



City Council  
June 15th, 2026  
6pm

Newberg Public Safety Building 401 E. Third Street  
Denise Bacon Community Room

Online: <https://us06web.zoom.us/j/89536547180>

[Public Comment Registration](#)

[View Slides](#)

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1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **City Manager Special Report**
  - a. [Follow the Money: Newberg's Budget Explained](#)
5. **Public Comments**
6. **Presentation**
  - 6.1. [Asago City Exchange Program with Chehalem Valley Middle School](#)
7. **Continued Business**
  - 7.1. [Waste Management Rate Increase](#)
  - 7.2. [De-annexation Resolution](#)
    - a. [Exhibit A: Legal Description and Cadastral Maps](#)
    - b. [Exhibit B: Application Materials](#)
    - c. [Exhibit C: Agency Referral Comments](#)
    - d. [Exhibit D: Ordinance 2006-2651](#)
    - e. [Presentation](#)
8. **Public Hearings**
  - 8.1. [De-annexation Public Hearing](#)
    - a. [Presentation](#)
  - 8.2. [De-annexation Order](#)
    - a. [Exhibit A: Legal Descriptions and Cadastral Maps](#)
    - b. [Presentation](#)
9. **New Business**
  - 9.1. [Library Internet Policy](#)
    - a. [Attachment A: Internet Policy 2026](#)
  - 9.2. [Airpark Easement and Surplus of City Property](#)
    - a. [Attachment 1: Presentation on the Springbrook Sewer Line Issue](#)
  - 9.3. [Street Seats Program Review](#)



- a. [Exhibit A: Resolution 3903](#)
- b. [Exhibit B: Downtown Newberg Parking Study](#)

## **Adjournment**

**ADA Statement:** Contact the City Recorder's Office for physical or language accommodation at least 2 business days before the meeting. Call (503) 537-1283 or email [cityrecorder@newbergoregon.gov](mailto:cityrecorder@newbergoregon.gov). For TTY services please dial 711.

\*Indicates supplementary item

# REQUEST FOR COUNCIL ACTION



**Date Action Requested: (June 15, 2026)**

Order <input type="checkbox"/>	Ordinance <input type="checkbox"/>	Resolution <input type="checkbox"/>	Motion <input type="checkbox"/>	Information <input checked="" type="checkbox"/>	Proclamation <input type="checkbox"/>
Subject: CM report on the public facing budget video for			Staff: Will Worthey CM Department: Administration		
Work Session <input type="checkbox"/>			Business Session <input checked="" type="checkbox"/>		
			Order On Agenda: CM report		

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:** NA

**Recommendation:** NA

**Executive Summary:** The presentation will show and explain the BY budget explainer video that will be coming to residents soon.

**Fiscal Impact:** This video was created in house, no expensive consultant was used!

**Council Goals:**

**Goal 4: Create and maintain a high level of transparency with our residents in order to build trust.**  
O1: Expand communication outreach in regard to regular city events and additional involvement with city businesses by the end of 2026.



# Japan School Exchange Trip

A 10-Day Cultural immersion



# Trip Highlights



**Cultural Immersion**  
Experience authentic Japanese traditions through tea ceremonies, traditional castle visits, and local festivals. Students will engage with daily life in Japan and gain deep appreciation for its rich heritage.



**Educational Experiences**  
Attend classes at our partner school, participate in collaborative projects, and explore Japanese learning methods. Students gain valuable academic perspectives and cross-cultural skills.



**Lasting Friendships**  
Build meaningful connections with Japanese students through shared activities, host family stays, and group excursions. These bonds often continue long after the exchange ends.

# School Clubs

My first after school club in Japan was track and field. At Wadayama Jr High. During this club I did warm ups like this and did small little races. I had never done track before. They were very kind to help learn, how to use the equipment. *The final club I did was volleyball. At Asago Jr high During volleyball they were teaching us to communicate with each other. I had a lot of fun while Doing it. Everyone was very kind there,also everyone had good sports men ship,*



# Hiroshima

Going to Hiroshima was a life changing experience, I will never forget the knowledge that I gained from there. If I brought back anything from going to Hiroshima, it is that I was heavily unprepared for the history behind it. The trip to the blasted-away Hiroshima City Hall and the museum right after was heart wrenching. I am saddened for myself that my school never fully taught what happened at Hiroshima and Nagasaki, I think we should teach about Hiroshima more, it feels wrong for me to go there knowing that my country caused so much destruction and me not even knowing about it. I think everyone that went this year on the Wadayama Exchange Program feels the same.



# Culture and Food

Good afternoon everyone. From May 8th to May 18th, I got the chance to travel to Japan for 10 days, and it was an experience I'll never forget. I stayed with a host family, explored new places, and learned a lot about Japanese culture. This trip showed me that some of the best learning happens outside of the classroom. One of my favorite parts of the trip was the food. I got to make takoyaki with my host family, which was really fun. At first, I had no idea what I was doing, but we laughed and figured it out together. Even though we didn't always speak the same language perfectly, food helped bring us together. I also tried sushi and Japanese beef bowls, and trying new foods helped me step outside my comfort zone and experience a different culture in a real way. Trips like this are important because they give students opportunities to experience the world for themselves. You can read about another country in a textbook, but actually being there is completely different. It helps students become more open-minded, confident, and understanding of other people and cultures. Overall, my trip to Japan taught me that travel can connect people, create friendships, and teach lessons that last a lifetime. I think educational opportunities like this are important for future generations because they help students grow, try new things, and see the world in a different way.



# Host Families

Hello! My name is Ezra Shockley, and a few weeks ago I got the privilege to travel to Japan on this exchange trip. During the exchange, everyone gets paired with a host family that they stay with on the trip. This has been my favorite aspect of the exchange program so far. You get to build a deep, special relationship with your host family that will last you the rest of your life. Some days are spent exclusively with them, and it is during these days that you really get to know them and grow to love them like family. I'm still consistently emailing my hosts. If I'm being honest, I never could've guessed how much this part of the exchange would affect me. Thank you for listening!



# Day Trips



# REQUEST FOR COUNCIL ACTION



**Date Action Requested: June 15<sup>th</sup>, 2026**

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/>	
No. 2026- 4033	
Subject: Staff requests to know the will of Council regarding the requested rate increase by Waste Management.	Staff: City Manager Will Worthey Department: Administration
Business Session	Order On Agenda:
Hearing Type: Administrative	

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:**

**Recommendation:** Staff requests to know the will of Council regarding the requested rate increase by Waste Management.

**Executive Summary:**

Waste Management approached Council on May 18<sup>th</sup>, 2026 to request a rate increase under the Franchise Agreement and proposed a 3.74% rate increase.

**Fiscal Impact:**

Service	Newberg Current	Monthly increase	Newberg proposed
<b>20 -gallon</b>	\$24.01	\$0.89	\$24.90
<b>32/35 -gallon</b>	\$25.88	\$0.96	\$26.84
<b>60/65 -gallon</b>	\$31.83	\$1.18	\$33.01
<b>90/95 -gallon</b>	\$34.97	\$1.29	\$36.26
<b>Commercial</b>	\$184.40	\$6.82	\$191.22
<b>2-yard</b>			
<b>1x/week</b>			

**Council Goals:** This falls in line with Council Goal 4: Implement a careful and prudent fiscal policy; as this fiscally impacts the residents of Newberg.

# REQUEST FOR COUNCIL ACTION



## RESOLUTION NO. 2026- 4033

**A Resolution to accept a rate increase of 3.74% in line with the request of Waste Management**

### Recitals:

1. **WHEREAS**, The City of Newberg and Waste Management are parties to a Franchise Agreement dated October 1, 2012 (the “Franchise Agreement”) that is scheduled to expire in September of 2028.
2. **WHEREAS**, Waste Management periodically requests a rate increase based on a variety of factors.
3. **WHEREAS**, At the council meeting on May 18<sup>th</sup>, 2026, Waste Management gave a presentation on the cost structure and requested a 3.74% rate increase.

### The City of Newberg Resolves as Follows:

Resolves to accept a rate increase of 3.74% in line with the request of Waste Management.

**Effective Date** of this resolution is the day after the adoption date, which is: June 16, 2026.

**Adopted** by the City Council of Newberg, Oregon, this 15<sup>th</sup> day of June, 2026.

\_\_\_\_\_  
Rachel Thomas, City Recorder

**Attest** by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Bill Rosacker, Mayor

# REQUEST FOR COUNCIL ACTION



**Date Action Requested: June 15, 2026**

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/> No. 2026-4032	
Subject: De-annexation Resolution 2026-4032	Staff: Scot Siegel Department: Community Development
Business Session	Order On Agenda: Public Hearing
Hearing Type: Legislative	

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:**

**Recommendation:** Adopt Resolution No. 2026-4032 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory.

**Executive Summary:** Del Boca Vista LLC (Applicant), on behalf of Cindy A. Christenson and Larry D. Christenson, Co-Trustees of the Larry D. Christenson Trust, and Laura Jeffery and John A Jeffery, Trustees of the John and Launa Jeffery Trust (Owners), requested de-annexation of 28.38 acres comprised of four tax lots (Tax Map and Parcel numbers 3230B 02300, 3230B 06000, 3230B 06100, 3230 01400) as described in Exhibit “A-1” from Newberg’s city limits.

The properties were originally annexed in 2006 through Ordinance No. 2006-2651. The tax lots are approximately 20.05, 2.38, 5.02, and 0.93 acres in size and are zoned Medium Density Residential/Riverfront Subdistrict (R-2/RD). Significant portions of the properties are within the Stream Corridor Overlay and Areas of Special Flood Hazard Overlay, which restrict development through provisions in the Newberg Municipal Code. The Applicant has also cited that the properties cannot be developed to City standards and has submitted a Utility Memo describing the location of existing public utilities and infrastructure requirement feasibility for proposed development.

If de-annexation is approved, approval will be conditioned on the Applicant signing a Measure 49 waiver for the de-annexation and a non-protest waiver for removal of the property from the urban growth boundary by the City at a future date.

**Background:**

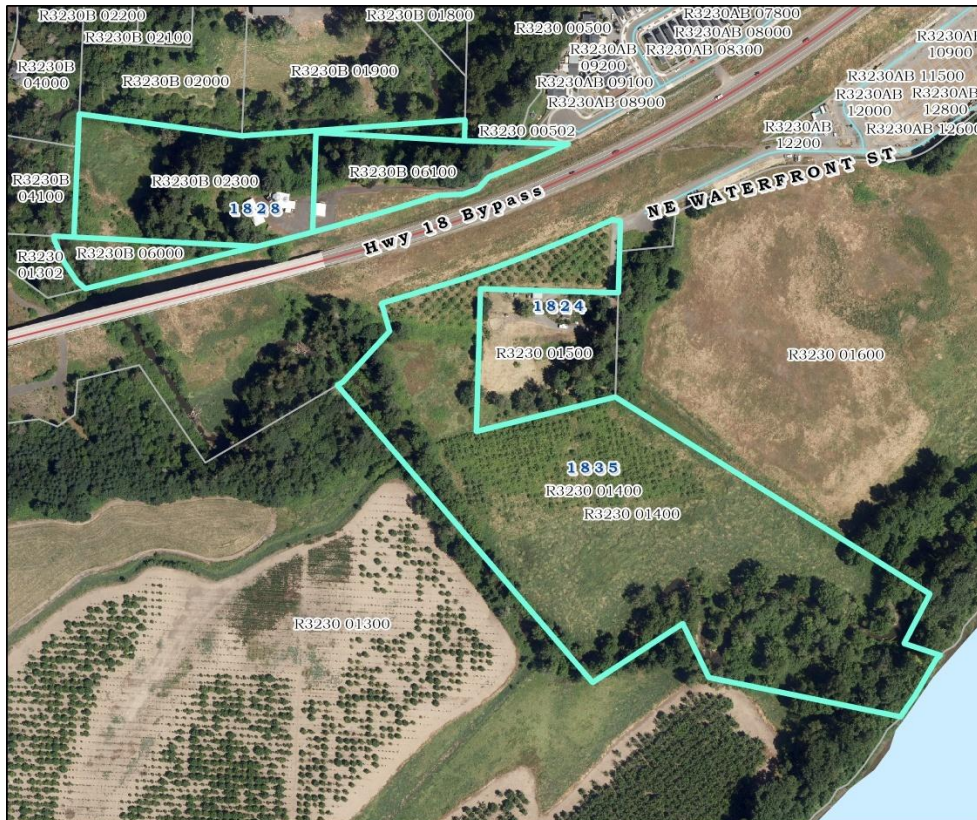
The parcels were annexed into the city limits as part of an approximately 98-acre annexation (Ordinance No. 2006-2651) adopted by City Council on August 7, 2006, and approved by the voters. The site contained a portion of Ewing Young Park, and the remainder included land within the Newberg Riverfront Master Plan area, which envisioned medium- and low-density residential development, trails, a stream

# REQUEST FOR COUNCIL ACTION



corridor, and the Newberg-Dundee Bypass in the general area. Per the findings of Ordinance No. 2006-2651, at the time of annexation, various property owners had raised Measure 37 claims with Yamhill County, which may have resulted in rural residential uses inconsistent with the City's Comprehensive Plan and Riverfront Master Plan. These property owners agreed to hold these claims pending annexation and application of the R-2 residential zoning designation.

## Site Map:

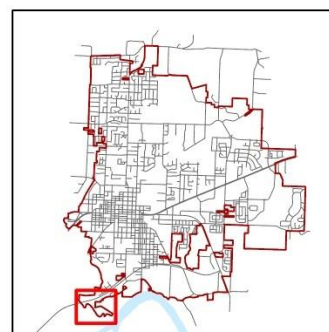


Aerial Map

- Subject Property
- Taxlots



0 362.5 725 Feet



**IMPORTANT NOTICE TO ALL USERS:**  
**DISCLAIMER AND LIMITATION OF LIABILITY**  
 This information is not guaranteed to be accurate and may contain errors and omissions. The City of Newberg provides NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS FOR THE PARTICULAR PURPOSE FOR ANY INFORMATION HEREIN.

The map is created from various data sources and is subject to change without notice.  
 This map is intended for general planning purposes only.  
 Map updated: 9/21/2023

# REQUEST FOR COUNCIL ACTION



## SITE INFORMATION:

1. Location: 1828 and 1835 NE Waterfront Road (3230B 02300, 3230B 06000, 3230B 06100, 3230 01400)
2. Size: ±28.38 acres
3. Current Land Uses: Residential (Single-family dwelling), Agricultural
4. Natural Features: Agricultural landscaping, wooded areas
5. Adjacent Land Uses:
  - a. North: Newberg Dundee Bypass (1835), rural residential (1828)
  - b. South: Agricultural (1835), Newberg Dundee Bypass (1828)
  - c. East: Single-family residential, public facilities
  - d. West: Agricultural, rural residential
6. Zoning: The following zoning districts abut the subject property.
  - a. North: Medium Density Residential/Riverfront (R-2/RD) (1835), Unincorporated (1828)
  - b. East: Unincorporated (1835), Medium Density Residential/Riverfront (R-2/RD) (1828)
  - c. South: Unincorporated (1835), Medium Density Residential/Riverfront (R-2/RD) (1828)
  - d. West: Unincorporated
7. Comprehensive Plan Designations: The following Comprehensive Plan districts abut the subject property.
  - a. North: Medium Density Residential/Riverfront (MDR/RD) (1835), Outside the Urban Growth Boundary (1828)
  - b. East: Parks/Riverfront (P/RD) (1835), Medium Density Residential/Riverfront (MDR/RD) (1828)
  - c. South: Outside the Urban Growth Boundary (1835), Medium Density Residential/Riverfront (MDR/RD) (1828)
  - d. West: Outside the Urban Growth Boundary
8. Access and Transportation: 1828 NE Waterfront Street has access to NE Waterfront Street. 1835 NE Waterfront Street has access to W Weatherly Way. Both NE Waterfront Street and W

# REQUEST FOR COUNCIL ACTION



Weatherly Way are classified as local residential streets in the Newberg Transportation System Plan.

## 9. Utilities:

- a. Water, Wastewater, and Stormwater: There are existing public water, sanitary sewer, and stormwater services that were developed with the Riverrun subdivision that terminate at the end of NE Waterfront Street and W Weatherly Way. The Applicant has submitted a Utility Memo describing the limitations in further development of the subject properties due to the cost of extending infrastructure.
- b. Overhead Lines: The subject property is served by overhead utility lines.

## PROCESS:

This de-annexation request is initiated by the owners of the subject property. Application materials are provided in Exhibit “B”. ORS 222.460 provides that except as expressly prohibited by the city charter, when the legislative body of a city determines that the public interest will be furthered by a withdrawal or detachment of territory from the city, the legislative body, on its own motion, may order the withdrawal of territory.

Oregon Revised Statutes 222.460 provides the procedure for withdrawing a part of a district from a district. The process includes:

- City Council adopting a resolution initiating the withdrawal from the territory.
- City Council holding a public hearing on the withdrawal no later than 30 days after the adoption of the resolution.
- City Council consideration of entering an order on the withdrawal.
- City Council holding a final public hearing on the withdrawal not less than 20 days or more than 50 days after the date of the order.
- City Council by resolution or ordinance declares the territory detached from the City.

The Newberg Municipal Code does not provide a process or procedure for de-annexation or withdrawal of territory in Title 15 Development Code, therefore the City is following the procedure outlined in ORS 222.460. All owners of the subject property have consented to the application for de-annexation.

Notwithstanding the requirement in the Newberg City Charter for referral of annexations to Newberg’s electorate (Chapter 1, Section 4), the City is not permitted to refer annexation requests to the voters. State law changed with the passage and adoption of Oregon Senate Bill 1573 (2016), which added language to ORS 222.127 preempting Newberg’s requirement that annexations go to a public vote when properties meet certain requirements, including: being within the Urban Growth Boundary (UGB); subject to the Comprehensive Plan of the City; contiguous to city limits; and meeting the City’s adopted Development

# REQUEST FOR COUNCIL ACTION



Code criteria for annexation. Because these properties meet these criteria and have previously been annexed meeting the City's criteria for annexation, the City is processing the de-annexation request without referral to the electors.

Important dates related to this application are as follows:

- 5/4/2026: The Community Development Director deemed the application complete.
- 5/13/2026: Application was routed for a 15-day referral review.
- 6/4/2026: The *Newberg Graphic* published notice of the City Council hearing and City published notice in four public places per ORS 222.460(4) and ORS 222.120(3).
- 6/11/2026: The *Newberg Graphic* published notice of the City Council hearing and City published notice in four public places per ORS 222.460(4) and ORS 222.120(3).
- 6/15/2026: The City Council will consider adopting Resolution No. 2026-4032 declaring that it is the intent of the legislative body of the city to change the boundaries of the city by means of a withdrawal of territory.
- 6/15/2026: The City Council will hold a public hearing on the de-annexation at which residents of the city may appear and be heard on the question of the withdrawal of territory.
- 6/15/2026: The City Council will consider adopting Order No. 2026-0047 declaring that it still favors the withdrawal of territory pursuant to the resolution as approved or modified and fix a place and time for a public hearing on an ordinance finalizing the de-annexation, not less than 20 days or more than 50 days after the date of the order.
- 7/20/2026: (Tentative) The Newberg Urban Renewal Agency will consider a minor amendment removing the parcels from the Newberg Urban Renewal Plan.
- 7/20/2026: (Tentative) The City Council will hold a final public hearing on the de-annexation and by resolution or ordinance declare the territory detached from the City.

**Agency Comments:**

# REQUEST FOR COUNCIL ACTION



The application was routed to several public agencies for review and comment which are provided in Exhibit “C”. Comments and recommendations from city departments have been incorporated into the findings and conditions.

As of the writing of this report, the city received the following agency comments:

1. City Manager – Reviewed, no conflict.
2. Community Development Director: Reviewed, no conflict.
3. Chehalem Parks & Recreation District: Reviewed, no conflict.
4. Finance – Reviewed, no conflict.
5. Newberg Dundee Police Department – Reviewed, no conflict.
6. Development Engineering – Reviewed, no conflict.
7. Public Works Water Operations – Reviewed, no conflict.

## **Analysis**

The properties were originally annexed in 2006 through Ordinance No. 2006-2651. The majority of the development in the annexation area includes park space and trails at Ewing Young Park, the Newberg-Dundee Bypass, and medium- and high-density residential development to the east of the subject parcels. In 2018, the Riverrun subdivision was approved and has since been developed, including 133 residential units, and Phase 1 of the Newberg-Dundee Bypass has been completed. The properties are also within the Riverfront Master Plan, updated in 2019. The plan identified five development alternatives for the master plan area. The development alternatives largely show little or no envisioned development on the sites proposed to be de-annexed. Alternatives B, C, D, and E indicate limited residential development on the unconstrained portion of the southern parcel, and C also envisions limited mixed employment on the unconstrained portion of the northern parcels. Given the development that has occurred, staff believes that the 2006 annexation area has been developed to urban levels consistent with the Riverfront Master Plan and that the public utility serviceability and natural resource constraints warrant de-annexation of the subject parcels.

The parcels are also within the Newberg Urban Renewal Area (north parcels – Riverfront Sub-Area: C, south parcels – Riverfront Sub-Area: B). If the parcels are de-annexed and remain in the Urban Renewal Area, approval by the Yamhill County Board of Commissioners would be required to continue including the newly unincorporated area. The City Attorney has determined that removing the parcels from the Plan would likely lead to plan-related issues that go beyond just the zoning map amendment (for example implicating the maximum indebtedness authorized under Section III of the Plan, and limit the scope and costs of Plan projects) and recommends that the Newberg Urban Renewal Agency consider a Minor

# REQUEST FOR COUNCIL ACTION



Amendment to remove the parcels to avoid ambiguity and disputes related to the status of the de-annexed land under the Plan. This minor amendment should be approved before the de-annexation occurs. The proposed resolution indicating the City Council’s intent to withdraw territory and the proposed order fixing a time for the final hearing include contingency language requiring the removal from the Plan prior to de-annexation.

If Council approves the de-annexation request, approval will be conditioned on the Applicant signing a Measure 49 waiver for the de-annexation and a non-protest waiver for removal of the property from the urban growth boundary by the City at a future date. Removal from the UGB may occur through the “land swap” option provided by SB 1537 (2024) or through another process for amending the UGB, for example following the adoption of a Housing Capacity Analysis.

**Fiscal Impact:** Removing the tax lots from the city limits would diminish the tax base and urban renewal district revenues, though the current assessment, summarized below, is small and future development potential minimal due to natural resource constraints. If a UGB swap were to occur under SB 1537, or residential lands added to the UGB through another process, offsetting the de-annexed area, , additional tax base could be generated by residential development at higher densities elsewhere in the city.

The 2025 assessed values for the tax lots were:

- R3230B 06000: \$3,684
- R3230B 06100: \$47,399
- R3230B 02300: \$52,560
- R3230 01400: \$2,694

## Council Goals:

Goal 4. Implement a careful and prudent fiscal policy.

Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.

Continuous Goal E. Further strategic planning and growth with local taxing districts.

## Attachments:

1. Resolution No. 2026-4032
2. Exhibit A-1            Legal Descriptions and County Assessor Cadastral Map
3. Exhibit B             Application Materials
4. Exhibit C             Agency Referral Comments
5. Exhibit D             Ordinance No. 2006-2651

# RESOLUTION NO. 2026-4032

**A Resolution declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory.**

## **Recitals:**

1. Whereas, Del Boca Vista LLC submitted an application to withdraw 28.38 acres shown and described in Exhibit “A” from the Newberg city limits pursuant to ORS 222.460.
2. Whereas, the property shown and described in Exhibit “A” was annexed into the Newberg city limits through Ordinance No. 2006-2651.
3. Whereas, the property shown and described in Exhibit “A” is included in the Newberg Urban Renewal Area, Subdistricts B and C, adopted through Ordinance No. 2022-2896.
4. Whereas, the subject property meets the criteria for withdrawal of territory in ORS 222.460 without a public vote.
5. Whereas, after proper notice, including posting in the Newberg Graphic and four public places on June 4, 2026, and June 11, 2026, the Newberg City Council will hold a public hearing on June 15, 2026, at which the residents of the city may appear and be heard on the question of the withdrawal of territory.

## **The City of Newberg Resolves as Follows:**

1. It is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory.
2. The City Council will not remove territory from the City unless and until the Newberg Urban Renewal Agency amends the Newberg Urban Renewal Plan to remove territory from the Plan.
3. The subject property is shown and described in Exhibit “A”.
4. Exhibit “A” is hereby adopted and by this reference incorporated.

**Effective Date:** Immediately upon adoption.

**Adopted** by the City Council of Newberg, Oregon, this 15<sup>th</sup> day of June, 2026.

Rachel Thomas, City Recorder

**Attest** by the Mayor this \_\_\_\_\_ day of June 2026.

\_\_\_\_\_  
Bill Rosacker, Mayor

[Resolution No. 2026-4032 Exhibit A.](#)**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

All of the following described property lying SOUTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

**Parcel 1:**

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83' West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

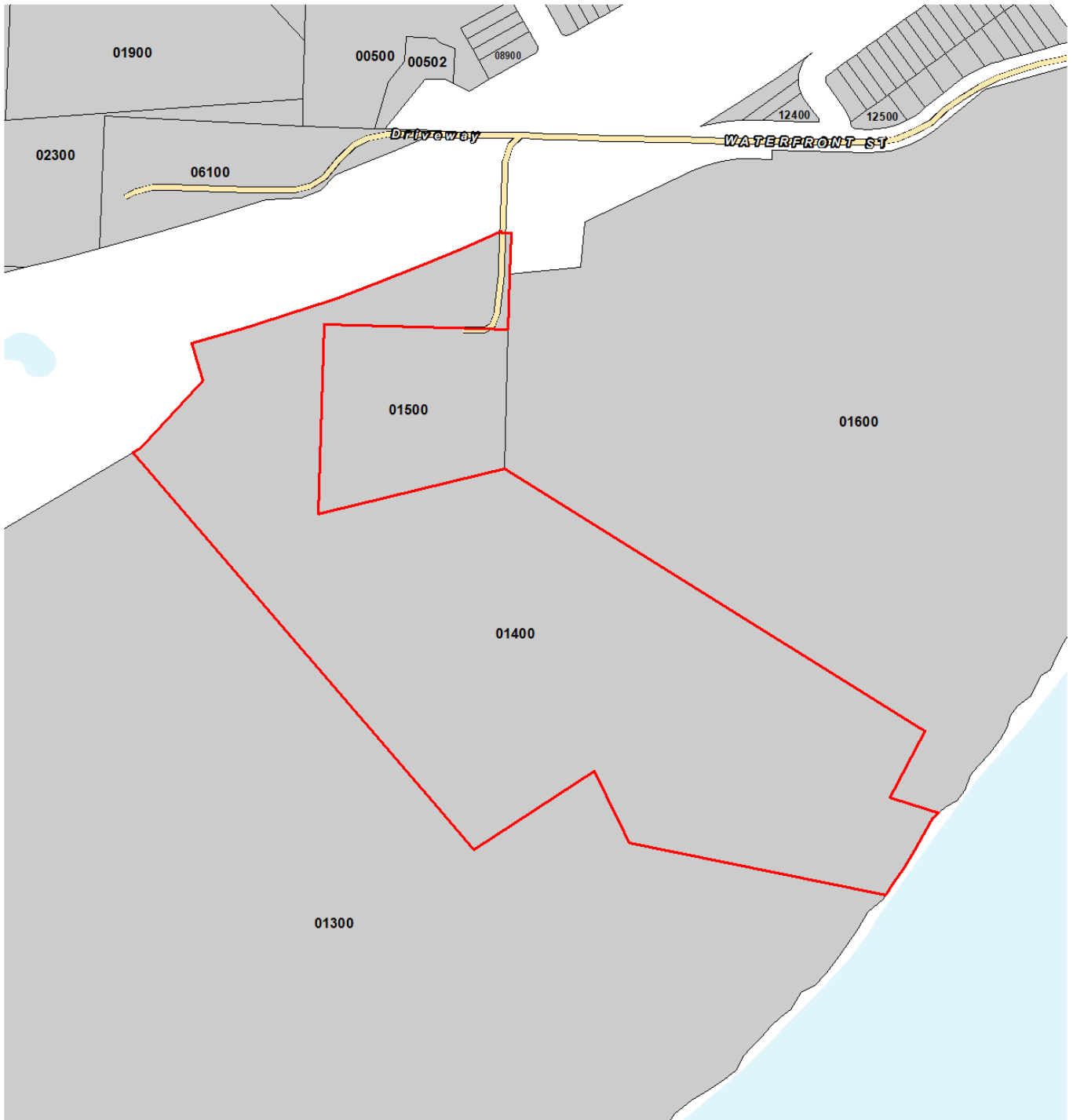
SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film [Volume 89, Page 1390](#), Deed and Mortgage Records.

**Parcel 2:**

All that portion of the following described tract lying Northeasterly of Chehalem Creek:

Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.



## Taxlot



Subject



Taxlot

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

## TRACT 1: [3230B 6000]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

All that portion of the following described tract lying Northeasterly of Chehalem Creek: Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.

## TRACT 2: [3230B-2300]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

That portion of Lot 8, SOUTH NEWBERG SUBURBAN ACRES which lies South of Chehalem Creek and being a part of the land described in contract dated November 6, 1963 and recorded November 18, 1963 in Film Volume 33, Page 957, Deed and Mortgage Records, between Harold H. Miller and Martin VerMulum, in Yamhill County, Oregon.

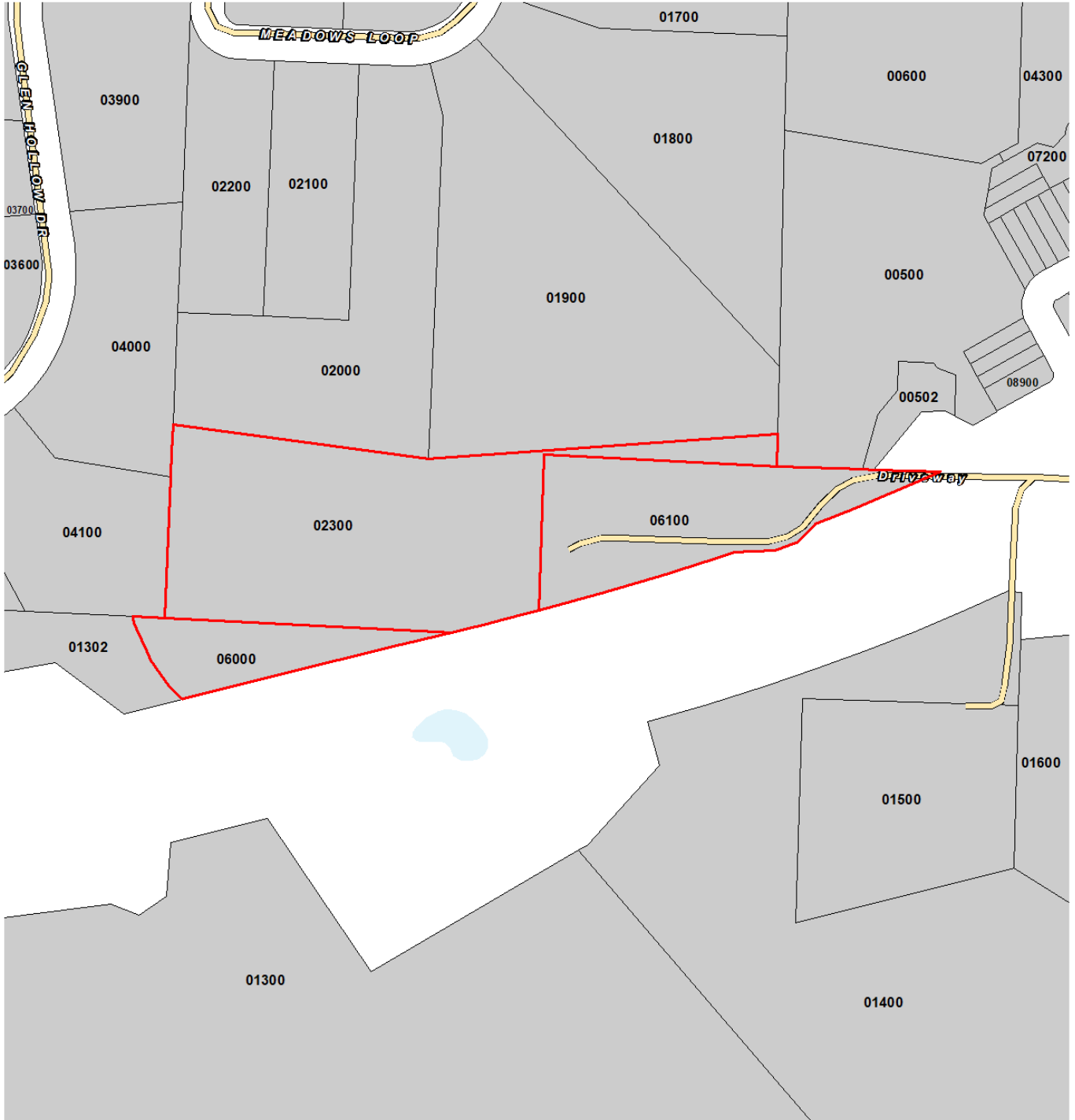
## TRACT 3: [3230B-6100]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83' West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links

distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film Volume 89, Page 1390, Deed and Mortgage Records.



# Taxlot

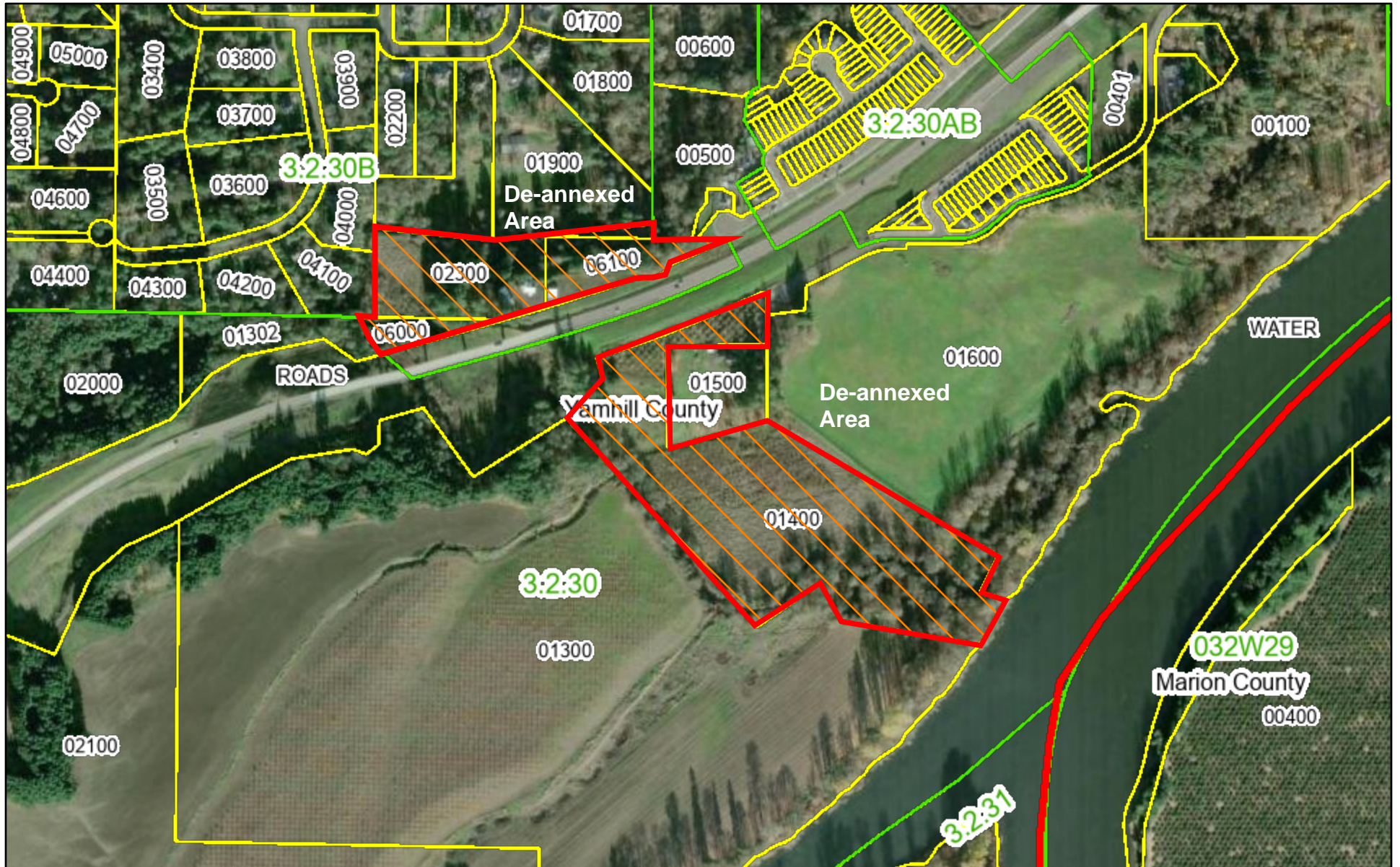


Subject



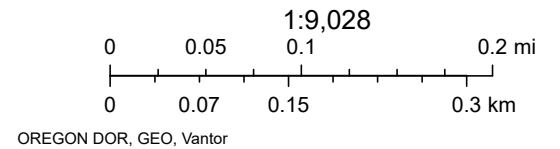
Taxlot

# ArcGIS Web Map

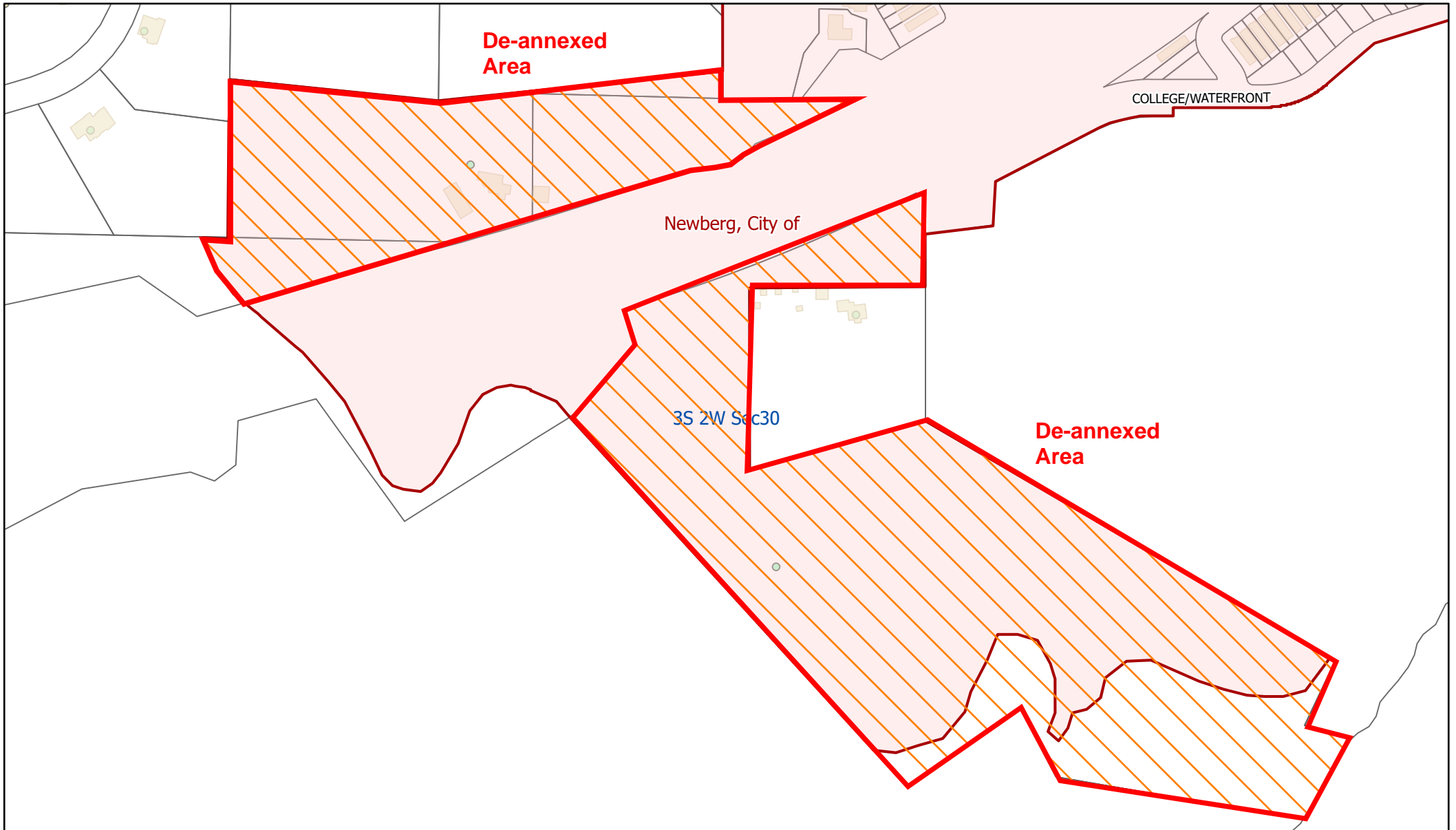


5/12/2026, 3:47:49 PM


- taxlot
- CountyLines
- mapIndex



# Yamhill County Map




5/12/2026, 3:50:48 PM


 City Boundaries

 Sections

Structures

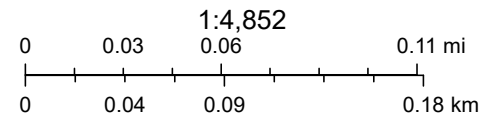
 City Boundaries

 Taxlot Parcels

 Number

 Building Footprints

 Residential





**De-Annexation Narrative**  
**1835 and 1828 Waterfront Street – Tax Lots – 2300,**  
**6100, 6000, and 1400**

The applicant proposes to de-annex 1835 Waterfront Street (South) – Tax Lots - 2300-6100, 6000, and 1828 Waterfront Street (North) - Tax Lot 1400 (R2/RD) from the City of Newberg limits.

The reference lots will be challenging to serve with existing utilities, sanitary sewer, and stormwater. (See Memo from Emerio Engineering).

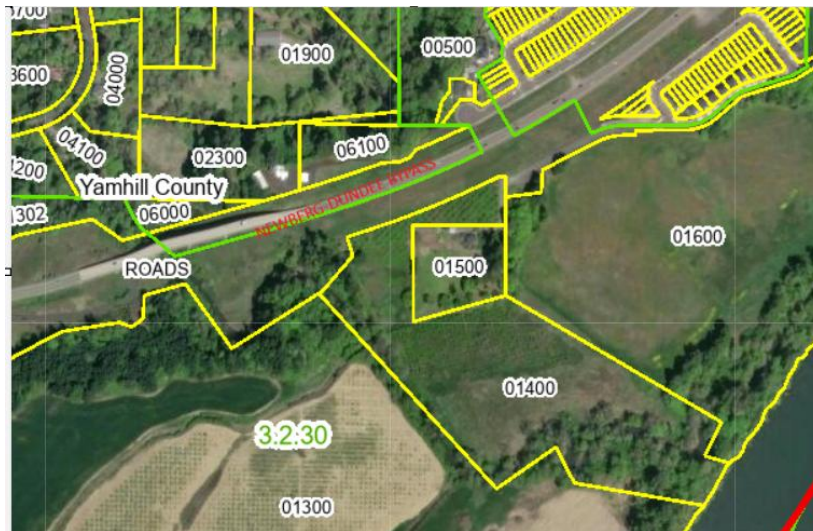
Both the north and south parcels are subject to the Stream Corridor Subdistrict Overlay and the Special Flood Hazard Overlay. See attached zoning map showing the floodplains.

April 13, 2026

RE: Yamhill Waterfront Utilities  
 Emerio Project Number 0416-012

The purpose of this memorandum is to describe the existing utilities and the possibility of connecting to those utilities for the following tax lots, located inside the City Limits of the City of Newberg, to inform the discussion of de-annexation of these properties.

Yamhill County Map #	Tax Lot	APN
3.2.30B	2300	67554
3.2.30B	6000	560572
3.2.30B	6100	560575
3.2.30	1400	640393



Current public utilities, including water, stormwater and sanitary sewer, have been installed to the east of the subject properties, please see the exhibit titled “Existing Utilities”. These utilities were likely installed to service the subdivision along E. Wayno Way. Due to elevation differences, it is impractical to connect to these utilities.

The nearest sanitary sewer connection is shown on GIS to have an invert out of 152.38 feet. Using the same GIS information, the topography shows many of the subject properties have existing ground elevations below that elevation, especially tax lot 1400 that has elevations down to 68 feet.

A series of lift stations would be required to connect and pump the sewer from these homes in the area and in some cases, over 100 feet of vertical elevation change. While this is theoretically possible, it is impractical due to the cost to build and maintain.

Similarly, due to topography, connecting to the existing storm infrastructure from these properties would be challenging. However, from a review of the soil types in the area, onsite infiltration would be a feasible option and would remove the need to tie into City stormwater infrastructure.

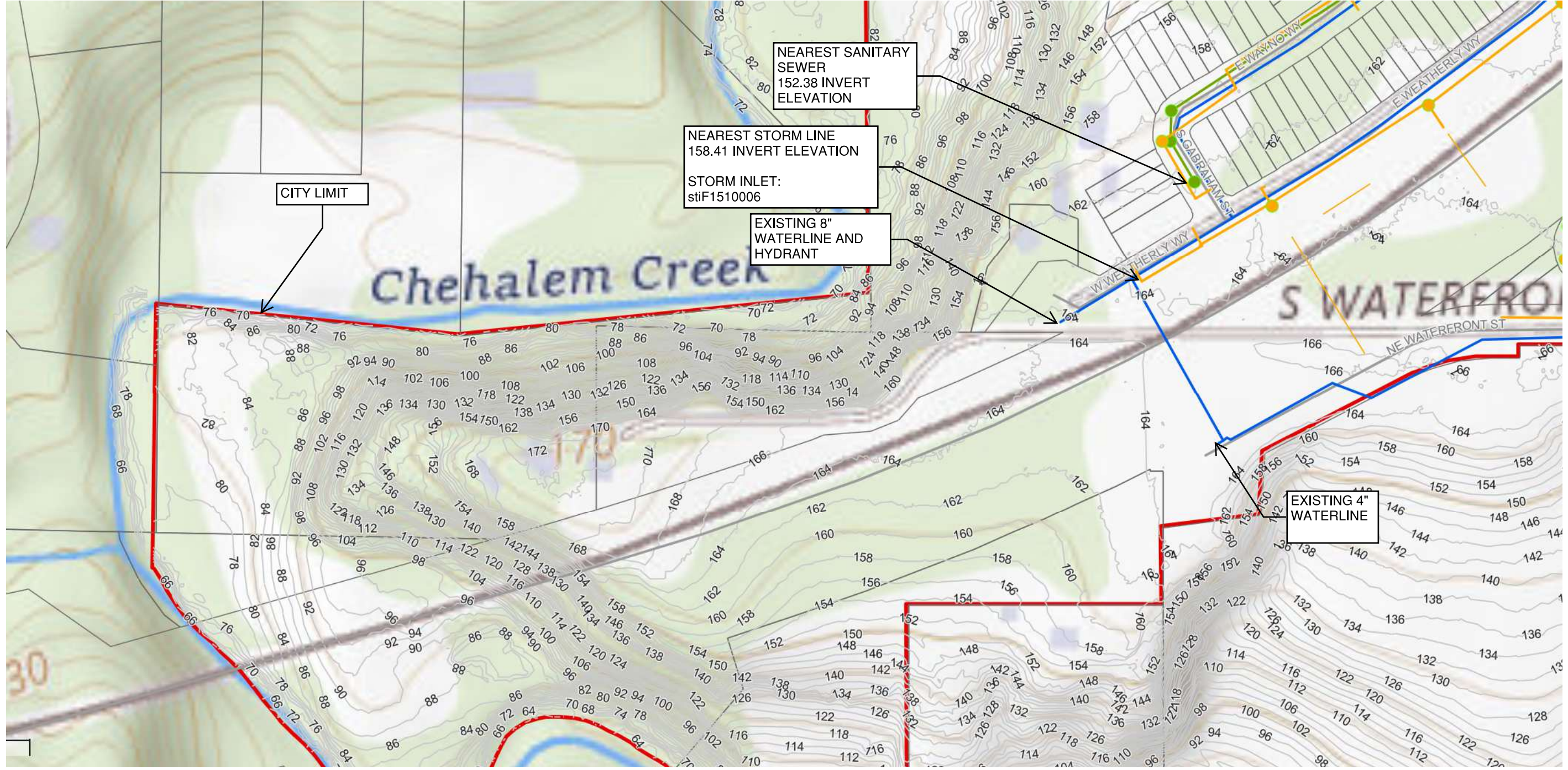
The City of Newberg Water Master Plan Technical Update (Dated May 2021) shows potable water lines running to their current location, and no further extensions appear to be planned to serve the subject properties. It is possible that these plans did not include a capacity analysis for the subject lot and future development. In that case, connecting these lots to existing water lines would not be possible due to capacity issues.

However, there are currently several well records available in the area that show potable water is available.

In summary, these lots will be challenging to serve with existing utilities, especially sanitary sewer and stormwater.

Scott Zelenka, PE

Emerio Design



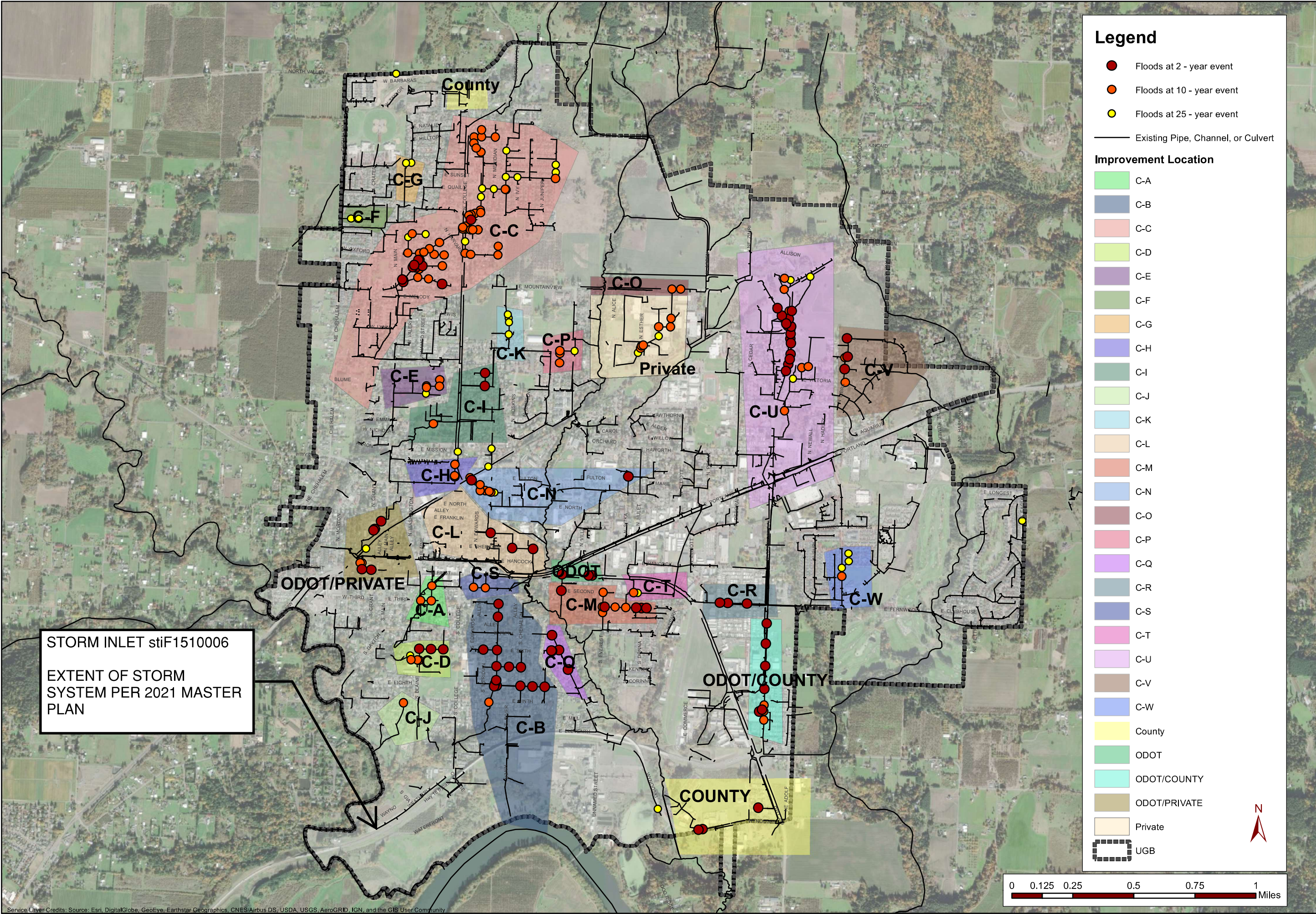
<https://map-newberg.hub.arcgis.com/apps/31555166a877409bbfa3e1eee11be7d/explore>

**EXISTING UTILITIES**

NO.	DATE	DESCRIPTION

**EMERIO**  
 ENGINEERING - SURVEYING - DESIGN  
 6446 SW FALLBROOK PLACE SUITE 100  
 BEAVERTON, OREGON 97008  
 TEL: (503) 748-8812  
 FAX: (503) 639-9592  
 www.emeriodesign.com

SHEET \_\_\_\_\_ OF \_\_\_\_\_



STORM INLET stiF1510006  
 EXTENT OF STORM SYSTEM PER 2021 MASTER PLAN

### Legend

- Floods at 2 - year event
- Floods at 10 - year event
- Floods at 25 - year event
- Existing Pipe, Channel, or Culvert

### Improvement Location

- C-A
- C-B
- C-C
- C-D
- C-E
- C-F
- C-G
- C-H
- C-I
- C-J
- C-K
- C-L
- C-M
- C-N
- C-O
- C-P
- C-Q
- C-R
- C-S
- C-T
- C-U
- C-V
- C-W
- County
- ODOT
- ODOT/COUNTY
- ODOT/PRIVATE
- Private
- UGB

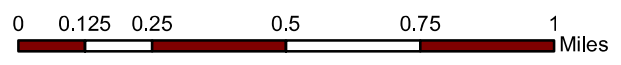


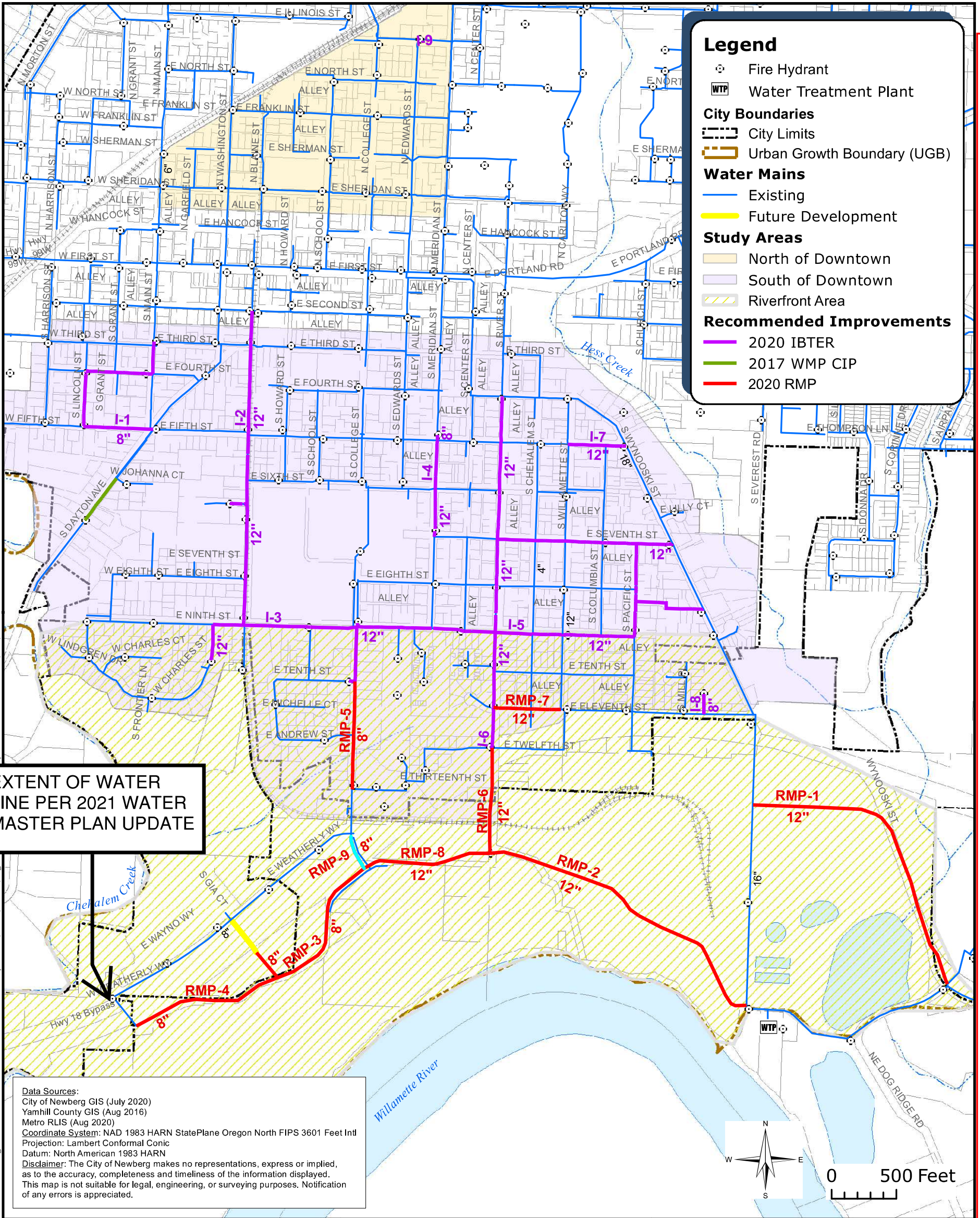
Figure 3-1

## 2020 City of Newberg Stormwater Master Plan

### Model Capacity Problem Areas



G:\PDX\_Projects\20\2818 - Newberg - Water Master Plan Technical Update\GIS\MXD\Figure 2\Improvements.mxd 2/10/2021 3:20:51 PM HAS



**EXTENT OF WATER LINE PER 2021 WATER MASTER PLAN UPDATE**

**Data Sources:**  
 City of Newberg GIS (July 2020)  
 Yamhill County GIS (Aug 2016)  
 Metro RLIS (Aug 2020)  
**Coordinate System:** NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl  
**Projection:** Lambert Conformal Conic  
**Datum:** North American 1983 HARN  
**Disclaimer:** The City of Newberg makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, or surveying purposes. Notification of any errors is appreciated.



**Water Master Plan Technical Update**

**Figure 2  
 Riverfront (RMP) &  
 Middle Housing (IBTER)  
 CIP Projects**



**First American Title™**

**First American Title Insurance Company**

775 NE Evans Street  
McMinnville, OR 97128  
Phn - (503)376-7363  
Fax - (866)800-7294

Order No.: 1032-4313967  
September 30, 2025

**FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:**

KATIE OLHEISER, Escrow Officer/Closer  
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: kolheiser@firstam.com  
First American Title Insurance Company  
515 E Hancock, Newberg, OR 97132

**FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:**

**Clayton Carter**, Title Officer  
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

**Preliminary Title Report**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

**County Tax Roll Situs Address:** 1835 Waterfront St, Newberg, OR 97132

2021 ALTA Owners Standard Coverage	Liability \$	TBD	Premium \$	
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$	TBD	Premium \$	TBD
2021 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	25.00
Other			Cost \$	

**Proposed Insured Lender: Lender To Be Determined**

**Proposed Borrower: Del Boca Vista LLC**

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 23, 2025 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

- Larry D. Christenson and Cindy A. Christenson, Co-Trustees of the Larry D. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;
- Cindy A. Christenson and Larry D. Christenson, Co-Trustees of the Cindy A. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;

Launa Jeffery and John A. Jeffery, Trustees, John and Launa Jeffery Trust u/i/d November 16, 2023, as to an undivided 50% interest

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

**The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.**

**In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:**

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
  - i. Satisfactory evidence that no construction liens will be filed; or
  - ii. Adequate security to protect against actual or potential construction liens;
  - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims or title to water, whether or not shown by the public record.
7. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
8. Taxes for the fiscal year 2025-2026 a lien due, but not yet payable

9. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
10. City liens, if any, of the City of Newberg.

Note: There are no liens as of September 29, 2025. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

11. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
12. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Chehalem Creek and Willamette River.
13. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Chehalem Creek and Willamette River.
14. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Chehalem Creek and Willamette River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
15. Easement, including terms and provisions contained therein:  
Recording Information: December 17, 1936, [Book 112, Page 77](#), Deed Records  
In Favor of: J.S. Walters
16. Easement, including terms and provisions contained therein:  
Recording Information: March 27, 1969, Film [Volume 75, Page 013](#), Deed and Mortgage Records  
In Favor of: Portland General Electric Company  
For: Distribution Line
17. Easement, including terms and provisions contained therein:  
Recording Information: March 27, 1969, Film [Volume 75, Page 014](#), Deed and Mortgage Records  
In Favor of: Portland General Electric Company  
For: Distribution Line
18. An easement reserved in a deed, including the terms and provisions thereof;  
Recorded: June 01, 1972  
Recording Information: Film [Volume 89, Page 1390](#), Deed and Mortgage Records  
From: Larry M. Christenson and Lois A. Christenson  
To: George James Barton and Crista Renate Baron
19. Easement, including terms and provisions contained therein:  
Recording Information: March 25, 1981, Film [Volume 159, Page 1554](#), Deed and Mortgage Records  
In Favor of: Portland General Electric Company  
For: Electric Power Line

20. Easement Agreement and Declaration of Restrictions Agreement and the terms and conditions thereof:  
Between: Larry M. Christenson and Lois A. Christenson  
And: Yamhill County, a political subdivision of Oregon  
Recording Information: January 23, 2004, Instrument No. [200401142](#), Deed and Mortgage Records
21. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded November 14, 2005, Instrument No. [200525468](#), Deed and Mortgage Records.
- The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.
22. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage Records , which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
23. Unrecorded leases or periodic tenancies, if any.
24. The Company will require a Certification of Trust from the vestees named herein, providing information about the Larry D. Christenson Trust dated February 28, 2022, Cindy A. Christenson Trust dated February 28, 2022 and John and Launa Jeffery Trust u/i/d November 16, 2023 and confirming the powers of the trustees and the continuing existence of the trust.
25. With respect to Del Boca Vista LLC:  
a. A copy of its operating agreement or similar document and any amendments thereto;  
b. A official copy of its articles of organization or similar incorporation document and any corrections, amendments or restatements thereto;  
c. Evidence that the limited liability company is properly formed and is in good standing in the state of its domicile;  
d. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: Bargain and Sale Deed recorded November 20, 2023, Instrument No. [202310560](#), Launa Jeffery and John A. Jeffery to Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

A document recorded November 20, 2023, Instrument No. [202310561](#) of Official Records From Launa Jeffery and John A. Jeffery To Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

NOTE: We find no matters of public record against Del Boca Vista LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2024-2025 PAID IN FULL  
Tax Amount: \$34.01

Map No.: R3230 01400  
Property ID: [640393](#)  
Tax Code No.: 29.2

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount: \$183.20  
Map No.: R3230 01400  
Property ID: [67661](#)  
Tax Code No.: 29.52

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

Situs Address as disclosed on Yamhill County Tax Roll:

1835 Waterfront St, Newberg, OR 97132

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!**  
**WE KNOW YOU HAVE A CHOICE!**

**Recording Information**

For county recording requirements and fees visit

<https://www.yamhillcounty.gov/746/Recording>

**NOTE:** Non-standard Document Fee of \$20.00, if applicable, will be imposed by the county clerk for documents presented for recording that fail to meet the requirements established by ORS 205.27

You can also calculate fees by using our Title Fee Calculator at <https://facc.firstam.com/>.

cc: Del Boca Vista LLC

cc: Larry and Cindy Christensen Trust

cc: Lender To Be Determined

cc: Chandler Willcuts, Willcuts Company Realtors  
600 E. 2nd Street, Newberg, OR 97132

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

All of the following described property lying SOUTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

**Parcel 1:**

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83' West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film [Volume 89, Page 1390](#), Deed and Mortgage Records.

**Parcel 2:**

All that portion of the following described tract lying Northeasterly of Chehalem Creek:

Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.



## First American Title Insurance Company

### SCHEDULE OF EXCLUSIONS FROM COVERAGE

#### ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement erected on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

#### ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

**SCHEDULE OF STANDARD EXCEPTIONS**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

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NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



## Privacy Notice

**Last Updated and Effective Date:** December 1, 2024

First American Financial Corporation and its subsidiaries and affiliates (collectively, "First American," "we," "us," or "our") describe in our full privacy notice ("Notice"), which can be found at <https://www.firstam.com/privacy-policy/>, how we collect, use, store, sell or share your personal information when: (1) you access or use our websites, mobile applications, web-based applications, or other digital platforms where the Notice is posted ("Sites"); (2) you use our products and services ("Services"); (3) you communicate with us in any manner, including by e-mail, in-person, telephone, or other communication method ("Communications"); (4) we obtain your information from third parties, including service providers, business partners, and governmental departments and agencies ("Third Parties"); and (5) you interact with us to conduct business dealings, such as the personal information we obtain from business partners and service providers and contractors who provide us certain business services ("B2B"). This shortened form of the Notice describes some of the terms contained in the full Privacy Notice. Personal information is sometimes also referred to as personal data, personally identifiable information or other like terms to mean any information that directly or indirectly identifies you or is reasonably capable of being associated with you or your household. However, certain types of information are not personal information and thus, not within the scope of our Notice, such as: (1) publicly available information; and (2) de-identified and aggregated data that is not capable of identifying you. If we use de-identified or aggregated data, we commit to maintain and use the information in a non-identifiable form and not attempt to reidentify the information, unless required or permitted by law.

This Notice applies wherever it is posted. To the extent a First American subsidiary or affiliate has different privacy practices, such entity shall have their own privacy statement posted as applicable.

Please note that this Notice does **not** apply to any information we collect from job candidates and employees. Our employee and job candidate privacy notice can be found [here](#).

**What Type Of Personal Information Do We Collect About You?** We collect a variety of categories of personal information about you. To learn more about the categories of personal information we collect, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Collect Your Personal Information?** We collect your personal information: (1) directly from you; (2) automatically when you interact with us; and (3) from other parties, including business parties and affiliates.

**How Do We Use Your Personal Information?** We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, complying with relevant laws and our policies, and handling a claim. To learn more about how we may use your personal information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Disclose Your Personal Information?** We may disclose your personal information, including to subsidiaries, affiliates, and to unaffiliated parties, such as service providers and contractors: (1) with your consent; (2) in a business transfer; and (3) for legal process and protection. Although we do not "sell" your information in the traditional sense, the definition of "sale" is broad under the CCPA that some disclosures of your information to third parties may be considered a "sale" or "sharing" for targeted advertising. To learn more about how we disclose your personal information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Store and Protect Your Personal Information?** The security of your personal information is important to us. We take all commercially reasonable steps to make sure your personal information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your personal information.

**How Long Do We Keep Your Personal Information?** We keep your personal information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.



**Your Choices** We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and disclosure of your personal information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

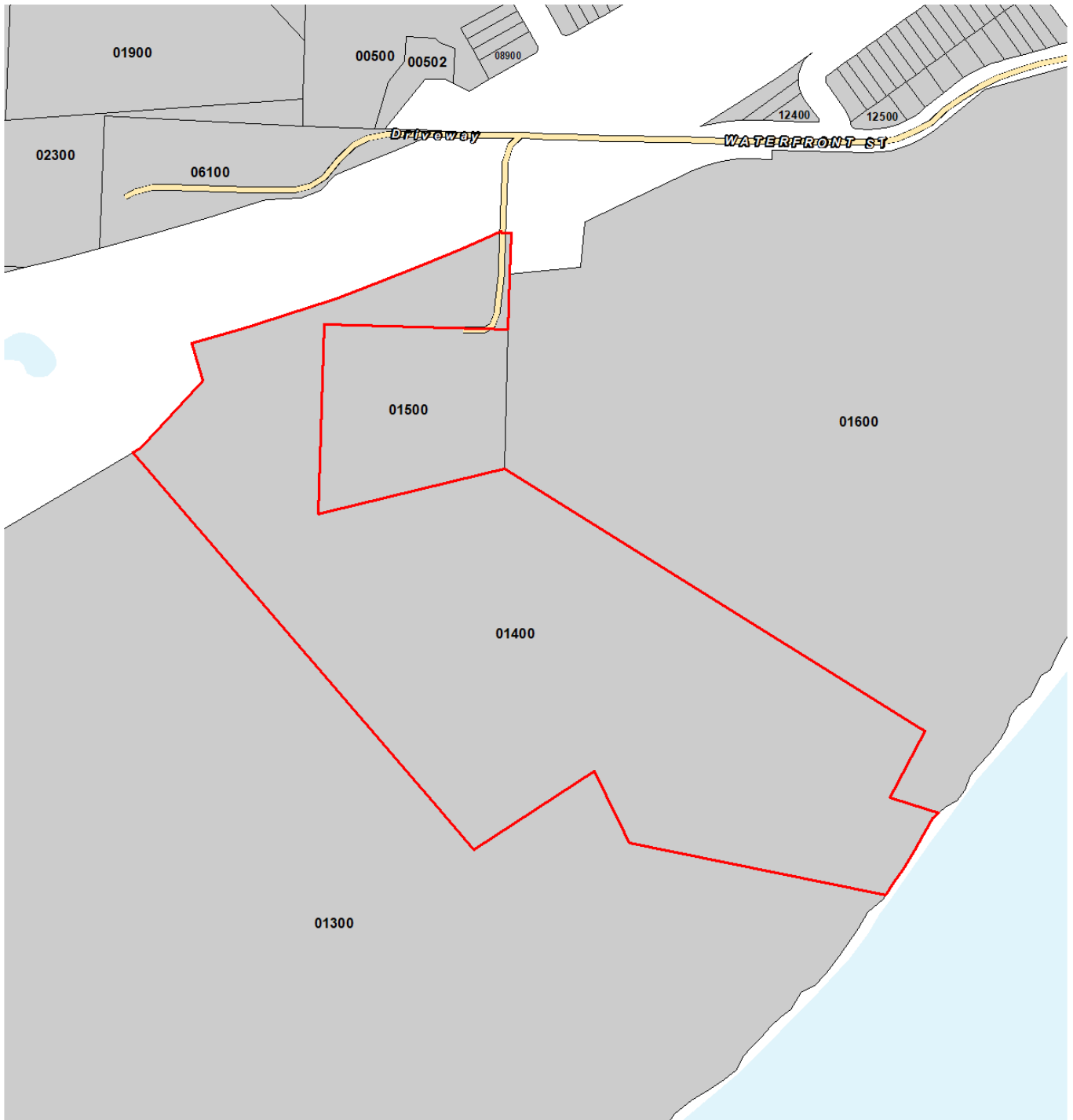
**International Jurisdictions:** Our Services are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Services from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with the Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Services, and your agreements with us.

**Changes to Our Notice:** We may change the Notice from time to time. Any and all changes to the Notice will be reflected on this page and in the full Notice, and where appropriate provided in person or by another electronic method.

**YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR SERVICES OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THE NOTICE.**

**For California Residents** If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act and its implementing regulations. To learn more, please visit <https://www.firstam.com/privacy-policy/>.

**Contact Us:** [dataprivacy@firstam.com](mailto:dataprivacy@firstam.com) or toll free at 1-866-718-0097.



## Taxlot



Subject



Taxlot



**First American Title™**

**First American Title Insurance Company**

775 NE Evans Street  
McMinnville, OR 97128  
Phn - (503)376-7363  
Fax - (866)800-7294

Order No.: 1032-4313968  
September 30, 2025

**FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:**

KATIE OLHEISER, Escrow Officer/Closer  
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: kolheiser@firstam.com  
First American Title Insurance Company  
515 E Hancock, Newberg, OR 97132

**FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:**

**Clayton Carter**, Title Officer  
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

**Preliminary Title Report**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

**County Tax Roll Situs Address:** 1828 NE Waterfront St, Newberg, OR 97132

2021 ALTA Owners Standard Coverage	Liability \$	TBD	Premium \$	
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$	TBD	Premium \$	TBD
2021 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	75.00
Other			Cost \$	

**Proposed Insured Lender: Lender To Be Determined**

**Proposed Borrower: Del Boca Vista LLC**

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 23, 2025 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

- Larry D. Christenson and Cindy A. Christenson, Co-Trustees of the Larry D. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;
- Cindy A. Christenson and Larry D. Christenson, Co-Trustees of the Cindy A. Christenson Trust dated February 28, 2022, as to an undivided 25% interest;

Launa Jeffery and John A. Jeffery, Trustees, John and Launa Jeffery Trust u/i/d November 16, 2023, as to an undivided 50% interest

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

**The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.**

**In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:**

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
  - i. Satisfactory evidence that no construction liens will be filed; or
  - ii. Adequate security to protect against actual or potential construction liens;
  - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims or title to water, whether or not shown by the public record.
7. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
8. Taxes for the fiscal year 2025-2026 a lien due, but not yet payable
9. City liens, if any, of the City of Newberg.

Note: There are no liens as of September 29, 2025. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

10. Loss or damage by reason that there appears to exist no insurable right of access to and from the land herein described to a public right-of-way. Unless this matter is solved to the satisfaction of the company, the forthcoming policy/endorsement will contain an exception to coverage for loss or damage by reason of **lack** of right of access to and from the land.
11. A legal description was not included in the application for Title Insurance. The legal description contained herein was taken from the record and the presumed intention of the parties to the transaction. Said description must be examined and approved by all parties prior to closing.
12. The Company will require a Certification of Trust from the vestees named herein, providing information about the Larry D. Christenson Trust dated February 28, 2022, Cindy A. Christenson Trust dated February 28, 2022 and John and Launa Jeffery Trust u/i/d November 16, 2023 and confirming the powers of the trustees and the continuing existence of the trust.
13. With respect to Del Boca Vista LLC:
  - a. A copy of its operating agreement or similar document and any amendments thereto;
  - b. A official copy of its articles of organization or similar incorporation document and any corrections, amendments or restatements thereto;
  - c. Evidence that the limited liability company is properly formed and is in good standing in the state of its domicile;
  - d. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

**TRACT 1:**

14. Potential taxes due to disqualification in the amount of \$ 1,801.01
15. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Chehalem Creek.
16. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Chehalem Creek.
17. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Chehalem Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
18. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
19. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded Instrument No. [200525468](#), Deed and Mortgage Records.

The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.

20. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

**TRACT 2:**

21. Potential taxes due to disqualification, in the amount of \$ 2,963.97
22. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Chehalem Creek.
23. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Chehalem Creek.
24. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Chehalem Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
25. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
26. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded November 14, 2005, Instrument No. [200525468](#), Deed and Mortgage Records.

The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.

27. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

**TRACT 3:**

28. Potential taxes due to disqualification in the amount of \$ 6,462.82
29. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
30. Terms, conditions and effect, if any, of that certain order, No. 05-947, issued by City/County Planning Department, dated November 09, 2005, recorded November 14, 2005, Instrument No. [200525468](#), Deed and Mortgage Records.

The Company expressly does not insure the validity or enforceability of the order set forth above and coverage regarding this matter is subject to the "Exclusions from Coverage 1 (a)", as set forth in the policy issued (or to be issued) hereunder.

31. Limited access provisions contained in Deed to the State of Oregon, by and through its Department of Transportation recorded September 29, 2015, Instrument No. [201515432](#), Deed and Mortgage, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: Bargain and Sale Deed recorded November 20, 2023, Instrument No. [202310560](#), Launa Jeffery and John A. Jeffery to Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

A document recorded November 20, 2023 as Instrument No. [202310561](#) of Official Records From Launa Jeffery and John A. Jeffery To Launa Jeffery and John A. Jeffery, Trustees, or the survivor, or in the event of a vacancy in the office of Trustee, the successor Trustee of the John and Launa Jeffery Trust u/i/d November 16, 2023.

NOTE: We find no matters of public record against Del Boca Vista LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount: \$57.18  
Map No.: R3230B 06000  
Property ID: [560572](#)  
Tax Code No.: 29.52  
(Affects TRACT 1)

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount: \$815.70  
Map No.: R3230B 02300  
Property ID: [67554](#)  
Tax Code No.: 29.52  
(Affects TRACT 2)

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount: \$735.60  
Map No.: R3230B 06100  
Property ID: [560575](#)  
Tax Code No.: 29.52  
(Affects TRACT 3)

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

Situs Address as disclosed on Yamhill County Tax Roll:

1828 NE Waterfront St, Newberg, OR 97132

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!  
WE KNOW YOU HAVE A CHOICE!**

### **Recording Information**

For county recording requirements and fees visit

<https://www.yamhillcounty.gov/746/Recording>

**NOTE:** Non-standard Document Fee of \$20.00, if applicable, will be imposed by the county clerk for documents presented for recording that fail to meet the requirements established by ORS 205.27

You can also calculate fees by using our Title Fee Calculator at <https://facc.firstam.com/>.

cc: Del Boca Vista LLC

cc: Larry and Cindy Christensen Trust

cc: Lender To Be Determined

cc: Chandler Willcuts, Willcuts Company Realtors  
600 E. 2nd Street, Newberg, OR 97132

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

## TRACT 1: [3230B 6000]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

All that portion of the following described tract lying Northeasterly of Chehalem Creek: Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.

## TRACT 2: [3230B-2300]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

That portion of Lot 8, SOUTH NEWBERG SUBURBAN ACRES which lies South of Chehalem Creek and being a part of the land described in contract dated November 6, 1963 and recorded November 18, 1963 in Film Volume 33, Page 957, Deed and Mortgage Records, between Harold H. Miller and Martin VerMulum, in Yamhill County, Oregon.

## TRACT 3: [3230B-6100]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83' West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links

distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film Volume 89, Page 1390, Deed and Mortgage Records.



## First American Title Insurance Company

### SCHEDULE OF EXCLUSIONS FROM COVERAGE

#### ALTA LOAN POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement erected on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

#### ALTA OWNER'S POLICY (07/01/21)

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

**SCHEDULE OF STANDARD EXCEPTIONS**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

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NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



## Privacy Notice

**Last Updated and Effective Date:** December 1, 2024

First American Financial Corporation and its subsidiaries and affiliates (collectively, "First American," "we," "us," or "our") describe in our full privacy notice ("Notice"), which can be found at <https://www.firstam.com/privacy-policy/>, how we collect, use, store, sell or share your personal information when: (1) you access or use our websites, mobile applications, web-based applications, or other digital platforms where the Notice is posted ("Sites"); (2) you use our products and services ("Services"); (3) you communicate with us in any manner, including by e-mail, in-person, telephone, or other communication method ("Communications"); (4) we obtain your information from third parties, including service providers, business partners, and governmental departments and agencies ("Third Parties"); and (5) you interact with us to conduct business dealings, such as the personal information we obtain from business partners and service providers and contractors who provide us certain business services ("B2B"). This shortened form of the Notice describes some of the terms contained in the full Privacy Notice. Personal information is sometimes also referred to as personal data, personally identifiable information or other like terms to mean any information that directly or indirectly identifies you or is reasonably capable of being associated with you or your household. However, certain types of information are not personal information and thus, not within the scope of our Notice, such as: (1) publicly available information; and (2) de-identified and aggregated data that is not capable of identifying you. If we use de-identified or aggregated data, we commit to maintain and use the information in a non-identifiable form and not attempt to reidentify the information, unless required or permitted by law.

This Notice applies wherever it is posted. To the extent a First American subsidiary or affiliate has different privacy practices, such entity shall have their own privacy statement posted as applicable.

Please note that this Notice does **not** apply to any information we collect from job candidates and employees. Our employee and job candidate privacy notice can be found [here](#).

**What Type Of Personal Information Do We Collect About You?** We collect a variety of categories of personal information about you. To learn more about the categories of personal information we collect, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Collect Your Personal Information?** We collect your personal information: (1) directly from you; (2) automatically when you interact with us; and (3) from other parties, including business parties and affiliates.

**How Do We Use Your Personal Information?** We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, complying with relevant laws and our policies, and handling a claim. To learn more about how we may use your personal information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Disclose Your Personal Information?** We may disclose your personal information, including to subsidiaries, affiliates, and to unaffiliated parties, such as service providers and contractors: (1) with your consent; (2) in a business transfer; and (3) for legal process and protection. Although we do not "sell" your information in the traditional sense, the definition of "sale" is broad under the CCPA that some disclosures of your information to third parties may be considered a "sale" or "sharing" for targeted advertising. To learn more about how we disclose your personal information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Store and Protect Your Personal Information?** The security of your personal information is important to us. We take all commercially reasonable steps to make sure your personal information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your personal information.

**How Long Do We Keep Your Personal Information?** We keep your personal information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.



**Your Choices** We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and disclosure of your personal information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

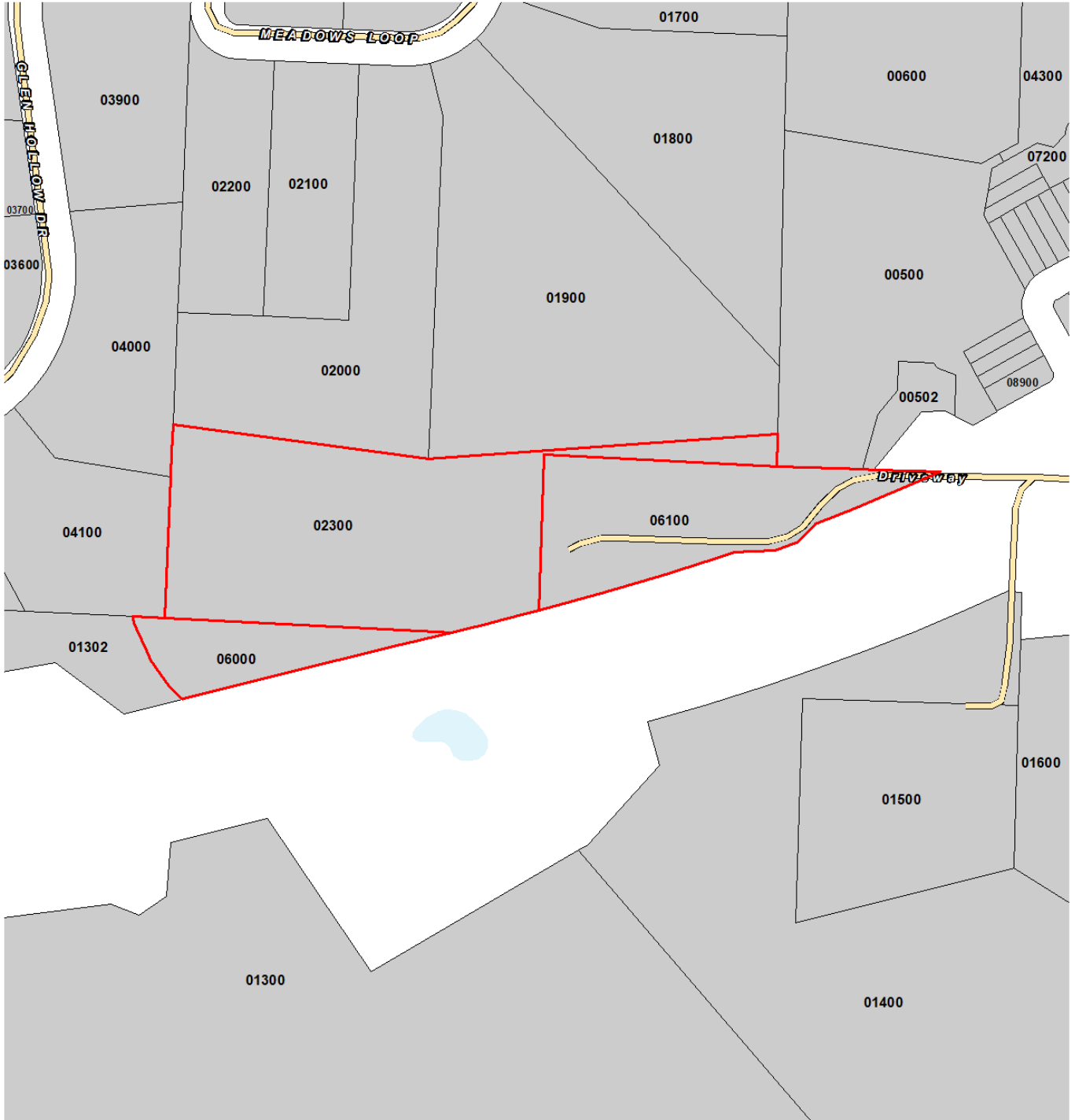
**International Jurisdictions:** Our Services are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Services from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with the Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Services, and your agreements with us.

**Changes to Our Notice:** We may change the Notice from time to time. Any and all changes to the Notice will be reflected on this page and in the full Notice, and where appropriate provided in person or by another electronic method.

**YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR SERVICES OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THE NOTICE.**

**For California Residents** If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act and its implementing regulations. To learn more, please visit <https://www.firstam.com/privacy-policy/>.

**Contact Us:** [dataprivacy@firstam.com](mailto:dataprivacy@firstam.com) or toll free at 1-866-718-0097.



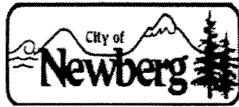
# Taxlot



Subject



Taxlot



## **ORDINANCE No. 2006-2651**

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**AN ORDINANCE DECLARING THAT APPROXIMATELY 98 ACRES ALONG WATERFRONT STREET AND ALL OR PARTS OF EWING YOUNG PARK AND YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, BE ANNEXED INTO THE CITY, THAT THE COMPREHENSIVE PLAN MAP BE CHANGED FROM LDR TO MDR (MEDIUM DENSITY RESIDENTIAL) FOR A PORTION OF THE AREA, THAT THE ZONE BE CHANGED TO R-2 AND CF (COMMUNITY FACILITY), AND THAT THE AREA BE WITHDRAWN FROM THE NEWBERG RURAL FIRE PROTECTION DISTRICT**

**SUBJECT TO A PUBLIC VOTE**

---

**RECITALS:**

1. On January 17, 2006, the Newberg City Council initiated annexation proceeding for the subject properties.
2. On June 22, 2006, the Newberg Planning Commission held a hearing on the application, and recommended approval.
3. After proper notice, on August 7, 2006 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third, the City Council held a public hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
4. The Council finds that the requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding annexations and comprehensive plan amendments have been met.

**THE CITY OF NEWBERG ORDAINS AS FOLLOWS:**

1. The City Council adopts the findings, which are attached hereto as Exhibit A and incorporated herein by reference.
2. Owners understand that annexation in to the city must be approved by the voters of the City. The City may place the matter before the voters of the City at a biennial General Election (held in May and November of each even numbered year), unless otherwise approved by

resolution of the City Council.

3. Should this annexation request be approved by a majority of the electorate of the City of Newberg at the election date as identified by resolution of the City Council, the property shall be annexed and the following events shall occur:

- A. It is hereby ordered and declared that the property shown in Exhibit B and described in Exhibit C, is annexed and withdrawn from the Newberg Rural Fire Protection District.
- B. The Newberg Comprehensive Plan map shall be amended as shown in Exhibit D.
- C. The "Newberg, Oregon Zoning Map" shall be amended as shown in Exhibit E.
- D. The Recorder of the City of Newberg is hereby authorized and directed to make and submit to the Secretary of State, the Department of Revenue, the Yamhill County Elections Officer, and the Assessor of Yamhill County, a certified copy of the following documents:
  - 1. A copy of this ordinance.
  - 2. A map identifying the location of said territory.

4. The existing houses must be connected to sanitary sewer and water when available. Costs of extending and connecting to utilities and other services will be borne by the owners.


➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: September 6, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 7<sup>th</sup> day of August, 2006, by the following votes:

**AYE: 5      NAY: 2      ABSENT: 0      ABSTAIN: 0**

  
\_\_\_\_\_  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this 9th day of August, 2006.

  
\_\_\_\_\_  
Bob Stewart, Mayor

**LEGISLATIVE HISTORY**

By and through Planning Commission at 6/22/2006 meeting.

**Exhibits:**

- Exhibit A: Findings
- Exhibit B: Annexation Map
- Exhibit C: Legal Description
- Exhibit D: Revised Comprehensive Plan Map



## EXHIBIT A: FINDINGS

### SECTION 1: ANNEXATION FINDINGS

A. **The following conditions must be met prior to or concurrent with City processing of any annexation request:**

1. ***The subject site must be located within the Newberg Urban Growth Boundary or Newberg Urban Reserve Areas.***

**Finding:** All the property proposed for annexation is within the Newberg Urban Growth Boundary (UGB). Chehalem Creek is the Urban Growth Boundary on the west side. The creek, and thus the UGB, divides two of the properties. In these instances, only that portion of the property within the UGB is proposed for annexation.

2. ***The subject site must be contiguous to the existing City limits.***

**Finding:** The properties are contiguous to the existing City limits on the north side.

**An application for an annexation may be granted through a Type III procedure only if the proposal conforms to the annexation criteria found in NDC § 151.262, as follows:**

(A). ***The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.***

**Finding:** A portion of the area proposed for annexation is a portion of Ewing Young Park. It is owned by the Chehalem Park and Recreation District (CPRD). This area has a comprehensive plan designation of P (Park). The skate park and most of the BMX track are within the Newberg City limits. The portion of the park proposed for annexation is largely undeveloped, but does contain some uses. It contains a portion of the BMX track, and a disc golf course. It also contains a few small farm structures. Chehalem Creek borders the property to the west, and a branch of the creek borders it to the south. This area is used for passive recreation.

Upon annexation, the park would continue to be used much the same as it is today. At some point in the future, the park could present opportunities to further develop a historic interpretative area, or for additional recreation facilities. This is in compliance with the Comprehensive Plan.

Much of the remainder of the annexation area is within the Newberg Riverfront Master Plan area. The plan envisions the area being developed with Medium and Low Density Residential development, trails, a stream corridor, and the Newberg-Dundee bypass. Annexation of this property would facilitate development in accordance with this plan. In

fact, if the area is not annexed, the area possibly could be developed under Measure 37 as rural residential uses, which would be a severe violation of the City's and County's comprehensive plans.

One change in the plan is requested to change the existing area designated Low Density Residential (LDR) to Medium Density Residential (MDR). Findings addressing this change are noted below. This change will actually increase the ability to implement the Riverfront Master Plan, as additional residential development would be possible in areas not affected by the Newberg-Dundee bypass.

- (B).** *An adequate level of urban services must be available, or made available, within three years time of annexation. An adequate level of urban services shall be defined as:*
- (a)** *Municipal sanitary sewer and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.*
  - (b)** *Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.*

**Finding:** The Newberg Riverfront Master plan details the utility and street improvements needed to serve the area. See Attachment L. The following is a summary of these needs:

Water: Water service is planned to be provided to this area by extending existing water lines in River Street and College Street.

Sanitary sewer: Sewer service is planned to serve this area by extending sewer lines from the main in River Street. A sanitary sewer pump station will need to be installed to serve a portion of this area.

Stormwater: The City's storm drainage master plan envisions that this area will flow largely to the Willamette River through storm drains. A storm water treatment facility (such as a biofiltration swale or pond) is planned to serve the area.

Roads: Various transportation facilities are needed to serve the area. These include improvements to College Street, River Street, 14<sup>th</sup> Street, Waterfront Street, and the extension of Blaine Street.

The above improvements are not likely to be completed within the next three years. Criterion E. below provides for an exception to the above criterion. See the findings below.

**(C)** *Findings documenting the availability of police, fire, parks, and school facilities*

*and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.*

**Finding:** Police services are currently provided to the area by Yamhill County Sheriff's Office. Newberg Rural Fire District currently provides fire service. The proposed annexation will shift police and fire services to the City. The current development includes only two houses. This will add only a minimal addition to the police and fire services needed. The property taxes collected after development are roughly estimated to pay for the additional services needed. When development occurs, additional police and fire services will be needed, and additional property taxes will be generated to offset these costs.

The Chehalem Park and Recreation District owns property within the annexation area – Ewing Young Park (Note that the skate park and most of the BMX track are already within the City limits). The use of this park is not anticipated to change due to the annexation. Annexation could perhaps allow additional facilities, such as a restroom, at the park at some future time if this were desirable.

The property will generate additional needs for school facilities. The Newberg School District receives state funding on a per student basis. Thus, with the additional population, the school district will receive additional funding for school services. Development of the property will also generate additional property tax revenue that will go to fund school services.

**(D)** *The burden for providing the findings for divisions (A), (B) and (C) of this section is placed upon the applicant.*

**Finding:** The applicant is the City of Newberg. These findings have been prepared by City staff.

**(E)** *The City Council may annex properties where urban services are not and cannot practically be made available within the three year time frame noted in subsection (B) above, but where annexation is needed to address a health hazard, to annex an island, to address sewer or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the Council shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available.*

**Finding:** In this circumstance, annexation is needed to address specific legal issues. The property owners in the area have filed Measure 37 claims with Yamhill County. The property owners have agreed to hold these claims pending a decision on the annexation. This agreement is contingent upon having the property annexed as R-2. Annexing per this request is a specific legal or contractual constraint that would preclude placement of a limited use overlay on the property. If the claims are successful and development occurs, the development would be without City water and sewer services. It would be nearly impossible

to develop the area as envisioned by the Newberg Riverfront Master Plan. Development would consist of rural residential development, not the urban residential development envisioned by the plan. By annexing the property, the area could be developed as envisioned by the Riverfront Master Plan. Development would occur concurrent with the provision of utility services.

Also, note that the provision of adequate services in relation to development of this area is addressed through the adopted Riverfront Master Plan.

## **SECTION 2: COMPREHENSIVE PLAN AMENDMENT FINDINGS**

### **NDC § 151.122 (3) COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT CRITERIA. *The applicant must demonstrate compliance with the following criteria:***

**(a) *The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code;***

The following goals apply:

*I. Housing, Goal 2 b. The City will encourage medium density housing in an adjacent to the commercial core of the Riverfront District and lower intensity residential uses in the western portion of the Riverfront District.*

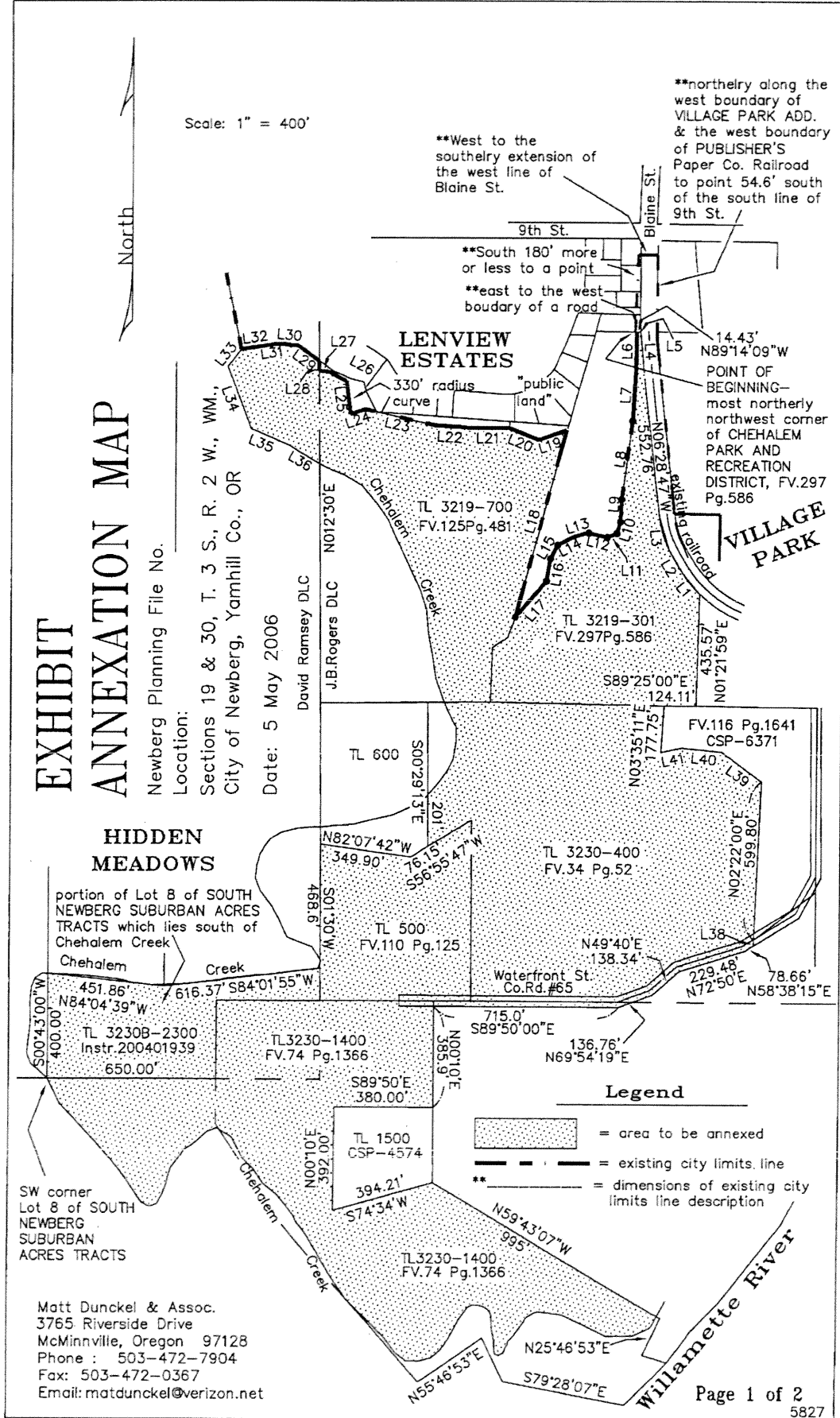
*J. Urban Design 6. a. The City will encourage a mix of employment, housing and retail uses serving the neighborhood and the surrounding community to enhance the riverfront's identity as a vital and attractive City asset and to ensure an active, pedestrian friendly, and thriving riverfront area.*

**Finding:** The plan amendment would help promote the objectives of the Newberg Riverfront Master Plan. The plan envisions housing supporting the riverfront commercial area. The total amount of housing on the property, however, will be limited by the bypass. The plan amendment will help encourage mix of housing envisioned in the plan. It also will help provide the critical mass of development necessary to provide the facilities and services needed to serve the area.

**(b) *Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.***

**Finding:** The property is within the Riverfront Master Plan area. The master plan details the public facilities and services that are needed to serve the area. Due to land needed for the Newberg Dundee bypass, the total amount of residential development will be limited. The change to Medium Density Residential will allow additional residential development in the area, consistent with the goal of the riverfront master plan. The public facilities planned will serve Medium Density Residential property.

**EXHIBIT B: ANNEXATION MAP**



# EXHIBIT ANNEXATION MAP

Newberg Planning File No. \_\_\_\_\_

Location: \_\_\_\_\_

Sections 19 & 30, T. 3 S., R. 2 W., WM.,  
City of Newberg, Yamhill Co., OR

Date: 5 May 2006

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N39°46'30"W	105.38
L2	N30°17'02"W	100.56
L3	N16°42'37"W	136.02
L4	N04°57'55"W	148.19
L5	N89°14'09"W	14.43
L6	Southeasterly	200.00
L7	S03°20'00"W	200.00
L8	S07°35'00"W	300.00
L9	S03°14'00"W	85.00
L10	S17°01'00"W	47.00
L11	S67°59'00"W	40.00
L12	N76°52'00"W	78.00
L13	S72°12'00"W	60.00
L14	S63°21'00"W	64.80
L15	S28°06'00"W	60.00
L16	S09°50'00"W	86.00
L17	S41°37'00"W	182.00
L18	N15°28'00"E	736.00
L19	S70°49'30"W	114.35
L20	N68°25'00"W	123.50
L21	N89°55'00"W	144.00
L22	N86°10'00"W	142.50
L23	N77°10'00"W	274.00
L24	S71°35'00"W	60.00
L25	N07°17'30"W	127.34
L26	N62°00'00"W	75.00
L27	N83°25'00"W	39.0
L28	N01°30"E	55.0
L29	N53°35'00"W	98.55
L30	N85°02'00"W	78.82
L31	S81°45'14"W	51.96
L32	S81°45'14"W	91.99
L33	S38°03'15"W	83.27
L34	S20°36'46"E	253.83
L35	S67°11'25"E	155.70
L36	S59°25'53"E	141.76
L38	S02°22'00"W	22.55
L39	N54°03'20"W	189.40
L40	N84°06'00"W	156.00
L41	S77°53'00"W	81.54

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Matthew E. Dunckel*

OREGON  
July 13, 1961  
MATTHEW E. DUNCKEL  
1942

Renewable 31 December 2007

Matt Dunckel & Assoc.  
3765 Riverside Drive  
McMinnville, Oregon 97128  
Phone : 503-472-7904  
Fax: 503-472-0367  
Email: matdunckel@verizon.net

Page 2 of 2

5827

## EXHIBIT C - LEGAL DESCRIPTION

Matt Dunckel & Assoc.  
Land Surveyors  
3765 Riverside Drive  
McMinnville, OR 97128  
Phone: 503-472-7904  
Fax : 503-472-0367

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,  
3230-400,500 & 1400, 3230B-2300

A tract of land in Sections 19 & 30, Township 3 South, Range 2 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the most northerly northwest corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586, said point being on the existing city limits line and also being North 89°14'09" West 14.43 feet from the westerly margin of the existing railroad; thence along the existing city limits line the following bearings and distances, southeasterly 200 feet along the west line of a roadway; thence South 03°20' West 200 feet to an iron pipe; thence South 07°35' West 300 feet to an iron pipe; thence South 03°14' West 85 feet to an iron pipe; thence South 17°01' West 47 feet to an iron pipe; thence South 67°59' West 40 feet to an iron pipe; thence North 76°52' West 78 feet leaving said roadway to an iron pipe; thence South 72°12' West 60 feet to an iron pipe; thence South 63°21' West 64.8 feet to an iron pipe; thence South 28°06' West 60 feet to an iron pipe; thence South 09°50' West 86 feet to an iron pipe; thence South 41°37' West 182 feet to an iron pipe; North 15°28' East 736 feet to the southeast corner of the "Public Land" represented on the vacation plat of "French's Addition to the City of Newberg; thence South 70°49'30" West 114.35 feet; thence North 68°25' West 123.50 feet; thence North 89°55' West 144.00 feet; North 86°10' West 142.50 feet; thence North 77°10' West 274.00 feet; thence South 71°35' West 60 feet; thence northerly 128.15 feet along a curve right having a radius of 330 feet through a central angle of 22°15' (chord bears North 7°17'30" West 127.34 feet); thence North 62°00' West 75 feet; thence North 83°25' West 39 feet to the west line of the Joseph B. Rogers Donation Land Claim; thence North 1°30' East 55 feet more or less to a point on the west line of said Rogers DLC that is South 1°30' West 409.1 feet from an iron pipe on the west line of Ninth Street and the west line of said Rogers DLC; thence North 53°35' West 98.55 feet; thence North 85°02' West 78.82 feet; thence South 81°45'14" West 51.96 feet;

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,  
3230-400,500 & 1400, 3230B-2300

thence South 81°45'14" West 91.99; thence leaving said existing city limits line South 38°03'15" West 83.27 feet to the center of Chehalem Creek; thence South 20°36'46" East 253.83 feet along Chehalem Creek; thence South 67°11'25" East 155.70 feet along Chehalem Creek; thence South 59°25'53" East 141.76 feet along Chehalem Creek; thence continuing southerly along the center of Chehalem Creek to the south line of that tract of land described in deed from ROBERT SWIFT, personal representative of the LEONARD C. FRENCH Estate to CHEHALEM PARK AND RECREATION DISTRICT and recorded December 12, 1977 in Film Volume 125 Page 481; thence continuing southerly and southwesterly to the west line of that tract of land described in deed from MAURICE E. CRONIN and ELIZABETH H. CRONIN to KENNETH I. WEATHERLY and MILDRED A. WEATHERLY and recorded November 21, 1963 in Film Volume 34 Page 52; thence South 00°29'13" east 201 feet along the west line of said WEATHERLY tract to the north line of that tract of land described in deed from WEATHERLY to WOZNIAK and recorded January 8, 1976 in Film Volume 110 Page 125; thence South 56°55'47" West 76.15 feet along the north line of said WOZNIAK tract; thence North 82°07'42" West 349.90 feet along said north line to the northwest corner of said tract; thence South 01°30" West 468.6 feet along the west line of said tract to the center of Chehalem Creek and the northeast corner of that tract of that tract of land described in deed from LORENCE M. CHRISTENSON and LOIS A. CHRISTENSON to LORENCE M. CHRISTENSON and LOIS A. CHRISTENSON as co-Trustees of the CHRISTENSON FAMILY TRUST and recorded in Instrument No. 200401939; thence South 84°01'55" West 616.37 feet along the north line of said CHRISTENSON tract; thence North 84°04'39" West 451.86 along said north line to the west line of Lot 8 of SOUTH NEWBERG SUBURBAN ACRE TRACTS; thence South 00°43' West 400 feet more or less to the southwest corner of said Lot 8 and the center of Chehalem Creek; thence southeasterly and easterly along the center of Chehalem Creek to the northeasterly line of that tract of land described in deed from MELLINGER to CHRISTENSON (Parcel 1) February 26, 1967 in Film Volume 74 Page 1366; thence North 59°43'07" West 955 feet more or less to an angle corner in said northeasterly line; thence South 74°34' West 394.21 feet along said line; thence North 00°10' East 392.00 feet along said line; thence South 89°50' East 380.00 feet along said line; thence North 00°10' East 385.9 feet along said line to the south margin of the County Road No. 65; thence South 89°50' East 715.0 feet along said south margin; thence

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,  
3230-400,500 & 1400, 3230B-2300

North 69°54'19" East 136.76 feet along said south margin; thence North 49°40' East 138.34 feet along said line; thence North 72°50' East 229.48 feet along said south line to a point that is South 02°22'00" West 22.55 feet from the southwest corner of that tract of land described in Land Sales Contract from WEATHERLY to HOLLIS and executed December 16, 1976 and recorded in Film Volume 116 Page 1641; thence North 02°22'00" East 22.55 feet to said southwest corner; thence North 02°22'00" East 599.80 feet along the west line of said HOLLIS tract; thence North 54°03'20" West 189.40 feet along said west line; thence North 84°06'00" West 156.00 feet along said line; thence South 77°53'00" West 81.54 feet along said line; thence North 03°35'11" East 177.75 feet along said line to the northwest corner of said tract; thence South 89°25'00" East 124.11 feet along the north line of said tract to the southeast corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586; thence North 01°21'59" East 435.57 feet along the east line of said CHEHALEM PARK AND RECREATION DISTRICT tract to a point that is 30 feet southerly of the centerline of the existing railroad tracts, when measured at right angles; thence northwesterly parallel with and 30 feet southerly and westerly of said existing railroad tracts, chord bearings and distanced are North 39°46'30" West 105.38 feet, North 30°17'02" West 100.56 feet, North 16°42'37" West 136.02 feet, North 06°28'47" West 552.76, North 04°57'55" West 148.19 feet to the northeast corner of said CHEHALEM PARK AND RECREATION DISTRICT tract; thence North 89°14'09" West 14.43 feet to the point of beginning.

EXHIBIT D: REVISED COMPREHENSIVE PLAN MAP

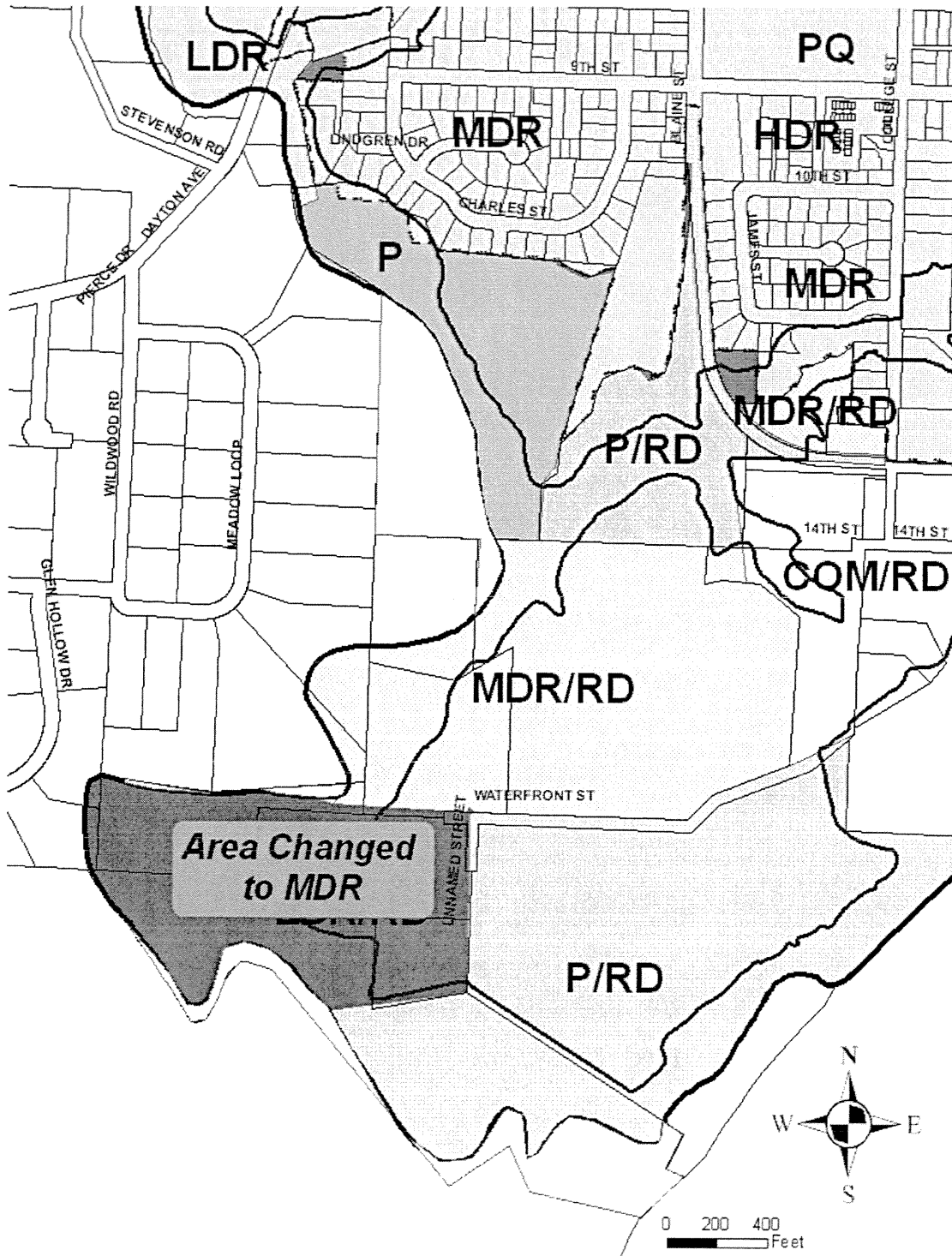
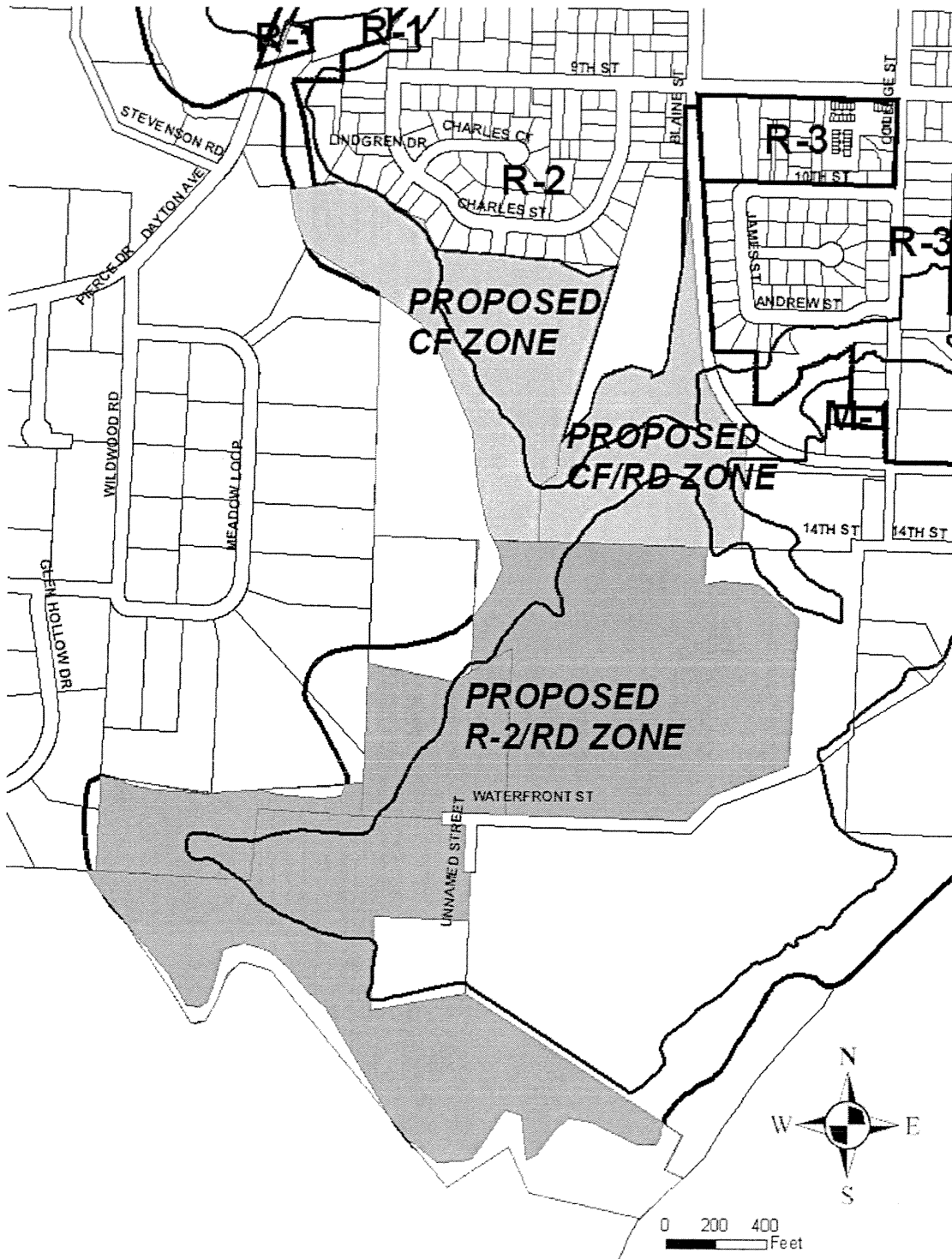
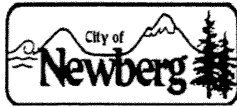


EXHIBIT E: REVISED ZONING MAP





## **RESOLUTION No. 2006-2664**

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**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ELECTIONS OFFICER TO CERTIFY TO THE YAMHILL COUNTY CLERK A BALLOT TITLE FOR THE MEASURE TO BE SUBMITTED TO THE ELECTORATE OF THE CITY OF NEWBERG FOR THEIR APPROVAL OF AN ANNEXATION FOR PROPERTY LOCATED ALONG WATERFRONT STREET AND EWING YOUNG PARK, YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400**

---

### **RECITALS:**

1. On August 7, 2006 the City Council adopted Ordinance No. 2006-2651, annexing the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, subject to a public vote.
2. The City of Newberg Charter requires that territory may be annexed into the City of Newberg only upon approval by a majority vote among the electorate of the City.
3. The City Council has requested that this matter be placed before the voters at the general election in November, 2006.

### **THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**


1. The City Attorney of the City of Newberg is hereby authorized and directed to prepare in proper form a ballot title placing before the voters the question of the annexation of the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, as described in Ordinance No. 2006-2651, and file such ballot title with the City Elections Officer.
2. The City Elections Officer of the City of Newberg is hereby authorized and directed to certify to the Yamhill County Clerk the ballot title for the annexation measure to be placed before the voters at the next general election in November, 2006. Further, the City Elections Officer is directed to give all necessary notices of the ballot title and do all other necessary acts and deeds which may be required to place the matter before the voters of the City of Newberg at said election.
3. The City Attorney is directed to have prepared and review the explanatory statement which shall be submitted to the Yamhill County Clerk with the ballot title. Such explanatory statement shall be filed with the City Elections Officer and the City Elections Officer is

further directed to certify this explanatory statement to the Yamhill County Clerk.

4. The City Elections Officer is authorized to do all other necessary acts and deeds which may be required to conduct the election concerning this measure.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: August 8th, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 7<sup>th</sup> day of August, 2006.

  
\_\_\_\_\_  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this 9<sup>th</sup> day of August, 2006.

  
\_\_\_\_\_  
Bob Stewart, Mayor

### **LEGISLATIVE HISTORY**

By and through Planning Commission at 6/22/06 meeting.  
(committee name) (date)



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 28, 2026  
Please refer questions and comments to: James Dingwall

**NOTE: Additional information can be viewed on our website at:**

**APPLICANT:** Teresa Gilmore  
**REQUEST:** De-Annexation of Property  
**SITE ADDRESS:** 1835 & 1828 NE WATERFRONT ST  
**LOCATION:**  
**TAX LOT:** R3230 01400 & R3230B 02300  
**FILE NO:** PLNG-25-43  
**ZONE:** R-2(Medium Density Res Zoning District)  
**HEARING DATE:** N/A

---

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)

---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

---

Reviewed By:

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Date:

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Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

**W E Worthey**

Digitally signed by W E Worthey  
DN: C=City of Newberg, CN=W E Worthey, E=will.worthey@newbergoregon.gov  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2025.05.13 17:26:53 -0700  
Full PhantomPDF Version: 10.1.12

**5/13/26**

Reviewed By:

Date:

**Will Worthey CM**

Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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**HEARING DATE:** N/A

---

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---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

**Scot Siegel**

Digitally signed by Scot Siegel  
DN: cn=Scot Siegel, o=City of Newberg, cn=Scot Siegel,  
email=scot.siegel@newbergoregon.gov  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2025.05.14 10:42:42-0700  
Foxit Reader/PDF Version: 10.1.12

[Redacted Signature]

Reviewed By:

Date:

[Redacted Name]

Organization:



## COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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**HEARING DATE:** N/A

---

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---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)



5/27/26

Reviewed By:

Date:

Chehalem Park and Recreation District

Organization:



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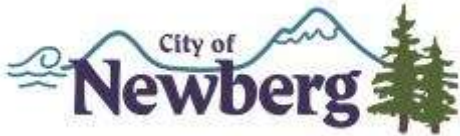
**Re: City of Newberg Referral Review Request: PLNG-25-43**

---

**From** Daniel Keuler <Daniel.Keuler@newbergoregon.gov>  
**Date** Wed 5/13/2026 4:52 PM  
**To** Fe Bates <Fe.Bates@newbergoregon.gov>  
**Cc** James Dingwall <James.Dingwall@newbergoregon.gov>

I noted no City liens or unpaid UB accounts associated with these properties.

**Dan Keuler**  
**Accounting Manager**  
**City of Newberg**  
**414 East First Street**  
**Newberg, OR 97132**  
**(503) 554-8934 – Desk**  
**(971) 281-0203 – Work Cell**  
[daniel.keuler@newbergoregon.gov](mailto:daniel.keuler@newbergoregon.gov)



*PUBLIC RECORDS LAW DISCLOSURE: Messages to and from this e-mail address are public records of the City of Newberg and may be subject to public disclosure. This e-mail may be subject to the State Retention Schedule.*

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**From:** Fe Bates <Fe.Bates@newbergoregon.gov>  
**Sent:** Wednesday, May 13, 2026 2:14 PM  
**Cc:** James Dingwall <James.Dingwall@newbergoregon.gov>; Fe Bates <Fe.Bates@newbergoregon.gov>  
**Subject:** City of Newberg Referral Review Request: PLNG-25-43

Good Day,

Attached is Referral PLNG-25-43 for a De-Anexation of two Properties.

The full application for can be viewed by clicking on the Link located on the Form. Please fill out the Referral Sign Off sheet and email it back no later than May 28, 2026 to [Planning@newbergoregon.gov](mailto:Planning@newbergoregon.gov) .

*Thank you,*

Fé Bates

Community Development

Administrative Assistant

**City of Newberg**

City Hall: 503-537-1240

Direct: 503-554-7788

Learn more about our NEW online permitting software! [Click the link below.](#)



PUBLIC RECORDS LAW DISCLOSURE: *Messages to and from this e-mail address are public records of the City of Newberg and may be subject to public disclosure. This e-mail may be subject to the State Retention Schedule.*



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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**FILE NO:** PLNG-25-43  
**ZONE:** R-2(Medium Density Res Zoning District)  
**HEARING DATE:** N/A

---

For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)

---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

**Jeff Kosmicki**

Digitally signed by Jeff Kosmicki  
DN: cn=JEFF, ou=Planning, o=City of Newberg, cn=Jeff Kosmicki  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2025.05.14 17:50:16-0700  
Foxit ReaderPDF Version: 10.1.12

**5/14/26**

Reviewed By:

Date:

**Newberg-Dundee Police Department**

Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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**HEARING DATE:** N/A

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For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)

---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

**Brett Musick**

Digitally signed by Brett Musick  
DN: CN=Brett Musick, E=brett.musick@newbergoregon.gov  
Reason: I have reviewed this document  
Location: your signing location here  
Date: 2025.05.13 15:20:36-07'00'  
Font: PhantomPDF, Version: 10.1.12

**5/13/26**

Reviewed By:

Date:

**Development Engineering**

Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: James Dingwall

**NOTE: Additional information can be viewed on our website at:**

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**HEARING DATE:** N/A

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For full Project Information click on the Link Here: [PLNG-25-43 Full Application](#)

---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

**April Catan**

Digitally signed by April Catan  
DN: cn=April Catan, o=City of Newberg, ou=City of Newberg - Operations, email=april.catan@newbergoregon.gov  
Reason: I am the author of the document  
Location: your signing location here  
Date: 2025.05.14.09:44:33-0730  
Full PhantomPDF Version: 10.1.12

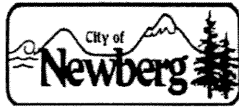
**5/14/26**

Reviewed By:

Date:

**City of Newberg - Operations**

Organization:



## **ORDINANCE No. 2006-2651**

---

**AN ORDINANCE DECLARING THAT APPROXIMATELY 98 ACRES ALONG WATERFRONT STREET AND ALL OR PARTS OF EWING YOUNG PARK AND YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, BE ANNEXED INTO THE CITY, THAT THE COMPREHENSIVE PLAN MAP BE CHANGED FROM LDR TO MDR (MEDIUM DENSITY RESIDENTIAL) FOR A PORTION OF THE AREA, THAT THE ZONE BE CHANGED TO R-2 AND CF (COMMUNITY FACILITY), AND THAT THE AREA BE WITHDRAWN FROM THE NEWBERG RURAL FIRE PROTECTION DISTRICT**

**SUBJECT TO A PUBLIC VOTE**

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**RECITALS:**

1. On January 17, 2006, the Newberg City Council initiated annexation proceeding for the subject properties.
2. On June 22, 2006, the Newberg Planning Commission held a hearing on the application, and recommended approval.
3. After proper notice, on August 7, 2006 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third, the City Council held a public hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
4. The Council finds that the requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding annexations and comprehensive plan amendments have been met.

**THE CITY OF NEWBERG ORDAINS AS FOLLOWS:**

1. The City Council adopts the findings, which are attached hereto as Exhibit A and incorporated herein by reference.
2. Owners understand that annexation in to the city must be approved by the voters of the City. The City may place the matter before the voters of the City at a biennial General Election (held in May and November of each even numbered year), unless otherwise approved by

resolution of the City Council.

3. Should this annexation request be approved by a majority of the electorate of the City of Newberg at the election date as identified by resolution of the City Council, the property shall be annexed and the following events shall occur:

- A. It is hereby ordered and declared that the property shown in Exhibit B and described in Exhibit C, is annexed and withdrawn from the Newberg Rural Fire Protection District.
- B. The Newberg Comprehensive Plan map shall be amended as shown in Exhibit D.
- C. The "Newberg, Oregon Zoning Map" shall be amended as shown in Exhibit E.
- D. The Recorder of the City of Newberg is hereby authorized and directed to make and submit to the Secretary of State, the Department of Revenue, the Yamhill County Elections Officer, and the Assessor of Yamhill County, a certified copy of the following documents:
  - 1. A copy of this ordinance.
  - 2. A map identifying the location of said territory.

4. The existing houses must be connected to sanitary sewer and water when available. Costs of extending and connecting to utilities and other services will be borne by the owners.


➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: September 6, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 7<sup>th</sup> day of August, 2006, by the following votes:

**AYE: 5      NAY: 2      ABSENT: 0      ABSTAIN: 0**

  
\_\_\_\_\_  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this 9th day of August, 2006.

  
\_\_\_\_\_  
Bob Stewart, Mayor

**LEGISLATIVE HISTORY**

By and through Planning Commission at 6/22/2006 meeting.

**Exhibits:**

- Exhibit A: Findings
- Exhibit B: Annexation Map
- Exhibit C: Legal Description
- Exhibit D: Revised Comprehensive Plan Map



## EXHIBIT A: FINDINGS

### SECTION 1: ANNEXATION FINDINGS

A. **The following conditions must be met prior to or concurrent with City processing of any annexation request:**

1. ***The subject site must be located within the Newberg Urban Growth Boundary or Newberg Urban Reserve Areas.***

**Finding:** All the property proposed for annexation is within the Newberg Urban Growth Boundary (UGB). Chehalem Creek is the Urban Growth Boundary on the west side. The creek, and thus the UGB, divides two of the properties. In these instances, only that portion of the property within the UGB is proposed for annexation.

2. ***The subject site must be contiguous to the existing City limits.***

**Finding:** The properties are contiguous to the existing City limits on the north side.

**An application for an annexation may be granted through a Type III procedure only if the proposal conforms to the annexation criteria found in NDC § 151.262, as follows:**

(A). ***The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.***

**Finding:** A portion of the area proposed for annexation is a portion of Ewing Young Park. It is owned by the Chehalem Park and Recreation District (CPRD). This area has a comprehensive plan designation of P (Park). The skate park and most of the BMX track are within the Newberg City limits. The portion of the park proposed for annexation is largely undeveloped, but does contain some uses. It contains a portion of the BMX track, and a disc golf course. It also contains a few small farm structures. Chehalem Creek borders the property to the west, and a branch of the creek borders it to the south. This area is used for passive recreation.

Upon annexation, the park would continue to be used much the same as it is today. At some point in the future, the park could present opportunities to further develop a historic interpretative area, or for additional recreation facilities. This is in compliance with the Comprehensive Plan.

Much of the remainder of the annexation area is within the Newberg Riverfront Master Plan area. The plan envisions the area being developed with Medium and Low Density Residential development, trails, a stream corridor, and the Newberg-Dundee bypass. Annexation of this property would facilitate development in accordance with this plan. In

fact, if the area is not annexed, the area possibly could be developed under Measure 37 as rural residential uses, which would be a severe violation of the City's and County's comprehensive plans.

One change in the plan is requested to change the existing area designated Low Density Residential (LDR) to Medium Density Residential (MDR). Findings addressing this change are noted below. This change will actually increase the ability to implement the Riverfront Master Plan, as additional residential development would be possible in areas not affected by the Newberg-Dundee bypass.

- (B).** *An adequate level of urban services must be available, or made available, within three years time of annexation. An adequate level of urban services shall be defined as:*
- (a)** *Municipal sanitary sewer and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.*
  - (b)** *Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.*

**Finding:** The Newberg Riverfront Master plan details the utility and street improvements needed to serve the area. See Attachment L. The following is a summary of these needs:

Water: Water service is planned to be provided to this area by extending existing water lines in River Street and College Street.

Sanitary sewer: Sewer service is planned to serve this area by extending sewer lines from the main in River Street. A sanitary sewer pump station will need to be installed to serve a portion of this area.

Stormwater: The City's storm drainage master plan envisions that this area will flow largely to the Willamette River through storm drains. A storm water treatment facility (such as a biofiltration swale or pond) is planned to serve the area.

Roads: Various transportation facilities are needed to serve the area. These include improvements to College Street, River Street, 14<sup>th</sup> Street, Waterfront Street, and the extension of Blaine Street.

The above improvements are not likely to be completed within the next three years. Criterion E. below provides for an exception to the above criterion. See the findings below.

**(C) Findings documenting the availability of police, fire, parks, and school facilities**

*and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.*

**Finding:** Police services are currently provided to the area by Yamhill County Sheriff's Office. Newberg Rural Fire District currently provides fire service. The proposed annexation will shift police and fire services to the City. The current development includes only two houses. This will add only a minimal addition to the police and fire services needed. The property taxes collected after development are roughly estimated to pay for the additional services needed. When development occurs, additional police and fire services will be needed, and additional property taxes will be generated to offset these costs.

The Chehalem Park and Recreation District owns property within the annexation area – Ewing Young Park (Note that the skate park and most of the BMX track are already within the City limits). The use of this park is not anticipated to change due to the annexation. Annexation could perhaps allow additional facilities, such as a restroom, at the park at some future time if this were desirable.

The property will generate additional needs for school facilities. The Newberg School District receives state funding on a per student basis. Thus, with the additional population, the school district will receive additional funding for school services. Development of the property will also generate additional property tax revenue that will go to fund school services.

**(D)** *The burden for providing the findings for divisions (A), (B) and (C) of this section is placed upon the applicant.*

**Finding:** The applicant is the City of Newberg. These findings have been prepared by City staff.

**(E)** *The City Council may annex properties where urban services are not and cannot practically be made available within the three year time frame noted in subsection (B) above, but where annexation is needed to address a health hazard, to annex an island, to address sewer or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the Council shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available.*

**Finding:** In this circumstance, annexation is needed to address specific legal issues. The property owners in the area have filed Measure 37 claims with Yamhill County. The property owners have agreed to hold these claims pending a decision on the annexation. This agreement is contingent upon having the property annexed as R-2. Annexing per this request is a specific legal or contractual constraint that would preclude placement of a limited use overlay on the property. If the claims are successful and development occurs, the development would be without City water and sewer services. It would be nearly impossible

to develop the area as envisioned by the Newberg Riverfront Master Plan. Development would consist of rural residential development, not the urban residential development envisioned by the plan. By annexing the property, the area could be developed as envisioned by the Riverfront Master Plan. Development would occur concurrent with the provision of utility services.

Also, note that the provision of adequate services in relation to development of this area is addressed through the adopted Riverfront Master Plan.

## **SECTION 2: COMPREHENSIVE PLAN AMENDMENT FINDINGS**

### **NDC § 151.122 (3) COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT CRITERIA. *The applicant must demonstrate compliance with the following criteria:***

**(a) *The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code;***

The following goals apply:

*I. Housing, Goal 2 b. The City will encourage medium density housing in an adjacent to the commercial core of the Riverfront District and lower intensity residential uses in the western portion of the Riverfront District.*

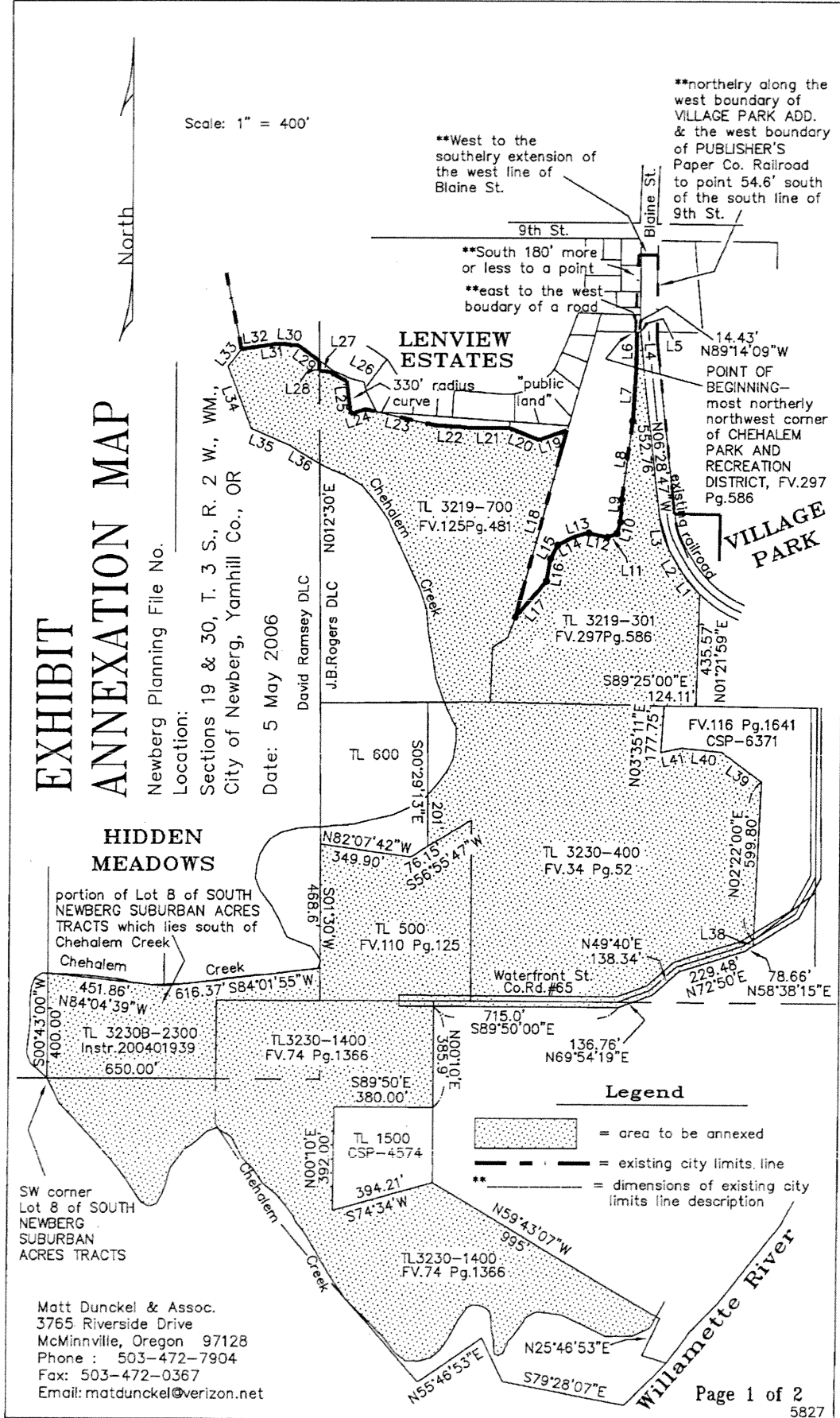
*J. Urban Design 6. a. The City will encourage a mix of employment, housing and retail uses serving the neighborhood and the surrounding community to enhance the riverfront's identity as a vital and attractive City asset and to ensure an active, pedestrian friendly, and thriving riverfront area.*

**Finding:** The plan amendment would help promote the objectives of the Newberg Riverfront Master Plan. The plan envisions housing supporting the riverfront commercial area. The total amount of housing on the property, however, will be limited by the bypass. The plan amendment will help encourage mix of housing envisioned in the plan. It also will help provide the critical mass of development necessary to provide the facilities and services needed to serve the area.

**(b) *Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.***

**Finding:** The property is within the Riverfront Master Plan area. The master plan details the public facilities and services that are needed to serve the area. Due to land needed for the Newberg Dundee bypass, the total amount of residential development will be limited. The change to Medium Density Residential will allow additional residential development in the area, consistent with the goal of the riverfront master plan. The public facilities planned will serve Medium Density Residential property.

**EXHIBIT B: ANNEXATION MAP**



# EXHIBIT ANNEXATION MAP

Newberg Planning File No. \_\_\_\_\_

Location: \_\_\_\_\_

Sections 19 & 30, T. 3 S., R. 2 W., WM.,  
City of Newberg, Yamhill Co., OR

Date: 5 May 2006

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N39°46'30"W	105.38
L2	N30°17'02"W	100.56
L3	N16°42'37"W	136.02
L4	N04°57'55"W	148.19
L5	N89°14'09"W	14.43
L6	Southeasterly	200.00
L7	S03°20'00"W	200.00
L8	S07°35'00"W	300.00
L9	S03°14'00"W	85.00
L10	S17°01'00"W	47.00
L11	S67°59'00"W	40.00
L12	N76°52'00"W	78.00
L13	S72°12'00"W	60.00
L14	S63°21'00"W	64.80
L15	S28°06'00"W	60.00
L16	S09°50'00"W	86.00
L17	S41°37'00"W	182.00
L18	N15°28'00"E	736.00
L19	S70°49'30"W	114.35
L20	N68°25'00"W	123.50
L21	N89°55'00"W	144.00
L22	N86°10'00"W	142.50
L23	N77°10'00"W	274.00
L24	S71°35'00"W	60.00
L25	N07°17'30"W	127.34
L26	N62°00'00"W	75.00
L27	N83°25'00"W	39.0
L28	N01°30"E	55.0
L29	N53°35'00"W	98.55
L30	N85°02'00"W	78.82
L31	S81°45'14"W	51.96
L32	S81°45'14"W	91.99
L33	S38°03'15"W	83.27
L34	S20°36'46"E	253.83
L35	S67°11'25"E	155.70
L36	S59°25'53"E	141.76
L38	S02°22'00"W	22.55
L39	N54°03'20"W	189.40
L40	N84°06'00"W	156.00
L41	S77°53'00"W	81.54

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Matthew E. Dunckel*

OREGON  
July 13, 1961  
MATTHEW E. DUNCKEL  
1942

Renewable 31 December 2007

Matt Dunckel & Assoc.  
3765 Riverside Drive  
McMinnville, Oregon 97128  
Phone : 503-472-7904  
Fax: 503-472-0367  
Email: matdunckel@verizon.net

Page 2 of 2

5827

## EXHIBIT C - LEGAL DESCRIPTION

Matt Dunckel & Assoc.  
Land Surveyors  
3765 Riverside Drive  
McMinnville, OR 97128  
Phone: 503-472-7904  
Fax : 503-472-0367

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,  
3230-400,500 & 1400, 3230B-2300

A tract of land in Sections 19 & 30, Township 3 South, Range 2 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the most northerly northwest corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586, said point being on the existing city limits line and also being North 89°14'09" West 14.43 feet from the westerly margin of the existing railroad; thence along the existing city limits line the following bearings and distances, southeasterly 200 feet along the west line of a roadway; thence South 03°20' West 200 feet to an iron pipe; thence South 07°35' West 300 feet to an iron pipe; thence South 03°14' West 85 feet to an iron pipe; thence South 17°01' West 47 feet to an iron pipe; thence South 67°59' West 40 feet to an iron pipe; thence North 76°52' West 78 feet leaving said roadway to an iron pipe; thence South 72°12' West 60 feet to an iron pipe; thence South 63°21' West 64.8 feet to an iron pipe; thence South 28°06' West 60 feet to an iron pipe; thence South 09°50' West 86 feet to an iron pipe; thence South 41°37' West 182 feet to an iron pipe; North 15°28' East 736 feet to the southeast corner of the "Public Land" represented on the vacation plat of "French's Addition to the City of Newberg; thence South 70°49'30" West 114.35 feet; thence North 68°25' West 123.50 feet; thence North 89°55' West 144.00 feet; North 86°10' West 142.50 feet; thence North 77°10' West 274.00 feet; thence South 71°35' West 60 feet; thence northerly 128.15 feet along a curve right having a radius of 330 feet through a central angle of 22°15' (chord bears North 7°17'30" West 127.34 feet); thence North 62°00' West 75 feet; thence North 83°25' West 39 feet to the west line of the Joseph B. Rogers Donation Land Claim; thence North 1°30' East 55 feet more or less to a point on the west line of said Rogers DLC that is South 1°30' West 409.1 feet from an iron pipe on the west line of Ninth Street and the west line of said Rogers DLC; thence North 53°35' West 98.55 feet; thence North 85°02' West 78.82 feet; thence South 81°45'14" West 51.96 feet;

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,  
3230-400,500 & 1400, 3230B-2300

thence South 81°45'14" West 91.99; thence leaving said existing city limits line South 38°03'15" West 83.27 feet to the center of Chehalem Creek; thence South 20°36'46" East 253.83 feet along Chehalem Creek; thence South 67°11'25" East 155.70 feet along Chehalem Creek; thence South 59°25'53" East 141.76 feet along Chehalem Creek; thence continuing southerly along the center of Chehalem Creek to the south line of that tract of land described in deed from ROBERT SWIFT, personal representative of the LEONARD C. FRENCH Estate to CHEHALEM PARK AND RECREATION DISTRICT and recorded December 12, 1977 in Film Volume 125 Page 481; thence continuing southerly and southwesterly to the west line of that tract of land described in deed from MAURICE E. CRONIN and ELIZABETH H. CRONIN to KENNETH I. WEATHERLY and MILDRED A. WEATHERLY and recorded November 21, 1963 in Film Volume 34 Page 52; thence South 00°29'13" east 201 feet along the west line of said WEATHERLY tract to the north line of that tract of land described in deed from WEATHERLY to WOZNIAK and recorded January 8, 1976 in Film Volume 110 Page 125; thence South 56°55'47" West 76.15 feet along the north line of said WOZNIAK tract; thence North 82°07'42" West 349.90 feet along said north line to the northwest corner of said tract; thence South 01°30" West 468.6 feet along the west line of said tract to the center of Chehalem Creek and the northeast corner of that tract of that tract of land described in deed from LORENCE M. CHRISTENSON and LOIS A. CHRISTENSON to LORENCE M. CHRISTENSON and LOIS A. CHRISTENSON as co-Trustees of the CHRISTENSON FAMILY TRUST and recorded in Instrument No. 200401939; thence South 84°01'55" West 616.37 feet along the north line of said CHRISTENSON tract; thence North 84°04'39" West 451.86 along said north line to the west line of Lot 8 of SOUTH NEWBERG SUBURBAN ACRE TRACTS; thence South 00°43' West 400 feet more or less to the southwest corner of said Lot 8 and the center of Chehalem Creek; thence southeasterly and easterly along the center of Chehalem Creek to the northeasterly line of that tract of land described in deed from MELLINGER to CHRISTENSON (Parcel 1) February 26, 1967 in Film Volume 74 Page 1366; thence North 59°43'07" West 955 feet more or less to an angle corner in said northeasterly line; thence South 74°34' West 394.21 feet along said line; thence North 00°10' East 392.00 feet along said line; thence South 89°50' East 380.00 feet along said line; thence North 00°10' East 385.9 feet along said line to the south margin of the County Road No. 65; thence South 89°50' East 715.0 feet along said south margin; thence

Date: April 25, 2006

City of Newberg – Legal Description of Annexation of TL 3219-301 & 700,  
3230-400,500 & 1400, 3230B-2300

North 69°54'19" East 136.76 feet along said south margin; thence North 49°40' East 138.34 feet along said line; thence North 72°50' East 229.48 feet along said south line to a point that is South 02°22'00" West 22.55 feet from the southwest corner of that tract of land described in Land Sales Contract from WEATHERLY to HOLLIS and executed December 16, 1976 and recorded in Film Volume 116 Page 1641; thence North 02°22'00" East 22.55 feet to said southwest corner; thence North 02°22'00" East 599.80 feet along the west line of said HOLLIS tract; thence North 54°03'20" West 189.40 feet along said west line; thence North 84°06'00" West 156.00 feet along said line; thence South 77°53'00" West 81.54 feet along said line; thence North 03°35'11" East 177.75 feet along said line to the northwest corner of said tract; thence South 89°25'00" East 124.11 feet along the north line of said tract to the southeast corner of that tract of land described in deed from SMURFIT NEWSPRINT CORPORATION to CHEHALEM PARK AND RECREATION DISTRICT and recorded November 5, 1993 in Film Volume 297 Page 586; thence North 01°21'59" East 435.57 feet along the east line of said CHEHALEM PARK AND RECREATION DISTRICT tract to a point that is 30 feet southerly of the centerline of the existing railroad tracts, when measured at right angles; thence northwesterly parallel with and 30 feet southerly and westerly of said existing railroad tracts, chord bearings and distanced are North 39°46'30" West 105.38 feet, North 30°17'02" West 100.56 feet, North 16°42'37" West 136.02 feet, North 06°28'47" West 552.76, North 04°57'55" West 148.19 feet to the northeast corner of said CHEHALEM PARK AND RECREATION DISTRICT tract; thence North 89°14'09" West 14.43 feet to the point of beginning.

EXHIBIT D: REVISED COMPREHENSIVE PLAN MAP

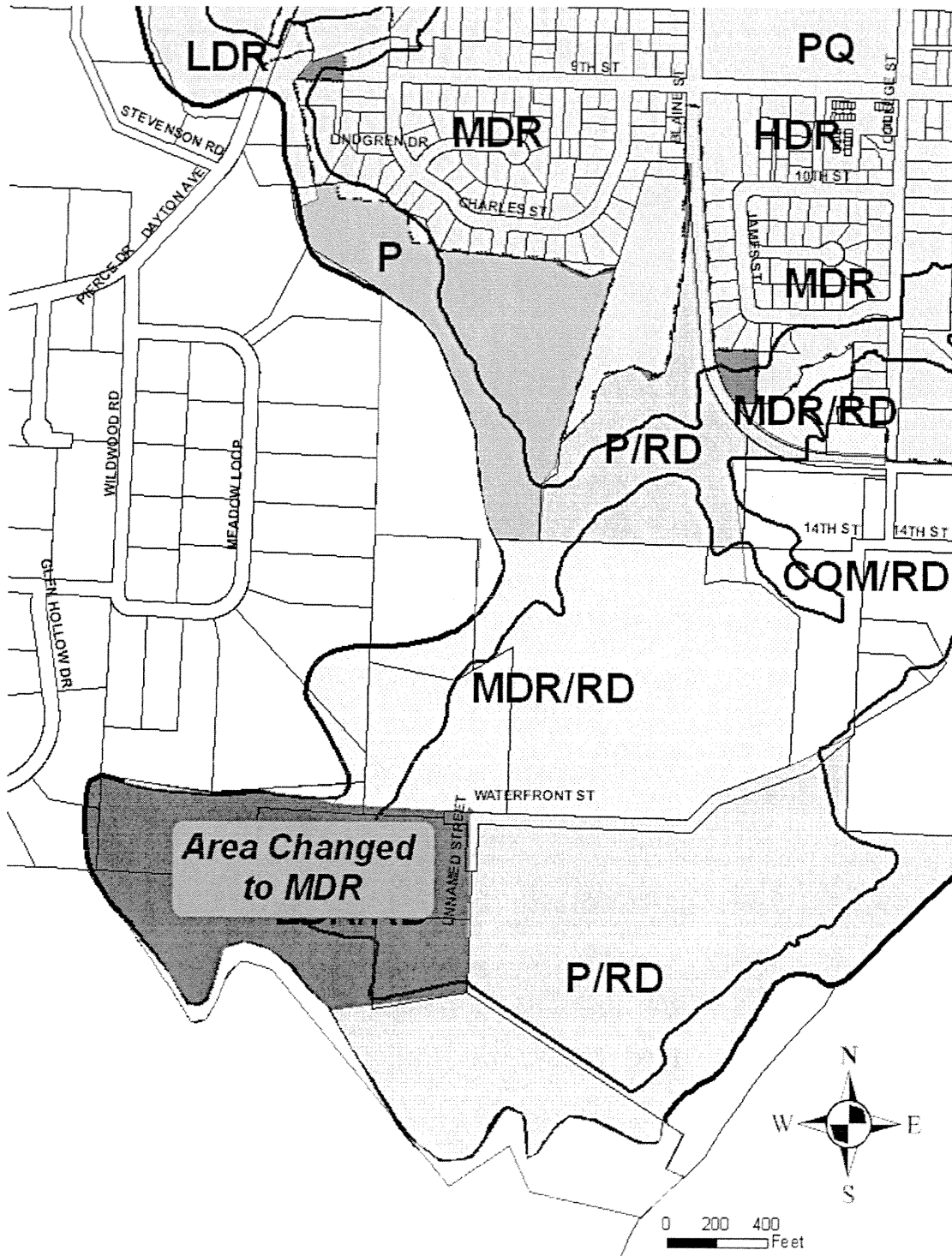
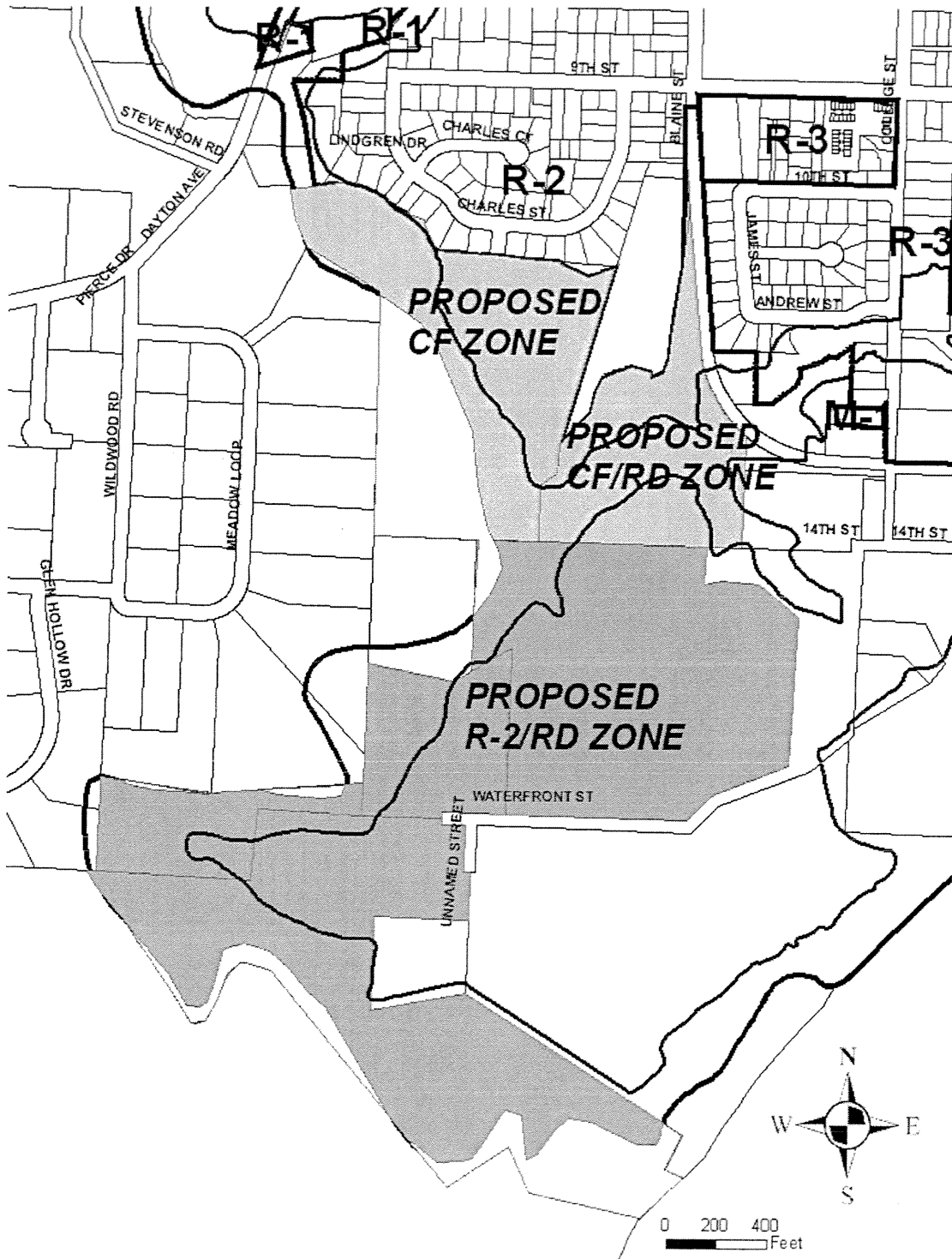
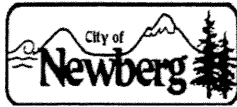


EXHIBIT E: REVISED ZONING MAP





## **RESOLUTION No. 2006-2664**

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**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ELECTIONS OFFICER TO CERTIFY TO THE YAMHILL COUNTY CLERK A BALLOT TITLE FOR THE MEASURE TO BE SUBMITTED TO THE ELECTORATE OF THE CITY OF NEWBERG FOR THEIR APPROVAL OF AN ANNEXATION FOR PROPERTY LOCATED ALONG WATERFRONT STREET AND EWING YOUNG PARK, YAMHILL COUNTY TAX LOTS 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400**

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### **RECITALS:**

1. On August 7, 2006 the City Council adopted Ordinance No. 2006-2651, annexing the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, subject to a public vote.
2. The City of Newberg Charter requires that territory may be annexed into the City of Newberg only upon approval by a majority vote among the electorate of the City.
3. The City Council has requested that this matter be placed before the voters at the general election in November, 2006.

### **THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**


1. The City Attorney of the City of Newberg is hereby authorized and directed to prepare in proper form a ballot title placing before the voters the question of the annexation of the property along Waterfront Street and Ewing Young Park, Yamhill County tax lots 3219-700, 3219-301, 3230-400, 3230-500, 3230B-2300, 3230-1400, as described in Ordinance No. 2006-2651, and file such ballot title with the City Elections Officer.
2. The City Elections Officer of the City of Newberg is hereby authorized and directed to certify to the Yamhill County Clerk the ballot title for the annexation measure to be placed before the voters at the next general election in November, 2006. Further, the City Elections Officer is directed to give all necessary notices of the ballot title and do all other necessary acts and deeds which may be required to place the matter before the voters of the City of Newberg at said election.
3. The City Attorney is directed to have prepared and review the explanatory statement which shall be submitted to the Yamhill County Clerk with the ballot title. Such explanatory statement shall be filed with the City Elections Officer and the City Elections Officer is

further directed to certify this explanatory statement to the Yamhill County Clerk.

4. The City Elections Officer is authorized to do all other necessary acts and deeds which may be required to conduct the election concerning this measure.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: August 8th, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 7<sup>th</sup> day of August, 2006.

  
\_\_\_\_\_  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this 9<sup>th</sup> day of August, 2006.

  
\_\_\_\_\_  
Bob Stewart, Mayor

### **LEGISLATIVE HISTORY**

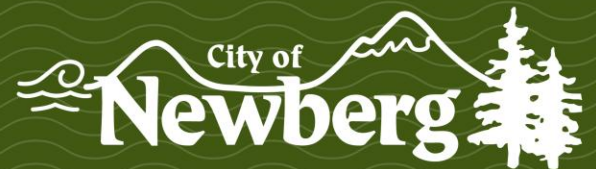
By and through Planning Commission at 6/22/06 meeting.  
(committee name) (date)

# Resolution No. 2026-4032

## Intent to Withdraw Territory

City Council Briefing

June 15, 2026



## *City Council Goals*

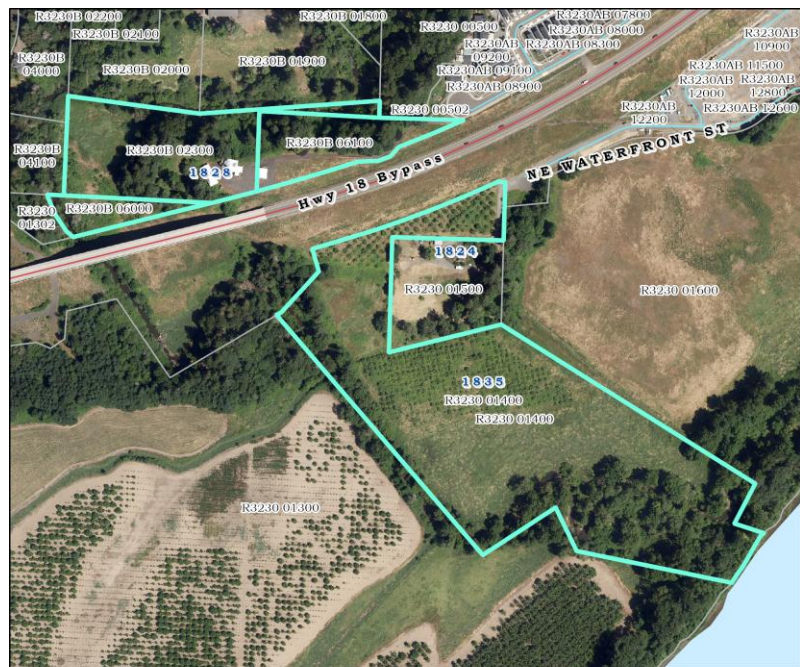
- *Goal 4. Implement a careful and prudent fiscal policy.*
  - *Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.*
- *Continuous Goal E. Further strategic planning and growth with local taxing districts.*

## Staff Recommendation

- Adopt Resolution No. 2026-4032 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory

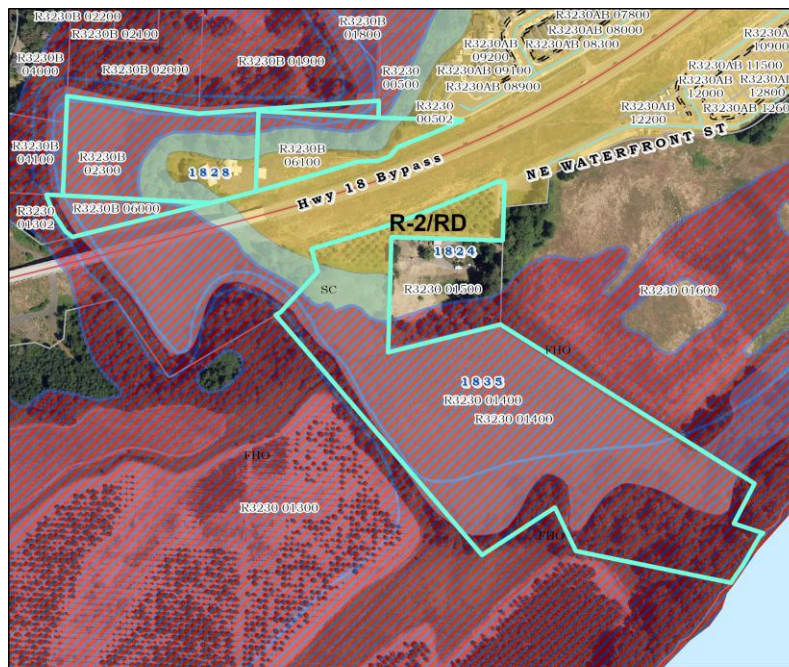
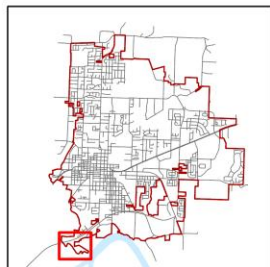
# Background

- CDD held a pre-application meeting regarding the development of single-family dwellings, a storage facility, and potential de-annexation.
- The properties were annexed in 2006 through Ordinance No. 2006-2651.
- The sites are zoned R-2/RD and contain significant areas of the Stream Corridor Overlay and Areas of Special Flood Hazard Overlay, and are approximately 20.05, 2.38, 5.02, and 0.98 acres in size.



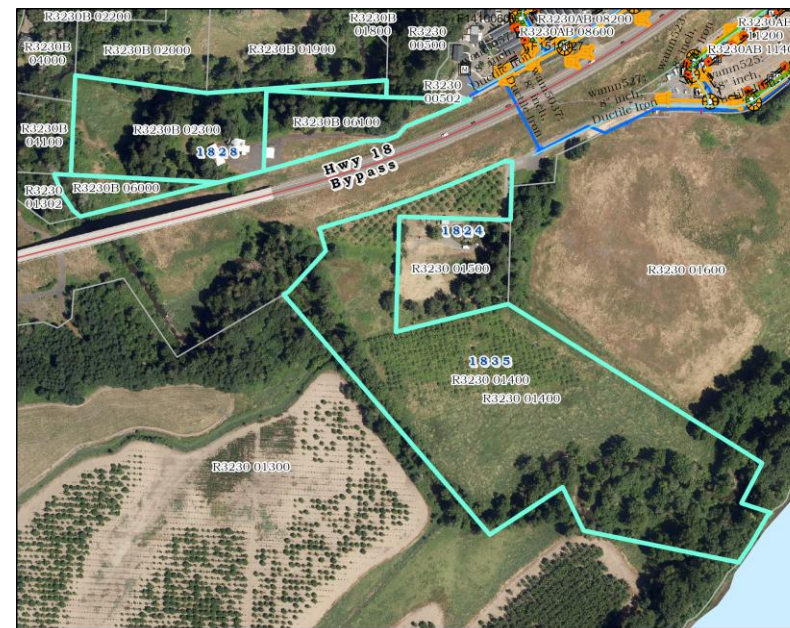
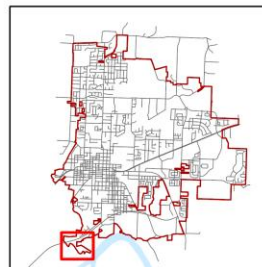
Aerial Map

- Subject Property
- Taxlots



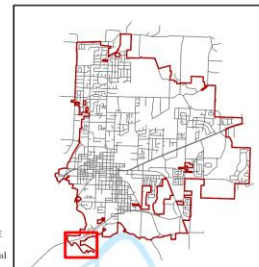
Zoning Map

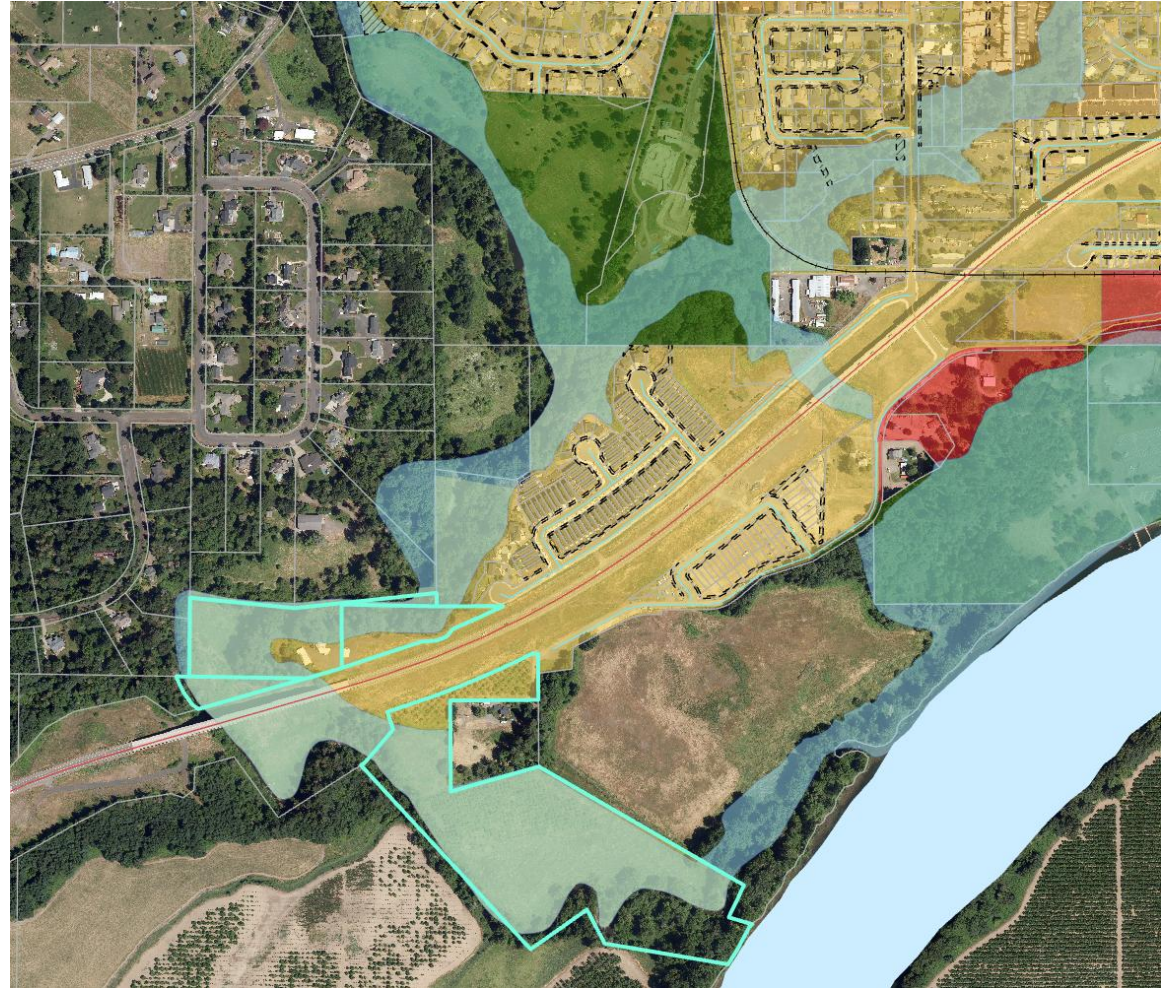
- Subject Property
  - Taxlots
  - Special Flood Hazard
  - Stream Corridor
  - R-2/RD Riverfront District
- ZONING



Utilities Map

- Subject Property
- Taxlots
- Sewer CleanOut
- Sewer Manholes
- Sewer Laterals
- Gravity Main
- Storm Manhole
- Active Storm Inlet
- Collector
- Storm Pipe
- Water Valves
- CITY OF NEWBERG, Potable Main
- Hydrant
- Lateral
- Service Lateral
- Water Meter





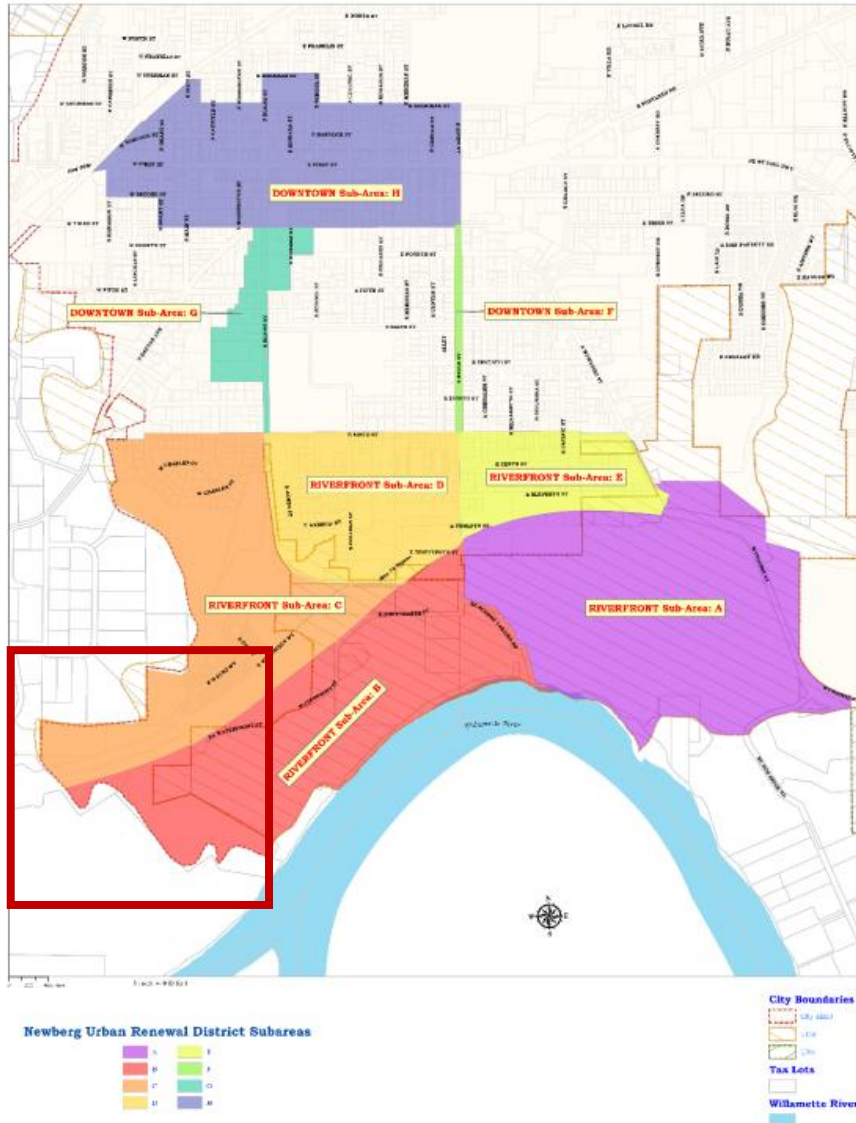
## Process – ORS 222.460, 465, and 524

- City Council adopting a resolution initiating the withdrawal from the territory.
- City Council holding a public hearing on the withdrawal no later than 30 days after the adoption of the resolution.
- City Council consideration of entering an order on the withdrawal.
- City Council holding a final public hearing on the withdrawal not less than 20 days or more than 50 days after the date of the order.
- *NURA minor amendment to remove from Plan.*
- City Council by resolution or ordinance declares the territory detached from the City.

## Process

- Referred to/coordinated with Yamhill County. Initial discussions indicate that the sites would revert to the previous county zoning prior to annexation.
- The withdrawn area would remain subject to any bonded or other indebtedness existing at the time of the de-annexation.
- Staff recommends condition of approval requiring a non-remonstrance or other agreement regarding removal of the land from the Newberg UGB.

## Newberg Urban Renewal District Subareas



The 2025 assessed values for the tax lots were:

- R3230B 06000: \$3,684
- R3230B 06100: \$47,399
- R3230B 02300: \$52,560
- R3230 01400: \$2,694

# SB 1537

- If de-annexation is approved, staff would recommend amending the city's UGB, as development in the county would likely preclude development at urban densities in the future.
- This could occur standalone, with the 2027-2028 housing planning, or through SB 1537 “one-time” provisions.
  - SB 1537 allows a lands swap *in lieu* of other “one-time” UGB expansion for affordable housing provisions.
  - The land swap areas must be roughly equivalent in size, the removed lands must be zoned for residential uses, and the added site must be zoned for residential uses at the same or greater density than the removed lands.

## Staff Recommendation

- Adopt Resolution No. 2026-4032 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory

Thank you!

Questions?

# REQUEST FOR COUNCIL ACTION



**Date Action Requested: June 15, 2026**

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Information <input checked="" type="checkbox"/> Proclamation <input type="checkbox"/>	
Subject: De-annexation Public Hearing	Staff: Scot Siegel Department: Community Development
Work Session <input type="checkbox"/> Business Session <input checked="" type="checkbox"/>	Order On Agenda: Public Hearing

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:**

**Recommendation:** Per ORS 222.460(4), hold a public hearing at which the residents of the city may appear and be heard on the question of the withdrawal of territory.

**Executive Summary:** On June 15, 2026 the City Council adopted Resolution No. 2026-2043 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory. The property proposed to be withdrawn is 28.83 acres comprising four tax lots at 1828 and 1835 NE Waterfront Street. The Newberg Municipal Code does not provide a process or procedure for de-annexation or withdrawal of territory in Title 15 Development Code, therefore the City is following the procedure outlined in ORS 222.460.

ORS 222.460(4) requires that not later than 30 days after adoption of the resolution (declaring the intent to change the city's boundaries), the legislative body of the city shall hold a public hearing at which the residents of the city may appear and be heard on the question of the withdrawal of territory.

**Fiscal Impact:** Removing the tax lots from the city limits would diminish the tax base and urban renewal district revenues though the current assessment, summarized below, is small and future development potential minimal due to natural resource constraints. If a UGB swap were to occur under SB 1537, or residential lands added to the UGB through another process, offsetting the de-annexed area, additional tax base could be generated by residential development at higher densities elsewhere in the city.

The 2025 assessed values for the tax lots were:

- R3230B 06000: \$3,684
- R3230B 06100: \$47,399
- R3230B 02300: \$52,560
- R3230 01400: \$2,694

**Council Goals:**

# REQUEST FOR COUNCIL ACTION



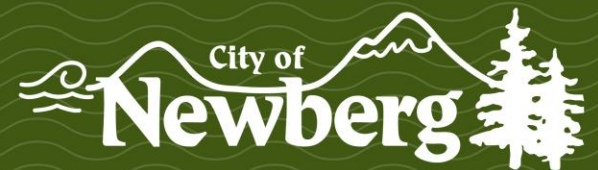
Goal 4. Implement a careful and prudent fiscal policy.

Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.

Continuous Goal E. Further strategic planning and growth with local taxing districts.

# De-annexation Public Hearing

City Council Public Hearing  
June 15, 2026



## *City Council Goals*

- *Goal 4. Implement a careful and prudent fiscal policy.*
  - *Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.*
- *Continuous Goal E. Further strategic planning and growth with local taxing districts.*

## Staff Recommendation

- Per ORS 222.460(4), hold a public hearing at which the residents of the city may appear and be heard on the question of the withdrawal of territory.

# Background

- City Council adopted Resolution No. 2026-2043 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory.
- ORS 222.460(4) requires that not later than 30 days after adoption of the resolution (declaring the intent to change the city's boundaries), the legislative body of the city shall hold a public hearing at which the residents of the city may appear and be heard on the question of the withdrawal of territory

## Staff Recommendation

- Per ORS 222.460(4), hold a public hearing at which the residents of the city may appear and be heard on the question of the withdrawal of territory.

Thank you!

Questions?

# REQUEST FOR COUNCIL ACTION



**Date Action Requested: June 15, 2026**

Order <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/>	
No. 2026-0047	
Subject: De-annexation Order No. 2026-0047	Staff: Scot Siegel Department: Community Development
Business Session	Order On Agenda: Public Hearing
Hearing Type: Legislative <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Not Applicable <input type="checkbox"/>	

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:**

**Recommendation:** Adopt Order No. 2026-0047 declaring that the Newberg City Council still favors the withdrawal of territory pursuant to the resolution and fixing a time and place for a final hearing on the withdrawal.

**Executive Summary:** On June 15, 2026, the City Council adopted Resolution No. 2026-2043 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory and held a public hearing on the question of the withdrawal of territory. The property proposed to be withdrawn is 28.83 acres comprised of four tax lots located at 1828 and 1835 NE Waterfront Street. The Newberg Municipal Code does not provide a process or procedure for de-annexation or withdrawal of territory in Title 15 Development Code, therefore the City is following the procedure outlined in ORS 222.460.

ORS 222.460(5) requires that after receiving testimony at a public hearing, the legislative body of the city may alter the boundaries described in the resolution to either include or exclude territory. If the legislative body still favors the withdrawal of territory pursuant to the resolution, as approved or modified, it shall enter an order so declaring. The order shall set forth the boundaries of the area to be withdrawn and also fix a place and a time for a public hearing on an ordinance finalizing the de-annexation, not less than 20 days or more than 50 days after the date of the order.

ORS 222.460(5) also notes that the order shall declare that if written requests for an election are not filed per ORS 222.460(6), the legislative body of the city will adopt a resolution or ordinance detaching the territory from the city at the time of the final hearing.

**Fiscal Impact:** Removing the tax lots from the city limits would diminish the tax base and urban renewal district revenues though the current assessment, summarized below, is small and future development

# REQUEST FOR COUNCIL ACTION



potential minimal due to natural resource constraints. If a UGB swap were to occur under SB 1537, or residential lands added to the UGB through another process, offsetting the de-annexed area, additional tax base could be generated by residential development at higher densities elsewhere in the city.

The 2025 assessed values for the tax lots were:

- R3230B 06000: \$3,684
- R3230B 06100: \$47,399
- R3230B 02300: \$52,560
- R3230 01400: \$2,694

## **Council Goals:**

Goal 4. Implement a careful and prudent fiscal policy.

Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.

Continuous Goal E. Further strategic planning and growth with local taxing districts.

## Attachments:

1. Order No. 2026-0047
2. Exhibit A                      Legal Descriptions and County Assessor Cadastral Map

# ORDER NO. 2026-0047



**An Order declaring that the Newberg City Council still favors the withdrawal of territory pursuant to Resolution No. 2026-4032.**

## **Recitals:**

1. Whereas, Del Boca Vista LLC submitted an application to withdraw 28.38 acres shown and described in Exhibit "A" from the Newberg city limits pursuant to ORS 222.460.
2. Whereas, the property shown and described in Exhibit "A" is included in the Newberg Urban Renewal Area, Subdistricts B and C, adopted through Ordinance No. 2022-2896.
3. Whereas, on June 15, 2026, the Newberg City Council adopted Resolution No. 2026-4032 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory.
4. Whereas, after proper notice, including posting in the Newberg Graphic and four public places on June 4, 2026, and June 11, 2026, the Newberg City Council held a public hearing on June 15, 2026, at which the residents of the city could appear and be heard on the question of the withdrawal of territory.

## **The City of Newberg Orders as Follows:**

1. The Newberg City Council still favors the withdrawal of territory pursuant to Resolution No. 2026-2043 as approved.
2. A final hearing on the removal of territory shall be fixed on July 20, 2026, which is 35 days after the effective date of this Order. The final hearing shall take place at 6:30 PM at 401 E Third Street, Newberg OR, 97132.
3. If written requests for an election are not filed as provided by ORS 222.460(6), the Newberg City Council, at the time of the final hearing, will adopt an Ordinance detaching the territory from the City.
4. The City Council will not remove territory from the City unless and until the Newberg Urban Renewal Agency amends the Newberg Urban Renewal Plan to remove territory from the Plan.
5. The subject property is shown and described in Exhibit "A", which is hereby adopted and by this reference incorporated.

**Effective Date** of this order is the day after the adoption date, which is: June 16, 2026.

**Adopted** by the City Council of Newberg, Oregon, this 15<sup>th</sup> day of June, 2026.

---

Rachel Thomas, City Recorder

**Attest** by the Mayor this \_\_\_\_\_ day of June 2026.

---

Bill Rosacker, Mayor

Order No. 2026-0047 Exhibit "A"

### Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

All of the following described property lying SOUTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Parcel 1:

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83' West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

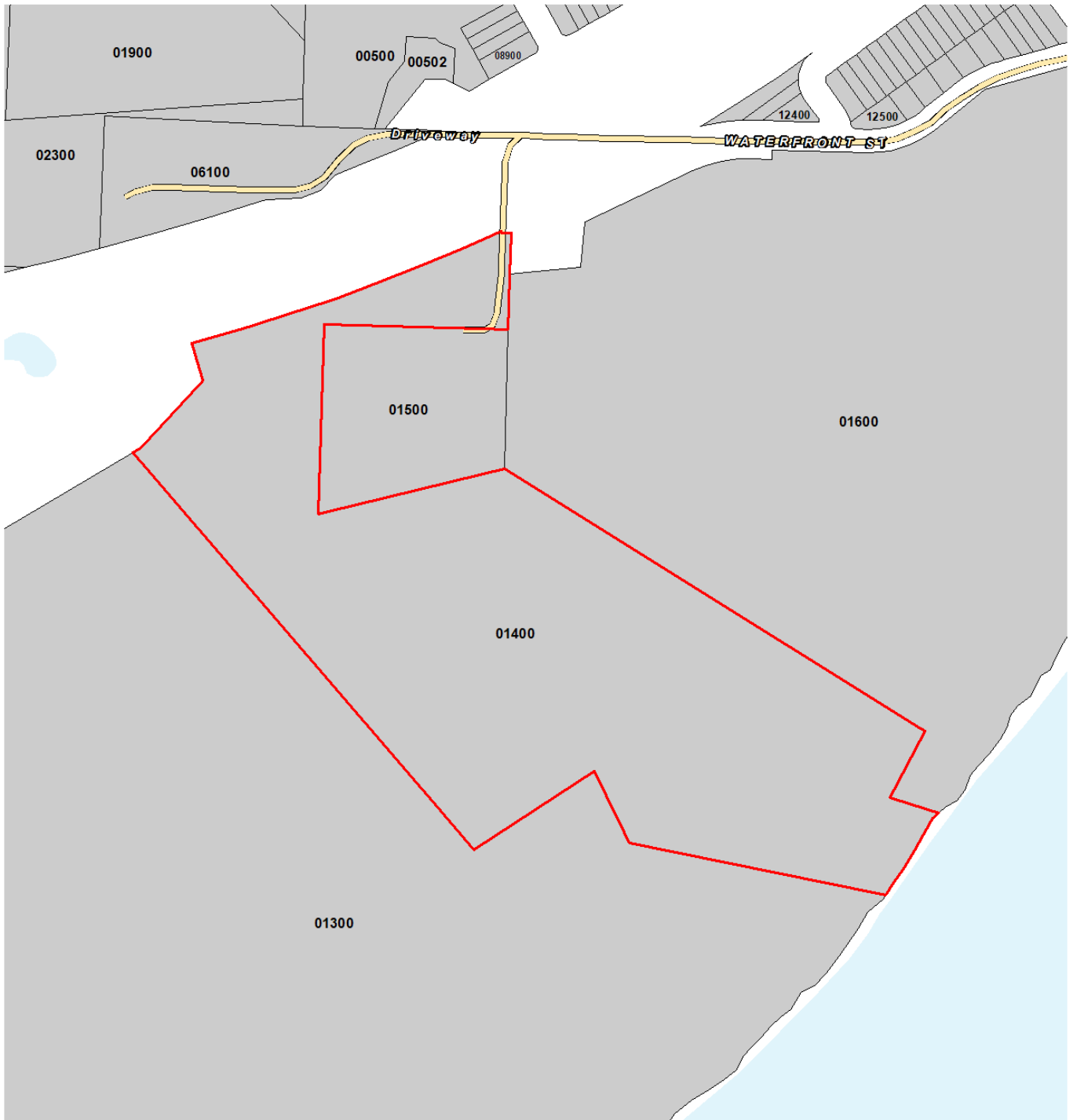
SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film [Volume 89, Page 1390](#), Deed and Mortgage Records.

Parcel 2:

All that portion of the following described tract lying Northeasterly of Chehalem Creek:

Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.



## Taxlot



Subject



Taxlot

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

TRACT 1: [3230B 6000]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

All that portion of the following described tract lying Northeasterly of Chehalem Creek: Part of the Levi Hagey Donation Land Claim No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of said Claim; thence South along the East line thereof, 31.10 chains to an iron gas pipe; thence North 89° West 21.10 chains to an iron gas pipe; thence North parallel with the East line of said Claim 30.52 chains; thence North 88°38' East 21.10 chains to the Place of Beginning.

TRACT 2: [3230B-2300]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

That portion of Lot 8, SOUTH NEWBERG SUBURBAN ACRES which lies South of Chehalem Creek and being a part of the land described in contract dated November 6, 1963 and recorded November 18, 1963 in Film Volume 33, Page 957, Deed and Mortgage Records, between Harold H. Miller and Martin VerMulum, in Yamhill County, Oregon.

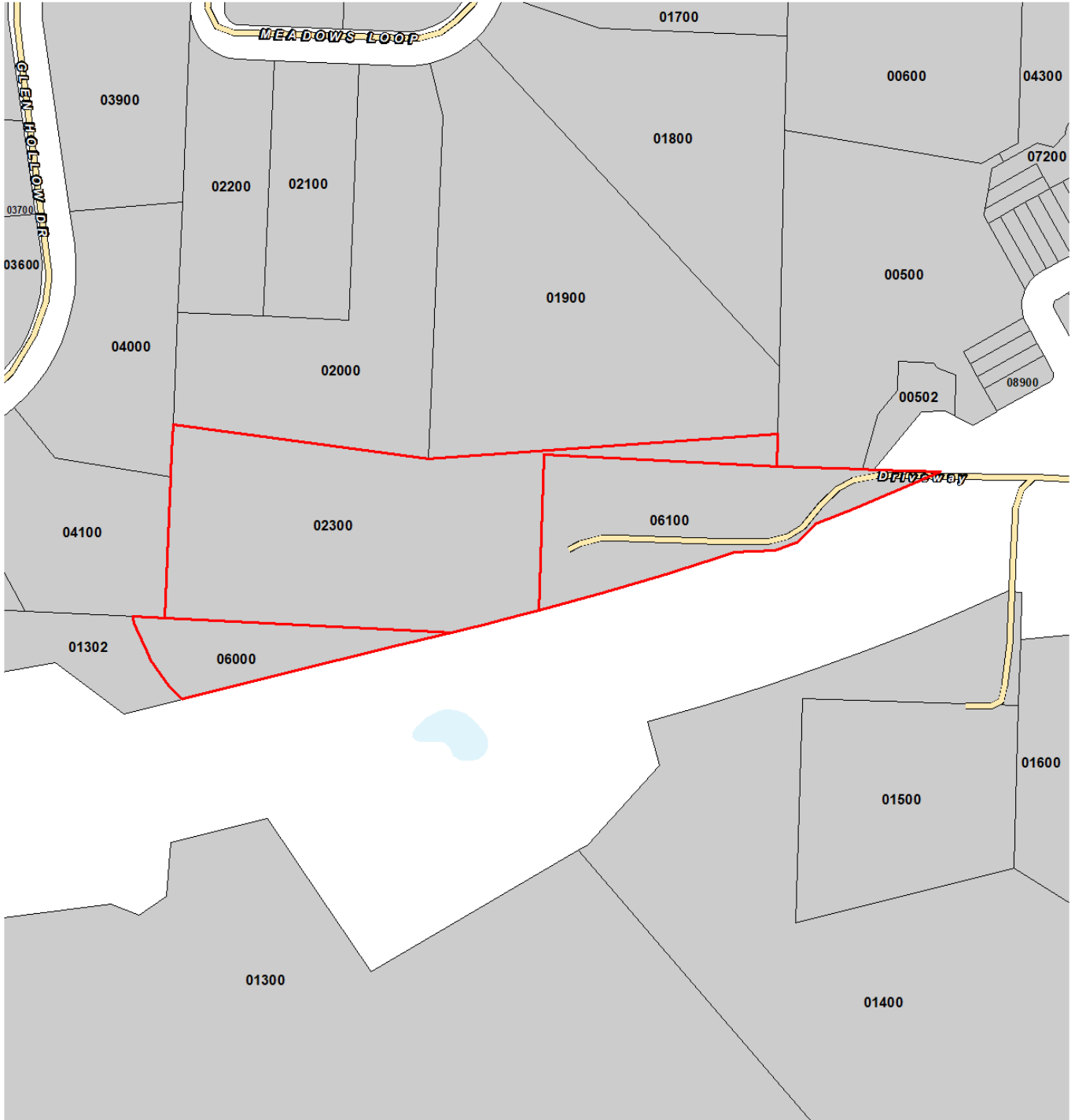
TRACT 3: [3230B-6100]

All of the following described property lying NORTHERLY of the State Highway as awarded in Stipulated General Judgment in Yamhill County Circuit Court Case 14CV07218, and recorded September 29, 2015 as Instrument No. [201515432](#):

Beginning at a stake on the right bank of Chehalem Creek and on the East line of the Levi Hagey Donation Land Claims No. 41 and No. 61 in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, 4.80 chains South of the Northeast corner of said Claim, from which a cedar 36 inches in diameter bears South 40° West 100 links distant and a maple 6 inches in diameter bears North 40° West 82 links distant; thence North on the East boundary of said Claim (intersect the left bank of said Creek at 0.18 of a chains, intersect the Northeast corner of the Hagey Donation Land Claim at 4.80 chains) 9.60 chains to a stake from which a maple tree 8 inches in diameter bears South 1° West 64 links distant and a maple 6 inches in diameter bears North 89° East 45 links distant; thence East (at 6.32 chains intersect the Southwest corner of the Joseph B. Rogers Donation Land Claim) 12.17 chains to a stake on the South boundary of said Rogers Claim from which a fir 8 inches in diameter bears North 38°30' West 53 links distant and a fir 6 inches in diameter bears North 52° East 47 links distant; thence South 10.50 chains to stake from which a maple 6 inches in diameter bears North 40° East 92 links distant; thence South 59°30' East (at 15.50 chains intersect Chehalem Creek) 15.65 chains to a stake on the right bank of Creek from which an ash tree 4 inches in diameter bears South 83' West 10 links distant; thence South 26° West along right bank, 2.33 chains to stake from which an ash 10 inches in diameter bears North 42° East 60 links distant; thence South 73°30' East 1.50 chains to a stake on the left bank of the Willamette River from which an ash 24 inches in diameter bears North 70° East 18 links distant; thence South 45° West along left bank 3.46 chains to a stake from which a balm tree 24 inches in diameter bears North 60° East 29 links distant; thence North 79°15' West 7.25 chains to stake on right bank of Chehalem Creek from which a maple 24 inches in diameter bears South 30° West 13 links

distant; thence meandering the right bank of said Creek as follows: North 26°30' West 2.80 chains; South 56° West 4.50 chains; North 41°30' West 17.50 chains to the Place of Beginning.

SAVE AND EXCEPT that portion conveyed to George James Barton and Christa Renante Barton in Warranty Deed recorded June 1, 1972 in Film Volume 89, Page 1390, Deed and Mortgage Records.



# Taxlot



Subject



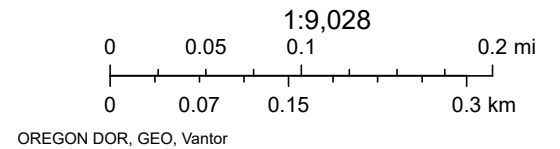
Taxlot

# ArcGIS Web Map

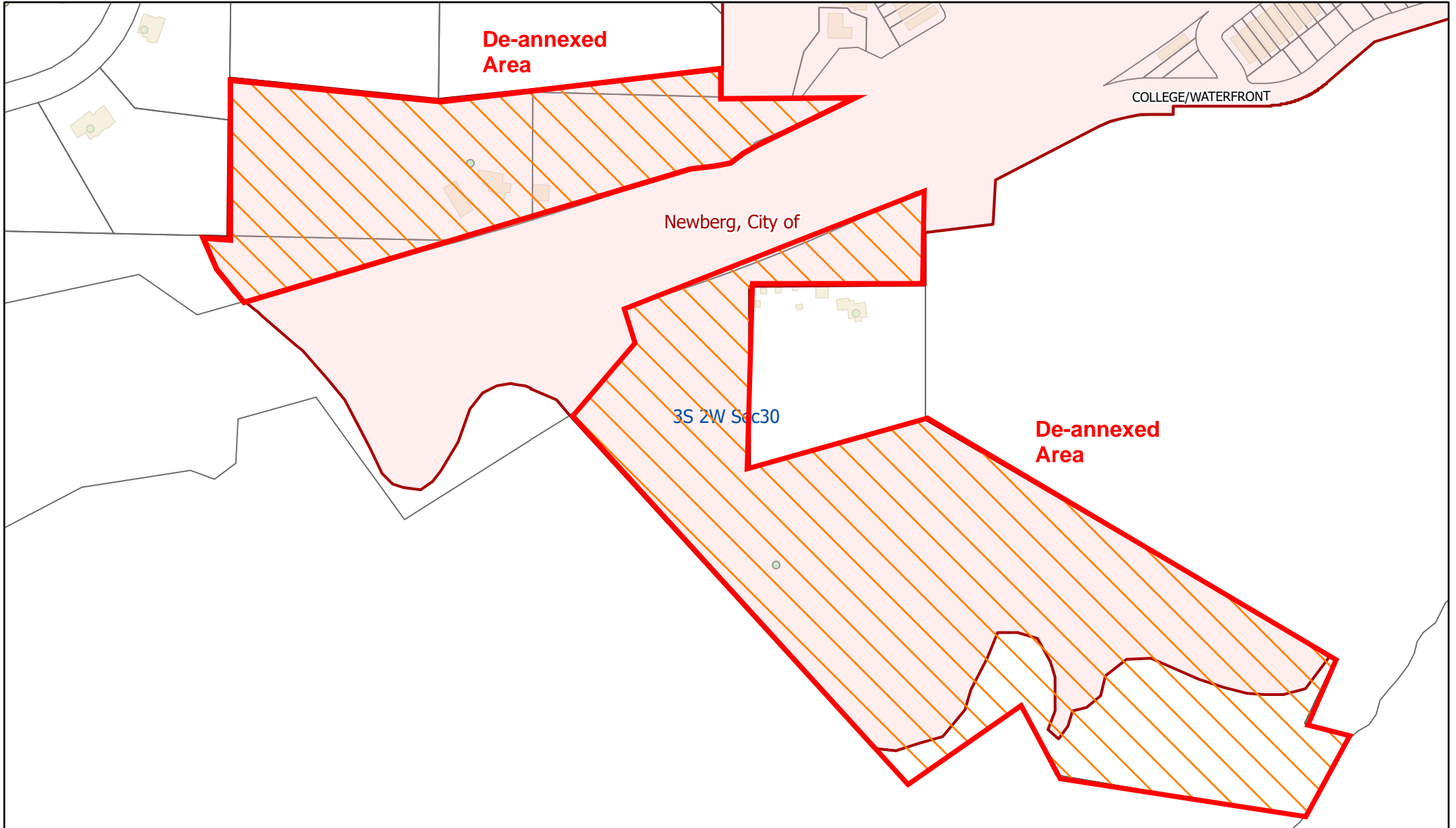


5/12/2026, 3:47:49 PM

- taxlot
- CountyLines
- mapIndex



# Yamhill County Map




5/12/2026, 3:50:48 PM

 City Boundaries

 Sections

Structures

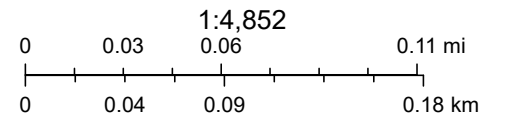
 City Boundaries

 Taxlot Parcels

 Number

 Building Footprints

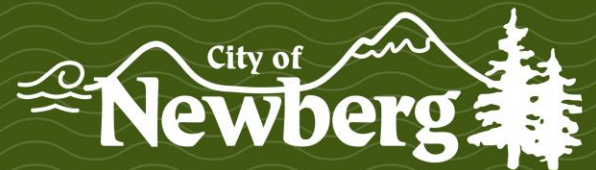
 Residential



# Order No. 2026-0047

City Council Briefing

June 15, 2026



## *City Council Goals*

- *Goal 4. Implement a careful and prudent fiscal policy.*
  - *Objective 3. Ensure that the city has a long-term financial plan that supports its goals and objectives.*
- *Continuous Goal E. Further strategic planning and growth with local taxing districts.*

## Staff Recommendation

- Adopt Order No. 2026-0047 declaring that the Newberg City Council still favors the withdrawal of territory pursuant to the resolution and fixing a time and place for a final hearing on the withdrawal.

# Background

- City Council adopted Resolution No. 2026-2043 declaring that it is the intent of the Newberg City Council to change the boundaries of the city by means of a withdrawal of territory.
- City Council held a public hearing at which the residents of the city may appear and be heard on the question of the withdrawal of territory.

# Background

- ORS 222.460(5) requires that after receiving testimony at a public hearing, the legislative body of the city may alter the boundaries described in the resolution to either include or exclude territory.
- If the legislative body still favors the withdrawal of territory pursuant to the resolution, as approved or modified, it shall enter an order so declaring.
- The order shall set forth the boundaries of the area to be withdrawn and also fix a place and a time for a public hearing on an ordinance finalizing the de-annexation, not less than 20 days or more than 50 days after the date of the order.

# Background

- ORS 222.460(5) also notes that the order shall declare that if written requests for an election are not filed per ORS 222.460(6), the legislative body of the city will adopt a resolution or ordinance detaching the territory from the city at the time of the final hearing.
- Proposed:
  - 7/20/2026 – NURA consider minor amendment removing territory from the Urban Renewal Plan.
  - 7/20/2026 – City Council final hearing on withdrawal of territory.

## Staff Recommendation

- Adopt Order No. 2026-0047 declaring that the Newberg City Council still favors the withdrawal of territory pursuant to the resolution and fixing a time and place for a final hearing on the withdrawal.

Thank you!

Questions?

# REQUEST FOR COUNCIL ACTION



**Date Action Requested: July 7, 2026**

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/>	
No. 2026-4043	
Subject: Library Internet Policy	Staff: Korie Buerkle Department: Library
Business Session	Order On Agenda:
Hearing Type: Administrative	

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:**

**Recommendation:** The Library Director recommends the City Council approve the updated Internet Policy as reviewed by Legal Counsel. The Library Advisory Board approved the policy before slight changes were made by Legal Counsel. The policy will go back to the Library Advisory Board in June, 2026.

## Executive Summary:

- The library's Internet Policy has not been refreshed in seven years.
- Language has been updated to reflect current vernacular for the internet.
- The policy has been updated to reflect the library's Courtesy Policy, Tech Help Agreement, and to address other issues that may arise.

**Fiscal Impact:** No fiscal impact expected.

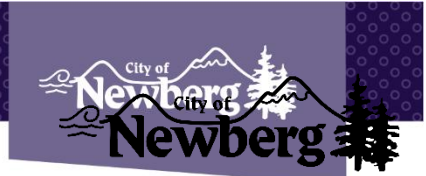
## Council Goals:

This policy fits Council goals two and three.

- Goal 2: Enhance community safety.
- Goal 3: Create and maintain a high level of transparency with our residents in order to build trust.

# REQUEST FOR COUNCIL ACTION

## RESOLUTION NO. 2026-4043



**A Resolution**

**Recitals:**

1. The Newberg Public Library provides a space for the community to access the internet for research and general interest.
2. Before accessing the internet on library computers, library patrons must agree to the library’s Internet Policy.
3. The refreshed Internet Policy brings the policy into alignment with the library’s Courtesy Policy and provides needed updates.

**The City of Newberg Resolves as Follows:**

1. To approve the updated Library Internet Policy as seen in Exhibit A.

**Effective Date** of this resolution is the day after the adoption date, which is: July 8, 2026.

**Adopted** by the City Council of Newberg, Oregon, this 7 day of July, 2026.

\_\_\_\_\_  
Rachel Thomas, City Recorder

**Attest** by the Mayor this 7 day of July, 2026.

\_\_\_\_\_  
Bill Rosacker, Mayor



## **Internet Policy**

**Authority: Newberg City Council**

**Update history: Adopted March 1997, Revised November 2000, Reviewed and Affirmed August 2002, Revised by Library Board August 2019, Approved by City Council November 2019: Resolution No. 2019-3612, June 2026: Resolution 2026-4043**

The Newberg Public Library makes information available in a variety of formats, from print to internet. The library does not monitor or have control over the information accessed through the internet and is not responsible for its content.

The library may place software or other automated devices (such as filters) on workstations placed in departments specifically devoted to serving youth. These devices, while designed to eliminate material of a sexual nature from appearing on screens, do not remove everything which some might find objectionable. Parents are responsible for monitoring and supervising their children's use of the internet.

The library strives to serve people of all ages at all levels of need and endorses the Library Bill of Rights and the Freedom to Read documents as they apply to the use of electronic information. The Newberg Public Library also endorses the American Library Association's document Access to Digital Resources and Services: An Interpretation of the Library Bill of Rights.

Inappropriate use of the internet may result in a cancellation of access for a period of time consistent with the severity of the inappropriate use, as decided by supervising staff. Examples of inappropriate use include, but are not limited to, the following:

- Harassment of other users
- Viewing sexually explicit sites
- Sexual conduct or sexualized behavior
- Libeling or slandering other users
- Violation of another user's privacy
- Destruction of or damage to equipment, software, or data belonging to the library or other users
- Disruption or unauthorized monitoring of electronic communications
- Unauthorized copying of copyright-protected material
- Unauthorized use of computer accounts, access codes, or network ID numbers assigned to others
- Use of sounds and visuals which might be disruptive or harmful to others
- Misrepresentation of age or identity

Internet use will be managed in a manner consistent with the library's Courtesy Policy as posted in the library. Illegal acts involving library computing resources may also be subject to prosecution by local, state or federal authorities.

The library's staff will assist patrons with internet use as time permits. Patrons may schedule a Tech Help appointment at the Information Desk for basic computer questions requiring more than fifteen minutes. For a general list of what library staff can and cannot help with please refer to the Tech Help Agreement Form.

# REQUEST FOR COUNCIL ACTION



Order  Ordinance  Resolution  Motion  Information  Proclamation

Subject:

A Motion to Proceed with Contractual Actions to Obtain a Sewer Easement.

Staff: CM

Business Session

Order On Agenda: New Business

**Date Action Requested: (June 15, 2026)**

**Is this item state mandated?** Yes  No

**If yes, please cite the state house bill or order that necessitated this action:**

**Recommendation:**

Staff recommends the following motion:

“I move to authorize staff to initiate negotiations and legal actions required to obtain an easement for a new sewer line to include a land surplus action.”

**Executive Summary:**

City staff has been considering for several months strategies to rapidly address the emerging issue of sewer line surcharges that are occurring now every fall (in the rainy season) due to ever greater loading on that Springbrook line. We anticipate that this will only get worse over time as more housing is added in the Northern and NE sections of town. City staff have developed a potential approach to deal with the issue effectively and with a good chance of cost control.

We are looking at a sewer line approach that mainly goes through the property of the sportsman airpark for the following reasons:

- First and foremost, the proposed alternative that upsizes the existing sewer main along Springbrook and Highway 219 would involve a massive disruption to the businesses that follow that route and would severely impact the community in that neighborhood with lengthy road closures. It also impacts state highway 219.
- Second, creating a new line with a more direct route would enable us to have much greater capacity (future proofing the line against future development).
- Third by following the greenfield approach for the bulk of the journey, this will enable us to get the project done more quickly perhaps in as little as one BY, whereas the zigzag route would take much longer due to **ODOT** permitting and coordination requiring more design and

expensive streets remediation and likely night-work for the portion in the highway. This adds up to more sewer discharges and also more cost due to the impact of inflation. ODOT permit requests can take years to resolve.

- Fourth this approach will add redundancy since the sewage will have two routes for its flow.

Further details are provided to council via attachment #1.

**Fiscal Impact:**

In the short term \$90,000 in the long term approximately \$4M-\$5M whose exact figure cannot be known without invitation to bid and design services.

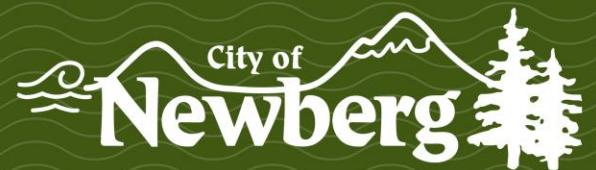
**Council Goals:**

Continuous Goal A

Ensure Newberg infrastructure (roads, water, city employees) is in good repair and supply.

# Springbrook Sewer Line Issue

A Problem and a Possible Solution



## **The Problem:**

The Springbrook Sewer line is fed from two sources:

- The older line to the north
- The force main from the new developments running west

I & I is blending with a line that's at higher capacity causing backups:

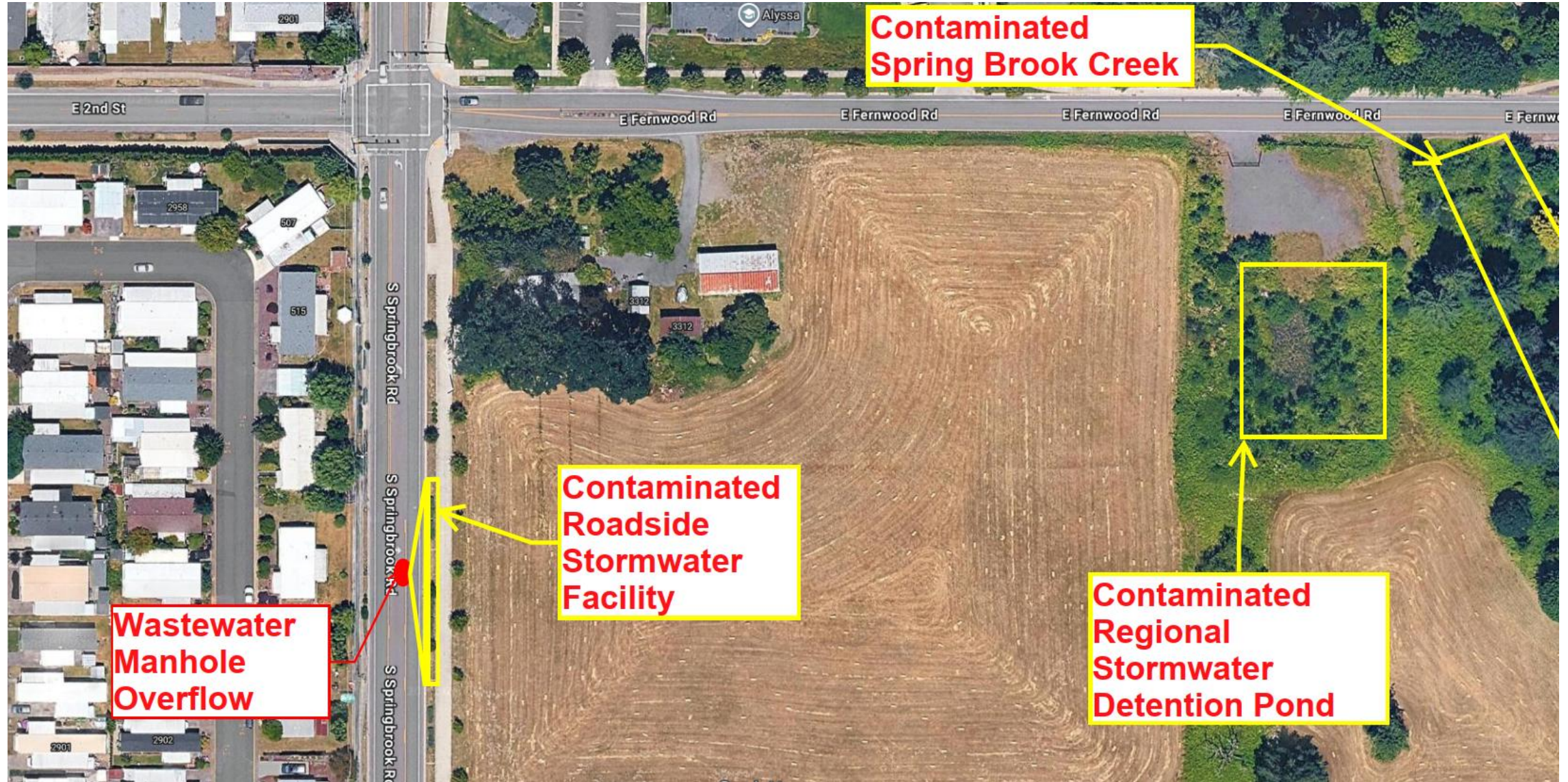
12/6/2023 – Springbrook sewage spill, approximately 164,671 gallons

12/9/2025 – Springbrook sewage spill, approximately 180,000 gallons

12/18/2025 – Springbrook sewage spill, approximately 480,000 gallons

On the next slide is an image of the system.





## **Thinking About Timely Solutions**

This issue is getting worse and ideally, we need to act next BY.

I will detail a concept on the next few slides that uses an approach through the Sportsman's Airpark.

To carry out this approach we need to have the easement (the land is extraterritorial to Newberg and therefore in Yamhill county). This is needed so as to move on to design and survey work ahead of next BYs budget process.

I have added a very theoretical image of a possible new lines route and another image of the possible land that might be involved in a swap.



E Hancock St

Wico Farm Store

E 1st St

S Elliott Rd

E Wind St

E 3rd St

E Fernwood Rd

219

Nut Tree Ranch Mobile Estates #22

Sportsman Airpark

survey portion of the the Sportsman Airpark property ~100-foot track east of the runway - boundaries are approximate. Yamhill County Taxlot: R3220 00300

ARE Manufacturing, Inc

DCI Edge

219

Spring Brook

As described this approach goes through the Sportsman's Airpark and is extra territorial to Newberg.

Here are some of the reasons why this approach makes sense:

- First and foremost, the proposed alternative that upsizes the existing sewer main along Springbrook and Highway 219 would involve a massive disruption to the businesses that follow that route and would severely impact the community in that neighborhood with lengthy road closures (next slide)
- Second, creating a new line with a more direct route would enable us to have much greater capacity than a zig zag line



This route (pink line) is much more challenging than a green field approach and would have less capacity for the same size of pipe.

## Reasons to use this approach continued:

- By following the greenfield approach for the bulk of the journey this will enable us to get the project done more quickly, perhaps in as little as one BY, whereas the zigzag route would take much longer due to **ODOT permitting** and coordination requiring more design and expensive streets remediation and likely night-work for the portion in the highway. This adds up to more sewer discharges and also more cost due to the impact of inflation.
- This approach will add redundancy since the sewage will have two routes for its flow.

## **Cost Estimate**

The cost of the project is anticipated right now as being in the \$4M to \$5M region but time is of the essence since pipe projects have been coming in at an economical rate right now.

Three or four years from now this may not be the case.

## **Current State of Play**

Following two rounds of talks with Sportsman Airpark management to see if they had any interest in allowing this to occur, we engaged in negotiations to determine a reasonable fee for this consideration.

I also got some advice from Keller Engineering on approaches to solving this issue. I was also able to find out what NW natural paid them for a similar easement a decade ago.

Sportsman's Airpark have very graciously agreed to work towards an easement agreement on the following basis:

- A cash payment of \$90,000 to cover access and maintenance needs in perpetuity (NW Natural paid \$100K a decade ago)
- The transfer of two small parcels of land of no market value that are owned by the city and sit just south of the runway. These are R322000601 (0.2 acres) and R322000700 (0.14 acres). Due to the complexity of the adjacent airfield overlay and lack of any city purpose for this land, using this to keep the easement price down makes sense – see next slide

As the City Attorney has taught me, in order to execute this sort of agreement for all the reasons listed, we will need to declare the land surplus and form an easement agreement with Sportsman's Airpark.

It is very positive that they are considering this proposal to bring this issue to a close within (perhaps) just a few more sewage spills.



At this point, staff is looking for council approval in the form of a motion to go ahead and take these legal steps and keep negotiating.

Questions?

# REQUEST FOR COUNCIL ACTION



**Date Action Requested: June 15, 2026**

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Information <input type="checkbox"/>	
Subject: Review the Street Seat Pilot Program	Staff: Scot Siegel, Director Department: Community Development File No. GEN26-0004
Business Session	Order On Agenda: New Business
Hearing Type: N/A	

**Is this item state mandated?** Yes  No

## Recommendation

Review Street Seats Pilot Program and either allow the program to end, in which case no action is required, or direct staff to prepare a resolution for Council approval to extend the program.

## Executive Summary

The Street Seats Pilot Program allows private use of the public right-of-way for restaurant seating. It is set to expire on August 17, 2026. Council direction is sought on whether to terminate or continue the pilot program. The Council resolution and program guide are contained in Exhibit A.

Since the program's establishment in 2015, only one street seat has been created. It was installed by the former Ruddick/Wood Restaurant on S Edwards Street and removed in 2025 after the restaurant closed. A second application for a street seat was approved for the former Social Goods restaurant at Howard Street but was never constructed.

## Background

On August 17, 2015, the City Council created a Street Seat Pilot Program in Newberg by adopting Resolution No. 2015-3209. The pilot program had a two-year duration and was scheduled to expire on August 17, 2017.

On July 17, 2017, the City Council adopted Resolution 2017-3397 extending the Street Seat Pilot Program for an additional two years to August 17, 2019. Council then approved two more extensions, respectively, to August 17, 2023 (Resolution 2019-3572), and August 17, 2026 (Resolution 2023-3903).

In addition to extending the pilot program by three years and adding a height limitation for street seat "rails", Resolution 2023-3903 requires the program be reviewed by City Council for consideration of immediate termination when downtown city parking occupancy reaches or exceeds 85 percent of capacity.

The most recent downtown parking study is the 2023 Downtown Parking Study and Management Plan, which is attached as Exhibit B (DPSMP). The DPSMP evaluated parking utilization during April-May 2023 and included parking counts during the Camelia Festival and Wednesday Market.

The DPSMP found that downtown parking utilization was between 50% to 60% of capacity overall during these Saturday and Wednesday evening events, though parking exceeded 85 percent of capacity in some public lots and streets, particularly near the Chehalem Cultural Center and Library.

No new commercial buildings have been developed in the downtown since 2023, though some new businesses have opened where others have closed. The recent sale of the Butler property is expected to result in new construction though no permits have been submitted.

The DPSMP makes several recommendations to improve public parking access, visibility, and connectivity throughout the downtown area. For example, the city recently installed lighting in the 2<sup>nd</sup> Street public parking lot. The DPSMP also recommends the City monitor parking during July-August, which may be busier than the spring months.

### **Fiscal Impact**

There is no fiscal impact to the city from the pilot program, or from extending the pilot program.

### **Council Goals**

Goal 5: Revitalize and beautify the appearance and utility of Newberg's downtown area.

### **Exhibits**

- A. Resolution No. 2023-3903 - Street Seats Pilot Program Extension
- B. Downtown Newberg Parking Study and Management Plan (June 30, 2023)



# RESOLUTION No. 2023-3903

**A Resolution extending the Street Seat Pilot Program for Three Years Through August 17, 2026, and modifying specified program standards**

## Recitals:

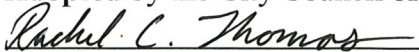
1. On August 17, 2015, the City Council adopted Resolution No. 2015-3209 and created a Street Seat Pilot Program with a two-year duration.
2. On July 17, 2017, the City Council adopted Resolution No. 2017-3397 extending the Street Seat Pilot program for two years.
3. On July 1, 2019, the City Council adopted Resolution No. 2019-3572 extending the Street Seat Pilot program for two years.
4. On October 18, 2021, the City Council adopted Resolution No. 2017-3397 extending the Street Seat Pilot program for two years to August 17, 2023.
5. On August 7, 2023, City Council directed that the program would remain active until the Community Development Department staff could return to the City Council with a resolution extending the temporary Street Seat Pilot Program for three years, modifying allowable height of Street Seat rails, and a provision that would bring the program to City Council for consideration of immediate termination when the City's downtown parking occupancy reaches or exceeds 85 percent occupancy.

## The City of Newberg Resolves as Follows:

1. The City Council approves extending the Street Seat Pilot Program three years. The expiration date will extend from August 17, 2023, to August 17, 2026.
2. The City Council amends the Street Seat Pilot Program to modify the maximum allowable height of Street Seat rails and to bring the program to City Council for consideration of immediate termination should the downtown parking occupancy reach or exceed 85 percent occupancy

**Effective Date** of this resolution is the day after the adoption date, which is: September 6, 2023.

**Adopted** by the City Council of Newberg, Oregon, this 5<sup>th</sup> day of September, 2023.



City Recorder

Attest by the Mayor this 7th day of September, 2023.



Bill Rosacker, Mayor

## City of Newberg: Street Seats Pilot Program

A joint program of the Community Development Department & Engineering Services Department

**Acknowledgement:** *The program is closely based on a pilot program created by the City of Milwaukie, Oregon*

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## NEWBERG STREET SEAT PILOT PROGRAM INFORMATION and APPLICATION

### ABOUT THE STREET SEATS PILOT PROGRAM

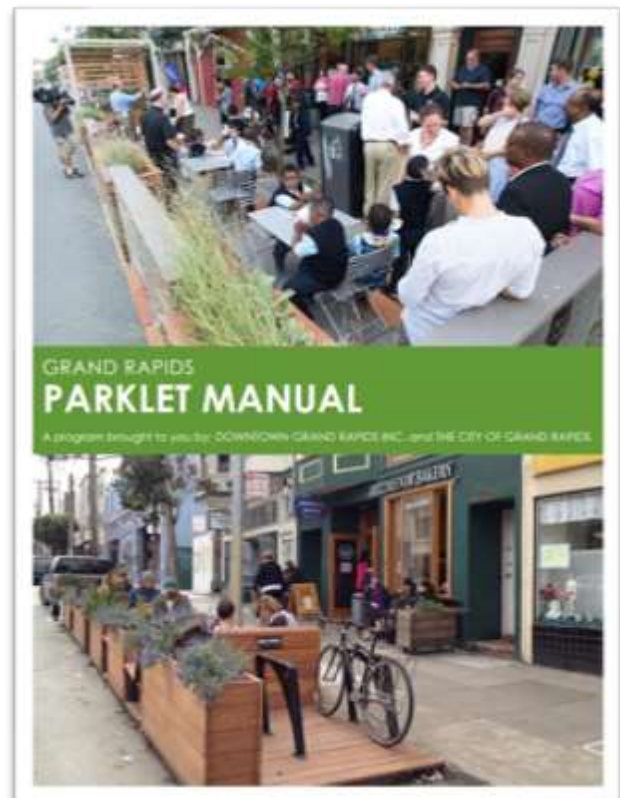
In 2015, the City of Newberg introduced Downtown Street Seats Pilot Program. The pilot program is geared toward applications for a semi-permanent street seat (regular or daily occupancy) – repurposing on-street parking spaces to add additional outdoor seating for a restaurant so people can stop, sit, and take in the life of the street. To justify construction expense, and help ensure active use, this is a temporary pilot program, typically renewed in 2 or 3 year cycles by the Newberg City Council.

### WHAT ARE STREET SEATS?

“Street seats” are temporary platforms placed in one or more on-street parking spaces. The platform is the same height as the curb and extends the sidewalk space in order to add additional outdoor seating for a restaurant. The street seats are owned and maintained by the private business, and require a permit from the City.

Some cities call them “parklets”, and others call them “street seats.” Some cities create “parklets” as miniature public parks, while others only allow privately owned versions. Newberg’s pilot program is only for privately-owned street seats, so to avoid confusion the term “street seats” will be used in this document instead of “parklet.” One benefit of privately-owned street seats is that they are maintained and monitored by the adjacent business.

Example: From the City of Grand Rapids Parklet Manual



## KEY ITEMS

- **Eligibility:** The pilot program is limited to eating/drinking establishments in the downtown C-3 commercial zone.
- **Location Limitations:** The pilot program uses a maximum of 6 parking spaces; no more than one street seat per block face. Street seats cannot be located on First Street, Hancock Street, or other ODOT rights-of-way. One establishment has been preselected (pending application submittal), having shown great interest in the program; a few additional street seats would be possible.
- **Downtown parking occupancy:** Because the pilot program relies on the availability of public parking in the downtown area, if parking occupancy reaches or exceeds 85 percent in the City's downtown area, the pilot program will be considered for possible termination.
- **Parking space stenciling:** Applicants recognize that parking space stenciling done by the City will not be done where street seats are in place.
- **Design Documentation:** Design document package required at time of application submittal. Street seat applicants will be required to submit a complete set of proposal drawings in order to be considered for approval, including a full set of detailed design drawings.
- **OLCC & Yamhill County Health Dept.:** If applicable, applicant is responsible for obtaining separate Oregon Liquor Control Commission (OLCC) permits and Yamhill County Health Department permits.
- **Change in ownership:** If your business changes ownership you will either need to remove your street seat or transfer the permit to the new owner.
- **As a pilot project, the City reserves the right to adjust requirements as situations arise.**

## FEES

All eligible applicants will be charged a \$150 base permit fee. If the street seat requires other changes to the street (e.g. parking sign or striping changes) the applicant will be responsible for those costs. City staff will provide accurate cost estimates of these charges based on location. Filing fee will be due upon filing of application.

## INSURANCE

If your application is approved, you will be required to provide evidence of at least \$2M in liability insurance naming the City of Newberg as additional insured. Most businesses already carry this insurance; please check with your provider.

## MAINTENANCE

The street seat will be owned and maintained by the applicant. The applicant is responsible for all costs associated with the design development, construction, installation, maintenance, and removal of the street seat. If an application is approved, this represents that the applicant shall keep the street seat free of debris, grime, and graffiti, and to keep all plants in good health.

The permit obligates you to ensure that the facility is swept daily and debris is removed from under (if applicable) and around the street seat a minimum of once a week. Any cleaning products that are used on the facility are required to be biodegradable and environmentally friendly, since they will ultimately drain into nearby streams.

## DESIGN EVALUATION

The following evaluation criteria will be used to evaluate the design submissions and award approvals:

- **Design quality:** The quality and creativity of the design; the quality and durability of proposed materials and furniture.
- **Streetscape enhancement:** How the proposal will enhance the aesthetic quality of the streetscape.

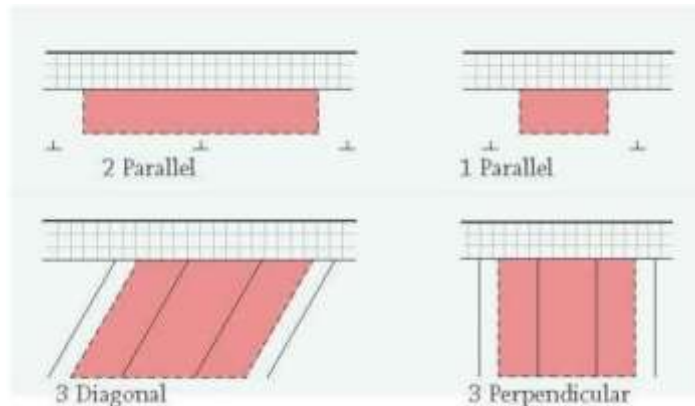
## GENERAL GUIDELINES

- The street seat must be located adjacent to the applicant's business; no more than one street seat per business will be permitted.
- In some areas of downtown, curb heights in combination with the slope of the street make the installation of a traditional street seat platform very challenging. In these cases, the applicant may propose to not install a platform, but must demonstrate compliance with ADA accessibility requirements to ensure that accessible seating is provided in the overall street seat.
- Design for easy removal. The street seat will sit on top of the existing street surface. Because street seats may sit on top of critical infrastructure and utilities such as gas lines, sewer and water mains, they need to be designed for easy removal in case of an emergency. If the street seat has to be removed for city maintenance then the owner must remove it at their expense.
- The street seat may remain in place year-round but must be moveable.
- A street seat may include a bike corral. The bike corral must be located beyond the seating area, not before it, and cannot be permanently attached to the paving.
- No power lines can extend over the sidewalk to the street seat.
- No advertising. Logos, advertising, or other branding is prohibited.
- Smoking is prohibited in street seats.
- The proposal must include detailed plans for securing furniture when the business is closed.
- Maintenance and litter removal is the responsibility of the applicant/owner. Failure to maintain the street seat may result in the revocation of the permit.
- Extended lack of use may result in the revocation of the permit.
- Be creative.

## LOCATION CRITERIA

- Street seats are not permitted in front of fire hydrants, in active bus service areas, across driveways, or over manholes or public utility valves or covers (including water shut off valves). As an alternative, if valves are present, the street seat must be designed for easy access.
- Fire hydrants cannot be blocked for a total distance of 10 feet (5 feet in each direction along the street from the hydrant).
- The proposed site should be located at least one parking spot in from a corner; otherwise a protected bollard, sidewalk bulb-out, or other similar feature must be present if located at the corner.
- The proposed site should be located on a street with a speed limit of 25 MPH or less.
- Street seats cannot be located on First Street, Hancock Street, or other ODOT rights-of-way.

- Multiple businesses may propose a shared street seat; details regarding the shared use agreement must be included.
- For street seats proposed on parallel parking spaces, a maximum of two (2) parking spaces shall be used. For proposals using angled parking spaces, a maximum of three (3) parking spaces shall be used. For proposals using perpendicular parking spaces, a maximum of three (3) parking spaces shall be used. Refer to Figure 1 for details.



#### **DESIGN ELEMENTS – applicable to all street seats**

- The street seat design must include vegetation in the form of planters.
- The use of high quality, durable materials capable of withstanding year-round use is encouraged.
- All rails must be capable of withstanding a 200-lb horizontal force. No wall, planter, or rail may be higher than 42 inches, as measured from the walking surface.
- Design must maintain a minimum five-foot clear pedestrian through zone in the sidewalk corridor where access is taken to the street seat area.
- Street seat footprint: parallel parking. Twenty-four (24") inch setback on either end of the street seat, adjacent to parallel parking, shall be maintained. Wheel stops may be used but are not required. If proposed, wheel stops will be installed by the applicant and inspected by the City after final facility construction/installation is complete.
- Street seat footprint: diagonal parking. For diagonal and perpendicular spaces, the edge of the street seat must be set back eighteen (18") inches from the adjacent parking space on either side. This setback space must be included within the street seat space, and not be taken from the adjacent space.
- Street seat design must include a physical barrier along the street while maintaining clear visual sightlines to the street. Vertical elements, such as planters and umbrellas, should be included so that the facility is visible to vehicles.
- To protect a street seat in a parallel parking space from parking maneuvers, substantial planters, weighted bollards, or other structure that can withstand light vehicular impact, must be installed on either end of the street seat and at the street edge. Street seats in diagonal parking spaces are not required to have such substantial edge materials, except for the side and corners at the street edge. Additional traffic safety items may be added to the final design by City staff.

- The proposed number of table and chairs shall be approved by the City. Furniture must be able to accommodate those with disabilities, wheelchairs, or mobility devices.
- Proposed covers or shelters may have additional structural engineering requirements. If canopies/tents/awnings are used there may be additional Fire Code requirements.
- Surface materials: loose particles, such as sand or loose stone, are not permitted on the street seat.

**DESIGN ELEMENTS – applicable to street seats with platforms**

- The platform may not be attached to or damage the street and must be easily assembled and disassembled. Any damage to the street is the responsibility of the applicant.
- Platform must be designed to allow for curblinestormwater drainage.
- Platform must be designed to accommodate the crown and cross slope of the street surface.
- Street seat decking must be flush with the curb and may not have more than a ½ inch gap from the curb. If this is impossible, the submitted design must demonstrate compliance with ADA accessibility requirements to ensure that accessible seating is provided in the overall street seat (e.g. sidewalk café seating).
- All plans must clearly articulate the spans and supports to be used for the body of the street seat.
- Street seat platform rest areas cannot exceed two percent (2%) cross slopes.

## DEVELOPING THE DESIGN DOCUMENT PACKAGE

Quality of design will be one of the prioritized evaluation criteria.

Site locations and street seat design are approved by City staff based on the attached Design Guidelines. Applicants are encouraged to communicate with staff during the design development phase. Staff can help flag potential design concerns early on, and foresee potential issues that could be arise later in the process.

Hiring a professional engineer is not required. Use of Google Earth or similar technology for planning purposes is sufficient. But accurate measurements are required for design details. Please provide as much detail as possible – it will speed the process of reviewing the application. The City prefers documents in 11" x 17" format.

1. Street seat Location and Context Plan. This drawing should show the street seat footprint in relation to the surrounding streetscape context. It should include footprint of the proposed platform in context with the surrounding streetscape, including:

- "footprint" of the proposed street seat
- building "footprints" and entrances
- sidewalk width
- existing parking stalls
- existing curb cuts and driveways
- adjacent bike lane and auto lanes
- all surface obstructions within 15 feet of the proposed area (e.g. fire hydrants, utilities, streetlights, parking meters, street trees, tree pits, etc.)
- required setbacks from adjacent parking stalls

2. Detailed Design Plan. This is a top-view drawing of your street seat design and should include:

- Various elements included in the design.
- Different materials to be used in the design.
- Plant types and/or species to be used.
- Street seat dimensions and elements (including required buffer areas).
- ADA compliance.
- If applicable, a detail showing how you will maintain positive drainage flow along the curb line.

3. Elevations. These are side-view drawings of your proposed design and should include:

- Various elements included in the design.
- Different materials to be used in the design.
- Dimensions of platform, street seat elements and buffer areas.

4. Renderings and Perspectives (optional)

5. Construction Drawings (if applicable). These drawings should show how your street seat will be assembled or constructed. They will include:

- Confirmation of all dimensions and materials to be used in the design.

- Any hardware such as fasteners to be used in the construction process.
- A detail showing how you will accommodate existing curb height and the cross slope of the road surface.

6. Right-of-way use drawing and construction information. This drawing identifies any right-of-way area to be temporarily used during the construction of the street seat. Identify any area of the street, parking spaces, sidewalk, etc. that are proposed to be temporarily used. A minimum of 5' of clear sidewalk access for pedestrians must be maintained at all times. Indicate the duration of construction including proposed dates and times.

### **STREET SEAT APPLICATION AND PROCESS**

The following is an overview of the street seat application, approval, and installation process:

1. Applicant reviews application materials and design guidelines
2. A location is selected that meets location criteria.
3. It is strongly recommended that applicants request a meeting with City staff to review design ideas prior to submitting an application.
4. Business and property owner approvals are obtained using Application Form.
5. Work begins on detailed design document package.
6. Applicant should consider contacting City staff with any questions about their application submission. Questions can be sent to the Community Development Department and Engineering Services Department.
7. Completed application and all required attachments and fees are submitted at the Community Development Department permit center counter.
8. The City will review the application for completeness and that all design guidelines have been met. Incomplete applications will need to submit any required information.
9. Applications are reviewed for design and technical requirements.
10. Applicants with approved applications will be contacted by City staff to schedule a preconstruction on-site visit if needed.
11. Installation must occur within 90 days of permit issuance.
12. Once installation is complete, applicant is required to notify the City within 48 hours of the completion of street seat construction to schedule a post-construction on-site inspection.
13. Post Construction. The City will continue to monitor the street seat for compliance with your revocable permit and design guidelines. Failure to comply may result in revocation of your permit. The City may also request your participation in assessments and studies of the program.

**Street seat Pilot Program: Application Form.**

Permit #: \_\_\_\_\_

**I. APPLICATION FORM**

Site Address: \_\_\_\_\_

Cross-Street 1: \_\_\_\_\_ Cross Street 2: \_\_\_\_\_

**Applicant Contact Information** (main contact assigned to work with City staff)

Project Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Business Information**

Name of Business: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Business: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Owner Phone: \_\_\_\_\_

Owner Email: \_\_\_\_\_

**Property Owner Information**

Name of Property Owner or Representative: \_\_\_\_\_

Name of Property Owner Company: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: State: Zip: \_\_\_\_\_

**Business and Property Owner's Affirmation**

I, the undersigned, do affirm that I am the owner or a duly authorized representative of the corporation owning the above referenced property. I have been made aware of the Applicant's intent to install a street seat in the parking lane in front of the business listed on this application and have no objections.

Business owner: \_\_\_\_\_ {Signature}  
\_\_\_\_\_ {Print Name} \_\_\_\_\_ {Date}

Property owner: \_\_\_\_\_ {Signature}  
\_\_\_\_\_ {Print Name} \_\_\_\_\_ {Date}

**Site Information**

Proposed size of street seat (Square feet and # of parking spaces): \_\_\_\_\_

Is the street seat intended to span more than one storefront? Yes No

*\* If "yes", application must be received from each sponsoring business.*

What is the proposed duration of the street seat? (Daily, every weekend, monthly, etc. Please describe expected timeframe.)

\_\_\_\_\_

**II. REQUIRED DESIGN DOCUMENT PACKAGE**

Please refer to the design requirements in the Street seat Program Overview. You can use the following checklist to ensure that your design proposal package is complete.

- Street seat Location and Context Plan. This drawing should show the street seat footprint in relation to the surrounding streetscape context.
- Detailed Site Plan. A top-view drawing of the street seat design.
- Design Elevations. Side-view drawings of the proposed design.
- Renderings and Perspectives (optional)
- Construction Drawings (if applicable)
- Right-of-way use drawing and construction information

**Design/Architecture Services (if applicable)**

Designer Name: \_\_\_\_\_

Design Firm: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Construction Services (if applicable)**

Contractor Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

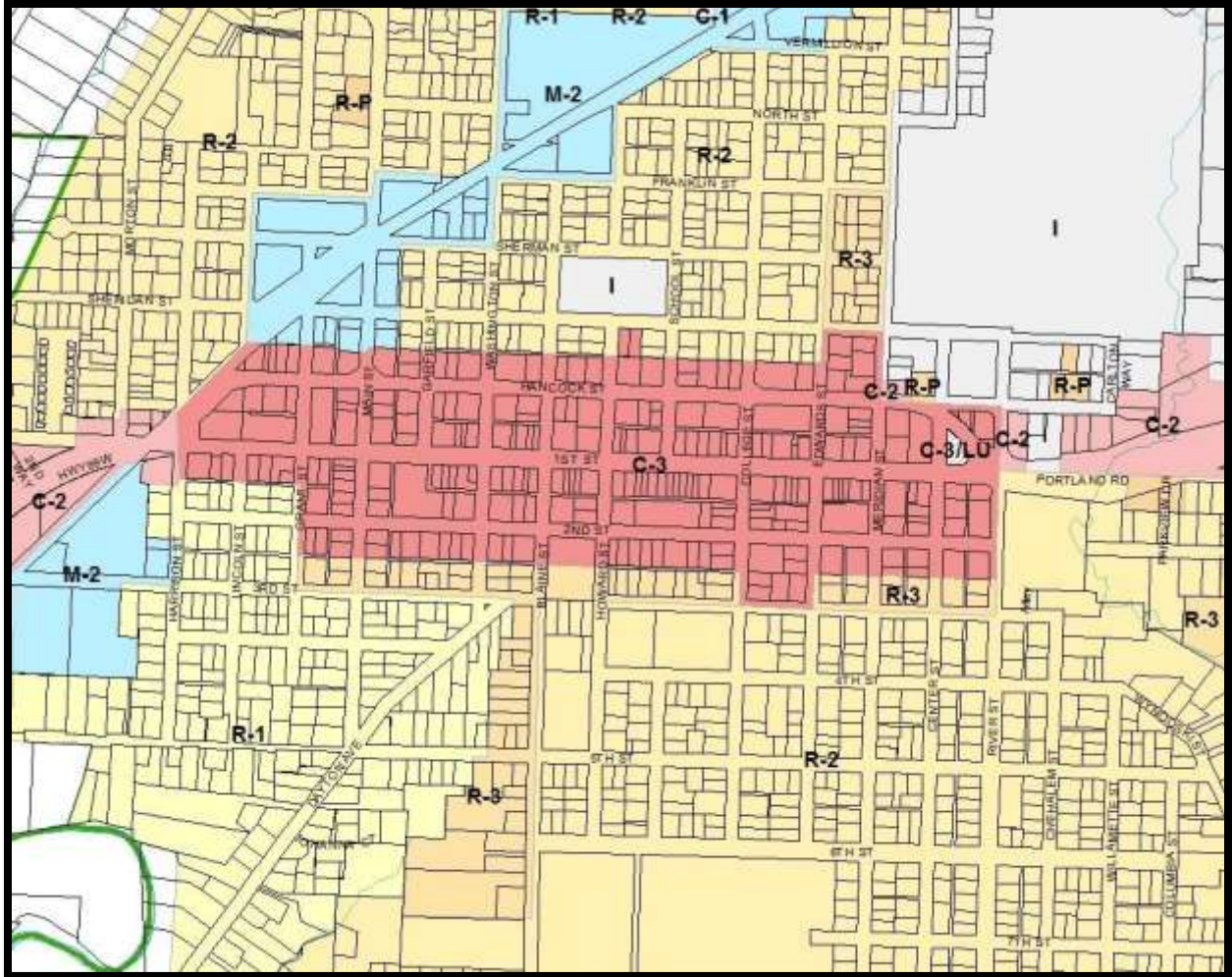
Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**III. APPLICATION SUBMISSION INSTRUCTIONS**

- How to submit your completed application package:
- Format drawings to an 11x17 page layout
- Provide five (5) copies of the application and Design Package
- Attach documentation of Insurance Requirements
- Filing Fee

**RESOLUTION 2023-3903**  
**EXHIBIT B: C-3 Zoning District Map**





# Downtown Newberg Parking Study and Management Plan

Final Report | June 30, 2023



# Downtown Newberg Parking Study and Management Plan

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## Project Partners

Chehalem Valley Chamber of Commerce  
Newberg Downtown Coalition  
Taste Newberg

## Consulting Team

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Work on this project was completed between March 20 and June 30, 2023. For more information about this project or the work described herein, contact Brian Davis at [brian@studiodavispx.com](mailto:brian@studiodavispx.com); 503.929.4551



# Table of Contents

---

<b>1. Introduction</b> .....	<b>1</b>
Overview and project goals .....	2
Study area .....	3
Planning framework.....	6
<b>2. Outreach &amp; Engagement</b> .....	<b>7</b>
Engagement overview and goals .....	8
<b>3. Parking Utilization Study</b> .....	<b>12</b>
Data collection, occupancy maps, and demand patterns.....	13
Key observations.....	18
Seasonal variation in parking demand.....	20
<b>4. Findings &amp; Recommendations</b> .....	<b>21</b>
Overview .....	22
Recommendations.....	22
Feasibility & implementation .....	33
<b>5. Appendix</b> .....	<b>35</b>
Engagement materials.....	A1
Input received.....	A5
Hourly occupancy maps .....	A66



# Table of Figures

---

**Figure 1:** Downtown Newberg Parking Study and Management Plan project timeline ..... 2

**Figure 2:** Downtown Newberg Parking Study and Management Plan study area ..... 4

**Figure 3:** Parking assets within the downtown study area..... 5

**Figure 4:** Postcard created to publicize the public open house..... 9

**Figure 5:** Illustration received as part engagement efforts.....10

**Figure 6:** Posters used to spur engagement during public open house.....11

**Figure 7:** Percentage of public stalls occupied by hour within study area .....13

**Figure 8:** Parking occupancy at the 3:00pm peak hour on Thursday April 13, 2023 ..... 14

**Figure 9:** Parking occupancy at the 1:00pm peak hour during the Camellia Festival on Saturday April 1, 2023, ..... 15

**Figure 10:** Parking occupancy at the 6:00pm hour during the Wednesday Market on Wednesday May 10, 2023 .....16

**Figure 11:** Parking occupancy within the downtown core ..... 17

**Figure 12:** Parking occupancy within publicly available lots..... 17

**Figure 13:** Numbers and origins of monthly visitors to downtown Newberg .....20

**Figure 14:** Map summarizing recommendations from Downtown Newberg Parking Study and Management Plan ..... 23

**Figure 15:** Signage and accompanying art/murals from Grants Pass, Oregon provide a best practice for parking lot branding..... 24

**Figure 16:** Potential concepts for branded signage utilizing font and blue colors from Newberg’s logo..... 24

**Figure 17:** Examples of Newberg's current wayfinding and parking lot signage ..... 25

**Figure 18:** Example of well-branded pedestrian wayfinding from Forest Grove..... 26

**Figure 19:** Crosswalk striping examples (image: MUTCD)..... 28

**Figure 20:** Narrow alleyway next to the 2nd Street Lot and closed breezeway to 1st Street that can make some users feel unsafe .....30

# Table of Tables

---

**Table 1:** Counts and characteristics of stalls within the downtown study area ..... 3

**Table 2:** List of recommendations and impact, timeline, and expense estimates ..... 34

# 1. Introduction



# Overview and project goals

This document presents a comprehensive parking management plan for downtown Newberg, Oregon. This report represents the final deliverable for the Downtown Newberg Parking Study project, which the City of Newberg engaged Studio Davis to lead in March, 2023. The study builds upon previous parking planning work conducted by the City in 2016, updating the analyses to provide a picture of operations as the City continues to emerge from the COVID-19 pandemic, and providing a new set of recommendations to address current challenges and opportunities.

Parking management is a critical component of placemaking. A right-sized and well-managed parking system is not only critical to a neighborhood's economic success, but also to its livability, vibrancy, and overall sense of place. The plan presented herein draws upon robust data collection efforts undertaken to quantify the number and types of parking stalls available in the downtown area, the

demand patterns within the area, and the impacts of both everyday demand and demand arising from special events.

To better understand local perspectives and engage the community to the extent practicable, the project included a significant outreach component, including various efforts to learn about parking challenges as experienced by the community, and to engage community members in long-term thinking about parking management in the project area. Three partner groups—Newberg Downtown Coalition, Taste Newberg, and Chehalem Valley Chamber of Commerce—were consulted extensively over the course of the project and preparation of the deliverable. These conversations helped shape the data collection, analysis, and public engagement strategies.

A timeline illustrating key tasks and events associated with the project is shown in Figure 1.

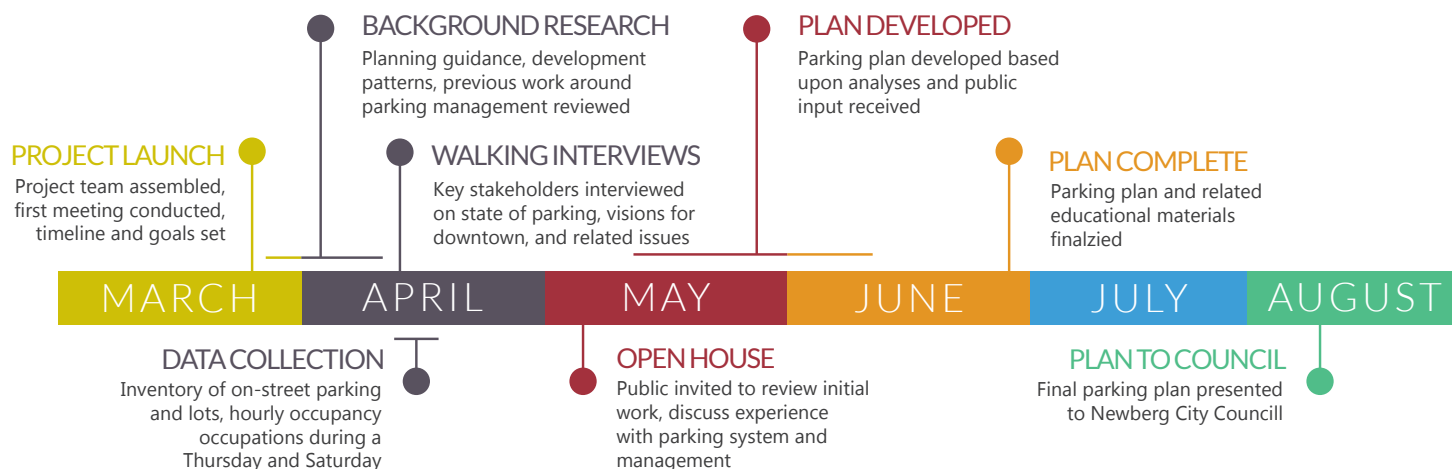


Figure 1: Downtown Newberg Parking Study and Management Plan project timeline



# Study area

The study area for this project is the downtown neighborhood of Newberg, bounded approximately by Harrison Street to the west, River Street to the east, Sheridan Street to the north, and 3rd Street to the south. The study also extends north to include the Chehalem Cultural Center and south to include Memorial Park. This study area is identical to the study area from the 2016 parking study and the Newberg Downtown Improvement Plan. A map of the study area is shown in Figure 2.

## Study area context and built environment

The study area covers a range of use characteristics and contexts. 1st Street functions as the City’s main commercial corridor, with a fairly dense built environment and a robust mix of storefronts stretching from approximately Washington Street to Edwards Street. By contrast, the corridor along Hancock Street is largely fronted by parking lots. The north-south corridor spanning from Sherman Street to 5th Street is envisioned as a “Civic Corridor” as described below, with the Chehalem Cultural Center at the northern end, Memorial Park at the southern end, and several public buildings in between. The area at the fringes of the study area is largely residential, and George Fox University is located just outside the study area to the northeast.

## Parking supply

Initial site visits were conducted during the week of April 3, 2023, with the goal of collecting detailed data on the number and types

of stalls available within the study area. A map showing the parking assets located within the study area is shown in Figure 3. The number and types of stalls available within the study area are shown in Table 1.

As shown in the inventory, most of the off-street parking within Newberg is privately owned. Key City-owned off-street facilities include a large lot north of 2nd Street between Howard and College Streets (“2nd Street Lot” henceforth), a lot located on the northeast corner of the intersection of Hancock and Blaine Streets (“Hancock Street Lot”), and a lot stretching along Blaine Street from the Public Safety Building to Memorial Park (“Memorial Park Lot”). Additionally, the parking lot at the Chehalem Cultural Center (“Cultural Center Lot”) is available for public use when there is not an event at the Cultural Center taking place.

**Table 1:** Counts and characteristics of stalls within the downtown study area

Location	Stall Counts by Type			
	Standard	ADA	Vet	Total
On-Street	986	6	0	992
Public Lots	197	10	3	210
Private Lots	1,057	37	0	1,094
<b>Study Area Totals</b>	<b>2,240</b>	<b>53</b>	<b>3</b>	<b>2,296</b>



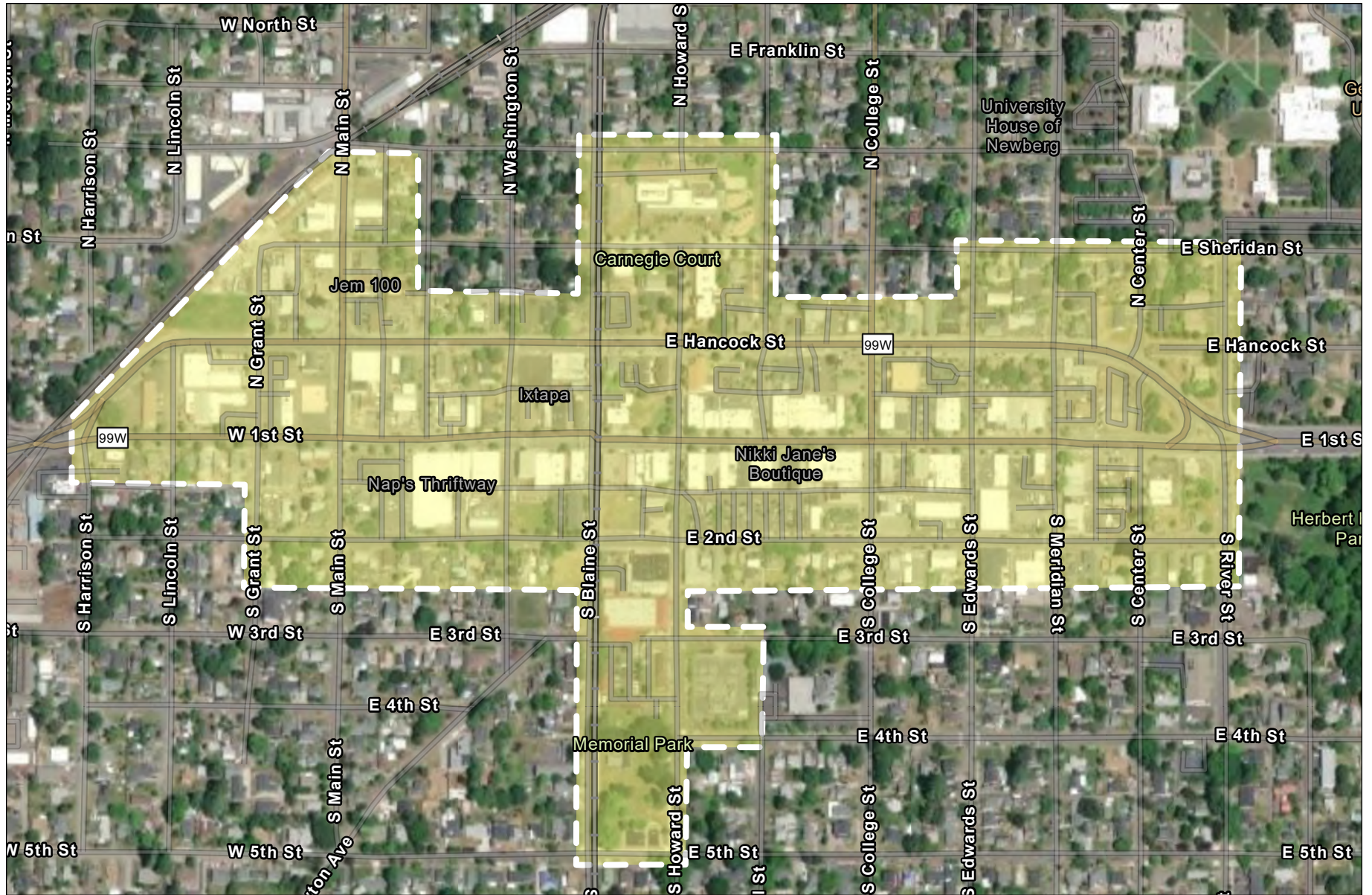


Figure 2: Downtown Newberg Parking Study and Management Plan study area

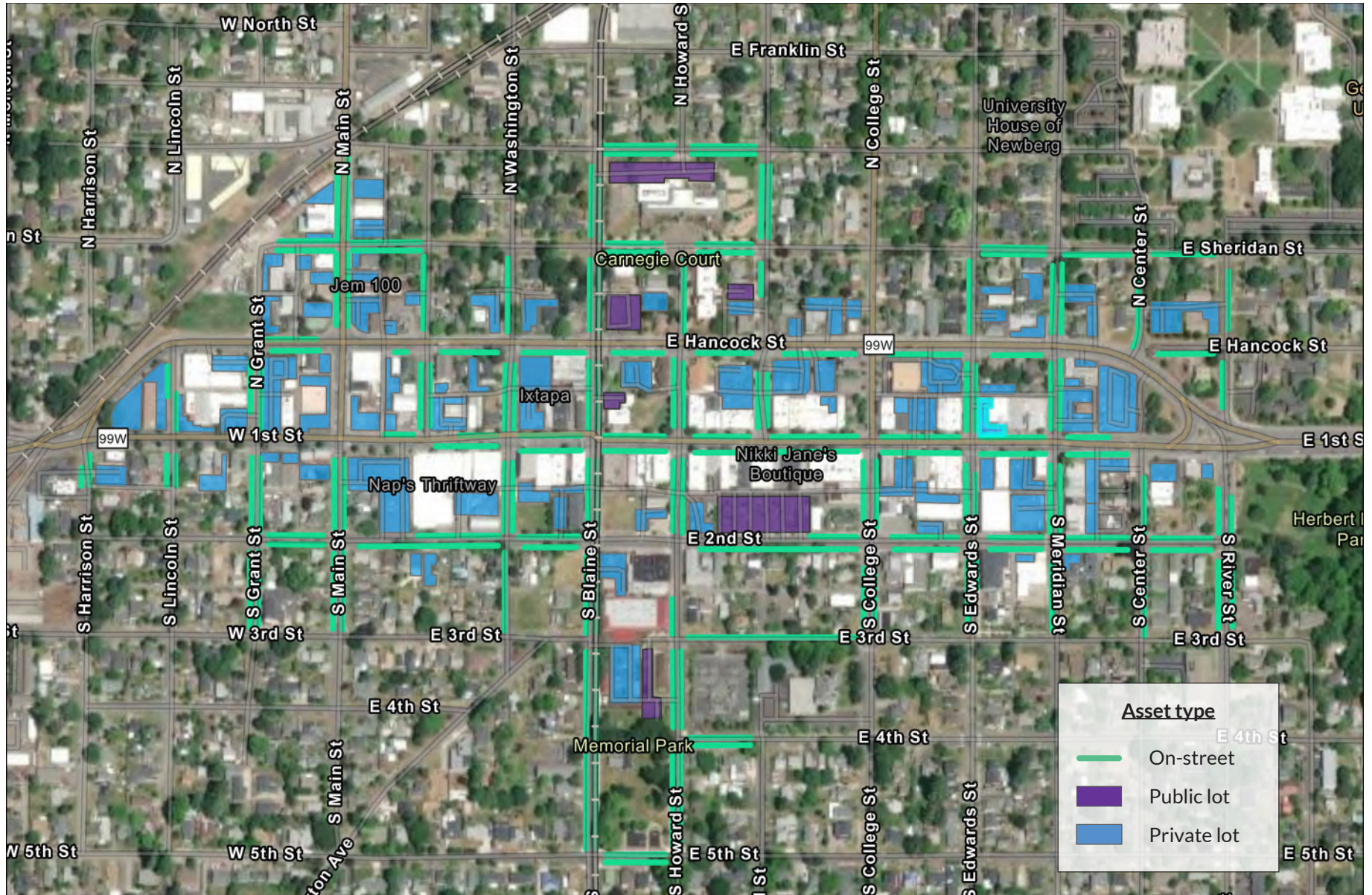


Figure 3: Parking assets within the downtown study area

# Planning framework

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For a parking plan to be successful, it is crucial that the recommendations are consistent with the vision and guidance established within existing planning framework. Over the course of the project, several existing planning documents were referenced for consistency of vision and mined for unimplemented recommendations that could help mitigate parking issues. The key documents referenced herein are detailed below.

- The **City of Newberg Comprehensive Plan** was reviewed at the outset of the project to provide initial guidance for planning work. Under Oregon's planning framework, the Comprehensive Plan is the document which sets out a long term vision and associated goals for the City, serving as something of an instruction manual for planning and development efforts within Newberg.
- The **2016 Downtown Strategic Parking Management Plan** was referenced throughout the project to ensure that current data collection and analysis efforts are useful for understanding

how parking has changed over the last seven years, and to understand the impacts of previous attempts to address parking problems.

- The **Newberg Downtown Improvement Plan (2017)** was referenced throughout the project to ensure consistency with the vision and recommendations therein, and to hunt for synergistic recommendations that could improve parking operations while enhancing the sense of place within downtown.
- The **Newberg Civic Corridor Streetscape Project (2003)** was referenced throughout the project, as many elements of that project could help to connect parking resources on the northern and southern end of the corridor.
- Lastly, the **Chehalem Heritage Trail Strategic Plan (2010)** was referenced to explore plans for creation of hiking/walking trails through the study area, which could further help connect the parking resources throughout downtown.



# 2. Outreach & Engagement



# Engagement overview and goals

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Parking is an issue that has deep and widespread impacts on a community, and as such, can be politically sensitive. For a parking plan to be successful, it is important to engage stakeholders and impacted community members early and often, building support for the plan along the way.

With this in mind, Studio Davis recommended three points of contact with the stakeholders and community members over the three-month project timeline, allowing the project team to have conversations with the public at key points during the project:

1. Prior to any collection of data, to understand problems and opportunities as experienced by users of the system and shape data collection plans accordingly;
2. Following data collection, to present initial results and discuss potential solutions; and
3. Following the planning work, to discuss the ultimate set of recommendations and how they arose from the analysis and outreach in tandem.

The primary engagement opportunities that were conducted included a stakeholder walking meeting (April 6, 2023), a community open house (May 9, 2023), and an online questionnaire (open May 10 to May 16, 2023). The project team is creating outreach materials for ongoing efforts related to the third point of contact.

These engagement initiatives were run concurrently with the analytical pieces described within the next section of this report. The goal of the overall strategy was to “lead with engagement,” so that stakeholders and members of the public had a meaningful opportunity to shape the analysis by sharing their recommendations

and concerns, and shape the final set of recommendations by sharing their thoughts and overall vision for downtown.

## Discussion questions

To guide the conversations, the project team developed a list of discussion questions for stakeholders and community members. The questions were included in public-facing outreach materials and the goal of discussions generally was to gain an understanding of community members’ perspectives associated with them. While sometimes phrased differently for different media, the questions were:

1. What is your relationship with downtown Newberg? (e.g. resident, employee, visitor, etc.)
2. What is your experience with the current state of parking downtown? Is your experience generally positive or negative? Does it change throughout the year or with time of day?
3. What are downtown Newberg's parking challenges? Identify the location, time, and other characteristics of current parking challenges.
4. What are your suggestions for addressing parking challenges? What has been tried in the past?
5. What role do you think downtown should play in the future of Newberg? What types of land uses should be encouraged in downtown Newberg?
6. Do any special events (i.e., recurring public events with 50 or more attendees) impact your experience parking downtown? Which events, and when and where do they take place?



These questions were integrated into the outreach process in several ways. They were highlighted in materials inviting stakeholders to the stakeholder walking meeting, they were printed on a poster to spur conversation at the public open house, and they formed the basis of an online questionnaire that members of the public were invited to complete.

The goal in developing these questions, and for the conversations conducted for the outreach process generally, was to invite the public to articulate their vision for downtown as a place, and to create an understanding for how parking functions as a powerful tool in shaping the place.

### Stakeholder walking meeting

A stakeholder walking meeting was conducted on Thursday April 6, 2023, to begin discussions with key stakeholders and to help shape forthcoming data collection initiatives. The meeting included stakeholders from three organizations that served as project partners: Downtown Newberg Coalition, Taste Newberg, and Chehalem Valley Chamber of Commerce.

The discussion questions described above were circulated on the meeting agenda and used as a jumping off point for discussions. The general consensus of attendees is that the parking supply in downtown Newberg is generally adequate to accommodate the day-to-day demand patterns; however problems can arise during special events and around at other times when there is a high-impact occurrence. Issues discussed included a lack of parking enforcement; the difficulties of crossing Hancock and First Streets, particularly for the elderly or families with young children; a lack of lighting at the 2nd Street Lot and the closed breezeway to 1st Street; and issues with wayfinding and public communication regarding parking assets.

The meeting was attended by eleven people in total; a sign-in sheet is included in the appendix. This engagement had a significant impact on the study: Based upon the feedback that many challenges arise during special events, the decision was made to collect data on an event Saturday—in this case, the Camellia Festival on April 15, 2023—rather than during a typical Saturday as initially planned.

### Public open house

As the second point of contact, a public open house was held on Tuesday May 9, 2023, from 6:00 to 8:00 pm. The goal of the open house was to share the initial results of the parking study to as wide an audience as possible, so that users of the parking system could add context and discuss potential solutions with the project team.

The event was advertised to the email lists of the project partners identified above, and publicized on the City’s website and event calendar. A postcard was created to advertise the event in both electronic and printed form, and is shown in Figure 4.



Figure 4: Postcard created to publicize the public open house



There were a total of eleven attendees at the open house; a partial list from the sign-in sheet is provided in the appendix. To spur discussion, four posters were created and displayed summarizing findings from the utilization study and potential management strategies; these are shown in Figure 6.

Continuing the theme from the stakeholder walking meeting, the majority of issues described at the open house were related to the special events that take place throughout Newberg over the course of the year. Attendees collaborated to create a detailed calendar of events; as shown in the recommendations. Other problems noted were also similar in flavor to those discussed at the earlier walking meetings, including a lack of enforcement, difficult crossings along the 1st Street/Hancock Street Couplet, and the closure of the breezeway connecting the 2nd Street Lot to First Street. Several pieces of written feedback were also received at the open house, including one in the form of an illustration (Figure 5)!

## Questionnaire

The discussion questions identified above formed the basis of a questionnaire that was printed for the open house and available electronically for one week beginning with the open house. The City publicized the questionnaire through its website and social media channels; the ads are shown in the appendix. A total of 21 responses were received. Most respondents gave thoughtful and detailed feedback related to issues and potential solutions.

The complete set of responses received are provided in the appendix to this report. They range in flavor from describing no problems whatsoever to describing significant difficulties finding parking, but most issues described were related to special events or to the busiest part of downtown along 1st Street and to the immediate south. By and large, the issues described are consistent with the study findings detailed in the following section, and the recommendations given within this plan are as responsive as practicable to the feedback received.

Based upon the input received at the open house, the project team took advantage of an opportunity to collect an additional round of data following other on-site engagement work during the Newberg Wednesday Market, with the goal of further understanding the geographical impacts of special events.

## Post-draft engagement

As part of ongoing engagement with stakeholders, the project team is creating public-facing materials to describe the results of this study and the herein. These include a video and a brief brochure summarizing the study and its recommendations, and a slide deck in PowerPoint that can serve as a foundation for a presentation by City staff. Additionally, the geographic data and maps featured throughout this report have been shared with the City's GIS team to create additional maps as needed. The goal is to ensure that the City has resources for continued engagement with the public and decision makers to lead to ultimate successful adoption of this plan.



Figure 5: Illustration received as part engagement efforts



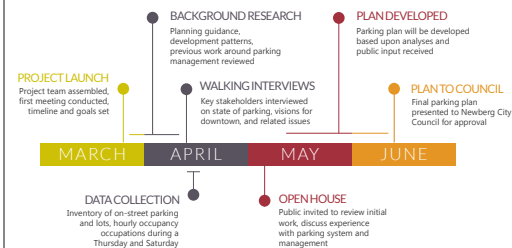
## Project Objectives

- Identify and quantify both public and private parking resources within the study area
- Analyze and understand current usage of parking resources and compare to 2016 analysis to learn how parking usage is changing
- Analyze and understand seasonal variation in parking usage
- Deliver comprehensive set of recommendations to address issues and opportunities

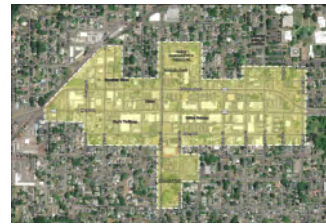
## Tonight's Goal

- Learn about parking issues as experienced by residents, visitors, and employees

## Project Timeline:



## Study Area



## Parking Management Goals

- Create "right-sized" parking solutions
  - Too little parking: Traffic congestion from cruising, potential safety impacts, potential lost business & economic impacts
  - Too much parking: Walkability and sense of place impacted, public money wasted
- Create regulations and policies consistent with goals for growth, economic development, livability
- Ideal: 1-2 spaces free within a block or so of any potential destination



## Parking Management Tools & Examples

**Wayfinding**  
Wayfinding aims to help people easily find parking when arriving by car, and navigate to and from their parking space while on foot. It is thus crucial to consider both driving and walking perspectives.

**Parking lot signage & branding**  
Branding and signage help people identify public lots, providing guidance and affirmation on where to park. Ideally, these efforts are integrated with websites, visitors centers, and other public-facing resources.

**Enforcement**  
Enforcement of time limits, regulations, "customer parking only," etc., tends to be politically popular, but it is costly and can be difficult to accomplish effectively in many settings. In tourist settings, there are sometimes concerns of leaving visitors with negative impression.

**Shared Parking / Event Parking**  
Shared parking agreements can allow for underutilized private parking lots to absorb excess demand. This can be particularly useful during special events, where intense impacts are felt upon a small area for a short period of time.

**Metered parking**  
Metered parking is a powerful and effective tool to manage significant demand while also creating a source of revenue. It typically is used to address issues that have outgrown other interventions.

**Permit programs**  
Permit programs aim to encourage certain types of parking demand within certain facilities. Common examples include residential or employee parking. Other demand can be precluded entirely, time limited, or even paid.

**New Supply**  
Additional supply tends to be a relatively popular intervention, as it is a direct way to satisfy additional demand. But here is typically significant expense associated along with walkability and livability concerns.

**Striping and Lighting**  
Striping stalls can improve efficiency by providing guidance and affirmation. It's relatively uncontentious and inexpensive but does require regular maintenance/refreshing. Sometimes residents oppose striping adjacent to their properties as it's seen to encourage parking. Similarly, street lighting can activate underutilized parking by making parking areas feel safe, welcoming, and connected during evenings or winter months.

## Inventory & Resources

**Legend**

- On-street parking
- Public lots/lot areas of interest
- Public Safety Bldg (You are here!)

## Key Questions:

What is your experience with the current state of parking downtown?

Identify the location and time of current parking challenges.

What are your suggestions for addressing parking challenges? What has been tried in the past?

What role should downtown play in the future of Newberg?

What types of land uses should be encouraged in downtown Newberg?

## Preliminary Analysis

**Parking Occupancy**  
Downtown Study Area

**Thursday 4/13 Peak (3pm)**

**Saturday 4/15 Peak (1pm)**  
Event: Camellia Festival & Run/Walk

**Questions:**

How does parking vary seasonally in downtown Newberg? What would be different if we observed parking utilization in July?

What are the key events that impact parking demand?

Figure 6: Posters used to spur engagement during public open house

# 3. Parking Utilization Study



# Data collection, occupancy maps, and demand patterns

To supplement the findings and perceptions from the outreach phases with quantitative data, parking occupancy data were collected over the course of two study days:

- Data were collected on **Thursday, April 13, 2023 from 10am to 8pm** to observe demand over the course of a typical weekday. All public lots and on-street stalls and a sample of private lots were surveyed once per hour to garner insights about how demand varies geographically and temporally under typical operating conditions.
- Data were collected on **Saturday, April 15, 2023 from 9am to 7pm** to observe demand over the course of a weekend day featuring a large event: **The 2023 Camellia Festival**, with an estimated 5,000 attendees, is one of Newberg's largest annual events. The study area was again surveyed once per hour to learn about demand patterns during an event and weekend day.

An additional survey of the study area was conducted during the presumed peak hour of the **Newberg Wednesday Market at 6pm on Wednesday May 10, 2023**, based upon feedback received indicating that events were especially impactful to parking conditions.

The percentage of stalls observed to be occupied over the course of the two 2023 study days is shown in Figure 7, along with corresponding data available for a weekday from the 2016 study.

Maps showing the geographical distribution of demand observed during the peak hour for the Thursday study day (3pm), the peak hour for the Saturday/Camellia Festival Study day (1pm), and the Wednesday Market observation period are shown in Figures 8, 9, and 10, respectively. Within these figures, lighter and less saturated

colors represent block faces and parking lots with lower demand and more available parking, while deeper and more saturated colors represent block faces and parking lots with high demand and thus little to no available parking. A common rule of thumb in parking management is that demand levels of 85% or more are considered "functionally full;" these are shown as fully saturated on the maps.

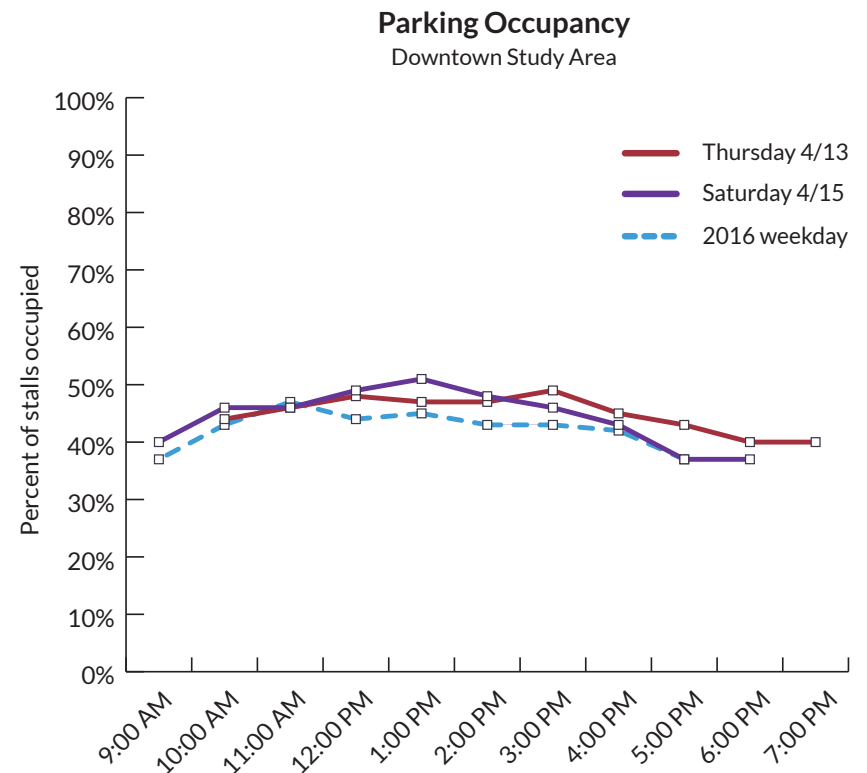


Figure 7: Percentage of public stalls occupied by hour within study area



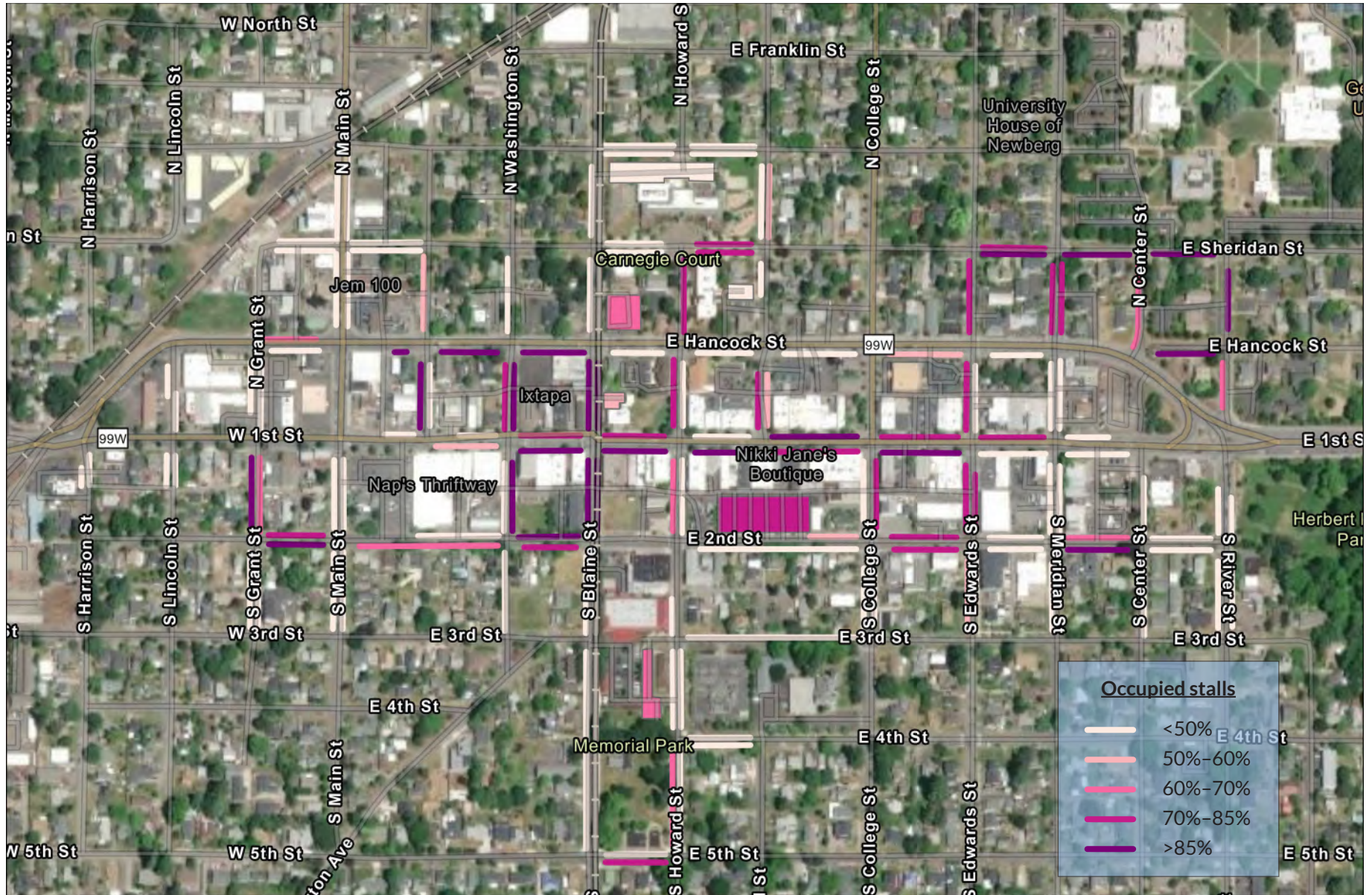


Figure 8: Parking occupancy at the 3:00pm peak hour on Thursday April 13, 2023

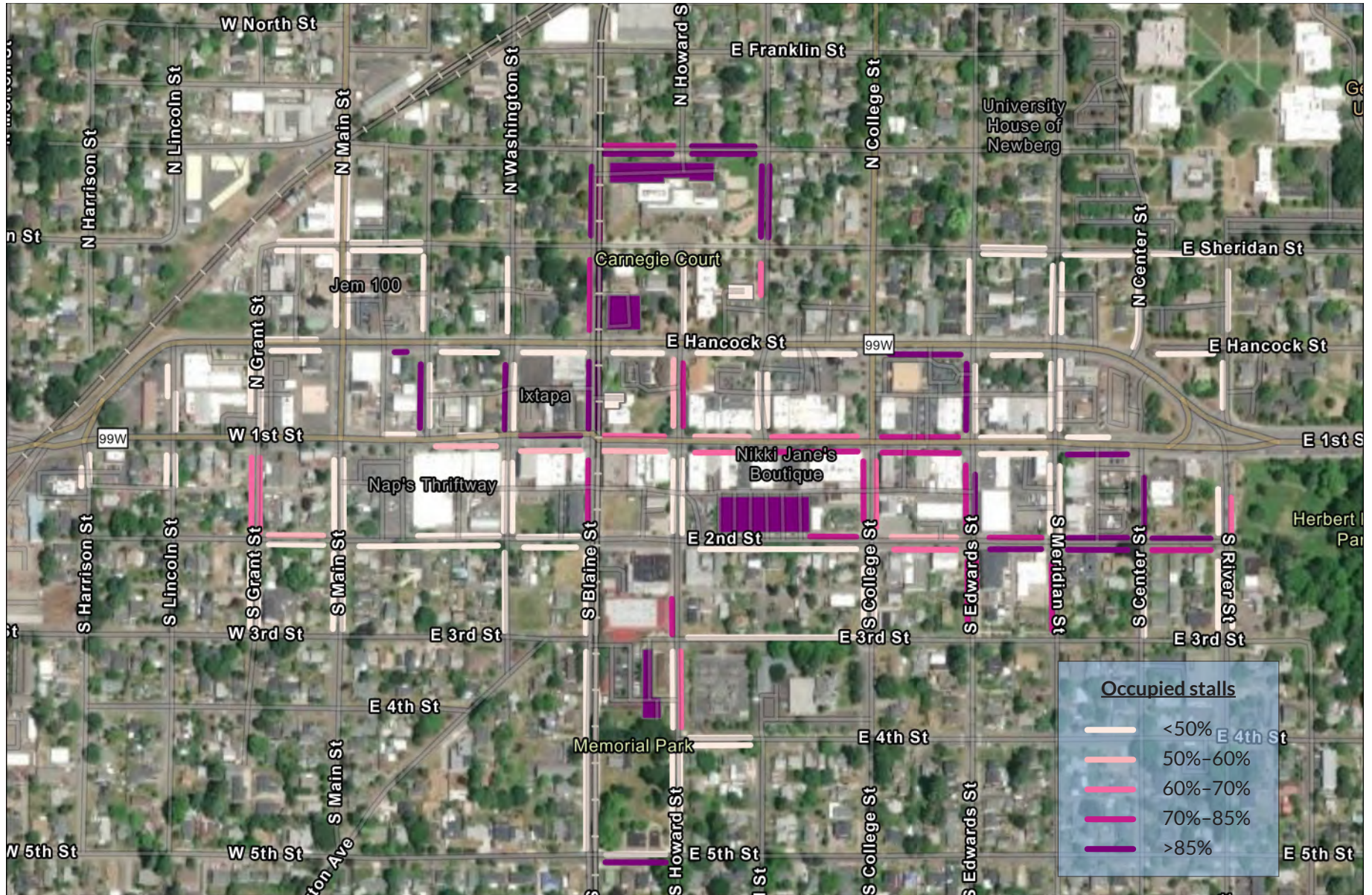


Figure 9: Parking occupancy at the 1:00pm peak hour during the Camellia Festival on Saturday April 15, 2023,

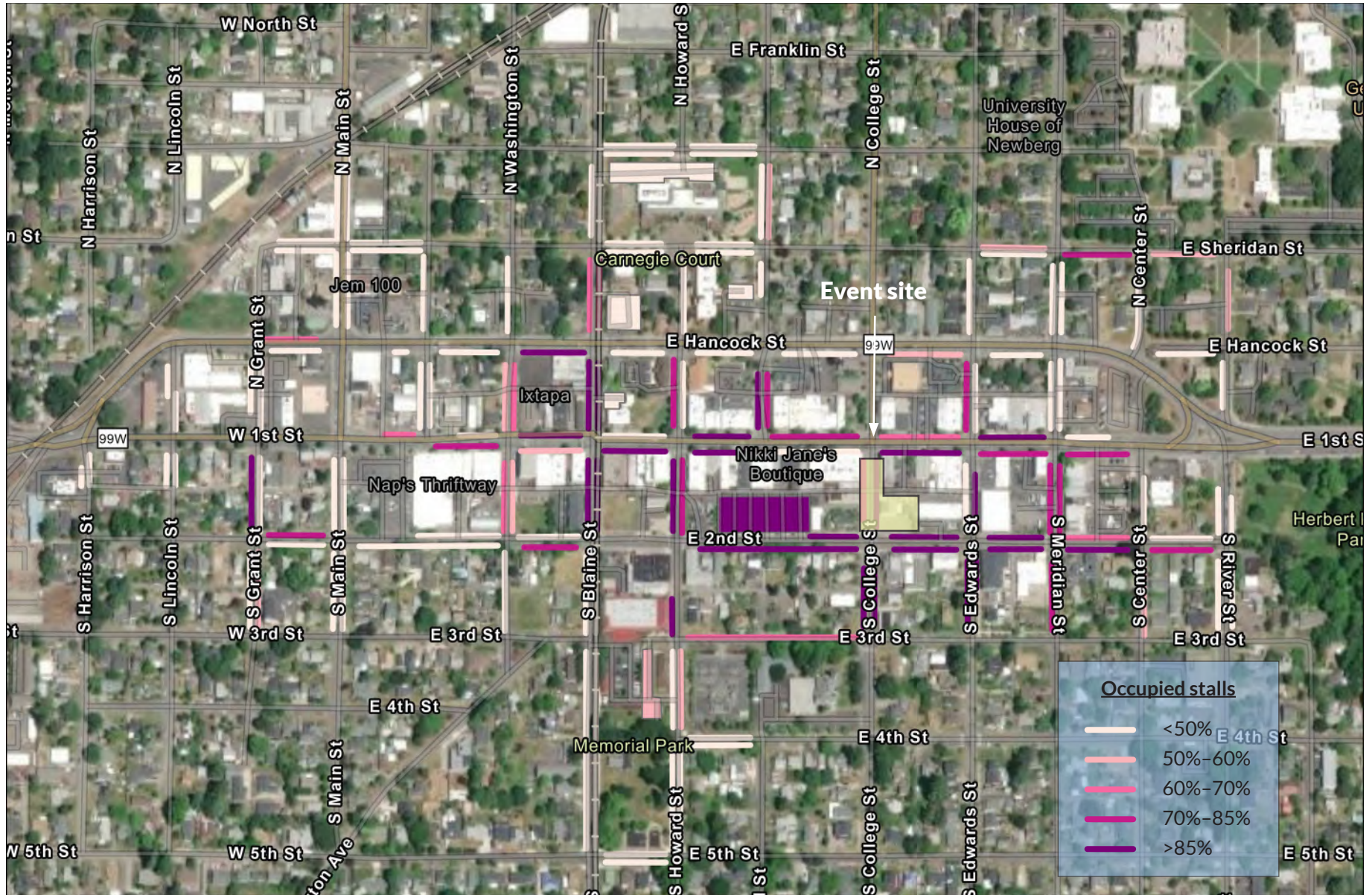


Figure 10: Parking occupancy at the 6:00pm hour during the Wednesday Market on Wednesday May 10, 2023

## Downtown core

Based upon the feedback received over the course of the outreach process and an initial examination of high-level demand patterns, a centrally located area within downtown was identified as having the highest-demand street parking. This area consists of the segment of 1st Street between Washington and Edwards Street, and the adjacent block faces of Washington, Blaine, Howard, School, College, and Edwards Streets between 2nd and Hancock Streets. Demand patterns for this central area are shown in Figure 11.

## Parking lots

Four public or publicly available lots represent significant resources within the parking system, providing parking areas within or near some of the busiest areas of downtown. Demand patterns within the lots over the course of the two study days are shown in Figure 12.

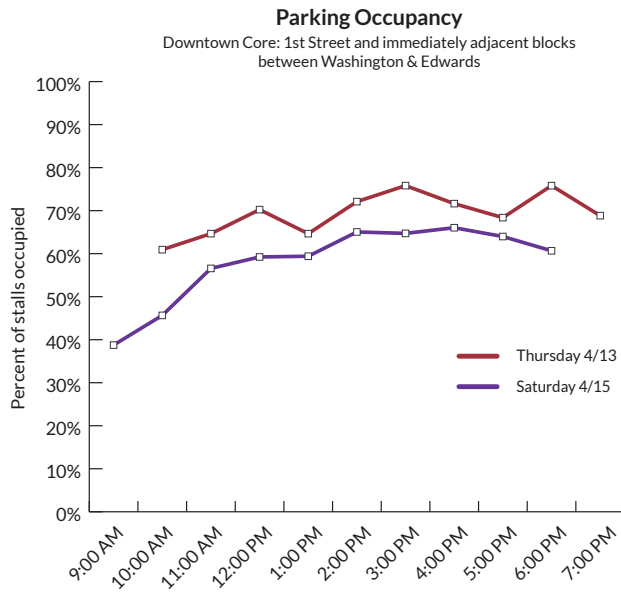


Figure 11: Parking occupancy within the downtown core

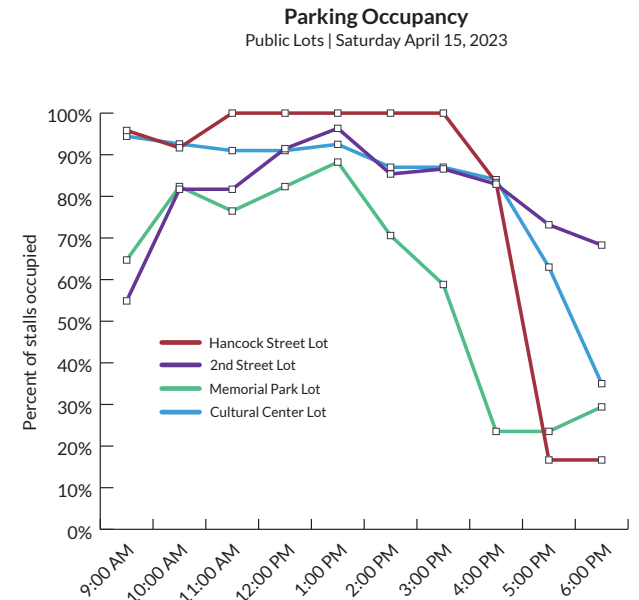
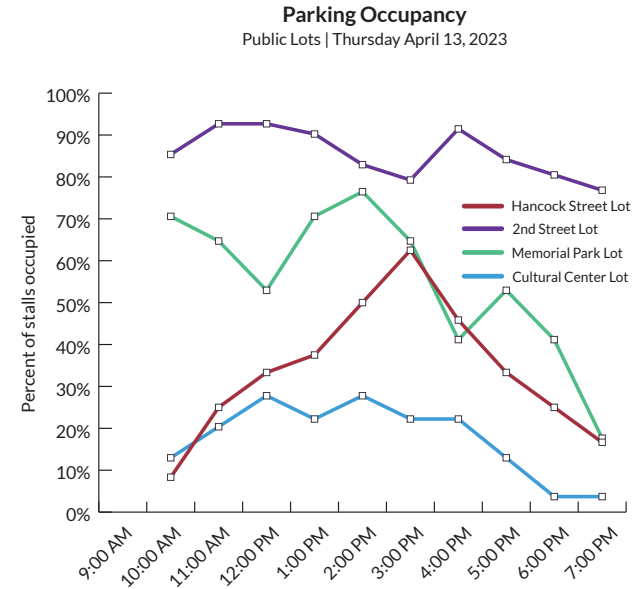


Figure 12: Parking occupancy within publicly available lots



# Key observations

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## Overall

- In aggregate, there is ample parking within the study area to handle all observed demand. Even during the busier events, demand for public parking within the study area was never observed to exceed 51% of available stalls. However some areas of the study were observed to be consistently busy, while other areas were observed to be busy during events and quiet otherwise.
- A common rule of thumb in parking management is that demand levels above ~85% are potentially indicative of problems, as research has shown that detrimental impacts to the overall system begin to occur at this level. These demand levels are thus shown as fully saturated on the maps. However, because there is typically parking available within a block or two of any downtown location, the potential detrimental effects of full parking that may happen when several blocks in a row are full (i.e. spending too long to search, frustration, congestion, possible non-return to the area), are less likely to occur here. Nonetheless, moving some of this demand to less-used areas is advised. These considerations are discussed at length in the following sections.
- Generally, the busiest part of the study area was observed to be along the central part of 1st Street and the immediately adjacent blocks, corresponding to the densest parts of downtown Newberg. Lots and on-street facilities within this area were frequently observed to be in high demand throughout the study period, with demand rates in the range of 60% to 80%

throughout the study period. This indicates that even within the busiest parts of downtown there is typically parking available within the downtown core, however at peak times parking may begin to become scarce here. As the city redevelops and grows, this parking may become further strained.

- Outside the core area, there was ample available parking available on street or within publicly available lots. Often this parking is within a reasonable one- to three-minute walk of key destinations within the core, although at times parking can be hard to identify or locate from normal/signed circulation routes.

## Thursday study day

- The Thursday study period was chosen to understand operating conditions on a "typical" weekday. Parking patterns largely varied as expected with the built environment. The downtown core identified above was consistently the busiest area throughout the study day, with occupancies within this area peaking at about 75%. Occupancies were typically much lower outside the downtown core, and in aggregate 50% of parking or less was occupied throughout the study day.
- The 2nd Street Lot was observed to have high demand for much of the study day, peaking at about 92% of capacity for several hours. However at the overall system peak (3pm) it did have some remaining capacity. This likely suggests that the lot is being used by both employees for longer-term stays as well as visitors/patrons for shorter stays.



- On-street parking areas located within the northeast part of the study area were observed to be in fairly high demand over the course of the study day, likely indicative of demand from George Fox University.

### Saturday event study day

- The impact of the Camellia Festival was immediately apparent from the geographic distribution of parking during the event. The Cultural Center and Hancock Street parking lots were observed to be in high demand throughout the event. On-street parking north of Hancock Street within the study area was also observed to be in high demand, including residential parking near the Cultural Center.
- Interestingly, demand for on-street parking along the south side of Hancock Street was fairly low even during the peak of the event. This suggests a that an important dynamic that was discussed during project outreach is in play: Visitors are reluctant to cross the state highways and so search for parking on the same side of Hancock or 1st Street as their destination. This magnifies the local impact of special events.
- Accordingly, parking within the downtown core was observed to operate largely independently of event demand, with fairly similar demand patterns to those observed on Thursday. Overall demand was observed to be fairly steady between 50% to 60% throughout the study day, with consistent demand throughout the afternoon.
- The parking lots north of Hancock—the Hancock Street Lot and the Cultural Center Lot—were observed to be functionally full throughout the study day before emptying out rapidly in the late

afternoon, clearly due to the influence of the event. However the lots south of 1st Street—the 2nd Street Lot and Memorial Park Lot—were observed to operate nearly identically to the Thursday study day. This is further evidence of the impact of the highway couplet in localizing parking demand, and shows that the areas near the Cultural Center and the downtown core operate largely independently of one another despite their close proximity.

- There was significantly less demand observed within the northeast corner of the study area during the Saturday study day. This provides further evidence that George Fox University is the main driver of demand there.

### Wednesday Market

- As expected, demand around Wednesday Market was concentrated along the south side of 1st Street. On-street parking within a block or two of the market, was observed to be functionally full or nearly so. The 2nd Street Lot was observed to be operating at or above capacity, with more vehicles observed to be circulating within the lot than stalls available.
- Demand for on-street parking near the market was observed along 2nd Street, and the rest of downtown core was accordingly busy. However demand was somewhat lower along the north side of 1st than the south side, and demand for stalls along Hancock Street was light. This is again indicative of the influence of the highway couplet in locating demand, with most or all Wednesday Market traffic searching for parking on the south side of 1st Street. Some impacts to the residential neighborhood near the market are noted. It is noted that there was ample nearby parking available on-street near Memorial Park and within the Memorial Park Lot.



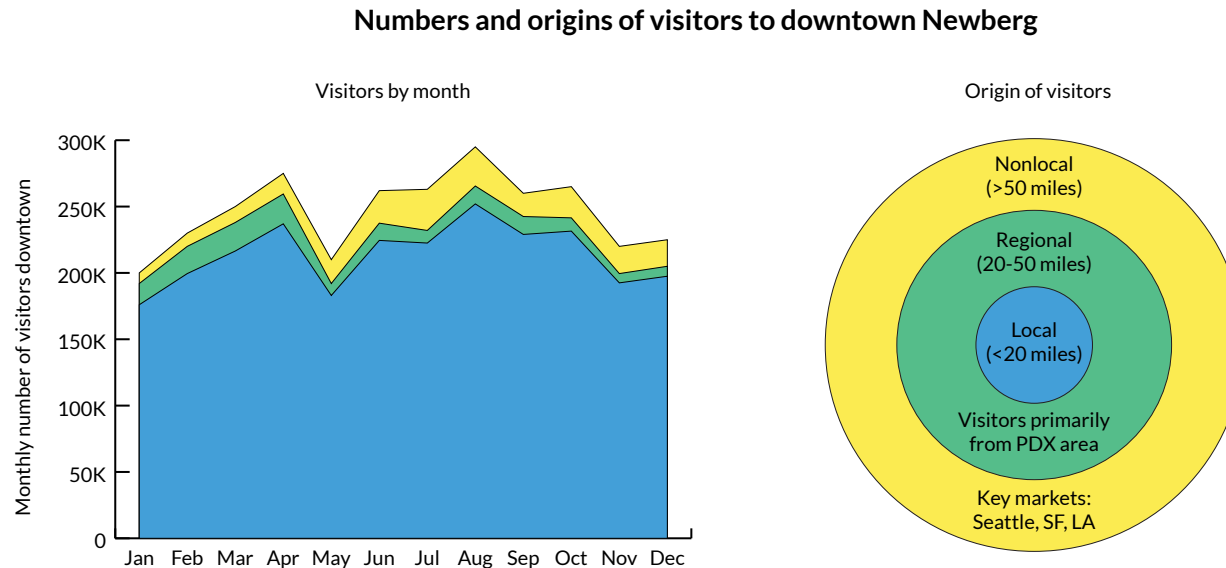
## Seasonal variation in parking demand

To understand how parking demand patterns may change over the course of the year, the project team analyzed available data on visitation to the City of Newberg to gain insights into the number of people traveling into Newberg, and where they're coming from.

By far the most robust dataset on this topic is managed by Taste Newberg, and the project team gratefully acknowledges their contribution. The visitation data analyzed are summarized in Figure 13. These data include estimates of the total number of monthly visitors to downtown Newberg and their origins, with visitor origins chosen to represent local traffic (<20 miles from downtown), regional visitors (20–50 miles from downtown), and distant visitors (>50 miles from downtown) based upon address data of visitors.

The data show that local traffic is the primary driver of visitation over the year. The number of monthly visitors ranges from just above 200,000 to just under 300,000, with fairly consistent visitation from April through October with the exception of May. It is possible that the decline in May is either anomalous, indicative of a lull in activities related to George Fox University's calendar, or both.

In aggregate, April is the second busiest month of the year after August, perhaps due partially to the impact of the Camellia festival. On balance, the visitation data suggests that parking is not significantly more crowded during the summertime than observed in April, though it is likely that parking may be more concentrated within the downtown core during the summertime periods.



**Figure 13:** Numbers and origins of monthly visitors to downtown Newberg



# 4. Findings & Recommendations



# Overview

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Generally, the results of the analysis and outreach process paint a picture of a parking system that has sufficient supply to meet demand loads typically seen in the downtown study area. However, a number of problems and inefficiencies were identified related to certain places within downtown and certain times, particularly during special events.

While there is typically parking available within a block or two of most key downtown destinations, some parking within the most central areas—particularly on-street parking along First Street and immediately adjacent streets—is heavily utilized for much of the day. It is suspected that some of this demand is due to people parking long-term despite two-hour limitations. Additionally, outreach for the project indicated that many people feel uncomfortable or unsafe crossing First and Hancock Streets in many locations, and this compels them to seek parking on the same side of these

streets as their destinations. This effect also manifests clearly in the parking utilization data, and leads to an inefficient use of resources, particularly during event days.

This parking study and management plan aims to address these issues and the myriad of others identified through a set of holistic solutions that centers the importance of downtown Newberg and contributes to retaining and enhancing its sense of place. A key element of the philosophy employed in assembling this plan—and results of the outreach show that this is widely shared by Newberg residents—is that parking should be viewed as a tool to support a thriving, interesting, and successful downtown rather than as an end goal itself. This vision is evident throughout the plan.

The recommendations are summarized in Figure 14 and described in detail below.

# Recommendations

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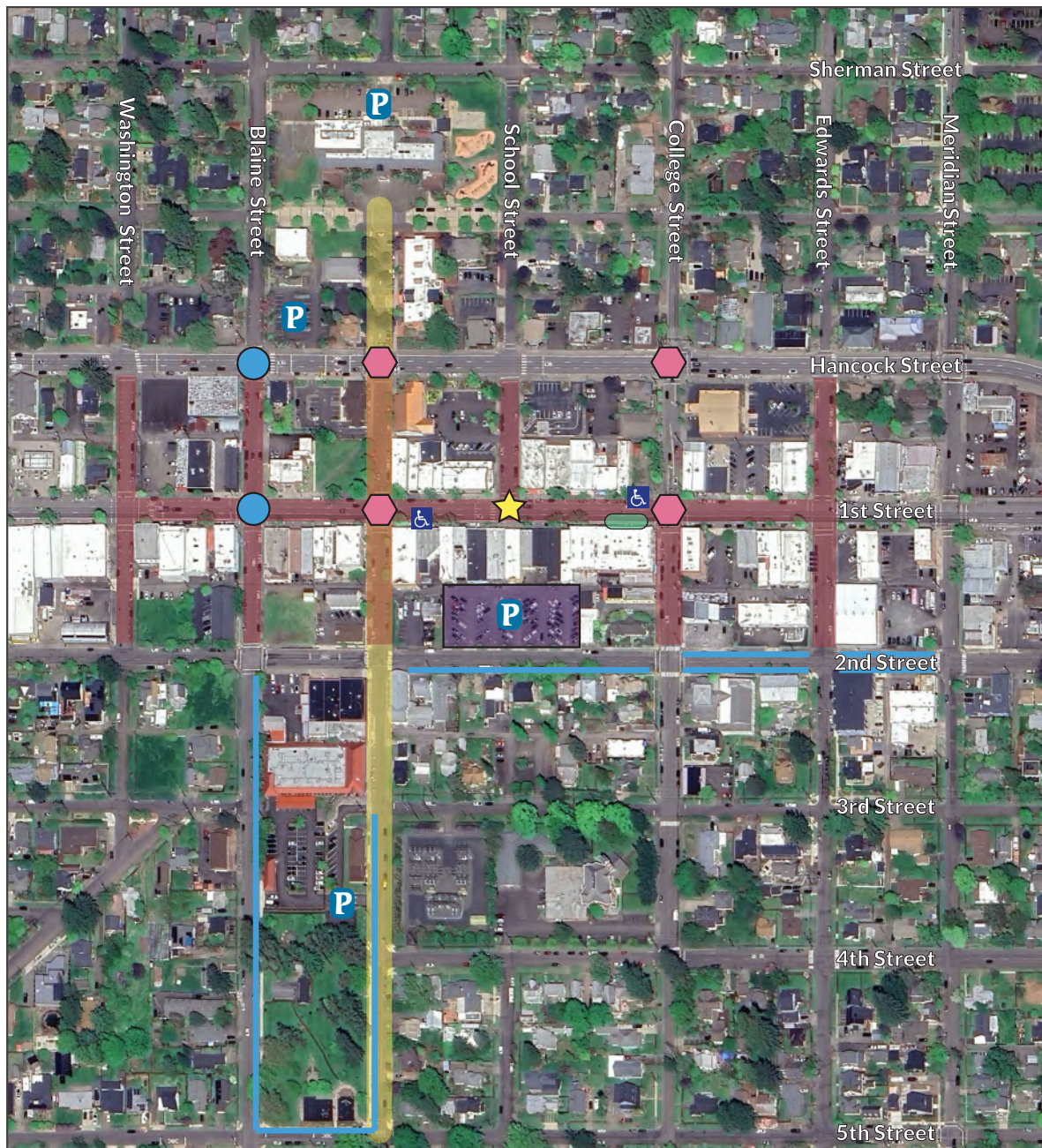
## 1. Define and implement a consistent brand and naming scheme for public parking resources.

At present, the City-owned public lots within Newberg are signed inconsistently, and the parking lot north of the Chehalem Cultural Center is not signed as a public resource. Visitors and potentially even locals therefore may not identify these as legal parking opportunities. The City should install signage that clearly labels these lots as publicly available parking, and to the extent possible



helps visitors remember where they parked so they can easily find their vehicles at the end of their stays.

Grants Pass, Oregon, provides a best-practice example here. Lots are each named based on a theme—local animals in this case, e.g., Duck Lot, Owl Lot, Beaver Lot—and each lot has an accompanying piece of art or signage. The public lots are clearly and consistently signed with a sign style that incorporates the city’s logo and is









## Newberg Parking Management Plan Recommendations Map

- P** Key public lots: Name and brand clearly, install wayfinding to help visitors find. (Recs. #1,3)
-  Add striping to targeted on-street parking to increase recognition, efficiency. (Rec. #2)
-  Install 1-2 additional centrally located ADA stalls. (Rec. #4)


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### Work with ODOT to improve walking environment along 1st/Hancock. (Rec. #5)

-  Upgrade crossing with flashing beacon, curb extensions. (Rec. 5A)
-  Optimize signal timing for peds, improve crosswalks. (Rec. 5B)
-  Explore potential crossing improvements. (Rec. 5C)
-  Install bike corral. (Rec. 5E)

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### Civic Corridor: Implement placemaking recommendations from previous studies. (Rec. #6)

-  2nd Street Lot: Add lighting, open breezeway to 1st, consider restriping for greater efficiency. Designate employee/resident stalls. (Recs. #7,8)

-  Downtown core: Enforce time limits, consider meters. (Rec. #9)

Not pictured: Monitor usage during different events, seasons. (Rec. #10)  
Consider fee-in-lieu program. (Rec. #11)

Figure 14: Map summarizing recommendations from Downtown Newberg Parking Study and Management Plan





**Figure 15:** Signage and accompanying art/murals from Grants Pass, Oregon provide a best practice for parking lot branding

consistent with its other branding. Some examples of the signage from Grants Pass are shown in Figure 15.

This sort of branding and signage can be an excellent way to encourage utilization of parking lots, helping in two ways:

1. It provides affirmation for visitors and others who may not be familiar with local regulations that the parking is indeed legal and publicly available; and
2. For those who may be unfamiliar with the area, it provides a landmark that helps them to navigate and easily locate their vehicle at the end of their stay.

For Newberg, parking signage could potentially build upon the City’s existing branding elements. The City’s logo incorporates a unique and recognizable font—Cipollini Bold—along with distinctive blue hues. These can be combined to form a simple but effective brand for the City’s parking. Potential sign concepts utilizing this branding are shown in Figure 16.



**Figure 16:** Potential concepts for branded signage utilizing font and blue colors from Newberg’s logo



On a similar note, the parking lots should be formally named, with signage installed to carry forth this branding scheme. For simplicity, it is recommended that the City carry forward the naming convention used within this report and formally “name” the key public facilities intuitively based on their location, i.e., 1st Street Lot, Hancock Street Lot, Cultural Center Lot and Memorial Park Lot. The naming of the stalls should be consistent on all City publications and visitor-facing materials, including those produced by partners where feasible. The parking lots should be signed with their formal names.

The City could potentially extend this branding and signage to underutilized street parking like stalls adjacent to the Cultural Center or Memorial Park absent events, to help activate these stalls in tandem with the other measures described.

## 2. Add striping to targeted on-street parking to help visitors find and identify these stalls, increasing their utility.

There are several block faces within the study area that allow for parallel parking, some of which accommodate reasonably heavy demand, where parking is unstriped. It is recommended that the City install striping on these segments. This will allow visitors to more easily find and identify legal and desirable stalls, and improve the efficiency of the system.

The recommended block faces for installing striping are:

- Block faces along 2nd Street between Washington and Edwards Street, as these generally front commercial properties and see reasonably high parking demand which could be accommodated more efficiently.

- Block faces along the Howard, Blaine, and 5th Street fronting the Public Safety Building and Memorial Park. These block faces represent a large stock of available parking a short distance from many key destinations. Under existing conditions they are underutilized and could be activated via striping along with other recommendations herein.

## 3. Install wayfinding and produce visitor-facing content to guide visitors to parking resources and encourage circulation patterns to further help activate these stalls.

While there is some wayfinding in place currently, the signs tend to be fairly small and difficult to spot, especially for drivers entering downtown on the highway couplet. Some examples of the City's existing signage are shown in Figure 17.



Figure 17: Examples of Newberg's current wayfinding and parking lot signage



Guiding visitors to and from parking assets within downtown should be a primary consideration for the City's wayfinding efforts, and as budget allows, it is recommended additional signage be installed to this end. As detailed below, it is recommended that the City work with ODOT to replace and expand existing wayfinding signage along the highway couplet. In addition to provided signage, wayfinding can be incorporated into public facing maps and visitor guides, and in tandem with branding efforts recommended above, can be a powerful tool to help downtown's visitors navigate to parking both in their cars and on foot.

Wayfinding efforts should consider the differing needs of drivers and other users and be designed accordingly. To wit:

- **Drivers**, ideally, would access parking as directly as possible from the highway couplet while spending as little time as possible on busier pedestrian-oriented streets like Howard Street or College Street. Driver-targeted wayfinding should be designed to this end. As detailed below, The City should work with ODOT to improve and expand signage facing drivers as they enter and traverse downtown.
- For **pedestrians**, wayfinding should again focus on helping people find and identify lots, but should reinforce the walkability of downtown and generally try to encourage people to park once and walk to other destinations. An good example of a pedestrian-focused wayfinding sign from Forest Grove, Oregon is pictured in Figure 18. Note that the sign labels public parking lots relative to its own location, and includes a color coded list of destinations.

The City should consider installing similar types of signage in downtown, ideally near parking lots and other key intersections. Additional information on these signs could include walking times to various parking lots and destinations. These could

be supported with other smaller signs or pavement markings indicating directions and walking times to lots and destinations.

- The City should also consider wayfinding for **bicyclists**, helping guide them between bike lanes, bike parking, and destinations. As described below, there are good cycling conditions in Newberg and initial discussions with ODOT resulted in a recommendation to add bike parking to 1st Street. This can help alleviate pressure on the City's auto parking resources.

To the extent possible, the wayfinding system should incorporate the branding recommended above.

#### 4. Install additional ADA stalls within the downtown core.

While there is ADA-compliant parking within the public parking lots, this parking is fairly distant from many key destinations,



Figure 18: Example of well-branded pedestrian wayfinding from Forest Grove



especially the core commercial area on and near 1st Street. Multiple participants in the feedback process expresses concerns about finding well-located ADA parking downtown. As a simple and low-cost way to improve accessibility, the City should install one to two additional ADA stalls within the downtown core. Ideally, one stall would be located adjacent or near the intersection of 1st/College and the other adjacent or near the intersection of 1st/Howard. The two stalls should be located on opposite sides of 1st Street. This configuration will greatly improve the number of destinations that can be accessed within a short distance of ADA parking.

## **5. Work with ODOT to improve pedestrian environment and crossings along First Street and Hancock Street. Consider parking and walking impacts in redesign of these streets.**

A consistent theme that arose during the outreach regarding the state of downtown generally was the difficulty of crossing the key east-west streets through downtown, First Street and Hancock Street. Senior citizens and families traveling with children in particular described significant difficulties in crossing the streets given their width, travel speeds, and the relative paucity of high-quality crossings. The results of the analysis highlight the concern, as parking demand was observed to concentrate on the same sides of these streets as key demand generators, particularly during the observed events.

A key challenge in addressing safety and livability considerations along the road is that it is under the jurisdiction of the Oregon Department of Transportation (ODOT) rather than the City. The project team has begun initial outreach with ODOT representatives to discuss the possibilities and challenges inherent in improving the walking environment along and across the couplet. Based upon

these conversations, the following improvements are recommended in the near- to mid-term.

### **5.A. Improve crossing First Avenue/School Street**

The crossing of First Street at School Street is located centrally within the one of the busiest commercial areas of downtown Newberg. This crossing can be useful for accessing street and off-street parking resources nearby and for pedestrian circulation generally. The City and ODOT should work together to upgrade this crossing, potentially with a rectangular rapid-flashing beacon, as well as adding a curb extension to the north side of the crosswalk. The striping marking the crosswalk and pavement underneath should be refreshed to eliminate walking/tripping hazards and maximize visibility and accessibility.

### **5.B. Optimize signal timing for pedestrians and improve crossings generally at First/Howard, Hancock/Howard, First/College, and Hancock/College**

The crossings at First/Howard, Hancock/Howard, and First/College are signalized and currently see the most demand for pedestrians within downtown given their proximity to destinations and parking. The crossing of Hancock/College is a bit less busy as it lies farther from the busiest core, but the same dynamics are in place. Despite the signals in place at these intersections, the crossings can be intimidating or entail delay due to volumes on the First/Hancock couplet. The City should work with ODOT to optimize signal timing for pedestrians at these crossings, reducing delays and increasing conflict-free opportunities to cross.

The intersections of First/Howard and Hancock/Howard may be ideal to consider a “pedestrian scramble,” where all automotive traffic on both streets is served a red indication and all pedestrian



movements (including diagonal movements) are served a “walk.” This can serve as a placemaking component of establishing a “cultural corridor” as described below in addition to upgrading the walking environment.

Similarly, a leading pedestrian interval (LPI), where pedestrians are served a “walk” signal for several seconds before adjacent automotive traffic is shown a green indication, may represent an effective upgrade of the crossings at First/College and Hancock/College. The segment of College Street between the couplet is striped and heavily utilized for north-south circulation and thus there are many turns onto and off of the couplet at these intersections. Implementing an LPI at these intersections can reduce conflicts with turning vehicles and increase the safety and comfort of these crossings.

For all four intersections above, right turn on red prohibitions should be implemented along with the improved signal timing to secure the exclusivity of the pedestrian phases. Additionally, in recent years ODOT has increasingly used more substantial International striping at signalized crossings versus the more scant Standard striping; it is recommended that International striping be implemented at these signals to maximize visibility and clearly communicate to drivers to expect pedestrian crossings here. These crosswalk striping schemes are illustrated in Figure 19.

### 5.C. Explore potential improvements at crossings of First/Blaine and Hancock/Blaine

The intersections of First/Blaine and Hancock/Blaine are again important in connecting destinations and parking on the north and south sides of the couplets and to the potential Cultural Corridor described below. However these intersections are not signalized and the crosswalk markings are inconsistent and in poor condition.

The crosswalk markings here should be refreshed and consistent, preferably with the more substantial International striping. While signals at these intersections are possible in the long-term, there may be potential in the shorter term to improve these crossings with a beacon or similar infrastructure, perhaps utilizing the existing structures or electricity supporting the rail crossing.

### 5.D. Add curb extensions where not currently in place to reduce crossing distances and improve pedestrian experience generally

Aside from the intersections of First/Howard and First/Hancock, all intersections described above as well as others along the couplet could be improved with additional curb extensions to reduce crossing distances and improve visibility of pedestrians entering crosswalks. Curb extensions should be added to these intersections where presently absent. It is noted that curb extensions can be added quickly and cheaply in the short-term utilizing paint and

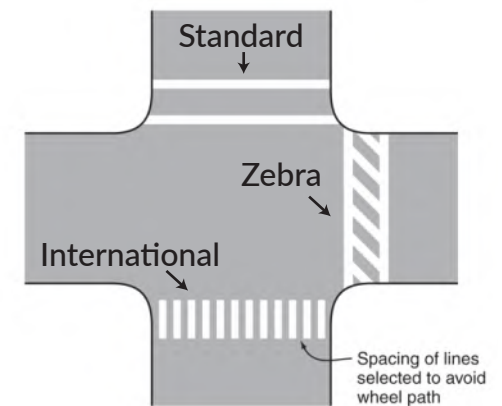


Figure 19: Crosswalk striping examples (image: MUTCD)

plastic bollards. This strategy has been successfully implemented in Portland and elsewhere on a temporary basis while waiting for an opportunity to add permanent curb extensions.

### **5.E. Add a bike corral to First Street**

The First Street/Hancock Street couplet features an east/west couplet of bike lanes, and the side streets in Newberg tend to be low-volume and comfortable for all abilities cycling. The pressures on the automotive parking system could be reduced by reconfiguring a stall or two as a bike corral, allowing for the parking of as many as ten bicycles per automotive stall converted. The south side of First Street between College and Howard Streets represents the optimal location due to its accessibility via existing bike infrastructure and its proximity to important destinations. Adding a corral to the immediate west of the intersection with College could also help improve this crossing by “daylighting” the crosswalk. A corral to the immediate west of the intersection of First/Howard or the north side of First Street to the immediate west of School Street would also improve the crossings via daylighting, although these locations may attract less demand than First/College.

### **5.F. Wayfinding signage**

The City currently has small signs guiding visitors to parking in several locations along the couplet. As described above, it is recommended that the City improve the consistency and clarity of these signs. The City should work with ODOT to replace the existing “public parking” signs with newer and larger signs, and implement wayfinding to encourage circulation further west (e.g., along Blaine) rather than College for those looking for a place to park. Pedestrian wayfinding should be implemented as well, as described above.

### **5.G. Consider parking and walking impacts in the eventual redesign of First/Hancock**

In coordination with the ongoing development of the Newberg-Dundee bypass, there will be an opportunity to redesign First and Hancock Streets to accommodate the new traffic and circulation patterns that emerge. The City should seek to balance the needs of the walking and parking systems as plans for the redesign begin. Reducing Hancock Street to two travel lanes and adding a parking protected bike lane on the north side represents a potential win/win by adding parking supply while improving the cycling and walking environments on the street. Similarly, reducing First Street to two lanes and adding diagonal parking to the south side of the street would increase parking supply along in the highest-demand areas while improving the safety and walkability of this street.

## **6. Continue creation of a Civic Corridor along Howard Street and integrate with plans for Ewing Young Trail to further improve connectivity and connect parking resources at the north and south ends of downtown.**

As described in the Planning Framework section of this report, the City previously conducted initial visioning and scoping work around creating a Civic Corridor along Howard Street between Memorial Park and the Chahalem Cultural Center. The 2016 Newberg Downtown Improvement Plan echoes this recommendation, albeit without the level of specificity of the prior Civic Corridor Streetscape Project

Moving forward with the placemaking elements for the civic corridor as described in the Newberg Downtown Improvement Plan and detailed in the Civic Corridor Streetscape document will benefit the parking system as well. As noted throughout this report, the



highway couplet currently has a divisive impact upon downtown, and improving north-south connectivity and enhancing crossings as the Civic Corridor envisions would better connect parking resources on the two sides of the couplet and the block between. With significant parking assets located on both the north and south ends of the corridor, improving the north-south connectivity in tandem with wayfinding and branding efforts detailed above could alleviate pressure on the busiest parking resources within the downtown core. Chehalem Parks and Recreation's plan to use this segment as part of the Ewing Young Trail presents a further opportunity to improve parking management via placemaking and pedestrian-focused initiatives.

## 7. Improve street lighting within and around the 2nd Street Lot. Reopen the breezeway connecting this lot to 1st Street. Consider reconfiguration of lot to maximize efficiency.

The 2nd Street Parking Lot is a uniquely important resource within the Newberg parking system, given its size and central location within the downtown core. While it sees reasonably heavy usage under existing conditions, the City should pursue opportunities to increase the utility of this lot through additional lighting and visibility, and should explore the possibility of configuring the lot to add capacity.

During the engagement for this project, a paucity of lighting within and near the 2nd Street Lot was mentioned on several occasions as a barrier to using the 2nd Street Lot. This combines with the narrow nearby alleyway and the recently closed breezeway to 1st Street to create an unwelcoming feeling in the lot, especially at nighttime (Figure 20). It is thus recommended that the City pursue additional lighting within the lot as budget allows, and work with the

breezeway's property owner to reopen the Breezeway to improve both the connectivity and visibility of the lot.

It is also noted that the configuration of this parking lot is somewhat unusual with four entrances and exits, and with 90 stalls it is at the lower end of what one might expect from a 30,000+ s.f. lot. This lot appears to need restriping at a minimum in the near future. The City should explore whether it makes sense to reconfigure this lot, particularly if capacity could be expanded by closing the redundant entry and exit points. If the four central accesses were closed, this could free up an additional 200 feet of street frontage for parking, enough for 8 additional stalls using the city's current 24-foot stall size. Further, this lot could then be enforced automatically under the scenario detailed below, whereas this is impossible under existing conditions due to the multiple access points.



**Figure 20:** Narrow alleyway next to the 2nd Street Lot and closed breezeway to 1st Street that can make some users feel unsafe



## 8. Provide safe and well-located parking for downtown employees and residents.

Ideally, owners and employees of downtown businesses would park in lower demand areas, leaving parking in high-demand areas for customers and visitors. However absent regulation, employees will often select the high-demand stalls simply because they represent the most visible parking, and employees will arrive at times when they are available. This is problematic since these employee trips represent long-duration stays in parking stalls, so they have an outsized impact on parking congestion.

Further, several buildings located within the busiest core of downtown include residences with no dedicated off-street parking. This creates a similar dynamic, where residents occupy centrally-located parking for long-duration stays.

The City should work directly with businesses and commercial interests to accommodate employee parking at sites outside the busiest areas, ideally within the 1st Street Lot and Hancock Street Lot. The City could designate some portion of stalls within these lots as “employee/resident only” as a “carrot” to accompany the enforcement “stick” recommended below, with the goal of pushing longer parking stays into the designated stalls within the lots. The City can explore a permitting program to formalize this process, however costs to administer this without an existing framework may outstrip potential benefits. In the near-term, it is recommended that the City engage partners and businesses to educate users of the parking system and encourage buy-in.

It is noted that this recommendation assumes that the City also improve lighting/visibility within the 2nd Street Lot, as detailed above. Many employees leave work during late hours and carry cash,

so safety considerations are paramount, and a lack of lighting within this lot was cited extensively as a concern during the outreach process.

## 9. Implement automated enforcement of key on-street stalls. Consider re-establishing metered parking.

The on-street parking supply within the study area generally has appropriate time limits for the contexts, with many stalls within the busiest areas signed as two-hour stalls or shorter. However, the lack of enforcement under existing conditions is well-known. This was continually mentioned as a concern during the outreach process, and the analysis hints at significant impacts from overstays.

Historically, parking enforcement of timed stalls has been difficult and effective to conduct on a cost-effective basis. However in recent years a number of new automated solutions have entered the marketplace, and based upon initial discussions between the project team and Newberg Police Department, it is likely that automated enforcement represents a revenue-neutral or even potentially revenue-positive way of improving operations. It is thus recommended that the City implement a targeted program enforcing the two-hour limits within the busiest core of downtown as identified previously: Along 1st Street between Washington and Edwards Street, and on the immediately adjacent block faces of Washington, Blaine, Howard, School, College, and Edwards Streets between 2nd and Hancock Streets. Enforcement could be expanded to further block faces as needed or to the 2nd Street Lot if configured to have a singular point of entry/exit.



As a longer term measure, the City could consider pricing parking within the highest demand area if enforcement and other measures prove ineffective at helping alleviate demand here. It is noted that Newberg previously had parking meters within downtown; these represent a powerful tool both for proactively managing parking and potentially generating new revenue to implement other management efforts.

## **10. Monitor parking at different times of year/ events to ensure management of range of issues. Engage with partners on a regular basis to proactively address problems.**

As described previously, parking data collection efforts have been centered around the spring months, which are busy in downtown Newberg but slightly less so than the peak season of July-August. While it is likely that peak season would simply translate to somewhat more traffic in the downtown core, which this plan contemplates and addresses, it is possible that the small increase may manifest in unexpected ways. Similarly, the impact of events on the parking system are studied and contemplated in detail here, but the gamut of events closes various streets at various times, all with their own unique impact.

Ideally, a future data collection effort would include a springtime weekday to provide a reference point to this study and the 2016 study, as well as sampling from other events or times of year. This would lend insights to both how parking utilization changes from season to season or based on the event schedule, as well as how it is changing over a longer timeline of years. This will help maximize the value of the data and the utility of the recommendations from future studies.

Three partner organizations were active participants in conducting this parking study: Newberg Downtown Coalition, Taste Newberg, and Chehalem Valley Chamber of Commerce. These partners and their members have an excellent working knowledge of the current issues and operations of the parking system and could serve as natural partners for the City in monitoring the ongoing state of the system in between formal data collection efforts.

## **11. Consider a fee-in-lieu program.**

As a longer-term initiative, the City should consider implementing a fee-in-lieu program to encourage the development of public resources in lieu of private resources. Many of the private parking lots within downtown are vastly underutilized, and degrade the walking environment and general sense of place downtown.

Many sorts of development within C-3 zoning district, which comprises much of the study area, have minimal or no off-street parking requirements. However, some development do have off-street parking requirements, most notably residential uses, and often development forward where parking is not required.

The City might instead require or incentivize development to provide new public or shared use parking, which would be more consistent with existing planning guidance and feedback received during this study. Ideally, the long term impact of such a policy would be to allow the city to acquire or expand a public resource while reducing the overall number of stalls downtown by targeting underutilized private parking. Along with the parking policies already in place with in the C-3 zoning district, a fee-in-lieu policy can be a powerful tool to alleviate parking issues by enhancing walkability and reducing single-use parking spaces that induce short-distance car trips.



## Feasibility & implementation

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A key goal of this project was to produce recommendations that are both potentially effective but also actionable. With that in mind, the recommendations detailed above have been vetted with key partners such as ODOT and the Newberg Police Department as an initial feasibility test.

Along these lines, several recommendations are notably absent from the plan detailed herein because it is unlikely that they would be effectively implemented in the reasonably foreseeable future. For example, improved transit service can often mitigate parking issues and was suggested at times during the outreach process, however

there does not appear to be a path at present to introduce the type and frequency of transit needed to significantly impact parking demand. Similarly, while the excess capacity at the private lots could ideally be used for public purposes at busy times via shared parking arrangements, the City has pursued this in the past without success.

Instead, this plan focuses on straightforward and actionable recommendations, most of which can be achieved in the short- to mid-term. A summary of recommendations along with a high-level timelines and costs is provided in Table 2.



**Table 2:** List of recommendations from the Downtown Newberg Parking Study and Management Plan along with impact, timeline, and expense estimates

Recommendation	Timeline*	Impact	Expense**
1. Resource branding & naming	Near-term	Improve recognition, activate underutilized stalls	~\$10K-\$20K
2. New on-street striping	Immediate	Add striped stalls, improve recognition and efficiency of street parking	~\$1K-\$2K/year
3. Improved wayfinding & materials	Near-term	Improve walking environment, improve recognition and utility of resources	~\$20K-\$50K
4. New ADA stalls	Immediate	Improve safety & accessibility	Minimal
5. ODOT coordination and highway crossing improvements	Mid-term	Improve walking environment, connect parking resources across highway	\$100K+ but state funding potentially available
6. Continued Civic Corridor development	Mid-term	Improve walking environment, connect parking resources across highway	~\$250K-\$500K
7. 2nd Street Lot improvements	Mid-term	Improve utility and safety of lot, improve appearance, potentially add new stalls	~\$100K-\$300K
8. Employee / residential parking	Immediate	Designate long-term parking stalls in lots, freeing street parking	Mostly staff time but could be significant if a formal program established
9. Enforcement enhancements	Near-term	Ensure intended stay times are followed within busiest areas	Revenue neutral or positive
10. Future data collection	Mid-term	Monitor demand, update and refine plans as conditions change	~\$50K every ~3-5 years
11. New fee-in-lieu program	Long-term	Replace underutilized private parking with right-sized public facilities	Minimal

\*"Immediate" = Within 6 months; "Near-term" = 6 months-2 years; "Mid-term" = 2-5 years; "Long-term" = >5 years

\*\* All expenses listed are approximate and intended as planning-level estimates;



# 5. Appendix

For Appendices, see full document online at:  
[https://www.newbergoregon.gov/business\\_detail\\_T2\\_R485.php](https://www.newbergoregon.gov/business_detail_T2_R485.php) :

