

**PLANNING COMMISSION MINUTES**  
**Newberg Public Safety Building - Newberg, Oregon**  
**THURSDAY, FEBRUARY 25, 1999 AT 7 P.M.**

**Approved at the March 25, 1999 Planning Commission Meeting**

**I. PLANNING COMMISSION ROLL CALL**

**Planning Commission Members Present:**

Stephen Ashby                      Paula Fowler                      Steve Hannum, Chair  
Matson Haug                      Warren Parrish                      Lon Wall  
(Vacant position from Miller's term)

**Staff Present:**

Barton Brierley, City Planner  
Duane R. Cole, City Manager  
Peggy Nicholas, Recording Secretary

**II. OPEN MEETING**

**Chair Hannum** opened the meeting at 7:05 p.m. He announced the procedure of testimony. Citizens must fill out a public comment registration form to speak at the meeting.

**III. CONSENT CALENDAR**

1. Approval of January 14, 1999, Planning Commission Minutes.
2. Continue GR-4-95 Transportation Plan to the March 11, 1999 meeting (after 2/25/99 meeting).

<b>Motion #1:</b>	<b>Ashby/Haug</b> voted to approve the consent calendar items, approving the minutes of the January 14, 1999 Planning Commission Meeting and continue GR-4-95 to the March 11, 1999 meeting.
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<b>Vote on Motion #1:</b>	The Motion carried unanimously.
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**IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)**

None

**V. SPECIAL PRESENTATION**

1. Population Projections, Presentation by Duane Cole

**Duane Cole**, City Manager, reviewed the staff report. Copies of the overheads are included in the staff report.

1. **Key Definitions:**

- A. Forecast.
  - (1) Seven year (1996-2003) economics model of the State
  - (2) 2004 to 2040 based on linkages with US projections

- B. Allocations to Counties

**2. Projections:**

1. Range of options - low to high
2. Typically used for planning purposes
3. Often not scientifically developed
4. Based on local input and the local vision
5. Tailored locally to meet the local situation

Discussion was held concerning LCDC's definitions of accurate forecast, oversized facility, loss of farmland and other natural resources, wasted money to build oversized infrastructure, misdirected, inefficient or unwanted growth (growth should pay for increased costs). Mr. Cole said forecasts are important and the City should be using them.

**Commissioner Haug** discussed moratoriums and controlling growth.

**3. Legal context:**

- (A) ORS 195.025 each county shall coordinate planning activities
- (B) ORS 195.036 - conflicts with ORS 197,180
- (C) ORS 197.180
- (D) Governor's executive Ord. 97-22
- (E) Use of state resources to develop quality communities.

Discussion was held concerning Counties providing coordination and allocation of projections. Mr. Cole said it is prepared by County staff.

- (F) Goal 1 - Citizen Involvement
  - (1) To assure technical information is available in an understandable form.
  - (2) General public should have the opportunity to be involved in inventorying, recording, mapping, describing, etc.

**4. Challenges:**

**Douglas County:**

- A. Douglas County (handout) coordination.
- B. Land use Board of Appeals - County appealing State, State appealing County.
- C. Issues at its core is 20,000 people over 20 years.
- D. DLCDC agreed to negotiate a 5% increase for the County; allowed Roseburg to annex an areas if they reduced their annual estimate 2.5 to 2% per year. Good planning or number chasing?

**Marion County:**

- A. DLCDC represented Marion County as the success story which used coordinated population figures and had no appeals.
- B. 4 cities have approved resolutions requesting that the COG mediate the population numbers
- C. No other options for small towns, too expensive to appeal.

**Yamhill County:**

- A. Met last year to coordinate - impossible task.
- B. Difference between DAS forecasts and City projection V-45
- C. Each City noted a greater rate of increase than the Department Administrative Services (DAS) forecasts
- D. Yamhill County is affected by Metro population and market.
- E. So what? We are growing a little more than as forecasted right now?

Mr. Cole noted a "three legged chair" situation which involves population, land needs and urban design.

- A. Reduce population,
- B. Less land needed
- C. Increase density or change current design standards.

Mandate is 20 year Planning Horizon (30 years with URA). Longer is okay, but could lead to reducing the planning boundary, recalculations of land needs and 29 other issues.

**5. Policy Making Structure:**

- A. Development working group structure: Community development patterns, population forecasts and coordination, UGB and URA).
- B. LCDC (Land Conservation and Development Commission)  
Objective of the working group structure (population and coordination).  
Objection: Establish procedures and requirements  
Establish factors to consider for allocation of forecasts  
Establish procedures and factors for consideration regarding growth and development of cities that are nearby neighbors to metropolitan areas (Sandy, Newberg, Ontario, Umatilla, Hood River, etc.)

**6. The Direction:**

- A. How forecasts are applied and clarification of exemptions, purpose and use.
- B. Define the purpose of coordination and develop standards to be used for coordination.
- C. Clarify what the state cares about in the discussion and the direction for counties.

**7. City Manager's Recommendation:**

- 1. Do not change the current protections (adopted 1991-92)
- 2. Wait for issues to be clarified and solutions developed - avoid going where Douglas County is going today.
- 3. Work diligently on urban design, specific area plans development code improvements.
- 4. State will provide good direction, it will take some time.

Mr. Cole said the State plans on having revisions to the Administrative Rules done by the year 2000.

**Commissioner Ashby** asked for clarification of urban growth boundary issues, State allocated funds based on population projections, underestimating projections, infrastructure development, etc. Discussion was held concerning expanding the City's urban growth boundary.

**Commissioner Haug** said that overestimating population could have a negative impact on growth when having to estimate system development charges.

**Commissioner Parrish** asked for clarification of certain population projections contained in the Comprehensive Plan (land required for residential, buildable land, surplus lands) and how the numbers associated with each section is not adding up to the total amount.

**Mr. Brierley** reviewed the two reports which reflect nine years of growth (1990 - 1999) and that is why the numbers are different. Discussion was held concerning the amount of buildable land which coincides with the population projection (160 acres at 2010 at the same rate as projected). Discussion was held concerning property owners of vacant land, changing density, changes to Development Code and other

factors which could affect the amount of land held at 2010. Further discussion was held concerning revisiting the projections and adjusting the numbers accordingly. Mr. Brierley said State law requires a 20-year supply to allow for growth.

**Commissioner Ashby** discussed how the projections could be driven by the housing market. Mr. Cole said that high density residential HDR (apartments) is attractive to prospective builders.

**Commissioner Haug** suggested that the City develop standards to keep the livability of the community, available land, and not having Newberg retain its "bedroom community" atmosphere.

**Mr. Brierley** discussed the expansion of commercial and industrial property.

#### **Tape 1 - Side 2:**

**Mr. Cole** addressed concerns involving City utilities.

**Commissioner Fowler** discussed the numbers provided by the State and why is the County reluctant to adjust them? Mr. Cole said the projection falls short of what the State has projected. Discussion was held concerning the reduction of population over the 40-year period.

**Commissioner Parrish** reviewed then requirement for 20 year supplies of residential, commercial and industrial land.

**Mr. Cole** reviewed the bills passed by the Oregon Legislature which means more planning for the State, County and cities and provides for more local control. Discussion was held concerning the 20 year lands planning structure. Further discussion was held concerning mandating goals, allocation down to the Counties and the cities, which appears to not work as well as everyone would like.

**Chair Hannum** called for a break at 8:05 p.m. The meeting reconvened at 8:15 p.m.

#### **OPEN FOR PUBLIC HEARING.**

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

#### **VI. LEGISLATIVE PUBLIC HEARINGS (#1)**

*Continued from February 11, 1999, Meeting*

1. **APPLICANT:** City of Newberg  
**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:** NDC 10.20.030  
**TOPICS:** Transit Feasibility, Mixed Use, Site Design, and Building Design

**Abstentions/ex-parte contact:** None.

**Objections:** None

**Staff Report:** **Mr. Brierley** presented the staff report. The document went through a number of changes.

1. **Transit System Feasibility Study.** No assessment is required until Newberg reaches a population of 25,000. A study is recommended for the near future. However, because of

the proximity to McMinnville and Portland population centers and the location on Hwy. 99W corridor, recommendation is not to change.

2. **Mixed Use.** Make the City more pedestrian friendly. Changes to the neighborhood commercial zoning requirements were reviewed (eliminating certain operations). Mr. Brierley further reviewed the list of allowed uses in the C-1 Neighborhood Commercial zone (page 108 of the Development Code).
3. **Site Design Standards.** Mr. Brierley provided information concerning bicycle parking standards included in the City's development standards (encourage people to use bicycles for work, shopping, etc.).
4. **Building Design Standards.** Mr. Brierley reviewed what the City would look like in utilizing the guidelines. What it means is that if the Commission gets a development proposal during the initial stages, we can encourage the applicant to design the project in accordance with the standards. Where the Code requirements would prohibit building according to the standards, the Council could modify the standards. Mr. Brierley continued with the staff report reviewing Exhibit "E" (design guidelines to encourage the applicant to do certain things and provide "soft teeth" to enforce the standards).

**Public Testimony:** None

**Public Agency reports:** None.

**Letters:** None.

**Staff Recommendation:** Approval as noted.

**Hearing Closed.** Chair Hannum closed the public hearing.

**Commission Deliberation:**

1. **Transit System Feasibility Study.**

**Commissioner Parrish** expressed concerns over the changes to the transportation study. He said he attended a meeting in which other cities are considering and reviewing their own Code. Discussion was held concerning intra-city transportation (within the City).

**Commissioner Wall** said that Tri-met did not include Yamhill County.

**Commissioner Haug** discussed a mass transit plan from Newberg-Sherwood and Newberg-McMinnville. One project to be evaluated would be the Hwy. 99W intra-City and metro links (mass transit game plan).

**Commissioner Wall** said he would not have interest in getting a Tri-met connection at this time.

2. **Mixed Use.** (Top of page 42). C-1 Neighborhood commercial designation (should be C-1 zoning).

<b>Motion #2:</b>	<b>Haug/Ashby</b> to recommend staff to prepare the changes as recommended by staff for Planning Commission review Plan (page 41)
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Discussion was held concerning what commercial areas are covered by the amendments (Oak Knoll - assisted living facility, Dave's Market, 9th Street Market, and other potential sites).

**Tape 2 - Side 1:**

Discussion was held concerning mixed uses and being pedestrian friendly encourages a neighborhood identity.

**Chair Hannum** discussed placing various certain commercial businesses in residential areas conflicting with others. Commissioner Haug said the idea is to consolidate design standards to have a more concentrated (within walking distance) mixed use.

**Commissioner Parrish** asked for clarification of what would happen to the existing businesses when the amendments are approved.

**Commissioner Wall** asked if the proposal could be all residential or all commercial? Mr. Brierley explained that the proposal does not include allowing residences in the C-1 zone itself (around it, but not in the zone). C-1 is intended to be surrounded by housing as its purpose.

**Commissioner Fowler** called for the question.

<b>Vote on Motion #2:</b>	The motion carried unanimously.
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Modifications to Newberg Development Code:

<b>Motion #3:</b>	<b>Haug/Fowler</b> to adopt Changes 10.40.344 and 10.40.346 to the Development Code and the changes made in the staff report (excluding 1st paragraph) no changes in text. 10.40.340 is the title only. Removing car washes, coin operated Laundromats, etc.
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**Commissioner Parrish** said the present document does not have the same explanation and whether or not it is in the motion. No, it is not in the original motion.

<b>Motion #3 (Restated):</b>	<b>Chair Hannum</b> stated the motion and clarified the intent: Section 10.40.342 is clear enough and should be left alone. What is written is an introduction on consultant's mind. Suggest as a point of clarification, that Haug's motion is to delete as permitted uses under Section 10.40.0344 car washes, coin operated, telephone answer services, nurseries, and parking lots and add as permitted uses; bed and breakfast establishments. And to add one residence to be allowed in conjunction with the permitted neighborhood permitted use. Section 10.40.346 delete conditional uses for Bed & Breakfast establishments and business that have hours of operation from 10:00 p.m. to 7:00 a.m.
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Discussion was held concerning subjective opinions of what certain communities would want to include in their immediate area as it pertains to the size of a C-1 zone.

**Commissioner Parrish** said the current development standards, and questioned why the particular uses were pulled out by the consultant (criteria).

**Commissioner Fowler** said that the list of businesses which qualify, and the verbiage which makes it not compatible with the community use.

**Commissioner Haug** said the purpose is to enhance the neighborhood and provide for easily accessible commercial business.

**Commissioner Wall** said there is no guarantees that the businesses allowed by the Code would not necessarily relocate there for obvious reasons such as inadequate parking, etc. Further discussion was held concerning the purpose for telephone answering services (possible construction of towers) being allowed.

**Commissioner Parrish** said it appears to be subjective planning.

**Commissioner Haug** said new C-1 zones would be created. The City will be growing. He would be hesitant to open a C-1 zone if a business could go in there because of permitted use which would have a negative benefit (social engineering). Discussion was held concerning community-based businesses which would not enhance the mixed-use concept.

**Commissioner Wall** questioned why some types of businesses were included and ones not? For the benefit of the community, when dealing with C-1 districts, or commercial districts of any kind, we need to think like a business person and/or a shop owner's point of view. If we create things like this without any business reality attached to it all, are the businesses going to be viable?

**Commissioner Haug** said the purpose of the C-1 is to create small integrated businesses.

**Commissioner Wall** said he agrees with some restrictions, but he would like to see what the existing allowed uses are and what are proposed.

**Commissioner Ashby** questioned allowance of PUD's. Mr. Brierley said that in some areas of the City, there are existing PUD's.

Discussion was held concerning reasons for periodic review. If the C-1 is open and the regulations are too loose, certain businesses will be in place without complying with the C-1 neighborhood compatibility and fitting in or satisfying the need of the community.

**Tape 2 - Side 2:**

**Commissioner Parrish** said the B & B establishment revisions said it allows for a number of guest rooms (hotel) and is that for the benefit of the community? Discussion was held concerning allowing increased residents in the hotel not affecting the idea of the proposal.

**Commissioner Wall** expressed concerns for expanded motels/hotels being allowed.

Discussion was held concerning B & B's allowed in most residential zones (permitted use). With an increase in rooms, it would require a conditional use application. Discussion was held concerning the definition of B & B.

<b>Motion #4:</b>	<b>Ashby/Haug</b> amendment to Motion #3. Section 10.40.344 would remain the same. Section 10.40.346 to be amended to add telephone answering services and plant nurseries make them conditional uses.
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<b>Vote on Motion #4:</b>	The Motion carried (5 Yes/1 No [Parrish]/1 Vacant)
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**Commissioner Ashby** said to remove car washes, gas stations, etc.

<b>Amend Original Motion #3 (Motion #5):</b>	<b>Haug/Ashby</b> to leave B & B as indicated in the Code and delete section referencing permitted use (leave as conditional use only).
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<b>Vote on Motion #5:</b>	The motion carried (Unanimously).
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Discussion was held concerning gas stations in a C-1 zone. Discussion was held concerning businesses operating between 10:00 p.m. - 7:00 a.m. Further discussion was held concerning adult bookstores, etc.

**Commissioner Parrish** said the Commission has not really looked at Sections 10.40.344/346 and the permitted uses which may not be consistent with the allowances.

**Commissioner Wall** said he wished to change his vote to "NO" on the adoption of the original motion as amended.

**Chair Hannum** noted the change in voting of Commissioner Wall.

<b>MOTION #6:</b>	<b>Ashby/Fowler</b> to adopt Sections 10.40.360 and 10.40.364.
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Discussion was held concerning promoting the downtown area (C-3 area).

**Commissioner Haug** called for the question.

<b>Vote on Motion #6:</b>	The motion carried unanimously.
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Discussion was held concerning continuing with the discussion.

**Commissioner Haug** said that in multi-family areas, does it require one bicycle space per unit? Mr. Brierley described the various types of units and spaces proposed. Mr. Brierley described the definition of "bicycle parking space."

**Commissioner Wall** said he concurred with Commissioner Haug's comments concerning storage of bicycles, in particular bicycle spaces being required for 10 or more units and the precautions which need to be made for prevention of theft. Discussion was held concerning how the weather sometimes determines how much the bicycles are used. Mr. Brierley reviewed with the Commission what other cities and developments do to store bicycles.

**Commissioner Parrish** said the language requiring "bicycle parking MUST" be provided and what are the minimums. Mr. Brierley said it is required for commercial, industrial and multi-family (4 or more units) use. Discussion was held concerning downtown commercial areas and the requirements necessary for compliance.

**Commissioner Ashby** discussed the requirement of having bicycle parking within 50 feet of the business. Mr. Brierley said he also observed that the bicycle owners prefer to keep the bicycles within the front area of the business.

**Commissioner Parrish** asked that staff bring back to the Commission the minimum requirements to meet the TPR (multiple dwellings 4- or more). Discussion was held concerning clutter and each business having to place one bicycle unit to comply. Mr. Brierley said that the number of spaces are minimal.

<b>Motion #7:</b>	<b>Parrish/Ashby</b> to have staff bring back to the Planning Commission the bare minimum requirement to be met for storage of bicycles for each use as required by the TPR.
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**Tape 3 - Side 1:**

**Commissioner Haug** said he is not uncomfortable with these recommendations as a starting point. Discussion was held concerning the Current Electronics facility providing for bicycle storage. Discussion



was held concerning larger complexes having a certain percentage which would require a specific number to be covered storage (new developments).

**Commissioner Haug** called for the question. Discussion was held concerning how the requirement would be handled throughout the different uses.

**Commissioner Parrish** said he feels there is a potential burden on new developments. He reviewed how Oregon weather impacts the requirements.

**Commissioner Fowler** called for the question.

<b>Vote on Motion #7:</b>	The motion carried (4 Yes/2 No [Fowler/Haug]/1 Vacant). Motion carried.
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Discussion was held concerning the language "as required by the TIPR, bicycle parking must be required. The following standards are required."

<b>Motion #8:</b>	<b>Ashby/Fowler</b> to continue the hearing to March 25, 1999.
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**Commissioner Haug** said he would not be in attendance at the March 11 meeting.

**Commissioner Parrish** said he would not be in attendance at the March 25 meeting.

<b>Vote on Motion #8:</b>	The motion carried ( 6 Yes/1 No [Haug]/1 Vacant).
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## VI. ITEMS FROM STAFF

1. Update on Council items.

Mr. Brierley reviewed the staff report. The Council will also be reviewing a development in the urban reserve area change. Annexations will be heard in April 1999. The original recommendation on Waterbury annexation (denial by staff, Planning Commission recommended approval). April 5, one application for the vacant position on Planning Commission (Rob Molzahn).

2. Other reports, letters, or correspondence. None.
3. Next Planning Commission Meeting: March 11, 1999.

## VII. ITEMS FROM COMMISSIONERS

**Commissioner Parrish** asked about the televising of the meetings. Mr. Brierley said it would be discussed and reviewed by the budget committee.

**Commissioner Haug** suggested that the Commission identify projects to go before the Council on tasks that need to be worked on (positive impact). Identify and recommend substantive issues to be addressed by the Council and the Commission (waterfront - possible commuter links and other things - brainstorming).

Discussion was held concerning another joint City Council and Planning Commission meeting.

**Commissioner Fowler** suggested that the Council and Commission schedule an extra meeting, if necessary, to stay on the quarterly schedule and noted that having an agenda would help facilitate the discussion (provide focus and direction). Commissioner Fowler suggested that the Commission block out

and arrive at a set of issues and ideas to be considered.

**Commissioner Wall** said the Mayor intended to provide for more direction in future meetings.

**Commissioner Parrish** agreed with Commissioner Fowler's comments to schedule meetings for the rest of the year. Discussion was held concerning 1 hour work sessions of the Commission in order to provide substantive issues to discuss with the Council.

**Commissioner Parrish** said he feels it will take some time to settle differences on many issues and clear some basic misunderstandings of what is the role of the Planning Commission.

**Commissioner Haug** discussed a procedure and process for handling issues (standards). Discussion was held concerning support of the Council and City staff.

**Commissioner Wall** agreed to keeping the discussions and meetings with the Council as simple as possible (specific agendas).

**Commissioner Haug** said if the Commission comes to the table with a prioritized list, the meeting with the Council could be more beneficial.

**VIII. ADJOURNMENT**

The meeting was adjourned at approximately 10:55 p.m.

Passed by the Planning Commission of the City of Newberg this 25<sup>th</sup> day of March, 1999.

AYES: <u>5</u>	NO:	ABSTAIN: (list names)	ABSENT: <u>Parrish</u> (1 vacant position)
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ATTEST:

<u>Peggy R. Nicholas</u>	<u>Peggy R. Nicholas</u>
Planning Commission Recording Secretary Signature	Print Name <span style="float: right;">Date</span>

**INFORMATION RECEIVED INTO THE RECORD  
AT THE FEBRUARY 25, 1999 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 #

Population projection materials from City Manager Duane Cole.

LABELS FROM THE 2/25/99  
PLANNING COMMISSION MEETING  
FROM THOSE WHO GAVE PUBLIC  
TELEPHONE MONY/REGISTRATION CARD

NONE