

TYPE III APPLICATION - 2021 (QUASI-JUDICIAL REVIEW)

File #: _____

TYPES – PLEASE CHECK ONE:

- | | |
|----------------------------------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Conditional Use Permit |
| <input checked="" type="checkbox"/> Comprehensive Plan Amendment (site specific) | <input type="checkbox"/> Type III Major Modification |
| <input type="checkbox"/> Zoning Amendment (site specific) | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Historic Landmark Modification/alteration | <input type="checkbox"/> Other: (Explain) _____ |

APPLICANT INFORMATION:

APPLICANT: Brian and Kathy Bellairs

ADDRESS: 31544 NE Corral Creek Road, Newberg, OR 97132

EMAIL ADDRESS: bellairskathy@comcast.net

PHONE: 503-704-9872

MOBILE: _____

FAX: _____

OWNER (if different from above): Bestwick, LLC attn: Marla Larson

PHONE: _____

ADDRESS: 20575 NE Fernwood Road, Newberg, OR 97132

ENGINEER/SURVEYOR: DOWL, LLC attn: Read Stapleton

PHONE: 971-280-8646

ADDRESS: 720 SW Washington Street, Suite 750, Portland, OR 97205

GENERAL INFORMATION:

PROJECT NAME: Newberg URA Expansion

PROJECT LOCATION: 31544 NE Corral Creek Road

PROJECT DESCRIPTION/USE: Proposed expansion of the Newberg Urban Reserve Area

MAP/TAX LOT NO. (i.e. 3200AB-400): R3222 -02700, 02500, 2800, 2900

ZONE: EF-20 (County)

SITE SIZE: 95.3 SQ. FT. ☐ ACRE ☒

COMP PLAN DESIGNATION: AFLH (County)

TOPOGRAPHY: Varying

CURRENT USE: Predominantly single-family residential, minimal agricultural/farm, vacant land

SURROUNDING USES:

NORTH: Vacant land/non-agricultural, Schaad Park

SOUTH: Agricultural/farm

EAST: Rural residential, agricultural/farm

WEST: Single-family residential (The Greens at Springbrook)

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: ☒ Fees ☒ Public Notice Information ☒ Current Title Report ☒ Written Criteria Response ☒ Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Annexation	p. 15
Comprehensive Plan / Zoning Map Amendment (site specific)	p. 19
Conditional Use Permit	p. 21
Historic Landmark Modification/Alteration	p. 23
Planned Unit Development	p. 26

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Kathy Bellairs Brian Bellairs 5/25/2021
Applicant Signature Date

Marla Larson 5/25/2021
Owner Signature Date

Kathy Bellairs, Brian Bellairs

Print Name

Marla Larson (Bestwick LLC)

Print Name

Attachments: General Information, Fee Schedule, Noticing Procedures, Planning Commission Schedule, Criteria, Checklists

YAMHILL COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT

LAND USE APPLICATION

525 NE Fourth Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

Docket _____
Date _____
Rec'd by _____
Receipt # _____
Fee _____

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Brian and Kathy Bellairs			Bestwick LLC attn: Marla Larson		
Last name	First	MI	Last name	First	MI
31544 NE Corral Creek Road			20575 NE Fernwood Road		
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
Newberg, OR 97132			Newberg, OR 97132		
City	State	Zip	City	State	Zip
503-704-9872					
Telephone			Telephone		
bellairskathy@comcast.net					
E-mail address			E-mail address		
If the applicant is not the legal owner, state interest in property:					
Applicant owns one of four tax lots. Bestwick LLC owns the remaining three.					
PROPERTY INFORMATION					
Tax Lot(s): R3222 -02700, 02500, 2800, 2900 Zone: EF-20					
Size of Tract (include all adjacent tax lots) 95.3 acres					

1. **TYPE OF APPLICATION** (what is requested?): Comprehensive Plan Amendment to expand the Newberg Urban Reserve Area

2. **JUSTIFICATION FOR REQUEST** YCZO Section(s): See application package.

A Planner will assist you in identifying the review criteria that apply to your request. The review criteria are used to determine whether your application will be approved or denied. It is your responsibility to provide adequate written justification and any other evidence you feel is relevant to explain how your request complies with the review criteria. Failure to provide adequate justification may result in your application being denied, or deemed incomplete until additional information is provided.

3. **Present use of property:** Predominantly single-family residential, minimal agricultural/farm, vacant land

4. **Please list the type of buildings that are currently on the property (i.e. manufactured home, pole building, agricultural barn, etc.):**
Three single-family residential homes, multiple outbuildings.

5. **Is there a septic system on the property?** ☒ Yes ☐ No

6. **How will water be provided?** ☒ Well ☐ City ☐ Other No change. Development is not proposed.

7. **What road and/or easement is the property accessed from?** NE Corral Creek Road, NE Fernwood Road

8. To your knowledge, do any of the following natural hazards exist on the property?

- ☐ Floodplain
 ☐ Areas of erosion
 ☒ Steep slopes
☐ Fish or wildlife habitat
 ☐ Soil limitations for building or septic

THE APPLICANT MUST SUBMIT:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Site plan drawn to scale showing property lines, location and size of all existing buildings, existing and proposed access roads, and location and size of any proposed new buildings.
3. Written justification of how the application complies with the approval criteria. Attach additional sheets to this form.
4. Filing fee (make check payable to Yamhill County).

NOTE: Fees are not transferrable or refundable.

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

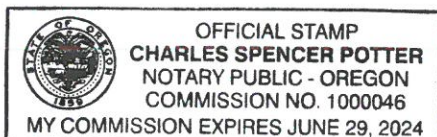
Kathy Bellar / Brian W Bellar 5/25/2021
 Applicant's signature Date
Marla Larson 5/25/2021
 Property owner's signature (if different) Date

State of OREGON

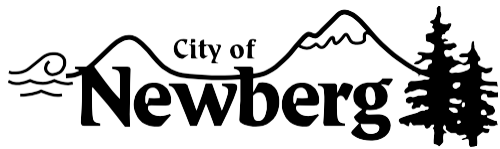
County of WASHINGTON

Signed before me on this 25th day of May, 20 21

by Kathy & Brian Bellar AND Marla Larson.



[Signature]
 Notary Public for Oregon
 My Commission expires 6/29/2024



Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132
503-537-1240. Fax 503-537-1272 www.newbergoregon.gov

NOTICE OF NEWBERG URBAN AREA MANAGEMENT COMMISSION HEARING ON A COMPREHENSIVE PLAN MAP AMENDMENT

A property owner in your neighborhood submitted an application to the City of Newberg for an amendment to the Newberg Comprehensive Plan Map to expand the Newberg Urban Reserve Area to include the subject property. The subject property is located at 31544 NE Corral Creek Road within unincorporated Yamhill County. As the applicant is proposing to expand the Newberg Urban Reserve Area, which also requires an amendment to the Yamhill County Comprehensive Plan Map, the application will be heard before the Newberg Urban Area Management Commission, who will make a recommendation on adoption. This recommendation will then be referred to the Newberg City Council for a separate public hearing, who will adopt its own decision. The City Council's decision will be referred to the Yamhill County Board of Commissioners, who will hold its own hearing before adopting a final decision. You may receive additional notices for these subsequent public hearings.

The Newberg Urban Area Management Commission will hold a hearing on **[Date of Hearing]** at 7pm at the Newberg Public Safety Building, 401 E. Third Street, Newberg, OR, to evaluate the proposal. You are invited to take part in the review of this application by sending in your written comments or testifying before the Newberg Urban Area Management Commission. For more details about giving comments, please see the back of this sheet.

The proposed comprehensive plan map amendment seeks to expand the Newberg Urban Reserve Area to include the subject property. If approved, the subject property would be designated an Urban Reserve Area for Newberg, making it eligible for inclusion within the Newberg Urban Growth Boundary. Development of the subject property is not proposed with this application.

APPLICANT AND PROPERTY OWNER:

Brian and Kathy Bellairs

APPLICANT'S REPRESENTATIVE:

DOWL, LLC – Read Stapleton, AICP

TELEPHONE:

(971) 280-8648

EMAIL:

rstapleton@dowl.com

OTHER PROPERTY OWNER:

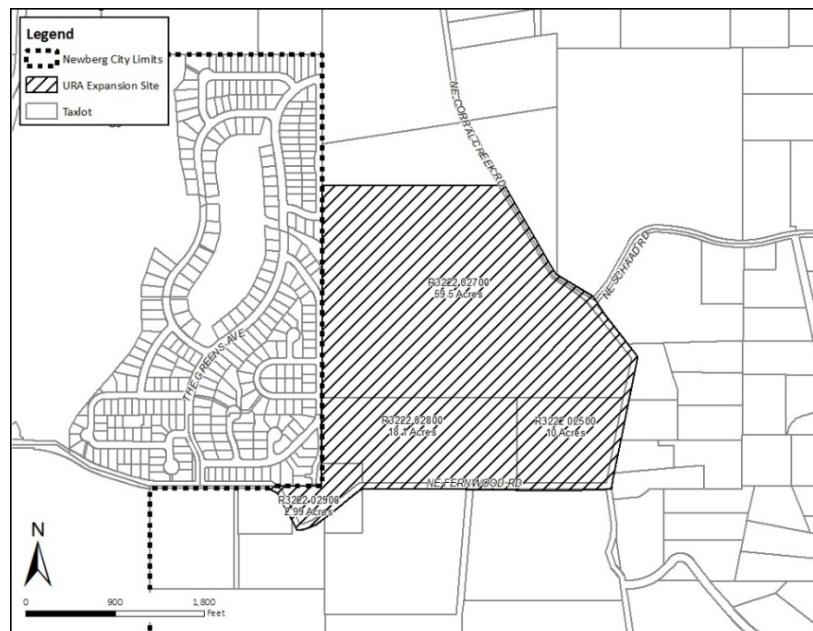
Bestwick, LLC

LOCATION:

31544 NE Corral Creek Road

TAX LOT NUMBER:

Yamhill County Assessor's Map 322, Tax Lots 2500, 2700, 2800, and 2900





Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132
503-537-1240. Fax 503-537-1272 www.newbergoregon.gov

We are mailing you information about this project because you own land within 500 feet [*County is 750 feet, confirm if City and County notices will be consolidated*] of the subject property. We invite you to participate in the land use hearing scheduled before the Newberg Urban Area Management Commission. If you wish to participate in the hearing, you may do so in person or be represented by someone else [*Confirm format of hearing, in person/virtual*]. You also may submit written comments. Oral testimony is typically limited to five minutes per speaker.

If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: File *No. CPMA21-0002*
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

The Newberg Urban Area Management Commission asks written testimony be submitted to the City Recorder before 5:00 p.m. on the preceding Thursday. Written testimony submitted after that will be brought before the Newberg Urban Area Management Commission on the night of the meeting for consideration and a vote to accept or not accept it into the record.

You can review all the information about this proposal or drop comments off at Newberg City Hall, 414 E. First Street. You can also buy copies of the information for a cost of 25 cents a page. A staff report relating to the proposal will be available for inspection at no cost seven days prior to the public hearing. If you have any questions about the proposal, you can call the Newberg Community Development Division at 503-537-1240.

Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be raised during the public hearing process. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for a comprehensive plan map amendment to expand Newberg's Urban Reserve Area are found in Newberg Development Code Section 15.302.030(A)(3) and *Oregon Administrative Rules Chapter 660, Division 21.*

Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application through a continuance or extension of the record. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals based on that issue.

The Newberg Urban Area Management Commission will make a recommendation on adoption, which will then be referred to Newberg City Council. The City Council's decision will be referred to the Yamhill County Board of Commissioners, who will hold its own hearing before adopting a final decision. If you participate in the public hearing process, either by testifying at the public hearing(s), or by sending in written comments, you will be sent information about any decision made relating to this project.

Date Mailed: *[Date Mailed]*

Land Use Notice

FILE:

PROPOSAL: Amend the Newberg Comprehensive
Plan Map to Expand the Newberg Urban Reserve
Area

FOR FURTHER INFORMATION, CONTACT:

City of Newberg
Community Development Department
414 E First Street
Phone: 503-537-1240