

**NEWBERG PLANNING COMMISSION MINUTES**  
**March 9, 2023**

**CALL MEETING TO ORDER:**

Vice Chair Dale called the meeting to order at 7:03 p.m.

**ROLL CALL**

Members Present: Layne Quinn, Kriss Wright, Michael Griffiths, Linda Newton-Curtis, Avery Hansen (Zoom), Jason Dale, Sharon Capri (Zoom)

Members Absent: Jeffrey Musall

Staff Present: Community Development Director Doug Rux; Office Assistant Fé Bates; Assistant Planner Ashley Smith, Planning Manager Clay Downing.

**PUBLIC COMMENTS:**

Jim Talt, Newberg resident, asked if the Commission was also the CAC committee. Commissioner Wright answered yes, from June to December 2022 they were in that position. Mr. Talt asked how someone could be a part of the committee. Community Development Director Rux explained the City Council determined who was on the CAC.

Ed Parrish, Newberg resident, said his property was recently annexed into the City, and he was told they could hook up to City sewer. Plans changed and now they couldn't, and they were being told they could not update their septic system. Planning Manager Downing said Mr. Parrish could repair his septic but not expand or replace it and the sewer connection was included in the five year capital improvement project list. There were limitations to what could be done on the property in the interim. They were looking into a withdrawal from the City.

Mr. Parrish said he needed to remodel the house on the property and replace the septic system, which was very old and not up to standards. He was interested in the withdrawal.

There was discussion regarding downsides to the withdrawal, process if the septic failed, constructing an ADU with a septic until the sewer line was put in, and other options for the septic system.

**CONSENT CALENDAR**

Action:	To approve the February 9, 2023 Planning Commission minutes.
Motion:	PC Wright
Second:	PC Capri
Vote:	Yes: 7 No: 0 Abstain: 0 Absent: 1 (Musall)

**QUASI JUDICIAL PUBLIC HEARINGS**

**ORDER 2022-15: SUB322-0001& ADJC23-0002 - Subdivision at 100 S Garfield**

Vice Chair Dale opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction.

Commissioners Quinn and Wright stated that they each lived in the area, but it would not affect their decisions.

Student Commissioner Hansen read the legal announcement.

Assistant Planner Smith presented the staff report. This was a request to subdivide a 1.93 acre property into 8 lots for residential homes on Garfield Street. She discussed the application information, location, site information, surrounding land use, zoning, existing access and utilities, preliminary plat, quasi-judicial hearing for subdivision, review criteria, stream corridor, and public comments received. Staff recommended approval with conditions.



Commissioner Wright asked where the stormwater system would be located if it could not be a public facility. If it was private, the stormwater facility would be maintained by the HOA or adjacent homeowners.

Senior Engineer Musick said a separate tract would need to be created in the final plat that required the stormwater facility to be outside the stream corridor. The private facility would be maintained by the adjacent homeowners in this new subdivision, not any existing lots.

Commissioner Wright asked that they meet with the autistic child in the area to explain the added noise.

Applicant's Testimony: Scott Holden, property owner, said his goal was to be a good neighbor. He would be happy to meet with the autistic child.

Commissioner Newton-Curtis asked if they would be willing to reduce the construction hours. Mr. Holden would be willing to have that conversation.

Public Testimony:

Proponents: None

Opponents: Art Townsend, Newberg resident, said 8<sup>th</sup> Street was a 1960s era housing neighborhood and piece of Americana. He was concerned about HB 2001 and affordable housing and how this would not be affordable for low income without government subsidy and it would destroy another quaint neighborhood. Newberg had an affordable housing plan that gave tax breaks to developers, but he did not think that would create long term affordable housing. No one in the neighborhood wanted this low income rental duplex development.

Laura Allen, Newberg resident, was concerned about safety on the street, loss of wildlife, loss of the single family home neighborhood, bottle necks, fire safety, and access in and out of the dead end street.

There was discussion regarding the requirements for a traffic study. CDD Rux noted this application did not require a traffic study. There was discussion regarding what would be included in a traffic study.

Amber Heckman Pucci, Newberg resident, she thought this was a special case for a traffic study because there was only one outlet for this neighborhood. She discussed the stream corridor, mitigating tree removals, and urban canopy and where the wetlands and stream corridor was located. She was also concerned about her driveway becoming a turn around.

There was discussion regarding adding a dead end street sign and creating a tree code.

Debby Thomas, Newberg resident, spoke about concerns regarding density, cars parked on the street, and design process.

Rebuttal: Mr. Holden clarified this was not low income housing. It was a federal program that required him to keep it for ten years. They planned to put in two story homes and he would follow all of the code requirements.

Vice Chair Dale closed the public hearing.

There was discussion regarding new address assignments.

Deliberations:

Commissioner Wright was glad the density was reduced which made the development more feasible. She was concerned about the stream corridor, but staff said the stormwater facility would be kept separate.

Commissioner Griffiths noted the Commission was listening to the concerns, but they had to follow the criteria and the rules that were already in place. If an application met the requirements, they must approve it.

Vice Chair Dale agreed with Commissioner Griffiths. They had to have evidence that it did not meet the criteria.



Action: To approve SUB322-0001 & ADJC23-0002 - Subdivision at 100 S Garfield  
Motion: PC Griffiths  
Second: PC Quinn  
Vote: Yes: 7 No: 0 Abstain: 0 Absent: 1 (Musall)

**ORDER 2023-05: CUP23-0002 and MIMD123-0001 - Tower extension and Collocation - 500 E Illinois St**

Vice Chair Dale opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. There were none.

Student Commissioner Hansen read the legal announcement.

Planning Manager Downing presented the staff report. This was a request for a conditional use permit and minor modification to a telecommunications facility on E Illinois Street. He explained the supplemental information that had been distributed. He provided site information, a background on the facility, location and zoning, site plan, elevations, staff report analysis, applicable criteria, conditions of approval, and installation standards. Staff recommended approval with conditions.

The Commission discussed the structural integrity and impact of radiation with the increased height and number of facilities in the same vicinity.

Applicant's Testimony: Debbie Griffin, representing the applicant, discussed the proposed AT&T wireless facility request. She explained the site location, expanded compound area, landscape, tower modification to be extended 20 feet, and Telecommunications Act of 1996. The existing tower did not have guide wires, and the proposed modification did not require any guide wires. Local jurisdictions were not able to make a determination on the radiation, however AT&T was required to comply with FCC emission standards. The City's code did not have any separation requirements between facilities. They were not building a new tower, but expanding a current tower.

There were questions about the aesthetics of the extension and bandwidth effects on health.

Ms. Griffin was willing to add a 5 foot conical top and branches.

There was no public testimony.

Vice Chair Dale closed the public hearing.

Action: To approve CUP23-0002 and MIMD123-0001 - Tower extension and Collocation- 500 E Illinois St.  
Motion: PC Wright  
Second: PC Newton-Curtis  
Vote: Yes: 7 No: 0 Abstain: 0 Absent: 1 (Musall)

**LEGISLATIVE PUBLIC HEARINGS**

**Resolution 2023-386: CPTA23-0001 and DCA23-0001- Amend the Newberg Comprehensive Plan and Newberg Municipal Code**

Vice Chair Dale opened the public hearing and called for any abstentions, bias, or objections to jurisdiction. There were none.

CDD Rux introduced the topic.

Heather Austin, 3J Consulting, presented information on the multifamily code audit and amendments project. She discussed the project objective, project plan, multifamily dwellings, public outreach, proposed code amendments, clear and objective standards, private and shared open space/landscaping, vehicle parking location and lighting, building entrances, building façade design, building materials and architectural elements, additional design standards, and land use review type.

CDD Rux led a parking standards discussion. He explained the current minimums, and alternative scenarios. He then gave options for the Commission's decision on the proposed amendments.



There was discussion regarding parking minimums, 50% reduction, and lack of support for the reduction of open space.

Public Testimony: Jim Talt, Newberg resident, read his letter dated March 8, 2023, which included suggested language changes to the code.

Vice Chair Dale closed the public hearing.

Commissioner Wright discussed the importance of usable outdoor recreation space. She suggested striking letter I from Exhibit B, 50% reduction of open spaces.

Commissioner Capri was in favor of striking the 50% reduction of open space as well.

Commissioner Newton-Curtis also agreed.

City Councilor Olson commented that the tradeoff for the open space was increased cost.

Action:	To recommend approval of Resolution 2023-386 to the City Council and to remove Letter I from Exhibit B.
Motion:	PC Wright
Second:	PC Capri
Vote:	Yes: 7 No: 0 Abstain: 0 Absent: 1 (Musall)

Resolution 2023-384: CPTA22-0001 – Amending the Newberg Comprehensive Plan, VIII. 2017 Water Master Plan

Vice Chair Dale opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction.

CDD Rux presented the staff report. This was a request for an addendum to the Water Master Plan to add Water Supply Planning 2023, Appendix F. He explained the proposal, findings, and Comprehensive Plan. Staff recommended adoption.

There was no public testimony.

Vice Chair Dale closed the public hearing.

Action:	To recommend approval of Resolution 2023-384 to the City Council.
Motion:	PC Capri
Second:	PC Quinn
Vote:	Yes: 7 No: 0 Recused: 0 Absent: 1 (Musall)

**ITEMS FROM STAFF**

CDD Rux reviewed the upcoming schedule.

Planning Manager Downing gave an update on staff’s vacation rental home research.

**ITEMS FROM COMMISSIONERS**

Commissioner Wright discussed HB 3268, establishing a SDC program for rural affordable multifamily housing. The City Council wanted to complete the Housing Production Strategy before starting with the Construction Excise Tax program.

**ADJOURNMENT:** The meeting was adjourned at 10:34 p.m.

Attest:   
Jason Dale, Planning Commission Vice Chair

  
Fé Bates, Planning Commission Secretary

