



## MEETING MINUTES

**CITY OF NEWBERG / YAMHILL COUNTY  
NEWBERG URBAN AREA MANAGEMENT COMMISSION  
GEORGE FOX UNIVERSITY - 414 N MERIDIAN, NEWBERG, OR  
TUESDAY, MAY 30<sup>TH</sup> 2006 7:00 PM**

### **I. ROLL CALL**

Chair Ashby                      Leslie Lewis                      Michael Sherwood  
Phil Smith                        Robert Soppe

Absent:                      Alan Halstead

#### Staff Present:

Barton Brierley, City of Newberg Planning and Building Director  
Elaine Taylor, Associate Planner  
Greg Winterowd, Consultant  
Ken Friday, Yamhill County Planning  
David King, Recording Secretary

### **II. OPEN MEETING**

Meeting was called to order by Chair Ashby at 7:04 pm.

### **III. CONSENT CALENDAR** (items are considered routine and are not discussed unless requested by the commissioners)

**MOTION:** Minutes from December 14, 2006 were passed by unanimous vote.

### **IV. COMMUNICATIONS FROM THE FLOOR** (5 minute maximum per person)

Over 70 citizens were present at the beginning of the meeting.

### **V. APPOINTMENT OF MEMBER-AT-LARGE**

Six people have applied for the commission. Chair Ashby invited Sally Dallas to speak first. She has been on the commission previously since 2002. Brett Veatch, a late addition, was unable to attend and he did contact Leslie Lewis about his absence. John "Jack" Reardon, new to the area, stated that he would like to be more involved in the city. He has previously managed Washington Square Mall for twenty years. He believes he has experience with urban growth

boundaries. He has helped out with the Newberg budget committee. Alan Meyer was not present. Joe O'Halloran lives in Yamhill County, and would like to serve the interests of the city. He has attended the meetings of the Ad Hoc Committee on Newberg's Future. Warren Parrish has previously been on the Planning Commission and the Newberg School Board. His health has improved and he too would like to be involved again.

Chair Ashby asked for nominations from the commissioners. Comm. Soppe nominated Jack Reardon. Comm. Lewis nominated Mr. Veatch. Comm. Smith nominated Mrs. Dallas. The nominating process was closed. Reardon received two votes. Veatch received two votes. Dallas received two votes. A clarification was made concerning the voting process where Reardon then received two votes, Veatch two votes, and Dallas received and won with four votes for the At-Large position. She came and took her position with the other commissioners.

## **VI. WORKSHOP: Legislative Comprehensive Plan Map Update**

**A. Barton Brierley** made the staff presentation. He listed the main objectives for tonight's meeting as to provide information on the process and criteria for expanding the UGB and URA, review work done already, receive public comment, and hear feedback from NUAMC.

**Barton Brierley** then explained the URA vs. the UGB (see Agenda Packet, pages P12ff). The city of Newberg has a UGB that was originally planned to supply enough land for Newberg's growth until 2010. The City Council of Newberg chose to appoint the Ad Hoc Committee to allow citizens to look at Newberg's future, especially land use needs, and whether the UGB should be expanded.

The committee looked at state statutes for adding land to the UGB. With this knowledge and public input, they looked at the options of expanding to the north and northwest, southwest and northeast (existing exception areas), mainly to the east and southeast, and then finally the "all directions" option. After 26 meetings and two public events, the committee recommended to City Council an option that mainly goes east and south for an industrial area. The URA was also recommended for expansion to the north, northwest and southwest. The committee also expected that if these recommendations are accepted, then neighborhood meetings would be scheduled to set exact boundary lines.

Both the county commissioners and city councilors have to agree to the changes, and then their proposal is passed to DLCD.

Individual preferences have already been collected. There will also be a time during tonight's meeting for input. Mr. Brierley then showed individual city areas with color maps showing peoples' input. The southeast area also requires a transportation plan. It was made very clear that the current road system will not handle the potential growth.

### The Proposed Next Steps:

There will be hearings for an amendment to make potential northwest UGB land available, create a new expanded URA, and then include some of the URA lands into the UGB.

Barton Brierley then showed charts of buildable acres needed and supplied. (see page P48). The total land needed for the UGB and URA is 1,762 acres. This compares with 2008 acres which would be supplied by the Committee's recommendations, and 1960 acres supplied if resident preferences are followed.

**B. Public Comment** (Complete registration form to give comment. NUAMC may limit time per person.)

**Comm. Lewis** asked staff if the 2025 date might not be far enough off into the future. She was concerned because McMinnville is in their twelfth year of a similar process. She wondered if the state was forcing the date of 2025. Barton Brierley was hoping for a quick process.

She also asked if it was state law that zoning can not be changed until land is brought into the UGB from URA. Barton Brierley said it was state law.

**Comm. Soppe** wondered why the packet didn't include current maps of the URA and UGB. Barton Brierley responded by having the commissioners see P19 in the packet. This map was not clear to Comm. Soppe, and attention was given to a larger map available in the room. He also wanted to throw out his concern for land in the URA. If it is not to be brought into the UGB, then should it not be excluded from the URA?

**Comm. Smith** asked if URA land has to be included into UGB first. Barton Brierley agreed. Certain landowners want to jump from forestry land to UGB in order to be annexed into the city. Comm. Smith then asked how stringent these requirements are in the state law. Barton Brierley believed that preferences by the land owners will be somewhat observed if brought to court.

**Comm. Soppe** wanted to make sure that the approach will not be to just add URA land to the UGB. Barton Brierley agreed.

**Chair Ashby** asked about the costs involved with adding infrastructure to certain lands, and is it affordable to add the recommended lands. Barton Brierley pointed out that the Ad Hoc Committee did consider costs. For example, the land to the west would have an expensive time connecting sewer services across the creek. Similarly, getting water north of town could be an expensive proposition building a new reservoir.

**Comm. Soppe** asked about the acreage west of Chehalem Dr. and south of Hwy. 240. Barton Brierley said that much of this land is quite developed and not very buildable.

**Comm. Sherwood** questioned the plan for industrial land and wanted to see where the acreage was located (cf. P50). Barton Brierley showed him on a color map brought into the room from the hall way.

**Chair Ashby** wanted to know how the Ad Hoc Committee came up with the population growth figures. Barton Brierley referenced the committee's thoughts that industrial growth could be very optimistic, and this would fuel general population growth if people move to Newberg to work in Newberg. However, job growth and population growth were looked at separately, but obviously very related.

**Comm. Soppe** asked about the property at the southern end of Hwy. 219 and if the city is still interested in purchasing it. Why did the Ad Hoc committee stop short of this area? Barton Brierley referred to the cost of services and the amount of land in the area convinced the Ad Hoc committee to look elsewhere.

**Chair Ashby** then asked for public comment.

Public Comment:

Chet Fryjoff, 29501 Owl's Lane in Newberg, was concerned about public input not being appreciated and perhaps setting the city up for a lawsuit. What is the preference system, especially for exception lands in the URA? Barton Brierley responded by saying that the preference system is followed by law—the steps are not negotiable—and this protects the city from lawsuits.

**Comm. Lewis** responded to another question by Mr. Fryjoff that Dundee and Newberg have agreed not to grow together. The Ad Hoc committee did explore the land to the southwest of Newberg and found that the infrastructure costs would be very expensive to develop.

Grace Schaad, 31525 NE Schaad Rd. in Newberg, wanted to discuss the information on P83, 84 in the Ad Hoc Committee's Report. She wanted to draw the commissioner's attention to the paragraph that discussed the current winding road that would need a new transportation plan. Her response was three fold. She thought that the properties should be brought into the UGB under a master plan. She thought that a new transportation network with new roads should be constructed first. She also believes that narrow country roads must not be used as a part of the transportation network to serve the new development (see her written comments attached to her Public Comment Registration Form).

**Comm. Soppe** affirmed that he understood her correctly about wanting the transportation plan agreed to and adhered to before land is developed. She also is excluding repairing/improving current county roads. She absolutely wants to see new roads for the new development.

He then asked if Mrs. Schaad attended any of the preliminary transportation meetings. She had and didn't like what she heard, and would like to see a new north-south arterial that is put in to cover the traffic flow.

A five minute break was allowed at this time.

End of Side A, Tape 1

Hal Kafka, 29550 David Lane in Newberg, wondered how a completely developed area can be brought into the URA, as well as what value and advantages developed land give the city. He was also wondering what the tax implications of such developed land brought into the URA would be in the future.

**Comm. Soppe** responded that a two acre lot that is brought into the city would be allowed to have a higher density on it. Furthermore, the city would collect no taxes on such land until it is annexed within the city limits.

Mr. Kafka responded that he didn't want to be in the URA, which is then brought into the UGB, which is then brought into the city limits. It was clarified that UGB land has to be annexed before it is brought into the city limits, and that rarely happens unless the land owner wants the land to be annexed. He does not want the potential of being brought into the city, even by 2040—he likes the rural life style free of city services. He is content with his water well and septic system.

Paul Long, 29380 Owl's Lane, his concern is the city's view of his property rights. He thinks that the city sees it as a process where decisions are made without the landowner's input. It seems to him that property rights of landowners should overrule the city's interests.

**Comm. Lewis** responded that property owners do have legal property rights. She also believes that the overall process of adding buildable land to the UGB is still in the early stages.

**Comm. Sherwood** pointed out that he understands Mr. Long's concerns. He also knows that the Ad Hoc Committee did their best to have various public meetings.

Mr. Long wanted to know how Oxberg Estates had their land excluded from the URA. **Comm. Lewis** said that they had an attorney that helped them, as did others areas around town.

**Comm. Soppe** declared that NUAMC council work is given as a recommendation. The City Council still makes its own decisions and is open to public input.

Jon Mangis, lives at 920 Sahalee Ct. SE in Salem but the family farms some land near Newberg, stated that his preference is for his four tax lots, farmed as one piece of property, not be parceled out. His four tax lots are being designated for different uses. He would like to keep his farm land as farm land, and treated as one piece. When asked if he would like it brought into the URA, he said he would have to talk to the family.

Michael Stuhr, 31100 NE Fernwood Rd., supports the recommendations of the Ad Hoc Committee after sitting through all 26 meetings. He would also encourage the creation of a transportation master plan. He realizes that a new road system will not be built entirely before development begins, because roads are built on the back of development.

Julie Fugate, 14500 NE Richard's Lane in Newberg, is representing two families living on Fernwood Road. She recommends that the southeast land be developed first because the north side of town is already crowded, and this would alleviate more traffic going through downtown. She also wanted to know when the UGB changes would take place. Barton Brierley referenced the time line in the packet where hearings would begin in the fall and amendments adopted by Spring 2007, with the rest of the changes happening by 2008.

Keith Nakayama, representing about 100 property owners near the proposed bypass, concurs that transportation plans for the east side will need to work in conjunction with the bypass. **Comm. Lewis** asked to visually see the properties that he represents. He showed the commissioners by using a map near the front of the room.

**Comm. Soppe** asked if these properties were currently in the URA. He said no they were not; they are too small to be greatly used for forestry/farming uses.

Lee Leighton, with Westlake Consultants was representing the McClures, owners of the Springbrook Hazelnut Farm, pointed out that his clients asked the Ad Hoc committee to add this property into the UGB. Mr. Leighton then showed a potential development visual of what the owners would propose for development.

**Comm. Lewis** wondered if the owners had applied for a Measure 37 claim. The owners in the audience said that they had and would have an answer perhaps in July.

**Comm. Soppe** wondered which land north of this property could be added to the UGB. Barton Brierley said that the city and McClures have met to discuss options.

Fran Hunter, 30050 NE. Benjamin Rd, she respects land owner's property rights and would like to see the McClures develop one acre lots to compliment the lot sizes on Benjamin Road. She did ask if people were present who lived in the northeast part of town to stand up if they would like to avoid being included in URA or UGB future plans. Over two dozen people stood up.

**Comm. Soppe** wondered if Mrs. Hunter would allow neighbors to develop their land. She appreciated land owners having the right to do as they desire.

**Chair Ashby** read Paula Raddich's written testimony of school growth requiring new school property on Wilsonville Rd. being developed in the future.

This concluded the public testimony period.

### **C. NUAMC Feedback on Proposed Direction**

**Comm. Lewis** was generally in agreement with the proposal to bring Northwest URA land into the UGB. She wondered why the land to the north was not being more diligently considered. She felt that an area with an approved Measure 37 claim should be treated as exception land. She would also like to see industrial use in the southeast area, but thought it might be difficult to bring in the agricultural land.

**Comm. Soppe** commented that he would still like to see a clear map of the current URA, UGB, and city limits. The same map could include resource lands, exception lands with explanations, and similarly the lands where people truly want in (and/or those who do not). He thought that Comm. Lewis made a good case regarding Measure 37 land as exception land. He was concerned that we'll be adding more acres than we need. He also believes that the northern URA land can be developed if people are willing to pay for the services to be developed.

**Comm. Smith** appreciates the work of the Ad Hoc Committee, and it is now clear that Newberg has a shortage of industrial land. Currently, Newberg has zero acres of M-4 industrial land. There is a trade off, however, if Newberg is going to get more industrial land approved with DLC. It will be hard to acquire approval for more industrial land if the densities are not raised throughout the rest of Newberg. If the entire section of land northeast of town is not brought into the UGB with higher densities, then Newberg might not be able to get more industrial land.

**Comm. Sherwood** pointed out that more industrial land is truly needed. He also pointed out that if Newberg does not want to be a bedroom community of Portland, then it absolutely needs to be more aggressive with acquiring industrial land to be home to more industry. He pointed out that there is currently no certified industrial land in Yamhill County, and that it takes 1 to 1-1/2 years to get land certified. He was generally pleased with the way we're going, with a few minor changes.

**Comm. Dallas** is open to further discussion for the northeast part of town. She also encouraged county residents to sign up on the sheets in the hallway so that they will be informed of future meetings. In general, though, she agrees with Comm. Sherwood, that this is a good plan that needs some tweaking.

Chair Ashby felt that we should take Goal 1 seriously and give great deference to owner preferences. He believes that there is the potential for a win/win situation with so many property owners wanting in to the UGB. McClure should be brought in and used creatively.

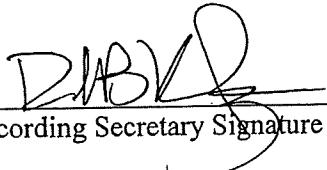
**VII. ADJOURN**

Chair Ashby adjourned the meeting at 9:37 pm.

Passed by the Newberg Urban Area Management Commission this 23rd day of August, 2006.

AYES: 6      NO: 0      ABSTAIN: 0      ABSENT: 1  
(list names)

ATTEST:

  
Recording Secretary Signature

DAVID B. KING, JR      23 AUG 06  
Print Name      Date