



MEETING MINUTES

**CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION
Newberg Public Safety Bldg. - 401 E. Third Street, Newberg, OR
Wednesday, June 15, 2010, 7:00 PM**

I. ROLL CALL:

Members

Present: Michael Sherwood Stephen McKinney
 Sally Dallas Leslie Lewis
 Alan Halstead Lon Wall

Members

Absent: Warren Parrish

Staff

Present: Barton Brierley, City of Newberg Planning and Building Director
 Jessica Nunley, Assistant Planner
 Ken Friday, Yamhill County Planning
 Dawn Karen Bevill, Recording Secretary

Others

Present: Grace Schaad
 Sid Friedman

II. OPEN MEETING:

Chair Michael Sherwood opened the meeting at 7:00p.m.

III. COMMUNICATIONS FROM THE FLOOR

No additional items were brought forth.

IV. LEGISLATIVE PUBLIC HEARING

1. APPLICANT: City of Newberg
REQUEST:

- ◆ Include 260 total acres into the Newberg Urban Growth Boundary (approximately 132 gross buildable acres). Of the approximately 132 buildable acres, 125 acres would be designated industrial (IND) and 7 acres would be designated Public/Quasi-Public (PQ) in the Comprehensive Plan.
- ◆ Redesignate 7 acres (1 gross buildable acre) of land already in the Newberg UGB from Medium Density Residential (MDR) to Industrial (IND).
- ◆ Amend the Transportation System Plan to include the future transportation plan for the south industrial area (from the South Industrial Area Master Plan).

LOCATION: Area south of Wyooski Road and Wilsonville Road, on either side of Highway 219

NEWBERG FILE: UGB-09-001 / YAMHILL COUNTY FILE: PA-01-10

Chair Sherwood opened the Legislative Public Hearing and stated this meeting is a continuance from the June 1, 2010 meeting; public testimony was heard at the June 1, 2010 meeting and is officially closed. Further written testimony was allowed to be received no later than June 9, 2010. Two written letters were submitted and are located in the official meeting packet.

Barton Brierley stated an email was received from the City Attorney, Terry Mahr, on the potential conflict of interest that was declared at the last meeting by Alan Halstead regarding his brother's property near the Urban Growth Boundary area. This was determined to be only a potential conflict of interest, not an actual conflict of interest. Alan Halstead pointed out his brother's property on the map. Mr. Brierley read the letter from Terry Mahr.

Barton Brierley gave the City of Newberg staff report and addressed issues that were raised at the last meeting. The four issues are as follows: employment projections, population projections, site suitability criteria, and alternative industrial sites. See official meeting packet for details.

Staff recommends Adoption of Resolution 2010-22, recommending approval of the proposed Urban Growth Boundary Amendment, the Comprehensive Plan Amendment, and the Transportation Safety Plan Amendment.

Ken Friday, Yamhill County Planning, started off by saying that Yamhill County supported the expansion of the Urban Reserve Area into this land, so he does not want to come across as being set in opposition to the proposal. As he had stated in his staff report, he is very concerned about some of the findings that were made to support this request. For example, some of the targeted industries appear to need areas of 1 – 5 acres, yet the site characteristics target areas of 20 acres or more. References were made to efficiency of site development, yet no examples were given. Findings explaining the rationale for eliminating smaller areas, especially smaller areas of exception land, should be provided. In addition, the required site characteristics exclude sites that abut large contiguous tracts of agricultural land. Again, it does not appear that there are findings to explain why it is necessary to have "effective topographic or road buffers" between industrial and agricultural uses -- especially in light of the fact that some of the industrial uses support farm uses. Another example of the required site characteristics is to exclude sites that result in truck traffic through downtown. While alleviating any additional congestion through the downtown is commendable, and something that Mr. Friday strongly supports as someone who occasionally has to travel through Newberg, this finding is contrary to the classification of Highway 99W as a

freight route. It was stated in the supplemental staff report that avoiding truck traffic in the downtown area was not necessary to support the expansion. If that is true, then that finding should be abandoned. The County does want to keep this moving along and welcomes the opportunity to work with the City of Newberg, but would as that they revise some of the findings supporting this application.

Questions:

Councilor Stephen McKinney asked Mr. Friday for any specific recommendations or suggestions in language for modification of the application. Mr. Friday replied explanations are needed as to why the industrial uses the City of Newberg is envisioning needs to be away from agricultural land. The truck traffic not traveling through the downtown area is not supported from a planning perspective since it is contrary to the City of Newberg's Comprehensive Plan. As far as the size of the parcels, if Newberg showed some examples supporting how it would be more affective in groups of industrial uses together would help address 20+ parcels of land. He cannot offer any suggestions to language.

Chair Sherwood asked how the County feels regarding Marion County's concern regarding transportation through their county in order to access I-5 via Donald. Mr. Friday talked to the Marion County Engineering Department and thought the City of Newberg gave a very good explanation of addressing that issue. The City did include Marion County on the early design of this, but wished the City had sent Marion County a notice of this proposal so they could have been brought in early on this proposal, as well. Barton Brierley stated they were invited to participate in all the meetings early on and it will be easy to include them in future planning. Those routes are designated freight routes and believe it is consistent with Marion County's Transportation Plan.

Alan Halstead referred to page eight of the supplement and asked if staff would be willing to add the language to the underlined section to read as follows: "Newberg will coordinate future transportation analysis studies for the south industrial area with Marion County and Yamhill County, *the cities of St. Paul and Donald.*" Barton Brierley replied yes, that can be added.

TIME: 7: 29 PM

Deliberation:

Councilor Stephen McKinney listened to Mr. Friday's comments about the things that can make this application better in the long run. Mr. McKinney stated through his exposure at the City Council level and the other things that have come along with that exposure, he has liked the findings and justifications, but anything that would make it clearer would be beneficial. He is not opposed to further clarifications that would make the document better, but supports it as is.

Commissioner Lon Wall stated he has mixed feelings about the application. He is concerned about what businesses will be attracted to this development. The legitimate reason is to supply employment to local citizens and tax revenue for the City. He does not know if the City's plans will work because there is no sure way to know for sure, but he was involved in the future focus group as far as land use projections and population projections and the parties involved had a fair and balanced point of view and came up with a reasonable and surprising compromise. Fortunately, we have annexation law in the City of Newberg and if the community does not like it, the citizens still have the chance to vote against it.

Finally, he is here on behalf of the Planning Commission who has looked at this already and voted on it with some modifications.

County Commissioner Leslie Lewis believes in balance. What she has read from the findings supports the recommendations that this area be brought into the UGB of Newberg. She read through the letters received at the last meeting and recent letter that have come in; and has sat through the testimony and actually thought the staff did a good job in their rebuttal, particularly by pulling those portions out of the Marion County Transportation Plan that repeatedly talked about serving the Newberg area and Yamhill County by helping provide a transportation outlet to I-5 particularly for trucks as freight routes. Commissioner Lewis was interested in the rebuttal to the comments made by 1000 Friends of Oregon in having to use the Employment Department's projections for employment growth or you have to use population growth. Staff did a great job of showing that "Safe Harbor" does not need to be used. Staff had rational reasons for using the combination of employment data from 2008 – 2018 and then using population growth projections beyond that. Commissioner Lewis also thought the rebuttal on the other services was very rational and it showed a small percentage of the jobs and would not have swung the amount of acreage one way or the other, and staff pointed out other industry segments could have jobs in the industrial area even though other services may not populate that area. Commissioner Lewis would like to see the County Planning Staff and Newberg Planning Staff work together on concerns raised by Mr. Friday before it goes before the Planning Commission; particularly the targeted industries that will need small acreage and more justification for agglomeration. Mr. Friday also raised a good point regarding a buffer between agriculture and industry and would like that explained in more detail as well as removing the truck traffic from the findings as Mr. Friday has said. Even with all the work on the bypass, 99W will still be designated as a freight route. This plan has met the criteria and should be supported.

Alan Halstead stated Newberg will be taking away a lot of Class 1 and 2 farmland and although that is a good argument, Newberg does not have any other choice for development. Goal 12 findings should be strengthened regarding coordination with Marion County particularly Donald, St. Paul, and McKay Road to I-5. The portion that discusses removing traffic from 99W he would rather see it worded that Newberg is taking advantage of the future bypass to locate traffic on the bypass rather than removing it from 99W. This is an excellent product and he will support it.

Sally Dallas stated it is easier to do nothing at times but we need to plan for the future. This is a fair and comprehensive plan. Regarding the concern that this will be developed immediately is untrue. This will take time as the need comes about. We need a choice down the road. She supports the plan.

Chair Sherwood stated he moderates a monthly chamber forum where 12 business people from Newberg attend, network, and find out about businesses. One of the fondest things is the young people who are moving here; wanting to get out of the city and moving their businesses here. He is a firm believer in control growth and the general populous believes the same thing. It will be a delightful growth and the people who come will make it a stronger community and bring missing businesses that are needed to Newberg. He also believes this is for the young people coming up now and for the future. It is the right thing to do.

Councilor McKinney stated nothing ever remains the same. It is imperative to have a touchstone and guideline to prepare a plan and methodology as to how Newberg will look 135 years from now. He has appreciated staff bringing this to

the committee. He has not called to champion one cause over another because this town has the ability to be a well-balanced place to live, farm, and work. He has been gratified by the testimony both pro and con. He likes that no one is compelled to do just one thing in this plan.

Commissioner Lon Wall has lived in Newberg his entire life. He is happy that this community has decided we have a beautiful meeting place and have avoided increasing in population to the maximum.

MOTION #1: Halstead/Dallas moved to adopt Resolution 2010-22 and urged staff to consider the comments made for possible improvements of the document. (6 Yes/ 0 No/ 1 Absent [Parrish]) Motion carried.

V. ITEMS FROM STAFF:

Urban Reserve Area Update:

Barton Brierley stated the City went to the State of Oregon with the acknowledgement after NUAMC, City Council, and the Planning Commission agreed on the Urban Reserve Area. It was a difficult and long process with many hearings and it was clear there was not a lot of understanding at the State level regarding the Urban Reserve; how it works and what standards should be applied in reviewing it. Staff agreed to a remand of the Urban Reserve based on what the interpretation of how the rule works. There were two main issues brought up at the hearing. The first question was how do you project the land need for an Urban Reserve? Is it done the same as an Urban Growth Boundary amendment? It was ruled to submit one number rather than categories of numbers. The second issue involved much debate on the process and the sequence of applying the rules with no clear understanding of what order to apply those. After much debate, the Commission gave a ruling on the order and the important part is to use the Goal 14 location factors. Staff accepted that and just received the order this past April 2010. Staff is now in the process of revising the findings to address the issues that were raised to apply the rule as they interpreted it.

South Industrial Infrastructure Study Update:

Barton Brierley stated staff has been working on the South Industrial Area and the Master Plan. Both of these talked about the area that has industrial lands within the city limits already and that is not well served with utilities. There is land already in the UGB that is not served with utilities; and land that is already in the Urban Reserve with the recommendation it be brought into the UGB, and land that is not in any of those mentioned but will be brought into the Urban Growth Boundaries. Staff is working on how to get utilities and how to implement all of the things identified in the Master Plan that is wanted in that area. The City has a grant to look at financing for that area and to develop a financing plan; how to pay for everything.

VI. ITEMS FROM COMMISSIONERS: None.

VII. ADJOURN:

The meeting adjourned at 8:07 p.m.

Adopted by the Newberg Urban Area Management Commission this 11 day of August, 2021.

AYES:

NO:

ABSTAIN:

ABSENT:

ATTEST:


Recording Secretary Signature


Chair