

A Regular Meeting
of the Planning Commission
7:30 PM, Thursday Newberg Public Library May 19, 1988
Subject to P.C. Approval at 6/16/88 P.C. Meeting

The meeting was called to order by Chairman Roger Veatch.

Members Present:

Kathy Kelso	Kathleen Sullivan
Jack Kriz	Mike Thompson
John Lyda	Roger Veatch

Staff Present:

Clay Moorhead, Planning Director
James Reitz, Associate Planner
Barb Mingay, Recording Secretary

Citizens Present:

11 Citizens

Motion: Sullivan-Kelso to approve the minutes of the April 21, 1988 Planning Commission meeting. Motion carried unanimously.

Public Hearing A:

Historic Preservation Ordinance
File No. PR-6-87

No abstentions, objections to jurisdiction or ex-parte contact were indicated.

Staff Report: Planning Director Moorhead highlighted the ordinance specifications as currently drafted, including revisions to Section 9-1, Section 13 and Section 4 as follows:

Section 9: Demolition and Moving Review.

1. The Building Official shall issue a permit for moving or demolition if any of the following conditions exist:
 - a. The building is not a designated Landmark, or pending review under Section 6 of this ordinance; and/or
 - b. The Landmark has been damaged beyond reasonable repair through fire, flood, wind, or other acts of God, vandalism, or neglect, and poses an immediate threat to public safety.

Section 13: Appeals. Paragraph 2 to read as follows:

Determination of the appeal shall be in a manner prescribed by Council by-laws. Upon the hearing of such appeal, the City Council shall take testimony and hear all evidence and arguments which may be offered on the issue and shall then either affirm or reject the decision of the Commission based

upon the criteria identified in Section 7 of this ordinance.

Section 4: Definitions. Delete Primary and Secondary Landmark definitions and insert the following:

Landmark - Properties selected from the Historic Inventory pursuant to Section 6 of this ordinance that are of individual importance based on architectural, historical, and/or environmental criteria.

He added that specific site selection was intended to occur through a separate public hearing process.

Proponent: None

Opponent: Jack Nulsen, 717 E. Sheridan, is an opponent to the mandatory requirements within the ordinance. He was concerned with the economics of being required to participate in the ordinance. He does not see any evidence which strengthens the economic vitality of the City. There is no provision to remove a historic designation within the current criteria. An additional criteria should be included that consideration be given to current and future economic values versus potential historic values when selecting sites for inclusion as landmarks. He also questioned what would occur if the construction expense went over the proposed 25% mark.

Letters, Additional Public Agency Comments: None

Maurine Baldwin contacted the Planning Dept. by phone and indicated she would be sending a letter in support of the ordinance.

Staff Recommendation:

Planning Director Moorhead recommended that the ordinance be approved and forwarded to City Council for their review.

Public Hearing Closed.

Discussion relating to the economic impacts of the ordinance occurred. It was commented that the experience of other communities operating under a historic ordinance appeared to be positive. In addition, comments were made relating to the need to include the Historical Preservation Society as a party who could initiate proceedings for landmarks designation; retention of "affected parties" within this section was also discussed.

Motion: Sullivan-Thompson to include Newberg Historic Preservation Society in Section 6, Item 1 and to retain "affected". The Section will read as follows:

Section 6: Landmark and District Designation.

1. Institution of Proceedings. The City Council, Landmarks Commission, Planning Director, Newberg

Historical Preservation Society, or affected parties may initiate the proceedings for designation of a historic district or landmark. Applications for designation shall be made available by the Planning Director.

Vote on Motion: Motion carried unanimously.

Motion: Kriz-Sullivan to change the title of Section 3 to read as follows:

Section 3: Application of This Ordinance.

Vote on Motion: Motion carried unanimously.

Motion: Kriz-Sullivan to revise Section 9-1, Section 13 and Section 4 (Landmark definition) as recommended by staff. Motion carried unanimously.

Motion: Kriz-Thompson to revise Section 9-2 and add Section 9-6 to read as follows:

Section 9: Demolition and Moving Review.

2. The Landmarks Commission shall meet no sooner than five (5) and no later than twenty one (21) days of the request for a public hearing and, unless extended by mutual consent of the applicant and the Landmarks Commission, shall complete any review within 90 days of the date the City received a complete application, with the intent that the Commission and applicant seek alternatives such as sale, salvage, relocation or donation to historic or interested groups, not simply to delay the demolition or moving.
6. Public notice of a demolition permit shall be the same as is found in Section 6-3.

Vote on Motion: Motion carried unanimously.

Motion: Thompson-Kriz to approve the Historic Preservation Ordinance as revised and to recommend approval by the City Council. Vote on Motion: Aye--Kelso, Kriz, Lyda, Sullivan, Thompson; Nay--Veatch. Motion carried (5-1).

The meeting was then recessed for 5 minutes.

Public Hearing B:

Applicant: City of Newberg

Request: Revision of the language within the Newberg Zoning Ordinance Section entitled "M-1 (Limited Industrial) District" to allow "amphitheater" as an outright permitted use.

File No.: G-10-88

No abstentions, objections to jurisdiction or ex-parte contact were indicated.

Staff Report: Planning Director Moorhead indicated that Newberg has received a request relating to which zones could accommodate an amphitheater. Amphitheaters are not specifically identified as permitted uses within any zoning district in the City of Newberg. The M-1 (Limited Industrial) zoning designation does allow athletic facilities as an outright permitted use, as well as those uses of a similar nature. Based on this information, notice has been provided to property owners within all M-1 areas, as well as to property owners abutting these sites.

He pointed out several options available. The use could be permitted outright within an M-1 zone or the use could be permitted conditionally within an M-1 zone. He commented that historically the Council has chosen to limit the types of uses permitted conditionally.

Although several interested citizens were present, no proponents or opponents spoke.

Public agency comments/letters: None

Staff Recommendation: Planning Director Moorhead commented that if amphitheater are listed as an outright permitted uses, specific conditions should apply. If the amphitheater were to be permitted conditionally, then a public hearing process would occur, with notice provided to adjoining properties. Standard conditional use permit requirements would also apply to the project. No specific site was identified as this hearing process was a legislative process (revising an ordinance), not a quasi-judicial process (reviewing specific sites). It was noted that a public informational meeting relating to a possible amphitheater would occur prior to the Council meeting.

Hearing Closed.

An audience member who resides on property abutting an M-1 district, recommended that amphitheaters be processed through conditional use permit procedures.

After a brief discussion, the following motion was made:

Motion: Kriz-Sullivan that the City Council revise the language within the Newberg Zoning Ordinance to allow amphitheaters as a conditional use within the C-2 (Community Commercial), C-3 (Central Business District), M-1 (Limited Industrial), M-2 (Light Industrial), and M-3 (Heavy Industrial) zoning districts. Vote on Motion: Aye--Kelso, Kriz, Sullivan, Thompson; Nay--Lyda, Veatch. Motion carried (4-2).

Old Business: None

New Business: Round table discussion on a sign ordinance.

The Commission was requested to list their likes and dislikes about existing signs in both the downtown and Highway 99W commercial areas. The following list was compiled:

<u>Highway 99W</u>		
<u>Likes</u>		<u>Dislikes</u>
Natural wood signs		Out-of-date event signs
Signs of adequate height		Portable reader boards
Setback from road		Oversize signs
Free-standing signs		Poor sign lighting
<u>Downtown</u>		
<u>Likes</u>		<u>Dislikes</u>
Natural wood signs		Poor light angle/glare
Awning signs		Signs in need of repair
General character & scale		Portable reader boards
Period signs (repairable)		Obsolete signs
Signs close to building		Signs projecting too far
Signs painted on windows		Signs blocking view

The Commission briefly discussed the signs in other communities.

Further discussion relating to a possible sign ordinance will occur at a later date.

There being no further business the meeting was adjourned.