

**PLANNING COMMISSION MINUTES**  
**April 14, 2011**  
**7 p.m. Regular Meeting**  
**Newberg Public Safety Building**  
**401 E. Third Street**

TO BE APPROVED AT THE MAY 12, 2011 PLANNING COMMISSION MEETING

**I. ROLL CALL:**

Present:	Philip Smith, Chair	Thomas Barnes, Vice Chair
	Lon Wall	Cathy Stuhr
	Art Smith	Allyn Edwards
	Gary Bliss	Kale Rogers, Student PC

Staff Present: Barton Brierley, Planning & Building Director  
Steve Olson, Associate Planner

**II. OPEN MEETING:**

Chair Smith opened the meeting at 7:00 p.m. and asked for roll call.

**III. CONSENT CALENDAR:**

Vice Chair Smith entertained a motion to accept the minutes of the March 10, 2011 meeting. Commissioner Edwards requested that two changes be made to the manufactured housing discussion on page 5 of the packet.

<b>MOTION #1: Barnes/Stuhr</b> approve the minutes from the Planning Commission Meeting of March 10, 2011 as amended. (7Yes/ 0 No/ 0Absent) Motion carried.
---

**IV. COMMUNICATIONS FROM THE FLOOR:**

Vice Chair Smith offered an opportunity for non-agenda items. None were brought forth.

**V. WORKSHOPS:**

**Workshop: Staff Update on Revised Economic Opportunities Analysis**

Barton Brierley presented a PowerPoint presentation and explained these issues are being addressed as a remand from the Land Use Board of Appeals (LUBA). Staff expects to bring the revisions to the City Council in June 2011.

The City updated its Economics Opportunities Analysis (EOA) to reflect more current information. Opponents took this opportunity to appeal the EOA to LUBA and to the Court of Appeals. LUBA remanded on certain points, and the Court of Appeals affirmed all of LUBA's findings. The following four issues need to be amended to address the remand:

- Population projections not “coordinated” because they were not adopted into County Comprehensive Plan;
- Employment projections misapplied “safe harbor” by projecting slow employment growth 2008-2018, and faster after 2018;
- Site Characteristics must be “typical” and have a “meaningful relationship” to the use; and
- Late evidence not accepted.

Barton Brierley showed the Projections vs. Population Counts comparison and explained the population projections had tracked closely to projections up to the 2010 census. With the new census data, however, the difference is significant enough that it needs to be reconciled.

Chair Smith stated since the population counts show virtually no growth between 2005 and 2010, the City will need to be prepared to defend the projection methodology.

Mr. Brierley explained in regard to employment projections, when the City did their projections, from 2008 – 2018 they used the state's job projection; beyond 2018, we projected job growth at the rate of population growth. Staff will propose for the updated EOA that employment be projected to grow simply at the same rate as the population. This will result in a higher overall employment forecast. This is a defensible methodology to predict employment projections.

LUBA ruled as follows regarding Industrial Site Characteristics:

“. . .site characteristics are properly viewed as attributes that are (1) typical of the industrial or employment use and (2) have some meaningful connection with the operation of the industrial or employment use.” (*Friends of Yamhill County v. City of Newberg*, Or LUBA (August, 2010))

Mr. Brierley explained the City did a survey of other local community industrial areas and interviewed business owners and also talked with the state. Based on that information, staff came up with the following four site characteristics: Site size, topography of the site, proximity, and compatibility of the site.

Mr. Brierley reviewed the South Industrial Urban Growth Boundary Amendment to add industrial land. This area has all four site characteristics; no other area has been found that has these characteristics.

The City expects the following to occur:

#### City Council

- Approve updates to Economic Opportunities Analysis to address remand issues
- Adopt revisions to population projections
- Adopt South Industrial UGB Amendment

#### County Commissioners

- Adopt and coordinate revised Newberg population projection and revised county population projection

- Adopt South Industrial UGB Amendment

### **Workshop: Civic Corridor Sign Code Revision**

Steve Olson stated the purpose of the workshop is as follows:

- Learn the existing Civic Corridor sign code
- Discuss Chehalem Cultural Center sign issues
- Discuss existing signs & corridor design themes
- Consider draft code language & suggest alternatives
- City Council Resolution 2011-2939 initiated a development code amendment process
- Process: Workshop, then PC hearing, then CC hearing

The purpose of the Civic Corridor overlay:

- Overlay runs north-south along Howard Street
- Includes most of Newberg's civic buildings
- Created in 2002 to emphasize the civic heart of the community, characterized by the Library and City Hall
- Overlay has specific design standards for buildings and signs to ensure that new development is consistent with local historic traditions

Mr. Olson reviewed the existing Civic Corridor sign code as follows:

- (E) Signage standards. In addition to the C-3 signage requirements of §151.590 through §151.601, to encourage the historic character of the Civic Corridor as described in §151.526.1, signs within the Civic Corridor shall include four of the following six elements:
- (1)The most prominent element on a sign, such as the business' name, uses a serif font and does not exceed eight inches in height.
  - (2)The sign includes a frame, background or lettering in natural wood materials.
  - (3)The sign includes a frame, background or lettering in copper or brass in natural finishes.
  - (4)The sign incorporates decorative wrought iron.
  - (5)The lettering is in a raised relief.
  - (6)The sign is attached to a mounting bracket and allowed to swing freely.

The proposed amendment would simplify the code, allow the Chehalem Cultural Center sign to be approved, and would set clear standards for signs within the Civic Corridor.

Mr. Olson showed some existing signs in the Civic Corridor and reviewed the following:

Corridor Design Themes:

- Several design themes tie most Civic Corridor signs together.
- Raised metal or wood letters on a background wall
  - Copper/brass/bronze frames or highlights
  - Brick backgrounds or structures

The proposed changes:

- Current code: Signs must include at least four out of six possible design elements
- Proposal: Require signs to meet at least one of the design themes
- Simplifies the code
- Allows the CCC sign to be approved
- Sets clear standards for signs within the Civic Corridor
- Keeps the requirement to meet C-3 standards

Draft Code Changes/Alternatives:

(E) *Signage standards.* In addition to the C-3 signage requirements of § 151.590 through § 151.601, to encourage the historic character of the Civic Corridor as described in § 151.526.1, signs within the Civic Corridor shall include at least one ~~four~~ of the following ~~six~~ elements:

- ~~(1) The most prominent element on a sign, such as the business' name, uses a serif font and does not exceed eight inches in height.~~
- ~~(2) The sign includes a frame, background or lettering in natural wood materials.~~
- ~~(13) The sign includes a frame, background or lettering in copper, bronze or brass in natural finishes, comprising at least 5 percent of the sign face.~~
- ~~(2) The sign is a freestanding brick monument sign.~~
- ~~(4) The sign incorporates decorative wrought iron.~~
- ~~(35) The sign lettering is in a raised relief, does not exceed 12 inches in height, and is constructed of either naturally-finished metal or white-painted wood (or material that appears to be wood).~~
- ~~(46) The sign is attached to a mounting bracket and allowed to swing freely.~~

Commissioner Edwards is concerned that some design elements would allow letters taller than 12 inches, and stated the letter height should be a stand-alone requirement. Commissioner Stuhr agreed; 12 inches should be a stand-alone height standard.

Steve Olson reviewed the following test cases:

Note that the Civic Corridor (CC) standards apply to new development or redevelopment only. They do not make any existing signs non-conforming.

- Test: how would existing signs fare if owners were applying for approval?
- Proposed Cultural Center sign: Would pass –meets two Civic Corridor (CC) standards.
- Post Office: Would pass –meets one CC standard.
- Fire Dept.: Would pass –meets one CC standard.
- Public Safety Building: Would pass –meets one CC standard.
- City Hall: Would pass -meets one CC standard.
- Masonic Hall brass wall sign: Would pass –meets two CC standards. Fin sign does not meet C-3 standards, or CC standards.
- Snooty Fox: Would pass –meets two CC standards.
- Oregon First Community Bank: Would pass –monument sign meets two CC standards, and wall sign meets one CC standard.
- Wine Country Antiques: Does not pass but could be modified to pass (by adding a copper frame, for example). (Not required to change).

- Bike Shoppe: Does not pass but could be modified to pass (by adding a copper outline of a wheel to the sign, for example). (Not required to change).

## **VI. ITEMS FROM STAFF:**

Update on Council items:

Barton Brierley stated a decision was received on the Fred Meyer Gas Station appeal to LUBA. The Planning Commission voted no on the project; it was then appealed to the City Council who said yes; it was then appealed to the Land Use Board of Appeals, who affirmed the City Council's decision. The Planning Commission did a good job of looking at the evidence and criteria, and making findings. The City Council simply made a different interpretation, and also made good findings. For example, one of the items the appellants claimed was that the design was not compatible with surrounding structures. The findings said the surrounding structures are the nearby commercial buildings, not the townhouses behind the main Fred Meyer building. LUBA agreed with that interpretation.

Barton Brierley reminded the Planning Commissioners to submit their Ethic Forms tomorrow.

There was a case in the news regarding Lane County and decision-making. The commissioners had sent emails back and forth on an issue, and discussed it via email before the hearing. The decision was made in an open forum but based on all the emails a public meeting law violation took place. It is the first time the State Court had ever ruled a public meeting occurred without people in the room at the same time. The Court then nullified the land use decision.

Mayor Bob Andrews met with and gave recognition to the Planning Commissioners a few days ago. Steve Olson passed out the Certificates of Appreciation to those Planning Commissioners who were unable to attend the Mayor's meeting.

The next Planning Commission meeting is scheduled on Thursday, May 12, 2011.

## **VIII. ITEMS FROM COMMISSIONERS:**

Commissioner Barnes asked if anyone else had received the Land Use Appeal regarding Meridian. The Planning Commissioners responded they had not.

**IX. ADJOURN:**

Chair Smith adjourned the meeting at 8:24 p.m.

**Approved by the Planning Commission on this 12<sup>th</sup> day of May, 2011.**

**AYES:** 7      **NO:** 0      **ABSENT:** 0      **ABSTAIN:** 0

  
\_\_\_\_\_  
Planning Recording Secretary

  
\_\_\_\_\_  
Planning Commission Chair