



PLANNING COMMISSION MINUTES

September 25, 2008

7 p.m. Special Meeting

Newberg Public Library Annex

211 N. Howard Street

TO BE APPROVED AT THE NOVEMBER 13, 2008 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present:	Thomas Barnes Lon Wall	Philip Smith	Derek Duff
Absent:	Matson Haug	Cathy Stuhr (Chair)	Nick Tri
Staff Present:	Steve Olson, Associate Planner Luke Pelz, Assistant Planner Dawn Karen Bevill, Recording Secretary		

II. OPENING MEETING:

Lon Wall opened the meeting at 7:02 PM.

III. COMMUNICATIONS FROM THE FLOOR: None in attendance.

VI. WORKSHOPS:

1. **APPLICANT: City of Newberg**
ISSUE: Cell Tower Design Standards
FILE NO.: G-104-04

Luke Pelz reviewed the following background on Cell Towers camouflage and setback requirements:

- In 2000, the City of Newberg Adopted the Cell Tower Ordinance 2000-2536.
- Between 2000 and 2004 the City had some experience applying the adopted ordinance to development proposals.
- 2004 City Council recognized the existing standards could be improved regarding camouflaging requirements.
- City Council adopted Resolution 2004-2415 initiating amendments to the ordinance.

The main issue is that cell towers can be a concern in or near residential areas; and the existing code does not include specific standards for camouflaging beyond painting.

Luke Pelz showed photos of typical cell tower designs and explained there are about five (5) towers in Newberg; the existing capacity of the towers is unknown. The cell tower locations are at the high school, an industrial area on the west side of the City, and on Alice Way.

Luke Pelz summarized the existing policy by explaining the towers should have the least visual impact on the environment. The existing design standards require that the towers be painted either brown or green when trees are present. Otherwise, they are required to be painted silver. The existing standards require towers be set back from any existing structure on the site, abutting properties, and public rights-of-way a minimum distance equal to 30% of the height of the tower. The standards do not specify setbacks from residential zones.

Potential Text Amendment:

- Towers shall be set back from any property in a residential zone a distance equal to or greater than twice the height of the tower.
- Towers shall be camouflaged. All towers shall simulate the design of the local features including trees; however, other types of camouflage may be approved at the discretion of the review body.

The Planning Commission viewed slides of camouflage design examples. The cost of stealth technologies vary. Ordinance examples and excerpts from other cities were reviewed, as well.

Discussion:

Commissioner Barnes stated there's nothing wrong with the light poles at the high school and the tower at the end of Alice Way looks alright and blends in.

Commissioner Smith stated he sat on the Planning Commission when the cell tower on Alice Way came before them, which was an allowed use but was appealed by residents because they stated they were unhealthy as well as unattractive. Now, with the many ways in which to camouflage them, it should eliminate neighborhood opposition.

Commissioner Wall stated he's inclined to want to strengthen the ordinance, making it as specific and reasonable as possible.

Commissioner Smith agrees with one excerpt from the ordinance in Warner, NH which states, *"All new wireless facilities must be camouflaged or employ appropriate stealth technologies that are visually compatible with the host building or structure."*

Commissioner Wall agreed with Commissioner Smith.

Commissioner Barnes also agreed and supports an excerpt from the Communications Industry Model Ordinance which states: *"The structure utilized to support the Antennas must be allowed within the underlying zone."*

Commissioner Smith asked if the current population is covered with receptivity.

Luke Pelz replied there is no current data to answer that but he is sure more will be needed as the population grows. A new service provider is required to look at existing towers first and once those towers are at capacity, more can be built.

Commissioner Barnes asked what happens if a tower is built that doesn't meet City requirements but then comes into the City.

Commissioner Wall stated there are some circumstances where time should be allowed to bring it up to code.

Commissioner Smith suggested there should be a condition of approval at annexation to make sure it comes up to code.

Commissioner Wall would like to see the cell tower design standards voted on and passed to the City Council quickly, since he understands in the future this will be difficult to enact as an ordinance.

2. **APPLICANT: City of Newberg**
ISSUE: Big Box II - Green design
FILE NO.: DCA-06-004

Luke Pelz stated the City Council requested more research be done and presented information regarding large scale retail development and the impact on environmental quality, such as:

- Storm water quality and quantity
- Air quality and temperature
- Energy use
- Waste System

Luke Pelz explained the need for development policies that reduce negative environmental impacts. The City of Newberg has adopted the International and Oregon Building Codes which are used by the Building Division to review all development proposals. The Public Works Department is developing an infrastructure network plan for wastewater re-use which will be used for the Chehalem Glenn Golf Course. The Newberg Comprehensive Plan includes many policies pertaining to developments impact on air, water, and land quality. The Development Code includes standards regarding landscaping, impervious surface, street trees, minimum density, and stream protection requirements.

Luke Pelz reviewed potential mitigation strategies. In an effort to reduce negative effects of development on the natural environment, the US Green Building Council has developed a voluntary rating system titled LEED – Leadership in Energy and Environmental Design. The US Green Building Council provides a variety of options for achieving different levels of LEED certification at various development stages.

The Criteria includes:

- Site selection
- Water efficiency
- Energy

- Materials
- Indoor air quality
- Innovation in design

Providence Hospital is an excellent local example of a LEED certified building.

The US Environmental Protection Agency (EPA) has recently developed a program called Energy Star which is a program that primarily focuses on building and design methods that can reduce a buildings energy costs and provide a greater financial return in the long run. This program is also optional.

Promotion of energy efficient building practices includes:

- Heating and cooling systems
- Electronics
- Lighting
- Appliances
- Windows
- Insulation

Luke Pelz reviewed the Santa Monica Green Building Program, information that has developed minimum standards in the areas of storm water runoff, landscaping, transportation, water conservation, construction management, and energy. The Epping New Hampshire Energy ordinance has developed a point system relating to energy efficiency and energy production, requiring that each new development score a minimum number of points in energy production and energy efficient design.

Potential Text Amendment for Large Scale Retail:

For retail developments with buildings that exceed 30,000 square feet or 50,000 square feet cumulatively, developments shall achieve one level of LEED, or similar, certification for at least one stage of development.

Luke Pelz explained that reducing all types of negative environmental impacts is beneficial, however some impacts are easier to identify, assess, and mitigate. It is easier to measure and control stormwater runoff than air pollution, for example.

The Planning Commission may want to consider additional types of targeted mitigation strategies.

Discussion:

Commissioner Barnes stated the energy issue needs to be addressed for sure. Green power and impervious parking are measurable.

Commissioner Smith stated air quality is difficult to measure since the main impact will be from vehicles. Regarding Big Box stores, he wonders if this could tie in with the problem of stores that sit empty. Perhaps there should be an increase in the move-in price and the long-term value of the box, which would increase the incentive to use the building. He recommends a

LEED level and compliance. It may be helpful for Staff to sit down with a building manager at Providence or talk with the Austin developers.

Commissioner Wall believes the word "voluntary" is not going to work. Environmentalism is a luxury of a prosperous society. He wants to know what the economic impacts are specifically.

Commissioner Smith believes finding a mid-level requirement is the key and the need to adopt a nationally recognized program like LEED.

Commissioner Duff agreed, especially in terms of energy costs and wind power. Some retailers have more of a green standard than others and it would be helpful to have that information.

Luke Pelz stated he can gather examples of what large scale retailers have done in the past and asked if staff should come back with drafted language for the next Planning Commission meeting.

Commissioner Smith believes the commission is ready to move toward something more specific. Adopting LEED standards could be a good idea, and runoff is a special problem in Oregon. Staff may want to draft specific things towards the impervious surface/stormwater runoff. That may be weighed more heavily with extra points.

V. ITEMS FROM STAFF:

Update on Council Items: **Steve Olson** stated the City Council approved the Stuart Brown zone change on Elliott Road and broadened the number of allowed uses.

Other reports, letters or correspondence: **Steve Olson** reminded the commission about the quarterly disclosure forms that need to be mailed out. **Commissioner Duff** stated he is not required to fill one out until next year.

Next Planning Commission Meeting: October 9, 2008.

VI. ITEMS FROM COMMISSIONERS: None.

VII. ADJOURN:

Lon Wall adjourned the meeting at 8:18: p.m.

Approved by the Planning Commission this 13th day of November, 2008.

AYES: 6

NO: 0

ABSENT: 1
(List Name(s))

ABSTAIN: 0
(List Names(s))


Planning Recording Secretary


Planning Commission Chair

11/13/08
Date