

Council Chambers
7:30 PM, Thursday

A Regular Meeting
of the Planning Commission

October 18, 1984
Newberg, Oregon

Members Present:

John Englebrecht
Jean Harris
Jack Kriz

John Lyda
Roger Veatch, Chair
Arthur Roberts
Joe Young

Members Absent:

Brian Erickson

Staff Present:

Clay Moorhead, Planning Director
Rick Faus, City Attorney
Barb Mingay, Recording Secretary

Citizens Present:

6 Citizens

The meeting of the Newberg Planning Commission was called to order by Chairman Roger Veatch.

Motion: Englebrecht-Kriz to approve the September 20, 1984 Planning Commission minutes. Motion carried unanimously by those present.

Public Hearing A:

Applicant: City of Newberg

Request: Review of a proposed ordinance for the purpose of regulating mobile or transient merchants who occupy a temporary or fixed location and do business in much the same manner as a permanent business.

Location: Within the Newberg City Limits

File No: G-1-84

HEARING CLOSED/COMMISSION DELIBERATION.

Clay Moorhead, Planning Director, indicated that this was a continued hearing, and that new or additional testimony could not be presented unless the Planning Commission chose to reconsider their previous motion and re-open the hearing. He distributed a new draft of the proposed ordinance to the Commission. He indicated that this draft contained some new language and if the Commission desired to adopt the new language, the public hearing would need to be re-opened for discussion on only that new language. He pointed out that the definition "person or persons" was added under Section 1; the word "Newberg" was inserted in the last sentence of Section 2 paragraph 2; item g. was added to Section 4 which indicates a description of the merchandise offered for sale must be provided; State requirements for solicitors was added under Section 6, subsections 2 and 3; and Section 8 provides for the inclusion of violation provisions if any other provisions of this ordinance were violated.

Motion: Young-Roberts to re-open the public hearing to reconsider draft amendments. Motion carried unanimously.

Public Hearing Reopened.

Proponents: (Those in favor of the existing ordinance)

Proponent: Tim Settlemyre, 306 S. Chehalem, objected to the special interest group exemptions listed under Section 2. Staff briefly reviewed the changes subject to discussion and why the draft standards were established.

Proponent: Ken Christensen, 815 Zoe Court, questioned whether newspaper salespeople, Avon salespeople, Girl Scouts, etc. would be subject to the penalty provisions of this proposed ordinance. He asked whether the agency or district manager would be required to obtain a permit or whether each employee would be required to get a permit.

Hearing Closed.

It was the general consensus of the Commission that the audience participation in this public hearing process was to be commended. Several Commissioners commented on the need for establishing good, workable ordinances; however, consideration should be given to establishing some alternate requirements for juveniles.

City Attorney Faus indicated that the proposed ordinance would apply to newspaper salespeople, etc., and even though the current ordinance also would apply, enforcement action has not been taken against those types of salespeople.

Planning Director Moorhead indicated a possible area for discussion could be redefinition of the term "solicitor" and/or exempting those solicitors whose gross profits are under a certain amount.

After a brief discussion of possible exceptions to the ordinance, the Commission concluded further staff information was required.

Motion: Young-Englebrecht to continue Planning Commission deliberation, under a closed hearing, to the November 15, Planning Commission meeting, to afford staff to review the solicitor issue. Motion carried unanimously.

Agenda Item 5: Planning Director Moorhead opened the discussion pertaining to creation of a Bed and Breakfast Ordinance. He reviewed recent public interest in the establishment of bed and breakfast sites in Newberg and outlined some possible restrictions and requirements that the Planning Commission could place on such locations. He indicated that many communities are currently interested in creating bed and breakfast establishments. He then outlined processes that have been used to allow them in various communities. He indicated that the Planning Commission could discuss the subject but that any ordinance review would require a public hearing process to be formally initiated.

The general consensus of the Commission regarding this issue was very favorable. Some comments occurred regarding the Chamber's involvement in coordinating such sites, the means of signage indicating their location and whether bed and breakfast locations were allowed under Newberg's current zoning regulations. In addition, staff was asked whether any organized registers were available.

Staff indicated that currently, bed and breakfast facilities could come under the definition "boarding house"; however, no zone specifies boarding house as an outright permitted use. The provision for uses similar to those in each zone could possibly apply; but administration would be easier if the ordinance were amended to deal with the issue.

Planning Secretary Mingay presented a guide for the Commission to review entitled "Where to find the Oregon in Oregon" which is currently sold locally. It lists Bed & Breakfast locations throughout Oregon. She suggested Newberg could benefit from the publicity available through such a brochure.

Motion: Roberts-Harris to instruct staff to begin the public hearing process required to discuss a proposed bed and breakfast ordinance. Motion carried unanimously by those present.

Old Business. None.

New Business. Mr. Moorhead presented a letter from Brian Erickson indicating his resignation due to job relocation. The Commission directed staff to send a letter of regretful acceptance to Mr. Erickson.

Motion: Englebrecht-Roberts to adjourn. Motion carried unanimously.