

PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, April 13, 2000, AT 7:00 P.M.

Approved at the May 11, 2000, Planning Commission Meeting

I. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Steve Hannum	Matson Haug	Warren Parrish
Bart Rierson	Rob Molzahn	Lon Wall, Chair
vacant position (Andrews)		

Staff Present:

Barton Brierley, City Planner
Barbara Mingay, Planning Technician
Norma Alley, Recording Secretary

II. OPEN MEETING

Chair Wall opened the meeting at 7:00 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 February 10, and March 9, 2000, Planning Commission Minutes.

Motion #1:	Hannum / Rierson voted to approve the consent calendar items, approving the minutes of the Planning Commission Meetings.
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Vote on Motion #1:	The Motion carried (4 yes / 2 absent [Molzahn / Parrish]).
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IV. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None

Commissioners Parrish and Molzahn now present.

V. TOPICS (continued from the March 9, 2000 meeting)

1. Conditional Zone Changes

Barton Brierley gave the staff report and procedure.

Barton Brierley explained that Conditional Zone Changes are used to recognize special conditions with a zone change. The Limited Use Overlay has limited uses that may be applied to a property; require a conditional use permit for certain applications; create special standards for certain uses and creates conditions the applicant must meet. Other jurisdictions that have Limited Use Overlays are Yamhill and Marion Counties.

Barton Brierley explained that development agreements will limit time for development to occur; require when to begin and conclude; designate the zoning; determine permitted uses on the property and require

specific conditions for development of the property (must specify if all the conditions are met). This is a way to tie in a specific development to the property.

Commissioner Parrish suggested combining Limited Use Overlay and the development agreement. He suggested including wording about limiting the use of these for the Commission.

Commissioner Hannum asked who can initiate the Limited Use Overlay process.

Barton Brierley said the applicant and the Commission.

Commissioner Hannum expressed concern of overuse.

Commissioner Haug said the development agreement and Limited Use Overlay are only used when the Development Code doesn't apply. Both of these tools require approval by Council.

Commissioner Parrish asked staff to help the Commissioners with wording for Council approval.

Commissioner Rierson asked if these could be applied during the hearing process or needed to be prepared before hand.

Barton Brierley said he anticipated the Commission could use the Limited Use Overlay during the hearing process, while the developer could propose the development agreements at the time of application.

Motion #2:	Hannum / Rierson voted for staff to prepare code language for the Limited Use Overlay and the development agreements.
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Commissioner Haug asked for clarification on Conditional Zoning.

Barton Brierley said the Commission would include language in an Ordinance adopting a zone change, that the zone changes would only take effect if specific conditions were met.

Commissioner Haug asked if Conditional Zoning could be folded into the development agreement.

Barton Brierley replied yes.

Vote on Motion #2:	The Motion Carried (6 yes).
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2. Group Care Facilities

Barb Mingay gave the staff report. This is to clean up the wording in the Development Code to meet State law. Staff will prepare a Resolution that initiates the public hearing process.

Chair Wall asked if there was anything in the revisions not consistent or required by State law.

Barb Mingay said it was consistent.

Commissioner Hannum asked what a facility was that cares for less than 15 people.

Barb Mingay said a group care facility or a care home group.

The Commissioners were all in favor for staff to create a Resolution.

3. Lighting

Barb Mingay gave the staff report. There is a variety of lighting and various extremes of lighting control. Staff tried to find a happy medium.

Commissioner Hannum was concerned with the information collected because most of it was from the Dark Sky Organization. He wanted to see a larger variety presented to the Commission. He asked what the benefits were for this style of lighting (shielding).

Commissioner Parrish suggested not to rush through the issue. He expressed concern for the safety of Newberg and the nuisance lighting presents.

Commissioner Rierson said shielding is to restrict the light coverage to the area the applicant owns and protect from glare.

Commissioner Haug said we could easily establish the needs of the public as security; nuisance abatement and aesthetics. He didn't feel the community would be receptive to rules of aesthetics.

Commissioner Hannum said anything to encourage a downward flow of light should be considered.

Commissioner Parrish asked for the definition of civic (Attachment 3-A, item 2-B). He asked if schools were considered civic.

Barb Mingay said the Commission will need to define civic.

Commissioner Parrish said lighting at driving ranges could be an issue.

Barb Mingay said light standards over a certain height could be addressed.

Commissioner Parrish suggested breaking this topic into different sections.

Chair Wall asked for objections to forward the topic.

Commissioner Haug suggested adding language that creates a variance.

Chair Wall suggested that Warren County was a good starting point.

Commissioner Hannum asked to include some style of lighting that was not shielded.

Commissioner Parrish said whatever we developed should not be retroactive.

Commissioner Haug said if it deals with safety or nuisance then it shouldn't be grandfathered in.

Chair Wall said the Council will have to make that decision. We give a recommendation.

Commissioner Molzahn asked if the color of lights was something the Commission would like to address.

Commissioner Hannum said a safety issue might be that someone may not be able to tell the color.

Barb Mingay stated concern with limitations on the style of lighting and being unaware of lighting innovations in the future.

Commissioner Rierson said we could address the quality of lights to resolve that.

Commissioner Hannum said it depended on the way the lights were designed.

Commissioner Haug said internal reflectors on the inside of the bulb would allow the same aesthetics and appearance but not have the lighting addressing the direction.

Commissioner Parrish said the Commission should come up with a measurement.

Commissioner Haug wanted the material to measure the glare at the point it is unsafe or a nuisance.

Chair Wall asked who would measure the lighting.

Commissioner Parrish said the City has a Code Enforcement Officer.

Motion #3:	Haug/Hannum voted for staff to have a second pass on the Ordinance, create any other material and for the Commission to forward to staff any additional material they may find.
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Vote on Motion #3:	The Motion Carried (6 yes).
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VI. ITEMS FROM STAFF

1. Update on Council items

Barton Brierley said staff has not received applications yet for the vacancy on the Planning Commission. The deadline is April 24, 2000.

Commissioner Rierson suggested staff approach the applicants that applied for the previous vacancy.

Barton Brierley said Council heard the McBride zone change application, approved it, and made a recommendation to the County to partition off Chehalem Drive.

Commissioner Rierson asked if the car repair dealer was to come before the Commission.

Barton Brierley said that will not come before the Commission unless appealed.

Barton Brierley said the upcoming hearing would look at a support letter for the paper mill upgrade and a request from Baker Rock. Baker Rock wants to purchase property adjacent to the Waste Water Treatment Plant for an asphalt plant.

2. Other reports, letters, or correspondence

Barton Brierley said staff would provide the commission with the requested changes to conditional zoning and lighting standards. The next subject discussed was cellular communication towers.

3. Next Planning Commission Meeting: May 11, 2000

VII. ITEMS FROM COMMISSIONERS

Commissioner Rierson gave a summary on growth in Newberg and the impact for the school district. The conclusions were to build another school or create a year round school system.

Commissioner Molzahn asked what the greatest concern was.

Commissioner Rierson replied the high school.

Commissioner Hannum announced his absence at the May 11, 2000 meeting.

Commissioner Parrish asked if NUAMC still existed and if the Planning Commission has a representative regarding areas of influence and concurrence.

Barton Brierley said it still existed. They review Urban Growth Boundary Amendments. There hasn't been anything to review so they haven't met in three years. At this time the Planning Commission does not have a member.

Commissioner Parrish asked if extension of the agreement has been resolved.

Barton Brierley said staff is working to resolve the agreement.

Commissioner Parrish asked if they have come to an agreement on concurrence.

Barton Brierley said the area of influence is defined within one mile of the Urban Growth Boundary.

Commissioner Parrish asked if there were any public funds or budget.

Barton Brierley said the budget is similar to the Planning Commissions.

VIII. ADJOURNMENT

The meeting was adjourned at approximately 9:00 p.m.

Passed by the Planning Commission of the City of Newberg this 8th day of June, 2000.

AYES: 7

NO: 0

ABSTAIN: 0
(list names)

ABSENT: 0
(list names)

ATTEST:

Norma L. Alley
Planning Commission Recording Secretary Signature

Norma L. Alley June 8, 2000
Print Name Date

**INFORMATION RECEIVED INTO THE RECORD
AT THE APRIL 13, 2000, 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 #

None

LABELS FROM THE 4/13/00
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/REGISTRATION CARD

*Be sure to add file number by
name* on each label

NONE