

MINUTES OF THE NEWBERG URBAN AREA MANAGEMENT COMMISSION
Newberg Public Library
Tuesday, 7:00 PM

Newberg OR 97132
August 10, 1993

I. CONVENE MEETING

The meeting was called to order by Chairman Jack Kriz.

Members Present:

Jack Kriz
Alan Halstead
Don Halbrook
Leslie Lewis
Martin McIntosh

Members Absent:

Dennis Goecks
Bill Jackson

Staff Present:

Duane Cole, City Manager
Sara King, Associate Planner
Rob Hallyburton, Yamhill County Planning Dept.

Others Present:

Mary Dorman, Dorman & Company

Citizens Present: 14

II. NUAMC APPROVAL OF MINUTES

Motion: Halstead-Halbrook to approve minutes of the July 13, 1993 meeting with a correction on page 3 as follows:

Mountainview

He noted that Mountainview held a collector status and was similar to Columbia as it extends west in the vicinity of Cullen Rd. He noted that the consultant recommended a minor arterial status on that portion of Mountainview east of College and a collector status west of College.

Springbrook

He indicated that the lower part within City would be 2-3 lanes (2 travel lanes with a center turn lane), and beyond that, it would be a two lane facility. He noted that the Planning Commission recommended that Highway 219 not be re-routed and that this section of Springbrook retain collector status. It is a County road.

Vote on Motion: Motion carried unanimously.

III. PUBLIC HEARING: URBAN RESERVE AREA

Applicant:	City of Newberg
Request:	An amendment to the Newberg Comprehensive Plan and the Yamhill County Comprehensive Plan to create an urban reserve area. In addition, amendments will be made to the urban growth management agreement between the City and County. The proposed URA would identify land for future urban use outside the urban growth boundary as required by OAR 660, Division 21.
File No:	Newberg Planning File G-6-93
Criteria:	Newberg Urban Area Management Agreement; Newberg Zoning Ordinance Sections 600-606 and Section 800

Associate Planner King introduced Mary Dorman, consultant for the project.

Mary Dorman noted that under Oregon's statewide planning program every city needs to adopt an urban growth boundary. Newberg has an adopted UGB designed to accommodate approximately 27,000. She reviewed the issue of development concerns which extend beyond the current 20 year plan. She reviewed the planning process relating to longer term planning for infrastructure and services. She noted that LCDC adopted a new Administrative Rule in 1992 which required 7 specific cities to adopt an urban reserve which would contain land proposed for inclusion in the 50 year city planning process. She noted that the process is to be completed by mid-1994. She reviewed the criteria and regulations of the planning process. She noted that in 1992 Newberg's Planning Commission had reviewed population projections and development patterns and identified a range of areas which could accommodate an additional 16,000 people. She reviewed the Planning Commission discussion relating to the corridor area between Newberg and Dundee. She noted that the Commissioners emphasized using Chehalem Creek as the western edge of Newberg. Following a joint task force comprised of representatives from both Newberg and Dundee, it was decided not to pursue urban expansion into that area. She reviewed the various proposed areas on a map and noted that the Planning Commission held several workshops relating to all the study areas. She indicated that round table meetings included discussion about each of the areas and review of natural boundaries, serviceability, current plan designations, and existing

development. She reviewed the Administrative Rule relating to lands which must be reviewed first for inclusion in a URA. She then reviewed each area. She noted that in the northeast Newberg area considerable development has occurred and a great deal of property owner objection was voiced during the preliminary meetings with the Planning Commission. She reviewed servicing requirements, current zoning, natural boundaries and existing development in each of the proposed areas. She indicated that the total area included approximately 1100 acres which would accommodate development to the year 2030. She noted that her recommendation included the City's taking the lead in infrastructure development. She indicated that on a rural basis no new parcels should be created that are smaller than 10 acres. She also reviewed techniques for allowing more dense interim development, including shadow platting and future street and utility identification, and a cluster approach for interim development. She noted that the Administrative Rule requires that the boundaries be adopted and the ordinances be in place by April of 1994. She then indicated that there would be subsequent hearings held by the Newberg City Council and the County Commissioners.

Commissioner Lewis asked about the meeting notification process.

Ms. Dorman noted that this meeting and all previous discussions have had property owner notice.

Commissioner Halbrook asked how the utility planning process was being developed.

Ms. Dorman noted that facility funding costs have not yet been developed but that the projects would likely be funded as they are currently in the City. She commented that URA development was a long term proposal.

Mr. Halbrook asked how UGB development would impact the proposed URA.

Ms. Dorman noted that there would be UGB amendments over time which would gradually occur in these areas.

Mr. Halbrook asked about the City's ability to provide service to the proposed areas.

Ms. Dorman noted that there would need to be some additional facilities.

City Manager Cole noted that the current system would need to be revised to develop an upper level water reservoir.

Ms. Lewis asked Ms. King about the City Council's request to expand the UGB at their last meeting.

Ms. King indicated that the City has requested that staff develop ordinance language to amend the UGB in the Chehalem Road area.

Carol Nashif, Chehalem Drive area, asked if she was included in the proposed URA.

Ms. Dorman indicated that the report recommendation includes her property.

Marvin Hines, 1507 Chehalem Drive, asked why Chehalem Drive was selected as the boundary rather than the land on the west side of Chehalem Drive being included.

Ms. Dorman indicated the line could be revised to follow the zoning on the west side of Chehalem Drive.

Ms. Nashif indicated that this notice was the first notice that she had received and that some of her neighbors also did not receive notice.

Ms. Dorman indicated that notice lists would be reviewed prior to the final hearing for accuracy.

Ms. Nashif asked how this designation would affect her property both now and in the future.

Ms. Dorman indicated that as a result of the State Rule, no zone change applications are being processed in the study area until a URA is adopted. She indicated that a new zoning designation could be developed which would identify the selected areas as a future urban zone with specific development restrictions. She noted that there would be no immediate impacts on property use restrictions beyond what exist now.

Ms. Nashif asked about the keeping of livestock and how this would be impacted under the proposed URA.

Commissioner Halstead noted that unless the owner requested annexation, there would be no likely impacts on the existing sites. He also reviewed the standards that the City currently applied to keeping livestock in the City.

Bill Campbell, 911 E. Third, reviewed area E and the total unbuildable acres identified. He noted that the land was designated as industrial. He felt that the staff material should be revised to reflect the industrial impact existing in the area.

Laurie Lewis, 3200 N. Zimri, asked why the UGB extended to property abutting hers and her property was excluded.

Mr. Cole noted that when the UGB was developed, water elevation serviceability was a key issue.

Commissioner Halstead indicated that the selection process was also based on the property owners desire to be included or excluded at the time the UGB was developed.

Mr. Campbell questioned the development potential in a URA. He felt that development would have more stringent limitations if a URA was implemented. He asked about the development opportunity.

Ms. Dorman indicated that anyone could build a house on a legal lot of record. She noted that the URA comes into play at development of new parcels. She noted that interim development techniques should be applied to allow for future urban densities.

Laurie Lewis asked if a property would need to be in the UGB before it could be developed to urban densities.

Ms. Dorman indicated that was correct.

Bill Campbell asked when a legal lot of record was acceptable. He understood 1989 was the cutoff date and questioned if that date were still appropriate.

Ms. Dorman indicated that the date which establishes legal lots of record was in the City's comprehensive plan.

Mr. Campbell indicated that there may have been numerous land divisions since 1989 which have created new lots and whether they would be considered lots of record.

Ms. Dorman indicated that a new date could be negotiated based on when the boundary

Mr. Tatman, 1901 Chehalem Drive, asked about the development of the new school site and whether there were any proposed annexations or road widening proposed in relation to the school. He also asked about the time elements relating to sewer and water expansion.

Mr. Cole indicated that meetings are ongoing with School representatives relating to development of the proposed school site. He indicated that public improvements have not yet been determined.

Mr. Tatman asked how long it would be for school development plans to be available.

Mr. Cole indicated that the School should have information available within 30-60 days.

Mr. Campbell asked what the deadline for establishing a URA was.

Ms. Dorman indicated the deadline was April 1984.

Mr. Campbell asked what a realistic time frame for completion of a utility corridor analysis.

Mr. Cole indicated that it was approximately 5-10 years. He noted that the County is working on a transportation plan which should be completed in the next 18 months or so.

Mr. Campbell asked if the northeast county area was the focus of the transportation study.

Rob Hallyburton, Senior Planner for Yamhill County, indicated that a Request For Qualifications was sent out a few weeks ago and that the study was a high priority item. He indicated that 18 months was a good estimate.

Karen Russell, 1804 Hoskins, asked if there was additional information relating to study areas D and E.

Ms. King gave her a copy of the revised maps.

Ms. Dorman asked the Commission whether they were ready to make a recommendation.

Chair Kriz asked for a recommendation from the Commission.

Ms. Dorman was asked to revise the map relating to area F to include all of the rural residential.

Discussion of Areas A and B:

Mr. Halstead asked about addressing water reservoir services which would be required to exist outside the UGB.

Mr. Cole indicated that issue would have to be resolved. He indicated that several sites were looked at but no specific location has identified.

Mr. Halstead supported inclusion of both areas A and B with the exclusion of a portion of area B.

Commissioners discussed changing the excluded portion to VLDR10.

Ms. Lewis asked why there was a need to change the zone. She felt that the opportunity should be left open for the existing VLDR densities. She felt this site could be excluded from the URA but felt that this site should not be required to have a down-zoning.

Mr. Halstead indicated that a zone change approval was a County Commissioner decision.

Ms. Dorman felt that the property should be included or, if excluded, it should have a revised zone.

Ms. Lewis felt that this site should be excluded as requested by the landowner.

Ms. Dorman indicated that at one time in the early 80's there was a revision in zoning and the property was partitioned. She noted that the current owners have chosen to keep the parcel intact.

Mr. Halbrook felt that this property should be included in the URA based on the natural features as dividing lines for the area.

Ms. Dorman indicated that the boundary was chosen based on the location of the roadway, not property boundaries.

Mr. McIntosh indicated that the natural boundary should be followed if there is no restriction on their existing zoning.,

Ms. Dorman indicated that the owners were adamant about wanting to continue farming the site.

Ms. Lewis asked if the URA impacted farm deferral.

Ms. Dorman indicated that it would not.

After a brief discussion, the Commission agreed by consensus to recommend approval of areas A and B.

Ms. Lewis asked how many audience members were present relating to areas A and B.

An audience member who owns property on the SE corner of Bell and Springbrook asked how his property was impacted.

Ms. Dorman indicated that his property was outside the proposed URA and would not be affected by this proposal.

The audience member asked where the location of the water reservoir would be.

Mr. Cole indicated that the reservoir would not likely be sited at that high of a location.

Ms. Lewis asked if there were many participants from areas A and B at previous meetings.

Ms. Dorman indicated that there were several. She indicated that Mr. Mills was concerned that he could not get approval for dividing his property into smaller parcels.

A member of the audience expressed concern about limitations on future property divisions. She noted that she was opposed to being included in the URA based on the limitations it would impose. She noted that she knew there were restrictions in obtaining water in her area. She noted that there were some properties on water districts and some on new wells.

Mr. Hallyburton indicated that this area was also a ground water limited area as designated by DEQ. He noted that domestic wells are allowed but more intensive water usage is limited.

Ms. Lewis asked if these areas would be more likely to be developed later than some of the other areas because of the need to build a reservoir to serve them.

Mr. Cole indicated that development pressures would dictate the growth of the area.

Ms. Dorman indicated that these areas are also farthest from the City boundaries.

Ms. Lewis felt that area F would be the most likely to be next developed. She questioned whether these URA zones would be included in the UGB prior to development of areas such as the Werth and Austin properties already in the City limits.

Mr. Cole asked how this applied to the issue.

Ms. Lewis asked whether areas A and B could be excluded based on the already available property in the City.

Mr. Cole felt that the process was to establish areas which could be developed to urban densities over 50 years and that many of the issues Ms. Lewis was concerned about had already been discussed. He felt that setting a specific time for development of each area was extremely difficult.

Ms. Lewis felt that there was a big demand for the rural lifestyle.

Mr. Cole indicated that City residents are also county residents and were interested in various kinds of property sizes. He indicated that the state is very opposed to continued urban sprawl. He noted that future urbanization areas for the City were also necessary and that both types of lifestyles should be provided for.

Ms. Dorman indicated that if continued low density expansion was allowed, the City would soon be surrounded and the only areas for urban expansion would be out into the agricultural land.

Ms. Lewis questioned whether LCDC would even approve the proposed URA with 5 acre limitations.

Ms. Dorman felt that agreements could be reached with LCDC and that with possible revisions to the City/County agreement.

Ms. Lewis asked whether owners would be required to sign consents to annex.

Ms. Dorman indicated that those in the URA would be required to agree to annex in the future; however, those outside of the URA would be excluded from that requirement.

Dave Dailey asked about recommendations for replacement of some of that VLDR land which would be locked up in the URA.

Ms. Dorman indicated that was a county issue and that the County has been studying additional exception areas.

Mr. Hallyburton indicated that in order to rezone farm deferral land to VLDR, there needs to be specific criteria met. He noted that it would be difficult to make findings to justify such revisions. He was asked about the standards for VLDR designation. He noted that DLCD will not accept market demand as a justification for need. He did not feel that establishment of a URA would be considered as a rationale for development of additional VLDR land elsewhere.

Ms. Lewis indicated that rezoning other agricultural land would be very difficult and that a lot of land was being given up which could have been developed to 2.5 acres.

Mr. Cole asked what the percent of VLDR included in the URA was compared with VLDR land county wide.

Ms. Dorman indicated that it involve only about 700 acres of VLDR land.

Mr. Halstead asked what was more important, having a 2.5 acre zone or to strangle the city.

Mr. Cole indicated that the county and city residents should all work together.

Ms. Lewis did not like to see that restrictions should be placed on landowners who had other expectations.

Mr. Cole indicated that Newberg has a lot of development pressure, both in the urban and rural area.

Discussion of Area C:

Ms. Dorman noted that the drainageway was used as the boundary, but in several cases this would divide a tax lot. She asked the Commissioners whether the boundary should be revised.

A member of the audience asked for clarification of the boundary.

Ms. Dorman identified the boundary of area C. She noted that the Commission could choose to follow the parcel boundary instead of the natural draw.

Ms. Lewis asked if the eastern portion of the parcel could be served by sewer if it were included.

Ms. Dorman indicated that the location of the sewer line would determine serviceability to the site.

Commissioners briefly discussed including the entire parcel instead of dividing it.

Mr. Hallyburton was asked about impacts relating to dividing a property in this manner. He noted that it was possible to have the property both in a URA and outside.

Ms. Lewis concurred with the several commissioners to include all of -700, -1903, and -1908.

By consensus, the Commissioners recommended including all properties in area C in their entirety, not divided by natural features.

Staff was asked if the bypass was considered when these boundaries were established.

Mr. Cole indicated that this issue could be reviewed at the time the bypass was further along in the process.

Discussion of Area D:

Ms. Dorman identified the area and noted that several properties were divided by the existing UGB and the proposed URA. She noted that the natural drainageway boundary was followed. She recommended that the parcel boundary be followed at the bottom of the area and that the creek then be followed.

Mr. Cole entered a letter from Chuck and Fonda Schmidt requesting inclusion of tax lot -1000 in the proposed URA. He noted that based on the previous comments by the Commission, this area would not be included.

Ms. Dorman indicated that the area was currently designated agricultural.

Ms. Lewis indicated that if area F was included and it was primarily agricultural, then why not this area.

Ms. Dorman indicated that this area was not easily serviceable and that it would require inclusion of a large block of agricultural land. She noted that area F was serviceable and would be in the vicinity of the proposed school.

Commissioners briefly discussed serviceability of the area.

Karen Russell, owner of property at Springbrook and Wilsonville, noted that the UGB ran directly through her property. She opposed any boundary running through a property and requested that the balance of her property be included in the URA. She indicated that her property has been adversely affected by having a boundary bisecting it.

Mr. Hallyburton reviewed the development potential of properties divided by boundaries.

Ms. Lewis asked about the location of future services in this area.

Ms. Dorman indicated that it would be unlikely if the State would approve extension of gravity sewer services through an area not in a UGB or URA.

Commissioners agreed by consensus to approve area E with the boundary located between -900 and 901.

Discussion of Area E:

Commissioners discussed the filling of a ravine with gravel in area E.

Ms. Dorman recommended following the boundary between -1100 and -1200.

Commissioners concurred that area E be approved with the exclusion of -1100.

Discussion of Area F:

Ms. Dorman reviewed the revised map for area F which would include a VLDR area down to the road.

Mr. Halstead recommended including the smaller parcels west of Chehalem Dr.

Ms. Dorman noted that the parcels to the east of the small lots are larger agricultural parcels.

Commissioners discussed the zoning of -200.

It was left to the Planning Staff's discretion to include or exclude -200, subject to review of its current use and zoning.

Revised area F was approved by a consensus of the Commissioners.

Motion: Halstead- recommended that the County consider recommendation for a future urban zoning district with appropriate rules and regulations.

The motion died for lack of a second.

Ms. Dorman indicated that the County could develop such a zone with attached regulations which would allow interim development.

Mr. Halbrook felt that the 5 acre restriction should not be included; however, he noted that shadow platting should be required with the allowance to develop as many houses as would be allowed subject to water and sewer serviceability. This would allow property owner rights to be respected during the 20-30 years expected for urban development.

Ms. Lewis agreed with Mr. Halbrook.

Mr. Halstead felt that the recommendation should also be sent to the City.

Mr. Halbrook felt that development should be allowed to the full extent subject to water and septic availability.

Mr. Hallyburton felt that it would be difficult to get approval for 1 acre or less parcels.

Mr. Kriz asked Ms. Dorman what kind of a recommendation was expected from the Commission.

Ms. Dorman felt that a recommendation to develop a new zone would be the most sensible. She recommended that the City and County staff should be requested to develop criteria and standards for the new zone.

Mr. Halbrook felt that no final decision could be made.

Motion: Halbrook-Halstead to direct staff to create language for a new zone for the urban reserve area.

Discussion of the Motion:

Ms. Dorman felt that the UGB should be included in the new zone; however, she indicated that additional notice should be provided if the UGB were included.

Mr. Halbrook felt that the UGB area could be included at a later date.

Commissioners discussed the issue of urban sprawl.

Vote on Motion: Motion carried unanimously.

IV. SCHEDULE NEXT MEETING DATE

Ms. King requested that the Commission set a meeting date for review of another UGB amendment application.

Commissioners approved September 14 as the next meeting date.

V. ADJOURNMENT

There being no further business, the meeting was adjourned.