug provided information on the City of Stayton seminar regarding land use procedures. Ms. Mingay stated she gave a copy of the documents to the City Attorney for his review and compliance with existing City ordinances. Discussion was held concerning ORS 197 procedures dealing with public hearings.

V. QUASI-JUDICIAL PUBLIC HEARINGS

None.

LEGISLATIVE PUBLIC HEARINGS (#3)

1.	**APPLICANT:**	City of Newberg *(CONTINUED FROM 12-11-97& 1-8-98 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 NO.: 97-80**
	CRITERIA:	Newberg Development Code, Section 10.20.030

Ms. Mingay stated the hearing is a continuation from the December, 1997 and January, 1998 Planning Commission meetings.

OPEN FOR PUBLIC HEARING.

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

Abstentions/ex-parte contact: None.
Objections: None.
Staff Report: Additional information concerning population were identified. Ms. Mingay stated City staff is recommending that the Commission concentrate on arriving at a consensus on the various items and they would be later fine tuned and placed in the appropriate sections. Ms. Mingay asked the Commission to arrive at a consensus which would be finalized into a Planning Commission Resolution format and presented to the City Council. Staff has provided pictures and samples of the various points for the Commission's review. Chair Miller further stated the entire review need not be completed before giving sections to the City Council.

Sid Friedman, 31909 NE Corral Creek Road, Newberg, provided testimony opposing the R-0 zoning designation. Discussion was held concerning reducing the minimum lot size to 4,000 sq. ft. Mr. Friedman urged the Commission to eliminate the R-0 zoning and give further consideration to imposing a maximum lot size and minimum density in the R-1 zone. Mr. Friedman also noted a shortage of rental housing contributes to the shortage of affordable housing.

Motion #2:	**Haug/Hannum** voted to allow Mr. Friedman an additional five minutes to complete his testimony.

Vote on Motion #2:	The Motion carried unanimously.

Discussion was held concerning allowing each person five minutes and if there were others present to testify, then it would be reviewed by the Commission to grant extensions.

Mr. Friedman continued his testimony on preventing premature expansion of the urban growth boundary, insuring managed growth, State of Oregon Transportation Planning Rules and Planning Goals. Mr. Friedman also noted that the R-0 zone designation is in opposition to the State and County planning goals. Mr. Friedman stated he supports the R-4 zoning designation.

Opponent: **None.**
Questions to Proponent/Opponent:

Discussion was held concerning maximum lot size in the R-1 zone. Commissioner Ashby stated he felt the choice has to be tempered with community interest and the higher cost of public facilities. Mr. Ashby referred to a recent article in the Newberg Graphic addressing minimum density. Mr. Friedman added he felt the standards proposed by staff are low and lenient and address the problem in a moderate way.

Public Agency reports: None
Letters: None.
Proponent/Opponent Rebuttal: None.
Staff Recommendation: **Ms. Mingay** recommended the Commission hold the discussion to one hour in order to review and consider the other public hearing on the agenda.

Commission members thanked staff for revising the staff report and providing the information for review in an orderly manner.

Chair Miller closed the public hearing. The hearing will be continued to the February 26, 1998 meeting. Chair Miller stated she would like to limit the discussion to 15-20 minutes for each item and if more discussion is needed, then the Commission can decide on how to proceed or continue that item to February 26th. Chair Miller also added that the information concerning population numbers may be revised in the near future. Discussion was held concerning postponing the population issues until such time sufficient information is available.

Discussion was held concerning the R-0 zone: market demands, larger housing developments, costs of services, maximum lot standards in relation to R-1 designations, compatibility with surrounding area and the price of housing based on square footage and lot size. Ms. Mingay stated there were a few major land owners of undeveloped land in the area as well as a half a dozen smaller ones. Commissioner Parrish expressed concerns over the flexibility of R-1 as far as the size of the house and how it would be much better to have multiple uses. Commissioner Parrish stated he felt that R-0 was not necessary.

Commissioner Fowler stated it appears that this type of development would attract the "upper end" development. Discussion was held concerning partitioning and variance requests.

Commissioner Haug addressed the following concerns:

1. A few years ago the Planning Commission discussed the City's Transportation Plan with a consensus that the City would have many urban centers (less auto traffic). The property north of the City limits has mixed uses to provide for such an urban center.

2. The R-0 designation is exclusionary for the richest of the City. Discussion was held concerning walking and bike paths, the economic and market demands of the City and how the R-0 zone designation is not good for the City.

Commissioner Wall agreed with Commissioner Haug in that the R-0 zone is not necessary and he would not support subsidizing people that are better off than others in the community. **Chair Miller** said the decision should not be to limit choice.

Commissioner Ashby noted that the provisions of the R-1 zoning designation make the R-0 zone designation redundant and questioned the reasoning behind creating a larger zone.

Commissioner Haug indicated he had ex parte contact with Steve Pfeiffer, land use attorney, who also indicated he did not see a need for the R-0 zoning designation. The Commission individually discussed their position on the R-0 zoning designation.

Commissioner Ashby stated he was not enthusiastically in support of the R-0 zone but substantially agreed that the R-0 zoning appears to be redundant. His opposition to it is not as strong as others have voiced.

Commissioner Fowler said she supported the R-0 zone which provides flexibility to the City and invites a larger diverse community into the area.

Commissioner Hannum felt the R-0 designation really did not make much difference in light of the City's annexation policies.

Commissioner Haug said he was against the R-0 zone and the Commission should not make changes to the R-1 designation.

Commissioner Parrish stated he was against the R-0 zone and would request that no changes be made to the R-1 designation for reasons previously stated. He would like to see the R-1 designation remain flexible with the ability for property owners to build larger lots.

Chair Miller added that she supported the R-0 zoning designation which may be premature, but with the flexibility of R-1, it may be moot. Chair Miller suggested that the Commission forward their decision to the City Council.

Motion #3:	**Haug/Parrish** to recommend to the City Council to disregard and reject the R-0 zoning designation at this time and that no changes be made to the R-1 designation.

Ms. Mingay clarified staff's direction in abandoning the R-0 zoning designation and would eliminate any further information concerning the R-0 designation from the revisions.

Motion #4:	**Haug/Wall** to amend the motion to include that staff eliminate all reference to R-0 zoning and communicate to the City Council they would like to proceed with the R-1 zoning designation with no changes.

Vote on Motion #4:	5 Yes/2 No (Fowler/Miller). The Motion carried.

Chair Miller called for a break at 8:15 p.m. The meeting reconvened at 8:25 p.m.

Discussion concerning the modification of R-4/R-3 zoning designations was held with Ms. Mingay providing background information relating to density. Commissioner Fowler expressed concerns involving expansion (less units per space) and keeping the R-3 designation as it is which would not create a separate zone.

Commissioner Hannum stated if the City is going to have high density areas, it should be done in smaller parcels which would prevent ghetto-izing.

Commissioner Ashby agreed with Commissioner Fowler but the issue appeared to be livability and the quality of life. Other problems are afford ability, implementing the transportation planning rule and placing higher density housing away from the core of the City.

Commissioner Parrish also agreed with Commissioner Ashby and expressed concerns about the south end of town and the mobile home parks.

Commissioner Wall stated he agreed with Commissioner Fowler's statements that increased density would be a goal and the City should go after as much as it can.

Commissioner Haug addressed the R-2 and R-3 designations and incentives to make attractive aesthetics. Commissioner Haug said it was too early to make a decision on the R-4 zoning: may be a viable idea as long as the aesthetics (trees) and livability are present, defining where the R-4 designation will be placed, providing a point system, and providing for appropriate parking needs.

Chair Miller stated she agreed with the fact that they need to provide for single family residences (lower density) and provide for affordable housing even though we need to increase density by developing the two zones.

Ms. Mingay stated the code now provides for a maximum 21.8 gross residential units. The amendment would not be increasing density, but split it into two zones. Further discussion was held concerning the maximum density and gross residential units per acre.

Motion #5:	**Parrish/Hannum** to table the R-4 issue to provide for more information to the Commission dealing with issues such as a point system, street parking, location of the designated areas on maps.

Vote on Motion #5:	The Motion carried unanimously.

Commissioner Haug stated he would not be available at the February 26th meeting and asked for consideration of his testimony.

Motion #6:	**Haug/Fowler** to postpone the discussion until the February 26th meeting.

Vote on Motion #6:	The Motion carried unanimously.

Motion #7:	**Haug/Wall** to leave the record open for oral and written testimony for the February 26th discussion.

Vote on Motion #7:	The Motion carried unanimously.

PUBLIC HEARING (#2)

APPLICANT: City of Newberg *(CONTINUED FROM 12-11-97 & 1-8-98 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 NO.: 97-83**
CRITERIA: Newberg Development Code, Section 10.20.030

Ms. Mingay stated she and Engineering Supervisor Larry Anderson carefully reviewed the amendments and made revisions in order to comply with State regulations.

1. Collector Functional Classification - High Priority

Discussion was held concerning prioritizing the projects to the City Council. Mr. Anderson reviewed staff's recommendations as outlined in the amendments. Commissioner Haug stated he supported staff's recommendations and he had no further questions. Discussion was also held concerning pedestrian and bike lanes, some of which are mandated by the State.

Planning Director Barton Brierley discussed major and minor collector streets and the reason for separating. Ms. Mingay also stated staff would request a similar resolution to approve the changes and forward the resolution on to the City Council.

Motion #8:	**Haug/Wall** to adopt the recommended changes as provided in the staff report and to have staff prepare a resolution supporting such changes.

Vote on Motion #8:	The Motion carried unanimously.

2. Local Street Standards - High Priority

Discussion was held concerning changing the designation from 50 feet to 60-65 feet, adjusting street, sidewalk and right-of-way widths, providing for green space and related aesthetic plantings. Mr. Anderson provided information concerning the 32 foot minimum street width which may, in some instances, reduce the right-of-way.

Ms. Mingay added that tree planting provides for a safer street area allowing for a visible barrier. Methods of enforcing tree planting standards is done by the code enforcement officer of the City. The City's Comprehensive Plan provides for a 60 foot standard width. The recommended change is from 50-55 feet (at least 53 feet). Further discussion was held concerning the variance in tree types, planting strips and street widths.

Motion #9:	**Haug/Fowler** moved to change local street standards (page 7) amendments from 53 feet to 65 feet right-of-way and changing the planting strip from 4 feet to 4-1/2 feet. Staff to prepare the appropriate resolution.

Mr. Anderson explained the design review process, how it relates to this amendment and what the developers have requested for changes.

Vote on Motion #9:	6 Yes/1 No (Wall). Motion carried.

Motion #10:	**Hannum/Fowler** to table further discussion on this issue until the February 26th meeting.

Vote on Motion #10:	The Motion carried unanimously.

Mr. Anderson stated staff would make sure that every section would be amended as noted.

VI. OLD BUSINESS

Commissioner Haug addressed the tree planting plan and provided a Wall Street Journal article which was presented to the City Council. Ms. Mingay stated it could be discussed at same time as the Transportation Planning Rule.

VII. NEW BUSINESS

Ms. Mingay asked for those interested in the growth management conference seminar to contact her by Wednesday of next week.

Commissioner Haug presented information concerning the process for amendments to the City's Comprehensive Plan and Development Code. Commissioner Wall added information involving the City's annexation policy in conjunction with State law.

Chair Miller inquired what would happen if staff received new information that could change the Planning Commission's recommendation. Mr. Soderquist stated staff's recommendation is carried through from the Planning Commission recommendation, but changes could occur from information received in a public hearing. Ms. Mingay stated she would check with the City Attorney concerning the 120 day rule dealing with annexations.

VIII. STAFF AND COMMISSION REPORTS

1. Update on Council Items

Mr. Soderquist complimented Ms. Mingay and Mr. Anderson on their valuable and precise information. Mr. Soderquist reviewed the Council's findings in denying the annexation request by Renaissance Development for the mobile home subdivision which may be appealed. The Council also continued the Community Development Block Grant projects but requested input from citizens and the Planning Commission. The Council also approved placing a ballot measure before the voters on the Fire Sub-Station. The Council is also considering hiring someone to manage the City's economic development revolving loan fund (EDRLF) and work on the downtown redevelopment projects. Mr. Soderquist confirmed Commissioner Haug's statements concerning the City of Stayton seminar on land use planning. He will contact them concerning inviting them to appear in Newberg. Copies of the manuals provided have been ordered.

2. Other reports, letters, or correspondence

None.

3. Next Planning Commission Meeting - February 26, 1998.

Commissioner Parrish stated he met with Duane Cole and Randy Naef concerning the water system and would recommend that the Planning Commission have them appear at a Planning Commission meeting in order to keep up-to-date on what is going on with the water situation. Chair Miller stated staff would make the necessary arrangements for a work session meeting.

Commissioner Haug asked for a tour of the City's infrastructure which also could be done as a work session.

Chair Miller stated that she and Commissioner Fowler were members of the City's Citizen Rate Review Committee (to review water and sewer rates) which will be reactivated soon to discuss the water situation. **Mr. Soderquist** stated he hoped to have Randy Naef (Utility Manager) present at the March 26th meeting. Chair Miller stated it may be appropriate to include the Citizen Rate Review Committee information in the same meeting.

ADJOURNMENT

Motion #11:	**Hannum/Haug** to adjourn at 10:35 p.m.

Vote on Motion #11:	The Motion carried unanimously.

Passed by the Planning Commission of the City of Newberg this 12th day of March, 1998.

AYES: 7 NO: 0 ABSTAIN: (list names) ABSENT:

ATTEST:

Peggy R. Hall

Planning Commission Recording Secretary Signature

Peggy R. Hall

Print Name Date

INFORMATION RECEIVED INTO THE RECORD
AT THE FEBRUARY 12, 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 N/A#

Information only: "Communication between Planning Commission members outside public meetings concerning Planning Commission agenda items.

LABELS FROM THE 2/12/98
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REG. CARD

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