

**PLANNING COMMISSION MINUTES**  
**September 10, 2009**  
**7 p.m. Regular Meeting**  
**Newberg Public Safety Building**  
**401 E. Third Street**

TO BE APPROVED AT THE OCT. 8, 2009 PLANNING COMMISSION MEETING

**I. ROLL CALL**

Present: Lon Wall, Chair Cathy Stuhr  
Nick Tri, Vice Chair Philip Smith

Staff Present: Barton Brierley, Planning & Building Director  
David Beam, Economic Development Planner  
Steve Olson, Associate Planner  
Jessica Nunley, Assistant Planner  
Crystal Kelley, Recording Secretary

Absent: Thomas Barnes (excused) Derek Duff (excused) Matson Haug(excused)  
Amanda Golson, student PC (excused)

**II. OPEN MEETING**

Chair Lon Wall opened the meeting at 7:03 p.m. and asked for roll call.

**III. CONSENT CALENDAR**

Chair Wall entertained a motion to accept the minutes of the August 13, 2009 meeting.

<p><b>Motion #1 Tri/Stuhr</b> to approve the minutes from the Planning Commission meeting of August 13, 2009 as submitted. (4 Yes/ 0 No/ 3 Absent – Barnes, Duff, Haug), unanimous voice vote.</p>
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**IV. COMMUNICATIONS FROM THE FLOOR**

Chair Wall offered an opportunity for non-agenda items to be brought forth. No other topics were brought forward.

**V. LEGISLATIVE PUBLIC HEARING**

- APPLICANT: City of Newberg**  
**REQUEST: Accept the South Industrial Area Master Plan as a vision plan for the area located south of Newberg, on either side of Highway 219**  
**FILE NO.: G-08-004 Resolution No. 2009-268**

Chair Wall opened the hearing and asked for any abstentions, conflicts of interest, or objections to jurisdiction from the Planning Commission. None were brought forward.

Jessica Nunley, Assistant Planner, presented the staff report (see official meeting packet for full report).

Commissioner Cathy Stuhr made recommendations for some heading changes on page one of the document, and some other edits throughout the plan. She recommended they take out all the “In order tos” and change them to “In doing so”. She went on to say that the plan document should acknowledge that the plan will change over time. She brought attention to page eight recommending they remove the use of the word “prime” for farmland. She then went to page 20 and recommended they make it more clear what plan they are referring to and what is the preferred alternative. She referred to the reference to “the district” – she recommended that the plan clarify to what district it is referring.

**Public Comment:**

Mr. Sid Friedman, with 1000 Friends of Oregon, informed the commissioners that 300 acres in the plan are not in the Urban Growth Boundary. There were issues raised in regards to the amount of land that was proposed. Most of the area covered by the plan is prime farm land with 90% class 1 or 2 soils. The City should give reconsideration to the amount of land and the location.

Commissioner Smith asked Mr. Friedman if the City should do any planning for land outside the urban reserve. Mr. Friedman answered the City should do rough planning rather than the detailed master planning that goes beyond what is needed to indicate what they can justify for growth in the future. It makes no sense for the City to put a lot of resources into something such as this. He confirmed to Commissioner Smith that he does believe the City should plan for future growth. He went on to say he does not think the City should go to this degree of detail for future planning. Philip Smith asked him what would convince him to support this plan. He stated that it would be less objectionable if it were smaller and within the URA; maybe approximately. 110 acres, equal to the need through 2027.

Chair Wall asked Mr. Friedman about “speculative planning”. He answered they are planning something that the state has already said “no” to once. Wall went on to ask if his primary objection is to the location or the size. Mr. Friedman answered that he is more concerned about the location rather than the size. Chair Wall asked if there is a different location that Mr. Friedman would prefer. Mr. Friedman answered the City could meet the needs within the existing Urban Reserve Area.

Mrs. Dotti Smits informed the commissioners that she has been a Newberg resident for 32 years. She began her testimony by sharing that she has just under three acres near the City. The congestion at the bottom of Rex Hill as well as other areas has taken away from the small town feel of the area. We are going to look like everyone else if we keep growing at this rate. She recommended they use common sense and not pay attention to the dollar. They need to think about what they want for families. She went on to say that 99W is over-used. They spent millions of dollars on studies for the bypass and nothing has changed. She pointed out this kind of growth brings more trash along the streets. The more houses you build the more trash it will bring. She would like more people in our community to be happy and smile. She would like to see the City enhance the character of the downtown area rather than adding large commercial businesses.

Commissioner Stuhr agreed with Mrs. Smits on the issue of the amount of trash on the roadways.

Mrs. Corine Waterbury lives on Old Parrett Mountain Road. She agrees with the statements that were made by the other members of the public. The plan for the area is described as green but she does not feel this is the proper use of this term. She does not understand how large scale development will reduce traffic. It seems they have an agenda to expand with out any thoughts to the consequences. She does not feel the plan is going to fit in with the existing farmland. The economic predictions do not indicate this is a good time to go about this degree of growth.

Commissioner Smith asked if she attended any of the meetings that were held during the development of the plan. She stated she did not and was under the impression the meetings were only open to those who were interested in developing their land. He went on to say we will not reduce the issues we have with regard to traffic, but that if we don't do this type of planning we may have worse traffic problems in the future. She stated she does not think we should not plan ahead but that she is not in agreement with this particular plan. Commissioner Smith asked Mrs. Waterbury if she thought Newberg should grow. She agreed that the City should grow but not at the expense of the small community feel of the area. Commissioner Smith pointed out we are required to plan for the next 20 years for the growth of the community.

Chair Wall stated he has been the strongest advocate for controlling growth for the City. We have had a 13% unemployment rate for the state. He went on to say that he still thinks we need to have some growth for our community. He would like to know what her position is about growth. She replied she is for slow growth. She does not think some of the proposed solutions are the best plan.

Commissioner Stuhr pointed out they are thinking about the opportunity, that growth allows us to bring others to come into our community in the future when we plan for it.

Mrs. Cheryl McCaffrey lives in Newberg off Wilsonville Road. Although, she is in favor of several pieces of the plan, she is opposed to the Industrial Area. She would like to know how many square feet are needed. Could they do the development in three-story buildings rather than three acres? She would like to see us limit the amount of area taken up for growth. The open space provides a quaint feeling. She would like to see the City focus on these areas. She reminded the Commissioners that Newberg is the gateway to wine country which needs more agricultural land. She is in agreement with the others from the public who shared input. She would like to have the plan put on the back burner until a better game plan has been provided. The County tends to underestimate the use of Wilsonville Road for commuting and she is concerned with the amount of traffic in that area. She would like to see more emphasis on public transportation which would reduce traffic congestion. A transportation system would need to be developed in order to support the current plan.

Chair Wall asked if she is more concerned with the location or the size. Mrs. McCaffrey answered she is concerned with both issues in the plan. Commissioner Wall went on to say that Wilsonville Road is not the only option for transportation routes in the area. The City chose this location because it is on Highway 219 and there is not another spot in the area where you will not run into an issue getting to a major highway.

Mrs. Shirley Cooper has been a resident of Newberg for over 30 years. She is concerned that there will be some extra cost for the plan that will cost the citizens more tax dollars. She thinks we need to scale down the plan and change the location of the plan. She is concerned our City will not be able to support a program of this size.

Commissioner Smith asked if the project would meet her approval if it was smaller. She stated it would and that would help with her concern of the cost. Chair Wall said he is not clear that there is anything in the plan that suggests they will have to raise taxes for the citizens. He asked what she saw in the proposal that led her to believe there would be new taxes. She pointed out there is one page that mentions an urban renewal option. Commissioner Stuhr pointed out it can be found in section D of the plan.

Mr. Ken Wegter has ancestry that goes back before the City of Newberg was founded. He reminded the committee that Newberg has only so much land available. He recommends instead of sacrificing the available land to asphalt we think about becoming more of an agricultural area. He stated at some point we will run out of room if we keep growing as the plan recommends. He recommends they go back to the country.

Ms. Nunley pointed out they received two late testimony letters and asked for permission to share them now. Chair Wall agreed they should review them now. Jessica Nunley went on to read the two letters presented (from Lee Does and Yamhill Soil & Water Conservation District). Copies of the letters have been obtained to be added to the official packet.

Chair Wall closed the public testimony.

#### **Closing Comments from Staff:**

Mr. Barton Brierley addressed the committee to note that over the last five years we have had over 100 meetings to talk about the future growth of Newberg. The plan before us is a result of the public feedback received along the way. There was a very strong recommendation from the Ad Hoc Committee to encourage industrial growth as part of a complete community. He went on to clarify that the acreage in the plan is total acreage, and would be added in phases. He addressed the issue of taxes and financing. They are not adopting a decision for financing but this will be a decision for the future. The plan does not include a plan to condemn farm land.

Mr. David Beam feels the City has focused on growing local businesses as opposed to recruitment. The plan would allow the City to do more recruitment. It also affects the existing businesses as well as some are size constrained and will need to expand in the future. Growth is not just how much income they make but also physical growth. They are working with the regional economic development organizations.

Commissioner Smith asked what is the percentage of agricultural land in this area as compared to all of the agricultural land in Yamhill County. Staff said it would be less than 1%. He went on to ask staff their opinion of how it would be possible to make the plan smaller. Mr. Brierley stated the plan is a long-range, 30-year plan. Ms. Nunley added that the area would likely be developed in phases over time. Chair Wall stated it is important to keep in mind that industrial agriculture is now intensified agriculture that sometimes uses a lot of chemicals and other unpleasant resources. Mr. Beam stated they envisioned some of the land would be used to support local agriculture, such as by food processing companies.

Chair Wall asked how the process will proceed after this point. Ms. Nunley pointed out that tonight they are considering accepting the plan as the vision but are not adopting the plan tonight. She brought their attention back to the portion of the packet that spoke to how they will proceed.

**Motion #2: Smith/Tri** moved to accept Planning Commission Resolution 2009-268.

**Deliberation:**

Chair Wall asked if the committee is comfortable with the fact there is no clear information from the DLCDC. Commissioner Tri stated there has not been any information from the DLCDC leaving them waiting in limbo. He went on to say they are at least still progressing towards a vision for what they would like to see come about. Commissioner Stuhr pointed out they are presenting a vision and feels they should move forward with that understanding. Chair Wall stated the committee could decide to lower our expectations due to the economic down turn. We can also say it is our obligation to try to come up with a plan to generate some jobs in the area. He would like us to avoid saying we should not do anything. He does not see any better place to promote jobs in the area and have it work out better for the community at-large. As a community, we need to keep ourselves above water. This is the plan in place for that at this time.

Commissioner Smith pointed out all planning by humans is faulty, not perfect; however, we are required by Oregon law to do future planning. He is convinced the staff is well trained and capable. Citizens who worked on other committees came to the conclusion that Newberg will continue to grow. The industrial need has been determined to be especially dire. The idea of large lot industrial land was proposed to the Planning Commission many years ago. He pointed out we are talking about industrial land. We need to have industrial growth since residential growth is not a winning proposition. The industry owners are footing the bill and providing us a lot of jobs. He is convinced Newberg needs some industrial growth and planning. You can't find the properties we need within the Urban Growth Boundary already. To oppose industrial growth would be saying Newberg should not have growth. He is in support of the plan.

Commissioner Stuhr stated she agrees with what Commissioner Smith had to say. She is hearing that the plan has the appearance of being overly optimistic. A lot of people are concerned with how big it is. There needs to be something else they can do to implement phases to the plan that would allow for the long-term vision. The large plan is scaring a lot of support away. She would like to see the option of a two-phase plan.

Commissioner Smith pointed out they could approve the vision then recommend staff narrow the plan into phases prior to the City Council hearing.

**Motion #3: Tri/Smith** to amend previous motion. Recommend that plan be presented to City Council including a phased approach, emphasizing that the first phase is what is expected to occur within the next 20 years (4 Yes/ 0 No/ 3 Absent – Barnes, Duff, Haug), unanimous voice vote.

**Vote on Motion #2 as amended: Smith/Tri** to accept the South Industrial Area Master Plan as a vision plan for the area located south of Newberg, on either side of Highway 219, with the plan to be presented to City Council including a phased approach, emphasizing that the first phase is what is expected to occur within the next 20 years (4 Yes/ 0 No/ 3 Absent – Barnes, Duff, Haug), unanimous voice vote.

Chair Wall adjourned the meeting for a five minute break at 9:25. Re-adjourned at 9:32.

*Hearing continued from August 13, 2009*

**APPLICANT: City of Newberg**

**REQUEST: Amend Newberg Development Code regarding proposed flexible development standards to support affordable housing**

**FILE NO.: G-09-007**

**RESOLUTION NO.: 2009-267**

Mr. Beam presented the staff report. (see official meeting packet for full report). He pointed out they added the language to the resolution recommended by the Planning Commission.

Chair Wall brought up a concern he has with the income numbers used in the material presented indicating it did not sound realistic. Mr. Beam reminded the committee they used the numbers given by HUD for the Portland MSA rather than the numbers specific for Newberg. The Ad Hoc Committee for Affordable Housing recommended that HUD be the source for the income numbers. Commissioner Smith pointed out early in the process the affordable housing committee adopted the HUD standards for low to moderate income. Mr. Beam pointed out the HUD numbers were revised once per year, which allowed for more current numbers. Newberg specific numbers come out every ten years, although the Census' American Community Survey can provide numbers averaged over a three-year period.

The commissioners made multiple recommendations for language changes at the previous meeting. The recommended changes were noted by Mr. Beam. Discussion ensued in regards to the changes and how they would best support the material. The commissioners were in agreement on the changes to the language.

Chair Wall asked the commissioners how they would like to proceed with the resolution. Mr. Beam pointed out he sent the Commissioners a series of emails earlier this week from citizens in regards to this issue. He also had copies of another email he received just prior to the meeting that the Commissioners had not seen. He asked if they would like to consider the emails in their decision. They determined they would accept the emails as public comments but would like to move forward with a decision. Mr. Brierley stated to the commissioners that staff would include the emails in the next meeting packet.

**Motion #4: Stuhr/Smith to approve RESOLUTION NO.: 2009-267 to amend Newberg Development Code regarding proposed flexible development standards to support affordable housing with the language changes (4 Yes/ 0 No/ 3 Absent), unanimous voice vote.**

## **VI. ITEMS FROM STAFF**

Mr. Brierley announced they had the first meeting of the Electronic Sign Ad Hoc Committee. He went on to report there is some new industrial development coming into the area. They are located on Ninth Street, near the airport and in the airport industrial district, where they will make wind turbines. Mr. Brierley reminded the commissioners of the new City website. He recommended the commissioners take the time to review the new site. There is a new page for the Planning Commission on the site, as well.

## **VII. ITEMS FROM COMMISSIONERS**

Commissioner Stuhr and Commissioner Tri asked for an excused absence for the October 8<sup>th</sup> meeting.

VIII. ADJOURN

Chair Wall adjourned the meeting at 10:24 p.m.

Approved by the Planning Commission this 8th day of October, 2009.

AYES: 5      NO: 0      ABSENT:      ABSTAIN: 0

(List Name(s))  
Cathy Stuph  
nick Jri

(List Name(s))

Dawn Karen Bewell  
Planning Recording Secretary

[Signature]  
Planning Commission Chair

10/8/09  
Date