

PLANNING COMMISSION MINUTES

October 27, 2005

7:00 p.m. Special Meeting

Newberg Public Safety Building

401 E. Third Street

TO BE APPROVED AT THE NOVEMBER 10, 2005 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present: Matson Haug Louis Larson Devorah Overbay
Chair Smith Cathy Stuhr Nick Tri

Absent: Daniel Foster

Staff Present: Barton Brierley, Planning and Building Director
David Beam, Economic Developer Coordinator/Planner (arrived late)
Elaine Taylor, Assistant Planner
David King, Recording Secretary

II. OPENING:

Chairman Smith began with a quote from the late John Kennedy: *"If a free society cannot help the many who are poor, it cannot save the few who are rich."* Meeting began at 7:00 PM

III. COMMUNICATION FROM THE FLOOR

Chairman Smith asked for the people who would like to speak to sign in on the blue sheets. There was one citizen present at the beginning of the meeting.

IV. LEGISLATIVE PUBLIC HEARINGS

1. **APPLICANT:** Newberg Planning Commission
REQUEST: Amend the Newberg Development Code to require neighborhood assoc. meetings as part of certain Type II and Type III applications
FILE NO.: GEN-05-116 **RESOLUTION NO.:** 2005-201
2. **Staff Report: Presented by Barton Brierley**

Mr. Brierley: The planning commission has been considering ways to improve/increase citizen involvement. The genesis of the idea was from a previous Planning Commission meeting. Included with the agenda is a staff report discussing neighborhood associations, which Mr. Brierley summarized using a Powerpoint presentation. This report summarizes the proposed amendment before the commissioners tonight. The proposal allows for recognized current associations as well as the creation of new associations. This might include a bare minimum for each council district.

Questions for staff:

Commissioner Haug complimented Mr. Brierley for his “slides” used in the presentations, and would like to see the same information in the Agenda Packets.

Commissioner Overbay asked what would happen in the case of overlapping districts. She also pointed out that the applicant would be given the additional burden of informing the associations.

Commissioner Stuhr suggested that the districts should be set up purposefully for the sake of being informed of Planning Division notices/announcements that affect the neighborhood(s). If the associations are limited to a single purpose, then they won’t be abusive with their power. She also added that the additional cost to the applicant will no doubt be offset by the costs that are saved by a streamlined system. She also brought attention to the livability issue of Newberg. She referenced a website (www.mostlivable.org) that defines a livable city by many facets, including involvement from the citizens. She was most impressed by the fact that livable cities are characterized more by attitudes than brick-and-mortar belongings.

Commissioner Haug added that he would like to see new associations sanctioned by the city council, and once this happens, then they should be accountable to public open meeting laws.

Commissioner Overbay questioned what would happen if someone wasn’t covered by an association. Mr. Brierley is hoping that council districts would cover everyone.

Commissioner Stuhr wondered if any status needed to be given to people living out of city limits. Mr. Brierley said that would have to be considered, especially for established associations like Oxberg Estates.

Commissioner Haug wondered if the city council could limit the associations to the city limits and Urban Growth Boundary.

Roger Grahn, a resident of Sherwood, is opposed to the neighborhood associations, in part, because he believes that people just don’t care. In Canby, for example, 300 mailers went out, and only four responded. As a developer he is convinced that people are only concerned when the issue is high density. He is opposed because it gives another avenue for opponents to the development. He believes that delayed projects cost \$500/month. He would rather see expedited procedures, not impairments to development. If the associations are brought on, then he would like to see them used for information purposes only. He definitely doesn’t want the associations given power to amend the process. He would also like to see the associations excluded from “small” developments, like his five lot project on Main Street.

Commissioner Stuhr asked where his proposed idea of bringing in associations with the current process actually fit. He responded that developers have a step where the public is informed, and the associations could be tied in then. He did go on to elaborate that citizens do get involved with an apartment complex (i.e., high density) if it is going to be built close to single dwelling homes.

Chair Smith questioned Mr. Grahn about the \$500/month cost in delay. He did admit that the bigger the project the higher the overhead, but in the end it has been his experience that \$500/month is accurate.

Commissioner Haug was very appreciative of the information brought forth by Mr. Grahn. Commissioner Haug wanted to know if there would be any appropriate time to implement associations. Mr. Grahn said that when information is given to neighbors it usually diffuses the opposition. Therefore, he is for them when it comes to disseminating information. But he is very concerned that the greater Portland metro area growth will be in the southwestern and southern directions, including thousands of people coming to Sherwood and Newberg.

Chair Smith asked if there was anything else from staff. Mr. Brierley read an email from John Brideges, who stated he does not believe that associations should be set up.

Chair Smith referenced a letter from Mike Willcuts of Coyote Homes, Inc. The letter concerning the issue, and his opposition (see included copy of the letter).

Commissioner Haug pointed out that one of 19 state goals is to get citizen involvement. This goal states that there must be citizen involvement, plenty of information given to them, ways for citizens to be involved, and funding to help the process of citizen involvement. Shall not the Planning Commission, therefore, suggest to the City Council to have CCIs in Newberg.

Commissioner Deliberation:

End of Side A, Tape 1

Commissioner Larson is very familiar with associations from his experience in Beaverton. Districts need to be established, regulated by City Council, and the associations would function as an advisory board only. In comparison to Beaverton, he has been very surprised at the current lack of citizen involvement in Newberg.

Commissioner Haug wanted the associations to go beyond the range of home owner associations only. The CCI criteria states that the interest(s) of the group can be wide-ranging, not just home owners. He too agrees that the role of such associations needs to be limited, at most giving recommendations to citizens can have input. He also said that the process would have to stay simple for developers, and the city might need to pay for the cost of having public meetings.

Commissioner Haug also pointed out that the lack of cable TV has made the Planning Commission less visible. Therefore, he is excited to have associations as an avenue for informing citizens that has been lost without cable TV.

Commissioner Overbay agreed that the idea of associations sounds beneficial but wondered how practical it would be if it is the developer that has to confer with the associations, instead of the city of Newberg interacting with the community. She would love to see it increase citizen involvement, but wonders if it will just because associations are formed.

Commissioner Haug believes that the city establishing the possibility of associations still leaves the implementation on the onus of the citizens who want to participate in one.

Commissioner Stuhr emphasized that a developer, like Roger Grahn, goes door to door to inform the neighbors. With associations, this process could be facilitated.

Chair Smith tried to clarify if Stuhr was discussing geographic groups and that Haug was discussing interest groups, groups that would be larger than a geographic region.

Commissioner Haug added that he would like to see both groups involved.

Roger Grahn added before leaving the meeting the suggestion that there be a probationary period to try out associations.

Chair Smith emphasized his favor of citizen involvement, but was still wondering between interest groups compared to geographic groups. He too wanted the associations only to be advisory in nature, and done under the authority of the city council.

Commissioner Overbay asked Commissioner Larson how involved the city of Beaverton was in the associations. He said that the city, via a planner, made sure that the associations were involved and informed

Commissioner Haug stressed that the city government needs to be involved.

Commissioner Stuhr didn't believe that such structure and formality needs to be present for citizens to get involved. She doesn't want the association meetings being subject to the Open Meeting Laws.

Commissioner Larson asked staff if the association model in existence in Portland could be examined. He also invited the commissioners to take a close look at the NW 23rd area of Portland. There is an example of very active input from citizens that made a successful impact.

Commissioner Haug let it be known that he likes the idea of informal meetings but simply doesn't see how it could be practically carried out. For example, how can a developer meet with such associations unless there isn't some structure that allows the process to work efficiently?

Commissioner Stuhr recounted how a Parrett Mountain association, to which she currently belongs, does have a mailing list, some structure, and the ability to meet and discuss issues that are important to the members.

***** A ten minute break was taken

End of side B, Tape 1

Commissioner Larson suggests that someone be invited to speak to the Newberg Planning Commission to inform the commissioners about the working details of community associations. Therefore, he suggests that the issue be postponed until a guest can appear and discuss the details. Mr. Brierly agreed to contact someone from Portland, and try to have him or her visit early in 2006.

Vote on Motion to postpone the deliberation of Resolution No. 2005-201: (5 Yes/0 No, Foster, Tri absent)

Barton Brierley recapped what had previously been discussed at the August 17, 2005 meeting. The Planning Division has their proposal in the handout entitled "*Maintenance Contracts for Planter Strips*" (included in packet).

Chair Smith summarized that planter strip maintenance can be dealt with via nuisance laws as recommended in the previous meeting.

Commissioner Haug asked if such nuisance laws have enough strength. Barton Brierley responded that the authority is not directly stated, but it can be done. Haug was willing to modify the city code so that the authority to have planter strips maintained be tied more directly and clearly to the nuisance laws.

Barton Brierley said that at the August meeting, the Planning Commission accepted a proposal to strengthen laws regarding planter strip maintenance. The proposal tonight regarding maintenance contracts was beyond that.

The issue was therefore dropped and no vote was taken on any motion concerning planter strip maintenance.

VI. NEW BUSINESS

1. Comprehensive Plan Policy Amendments (CPTA-05-02)

Elaine Taylor verbally and with the use of an overhead, worked through the proposed changes to the Comprehensive Plan Policy recommended by the Ad Hoc committee (see included staff report).

Commissioner Haug questioned the use of the word “uniqueness”, see C. 2 on page 2. He also questioned the change from “shall” to “will” in the Wooded Areas, D. 1 on page 2. He would like to see a consistent use of “shall” through out the document.

Barton Brierley highlighted that the Ad Hoc committee even made recommendations to change the zoning of certain lands. Barton Brierley will check with Terry Mahr on the exact language being used, so the Planning Division is not limited in its future ability to re-zone land.

Commissioner Haug requested that ‘livability of Newberg’ be written in more frequently through out the document.

Chair Smith asked for clarity on the terms “assisted housing for low income people” and “incentive-based affordable housing.”

Commissioner Larson observed that affordable housing should be considered as a percentage of income not a fixed figure.

End of Side A, Tape 2

Commissioner Haug believes that there is not enough affordable for the hard working employee who simple does not have a large income. He would like to see a more precise definition of “affordable housing”.

Commissioner Haug would like to see non-vehicular paths between communities within Newberg.

Commissioner Stuhr believes that the language of the document needs to avoid too many direct details. Instead, give examples and use terms like, "such as. . . ."

Chair Smith would like to see the word "rural" taken out from a. under POLICIES, especially with the population growth that is forecasted for Newberg.

2. Economic Opportunity Analysis (GEN-05-121)

David Beam verbally talked through the details of the "*Draft: Economic Opportunity Analysis*". His summary belief is that some new industry may be willing to come to Newberg as the city grows. But he also stressed the '80/20' rule of city development. Spend 80% of your effort on the growth and expansion of current businesses, and 20% on bringing in new businesses.

Chair Smith asked if an association of dental manufactures has been encouraged in light of the many manufacturers already here. David Beam said that such a cluster would be nice, but a supplier, for example, would be more likely in light of the competition amongst manufacturers. A public hearing will take place in December on this issue.

VII. ITEMS FROM STAFF:

1. Update on council items--

Community Night on Oct. 18th was quite a success. Twenty booths, ~200 people were present.

2. Next Planning Commission meeting is scheduled for November 10, 2005. There will be three annexations.

It is suggested that a joint dinner for commissioners be on December 1, 2005.

VIII. ITEMS FROM COMMISSIONERS:

Commissioner Larson asked if a recently passed resolution about subdivision hearings had been forwarded to the City Council.

Barton Brierley said that it was waiting for a conclusion to the issue of neighborhood associations.

Commissioner Haug recommends the land use workshops that he has been attending.

Commissioner Overbay would like a future opportunity to discuss her experience with the workshop on visualizing densities.

End of Side B, Tape 2

IX. ADJOURN:

Chair Smith adjourned the meeting at 10:16 p.m.


Approved by the Planning Commission this 10 day of November, 2005.

AYES: 7

NO: ☐

ABSENT: ☐
(List Name(s))

ABSTAIN: ☐
(List Name(s))



Planning Recording Secretary

 11/10/05

Planning Commission Chair Date