

Council Chambers
7:30 PM, Thursday

A Regular Meeting
of the Planning Commission

November 15, 1984
Newberg, Oregon

Members Present:

Jean Harris
Jack Kriz
John Lyda

Roger Veatch, Chair
Arthur Roberts
Joe Young

Members Absent:

John Englebrecht, Excused

Staff Present:

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

Citizens Present:

4 Citizens

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

Motion: Harris-Kriz to approve the October 18, 1984 Planning Commission minutes. Motion carried unanimously by those present.

Public Hearing A: Continued Hearing

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, briefly reviewed previous hearing issues relating to paperboys, cosmetic sales, etc. He indicated that the revised section 2, a. b. and c. included the state statutes covering these issues and could be incorporated into the proposed ordinance.

The public hearing was reopened to discuss only those items mentioned in the redrafted Section 2. No objections, abstentions or additional staff report were presented.

Proponents: (Those in favor of the existing ordinance)

Proponent: Ken Christensen, 815 Zoe Court asked whether Section 2 would address garage sales. Rick Faus, City Attorney reviewed the definition section of the ordinance and indicated that garage sales would not come under the jurisdiction of this ordinance.

No opponents spoke and no additional public agency responses or letters were presented.

Staff Recommendation: Staff recommended approval of the ordinance with the addition of the revised Section 2, including an addition to Section 2, c.4 "...the sale of cosmetic products".

Hearing Closed.

Discussion centered around Section 2.c., particularly regarding exclusion/inclusion of certain businesses. Discussion of exceptions followed, with concerns expressed that an age differential be placed within the ordinance to provide for juvenile sales people. Additionally, it was suggested that a fee differential be placed in the ordinance, establishing a different fee schedule for peddlers and solicitors as opposed to temporary merchants and street vendors.

City Attorney Faus indicated that a differential fee schedule could be included in the ordinance, taking into account staff time required to process each type of permit.

Various additional comments were made regarding peddlers and solicitors and the need to provide some regulation.

Motion: Roberts-Lyda to recommend to City Council the adoption of the proposed ordinance, including an amendment to Section 2, a. and b., excluding the amended Section 2, c. and add an amendment of Section 3 to include a \$10.00 initial and \$5.00 renewal fee for peddlers and solicitors. Vote on Motion: Aye-Harris, Lyda, Roberts, Young. Nay-Kriz, Veatch. Motion carried (4-2).

Public Hearing B:

Applicant:	City of Newberg
Request:	Review of a proposed ordinance for the purpose of permitting and regulating bed and breakfast facilities within certain zones and locations within the Newberg City limits
Location:	City of Newberg
File No:	G-19-84

No abstentions were requested and none given.

Staff Report:

Director Moorhead indicated he would like the Planning Commission to continue the hearing to next month, to allow gathering of further information regarding building code requirements. In addition, locational factors and total square footage requirements were not included in the currently proposed ordinance and these items should be discussed further.

No proponents or opponents wished to speak. No letters were received; however, Public Works Director Bob Sanders did question whether the Bed & Breakfast business would be required to pay the existing motel tax.

Staff Recommendation:

Director Moorhead recommended continuance of the hearing to the December Planning Commission meeting. He indicated that he would like the Commission's comments on possible changes to the proposed ordinance for inclusion in a revised ordinance at next month's meeting.

Hearing closed.

The general consensus of the Commission regarding this issue was very favorable. General comments for discussion and/or inclusion in the ordinance were as follows:

- Inclusion of a definition for "Bed & Breakfast" in the ordinance.
- Tighten the definitions to indicate that no motel could be created under this ordinance.
- Limit the number of allowed units to three.
- Require a Conditional Use permit in all R zones and possibly in all zones.
- Consider the owner/occupied requirement and the parking requirements during a CUP proceedings.
- Request that the Bed & Breakfast facility display any logo's issued from any nationally affiliated organization.
- Request that the Bed & Breakfast facility display any City issued sticker in a prominent location.
- Delete requirement for signage to be constructed out of a particular material.

Motion: Harris-Roberts to continue consideration of Public Hearing B at the December Planning Commission hearing to allow staff time to revise the ordinance, incorporating the above suggestions. Motion carried unanimously.

Old Business. None.

New Business. a brief discussion occurred regarding traffic signalization at Highway 99W and Elliott. Mr. Moorhead commented that Burgerville has signed a non-remonstrance agreement which requires their participation in the cost of the installation of a traffic signal at some time in the future if an LID is created.

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