

MINUTES OF THE PLANNING COMMISSION
Newberg Public Library
Newberg, Oregon

Thursday, 7:30 PM

February 21, 1991

Subject to P.C. Approval at 3/21/91 P.C. Meeting

New Planning Commissioners were introduced and welcomed.

I. OPEN MEETING

Present:

Rob Molzahn
Mary Post
Sandy Prewitt
Carol Ring
Steve Roberts
Wally Russell
Donald Thomas
Roger Veatch

Staff Present:

Dennis Egner, Planning Director
Mike Unger, Associate Planner
Barb Mingay, Recording Secretary

Citizens: Newberg Graphic Representative

II. APPROVAL OF MINUTES

Motion: Roberts-Thomas to approve the minutes of the January 17, 1991 Planning Commission. Motion carried unanimously.

III. PLANNING COMMISSION TRAINING

Planning Director Egner distributed information relating to a Planning Commission Training Session. A Bureau of Governmental Research and Service video tape was then reviewed by the Commissioners. The public hearing process was then discussed briefly.

IV. PUBLIC HEARING

APPLICANT: City of Newberg
REQUEST: Amendments to the Zoning Ordinance and Comprehensive Plan to establish procedures for grading, filling and tree removal in General Hazard/Open Space areas
FILE NO: G-3-91
CRITERIA: Newberg Zoning Ordinance No. 1968, Section 800
Statewide Planning Goals

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

Staff Report:

Planning Director Egner reviewed the staff report. He identified the GH General Hazard areas on the Zoning Map and he noted that the Zoning Ordinance has no provisions to allow for filling within the GH area for roadway construction. He also noted that there are currently no provisions relating to tree protection in drainageways, although the Comprehensive Plan suggests we should.

He reviewed the Zoning Ordinance criteria in Section 800 and Statewide Goals 5 and 7 addressing open space and hazard area policies, as identified in the Staff Report. He noted that the proposed ordinance would assure the Open Space system would not be significantly degraded.

Proponent/Opponent: None

Planning Commission Questions/Comments:

Commissioner Roberts asked where the Open Space and General Hazards designations in Newberg had originated. Mr. Egner commented that the designations appeared to have been put in place based on drainageways, slope, and National Flood Insurance Map information.

Mr. Egner related that the Director of Public Works, Bert Teitzel, had expressed concern that fill only be allowed for access purposes, not in order to create new buildable land. In addition, Mr. Teitzel had commented that it would be necessary for the filling process not to cause excessive stream turbidity.

Mr. Egner noted that the ordinance would require those desiring a fill permit to complete a public hearing process which would include presentation of an environmental report. Specific approval standards were then reviewed.

Commissioner Roberts expressed concern about the authorization of filling for private use as opposed to public use.

Extensive discussion occurred relating to commercial site development needs for access to sites which have a GH designation. Planning Director Egner noted that UBC Chapter 70 requirements address fill standards for construction purposes.

Public Agencies: Associate Planner Unger reviewed a letter from City Director of Public Works Bert Teitzel. Mr. Teitzel's comments addressed the following needs: 1) turbidity standards; 2) criteria to provide no interference with public facilities; and 3) no new buildable land should be created.

Planning Commission Questions/Comments, Continued:

Planning Director Egner was asked what other cities allow. He noted that McMinnville and Forest Grove both have similar ordinances in place.

Discussion followed relating to construction that is currently allowed within the 20% slope area and the transfer of development rights from the property within the GH area to other buildable property.

Planning Director Egner noted that a planned unit development could effectively transfer land density from the slope areas to the buildable areas. He also noted that timely implementation of some kind of fill ordinance is prudent based on the needs of a proposed commercial shopping center southwest of the Highway 99W-Springbrook Road intersection.

The Commissioners extensively discussed the retention of open space versus creation of buildable land due to filling. It was determined that, in order to make the changes needed for the proposed shopping center in a timely manner, the Commission should split the transportation issue from the buildable site issue.

Motion: Roberts-Post to delete section 567A and modify section 567B to read as follows:

- B. Filing and Grading to Create a Public Utility or Transportation Facility. Limited filling and grading is allowed in the General Hazard Subdistrict to create a transportation facility serving public needs by obtaining Design Review Committee approval. In addition to design review standards, the proposed fill must satisfy the approval standards listed in Section 569.

Vote on Motion: Motion carried unanimously.

The Commission discussed extensively the issue of tree removal within General Hazard areas. Based on a recommendation by the Planning Director, it was the consensus of the Commission that this issue could be discussed at a later date.

Motion: Roberts-Thomas to delete Section 570 Removing Trees within the General Hazard Subdistrict from the ordinance.

Vote on Motion: Motion carried unanimously.

It was the consensus of the Commission that the Director of Public Works comments should be incorporated into the Ordinance.

Motion: Thomas-Roberts to recommend that the City Council adopt amendments to the Zoning Ordinance and Comprehensive Plan to establish procedures for limited grading and filling in General Hazard/Open Space areas as revised.

Vote on Motion: Motion carried unanimously by those present.

V. OLD BUSINESS:

- A. Time Extension: CUP-1-90 - ALF, Inc.

Motion: Russell-Post to approve a six month extension of CUP-1-90. Motion carried unanimously.

- B. Council Update

Planning Director Egner reviewed the Council decision relating to the historic preservation issues.

VI. NEW BUSINESS:

Associate Planner Mike Unger identified staff activity relating to a new development code. He noted that re-activation of the Citizen Involvement Advisory Committee (CIAC) is being discussed. He reviewed a staff memo relating to development code issues subject to discussion by the Planning Commission in the near future.

Planning Director Egner requested that the Planning Commission appoint a representative to the CIAC. Chairman Veatch appointed Vice-Chair Jack Kriz.

Commissioner Post requested that the March Planning Commission agenda include continued discussion relating to tree protection within the General Hazard area.

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Commissioner Russell recommended the APA Planning Commissioner training session to all Commissioners who were able to attend.

There being no further business, the meeting was adjourned.