PLANNING COMMISSION MINUTES
Newberg Public Safety Building - Newberg, Oregon
THURSDAY, JANUARY 9, 2003 AT 7 P.M.

Approved at the February 13, 2003 Planning Commission Meeting

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I. OATH OF OFFICE FOR NEW PLANNING COMMISSIONERS

1. Dwayne Brittell
2. Philip Smith

II. PLANNING COMMISSION ROLL CALL

Planning Commission Members Present:

Dwayne Brittell	Matson Haug	Louis Larson
Philip Smith	Nick Tri	Richard Van Noord

Absent: Dennis Schmitz

Staff Present:
Barbara Mingay, Planning Technician
Peggy Hall, Recording Secretary

City Manager James Bennett welcomed the new Planning Commission members. He will be meeting with the new City Council in a workshop to go over questions, issues and concerns, charter course, prioritize and identify projects and policies. Joint meeting of the Planning Commission and the City Council will be held perhaps February 27, 2003. Discussion was held concerning alternate dates. He will confirm with the Council and advise the Planning Commission accordingly. Mr. Bennett said it will be in the joint workshop with the Council to discuss how to work well together. Commissioner Haug said that by February, the Council may arrive at a better direction of what role the Planning Commission will play in conjunction with the new Council.

III. ELECTION OF OFFICERS

Commissioner Haug reviewed the history of election of officers and how the rotation of chair and vice chair had been informally chosen based on seniority. Discussion was held concerning the new members experience. He noted the adoption of the Planning Commission Chair responsibilities and guidelines. The current rotation would be: Nick Tri, Richard Van Noord, Dennis Schmitz, Dwayne Brittell, Philip Smith, Matson Haug and Louis Larson.

Commissioner Brittell expressed some concern about the election of officers at the first meeting of every year. Discussion was held concerning postponing the election of new officers for two months to see how the Planning Commission proceeds.

Commissioner Haug said he felt that any of the current Commission members could Chair/Vice Chair a meeting.

Commissioner Larson said that the seniority rotation was also addressed in Beaverton. He said it went very well. Discussion was held concerning NOT formally adopting the seniority rotation process. Discussion was held concerning the Planning Commission taking direction from the City Council.

Commissioner Van Noord noted that both Commissioners not reappointed had served as Chair and Vice Chair. The purpose of the seniority proposal is to allow everyone to serve as Chair and Vice Chair. Discussion was held concerning how the Chair would be removed if inappropriate actions were made/said by the Planning Commission Chair/Vice Chair or a Commission member. Further discussion was made concerning discussing the removal of a Chair.

Commissioner Brittell addressed the Chair serving the Council.

Commissioner Larson opened nominations.

Commissioners Van Noord/Brittell nominated Nick Tri as Chair.

Commissioners Tri/Haug nominated Richard Van Noord as Chair.

Commissioner Haug addressed responsibilities of Planning Commission members. A lot of times the Planning Commission's decisions may differ from the Council or City staff. Commissioner Haug indicated that Planning Commission members cannot speak at Council meetings on behalf of the Planning Commission. The Council reviews the Planning Commission record prior to making their final decision.

Ms. Mingay said there is a Planning Commission training session on February 8, 2003. If anyone is interested in attending let Darla Baldoni know at Community Development. The meeting held in Fairview, Oregon, will be concerning land use and roles of the Planning Commission members.

Commissioner Larson addressed not forming pre-judgments or biases on the new Council. He said in his prior experience, the Planning Commission in Beaverton had the final say unless it was appealed to the City Council.

Commissioner Haug noted that a couple of the Planning Commission members regularly attended the City Council meetings which had, in the past, caused some concern. Discussion was held concerning the record standing for itself and the opportunity to address the Council on decisions made by the Commission.

Chair Tri noted that it may be something to be addressed at the joint meeting with the Council.

IV. OPEN MEETING

Chair Tri 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.

V. CONSENT CALENDAR

1. Approval of November 14 and December 12, 2002, Planning Commission Minutes.

Motion #1:	**Haug/Larson** voted to approve the consent calendar items, approving the minutes of the Planning Commission Meeting.

Vote on Motion #1:	The Motion carried (6 Yes/1 Absent [Schmitz]).

VI. COMMUNICATIONS FROM THE FLOOR (five minute maximum per person)

None

Tape 1/Side 2:

VII. NEW BUSINESS

1. Noise and Odor Ordinances

Ms. Mingay said that Mr. Brierley was attending a Yamhill County Planning Commission meeting tonight. Mr. Brierley contacted the Police Chief concerning the review and update of the ordinance and the Chief has indicated that it is adequate. The level of complaints appears to be insufficient to make any further changes. Deputy Chief Casey would be willing to address the Planning Commission, if desired.

Commissioner Haug said the noise ordinances from the City of Newberg come from the City's Code and not the Development Code. Discussion was held concerning noise and lighting issues. Commissioner Haug addressed issues relating to M-2 zoning and how some noise and odor issues may exist and should be addressed in the Development Code.

Ms. Mingay noted that the Commission could address noise and odor issues relating to the Development Code at a future hearing.

Commissioner Haug suggested directing staff to develop ordinances to be placed in the Development Code which would fit into the appropriate zoning areas such as M-2 (better streamline).

Commissioner Smith said the Development Code should discuss development and construction. Not having it in the Development Code is a problem. The current Newberg Code is vague, almost archaic, and the Grants Pass Code seems to be more concise. The Development Code should make reference to the standards in the City Code. In the future there will be a need for a more precise, refined Code.

Commissioner Brittell said that it is clear that the Commission should review the language in the Development Code which appear to be insufficient for future development occurring in the City. He said it is good that there is a maximum level for noise which is accepted in many other Codes.

Ms. Mingay asked if the Commission would be interested in having Deputy Chief Casey address the noise ordinances of the City and a proof of burden on the applicant for future projects.

Commissioner Brittell also said that he would like to see a higher level of fines for projects that exceed current code limitations. Discussion was held concerning making recommendations to the Council for compliance.

Commissioner Smith said he agreed it should be part of the long range work of the Commission. Staff should draft a proposal and discuss this draft document with police representatives before finalizing.

Commissioner Haug said the other problem is light pollution (over illumination) within the City. Discussion was held concerning hardship clauses which does not require them to meet City standards. The lights for the Newberg Dodge and Berg Chevrolet lots are more than what is allowed elsewhere in the state and country. Discussion was held concerning administrative variances. Commissioner Haug said that staff could hopefully address lighting issues.

Commissioner Smith said that lighting issues are a concern. However, enforcement and making the Development Code agreeing with the law may be difficult. Discussion was held about allowing hardship cases.

Ms. Mingay recommended that the commission complete goal setting and prioritizing projects.

Commissioner Van Noord said that in some cities, they have set up review boards which deal with various issues. An overall tone of what the City is to look like is consistent. Discussion was held concerning establishing an architectural review board and involving more participation in the community (preservation/historical buildings, etc.). He reviewed the websites of numerous cities which had newsletters and have annual town hall meetings (voice concerns over the direction of the City).

Motion #2:	**Haug/Larson** requesting that staff provide a resolution initiating review of proposed Development Code text revision for lighting, noise and odor with no firm delivery date.

Discussion was held concerning goal setting by the Planning Commission. Ms. Mingay suggested that the Commission get a better feel of what is out there before placing a time frame on it. Discussion was held concerning the City staff preparing the appropriate ordinance to initiate the resolution next month with Code changes.

Commissioner Smith addressed comments about the Seattle Code not being right for Newberg as it is too detailed.

Vote on Motion #2:	The Motion carried (6 Yes/1 Absent [Schmitz]).

2. Planning Commission Goal Setting

Ms. Mingay noted that the following projects will require Planning Commission action this year:

Transportation System Plan (TSP) Update
Sign Program Update
Current planning projects - applicant driven

The Planning Commissioners identified numerous topics for future discussion. Each Commissioner was allowed three votes. Topics for future discussion by vote included:

4 Votes: Establish good relationship with City Council
4 Votes: Planning Commission Review of large subdivision and design review projects
3 Votes: Noise, Odor & Sound Revisions
3 Votes: Establish a Tree Program
1 Vote: Review current NUAMC agreement to strengthen City's role
1 Vote: Implement the Riverfront Master Plan
1 Vote: Review Comprehensive Plan
1 Vote: Periodic Review

Topics for discussion but receiving no votes included:

Establish or Re-establish the following Committees/Boards:
- Establish Community Planning Organization (CPO)
- Historic Resources Advisory Committee
- Architecture Review Board
- Transportation Fee Involvement
- Citizen involvement Committee Re-establishment (Council to appoint members)

Administrative Decisions
Video/televising the Planning Commission meetings
Downtown Revitalization
Long range planning discussions regarding density and population.

Discussion was held concerning noticing, conditional use permits, future problems which may need priority, and establishing a good relationship with City Council.

Commissioner Brittell inquired about how the Chair handles the public hearing procedure and the Chair's responsibility to read the rules of the procedure. He recommended educating the public through possible town halls and workshops. Discussion was held concerning cable coverage.

Commissioner Van Noord said that all the issues are important. He believed if there was more citizen involvement, committees could focus on many areas and spread out the work load to get more accomplished.

Discussion was held concerning a tree program and replanting plans.

VIII. ITEMS FROM STAFF

1. Update on Council items
2. Other reports, letters, or correspondence
3. Next Planning Commission Meeting: February 13, 2003

Discussion was held concerning the delay of the transportation system development charges. Commissioner Haug said he will talk with the City Manager.

Ms. Mingay said that a NUAMC representative will need to be appointed from the Planning Commission. All interested Planning Commission members should contact her. Discussion was held concerning a weekly newsletter from the City Manager and bringing this up again. Ms. Mingay recommended that the Planning Commission members go to the City's website that contains the City zoning map, comprehensive map and street map for their review. Discussion was held concerning aerial maps being available soon.

Ms. Mingay said that the new fee schedule that lists a fee for this type of map was adopted by the City Council on January 6, 2003. The population information is also available and includes: buildable and unbuildable land information.

Commissioner Haug addressed the Manor cleaning up the Hess Creek area. He also asked about the status of the shortage of industrial lands and where there is land for people to start businesses.

Ms. Mingay said that staff will soon be reviewing the land inventory for availability and what is available and what needs to be preserved. Ms. Mingay said the state's priorities with the City has more to do with residential units available for population to be housed, and is uncertain if there is a specific minimum land requirement for industrial. Discussion was held concerning Metro redistricting their property. The City of Hillsboro did a plan to restructure residential to industrial. Discussion was held concerning livability. Ms. Mingay said there is less high density land available. She referred the Commissioners to the website concerning land availability.

Commissioner Haug said it is the size of the lots and livability to go forward with a vision.

Commissioner Smith asked if staff will give the Planning Commission a report on their workshop and dealing with the Comprehensive Plan ideas and providing on-site employment and residential opportunities.

Commissioner Larson said the City of Sherwood has some issues dealing with land use development. The City said they did not want future development. The City of Beaverton wants more land, but none is available.

Tape 3/Side 1:

Discussion was held concerning the City's economic policies and plans as they apply to development and attracting businesses. Commissioners generally discussed the basis for making quasi-judicial decisions versus legislative decisions on various projects. It was noted that in some types of review, the economic impacts on public services was required to be considered. Discussion was held concerning properties which will be included into the City based on the City's long range planning. Staff reports provide the criteria which are to be addressed (which may or may not have an argument for or against). Discussion was held concerning taxing consequences in land use decisions.

Ms. Mingay noted that livable wages are not necessarily a criteria that would be considered to deny an application.

Commissioner Smith asked for clarification on whether he can or can not vote on a matter when a GFU issue arises. He noted that George Fox University has approved entering into a nursing program in the overlay zone. Ms. Mingay recommended that he speak to the City Attorney or City staff when the issue comes up.

Ms. Mingay said there will be a hearing for a zone change and comprehensive plan amendment on two properties in the near future.

IX. ITEMS FROM COMMISSIONERS

None

X. ADJOURNMENT

The meeting was adjourned at approximately 9:50 p.m.

Passed by the Planning Commission of the City of Newberg this 13th day of February, 2003.

AYES: 6 NO: 0 ABSTAIN: (list names) ~~0~~ 0 ABSENT: 1 (Smith)

ATTEST:

Peggy R. Hall

Planning Commission Recording Secretary Signature

Peggy R. Hall — Print Name

2-13-03 — Date

INFORMATION RECEIVED INTO THE RECORD
AT THE JANUARY 09, 2003 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 01/09/03
PLANNING COMMISSION MEETING
FROM THOSE WHO GAVE PUBLIC
TESTIMONY/ REGISTRATION CARD

NONE

City Attorney
(503) 537-1206

.ty Manager
(503) 538-9421

City of Newberg

414 East First Street
PO Box 970
Newberg, Oregon 97132

OATH OF OFFICE

PLANNING COMMISSION MEMBER
3-year term
DWAYNE BRITTELL

TERM: 01/01/03 - 12/31/05

State of Oregon)
:ss
County of Yamhill)

*I, **Dwayne Brittell**, do solemnly swear that I will faithfully exercise my duties as Planning Commission Member of the City of Newberg and faithfully perform the duties that may be assigned to me by the City Council, City Charter, the Ordinances or Resolutions of the City of Newberg, and the general laws of the State of Oregon, so help me God.*

Dwayne Brittell

Dwayne Brittell

*Subscribed and sworn to before me this **9th** day of **January, 2003**.*

OFFICIAL SEAL
PEGGY R HALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 339219
MY COMMISSION EXPIRES NOV 21, 2004

Peggy R. Hall

Peggy R. Hall
Notary Public for Oregon
My Commission Expires: 11/21/04

ATTEST:

JHBennett

James H. Bennett, City Manager/City Recorder
City of Newberg

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