



## Community Development Department

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### MEMORANDUM

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TO: Newberg Planning Commission  
FROM: Keith Leonard, Associate Planner  
SUBJECT: Supplemental packet for June 28, 2018 Planning Commission meeting  
Additional public testimony/information  
DATE: June 26, 2018

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We have received some additional agency comments pertaining to the following applications:  
SUB317-0004/VAR18-0003 King's Landing subdivision

- 1) Yamhill County has provided additional comments pertaining to transportation issues. These comments have been incorporated into the findings and conditions of approval. New findings are highlighted in yellow. The new conditions of approval are underlined.
- 2) City staff have provided additional clarifying text to the findings and condition of approval for Public Walkways. New findings are highlighted in yellow and a new condition of approval is underlined. The formatting has been adjusted to the "public walkways" conditions of approval to group the conditions together as they are found in the findings.

Please review this testimony and add this to your meeting packet for June 28, 2018.

## Previous Finding from Staff Report

### *15.505.030 Street standards.*

***F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.***

**FINDING:** The applicant submitted a traffic study dated April 6, 2018. The recommendation of the study to mitigate the impacts of the development and existing background volumes were as follows:

- Install a traffic signal at the E Foothills Dr/OR219-N College Street intersection
- Install a westbound left turn lane at the NE North Valley Road/OR219 intersection

The intersection of NE North Valley Road/OR219 is not within the jurisdictional ownership of the City of Newberg. The City has received preliminary comments from Yamhill County, which are included in Attachment "3". As of the drafting of this report we are still waiting for comments from ODOT in regards to location and the impact of this proposed development.

### **E Foothills Drive/OR219-N College Street Intersection:**

Project I02 in the City's 2016 Transportation System Plan (TSP) calls for intersection control upgrades at the E Foothills Drive/OR219-N College Street intersection with an estimated cost of \$825,000 (2016 dollars). The King's Landing traffic study notes that 13 trips are being added to the intersection of E Foothills Drive/OR219-N College Street as a direct result of the King's Landing development in both the AM and PM peak hours. A Traffic Impact Fee was developed to capture the proportional impact of the development on public facilities and services.

The applicant shall pay a proportional cost for the traffic control upgrade to the City of Newberg for the number of trips being added to the E Foothills Drive/OR219-N College Street intersection as a direct result of the King's Landing development. The most severe impact to the operation of the intersection occurs during the AM peak period where the resulting operation of the intersection is a level of service F, average delay of 78.66 seconds (1.3 minutes), and a volume to capacity ratio of 0.728. The following formula was used to develop a Traffic Impact Fee to capture the proportional impact of the development:

(13 AM trips directly proportional to King's Landing development)/(964 AM peak hour total trips through the intersection)\*(\$825,000 for the TSP cost of an intersection upgrade) = \$11,125 Traffic Impact Fee

This Criterion will be met if the conditions of approval are adhered to.

***S. Public Walkways.***

***1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.***

***2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.***

***3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.***

***4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.***

***5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.***

***6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.***

***7. Lighting may be required for public walkways in excess of 250 feet in length.***

***8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.***

**Finding:** Preliminary plans indicate the following public walkway easements:

- 1) 15-foot public walkway easement between lot 38 & lot 39 for the purpose of connecting E Barbaras Way to NE North Valley Rd.
- 2) 15-foot public walkway easement between lot 18 & lot 19 for the purpose of connecting E Barbaras Way to NE North Valley Rd.

- 3) 15-foot public walkway easement between lot 76 & Stormwater Tract A of the Dutchman Ridge development for the purpose of connecting E Taylor Drive to E Barbaras Way. An easement will also need to be secured from the Dutchman Ridge development for the portion of the proposed easement shown located on the adjacent property to the east. The public walkway must be located outside of the fenced stormwater facility in Tract A of the Dutchman Ridge Development.
- 4) 15-foot public walkway easement between lot 64 & Stormwater Tract B of King's Landing for the purpose of connecting to the Chehalem Parks & Recreation District property. The public walkway must be located outside of the fenced stormwater facility. The public walkway easement must be outside of the stormwater facility maintenance access drive.
- 5) 15-foot public walkway easement on lot 53 for the purpose of connecting E Taylor Drive to E Barbaras Way.
- 6) 15-foot public walkway easement on lot 55 for the purpose of connecting E Taylor Drive to E Barbaras Way.

A 15-foot wide easement will be required with a 10-foot wide ADA accessible concrete surface for the public walkways. Public walkways when located adjacent to stormwater facilities must be located outside of the fenced stormwater facility and outside of maintenance access drives. Maintenance of public walkways located in the easements listed are the responsibility of the homeowners association into perpetuity. The applicants' Joint Permit Application (JPA) permitting for public walkways through stream corridors/wetlands must be complete and copies of issued permits must be provided to the City before a Public Improvement Permit may be issued.

These criteria will be met if the conditions of approval are adhered to.

### Updated Findings

#### Highlighted is new text, underlined new Conditions of Approval

*15.505.030 Street standards.*

*F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.*



**FINDING:** The applicant submitted a traffic study dated April 6, 2018. The recommendation of the study to mitigate the impacts of the development and existing background volumes were as follows:

- Install a traffic signal at the E Foothills Dr/OR219-N College Street intersection
- Install a westbound left turn lane at the NE North Valley Road/OR219 intersection

The intersection of NE North Valley Road/OR219 is not within the jurisdictional ownership of the City of Newberg. The City received comments from Yamhill County which are included below:

***E Foothills Drive/OR219-N College Street Intersection (City of Newberg):***

Project I02 in the City's 2016 Transportation System Plan (TSP) calls for intersection control upgrades at the E Foothills Drive/OR219-N College Street intersection with an estimated cost of \$825,000 (2016 dollars). The Kings Landing traffic study notes that 13 trips are being added to the intersection of E Foothills Drive/OR219-N College Street as a direct result of the Kings Landing development in both the AM and PM peak hours. A Traffic Impact Fee was developed to capture the proportional impact of the development on public facilities and services.

The applicant shall pay a proportional cost for the traffic control upgrade to the City of Newberg for the number of trips being added to the E Foothills Drive/OR219-N College Street intersection as a direct result of the Kings Landing development. The most severe impact to the operation of the intersection occurs during the AM peak period where the resulting operation of the intersection is a level of service F, average delay of 78.66 seconds (1.3 minutes), and a volume to capacity ratio of 0.728. The following formula was used to develop a Traffic Impact Fee to capture the proportional impact of the development:

(13 AM trips directly proportional to Kings Landing development)/(964 AM peak hour total trips through the intersection)\*(\$825,000 for the TSP cost of an intersection upgrade) = \$11,125 Traffic Impact Fee

***NE North Valley Road/OR219/Bell Rd (Yamhill County):***

At the intersection of NE North Valley Road/OR219/Bell Rd the applicant's traffic study indicates that installing a westbound left turn lane is needed to mitigate impacts from the proposed King's Landing subdivision. During the AM peak hour 16-trips are being added to the intersection, and during the PM peak hour 19 trips are being added to the intersection. The applicant is required to develop a cost estimate for the identified improvement and to pay a proportional share of the improvement costs to Yamhill County.



***Access Road between E Barbaras Way and NE North Valley Road/NE North Valley Road Intersection (Yamhill County):***

A new access road is being proposed to connect the King's Landing subdivision to NE North Valley Road. The applicant has not demonstrated that adequate sight distance is available at the proposed access location to meet sight distance requirements for vehicles entering and exiting the King's Landing subdivision. The applicant will be required to provide an intersection design that meets the American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets requirements for the safe movement of vehicles. Modification to the vertical curves on NE North Valley Road may be required to meet sight distances standards.

***NE North Valley Road/Chehalem Drive Intersection (Yamhill County):***

At the intersection of NE North Valley Road/Chehalem Drive the applicant's traffic study indicates that additional trips directly related to the proposed subdivision are being added to the intersection. During the AM peak hour 17-trips (out of 351 total trips) are being added to the intersection and during the PM peak hour 23-trips (out of 404 total trips) are being added to the intersection. The County's Transportation System Plan has identified the intersection of NE North Valley Road/Chehalem Drive as having poor sight distance, narrow lanes, and offset intersection approaches. The total cost to improve the intersection as identified in the Transportation System Plan project list is \$525,000. The applicant is required to pay a proportional cost for the intersection improvements to Yamhill County in the amount of \$29,888.

$(23 \text{ PM trips directly proportional to King's Landing development}) / (404 \text{ PM peak hour total trips through the intersection}) * (\$525,000 \text{ for the TSP cost to upgrade the intersection}) = \$29,888.$

The Criterion will be met if the conditions of approval are adhered to.

***S. Public Walkways.***

***1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.***

***2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.***



*3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.*

*4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.*

*5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.*

*6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.*

*7. Lighting may be required for public walkways in excess of 250 feet in length.*

*8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.*

**Finding:** The applicant has submitted preliminary plans that show six public walkways which are being used throughout the subdivision to support pedestrian mobility access and to facilitate block lengths that meet established municipal code requirements. The applicant will be required to submit construction plans that include public walkways and necessary easements. Easements are to include, but not necessarily limited to:

- 1) 15-foot public walkway easement between lot 38 & lot 39 for the purpose of connecting Barbaras Way to NE North Valley Rd.
- 2) 15-foot public walkway easement between lot 18 & lot 19 for the purpose of connecting Barbaras Way to NE North Valley Rd.
- 3) 15-foot public walkway easement between lot 76 & Stormwater Tract A of the Dutchman Ridge development for the purpose of connecting Taylor Drive to Barbaras Way. An easement will also need to be secured from the Dutchman Ridge development for the portion of the proposed easement shown located on the adjacent property to the east. The public walkway must be located outside of the fenced stormwater facility in Tract A of the Dutchman Ridge Development.
- 4) 15-foot public walkway easement between lot 64 & Stormwater Tract B of Kings Landing for the purpose of connecting to the Chehalem Parks & Recreation District property. The public walkway must be located outside of the fenced stormwater facility. The public walkway easement must be outside of the stormwater facility maintenance access drive.
- 5) 15-foot public walkway easement on lot 53 for the purpose of connecting Taylor Drive to Barbaras Way.
- 6) 15-foot public walkway easement on lot 55 for the purpose of connecting Taylor Drive to Barbaras Way.

A 15-foot wide easement will be required with a 10-foot wide ADA accessible concrete surface for the public walkways. Public walkways when located adjacent to stormwater

facilities must be located outside of the fenced stormwater facility and outside of maintenance access drives. Maintenance of public walkways located in the easements listed are the responsibility of the homeowners association into perpetuity. The Joint Permit Application (JPA) permitting for public walkways through stream corridors/wetlands must be complete and copies of issued permits must be provided to the City before a Public Improvement Permit may be issued.



Exhibit B: Conditions to  
Order 2018-05

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**King's Landing tentative subdivision plan  
SUB317-0004/VAR18-0003**

**New Conditions area underlined**

**A. The applicant must provide the following information for review and approval prior to construction of any improvements:**

Utility Easements:

1. The applicant will be required to submit construction plans that include utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards. Easements to include, but not necessarily limited to:
  - a. 10-foot utility easements along all frontages, unless determined by the City Engineer as part of the Public Improvement Permit plan review to be not needed or not feasible due to site conditions.
  - b. 15-foot public wastewater easement between lot 67 & lot 68, and lot 5 & lot 6 for the wastewater connection between N Boomer Drive and E Taylor Drive.
  - c. A 15-foot public water easement is required looped public water main connection from the E Taylor Drive water line to either N Boomer Drive or E Barbaras Way.

**General Requirements for engineering permit:**

The Public Works Design & Construction Standards require that the applicant submit engineered construction plans for review and approval of all utilities, public street improvements, and any new public streets being constructed. Please note that additional Engineering Department plan review application and fees apply for review of plans. Submit any required easements for review and approval, and record approved easements. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved and all necessary permits have been obtained.

**The plans must note the following:**

Utilities:

1. Water Requirements:

- a. The applicant will need to submit construction plans and obtain a Public Improvement Permit to install the water system pursuant to the requirements of the City's Public Works Design and Construction Standards. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.
- b. The public water line shall be looped by connecting the proposed dead-end public waterline in E Taylor Drive with either the existing public water line in N Boomer Drive or the proposed water line in E Barbaras Way.
- c. As part of the Public Improvement Permit, the applicant will be required to submit fire flow calculations to show that the existing and proposed service is adequate.
- d. A blow off assembly at the eastern end of the street will be required which allows for future extension beyond the development site.

2. Wastewater Requirements:

- a. The applicant will be required to submit construction plans and obtain a Public Improvement Permit to install the wastewater system pursuant to the requirements of the City's Design and Construction Standards. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.
- b. The applicant will be required to submit construction plans that include necessary utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards.
- c. A blow off assembly at the eastern end of the street will be required which allows for future extension beyond the development site.
- d. No mention of the septic system was made in the applicants' narrative and the system is not illustrated on Sheet P200 Existing Conditions. The septic system must be properly decommissioned and removed before any review of the Final Plat will take place. Proper decommission and removal documentation from the State of Oregon will be required.

3. Stormwater Requirements:

- a. The applicant will be required to submit construction plans and obtain a Public Improvement Permit to install the stormwater system improvements pursuant to the requirements of the City's Public Works Design and Construction Standards. Utility designs and alignments will be reviewed as part of the Public Improvement Permit. Public walkways when located adjacent to stormwater facilities must be

located outside of the fenced stormwater facility and outside of maintenance access drives.

- b. The project will disturb more than one acre, therefore a 1200-C permit from DEQ will be required. The applicant will be required to submit a copy of the 1200-C permit from DEQ, a Final Stormwater report that matches the construction plans, stormwater system plans, and erosion control plans that comply with DEQ requirements and City's Public Works Design and Construction Standards.
- c. The City will not accept wetlands in stormwater tracts dedicated to the City. Tract A and Tract B must not have any wetlands located within their confines.
- d. The applicant will need to submit a stormwater report and construction plans meeting the City's Public Works Design and Construction Standards and obtain a Public Improvement Permit to install the stormwater system improvements including permanent maintenance access via a paved road within 10-feet of stormwater facility structures within the stormwater tracts.

4. Streets:

- a. E Taylor Drive, E Barbaras Way (between lot 12 and lot 17), and the access road between E Barbaras Way and NE North Valley Road are to consist of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, 4.5-foot planter, 0.5-foot curb, 7-foot parking lane, 9-foot travel lane, 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, 4.5-foot planter, 5-foot sidewalk, 1-foot from back of walk to right-of-way. The applicant is required to dedicate sufficient right-of-way (minimum of 54-feet) to construct the listed streets. Details for a transition from a local residential street to a limited residential street will require approval by the City Engineer as part of the Public Improvement Plan review.
- b. E Barbaras Way (between lot 17 and lot 48 of the preliminary plans) is to consist of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, 4.5-foot planter, 0.5-foot curb, 28-foot curb-to-curb (includes one parking lane), 0.5-foot curb, 4.5-foot planter, 5-foot sidewalk, 1-foot from back of walk to right-of-way. The applicant is required to dedicate sufficient right-of-way (minimum of 50-feet) to construct the limited residential street. The Fire Marshal is requiring that parking only be allowed on one side of the limited residential street. A transition from a local residential street to a limited residential street will occur across the distance of lot 17 and lot 18 of the preliminary plans.



- c. The applicant may propose a 6-foot curb tight “Type B” sidewalk on the south side of E Barbaras Way adjacent to stream corridor from approximately lot 21 to lot 26 to minimize stream corridor impacts.
- d. The applicant will be required to dedicate additional right-of-way to provide 30-feet of right-of-way from the centerline along the project frontage on NE North Valley Road.
- e. The applicant will be required to dedicate additional right-of-way to provide 27-feet of right-of-way from the centerline along the project frontage on N Boomer Drive.
- f. The applicant will be required to provide street improvements along the NE North Valley Road frontage that meet the specifications and standards of the City’s Public Works Design and Construction Standards and the Transportation System Plan for a minor collector. NE North Valley Road is to consist of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, 5.5-foot planter, 0.5-foot curb, 6-foot bike lane, 12-foot travel lane along the project frontage from the centerline to the curb. Pavement width will need to transition southerly from existing width of 17-feet to 18-feet to accommodate the 6-foot bike lane.
- g. The applicant will be required to provide improvements to the east side of N Boomer Drive that match the cross-section listed. The final design of N Boomer Drive will need to be approved as part of the Public Improvement Permit. The applicant will be required to provide street improvements along the N Boomer Drive frontage that meet the specifications and standards of the City’s Public Works Design and Construction Standards and the Transportation System Plan for a local residential street. N Boomer Drive is to consist of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, 4.5 foot planter, 0.5-foot curb, 7-foot parking lane, and 9-foot travel lane.
- h. The applicant shall pay a proportional cost for the traffic control upgrade to the City of Newberg for the number of trips being added to the E Foothills Drive/OR219-N College Street intersection as a direct result of the King’s Landing development. The most severe impact to the operation of the intersection occurs during the AM peak period where the resulting operation of the intersection is a level of service F, average delay of 78.66 seconds (1.3 minutes), and a volume to capacity ratio of 0.728. The following formula was used to develop a Traffic Impact Fee to capture the proportional impact of the development: (13 AM trips directly proportional to King’s Landing development)/(964 AM peak hour total trips through the

intersection)\*(\$825,000 for the TSP cost of an intersection upgrade) = \$11,125 Traffic Impact Fee

- i. A 6-foot bike lane along NE North Valley Road is required to match into the existing bike lane to the west, and an 8-inch bike lane line will be required along the property frontage. A bike lane stencil will be required in the bike lane on the east side of the access road between E Barbaras Way and NE North Valley Road. A “Bike Lane Ends” sign (R3-17, R3-17bP) will be required at the east end of the property frontage. A transition out of the bike lane shall be provided at the east terminus of the bike lane.
- j. Due to the reduced width of E Barbaras Way, the applicant shall place “No Parking-Fire Lane” signs on the north side of said street. The signs shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 19 inches high and shall have red letters on a white reflective background.
- k. The applicant shall follow the limited residential street cross-section as noted in the 15.505.030(D)(2) findings and conditions. If and when E Barbaras Way is continued to the east, the roadway must transition from a limited residential street to a local residential street as to comply with 15.505.030(G)(6).
- l. Directional ADA curb ramps will be required at the following locations:
  - N Boomer Drive/E Barbaras Way Intersection
    - SE corner two (2) directional ADA curb ramps
    - NE corner one (1) ADA curb ramp
  - E Barbaras Way/Access Road between E Barbaras Way and NE North Valley Road Intersection
    - NE corner two (2) directional ADA curb ramps
    - NW corner two (2) directional ADA curb ramps
    - SW corner one (1) ADA curb ramp
    - SE corner one (1) ADA curb ramp
  - NE North Valley Road/Access Road between E Barbaras Way and NE North Valley Road Intersection
    - SW corner one (1) directional ADA curb ramp (east-west travel)
    - SE corner one (1) directional ADA curb ramp (east-west travel)

The final design of N Boomer Drive, E Barbaras Way, E Taylor Drive, NE North Valley Road, and the access road between E Barbaras Way and NE North Valley Road will need to be approved as part of the Public Improvement Permit.
- m. The planter strips on local residential streets including E Taylor Drive, E Barbaras Way, N Boomer Drive, and the access road between E

Barbaras Way and NE North Valley Road are required to be 4.5-feet wide to match the adjacent development, and 5.5-feet wide along NE North Valley Road.

- n. The sidewalk in the cul-de-sac section of E Taylor Drive is located curb-side on the plans and is required to be 6-feet wide.
- o. The applicant may propose a 6-foot curb tight “Type B” sidewalk on the south side of E Barbaras Way adjacent to stream corridor from approximately lot 21 to lot 26 to minimize stream corridor impacts.
- p. The final design of E Taylor Drive, E Barbaras Way, N Boomer Drive, the access road between E Barbaras Way and NE North Valley Road, and NE North Valley Road will need to comply with City’s Public Works Design and Construction Standards. The applicant will be required to obtain a Public Improvement Permit and meet the City’s Transportation System Plan and Public Works Design and Construction Standards for the proposed roadway improvements per 15.505.020(A) and 15.505.030(G)(10).
- q. A temporary turn around will be required at the east end of E Barbaras Way until such a point that the roadway is extend further to the east in the future.
- r. The applicant is required to provide a minimum curb-to-curb diameter of 96-feet, with a 6-foot curb-side sidewalk, and 1-foot from back of walk to right-of-way for a total right-of-way diameter of 110-feet for E Taylor Drive.
- s. The applicant will be required to install street name signs at all intersections within the development.
- t. Lots 8, 30, and 31 have property frontage on more than one street. Lot 30 and 31 are required to take driveway access from E Barbaras Way and the driveways are to be located as far away from the intersection of E Barbaras Way and the access road between E Barbaras Way and NE North Valley Road as possible.
- u. The applicant will be required to submit construction plans that include existing, and new street lights as needed to meet the specifications and standards of the City’s Public Works Design and Construction Standards for street lights.
- v. The applicant is required to develop a cost estimate for the identified improvement and to pay a proportional share of the improvement costs to Yamhill County. (Yamhill County)
- w. The applicant will be required to provide an intersection design that meets the *American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets* requirements for the safe movement of vehicles. (Yamhill County)



x. The applicant is required to pay a proportional cost for the intersection improvements to Yamhill County in the amount of \$29,888. (23 PM trips directly proportional to King's Landing development)/(404 PM peak hour total trips through the intersection)\*(\$525,000 for the TSP cost to upgrade the intersection) = \$29,888. (Yamhill County)

5. Miscellaneous Utilities:

- a. New utility service is required to be undergrounded.
- b. Public utility infrastructure improvements not limited to street improvements, public walkways, water, wastewater, and stormwater will require completed permits from partner agencies to authorize different work tasks. Issuance of required permits not limited to the agencies of Yamhill County, the State of Oregon, and the Federal Government will be required prior to the City of Newberg issuing a Public Improvement Permit.
- c. The applicant will be required to submit construction plans that include utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards. Easements to include, but not necessarily limited to:
  - 1) 10-foot utility easements along all frontages, unless determined by the City Engineer as part of the Public Improvement Permit plan review to be not needed or not feasible due to site conditions.
  - 2) 15-foot public wastewater easement between lot 67 & lot 68, and lot 5 & lot 6 for the wastewater connection between N Boomer Drive and E Taylor Drive.
  - 3) A 15-foot public water easement is required looped public water main connection from the E Taylor Drive water line to either N Boomer Drive or E Barbaras Way.

Landscaping/Lighting:

1. A landscape bond will be required for installation of street trees.
2. The applicant will be required to provide street trees along all public streets that are compliant with 15.420.010(B)(4)(a).
3. The applicant will be required to submit construction plans that include existing, and new street lights as needed to meet the specifications and standards of the City's Public Works Design and Construction Standards for street lights.

Required Permits:

1. The applicant must obtain and provide all applicable Department of State Lands permits required by the State Removal-Fill Law, and U.S. Army Corps of Engineers permits required prior to any final plat approval.
2. Permits from other agencies for wetland mitigation shall be provided to the City prior to issuance of any City permits.
3. Issuance of required permits not limited to the agencies of Yamhill County, the State of Oregon, and the Federal Government will be required prior to the City of

Newberg issuing a Public Improvement Permit.

Public Walkways:

1. Preliminary plans indicate the following public walkway easements:

- a. The applicant will be required to submit construction plans that include public walkways and necessary easements. Easements are to include, but not necessarily limited to:
  - i. 15-foot public walkway easement between lot 38 & lot 39 for the purpose of connecting E Barbaras Way to NE North Valley Rd. 15-foot public walkway easement between lot 18 & lot 19 for the purpose of connecting E Barbaras Way to NE North Valley Rd.
  - ii. 15-foot public walkway easement between lot 76 & Stormwater Tract A of the Dutchman Ridge development for the purpose of connecting E Taylor Drive to E Barbaras Way. An easement will also need to be secured from the Dutchman Ridge development for the portion of the proposed easement shown located on the adjacent property to the east. The public walkway must be located outside of the fenced stormwater facility in Tract A of the Dutchman Ridge Development.
  - iii. 15-foot public walkway easement between lot 64 & Stormwater Tract B of King's Landing for the purpose of connecting to the Chehalem Parks & Recreation District property. The public walkway must be located outside of the fenced stormwater facility. The public walkway easement must be outside of the stormwater facility maintenance access drive.
  - iv. 15-foot public walkway easement on lot 53 for the purpose of connecting E Taylor Drive to E Barbaras Way.
  - v. 15-foot public walkway easement on lot 55 for the purpose of connecting E Taylor Drive to E Barbaras Way.
  - vi. A 15-foot wide easement will be required with a 10-foot wide ADA accessible concrete surface for the public walkways. Public walkways when located adjacent to stormwater facilities must be located outside of the fenced stormwater facility and outside of maintenance access drives. Maintenance of public walkways located in the easements listed are the responsibility of the homeowners association into perpetuity. The applicants' Joint Permit Application (JPA) permitting for public walkways through stream corridors/wetlands must be complete and copies of issued permits must be provided to the City before a Public Improvement Permit may be issued.

Construction Phase:

1. For lots 53, 54, 55 and 67 through 71, the stream corridor easement and wetland easements must be clearly delineated and staked on said lots. City inspectors will verify that all planned foundations, driveways and any other impervious surfaces will be constructed outside of all easements. A Type I review process will be required.

Tualatin Valley Fire and Rescue TVF&R:

1. A copy of TVF&Rs requirements can be found in Attachment "3". The applicant shall meet the requirements of TVF&R letter from Jason Arn, Deputy Fire Marshall II, which is dated May 22, 2018.

Miscellaneous:

1. For the final plat submittal, a table listing all lot areas, wetland areas, stream corridor area and all other items listed in 15.405.010 (C) that factor into calculating lot area and lot size averaging must be listed. The average lot size must be 5000 square feet or larger or the number of lots shall be adjusted to meet the minimum lot size of 5,000 square feet for the R-1 zoning district.
2. A lot line adjustment with Gracies Landing Phase #3 must be applied for and approved before any final plat approval, which will provide enough property to Lot 12 to meet the minimum 35 feet lot width.

**B. Final plat submission requirements and approval criteria: In accordance with NDC 15.235.070, final plats require review and approval by the director prior to recording with Yamhill County. The final plat submission requirements, approval criteria, and procedure are as follows:**

1. Submission Requirements:  
The applicant shall submit the final plat within two years, or as otherwise provided for in NMC 15.235.030. The format of the plat shall conform to ORS Chapter 92. The final plat application shall include the following items:
  - a. One original and one identical copy of the final plat for signature. The plat copies shall be printed on mylar, and must meet the requirements of the county recorder and county surveyor. The plat must contain a signature block for approval by the city recorder and community development director, in addition to other required signature blocks for county approval. Preliminary paper copies of the plat are acceptable for review at the time of final plat application.
  - b. Written response to any conditions of approval assigned to the land division.
  - c. A title report for the property, current within six months of the final plat application date.
  - d. Copies of any required dedications, easements, or other documents.
  - e. Copies of all homeowner's agreements, codes, covenants, and restrictions, or other bylaws, as applicable. This shall include documentation of the formation of a homeowner's association, including but not limited to a draft homeowner's association agreement regarding the maintenance of planter strips adjacent to the rear yard of proposed through lots.
  - f. Copies of any required maintenance agreements for common property.



- g. A bond, as approved by the city engineer, for public infrastructure improvements, if the improvements are not substantially complete prior to the final plat.
  - h. Any other item required by the city to meet the conditions of approval assigned to the land division.
2. Approval Process and Criteria. By means of a Type I procedure, the director shall review and approve, or deny, the final plat application based on findings of compliance or noncompliance with the preliminary plat conditions of approval.

**C. Filing and recording: In accordance with NDC 15.235.080, a new lot is not a legal lot for purposes of ownership (title), sale, lease, or development/land use until a final plat is recorded for the subdivision or partition containing the lot. The final plat filing and recording requirements are as follows:**

1. Filing Plat with County. Within 60 days of the city approval of the final plat, the applicant shall submit the final plat to Yamhill County for signatures of county officials as required by ORS Chapter 92.
2. Proof of Recording. Upon final recording with the county, the applicant shall submit to the city a paper copy of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits for the newly created lots.
3. Prerequisites to Recording the Plat.
  - a. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92;
  - b. No plat shall be recorded until the county surveyor approves it in the manner provided by ORS Chapter 92.

**D. Development Notes:**

1. **Postal Service:** The applicant shall submit plans to the Newberg Postmaster for approval of proposed mailbox delivery locations. Contact the Newberg Post Office for assistance at 503-554-8014.
2. **PGE:** PGE can provide electrical service to this project under terms of the current tariff which will involve developer expense and easements. Contact the Service & Design Supervisor, PGE, at 503-463-4348.
3. **Frontier:** The developer must coordinate trench/conduit requirements with Frontier. Contact the Engineering Division, Frontier, at 541-269-3375.
4. **Addresses:** The Planning Division will assign addresses for the new subdivision. Planning Division staff will send out notice of the new addresses after they receive a recorded mylar copy of the final subdivision plat.