

CMR

**MINUTES OF THE PLANNING COMMISSION
Newberg Public Library
Newberg, Oregon**

Thursday, 7:00 PM

August 20, 1992

Subject to P.C. Approval at 9/17/92 P.C. Meeting

I. OPEN MEETING

Chair Russell opened the meeting.

II. ROLL CALL

Planning Commission Members Present:

Jack Kriz
Mike McCauley
Mary Post
Carol Ring
Steve Roberts
Wally Russell
Elaine Smith
Don Thomas (7:12 pm)
Roger Worrall

Staff Present:

Dennis Egner, Planning Director
Sara King, Associate Planner
Barb Mingay, Recording Secretary

CAP Members Present: Lou Brillas

Citizens Present: 3

III. APPROVAL OF MINUTES

Motion: Worrall-Roberts to approve the July 16, 1992 Planning Commission minutes.
Motion carried unanimously.

Motion: Roberts-Post to approve the July 23, 1992 Planning Commission minutes with correction to page 14 paragraph 3 to indicate that the member of the audience was Tom Bowen, 701 E. Franklin. Motion carried unanimously.

Chair Russell recommended that the Commission set a 2 hour time limit for adjournment.

Motion: Post-Roberts to adjourn at 10:00 pm. Motion carried by voice vote.

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IV. PUBLIC HEARING, CONTINUED:

REQUEST: Discuss and adopt ordinances relating to the following issues to comply with DLCD's response to the City of Newberg Periodic Review Order:

- A. Manufactured home infill
- B. Residential care facilities
- C. Public facilities plan
- D. General hazard areas

Staff Report: Planning Director Egner reviewed a DLCD letter relating to the completion deadline for periodic review. He noted that the City has requested an extension through November. He recommended that the Commission attempt to complete the hearing process at this meeting. He reviewed the anticipated September agenda relating to a training workshop.

A. Manufactured Home Infill

Staff Report: Planning Director Egner reviewed the options available for manufactured housing infill. He indicated that the City needs to provide land for 882 units and about half of that amount are currently accommodated. He noted that there is not quite enough land in Option 2, the "Werth" area, to satisfy the additional need. He reviewed design standards which the Commission had previously discussed. He reviewed a matrix relating to the impact on surrounding owners, number of owners of vacant land, number of potential units and ability to supply services now for each of the option areas.

Planning Director Egner was asked what criteria was used relating to impacts on surrounding owners. He indicated that consideration was given to the amount of development in each area.

Chair Russell suggested that an additional option be considered which would open the entire City to manufactured housing.

Commissioner Roberts supported the concept of opening the entire City to manufactured housing and Commissioner Thomas concurred.

Commissioner Ring disagreed.

Commissioner Smith asked if CCR's could be placed on each site preventing manufactured housing. Planning Director Egner indicated they could.

Commissioner Ring felt that it was not fair to the community to change the rules midstream.

Planning Director Egner noted that in the Option 2 area manufactured housing could be installed now subject to County standards, with limitations based on acreage. He reviewed the definition of "LDR" and the impacts of placing an MI zone on the Option 2 area. He was asked if any other objections have been received other than the letter from

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Mr. Werth. He indicated that in previous discussions, Austin Industries representatives have expressed opposition to manufactured housing.

Commissioner Worrall asked if members of the audience would have an opportunity to speak.

Commissioner Russell asked for clarification relating to whether this was an open hearing. Planning Director Egner indicated that it was appropriate for anyone in the audience interested in speaking to do so.

Audience Testimony: Lou Brillas asked what the definition of manufactured housing was. Planning Director Egner indicated that a manufactured home is built to a set of national standards different from stick built housing. He noted that the MI overlay zone required the units to be at least 1000 sq. ft. in area, multi-sectional, with a carport or garage attached if surrounding properties had them, a 3/12 roof pitch, typical stick built siding, must meet thermal requirements, and have a backfilled foundation. He noted that stick built and manufactured homes could appear to be similar in nature.

Commissioner Worrall felt that Option 2 would be appropriate since the County already allowed manufactured housing in this area. Planning Director Egner noted that the owners of this area were aware of the existing R-1 requirements that would govern their property if they annexed.

Commissioner Worrall felt the Commission should not anticipate what the current owners are going to do. He noted that since manufactured housing were now allowed in the County, a decision to choose this area should not be difficult.

Commissioner Thomas asked why the Commission must do anything if Option 2 were selected. Planning Director Egner noted that currently the County would allow manufactured housing limited to one unit per parcel, with parcel sizes typically no smaller than 2.5 acre parcels and that upon annexation, manufactured housing units on those parcels would be considered a non-conforming use under the current Zoning Ordinance requirements.

Commissioner Post commented that the development impacts on the Option 2 area would be less than on the Option 1 area.

Commissioner Kriz indicated that CCR's could limit manufactured housing no matter where they were located.

Planning Director Egner reviewed the definition of manufactured housing in the Zoning Ordinance.

Motion: Worrall-McCauley to recommend that the City Council adopt Option 2 which expands the MI Overlay Zone to include all LDR land outside the City limits but within the UGB, and to adopt the Comprehensive Plan and Zoning Ordinance revisions noted in the staff report, with the exception of deleting proposed Zoning Ordinance Section 468-A.1.

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Vote on Motion: Aye-McCauley, Post, Ring, Smith, Worrall; Nay-Kriz, Roberts, Thomas, Russell. Motion carried (5-4).

B. Residential Care Facilities

Staff Report: Associate Planner King reviewed the Attorney General's Opinion relating to Fair Housing requirements. She reviewed options for redefining the term "family" and the relationship of the term to the Building Code requirements for the term "family". She indicated that at a recent seminar, she had spoken with an attorney knowledgeable in this field and he indicated that there are severe limitations on what kinds of questions can be asked of individuals relating to their handicapped status. She questioned the City's ability to limit Group Care Facilities through the conditional use process.

Planning Director Egner recommended that the City follow the Attorney General's opinion and not be on the cutting edge of change unless otherwise directed by the State.

Ms. King indicated that the conditional use hearing would be limited to discussions relating to densities but not handicapped status.

Planning Director Egner recommended approval of the Option 2 definition for family, together with the additional Zoning Ordinance revisions relating to group and group care facilities as noted in the staff report.

Commissioner Post expressed concern that the Option 2 definition for family should be changed to read "Family may include two..."

Commissioner Roberts did not feel that the City should restrict the number of unrelated individuals if there was no restriction on family members living in the same unit.

Commissioners Worrall and McCauley disagreed and felt that more than five unrelated individuals created a business use of the house, which is a different issue than providing housing for individuals related by blood or marriage.

Commissioner Kriz felt there should be consideration given to the impacts on the neighborhood relating to traffic.

Planning Director Egner indicated that the Option 2 definition of "family" only changes the language, not the intent of the ordinance.

Chair Russell reviewed the proposed changes and polled the Commissioners for revisions.

Motion: Worrall-Thomas to recommend that the City Council adopt the Option 2 definition of "family, and revise the definition of group care home together with accompanying text changes as identified in the staff report.

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Discussion of the Motion: Planning Director Egner reviewed the impacts if the definitions were adopted.

Commissioners discussed the need for revising definitions and the resulting impacts.

Vote on Motion: Aye-McCauley, Post, Ring, Smith, Thomas, Worrall, Russell; Nay- Kriz, Roberts. Motion carried (7-2).

C. Public Facilities Plan

Staff Report: Planning Director Egner reviewed the staff report text changes which address the exception criteria necessary to comply with periodic review requirements. He noted that a new water master plan is currently being developed with a new map which will be included in the packet presented to the Council if Planning Commission adopts the revisions.

Motion: Kriz-Smith to recommend that the City Council adopt the Comprehensive Plan amendments as identified in the staff report. **Vote on Motion:** Motion carried unanimously.

D. General Hazard Areas

Staff Report: Planning Director Egner reviewed the staff report which addresses Goal 5 requirements, Willamette River Greenway policies, and impacts of filling on natural areas. He reviewed the changes that have already been made to the Zoning Ordinance relating to fill and the design review standards which must be met when filling drainageways. He reviewed amendments to Zoning Ordinance Sections 567, 568, 569 relating to fill impacts in general hazard areas and the proposed new Section 570 which addresses minor alteration of the 20% slope in general hazard areas.

Commission Discussion:

Commissioners discussed the criteria used for identifying wetlands. It was suggested that a section be added to the Comprehensive Plan which indicates that a wetlands inventory will be completed prior to the next periodic review.

Commissioner Post questioned the impacts on Newberg's waterways and what kind of enforcement was available to prevent environmental damage.

Commissioners concurred that Section 568-B as identified in the Staff Report be deleted.

Section 569 G was revised to read "...bridge or other option".

Commissioners discussed the need to include maintaining trees over a specific size, and the limitations to structures which could be allowed in open space.

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Motion: Kriz-Post to recommend that the City Council adopt the Zoning Ordinance revision of amended Sections 567, 568 and 569 as identified in the staff report.

Amendment to Motion: Post-Kriz to include in the motion revision of the Comprehensive Plan policies to require completion of a wetlands inventory prior to the next periodic review. **Vote on Amendment:** Amendment carried unanimously.

Vote on Amended Motion: Motion carried unanimously

Motion: Roberts-Kriz to table further discussion of proposed Section 570 as identified in the staff report. Motion carried unanimously.

V. OLD BUSINESS

A. Resolution Regarding Historic Districts

Planning Director Egner congratulated the Commission regarding their speedy completion of the historic resources review. He reviewed the resolution the Commissioners had requested relating to historic districts. He noted that the City Manager has concurred with a three year time frame for this project.

The Commissioners discussed the need to complete the project at the earliest opportunity possible.

Commissioners discussed revising the resolution to require completion of the project within 3 years.

Motion: Post-Kriz to approve Resolution No. 92-01 as amended. Motion carried unanimously.

VI. NEW BUSINESS

A. Public Hearing: An amendment to repeal Section 65, the public land section of Newberg Subdivision Ordinance 91-2294

Planning Director Egner indicated that this is a housekeeping item to bring the Zoning Ordinance into compliance with current regulations.

Motion: Worrall-Thomas to recommend to the City Council repeal of Section 65 of the Subdivision Ordinance. Motion carried unanimously.

B. Grant

Planning Director Egner identified that the City has received a grant to do a specific area plan which will address the area between College and Villa Road north of Mountainview.

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C. URA Issues

Planning Director Egner indicated that the City has received a \$20,000 grant from the State to go through the next phase of the project.

Commissioner Roberts asked the status of the Newberg-Dundee corridor appeals. Mr. Egner indicated that the City is obtaining shadow plats and annexation agreements from those wishing to subdivide in the corridor. Mr. Egner noted that the Newberg-Dundee Corridor Committee has met and were not able to concur on any specific URA boundaries; however, they did recommend that there be public meetings to receive testimony relating to development in the Newberg-Dundee corridor area.

D. Other Business

Planning Director Egner was asked about the status of the Horizon Construction appeal. He indicated that a meeting between the developers and their opponents has been scheduled to achieve some common ground.

E. Workshop: Street Tree Plan

Associate Planner King reviewed the staff report and current inventory of trees in Newberg. She noted that possible policy changes relating to the proposed street tree plan could be combined with the transportation plan.

Planning Director Egner noted that street trees could be required for subdivisions and partitions as part of this process. He commented that tree planting is not currently required as a part of single family construction.

Ms. King noted that design guidelines could be implemented to alter long term parking lot design standards relating to installation of planting islands.

Commissioner Worrall asked about the impacts of overhead wires on street tree plantings. Ms. King indicated that adjustments would need to occur relating to tree sizes and appropriate locations. Mr. Egner indicated that undergrounding old wiring is currently very expensive and no plan has been implemented to require the utility companies to underground existing overhead lines.

Ms. King was asked about implementing planting programs. She indicated that planting projects could be implemented. She commented that tree could be purchased through grants such as the one which authorized the study just completed and public education programs could assist in spreading the word.

Mr. Egner indicated that the Council Economic Development Committee has expressed concern about the maintenance costs if there was an extensive City program not tied to property ownership. Mr. Egner asked if the Commission concurred that this project should be returned for further discussion at a future meeting.

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The Commissioners requested that the proposed street tree plan and discussion relating to retention of trees in open space be reviewed together at a future Planning Commission meeting.

Planning Director Egner indicated that the street tree list developed by the consultant could be used immediately through the design review process.

F. Joint Meeting

Planning Director Egner noted that in November or December there will be a joint meeting of NUAMC, City Council and Planning Commission.

VII. ADJOURN

Motion: Roberts-Post to adjourn. Motion carried unanimously. The meeting was adjourned at 10:00 pm.