

**MINUTES OF THE NEWBERG URBAN AREA MANAGEMENT COMMISSION**  
**Newberg Waste Water Treatment Plant**  
**Tuesday, 7:00 PM**

**Newberg, OR 97132**  
**September 14, 1993**

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**I. CONVENE MEETING**

The meeting was called to order by Chairman Jack Kriz.

**Members Present:**

Jack Kriz  
Don Halbrook  
Alan Halstead  
Leslie Lewis  
Dennis Goecks

**Members Absent:**

Marty McIntosh  
Bill Jackson

**Staff Present:**

Greg Scoles, Community Development Director  
Sara King, Associate Planner  
Rob Hallyburton, Yamhill County Planning Director  
Duane Cole, City Manager

**Others Present:**

Marvin Schneider  
Bill Campbell

**Citizens Present: 2**

**II. NUAMC APPROVAL OF MINUTES**

Motion: Halstead-Halbrook to approve minutes of the August 10, 1993 meeting without changes. Approved unanimously.

**III. PUBLIC HEARING: URBAN GROWTH BOUNDARY AMENDMENT**

**Applicant:** Marvin Schneider  
**Request:** An Urban Growth Boundary amendment to include a 10 acre parcel within the City of Newberg UGB.  
**Comp Plan:** VLDR to IND  
**Location:** 2409 Wynooski  
**Tax Lot:** 3228-1800

**File No.:** UGB-2-93  
**Criteria:** Newberg Urban Area Growth Management Agreement - Section VII;  
Statewide Planning Goals; Newberg Ordinance 1967, Section 4

NUAMC Chair Kriz opened the hearing. He then requested staff to read ORS 197 relating to public hearings. Associate Planner King recommended showing the ORS on the overhead instead of reading from it.

Chair Kriz then asked for abstentions, ex-parte contact or objections to jurisdiction. Commissioner Halstead stated he has known the applicant for years, has had many business dealings (other than garbage) for a number of years, his brothers own property across the street. Chair Kriz asked for any objections to the abstention. There was no objections and Mr. Halstead was excused.

Staff Report: Associate Planner King explained the request for the UGB amendment of 10 acres. She explained that the packet states, in the heading, "Findings for Approval..." which should read "Findings for Denial..."

Ms. King reviewed the findings and the criteria that needs to be addressed. She stated the commission needed to keep in mind the request is for a UGB amendment and not a zone change for this particular proposed use.

Ms. King showed a map and explained the location of this proposed UGB amendment. She pointed out that this is in the proposed Urban Reserve Area.

Commissioner Goecks stated that he has inspected the site, but he did not see or speak to anyone.

Ms. King explained that sewer is not presently available, water service can be extended to this site, and there is no storm sewer system in this area.

Conclusion to Findings: Ms. King stated the applicant indicated they doubted a zone change would be allowed for another property. There has not been an application for any zone changes. Staff feels the applicant has not looked at other lands for locating this facility without amending the UGB. The preliminary recommendation by staff is to deny this request to amend the UGB.

**Proponent:**

**Bill Campbell 911 E. Third** Mr. Campbell stated he was here to speak on behalf of Marvin Schneider.

Mr. Campbell indicated that the applicant has looked at all of the available lands in Newberg

and the sites will not work. He indicated most of the available land is in areas that this type of use would not be allowed. He described the various locations that they looked at and listed the reasons each site could not be used for this type of facility.

Commissioner Lewis asked about the property north of site. It is zoned M-2, how many acres is it?

Mr. Campbell guessed it is around 10-12 acres and single ownership.

Commissioner Halbrook indicated it has 3 different owners.

Commissioner Lewis asked if the applicant had given any thought to having a zone change there since surrounding properties are M-3.

City Manager Duane Cole stopped the discussion and asked Chair Kriz to keep the questions until after the proponent finishes speaking.

Mr. Campbell continued with a discussion about the available lands. Wynyoski Street has been developed for industrial use. The best location for this type of facility having heavy truck traffic would be off of this road. The lots available on this road are not for sale or are for sale for a high price and the process to purchase these lots is very time consuming. Timing is an important factor when purchasing.

Mr. Campbell further stated the applicant has spent time in researching other lands and doesn't feel he should spend anymore time researching lots that are set aside for light or medium industrial facilities.

Mr. Campbell discussed how appropriate this location is for the truck traffic. This is a location that trucks can reach off of Highway 219 through the I-5 corridor and they won't impact the rest of the City of Newberg.

Mr. Campbell reviewed what will be stored on this site. It is to be used for cardboards, waste paper and other materials not suitable for recycling. He stated this type of facility will create approximately 20-30 new jobs.

**Motion:** Goecks-Lewis to change the process to allowing questions to be asked at the time of each persons testimony instead of waiting until the close of the entire proponents testimony.

Commissioner Lewis asked whether the applicant had researched the purchase of the property across the street since it could be an easy process to have the M-2 zone changed to M-3.

Marvin Schneider stated he has looked at purchasing many different lots but felt the best location

for this facility is next to the existing transfer station so that the sites could be somewhat connected. This area is already handling solid waste products and it wouldn't be necessary to gain approval for this type of use in this area.

Commissioner Lewis again asked if he had looked at this specific site across the street.

Marvin Schneider indicated no this particular site had not been researched.

There was then some discussion on the type of facility the applicant proposed at this location. Commissioner Goecks then asked for clarification from staff as the whether or not it mattered what was proposed there. His thought was the application is for a UGB amendment not a zone change to allow this particular use. After additional discussion, staff confirmed this thought and instructed the commission to limit the discussion to the UGB amendment and not the use if this amendment was approved.

**Opponent:**

**Ron Halstead - property owner across the road.** Mr. Halstead first stated that he didn't know whether he was an opponent or proponent but he just wanted to make some comments. He agrees that Newberg needs more industrial property. He stated he was not contacted about his parcel of land that could be used for this facility. He understands his parcel may not be large enough, and that the Schneiders would like to belt waste from one site to the other. He feels the applicant has researched the community and has selected a good site for this facility.

**Bob Botts: 8640 NE Dogridge Road.** Mr. Botts had some concerns about materials that might be dumped into Hess Creek. He indicated there are several drainage systems that lead into this creek and felt the applicant could not guarantee that material would not be dumped into these and cause some type of contamination.

Mr. Campbell questioned if Mr. Botts' primary concern was that this proposed use could cause contamination to the drinking water or if he had some concern for this industrial property coming into the City. Mr. Botts indicated he was only concerned about contamination of the water.

**Public Agencies:** None

**Other Letters:** None

**Staff Recommendation:** Mr. Scoles indicated that staff's recommendation will remain unchanged. The issue is not one of the activity but it is the matter of if land is available for this type of activity. There is no need to move the UGB to accommodate this type of facility.

**Hearing Closed.**

**NUAMC Discussion:**

Commissioner Goecks felt that although there may be some amount of acreage that is zoned for this facility, it is locked up in one way or another. He asked Mr. Scoles what the difference is between this UGB amendment and other UGB amendments that we have approved.

Mr. Scoles indicated he could not answer about what has happened in the past as he is new to the City. He stated that quite possibly the available land may not be suitable for the applicants purpose, but he felt the applicant should be required to research it further.

Commissioner Lewis felt the commission should be looking at the proposed use for this site and understand that although there is more land available, that this land is the most suitable. She felt it was important that this facility would provide more jobs for the community.

Commissioner Halbrook felt the City is short M-3 property. He felt that even though there is land zoned industrial and is vacant, quite a bit of it is not available for different reasons. He discussed the availability of utilities in the area of this amendment and felt sewer should be extended to this area in the near future.

Commissioner Goecks stated his concerns about the criteria. He stated this particular type of development could have much opposition in the different areas that are currently available. This location does seem to be most suited as far as transportation issues, the business adjacent to it, access off of Highway 219. This request should be approved.

Chair Kriz felt this should be a joint application for zone change as well as an amendment to the UGB.

There was some discussion about bringing the zone change and amendment to the UGB before City Council. City Manager Cole indicated this committee should make the recommendation that is currently in front of them, for the UGB amendment and staff will bring the zone change to them at a later date and both requests will go to City Council at the same time.

**Motion:** Goecks-Lewis to recommend to the City Council and Planning Commission the approval of the request for an Urban Growth Boundary amendment for a 10 acre parcel on the south side of Newberg based on the findings for approval as submitted in the supplement by the applicant and supporting comments made earlier by Commissioner Goecks. Motion passed unanimously with one abstention (Halstead).

**IV. PUBLIC HEARING: NW NEWBERG SPECIFIC PLAN**

**Applicant:** City of Newberg  
**Request:** Adopt the NW Newberg Specific Plan as an element of the Comprehensive Plan and enact related ordinance amendments  
**File No:** Newberg Planning File GR-3-92  
**Criteria:** Newberg Urban Area Management Agreement - Section VII; Statewide Planning Goals (Goal 14); Newberg Ordinance 1967, Section 4 (Newberg Zoning Ordinance Sections 600-606 and Section 800)

Mr. Scoles informed the committee that this would be on hold until staff could further research this plan. This will be scheduled for the next NUAMC meeting.

**V. NEXT MEETING DATE**

No meeting date was scheduled.

**VI. ADJOURNMENT**

**Halbrook-Goecks** to adjourn meeting. Motion carried. 9:40 p.m.