

NEWBERG PLANNING COMMISSION MINUTES
October 8, 2015, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

Chair Gary Bliss called the meeting to order at 7:00 p.m.

ROLL CALL

Members Present:	Gary Bliss, Chair	Jason Dale	Patrick Johnson
	Philip Smith	Matthew Fortner	Allyn Edwards
	Cathy Stuhr	Luis Saavedra/student	

Staff Present: Jessica Pelz, Associate Planner
 Doug Rux, Community Development Director
 Bobbie Morgan, Planning Secretary

CDD Doug Rux introduced Patrick Johnson, new Planning Commissioner.

PUBLIC COMMENTS:

Stan Halle, Director of the Ladd Hill Neighborhood Association and Chair of the Bypass Impact Committee, alerted the Commission to a letter they had submitted to the City which presented a sound legal basis to treat ODOT's proposed TSP amendment regarding Wilsonville Road as a quasi-judicial rather than a legislative matter. He introduced Brent Ahrend, Traffic and Civil Engineer, who had been hired by the Ladd Hill Neighborhood Association. It was Mr. Ahrend and his staff that found ODOT had not done the proper analysis for Wilsonville Road and had violated the National Environmental Protection Act. It was on this basis that ODOT came up with the proposal for the no-through design.

Mr. Ahrend wanted to rebut some comments made by Chair Bliss at the last City Council meeting.

CDD Rux was concerned about comments on an issue that the Commission would be holding a public hearing on, especially since Mr. Halle raised a question about the process for that hearing. If the process was a quasi-judicial hearing, there would be an appropriate time and place to take public testimony in a public hearing. There was a question of ex parte contact that may be occurring that would not be part of the record for a proceeding that would come forward in the future.

Chair Gary Bliss agreed and said Mr. Ahrend could submit his written testimony, which would be more appropriate for the upcoming public hearing.

PC Philip Smith was torn as he did not want to mess in any way with the proper procedure for the upcoming hearing, yet he did not want to stop open public comments.

AP Jessica Pelz wanted to make the commenters aware that any testimony they provided would not be part of the record for the application.

PC Cathy Stuhr thought it would put the Commission in an awkward position when it came to the hearing and they had to disclose it as ex parte contact.

PC Allyn Edwards recommended Mr. Ahrend submit written comments to be included in the public hearing process.

PC Patrick Johnson said many people wanted to talk to him about this issue, but he had avoided it because it would be ex parte contact. It was an open land use application and they needed to be careful about information they received.

MOTION: PC Philip Smith/PC Cathy Stuhr moved to encourage Mr. Ahrend to submit written comments and participate in the process when it came in front of the Planning Commission. Motion carried (7 Yes/0 No).

CONSENT CALENDAR:

Approval of August 13, 2015 Planning Commission Meeting Minutes

MOTION: PC Cathy Stuhr/PC Matthew Fortner moved to approve the August 13, 2015 Planning Commission meeting minutes. Motion carried (6 Yes/0 No/1 Abstain [Johnson]).

LEGISLATIVE PUBLIC HEARING: Chair Gary Bliss called to order at 7:23 pm

1. Comprehensive Plan Amendment – Population Forecast & Safe Harbor Employment

Forecast: Adopt the coordinated population forecast for Yamhill County and an associated safe harbor employment forecast. FILE NO.: CPTA-15-001 RESOLUTION NO.: 2015-308 (continued from 06/25/15 PC meeting)

Call for Abstentions and Objections to Jurisdiction: None.

Staff Report: AP Jessica Pelz said staff was requesting to continue the hearing as some issues had come up that required more research. The purpose of the resolution was to re-adopt the coordinated population forecast because the City was repealing it as part of the industrial UGB amendment. By repealing the amendment, it took them back to the 2006 forecast. However, because of new Administrative Rules regarding population forecasts, there was no mechanism in the rule that allowed a City to adopt something older than what the rule envisioned. The rule laid out how the population forecast would be done going forward and in the meantime cities would rely on what was adopted, but Newberg just repealed what had been adopted. The County had an acknowledged forecast from 2012 and the City could rely on it without adopting it. She explained the options for the Commission. She discussed a letter from 1,000 Friends who were concerned about the employment safe harbor forecast. The City was applying for a grant to conduct an economic opportunity analysis which would include an employment forecast, but it would not be completed until 2017.

There was discussion regarding the options and implications for using the 2012 data.

MOTION: PC Matthew Fortner moved to adopt nothing right now and rely on County numbers. Motion died for lack of a second.

PC Allyn Edwards asked what considerations were included in the County projections.

AP Jessica Pelz thought it was done comprehensively, and used the same methodology that the new forecast would use. The State decided that the new process would be conducted by Portland State University for all new forecasts for all counties and cities, and Portland State University did one in 2012 for the County.

PC Cathy Stuhr said whatever numbers the City started with, 1000 Friends had to know there would not be a challenge to that starting number. She thought they would need more time to discuss it. AP Jessica Pelz read the Administrative Rule stating that the City could use the County's forecast.

PC Philip Smith read a section of the letter from 1,000 Friends where they thought no forecast could be used as the basis for a future UGB expansion until a new forecast was done.

CCD Doug Rux responded that DLCD informed the City they could use the County's numbers, but after receiving this letter things got more complicated. They were recommending continuing the hearing in order to continue dialogue with DLCD and 1,000 Friends. They needed to know what numbers they could use in order to move forward.

PC Jason Dale thought no matter what they did, 1,000 Friends would oppose them if it was not what they wanted. The City needed to follow the regulations.

There was no public testimony.

MOTION: PC Philip Smith/PC Matthew Fortner moved to continue the hearing for Resolution No. 2015-308 to November 12, 2015, in order to continue dialogue with DLCD and 1,000 Friends and move forward with a grant proposal for coordinating a population and employment needs forecast. Motion carried (7 Yes/0 No).

ITEMS FROM STAFF:

CDD Doug Rux gave an update on City Council items.

PC Allyn Edwards referred to the letter from 1,000 Friends and asked how often did the Oregon Employment Department update their statistics and would that be a consideration in preparation for the next meeting? CDD Doug Rux replied one of the provisions in the new Administrative Rule for the streamlined UGB process was an Oregon Employment Department component.

PC Cathy Stuhr was concerned there was no arrow or signage showing the right turn in and right turn out only onto Springbrook for the apartments being constructed on Fernwood.

CDD Doug Rux answered that project was still under construction and staff would make sure all of the improvements would be done by the end of the project.

Chair Gary Bliss thought that was a staff issue and the Planning Commission did not need to be concerned about it.

ITEMS FROM COMMISSIONERS: None.

Chair Gary Bliss adjourned the meeting at 8:05 p.m.

Approved by the Newberg Planning Commission this 12th day of November, 2015.


Bobbie Morgan, Planning Secretary


Gary Bliss, Planning Commission Chair