



PLANNING COMMISSION MINUTES

May 14, 2009

7 p.m. Regular Meeting

Newberg Public Safety Building

401 E. Third Street

TO BE APPROVED AT THE JUNE 11, 2009 PLANNING COMMISSION MEETING

I. ROLL CALL:

Present: Thomas Barnes Derek Duff Matson Haug
 Lon Wall, Chair Cathy Stuhr
 Nick Tri, Vice Chair Amanda Golson, student PC

Absent: Philip Smith (excused)

Staff Present: Barton Brierley, Planning & Building Director
 David Beam, Economic Development Coordinator/Planner
 Jessica Nunley, Assistant Planner
 Steve Olson, Associate Planner
 Dawn Karen Bevill, Recording Secretary

II. OPENING MEETING:

Chair Wall opened the meeting at 7:00 p.m. and asked for roll call.

III. CONSENT CALENDAR:

Chair Wall entertained a motion to accept the minutes of the April 9, 2009 meeting. Commissioner Tri motioned to accept the minutes and Commissioner Barnes seconded the motion. Chair Wall asked for any corrections or changes. There were none.

Motion #1: Tri/Barnes to approve the minutes from the Planning Commission meeting of April 9, 2009 (7 Yes/0 No, 1 Absent), unanimous voice vote.

IV. COMMUNICATIONS FROM THE FLOOR:

Chair Wall offered an opportunity for non-agenda items to be brought forth from the audience, but neither of the two citizens present had an additional topic for discussion.

V. QUASI-JUDICIAL PUBLIC HEARING - POSTPONED: The Fred Meyer fueling facility hearing has been postponed until a later date. The applicant will re-mail notice and re-advertise the hearing when the date for the continued hearing is set.

NEWBERG SOUTH INDUSTRIAL MASTER PLAN UPDATE:

Jessica Nunley showed an aerial overview showing Wynooski Rd., Hwy 219, and Wilsonville Rd. as well as an overview of the existing land-use designations. She pointed out the plan area and explained how it related to the existing City limits, current UGB, current URA and the proposed URA.

The Overall Project Goals were to establish a path of shovel ready industrial sites for development; providing a complete community for the citizens and overall attractive first impression of Newberg. To create a plan that has the endorsement of the community while retaining the agricultural activity until the land is needed for industrial development. The plan also needs to fit in with the surrounding neighborhoods.

The Public Process consists of the following:

A meeting took place with the property owners on 2/25/09;
Community Visioning Workshop was held on 3/10/09;
The Design Team met twice and discussed opportunities, issues, plan alternatives, transportation, and utilities which were refined into 3 alternative layouts;
A Community Open House was held to present the alternatives on 5/5/09;
And one more Design Team meeting will take place on 5/19/09 where a preferred alternative will be refined along with the Plan details, such as design and street standards, layouts, zoning, etc.

Conceptual Plan Alternatives:

Option A: Jessica Nunley explained where Wilsonville Rd. will close due to the bypass. She pointed out large parcels for industrial use and smaller, lighter industrial parcels that can be used incubator style. Ms. Nunley pointed out the Wynooski Rd. continuation.

Commissioner Haug asked how to get onto Wilsonville Rd. if on the other side of the bypass. Ms. Nunley replied that you would have to go down Hwy 219 to the intersection at Springbrook. Commissioner Haug believes this to be very inconvenient, to which Jessica Nunley agreed; this has been a situation that staff has grappled with on the entire plan alternatives. Commissioner Haug believes the interchange is poorly designed in accommodating the traffic on Wilsonville Rd. Ms. Nunley replied, from what ODOT said, there isn't enough room to have Wilsonville Rd. go over the bypass.

Option B is a little different because it envisions Wilsonville Rd. as a more direct route. Option A doesn't have a commercial area but Options B and C do. Option B offers four acres for small

commercial businesses, such as a coffee shop and deli for the workers in the area. Option B still retains Wilsonville Rd. which gives two points of entry. The dotted lines are optional roads.

Jessica Nunley showed where the Water Treatment Plant will expand on the **Option C** overview and the commercial area next to Hwy 219. She explained that all the options have a stream corridor where a trail system is planned with several entry points.

Commissioner Haug asked how far north up the bypass corridor you would need to travel before being able to cross from one side to the other. Barton Brierley replied Fernwood Rd.

Jessica Nunley continued on to review the refined draft plan, a hybrid of all the options that came into effect after a meeting with the consultants. The hybrid draft option improves the through movement and gives Newberg Garbage a larger usable space to expand. The commercial area was moved to the south side of the connector and the roundabout will be easier to access.

Commissioner Barnes asked if a bridge had been considered for the Wilsonville Rd extension. Barton Brierley replied if the bridge is built it will be a much shorter distance to drive. After calculation, it's a 30-year payback based on today's gas prices. Commissioner Haug believes people are also concerned with the time it takes to commute as well as the mileage. Jessica Nunley stated the owners of the property would prefer if the Wilsonville Rd extension follows the property lines, which makes it harder to cross the creek. A large parcel will be retained with accessibility. Commissioner Haug is also concerned with the bypass situation and its certainty and how that will affect the options.

Chair Wall stated his conclusion, from what he heard during sub-group that he was involved in, was there wouldn't be a bypass and believes that many assume the same thing. Commissioner Haug stated it makes sense to have an alternative if the bypass overlay isn't there. Jessica Nunley doesn't believe they can do that because the bypass is in the TSP. Barton Brierley stated the plan works no matter what time the bypass comes in. It can function as an industrial area very well without the bypass, as well. Commissioner Haug said if the bypass doesn't come about, it opens up space and what the routing would be. It's a shame that there can't be some effort put into what the usage would be if the bypass overlay isn't in place. He then asked if there have been ordinances allowing construction in the overlay zone. Barton Brierley replied the City ordinances don't prohibit construction where the bypass corridor is, although it is discouraged. Commissioner Haug stated before the overlay went in, a mobile home park had been approved at the curve but won't be placed there because of the bypass.

Overall Plan Contents include the following:

- Transportation and Circulation Plan
- Utility Plan
- Land Use and Zoning
- Look and Feel – Design Guidelines
- Implementation Plan

Potential Industrial Area Design Guidelines:

Street Landscape Standards
Break-Up Street Facing Building Mass
Green Street Design Standards
On-Site Parking Location
Setbacks, Landscape Buffers

Potential Green Streets Alternatives:

Jessica Nunley explained the potential alternatives are still in draft form and reviewed each alternative on the overhead.

Alternative A-1 consists of on-street parking on both sides; 4-foot dual bio swales and a 10-foot multi-use trail (Pedestrians and Bicyclists)

Commissioner Haug pointed out that the City Ordinance requires a 14-foot clearance above the sidewalk. Ms. Nunley replied that can be complied with but believes it is 8 feet above the sidewalk and 14 feet above the street.

Ms. Nunley pointed out there are no current standards for Green Streets; staff is considering making a Green Street Design Manual and have the SE Industrial Area comply with that and perhaps adopt that in the future for regular use.

Alternative A-2 has the same right-of-way, on-street parking, and 10-foot multi-use trail. There's been discussion regarding a shared path. The alternative has an 8-foot swale on one side.

Alternative B-1 consists of a smaller right-of-way. It was explained that in an industrial area there isn't much of a need for on-street parking. This has a 5-foot bike lane with a sidewalk and swales on both sides.

Commissioner Haug asked if bikes are on the sidewalk in the first two alternatives. Ms. Nunley replied yes, a 10-foot multi-use path. Mr. Haug commented bikes are typically on the street with cars; using sidewalks can be impractical. Ms. Nunley appreciates the feedback and stated this was brought up in a meeting where positive comments were received regarding the 10-foot trail, since bicycles can be a hazard with semi-trucks.

Chair Wall is concerned with what is hoped to be a commercial/industrial area, hopefully drawing in businesses and realistic access is necessary, such as delivery vans, trucks, cars, etc.

Commissioner Haug stated this needs to be a showcase to the community by offering livability. Jessica Nunley commented that the trail network certainly helps; this is a good starting point toward Green Street Design and a perfect test section without amending the entire TSP to implement it City-wide.

Commissioner Haug asked if it would be feasible to increase the right-of-way. Ms. Nunley doesn't have those calculations at this time.

Chair Wall said in the sub-group he was involved in, they were interested in attracting commercial and business and he doesn't want to lose sight of that. He certainly doesn't want to build a large, ugly industrial park, but need to stay mindful that if standards are created that take up more land and cost more money for businesses to locate there, it will defeat the prime directive of the property.

Alternative B-2 consists of 8-foot swales. Jessica Nunley asked the commissioners their opinion of the bio swales.

Commissioner Haug stated they're a good idea and asked if they're needed or are they optional and are they a decorative feature or functional. Ms. Nunley stated they're functional; they slow down and clean the stormwater before it hits the pipes.

Commissioner Barnes suggested having a bike lane on only one side. Commissioner Stuhr believes that won't work due to the fact bicycles need to travel with the flow of traffic.

Chair Wall likes the bio swale and would rather see the bicycles move with traffic, unless the law requires differently.

Commissioner Haug asked if it's impractical to have sidewalks only on one side. Barton Brierley replied there could be a walk located inside the campus that fulfills the same purpose.

Chair Wall stated if bicycles move with traffic, there can be four lanes of traffic instead of only two functional lanes which will cause many problems. Jessica Nunley doesn't believe the street standards call for four lanes.

Commissioner Haug proposed another alternative; having swales on both sides and the water can drain into them. Ms. Nunley believes there would be a problem with water sheet-flowing over the sidewalk. Barton Brierley said that can be explored.

Commissioner Wall stated there is still the potential for four lanes in Alternative A-2 if the parking is cut off for awhile. Ms. Nunley stated that can be explored since they're in the beginning stages of researching the many options.

Jessica Nunley continued to explain the funding options for the project, which has been discussed with the State.

SIAMP INFRASTRUCTURE FINANCING OPTIONS:

Local Funding Options:	System Development Charges
	Local Improvement District (LID)
	Developer Dedications
	Advanced Financing Agreements

Urban Renewal & Tax Increment Financing is also on the table; it's been a decade since the last attempt. There were Urban Renewal Districts in the 80s and 90s but there was local opposition who campaigned and voted them down. Otherwise, it's a good funding source.

State Wide Funding Options:

- Oregon Statewide Transportation Improvement Program (STIP)
- Oregon Immediate Opportunity Fund Program
- Development Bond Program
- Oregon Transportation Infrastructure Band (OTIB)
- OECD Special Public Works Fund

Commissioner Stuhr asked if there would be any money prior to the URA or UGB. Jessica Nunley replied, no, which she proceeded to explain in the update.

URBAN RESERVE AREA EXPANSION UPDATE:

The City submitted the 2007 URA Justification Finding Report to DLCD in August 2008. The DLCD remanded the URA Report back to the City for addition work or revision on April 14, 2009. On April 20, 2009, the City Council authorized an appeal of DLCD's decision to LCDC. The LCDC will hear the appeal on June 5, 2009. Meanwhile, in conversations with the State, they have encouraged a UGB amendment for Phase I of the South Industrial Master Plan which the City is likely to pursue.

Ms. Nunley reviewed the overhead presentation, describing the UGB Expansion of Phase I and the Options A, B, & C.

Commissioner Haug asked for clarification regarding the remand. Barton Brierley explained the DLCD wants Newberg to grow west on the smaller, parcelized exception land. Mr. Haug stated that NUAMC had discussed this previously; there's a lot of land between Newberg and Dundee. His understanding was there are many small parcels but difficulty putting those together; consequently meaning it's impractical to do so. Mr. Brierley replied that he agreed.

Commissioner Haug asked if an analysis has been done on this. Barton Brierley replied yes, a new sewer treatment plant would be needed; and there would be no access to the highway, thus all access would come up Dayton Avenue and Sunnycrest. Mr. Haug asked about water storage. Mr. Brierley replied new water lines would be needed but storage wouldn't be challenging.

Commissioner Haug asked when the UGB will be submitted. Barton Brierley said within a year. Mr. Haug asked if the homeowners have been informed and are there any who are against the UGB on their property. Barton Brierley said they've done their best to inform the neighbors. Jessica Nunley said three property owners expressed they didn't want to develop for at least 20 years.

Jessica Nunley reviewed the SIAMP Next Steps:

- Complete SIAMP Master Plan
- Analyze TSP
- Urban Growth Boundary Expansion
- Update Comprehensive Plan
- Create the Green Street Design Manual
- Update TSP to include new projects
- Update Industrial Park Zoning
- Owner Initiated Annexation

NEWBERG AFFORDABLE HOUSING ACTION PLAN PROPOSAL OVERVIEW:

David Beam delivered this same presentation to the City Council on May 4, 2009 and the Council accepted the plan that evening. Commissioner Philip Smith was the Chair of the Ad Hoc Committee for Affordable Housing.

Project History:

The Ad Hoc Committee on Newberg's Future began in 2004 and was a Council appointed committee. Their charge was to look at future growth patterns of Newberg and determine what types of land would be needed to accommodate that future. The plan was completed in 2005. It revealed that if current housing trends continued into the future, housing affordability issues would become worse. With Council's permission, City Staff looked for funding and secured a grant from the Oregon TGM program. The grant funds were used to hire consultant Scott Segal. Public forums were held which helped create affordable housing tools and draft Development Code guidelines/changes as well as Comprehensive Plan policy changes.

In December 2007, the proposed changes were brought before the Planning Commission. Monthly meetings were held. In the end, the Planning Commission recommended to the City Council that a more comprehensive approach be taken to address affordable housing. The City Council agreed with that recommendation and Mayor Andrews appointed an Affordable Housing Ad-hoc Committee for Working Families, consisting of 10 members representing a broad spectrum of interest in affordable housing. The meetings of the Committee began on July 2, 2008 and met twice a month, finishing in April 2009. Thus, the Affordable Housing Plan was created and was presented to Council on May 4, 2009.

Project Plan Goal:

The Goal was to identify and recommend tools appropriate for the Newberg community intended to encourage the development of housing for working families, as set by City Council in the Resolution that established the Affordable Housing Ad- Hoc Committee.

Practical Reasons to Promote Affordable Housing:

The Economic and Environmental reasons include providing “competitive” advantage for attracting businesses and having a qualified workforce; reduces transportation costs; promotes local shopping; and reduces pollution.

Social advantages include promoting a healthy, diverse community; promotes individual community involvement; and creates overall community stability.

Ethical reasons include promoting affordable housing; hardworking people should be able to afford groceries and other necessities; children deserve the opportunity to succeed in school and in life which is tied to having a stable home; and gives people the opportunity to build better lives to succeed, having a safe place to live.

What is Affordable Housing?

“Affordable Housing” is defined as when a family spends no more than 30% of its income for housing. For homeowners, housing costs include mortgage payment, principal and interest, property taxes, and home insurance. For renters, housing costs would include rent and tenant paid utilities.

Affordable Housing in Newberg – Current Trends:

All the following figures come out from the US Census Bureau:

In 1999, the Median Home Value in Newberg was \$141,500. Since that time, the Median Home Value has since risen approximately 44%. However, Median Household Income in 1999 was \$44,000 and is now approximately \$46,000; up 4%. The percentage difference shows home values have gone up considerably faster than income, making housing less affordable.

Regarding statistics, the percentage of homeowners in Newberg making mortgage payments over 30% of their household income is 35%. The percentage of renters paying over 30% of household income is 37%. There’s a significant number of the population living in housing considered not affordable.

What’s Affordable Housing in Newberg?

David Beam reviewed a chart created by Barton Brierley that shows what kinds of housing can be bought/rented by families at certain income levels (based on families of four.) Income levels are defined by HUD.

Chair Wall asked if HUD is saying the median household income in Oregon is below their defined low family income. Mr. Beam replied yes, although Newberg is lumped into the Portland MSA, which drives the HUD numbers up because most of the region is wealthier than Newberg.

Commissioner Haug asked how much the real estate prices have dropped in the Newberg area.

Commissioner Duff, who's wife is in real estate, stated many owners are not selling because they can't get enough profit out of them, especially on the higher priced homes.

Residential Land Needs - Is there land for residential growth?

David Beam stated that over the next 20 years, the need for land in every residential zone has a deficit. The need over the 40-year range there is even a greater deficit. However, the City is currently in a process to expand the URA and UGB to correct this problem.

Residential Building Trends - What's being built vs. the demand?

The graph showed that housing construction from 2005 – 2008 wasn't meeting the demand for housing for those on the lower household incomes, but being overbuilt for those on the upper end.

Plan Strategies and Actions:

David Beam reviewed the seven strategies and multiple actions under each one.

Strategy #1: Amend Newberg Comprehensive Plan Goals and Policies

Action 1.1: Amend the Newberg Comprehensive Plan with goals and policies that encourage the development and retention of affordable housing within the City of Newberg.

Strategy #2: Retain the existing supply of affordable housing.

Action 2.1: Maintain and Expand the Housing Rehabilitation Program.

Action 2.2: Create an ordinance discouraging the conversion of existing manufactured dwelling parks.

Action 2.3: Educate residents on housing maintenance.

Strategy #3: Insure adequate land supply for affordable housing.

Action 3:1: Examine the Newberg Comprehensive Plan Map and Zoning Map for potential properties to be designated/zoned/re-zoned as MDR/R-2 Medium Density Residential or HDR/R-3 High Density Residential that can accommodate the development of more affordable housing.

Commissioner Haug asked if there is a designated spot for a manufactured home park. Barton Brierley said there are designated places where they can go. Chehalem Drive, which was brought in two years ago to the UGB, will allow a manufactured home park.

David Beam stated the Ad-Hoc Committee spent an evening looking at areas that possibly could be rezoned to accommodate higher density construction. They found a few opportunities.

Action 3.2: Expand UGB to include a 20-year supply of land and insure that adequate land is zoned R-2 and R-3 in expansion areas to meet projected needs.

Strategy #4: Change development code standards.

- Action 4.1: Create an optional “Flexible Development Track” that would allow developers flexibility in some development standards, provided they commit to providing some affordable housing.
- Action 4.1A: Create Flexible Development Standards, which include lot standards, site design standards, building design standards, and street sidewalk standards.
- Action 4.1B: Require developments using the flexible development standards to provide at least a minimum amount of affordable housing.
- Action 4.2: Modify other standards in the Development Code to promote affordable housing.
- Action 4.2A: Modify lot standards for all developments.
- Action 4.2B: Modify planned unit development rules to promote affordable housing.
- Action 4.2C: Promote use of accessory dwelling units (ADUs).
- Action 4.2D: Allow more dwellings in neighborhood commercial areas.
- Action 4.2E: Create an expedited annexation process for affordable housing projects.
- Action 4.2F: Create new R-4 zone for manufactured home subdivisions.
- Action 4.2G: Reduce parking requirements for affordable housing projects where excessive.
- Action 4.2H: Allow replacement on non-conforming dwellings.
- Action 4.2I: Permit duplexes as an allowed use in R-1 zone.
- Action 4.2J: Create design standards that promote the development of attractive, livable, and functional neighborhoods, taking care not to increase costs of housing or reduce the number of dwellings.

Strategy #5: Amend the Development Fee Schedule.

- Action 5.1: Identify and establish city development fees that can be reduced/waived for affordable housing projects.

Strategy #6: Develop and support public and private programs.

- Action 6.1: Create a Newberg Housing Trust Fund.
- Action 6.2: Provided property tax abatements.
- Action 6.3: Expand Home Ownership and Counseling Program.
- Action 6.4: Work more closely with Housing Authority of Yamhill County and other affordable housing non-profits.
- Action 6.5: Support work of local community development corporations.
- Action 6.6: Leverage employer’s commitment to affordable homes and transportation for workers.
- Action 6.7: Establish Mortgage Credit Certificate Programs.
- Action 6.8: Support and expand transitional housing and group housing.

Strategy #7: Strengthen economic development efforts.

- Action 7.1: Promote the expansion of existing businesses and recruitment of new businesses.
Responsible parties: Chehalem Valley Chamber of Commerce and City of Newberg Economic Development Staff.
- Action 7.2: Increase the industrial and commercial land supply.
Responsible parties: Newberg Planning Commission and Newberg City Council.
- Action 7.3: Develop industrial and commercial lands to a “shovel-ready” status.
Responsible parties: City of Newberg and property owners.
- Action 7.4: Promote development of workforce skills.
Responsible parties: Chehalem Valley Chamber of Commerce, Newberg School District, Portland Community College, and local industries.
- Action 7.5: Explore possible establishment of business incentive designations, such as ports, e-zones, enterprise zones, etc.
Responsible parties: Chehalem Valley Chamber of Commerce, City of Newberg Economic Development Staff, and Newberg City Council.

Request Council Action:

- Acceptance of AHCP
- Initiate Comprehensive Plan Amendments
- Initiate Development Code Amendments
- Initiate changes to Comprehensive Plan Map, Zoning Map, and UGB
- Initiate other actions in the Plan
- Authorize creation of new Affordable Housing Ad Hoc Committee to carry out Phase II
- Phase III will be the implementation of the Plan

Commissioner Haug asked about the Ad-Hoc Committee’s recommendation for changes to the Development Code and Comprehensive Plan and how that compares to the work that took place a year ago when there were many ordinance language proposals in front of the Planning Commission. David Beam explained that what was presented to the Planning Commission the first time was a sub-set of this whole plan, which is a more comprehensive approach. Commissioner Haug said it was difficult to reach a consensus on the set of changes in front of the Planning Commission a year ago and asked if those documents could be made available to look at again since there may be information that can be used in comparison between the two. Mr. Beam replied that staff will make that information available. Also, he explained that the flexible development proposal was the difficult part of last year’s process. The design standards that were part of the flexible development proposal have since been separated out of that equation and presented as a discrete proposal.

Barton Brierley stated the Ad-Hoc Committee looked through all the earlier proposals very carefully and what is now being presented in some ways is the same and some that are different

and new in other ways. David Beam said through much lively debate between members of the Committee, the group was able to reach a consensus on the Plan actions.

Chair Wall asked the Planning Commission's part in the process. Mr. Beam explained that each action in the Plan lists the proposed parties that are responsible for moving the items forward.

Mr. Beam stated, pertaining to housing education, a Housing Fair will take place Saturday, May 16, 2009 from 10 – 2 p.m. at George Fox University.

Councilor Denise Bacon was in the audience and stated the committee consisted of very diverse group of members and that they were still able to reach a unanimous consensus in support of the Plan. Commissioner Haug asked if Councilor Bacon could be present at the next Planning Commission meeting on June 11, 2009 and Ms. Bacon stated she would attend.

Commissioner Barnes stated he has read the document and commented on what a great document it is.

VI. ITEMS FROM STAFF:

Update on Council items:

Barton Brierley stated the URA approval was remanded to the City, which the City appealed. The hearing is scheduled for June 5, 2009.

Regarding the Periodic Review presentation last month, Mr. Brierley learned this last week that DLCD will delay starting the process until the State budget is more defined. The budget will affect the availability of grants to assist the City with periodic review.

The City Council did approve the McClure property annexation. City Staff learned yesterday that it has been appealed to LUBA by Friends of Yamhill County; the reasons for the appeal are not known at this time.

The Council heard a request from sign owners who would like to change the limitations regarding animated signs. The Council created a pilot program to evaluate possible changes on animated sign rules. They've authorized some of the owners to use the animated signs in different ways in order for a committee to evaluate and see what changes are needed in the ordinance, if any. The Staff encourages the Planning Commission members to look at those and bring back their feedback. Comments will be received from the public, as well.

Chair Wall asked if these signs will be active advertising or experimental/test signs. Barton Brierley replied they'll be both. Part of the test could be to advertise specific products to see if the sales of those products are affected.

Commissioner Wall believes if they're allowed to increase animation outside of the code, they may very well make more money but he isn't sure what the usefulness of it is.

Commissioner Haug believes it to be unethical and not good for the community, as well as giving those businesses a competitive edge over other businesses in town.

The Next Planning Commission Meeting: June 11, 2009 on Affordable Housing policies.

VII. ITEMS FROM COMMISSIONERS:

Commissioner Stuhr is concerned with the neglected landscaping at the Kentucky Fried Chicken on 99W and asked if a complaint needs to be filed with Code Enforcement. Barton Brierley has talked with the owner but noted that a more direct approach is needed.

Commissioner Barnes is concerned with the corner of Alice Way and Mountainview Drive near ADEC which is full of raw materials and construction equipment. Mr. Brierley stated he will follow up on that.

Commissioner Haug complimented Staff on giving two great reports.

VIII. ADJOURN:

MOTION #2: Tri/Stuhr motioned to adjourn at 9:04 p.m. Passed unanimously.
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Approved by the Planning Commission this 11th day of June, 2009.

AYES: 5

NO: 0

ABSENT: 2

(List Name(s))

ABSTAIN: 0

(List Names(s))



Planning Recording Secretary



Planning Commission Chair

6-11-09

Date