

NOTICE OF DECISION
Green Planet – Design Review – DR221-0007

December 9, 2021

Ed Christensen
Welkin Engineering, P.C.
25260 SW Parkway, Suite G
Wilsonville, OR 97070

Parties who provided comments: Mr. Stienbron

Dear Mr. Christensen,

The Newberg Community Development Director has approved the proposed design review DR221-0007 Green Planet located at 301 W First Street and 300 W Hancock Street, Tax Lots R3219AB 04700 and R3219AB 04500, subject to the conditions listed in the attached report. The decision will become effective on December 23, 2021, unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. Anyone wishing to appeal must submit the written appeal form together with the required fee of \$550.20 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on December 22, 2021

At the conclusion of the appeal period, please remove all notices from the site.

Design review approval is only valid for one year from the effective date above. If building or construction permits are not issued within this time period, then design review approval becomes null and void and no construction may take place. If design review approval on your project is approaching its expiration date, contact the Planning Division regarding extension opportunities.

Please note that final building plans submitted for building permit review must comply with the attached conditions. You must comply with all conditions required through the design review process before final occupancy will be granted.

If you have any questions, please contact me at doug.rux@newbergoregon.gov or 503-537-1212.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Rux", is enclosed in a thin black rectangular border.

Doug Rux, AICP
Community Development Director

DECISION AND FINDINGS
Green Planet – Design Review – DR221-0007

FILE NO: DR221-0007

REQUEST: Approval of a 5,820 square foot marijuana and CBD retail facility and an on-site three stall food cart facility

LOCATION: 301 W First Street

TAX LOT: R3219AB 04700 and R3219AB 04500

APPLICANT: Welkin Engineering PC

OWNER: GP Management LLC

ZONE: C-3 Central Business District

OVERLAY: Airport Overlay (Airport Conical Surface)

CONTENTS

Section I: Application Information
Section II: Exhibit A Findings
Section III: Exhibit B Conditions
Attachments:
1. Application Material and Supplemental Material
2. Agency Comments
3. Public Comments

Section I: Application Information

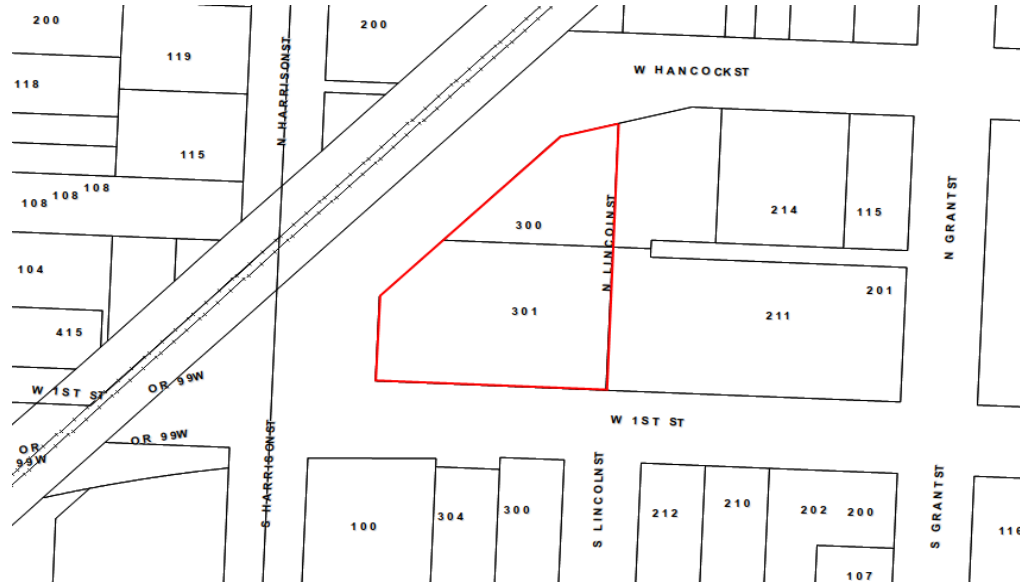
- A. DESCRIPTION OF APPLICATION:** The applicant seeks approval of a 5,820 square foot marijuana and CBD retail facility and an on-site three stall food cart facility with an outdoor area with picnic tables. 3,500 square feet of the building will be used for a marijuana dispensary. 2,300 square feet will be used for a CBD dispensary. The property is located at the west end of the Highway 99W couplet of W First Street and W Hancock Street. N Lincoln Street abuts the east side of the site and is an existing private street. The site contains two tax lots, and the building has two address, 301 W First Street and 300 W Hancock Street. The building spans both tax lots and no building expansion is proposed. There is minimal landscaping on the site. The site is zoned C-3 (Central Business District) and is also located within the Airport Overlay (AO) Subdistrict Airport Conical Surface (ACS).

The applicant is proposing to improve the development area by replacing existing asphalt paved surfaces, enhancing, and expanding landscaping, and conducting minor building exterior improvements by replacing overhead doors with new glass doors.

A design review was approved for this site on April 6, 2020, by DR220-0002. An extension on the design review was approved by MISC121-0015 on February 11, 2021 for 6-months. That extension expired on October 20, 2021. No additional extensions are allowed which required submittal of the new design review application.

B. SITE INFORMATION:

1. Location: 301 W First Street



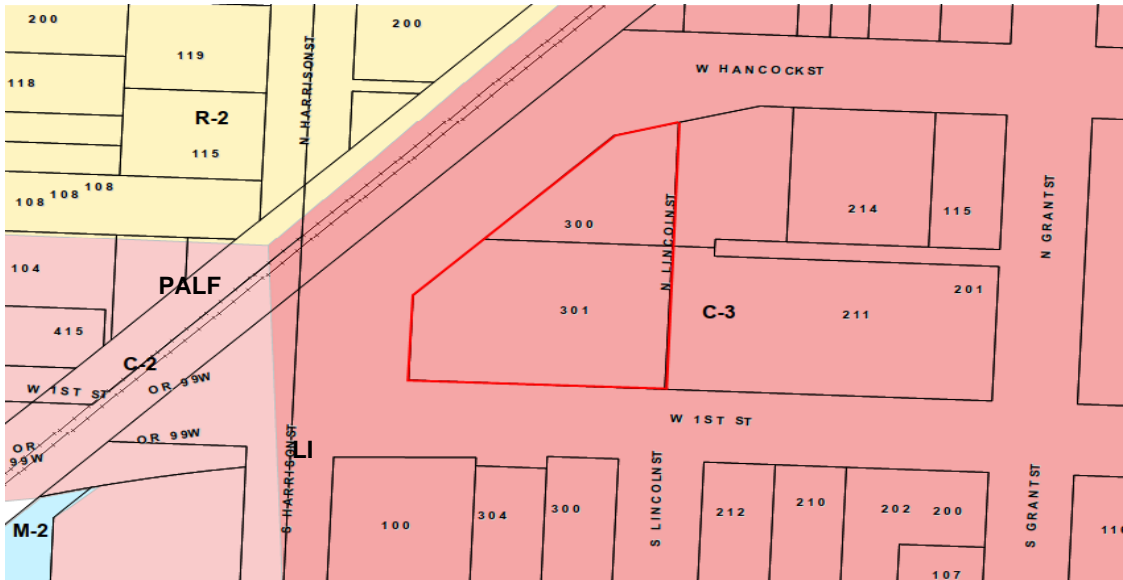
2. Size: 28,750 square feet
3. Topography: Slopes slightly to the south
4. Current Land Uses: Vacant commercial building
5. Natural Features: None

6. Adjacent Land Uses:



- a. North: W Hancock Street, single family residential and undeveloped commercial
- b. East: Spotlight Auto Detail, Newberg Tire & Auto Repair, 1st Street Laundromat, Crush 2 Crush/ETS Laboratory
- c. South: W First Street, Subway, and single family residential
- d. West: W Hancock Street, railroad line, single family residential

7. Zoning: The following zoning districts about the subject property.



- a. North: Central Business District (C-3) and Medium Density Residential (R-2)
 - b. East: Central Business District (C-3)
 - c. South: Central Business District (C-3)
 - d. West: General Commercial (C-2) and Medium Density Residential (R-2)
8. Access and Transportation: This property has frontage along W First Street/W Hancock Street/OR99W (Major Arterial) and N Lincoln Street (Private Street). Access to the site is taken from driveways on W First Street (south side of property), W Hancock Street (north side of property), and N Lincoln Street (east side of property).
9. Utilities:
- a. Wastewater: From the City's online GIS utility map, there is an 8-inch wastewater line that runs along the south side of W First Street.
 - b. Stormwater: From the City's online GIS utility map, there is an existing public storm line in the private street east of the property.

- c. Water: From the City's online GIS utility map, there is a 6-inch water line along W First Street with an existing meter serving the property.
- d. Overhead Power Lines: There are existing overhead lines that run along the south side of the property. Any new connection to the property will need to be undergrounded. Existing overhead utilities required to be placed underground when relocated or for an addition or remodel requiring a Type II design review. See NMC 15.430.010 for exception provisions.

C. PROCESS: The Design Review request is a Type II application and follows the procedures in Newberg Development Code 15.100.030. Following a 14-day public comment period, the Community Development Director makes a decision on the application based on the criteria listed in the attached findings. The Director's decision is final unless appealed.

Important dates related to this application are as follows:

- 1. 11/16/21: The Community Development Director deemed the application complete.
- 2. 11/17/21: The applicant mailed notice to the property owners within 500 feet of the site.
- 3. 11/17/21: The applicant posted notice on the site.
- 4. 11/30/21 The 14-day public comment period ended.
- 5. 12/09/21: The Community Development Director issued a decision on the application.

D. AGENCY COMMENTS: The application was routed to several public agencies for review and comment (Attachment 1). 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:

Engineering Division: Reviewed, comments incorporated in decision.

City Manager: Reviewed; no conflict.

Finance Department: Reviewed; no conflict.

Police Department: Reviewed: Reviewed: comments. Comments are related to the risk of marijuana and not to the land use criteria applicable to the case.

Public Works Maintenance: Reviewed; no conflict.
Public Works Maintenance Superintendent: Reviewed, comments. The comments relate to the stormwater system and would be addressed through a Public Improvement Permit.

Public Works Director: Reviewed; no conflict.

Ziply: Reviewed: Reviewed; no conflict.

TVF&R: Reviewed; no conflict.

ODOT: Reviewed; comments. Applicant will need ODOT permits for rebuilding the driveways. Comments on ODOT requirements from, 2020 are also included in Attachment 2.

Building Official: Reviewed; no conflict.

Public Works Wastewater Treatment Plant: Reviewed,; no conflict. Additional comments were provided that "Strictly retail marijuana & CBD sales. No processing or manufacturing of products onsite. 3 semi-permanent food trucks will connect to a grease removal device, which applicant states they plan to install on page 7."

- E. PUBLIC COMMENTS:** One comment was received from Erhardt F. Steinborn. Mr. Stienborn opposes the proposal based on there are enough dispensaries in the city. He indicates a realization that there are medicinal benefits for some people, but it leads to use of stronger drugs. He notes that over 100,000 people addicted to drugs were lost last year, and the expense of rehab and broken lives. The full text of the comments is in Attachment 3.

Staff Response - A marijuana dispensary is a permitted use per NMC 15.305.020 (38), (39), (40). The application is for improvements to the site and building. Steinborn did not address any of the applicable criteria of the Newberg Municipal Code applicable for a design review.

Section II: Findings – File DR221-0007 Design Review – Green Planet

1. Design compatibility. The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.

Finding: The existing building on the site is a metal skinned structure with store front windows on the south, west, east and north elevations. There are two roll up overhead doors on the west elevation and one roll up overhead door on the east elevation. No modifications are proposed to the exterior architecture of the building. The building's existing exterior color is red. The applicant indicates the building will be painted light gray with forest green accents. The site has minimal landscaping. Design of buildings within the vicinity of the site is a mix of metal exterior, tilt-up concrete, masonry, and wood. Some sites have landscaping and others have minimal landscaping.

No signage has been proposed as part of this Design Review, but the applicant has indicated that signage will be submitted at a later date. A separate sign review application will be required in order to approve signs for the proposed building.

This section of the NMC will be met with adherence to the aforementioned condition of approval.

15.220.030 Site design review requirements.

12. Trash and Refuse Storage. All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete block or other similar products as approved by the director.

Finding: The trash area for the facility will be located on the north side of the building. The proposed material is cedar. Refuse storage areas must be constructed of brick, concrete block or other similar products as approved by the director. The proposed cedar does not meet the criterion. Because the refuse storage is proposed to be cedar, the applicant shall submit revised drawings in compliance with 15.220.030(12) indicating the refuse storage will be constricted of brick, concrete block or other similar products as approved by the director.

This criterion will be met with the adherence to the aforementioned condition of approval.

15.220.080 Additional requirements for development in the C-3 zoning district.

The purpose of this section is to ensure that new development and redevelopment in the C-3 zoning district maintains and promotes downtown Newberg as a desirable place to spend time. The standards below will help to assure continued quality and compatibility in construction and design. An applicant for a new development or redevelopment within the C-3 zoning district, which is subject to the site design review process, must demonstrate that seven out of 10 of the following site and building design elements have been incorporated into the design of the project. Exceptions to these additional development requirements may be granted if the requirements would result in construction that is out of character with surrounding development. Applicants for redevelopment of a designated landmark will not be subject to these additional requirements.

Finding: The building is existing and will have minimal exterior improvements.

A. Elements of the Facade.

1. Windows. To maintain compatibility with historic proportions, windows facing public streets shall be primarily vertical. With the exception of transom windows, the width-to-height ratio of any single window pane (defined as either a true divided light or a “pane” created by “snap-in” dividers) shall be no more than 1:1.

Finding: The applicant states that some of the existing north and south side windows will remain. The east elevation small windows will be filled in. On the west elevation the roll up doors will be removed and a new storefront glass swing door installed with side light windows.

The building is existing with windows. No modification is proposed to the exterior of the building that would require compliance with this criterion.

2. Awnings. To provide shade and protection from the rain, awnings of fabric, glass, wood or metal shall extend along at least 25 percent of street-facing facades. Awnings shall be securely attached to the building and at their lowest point shall not be lower than eight feet above the ground level. Awnings may encroach a maximum of eight feet into the public sidewalk right-of-way, but no closer than two feet from the curb line.

Finding: The applicant’s narrative indicates that an awning may be provided if it does not affect the building modification and the code. Supplemental material indicates if awnings are provided they will be a rectangular wedge design.

The building is an existing structure, and no proposed modifications are proposed that would trigger compliance with the criterion. If awnings are provided a design has been submitted.

B. Facade Articulation.

1. Emphasize Entrances. *Entrances facing a public street shall be incorporated as an integral element in the facade. Entrances shall be emphasized to clearly communicate how to enter the building and to make buildings appear more inviting. Some strategies for emphasizing the entrance on a facade include: using transom windows above entrance doors to increase their apparent scale, detailing and emphasizing the trim or pilasters surrounding the entrance doors, and locating projections such as awnings or balconies above the entrance.*

Finding: The applicant's narrative indicates they want to emphasize the west façade elevation as the entrance to the building. This will be accomplished through new storefront glazing and side light windows.

The building is an existing structure and no proposed modifications are proposed that would trigger compliance with the criterion.

2. Maximum Horizontal Facade Plane. *To avoid overwhelming and visually monotonous facades, buildings shall not extend more than 60 feet horizontally without a change in the plane of the facade of at least one foot. Vertically stacked bay windows are one way to satisfy this criterion.*

Finding: The applicant's narrative indicates that the building is existing and minor cosmetic modifications are proposed but no other major modifications.

The building is an existing structure and no proposed modifications are proposed that would trigger compliance with the criterion.

C. Windows.

1. Depth of Windows. *Windows shall be recessed at least one and one-half inches from the general plane of the facade. This creates shadow lines and visual interest, giving the facade the perception of depth. Depth in the facade promotes the perception of high quality and durable construction, and contributes to the district's historic character.*

Finding: The applicant states that some of the existing north and south side windows will remain. The east elevation small windows will be filled in. On the west elevation the

roll up doors will be removed and a new storefront glass swing door installed with side light windows.

The building is an existing structure and no proposed modifications are proposed that would trigger compliance with the criterion.

2. Percentage of Glazing. The percent of glazing based on the horizontal distance of the facade shall be as follows:

a. Primary facade: at least 50 percent of ground floor and 30 percent of floors above the ground floor; and

b. All other facades facing a public street: at least 30 percent per floor.

Finding: The building and its windows are an existing structure and minimal modification is proposed. The south building elevation has more than 50 percent glazing. The north building elevation has more than 50 percent glazing. Both elevations are visible from public streets. The applicant has indicated the storefront southeastern window will be removed and framed in. The roll up doors facing west will be repurposed into entry ways or framed in. All other windows will remain, but boxed in on the inside. The proposed modifications retain windows on the building generally retaining the amount of window glazing.

3. Window Glazing Material. Windows facing a public street shall be made of clear or low-e glazing (pursuant to Oregon Structural Code Section 1312.1.3). Tinted or reflective glass shall not be visible from public rights-of-way.

Finding: The building and its windows are an existing structure, are cleared glazed, and new windows will be clear glazed and meet the criterion.

D. Facade Materials.

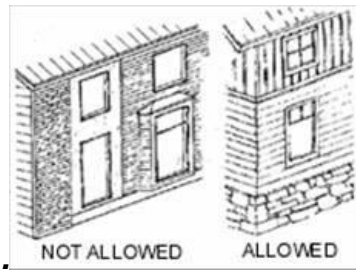
1. Dominant Material. All facades shall be comprised of a single dominant material. Additional materials are allowed as accents.

Finding: The building is an existing structure and minor cosmetic improvements are proposed. No modifications are proposed that would trigger compliance with the criterion.

This criterion is met.

2. Allowed Wall Materials. Allowed wall cladding materials include horizontal wood and cementitious lap siding, horizontal board and batten siding, shingles, and shakes. Lap siding, shingles, and

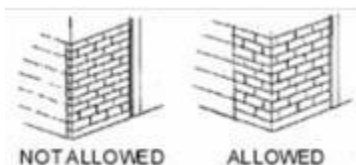
shakes shall be exposed a maximum of six inches to the weather. In board and batten siding, battens shall be spaced a maximum of eight inches on center. In addition, brick, rusticated concrete block, or stone masonry is allowed, but when used as a veneer material, it must be at least two and one-half inches thick. Cement-based stucco and poured-in-place concrete are allowed



Finding: The building is an existing structure and minor cosmetic improvements are proposed. No modifications are proposed that would trigger compliance with the criterion.

This criterion is met.

3. Changes in Material. Brick and stone street-facing facades shall return at least 18 inches around the exposed side walls. When multiple cladding materials are used, changes shall occur along horizontal lines only, with a maximum of three different materials allowed per facade. Heavier-appearing materials (e.g., brick) shall be used only below lighter-appearing materials (e.g., shingles).



Finding: The building is an existing structure and minor cosmetic improvements are proposed. No modifications are proposed that would trigger compliance with the criterion.

This criterion is met.

2. Parking and On-Site Circulation. Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the

public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

15.440.010 Required off-street parking.

A. Off-street parking shall be provided on the development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the development site or within 400 feet of the development site which the parking is required to serve. All required parking must be under the same ownership as the development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

Finding: A total of 33 parking spaces are proposed on the site and are under the same ownership as the development site and meets the criterion. One of the parking spaces will need to be deleted to meet parking lot landscape island requirements as noted in NMC 15.420.010B.3.h.

B. Off-street parking is not required in the C-3 district, except for:
1. Dwelling units meeting the requirements noted in NMC 15.305.020.
2. New development which is either immediately adjacent to a residential district or separated by nothing but an alley.

Finding: The C-3 zone does not require off-street parking. The applicant is proposing to remove the existing asphalt surface that surrounds the building and repave the site while providing 5,277 square feet of landscaping. The site plan indicates 33 parking spaces which includes two ADA spaces. One of the parking spaces will need to be deleted to meet parking lot landscape island requirements as noted in NMC 15.420.010B.3.h. No dwelling units are proposed by the applicant and the site is not immediately adjacent to a residential district.

This criterion is met.

C. Within the C-4 district, the minimum number of required off-street parking spaces shall be 50 percent of the number required by NMC 15.440.030, except that no reduction is permitted for residential uses.

Finding: The development area is not within the C-4 district and is not applicable.

D. All commercial, office, or industrial developments that have more than 20 off-street parking spaces and that have designated employee parking must provide at least one preferential carpool/vanpool parking space. The preferential carpool/vanpool parking space(s) must be located close to a building entrance.

Finding: The applicant is not proposing designated employee parking that triggers car/vanpool parking and this criterion is not applicable.

15.440.020 Parking area and service drive design.

A. All public or private parking areas, parking spaces, or garages shall be designed, laid out and constructed in accordance with the minimum standards as set forth in NMC 15.440.070.

Finding: The proposed parking spaces are 9' x 18', two-way drive aisles are 26 feet and the existing one-way drive aisle is 12 feet which meet the requirements.

B. Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, but in no case shall two-way and one-way service drives be less than 20 feet and 12 feet, respectively. Service drives shall be improved in accordance with the minimum standards as set forth in NMC 15.440.060.

Finding: Parking on site is proposed for 33 stalls of which one will be deleted to meet parking lot landscape island requirements of NMC 15.420.010B.3.h. The backward movement in the private street is allowed as it functions as a service drive for parking on the east side of the site. The parking layout and associated service drives do not have backward movement or other maneuvering of a vehicle within a public street or alley. The service drives are designed to facilitate the flow of traffic to provide safety in site access and egress and for the safety of pedestrians. Two-way service drives are 26 feet in width and one-way service drives are 12 feet. The service drives are improved with asphaltic concrete.

This criterion is met.

C. Gates. A private drive or private street serving as primary access to more than one dwelling unit shall not be gated to limit access, except as approved by variance.

Finding: These criteria are not applicable because there are no gates being proposed and the subject property is zoned C-3 and not AI or AR.

D. In the AI airport industrial district and AR airport residential district, taxiways may be used as part of the service drive design where an overall site plan is submitted that shows how the circulation of aircraft and vehicles are safely accommodated, where security fences are located, if required, and is approved by the fire marshal, planning director, and public works director. The following submittal must be made:

1. A drawing of the area to be developed, including the probable location, height, and description of structures to be constructed; the location and description of a security fence or gate to secure the aircraft operations areas of off-airport property from the other nonsecured pedestrian/auto/truck areas of on-airport property; the proposed location of the proposed taxiway access in accordance with FAA specifications (refer to Federal Aviation Administration Advisory Circular No. 150/5300-13 regarding airport design, and AC/5370-10B regarding construction standards for specifications that should be used as a guideline); and the identification of the vehicular traffic pattern area clearly separated from aircraft traffic. Once specific buildings have been designed, FAA Form 7460-1, Notice of Proposed Construction or Alteration, must be submitted to the City of Newberg, the private airport owner, and the FAA for airspace review

Finding: This criterion is not applicable as the development area is not in an AI or AR district.

15.440.030 Parking spaces required.

Finding: The subject property is zoned C-3 and according to Section 15.440.010(B) of the NMC are exempt for the parking requirements. The applicant is proposing 33 parking spaces of which one will need to be deleted to meet parking lot landscape requirement of NMC 15.42.010B3.h. The final total number of parking spaces will be 32

to serve customers of the proposed business uses on the site. There is adequate parking off-street for the retail businesses and food carts.

This criterion is met.

15.440.040 Parking requirements for uses not specified.

The parking space requirements for buildings and uses not set forth herein shall be determined by the director through a Type I procedure. Such determination shall be based upon the requirements for the most comparable building or use specified herein.

Finding: The uses proposed by the applicant are identified in NMC 15.305.020 and do not require a determination by the Director. The food cart pod is a retail use that requires two spaces per food cart for a total of six spaces. There are 4 spaces immediately adjacent to the food carts plus an additional nine spaces across the service drive. This criterion is not applicable.

15.440.050 Common facilities for mixed uses.

A. In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-street parking facilities for one use shall not be considered as providing parking facilities for any other use except as provided below.

Finding: This criterion is not applicable as the proposed uses on the site are commercial retail services and because the subject property is zoned C-3 it is exempt from the parking requirements for the commercial uses except for the food carts which requires two spaces per cart. Six spaces for the food carts have been identified.

This criterion is met.

B. Joint Uses of Parking Facilities. The director may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility; provided, that:

- 1. The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed.***
- 2. The parking facility for which joint use is proposed is no further than 400 feet from the building or use required to have provided parking.***

3. The parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved by the city attorney as to form and content. Such instrument, when approved as conforming to the provisions of the ordinance, shall be recorded in the office of the county recorder and copies of the instrument filed with the director.

Finding: This criterion is not applicable because the applicant is not proposing joint use parking facilities.

C. Commercial establishments within 200 feet of a commercial public parking lot may reduce the required number of parking spaces by 50 percent.

Finding: This criterion is not applicable because there is no public parking within 200 feet of the proposed development area.

Parking and Service Drives

15.440.060 Parking area and service drive improvements.

All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:

A. All parking areas and service drives shall have surfacing of asphaltic concrete or Portland cement concrete or other hard surfacing such as brick or concrete pavers. Other durable and dust-free surfacing materials may be approved by the director for infrequently used parking areas. All parking areas and service drives shall be graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property.

Finding: The existing site is paved. The applicant indicates the paved surfaces will be removed and replaced with new asphaltic surfaces to accommodate the parking and service drive areas.

This criterion is met.

B. All parking areas shall be designed not to encroach on public streets, alleys, and other rights-of-way. Parking areas shall not be placed in the area between the curb and sidewalk or, if there is no sidewalk, in the

public right-of-way between the curb and the property line. The director may issue a permit for exceptions for unusual circumstances where the design maintains safety and aesthetics.

Finding: Submitted plans indicate that parking and service drive areas will not encroach onto public streets and that no parking areas are proposed between the curb and sidewalk in the public right-of-way.

This criterion is met.

C. All parking areas, except those required in conjunction with a single-family or two-family dwelling, shall provide a substantial bumper which will prevent cars from encroachment on abutting private and public property.

Finding: The applicants' plan sheets illustrate parking bumpers will be utilized for parking spaces on the site.

This criterion is met.

D. All parking areas, including service drives, except those required in conjunction with single-family or two-family dwellings, shall be screened in accordance with NMC 15.420.010(B).

Finding: The applicant has identified landscaping between parking areas and public streets that consist of grass and shrubs for parking on the south side of the site. On the north side of the site no screening has been identified beyond a statement that a water quality facility will be provided meeting City of Newberg Design Standards. Because screening has not been identified for the parking area on the north side of the site the applicant shall revise the landscape plan to identify landscape screening for the four parking spaces on the north side of the development area facing W Hancock Street in compliance with NMC 15.440.060D.

This criterion will be met with compliance with the aforementioned condition of approval.

E. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district.

Finding: This criterion is not applicable because the subject property does not abut and is not adjacent to any residential zoning districts.

F. All service drives and parking spaces shall be substantially marked and comply with NMC 15.440.070.

Finding: The applicant proposes to mark the proposed parking spaces. As noted in 15.440.070 and 15.410.070 with either signage or asphalt surface arrows will be required for the one-way access service drive on the north side the development area.

This criterion is met because the applicant has demonstrated that the parking spaces are substantially marked and comply with NMC 15.440.070 or a previous condition has been imposed.

G. Parking areas for residential uses shall not be located in a required front yard, except as follows:

1. Attached or detached single-family or two-family: parking is authorized in a front yard on a service drive which provides access to an improved parking area outside the front yard.

2. Three- or four-family: parking is authorized in a front yard on a service drive which is adjacent to a door at least seven feet wide intended and used for entrance of a vehicle (see Appendix A, Figure 12).

Finding: These criterion of the NMC are not applicable because there is no required front yard within the C-3 zoning district.

H. A reduction in size of the parking stall may be allowed for up to a maximum of 30 percent of the total number of spaces to allow for compact cars. For high turnover uses, such as convenience stores or fast-food restaurants, at the discretion of the director, all stalls will be required to be full-sized.

Finding: The applicant is not requesting any compact parking spaces. This criterion is not applicable.

I. Affordable housing projects may use a tandem parking design, subject to approval of the community development director.

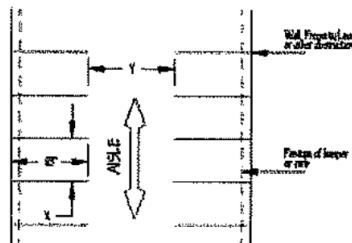
Finding: The proposed project is not an affordable housing project and this criterion does not apply.

J. Portions of off-street parking areas may be developed or redeveloped for transit-related facilities and uses such as transit shelters or park-and-ride lots, subject to meeting all other applicable standards, including retaining the required minimum number of parking spaces.

Finding: This criterion is not applicable because the applicant is not proposing transit-related facilities or uses and there is no immediate plan to locate one of these facilities by other governmental entities within the project area.

15.440.070 Parking tables and diagrams.

90° PARKING - THROUGH or DEAD-END AISLES



Notes:

1. Bumpers must be installed where paved areas abut street right-of-way (except at driveways).
2. No stalls shall be such that cars must back over the property line to enter or leave stall.
3. Stalls must be clearly marked and the markings must be maintained in good condition.
4. The sketches show typical situations to illustrate the required standards. For further information or advice, contact the community development department at 537-1210.

Finding: Surface stalls are identified to be striped. The one-way drive aisle has not been identified to be signed or surface marked for the one-way direction travel. Because no signage or surface markings have been identified the requirement is not met. The applicant shall revise the Site Plan to identify either signage or surface markings for the one-way drive aisle on the north side of the building in compliance with 15.440.070 and 15.41.070E.

This criterion will be met with compliance with the aforementioned condition of approval.

15.440.080 Off-street loading.

A. Buildings to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and

maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.

1. The following standards shall be used in establishing the minimum number of berths required:

Gross Floor Area of the Building in Square Feet	
No. of Berths	
Up to 10,000	1
10,000 and over	2

Finding: There is no proposed substantial alteration to the existing building that would trigger requiring a loading space. The alterations to the building include paint, minor cosmetic exterior modifications and windows. These modifications are not considered substantial and loading requirements do not apply.

2. A loading berth shall contain a space 10 feet wide and 35 feet long and have a vertical clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

Finding: This criterion is not applicable because a loading berth is not required.

3. Additional off-street loading requirements within the C-4 district are described in NMC 15.352.040(H)(7).

Finding: This criterion is not applicable as the site is not in the C-4 district.

4. Where a facility includes an aircraft hangar, the off-street loading requirement is not required since loading may occur through the hangar doors.

Finding: There is no aircraft hangar proposed for the development and this criterion does not apply.

B. The following provisions shall apply to off-street loading facilities:

1. The provision and maintenance of off-street loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street loading space. The subsequent use of property for which the building permit is

issued shall be conditional upon the unqualified continuance and availability of the amount of loading space required by this code. Should the owner or occupant of any building change the use to which the building is put, thereby increasing off-street loading requirements, it shall be unlawful and a violation of this code to begin or maintain such altered use until such time as the increased off-street loading requirements are met.

Finding: This criterion is not applicable because a loading berth is not required.

2. Owners of two or more buildings may agree to utilize jointly the same loading spaces when the hours of operation do not overlap; provided, that satisfactory legal evidence is presented to the city attorney in the form of deeds, leases or contracts to establish the joint use.

Finding: This criterion is not applicable because a loading berth is not required. The owners of two or more buildings are not proposing to jointly utilize loading spaces. This criterion does not apply.

3. A plan drawn to scale, indicating how the off-street loading requirements are to be fulfilled, shall accompany an application for a building permit.

Finding: This criterion is not applicable because a loading berth is not required.

4. Design Requirements for Loading Areas.

a. Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces of asphaltic concrete or portland cement concrete, maintained adequately for all-weather use and so drained as to avoid flow of water across the sidewalks.

b. Loading areas adjacent to residential zones designed to minimize disturbance of residents.

c. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.

d. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.

e. Vision clearance standards as identified in NMC 15.410.060 shall apply.

Finding: This criterion is not applicable because a loading berth is not required.

Bicycle Parking

15.440.100 Facility requirements.

Bicycle parking facilities shall be provided for the uses shown in the following table. Fractional space requirements shall be rounded up to the next whole number.

<i>Use</i>	<i>Minimum Number of Bicycle Parking Spaces Required</i>
<i>New multiple dwellings, including additions creating additional dwelling units</i>	<i>One bicycle parking space for every four dwelling units</i>
<i>New commercial, industrial, office, and institutional developments, including additions that total 4,000 square feet or more</i>	<i>One bicycle parking space for every 10,000 square feet of gross floor area. In C-4 districts, two bicycle parking spaces, or one per 5,000 square feet of building area, must be provided, whichever is greater</i>
<i>Transit transfer stations and park and ride lots</i>	<i>One bicycle parking space for every 20 vehicle parking spaces</i>
<i>Parks</i>	<i>Two bicycle parking spaces within 50 feet of each developed playground, ball field, or shelter</i>

Finding: The building is 5,820 square feet and requires one bicycle parking space. The applicant is proposing one space and meets the requirement.

15.440.110 Design.

A. Bicycle parking facilities shall consist of one or more of the following:

- 1. A firmly secured loop, bar, rack, or similar facility that accommodates locking the bicycle frame and both wheels using a cable or U-shaped lock.***
- 2. An enclosed locker.***
- 3. A designated area within the ground floor of a building, garage, or storage area. Such area shall be clearly designated for bicycle parking.***

4. Other facility designs approved by the director.

Finding: The applicant indicates that a bike rack will be provided. No detail of the design of the rack has been provided to meet the requirement of being a secured loop, bar, rack, or similar facility that accommodates locking the bicycle frame and both wheels using a cable or U-shaped lock. Because the type of bike rack has not been identified, the applicant shall submit the design detail of the proposed bike rack to comply with NMC 15.440.110A.1.

This criterion will be met with compliance with the aforementioned condition of approval.

B. All bicycle parking spaces shall be at least six feet long and two and one-half feet wide. Spaces shall not obstruct pedestrian travel.

Finding: The applicant notes that the concrete pad for the bike space will be 3 feet by 9 feet. The location shown on the site plan does not impede pedestrian travel. The criterion has been met.

C. All spaces shall be located within 50 feet of a building entrance of the development.

Finding: The applicant's narrative and site plan indicates that the bike space is 28 feet west of the main door entrance and meets the criterion.

D. Required bicycle parking facilities may be located in the public right-of-way adjacent to a development subject to approval of the authority responsible for maintenance of that right-of-way.

Finding: This criterion is not applicable because no bike parking is proposed within the right-of-way.

Private Walkways

15.440.130 Where required.

Private walkways shall be constructed as part of any development requiring Type II design review, including mobile home parks. In addition, they may be required as part of conditional use permits or planned unit developments. In the airport industrial (AI) district and residential (AR) district, on-site walks are not required in aircraft operations areas, such as parking aprons, taxiways, and runways.

15.440.140 Private walkway design.

A. All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.

Finding: The applicant indicates that pedestrian connections will meet this requirement.

B. Required private walkways shall be a minimum of four feet wide.

Finding: There are three private walkways on the site. The first is on the west side of the site adjacent to the food cart pod. The second is on the west side of the building. The third is on the east side of the building. The east and middle private walkways connect between W First Street and W Hancock Street. Each of the sidewalks is wider than the 4-foot minimum and meets the requirement.

C. Required private walkways shall be constructed of portland cement concrete or brick.

Finding: The proposed private walkways are identified as concrete and meet the requirement.

D. Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.

Finding: The middle private walkway on the west side of the building will cross the one-way drive aisle on the north side of the site. At the crossing of the drive aisle the walkway is identified to be concrete and meets the requirement.

E. At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.

Finding: The private walkway on the west side of the building will function as the main connection for pedestrian connection into the building. The plans show the tenant space on the south side of the building will connect to the private walkway. The tenant space on the north side of the building does not show a pedestrian connection to that tenant space. Because a pedestrian connection to the north tenant spaces has not been identified, the applicant shall identify a pedestrian entrance connection to the private walkway for the north tenant space in compliance with NMC 15.440.140E.

This criterion will be met with compliance with the aforementioned condition of approval.

F. The review body may require on-site walks to connect to development on adjoining sites.

Finding: The proposed development is separated from other development by public or private streets on all property perimeters. No on-site walkway connections to other development is not possible. This criterion does not apply.

G. The review body may modify these requirements where, in its opinion, the development provides adequate on-site pedestrian circulation, or where lot dimensions, existing building layout, or topography preclude compliance with these standards.

Finding: The review body has not identified any necessary modifications per this criterion.

3. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and NMC 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

Finding: The site is zoned Central Business District (C-3) and is also located within the Airport Overlay Subdistrict Airport Conical Surface.

This section of the NMC is met because the requirement of Sections 15.415.010 through 15.415.060, 15.405.010 through 15.405.060 and 15.410.010 through 15.410.070 have been met outright or will be met with the implementation of the conditions of approval.

15.415.020 Building height limitation.

B. Commercial and Industrial.

2. In the AI, C-2, C-3, M-1, M-2, and M-3 districts there is no building height limitation, except, where said districts abut upon a residential district, the maximum permitted building height shall not exceed the maximum building height permitted in the abutting residential district for a distance of 50 feet from the abutting boundary.

Finding: The subject property is zoned C-3 and abuts C-3 zoned property to the north, south, east. To the west is R-2 zoned land across W Hancock Street and the railroad tracks which is 104 feet from the site and 116 feet to the building. The existing building height is 15 feet and is not proposed to be increased.

This criterion is met.

15.415.030 Building height exemptions.

Roof structures and architectural features for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, TV antennas, steeples and similar structures may be erected above the height limits prescribed in this code; provided, that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space. Further, no roof structure or architectural feature under this exemption shall be erected more than 18 feet above the height of the main building, whether such structure is attached to it or freestanding, nor shall any such structure or feature exceed the height limits of the airport overlay subdistrict.

Finding: The C-3 Zoning District does not have a maximum height restriction. The existing building is 15 feet and is not proposed to be modified with roof structures or architectural features projecting above the roof of the existing building.

This section of the NMC is not applicable.

15.415.040 Public access required.

No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. New private streets may not be created to provide access except as allowed under MC 15.332.020(B)(24), 15.336.020(B)(8), and in the M-4 zone. Existing private streets may not be used for access for new dwelling units, except as allowed under NMC 15.405.030. No building or structure shall be erected or altered without provisions for access roadways as required in the Oregon Fire Code, as adopted by the city.

Finding: The proposed building directly abuts and will utilize access to W First Street and W Hancock Street. Site access will also be taken from N Lincoln Street, a private street that connects between W First Street and W Hancock Street.

This criterion is met.

15.405.010 Lot area – Lot areas per dwelling unit.

A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

3. In the AI, AR, C-1, C-2, and C-3 districts, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict.

Finding: The subject properties are zoned C-3 and, per the NMC, requires 5,000 square foot minimum lot area. The subject properties are pre-existing lots of 8,354 square feet and 20,496 square feet each exceeding the 5,000 square foot minimum.

This criterion is met.

15.405.020 Lot area exceptions.

The following shall be exceptions to the required lot areas:

- A. Lots of record with less than the area required by this code.**
- B. Lots or development sites which, as a process of their creation, were approved in accordance with this code.**
- C. Planned unit developments, provided they conform to requirements for planned unit development approval.**

Finding: These criteria are not applicable because the subject property exceeds the minimum lot area of 5,000 square feet for C-3 zoned property.

15.405.030 Lot dimensions and frontage.

- A. Width. Widths of lots shall conform to the standards of this code.**
- B. Depth to Width Ratio. Each lot and parcel shall have an average depth between the front and rear lines of not more than two and one-half times the average width between the side lines. Depths of lots shall conform to the standards of this code. Development of lots under 15,000 square feet are exempt from the lot depth to width ratio requirement.**

Finding: The subject properties are 8,354 square feet and 20,496 square feet which is less than 15,000 square feet and thus this pre-existing lots are exempt from the depth to width ratio requirement.

This criterion is not applicable.

- C. Area. Lot sizes shall conform to standards set forth in this code. Lot area calculations shall not include area contained in public or private streets as defined by this code.**

Finding: The lot area for the subject properties is 8,354 square feet and 20,496 square feet. The lot sizes do include the existing private street (N Lincoln Street), but no new

lots are being created that include a private street. Per Section 15.405.010(A)(3) of the NMC the minimum lot area for C-3 zoned property is 5,000 square feet.

This criterion is met.

D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:

a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access except as allowed by NMC 15.240.020(L)(2).

Finding: The subject properties have frontage on both W First Street and W Hancock Street. The frontage for W First Street is 180 feet for the southern tax lot (R3219AB 04700). The frontage on W Hancock Street is 68 feet for the southern tax lot. The frontage is 173 feet on W Hancock Street for the northern tax lot (R3219AB 04500). Both lots exceed the minimum street frontage requirement.

This criterion is met.

2. The above standards apply with the following exceptions:

- a. Legally created lots of record in existence prior to the effective date of the ordinance codified in this code.***
- b. Lots or development sites which, as a process of their creation, were approved with sub-standard widths in accordance with provisions of this code.***
- c. Existing private streets may not be used for new dwelling units, except private streets that were created prior to March 1, 1999, including paving to fire access roads standards and installation of necessary utilities, and private streets allowed in the airport residential and airport industrial districts.***

Finding: The aforementioned exceptions are not required because the applicant meets the frontage requirement of Section 15.405.020D.1.a.

15.410.010 General yard regulations.

A. No yard or open space provided around any building for the purpose of complying with the provisions of this code shall be considered as providing a yard or open space for any other building.

B. No yard or open space on adjoining property shall be considered as providing required yard or open space for another lot or development site under the provisions of this code.

C. No front yards provided around any building for the purpose of complying with the regulations of this code shall be used for public or private parking areas or garages, or other accessory buildings, except as specifically provided elsewhere in this code.

D. When the common property line separating two or more contiguous lots is covered by a building or a permitted group of buildings with respect to such common property line or lines does not fully conform to the required yard spaces on each side of such common property line or lines, such lots shall constitute a single development site and the yards as required by this code shall then not apply to such common property lines.

E. Dwellings Where Permitted above Nonresidential Buildings. The front and interior yard requirements for residential uses shall not be applicable; provided, that all yard requirements for the district in which such building is located are complied with.

F. In the AI airport industrial district, clear areas, safety areas, object-free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, even if located upon an adjacent parcel.

G. In the AR airport residential district, clear areas, safety areas, object-free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, if located upon an adjacent parcel.

[Ord. 2647, 6-5-06; Ord. 2451, 12-2-96. Code 2001 § 151.550.]

C. Industrial. All lots or development sites in the M-1, M-2 or M-3 districts shall have a front yard of 20 feet. Lots or development sites in the AI district shall have a front yard of 10 feet. Lots or development sites in the M-4 district shall have a front yard of 20 feet where abutting Highway 219, arterials, and collectors, and a front yard of 10 feet along other streets.

Finding: The subject properties are zoned C-3 and do not have any yard or open space requirements.

This criterion is not applicable.

15.410.030 Interior yard setback.

A. Residential.

- 1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.***
- 2. All lots or development sites in the RP district shall have interior yards of not less than eight feet.***

Finding: These criteria are not applicable because the subject property is zoned C-3 and is not a residentially zoned tax lot.

B. Commercial.

- 1. All lots or development sites in the C-1 and C-2 districts have no interior yards required where said lots or development sites abut property lines of commercially or industrially zoned property. When interior lot lines of said districts are common with property zoned residentially, interior yards of not less than 10 feet shall be required opposite the residential districts.***
- 2. All lots or development sites in the C-3 district shall have no interior yard requirements.***
- 3. All lots or development sites in the C-4 district will comply with the interior yard requirements described in NMC 15.352.040(E).***

Finding: These criteria are not applicable because the subject property is zoned C-3 and is therefore exempt from interior yard requirements.

C. Industrial. All lots or development sites in the AI, M-1, M-2, M-3, and M-4 districts shall have no interior yards where said lots or development sites abut property lines of commercially or industrially zoned property. When interior lot lines of said districts are common with property zoned residentially, interior yards of not less than 10 feet shall be required opposite the residential districts.

Finding: These criteria are not applicable because the subject property is zoned C-3 and is not an industrially zoned tax lot.

D. Institutional and Community Facility. All lots or development sites in the I and CF district shall have interior yards of not less than 10 feet, except outdoor activity facilities, such as pools, basketball courts, tennis courts, or baseball diamonds, including any

accessory structures and uses, shall have an interior yard setback of 25 feet when abutting a residential district.

Finding: These criteria are not applicable because the subject property is zoned C-3 and is not an Institutional or Community Facility zoned tax lot.

15.410.040 Setback and yard restrictions as to schools, churches, public buildings.

A. Building Setback. No buildings shall be erected, used or maintained for a school, church or public or semi-public building or use, institution or similar use under the regulations of this code unless such building is removed at least 25 feet from every boundary line of any property included in any residential district.

B. Required Yard. No required front or interior yard of the lot on which such building or use is located shall be used for play or parking purposes.

Finding: These criteria are not applicable because the subject property is zoned C-3 and the proposed uses are not schools, churches, public buildings. These criteria do not apply.

15.410.050 Special setback requirements to planned rights-of-way.

A. Yard Requirements for Property Abutting Partial or Future Street Rights-of-Way.

1. Except as provided in subsection (A)(2) of this section, no building shall be erected on a lot which abuts a street having only a portion of its required width dedicated, unless the yards provided and maintained in connection with such building have a width and/or depth needed to complete the street width plus the width and/or depths of the yards required on the lot by this code.

2. Where a comprehensive plan street design or a future street plan exists, the placement of buildings and the establishment of yards where required by this code shall relate to the future street boundaries as determined by said plans.

B. Planned Street Right-of-Way Widths. Planned street right-of-way widths are established as indicated in subsection (C) of this section for the various categories of streets shown in the transportation system plan.

C. A lot or parcel of land in any district adjoining a street for which the planned right-of-way width and alignment have been determined shall

have a building setback line equal to the yard required in the district, plus a distance of:

- 1. Fifty feet from and parallel with the centerline of expressways.**
 - 2. Thirty-five feet from and parallel with the centerline of major and minor arterials.**
 - 3. Thirty feet from and parallel with the centerline of multifamily, commercial and industrial streets and single-family collector streets.**
 - 4. Thirty feet from and parallel with the centerline of single-family local streets.**
 - 5. Twenty-five feet from and parallel with the centerline of single-family hillside, cul-de-sacs and local streets which will never be extended more than 2,400 feet in length and which will have a relatively even division of traffic to two or more exits.**
- Exceptions to the above five classifications are shown in the transportation system plan.**

D. The centerline of planned streets shall be either the officially surveyed centerline or a centerline as on a precise plan. In the event of conflict between the two, the latter-described line shall prevail. In all other cases, a line midway between properties abutting the right-of-way shall be the centerline for the purposes of this code.

Finding: These criteria are not applicable because there are no future planned rights-of-ways that are part of this application or being planned for adjacent properties.

15.410.060 Vision clearance setback.

The following vision clearance standards shall apply in all zones (see Appendix A, Figure 9).

- A. At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.**
- B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.**
- C. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.**

Finding: There are two vision clearance areas on the site at the intersections of W First Street and N Lincoln (private street) and W Hancock Street and N Lincoln (private street). There are also vision clearance areas at the driveway (private drive) accesses onto W Hancock Street and W First Street. The applicant is proposing landscape improvements in the various vision clearance areas. Because of these landscape improvements the height of the landscape material must comply with the requirements of 15.410.060. The applicant shall ensure that landscape material planted in vision clearance areas complies with 15.410.060.

15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

A. Depressed Areas. In any district, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls may be located in required yards; provided, that such devices are not more than three and one-half feet in height.

B. Accessory Buildings. In front yards on through lots, where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, that every portion of such accessory building is not less than 10 feet from the nearest street line.

C. Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:

- 1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.***
- 2. Chimneys and fireplaces, provided they do not exceed eight feet in width.***
- 3. Porches, platforms or landings which do not extend above the level of the first floor of the building.***
- 4. Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).***

Finding: These criteria are not applicable because there are no minimum yard requirements for C-3 zoned property.

D. Fences and Walls.

1. In the residential district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:

a. Not to exceed six feet in height. Located or maintained within the required interior yards. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of a six-foot fence on the property line. In no case may a fence extend into the clear vision zone as defined in NMC 15.410.060.

b. Not to exceed four feet in height. Located or maintained within all other front yards.

Finding: These criteria are not applicable as the site is not within a residential district.

2. In any commercial or industrial district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:

a. Not to exceed eight feet in height. Located or maintained in any interior yard except where the requirements of vision clearance apply. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of an eight-foot fence on the property line.

b. Not to exceed four feet in height. Located or maintained within all other front yards.

3. If chain link (wire-woven) fences are used, they are manufactured of corrosion-proof materials of at least 11-1/2 gauge.

4. The requirements of vision clearance shall apply to the placement of fences.

Finding: These criteria are not applicable because the applicant is not proposing any fencing or walls as part of the proposed site improvements.

E. Parking and Service Drives (Also Refer to NMC 15.440.010 through 15.440.080).

1. In any district, service drives or accessways providing ingress and egress shall be permitted, together with any appropriate traffic control devices in any required yard.

Finding: This criterion was addressed previously with a condition of approval to sign or surface mark the one-way service drive on the north side of the building.

2. In any residential district, public or private parking areas and parking spaces shall not be permitted in any required yard except as provided herein:

a. Required parking spaces shall be permitted on service drives in the required front yard in conjunction with any single-family or two-family dwelling on a single lot.

b. Recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are restricted to parking in the front yard setback for not more than 48 hours; and recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required interior yards.

c. Public or private parking areas, parking spaces or any building or portion of any building intended for parking which have been identified as a use permitted in any residential district shall be permitted in any interior yard that abuts an alley, provided said parking areas, structures or spaces shall comply with NMC 15.440.070, Parking tables and diagrams (Diagrams 1 through 3).

d. Public or private parking areas, service drives or parking spaces which have been identified as a use permitted in any residential district shall be permitted in interior yards; provided, that said parking areas, service drives or parking spaces shall comply with other requirements of this code.

Finding: These criteria are not applicable because the subject property is not in a residential district.

3. In any commercial or industrial district, except C-1, C-4 and M-1, public or private parking areas or parking spaces shall be permitted in any required yard (see NMC 15.410.030). Parking requirements in the C-4 district are described in NMC 15.352.040(H).

Finding: The applicant is proposing parking that is not within any required yard. The subject property is zoned C-3 and is exempt from yard requirements as described in Sections 15.410.020(B) and 15.410.030(B). This criterion is not applicable because the subject property is zoned C-3.

4. In the I district, public or private parking areas or parking spaces may be no closer to a front property line than 20 feet, and no closer to an interior property line than five feet.

Finding: This criterion is not applicable because the subject property is zoned C-3 and is not zoned as I or Institutional.

F. Public Telephone Booths and Public Transit Shelters. Public telephone booths and public transit shelters shall be permitted; provided, that vision clearance is maintained for vehicle requirements for vision clearance.

Finding: This criterion is not applicable because the applicant is not proposing any public telephone booths or public transit shelters and at this time there is not another governmental entity proposing a public transit shelter within the project area.

G. Hangars within the AR airport residential district may be constructed with no yard setbacks to property lines adjacent to other properties within the airport residential or airport industrial districts.

Finding: This criterion is not applicable because there are no hangers being proposed and the subject property is not within the AR Airport Residential District.

4. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.

15.420.010 Required minimum standards.

B. Required Landscaped Area. The following landscape requirements are established for all developments except single-family dwellings:

1. A minimum of 15 percent of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subsection (B)(3) of this section.

Development in the C-3 (central business district) zoning district and M-4 (large lot industrial) zoning district is exempt from the 15 percent landscape area requirement of this section. Additional landscaping requirements in the C-4 district are described in NMC 15.352.040(K). In the AI airport industrial district, only a five

percent landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement. Developments in the AI airport industrial district with a public street frontage shall have said minimum landscaping between the front property line and the front of the building.

Finding: The site is within the C-3 district and is exempt from the 15% landscape requirement. The applicant is proposing to increase the amount of landscaping on the site from its current condition and will provide 12.42% of the site as landscaped.

The criterion is met.

2. All areas subject to the final design review plan and not otherwise improved shall be landscaped.

Finding: Landscaping will be provided on the site in areas that are not a building, food cart pod, parking, drive aisles or walkways.

This criterion is met.

3. The following landscape requirements shall apply to the parking and loading areas:

a. A parking or loading area providing 10 or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.

Finding: The applicant is proposing to remove all existing asphalt surfaces and reconstruct the parking areas. With this reconstruction the requirements of NMC 15.420.010 B.3.a. apply. Based on the 32 parking spaces after the adjustment to add a landscape island on the west side of the building the parking lot landscape requirement is 800 square feet. No calculation on the square footage of parking lot landscaping has been provided. Because no landscape calculation of parking lot landscaping has been provided, the applicant shall provide calculations and provide parking lot landscaping at 25 square feet per parking space in compliance with NMC 15.420.010B.3.a.

These criteria will be met with the adherence to the aforementioned condition of approval.

b. A parking, loading area, or drive aisle which runs adjacent to a property line shall be separate from any lot line adjacent to a street by a landscaped strip at least 10 feet in interior width or the width of the required yard, whichever is greater, and any other lot

line by a landscaped strip of at least five feet in interior width. See subsections (B)(3)(c) and (d) of this section for material to plant within landscape strips.

Finding: This criterion is not applicable because the development is one site containing two parcels.

c. A landscaped strip separating a parking area, loading area, or drive aisle from a street shall contain street trees spaced as appropriate to the species, not to exceed 50 feet apart on average, and a combination of shrubs and ground cover, or lawn. This landscaping shall provide partial screening of these areas from the street.

Finding: The site plan indicates a five-foot landscape area between parking and W First Street. A five-foot landscape area is also proposed at the northeast corner of the site. The one-way drive aisle on the north side of the site is pre-existing and ranges from two feet to five feet in width. At the northwest corner of the site a minimum five-foot landscape strip is provided. There are two street trees in the landscape strip along W First Street. One street tree is missing. Along W Hancock Street there are three trees, but the plans indicate that a disproportionate portion of this area will be converted to a Water Quality Facility and it is unclear if the existing trees will be removed. There are also requirements to replace sidewalks on W First Street and W Hancock Street that may impact removal and replacement of street trees. No landscape strip is required along the N Lincoln Street (private street) frontage. Because of the existing site conditions and missing street trees along public streets, the applicant will be required to provide a landscape strip, except where site conditions do not allow, that shall contain street trees spaced as appropriate to the species, not to exceed 50 feet apart on average, and a combination of shrubs and ground cover, or lawn in compliance with 15.420.010B.3.c. This landscaping shall provide partial screening of these areas from the street.

The applicant shall plant Eastern Redbud “Forest Pansy”, Glorybower Tree, Korean Dogwood, Norwegian Sunset Maple, Fasigate European Hornbeam or Columnar Sargent Cherry for the three street trees along W First Street and W Hancock Street per City Council Resolution 2007-2751 in compliance with NMC 15.420.010B.4.a.

These criteria will be met with the adherence to the aforementioned condition of approval.

d. A landscaped strip separating a parking area, loading area, or drive aisle from an interior lot line shall contain any combination of trees, shrubs, ground cover or lawn. Plant material shall be selected from at least two different plant material groups

(example: trees and shrubs, or lawn and shrubs, or lawn and trees and shrubs).

Finding: There is no interior lot line that requires landscaping. Though the site consists of two tax lots it is proposed as one development area. This criterion is not applicable.

e. Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.

Finding: The submitted plans identify various landscape islands within parking areas. These landscape islands are distributed. The location of some of the landscape islands do not meet the requirement of NMC 15.420010B.3.g. and will need to be adjusted. With the adjustment in landscape island locations as conditioned in NMC 15.420010B.3.g. they will be distributed uniformly within the parking areas and meet the requirement.

f. Landscaping areas in a parking lot, service drive or loading area shall have an interior width of not less than five feet.

Finding: The proposed landscape islands are identified as a minimum of five feet in width and meet the criterion. Because two of the landscape islands will need to be relocated and a new landscape island will be required as noted in NMC 15.420010B.3.g. these islands will need to meet the five-foot width requirement. The applicant shall ensure that relocated or new landscape islands meet the minimum five-foot interior width requirement of NMC 15.420.010B.3.f.

These criteria will be met with the adherence to the aforementioned condition of approval.

g. All multifamily, institutional, commercial, or industrial parking areas, service drives, or loading zones which abut a residential district shall be enclosed with a 75 percent opaque, site-obscuring fence, wall or evergreen hedge along and immediately adjacent to any interior property line which abuts the residential district. Landscape plantings must be large enough to provide the required minimum screening requirement within 12 months after initial installation. Adequate provisions shall be maintained to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.

Finding: This criterion is not applicable as the site does not abut a residential district.

h. An island of landscaped area shall be located to separate blocks of parking spaces. At a minimum, one deciduous shade

tree per seven parking spaces shall be planted to create a partial tree canopy over and around the parking area. No more than seven parking spaces may be grouped together without an island separation unless otherwise approved by the director based on the following alternative standards:

- i. Provision of a continuous landscaped strip, with a five-foot minimum width, which runs perpendicular to the row of parking spaces (see Appendix A, Figure 13).***
- ii. Provision of tree planting landscape islands, each of which is at least 16 square feet in size, and spaced no more than 50 feet apart on average, within areas proposed for back-to-back parking (see Appendix A, Figure 14).***

Finding: The submitted plans identify one landscape island on the west side of the building which exceeds the seven spaces in a row. This landscape island needs to be relocated one parking stall to the south. On the east side of the building one landscape island is identified with eight parking spaces in a row on each side of the island which exceeds the requirement. Because there are too many parking spaces in a row proposed, the applicant shall modify the parking lot landscape plan so that no more than seven parking spaces are provided in a row without a landscape island and the islands shall identify a deciduous shade tree in compliance with NMC 15.420.010B.3.h.

This criterion will be met with the adherence to the aforementioned condition of approval.

4. Trees, Shrubs and Ground Covers. The species of street trees required under this section shall conform to those authorized by the city council through resolution. The director shall have the responsibility for preparing and updating the street tree species list which shall be adopted in resolution form by the city council.

a. Arterial and minor arterial street trees shall have spacing of approximately 50 feet on center. These trees shall have a minimum two-inch caliper tree trunk or stalk at a measurement of two feet up from the base and shall be balled and burlapped or boxed.

Finding: W Fist Street and W Hancock Street are arterial roadways. There are two street trees in the landscape strip along W First Street. One street tree is missing. Along W Hancock Street there are three trees but the plans indicate that a disproportionate portion of this area will be converted to a water Quality Facility and it is unclear if the existing trees will be removed. There are also requirements to replace sidewalks on W First Street and W Hancock Street that may impact removal and replacement of street

trees. No landscape strip is required along the N Lincoln Street (private street) frontage. Because of the existing site conditions and missing street trees along public streets the applicant will be required to plant street trees. The applicant shall plant Eastern Redbud “Forest Pansy”, Glorybower Tree, Korean Dogwood, Norwegian Sunset Maple, Fasigate European Hornbeam or Columnar Sargent Cherry for the street trees along W First Street and W Hancock Street at 50 feet on center pre City Council Resolution 2007-2751 in compliance with NMC 15.420.010B.4.a.

These criteria will be met with the adherence to the aforementioned condition of approval.

b. Collector and local street trees shall be spaced approximately 35 to 40 feet on center. These trees shall have a minimum of a one and one-half or one and three-fourths inch tree trunk or stalk and shall be balled and burlapped or boxed.

Finding: This criterion is not applicable as W First Street and W Hancock Street are not collector or local streets.

c. Accent Trees. Accent trees are trees such as flowering cherry, flowering plum, crab-apple, Hawthorne and the like. These trees shall have a minimum one and one-half inch caliper tree trunk or stalk and shall be at least eight to 10 feet in height. These trees may be planted bare root or balled and burlapped. The spacing of these trees should be approximately 25 to 30 feet on center.

Finding: Accent trees are proposed within the landscape areas. The identified size of the trees is 2’caliper and meets the criterion.

d. All broad-leafed evergreen shrubs and deciduous shrubs shall have a minimum height of 12 to 15 inches and shall be balled and burlapped or come from a two-gallon can. Gallon-can size shrubs will not be allowed except in ground covers. Larger sizes of shrubs may be required in special areas and locations as specified by the design review board. Spacing of these shrubs shall be typical for the variety, three to eight feet, and shall be identified on the landscape planting plan.

e. Ground Cover Plant Material. Ground cover plant material such as greening juniper, cotoneaster, minor Bowles, English ivy,

hypericum and the like shall be one of the following sizes in specified spacing for that size:

<i>Gallon cans</i>	<i>3 feet on center</i>
<i>4" containers</i>	<i>2 feet on center</i>
<i>2-1/4" containers</i>	<i>18" on center</i>
<i>Rooted cuttings</i>	<i>12" on center</i>

Finding: The applicant's landscape plan identifies the size of containers for plants and ground covers. Two of the identified plant species do not meet the minimum 2-gallon container size. This includes Blue Fescue and Hameln Dwarf Fountain Grass which are identified as 1-gallon containers. The Kinnikinnick ground cover is identified as 1-gallon containers spaced 30" on center meeting the size and spacing requirement. Because two of the identified plant types do not meet the minimum container size as required by 15.420.010B.4.d., the applicant shall submit a revised landscape plan identifying the Blue Fescue and Hameln Dwarf Fountain Grass as 2-gallon containers in compliance with 15.420.010B.4.d.

These criteria will be met with the adherence to the aforementioned condition of approval.

5. Automatic, underground irrigation systems shall be provided for all areas required to be planted by this section. The director shall retain the flexibility to allow a combination of irrigated and nonirrigated areas. Landscaping material used within nonirrigated areas must consist of drought-resistant varieties. Provision must be made for alternative irrigation during the first year after initial installation to provide sufficient moisture for plant establishment.

Finding: The submitted landscape plan does not identify utilization of an automatic underground irrigation system for the proposed landscaping. Because no automatic underground irrigation system has been identified the criterion is not met. The applicant shall provide an automatic underground irrigation system in compliance with NMC 15.420.010B.5.

This criterion will be met with the adherence to the aforementioned condition of approval.

6. Required landscaping shall be continuously maintained.

Finding: The applicant is proposing new or enhanced landscape areas. Because the applicants' plan sheets or narrative stated that the criterion did not apply the criterion is not met. The applicant shall continuously maintain all landscape areas in accordance with NMC 15.420.010B.6.

This criterion will be met if the aforementioned condition of approval is adhered to.

7. Maximum height of tree species shall be considered when planting under overhead utility lines.

Finding: There are existing overhead utility lines along W First Street. The selection of the street trees along W First Street shall take into consideration the overhead power lines per the trees authorized by Resolution No. 2007-2751.

C. Installation of Landscaping. All landscaping required by these provisions shall be installed prior to the issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the director is filed with the city, insuring such installation within six months of occupancy. A security – cash, certified check, time certificates of deposit, assignment of a savings account, bond or such other assurance of completion as shall meet with the approval of the city attorney – shall satisfy the security requirements. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the director, the security may be used by the city to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the city shall be returned to the applicant.

Finding: The applicant is proposing enhanced or new landscape areas. All landscaping installation shall comply with NMC 15.420.010C. If the applicant does not install the required landscaping prior to the issuance of occupancy permits then, per Section 15.420.010(C), a security equal to 110 percent the cost of the landscaping is required.

This criterion will be met with the adherence to the aforementioned condition of approval

15.420.020 Landscaping and amenities in public rights-of-way.

The following standards are intended to create attractive streetscapes and inviting pedestrian spaces. A review body may require any of the following landscaping and amenities to be placed in abutting public rights-of-way as part of multifamily, commercial, industrial, or institutional design reviews, or for subdivisions and planned unit developments. In addition, any entity improving existing rights-of-way should consider including these elements in the project. A decision to include any amenity shall be based on comprehensive plan guidelines, pedestrian volumes in the area, and the nature of surrounding development.

A. Pedestrian Space Landscaping. Pedestrian spaces shall include all sidewalks and medians used for pedestrian refuge. Spaces near sidewalks shall provide plant material for cooling and dust control, and street furniture for comfort and safety, such as benches, waste receptacles and pedestrian-scale lighting. These spaces should be designed for short-term as well as long-term use. Elements of pedestrian spaces shall not obstruct sightlines and shall adhere to any other required city safety measures. Medians used for pedestrian refuge shall be designed for short-term use only with plant material for cooling and dust control, and pedestrian-scale lighting. The design of these spaces shall facilitate safe pedestrian crossing with lighting and accent paving to delineate a safe crossing zone visually clear to motorists and pedestrians alike.

1. Street trees planted in pedestrian spaces shall be planted according to NMC 15.420.010(B)(4).

Finding: As noted in 15.420.010B.3.c. and 15.420.010B.4.a street trees will be required along W First Street and W Hancock Street. Conditions have been imposed to plant street trees to meet this criterion.

2. Pedestrian spaces shall have low (two and one-half feet) shrubs and ground covers for safety purposes, enhancing visibility and discouraging criminal activity.

a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms, and at maturity maintain growth within the planting area (refer to plant material matrix below).

b. Plant placement shall also adhere to clear sight line requirements as well as any other relevant city safety measures.

Finding: This criterion is not applicable because grass is proposed for the landscape strip along W First Street.

3. Pedestrian-scale lighting shall be installed along sidewalks and in medians used for pedestrian refuge.

a. Pole lights as well as bollard lighting may be specified; however, the amount and type of pedestrian activity during evening hours, e.g., transit stops, nighttime service districts, shall ultimately determine the type of fixture chosen.

b. Luminaire styles shall match the area/district theme of existing luminaires and shall not conflict with existing building or roadway lights causing glare.

c. Lighting heights and styles shall be chosen to prevent glare and to designate a clear and safe path and limit opportunities for vandalism (see Appendix A, Figure 17, Typical Pedestrian Space Layouts).

d. Lighting shall be placed near the curb to provide maximum illumination for spaces furthest from building illumination.

Spacing shall correspond to that of the street trees to prevent tree foliage from blocking light.

Finding: This criterion is not applicable because pedestrian scale lighting is not proposed or required for the proposed site improvements.

4. Street furniture such as benches and waste receptacles shall be provided for spaces near sidewalks only.

a. Furniture should be sited in areas with the heaviest pedestrian activity, such as downtown, shopping districts, and shopping centers.

b. Benches should be arranged to facilitate conversation between individuals with L-shaped arrangements and should face the area focal point, such as shops, fountains, plazas, and should divert attention away from nearby traffic.

Finding: This criterion is not applicable because street furniture is not required within this area of the C-3 Zoning District.

5. Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility.

Finding: Findings and conditions of approval have been recommended under Street standards in Section 15.505.030 that address curb cuts and paving to meet ADA requirements.

B. Planting Strip Landscaping. All planting strips shall be landscaped. Planting strips provide a physical and psychological buffer for pedestrians from traffic with plant material that reduces heat and dust,

creating a more comfortable pedestrian environment. Planting strips shall have different arrangements and combinations of plant materials according to the frequency of on-street parking (see Appendix A, Figures 18 and 19).

1. Planting strips which do not have adjacent parking shall have a combination of ground covers, low (two and one-half feet) shrubs and trees. Planting strips adjacent to frequently used on-street parking, as defined by city staff, shall only have trees protected by tree grates, and planting strips adjacent to infrequently used on-street parking shall be planted with ground cover as well as trees (see Appendix A, Figures 18 and 19, Typical Planting Strip Layouts). District themes or corridor themes linking individual districts should be followed utilizing a unifying plant characteristic, e.g., bloom color, habit, or fall color. When specifying thematic plant material, monocultures should be avoided, particularly those species susceptible to disease.

Finding: The planter strip along W First Street is currently grass and meets the ground cover requirement. There is no planter strip along W Hancock Street as the sidewalk is curb tight.

2. Street trees shall be provided in all planting strips as provided in NMC 15.420.010(B)(4).

a. Planting strips without adjacent parking or with infrequent adjacent parking shall have street trees in conjunction with ground covers and/or shrubs.

b. Planting strips with adjacent parking used frequently shall have only street trees protected by tree grates.

Finding: There is no parking allowed on W First Street or W Hancock Street. Conditions of approval have been proposed to meet the street tree planting requirements of 15.420.010B.4.

This criterion is met.

3. Shrubs and ground covers shall be provided in planting strips without adjacent parking with low (two and one-half feet) planting masses to enhance visibility, discourage criminal activity, and provide a physical as well as psychological buffer from passing traffic.

a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms and at maturity maintain growth within the planting area.

- b. Ground cover able to endure infrequent foot traffic shall be used in combination with street trees for planting strips with adjacent occasional parking (refer to plant material matrix below).***
- c. All plant placement shall adhere to clear sight line requirements as well as any other relevant city safety measures.***

Finding: The planter strip along W First Street is currently grass and meets the ground cover requirement. There is no planter strip along W Hancock Street as the sidewalk is curb tight.

C. Maintenance. All landscapes shall be maintained for the duration of the planting to encourage health of plant material as well as public health and safety. All street trees and shrubs shall be pruned to maintain health and structure of the plant material for public safety purposes.

Finding: The applicant is conditioned to provide street trees. The street trees and plantings in the public right-of-way are required to be maintained. The applicant shall continuously maintain all landscape areas in the public right-of-way in accordance with NMC 15.420.020C.

This criterion will be met if the aforementioned condition of approval is adhered to.

D. Exception. In the AI airport industrial district and AR airport residential district, no landscape or amenities except for grass are required for any area within 50 feet of aircraft operation areas including aircraft parking areas, taxiways, clear areas, safety areas, object-free areas, and the runway.

Finding: This criterion is not applicable because the site is not in the AI or AR residential district.

Temporary Merchants

5.15.110 Special standards, application and fees for temporary merchants.

A. Standards.

- 1. The activities of the temporary merchant shall not impair or impede the proper flow of pedestrian or vehicular traffic on public or private property.***

Finding: The location of the food carts is on the west side of the site adjacent to the parking lot and a new pedestrian walkway. The location does not impair or impede the proper flow of pedestrian or vehicular traffic on public or private property.

2. The activities of the temporary merchant shall not unduly restrict parking spaces on public or private property. Any parking spaces which are customarily in use during normal working hours shall not be used as a location for a temporary merchant.

Finding: The food cart pod location for the temporary merchants is on the west side of the site adjacent to proposed parking. The food carts are on their own asphalt pads and do not displace parking spaces and meets the requirement.

3. Approved parking spaces shall be provided as is deemed appropriate by the city. Required parking spaces shall be located within 100 feet of the temporary merchant. In no case shall there be less than two available parking spaces per temporary merchant. Required parking spaces for temporary merchants are used on a temporary basis and they may be graveled, asphalt or concrete surfaces. In all other respects, parking areas shall meet the requirements of NMC 15.440.010 through 15.440.080.

Finding: The proposed parking for the food carts is located just to the east of the cart pod location. There are four paved parking spaces adjacent to the food cart pod and an additional nine spaces across the service drive. The parking lot has been designed to meet the requirements of NMC 15.440.010 through 15.440.080 as previously noted in this report and when appropriate where conditions were required.

4. Only one temporary merchant license will be permitted on any individual lot or development site at any given time, unless the proposal receives Type III conditional use permit approval. If the parcel on which the sales location is sited is five acres or greater in size, this requirement does not apply. Type III conditional use permit criteria are identified in NMC 15.225.060.

Finding: The applicant intends to have an umbrella license that will cover the food cart pod and not require a Type III application.

5. Licenses for a temporary merchant shall be displayed by the temporary merchant in a visible location and shown to any customer or city official on request.

Finding: The applicant has indicated this standard will be met.

6. The proposal shall comply with NMC 15.415.020 through 15.415.040 dealing with height restrictions and public access; and Chapter 15.410 NMC dealing with setbacks, coverage, vision clearance, and yard requirements. No storage, display or sale may take place inside the required front yard setback area.

Finding: The food carts will be approximately 9 feet to 12 feet in height. Public access has been addressed through vehicular ingress/egress to the site and the proposed pedestrian walkway adjacent to the food cart pod. The location of the food cart pod meets setbacks, lot coverage, vision clearance and yard requirements as the site is in the C-3 district.

This criterion is met.

7. A temporary merchant shall comply with all signage requirements of Chapter 15.435 NMC.

Finding: No information on signage has been provided for the food cart pod. Because no information has been submitted, the applicant shall comply with the signage requirements of Chapter 15.435 NMC.

8. A temporary merchant shall comply with all applicable sanitation codes, including waste disposal. If self-contained facilities such as porta-potties are proposed, they must also meet all applicable city and state sanitation requirements.

Finding: The applicant has indicated this standard will be met. To meet the requirement a temporary merchant shall comply with all applicable sanitation codes, including waste disposal. If self-contained facilities such as porta-potties are proposed, they must also meet all applicable city and state sanitation requirements.

9. A temporary merchant operating in the C-3 central business district, including temporary merchants operating their businesses under a merchant's umbrella license, shall not have a drive-up service window as part of its operation.

Finding: The food cart pod is in the C-3 district and located and designed such that no does not have a drive-up service window and meets the requirement.

Exterior Lighting

15.425.020 Applicability and exemptions.

A. Applicability. Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will comply with this section. This information shall contain but not be limited to the following:

- 1. The location, height, make, model, lamp type, wattage, and proposed cutoff angle of each outdoor lighting fixture.**
- 2. Additional information the director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.**
- 3. If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.**

Finding: Some exterior lighting exists on the building on the site. The applicant notes that additional lighting will be installed per the lighting standard requirements and per OLCC requirements. No information about the location, height, make, model, lamp type, wattage and cutoff angle or illumination plan has been provided. Because light details have not been provided, the applicant shall provide lighting information in compliance with NMC 15.425.020A.1.-3. prior to issuance of building permits.

B. Exemptions. The following uses shall be exempt from the provisions of this section:

- 1. Public street and airport lighting.**
- 2. Circus, fair, carnival, or outdoor governmentally sponsored event or festival lighting.**
- 3. Construction or emergency lighting, provided such lighting is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.**
- 4. Temporary Lighting. In addition to the lighting otherwise permitted in this code, a lot may contain temporary lighting during events as listed below:**
 - a. Grand Opening Event. A grand opening is an event of up to 30 days in duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event.**

b. Other Events. A lot may have two other events per calendar year. The events may not be more than eight consecutive days in duration, nor less than 30 days apart.

5. Lighting activated by motion sensor devices.

6. Nonconforming lighting in place as of September 5, 2000. Replacement of nonconforming lighting is subject to the requirements of NMC 15.205.010 through 15.205.100.

7. Light Trespass onto Industrial Properties. The lighting trespass standards of NMC 15.425.040 do not apply where the light trespass would be onto an industrially zoned property. [Ord. 2720 § 1(18), 11-2-09; Ord. 2537, 11-6-00. Code 2001 § 151.586.]

Finding: The applicant has not provided any information on exemptions requested for lighting for the site.

5 Signs. Signs shall comply with NMC 15.435.010 et seq dealing with signs

15.435.010 Purpose.

A. The citizens of Newberg desire a clean, attractive, economically vibrant, and safe community. Well-planned and constructed signs can contribute to the community's success by directing and informing the public about commercial and other activities, and by creating attractive commercial and other neighborhoods. On the other hand, unregulated signage can create clutter, distractions, and hazards.

B. These regulations are designed:

- 1. To improve, maintain and preserve Newberg as a pleasing environment so as to improve the quality of life of all residents.***
- 2. To enhance the attractiveness of Newberg as a place to conduct business.***
- 3. To enable the identification of places of residence and business.***
- 4. To allow freedom of expression.***
- 5. To reduce distractions and obstructions from signs which would adversely affect safety.***
- 6. To reduce the hazards from improperly placed or constructed signs. [Ord. 2782 § 1 (Exh. A), 9-8-15; Ord. 2499, 11-2-98. Code 2001 § 151.590.]***

15.435.030 Permit required.

A. Except as follows, no person or entity shall place any sign within the city without first obtaining a permit from the director.

B. The following do not require sign permits, but must otherwise comply with the standards of this chapter:

- 1. Minor freestanding signs.**
- 2. Minor attached signs.**
- 3. Temporary signs.**
- 4. Portable signs.**
- 5. Flag display (one allowed on each street frontage).**
- 6. If any of the signs listed above require permits under the current edition of the Oregon Structural Specialty Code, the sign shall be placed only following the issuance of such permit. [Ord. 2782 § 1 (Exh. A), 9-8-15; Ord. 2499, 11-2-98. Code 2001 § 151.592.]**

Finding: No signage has been proposed as part of this Design Review, but the applicant has indicated that signage will be submitted at a later date. A separate sign review application will be required in order to approve signs for the proposed building. The applicants' landscape plan illustrated three street trees planted along N Garfield Street with no other landscaping being proposed.

This section of the NMC will be met with adherence to the aforementioned condition of approval.

6. Manufactured Dwelling, Mobile Home and RV Parks. Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.

Finding: The criteria of NMC 445.075 through 15.445.100 do not apply because a manufactured dwelling or mobile home park is not being proposed.

7. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.

Finding: The site is in the C-3 district. The proposed uses are permitted uses per NMC 15.305.020. As noted in this report the proposed uses comply with NMC 15.305.010 through 15.336.020.

The criteria are met.

8. Subdistrict Compliance. Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.

15.340.010 Purpose.

A. In order to carry out the provisions of this airport overlay subdistrict, there are created and established certain zones which include all of the land lying beneath the airport imaginary surfaces as they apply to Sportsman Airpark in Yamhill County. Such zones are shown on the current airport overlay zone map and the displaced threshold approach surface map, prepared by the Newberg engineering department (see Appendix B, Maps 2 and 3).

B. Further, this overlay zone is intended to prevent the establishment of air space obstructions in airport approaches and surrounding areas through height restrictions and other land use controls as deemed essential to protect the health, safety and welfare of the people of the City of Newberg and Yamhill County.

15.340.020 Permitted uses within the airport approach safety zone.

The following uses are permitted:

A. Single-family dwellings, mobile homes, duplexes and multifamily dwellings, when located greater than 3,000 feet from the displaced threshold and when authorized in the primary zoning district, provided the landowner signs and records in the deed and mortgage records of Yamhill County a hold harmless agreement and avigation and hazard easement and submits them to the airport sponsor and the planning and building department.

B. All uses permitted in the primary zoning district, provided the use does not create the following:

- 1. Electrical interference with navigational signals or radio communication between the airport and aircraft.**
- 2. Visual interference which would make it difficult for pilots to distinguish between airport lights or other lighting.**
- 3. Impairment of visibility.**
- 4. Bird strike hazards.**
- 5. Endangerment or interference with the landing, taking off or maneuvering of aircraft intending to use the airport.**
- 6. Population densities which exceed the following limitations:**

Permitted Density Table	
Distance from the Displaced Threshold	Occupant Load (Gross Sq. Ft. of Building per Person)
Less than 1,500 ft.	125 sq. ft.
1,501 – 2,000 ft.	30 sq. ft.
Greater than 2,000 ft.	15 sq. ft.

B. Roadways, parking areas and storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing approach. Approach surfaces must clear these by a minimum of 15 feet.

Finding: The proposed development is not within the airport approach safety zone and does not apply.

15.340.030 Conditional uses within the airport approach safety zone.

The following uses are conditional uses and shall be processed through the Type III procedure:

A. All uses permitted as conditional uses within the primary zoning district, provided the use does not create the following:

- 1. Electrical interference with navigational signals or radio communication between the airport and aircraft.**
- 2. Visual interference which would make it difficult for pilots to distinguish between airport lights or other lighting.**
- 3. Impairment of visibility.**
- 4. Bird strike hazards.**

5. Endangerment or interference with the landing, taking off or maneuvering of aircraft intending to use the airport.

6. Population densities which exceed the standards listed in NMC 15.340.020(B)(6).

B. Any use, building, or structure which is otherwise permitted and is within the height limits of the displaced threshold approach surface but exceeds the height limits of the airport approach safety zone. The sole criteria for approval of such uses are as follows:

1. The use shall not create any of the conditions or hazards listed in subsection (A) of this section.

2. The landowner shall sign and record in the deed and mortgage records of Yamhill County a hold harmless agreement and avigation and hazard easement and submit them to the airport sponsor and the planning and building director or designee.

3. The use, building or structure shall be marked with lights as required by the State Aeronautics Division. The lights shall be installed and maintained by the applicant.

Finding: The proposed development is not within the airport approach safety zone and does not apply.

15.340.040 Procedures.

A. Development Permits. An application for a development permit for any permitted use within the airport approach safety zone or the displaced threshold approach surface zone which is subject to site design review as required by NMC 15.220.010 et seq. and shall include the following information:

1. The boundaries of the airport imaginary surfaces as they relate to property boundary lines; and

2. The location and height of all existing and proposed buildings, structures, utility lines and roads; and

3. A statement from the Oregon Aeronautics Division indicating whether the proposed use will interfere with operation of the landing facility.

B. FAA Notice Required. To meet the requirements of Federal Aviation Regulations Part 77, FAA Form 7460-1, Notice of Proposed Construction or Alteration, must be submitted for any construction or alteration of greater height than an imaginary surface extending outward and upward at a slope of 50 to one for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport. Notice is not required for construction or alteration that is shielded by existing structures or terrain as defined in Section 77.15 of Part 77 of the Federal Aviation Regulations. [Ord. 2451, 12-2-96. Code 2001 § 151.453.]

Finding: The proposed development is not within the airport approach safety zone or the displaced threshold approach surface zone and does not apply.

15.340.050 Limitations.

A. To meet the standards and reporting requirements established in FAA Regulations, Part 77, no structure shall penetrate into the airport imaginary surfaces as defined in this code except as provided in NMC 15.340.030(B).

B. High density public uses as defined in this code shall not be permitted in the airport approach safety zone or the displaced threshold approach surface zone.

C. Following July 1990, if FAA funds are used by the city to improve or enhance the airport, new structures, buildings and dense uses shall be prohibited in the runway protection zone consistent with federal requirements.

D. Whenever there is a conflict in height limitations prescribed by this overlay zone and the primary zoning district, the lowest height limitation fixed shall govern; provided, however, that the height limitations here imposed shall not apply to such structures customarily employed for aeronautical purposes.

E. No glare-producing materials shall be used on the exterior of any structure located within the airport approach safety zone.

F. In noise-sensitive areas (within 1,500 feet of an airport or within established noise contour boundaries of 55 Ldn and above for identified airports) where noise levels are a concern, a declaration of anticipated noise levels shall be attached to any building permit or development approval. In areas where the noise level is anticipated to be 55 Ldn and above, prior to issuance of a building permit for construction of noise-sensitive land use (real property normally used for sleeping or normally used as schools, churches, hospitals, or public libraries) the permit applicant shall be required to demonstrate that the indoor noise level will not exceed 55 Ldn. The director will review building permits for noise-sensitive developments.

Finding: The subject property is over 7,200 linear feet from the Sportsman Airpark runway. The existing building is a one-story structure with an approximate height of 15 feet, which will not pose any hazard to aircraft.

These criteria do not apply due to the distance from the runway being over 7,200 linear feet from the subject property and the existing building height of 15 feet will not pose any hazard to aircraft.

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements

15.430.010 Underground utility installation.

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:

- 1. The cost of undergrounding the utility is extraordinarily expensive.**
- 2. There are physical factors that make undergrounding extraordinarily difficult.**
- 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed.**

Finding: The applicant's narrative indicates that the criteria of this section can and will be met, but they did not provide detail about how power service would be provided to the proposed food cart structures. Because the applicant has not provided clarity about new service connections to service the three proposed food carts, the applicant will be required to underground any new service connections to the site, and if any poles or lines associated with the utilities along the property frontages are relocated they will be required to be placed underground.

The criterion will be met if the aforementioned condition of approval is adhered to.

15.505 Public Improvements Standards

15.505.020 Applicability.

The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).

A. Public Works Design and Construction Standards. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply

with the requirements of the most recently adopted Newberg public works design and construction standards.

Finding: Public Improvement Permits and ODOT permits will be required. The applicant will need to submit for required permits as noted in the following findings on public improvements.

B. Street Improvements. All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.

Finding: The applicant's preliminary plans show an existing public sidewalk along W First Street and W Hancock Street. The applicant also noted in the narrative that they intend to reduce or move some of the existing driveways along the property frontage. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed, see conditions in Section 15.505.030.

C. Water. All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.

Finding: The applicant's narrative indicates that the existing building is served by water and that each proposed food cart will be connected to public services. Both the existing and proposed water meter are shown on the preliminary plans. This criterion will be met if all improvements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(D).

D. Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.

Finding: The applicant's narrative indicates that the existing building is served by a wastewater service and that each proposed food cart will be connected to public services. The narrative also indicates that the proposed food carts will be connected to a grease trap. Both an existing and proposed wastewater services are shown on the preliminary plans. This criterion will be met if all wastewater improvements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(E).

E. Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.

Finding: The applicant has provided a narrative indicating that they are not required to meet the City's stormwater requirements because the proposed development is on an existing non-conforming site. This criterion will be met if all stormwater improvements

necessary to service the development meet City standards and are completed, see conditions in Section 15.505.050.

F. Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.

Finding: The applicant's preliminary plans do not show any utility easements. This criterion will be met if all easements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(F).

G. City Approval of Public Improvements Required. No building permit may be issued until all required public facility improvements are in place and approved by the director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards.

Finding: This criterion will be met prior to any building permits being released.

15.505.030 Street standards.

A. Purpose. The purpose of this section is to:

- 1. Provide for safe, efficient, and convenient multi-modal transportation within the City of Newberg.***
- 2. Provide adequate access to all proposed and anticipated developments in the City of Newberg. For purposes of this section, "adequate access" means direct routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.***
- 3. Provide adequate area in all public rights-of-way for sidewalks, wastewater and water lines, stormwater facilities, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way. For purposes of this section, "adequate area" means space sufficient to provide all required public services to standards defined in this code and in the Newberg public works design and construction standards.***

B. Applicability. The provisions of this section apply to:

- 1. The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.***
- 2. The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be***

proposed by an individual or the city, or which may be required by the city in association with other development approvals.

3. The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.

4. The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.

5. Developments outside the city that tie into or take access from city streets.

C. Layout of Streets, Alleys, Bikeways, and Walkways. *Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.*

D. Construction of New Streets. *Where new streets are necessary to serve a new development, subdivision, or partition, right-of-way dedication and full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarter street improvements may be allowed by the city only where all of the following criteria are met:*

1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and

2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.

Finding: The applicant is not proposing construction of new streets. These criteria do not apply.

E. Improvements to Existing Streets.

1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.

Finding: W Hancock Street is classified a major arterial roadway under the jurisdiction of the Oregon Department of Transportation (ODOT). Per the Transportation System Plan and Public Works Design and Construction Standards, major arterial roadways require a minimum of 98-feet of right-of-way and are comprised 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
- 12-foot travel lane
- 14-foot TWLT travel lane
- 12-foot travel lane
- 12-foot travel lane
- 6-foot bike lane
- 0.5-foot curb
- 5.5-foot planter
- 5-foot sidewalk
- 1-foot from back of walk to right-of-way

The major arterial roadway adjacent to the applicant's property is part of a downtown couplet, and as such the cross-sectional standard listed is not necessarily applicable. The applicant is proposing no changes to the roadway cross-section along W Hancock Street, and it is assumed that adequate right-of-way exists. This requirement is met.

W First Street is classified a major arterial roadway under the jurisdiction of the Oregon Department of Transportation (ODOT). Per the Transportation System Plan and Public Works Design and Construction Standards, major arterial roadways require a minimum of 98-feet of right-of-way and are comprised 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
- 12-foot travel lane
- 14-foot TWLT travel lane
- 12-foot travel lane
- 12-foot travel lane

- 6-foot bike lane
- 0.5-foot curb
- 5.5-foot planter
- 5-foot sidewalk
- 1-foot from back of walk to right-of-way

The major arterial roadway adjacent to the applicant's property is part of a downtown couplet, and as such the cross-sectional standard listed is not necessarily applicable. The applicant is proposing no changes to the roadway cross-section along W First Street, and it is assumed that adequate right-of-way exists. This requirement is met.

N Lincoln Street is classified as a local commercial street and is privately owned. As such, the City of Newberg does not have jurisdictional authority over this roadway, and no right-of-way dedication is required. This requirement is met.

2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.

Finding: W Hancock Street is classified a major arterial roadway under the jurisdiction of the Oregon Department of Transportation (ODOT). Per the Transportation System Plan and Public Works Design and Construction Standards, major arterial roadways require a minimum of 98-feet of right-of-way and are comprised 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
- 12-foot travel lane
- 14-foot TWLT travel lane
- 12-foot travel lane
- 12-foot travel lane

- 6-foot bike lane
- 0.5-foot curb
- 5.5-foot planter
- 5-foot sidewalk
- 1-foot from back of walk to right-of-way

The major arterial roadway adjacent to the applicant's property is part of a downtown couplet, and as such the cross-sectional standard listed is not necessarily applicable. The sidewalk along the applicant's property frontage on W Hancock Street is in a "curb tight" Type B configuration and the existing width of the sidewalk in the applicant's materials is unclear. Because the sidewalk width along the W Hancock Street property frontage is unclear, the applicant will be required to provide a sidewalk along the W Hancock Street property frontage. See condition in section 15.505.030(G)(8) and requirements as set forth by the Oregon Department of Transportation.

The criterion will be met if the aforementioned condition of approval is adhered to.

W First Street is classified as a major arterial roadway under the jurisdiction of the Oregon Department of Transportation (ODOT). Per the Transportation System Plan and Public Works Design and Construction Standards, major arterial roadways require a minimum of 98-feet of right-of-way and are comprised 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
- 12-foot travel lane
- 14-foot TWLT travel lane
- 12-foot travel lane
- 12-foot travel lane
- 6-foot bike lane
- 0.5-foot curb
- 5.5-foot planter
- 5-foot sidewalk
- 1-foot from back of walk to right-of-way

The major arterial roadway adjacent to the applicant's property is part of a downtown couplet, and as such the cross-sectional standard listed is not necessarily applicable.

The sidewalk along the applicant's property frontage on W First Street is in a Type A configuration with an existing planter strip and the existing width of the sidewalk in the applicant's materials is unclear. Because the sidewalk width along the W First Street property frontage is unclear, the applicant will be required to provide a sidewalk along the W First Street property frontage. See condition in section 15.505.030(G)(7) and requirements as set forth by the Oregon Department of Transportation.

The criterion will be met if the aforementioned condition of approval is adhered to.

N Lincoln Street is classified as a local residential street and is privately owned. As such, the City of Newberg does not have jurisdictional authority over this roadway, and no cross-sectional roadway improvements are required. This requirement is met.

3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.

Finding: The applicant's property is not located on a street scheduled for near-term future reconstruction and therefore a fee in lieu for improvements is not applicable. This criterion does not apply.

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: There are no improvements relating to impacts identified as part of this proposed action. This criterion does not apply.

G. Street Width and Design Standards.

1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
Arterial Streets						
<i>Expressway**</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>
<i>Major arterial</i>	<i>95 – 100 feet</i>	<i>74 feet</i>	<i>4 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor arterial</i>	<i>69 – 80 feet</i>	<i>48 feet</i>	<i>2 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
Collectors						
<i>Major</i>	<i>57 – 80 feet</i>	<i>36 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor</i>	<i>61 – 65 feet</i>	<i>40 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes*</i>	<i>Yes*</i>
Local Streets						

Table 15.505.030(G) Street Design Standards

Type of Street	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes	Median Type	Striped Bike Lane (Both Sides)	On-Street Parking
Local residential	54 – 60 feet	32 feet	2 lanes	None	No	Yes
Limited residential, parking both sides	44 – 50 feet	28 feet	2 lanes	None	No	Yes
Limited residential, parking one side	40 – 46 feet	26 feet	2 lanes	None	No	One side
Local commercial/ industrial	55 – 65 feet	34 feet	2 lanes	None*	No*	Yes*

* *May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.*

** *All standards shall be per ODOT expressway standards.*

2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

Finding: W Hancock Street and W First Street are classified as major arterial roadways in the City’s Transportation System Plan. The applicant is not proposing to modify the existing curb on either roadway and it is assumed that the existing lane widths on both roadways meet the minimum width of 12-feet for this non-conforming existing condition.

N Lincoln Street is classified as a local street and is privately owned.

This criterion is met.

3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

Finding: W Hancock Street and W First Street are classified as major arterial roadways in the City's Transportation System Plan. The applicant is not proposing to modify the existing curb on either roadway and it is assumed that the existing bike lane widths on both roadways meet the minimum width of 6-feet for this non-confirming existing condition.

N Lincoln Street is classified as a local street, is privately owned, and does not require bike lanes.

This criterion is met.

4. Parking Lanes. Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.

Finding: W Hancock Street and W First Street are classified as major arterial roadways in the City's Transportation System Plan. On-street parking is not allowed on either roadway. N Lincoln Street is classified as a local street and is privately owned.

This criterion is met.

5. Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

Finding: W Hancock Street and W First Street are classified as major arterial roadways in the City's Transportation System Plan. Center turn lanes are not provided on either roadway. N Lincoln Street is classified as a local street and is privately owned.

This criterion is met.

6. Limited Residential Streets. Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:

- a. The requirements of the fire chief shall be followed.**
- b. The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.**

c. Use for through streets or looped streets is preferred over cul-de-sac streets.

d. Use for short blocks (under 400 feet) is preferred over longer blocks.

e. The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.

f. On-street parking usage is limited, such as by providing ample off-street parking, or by staggering driveways so there are few areas where parking is allowable on both sides.

Finding: There are no limited residential streets proposed as part of this project. These criteria do not apply.

7. Sidewalks. Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.

Finding: The applicant's plans show existing sidewalk along both W Hancock Street and W First Street, however the sidewalk widths along these frontages are unclear. The existing sidewalk on W Hancock Street is in a Type B configuration with a "curb tight" sidewalk, and the existing sidewalk on W First Street is in a Type A configuration with a planter strip between the curb and the sidewalk. On the western end of the property is an irregular triangular shaped area within the highway right-of-way that is not part of the subject property. A site visit was conducted on April 2, 2020, as part of DR220-0002 and it was determined that more than 50 percent of the sidewalk panels along the W First Street property frontage do not meet current ADA requirements. Because more than 50 percent of the sidewalk panels along the W First Street property frontage do not meet current ADA requirements, the applicant will be required to install a new 5-foot sidewalk along the entire southern property frontage, up to the western north-south property line, meeting the City's dimensional standards for a Type "A" sidewalk and planter strip. The applicant will also be required to install ADA compliant directional ramps at the northwest corner of the W First Street/N Lincoln Street intersection unless otherwise directed by ODOT.

The criterion will be met if the aforementioned condition of approval is adhered to.

8. Planter Strips. Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on

limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:

- a. Additional reinforcement is done to the sidewalk section at corners.***
- b. Sidewalk width is six feet.***

Finding: The applicant's plans show existing sidewalk along both W Hancock Street and W First Street, however the sidewalk widths along these frontages are unclear. The existing sidewalk on W Hancock Street is in a Type B configuration with a "curb tight" sidewalk, and the existing sidewalk on W First Street is in a Type A configuration with a planter strip between the curb and the sidewalk. On the western end of the property is an irregular triangular shaped area within the highway right-of-way that is not part of the subject property. A site visit was conducted on April 2, 2020, as part of DR220-0002 and it was determined that less than 50 percent of the sidewalk panels along the W Hancock Street property frontage do not meet current ADA requirements. Because less than 50 percent of the sidewalk panels along the W Hancock Street property frontage do not meet current ADA requirements, the applicant will be required to replace any sidewalk panels not meeting ADA requirements along W Hancock Street, up to the western north-south property line, following the stated criteria below:

1. If no three sidewalk panels are adjacent to each other, then individual (non-adjacent) sidewalk panels can be replaced to the existing non-conforming width of 5-feet.
2. If any three or more adjacent panels need to be upgraded they are to be installed at the standard width of 6-feet.
 - a. Any panels that need to be upgraded that are adjacent to a non-ADA compliant curb ramp will require installation of ADA compliant directional curb ramps.
3. The applicant will be required to install ADA compliant directional ramps at the southwest corner of the W Hancock Street/N Lincoln Street intersection unless otherwise directed by ODOT.

The criterion will be met if the aforementioned condition of approval is adhered to.

9. Slope Easements. Slope easements shall be provided adjacent to the street where required to maintain the stability of the street.

Finding: The applicant is not proposing a slope easement. This criterion does not apply.

10. Intersections and Street Design. *The street design standards in the Newberg public works design and construction standards shall apply to all public streets, alleys, bike facilities, and sidewalks in the city.*

Finding: The applicant is not proposing modifications to the curb-to-curb width along W Hancock Street or W First Street. This criterion does not apply.

11. *The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.*

Finding: The applicant is not proposing a conditional use permit. This criterion does not apply.

H. Modification of Street Right-of-Way and Improvement Width. *The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:*

1. *The modification is necessary to provide design flexibility in instances where:*

a. *Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or*

b. *Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or*

c. *A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or*

d. *A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.*

2. *Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.*

Finding: The applicant is not proposing modifications to the street right-of-way or improvement width. These criteria do not apply.

I. Temporary Turnarounds. Where a street will be extended as part of a future phase of a development, or as part of development of an abutting property, the street may be terminated with a temporary turnaround in lieu of a standard street connection or circular cul-de-sac bulb. The director and fire chief shall approve the temporary turnaround. It shall have an all-weather surface, and may include a hammerhead-type turnaround meeting fire apparatus access road standards, a paved or graveled circular turnaround, or a paved or graveled temporary access road. For streets extending less than 150 feet and/or with no significant access, the director may approve the street without a temporary turnaround. Easements or right-of-way may be required as necessary to preserve access to the turnaround.

Finding: The applicant is not proposing a temporary turnaround. This criterion does not apply.

J. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of this code.

Finding: The applicant has given suitable recognition to surrounding topographical conditions. This criterion is met.

K. Future Extension of Streets. All new streets required for a subdivision, partition, or a project requiring site design review shall be constructed to be “to and through”: through the development and to the edges of the project site to serve adjacent properties for future development.

Finding: There are no possible future street extensions as part of this project. This criterion does not apply.

L. Cul-de-Sacs.

1. Cul-de-sacs shall only be permitted when one or more of the circumstances listed in this section exist. When cul-de-sacs are justified, public walkway connections shall be provided wherever practical to connect with another street, walkway, school, or similar destination.

a. Physical or topographic conditions make a street connection impracticable. These conditions include but are not limited to

- controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not be reasonably made.*
- b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.*
- c. Where streets or accessways would violate provisions of leases, easements, or similar restrictions.*
- d. Where the streets or accessways abut the urban growth boundary and rural resource land in farm or forest use, except where the adjoining land is designated as an urban reserve area.*
- 2. Cul-de-sacs shall be no more than 400 feet long (measured from the centerline of the intersection to the radius point of the bulb).*
- 3. Cul-de-sacs shall not serve more than 18 single-family dwellings. Each cul-de-sac shall have a circular end with a minimum diameter of 96 feet, curb-to-curb, within a 109-foot minimum diameter right-of-way. For residential uses, a 35-foot radius may be allowed if the street has no parking, a mountable curb, curbside sidewalks, and sprinkler systems in every building along the street.*

Finding: The applicant is not proposing a cul-de-sac. These criteria do not apply.

M. Street Names and Street Signs. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for new streets not in alignment with existing streets are subject to approval by the director and the fire chief and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. It shall be the responsibility of the land divider to provide street signs.

Finding: The applicant is not proposing impacts to street names or street signs. This criterion does not apply.

N. Platting Standards for Alleys.

- 1. An alley may be required to be dedicated and constructed to provide adequate access for a development, as deemed necessary by the director.*
- 2. The right-of-way width and paving design for alleys shall be not less than 20 feet wide. Slope easements shall be dedicated in accordance with specifications adopted by the city council under NMC 15.505.010 et seq.*

- 3. Where two alleys intersect, 10-foot corner cut-offs shall be provided.**
- 4. Unless otherwise approved by the city engineer where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall be not less than 100 feet.**
- 5. All provisions and requirements with respect to streets identified in this code shall apply to alleys the same in all respects as if the word “street” or “streets” therein appeared as the word “alley” or “alleys” respectively.**

Finding: The applicant is not proposing alleys. These criteria do not apply.

O. Platting Standards for Blocks.

- 1. Purpose. Streets and walkways can provide convenient travel within a neighborhood and can serve to connect people and land uses. Large, uninterrupted blocks can serve as a barrier to travel, especially walking and biking. Large blocks also can divide rather than unite neighborhoods. To promote connected neighborhoods and to shorten travel distances, the following minimum standards for block lengths are established.**
- 2. Maximum Block Length and Perimeter. The maximum length and perimeters of blocks in the zones listed below shall be according to the following table. The review body for a subdivision, partition, conditional use permit, or a Type II design review may require installation of streets or walkways as necessary to meet the standards below.**

Zone(s)	Maximum Block Length	Maximum Block Perimeter
R-1	800 feet	2,000 feet
R-2, R-3, RP, I	1,200 feet	3,000 feet

- 3. Exceptions.**
 - a. If a public walkway is installed mid-block, the maximum block length and perimeter may be increased by 25 percent.**
 - b. Where a proposed street divides a block, one of the resulting blocks may exceed the maximum block length and perimeter**

standards provided the average block length and perimeter of the two resulting blocks do not exceed these standards.

c. Blocks in excess of the above standards are allowed where access controlled streets, street access spacing standards, railroads, steep slopes, wetlands, water bodies, preexisting development, ownership patterns or similar circumstances restrict street and walkway location and design. In these cases, block length and perimeter shall be as small as practical. Where a street cannot be provided because of these circumstances but a public walkway is still feasible, a public walkway shall be provided.

d. Institutional campuses located in an R-1 zone may apply the standards for the institutional zone.

e. Where a block is in more than one zone, the standards of the majority of land in the proposed block shall apply.

f. Where a local street plan, concept master site development plan, or specific plan has been approved for an area, the block standards shall follow those approved in the plan. In approving such a plan, the review body shall follow the block standards listed above to the extent appropriate for the plan area.

Finding: The applicant is not proposing blocks. These criteria do not apply.

P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created, except as allowed by NMC 15.240.020(L)(2).

Finding: The applicant is not new proposing new private streets. N Lincoln Street is an existing private street adjacent to the property. This criterion does not apply.

Q. Traffic Calming.

1. The following roadway design features may be required in new street construction where traffic calming needs are anticipated:

a. Serpentine alignment.

b. Curb extensions.

c. Traffic diverters/circles.

d. Raised medians and landscaping.

e. Other methods shown effective through engineering studies.

2. Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets.

They should not be applied with new street constructions.

Finding: The applicant is not proposing traffic calming. These criteria do not apply.

R. Vehicular Access Standards.

1. Purpose. *The purpose of these standards is to manage vehicle access to maintain traffic flow, safety, roadway capacity, and efficiency. They help to maintain an adequate level of service consistent with the functional classification of the street. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access is limited and managed on these roads to promote efficient through movement. Local streets and alleys provide access to individual properties. Access is managed on these roads to maintain safe maneuvering of vehicles in and out of properties and to allow safe through movements. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function.*

2. Access Spacing Standards. *Public street intersection and driveway spacing shall follow the standards in Table 15.505.R below. The Oregon Department of Transportation (ODOT) has jurisdiction of some roadways within the Newberg city limits, and ODOT access standards will apply on those roadways.*

Table 15.505.R. Access Spacing Standards

Roadway Functional Classification	Area¹	Minimum Public Street Intersection Spacing (Feet)²	Driveway Setback from Intersecting Street³
Expressway	All	Refer to ODOT Access Spacing Standards	NA
Major arterial	Urban CBD	Refer to ODOT Access Spacing Standards	
Minor arterial	Urban CBD	500 200	150 100
Major collector	All	400	150
Minor collector	All	300	100

Table 15.505.R. Access Spacing Standards

Roadway Functional Classification	Area¹	Minimum Public Street Intersection Spacing (Feet)²	Driveway Setback from Intersecting Street³
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¹ **“Urban” refers to intersections inside the city urban growth boundary outside the central business district (C-3 zone).**

“CBD” refers to intersections within the central business district (C-3 zone).

“All” refers to all intersections within the Newberg urban growth boundary.

² **Measured centerline to centerline.**

³ **The setback is based on the higher classification of the intersecting streets. Measured from the curb line of the intersecting street to the beginning of the driveway, excluding flares. If the driveway setback listed above would preclude a lot from having at least one driveway, including shared driveways or driveways on adjoining streets, one driveway is allowed as far from the intersection as possible.**

3. Properties with Multiple Frontages. Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.

Finding: The applicant’s subject property has multiple frontages with existing access points on W Hancock Street, W First Street, and N Lincoln Street (private). This is an existing non-conforming condition and access on W Hancock Street and W First Street are permitted through ODOT. This criterion does not apply.

4. Driveways. More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.

Finding: The applicant’s property is adjacent to W Hancock Street (major arterial roadway), W First Street (major arterial roadway), and N Lincoln Street (private local roadway). The existing property has one driveway access point from each of the three adjacent streets. This criterion does not apply.

5. Alley Access. Where a property has frontage on an alley and the only other frontages are on collector or arterial streets, access shall be taken

from the alley only. The review body may allow creation of an alley for access to lots that do not otherwise have frontage on a public street provided all of the following are met:

- a. The review body finds that creating a public street frontage is not feasible.***
- b. The alley access is for no more than six dwellings and no more than six lots.***
- c. The alley has through access to streets on both ends.***
- d. One additional parking space over those otherwise required is provided for each dwelling. Where feasible, this shall be provided as a public use parking space adjacent to the alley.***

Finding: The applicant's property does not have alley access. This criterion does not apply.

6. Closure of Existing Accesses. Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.

Finding: The applicant is not proposing closure of existing accesses. This criterion does not apply.

7. Shared Driveways.

- a. The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes. Where there is an abutting developable property, a shared driveway shall be provided as appropriate. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).***
- b. Access easements (i.e., for the benefit of affected properties) and maintenance agreements shall be recorded for all shared driveways,***

including pathways, at the time of final plat approval or as a condition of site development approval.

c. No more than four lots may access one shared driveway.

d. Shared driveways shall be posted as no parking fire lanes where required by the fire marshal.

e. Where three lots or three dwellings share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway.

Finding: The applicant is not proposing a shared driveway. These criteria do not apply.

8. Frontage Streets and Alleys. The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.

Finding: The applicant's project is not proposing frontage streets or alleys. This criterion does not apply.

9. ODOT or Yamhill County Right-of-Way. Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.

Finding: The applicant's property is adjacent to Pacific Highway West No. 091 (OR-99W) and is subject to state laws administered by the Oregon Department of Transportation (ODOT). The site is between two roadways of Pacific Highway West and has one highway approach to each roadway: MP 23.90 (Roadway 1; Hancock Street) and MP 23.84 (Roadway 2; First Street). Because the applicant is proposing modifications to both existing highway approaches, the applicant is required to submit an Application for Upgrade to State Highway Approach for both ODOT highway approaches. ODOT application approvals will be required prior to the issuance of the City's Public Improvement Permit.

Additionally, if frontage improvements (sidewalks, planter strips, etc.) are proposed by the applicant or required by the city, the applicant will need to submit civil plans to ODOT for review. The improvements may trigger ADA-compliant ramps at the corners of the property, depending on the extent of the proposed work. Because it is unclear what ODOT will require based on the proposed improvements, the applicant will be

required to coordinate frontage improvements with ODOT and submit civil plans for review. Necessary ODOT approvals will be required prior to the City issuing a Public Improvement Permit not limited to completing both frontage improvements and utility connections in State highway right-of-way.

This criterion will be met if the aforementioned condition of approval is adhered to.

10. Exceptions. The director may allow exceptions to the access standards above in any of the following circumstances:

a. Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.

b. Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.

c. Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on street and on site, than access otherwise allowed under these standards.

11. Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.

Finding: The applicant is not proposing any exceptions. These criteria are not applicable.

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 is not proposing public walkways. These criteria are not applicable.

T. Street Trees. Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).

Finding: The applicant's plans show three existing street trees on W First Street. Based on a site inspection only two of the street trees are in place. The plans also show street trees along W Hancock Street. The landscape plan identifies that where street trees are located they will be removed and replaced with a water quality facility. Because there are insufficient street trees along W First Street and W Hancock Street, the applicant will be required to plant street trees along W First Street and W Hancock Street in accordance with NMC 15.420.100(B)(4). The street trees shall be species Eastern Redbud "Forest Pansy", Glorybower Tree, Korean Dogwood, Norwegian Sunset Maple, Fasigate European Hornbeam or Columnar Sargent Cherry for the three street trees along N Garfield Street required by City Council Resolution 2007-2751.

This criterion will be met if the aforementioned condition of approval is adhered to.

U. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the Newberg public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.

Finding: The applicant's plans and narrative do not address the City's street lighting requirement. Because street lighting requirements have not been addressed, the applicant will be required to show via a lighting analysis that the existing street lighting meets City standards, or provide additional street lighting along the property frontage that is compliant with the City's Public Works Design and Construction Standards.

Street lighting meeting City standards is required at the following locations:

- Street lighting will be required on W Hancock Street along the property frontage
- Street lighting will be required on W First Street along the property frontage
- Street lighting will be required on the northeast corner of the W First Street/S Harrison Street intersection
- Street lighting will be required on the northwest corner of the W First Street/N Lincoln Street intersection
- Street lighting will be required on the southwest corner of the W Hancock Street/N Lincoln Street intersection

The criterion will be met if the aforementioned condition of approval is adhered to.

V. Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:

- 1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section,***

“reasonably direct” means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.

- 2. A transit passenger landing pad accessible to disabled persons.***
- 3. An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.***
- 4. Lighting at the transit facility.***

Finding: The applicant is not proposing transit improvements and the site is not adjacent to existing or planned transit facilities. These criteria do not apply.

15.505.040 Public utility standards.

A. Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.

B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.

C. General Standards.

1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.

2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.

D. Standards for Water Improvements. All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary wastewater and stormwater facilities, as applicable.

1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.

3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in 4. Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city. the judgment of the city, cannot be feasibly served otherwise.

Finding: The applicant's plans show an existing water meter serving the existing building, and a proposed water meter serving the three proposed food carts. Because construction plans have not yet been submitted and it's unclear if fire flows have been verified for the new water service lateral connection, the applicant will be required to verify that adequate fire flow exists, and are required to submit construction plans and obtain a Public Improvement Permit to install the new water service lateral pursuant to the requirements of the City's Public Works Design and Construction Standards.

These criteria will be met if the aforementioned condition of approval is adhered to.

E. Standards for Wastewater Improvements. All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and stormwater facilities, as applicable.

1. All septic tank systems and on-site sewage systems are prohibited. Existing septic systems must be abandoned or removed in accordance with Yamhill County standards.

2. All properties shall be provided with gravity service to the city wastewater system, except for lots that have unique topographic or other natural features that make gravity wastewater extension impractical as determined by the director. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the director.

3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately

sized wastewater facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.

5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.

6. The design of the wastewater facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.

7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.

Finding: The applicant's plans show an existing wastewater connection serving the existing property. The applicant is proposing to intercept that lateral and install a clean out behind the back of walk. A double wye configuration will then be installed with a new private sewer connection servicing the proposed food carts on the west side of the property. The applicant acknowledges in the narrative that a grease interceptor will also need to be installed in association with the proposed food carts. The applicant will need to verify that the existing public wastewater service lateral is adequately sized to serve the proposed development. Because the applicant has not yet submitted construction plans, the applicant will be required to verify the existing service lateral is sized correctly based on the proposed development, and submit construction plans that show installation of a cleanout at the back of walk and grease interceptor pursuant to the requirements of the City's Public Works Design and Construction Standards.

These criteria will be met if the aforementioned condition of approval is adhered to.

F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and

locations are as provided in the Newberg public works design and construction standards.

Finding: The applicant has submitted preliminary plans that do not show utility easements. Because the applicant has not shown or recorded all utility easements, the applicant will be required to submit and record documentation that includes necessary utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards, but not necessarily limited to:

- 1) 15-foot utility easement over the existing stormwater line in N Lincoln Street and through the subject property.

The criterion will be met if the aforementioned condition of approval is adhered to.

15.505.050 Stormwater system standards.

A. Purpose. The purpose of this section is to provide for the drainage of surface water from all development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in stormwater runoff.

B. Applicability. The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city stormwater system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.

C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

Finding: The applicant has provided a narrative indicating that they are not required to meet the City's stormwater requirements because the proposed development is on an existing non-conforming site. The existing development is almost a completely impervious surface area. The applicant is proposing to reduce the amount of impervious surface area by installing landscaping around the perimeter and is also installing stormwater planters on the northeast corner of the site. The stormwater planters are not

required by the City, but are being installed by the applicant on their own accord. This requirement is met.

D. Plan for Stormwater and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:

- 1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.***
- 2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.***
- 3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.***

Finding: The applicant's narrative indicates they plan to do some surface grading and repaving of the development site, they also plan to relocate and modify some of the existing driveway approaches. Because the applicant did not discuss the need for an erosion and sedimentation control permit for the proposed site improvements, the applicant will be required to obtain an erosion and sedimentation control permit for any proposed site disturbance at the time of the Public Improvement Permit.

These criteria will be met if the aforementioned condition of approval is adhered to.

E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.

Finding: The applicant has provided narrative indicating that they are not required to meet the City's stormwater requirements because the proposed development is on an existing non-conforming site. The existing development is almost a completely impervious surface area. The applicant is proposing to reduce the amount of impervious surface area by installing landscaping around the perimeter and is also installing stormwater planters on the northeast corner of the site. The stormwater planters are not required by the City, but are being installed by the applicant on their own accord. The

applicant will need to submit construction plans meeting the City's Public Works Design and Construction Standards and obtain a Public Improvement Permit to install any stormwater system improvements that connect into the City's public stormwater system.

The criterion will be met if the aforementioned condition of approval is adhered to.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director.

15.220.030(B)(14) Traffic Study.

A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]

Finding: The applicant's narrative indicates that the existing site is fully developed and that its current use is not changing and therefore no traffic study is required. However, the applicant's narrative does indicate a change of use as they are proposing both a marijuana and CBD retail sales facility as well as retail food sales via three proposed food carts. The applicant has not provided documentation from the 10th Edition ITE Trip Generation Manual to demonstrate the number of trips being created by the proposed development. Because the applicant has not provided documentation from the 10th Edition ITE Trip Generation Manual to demonstrate the number of trips being created by the proposed development, the applicant will be required to provide documentation from the 10th Edition ITE Trip Generation Manual to demonstrate the number of trips being created by the proposed development, and if the number of trips created is in excess of 40 trips per p.m. peak hour the applicant will be required to submit a traffic study in accordance with the City of Newberg design standards.

The criterion will be met if the aforementioned condition of approval is adhered to.

CONCLUSION: Based on the above findings, the project meets the criteria required within the Newberg Development Code, subject to completion of the attached conditions.

**Section III: Conditions – File DR221-0007
Design Review – Green Planet**

A. THE FOLLOWING MUST BE COMPLETED BEFORE THE CITY WILL ISSUE A BUILDING PERMIT:

1. **Permit Submittal:** Submit a building permit application and two (2) complete working drawing sets of the proposed project. Show all the features of the plan approved through design review, including the following:
 - 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.

2. **Conditions of Approval:** Either write or otherwise permanently affix the conditions of approval contained within this report onto the first page of the plans submitted for building permit review.

3. **Signs:**
 - a. A separate sign review application will be required in order to approve signs for the proposed building.

4. **Design Compatibility:**
 - a. The applicant shall submit revised drawings in compliance with 15.220.030(12) indicating the refuse storage will be constricted of brick, concrete block or other similar products as approved by the director.

5. **Parking and On-Site Circulation:**
 - a. The applicant shall revise the Site Plan to identify either signage of surface markings for the one-way drive aisle on the north side of the building in compliance with 15.440.070.

6. **Bicycle Parking:**
 - a. The applicant shall submit the design detail of the proposed bike rack to comply with NMC 15.440.110A.1.

7. Private Walkways:

- a. The applicant shall identify a pedestrian entrance connection to the private walkway for the north tenant space in compliance with NMC 15.440.140E.

8. Vision Clearance:

- a. The applicant shall ensure that landscape material planted in vision clearance areas complies with 15.410.060.

9. Landscaping:

- a. The applicant shall revise the landscape plan to identify landscape screening for the four parking spaces on the north side of the development area facing W Hancock Street in compliance with NMC 15.440.060D.
- b. The applicant shall provide calculations and provide parking lot landscaping at 25 square feet per parking space in compliance with NMC 15.420.010B.3.a.
- c. The applicant will be required to provide a landscape strip, except where site conditions do not allow, that shall contain street trees spaced as appropriate to the species, not to exceed 50 feet apart on average, and a combination of shrubs and ground cover, or lawn in compliance with 15.420.010B.3.c. This landscaping shall provide partial screening of these areas from the street.
- d. The applicant shall plant Eastern Redbud “Forest Pansy”, Glorybower Tree, Korean Dogwood, Norwegian Sunset Maple, Fasigate European Hornbeam or Columnar Sargent Cherry for the three street trees along W First Street and W Hancock Street per City Council Resolution 2007-2751.
- e. The applicant shall ensure that relocated or new landscape islands meet the minimum five-foot interior width requirement of NMC 15.420.010B.3.f.
- f. The applicant shall modify the parking lot landscape plan so that no more than seven parking spaces are provided in a row without a landscape island and the islands shall identify a deciduous shade tree in compliance with NMC 15.420.010B.3.h.
- g. The applicant shall submit a revised landscape plan identifying the Blue Fescue and Hameln Dwarf Fountain Grass as 2-gallon containers in compliance with 15.420.010B.4.d.
- h. The applicant shall provide an automatic underground irrigation system in compliance with NMC 5.420.010B.5.
- i. The applicant shall continuously maintain all landscape areas in

accordance with NMC 15.420.010B.6.

- j. If the applicant does not install the required landscaping prior to the issuance of occupancy permits then, per Section 15.420.010(C), a security equal to 110 percent the cost of the landscaping is required.
- k. The applicant shall continuously maintain all landscape areas in in the public right-of-way accordance with NMC 15.420.020C.

10. Temporary Merchants:

- a. The applicant shall comply with the signage requirements of Chapter 15.435 NMC.
- b. To meet the requirement a temporary merchant shall comply with all applicable sanitation codes, including waste disposal. If self-contained facilities such as porta-potties are proposed, they must also meet all applicable city and state sanitation requirements.

11. Exterior Lighting:

- a. The applicant shall provide lighting information in compliance with NMC 15.425.020A.1.-3. Prior to issuance of building permits.

12. Permit Requirements:

- a. Public utility infrastructure improvements not limited to street improvements, water, wastewater, and stormwater may require completed permits from partner agencies to authorize different work tasks. If the applicant or their contractor needs to occupy Oregon Department of Transportation right-of-way for construction or for activity related to franchise utilities they will need to obtain a permit to occupy or perform operations upon a State Highway 30 days prior to construction (See ODOT Comments). Issuance of required permits from other agencies will be required prior to the City of Newberg issuing a Public Improvement Permit.
- b. Public utility infrastructure improvements requiring access to ODOT right-of-way will require issuance of required access permits prior to the City of Newberg issuing a Public Improvement Permit.

13. Utilities:

- a. The applicant will be required to underground any new service connections to the site, and if any poles or lines associated with the utilities along the property frontages are relocated they will be

required to be placed underground.

14. Sidewalks:

- a. The applicant will be required to provide a sidewalk along the W Hancock Street property frontage. See condition in section 15.505.030(G)(8) and requirements as set forth by the Oregon Department of Transportation.
- b. The applicant will be required to provide a sidewalk along the W First Street property frontage. See condition in section 15.505.030(G)(7) and requirements as set forth by the Oregon Department of Transportation.

15. Streets:

- a. The applicant will be required to install a new 5-foot sidewalk along the entire southern property frontage, up to the western north-south property line, meeting the City's dimensional standards for a Type "A" sidewalk and planter strip. The applicant will also be required to install ADA compliant directional ramps at the northwest corner of the W First Street/N Lincoln Street intersection unless otherwise directed by ODOT.
- b. The applicant will be required to replace any sidewalk panels not meeting ADA requirements along W Hancock Street, up to the western north-south property line, following the stated criteria below:
 - 1. If no three sidewalk panels are adjacent to each other, then individual (non-adjacent) sidewalk panels can be replaced to the existing non-conforming width of 5-feet.
 - 2. If any three or more adjacent panels need to be upgraded they are to be installed at the standard width of 6-feet.
 - a. Any panels that need to be upgraded that are adjacent to a non-ADA compliant curb ramp will require installation of ADA compliant directional curb ramps.
 - 3. The applicant will be required to install ADA compliant directional ramps at the southwest corner of the W Hancock Street/N Lincoln Street intersection unless otherwise directed by ODOT.
- c. The applicant is required to submit an Application for Upgrade to State Highway Approach for both ODOT highway approaches. ODOT application approvals will be required prior to the issuance of the City's Public Improvement Permit.

- d. The applicant will be required to coordinate frontage improvements with ODOT and submit civil plans for review. Necessary ODOT approvals will be required prior to the City issuing a Public Improvement Permit not limited to completing both frontage improvements and utility connections in State highway right-of-way.

16. Street Trees:

- a. The applicant will be required to plant street trees along W First Street and W Hancock Street in accordance with NMC 15.420.100(B)(4). The street trees shall be species Eastern Redbud “Forest Pansy”, Glorybower Tree, Korean Dogwood, Norwegian Sunset Maple, Fasigate European Hornbeam or Columnar Sargent Cherry for the three street trees along N Garfield Street required by City Council Resolution 2007-2751.

17. Street Lighting:

- a. The applicant will be required to show via a lighting analysis that the existing street lighting meets City standards, or provide additional street lighting along the property frontage that is compliant with the City’s Public Works Design and Construction Standards.

Street lighting meeting City standards is required at the following locations:

- Street lighting will be required on W Hancock Street along the property frontage
- Street lighting will be required on W First Street along the property frontage
- Street lighting will be required on the northeast corner of the W First Street/S Harrison Street intersection
- Street lighting will be required on the northwest corner of the W First Street/N Lincoln Street intersection
- Street lighting will be required on the southwest corner of the W Hancock Street/N Lincoln Street intersection

18. Water:

- a. The applicant will be required to verify that adequate fire flow exists, and are required to submit construction plans and obtain a Public Improvement Permit to install the new water service lateral pursuant to the requirements of the City’s Public Works Design and Construction Standards.

19. **Wastewater:**

- a. The applicant will be required to verify the existing service lateral is sized correctly based on the proposed development, and submit construction plans that show installation of a cleanout at the back of walk and grease interceptor pursuant to the requirements of the City's Public Works Design and Construction Standards.

20. **Easements:**

- a. The applicant will be required to submit and record documentation that includes necessary utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards, but not necessarily limited to:
 1. 15-foot utility easement over the existing stormwater line in N Lincoln Street and through the subject property.

21. **Stormwater:**

- a. The applicant will be required to obtain an erosion and sedimentation control permit for any proposed site disturbance at the time of the Public Improvement Permit.
- b. The applicant will need to submit construction plans meeting the City's Public Works Design and Construction Standards and obtain a Public Improvement Permit to install any stormwater system improvements that connect into the City's public stormwater system.

22. **Traffic Analysis:**

- a. The applicant will be required to provide documentation from the 10th Edition ITE Trip Generation Manual to demonstrate the number of trips being created by the proposed development, and if the number of trips created is in excess of 40 trips per p.m. peak hour the applicant will be required to submit a traffic study in accordance with the City of Newberg design standards.

B. THE FOLLOWING MUST BE ACCOMPLISHED PRIOR TO OCCUPANCY

1. **Fire Department Requirements:** This project is subject to compliance with all Fire Department (TVF&R) standards relating to access and fire protection.
2. **Design Review Conditions:** Contact the Planning Division (503-537-

1240) to verify that all design review conditions have been completed.

3. **Site Inspection:** Contact the Building Division (503-537-1240) for Building, Mechanical, and Plumbing final inspections. Contact TVF&R for Fire Safety final inspections. Contact Yamhill County (503-538-7302) for electrical final inspections. Contact the Planning Division (503-537-1240) for landscaping final inspections.

C. **DEVELOPMENT NOTES**

1. Systems Development Charges (SDCs) will be collected when building permits are issued. For questions regarding SDCs please contact the Engineering Division.

Attachment 1: Application Material



TYPE II APPLICATION (LAND USE) -- 2020

File #: DR 221-0007

TYPES - PLEASE CHECK ONE:

- Design review (checked)
Tentative Plan for Partition
Tentative Plan for Subdivision

- Type II Major Modification
Variance
Other: (Explain)

APPLICANT INFORMATION:

APPLICANT: Welkin Engineering PC
ADDRESS: 25260 SW Parkway Ave., Suite G, Wilsonville, OR 97070
EMAIL ADDRESS: ekc@WelkinPC.com
PHONE: MOBILE: 503.380.5324
OWNER (if different from above): GP Management, LLC
ADDRESS: 15171 SW Bangy Rd., Lake Oswego, OR 97035
ENGINEER/SURVEYOR: See Applicant
ADDRESS: PHONE:

GENERAL INFORMATION:

PROJECT NAME: Green Planet PROJECT LOCATION: 301 W. 1st Street
PROJECT VALUATION: \$89,500
PROJECT DESCRIPTION/USE: Marijuana Dispensary
MAP/TAX LOT NO. (i.e. 3200AB-400): 3S2 9AB04700/4500 ZONE: C-3 SITE SIZE: 0.66 SQ. FT. ACRE
COMP PLAN DESIGNATION: COMMERCIAL TOPOGRAPHY: FLAT
CURRENT USE: EMPTY BUILDING
SURROUNDING USES:
NORTH: RAILROAD SOUTH: SUBWAY RESTAURANT
EAST: TIRE SHOP WEST: RAILROAD

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:

Design Review p. 12
Partition Tentative Plat p. 14
Subdivision Tentative Plat p. 17
Variance Checklist p. 20

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.

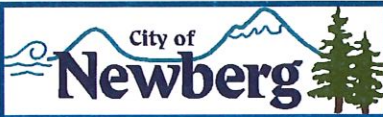
Applicant Signature: Edward K. Christesen
Date:
Print Name: EDWARD K. CHRISTESEN

Owner Signature: Travis Moffatt
Date: 9/21/21
Print Name: Travis Moffatt

RECEIVED
SEP 23 2021

Initial

Attachments: General Information, Fee Schedule, Criteria, Checklists



Cash Register Receipt
City of Newberg

Receipt Number
R10326

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$1,394.35
DR221-0007	Address: 301 W FIRST ST	APN: R3219AB 04700	\$1,394.35
ADDITIONAL ENGINEERING DEPT LAND USE REVIEW FEES			\$414.95
DEVELOPMENT REVIEW	36-8675-3090001	0	\$414.95
TECHNOLOGY FEE			\$66.40
TECHNOLOGY FEE	01-0000-341006	0	\$66.40
TYPE II			\$913.00
DESIGN REVIEW	01-0000-341003	89500	\$913.00
TOTAL FEES PAID BY RECEIPT: R10326			\$1,394.35

Date Paid: Monday, October 04, 2021

Paid By: The Green Planet

Cashier: BMGN

Pay Method: CHECK 3384



CURVE	DELTA	LENGTH	CHORD	RADIUS
C1	47.720°	86.61	596.47227' W 169.87	201.03
C2	34.403°	98.21	66.72	182.01

(CURVE DATA)R2

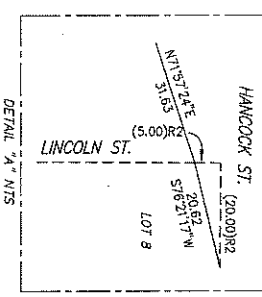
RECORD OF SURVEY FOR: G.P. MANAGEMENT LLC
 N.E. 1/4 OF SECTION 19, T. 3S, R. 2W, W.M.,
 CITY OF NEWBERG, YAMHILL COUNTY, OREGON
 DATE: 5-6-2020

MONUMENT NOTES

- "A" FOUND 5/8" I.R. W/PC ILLISIBLE, 1.30' DEEP IN MONUMENT BOX. O.U. FIELD.
- "B" FOUND 1/2" I.P. IN MONUMENT BOX. HELD.
- "C" CALCULATED POSITION OF 1/2" I.P. THAT WAS DESTROYED BY CONSTRUCTION AND NOT RESET, PER SN 12074.
- "D" FOUND 3/4" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "SUMMERS PLS 10-22" SET IN SN 11,589.
- "E" FOUND 3/4" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "SUMMERS PLS 10-22" FOUND 1 1/2" IRON PIPE, O.U., BEARS N88°14'37"E 1.32 FEET FROM TRUE CORNER.

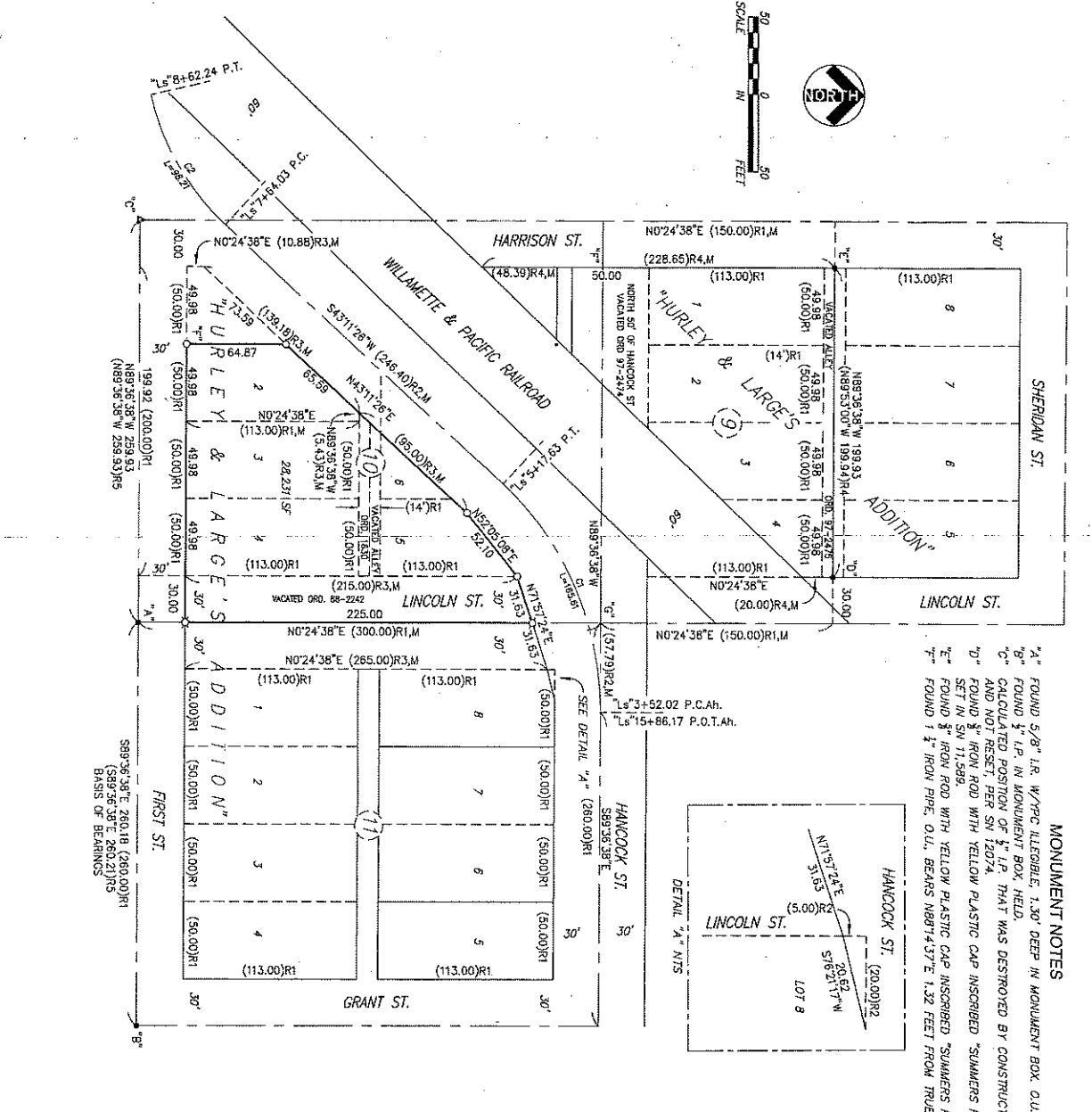
LEGEND

- SET 5/8" X 30" IRON ROD W/PC, "WELKIN ENGINEERING PC"
- ⊕ SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP, "WELKIN ENGINEERING PC"
- ▲ CALCULATED POINT
- FOUND MONUMENT AS NOTED
- I.P. IRON PIPE
- W/PC WITH YELLOW PLASTIC CAP
- SN SURVEY NUMBER, YAMHILL COUNTY SURVEY RECORDS
- P.O. POINT OF CORNER
- P.T. POINT OF TANGENCY
- O.D. CITY ORDINANCE NUMBER
- M/S NOT TO SCALE
- (M) RECORD DATA
- (J) RECORD DATA, SAME AS MEASURED
- (R) RECORD DATA, PER PLAN OF "HURLEY & LARGES" ADDITION TO NEWBERG, PLAT BOOK 1, RECORDED 8-12-1893
- (R2) RECORD DATA, PER ODOT DING, NO. S. 88-35-23 98-11-7, OR 98-11-8
- (R3) RECORD DATA, PER YAMHILL COUNTY CIRCUIT COURT, TRIAL JUDGMENT CASE NO. 301851, SEPTEMBER 1974, (ODOT RIGHT OF WAY)
- (R4) RECORD DATA, PER SN 11589, SUMMERS, PLS, FEBRUARY 2002
- (R5) RECORD DATA, PER SN 12694, DUNCKEL, PLS, SEPTEMBER 2009



NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MARK THE BOUNDARIES OF THOSE TRACTS OF LAND CONVERTED TO OPEN A LOT, AS DESCRIBED IN DEED INSTRUMENT NO. 2016-10941 AS ALL OF LOTS 2, 3, 4, 5, 6 AND 7 OF BLOCK 10, "HURLEY AND LARGES" ADDITION TO THE CITY OF NEWBERG. . . . TOGETHER WITH THOSE PORTIONS OF WAKATED ALLEY HURING TO SAID LOTS 8, WAKATED ALLEY HURING TO SAID LOTS 9, WAKATED ALLEY HURING TO SAID LOTS 10 AND THE PORTION OF WAKATED ALLEY HURING TO SAID LOTS 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



WELKIN ENGINEERING PC
 ENGINEERING
 SURVEYING & PLANNING
 2320 SW PARKWAY AVE, SUITE 6
 WILSONVILLE, OREGON 97148
 PHONE: (503) 261-1888
 FAX: (503) 261-1889
 4600 W. Main Street, 2nd Floor
 www.welkineng.com

REGISTERED PROFESSIONAL LAND SURVEYOR
 DAN SPORDER
 OREGON
 JANUARY 15, 1987
 DAN SPORDER
 2288
 RENEWS: 06-30-20

CS-13630
 Received 6/16/2020
 County Surveyor

Ed Christensen, P.E.
Welkin Engineering, P.C.
Suite G, 25260 S.W. Parkway
Wilsonville, Oregon 97070
Tele: 503-380-5324
ekc@welkinpc.com



APPLICATION NARRATIVE

Project Name:
Green Planet

Approval Request:
Design Review Approval For Marijuana and CBD Retail Sales in C-3 Central Business District

Location:
301 W. First Street and 300 W. Hancock Street

Property Owner /Applicant:
GP Management, LLC
15171 S.W. Bangy Road
Lake Oswego, Oregon 97035
Tele: 503-318-1855
Email: travis@GPManagementOregon.com

Planner/Engineer/Applicant Representative:
Welkin Engineering, P.C.
Attn: Edward Christensen, PE
Suite G
25260 S.W. Parkway Avenue
Wilsonville, Oregon 97070
Tele: 503-380-5324
E-mail: ekc@welkinpc.com

I. APPLICATION SUMMARY	3
II. DESIGN REVIEW APPROVAL CRITERIA	5
A. “Design Compatibility” (NDC § 15.220.050(B)(1))	5
B. “Parking And On–Site Circulation” (NDC § 15.220.050(B)(2))	5
C. “Setbacks And General Requirements” (NDC § 15.220.050(B)(3))	6
D. “Landscaping Requirements” (NDC § 15.220.050(B)(4))	6
E. “Signs” (NDC § 15.220.050(B)(5))	6
F. “Manufactured Dwellings,” <i>etc.</i> (NDC § 15.220.050(B)(6))	7
G. “Zoning District Compliance” (NDC § 15.220.050(B)(7))	7
1. The “C–3” Zoning District	7
2. Categories Of “Uses”	8
a. The Proposed Retail Marijuana Sales Use	9
b. The Proposed Retail CBD Sales Use	9
c. The Proposed Food Carts	9
3. Uses Allowed In The C–3 Zoning District	10
H. “Subdistrict Compliance” (NDC § 15.220.050(B)(8))	13
I. “Alternative Circulation, Roadway Frontage Improvements, And Utility Improvements” (NDC § 15.220.050(B)(9))	13
J. “Traffic Study Improvements” (NDC § 15.220.050(B)(10))	14
K. “Additional Requirements For Developing In The C–3 Zoning District” (NDC § 15.220.080 8)	
III. NDC CHAPTERS REFERENCED AS PART OF THE DESIGN REVIEW APPROVAL CRITERIA	17
A. Lot Requirements: Density, Frontage, Lot/Parking Coverage (NDC Chapter 15.405)	17
B. Yard Setback Requirements (NDC Chapter 15.410)	18
C. Building And Site Design Standards (NDC Chapter 15.415)	22
1. Building Height Limitation (NDC § 15.415.020)	22
2. Building Height Exemptions (NDC § 15.415.030)	22
3. Public Access Required (NDC § 15.415.040)	23
D. Landscaping And Outdoor Areas (NDC Chapter 15.420)	23
1. Required Minimum Standards (NDC § 15.420.010)	23
2. Landscaping And Amenities In Public Rights–Of–Way (NDC § 15.420.020)	23
E. Signs (NDC Chapter 15.435)	25
1. Permit Required/Exceptions (NDC § 15.435.030)	25
2. General Requirements – All Signs (NDC § 15.435.040)	26
3. Major Freestanding Signs (NDC § 15.435.050)	26
4. Minor Freestanding Signs (NDC § 15.435.060)	27
5. Major Attached Signs (NDC § 15.435.070)	27
6. Minor Attached Signs, Awning Signage, And Umbrella Signage (NDC § 15.435.080 8)	
7. Electronic Message Centers (NDC § 15.435.085)	30
8. Portable Signs (NDC § 15.435.090)	30
9. Sign Permit Program For Portable Signs On Private Property [Within The C–3 Zone] (NDC § 15.435.105)	31
10. Downtown (C–3) Sign Standards (NDC § 15.435.120)	31
F. Off–Street Parking, Bicycle Parking, And Private Walkways (NDC Chapter 15.440)	32
1. Required Off–Street Parking (NDC § 15.440.010)	32
2. Parking Area And Service Drive Design (NDC § 15.440.020)	33
3. Parking Spaces Required (NDC § 15.440.030)	33
4. Parking Area And Service Drive Improvements (NDC § 15.440.060)	34
5. Parking Tables And Diagrams (NDC § 15.440.070)	35

6. Off-Street Loading (NDC § 15.440.080) 35

7. Bicycle Parking (NDC §§ 15.440.100 and 15.440.110) 36

8. Private Walkways – “Where Required” And “Private Walkway Design”
 (NDC §§ 15.440.130 and 15.440.140) 36

IV. OTHER NDC CHAPTERS NOT REFERENCED IN THE DESIGN REVIEW CRITERIA 37

A. Requirements For “Temporary Merchants,” As Defined (NDC §§ 5.15.090, 5.15.100,
 and 5.15.110) 37

1. Requirements For Temporary Merchants – Term (NDC § 5.15.090) 38

2. Exemptions For Temporary Merchants (NDC § 5.15.100) 38

3. Special Standards, Application And Fees For Temporary Merchants (NDC § 5.15.110) 39

B. Exterior Lighting (NDC Chapter 15.425) 40

1. Applicability And Exemptions (NDC § 15.425.020) 40

2. Alternative Materials And Methods Of Construction, Installation, Or Operation
 (NDC § 15.425.030) 40

3. Requirements (NDC § 15.425.040) 41

C. Underground Utility Installation (NDC Chapter 15.430) 41

D. Public Improvements Standards (NDC Chapter 15.505) 42

1. Required Improvements (NDC § 15.505.020) 42

2. Street Standards (NDC § 15.505.030) 43

3. Public Utility Standards (NDC § 15.505.040) 46

4. Stormwater System Standards (NDC § 15.505.050) 47

I. APPLICATION SUMMARY

Applicant seeks approval of a 5,820–square–foot marijuana and CBD retail sales facilities, and an accompanying on–site food cart facility on a 0.66–acre site in a C–3 zoning district (with Airport Conical Overlay) located immediately east of the W. First Street and W. Hancock Street coupling, west of vacated North Lincoln Street. West Hancock Street and West First Streets form opposing one–way streets through downtown, which (re)join just west of the site as an undivided Highway 99W.

A view of the site on the City’s zoning map appears as follows:

City Zoning Map -- Red denominated “C-3”

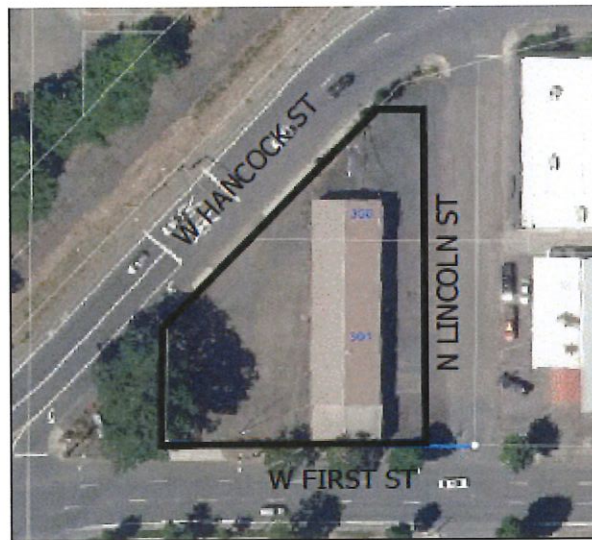


Site

Streets Referenced In Narrative

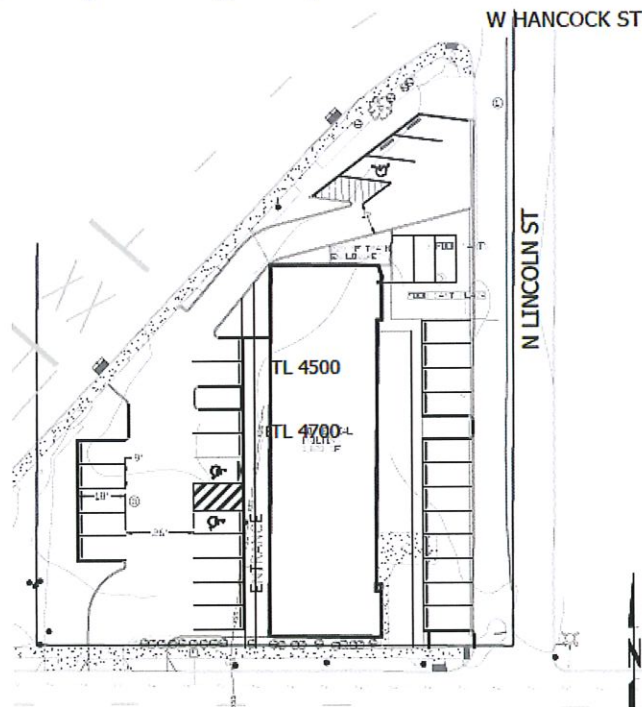
The site consists of two tax lots — 3S219AB04700/4500 — with separate addresses: 301 W. First Street to the south and 300 W. Hancock Street to the north. The site contains almost no landscaping, although the edges of the north, south, and west rights-of-way have been landscaped. The existing structure spans across both tax lots, and sits roughly in the middle of the site. Applicant proposes no expansion or alteration of the existing building footprint. Two driveways on the west side of the building access the site from both the north and south; the driveway on West Hancock Street serves west-bound traffic and the driveway on West First Street serves east-bound traffic.

The following graphic depicts the existing conditions:



EXISTING SITE - NTS

The following graphic depicts a rough site plan:



II. DESIGN REVIEW APPROVAL CRITERIA

Newberg Development Code (hereafter simply “NDC”) § 15.220.020(A)(2)(a) prescribes a Type II Design Review Approval for this proposal (*viz.*, any “new development” not identified in NDC § 15.220.020(A)(1)).

[In the following discussion, all references to “NMC” in the Newberg Development Code appear instead as “NDC.”]

A. “Design Compatibility” NDC § 15.220.050(B)(1)

NDC § 15.220.050(B)(1) provides:

“The proposed design review request [shall] incorporate an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This [requirement] shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.”

Applicant’s Response To NDC § 15.220.050(B)(1):

The Newberg Development Code furnishes no definition of “compatible.” Nor does it define the phrase “superior to.” Thus, the ordinary dictionary definitions of each will apply, limited by the reality that for land use approval purposes the terms can be neither arbitrary nor subjective without reference to a specific context.

The existing building is compatible with the surrounding neighborhood commercial buildings. This criteria is met.

B. “Parking and On-Site Circulation” NDC § 15.220.050(B)(2)

The first sentence in NDC § 15.220.050(B)(2) references the parking requirements in NDC § 15.440.010:

“Parking areas shall meet the requirements of NDC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NDC 15.440.010.”

Applicant’s Response To NDC § 15.220.050(B)(2) (first sentence):

This narrative addresses NDC § 15.440.010 beginning at page 32.

The second sentence in NDC § 15.220.050(B)(2) separately mandates:

“Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.”

Applicant’s Response To NDC § 15.220.050(B)(2) (second sentence):

The Applicant is modifying the parking and circulation and better defining parking areas, while increasing landscape percentages. S. Lincoln St. is private. Curb will be replaced with mountable curb or an inverted asphalt section to convey stormwater. The parking will be moved closer to S. Lincoln St., and the remainder of the asphalt will be removed and a sidewalk and landscaping will fill in between the parking and the east side of the building. A one-way drive aisle from the east side to the west parking area will be provided on-site. This criteria can be met.

C. “Setbacks and General Requirements”
NDC § 15.220.050(B)(3)

“The proposal shall comply with NDC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NDC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.”

Applicant’s Response To NDC § 15.220.050(B)(3):

This narrative addresses pertinent provisions in NDC Chapters 15.405, 15.410, and 15.415 beginning at pages 17, 18, and 22, respectively.

D. “Landscaping Requirements”
NDC § 15.220.050(B)(4)

“The proposal shall comply with NDC 15.420.010 dealing with landscape requirements and landscape screening.”

Applicant’s Response To NDC § 15.220.050(B)(4):

This narrative addresses NDC § 15.420.010 beginning at page 23.

E. “Signs”
NDC § 15.220.050(B)(5)

“Signs shall comply with NDC 15.435.010 *et seq.* dealing with signs.”

Applicant’s Response To NDC § 15.220.050(B)(5):

This narrative addresses NDC § 15.435.010, *et seq.*, beginning at page 25.

F. “Manufactured Dwelling, Mobile Home and RV Parks”
NDC § 15.220.050(B)(6)

[Not pertinent]

G. “Zoning District Compliance”
NDC § 15.220.050(B)(7)

“The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NDC 15.305.010 through 15.336.020. . . .”

Applicant’s Response To NDC § 15.220.050(B)(7):

Applicant proposes the following businesses (or uses) on the site:

- ◆ a retail marijuana dispensary situated in a 3,500–square–foot area of the existing 5,800–square–foot structure at 301 W. First Street,
- ◆ a separate–but–intrinsically–related retail CBD dispensary situated in a separate 2,300–square–foot area of the existing 5,800–square–foot structure at 301 W. First Street, and
- ◆ retail food sales from three semi–permanent — *viz.*, removable–but–generally–fixed–in–place daily — food–carts located in specific locations outside the existing building but on the site (as opposed to, for example, an adjacent sidewalk), each of which will . . .
 - ❖ connect to public services (*viz.*: sewer, water, gas, and electricity),
 - ❖ connect to single grease trap,
 - ❖ front the existing sidewalk, and connected to that sidewalk,
 - ❖ have access to a small, on–site outdoor area with picnic tables.

Applicant plans to lease the food–carts to third parties, and those third parties will be able to move the carts to other, offsite locations according to their particular needs.

1. The “C–3” Zoning District

The City’s November 15, 2019, preapplication meeting notes reference an underlying “C–3 (Central Business District).” *Id.*, at 1. Those notes omit any reference to related provisions in the City’s Development Code for a “C–3” zoning district.

However, Applicant observes that, notwithstanding the reference in NDC § 15.220.050(B)(7) to a “zoning district . . . as found in NDC [§§] 15.305.010 through 15.336.020,” the lone provision within NDC Chapters 15.305 to 15.336 that references a “C–3” zoning district — NDC Chapter 15.316 (“C–3 Central Business District”) — no longer exists.

The City “removed” — its term — then-existing NDC Chapter 15.316 from the Development Code via Ordinance No. 2013–2763 in September, 2012, declaring that NDC Chapter 15.316 “shall be removed.” *Id.*, Exhibit “A,” § 1. (Presumably, the City *repealed* (former) NDC Chapter 15.316, although the 2012 Ordinance’s terminology leaves it uncertain whether, in the City’s view, the 2012 Ordinance eliminated the “C–3” zoning district *designation*, or whether it merely *excised* NDC Chapter 15.316 from the City’s Development Code but left the “C–3” zoning district itself in place — albeit not in (former) NDC Chapter 15.316. Applicant cannot resolve that uncertainty.)

To date, Applicant observes that, with the 2012 “removal” of NDC Chapter 15.316 from the Development Code, no specific chapter in the Development Code pertains to a “C–3” zoning district. Notwithstanding that circumstance, the City’s zoning map nonetheless depicts the site in a “C–3” zoning district. Furthermore, Applicant observes that NDC Chapter 15.302 — titled “Districts And Their Amendment” — implements “classes of use districts and subdistricts” via NDC § 15.302.010, and that NDC § 15.302.010(A)(7) establishes a “C–3 central business district” — albeit without any attendant specifics associated with such district.

2. Categories Of “Uses”

As identified in the preceding topic, Applicant proposes three distinct retail operations on the site as part of a single proposal. Two of those three uses prove closely related. Although the City’s November 15, 2019, preapplication meeting notes reference those three “uses,” those notes omit any reference to pertinent Development Code “use” provisions for any of them.

NDC Chapter 15.303 — titled “Use Categories” — implements labels (or “categories”) for certain delineated “uses,” but for what purpose remains unclear because NDC Chapter 15.305, discussed below, describes the various uses authorized within the City’s zoning districts. NDC § 15.303.010(A)(2) describes the “use categories” in NDC Chapter 15.303:

“Use categories are used to describe land uses and activities that may be known by several common names, but are organized on the basis of common functional, product, or physical characteristics. . . . Uses are assigned to the category whose description most closely describes the nature of the primary use. The ‘characteristics’ subsection of each use category describes the characteristics of each use category. . . .”

Applicant observes that confusion within that text arises because not every “use category” in NDC Chapter 15.303 bears any “characteristics” as that term appears in NDC § 15.303.010(A)(2),

nor does every “use category” identified in NDC Chapter 15.303 contain a description of what the category encompasses.

The following “use categories” in NDC Chapter 15.303 appear to correspond to Applicant’s proposal:

- ◆ NDC § 15.303.400 identifies a category labeled “Commercial Uses,” but includes no specification of “characteristics” or any description of what the term “commercial uses” encompasses. (The term “commercial” remains undefined by the City in either NDC § 1.05.050 or NDC § 15.05.030.)
- ◆ NDC § 15.303.420 identifies a separate—but–similarly–named category labeled “Commercial Sales And Rentals,” with an attendant reference to but a single explanatory example: “temporary merchant,” as defined in NDC § 15.05.030:

“‘Temporary merchant’ means a person or persons occupying a temporary, fixed location, not within a permanent building, and selling or delivering from stock on hand, doing business in much the same manner as a permanent business.”

That definition corresponds to the food–cart aspect of Applicant’s proposal, as discussed earlier. (The text of NDC § 15.303.420 leaves it uncertain whether it confines itself to a “temporary merchant” or whether it includes other uses as well.)

- ◆ NDC § 15.303.421 identifies a category labeled “Retail Sales – General Category,” with the following description of “characteristics” in paragraph A:

“General retail sales uses sell . . . goods to the general public. Items are sold indoors, or, if outdoors, are limited to small items that do not require machinery to load to customers. Most items for sale are stored on or picked up from the site. . . .”

a. The Proposed Retail Marijuana Sales “Use”

b. The Proposed Retail CBD Sales “Use”

Applicant submits that, not only do each of those three “use” categories encompass its multi–faceted proposal, but that for purposes of the manner in which the City’s Development Code classifies “uses” in NDC Chapter 15.303 Applicant’s proposed CBD retail sales facility actually constitutes but a constituent aspect of a “commercial” or “retail” use, and thus not separately categorizable as a different kind of “use.”

c. The Proposed Food Carts

Within the “use” context, Applicant observes one uncertainty in the City’s November 15, 2019, preapplication meeting notes: those notes reference NDC § 5.15.070(B), titled “Street Vendors,” presumably in connection with Applicant’s proposal for the three on–site food carts. NDC § 5.15.050 defines “street vendor”:

“‘Street vendor’ means a person or persons *traveling* on public streets, public sidewalks, public property, or private streets, and *carrying, conveying or transporting* such items as food, beverages, flowers, and balloons, offering and exposing the same for sale by hand or from a mobile-type device such as a push cart.”

(Emphasis added.) That text does *not*, however, encompass a non-mobile food cart that does not “travel” upon any of the designated locations, and which does not engage in “carrying, conveying or transporting.”

Applicant submits that the more apt description within the context of Applicant’s proposal appears in the definition of “Temporary Merchant” in NDC § 5.15.050:

“‘Temporary merchant’ means a person or persons occupying a *temporary, fixed location, not within a permanent building*, and selling or delivering from stock on hand, doing business in much the same manner as a permanent business.”

(Emphasis added.) Applicant observes that the definition in NDC § 5.15.050 represents a word-for-word replication of the definition of “temporary merchant” that appears elsewhere in the “definitions” provisions in NDC § 15.05.030. Why the City’s November 15, 2019, preapplication meeting notes reference one and not the other remains unclear to Applicant.

NDC § 5.15.060 inferentially exempts a “temporary merchant” from the registration requirements specifically imposed upon “peddlers, solicitors, and street vendors” — all three of which NDC § 5.15.050 expressly define. Similarly, the “special standards” prescribed by NDC § 5.15.070(A) for “peddlers and solicitors” and by NDC § 5.15.070(B) for “street vendors” likewise do not apply to a “temporary merchant.” Rather, NDC §§ 5.15.090, 5.15.100, 5.15.110, and 5.15.120 apply specifically to a “temporary merchant.”

3. Uses Allowed In The C-3 Zoning District

NDC § 15.305.010 — titled “Zoning Use Table” — declares that the accompanying “use table” implemented in NDC § 15.305.020 “identifies the *land uses* that are allowed in the various *zoning districts*.” In turn, NDC § 15.305.020 — titled “Zoning Use Table – Use Districts” — includes a column labeled “C-3.”

Within the column labeled “C-3” in the table in NDC § 15.305.020 appear the following “use” categories that correspond to the uses identified in NDC Chapter 15.303:

- ◆ “400,” designated as “Commercial Uses” and corresponding to NDC § 15.303.400, identified in the preceding topic;
- ◆ “420,” designated as “Commercial Sales And Rentals” and corresponding to NDC § 15.303.420, identified in the preceding topic;
- ◆ “421,” designated as “Retail Sales – General” and corresponding to NDC § 15.303.421, identified in the preceding topic; and

- ◆ an odd reference to “Def.” designated as related to “Temporary Merchant” and corresponding to the definition of “Temporary Merchant” in NDC § 5.15.050.

#	Use	R-1	R-2	R-3	R-4	RP	C-1	C-2	C-3	C-4	M-1	M-2	M-3	M-4-I	M-4-C	CF	I	AR	AI	Notes and Special Use Standards
400	COMMERCIAL USES																			
410	COMMERCIAL OFFICES																			
411	Medical office			C		P	P(20)	P	P(21)									P		
412	Local business office					P(22)	P(20)	P	P(21)											
420	COMMERCIAL SALES AND RENTALS																			
421	Retail sales – General						P(20)	P	P(15)/(21)	P		P(23)								
422	Retail sales – Bulk outdoor							P	C			P								
423	Retail sales – Convenience						P(20)	P	P(21)	P		P(24)			P(25)					
Def.	Temporary merchant							S	S(21)											NMC 5.15.050 et seq.

For a reason or reasons that only the City knows, only the “Retail Sales – General” and “Temporary Merchant” use categories bear descriptors in the C–3 zoning district column. Although NDC § 15.303.400 identifies a specific “use” category labeled “Commercial Uses” (as discussed above), the use table in NDC § 15.305.020 leaves the C–3 column blank. Similarly, although, as discussed above, NDC § 15.303.420 identifies a separate–but–similarly–named “use” category labeled “Commercial Sales And Rentals,” the use table in NDC § 15.305.020 again leaves the C–3 column blank.

In any event, “retail sales” constitutes a “use” permitted outright, while a “temporary merchant” remains a “special” use subject to the provisions identified in the last column: NDC § 5.15.050, *et seq.* (The references to notes 15 and 21 in the former use category bears no pertinence to Applicant’s proposal, as the building does not constitute a “facility over 40,000 square feet” and will not have “drive–up service windows.” And the reference to note 21 in the second use category likewise bears no pertinence.)

Thus, each of Applicant’s proposed uses appears in the “use” table in NDC § 15.305.020 as permitted outright.



Finally, for a reason or reasons that the City’s Development Code leaves unclear, the “use” table in NDC § 15.305.020 includes an entire section that appears following a reference to “Miscellaneous Uses” that pertains to “marijuana” facilities and uses — but which facilities and uses the Development Code nowhere defines as “miscellaneous”:

Within the constraints and uncertainties of the above discussion about “uses,” there are no schools of any type or parks within 1,000 feet of this site according to the Newberg GIS.

H. “Subdistrict Compliance”
NDC § 15.220.050(B)(8)

“Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.”

Applicant’s Response To NDC § 15.220.050(B)(8):

NDC 15.302.010(B) describes eleven “subdistricts of use districts.” Of those subdistricts, only one appears to apply: the “AO airport overlay subdistrict. NDC § 15.302.010(B)(1).

NDC Chapter 15.340 governs the Airport Overlay subdistrict. NDC § 15.340.020(B) authorizes “[a]ll uses permitted in the primary zoning district, provided the use does not create the following:

- “1. Electrical interference with navigational signals or radio communication between the airport and aircraft.
- “2. Visual interference which would make it difficult for pilots to distinguish between airport lights or other lighting.
- “3. Impairment of visibility.
- “4. Bird strike hazards.
- “5. Endangerment or interference with the landing, taking off or maneuvering of aircraft intending to use the airport.
- “6. Population densities which exceed [certain] limitations[.]”

Each of Applicant’s proposed uses constitutes a “permitted” use, and none of those uses will create any of the six designated conditions described above.

I. “Alternative Circulation, Roadway Frontage Improvements and Utility Improvements”
NDC § 15.220.050(B)(9)

“Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.”

Applicant’s Response To NDC § 15.220.050(B)(9):

There are no deficiencies in regards to Circulation, Roadway Frontage Improvements, and Utility Improvements for this site. All frontages and improvements are fully developed. This criteria is met.

J. “Traffic Study Improvements”
NDC § 15.220.050(B)(10)

“If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director.”

Applicant’s Response To NDC § 15.220.050(B)(10):

NDC § 15.220.030(B)(14) separately addresses traffic studies:

“Traffic Study. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards.”

Applicant’s Response To NDC § 15.220.050(B)(14):

This site is fully developed and its current use is not changing, therefore no traffic study is required.

K. “Additional Requirements For Development In The C-3 Zoning District”
NDC § 15.220.080

NDC § 15.220.080 declares that

“An applicant for a new development or redevelopment within the C-3 zoning district, which is subject to the site design review process, must demonstrate that seven out of 10 of the following site and building design elements have been incorporated into the design of the project. Exceptions to these additional development requirements may be granted if the requirements would result in construction that is out of character with surrounding development.”

The designated ten “site and building design elements” apparently consist of the two provisions in NDC § 15.220.080(A), the two provisions in NDC § 15.220.080(B), the three provisions in NDC § 15.220.080(C), and the three provisions in NDC § 15.220.080(D).

NDC § 15.220.080(A) identifies the following two “site and building design elements” relating to the “facade”:

- “1. Windows. To maintain compatibility with historic proportions, windows facing public streets shall be primarily vertical. With the exception of transom windows, the width-to-height ratio of any single window pane (defined as either a true divided light or a “pane” created by “snap-in” dividers) shall be no more than 1:1.
- “2. Awnings. To provide shade and protection from the rain, awnings of fabric, glass, wood or metal shall extend along at least 25 percent of street-facing facades. Awnings shall be securely attached to the building and at their lowest point shall not be lower than eight feet above the ground level. Awnings may encroach a maximum of eight feet into the public sidewalk right-of-way, but no closer than two feet from the curb line.”

Applicant’s Response To NDC § 15.220.080(A):

Some of the existing north and south side windows will remain. The east side small windows will be filled in. On the west side, the rollup doors will be removed and a new store front glass swing door will be installed with side light windows. The colors of the building will be updated as well as the siding. An awning may be installed, if it does not affect the building modification of the code. This standard can be met.

NDC § 15.220.080(B) further identifies the following two “site and building design elements” relating to “facade articulation”:

- “1. Emphasize Entrances. Entrances facing a public street shall be incorporated as an integral element in the facade. Entrances shall be emphasized to clearly communicate how to enter the building and to make buildings appear more inviting. Some strategies for emphasizing the entrance on a facade include: using transom windows above entrance doors to increase their apparent scale, detailing and emphasizing the trim or pilasters surrounding the entrance doors, and locating projections such as awnings or balconies above the entrance.
- “2. Maximum Horizontal Facade Plane. To avoid overwhelming and visually monotonous facades, buildings shall not extend more than 60 feet horizontally without a change in the plane of the facade of at least one foot. Vertically stacked bay windows are one way to satisfy this criterion.”

Applicant’s Response To NDC § 15.220.080(B):

The existing building is facing the couplet of Hancock and 1st Streets. Regarding 1 above, the Applicant clearly wants the west facade emphasized to clearly communicate how to enter the building and to make buildings appear more inviting. We have discussed that a length.

Regarding number 2, this is an existing building and other than cosmetic modifications, no exterior changes will be made. These criteria can be met.

NDC § 15.220.080(C) further identifies the following three “site and building design elements” relating to “windows”:

“1. Depth of Windows. Windows shall be recessed at least one and one-half inches from the general plane of the facade. This creates shadow lines and visual interest, giving the facade the perception of depth. Depth in the facade promotes the perception of high quality and durable construction, and contributes to the district’s historic character.

“2. Percentage of Glazing. The percent of glazing based on the horizontal distance of the facade shall be as follows:

“a. Primary facade: at least 50 percent of ground floor and 30 percent of floors above the ground floor; and

“b. All other facades facing a public street: at least 30 percent per floor.

“3. Window Glazing Material. Windows facing a public street shall be made of clear or low-e glazing (pursuant to Oregon Structural Code Section 1312.1.3). Tinted or reflective glass shall not be visible from public rights-of-way.”

Applicant’s Response To NDC § 15.220.080(C):

As previously stated, this is an existing building and other than cosmetic modifications, no exterior changes will be made. These criteria can be met.

Finally, NDC § 15.220.080(D) further identifies the following three “site and building design elements” relating to “facade materials”:

“1. Dominant Material. All facades shall be comprised of a single dominant material. Additional materials are allowed as accents.

“2. Allowed Wall Materials. Allowed wall cladding materials include horizontal wood and cementitious lap siding, horizontal board and batten siding, shingles, and shakes. Lap siding, shingles, and shakes shall be exposed a maximum of six inches to the weather. In board and batten siding, battens shall be spaced a maximum of eight inches on center. In addition, brick, rusticated concrete block, or stone masonry is allowed, but when used as a veneer material, it must be at least two and one-half inches thick. Cement-based stucco and poured-in-place concrete are allowed.

“3. Changes in Material. Brick and stone street-facing facades shall return at least 18 inches around the exposed side walls. When multiple cladding materials are used, changes shall occur along horizontal lines only, with a maximum of three different materials allowed per facade. Heavier-appearing materials (e.g., brick) shall be used only below lighter-appearing materials (e.g., shingles).”

Applicant’s Response To NDC § 15.220.080(D):

As previously stated, this is an existing building and other than superficial cosmetic modifications, no exterior changes will be made. These criteria can be met.

III. NDC CHAPTERS REFERENCED AS PART OF THE DESIGN REVIEW APPROVAL CRITERIA

A. Lot Requirements
NDC Chapter 15.405

The Design Review provisions in NDC § 15.220.050(B)(3), discussed above at page 6, reference NDC Chapter 15.405. Those provisions provide, in pertinent part and to the extent relevant to Applicant’s proposal, as follows.

1. Lot Area
NDC § 15.405.010

NDC § 15.405.010 provides, in pertinent part:

“A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

“* * * * *

“3. In the . . . C-3 districts, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict.

“* * * * *

“C. In calculating lot area for this section, lot area does not include land within public or private streets. . . .

“* * * * *”

Applicant’s Response To NDC § 15.405.010:

The existing lot is 0.66 acres (8,750 sf) and is compliant with the above criteria.

2. Lot Dimensions And Frontage
NDC § 15.405.030

NDC § 15.405.030 provides, in pertinent part:

- “A. Width. Widths of lots shall conform to the standards of this code.
- “B. Depth to Width Ratio. . . . Development of lots under 15,000 square feet are exempt from the lot depth to width ratio requirement.
- “C. Area. Lot sizes shall conform to standards set forth in this code. Lot area calculations shall not include area contained in public or private streets as defined by this code.
- “D. Frontage.
 - “1. No lot or development site shall have less than the following lot frontage standards:
 - “a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access except as allowed by NMC 15.240.020(L)(2).

“* * * * *

- “2. The above standards apply with the following exceptions:
 - “a. Legally created lots of record in existence prior to the effective date of the ordinance codified in this code.
 - “b. Lots or development sites which, as a process of their creation, were approved with sub-standard widths in accordance with provisions of this code.

“* * * * *”

Applicant’s Response To NDC § 15.405.030:

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

4. Lot Coverage And Parking Coverage Requirements
NDC § 15.405.040

NDC § 15.405.040(C) declares that “[a]ll other districts and uses not listed in subsection (B) of this section shall not be limited as to lot coverage and parking coverage except as otherwise required by this code.” The C–3 zoning district does not appear listed in subsection (B).

Thus, Applicant’s proposal remains governed by the lot coverage provision in NDC § 15.405.010(A)(3), discussed above. The City’s Development Code does not appear to furnish specific parking coverage requirements for the C–3 zoning district.

B. Yard Setback Requirements
NDC Chapter 15.410

The Design Review provisions in NDC § 15.220.050(B)(3), discussed above at page 6, reference NDC Chapter 15.410. Those provisions provide, in pertinent part and to the extent relevant to Applicant’s proposal, as follows.

1. Front Yard Setback
NDC § 15.410.020

NDC § 15.410.020 provides, in pertinent part:

“* * * * *

“B. Commercial

“* * * * *

“3. All lots or development sites in the C–3 district shall have no minimum front yard requirements. The maximum allowable front yard shall be 20 feet. In the case of a through lot with two front yards, at least one front yard must meet the maximum setback requirement. In the case of three or more front yards, at least two front yards must meet the maximum setback requirements. No parking shall be allowed in said yard. Said yard shall be landscaped and maintained.

“* * * * *”

Applicant’s Response To NDC § 15.410.020(B)(3):

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

2. Interior Yard Setback
NDC § 15.410.030

NDC § 15.410.030 provides, in pertinent part:

“* * * * *

“B. Commercial

“* * * * *

“2. All lots or development sites in the C–3 district shall have no interior yard requirements.

“* * * * *”

Applicant’s Response To NDC § 15.410.030(B)(2):

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

3. Vision Clearance Setback
NDC § 15.410.060

NDC § 15.410.060 provides, in pertinent part:

“The following vision clearance standards shall apply in all zones (see Appendix A, Figure 9).

- “A. At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.
- “B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.
- “C. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.

“* * * * *”

Applicant’s Response To NDC § 15.410.060:

All private streets and driveways can comply with this criteria.

4. Yard Exceptions And Permitted Intrusions Into Required Yard Setbacks
NDC § 15.410.070

NDC § 15.410.070 provides, in pertinent part:

“The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

“* * * * *

“C. Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:

“1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.

“* * * * *

“3. Porches, platforms or landings which do not extend above the level of the first floor of the building.

“4. Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).

“D. Fences and Walls.

“* * * * *

“2. In any commercial or industrial district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:

“a. Not to exceed eight feet in height. Located or maintained in any interior yard except where the requirements of vision clearance apply. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of an eight-foot fence on the property line.

“b. Not to exceed four feet in height. Located or maintained within all other front yards.

“3. If chain link (wire-woven) fences are used, they are manufactured of corrosion-proof materials of at least 11-1/2 gauge.

“4. The requirements of vision clearance shall apply to the placement of fences.

“E. Parking and Service Drives (Also Refer to NMC 15.440.010 through 15.440.080).

“1. In any district, service drives or accessways providing ingress and egress shall be permitted, together with any appropriate traffic control devices in any required yard.

“* * * * *

“3. In any commercial or industrial district, except C-1, C-4 and M-1, public or private parking areas or parking spaces shall be permitted in any required yard (see NMC 15.410.030). . . .

“* * * * *”

Applicant’s Response To NDC § 15.410.070:

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply, unless added, such as a fence. But no such additions are contemplated. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

C. Building And Site Design Standards
NDC Chapter 15.415

The Design Review provisions in NDC § 15.220.050(B)(3), discussed above at page 6, reference NDC Chapter 15.415. Those provisions provide, in pertinent part and to the extent relevant to Applicant’s proposal, as follows.

1. Building Height Limitation
NDC § 15.415.020

NDC § 15.415.020 provides, in pertinent part:

“* * * * *

“B. Commercial And Industrial.

“* * * * *

“2. In the . . . C-3 . . . districts there is no building height limitation, except, where said districts abut upon a residential district, the maximum permitted building height shall not exceed the maximum building height permitted in the abutting residential district for a distance of 50 feet from the abutting boundary.

“* * * * *”

Applicant’s Response To NDC § 15.415.020:

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply, nor is the building over that height. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

2. Building Height Exemptions
NDC § 15.415.030

NDC § 15.415.030 provides, in pertinent part:

“Roof structures and architectural features for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, TV antennas, steeples and similar structures may be erected above the height limits prescribed in this code; provided, that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space. Further, no roof structure or architectural feature under this exemption shall be erected more than 18 feet above the height of the main building, whether such structure is attached to it or freestanding, nor shall any such structure or feature exceed the height limits of the airport overlay subdistrict.”

Applicant’s Response To NDC § 15.415.030:

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

3. Public Access Required
NDC § 15.415.040

NDC § 15.415.040 provides, in pertinent part:

“No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. . . . No building

or structure shall be erected or altered without provisions for access roadways as required in the Oregon Fire Code, as adopted by the city.”

Applicant’s Response To NDC § 15.415.040:

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply.

**D. Landscaping And Outdoor Areas
NDC Chapter 15.420**

The Design Review provisions in NDC § 15.220.050(B)(4), discussed above at page 6, reference NDC Chapter 15.420. Those provisions provide, in pertinent part and to the extent relevant to Applicant’s proposal, as follows.

**1. Required Minimum Standards
NDC § 15.420.010**

NDC § 15.420.010 exempts Applicant’s proposal from the landscape area requirement otherwise prescribed in that section (“Development in the C–3 (central business district) zoning district . . . is exempt from the 15 percent landscape area requirement of this section.”).

**2. Landscaping And Amenities In Public Rights–Of–Way
NDC § 15.420.020**

NDC § 15.420.020 provides, in pertinent part:

“A. Pedestrian Space Landscaping. Pedestrian spaces shall include all sidewalks and medians used for pedestrian refuge. Spaces near sidewalks shall provide plant material for cooling and dust control, and street furniture for comfort and safety, such as benches, waste receptacles and pedestrian–scale lighting. These spaces should be designed for short–term as well as long–term use. Elements of pedestrian spaces shall not obstruct sightlines and shall adhere to any other required city safety measures. . . .

“1. Street trees planted in pedestrian spaces shall be planted according to NMC 15.420.010(B)(4).

“2. Pedestrian spaces shall have low (two and one–half feet) shrubs and ground covers for safety purposes, enhancing visibility and discouraging criminal activity.

[further specifications in NDC §§ 15.420.020(A)(2)(a) and (b) omitted here]

“3. Pedestrian-scale lighting shall be installed along sidewalks and in medians used for pedestrian refuge.

[further specifications in NDC §§ 15.420.020(A)(3)(a)–(d) omitted here]

“4. Street furniture such as benches and waste receptacles shall be provided for spaces near sidewalks only.

[further specifications in NDC §§ 15.420.020(A)(4)(a) and (b) omitted here]

“5. Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility.

“B. **Planting Strip Landscaping.** All planting strips shall be landscaped. Planting strips provide a physical and psychological buffer for pedestrians from traffic with plant material that reduces heat and dust, creating a more comfortable pedestrian environment. Planting strips shall have different arrangements and combinations of plant materials according to the frequency of on-street parking (see Appendix A, Figures 18 and 19).

“1. Planting strips which do not have adjacent parking shall have a combination of ground covers, low (two and one-half feet) shrubs and trees. Planting strips adjacent to frequently used on-street parking, as defined by city staff, shall only have trees protected by tree grates, and planting strips adjacent to infrequently used on-street parking shall be planted with ground cover as well as trees (see Appendix A, Figures 18 and 19, Typical Planting Strip Layouts). . . .

“2. Street trees shall be provided in all planting strips as provided in NMC 15.420.010(B)(4).

[further specifications in NDC §§ 15.420.020(B)(2)(a) and (b) omitted here]

“3. Shrubs and ground covers shall be provided in planting strips without adjacent parking with low (two and one-half feet) planting masses to enhance visibility, discourage criminal activity, and provide a physical as well as psychological buffer from passing traffic.

[further specifications in NDC §§ 15.420.020(B)(3)(a)–(c) omitted here]

“C. **Maintenance.** All landscapes shall be maintained for the duration of the planting to encourage health of plant material as well as public health and safety. All street trees and shrubs shall be pruned to maintain health and structure of the plant material for public safety purposes.

“* * * * *”

Applicant’s Response To NDC § 15.420.020:

The parcel and building are already developed. If no extensive building additions are constructed, then the above criteria do not apply as they are currently non-conforming. The improvements to the building will be cosmetic and the area of the building will not change, so this criteria does not apply. That said, landscaping more landscaping will be provided than is current on-site, which is next to none.

E. Signs
NDC Chapter 15.435

The Design Review provisions in NDC § 15.220.050(B)(5), discussed above at page 6, reference NDC Chapter 15.435. Those provisions provide, in pertinent part and to the extent relevant to Applicant’s proposal, as follows.

1. Permit Required/Exceptions
NDC § 15.435.030

NDC § 15.435.030 provides, in pertinent part:

- “A. Except as follows, no person or entity shall place any sign within the city without first obtaining a permit from the director.
- “B. The following do not require sign permits, but must otherwise comply with the standards of this chapter:
 - “1. Minor freestanding signs.
 - “2. Minor attached signs.
 - “3. Temporary signs.
 - “4. Portable signs.
 - “5. Flag display (one allowed on each street frontage).
 - “6. If any of the signs listed above require permits under the current edition of the Oregon Structural Specialty Code, the sign shall be placed only following the issuance of such permit.”

Applicant’s Response To NDC § 15.435.030:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

2. General Requirements – All Signs
NDC § 15.435.040

NDC § 15.435.040 provides, in pertinent part:

- “A. All signs shall comply with the standards contained in the current edition of the Oregon Structural Specialty Code. If the standards of that code and this development code conflict, this development code shall prevail. All signs shall be kept in repair and in a proper state of preservation as required under the current edition of the Oregon Structural Specialty Code.
- “B. No sign shall have bright or flashing lights shining on a public way that blind or impair the vision of drivers. No sign shall be constructed such that it may be confused with any traffic sign, signal or device.
- “C. In the C-3 zone, animated signs are prohibited.
- “D. All signs shall comply with the vision clearance standards of NMC 15.410.060.
- “E. Signs located in the airport overlay subdistrict shall comply with the height and visual interference restrictions of that district.”

Applicant’s Response To NDC § 15.435.040:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

3. Major Freestanding Signs
NDC § 15.435.050

NDC § 15.435.050 provides, in pertinent part:

- “A. Number

“* * * * *

“2. Other Zones [viz., not Residential, I, or CF]. Not more than one major freestanding sign shall be located on any one street frontage.

- “B. Size

“* * * * *

“3. Other Zones [viz., not Residential, C-1, or I]. No major freestanding sign shall be larger than one square foot per foot of street frontage, up to a maximum of 100 square feet. At least 40 square feet of signage will be allowed. For any lot at least 10 acres in size with at least 200 feet of frontage on a street, the one sign on that street may be up to 200 square feet total size.

- “C. Height and Setbacks. Freestanding signs regulated by this section are not subject to the setback requirements of NMC 15.410.010 through 15.410.070 or the pro-

jecting building features requirements of said sections. Height and setbacks of freestanding signs shall conform to the following requirements:

- “1. C-3 Zone. No major freestanding signs shall be allowed greater than six feet in height.

“* * * * *”

Applicant’s Response To NDC § 15.435.050:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

4. Minor Freestanding Signs
NDC § 15.435.060

NDC § 15.435.060 provides, in pertinent part:

- “A. Number. Not more than two minor freestanding signs shall be located in the front yard on any one street frontage, plus one for each full 100 feet of street frontage. This number limit shall not apply to minor freestanding signs located outside a required front yard and more than 10 feet from the public right-of-way.
- “B. Size.

“* * * * *

- “2 Other Zones [viz., not Residential]. No minor freestanding sign shall exceed six square feet in area.

- “C. Height. No minor freestanding sign shall exceed three feet in height.”

Applicant’s Response To NDC § 15.435.060:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

5. Major Attached Signs
NDC § 15.435.070

NDC § 15.435.070 provides, in pertinent part:

- “A. Number.

“1. C–3 Zone. Allowed major attached signs include flat wall signs and signs that project over the sidewalk. Prohibited signs include signs on roofs, chimneys or balconies.

“2. All Zones. The number of major attached signs on any building face shall not exceed one per 25 feet of building frontage of that face.

“B. Size.

“* * * * *

“3. Other Zones [viz., C–3 zoning district]. The total of all major attached signs on any building frontage shall not exceed one square foot for each foot of building frontage. At least 40 square feet of signage will be allowed.

“C. Height.

“1. C–3 Zone. Maximum mounting height for wall signs shall be 18 feet above the sidewalk, measured from the top of the sign. The top signboard of a projecting sign on a single–story building shall not be higher than the wall from which it projects. For multistory buildings, the signboard shall not be higher than the average sill height of the second–story windows. Projecting signs shall be mounted such that the distance between the lower edge of the signboard and the ground level is not less than eight feet. The distance from the building wall to the signboard shall be a maximum of six inches.

“* * * * *

“D. Projections. Major attached signs may project into the required front yard no more than five feet and into the required interior yards not more than two feet; provided, that such projections are no closer than three feet to any interior lot line. For buildings in the C–3 zone, major attached signs may project up to five feet into the right–of–way, but not closer than two feet from the curb line. The lower edge of any major attached sign shall be at least eight feet above ground level. This requirement supersedes the relevant sign standards in the current edition of the Oregon Structural Specialty Code.”

Applicant’s Response To NDC § 15.435.070:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

6. Minor Attached Signs, Awning Signage, And Umbrella Signage
NDC § 15.435.080

NDC § 15.435.080 provides, in pertinent part:

“A. Minor Attached Signs.

“1. Spacing. No two minor attached signs on one building that are both visible from any one point shall be closer than 25 feet.

“2. Size.

“* * * * *

“b. Other Zones [*viz.*, not Residential]. Minor attached signs shall not exceed six square feet in area.

“3. Height. Minor attached signs shall not extend above the roof line of the building they are attached to.

“4. Projections.

“a. C-3 Zone. Minor attached signs may project no more than three feet into a public right-of-way, but no closer than two feet from the curb line. The lower edge of any minor attached sign shall be at least eight feet above ground level. This requirement supersedes the relevant sign standards in the current edition of the Oregon Structural Specialty Code.

“* * * * *

“B. Awning Signage. Awnings are encouraged along the frontage of buildings in the C-3 district.

“1. C-3 Zone. Back-lit translucent awnings are not allowed. Lettering may appear on curved surfaces, but shall be limited to the lowest 12 inches of the awning (measured vertically from the lowest edge). Freestanding letters mounted on top of the front vertical surface are also allowed, though they shall not exceed eight inches in height.

“a. Other minor attached signs may be attached to or suspended from an awning or canopy, provided they are less than six square feet in size.

“b. The lower edge of any awning shall be at least eight feet above ground level. This requirement supersedes the relevant sign standards in the Uniform Sign Code.

“c. Signage is not allowed on any awning surfaces that are not specifically permitted in this section.

“* * * * *

“C. Umbrella Signage. Signs on umbrellas are allowed without a sign permit but are limited to the lowest 12 inches of the umbrella (measured along the umbrella sur-

face from the lowest edge). Umbrella signs shall comply with all other municipal code requirements.”

Applicant’s Response To NDC § 15.435.080:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

7. Electronic Message Centers
NDC § 15.435.085

NDC § 15.435.085 provides, in pertinent part:

- “A. Electronic message center (EMC) signs are permitted subject to the limitations shown in the [accompanying] table[.]

“* * * * *”

Applicant’s Response To NDC § 15.435.085:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

8. Portable Signs
NDC § 15.435.090

NDC § 15.435.090 provides, in pertinent part:

- “A. Number. Not more than one portable sign may be located on any one street frontage, except temporary signs allowed per NMC 15.435.100.
- “B. Size.

“* * * * *

“2. Other Zones [viz., not Residential]. The one portable sign may not exceed 12 square feet if located in the front yard, or 40 square feet if located elsewhere on the property.

- “C. Design. No portable sign shall be permanently affixed to any structure or the ground. No portable sign shall be attached to a tree, utility pole, traffic sign, street sign, or any publicly owned pole, post, wire or cable, except as authorized by the city. All signs shall be designed to be removed quickly. No portable sign shall be animated or internally illuminated. No readerboard shall be used as a portable sign, except as a temporary sign as permitted NMC 15.435.100.

- “D. Location. No portable sign shall be located within the public right-of-way except as allowed under NMC 15.435.110.
- “E. Height. The height of a portable sign shall not exceed the maximum height of buildings in that zone.”

Applicant’s Response To NDC § 15.435.090:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

9. Sign Permit Program For Portable Signs On Private Property [Within The C–3 Zoning District]

NDC § 15.435.105

NDC § 15.435.105 provides, in pertinent part:

“* * * * *

- “C. Criteria. The following criteria [for the C–3 zoning district] must be met for permit approval under the sign permit program:
 - “1. Number of signs per property: . . . one per 15 feet of street frontage, with a maximum of four signs total within the C–3 zone . . . [.] If more than one business is located on a property, at least one sign per business is allowed, as long as the business occupies a discrete space and possesses its own business license.
 - “2. Size and Location of Signs. Maximum total signage for all temporary and portable signs under a sign permit shall be one square foot per one foot of street frontage. Maximum size allowed for any specific sign will be based on the location of the sign, up to a maximum of 40 square feet. The farther the distance a sign is from the front property line, the greater size that will be allowed for a specific sign. Maximum size for signage within the first 10 feet from the property line is 10 square feet. For every additional 10 feet from the property line, the maximum square footage for a sign will be an additional 10 square feet larger. . . .
 - “3. Coordinated Appearance. Every sign approved under an individual sign permit must have a cohesive, coordinated appearance. Signs must meet three of the following five criteria: similar size, colors, shape, materials, and/or font.”

Applicant’s Response To NDC § 15.435.105:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

10. Downtown (C-3) Sign Standards
NDC § 15.435.120

NDC § 15.435.120 provides, in pertinent part:

“* * * * *

“B. Design Standards. In addition to meeting other standards within this code, any major attached or freestanding sign within the C-3 district shall score at least 10 points using the [scale reproduced in NDC § 15.435.120(B)]. Where more than one sign exists on a frontage, the total score shall be the average score for all signs on that frontage.

“C. Bonus Provisions.

“1. Notwithstanding other provisions of this code, a proposed sign in the C-3 district that scores in excess of 10 points using the above scale may be larger than the maximum allowable size of a sign otherwise allowed by this code. An increase of 10 percent of the maximum size is allowed for each point scored over 10 points.

“* * * * *”

Applicant’s Response To NDC § 15.435.120:

The sign locations and types have not been decided yet. A separate sign permit will be applied for at a future date. This criteria can be met.

F. Off-Street Parking, Bicycle Parking, And Private Walkways
NDC Chapter 15.440

The Design Review provisions in NDC § 15.220.050(B)(2), discussed above at page 5, reference NDC Chapter 15.440. Those provisions provide, in pertinent part and to the extent relevant to Applicant’s proposal, as follows.

1. Required Off-Street Parking
NDC § 15.440.010

NDC § 15.440.010 provides, in pertinent part:

“* * * * *

“B. Off-street parking is not required in the C-3 district . . . [with two exceptions omitted here].

“* * * * *”

Applicant’s Response To NDC § 15.440.010:

Almost the entire site is asphalt outside of the building. The proposed parking lots (front and back) will have all the asphalt removed. In place of asphalt, 5,277 sf of landscaping will be installed. The site when completed will contain 31 standard parking space, including 2 ADA spaces and a single bike rack. Note under 15.440.010 (C) the C-3 district is only required to provide 50% of the parking spaces required by NMC 15.440.030.

2. Parking Area And Service Drive Design
NDC § 15.440.020

NDC § 15.440.020 provides, in pertinent part:

- “A. All public or private parking areas, parking spaces, or garages shall be designed, laid out and constructed in accordance with the minimum standards as set forth in NMC 15.440.070.
- “B. Groups of three or more parking spaces . . . shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, but in no case shall two-way and one-way service drives be less than 20 feet and 12 feet, respectively. Service drives shall be improved in accordance with the minimum standards as set forth in NMC 15.440.060.

“* * * * *”

Applicant’s Response To NDC § 15.440.020:

A. The private parking areas, parking spaces will be designed, laid out and constructed in accordance with the minimum standards as set forth in NMC 15.440.070.

B. The parking areas will be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. The service drives will be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, and in no case shall two-way and one-way service drives be less than 24 feet and 12 feet, respectively. Service drives shall be improved in accordance with the minimum standards as set forth in NMC 15.440.060.

These criteria will be met.

3. Parking Spaces Required NDC § 15.440.030

The table in NDC § 15.440.030 prescribes the following parking requirements for uses that correspond to those proposed by Applicant:

Commercial Types	
Barber and beauty shops	1 for each 75 sq. ft. of <u>gross floor area</u>
Bowling alleys	6 for each bowling lane
Establishments or enterprises of a recreational or an entertainment nature:	
Establishments for the sale and consumption on the premises of food and beverages with a drive-up window	1 for each 75 sq. ft. of <u>gross floor area</u>
Establishments for the sale and consumption on the premises of food and beverages without a drive-up window	1 for each 100 sq. ft. of <u>gross floor area</u>
Participating type, e.g., skating rinks, dance halls	1 for each 75 sq. ft. of <u>gross floor area</u>
Spectator type, e.g., auditoriums, assembly halls, theaters, stadiums, places of public assembly	1 <u>parking space</u> for each 4 seats
Office <u>buildings</u> , business and professional offices	1 for every 400 sq. ft. of <u>gross floor area</u>
Pharmacies	1 for each 150 sq. ft. of <u>gross floor area</u>
Retail establishments, except as otherwise specified herein	1 for each 300 sq. ft. of <u>gross floor area</u>
Retail stores handling bulky merchandise, household furniture, or appliance repair	1 for each 600 sq. ft. of <u>gross floor area</u>

Applicant’s Response To NDC § 15.440.030:

The food carts that Applicant proposes to position on the site appear to fit within the description of “[e]stablishments for the sale and consumption on the premises of food and beverages without a drive-up window.” However, those food carts lack any attendant “gross floor area.” Thus, the only remaining “commercial type” in the above table comprises “retail establishments,” with a parking requirement of one space per 300 square feet of gross floor area.

EXISTING BUILDING AREA - 5,820 SF
 PARKING COMMERCIAL 1 SPACE PER 300 SF PER RETAIL FLOOR AREA; 1 SPACE PER 75 SF PER RESTAURANT FLOOR AREA (1250 SF PLAZA AREA - 3 FOOD CARTS)
 PARKING REQUIRED - 35 SPACES x 50% OR 17 SPACES
 PARKING PROVIDED ON-SITE - 34 SPACES

This criteria is satisfied.

4. Parking Area And Service Drive Improvements NDC § 15.440.060

NDC § 15.440.060 provides, in pertinent part:

“All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:

- “A. All parking areas and service drives shall have surfacing of asphaltic concrete or Portland cement concrete or other hard surfacing such as brick or concrete pavers. . . . All parking areas and service drives shall be graded so as not to drain stormwater over the public sidewalk or onto any abutting public or private property.
- “B. All parking areas shall be designed not to encroach on public streets, alleys, and other rights-of-way. Parking areas shall not be placed in the area between the curb and sidewalk or, if there is no sidewalk, in the public right-of-way between the curb and the property line. . . .
- “C. All parking areas . . . shall provide a substantial bumper which will prevent cars from encroachment on abutting private and public property.
- “D. All parking areas, including service drives, . . . shall be screened in accordance with NDC 15.420.010(B).
- “E. Any lights provided to illuminate any public or private parking area . . . shall be so arranged as to reflect the light away from any abutting or adjacent residential district.
- “F. All service drives and parking spaces shall be substantially marked and comply with NMC 15.440.070.

“* * * * *

- “H. A reduction in size of the parking stall may be allowed for up to a maximum of 30 percent of the total number of spaces to allow for compact cars. . . .

“* * * * *.”

Applicant’s Response To NDC § 15.440.060:

To the extent practicable, these criteria will be adhered to. It must be noted though that this is an existing non-conforming site and these measure do not apply in all cases.

5. Parking Tables And Diagrams
NDC § 15.440.070

The tables in NDC § 15.440.070 prescribe minimum dimensions of parking areas.

Applicant’s Response To NDC § 15.440.070:

As shown on the plans, all parking spaces 18 ft by 9 ft. The drive aisle between parking spaces on the west side of the parcel is 26 ft, exceeding the minimum standard. Lincoln Street which is private has a aisle width of 30 ft, also exceeding the minimum standard. These criteria are met.

6. Off-Street Loading
NDC § 15.440.080

NDC § 15.440.080 provides, in pertinent part:

“A. Buildings to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.

“1. The following standards shall be used in establishing the minimum number of berths required:

[1 berth for up to 10,000 of the building’s gross floor area]

“2. A loading berth shall contain a space 10 feet wide and 35 feet long and have a vertical clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

“* * * * *”

Applicant’s Response To NDC § 15.440.080:

No loading berths are required for the existing 5,280 sf building.

7. “Bicycle Parking” – “Facility Requirements” And “Design”
NDC §§ 15.440.100 and 15.440.110

NDC § 15.440.100 prescribes a minimum of one bicycle parking space “for every 10,000 of gross floor area.”

NDC § 15.440.110 separately prescribes bicycle parking design parameters:

“A. Bicycle parking facilities shall consist of one or more of the following:

“1. A firmly secured loop, bar, rack, or similar facility that accommodates locking the bicycle frame and both wheels using a cable or U-shaped lock.

“2. An enclosed locker.

“3. A designated area within the ground floor of a building, garage, or storage area. Such area shall be clearly designated for bicycle parking.

“* * * * *”

- “B. All bicycle parking spaces shall be at least six feet long and two and one-half feet wide. Spaces shall not obstruct pedestrian travel.
- “C. All spaces shall be located within 50 feet of a building entrance of the development.
- “D. Required bicycle parking facilities may be located in the public right-of-way adjacent to a development subject to approval of the authority responsible for maintenance of that right-of-way.”

Applicant’s Response To NDC §§ 15.440.100 and 15.440.110:

One bike parking space is required. The bike rack is located ±28 ft north of the main door on a 3 ft x 9 ft concrete pad. This criteria can be met.

8. “Private Walkways” – “Where Required” And “Private Walkway Design”
NDC §§ 15.440.130 and 15.440.140

NDC § 15.440.130 mandates that “[p]rivate walkways shall be constructed as part of any development requiring Type II design review[.]”

NDC § 15.440.140 separately provides, in pertinent part:

- “A. All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.
- “B. Required private walkways shall be a minimum of four feet wide.
- “C. Required private walkways shall be constructed of portland cement concrete or brick.
- “D. Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.
- “E. At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.

“* * * * *”

Applicant’s Response To NDC §§ 15.440.130 and 15.440.140:

The site offers multiple pedestrian connections to public right-of-ways. This criteria can be met.

IV. OTHER NDC CHAPTERS NOT REFERENCED IN THE DESIGN REVIEW CRITERIA

A. Requirements For “Temporary Merchants,” As Defined

Applicant submits that the Development Code’s description of a “temporary merchant” applies to the proposed food carts that Applicant proposes.

NDC § 5.15.050 defines “temporary Merchant”:

“‘Temporary merchant’ means a person or persons occupying a *temporary, fixed location, not within a permanent building*, and selling or delivering from stock on hand, doing business in much the same manner as a permanent business.”

(Emphasis added.)

Applicant observes that the definition in NDC § 5.15.050 represents a word-for-word replication of the definition of “temporary merchant” that appears elsewhere in the “definitions” provisions in NDC § 15.05.030.

NDC § 5.15.060 inferentially exempts a “temporary merchant” from the registration requirements specifically imposed upon “peddlers, solicitors, and street vendors” — all three of which NDC § 5.15.050 expressly define. Similarly, the “special standards” prescribed by NDC § 5.15.070(A) for “peddlers and solicitors” and by NDC § 5.15.070(B) for “street vendors” likewise do not apply to a “temporary merchant.” Rather, NDC §§ 5.15.090, 5.15.100, 5.15.110, and 5.15.120 apply specifically to a “temporary merchant.”

1. Requirements For Temporary Merchants – Term NDC § 5.15.090

NDC § 5.15.090 provides, in pertinent part:

“A. Requirements. A temporary merchant who intends to operate a business for more than three consecutive days at any one location and who is not identified as exempt under the provisions of NMC 5.15.100 shall obtain a license from the city prior to engaging in any sales activities. Temporary merchants are authorized to set up . . . on properties within the . . . C-3 central business zoning district[.]. One temporary merchant license may serve as an umbrella license for several related organizations on one lot during the same license period.

“B. Term.

“1. A temporary merchant license is valid for up to 45 consecutive days for each location, after which it may be renewed . . . [.]

“2. A qualified temporary merchant who anticipates operating a business for more than 45 days at one location may apply for a temporary merchant li-

cense which has no expiration date, subject to a fee set by city council resolution. . . .

“* * * * *”

Applicant’s Response To NDC § 5.15.090:

GP Management which will own and operate this site will be a qualified temporary merchant who anticipates operating a business for more than 45 days at this location and will apply for a temporary merchant license which has no expiration date, subject to a fee set by city council resolution. One temporary merchant license may serve as an umbrella license for several related organizations on one lot during the same license period. This criteria can be met.

2. Exemptions For Temporary Merchants
NDC § 5.15.100

NDC § 5.15.100 provides, in pertinent part:

“The following temporary merchants do not require a license and are exempt from the application requirements contained within NMC 5.15.110(B), but must meet the standards under NMC 5.15.110(A). . . .

“A. Any temporary merchant who is in operation for three or fewer consecutive days at the same location.

“* * * * *”

Applicant’s Response To NDC § 5.15.100:

This will not be the case and therefore will not apply.

3. Special Standards, Application And Fees For Temporary Merchants
NDC § 5.15.110

NDC § 5.15.110 provides, in pertinent part:

“A. Standards.

“1. The activities of the temporary merchant shall not impair or impede the proper flow of pedestrian or vehicular traffic on public or private property.

“2. The activities of the temporary merchant shall not unduly restrict parking spaces on public or private property. Any parking spaces which are customarily in use during normal working hours shall not be used as a location for a temporary merchant.

- “3. Approved parking spaces shall be provided as is deemed appropriate by the city. Required parking spaces shall be located within 100 feet of the temporary merchant. In no case shall there be less than two available parking spaces per temporary merchant. Required parking spaces for temporary merchants are used on a temporary basis and they may be graveled, asphalt or concrete surfaces. In all other respects, parking areas shall meet the requirements of NMC 15.440.010 through 15.440.080.
- “4. Only one temporary merchant license will be permitted on any individual lot or development site at any given time, unless the proposal receives Type III conditional use permit approval. . . .
- “5. Licenses for a temporary merchant shall be displayed by the temporary merchant in a visible location and shown to any customer or city official on request.
- “6. The proposal shall comply with NMC 15.415.020 through 15.415.040 dealing with height restrictions and public access; and Chapter 15.410 NMC dealing with setbacks, coverage, vision clearance, and yard requirements. No storage, display or sale may take place inside the required front yard setback area.
- “7. A temporary merchant shall comply with all signage requirements of Chapter 15.435 NMC.
- “8. A temporary merchant shall comply with all applicable sanitation codes, including waste disposal. If self-contained facilities such as porta-potties are proposed, they must also meet all applicable city and state sanitation requirements.
- “9. A temporary merchant operating in the C 3 central business district, including temporary merchants operating their businesses under a merchant’s umbrella license, shall not have a drive-up service window as part of its operation.

“* * * * .”

Applicant’s Response To NDC § 5.15.110:

All of these standards can and will be met. This criteria can be met.

B. Exterior Lighting
NDC Chapter 15.425

1. Applicability And Exemptions
NDC § 15.425.020

NDC § 15.425.020 provides, in pertinent part:

“A. Applicability. Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of . . . commercial . . . uses.

“* * * * *”

Applicant’s Response To NDC § 15.425.020(A):

Exterior lighting already exists on the building. Additional lighting will be installed per these requirements. This requirement will be met.

2. Alternative Materials And Methods Of Construction, Installation, Or Operation
NDC § 15.425.030

NDC § 15.425.030 provides, in pertinent part:

“The provisions of this section are not intended to prevent the use of any design, material, or methods of installation or operation not specifically prescribed by this section, provided any such alternate has been approved by the director. Alternatives must be an approximate equivalent to the applicable specific requirement of this section and must comply with all other applicable standards in this section.”

Applicant’s Response To NDC § 15.425.030:

The provisions of this section are not intended to prevent the use of any design, material, or methods of installation or operation not specifically prescribed by this section, provided any such alternate has been approved by the director. Alternatives will be an approximate equivalent to the applicable specific requirement of this section and will comply with all other applicable standards in this section. This standard can be met.

3. Requirements
NDC § 15.425.040

NDC § 15.425.040 provides, in pertinent part:

“A. General Requirements – All Zoning Districts.

- “1. Low–level light fixtures include exterior lights which are installed between ground level and six feet tall. Low–level light fixtures are considered nonintrusive and are unrestricted by this code.
- “2. Medium–level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium–level light fixtures must either comply with the shielding requirements of subsection (B) of this section, or the applicant shall show that light trespass from a property has been designed not to exceed one–half foot–candle at the property line.
- “3. High–level light fixtures include exterior lights which are installed 15 feet or more above ground level. High–level light fixtures must comply with the shielding requirements of subsection (B) of this section, and light trespass from a property may not exceed one–half foot–candle at the property line.

“B. Table of Shielding Requirements.

[table omitted here]

“* * * * *”

Applicant’s Response To NDC § 15.425.040:

The Owner of the site will comply with the requirements of this section.

C. Underground Utility Installation
NDC Chapter 15.430

NDC § 15.430.010 provides, in pertinent part:

- “A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface–mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high–capacity electric lines operating at 50,000 volts or above.
- “B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

“* * * * *”

Applicant’s Response To NDC § 15.430.010:

The criteria of this section can and will be met.

D. Public Improvements Standards
NDC Chapter 15.505

1. Required Improvements
NDC § 15.505.020

NDC § 15.505.020 provides, in pertinent part:

“ . . . No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NDC 15.505.030(E).

- “A. Public Works Design and Construction Standards. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply with the requirements of the most recently adopted Newberg public works design and construction standards.
- “B. Street Improvements. All projects subject to a Type II design review . . . approval must construct street improvements necessary to serve the development.
- “C. Water. All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in [NDC] Chapter 13.15.
- “D. Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in [NDC] Chapter 13.10.
- “E. Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in [NDC] Chapters 13.20 and 13.25.
- “F. Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.

“* * * * *”

Applicant’s Response To NDC § 15.505.020:

The utility work on-site is very limited. Grading and installing new parking facilities will be required. All off-site improvements will be addressed in concert with the above objectives. These criteria can be met.

2. Street Standards NDC § 15.505.030

NDC § 15.505.030 provides, in pertinent part:

“* * * * *

“E. Improvements to Existing Streets.

- “1. All projects subject to . . . Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.
- “2. All projects subject to . . . Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.
- “3. In lieu of the street improvement requirements outlined in NDC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). . . .

“* * * * *

“G. Street Width and Design Standards.

- “1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

Type of Street	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes	Median Type	Striped Bike Lane (Both Sides)	On-Street Parking
Arterial Streets						
Expressway**	ODOT	ODOT	ODOT	ODOT	ODOT	ODOT
Major arterial	95 – 100 feet	74 feet	4 lanes	TW/LTL or median*	Yes	No*
Minor arterial	69 – 80 feet	48 feet	2 lanes	TW/LTL or median*	Yes	No*
Collectors						
Major	57 – 80 feet	36 feet	2 lanes	None*	Yes	No*
Minor	61 – 65 feet	40 feet	2 lanes	None*	Yes*	Yes*
Local Streets						
Local residential	54 – 60 feet	32 feet	2 lanes	None	No	Yes
Limited residential, parking both sides	44 – 50 feet	28 feet	2 lanes	None	No	Yes
Limited residential, parking one side	40 – 46 feet	26 feet	2 lanes	None	No	One side
Local commercial/ industrial	55 – 65 feet	34 feet	2 lanes	None*	No*	Yes*

* May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.

** All standards shall be per ODOT expressway standards.

“2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

“3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

“4. Parking Lanes. Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.

“5. Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

“* * * * *

“7. Sidewalks. Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.

“8. Planter Strips. Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NDC 15.420.020. . . .

“* * * * *

“10. Intersections and Street Design. The street design standards in the Newberg public works design and construction standards shall apply to all public streets, alleys, bike facilities, and sidewalks in the city.

“* * * * *

“H. Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review procedures of Chapter 15.220 NDC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

“1. The modification is necessary to provide design flexibility in instances where:

“a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or

“b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or

“c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area[.]

“* * * * *

“2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.

“* * * * *

“T. Street Trees. Street trees shall be provided for all projects subject to Type II design review . . . approval. Street trees shall be installed in accordance with the provisions of NCC 15.420.010(B)(4).

“U. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the Newberg public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. . . .

Applicant’s Response To NDC § 15.505.030:

No off-site improvements are required for this site redevelopment other than reducing or moving driveways to make the site safer and more accessible. The driveways are an ODOT approval. These criteria can be met.

3. Public Utility Standards
NDC § 15.505.040

NDC § 15.505.040 provides, in pertinent part:

“C. General Standards.

- “1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.
- “2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. . . .

“D. Standards for Water Improvements. All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. . . .

- “1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. . . .
- “2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. . . .

“* * * * *

“E. Standards for Wastewater Improvements. All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. . . .

“* * * * *

- “2. All properties shall be provided with gravity service to the city wastewater system . . . [.]. . . .
- “3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately sized wastewater facilities. . . .

“4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities.

...

“* * * * *

“7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.

“F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. . . .

Applicant’s Response To NDC § 15.505.040:

All services are currently on-site and this section does not apply.

4. Stormwater System Standards
NDC § 15.505.050

NDC § 15.505.050 provides, in pertinent part:

“C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. . . .

“D. Plan for Stormwater and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:

“1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.

“2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.

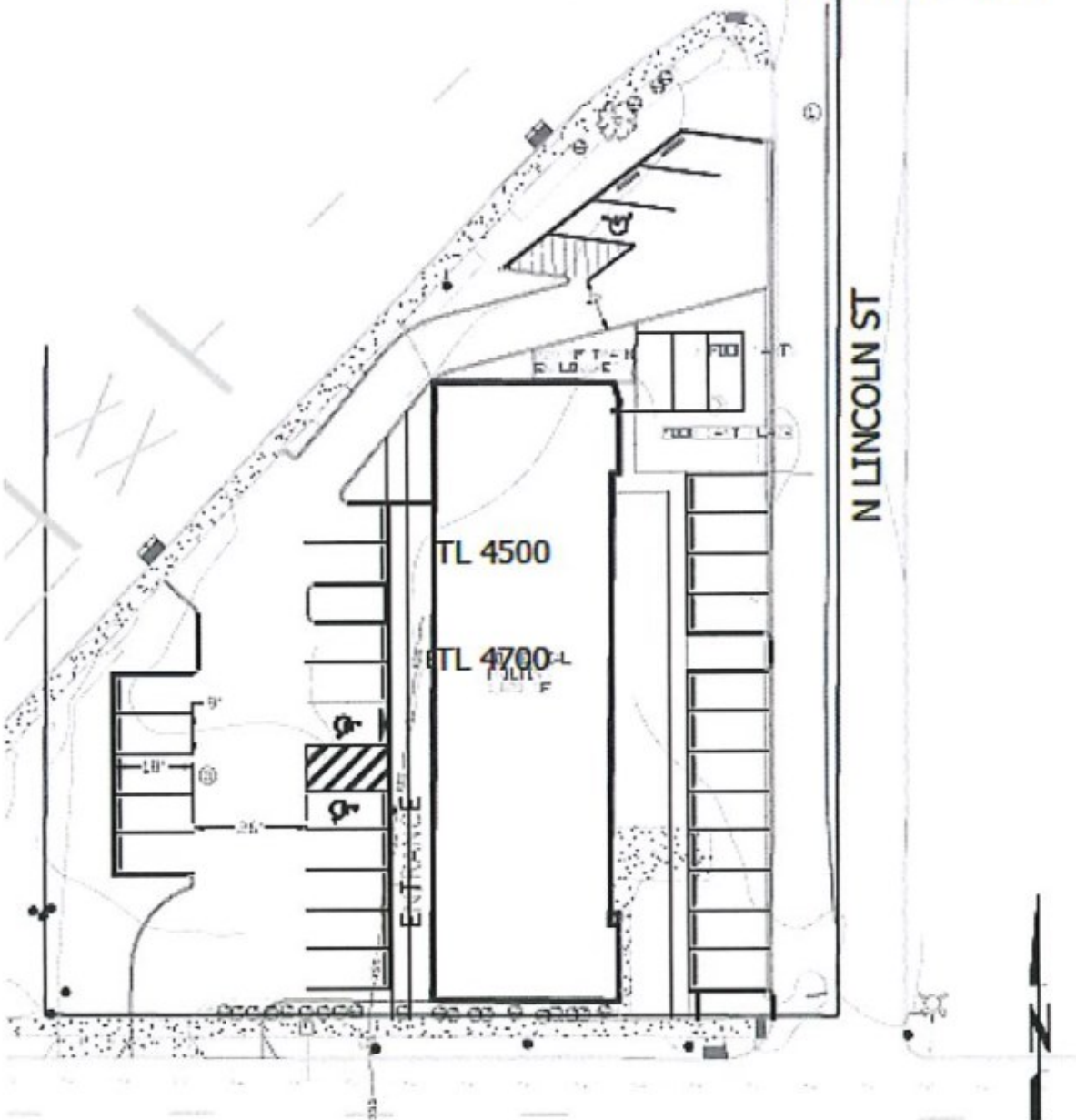
“3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.

- “E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.”

Applicant’s Response To NDC § 15.505.050:

The site is not required to meet these requirements as it is an existing non-conforming site.

W HANCOCK ST



RECORDING REQUESTED BY:



Fidelity National Title
Company of Oregon

900 SW 5th Avenue
Portland, OR 97204

GRANTOR'S NAME:

Gerald A. Logan

GRANTEE'S NAME:

GP Management, LLC, an Oregon limited liability company

AFTER RECORDING RETURN TO:

GP Management, LLC, an Oregon limited liability company
15171 SW Bangy Road, Suite 113
Lake Oswego, OR 97035

SEND TAX STATEMENTS TO:

GP Management, LLC, an Oregon limited liability company
15171 SW Bangy Road, Suite 113
Lake Oswego, OR 97035

Yamhill County Official Records	202006962
DMR-DDMR	
Stn=1014 JENSENC	05/01/2020 09:21:01 AM
3Pgs \$15.00 \$11.00 \$5.00 \$60.00	\$91.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

APN: 48647, 48656
Map: R3219AB 04500, R3219AB 04700
300 W. Hancock Street, Newberg, OR 97132
301 W.1st Street, Newberg, OR 97132

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Gerald A. Logan, Grantor, conveys and warrants to **GP Management, LLC, an Oregon limited liability company**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION ONE HUNDRED THOUSAND AND NO/100 DOLLARS (**\$1,100,000.00**). (See ORS 93.030).

Subject to:

- 1. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance No. 1630

Recording Date: August 18, 1976
 Recording No: Film Volume 85, Page 1226
 Affects: That portion lying within vacated alley

- 2. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Circuit Court Case No. 30-185 and in Warranty Deed
 In favor of: State of Oregon, by and through its Department of Transportation
 Purpose: Slope and access restrictions
 Recording Date: March 1, 1976
 Recording No: Film Volume 110, Page 1871

- 3. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance No. 88-2242

Recording Date: September 6, 1988
 Recording No: Film Volume 225, Page 1611

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Fidelity National Title of Oregon 45141927577-01 COMM

STATUTORY WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: April 28, 2020


Gerald A. Logan

State of OREGON
County of MULTNOMAH

This instrument was acknowledged before me on April 28, 2020 by Gerald A. Logan.



Notary Public - State of Oregon

My Commission Expires: 10-08-2023

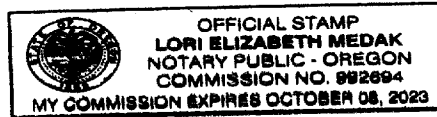


EXHIBIT "A"
Legal Description

All of Lots 2, 3, 4, 5, 6 and 7 of Block 10, HURLEY AND LARGE'S ADDITION to the City of Newberg, County of Yamhill, State of Oregon.

TOGETHER WITH those portions of vacated alley inuring to said Lots by Vacation Ordinance No. 1630, recorded August 18, 1971 in Film Volume 85, Page 1226, Yamhill County Records, in said Block 10, EXCEPTING that portion of said Block 10 and that portion of the vacated alley inuring to Lots in said Block 10 described in Final Judgment in Case No. 30-185, entered September 20, 1974 entitled "State of Oregon, by and through its Department of Transportation vs. Florence K. Newlin and Meyer Bros., Inc., an Oregon Corporation", in the Circuit Court of the State of Oregon for Yamhill County.

ALSO TOGETHER WITH that portion of vacated Lincoln Street inuring to said Lots by Vacation Ordinance No. 88-2242, recorded September 6, 1988 in Film Volume 225, Page 1611, Yamhill County Records.



Date of Production: 11/12/2021

TERMS AND CONDITIONS OF INFORMATION REPORTS

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R3219BA 04300
Cecilia Vazquez
201 N Harrison St
Newberg, OR 97132

R3218DC 08400
Llp Properties Llc
Po Box 1060
Newberg, OR 97132

R3219BA 04100
Paul Edwards
400 W Sheridan St
Newberg, OR 97132

R3219AB 04100
James & Virginia Selden
308 W Sheridan St
Newberg, OR 97132

R3219BA 02800
Craig & Karen Rathkey
10837 NE Hemlock Pl
Dundee, OR 97115

R3219AB 11500
Richard & Barbara Oviatt
300 W Sherman St
Newberg, OR 97132

R3219AB 05300
Wenwen & Yanguang Zheng
23705 SW Everest Ct
Sherwood, OR 97140

R3219BA 02900
Gary & Mary Conklin
113 N Morton St
Newberg, OR 97132

R3219BA 04600
Conrado Pereda
11980 NE Worden Hill Rd
Newberg, OR 97132

R3219AB 05500
J L Investment Llc
23995 N Highway 99w
Newberg, OR 97132

R3219AB 03990
Yamhill County & Yamhill County
434 NE Evans St
Mcminnville, OR 97128

R3219AB 04300
Mountain Home Properties Llc
Po Box 464
Sherwood, OR 97140

R3219BD 00200
Boyd & Hendricks Inc
Po Box 610
Newberg, OR 97132

R3219AB 12800
William & Margi Womack
304 W 1st St
Newberg, OR 97132

R3219AB NONTL
County Non-Taxlot
,

R3219AB 12200
Rick Murray
33995 NE Corral Creek Rd
Newberg, OR 97132

R3219AB 14201
Patricia Storey
11980 SW 119th Ave
Portland, OR 97223

R3219AB 02800
Sosa Investments Llc
3011 Silverton Rd NE
Salem, OR 97301

R3219AB 14100
Michael & Brenda Wellman
215 W 3rd St
Newberg, OR 97132

R3219AB 13900
Jason Bogers
3805 E Coffey Ln
Newberg, OR 97132

R3219AB 04400
Yamhill County & Yamhill County
434 NE Evans St
Mcminnville, OR 97128

R3219AB 05400
Balding Buffalo Llc
22007 SW Scholls Sherwood Rd
Sherwood, OR 97140

R3219BD 00100
Newberg City Of
535 NE 5th St
Mcminnville, OR 97128

R3219AB 12000
Jessica Bagley-Routt & Allen Routt
201 S College St
Newberg, OR 97132

R3219BA 03700
Roger Gray
118 N Morton St
Newberg, OR 97132

R3219AB 03200
J L Investments Llc
23995 N Highway 99w
Newberg, OR 97132

R3219AB 03900
Llp Properties Llc
Po Box 1060
Newberg, OR 97132

R3219AB 03100
E & J Investments Llc
810 SW View Crest Dr
Dundee, OR 97115

R3219AB 05600
Hang Lee
15435 SW Petrel Ln
Beaverton, OR 97007

R3219AB 14800
Russell & Mary Thomas
110 W 2nd St
Newberg, OR 97132

R3219AB 14000
Leonard & Karan Frketich
209 W 3rd St
Newberg, OR 97132

R3219BA 03400
Park Rosemary A Revocable Living Trust
9395 SW Aspen St
Beaverton, OR 97005

R3219BA 02601
Craig & Karen Rathkey
10837 NE Hemlock Pl
Dundee, OR 97115

R3219AB 13100
Kristopher Utz
307 W 2nd St
Newberg, OR 97132

R3219BA 04400
Steven Espindola
119 N Harrison St
Newberg, OR 97132

R3219BD 02900
Newberg Marine Center Llc
12100 NE Honey Ln
Newberg, OR 97132

R3219AB 04101
David & Lisa Bailiff
300 W Sheridan St
Newberg, OR 97132

R3219AB 12500
Ramiro Ulloa
1319 N Main St
Newberg, OR 97132

R3219AB 12400
Melanie & Ricky Baillie
19114 E 21st Ct
Greenacres, WA 99016

R3219AB 12700
Terry & Jody Hall
300 W 1st St
Newberg, OR 97132

R3219BA 03600
Roger Gray
118 N Morton St
Newberg, OR 97132

R3219AB 05000
Fitzroy Llc
1480 Cader Ln STE A
Petaluma, CA 94954

R3219AB 03300
Thomas Boucher
Po Box 1270
Veneta, OR 97487

R3219AB 14200
William & Pamela Broxterman
218 W 2nd St
Newberg, OR 97132

R3219AB 13500
Elizabeth & Jonathan Gemeroy
314 W 2nd St
Newberg, OR 97132

R3219AB 11400
Richard & Barbara Oviatt
300 W Sherman St
Newberg, OR 97132

R3219AB 14300
Leah Lockwood
Po Box 3010
Newberg, OR 97132

R3219AB 13600
Lenanr Northwest Inc
11807 NE 99th St STE 1170
Vancouver, WA 98682

R3219BA 03800
Craig & Karen Rathkey
10837 NE Hemlock Pl
Dundee, OR 97115

R3219AB 13000
Christopher Brown & Joyce Harrer
8555 NE Dog Ridge Rd
Newberg, OR 97132

R3219BA 03100
Darla Baxter
3708 NE Terrace Dr
Newberg, OR 97132

R3219AB RAILS
See Tax Records

R3219AB 05100
Fitzroy Llc
1480 Cader Ln STE A
Petaluma, CA 94954

R3219BA 03300
Conrado Pereda
11980 NE Worden Hill Rd
Newberg, OR 97132

R3219AB 04800
Yasar & Figen Uzun
7851 SW Barnard Dr
Beaverton, OR 97007

R3219AB 11900
James & Diane Reichenbach
201 W 2nd St
Newberg, OR 97132

R3219BA 03801
Logan & Rachel Mcqueen
200 N Morton St
Newberg, OR 97132

R3219BA 03200
Conrado & Ma-Auxilio Pereda
11980 NE Worden Hill Rd
Newberg, OR 97132

R3219AB 04900
Fitzroy Llc
1480 Cader Ln STE A
Petaluma, CA 94954

R3219AB 11000
Adam & Ruben Perez
4205 NE Riverside Loop
Mcminnville, OR 97128

R3219AB 11600
Richard & Barbara Oviatt
300 W Sherman St
Newberg, OR 97132

R3219BD 00700
Hurl Bros Llc
720 NW Michelbook Ct
Mcminnville, OR 97128

R3218DC 05900
Patrick Murphy
305 W Sheridan St
Newberg, OR 97132

R3218DC 05800
Joshua & Rebecca Kraus
311 W Sheridan St
Newberg, OR 97132

R3219BD 00300
Hurl Bros Llc
720 NW Michelbook Ct
Mcminnville, OR 97128

R3219AB 03700
Llp Properties Llc
Po Box 1060
Newberg, OR 97132

R3219AB 12100
Nadine Mclain
107 S Grant St
Newberg, OR 97132

R3219AB 03400
Stephen & Cora Waldroup
403 N Main St
Newberg, OR 97132

R3219AB 11300
Richard & Barbara Oviatt
300 W Sherman St
Newberg, OR 97132

R3219AB 03600
Llp Properties Llc
Po Box 1060
Newberg, OR 97132

R3219AB 02700
1023 Llc & Cooper Properties Llc
19430 SW Lebeau Rd
Sherwood, OR 97140

R3219AB 04001
Jack & Angela May
2220 N Thorne St
Newberg, OR 97132

R3219AB 04000
Paul Mayer
22855 SW 110th Pl
Tualatin, OR 97062

R3219AB 11100
Fox Nancy Fox Nancy Revocable Living
20805 NE Highway 240
Newberg, OR 97132

R3219BA 03000
Miranda Hickman & Ernest Mercado
107 N Morton St
Newberg, OR 97132

R3219BD 00500
Gary & Anastasia Peters
201 S Harrison St
Newberg, OR 97132

R3219AB 12600
Wolhaupter Judith A (Trustee For) Hayes
Po Box 10
Amity, OR 97101

R3219BA 02701
Ezequiel Rodriguez Sr & Joaquina Ambriz
125 N Morton St
Newberg, OR 97132

R3219AB 04200
Christopher Robinson
312 W Sheridan St
Newberg, OR 97132

R3219AB 11800
Richard & Barbara Oviatt
300 W Sherman St
Newberg, OR 97132

R3219AB 12300
Kris Utz
307 W 2nd St
Newberg, OR 97132

R3219BD 00600
C Freeborn
Po Box 37
Lafayette, OR 97127

R3219AB 11700
Erhardt & Evelyn Steinborn
Po Box 938
Sherwood, OR 97140

R3219AB 03800
Llp Properties Llc
Po Box 1060
Newberg, OR 97132

R3219AB 03500
Llp Properties Llc
Po Box 1060
Newberg, OR 97132

R3219BA 03500
Park Rosemary A Revocable Living Trust
9395 SW Aspen St
Beaverton, OR 97005

R3219BA 04200
Kenneth Backhaus
205 N Harrison St
Newberg, OR 97132

R3219BD 00400
Jason Martin
111 S Harrison St
Newberg, OR 97132

R3219BA 04500
Mario Sanchez
Po Box 598
Newberg, OR 97132

R3219AB 13001
Ramon Hermosillo
313 W 2nd St
Newberg, OR 97132

R3219BD RAILS
See Tax Records

R3219AB 04700
Gp Management Llc
15171 Bangy Rd # 113
Lake Oswego, OR 97035

R3219BA 04700
Conrado Pereda
11980 NE Worden Hill Rd
Newberg, OR 97132

R3219AB 13200
Ramona Wisser
115 S Lincoln St
Newberg, OR 97132

R3219AB 11200
Adam & Ruben Perez
4205 NE Riverside Loop
Mcminnville, OR 97128

R3219BA 04000
Apolinar Perez
4205 NE Riverside Loop
Mcminnville, OR 97128

R3219AB 12900
100 S Harrison Llc
Po Box 847
Tualatin, OR 97062

R3218DC 08200
Chester & Denise Craig
1001 E 11th Ct
Newberg, OR 97132

R3218DC 05600
Edward Sedgwick & Devan Robbins
4205 NE Riverside Loop
Mcminnville, OR 97128

R3218DC 06000
Lawrence & Jennifer Olsen
301 W Sheridan St
Newberg, OR 97132

R3218DC 05700
Joshuah & Melody Danner
313 W Sheridan St
Newberg, OR 97132

R3219AB 13400
Richard & Ramona Isenberg
304 W 2nd St
Newberg, OR 97132

R3219AB 13300
Mark Chriss
25350 SW Garden Acres Rd
Sherwood, OR 97140

R3219AB 04500
Gp Management Llc
15171 Bangy Rd # 113
Lake Oswego, OR 97035

R3219AB 14700
International Church Of The Foursquare
115 W 3rd St
Newberg, OR 97132

R3219BA 02702
Raymond Griffin
201 N Morton St
Newberg, OR 97132

R3219AB 13800
John & Patricia Journey
1771 Riverside Dr
Bullhead City, AZ 86442

R3219AB 13700
Adam & Ruben Perez
4205 NE Riverside Loop
Mcminnville, OR 97128

R3219BA RAILS
See Tax Records

R3219BA 03900
Teresa Roman & Abner Meda
410 W Sheridan St
Newberg, OR 97132

R3219AB 02901
Sosa Investments Llc
3011 Silverton Rd NE
Salem, OR 97301

R3219BA 03001
Joshua & Ashley Marsh
1007 E Sunset Dr
Newberg, OR 97132

R3219BA 03002
Nicholas Ruiz & Tiffany Ortiz-Ruiz
111 N Morton St
Newberg, OR 97132

R3219AB 02900
Raymundo & Lourdes Sosa
810 SW View Crest Dr
Dundee, OR 97115

R3219AB 14301
Sigmund Custom Homes Llc
500 E Hancock St
Newberg, OR 97132

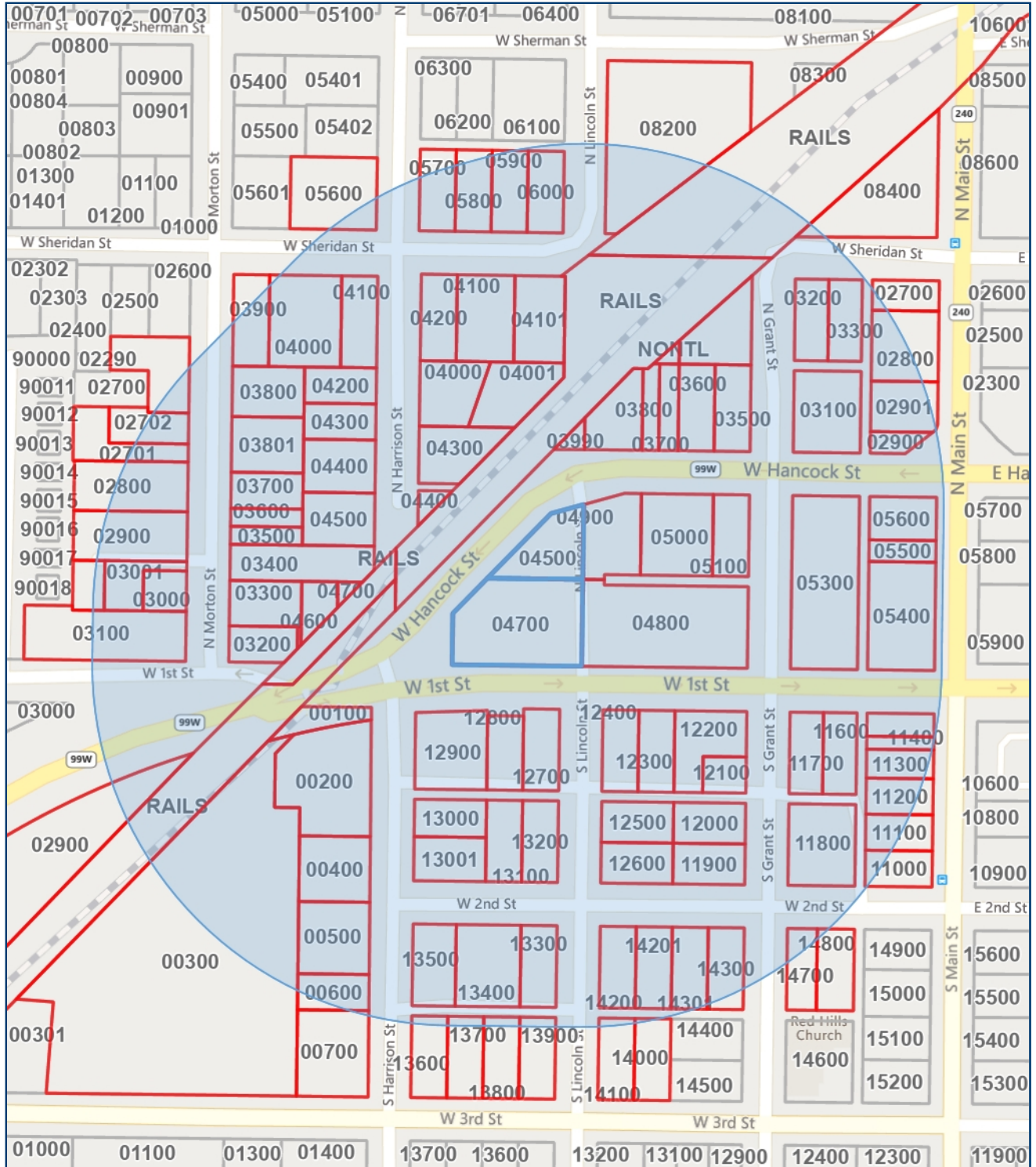
R3218DC RAILS
See Tax Records



500 ft Buffer

301 W 1st St, Newberg, OR 97132

Report Generated: 11/12/2021



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Customer Service Department
Phone: 503.219.8746(TRIO)
Email: cs.oregon@firstam.com
Report Generated: 11/12/2021

Ownership

Legal Owner(s): Gp Management Llc	Parcel #: R3219AB 04700
Site Address: 301 W 1st St Newberg, OR 97132	APN: 48656
Mailing Address: 15171 Bangy Rd # 113 Lake Oswego, OR 97035	County: Yamhill

Property Characteristics

Bedrooms: 0	Year Built: 0	Lot SqFt: 20038
Total Bathrooms: 0	Building SqFt: 0	Lot Acres: 0.46
Full Bathrooms: 0	First Floor SqFt: 0	Roof Type:
Half Bathrooms: 0	Basement Sqft: 0	Roof Shape:
Units: 0	Basment Type:	Porch Type:
Stories:		Building Style:
Fire Place: N		Garage:
Air Conditioning:		Garage SqFt: 0
Heating Type:		Parking Spots: 0
Electric Type:		Pool:

Property Information

Land Use: COMMERCIAL	Zoning: C-3
Improvement Type: Retail Stores	School District: Newberg School
Legal Description: LOTS 2 3 & 4 & PT VAC - BLOCK 10 IN HURLEY & LARGE'S ADDITION	Neighborhood:
	Subdivision: Hurley & Large'S Addition

Assessor & Tax

Market Land: \$444,835	Taxes: \$6,601.24
Market Total: \$793,524	% Improved: 44
Market Structure: \$348,689	Levy Code:
Assessed Total: \$445,635	Millage Rate:

Sale History

Last Sale Date: 5/1/2020	Doc #: 202006962	Last Sale Price: \$1,100,000
Prior Sale Date: 7/19/2016	Prior Doc #: 201610941	Prior Sale Price: \$845,000

Mortgage

1st Mortgage Date:	Doc #:	
1st Mortgage Type:	1st Mortgage Lender:	1st Mortgage: \$0
2nd Mortgage Type:		2nd Mortgage: \$0



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Ownership

Legal Owner(s): Gp Management Llc	Parcel #: R3219AB 04500
Site Address: 300 W Hancock St Newberg, OR 97132	APN: 48647
Mailing Address: 15171 Bangy Rd # 113 Lake Oswego, OR 97035	County: Yamhill

Property Characteristics

Bedrooms: 0	Year Built: 0	Lot SqFt: 8276
Total Bathrooms: 0	Building SqFt: 0	Lot Acres: 0.19
Full Bathrooms: 0	First Floor SqFt: 0	Roof Type:
Half Bathrooms: 0	Basement Sqft: 0	Roof Shape:
Units: 0	Basment Type:	Porch Type:
Stories:		Building Style:
Fire Place: N		Garage:
Air Conditioning:		Garage SqFt: 0
Heating Type:		Parking Spots: 0
Electric Type:		Pool:

Property Information

Land Use: VACANT	Zoning: C-3
Improvement Type: Commercial-Vacant Land	School District: Newberg School
Legal Description: PT LOT 5 & 6 & PT VAC - BLOCK 10 IN HURLEY & LARGE'S ADDITION	Neighborhood:
	Subdivision: Hurley & Large'S Addition

Assessor & Tax

Market Land: \$183,736	Taxes: \$687.00
Market Total: \$183,736	% Improved: 0
Market Structure: \$0	Levy Code:
Assessed Total: \$46,378	Millage Rate:

Sale History

Last Sale Date: 5/1/2020	Doc #: 202006962	Last Sale Price: \$1,100,000
Prior Sale Date: 6/9/2008	Prior Doc #: 200809956	Prior Sale Price: \$458,704

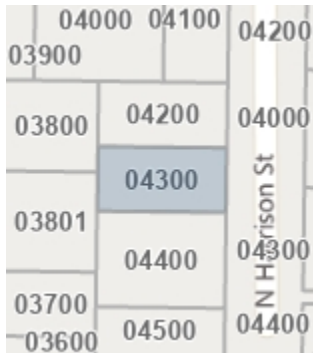
Mortgage

1st Mortgage Date:	Doc #:	
1st Mortgage Type:	1st Mortgage Lender:	1st Mortgage: \$0
2nd Mortgage Type:		2nd Mortgage: \$0



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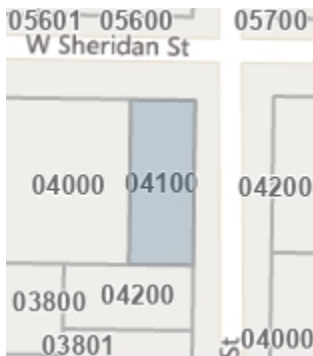
Legal Owner: Cecilia Vazquez
Site Address: 201 N Harrison St Newberg, OR 97132
Mailing Address: 201 N Harrison St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,200 Lot Acres: 0.12
Year Built: 1902
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 04300 BLOCK 29

APN: 52506
Ref Parcel #: R3219BA 04300
Taxes: \$1,785.93
Market Value: \$255,980
Assessed Value: \$120,564
Sales Price: \$0
Transfer Date:



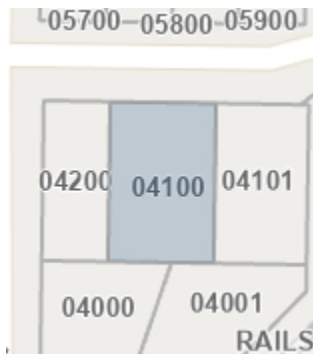
Legal Owner: Llp Properties Llc
Site Address: 305 N Main St Newberg, OR 97132
Mailing Address: Po Box 1060 Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.40
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: PART OF BLOCK 34 IN HURLEY & LARGE'S ADDITION

APN: 44534
Ref Parcel #: R3218DC 08400
Taxes: \$3,690.21
Market Value: \$358,959
Assessed Value: \$249,118
Sales Price: \$750,000
Transfer Date: 7/31/2009



Legal Owner: Paul Edwards
Site Address: 400 W Sheridan St Newberg, OR 97132
Mailing Address: 400 W Sheridan St Newberg, OR 97132
Bedrooms: 4
Bathrooms: 2.5
Building SqFt: 2,340 Lot Acres: 0.15
Year Built: 1901
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 04100 LOT 5 BLOCK 29

APN: 52472
Ref Parcel #: R3219BA 04100
Taxes: \$2,669.77
Market Value: \$349,614
Assessed Value: \$180,230
Sales Price: \$190,000
Transfer Date: 8/7/2015



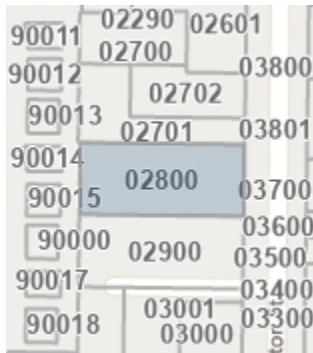
Legal Owner: James & Virginia Selden
Site Address: 308 W Sheridan St Newberg, OR 97132
Mailing Address: 308 W Sheridan St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,300 Lot Acres: 0.22
Year Built: 1902
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 04100 LOT 7 BLOCK 9

APN: 48594
Ref Parcel #: R3219AB 04100
Taxes: \$2,180.92
Market Value: \$292,524
Assessed Value: \$147,229
Sales Price: \$0
Transfer Date:



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Legal Owner: Craig & Karen Rathkey
Site Address: 117 N Morton St Newberg, OR 97132
Mailing Address: 10837 NE Hemlock Pl Dundee, OR 97115
Bedrooms: 3
Bathrooms: 2
Building SqFt: 2,592 Lot Acres: 0.25
Year Built: 1946
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 02800

APN: 52329
Ref Parcel #: R3219BA 02800
Taxes: \$3,440.61
Market Value: \$378,454
Assessed Value: \$232,268
Sales Price: \$0
Transfer Date:



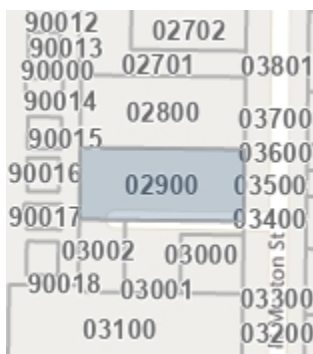
Legal Owner: Richard & Barbara Oviatt
Site Address: 101 S Main St Newberg, OR 97132
Mailing Address: 300 W Sherman St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.07
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11500 LOT 4 BLOCK 13

APN: 50250
Ref Parcel #: R3219AB 11500
Taxes: \$493.14
Market Value: \$86,115
Assessed Value: \$33,291
Sales Price: \$0
Transfer Date:



Legal Owner: Wenwen & Yanguang Zheng
Site Address: 111 W 1st St Newberg, OR 97132
Mailing Address: 23705 SW Everest Ct Sherwood, OR 97140
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.48
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 05300 LOT 5 BLOCK 12

APN: 48889
Ref Parcel #: R3219AB 05300
Taxes: \$6,100.82
Market Value: \$668,053
Assessed Value: \$411,853
Sales Price: \$480,000
Transfer Date: 12/2/2015

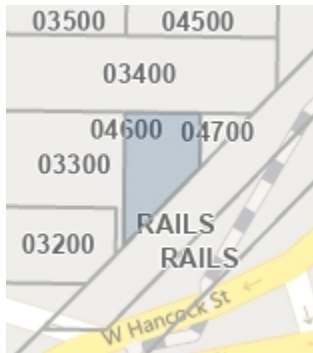


Legal Owner: Gary & Mary Conklin
Site Address: 113 N Morton St Newberg, OR 97132
Mailing Address: 113 N Morton St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,342 Lot Acres: 0.25
Year Built: 1942
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 02900

APN: 52338
Ref Parcel #: R3219BA 02900
Taxes: \$2,527.47
Market Value: \$318,224
Assessed Value: \$170,624
Sales Price: \$0
Transfer Date:



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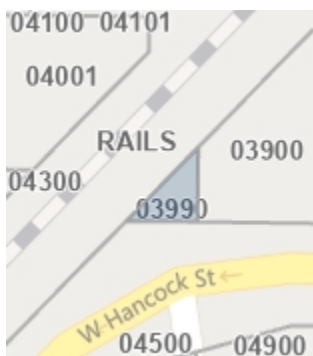
Legal Owner: Conrado Pereda
 Site Address: W 1st St Newberg, OR 97132
 Mailing Address: 11980 NE Worden Hill Rd Newberg, OR
 Bedrooms: 0
 Bathrooms: 0
 Building SqFt: 0 Lot Acres: 0.07
 Year Built: 0
 School District: Newberg School District 29j
 Neighborhood:
 Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 04600 BLOCK 28

APN: 52560
 Ref Parcel #: R3219BA 04600
 Taxes: \$75.39
 Market Value: \$5,173
 Assessed Value: \$5,173
 Sales Price: \$140,000
 Transfer Date: 9/30/2004



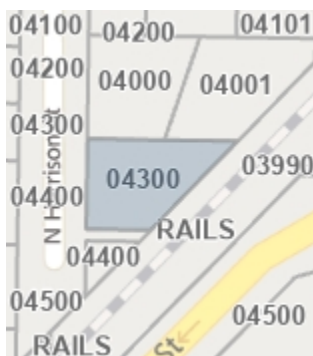
Legal Owner: J L Investment Llc
 Site Address: 111 N Main St Newberg, OR 97132
 Mailing Address: 23995 N Highway 99w Newberg, OR 97132
 Bedrooms: 0
 Bathrooms: 0
 Building SqFt: 0 Lot Acres: 0.06
 Year Built: 0
 School District: Newberg School District 29j
 Neighborhood:
 Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 05500 LOT 3 BLOCK 12

APN: 48923
 Ref Parcel #: R3219AB 05500
 Taxes: \$287.67
 Market Value: \$77,252
 Assessed Value: \$19,420
 Sales Price: \$0
 Transfer Date:



Legal Owner: Yamhill County & Yamhill County Courthouse
 Site Address: No Site Address Newberg, OR 97132
 Mailing Address: 434 NE Evans St McMinnville, OR 97128
 Bedrooms: 0
 Bathrooms: 0
 Building SqFt: 0 Lot Acres: 0.02
 Year Built: 0
 School District: Newberg School District 29j
 Neighborhood:
 Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03990

APN: 535333
 Ref Parcel #: R3219AB 03990
 Taxes: \$0.00
 Market Value: \$2,621
 Assessed Value: \$1,604
 Sales Price: \$0
 Transfer Date: 7/9/2015

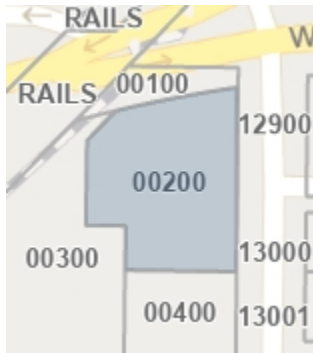


Legal Owner: Mountain Home Properties Llc
 Site Address: 200 N Harrison St Newberg, OR 97132
 Mailing Address: Po Box 464 Sherwood, OR 97140
 Bedrooms: 4
 Bathrooms: 3
 Building SqFt: 2,054 Lot Acres: 0.17
 Year Built: 2003
 School District: Newberg School District 29j
 Neighborhood:
 Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 04300 BLOCK 9

APN: 48629
 Ref Parcel #: R3219AB 04300
 Taxes: \$2,419.17
 Market Value: \$471,932
 Assessed Value: \$163,313
 Sales Price: \$210,000
 Transfer Date: 2/24/2015

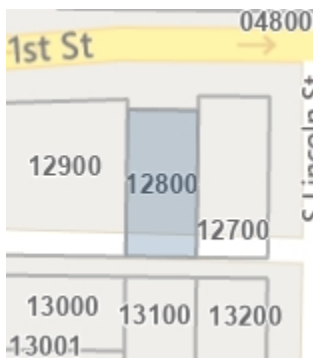


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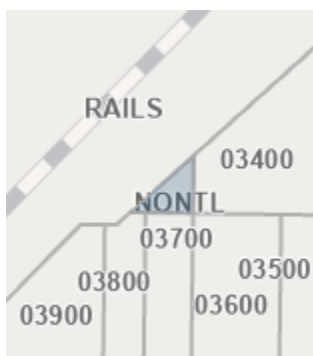
Legal Owner: Boyd & Hendricks Inc
 Site Address: 404 W 1st St Newberg, OR 97132
 Mailing Address: Po Box 610 Newberg, OR 97132
 Bedrooms: 0
 Bathrooms: 0
 Building SqFt: 0 Lot Acres: 0.43
 Year Built: 0
 School District: Newberg School District 29j
 Neighborhood:
 Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR D TAXLOT 00200 LOT 5 BLOCK

APN: 52739
 Ref Parcel #: R3219BD 00200
 Taxes: \$12,082.45
 Market Value: \$1,372,798
 Assessed Value: \$815,660
 Sales Price: \$700,000
 Transfer Date: 3/31/2004



Legal Owner: William & Margi Womack
 Site Address: 304 W 1st St Newberg, OR 97132
 Mailing Address: 304 W 1st St Newberg, OR 97132
 Bedrooms: 4
 Bathrooms: 2.5
 Building SqFt: 2,173 Lot Acres: 0.12
 Year Built: 1922
 School District: Newberg School District 29j
 Neighborhood:
 Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 12800 LOT 6 BLOCK 15

APN: 50633
 Ref Parcel #: R3219AB 12800
 Taxes: \$2,007.03
 Market Value: \$320,660
 Assessed Value: \$135,490
 Sales Price: \$0
 Transfer Date:



Legal Owner: County Non-Taxlot
 Site Address: No Site Address , OR
 Mailing Address: ,
 Bedrooms:
 Bathrooms:
 Building SqFt: Lot Acres:
 Year Built:
 School District: Newberg School District 29j
 Neighborhood:
 Legal:

APN:
 Ref Parcel #: R3219AB NONTL
 Taxes:
 Market Value:
 Assessed Value:
 Sales Price:
 Transfer Date:



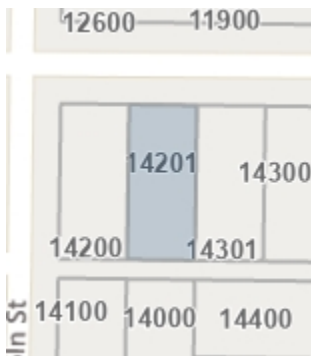
Legal Owner: Rick Murray
 Site Address: 202 W 1st St Newberg, OR 97132
 Mailing Address: 33995 NE Corral Creek Rd Newberg, OR
 Bedrooms: 2
 Bathrooms: 2.5
 Building SqFt: 2,080 Lot Acres: 0.19
 Year Built: 2005
 School District: Newberg School District 29j
 Neighborhood:
 Legal: PT LT 5 & 6 - BLOCK 14 IN HURLEY & LARGE'S ADDITION

APN: 50483
 Ref Parcel #: R3219AB 12200
 Taxes: \$3,359.98
 Market Value: \$430,698
 Assessed Value: \$226,825
 Sales Price: \$220,000
 Transfer Date: 6/5/2018



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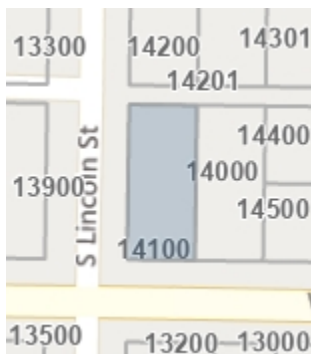
Legal Owner: Patricia Storey
Site Address: 210 W 2nd St Newberg, OR 97132
Mailing Address: 11980 SW 119th Ave Portland, OR 97223
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,296 Lot Acres: 0.13
Year Built: 2000
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 14201 LOT 7 BLOCK 17

APN: 516559
Ref Parcel #: R3219AB 14201
Taxes: \$3,249.58
Market Value: \$339,584
Assessed Value: \$219,372
Sales Price: \$294,000
Transfer Date: 10/20/2017



Legal Owner: Sosa Investments Llc
Site Address: 209 N Main St Newberg, OR 97132
Mailing Address: 3011 Silverton Rd NE Salem, OR 97301
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.21
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 02800 LOT 3 BLOCK 7

APN: 48237
Ref Parcel #: R3219AB 02800
Taxes: \$3,429.97
Market Value: \$258,914
Assessed Value: \$231,550
Sales Price: \$296,000
Transfer Date: 6/3/2008



Legal Owner: Michael & Brenda Wellman
Site Address: 215 W 3rd St Newberg, OR 97132
Mailing Address: 215 W 3rd St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 1,521 Lot Acres: 0.13
Year Built: 1880
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 14100 LOT 1 BLOCK 17

APN: 50884
Ref Parcel #: R3219AB 14100
Taxes: \$2,227.03
Market Value: \$296,412
Assessed Value: \$150,342
Sales Price: \$0
Transfer Date:



Legal Owner: Jason Bogers
Site Address: 301 W 3rd St Newberg, OR 97132
Mailing Address: 3805 E Coffey Ln Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 804 Lot Acres: 0.13
Year Built: 1895
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 13900 LOT 4 BLOCK 16

APN: 50866
Ref Parcel #: R3219AB 13900
Taxes: \$1,687.30
Market Value: \$256,254
Assessed Value: \$113,906
Sales Price: \$195,000
Transfer Date: 4/4/2007



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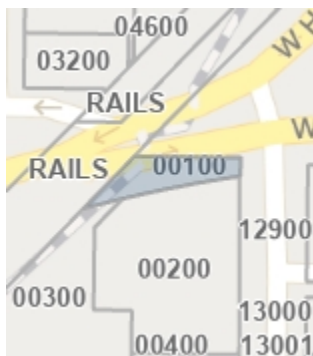
Legal Owner: Yamhill County & Yamhill County Courthouse
Site Address: No Site Address Newberg, OR 97132
Mailing Address: 434 NE Evans St McMinnville, OR 97128
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.03
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 04400 BLOCK 10

APN: 48638
Ref Parcel #: R3219AB 04400
Taxes: \$0.00
Market Value: \$2,256
Assessed Value: \$1,961
Sales Price: \$0
Transfer Date: 7/10/2015



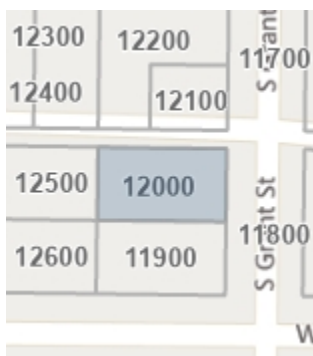
Legal Owner: Balding Buffalo Llc
Site Address: 105 N Main St Newberg, OR 97132
Mailing Address: 22007 SW Scholls Sherwood Rd Sherwood,
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.32
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: LOTS 1 & 2 & S 1/2 LOT 3 - BLOCK 12 IN HURLEY & LARGE'S ADDITION

APN: 48898
Ref Parcel #: R3219AB 05400
Taxes: \$2,118.44
Market Value: \$585,188
Assessed Value: \$143,011
Sales Price: \$500,000
Transfer Date: 5/19/2021



Legal Owner: Newberg City Of
Site Address: W 1st St Newberg, OR 97132
Mailing Address: 535 NE 5th St McMinnville, OR 97128
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.08
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR D TAXLOT 00100 LOT 5 BLOCK

APN: 52702
Ref Parcel #: R3219BD 00100
Taxes: \$0.00
Market Value: \$0
Assessed Value: \$0
Sales Price: \$0
Transfer Date:



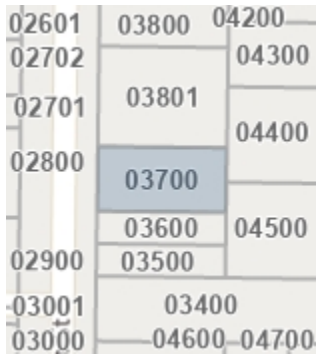
Legal Owner: Jessica Bagley-Routt & Allen Routt
Site Address: 111 S Grant St Newberg, OR 97132
Mailing Address: 201 S College St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,509 Lot Acres: 0.13
Year Built: 1901
School District: Newberg School District 29j
Neighborhood:
Legal: N 1/2 LOTS 3 & 4 - BLOCK 14 IN HURLEY & LARGE'S ADDITION

APN: 50465
Ref Parcel #: R3219AB 12000
Taxes: \$1,980.36
Market Value: \$279,392
Assessed Value: \$133,690
Sales Price: \$244,800
Transfer Date: 12/6/2018



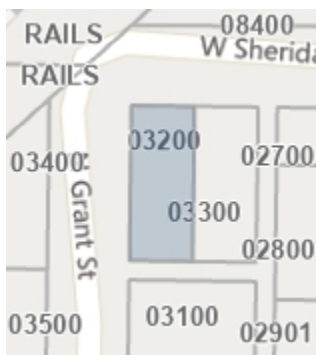
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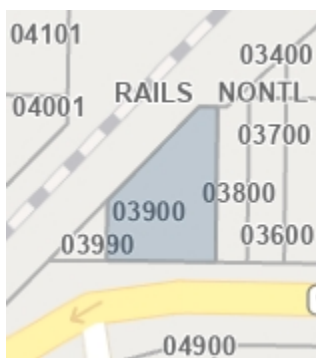
Legal Owner: Roger Gray
Site Address: 118 N Morton St Newberg, OR 97132
Mailing Address: 118 N Morton St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 920 Lot Acres: 0.12
Year Built: 1915
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03700

APN: 52418
Ref Parcel #: R3219BA 03700
Taxes: \$1,704.53
Market Value: \$251,325
Assessed Value: \$115,069
Sales Price: \$107,000
Transfer Date: 4/29/2014



Legal Owner: J L Investments Llc
Site Address: No Site Address Newberg, OR 97132
Mailing Address: 23995 N Highway 99w Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.12
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03200 LOT 8 BLOCK 7

APN: 48291
Ref Parcel #: R3219AB 03200
Taxes: \$560.13
Market Value: \$132,093
Assessed Value: \$37,813
Sales Price: \$95,000
Transfer Date: 1/20/2006



Legal Owner: Llp Properties Llc
Site Address: 215 W Hancock St Newberg, OR 97132
Mailing Address: Po Box 1060 Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.16
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03900 LOT 1 BLOCK 8

APN: 48576
Ref Parcel #: R3219AB 03900
Taxes: \$464.05
Market Value: \$41,535
Assessed Value: \$31,327
Sales Price: \$449,000
Transfer Date: 9/24/2009



Legal Owner: E & J Investments Llc
Site Address: 111 W Hancock St Newberg, OR 97132
Mailing Address: 810 SW View Crest Dr Dundee, OR 97115
Bedrooms: 3
Bathrooms: 1.5
Building SqFt: 1,458 Lot Acres: 0.24
Year Built: 1893
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03100 LOT 6 BLOCK 7

APN: 48282
Ref Parcel #: R3219AB 03100
Taxes: \$3,647.58
Market Value: \$459,419
Assessed Value: \$246,240
Sales Price: \$0
Transfer Date: 9/21/2006



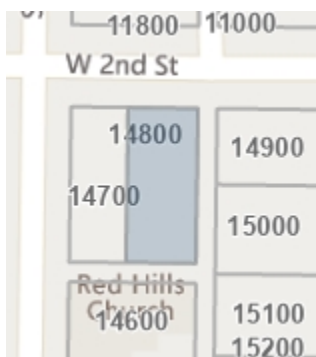
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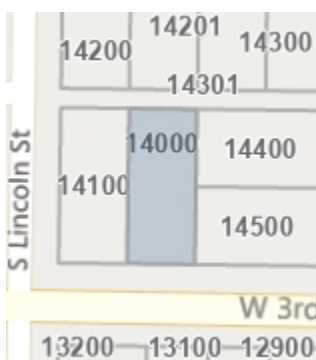
Legal Owner: Hang Lee
Site Address: 115 N Main St Newberg, OR 97132
Mailing Address: 15435 SW Petrel Ln Beaverton, OR 97007
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.13
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 05600 LOT 4 BLOCK 12

APN: 48932
Ref Parcel #: R3219AB 05600
Taxes: \$3,357.49
Market Value: \$312,774
Assessed Value: \$226,657
Sales Price: \$0
Transfer Date:



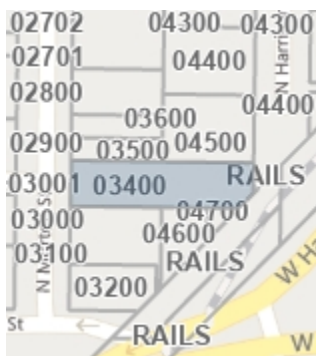
Legal Owner: Russell & Mary Thomas
Site Address: 110 W 2nd St Newberg, OR 97132
Mailing Address: 110 W 2nd St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2.5
Building SqFt: 1,872 Lot Acres: 0.13
Year Built: 1923
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 14800 LOT 5 BLOCK 18

APN: 50955
Ref Parcel #: R3219AB 14800
Taxes: \$2,096.45
Market Value: \$276,292
Assessed Value: \$141,527
Sales Price: \$0
Transfer Date:



Legal Owner: Leonard & Karan Frketich
Site Address: 209 W 3rd St Newberg, OR 97132
Mailing Address: 209 W 3rd St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 1,300 Lot Acres: 0.13
Year Built: 1913
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 14000 LOT 2 BLOCK 17

APN: 50875
Ref Parcel #: R3219AB 14000
Taxes: \$1,831.12
Market Value: \$263,791
Assessed Value: \$123,615
Sales Price: \$132,000
Transfer Date: 2/22/2006



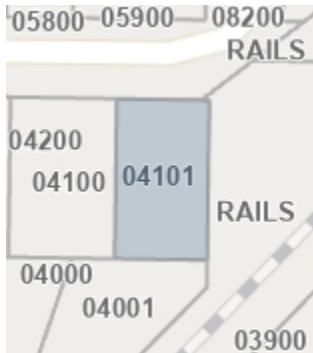
Legal Owner: Park Rosemary A Revocable Living Trust
Site Address: 108 N Morton St Newberg, OR 97132
Mailing Address: 9395 SW Aspen St Beaverton, OR 97005
Bedrooms: 2
Bathrooms: 1
Building SqFt: 954 Lot Acres: 0.23
Year Built: 1910
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03400 LOT 5 BLOCK 28

APN: 52383
Ref Parcel #: R3219BA 03400
Taxes: \$1,724.72
Market Value: \$271,332
Assessed Value: \$116,432
Sales Price: \$0
Transfer Date:



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Legal Owner: David & Lisa Bailiff
Site Address: 300 W Sheridan St Newberg, OR 97132
Mailing Address: 300 W Sheridan St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,632 Lot Acres: 0.19
Year Built: 1976
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 04101 LOT 5 BLOCK 9

APN: 48601
Ref Parcel #: R3219AB 04101
Taxes: \$3,081.58
Market Value: \$346,505
Assessed Value: \$208,031
Sales Price: \$0
Transfer Date:



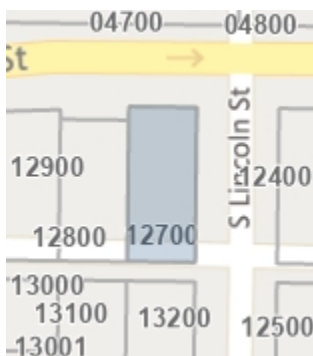
Legal Owner: Ramiro Ulloa
Site Address: 110 S Lincoln St Newberg, OR 97132
Mailing Address: 1319 N Main St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 864 Lot Acres: 0.13
Year Built: 1920
School District: Newberg School District 29j
Neighborhood:
Legal: N 1/2 OF LOTS 1 & 2 - BLOCK 14 IN HURLEY & LARGE'S ADDITION

APN: 50535
Ref Parcel #: R3219AB 12500
Taxes: \$1,090.88
Market Value: \$219,392
Assessed Value: \$73,643
Sales Price: \$205,000
Transfer Date: 7/14/2021



Legal Owner: Melanie & Ricky Baillie
Site Address: 212 W 1st St Newberg, OR 97132
Mailing Address: 19114 E 21st Ct Greenacres, WA 99016
Bedrooms: 3
Bathrooms: 2
Building SqFt: 2,276 Lot Acres: 0.13
Year Built: 1916
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 8 - BLOCK 14 IN HURLEY & LARGE'S ADDITION

APN: 50526
Ref Parcel #: R3219AB 12400
Taxes: \$1,956.14
Market Value: \$308,144
Assessed Value: \$132,055
Sales Price: \$420,000
Transfer Date: 9/2/2021



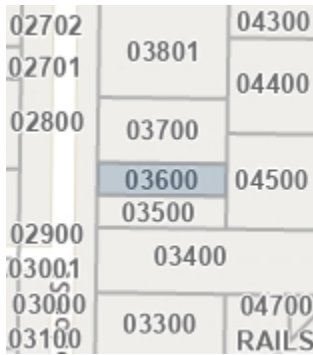
Legal Owner: Terry & Jody Hall
Site Address: 300 W 1st St Newberg, OR 97132
Mailing Address: 300 W 1st St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 2
Building SqFt: 2,248 Lot Acres: 0.13
Year Built: 1921
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 12700 LOT 5 BLOCK 15

APN: 50580
Ref Parcel #: R3219AB 12700
Taxes: \$2,107.47
Market Value: \$307,195
Assessed Value: \$142,271
Sales Price: \$180,000
Transfer Date: 3/17/2014



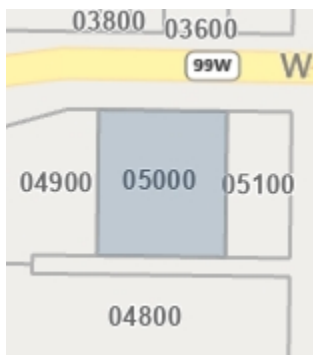
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Legal Owner: Roger Gray
Site Address: Morton St Newberg, OR 97132
Mailing Address: 118 N Morton St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.06
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03600

APN: 52409
Ref Parcel #: R3219BA 03600
Taxes: \$141.35
Market Value: \$9,700
Assessed Value: \$9,700
Sales Price: \$107,000
Transfer Date: 4/29/2014



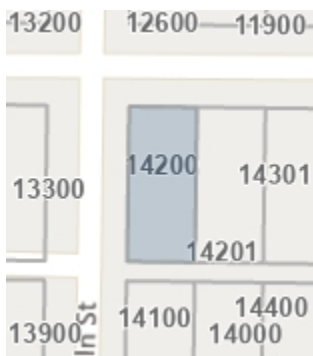
Legal Owner: Fitzroy Llc
Site Address: 214 W Hancock St Newberg, OR 97132
Mailing Address: 1480 Cader Ln STE A Petaluma, CA 94954
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.26
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 05000 LOT 6 BLOCK 11

APN: 48816
Ref Parcel #: R3219AB 05000
Taxes: \$9,887.80
Market Value: \$734,020
Assessed Value: \$667,504
Sales Price: \$1,195,000
Transfer Date: 5/29/2009



Legal Owner: Thomas Boucher
Site Address: 108 W Sheridan St Newberg, OR 97132
Mailing Address: Po Box 1270 Veneta, OR 97487
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.12
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03300 LOT 5 BLOCK 7

APN: 48317
Ref Parcel #: R3219AB 03300
Taxes: \$1,259.11
Market Value: \$141,165
Assessed Value: \$85,000
Sales Price: \$0
Transfer Date:



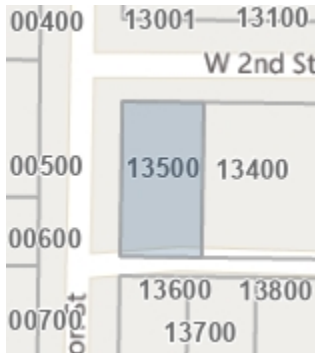
Legal Owner: William & Pamela Broxterman
Site Address: 218 W 2nd St Newberg, OR 97132
Mailing Address: 218 W 2nd St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 3
Building SqFt: 1,214 Lot Acres: 0.13
Year Built: 2001
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 14200 LOT 8 BLOCK 17

APN: 50893
Ref Parcel #: R3219AB 14200
Taxes: \$3,109.83
Market Value: \$336,140
Assessed Value: \$209,938
Sales Price: \$0
Transfer Date:



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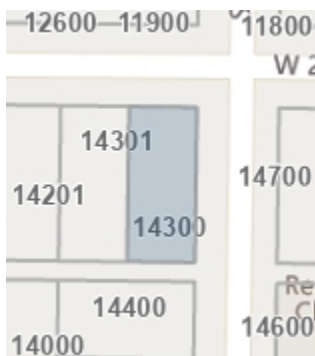
Legal Owner: Elizabeth & Jonathan Gemeroy
Site Address: 314 W 2nd St Newberg, OR 97132
Mailing Address: 314 W 2nd St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2.5
Building SqFt: 2,251 Lot Acres: 0.16
Year Built: 1942
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 8 & W 10' LOT 7 - BLOCK 16 IN HURLEY & LARGE'S ADDITION

APN: 50786
Ref Parcel #: R3219AB 13500
Taxes: \$4,234.00
Market Value: \$431,044
Assessed Value: \$285,828
Sales Price: \$426,000
Transfer Date: 10/29/2019



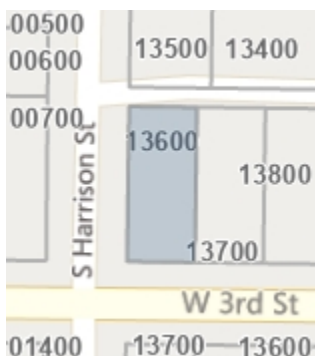
Legal Owner: Richard & Barbara Oviatt
Site Address: 103 S Main St Newberg, OR 97132
Mailing Address: 300 W Sherman St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.04
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11400 BLOCK 13

APN: 50241
Ref Parcel #: R3219AB 11400
Taxes: \$98.60
Market Value: \$38,626
Assessed Value: \$6,656
Sales Price: \$0
Transfer Date:



Legal Owner: Leah Lockwood
Site Address: 200 W 2nd St Newberg, OR 97132
Mailing Address: Po Box 3010 Newberg, OR 97132
Bedrooms: 4
Bathrooms: 2
Building SqFt: 1,948 Lot Acres: 0.13
Year Built: 1894
School District: Newberg School District 29j
Neighborhood:
Legal: LOTS 5 & 6 - BLOCK 17 IN HURLEY & LARGE'S ADDITION

APN: 50900
Ref Parcel #: R3219AB 14300
Taxes: \$1,974.99
Market Value: \$306,512
Assessed Value: \$133,327
Sales Price: \$180,000
Transfer Date: 9/27/2016



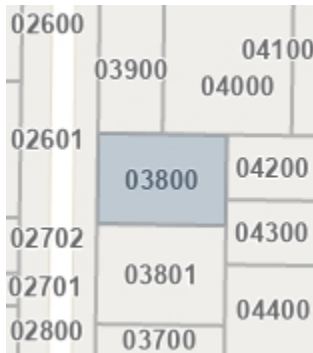
Legal Owner: Lenanr Northwest Inc
Site Address: 315 W 3rd St Newberg, OR 97132
Mailing Address: 11807 NE 99th St STE 1170 Vancouver, WA
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,419 Lot Acres: 0.13
Year Built: 1897
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 1 - BLOCK 16 IN HURLEY & LARGE'S ADDITION

APN: 50811
Ref Parcel #: R3219AB 13600
Taxes: \$1,401.60
Market Value: \$265,514
Assessed Value: \$94,619
Sales Price: \$4,459,320
Transfer Date: 8/3/2020



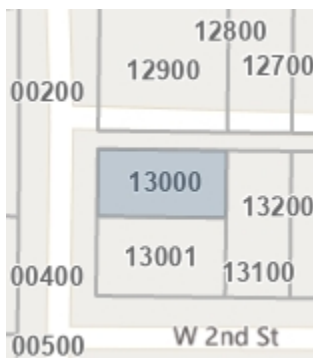
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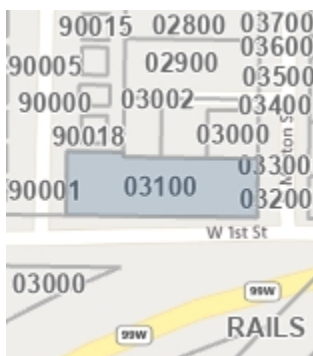
Legal Owner: Craig & Karen Rathkey
Site Address: 204 N Morton St Newberg, OR 97132
Mailing Address: 10837 NE Hemlock Pl Dundee, OR 97115
Bedrooms: 2
Bathrooms: 1
Building SqFt: 945 Lot Acres: 0.16
Year Built: 1933
School District: Newberg School District 29j
Neighborhood:
Legal: 70' X 100' IN LT 1 & 2 - BLOCK 29 IN HURLEY & LARGE'S ADDITION

APN: 52427
Ref Parcel #: R3219BA 03800
Taxes: \$1,966.19
Market Value: \$271,391
Assessed Value: \$132,733
Sales Price: \$0
Transfer Date:



Legal Owner: Christopher Brown & Joyce Harrer
Site Address: 110 S Harrison St Newberg, OR 97132
Mailing Address: 8555 NE Dog Ridge Rd Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,188 Lot Acres: 0.12
Year Built: 1999
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 13000 BLOCK 15

APN: 50679
Ref Parcel #: R3219AB 13000
Taxes: \$2,456.01
Market Value: \$319,954
Assessed Value: \$165,800
Sales Price: \$0
Transfer Date: 1/28/2005



Legal Owner: Darla Baxter
Site Address: 509 W 1st St Newberg, OR 97132
Mailing Address: 3708 NE Terrace Dr Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.36
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03100

APN: 52356
Ref Parcel #: R3219BA 03100
Taxes: \$1,066.13
Market Value: \$182,044
Assessed Value: \$71,972
Sales Price: \$0
Transfer Date:



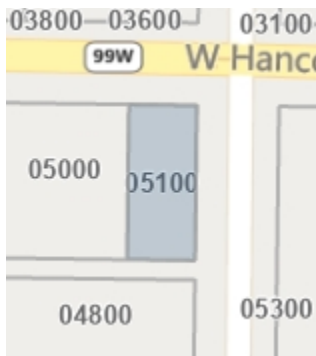
Legal Owner: See Tax Records
Site Address: No Site Address ,
Mailing Address: ,
Bedrooms:
Bathrooms:
Building SqFt: Lot Acres:
Year Built:
School District: Newberg School District 29j
Neighborhood:
Legal:

APN:
Ref Parcel #: R3219AB RAILS
Taxes:
Market Value:
Assessed Value:
Sales Price:
Transfer Date:



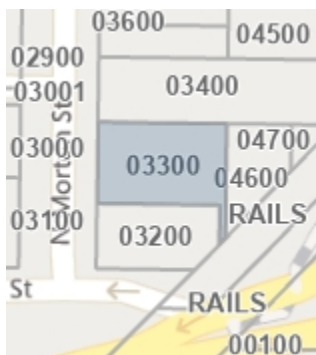
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Legal Owner: Fitzroy Llc
Site Address: 206 W Hancock St Newberg, OR 97132
Mailing Address: 1480 Cader Ln STE A Petaluma, CA 94954
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.13
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 05100 LOT 5 BLOCK 11

APN: 48834
Ref Parcel #: R3219AB 05100
Taxes: \$582.66
Market Value: \$112,490
Assessed Value: \$39,334
Sales Price: \$1,335,000
Transfer Date: 1/14/2016



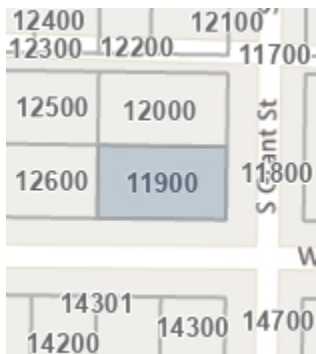
Legal Owner: Conrado Pereda
Site Address: 104 N Morton St Newberg, OR 97132
Mailing Address: 11980 NE Worden Hill Rd Newberg, OR
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,484 Lot Acres: 0.15
Year Built: 1940
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03300 BLOCK 28

APN: 52374
Ref Parcel #: R3219BA 03300
Taxes: \$1,903.48
Market Value: \$265,486
Assessed Value: \$128,500
Sales Price: \$140,000
Transfer Date: 9/30/2004



Legal Owner: Yasar & Figen Uzun
Site Address: 211 W 1st St Newberg, OR 97132
Mailing Address: 7851 SW Barnard Dr Beaverton, OR 97007
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.60
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: LOTS 1-4 - BLOCK 11 IN HURLEY & LARGE'S ADDITION

APN: 48674
Ref Parcel #: R3219AB 04800
Taxes: \$5,569.28
Market Value: \$832,077
Assessed Value: \$375,970
Sales Price: \$500,000
Transfer Date: 10/15/2019



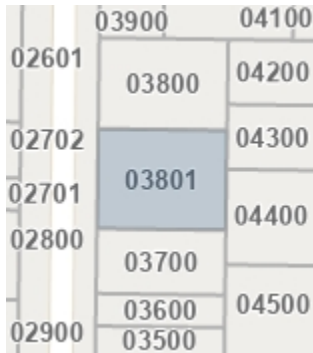
Legal Owner: James & Diane Reichenbach
Site Address: 201 W 2nd St Newberg, OR 97132
Mailing Address: 201 W 2nd St Newberg, OR 97132
Bedrooms: 4
Bathrooms: 2
Building SqFt: 3,036 Lot Acres: 0.13
Year Built: 1938
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11900 BLOCK 14

APN: 50438
Ref Parcel #: R3219AB 11900
Taxes: \$2,796.82
Market Value: \$359,764
Assessed Value: \$188,807
Sales Price: \$0
Transfer Date:



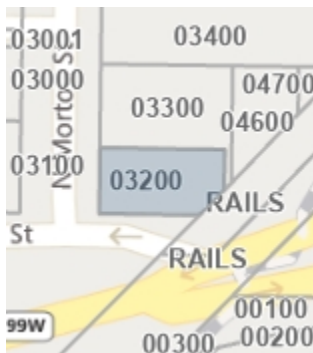
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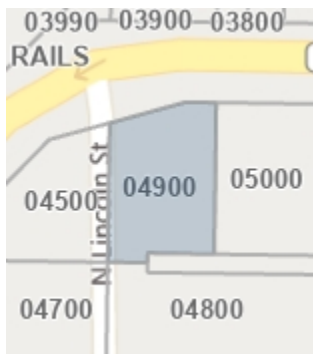
Legal Owner: Logan & Rachel Mcqueen
Site Address: 200 N Morton St Newberg, OR 97132
Mailing Address: 200 N Morton St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,283 Lot Acres: 0.18
Year Built: 1976
School District: Newberg School District 29j
Neighborhood:
Legal: PT LOTS 1 & 2 - BLOCK 29 IN HURLEY & LARGE'S ADDITION

APN: 52436
Ref Parcel #: R3219BA 03801
Taxes: \$3,568.76
Market Value: \$390,380
Assessed Value: \$240,919
Sales Price: \$455,700
Transfer Date: 8/16/2021



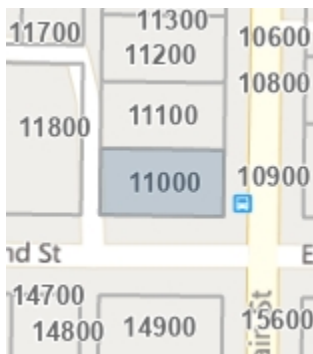
Legal Owner: Conrado & Ma-Auxilio Pereda
Site Address: 415 W 1st St Newberg, OR 97132
Mailing Address: 11980 NE Worden Hill Rd Newberg, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.10
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03200 LOT 1 BLOCK 28

APN: 52365
Ref Parcel #: R3219BA 03200
Taxes: \$574.56
Market Value: \$42,242
Assessed Value: \$38,787
Sales Price: \$0
Transfer Date:



Legal Owner: Fitzroy Llc
Site Address: W Hancock St Newberg, OR 97132
Mailing Address: 1480 Cader Ln STE A Petaluma, CA 94954
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.20
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 04900 LOT 8 BLOCK 11

APN: 48692
Ref Parcel #: R3219AB 04900
Taxes: \$678.43
Market Value: \$173,059
Assessed Value: \$45,799
Sales Price: \$1,195,000
Transfer Date: 5/29/2009



Legal Owner: Adam & Ruben Perez
Site Address: 113 S Main St Newberg, OR 97132
Mailing Address: 4205 NE Riverside Loop McMinnville, OR
Bedrooms: 2
Bathrooms: 1
Building SqFt: 1,898 Lot Acres: 0.11
Year Built: 1922
School District: Newberg School District 29j
Neighborhood:
Legal: PORTION OF LOT 1 - BLOCK 13 IN HURLEY & LARGE'S ADDITION

APN: 50205
Ref Parcel #: R3219AB 11000
Taxes: \$1,284.09
Market Value: \$251,861
Assessed Value: \$86,686
Sales Price: \$0
Transfer Date:



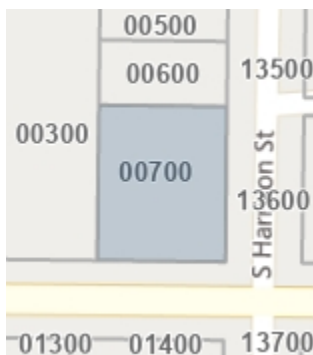
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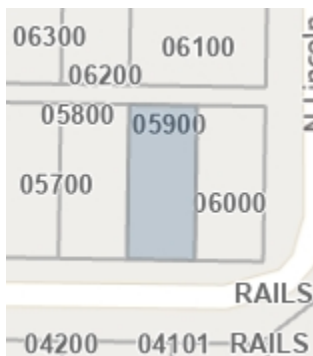
Legal Owner: Richard & Barbara Oviatt
Site Address: 108 W 1st St Newberg, OR 97132
Mailing Address: 300 W Sherman St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.12
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11600 LOT 5 BLOCK 13

APN: 50269
Ref Parcel #: R3219AB 11600
Taxes: \$878.25
Market Value: \$136,612
Assessed Value: \$59,289
Sales Price: \$0
Transfer Date:



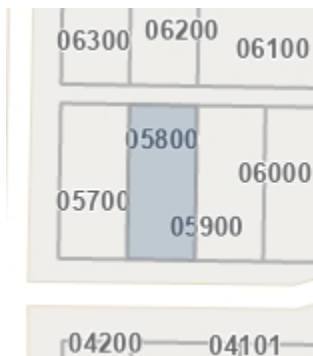
Legal Owner: Hurl Bros Llc
Site Address: 401 W 3rd St Newberg, OR 97132
Mailing Address: 720 NW Michelbook Ct McMinnville, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.27
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR D TAXLOT 00700 LOT 3 BLOCK

APN: 52846
Ref Parcel #: R3219BD 00700
Taxes: \$1,347.06
Market Value: \$92,442
Assessed Value: \$92,442
Sales Price: \$0
Transfer Date:



Legal Owner: Patrick Murphy
Site Address: 305 W Sheridan St Newberg, OR 97132
Mailing Address: 305 W Sheridan St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,004 Lot Acres: 0.13
Year Built: 1975
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 18 QTR D QQTR C TAXLOT 05900 LOT 3 BLOCK 4

APN: 44115
Ref Parcel #: R3218DC 05900
Taxes: \$2,095.46
Market Value: \$273,984
Assessed Value: \$141,460
Sales Price: \$115,000
Transfer Date: 5/5/2010



Legal Owner: Joshua & Rebecca Kraus
Site Address: 311 W Sheridan St Newberg, OR 97132
Mailing Address: 311 W Sheridan St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,920 Lot Acres: 0.13
Year Built: 1944
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 18 QTR D QQTR C TAXLOT 05800 LOT 2 BLOCK 4

APN: 44106
Ref Parcel #: R3218DC 05800
Taxes: \$3,000.78
Market Value: \$365,881
Assessed Value: \$202,576
Sales Price: \$152,000
Transfer Date: 5/13/2011



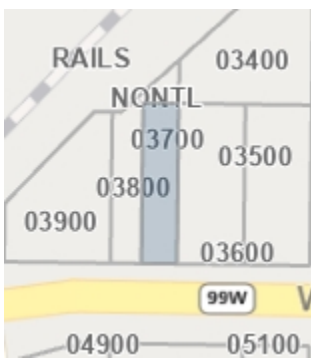
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Legal Owner: Hurl Bros Llc
Site Address: 408 W 1st St Newberg, OR 97132
Mailing Address: 720 NW Michelbook Ct McMinnville, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 2.84
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR D TAXLOT 00300

APN: 52757
Ref Parcel #: R3219BD 00300
Taxes: \$12,725.82
Market Value: \$1,620,489
Assessed Value: \$859,092
Sales Price: \$0
Transfer Date:



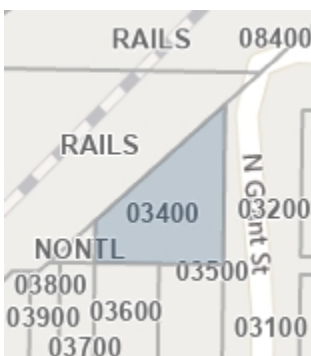
Legal Owner: Llp Properties Llc
Site Address: 211 W Hancock St Newberg, OR 97132
Mailing Address: Po Box 1060 Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.07
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03700 LOT 2 BLOCK 8

APN: 48558
Ref Parcel #: R3219AB 03700
Taxes: \$314.65
Market Value: \$37,661
Assessed Value: \$21,241
Sales Price: \$0
Transfer Date: 2/20/2009



Legal Owner: Nadine Mclain
Site Address: 107 S Grant St Newberg, OR 97132
Mailing Address: 107 S Grant St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 840 Lot Acres: 0.07
Year Built: 1949
School District: Newberg School District 29j
Neighborhood:
Legal: BLOCK 14 IN HURLEY & LARGE'S ADDITION

APN: 50474
Ref Parcel #: R3219AB 12100
Taxes: \$1,278.79
Market Value: \$220,046
Assessed Value: \$109,017
Sales Price: \$0
Transfer Date:



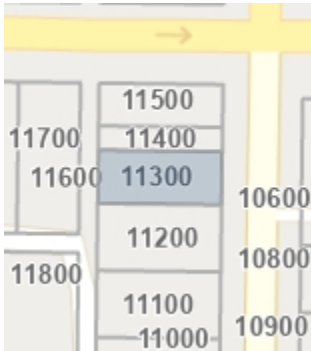
Legal Owner: Stephen & Cora Waldroup
Site Address: N Grant St Newberg, OR 97132
Mailing Address: 403 N Main St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.18
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03400 BLOCK 8

APN: 48521
Ref Parcel #: R3219AB 03400
Taxes: \$221.01
Market Value: \$45,825
Assessed Value: \$14,920
Sales Price: \$0
Transfer Date:



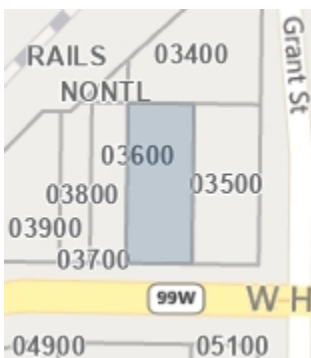
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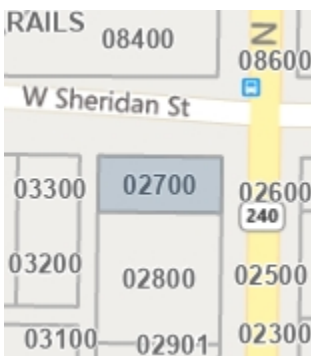
Legal Owner: Richard & Barbara Oviatt
Site Address: 105 S Main St Newberg, OR 97132
Mailing Address: 300 W Sherman St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.09
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11300 BLOCK 13

APN: 50232
Ref Parcel #: R3219AB 11300
Taxes: \$869.54
Market Value: \$82,682
Assessed Value: \$58,701
Sales Price: \$0
Transfer Date:



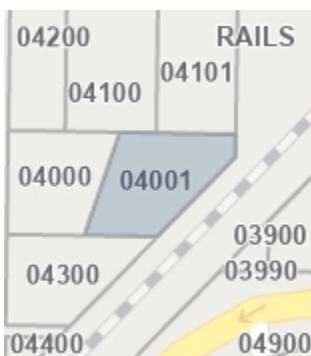
Legal Owner: Lp Properties Llc
Site Address: 207 W Hancock St Newberg, OR 97132
Mailing Address: Po Box 1060 Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.14
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03600 LOT 3 BLOCK 8

APN: 48549
Ref Parcel #: R3219AB 03600
Taxes: \$582.66
Market Value: \$90,860
Assessed Value: \$39,334
Sales Price: \$0
Transfer Date: 2/20/2009



Legal Owner: 1023 Llc & Cooper Properties Llc
Site Address: 215 N Main St Newberg, OR 97132
Mailing Address: 19430 SW Lebeau Rd Sherwood, OR 97140
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.09
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: PT LOT 4 - BLOCK 7 IN HURLEY & LARGE'S ADDITION

APN: 48219
Ref Parcel #: R3219AB 02700
Taxes: \$2,874.93
Market Value: \$423,345
Assessed Value: \$194,080
Sales Price: \$462,345
Transfer Date: 7/17/2015



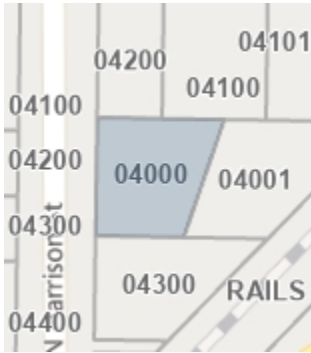
Legal Owner: Jack & Angela May
Site Address: 204 N Harrison St Newberg, OR 97132
Mailing Address: 2220 N Thorne St Newberg, OR 97132
Bedrooms: 4
Bathrooms: 3
Building SqFt: 2,060 Lot Acres: 0.19
Year Built: 2005
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 04001

APN: 529348
Ref Parcel #: R3219AB 04001
Taxes: \$3,480.46
Market Value: \$481,904
Assessed Value: \$234,958
Sales Price: \$194,654
Transfer Date: 3/13/2009



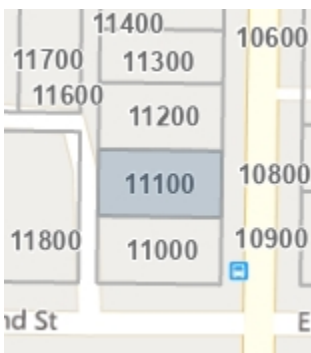
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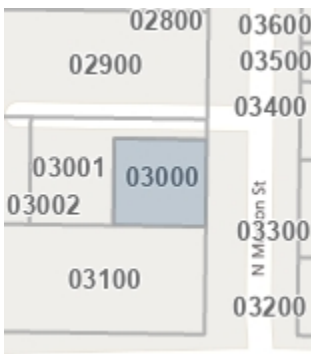
Legal Owner: Paul Mayer
Site Address: 206 N Harrison St Newberg, OR 97132
Mailing Address: 22855 SW 110th PI Tualatin, OR 97062
Bedrooms: 4
Bathrooms: 3
Building SqFt: 2,054 Lot Acres: 0.17
Year Built: 2003
School District: Newberg School District 29j
Neighborhood:
Legal: PARCEL 1 PARTITION P2005-12

APN: 48585
Ref Parcel #: R3219AB 04000
Taxes: \$3,646.61
Market Value: \$473,011
Assessed Value: \$246,175
Sales Price: \$205,000
Transfer Date: 7/27/2005



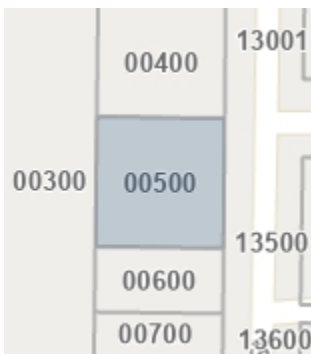
Legal Owner: Fox Nancy Fox Nancy Revocable Living Trust
Site Address: 111 S Main St Newberg, OR 97132
Mailing Address: 20805 NE Highway 240 Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 1,013 Lot Acres: 0.11
Year Built: 1903
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11100 BLOCK 13

APN: 50214
Ref Parcel #: R3219AB 11100
Taxes: \$1,186.65
Market Value: \$219,473
Assessed Value: \$80,108
Sales Price: \$0
Transfer Date:



Legal Owner: Miranda Hickman & Ernest Mercado
Site Address: 107 N Morton St Newberg, OR 97132
Mailing Address: 107 N Morton St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 832 Lot Acres: 0.25
Year Built: 1932
School District: Newberg School District 29j
Neighborhood:
Legal: PARCEL 1 P2014-07

APN: 52347
Ref Parcel #: R3219BA 03000
Taxes: \$2,088.28
Market Value: \$301,272
Assessed Value: \$140,975
Sales Price: \$280,000
Transfer Date: 8/3/2020



Legal Owner: Gary & Anastasia Peters
Site Address: 201 S Harrison St Newberg, OR 97132
Mailing Address: 201 S Harrison St Newberg, OR 97132
Bedrooms: 4
Bathrooms: 2
Building SqFt: 2,148 Lot Acres: 0.23
Year Built: 1966
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR D TAXLOT 00500 BLOCK 26

APN: 52800
Ref Parcel #: R3219BD 00500
Taxes: \$3,420.42
Market Value: \$447,063
Assessed Value: \$230,905
Sales Price: \$175,700
Transfer Date: 7/28/2004



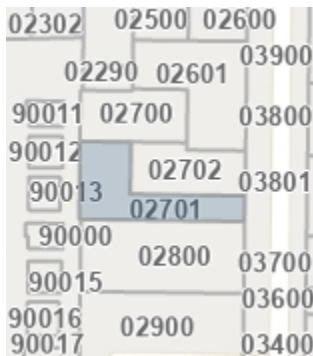
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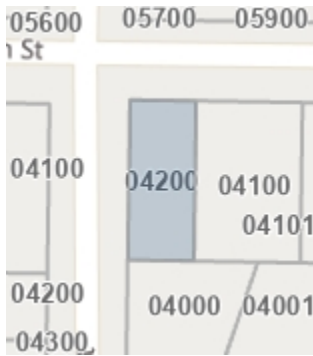
Legal Owner: Wolhaupter Judith A (Trustee For) Hayes
Site Address: 120 W 2nd St Newberg, OR 97132
Mailing Address: Po Box 10 Amity, OR 97101
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,197 Lot Acres: 0.13
Year Built: 1966
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 12600 BLOCK 14

APN: 50553
Ref Parcel #: R3219AB 12600
Taxes: \$2,839.86
Market Value: \$330,453
Assessed Value: \$191,713
Sales Price: \$0
Transfer Date:



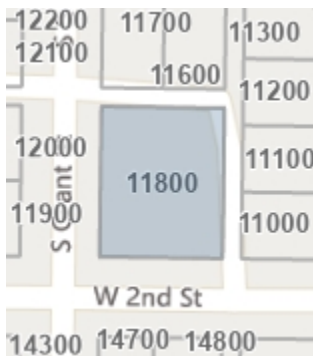
Legal Owner: Ezequiel Rodriguez Sr & Joaquina Ambriz
Site Address: 125 N Morton St Newberg, OR 97132
Mailing Address: 125 N Morton St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1.5
Building SqFt: 1,031 Lot Acres: 0.15
Year Built: 1996
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 02701

APN: 498334
Ref Parcel #: R3219BA 02701
Taxes: \$2,443.39
Market Value: \$299,937
Assessed Value: \$164,948
Sales Price: \$0
Transfer Date:



Legal Owner: Christopher Robinson
Site Address: 312 W Sheridan St Newberg, OR 97132
Mailing Address: 312 W Sheridan St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,152 Lot Acres: 0.14
Year Built: 1961
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 8 - BLOCK 9 IN HURLEY & LARGE'S ADDITION

APN: 48610
Ref Parcel #: R3219AB 04200
Taxes: \$2,071.43
Market Value: \$294,065
Assessed Value: \$139,838
Sales Price: \$264,375
Transfer Date: 5/15/2019



Legal Owner: Richard & Barbara Oviatt
Site Address: 120 S Grant St Newberg, OR 97132
Mailing Address: 300 W Sherman St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.24
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11800 LOT 6 BLOCK 13

APN: 50394
Ref Parcel #: R3219AB 11800
Taxes: \$1,104.02
Market Value: \$195,204
Assessed Value: \$74,530
Sales Price: \$0
Transfer Date:



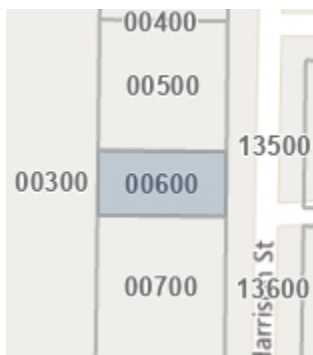
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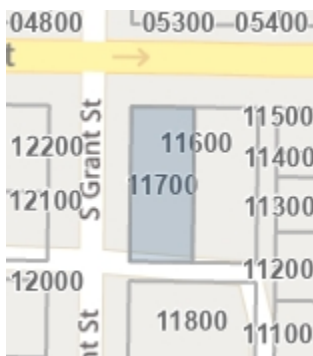
Legal Owner: Kris Utz
Site Address: 210 W 1st St Newberg, OR 97132
Mailing Address: 307 W 2nd St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 2,248 Lot Acres: 0.13
Year Built: 1914
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 12300 LOT 7 BLOCK 14

APN: 50508
Ref Parcel #: R3219AB 12300
Taxes: \$2,004.92
Market Value: \$293,126
Assessed Value: \$135,348
Sales Price: \$192,500
Transfer Date: 8/18/2017



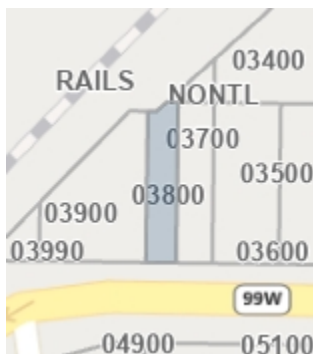
Legal Owner: C Freeborn
Site Address: 205 S Harrison St Newberg, OR 97132
Mailing Address: Po Box 37 Lafayette, OR 97127
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.11
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR D TAXLOT 00600 BLOCK 26

APN: 52828
Ref Parcel #: R3219BD 00600
Taxes: \$807.70
Market Value: \$76,286
Assessed Value: \$54,526
Sales Price: \$55,000
Transfer Date: 3/15/2016



Legal Owner: Erhardt & Evelyn Steinborn
Site Address: 116 W 1st St Newberg, OR 97132
Mailing Address: Po Box 938 Sherwood, OR 97140
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.12
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 8 - BLOCK 13 IN HURLEY & LARGE'S ADDITION

APN: 50278
Ref Parcel #: R3219AB 11700
Taxes: \$2,611.39
Market Value: \$312,370
Assessed Value: \$176,289
Sales Price: \$375,000
Transfer Date: 10/30/2020



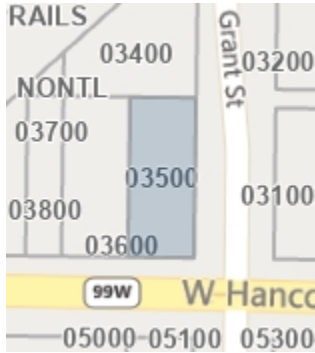
Legal Owner: Llp Properties Llc
Site Address: 213 W Hancock St Newberg, OR 97132
Mailing Address: Po Box 1060 Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.06
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03800 LOT 2 BLOCK 8

APN: 48567
Ref Parcel #: R3219AB 03800
Taxes: \$268.07
Market Value: \$28,971
Assessed Value: \$18,097
Sales Price: \$0
Transfer Date: 2/20/2009



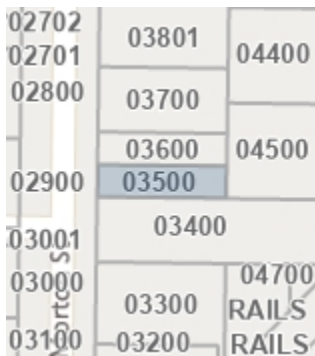
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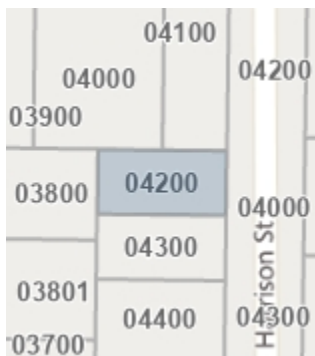
Legal Owner: Llp Properties Llc
Site Address: 201 N Grant St Newberg, OR 97132
Mailing Address: Po Box 1060 Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.14
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 03500 LOT 4 BLOCK 8

APN: 48530
Ref Parcel #: R3219AB 03500
Taxes: \$582.66
Market Value: \$121,142
Assessed Value: \$39,334
Sales Price: \$0
Transfer Date: 2/20/2009



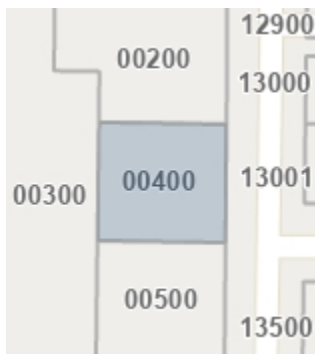
Legal Owner: Park Rosemary A Revocable Living Trust
Site Address: 108 N Morton St Newberg, OR 97132
Mailing Address: 9395 SW Aspen St Beaverton, OR 97005
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.06
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03500 LOT 7 BLOCK 28

APN: 52392
Ref Parcel #: R3219BA 03500
Taxes: \$79.93
Market Value: \$5,484
Assessed Value: \$5,484
Sales Price: \$0
Transfer Date:



Legal Owner: Kenneth Backhaus
Site Address: 205 N Harrison St Newberg, OR 97132
Mailing Address: 205 N Harrison St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 1,928 Lot Acres: 0.12
Year Built: 1920
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 04200 LOT 3 BLOCK 29

APN: 52490
Ref Parcel #: R3219BA 04200
Taxes: \$1,774.91
Market Value: \$302,090
Assessed Value: \$119,820
Sales Price: \$0
Transfer Date:



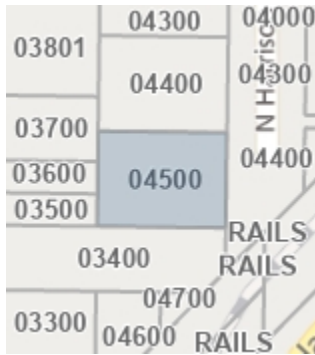
Legal Owner: Jason Martin
Site Address: 111 S Harrison St Newberg, OR 97132
Mailing Address: 111 S Harrison St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,438 Lot Acres: 0.21
Year Built: 1960
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 3 - BLOCK 27 IN HURLEY & LARGE'S ADDITION

APN: 52784
Ref Parcel #: R3219BD 00400
Taxes: \$3,599.94
Market Value: \$386,788
Assessed Value: \$243,024
Sales Price: \$211,000
Transfer Date: 9/29/2006



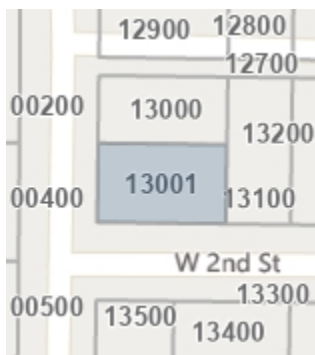
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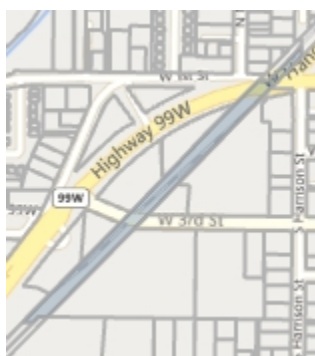
Legal Owner: Mario Sanchez
Site Address: 115 N Harrison St Newberg, OR 97132
Mailing Address: Po Box 598 Newberg, OR 97132
Bedrooms: 4
Bathrooms: 2
Building SqFt: 1,680 Lot Acres: 0.17
Year Built: 1987
School District: Newberg School District 29j
Neighborhood:
Legal: PT LOTS 5 & 6 - BLOCK 28 IN HURLEY & LARGE'S ADDITION

APN: 52542
Ref Parcel #: R3219BA 04500
Taxes: \$2,716.38
Market Value: \$343,029
Assessed Value: \$183,377
Sales Price: \$349,900
Transfer Date: 7/10/2020



Legal Owner: Ramon Hermsillo
Site Address: 313 W 2nd St Newberg, OR 97132
Mailing Address: 313 W 2nd St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,260 Lot Acres: 0.14
Year Built: 1936
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 13001 BLOCK 15

APN: 508459
Ref Parcel #: R3219AB 13001
Taxes: \$2,461.49
Market Value: \$266,241
Assessed Value: \$166,170
Sales Price: \$136,000
Transfer Date: 9/17/2004



Legal Owner: See Tax Records
Site Address: No Site Address ,
Mailing Address: ,
Bedrooms:
Bathrooms:
Building SqFt: Lot Acres:
Year Built:
School District: Newberg School District 29j
Neighborhood:
Legal:

APN:
Ref Parcel #: R3219BD RAILS
Taxes:
Market Value:
Assessed Value:
Sales Price:
Transfer Date:



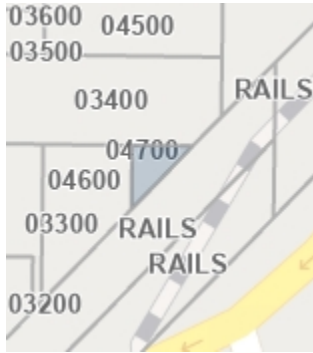
Legal Owner: Gp Management Llc
Site Address: 301 W 1st St Newberg, OR 97132
Mailing Address: 15171 Bangu Rd # 113 Lake Oswego, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.46
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: LOTS 2 3 & 4 & PT VAC - BLOCK 10 IN HURLEY & LARGE'S ADDITION

APN: 48656
Ref Parcel #: R3219AB 04700
Taxes: \$6,601.24
Market Value: \$793,524
Assessed Value: \$445,635
Sales Price: \$1,100,000
Transfer Date: 5/1/2020



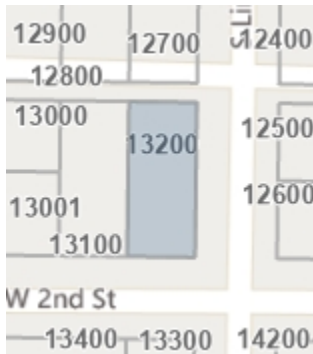
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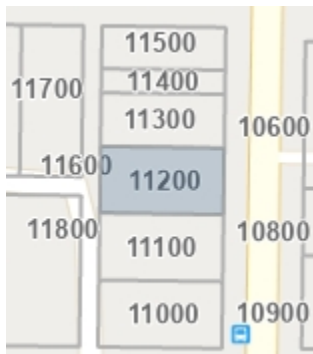
Legal Owner: Conrado Pereda
Site Address: W 1st St Newberg, OR 97132
Mailing Address: 11980 NE Worden Hill Rd Newberg, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.07
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 04700 LOT 4 BLOCK 28

APN: 52579
Ref Parcel #: R3219BA 04700
Taxes: \$11.15
Market Value: \$828
Assessed Value: \$753
Sales Price: \$140,000
Transfer Date: 9/30/2004



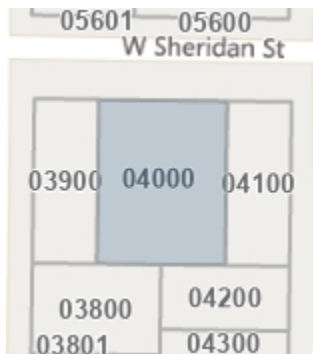
Legal Owner: Ramona Wiser
Site Address: 115 S Lincoln St Newberg, OR 97132
Mailing Address: 115 S Lincoln St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,100 Lot Acres: 0.13
Year Built: 1920
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 13200 LOT 4 BLOCK 15

APN: 50713
Ref Parcel #: R3219AB 13200
Taxes: \$1,376.52
Market Value: \$233,137
Assessed Value: \$92,926
Sales Price: \$0
Transfer Date:



Legal Owner: Adam & Ruben Perez
Site Address: 107 S Main St Newberg, OR 97132
Mailing Address: 4205 NE Riverside Loop McMinnville, OR
Bedrooms: 2
Bathrooms: 1
Building SqFt: 960 Lot Acres: 0.11
Year Built: 1930
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 11200 BLOCK 13

APN: 50223
Ref Parcel #: R3219AB 11200
Taxes: \$1,186.29
Market Value: \$231,145
Assessed Value: \$80,084
Sales Price: \$0
Transfer Date:



Legal Owner: Apolinar Perez
Site Address: 404 W Sheridan St Newberg, OR 97132
Mailing Address: 4205 NE Riverside Loop McMinnville, OR
Bedrooms: 3
Bathrooms: 1
Building SqFt: 2,302 Lot Acres: 0.29
Year Built: 1905
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 04000 LOT 6 BLOCK 29

APN: 52454
Ref Parcel #: R3219BA 04000
Taxes: \$2,064.03
Market Value: \$302,442
Assessed Value: \$139,338
Sales Price: \$0
Transfer Date:



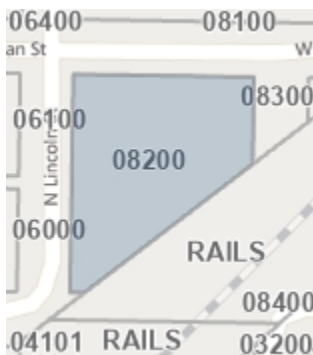
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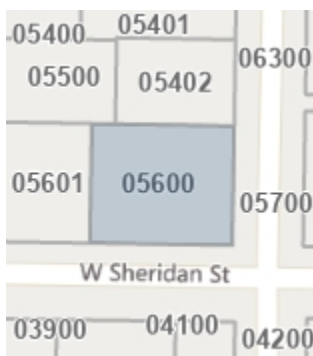
Legal Owner: 100 S Harrison Llc
Site Address: 100 S Harrison St Newberg, OR 97132
Mailing Address: Po Box 847 Tualatin, OR 97062
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.25
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 12900 LOT 7 BLOCK 15

APN: 50642
Ref Parcel #: R3219AB 12900
Taxes: \$5,767.84
Market Value: \$674,155
Assessed Value: \$389,374
Sales Price: \$256,000
Transfer Date: 6/3/2009



Legal Owner: Chester & Denise Craig
Site Address: 300 N Lincoln St Newberg, OR 97132
Mailing Address: 1001 E 11th Ct Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.77
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 18 QTR D QQTR C TAXLOT 08200 BLOCK 5

APN: 44516
Ref Parcel #: R3218DC 08200
Taxes: \$7,720.75
Market Value: \$573,150
Assessed Value: \$521,211
Sales Price: \$0
Transfer Date:



Legal Owner: Edward Sedgwick & Devan Robbins
Site Address: 303 N Harrison St Newberg, OR 97132
Mailing Address: 4205 NE Riverside Loop McMinnville, OR
Bedrooms: 3
Bathrooms: 2
Building SqFt: 2,290 Lot Acres: 0.28
Year Built: 1948
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 18 QTR D QQTR C TAXLOT 05600 LOT 2 BLOCK

APN: 44053
Ref Parcel #: R3218DC 05600
Taxes: \$3,658.97
Market Value: \$548,226
Assessed Value: \$247,009
Sales Price: \$0
Transfer Date:



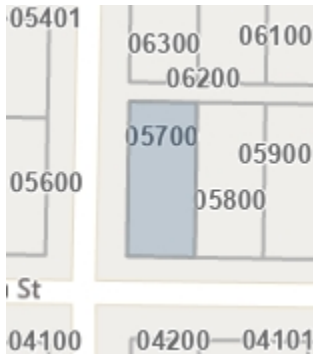
Legal Owner: Lawrence & Jennifer Olsen
Site Address: 301 W Sheridan St Newberg, OR 97132
Mailing Address: 301 W Sheridan St Newberg, OR 97132
Bedrooms: 4
Bathrooms: 2
Building SqFt: 2,160 Lot Acres: 0.13
Year Built: 1902
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 18 QTR D QQTR C TAXLOT 06000 LOT 4 BLOCK 4

APN: 44133
Ref Parcel #: R3218DC 06000
Taxes: \$1,899.87
Market Value: \$311,799
Assessed Value: \$128,256
Sales Price: \$192,000
Transfer Date: 7/28/2005



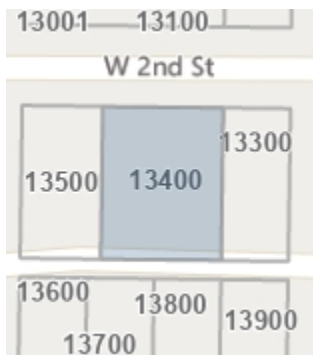
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Legal Owner: Joshuah & Melody Danner
Site Address: 313 W Sheridan St Newberg, OR 97132
Mailing Address: 313 W Sheridan St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 1,285 Lot Acres: 0.13
Year Built: 1943
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 18 QTR D QQTR C TAXLOT 05700 LOT 1 BLOCK 4

APN: 44099
Ref Parcel #: R3218DC 05700
Taxes: \$1,979.49
Market Value: \$269,040
Assessed Value: \$133,631
Sales Price: \$0
Transfer Date:



Legal Owner: Richard & Ramona Isenberg
Site Address: 304 W 2nd St Newberg, OR 97132
Mailing Address: 304 W 2nd St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2
Building SqFt: 2,284 Lot Acres: 0.23
Year Built: 1940
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 6 & E 40' LOT 7 - BLOCK 16 IN HURLEY & LARGE'S ADDITION

APN: 50768
Ref Parcel #: R3219AB 13400
Taxes: \$3,035.12
Market Value: \$377,698
Assessed Value: \$204,894
Sales Price: \$325,000
Transfer Date: 1/18/2019



Legal Owner: Mark Chriss
Site Address: 300 W 2nd St Newberg, OR 97132
Mailing Address: 25350 SW Garden Acres Rd Sherwood, OR
Bedrooms: 2
Bathrooms: 1
Building SqFt: 1,144 Lot Acres: 0.13
Year Built: 1911
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 13300 LOT 5 BLOCK 16

APN: 50731
Ref Parcel #: R3219AB 13300
Taxes: \$1,907.93
Market Value: \$258,841
Assessed Value: \$128,800
Sales Price: \$0
Transfer Date:



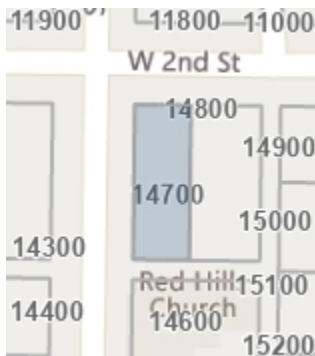
Legal Owner: Gp Management Llc
Site Address: 300 W Hancock St Newberg, OR 97132
Mailing Address: 15171 Bangy Rd # 113 Lake Oswego, OR
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.19
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: PT LOT 5 & 6 & PT VAC - BLOCK 10 IN HURLEY & LARGE'S ADDITION

APN: 48647
Ref Parcel #: R3219AB 04500
Taxes: \$687.00
Market Value: \$183,736
Assessed Value: \$46,378
Sales Price: \$1,100,000
Transfer Date: 5/1/2020



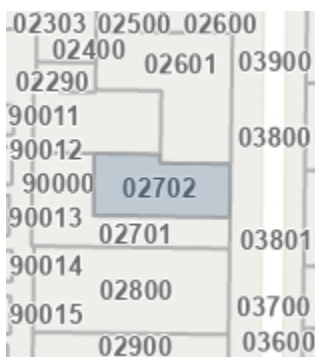
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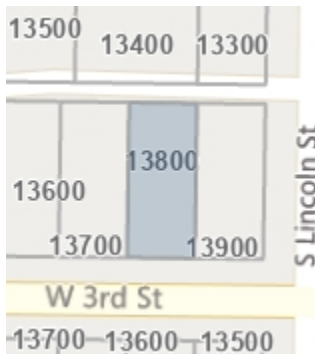
Legal Owner: International Church Of The Foursquare Gospel
Site Address: 200 S Grant St Newberg, OR 97132
Mailing Address: 115 W 3rd St Newberg, OR 97132
Bedrooms: 2
Bathrooms: 1
Building SqFt: 896 Lot Acres: 0.11
Year Built: 1929
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 8 - BLOCK 18 IN HURLEY & LARGE'S ADDITION

APN: 50946
Ref Parcel #: R3219AB 14700
Taxes: \$0.00
Market Value: \$220,409
Assessed Value: \$115,326
Sales Price: \$125,000
Transfer Date: 7/15/2004



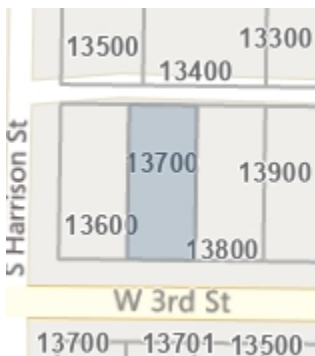
Legal Owner: Raymond Griffin
Site Address: 201 N Morton St Newberg, OR 97132
Mailing Address: 201 N Morton St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1
Building SqFt: 1,152 Lot Acres: 0.12
Year Built: 1908
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 02702

APN: 498337
Ref Parcel #: R3219BA 02702
Taxes: \$2,071.88
Market Value: \$248,343
Assessed Value: \$139,868
Sales Price: \$0
Transfer Date:



Legal Owner: John & Patricia Journey
Site Address: 305 W 3rd St Newberg, OR 97132
Mailing Address: 1771 Riverside Dr Bullhead City, AZ 86442
Bedrooms: 2
Bathrooms: 2
Building SqFt: 1,126 Lot Acres: 0.13
Year Built: 2001
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 13800 LOT 3 BLOCK 16

APN: 50848
Ref Parcel #: R3219AB 13800
Taxes: \$2,939.07
Market Value: \$330,771
Assessed Value: \$198,410
Sales Price: \$0
Transfer Date:



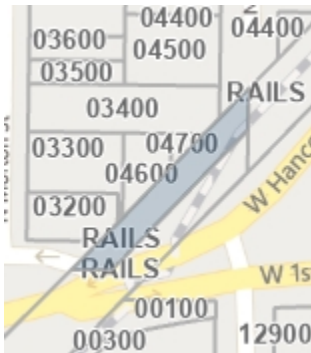
Legal Owner: Adam & Ruben Perez
Site Address: 307 W 3rd St Newberg, OR 97132
Mailing Address: 4205 NE Riverside Loop McMinnville, OR
Bedrooms: 2
Bathrooms: 1
Building SqFt: 864 Lot Acres: 0.13
Year Built: 1952
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 2 - BLOCK 16 IN HURLEY & LARGE'S ADDITION

APN: 50839
Ref Parcel #: R3219AB 13700
Taxes: \$1,725.28
Market Value: \$248,925
Assessed Value: \$116,470
Sales Price: \$0
Transfer Date:



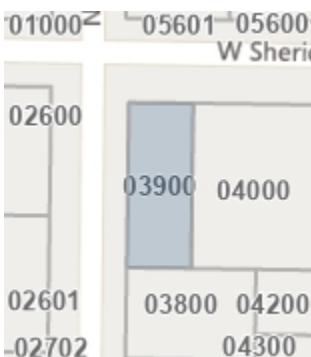
First American Title™

Customer Service Department
Phone: 503.219.8746(TRIO)
Email: cs.oregon@firstam.com
Report Generated: 11/12/2021



Legal Owner: See Tax Records
Site Address: No Site Address ,
Mailing Address: ,
Bedrooms:
Bathrooms:
Building SqFt: Lot Acres:
Year Built:
School District: Newberg School District 29j
Neighborhood:
Legal:

APN:
Ref Parcel #: R3219BA RAILS
Taxes:
Market Value:
Assessed Value:
Sales Price:
Transfer Date:



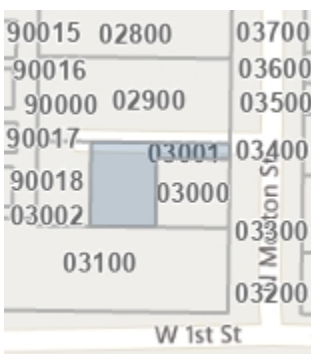
Legal Owner: Teresa Roman & Abner Meda
Site Address: 410 W Sheridan St Newberg, OR 97132
Mailing Address: 410 W Sheridan St Newberg, OR 97132
Bedrooms: 4
Bathrooms: 3
Building SqFt: 1,784 Lot Acres: 0.15
Year Built: 1977
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR B QQTR A TAXLOT 03900 LOT 8 BLOCK 29

APN: 52445
Ref Parcel #: R3219BA 03900
Taxes: \$3,153.61
Market Value: \$393,924
Assessed Value: \$212,893
Sales Price: \$323,900
Transfer Date: 10/4/2017



Legal Owner: Sosa Investments Llc
Site Address: No Site Address Newberg, OR 97132
Mailing Address: 3011 Silverton Rd NE Salem, OR 97301
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.20
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: TOWNSHIP 3S RANGE 2W SECTION 19 QTR A QQTR B TAXLOT 02901 BLOCK 7

APN: 562663
Ref Parcel #: R3219AB 02901
Taxes: \$725.77
Market Value: \$270,261
Assessed Value: \$48,995
Sales Price: \$0
Transfer Date:



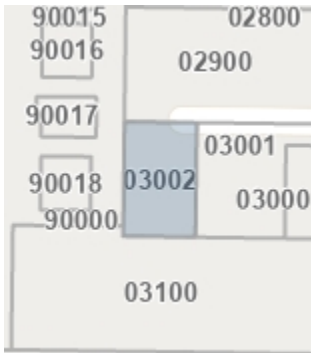
Legal Owner: Joshua & Ashley Marsh
Site Address: 109 N Morton St Newberg, OR 97132
Mailing Address: 1007 E Sunset Dr Newberg, OR 97132
Bedrooms: 3
Bathrooms: 2.5
Building SqFt: 1,332 Lot Acres: 0.25
Year Built: 2015
School District: Newberg School District 29j
Neighborhood:
Legal: PARCEL 2 P2014-02

APN: 557629
Ref Parcel #: R3219BA 03001
Taxes: \$3,025.49
Market Value: \$389,524
Assessed Value: \$204,244
Sales Price: \$220,000
Transfer Date: 11/24/2015



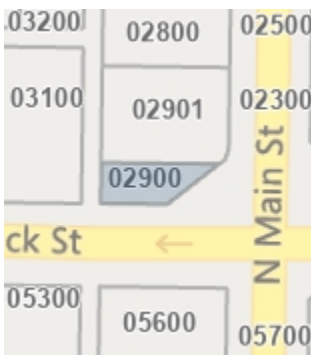
First American Title™

Customer Service Department
Phone: 503.219.8746(TRIO)
Email: cs.oregon@firstam.com
Report Generated: 11/12/2021



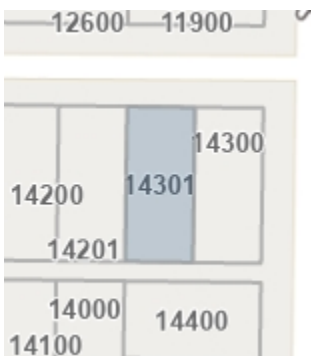
Legal Owner: Nicholas Ruiz & Tiffany Ortiz-Ruiz
Site Address: 111 N Morton St Newberg, OR 97132
Mailing Address: 111 N Morton St Newberg, OR 97132
Bedrooms: 3
Bathrooms: 1.5
Building SqFt: 1,332 Lot Acres: 0.25
Year Built: 2015
School District: Newberg School District 29j
Neighborhood:
Legal: PARCEL 3 P2014-07

APN: 557632
Ref Parcel #: R3219BA 03002
Taxes: \$3,006.87
Market Value: \$387,447
Assessed Value: \$202,987
Sales Price: \$242,900
Transfer Date: 2/2/2016



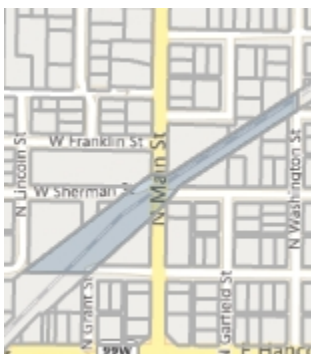
Legal Owner: Raymundo & Lourdes Sosa
Site Address: 205 N Main St Newberg, OR 97132
Mailing Address: 810 SW View Crest Dr Dundee, OR 97115
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.05
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: S 1/2 LOT 1 - BLOCK 7 IN HURLEY & LARGE'S ADDITION

APN: 48246
Ref Parcel #: R3219AB 02900
Taxes: \$164.72
Market Value: \$83,407
Assessed Value: \$11,120
Sales Price: \$0
Transfer Date:



Legal Owner: Sigmund Custom Homes Llc
Site Address: 200 W 2nd St Newberg, OR 97132
Mailing Address: 500 E Hancock St Newberg, OR 97132
Bedrooms: 0
Bathrooms: 0
Building SqFt: 0 Lot Acres: 0.13
Year Built: 0
School District: Newberg School District 29j
Neighborhood:
Legal: LOT 6 BLOCK 17 HURLEY & LARGE'S ADDITION

APN: 711980
Ref Parcel #: R3219AB 14301
Taxes: \$963.13
Market Value: \$156,594
Assessed Value: \$65,019
Sales Price: \$120,000
Transfer Date: 1/13/2021



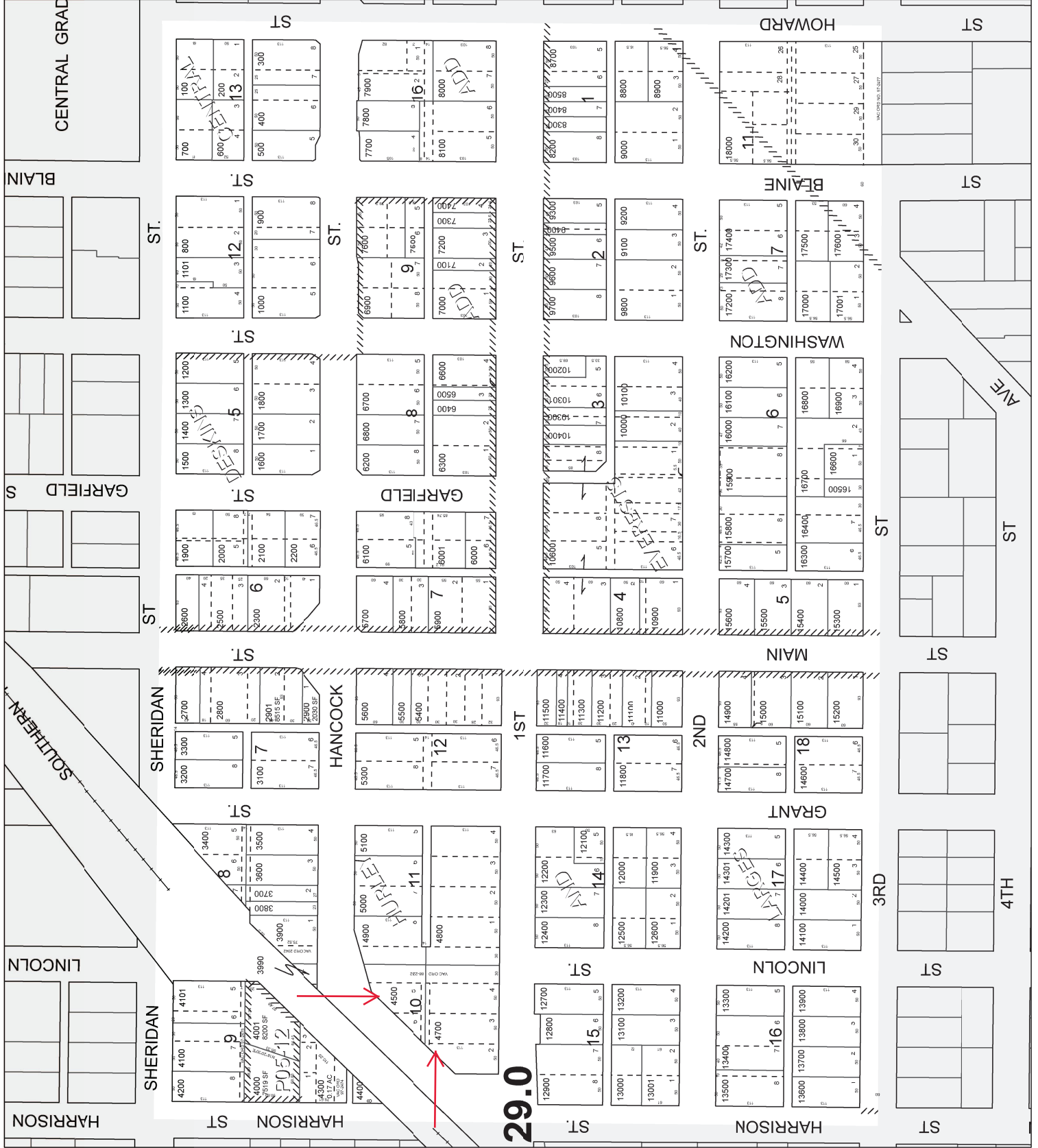
Legal Owner: See Tax Records
Site Address: No Site Address ,
Mailing Address: ,
Bedrooms:
Bathrooms:
Building SqFt: Lot Acres:
Year Built:
School District: Newberg School District 29j
Neighborhood:
Legal:

APN:
Ref Parcel #: R3218DC RAILS
Taxes:
Market Value:
Assessed Value:
Sales Price:
Transfer Date:



ASSESSMENT & TAX
CARTOGRAPHY

N.W. 1/4 N.E. 1/4 SEC. 19 T. 3S. R. 2W. W.M.
YAMHILL COUNTY OREGON
1" = 100'



CANCELLED TAXLOTS:

- 17900
- 17800
- 17700
- 16800
- 15700
- 14900
- 10700
- 10500
- 8900
- 8800
- 5200
- 5000
- 4900
- 4700
- 4600
- 4500
- 4501
- 3000
- 2900
- 2300

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries, and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage, or other matters shown thereon.

DATE PRINTED: 6/24/2019

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.



Fidelity National Title
Company of Oregon

900 SW 5th Avenue
(503)223-8338

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Fidelity National Title - Reconveyance Dept
900 SW Fifth Ave / Mezzanine
Portland, OR 97204

Customer Ref.: _____
Order No.: 45142130442
Effective Date: November 9, 2021 at 08:00 AM
Charge: \$400.00

The information contained in this report is furnished by Fidelity National Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. [The apparent vested owner](#) of property ("the Property") as of the Effective Date is:

GP Management, LLC, an Oregon limited liability company

Premises. The Property is:

(a) Street Address:

301 W 1st Street and 300 W Hancock Street, Newberg, OR 97132

(b) Legal Description:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. City Liens, if any, in favor of the City of Newberg.
2. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads, and highways.
3. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance No. 1630,

Recording Date: August 18, 1976
Recording No: Film [Volume 85, page 1226](#)
Affects: That portion lying within vacated alley
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as set forth in document:

Entitled: Circuit Court Case No. 30-185, and in Warranty Deed
In favor of: State of Oregon, by and through its Department of Transportation
Purpose: Slope and access restrictions
Recording Date: March 1, 1976
Recording No: Film [Volume 110, page 1871](#)
Affects: Reference is hereby made to said document for full particulars
5. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

Recording Date: September 6, 1988
Recording No: Film [Volume 225, page 1611](#)
Affects: Reference is hereby made to said document for full particulars
6. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.
7. Please be advised that our search did not disclose any open Deeds of Trust of record.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2021/22
Amount: \$7,330.80
Levy Code: 29.0
[Account No.:](#) 48656
Map No.: R3219AB 04700

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2021/22

Fidelity National Title Company of Oregon
Order No. 45142130442

Amount: \$762.92
Levy Code: 29.0
Account No.: 48647
Map No.: R3219AB 04500

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Deborah Clark
5035353743
Deborah.Clark@titlegroup.fntg.com
Fidelity National Title Company of Oregon
900 SW 5th Avenue
Portland, OR 97204

EXHIBIT "A"
[Legal Description](#)

All of Lots 2, 3, 4, 5, 6, and 7, Block 10, HURLEY AND LARGE'S ADDITION, in the City of Newberg, County of Yamhill, State of Oregon.

TOGETHER WITH those portions of vacated alley inuring to said Lots by Vacation Ordinance No. 1630 recorded August 18, 1971 in Film Volume 85, page 1226, Yamhill County Records, in said Block 10, excepting that portion of said Block 10 and that portion of the vacated alley inuring to Lots in said Block 10 described in Final Judgment in Case No. 30-185 entered September 20, 1974 entitled "State of Oregon, by and through its Department of Transportation vs. Florence K. Newlin and Meyer Bros., Inc., an Oregon corporation", in the Circuit Court of the State of Oregon for Yamhill County.

ALSO TOGETHER WITH that portion of vacated Lincoln Street inuring to said Lots by Vacation Ordinance No. 88-2242 recorded September 6, 1988 in Film Volume 225, page 1611, Yamhill County Records.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

Land Use Notice

FILE # DR220-0002

PROPOSAL: A CHANGE IN USE TO A MARIJUANA DISPENSARY IN 3,500 SF AND A SEPARATE CBD PHARMACY IN THE REMAINING 2,300 SF. SPACES FOR 3 FOOD CARTS.

FOR FURTHER INFORMATION, CONTACT:

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

2'

3'



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 WANT YOUR COMMENTS ON A PROPOSED NEW DEVELOPMENT IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to construct at 301 W. 1st St. is being proposed for a change in use to a Marijuana Dispensary in 3,500 sf and a separate CBD pharmacy in the remaining 2,300 sf of the existing 5,800 sf single story building. In addition, the proposal contains spaces for 3 Food Carts. The property will be owned by GP Management, LLC. You are invited to take part in the City's review of this project by sending in your written comments. For more details about giving comments, please see the back of this sheet.

The development would include a rebuilt parking lot (front and back) with 28 parking spaces. The exterior building will be remodeled and repainted. The building will not be expanded in size. New signage will be installed on the building.

APPLICANT: *GP Management, LLC*
TELEPHONE: *(503) 318-1855*

PROPERTY OWNER: *GP Management, LLC*
LOCATION: *300 W. Hancock St. and 301 W. 1st St.*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number:*
3S219AB04700/4500



We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed.

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

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

You can look over all the information about this project 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. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

All written comments must be turned in by 4:30 p.m. on _____. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. 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 design review approval are found in Newberg Development Code 15.220.050(B).

The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed:

Attachment 2: Agency Comments



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Enginneering , Brett Musick

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: December 2, 2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Welkin Engineering

REQUEST: Approval of a 5,820 Sq Ft marijuana and CBD retail sales facilities with onsite food cart.

SITE ADDRESS: 301 W First Street

LOCATION:

TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3

HEARING DATE: _____

_____ Reviewed, no conflict.

_____ Reviewed; recommend denial for the following reasons:

_____ Require additional information to review. (Please list information required)

_____ Meeting requested.

X Comments. (Attach additional pages as needed)

Brett Musick

11/29/2021

Doug Rux

From: KNECHT Casey <Casey.KNECHT@odot.oregon.gov>
Sent: Tuesday, December 7, 2021 8:59 AM
To: Doug Rux
Subject: ODOT Comments for City of Newberg DR221-0007

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Doug,

I don't know if the city has already made a decision on this application for 301 W First Street; I'm a few days late on the comment period. But either way, the applicant will need ODOT permits for rebuilding the driveways. You can send them my way to get that started.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2

503-986-5170 | casey.knecht@odot.oregon.gov

Doug Rux

From: Kristen Svcarovich
Sent: Wednesday, April 01, 2020 10:00 AM
To: Doug Rux
Cc: Brett Musick; Kaaren Hofmann
Subject: FW: ODOT Comments for City of Newberg File DR220-0002 - 301 W First Street
Attachments: 10458.PDF

FYI. ODOT comments on the Green Planet development.

Kristen Svcarovich, PE

City of Newberg
414 E. First Street
Newberg, Oregon 97132
503.537.1282 (desk phone)
971.294.3431 (mobile phone)
Kristen.Svcarovich@newbergoregon.gov

Helpful Links:

[City of Newberg Online GIS Mapping](#)
[City of Newberg Municipal Code](#)
[City of Newberg Public Works Design and Construction Standards](#)

From: KNECHT Casey [mailto:Casey.KNECHT@odot.state.or.us]
Sent: Wednesday, April 01, 2020 9:50 AM
To: Kristen Svcarovich <Kristen.Svcarovich@newbergoregon.gov>
Cc: DENNEY Shawn <Shawn.DENNEY@odot.state.or.us>; WAKEM Jordan <Jordan.WAKEM@odot.state.or.us>
Subject: ODOT Comments for City of Newberg File DR220-0002 - 301 W First Street

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kristen,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the proposal at 301 W First St. in Newberg. Please include these comments in the public record and notify ODOT of the land use decision by sending a copy to odotr2planmgr@odot.state.or.us when available.

The site is adjacent to Pacific Highway West No. 091 (OR-99W) and is subject to state laws administered by the ODOT. The site is between two roadways of Pacific Highway West and has one highway approach to each roadway: MP 23.90 (Roadway 1; Hancock Street) and MP 23.84 (Roadway 2; First Street). I've attached the permit that was issued for the site in 1960. The site plan shows modifications to both approaches. This will require the applicant to submit an Application for Upgrade to State Highway Approach for both approaches. The applicant can contact the ODOT District 3 Permits office at 503-986-2900 to begin that process.

If frontage improvements (sidewalks, planter strips, etc.) are proposed by the applicant or required by the city, the applicant will need to submit civil plans to ODOT for review. The improvements may trigger ADA-compliant ramps at the

corners of the property, depending on the extent of the proposed work. The applicant can contact me directly to discuss.

New utility connections in the highway (water, sewer, gas, etc.) will require a different permit that can be obtained at the same time as the approach permits.

Casey Knecht, P.E.

Development Review Coordinator | ODOT Region 2

885 Airport Rd SE, Bldg P | Salem OR 97301

503-986-5170 | casey.knecht@odot.state.or.us

7. In the construction of an approach road under this permit, either by the applicant or by the State at the expense of the applicant, the State recognizes the applicant's ownership of the materials entering into said construction. If, for any reason (other than reconstruction or widening of the highway), it later becomes necessary or desirable for the State to remove such approach road, it shall be removed by the State at the expense of the applicant, and credit will be allowed for such materials, if any, as are salvaged for re-use by the State.

8. If in the event of the reconstruction or widening of any highway, it becomes necessary to remove, alter or reconstruct the approach road constructed under authority of this permit, the cost of such removal or replacement to a like width and condition will be borne by the State. Any widening or other improvement of the approach road at the applicant's request shall be done only under authority of a new permit and at the expense of the applicant.

9. The construction of the approach road by the applicant, his agent or contractor, (if authorized by the Special Provisions of this permit), will be permitted only when the applicant furnishes evidence of having at his disposal adequate and suitable equipment for doing the work and furnishes satisfactory plans and specifications.

10. Unless permission for construction of the approach road in whole or in part by the applicant, his agent or contractor, is specifically granted in the Special Provisions of this permit, the construction of said approach road will be done by the State, including the furnishing and placing of all materials necessary for the completion of such portion of the approach road that occupies the highway right of way; specifically: drainage facilities, dirt, rock, surfacing, and curbs or other materials listed in Special Provisions or shown on the sketch map herein.

11. No materials will be ordered by the State until this application, completed and accompanied by cash, money order, or certified check, payable to the Oregon State Highway Commission, in the amount hereafter stated in the Special Provisions, is approved by the District Maintenance Superintendent. No construction will be undertaken by the State until this permit is executed and returned to the applicant and all conditions specified herein have been complied with.

12. If the actual final cost of work done or materials furnished by the State in construction of all or any part of the approach road is more or less than the estimated cost thereof, the difference between the actual cost and the estimated cost will be refunded to the applicant or will be paid to the State by the applicant within 10 days after receiving a bill therefor, as the case may be.

13. Upon completion of said approach road, the applicant may perform additional minor work, such as seeding or planting of island, working or cutting edges of said approach, etc., provided that such work is done in a manner so as to cause no interference to traffic upon the highway and is performed at the applicant's sole expense.

14. The entire expense of maintaining said approach road shall be borne by the applicant, who is hereby permitted to make minor repairs, such as the correction of irregularities in the surfacing of the approach road, repair of curbs or walks, etc., provided that the maintenance work does not interfere with or interrupt traffic upon and along the highway. No work shall be done and no equipment shall be used by the applicant on the shoulder of the highway at any time, unless applicant shall have first secured approval from the Superintendent of Maintenance of the district in which the approach road is located.

15. No unauthorized signs shall be placed, permitted or maintained by the applicant upon any portion of the right of way, nor shall any signs not conforming to law be placed, permitted or maintained on property adjacent to the right of way (ORS 377.340 and 483.138). Where standard warning signs, such as "Look Out for Log Trucks," are required by this permit or other regulations, or are ordered by the Engineer to provide warning of the approach road, such signs shall be furnished and placed by the State at the expense of the applicant.

16. The planting or placing of other adornments not prohibited by law on the island or any portion of the right of way by the applicant shall be limited to low growing shrubs, grass, or flowers that do not attain sufficient height to obstruct clear vision in any direction. No curbs, posts or other structures shall be placed on the highway right of way within ten (10) feet of the edge of pavement.

17. The applicant hereby authorizes officers, employees, agents, representatives and contractors of the State Highway Commission to enter upon property owned or leased by said applicant for the purpose of constructing the said approach road.

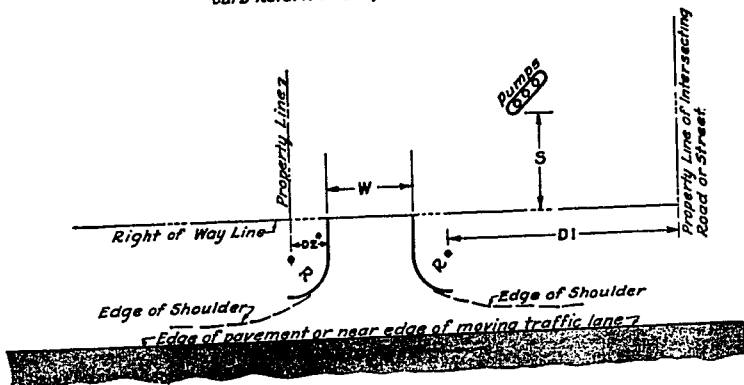
18. The word "applicant" and all references to the applicant contained herein shall include the plural when appropriate.

SPECIAL PROVISIONS

1. The approach road covered by this permit shall be ~~single~~ dual,† and shall conform to the dimensions and figures indicated on the following or attached sketch map, cross-section and schedule of dimensions, and shall be constructed to the grade established by the Engineer.

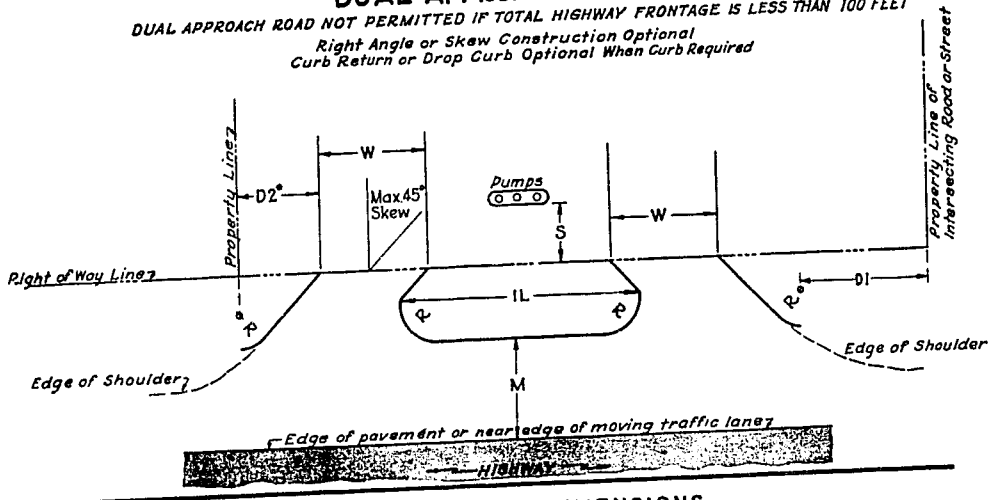
SINGLE APPROACH ROAD

*Right Angle or Skew Construction Optional
Curb Return or Drop Curb Optional When Curb Required*



DUAL APPROACH ROAD

*DUAL APPROACH ROAD NOT PERMITTED IF TOTAL HIGHWAY FRONTAGE IS LESS THAN 100 FEET
Right Angle or Skew Construction Optional
Curb Return or Drop Curb Optional When Curb Required*



SCHEDULE OF DIMENSIONS

Applicable to Single or Dual Type Access

Dimension	Minimum	Maximum	Approved
D1	10'	None	7' 0"
D2°	5'	None	5'
R	5'	15'	5'
M	10'	None	None
W	15'	50'	2 - 20'
S	10'	None	10'
IL	30'	None	35' Curb in Place
Angle of Skew	90°	45°	90°

• One common approach to adjacent property may be permitted provided W does not exceed 50'
† Strike out word not applicable.

Portland Cement

2. APPROACH ROAD: Type of surface Asphaltic Concrete Top width 2 @ 20'
2" of 3/4 - 0

Surface thickness 6" Conc. in. Pipe required? No Diam. _____ Length _____

Kind _____ Min. depth cover _____

Bridge, catch basin or other unusual drainage facility required? No

(If so, explain on attached sheet and submit sketch or specify Std. Plan No. _____)

Treatment of island, if any None

Kind and amount of fill required _____ Exc. _____

Materials to be furnished or items of work to be done by applicant All. Applicant to remove existing curb and install depressed curb and concrete drive between curb & R/W
(List specifically, or if none, state "none")

Materials to be furnished or items of work to be done by State _____
(List specifically, or if none, state "none")

Estimated cost of State work None Check, M. O. or cash? _____

3. HIGHWAY SURFACE: Type CONCRETE Width 40' Curbs? Yes Type "C"
(If so, show type)

Shoulder-width None Oiled? _____ R/W-Width of this side 40'

Alignment at approach road Tangent (On tangent, or approx. degree curve left or right)

Sight distance (from point 6 feet back of shoulder or curb) 500' ahead 800' back

Right of access purchased or otherwise obtained by State? No

Nature of business to be served by this approach Garage, New Car Agency & Service Station

Is adequate space provided for parking vehicles off the R/W? Yes

Permit recommended [Signature] Date 5-19-60
(District Maintenance Superintendent)

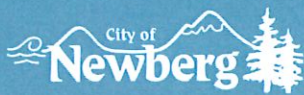
Permit recommended [Signature] Date 5-19-60
(Division Engineer)

AUTHORIZATION OF PERMIT

In consideration of the applicant's agreement to comply in all respects with the regulations of the State Highway Commission covering such operations, permission is hereby granted for the construction of the approach road or driveway as described in the above application and Special Provisions, said approach road or driveway to be in accordance with the regulations herein set forth. It is expressly understood that this permit is conditioned upon replacement or restoration of the highway to its original or to a satisfactory condition. It is further understood that this permit is issued subject to the approval of local, city or town authorities having joint supervision over said street or highway.

OREGON STATE HIGHWAY COMMISSION

Dated 5-24-60 By [Signature]



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Building Official, Brooks Bateman

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: December 2, 2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Welkin Engineering

REQUEST: Approval of a 5,820 Sq Ft marijuana and CBD retail sales facilities with onsite food cart.

SITE ADDRESS: 301 W First Street

LOCATION:

TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3


RECEIVED

DEC - 6 2021

Initial: _____

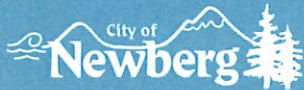
HEARING DATE: _____

- 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:

12-1-21
Date:



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: City Manager , Will Worthey

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: December 2, 2021. Please refer questions and comments to Doug Rux.

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LOCATION:

TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3

RECEIVED

NOV 19 2021

Initial: _____

HEARING DATE: _____

- 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)

Will Worthey
CM P/T W E Rux

Reviewed By:

11 / 19 / 21

Date:



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Finance,

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APPLICANT: Welkin Engineering

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SITE ADDRESS: 301 W First Street

LOCATION:


TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3

HEARING DATE: _____

-
- 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:

11/22/2021

Date:



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Police Department, Chief Jeff Kosmicki

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FILE NO: DR221-0007

ZONE: C-3

RECEIVED

NOV 29 2021

Initial: _____

HEARING DATE: _____

Reviewed, no conflict.

Reviewed; recommend denial for the following reasons: *SEE ATTACHMENT ON NEXT PAGE.*

Require additional information to review. (Please list information required)

Meeting requested.

Comments. (Attach additional pages as needed)



Reviewed By:

11-22-2021

Date:

Know the Risks of Marijuana

Marijuana use comes with real risks that can impact a person's health and life.

- Marijuana is the most commonly used illegal substance in the U.S. and its use is growing. Marijuana use among all adult age groups, both sexes, and pregnant women is going up. At the same time, the perception of how harmful marijuana use can be is declining. Increasingly, young people today do not consider marijuana use a risky behavior.

But there are real risks for people who use marijuana, especially youth and young adults, and women who are pregnant or nursing. Today's marijuana is stronger than ever before. People can and do become addicted to marijuana.

Approximately 1 in 10 people who use marijuana will become addicted. When they start before age 18, the rate of addiction rises to 1 in 6.

Marijuana Risks

Marijuana use can have negative and long-term effects:



Brain health: Marijuana can cause permanent IQ loss of as much as 8 points when people start using it at a young age. These IQ points do not come back, even after quitting marijuana.



Mental health: Studies link marijuana use to depression, anxiety, suicide planning, and psychotic episodes. It is not known, however, if marijuana use is the cause of these conditions.



Athletic Performance: Research shows that marijuana affects timing, movement, and coordination, which can harm athletic performance.



Driving: People who drive under the influence of marijuana can experience dangerous effects: slower reactions, lane weaving, decreased coordination, and difficulty reacting to signals and sounds on the road.



Baby's health and development: [Marijuana use during pregnancy](#) may cause fetal growth restriction, premature birth, stillbirth, and problems with brain development, resulting in hyperactivity and poor cognitive function. Tetrahydrocannabinol (THC) and other chemicals from marijuana can also be passed from a mother to her baby through breast milk, further impacting a child's healthy development.



Daily life: Using marijuana can affect performance and how well people do in life. Research shows that people who use marijuana are more likely to have relationship problems, worse educational outcomes, lower career achievement, and reduced life satisfaction.

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Daily life: Using marijuana can affect performance and how well people do in life. Research shows that people who use marijuana are more likely to have relationship problems, worse educational outcomes, lower career achievement, and reduced life satisfaction.



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Public Works: Maintenance , Vance Barton

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NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Welkin Engineering

REQUEST: Approval of a 5,820 Sq Ft marijuana and CBD retail sales facilities with onsite food cart.

SITE ADDRESS: 301 W First Street

LOCATION:

TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3

HEARING DATE: _____

RECEIVED
NOV 22 2021
Initial: _____

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)

Make sure a grease interceptor is installed

Vance Barton

Reviewed By:

11/19/2021

Date:



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Public Works: Maintenance Superintendent, Preston Langeliers

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TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3

HEARING DATE: _____

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Initial: _____

____ Reviewed, no conflict.

____ Reviewed; recommend denial for the following reasons:

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____ Meeting requested.

Comments. (Attach additional pages as needed)

see storm water Plans

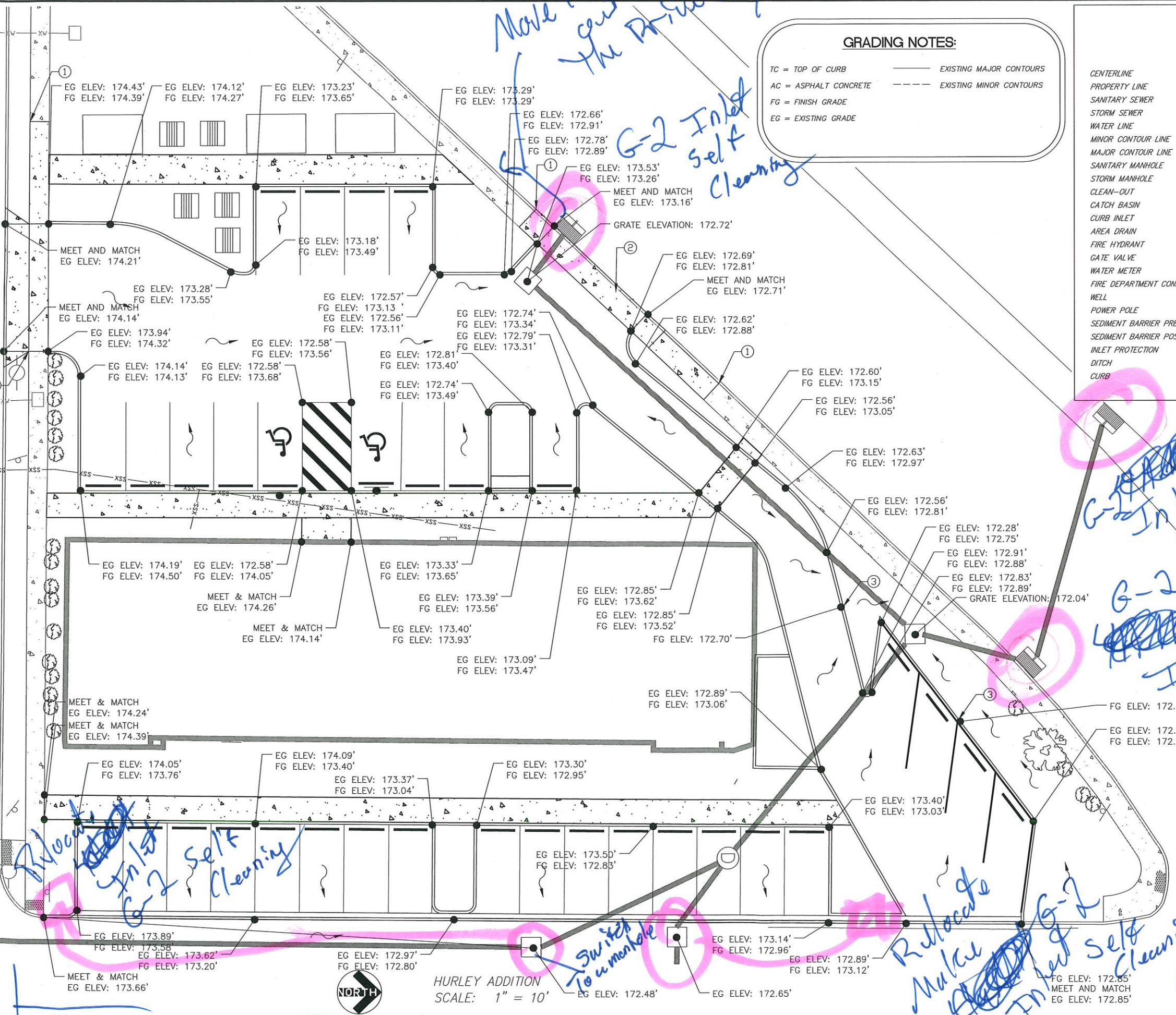
Reviewed By: *[Signature]*

Date: *11/21/21*

DATE PLOTTED: Feb 03, 2020 - 7:50pm
 MEQC DRAWING FILE: P:\Project Data\19-121.04_HurleyAddn.GPJ\Drawn\Plan\GP_MEMBERSHIP_COPY_2.dwg

*Make it
 gent at
 the Drive Way*

*G-2 Inlet
 self
 cleaning*



GRADING NOTES:

- TC = TOP OF CURB
- AC = ASPHALT CONCRETE
- FG = FINISH GRADE
- EG = EXISTING GRADE
- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS

LEGEND

	EXISTING	PROPOSED
CENTERLINE	---	---
PROPERTY LINE	---	---
SANITARY SEWER	---	---
STORM SEWER	---	---
WATER LINE	---	---
MINOR CONTOUR LINE	---	---
MAJOR CONTOUR LINE	---	---
SANITARY MANHOLE	⊙	⊙
STORM MANHOLE	⊙	⊙
CLEAN-OUT	○	○
CATCH BASIN	□	□
CURB INLET	⊞	⊞
AREA DRAIN	⊞	⊞
FIRE HYDRANT	⊙	⊙
GATE VALVE	⊙	⊙
WATER METER	⊞	⊞
FIRE DEPARTMENT CONNECTION	⊞	⊞
WELL	⊙	⊙
POWER POLE	⊙	⊙
SEDIMENT BARRIER PRE-CONST	---	---
SEDIMENT BARRIER POST-CONST	---	---
INLET PROTECTION	⊞	⊞
DITCH	---	---
CURB	---	---

CONSTRUCTION NOTES

- ① MEET AND MATCH EXISTING CURB AND SIDEWALK.
- ② SIDEWALK TO SLOPE AT 1.5% MAX DESIGN AND 2% MAX FINISH GRADE, SEE DETAILS.
- ③ BREAK CURB FOR DRAINAGE TO CATCH BASIN

G-2 Inlet self cleaning

G-2 Inlet self cleaning

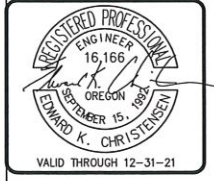
Relocate Inlet self cleaning

Relocate Inlet self cleaning

Relocate Inlet self cleaning

GRADING HAS BEEN SET TO HAVE A MAXIMUM SLOPE OF 1.00% AND A MINIMUM SLOPE OF 0.70% WITHIN THE PARKING LOT WITH A 2.00% DRIVEWAY SLOPES TO THE STREET, SOME ADJUSTMENTS MAY BE MADE AS ONSITE CONDITIONS NEED TO BE ADJUSTED. COORDINATE WITH ENGINEER FOR ANY MAJOR CHANGES.

NO.	DATE	REVISION



ENGINEERING - PLANNING
 SURVEYING
 2808 SW VANALLE OR 97070
 TEL: (503) 594-1888
 FAX: (503) 594-1888
 www.WeltonPC.com

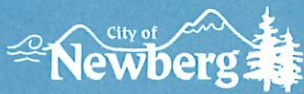


GRADING PLAN

301 W. FIRST STREET

DESIGNED BY:	EKC
DRAWN BY:	
CHECKED BY:	
DATE:	10/30/19
SCALE:	1"=20' HORIZONTAL
	VERTICAL
PROJECT NO:	19-121.04
SHEET	C3

Repair Half Street



Community Development Planning Division Land Use Application Referral

REFERRAL TO: Director of Public Works, Russ Thomas

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: December 2, 2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Welkin Engineering

REQUEST: Approval of a 5,820 Sq Ft marijuana and CBD retail sales facilities with onsite food cart.

SITE ADDRESS: 301 W First Street

LOCATION:

TAX LOT: R3219AB 04700

FILE NO: DR221-0007

ZONE: C-3

HEARING DATE: _____

RECEIVED
NOV 22 2021
Initial: _____

- 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:

11/19/2021
Date:

Doug Rux

From: Darby, Ty M. <Ty.Darby@tvfr.com>
Sent: Wednesday, December 8, 2021 8:46 AM
To: Doug Rux
Subject: RE: DR221-0007 Green Planet

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Doug,

I hope all is going well. Since this is an existing building, the Fire District doesn't have any comments.

Thanks,

Ty

From: Doug Rux <Doug.Rux@newbergoregon.gov>
Sent: Saturday, December 4, 2021 3:10 PM
To: Darby, Ty M. <Ty.Darby@tvfr.com>
Subject: DR221-0007 Green Planet

The sender is from outside TVF&R – Do not click on links or attachments unless you are sure they are safe

Ty,

Wanted to check and see if you had any comment son this design review case. Working on the staff report I would like to get out be the end of the week.

<https://www.newbergoregon.gov/cd/page/dr221-0007-marijuana-dispensary-and-cbd-pharmacy>

Thanks

Doug Rux, AICP
Community Development Director
City of Newberg
Direct: 503.537.1212
Cell: 503.550.4517
Pronouns: he/him





Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Public Works: Waste Water Plant, April Catan

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DEC - 6 2021

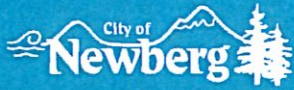
Initial: _____

HEARING DATE: _____

- Reviewed, no conflict. STRICTLY RETAIL MARIJUANA & CBD SALES. NO PROCESSING OR MANUFACTURING OF PRODUCTS ON SITE. 3 SEMI-PERMANENT FOOD TRUCKS WILL BE CONNECT TO A GREASE REMOVAL DEVICE, WHICH APPLICANT STATES THEY PLAN TO INSTALL ON PAGE 7.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

AR
Reviewed By:

11/30/21
Date:



Community Development Planning Division
Land Use Application Referral

REFERRAL TO: Ziplly Fiber, Attn: Engineering

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ZONE: C-3

RECEIVED

NOV 29 2021

Initial: _____

HEARING DATE: _____

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- Meeting requested.
- Comments. (Attach additional pages as needed)

Reviewed By:

11/29/21

Date:

Attachment 3: Public Comments

November 22, 2021

RECEIVED

NOV 29 2021

Initial: _____

To Whom It May Concern:

I am in opposition of this proposal for a host of reasons.

First of all, we have a number of dispensaries in the city already. While I realize there are medicinal benefits for some people, but on the other hand it leads to far more usages of this and stronger drugs. For example, this year alone we have lost over a hundred thousand people addicted to drugs, not to mention the billions of dollars we are spending on rehab and the trail of broken lives.

I remember not that many years ago when Newberg was a dry town. The founding fathers of this city would probably roll over in their graves.

We have owned property in Newberg for nearly 40 years and would hope that the city would plan for the better.

Respectfully,



Erhardt F. Steinborn