

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

Thursday, 7:00 PM

November 19, 1992

Subject to P.C. Approval at 12/17/92 P.C. Meeting

I. OPEN MEETING

Chair Russell opened the meeting.

II. ROLL CALL

Planning Commission Members Present:

Jack Kriz
Michael McCauley
Mary Post
Carol Ring
Steve Roberts
Wally Russell
Elaine Smith
Donald Thomas
Roger Worrall

Staff Present:

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

CAP Members Present: Ken Lite, Don Halbrook, Charlie Harris (7:30 pm)

Citizens Present: 2

III. APPROVAL OF MINUTES

Motion: Worrall-Post to approve minutes of the October 15, 1992 minutes with a correction to the spelling of Roger Currier. Motion carried unanimously.

Chair Russell requested that the Commissioners review and approve the agenda as distributed or make appropriate revisions. The agenda was not revised.

Motion: Worrall-Post to adjourn at 9:30 pm. Motion carried unanimously.

Chair Russell introduced CIC members Ken Lite and Don Halbrook.

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IV. Citizen Involvement Committee Review of Citizen Advisory Process

Planning Director Egner noted that Lou Brillas, Charlie Harris, Don Halbrook, Ken Lite and Sid Friedman had been appointed as members of the CIC.

CIC Members Don Halbrook, Ken Lite and Charlie Harris were introduced.

Associate Planner King reviewed the CAP process and she noted that its purpose was to distribute information relating to planning issues to the community through individual representatives, through news articles and by other means. She reviewed the responsibilities of CAP participants, the deficiencies that have been noted in past reviews of the process, and some possible resolutions to the noted deficiencies. Resolutions included a regular yearly review of the process, questionnaire distribution and more in-depth information in the newsletters. She indicated that the agenda has been revised to allow a time during each meeting for general CAP comments. She then presented an overhead relating to evaluation of the process. She asked the CIC representatives to respond to questions relating to participation.

Don Halbrook indicated that everyone in the city was given the opportunity to voice their opinions at every Planning Commission meeting. He felt that a column in the Graphic with an agenda might be helpful. He felt that the newsletter was also very helpful. He indicated that it was difficult for him to contact other individuals in his field of representation. He noted that the Yamhill County Homebuilders Association would be holding meetings in the near future and he could present information to that group.

Mr. Egner indicated that Alan Steiger, a member of the Chamber Economic Development Committee, includes a copy of the newsletter in his newsletter to that committee. He noted that not much feed back has been received from that group.

Planning Commissioner Thomas felt that a news article in the Graphic would be helpful.

Mr. Egner noted that the Graphic receives a copy of the newsletter.

Charlie Harris felt that there was currently very good opportunity for people to participate. He felt that the community should become more active.

Commissioner Worrall felt that staff was doing a good job of getting out the information. He felt that people couldn't be forced to participate; however, he suggested that a note should be included in the newsletter to indicate that the newsletter should be redistributed.

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Commissioner Kriz asked if there was a bulletin board on the local cable access. Josh Nauman, Creative Imagery videographer, suggested that the City contact TCI to discuss cable access.

Ken Lite felt that part of the problem was the formality of the hearing process and that a more informal forum might be helpful.

Associate Planner King indicated that even the workshops have been in a formal setting.

Charlie Harris indicated that there should be forums during the day as well as in the evening for brain storming sessions.

Councilman-elect Roger Currier indicated that the addition of an area on the Planning Commission agenda for public input was very helpful. He also indicated that placing the CAP questionnaire in the paper together with a description of CAP would be helpful.

Chair Russell suggested a telephone tree or some other method of participation encouragement might be helpful.

Associate Planner King asked if adequate technical information was provided in the newsletter.

Commissioner Worrall indicated that the technical information appeared to be limited by staff time. He asked if many CAP members had Zoning Ordinances or other technical documents available to them.

Mr. indicated that more discussion should occur in the newsletter relating to what kind of changes would occur as a result of each future planning project.

Chair Russell asked how a citizen has the opportunity to participate in amending the comprehensive plan.

Mr. Egner indicated that citizens had the opportunity to apply for an amendment through the application process or to present a letter requesting review of a specific issue in the comprehensive plan.

Associate Planner King reviewed the feedback mechanism currently employed. She noted that the Visions process has been identified by the City as a method of synthesizing the community's concerns. She noted that the Transportation Plan Committee and other similar committees were available as a public voice.

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Charlie Harris felt that the information has been given to CAP members and the CAP members have the responsibility to comment. He felt that a longer range agenda might be helpful.

Ken Lite agreed.

Don Halbrook felt the process was effective but longer lead time for citizen input would be helpful.

Mr. Egner noted that the City can offer a longer lead time but citizens don't necessarily take it seriously until just prior to the adoption of an ordinance.

Commissioner Worrall indicated that the citizens can't be forced to comment early, but without early information, they may not have the opportunity to comment.

Ms. King asked for comments relating to staff support.

Don Halbrook felt that the newsletter was great and the level of support from staff was great.

Charlie Harris felt preliminary meetings with smaller groups of CAP members prior to public hearings would be helpful.

Mr. Egner noted that special interest groups should be notified early relating to specific projects.

Commissioner Ring indicated that staff has participated in neighborhood discussion groups over the past on specific issues.

Chair Russell felt that information should be distributed early to the CAP members. He asked Mr. Egner if staff had contacted any of the CAP members about whether they were distributing the information in the newsletter. Chair Russell suggested that there be a volunteer chair for CAP that could provide this service.

Mr. Egner felt that perhaps one member from each of the special interest groups in CAP could meet on a regular basis to discuss distribution of material. He summarized the status of CAP as identified by the CIC. He indicated that the newsletter should be distributed earlier, run a column in the paper, advertise on the TCI bulletin board, run some daytime seminars, run a questionnaire in the paper relating to how the staff is doing, find a leader in each of the participation categories to establish a phone tree, include in newsletter articles how the proposals presented change the existing situation, outline a long range planning issues calendar, invite specific interested parties to each

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workshop, be more explicit in the newsletter about distributing it to interested persons, and include civic organizations and the newspaper on the mailing list.

Charlie Harris requested the Planning Commission's point of view relating to public input.

Commissioner Worrall felt that many decisions are being made in a vacuum without public interest or input.

Commissioner Thomas felt the Commission's decisions were weighed with the by the amount of public input.

Chair Russell felt that the decisions should be made based on criteria.

Commissioner Ring felt that public input should be considered when the issue concerned the whole community.

Chair Russell felt that part of the mechanics and structure of the process didn't lend itself well to timely input and that audience participation was not always given in a timely fashion.

Mr. Egner noted that the CAP process was not intended to focus on current planning issues, but was intended to primarily focus on long range legislative issues.

Chair Russell felt tonight's workshop on general hazard area amendments was a good example of the ability for CAP members to participate in a long range planning issue.

A consensus of the Commissioners and CIC members concurred with the recommended improvements to the CAP process.

A five minute recess was called.

V. Old Business

A. Workshop on General Hazard Area amendments

Chair Russell reconvened the meeting with a discussion relating to the general hazard section of the zoning ordinance.

Mr. Egner reviewed the existing ordinance and noted that further review and development of revisions should include input from concerned groups such as local builders and developers. He reviewed samples of 20% slope breaks using overheads. He noted that on-site review of the slope break did not always easily identify the 20% areas. He noted

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that aerial maps are generally used to review the general hazard areas. He reviewed the interim interpretation that has been used by the Planning Staff without revision of the existing ordinance. He noted that currently the only construction that can be allowed in this area is a daylight basement or public use structure and that all over town there various encroachments that are pre-existing. He reviewed slides of slope areas in Bramble Creek Subdivision and the surrounding area and the practices of several other cities relating to areas of slope, greenways, and general hazard areas. He noted that Newberg's standards are fairly unique. Long range ability to meet planning goals while maintaining flexibility appears to be most beneficial for Newberg.

He reviewed proposed changes to the existing ordinance for Planning Commission discussion, noting that general hazard issues were not listed under the variance standards. He felt that natural vegetation should also be reviewed and that statewide Planning Goal 5 must be addressed for any changes that are done.

Commissioner Worrall asked if McMinnville's open space provisions complied with Statewide goals.

Mr. Egner noted that once a community's comprehensive plan was adopted, unless individual issues were revised, approved issues would not require revision.

Chair Russell asked why the City was interested in reviewing the existing open space standards.

Mr. Egner indicated that development pressure has brought the topic up. He indicated that staff was concerned about vegetation protection and the need to reach a compromise with developers.

Commissioner Worrall felt that the City did have a certain amount of direction already identified by the community.

Mr. Egner indicated that the City has a fairly progressive open space standard which may not have been administered consistently.

CAP member Ken Lite felt that the city's open space protection system was flawed. He felt that under the Goal 5 requirements, open space areas are intended to maintain wildlife, etc. He felt that the policy was a non-degradation policy--a protection policy. He indicated that the City's policy was a degradation policy. He felt that the degradation process might be slowed but he felt the system was flawed.

Commissioner Roberts concurred with Mr. Lite that the goal of open space was to maintain a resource, but that open space is always discussed as being in the general

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hazard area. He noted that inconsistency in the past does not require that inconsistency continue. He felt that decks, because of their shadowing, degraded the canyon area. He felt that no encroachments should be allowed and felt that those areas already converted should be dealt with through sunseting of their approvals, or through some other means.

It was suggested that the zone "GH" could be revised to be a "protection" zone or a "GH/OS" zone.

Mr. Egner noted that the City does not have a completed wetlands inventory. He noted that the Council has adopted a policy which states that an inventory will be completed before the next periodic review.

Commissioner Kriz expressed concern that the ordinance does not have a clear definition about general hazard areas and open space areas. He felt that the whole issue should be redefined. He noted that the Comprehensive Plan map shows an area of protection which is different that the area identified in the ordinance.

Commissioner Roberts felt that the term "hazard" should be removed from the ordinance and should be outside the planning process.

Commissioner Kriz felt that it was the responsibility of the government to point out to citizens what the hazards are relating to water, etc.

Commissioner Smith asked if a separate open space ordinance could be created.

Mr. Egner felt that an attempt to separate the issues could occur.

Commissioner Worrall felt the purpose of section 562 was appropriate for protection of open space; however, the title of the section was inappropriate.

Ms. King indicated that the Comprehensive Plan map identifies a large area as open space; however, the items identified in the areas could pertain to slope, flood hazards, and wetlands.

Commissioner Roberts felt that open space should be clearly defined and that the 20% break plus a 10 foot setback buffer would be appropriate.

The commissioners discussed the term "open space" as it relates to public domain. It was noted that public access is not a pre-requisite for creation of open space. It was also noted that it was desirable to have open space with public access.

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Ken Lite indicated the break in slope was a geologic characteristic separate from the desirability of protecting open space.

Commissioners felt that distance from the stream bed would be a better protection factor.

Commissioner Smith felt that having the 20% break in slope was appropriate for the general hazard area and a setback distance would be beneficial to protect open space.

CAP member Don Halbrook felt that each drainageway should be reviewed for buildability on an individual basis. He reviewed specific sites that have a 20% break in slope with no stream and were still buildable.

Commissioner Smith indicated that other communities have placed certain areas, not just drainageways, as open space.

Mr. Egner noted that the City has the ability to transfer densities in residential districts out of the drainageway and condense densities on the level ground.

Commissioner Worrall felt that specific areas should be declared open spaces or use a combination of distance and break in slope as determining factors.

Commissioner Thomas felt there is no protection on the flatter areas that are within drainageways.

The commissioners felt that defining the objective of open space protection should be the first priority.

Don Halbrook asked if the City had staff available to go into the community and research areas for potential open space protection.

Mr. Egner noted that the City was asking for the developers to present topography on each site to allow for the ease of identifying building envelopes.

Don Halbrook felt that review of each site was necessary.

Mr. Egner reviewed the direction of the Commission. He indicated that it appeared there should be a clearer definition of "general hazard" separate from "open space", and how to define open space depending on the qualities of creek areas.

Commissioner Worrall asked if staff needed direction to clarify daily issues; long range issues could be resolved at a future meeting.

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Mr. Egner noted that this issue would be brought back to the Planning Commission in December.

VI. NEW BUSINESS

Mr. Egner reviewed the attachments to the Planning Commission packet relating to definition of a quorum, and a possible Planning Commission meeting date change.

Commissioner Thomas asked for research about how often the Planning Commission recommendations to Council were over-ruled.

VII. ADJOURN

There being no further business, the meeting was adjourned at 9:30 pm.