

NOTICE OF DECISION
605 N GRANT STREET PARTITION – PRELIMINARY PLAT – PAR21-0001

December 22, 2021

Ed Lindley
605 N Grant Street
Newberg, OR 97132

Dear Mr. Lindley,

The Newberg Community Development Director has approved the proposed tentative plan PAR21-0001 for a two-lot partition at 605 N Grant Street, Tax Lot R3218DC 0770, subject to the conditions listed in the attached report. The decision will become final and effective on January 7, 2022, unless an appeal is filed.

All persons entitled to notice or anyone providing written comments within 14 calendar days prior to the date of the decision may appeal this decision to the Newberg Planning Commission 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 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 p.m. on January 6, 2022.

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

In order to fully complete the partition process, the Applicant must meet all conditions of tentative plan approval and file a final partition application with the Planning Division. The final partition must be recorded within 2 years of the effective date noted above. If you are approaching the expiration date, please contact the Planning Division regarding extension opportunities.

If you have any questions, please contact me at 503-537-7768 or ashley.smith@newbergoregon.gov.

Sincerely,

A handwritten signature in blue ink that reads "Ashley Smith".

Ashley Smith
Assistant Planner
City of Newberg
Direct: 503.554.7768
Pronouns: she/her/hers

DECISION AND FINDINGS
605 N GRANT STREET PARTITION – PRELIMINARY PLAT – PAR21-0001

FILE NO: PAR21-0001
REQUEST: Partition one 13,000 square foot lot into two lots
LOCATION: 605 N Grant Street
TAX LOT: R3218DC 0770
APPLICANT: Ed Lindley
OWNER: Ed Lindley
ZONE: R-2
PLAN DISTRICT: MDR (Medium Density Residential)
OVERLAYS: Airport Overlay (Airport Conical Surface)

CONTENTS:

Section I: Application Information

Section II: Findings

Section III: Conditions

Attachments:

1. Tentative Plat
2. Application
3. Agency Comments

Section I: Application Information

A. DESCRIPTION OF APPLICATION: Tentative plat approval for a partition that would divide one lot that has an existing single-family dwelling (including an accessory dwelling unit above the garage) into two lots. Parcel 1 will be 9,700 square feet and maintain the existing single-family dwelling and the accessory dwelling unit. Parcel 2 will be 3,300 square feet with plans for development of a future single-family dwelling. The subject site is zoned R-2 and is surrounded by existing R-2 uses. The applicant is proposing a rain garden will be built with the future development of Parcel 2 to accommodate for the loss of impervious surfaces and added demand on the storm water system.

B. SITE INFORMATION:

1. Location: 605 N Grant Street



2. Size: 12,941 square feet
3. Topography: Flat
4. Current Land Uses: The subject site is zoned R-2. The site currently has one single-family dwelling with an accessory dwelling unit.
5. Natural Features: Four mature trees and groundcover, no significant natural resources.
6. Adjacent Land Uses:
 - a. North: Single-family residence
 - b. East: Single-family residence (Wood – Ruddick Subdivision Addition)
 - c. South: Single-family residence

PAR21-0001 – 605 N Grant Street Partition Tentative Plan

d. West: Single-family residence

7. Zoning:

- a. North: R-2 (Medium Density Residential)
- b. East: R-2 (Medium Density Residential)
- c. South: R-2 (Medium Density Residential)
- d. West: R-2 (Medium Density Residential)

8. Access and Transportation: The proposed partitioned lots both take access from N Grant Street which is classified as a local residential street and is under the jurisdictional authority of the City of Newberg.

9. Utilities: The parcels will be served by existing utilities that currently serve the N Grant Street area.

- a. Water: There is an existing 6-inch ductile iron water main located along N Grant Street.
- b. Wastewater: There is an existing 8-inch public wastewater line documented in the City's GIS system in N Grant Street.
- c. Stormwater: There are no stormwater facilities located on N Grant Street along the frontage. The gutter conveys stormwater.
- d. Overhead Lines: There are overhead utility lines along the N Grant along the property frontage. New or modified service connections/poles are required to be undergrounded.

C. PROCESS: The partition 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 decides 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:

11/06/2021: The Community Development Director deemed the application complete.

11/10/2021: The applicant mailed notice to the property owners within 500 feet of the site.

11/10/2021: The applicant posted notice on the site.

11/24/2021: The 14-day public comment period ended.

12/23/2021: The Director issued a decision on the application.

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

Public Works Maintenance: Reviewed; no conflict

Public Works Wastewater Plant: Reviewed; no conflict

Director of Public Works: Reviewed, no conflict

Building Official: Reviewed; no conflict

Police Department: Reviewed; no conflict

Finance: Reviewed; no conflict

City Manager: Reviewed; no conflict

Zipty Fiber: Reviewed; no conflict

Engineering: If more than \$30,000 of improvements are made to the property, street/frontage improvements can be required, see NMC 12.05.090.

PAR21-0001 – 605 N Grant Street Partition Tentative Plan

12.05.090 Permits and certificates.

- A. *Concurrent with the issuance of a building permit for the construction of a building for residential use or business structures or an addition to a dwelling or business structure, the value of which is \$30,000 or more except as the city engineer may require on building permits of lesser value in accordance with NMC 12.05.040, the owner, builder or contractor to whom the building permit is issued shall meet the following requirements:*
1. *Construct a sidewalk within the dedicated right-of-way for the full frontage in which a sidewalk in good repair does not exist. The sidewalk construction shall be completed within the building construction period or prior to issuance of an occupancy permit, whichever is the lesser.*
 2. *Dedicate right-of-way in accordance with the city transportation plan.*

Any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. A new driveway approach will be required at the time of building permits.

- E. **PUBLIC COMMENTS:** As of the writing of this report no public comments have been received.
- F. **ANALYSIS:** The property is zoned R-2, which requires 3,000 square foot minimum lot size. The proposed partition would create two lots that meet the minimum lot size requirement. At the time of creation of the original lot it was permitted at 13,000 square feet. Parcel 1 will be reduced in size to 9,700 square feet with the partition of Parcel 2 being 3,300 square feet.

**Section II: Findings – File PAR21-0001
605 N Grant Street Partition Tentative Plan**

These findings are based on review of the following approval criteria as required in NMC Division 15.200 Land Use Applications Chapter 15.235 LAND DIVISIONS:

15.200 Land Use Applications

15.235.050 Preliminary Plat Approval Criteria

A. Approval Criteria. *By means of a Type II procedure for a partition, or a Type II or III procedure for a subdivision per NMC 15.235.030(A), the applicable review body shall approve, approve with conditions, or deny an application for a preliminary plat. The decision shall be based on findings of compliance with all of the following approval criteria:*

1. The land division application shall conform to the requirements of this chapter;

Finding: The partition tentative plan application included all of the required submittal elements of this chapter, followed the Type II application process and public notice requirements for a partition.

2. All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of NMC Division 15.400, Development Standards;

Finding: The applicable provisions of NMC Division 15.400 are discussed in detail below in the report. The planned parcel sizes, dimensions, and uses conform to the requirements of NMC 15.400.

3. Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, wastewater, stormwater, and streets, shall conform to NMC Division 15.500, Public Improvement Standards;

Finding: The proposed partitioned lots both take access from N Grant Street which is classified as a local residential street and is under the jurisdictional authority of the City of Newberg. The parcels will be served by existing utilities that currently serve the N Grant Street area. There is an existing 6-inch ductile iron water main located along N Grant Street and an existing 8-inch public wastewater line in N Grant Street. There are no stormwater facilities located on N Grant Street along the frontage. The gutter conveys stormwater. There are overhead utility lines along the N Grant along the property frontage. New or modified service connections/poles are required to be undergrounded. Streets and utilities are addressed in more detail under applicable standards of Section 15.505.

4. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;

Finding: The application does not include a subdivision. Partitions are named by year and file number; therefore, this criterion does not apply.

5. The proposed streets, utilities, and stormwater facilities conform to city of Newberg adopted master plans and applicable Newberg public works

design and construction standards, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;

Finding: The applicable standards of Section 15.505 are discussed in detail throughout this report. This criterion will be met with the adherence to the conditions of approval in Section III.

6. *All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through the appropriate legal instrument;*

Finding: The partition application does not include any proposed private common areas or improvements. Therefore, the criterion does not apply.

7. *Evidence that any required state and federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and*

Finding: Based on the applicant's submittal, the application does not appear to require state or federal permits. The criterion does not apply.

8. *Evidence that improvements or conditions required by the city, road authority, Yamhill County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met.*

Finding: Required public improvements must be provided prior to final plat approval subject to the conditions of approval in Section III of this report.

Division 15.400

Chapter 15.405 LOT REQUIREMENTS

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:*

2. *In the R-2 and RP districts, each lot or development site shall have a minimum area of 3,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for single-family or duplex dwelling development shall not exceed 5,000 square feet.*

B. *Lot or Development Site Area per Dwelling Unit.*

2. *In the R-2, AR, and R-P districts, there shall be a minimum of 3,000 square feet of lot or development site area per dwelling unit, except that there shall be a minimum of 3,000 square feet per duplex dwelling. In the R-2 and R-P districts, lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 5,000 square feet lot area*

- C. *In calculating lot area for this section, lot area does not include land within public or private streets. In calculation lot area for maximum lot area/minimum density requirements, lot area does not include land within stream corridors, land reserved for public parks or open spaces, commons buildings, land for preservation of natural, scenic, or historic resources, land on slopes exceeding 15 percent or for avoidance of identified natural hazards, land in shared access easements, public walkways, or entirely used for utilities, land held in reserve in accordance with future development plan, or land for uses not appurtenant to the residence.*

Finding: The site is zoned R-2. The total original parcel size is 13,000 square feet, currently exceeding the codes current square footage for single-family or duplex dwelling development. The proposed partition will reconfigure Parcel 1 to be 9,700 square feet and Parcel 2 will be 3,300 square feet. Both lots are over the minimum required 3,000 square feet for R-2 zones and Parcel 1 will move closer in compliance with the code through this partitioning. The NMC does not provide specific lot size minimums or maximum standards for the addition of an accessory dwelling unit on a property, instead relies on compliance with all development standards of the base zone per NMC Article V. Accessory Dwelling Units 15.445.260(7).

The applicant's proposal conforms to the requirements of NMC 15.405.010.

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 of 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 ration requirement.*

Finding: The proposed lots will be under 15,000 square feet. Therefore, this standard does not apply.

- A. *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 proposed lots conform to the lot area requirements for the R-2 zone, as addressed in the previous finding for NMC 15.405.010

- 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 NMC 15.05.030, shall be created to provide frontage or access except as allowed by NMC 15.240.020(L)(2).*

- b. *Each lot in R-2 zone shall have a minimum width of 25 feet at the front building line and R-3 zone shall have a minimum width of 30 feet at the front building line, except that duplex lots in R-3 zone shall have a minimum width of 25 feet at the front building line.*
2. *The above standards apply with following exceptions:*
- a. *Legally created lots of record in existence prior to the effective date of the ordinance codified in the 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.*

Finding: The R-2 zone requires a minimum street frontage of 25 feet, no maximum is defined. Parcel 1 has 97.00 feet of frontage and Parcel 2 has 33.00 feet of frontage, both along N Grant Street. No new private streets or easements will be needed to meet frontage requirements. The proposal as submitted conforms to the requirements of NDC 15.405.030.

15.405.040 *Lot coverage and parking coverage requirements*

B. *Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.*

- 1. *Maximum Lot Coverage.*
 - b. *R-2 and RP: 60 percent.*
- 2. *Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.*
- 3. *Combined Maximum Lot and Parking Coverage.*
 - b. *R-2, R-3 and RP: 70 percent.*

Finding: The R-2 zone limits a combined maximum lot and parking coverage (the percent of a lot covered by structures and parking) to 70%. This application submits that the existing structures and parking on Parcel 1 create a combined lot coverage of 37% after the lot partition meeting the criteria. Any future development on Parcel 2 will be reviewed for compliance with all applicable lot and parking coverage requirements at the time of building permit submittal.

Chapter 15.410 YARD SETBACK REQUIREMENTS

15.410.020 *Front yard setback.*

A. *Residential.*

- 1. *AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.*
- 3. *The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.*

Finding: Parcel 1 has a current setback of 28.19 ft, exceeding the required setback. Any proposals for development for Parcel 2 will be reviewed for setback compliance at the time of building permit submittal.

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.**

Finding: Parcel 1 has a 20-foot existing interior yard setback from the south property line, an existing 5-foot rear yard setback, and with the proposed lot partition line, will have a 5.34-foot interior yard setback from Parcel 2. These meet the requirements for interior yard setbacks. Any future developments on Parcel 2 will be reviewed for setback compliance at the time of building permit submittal.

15.410.060 Vision clearance setback

Finding: The proposed partition does not create a new street, private drive, private street, or an intersection of two streets. Therefore, this standard does not apply.

Chapter 15.420 LANDSCAPING AND OUTDOOR AREAS

Finding: Any applicable requirements will be reviewed at the time of the building permit review process for future development on either lot.

Chapter 15.430 UNDERGROUND UTILITY INSTALLATION

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. [Ord. 2537, 11-6-00. Code 2001 § 151.589.]**

Finding: The applicant's preliminary plans show overhead power lines along N Grant Street. The applicant will be required to underground any new service connections, and if any poles.

appurtenances, or lines associated with the utilities along the property frontage are relocated they will be required to be placed underground.

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

Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

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.*

15.440.030 Parking Spaces Required

<i>Use</i>	<i>Minimum Parking Spaces Required</i>
Residential Types	
<i>Dwelling, multifamily, and multiple single-family dwellings on a single lot.</i>	<i>2 per dwelling unit</i>

Finding: The applicant states Parcel 1 has a two-car garage, along with a 26-foot driveway. The accessory dwelling unit on Parcel 1 is not required to provide on-site parking per NMC Article V. Accessory Dwelling Units 15.445.260(B)(4) and per approval of the previous Type 1 Design Review (DR119-0018 – Westervelt ADU) approved in March 2020 for this property and use. Parcel 2 will need to meet current parking requirements of the NMC at time of building permit submittal. The parking requirement is met at this time.

Division 15.500

Chapter 15.505 PUBLIC IMPROVEMENT STANDARDS

15.505.010 Purpose.

This chapter provides standards for public infrastructure and utilities installed with new development, consistent with the policies of the City of Newberg comprehensive plan and adopted city master plans. The standards are intended to minimize disturbance to natural features, promote energy conservation and efficiency, minimize and maintain development impacts on surrounding properties and neighborhoods, and ensure timely completion of adequate public facilities to serve new development. [Ord. 2810 § 2 (Exhs. B, C), 1219-16.]

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.

- 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 describe the existing sidewalk along N Grant Street in good condition. Any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. Determination of any sidewalk panels to be replaced to occur as part of the public improvement permit process. A new driveway approach will be required at the time of Building Permits.

These criteria 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: Preliminary plans show a new water service connection to the public water line in N Grant Street for the new lot being created. 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: Preliminary plans show a new wastewater lateral connected to the public line in N Grant Street to serve the new lot being created. 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 narrative indicating that they will be treating the new impervious area created on the new lot with rain gardens. Because a final stormwater design has not been submitted, final plans for managing stormwater from the new lot shall be submitted with building permit applications. 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 clearly indicate public utility easements along the N Grant Street property frontage. A 10-foot public utility easement is required along the N Grant Street frontage. Because final plans have not been submitted, final plans showing a 10-foot public utility easement along the N Grant Street frontage will be submitted with building permit applications. 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. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]***

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 and none are required. 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: N Grant Street is a local residential street under the jurisdiction of the City of Newberg.

Roadway	Functional Classification	Existing Right-of-way	Existing Pavement Width	Minimum Right-of-way	Minimum Pavement Width	Typical Cross-Section (per Transportation System Plan)
N Grant Street	Local Residential (54-feet to 60-feet)	60-feet	32- feet	56-feet For typical section per TSP.	32-feet	<ul style="list-style-type: none"> • 1-foot from back of walk to right-of-way • 5-foot sidewalk • 5.5-foot planter* • 0.5-foot curb • 7-foot parking lane • 9-foot travel lane • 9-foot travel lane • 7-foot parking lane • 0.5-foot curb • 5.5-foot planter* • 5-foot sidewalk • 1-foot from back of walk to right-of-way

The existing street right-of-way width is 60-feet and the existing pavement width is 32 feet. 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: N Grant Street is already improved. This criterion does not apply.

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 of 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.*
- 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	TWLTL or median*	Yes	No*
Minor arterial	69 – 80 feet	48 feet	2 lanes	TWLTL 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.

Finding:

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

Finding: N Grant Street is classified a local residential street in the City’s Transportation System Plan and therefore this criterion does not apply.

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

Finding: N Grant Street is classified a local residential streets and does not include bike lanes per the City’s Transportation System Plan and therefore this criterion does not apply.

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: N Grant Street is classified a local residential street and therefore this criterion does not apply.

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

Finding: N Grant Street is classified a local residential street and does not include center turn lanes, therefore this criterion does not apply.

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: N Grant Street is classified as a local residential street. It is not a limited residential street. This criterion does not apply.

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

Finding: N Grant Street is improved. The applicants plans show existing 4 foot wide sidewalks. Because construction plans have not yet been submitted, any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. Determination of any sidewalk panels to be replaced is to occur as part of the public improvement permit process. A new driveway approach will be required at the time of Building Permits.

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 submitted plans do not propose new planter strips. Planter strips are existing along the N Grant Street frontage. This criterion is met.

- 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: N Grant Street is improved. The applicant is not proposing new street improvements. The applicants plans show existing 4 foot wide sidewalks. Because construction plans have not yet been submitted, any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. Determination of any sidewalk panels to be replaced is to occur as part of the public improvement permit process. A new driveway approach will be required at the time of Building Permits. Any sidewalk replacements and the new driveway approach will be required to comply with street design standards within the Newberg Public Works Design and Construction Standards.

- 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 and none are required. 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 requirement 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 and none are required. 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 impacting 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.*

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

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 RI 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*

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 proposing private streets. 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

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

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: Once partitioned, Parcel 1 and Parcel 2 will only take access from N Grant Street. 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 is not proposing more than one driveway per lot. 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. These criteria do 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 access. 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's preliminary plans do not propose 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 subject property is not adjacent to a ODOT or Yamhill County roadway. This criterion does not apply.

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. This criterion is 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 do not apply.

- 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 provided narrative and a site plan that states four mature trees are currently located where Parcel 1 will be created. These trees are just behind the property line and do not conflict with the current overhead utility lines. The applicant is suggesting that these trees be considered in place of required street trees per 15.505.040(T). The applicant also notes there is a tree in the current planter strip in front of where Parcel 2 will be created. Due to the placement of existing trees on Lot 1 and in the planter strip in front of Parcel 2, this criteria is met. However, if future development on an individual lot were to require the removal of any of these trees, the individual lot will need to meet the standards in NMC 15.420.010(B)(4) as part of future permitting processes.

- 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 narrative describes an LED street light at the northeast corner of the property. The photometric analysis provided indicates the fixture provides an average of 1.8 foot candles of light along the half street N Grant frontage. This addresses the City's street lighting requirement. This criterion is met.

- 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. [Ord. 2822 § 1 (Exh. A), 2-5-18; Ord. 2810 § 2 (Exhs. B, C), 12-19-16; Ord. 2763 § 1 (Exh. A § 19), 9-16-13; Ord. 2736 § 1 (Exh. A §§ 1, 3, 4), 3-21-11; Ord. 2619, 5-16-05; Ord. 2513, 8-2-99; Ord. 2507, 3-1-99; Ord. 2494, 4-6-98; Ord. 2451, 12-2-96. Code 2001 §§ 151.681, 151.683, 151.684 – 151.686, 151.689 – 151.692, 151.694, 151.695, 151.701 – 151.703, 151.705.]*

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 the judgment of the city, cannot be feasibly served otherwise.*
4. *Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city.*

Finding: The applicant's plans show a new water line connection to Parcel 2. The applicant also submitted a fire flow assessment done by United Fire. Because construction plans have not yet been submitted the applicant will be required to submit construction plans and obtain a Public Improvement Permit to install the water service lateral to Parcel 2 pursuant to the requirements of the City's Public Works Design and Construction Standards.

The criterion 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 sewer connection to Parcel 1 and a new wastewater connection to Parcel 2. Per NMC 13.10.070(K), each parcel shall be served by individual laterals. Because the applicant has not yet submitted construction plans, the applicant will be required to submit construction plans and obtain a Public Improvement Permit to install a wastewater lateral to Parcel 2 pursuant to the requirements of the City's Public Works Design and Construction Standards.

The criterion 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. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]*

Finding: The applicant has submitted a preliminary partition that does not show required utility easements. Because the applicant has not recorded all necessary utility easements, the applicant will be required to submit a final plat 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) 10-foot public utility easements along all public street frontages.

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.*
- 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 has submitted a stormwater narrative that indicates that new impervious surface areas being created on Parcel 2 will be treated and detained in a rain garden and then conveyed to the street. Because a final stormwater analysis has not been completed to size the rain garden and show conveyance of the stormwater from the newly created impervious surface, the applicant will be required to submit a final stormwater analysis and sizing report and construction plans meeting the City’s Public Works Design and Construction Standards showing that new impervious surface is being treated and detained. The construction plans and final stormwater report will be required at the time the applicant submits a building permit for proposed Parcel 2.

An erosion control permit from the City of Newberg will be required prior to any ground disturbing activity on Parcel 2.

The criterion 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. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

Finding: The applicant has submitted a stormwater narrative that indicates that new impervious surface areas being created on Parcel 2 will be treated and detained in a rain garden and then conveyed to the street. Because a final stormwater analysis has not been completed to size the rain garden and show conveyance of the stormwater from the newly created impervious surface, the applicant will be required to submit a final stormwater analysis and sizing report and construction plans meeting the City's Public Works Design and Construction Standards showing that new impervious surface is being treated and detained. The construction plans and final stormwater report will be required at the time the applicant submits a building permit for proposed Parcel 2.

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

Conclusion: The proposed partition and variance application satisfies City standards and approval criteria and is approved subject to the attached conditions.

**Section III:
Conditions – File PAR21-0001 605 N Grant Street Partition**

A. The Applicant must complete the following prior to applying for final plat approval:

- 1. Construction plans must be submitted for all infrastructure per the requirements below.**

General requirements for engineering permit:

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

The plans must note the following:

15.430 Underground Utility Installation.

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

15.505 Public improvement standards.

1. Street Improvements:
 - a. Any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. Determination of any sidewalk panels to be replaced to occur as part of the public improvement permit process. A new driveway approach will be required at the time of Building Permits.
2. Water Improvements
 - a. The applicant will be required to submit construction plans and obtain a Public Improvement Permit to install the water service lateral to Parcel 2 pursuant to the requirements of the City's Public Works Design and Construction Standards.
3. Wastewater Improvements
 - a. The applicant will be required to submit construction plans and obtain a Public Improvement Permit to install a wastewater lateral to Parcel 2 pursuant to the requirements of the City's Public Works Design and Construction Standards.
4. Stormwater:
 - a. Final plans for managing stormwater from the new lot shall be submitted with building permit applications.
 - b. The applicant will be required to submit a final stormwater analysis and sizing report and construction plans meeting the City's Public Works Design and Construction Standards showing that new impervious surface is being treated and detained. The construction plans and final stormwater

report will be required at the time the applicant submits a building permit for proposed Parcel 2.

- c. An erosion control permit from the City of Newberg will be required prior to any ground disturbing activity on Parcel 2.
5. Utility Easements
 - a. The applicant will be required to submit a final plat 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) 10-foot public utility easements along all public street frontages.
 - b. Final plans showing a 10-foot public utility easement along the N Grant Street frontage will be submitted with building permit applications.
 6. Sidewalks
 - a. Any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. Determination of any sidewalk panels is to be replaced to occur as part of the public improvement permit process. A new driveway approach will be required at the time of Building Permits.
 - b. Any sidewalk replacements and the new driveway approach will be required to comply with street design standards within the Newberg Public Works Design and Construction Standards.
 7. Street Trees:
 - a. Any future development on an individual lot that requires the removal of any of the accepted street trees, per this approval, on an individual lot will need to meet the standards in NMC 15.420.010(B)(4) as part of future permitting processes.

B. Final plat submission requirements and approval criteria: In accordance with NMC 15.235.07, final plats require review and approval by the director prior to recording with Yamhill County. The final plat submission requirements, approval criteria, and procedure are as follows:

1. Submission Requirements:

The applicant shall submit the final plat within two years, or as otherwise provided for in NMC 15.235.030. The format of the plat shall conform to ORS Chapter 92. The final plat application shall include the following items:

- a. Type I application form (Found either at City Hall or on the website – www.newbergoregon.gov in the Planning Forms section) with appropriate fees.
- b. Two preliminary copies of the plat are acceptable for review at the time of final plat application.
- c. Written response to any conditions of approval assigned to the land division.
- d. A title report for the property, current within six months of the final plat application date.
- e. Copies of any required dedications, easements, or other documents.
- f. Copies of all homeowner's agreements, codes, covenants, and restrictions, or other bylaws, as applicable. This shall include documentation of the formation of a

homeowner's association, including but not limited to a draft homeowner's association agreement regarding the maintenance of planter strips adjacent to the rear yard of proposed through lots.

- g. Copies of any required maintenance agreements for common property.
- h. A bond, as approved by the city engineer, for public infrastructure improvements, if the improvements are not substantially complete prior to the final plat.
- i. Any other item required by the city to meet the conditions of approval assigned to the land division.

- 2. Approval Process and Criteria. By means of a Type I procedure, the director shall review and approve, or deny, the final plat application based on findings of compliance or noncompliance with the preliminary plat conditions of approval.

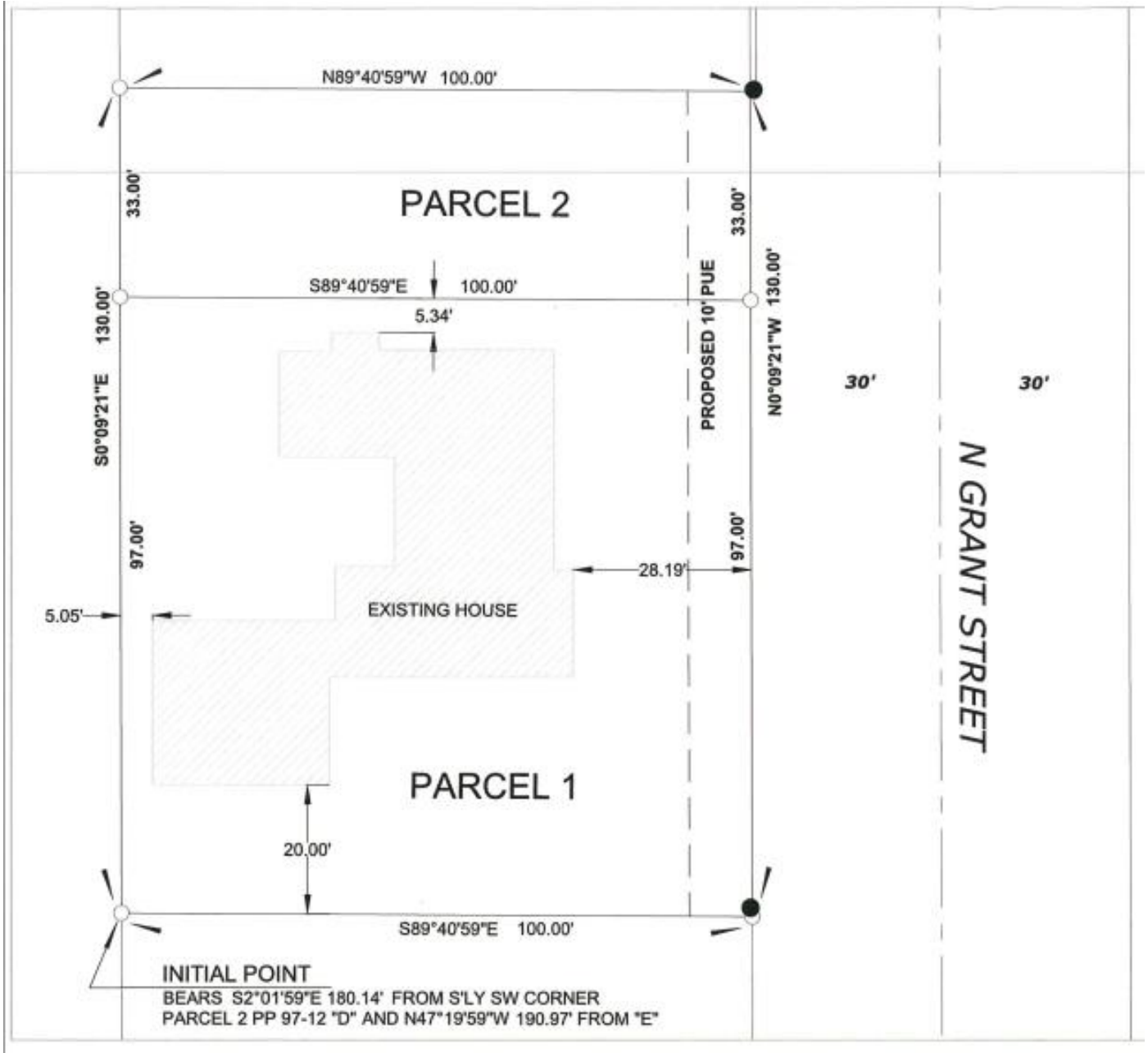
C. Filing and recording: In accordance with NMC 15.235.080, a new lot is not a legal lot for purposes of ownership (title), sale, lease, or development/land use until a final plat is recorded for the subdivision or partition containing the lot. The final plat filing and recording requirements are as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

- 1. One original and one identical copy of the final plat for signature. The plat copies shall be printed on mylar, and must meet the requirements of the county recorders and county surveyor. The plat must contain a signature block for approval by city recorder and Community Development Director, in addition to other required signature blocks for county approval.
- 2. According to NMC 15.235.080, approval of final plat must be acknowledged and signed by the following:
 - a. Community Development Director
 - b. The County Assessor
 - c. The County Surveyor
 - d. The City Recorder
- 3. Filing Plat with County. Within 60 days of the city approval of the final plat, the applicant shall submit the final plat to Yamhill County for signatures of county officials as required by ORS Chapter 92.
- 4. Proof of Recording. Upon final recording with the county, the applicant shall submit to the city a paper copy of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits for the newly created lots.
- 5. Prerequisites to Recording the Plat.
 - a. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92;
 - b. No plat shall be recorded until the county surveyor approves it in the manner provided by ORS Chapter 92.

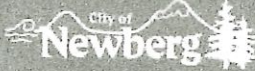
Development Notes:

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

**Attachment 1:
Tentative Plat**



**Attachment 2:
Application**



TYPE II APPLICATION – LAND USE

File #: PARZ1-0001

TYPES – PLEASE CHECK ONE:

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision
- Type II Major Modification
- Variance
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: Ed Lindley
 ADDRESS: 605 N Grant St
 EMAIL ADDRESS: lindleytl@gmail.com
 PHONE: 503-349-6331 MOBILE: _____ FAX: _____
 OWNER (if different from above): _____ PHONE: _____
 ADDRESS: _____
 ENGINEER/SURVEYOR: John Newberg PHONE: 503-474-4742
 ADDRESS: 1205 NE Evans, McMinnville, OR 97128

GENERAL INFORMATION:

PROJECT NAME: Grant ST Partition PROJECT LOCATION: 605 N Grant St
 PROJECT DESCRIPTION/USE: Partition into two lots PROJECT VALUATION: _____
 MAP/TAX LOT NO. (i.e. 3200AB-400): R3218DC-7700 ZONE: R2 SITE SIZE: 13000 SQ. FT. ACRE
 COMP PLAN DESIGNATION: LDR TOPOGRAPHY: Flat
 CURRENT USE: single family residence
 SURROUNDING USES:
 NORTH: single family residence SOUTH: single family residence
 EAST: single family residence WEST: vacant lot

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 Reviewp. 12
 Partition Tentative Platp. 14
 Subdivision Tentative Platp. 17
 Variance Checklistp. 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.

Edward Lindley 9.13.21
 Applicant Signature Date
Edward Lindley
 Print Name

Edward Lindley 9.13.21
 Owner Signature Date
Edward Lindley
 Print Name

Project Overview

Applicant: Edward and Teresa Lindley
605 N Grant St
Newberg, OR 97132
503-572-5491

Owner: Same

Prepared by: Daniel Danicic, PE
Yamhill Land Development Services LLC

Property Description Tax Lot R3218DC-7700
605 N Grant Street
Newberg, OR 97132

Zoning R-2

Proposed Partition Parent Lot = 13,000 SF
Parcel 1 = 9,700 SF
Parcel 2 = 3,300 SF

Project Summary

The development proposal is to partition the lot into two parcels; one for the existing house (Parcel 1) and one new lot for a future single family residence (Parcel 2).

The existing development on the site is a single family home. No structures on the site will need to be demolished in preparation for the future development of Parcel 2.

Water and sanitary sewer can be provided for the new parcel from the existing facilities in N Grant Street. Stormwater improvements for the new lot will consist of a rain garden sized for Parcel 2 to address the increase in impervious area of the lot with the discharge to the gutter on N Grant Street.

1. The requested partition may be processed as a Type II Application as it is fully within the city limits, does not contain Goal 5 resources, complies with street connectivity standards, meets 80% or more of the net density for R2 zone, and the applicant is not requesting for a referral to the Planning Commission.
2. The proposed lots conform to the applicable provisions of NMC Division 15.400 as follows:

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:

2. In the R-2, R-3, and RP districts, each lot or development site shall have a minimum area of 3,000 square feet or as may be established by a subdistrict. In the R-2 and R-P districts, the average size of lots in a subdivision intended for single-family development shall not exceed 5,000 square feet.

B. Lot or Development Site Area per Dwelling Unit.

2. In the R-2, AR, and R-P districts, there shall be a minimum of 3,000 square feet of lot or development site area per dwelling unit. In the R-2 and R-P districts, lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 5,000 square feet lot area.

RESPONSE: The partition will result in two lots:

Parcel 1 - 9,700 SF
Parcel 2 - 3,300 SF

All parcels are greater than 3,000 SF so the criteria is met.

15.405.030 Lot dimensions and frontage.

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).

b. Each lot in R-2 zone shall have a minimum width of 25 feet at the front building line and R-3 zone shall have a minimum width of 30 feet at the front building line.

RESPONSE: This criteria is met, see table below.

	Street Frontage (ft)	Width at Building Line (ft)
Minimum Required	25	25
Parcel 1	97	97
Parcel 2	33	33

15.405.040 Lot coverage and parking coverage requirements.

B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards.

1. Maximum Lot Coverage.

b. R-2 and RP: 50 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

a. R-1, R-2 and RP: 60 percent.

RESPONSE:

This partition will result in the existing house located on Parcel 1

PARCEL	LOT AREA (SF)	LOT COVERAGE (MAX 50%)	PARKING COVERAGE (MAX 30%)	COMBINED COVERAGE (MAX 60%)
1	9700	2602 sf = 27%	1007 sf = 10%	3609 sf = 37%

Parcel 1 meets the coverage criteria.

Parcel 2 will meet lot coverage requirements at the time of development in the future when the building permits are submitted.

This criteria is met.

15.410.020 Front yard setback.

A. Residential (see Appendix A, Figure 10).

- 1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.*

RESPONSE:

Parcel 1: The existing front yard setback to the house is 28.19 ft.

Parcel 2: Will meet required setbacks when building permit submittal is made.

This criteria is met.

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.*

RESPONSE:

Parcel 1 The side yard setback between the proposed partition line and the existing house is 5.34 ft. The side yard adjacent to the south property line is 20 feet and the rear setback is 5 feet which are greater than the code required 5 feet.

Parcel 2 will meet interior yard setback requirements when future building submittal is made.

This criteria is met.

15.410.060 Vision clearance setback.

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

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.

RESPONSE: There are no existing or proposed improvements along the frontage street that will obscure sight distance.

This criteria is met.

15.440.030 Parking spaces required

Dwelling, single-family: 2 for per dwelling unit

RESPONSE:

Parcel 1 has a two car garage and an extra long 26 foot driveway, so there are more than two parking spaces available.

Parcel 2 will meet this criteria when building permits are submitted.

This criteria is met.

3. Conformance with NMC Division 15.500 Public Improvement Standards

15.505.030 Street standards.

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.*

<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>
<i>Local residential</i>	<i>54 – 60 feet</i>	<i>32 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>

RESPONSE: The existing right-of-way of N Grant St is 60 feet and the curb-to-curb width is 32 feet.

This criteria is met.

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).*

RESPONSE:

In the planter strip there is an existing tree and mature shrubbery. Just behind the property line, there are four mature trees. The existing overhead utility lines located along the planter strip will be in conflict with any street tree planting. The applicant suggests that since the existing trees on the

property are directly behind the sidewalk, that they be considered as meeting the desire for street trees in order to mitigate future conflicts with overhead utilities.

The existing tree in the planter strip at the north end of the project can be considered as meeting the street tree requirement for Parcel 2.

Criteria is met.

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.*

RESPONSE: There currently is a pole mounted LED street light at the northeast corner of the property. This fixture provides an average of 1.8 foot-candles of light along the half-street frontage of the project. See the photometric plan at the end of this report.

15.505.040 Public utility standards. - Water, Wastewater, Stormwater

RESPONSE: Parcel 1 with the existing house is currently served by a water service line and sanitary sewer lateral in N Grant St. Stormwater runoff from the house roof drains into drywells at each downspout with the driveway flowing to the street. The general contours flow to the northwest.

Parcel 2 will be served by a new water service and sanitary sewer lateral extension from the existing facilities in N Grant St. Stormwater from pervious area for the new parcel will be collected in a rain garden then discharged at the curb along N Grant St. This will be formally designed during the future building permit phase.

The existing public waterline is 6" and the sanitary sewer line is 8". Both have the capacity to serve an additional lot.

The nearest fire hydrant is located at the northwest corner of the N. Grant St and W. North St. intersection, a distance of 87 feet. The flow test for this hydrant is at the end of this report. The results demonstrate flow and pressure compliance.

Criteria is met

4. The partition plat will be assigned a unique number by the County Surveyor at the time of recording.
Criteria is met.

5. Refer to the attached plan demonstrating compliance with master plans, design standards and construction standards.

Criteria is met.

6. Proposed private common areas and improvements.

Does not apply as no common areas are proposed.

7. Evidence that any required state and federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.

No state or federal permits are required for the partition.

8. Evidence that improvements or conditions required by the city, road authority, Yamhill County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met.

Refer to the attached plans and this application which demonstrates compliance. All private franchise services have facilities along the project frontage and can be provided for future development.

OTHER CRITERIA

CC&R'S No CC&R's are proposed for this project

TRAFFIC ANALYSIS This project will create fewer than 40pm peak hour trips for the one new single family lots so a traffic impact study is not required.

PUBLIC UTILITY ANALYSIS Adequate public utilities are available to serve the new parcel. Refer to response in item 3 above for further details.

FUTURE STREETS CONCEPT PLAN
No future street plan required as there is no undeveloped land adjacent to this project.

WETLANDS DELINEATION
The property is not listed on the Northwest Wetlands Inventory nor included as part of the city stream corridor overlay.

STORMWATER ANALYSIS

The site topography falls generally towards the north and west. The public improvements necessary for this partition will not require any onsite grading that changes the topography or drainage. Future development of Parcel 2 can occur without altering the natural drainage patterns on the site nor increase runoff to neighboring parcels.

There is no increase in impervious area associated with Parcel 1 which consists of the existing home and driveway, so no stormwater treatment is required for this lot.

For Parcel 2, development will place the finish floor elevation high enough so that stormwater runoff from new impervious areas will route the roof drains through a rain garden or planter then to the curb and gutter in N Grant St. The size of the rain garden will be determined at the time of building permit submittal for each lot.



www.unitedfirepd.com
 4611 NE MLK JR BLVD
 PORTLAND, OR 97211
 Phone: 503-249-0771
 Fax: 503-249-0572
 Email: service@unitedfirepd.com
 Oregon CCB# 65290
 Washington EC06# UNTDFPH95ONT

CHECK SHEET FOR TEST OF PRIVATE FIRE HYDRANTS

Test Date: 03/09/21
Job Number: 20795214
Business Name: Lindley Homes
Building Name: Lindley Homes
Building Address: 605 North Grant Street
Contact: Teresa Lindley
Phone: 503-349-6331

Hydrant Group

Location in Site	Group Name	Quantity
		1

Hydrants

Status: active
Location of Hydrant: 150' south of address
Make: Mueller
Model:

Access unobstructed?	yes	GPM flowed	2,532
Faced correctly?	yes	Thread in good repair?	yes
Set properly?	yes	Lubricated?	
Location of residual pressure gauge	On hydrant	Caps replaced?	yes
Static pressure	92	Leakage in base, dome or sleeve when under pressure?	no
Residual pressure	81	Hydrant operates properly?	yes
Sizes of outlets flowed	2.5	Operating nut lubricated?	
Number of outlets flowed	1	Hydrant drains properly after test?	yes
Pitot reading	31		

Required Corrections and Explanation of Problems: None at this time.
Corrections Made: None at this time.

Has the building owner / representative been notified of any deficiencies?	NO
If YES, who was notified?	
If NO, why wasn't the owner / representative notified?	NA

Certified Personnel Conducting Test: Juliette Semro, Tech from Newberg water department.

Certification #: 8058

Name of Company: United Fire

Signature:

Phone: 503-249-0771



First American

First American Title Insurance Company

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

**PUBLIC RECORD REPORT
FOR NEW SUBDIVISION OR LAND PARTITION**

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF:

Teresa Lindley
605 N Grant St
Newberg, OR 97132-2304
Phone: (503)349-6331
Fax:

Date Prepared : May 31, 2021
Effective Date : 8:00 A.M on May 27, 2021
Order No. : 1039-3753350
Subdivision :

The information contained in this report is furnished by First American Title Insurance Company (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report. Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

REPORT

- A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.
- C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:

As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof
- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.

EXHIBIT "A"
(Land Description Map Tax and Account)

BEING A PART OF THE DONATION LAND CLAIM OF JOHN H. HESS AND SEBY HESS, HIS WIFE, CLAIM NO. 39 IN TOWNSHIP 3 SOUTH, RANGE 2 WEST AND CLAIM #60 IN TOWNSHIP 3 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN AND FURTHER BEING SITUATED IN SECTION 18, TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 5 CHAINS WEST OF THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID CLAIM, SAID POINT BEING ALSO THE SOUTHWEST CORNER OF THE TOWN PLAT OF NEWBERG, OREGON, AS SURVEYED AND PLATTED BY H.S. MALONEY ON THE 24TH DAY OF FEBRUARY 1881, AND RECORDED AT PAGE 224 OF VOLUME "U" DEED RECORDS; THENCE RUNNING NORTH 225 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO HERSCHEL L. THORNBURG ET UX. BY DEED RECORDED JUNE 8, 1964 IN FILM VOLUME 43, PAGE 316, DEED AND MORTGAGE RECORDS; THENCE WEST ALONG THE NORTH LINE OF THE ABOVE TRACT 100 FEET TO A POINT; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF THE HEREIN TRACT, 130 FEET TO A POINT; SAID POINT BEING NORTH 95 FEET AND WEST 100 FEET FROM THE POINT OF BEGINNING; THENCE EAST 100 FEET TO A POINT ON THE EAST LINE OF THE HEREIN TRACT, SAID POINT BEING NORTH 95 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 130 FEET TO THE TRUE POINT OF BEGINNING.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

Map No.: R3218DC 03000

Tax Account No.: 43562

EXHIBIT "B"
(Vesting)

Edward Lindley and Teresa Lindley

EXHIBIT "C"
(Liens and Encumbrances)

1. City liens, if any, of the City of Newberg.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$3,146.26
Map No.:	R3218DC 03000
Property ID:	43562
Tax Code No.:	29.0

DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
 - (a) "Customer": The person or persons named or shown as the addressee of this report.
 - (b) "Effective Date": The effective date stated in this report.
 - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
 - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.

2. **Liability of the Company.**
 - (a) THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.
 - (b) No costs (including, without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
 - (c) In any event, the Company assumes no liability for loss or damage by reason of the following:
 - (1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records.
 - (2) Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 - (3) Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
 - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (iii) water rights or claims or title to water.
 - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
 - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment on the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.

3. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.



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

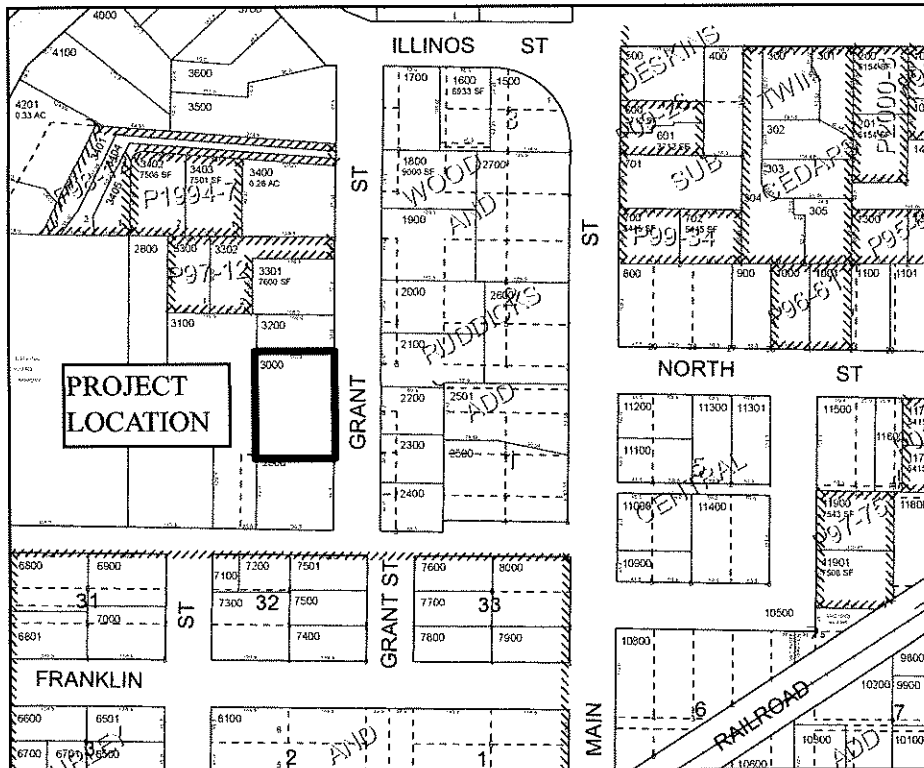
A property owner in your neighborhood submitted an application to the City of Newberg to subdivide a parcel of land from one lot into 2 separate lots. You are invited to take part in the City's review of this project by sending in your written comments. The applicable criteria used to make a decision on this application for preliminary partition plat approval are found in Newberg Development Code 15.235.050(A). For more details about giving comments, please see the back of this sheet.

The application would divide one tax lot into two lots: Parcel 1 will be 9700 SF accessed from N. Grant St, Parcel 2 will be 3300 SF accessed from N Grant St.

APPLICANT/OWNERS: Edward and Teresa Lindley
TELEPHONE: 503-349-6331

LOCATION: 605 N Grant Street
Newberg, OR 97132

TAX LOT NUMBER: Yamhill County Tax Map R3218-DC-03000



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. You may also request that the Newberg Planning Commission hold a hearing on the application by sending a written request during this 14-day period and identifying the issues you would like the Planning Commission to address.

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

Written Comments: File PAR 21-XXXX
City of Newberg
Community Development
PO Box 970
Newberg, OR 97132

All written comments must be received by 4:30 p.m. on XXXXX, 2021. 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 preliminary subdivision plan approval are found in Newberg Development Code 15.235.050(A).

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 5033-537-1240.

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: XXXXX, 2021.

POSTED NOTICE

Land Use Notice

FILE # PAR21-XXXX

PROPOSAL: Partition 605 N Grant Street into Two Lots

FOR FURTHER INFORMATION, CONTACT:

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

2'

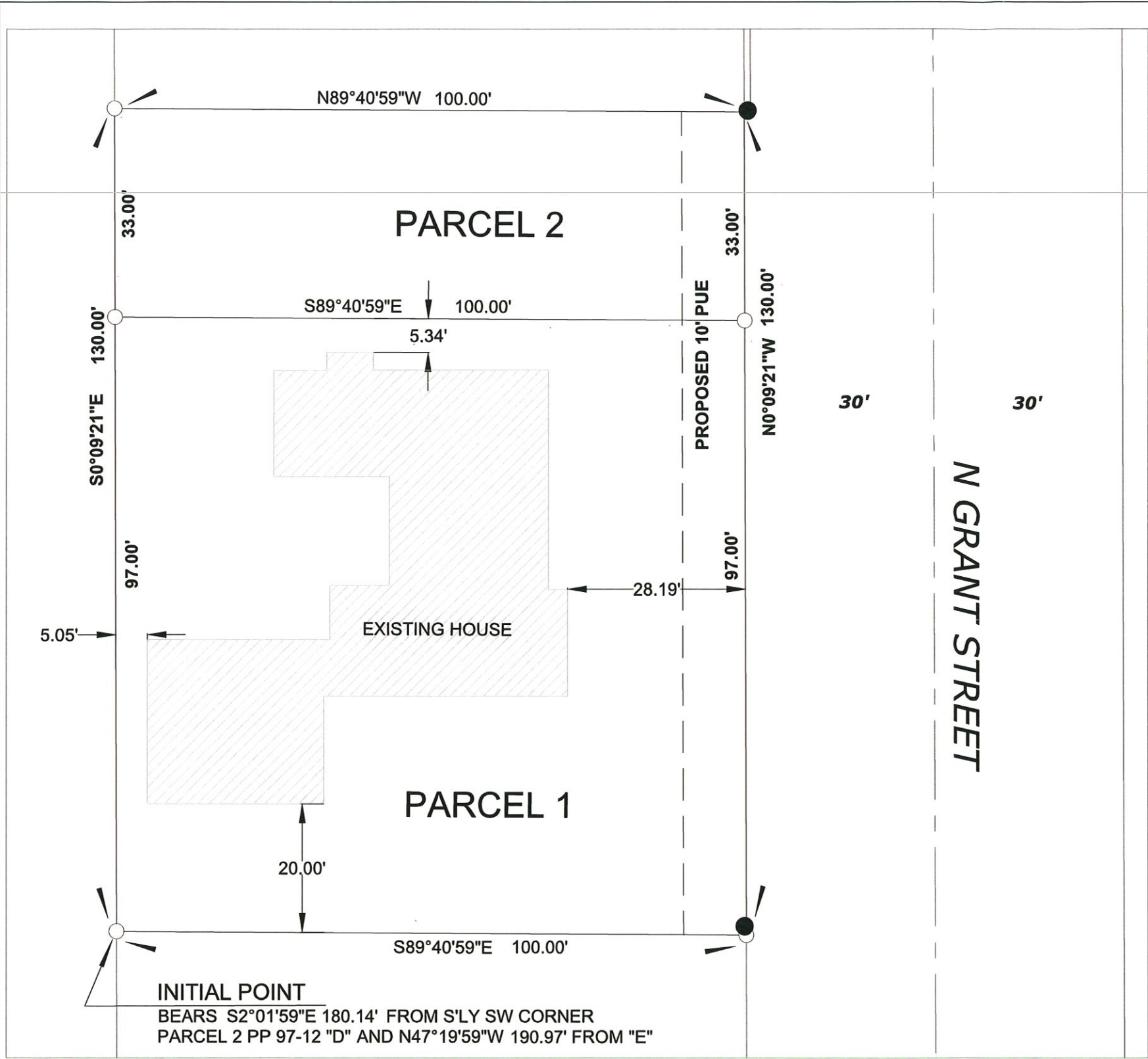
3'

Notice must be white with black letters, and must be landscape orientation, as shown above.
The notice must be lettered using block printing or a "sans-serif" font, such as Arial.

TAXID	Owner Name	Mailing Address	Mail City	Mail Zip	Site Address	Site City	Site Zip
R3218DC 00500	Jennifer Swafford & Derek Gerber	102 E Illinois St	Newberg	OR 97132	102 E Illinois St	Newberg	OR 97132
R3218DC 02900	Michael & Deloris Leavitt	603 N Grant St	Newberg	OR 97132	603 N Grant St	Newberg	OR 97132
R3218DC 07600	Ashley Skoch & James Sullivan	508 N Grant St	Newberg	OR 97132	508 N Grant St	Newberg	OR 97132
R3218DC 06900	Mark Reyes	507 N Lincoln St	Newberg	OR 97132	507 N Lincoln St	Newberg	OR 97132
R3218DC 00700	Kesa Nomiyama	608 N Main St	Newberg	OR 97132	608 N Main St	Newberg	OR 97132
R3218DC 01900	Robert Harding Sr & Barbara Wilhelm	622 N Grant St	Newberg	OR 97132	622 N Grant St	Newberg	OR 97132
R3218DC 00601	Cesar & Fatuma Opelele	Po Box 118	Newberg	OR 97132	614 N Main St	Newberg	OR 97132
R3218DC 00600	Salvador Baca & Raquel Vazquez	Po Box 118	Newberg	OR 97132	616 N Main St	Newberg	OR 97132
R3218DC 90000	Robert & Valerie Maslen	Po Box 193	Dundee	OR 97115	No Site Address	Newberg	OR 97132
R3218DC 05301	Linda Walker	501 N Harrison St	Newberg	OR 97132	501 N Harrison St	Newberg	OR 97132
R3218DC 08100	Stephen & Cora Waldroup	403 N Main St	Newberg	OR 97132	403 N Main St	Newberg	OR 97132
R3218DC 06501	William & Barbara Robertson	415 N Lincoln St	Newberg	OR 97132	415 N Lincoln St	Newberg	OR 97132
R3218DC 07700	Linda Newton-Curtis	504 N Grant St	Newberg	OR 97132	504 N Grant St	Newberg	OR 97132
R3218DC 07100	Benjamin Massey	210 W North St	Newberg	OR 97132	210 W North St	Newberg	OR 97132
R3218DC 90003	Robert & Valerie Maslen	Po Box 193	Dundee	OR 97115	509 N Harrison St	Newberg	OR 97132
R3218DC 06700	Jsh Llc	23167 NE Sunnycrest Rd	Newberg	OR 97132	315 W Sherman St	Newberg	OR 97132
R3218DC 00702	Bryanna & Samuel Oliver-Palmquist	109 E North St	Newberg	OR 97132	109 E North St	Newberg	OR 97132
R3218DC 06500	Barbara & Robert Velander	3926 N Boomer Dr	Newberg	OR 97132	407 N Lincoln St	Newberg	OR 97132
R3218DC 07400	William & Karen Warmoth	501 N Grant St	Newberg	OR 97132	501 N Grant St	Newberg	OR 97132
R3218DC 03800	Taylor & Kalin Rehm	212 W Illinois St	Newberg	OR 97132	212 W Illinois St	Newberg	OR 97132
R3218DC 14000	Delmar Washburn	715 S Dayton Ave	Newberg	OR 97132	117 W Illinois St	Newberg	OR 97132
R3218DC 02200	Jeanette Eng	608 N Grant St	Newberg	OR 97132	608 N Grant St	Newberg	OR 97132
R3218DC 03100	Michael & Deloris Leavitt	603 N Grant St	Newberg	OR 97132	W North St	Newberg	OR 97132
R3218DC 04700	Larry Hinton	14320 79th Pl NE	Kirkland	WA 98034	508 N Morton St	Newberg	OR 97132
R3218DC 11100	Robert Eberhard	1604 N College St	Newberg	OR 97132	No Site Address	Newberg	OR 97132
R3218DC 11000	Adam & Ruben Perez	4205 NE Riverside Loop	Mcminville	OR 97128	504 N Main St	Newberg	OR 97132
R3218DC 00701	David & Lorijene Keightley	612 N Main St	Newberg	OR 97132	612 N Main St	Newberg	OR 97132
R3218DC 03402	Howard Francis R & Sally A Howard Family Trust	16585 Fair Mile Rd	Sisters	OR 97759	631 N Grant St	Newberg	OR 97132
R3218DC 07000	Mark Sadoris	503 N Lincoln St	Newberg	OR 97132	503 N Lincoln St	Newberg	OR 97132
R3218DC 02500	Blane & Mary Hansen	101 W North St	Newberg	OR 97132	101 W North St	Newberg	OR 97132
R3218DC 03400	Mark Wells	627 N Grant St	Newberg	OR 97132	627 N Grant St	Newberg	OR 97132
R3218DC 03301	Mark & Melissa Terry	621 N Grant St	Newberg	OR 97132	621 N Grant St	Newberg	OR 97132
R3218DC 13000	Nathaniel Mccoy & Kathryn Menninger	703 N Main St	Newberg	OR 97132	703 N Main St	Newberg	OR 97132
R3218DC 08000	Stanley Shirts	505 N Main St	Newberg	OR 97132	505 N Main St	Newberg	OR 97132
R3218DC 03600	Billy Hill	204 W Illinois St	Newberg	OR 97132	204 W Illinois St	Newberg	OR 97132
R3218DC 07300	Jason & Erin Fincher	211 W Franklin St	Newberg	OR 97132	211 W Franklin St	Newberg	OR 97132
R3218DC 03404	Shauna Peterson	633 N Grant St APT B	Newberg	OR 97132	633 N Grant St	Newberg	OR 97132
R3218DC 04600	Smith Steven C & Penelope J Smith Steven & Penelope Living T	512 N Morton St	Newberg	OR 97132	512 N Morton St	Newberg	OR 97132
R3218DC 02100	Terry & Deborah Langridge	614 N Grant St	Newberg	OR 97132	614 N Grant St	Newberg	OR 97132
R3218DC 02300	Emily & Ethan Thursam	606 N Grant St	Newberg	OR 97132	606 N Grant St	Newberg	OR 97132

R3218DC 03403	Howard Francis R & Sally A Howard Family Trust	16585 Fair Mile Rd	Sisters	OR	97759	629 N Grant St	Newberg	OR	97132
R3218DC 03500	Calvin & Barbara Ristine	635 N Grant St	Newberg	OR	97132	635 N Grant St	Newberg	OR	97132
R3218DC 01500	Chadwick & Ellen Hughes	110 W Illinois St	Newberg	OR	97132	110 W Illinois St	Newberg	OR	97132
R3218DC 04300	Chehalem Park & Recreation District	1802 E Haworth Ave	Newberg	OR	97132	620 N Morton St	Newberg	OR	97132
R3218DC 02400	Gemma Fosmark	Po Box 1135	Newberg	OR	97132	117 W North St	Newberg	OR	97132
R3218DC 15000	William & Angella Burns	121 W Illinois St	Newberg	OR	97132	121 W Illinois St	Newberg	OR	97132
R3218DC 01000	Gail Watson	Po Box 1032	Newberg	OR	97132	621 N Morton St	Newberg	OR	97132
R3218DC 04500	John & Sonja Riches	Po Box 5014	Salem	OR	97304	514 N Morton St	Newberg	OR	97132
R3218DC 00900	Kristina White	623 N Morton St	Newberg	OR	97132	623 N Morton St	Newberg	OR	97132
R3218DC 02501	Franklin & Meyers Holding Company Lic	611 N Main St	Newberg	OR	97132	611 N Main St	Newberg	OR	97132
R3218DC 11200	5Th Street Abode Llc	32300 NE Old Parrett Mountain	Newberg	OR	97132	514 N Main St	Newberg	OR	97132
R3218DC 03700	Rodney Johnson	208 W Illinois St	Newberg	OR	97132	208 W Illinois St	Newberg	OR	97132
R3218DC 03401	Nathaniel Huggett	633 N Grant St APT C	Newberg	OR	97132	633 N Grant St	Newberg	OR	97132
R3218DC 90001	Robert & Valerie Maslen	300 E Foothills Dr	Newberg	OR	97132	505 N Harrison St	Newberg	OR	97132
R3218DC 06701	Mark & Kara Johnson	309 W Sherman St	Newberg	OR	97132	309 W Sherman St	Newberg	OR	97132
R3218DC 02600	Big Bear Properties Llc	16650 NE Hillside Dr	Newberg	OR	97132	617 N Main St	Newberg	OR	97132
R3218DC 03000	Edward & Teresa Lindley	605 N Grant St	Newberg	OR	97132	605 N Grant St	Newberg	OR	97132
R3218DC 04000	Tiffany & Angel Olea	644 N Morton St	Newberg	OR	97132	644 N Morton St	Newberg	OR	97132
R3218DC 06801	Juan & Inez Garza	500 N Harrison St	Newberg	OR	97132	500 N Harrison St	Newberg	OR	97132
R3218DC 03900	Thomas & Ramona Hakom	648 N Morton St	Newberg	OR	97132	648 N Morton St	Newberg	OR	97132
R3218DC 04201	Michael & Janet Romasco	2361 NW Anthony Ct	Mcminville	OR	97128	626 N Morton St	Newberg	OR	97132
R3218DC 01700	William & Nancy Alldredge	116 W Illinois St	Newberg	OR	97132	116 W Illinois St	Newberg	OR	97132
R3218DC 03200	Scott & Diane Canfield	115 E Illinois St	Newberg	OR	97132	617 N Grant St	Newberg	OR	97132
R3218DC 06600	Francisco & Marina Cervantes	314 W Franklin St	Newberg	OR	97132	314 W Franklin St	Newberg	OR	97132
R3218DC 07200	Melvin Roland	208 W North St	Newberg	OR	97132	208 W North St	Newberg	OR	97132
R3218DC 03302	Erin Robinson	623 N Grant St	Newberg	OR	97132	623 N Grant St	Newberg	OR	97132
R3218DC 02800	Kenneth & Valerie Moore	215 W North St	Newberg	OR	97132	215 W North St	Newberg	OR	97132
R3218DC 03300	Ruth Rodriguez	625 N Grant St	Newberg	OR	97132	625 N Grant St	Newberg	OR	97132
R3218DC 11400	Adam & Susan Perez	4205 NE Riverside Loop	Mcminville	OR	97128	111 E Franklin St	Newberg	OR	97132
R3218DC 10800	Jeff & George Lic	Po Box 3215	Newberg	OR	97132	406 N Main St	Newberg	OR	97132
R3218DC 04400	John & Deanna Mccarty	516 N Morton St	Newberg	OR	97132	516 N Morton St	Newberg	OR	97132
R3218DC 90002	Robert & Valerie Maslen	Po Box 193	Dundee	OR	97115	507 N Harrison St	Newberg	OR	97132
R3218DC 04200	Daniel & Van Vanburen	622 N Morton St	Newberg	OR	97132	622 N Morton St	Newberg	OR	97132
R3218DC 01800	Debra Clark	626 N Grant St	Newberg	OR	97132	626 N Grant St	Newberg	OR	97132
R3218DC 04100	Michael Strandberg & Amy Griffith-Strandberg	640 N Morton St	Newberg	OR	97132	640 N Morton St	Newberg	OR	97132
R3218DC 00800	Kathleen Hoff	22041 Tanbark Ln	Lake Forest	CA	92630	625 N Morton St	Newberg	OR	97132
R3218DC 03405	Phakunarith Him	633 N Grant St APT A	Newberg	OR	97132	633 N Grant St	Newberg	OR	97132
R3218DC 11300	James & Leilani Schweitzer	110 E North St	Newberg	OR	97132	110 E North St	Newberg	OR	97132
R3218DC 07900	Sharon Capri	4034 SW Hamilton St	Portland	OR	97221	501 N Main St	Newberg	OR	97132
R3218DC 07800	Nathan & Sabrina Dryden	500 N Grant St	Newberg	OR	97132	500 N Grant St	Newberg	OR	97132
R3218DC 05200	Christopher Goldstein	409 N Hamison St	Newberg	OR	97132	409 N Harrison St	Newberg	OR	97132

R3218DC 02000	Robert & Tina Hubbard	616 N Grant St	Newberg	OR	97132	616 N Grant St	Newberg	OR	97132
R3218DC 06800	Huffman Kevin E Living Trust	314 W North St	Newberg	OR	97132	314 W North St	Newberg	OR	97132
R3218DC 10900	Jessica & Carlos Pena	500 N Main St	Newberg	OR	97132	500 N Main St	Newberg	OR	97132
R3218DC 06400	Bryan & Karyne Hatton	301 W Sherman St	Newberg	OR	97132	301 W Sherman St	Newberg	OR	97132
R3218DC 01600	Randy & John Higley	112 W Illinois St	Newberg	OR	97132	112 W Illinois St	Newberg	OR	97132
R3218DC 00800	5Th Street Rental Llc	32300 NE Old Parrett Mountain	Newberg	OR	97132	602 N Main St	Newberg	OR	97132
R3218DC 02700	Tobias Schussler	625 N Main St	Newberg	OR	97132	625 N Main St	Newberg	OR	97132
R3218DC 07500	Daniel Stout	505 N Grant St	Newberg	OR	97132	509 N Grant St	Newberg	OR	97132
R3218DC 07501	Shawn Kirby & Gabriel Louthan	509 N Grant St	Newberg	OR	97132	509 N Grant St	Newberg	OR	97132



605 N GRANT ST.
 NEWBERG, OR 97132

PROPOSED PARTITION

NO.	DATE	DESCRIPTION
	6/20/21	TYPE II APPLICATION

PREPARED BY:
 DANIEL DANICIC, PE
 YAMHILL LAND DEVELOPMENT SERVICES
 PO BOX 1042
 NEWBERG, OR 97132
 D.J.D.YLDS@GMAIL.COM
 503-476-7702

PROPOSED PARTITION

Location: The SW 1/4 of Sec. 18, T. 3 S., R. 2 W., W.M.,
 City of Newberg, Oregon
 Yamhill County

Tax Lot: R3218DC - 3000

Site Address: 605 N GRANT ST, Newberg OR

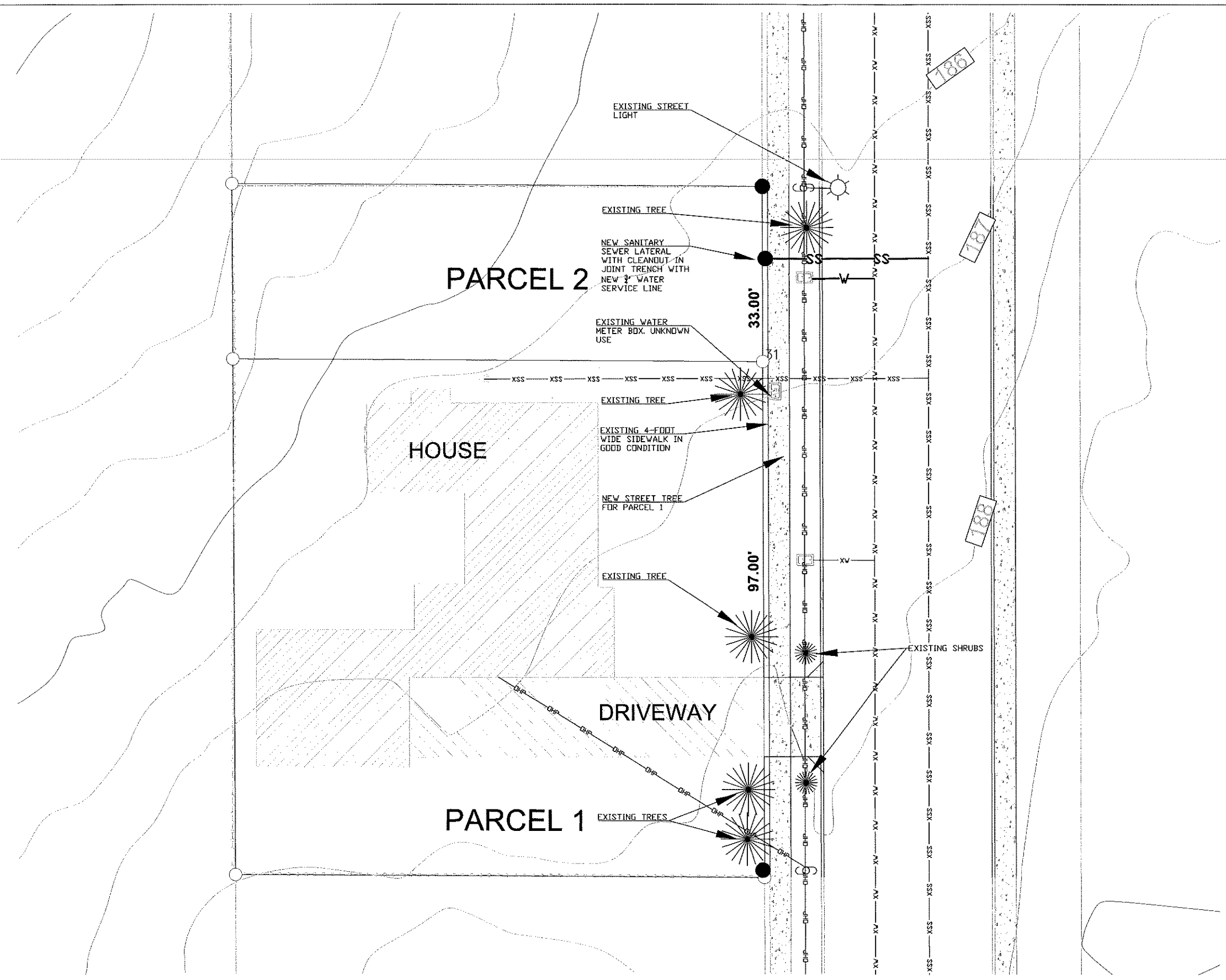
SURVEYOR
 John Newberg, PLS
 Newberg Surveying Inc.
 1205 NE Evans
 McMinnville, OR 97128
 503-474-4742
 503-474-3752 FAX
 971-237-1956 Cell



PRELIMINARY

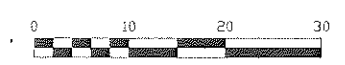
EXPIRES 12/31/21
 SHEET
 1 OF 2

Plotted: Jul 04, 2021 - 2:30pm, /tmp/ACPublish_26062/undley_Partition.dwg, Layout: 1 - Partition_Submittal



- ### Legend
- = MONUMENT FOUND
 - = WATER VALVE
 - = WATER METER
 - = FIRE HYDRANT
 - = POWER METER
 - = POWER POLE
 - = GUY ANCHOR
 - = STREET LIGHT
 - = EXISTING SEWER CLEANOUT
 - = NEW SEWER CLEANOUT
 - = SANITARY SEWER MANHOLE
 - = GAS METER
 - = GAS LINE
 - = EXISTING SANITARY SEWER LINE
 - = SANITARY SEWER LINE
 - = OVERHEAD POWER
 - = EDGE OF ROCK
 - = EXISTING STORM DRAIN LINE
 - = STORM DRAIN LINE
 - = EXISTING WATER LINE
 - = WATER LINE
 - = EDGE OF PAVEMENT
 - = EDGE OF CONCRETE
 - = MAJOR CONTOUR INTERVAL (5')
 - = MINOR CONTOUR INTERVAL (1')
 - = WOOD FENCE
 - = CROWN OF ROAD
 - = EXISTING ASPHALT
 - = NEW ASPHALT
 - = NEW CONCRETE

EXISTING SITE CONDITIONS AND PUBLIC IMPROVEMENTS
SCALE 1:10 NORTH



605 N GRANT ST.
NEWBERG, OR 97132

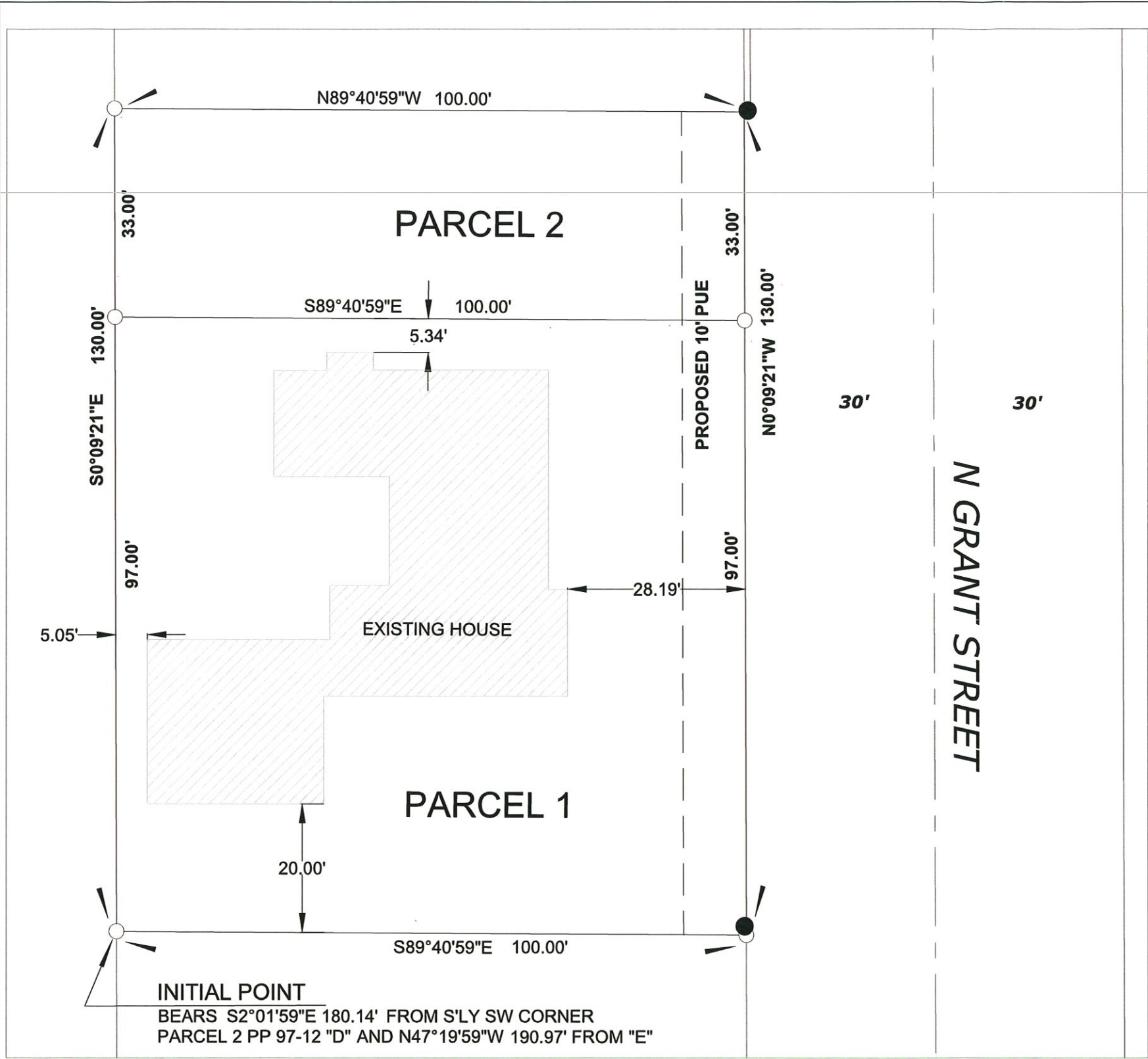
EXISTING SITE CONDITIONS
AND
PROPOSED PUBLIC
IMPROVEMENTS

REVISIONS	
NO.	DATE
	9/30/21
	TYPE II APPLICATION

PREPARED BY:
DANIEL DANICIC, PE
YAMHILL LAND DEVELOPMENT SERVICES
PO BOX 1042
NEWBERG, OR 97132
DUD.YLDS@GMAIL.COM
503-476-7702

PRELIMINARY
EXPIRES 12/31/21
SHEET

Plotted: ar, bh, 2021 - 2:30pm - /tmp/ae7vubh3/3802/Indley-Parlition.dwg, Layout: 1 - Bortherly-Submitter



605 N GRANT ST.
 NEWBERG, OR 97132

PROPOSED PARTITION

NO.	DATE	DESCRIPTION
	6/20/21	TYPE II APPLICATION

PREPARED BY:
 DANIEL DANICIC, PE
 YAMHILL LAND DEVELOPMENT SERVICES
 PO BOX 1042
 NEWBERG, OR 97132
 D.J.D.YLDS@GMAIL.COM
 503-476-7702

PROPOSED PARTITION

Location: The SW 1/4 of Sec. 18, T. 3 S., R. 2 W., W.M.,
 City of Newberg, Oregon
 Yamhill County
 Tax Lot: R3218DC - 3000
 Site Address: 605 N GRANT ST, Newberg OR

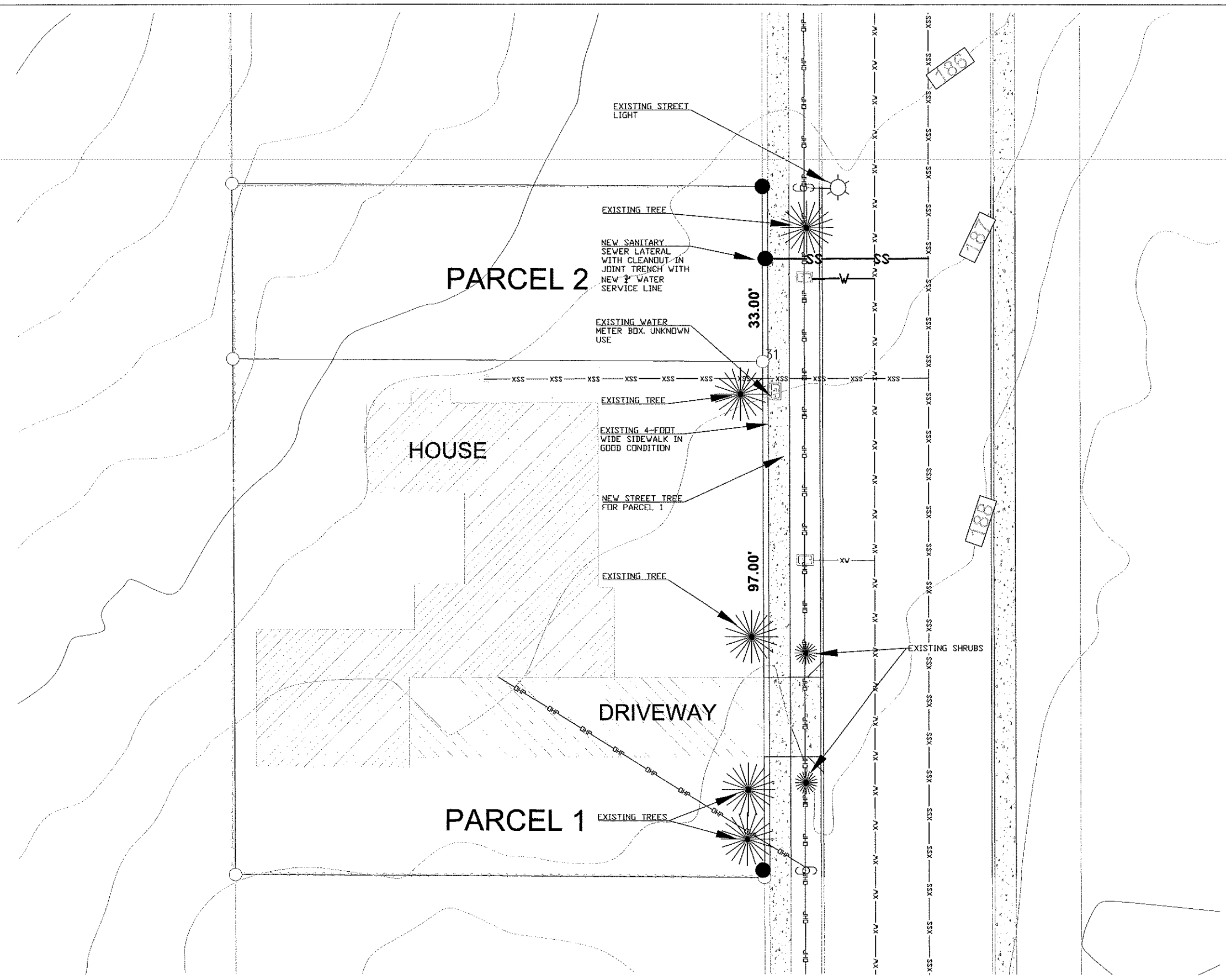
SURVEYOR
 John Newberg, PLS
 Newberg Surveying Inc.
 1205 NE Evans
 McMinnville, OR 97128
 503-474-4742
 503-474-3752 FAX
 971-237-1956 Cell



PRELIMINARY

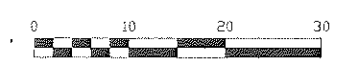
EXPIRES 12/31/21
 SHEET
 1 OF 2

Plotted: Jul 04, 2021 - 2:30pm, /tmp/ACPublish_260627/ndley_Partition.dwg, Layout: 1 - Partition_Submittal



- ### Legend
- = MONUMENT FOUND
 - = WATER VALVE
 - = WATER METER
 - = FIRE HYDRANT
 - = POWER METER
 - = POWER POLE
 - = GUY ANCHOR
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 - = EXISTING SEWER CLEANOUT
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 - = GAS LINE
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 - = WATER LINE
 - = EDGE OF PAVEMENT
 - = EDGE OF CONCRETE
 - = MAJOR CONTOUR INTERVAL (5')
 - = MINOR CONTOUR INTERVAL (1')
 - = WOOD FENCE
 - = CROWN OF ROAD
 - = EXISTING ASPHALT
 - = NEW ASPHALT
 - = NEW CONCRETE

EXISTING SITE CONDITIONS AND PUBLIC IMPROVEMENTS
SCALE 1:10
NORTH



605 N GRANT ST.
NEWBERG, OR 97132

EXISTING SITE CONDITIONS
AND
PROPOSED PUBLIC
IMPROVEMENTS

REVISIONS	
NO.	DATE
	9/30/21
DESCRIPTION	TYPE II APPLICATION

PREPARED BY:
DANIEL DANICIC, PE
YAMHILL LAND DEVELOPMENT SERVICES
PO BOX 1042
NEWBERG, OR 97132
DUD.YLDS@GMAIL.COM
503-476-7702

PRELIMINARY
EXPIRES 12/31/21
SHEET

Plotted: ar_B4_2021 - 2:30pm - /tmp/ae7vubh3/3802/Indley_Partition.dwg, Layout: 1 - Borcher's Submitter



First American

First American Title Insurance Company

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

Supplemental
**PUBLIC RECORD REPORT
FOR NEW SUBDIVISION OR LAND PARTITION**

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF:

Teresa Lindley
605 N Grant St
Newberg, OR 97132-2304
Phone: (503)349-6331
Fax:

Date Prepared : October 14, 2021
Effective Date : 8:00 A.M on October 12, 2021
Order No. : 1039-3753350
Subdivision :

The information contained in this report is furnished by First American Title Insurance Company (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report. Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

REPORT

- A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:

As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof

- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.

EXHIBIT "C"
(Liens and Encumbrances)

1. Taxes for the year 2021-2022

Tax Amount	\$	3,899.93
Unpaid Balance:	\$	3,899.93, plus interest and penalties, if any
Code No.:		29.0
Map & Tax Lot No.:		R3218DC 03000
Property ID No.:		43562

2. City liens, if any, of the City of Newberg.

3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
 - (a) "Customer": The person or persons named or shown as the addressee of this report.
 - (b) "Effective Date": The effective date stated in this report.
 - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
 - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.

2. **Liability of the Company.**
 - (a) THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.
 - (b) No costs (including, without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
 - (c) In any event, the Company assumes no liability for loss or damage by reason of the following:
 - (1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records.
 - (2) Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 - (3) Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
 - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (iii) water rights or claims or title to water.
 - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
 - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment on the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.

3. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.

**Attachment 3:
Agency Comments**

Agency Comments for 605 N Grant Street Partition – PAR21-0001

Engineering comments were received concurrently with departments overall findings.

If more than \$30,000 of improvements are made to the property, street/frontage improvements can be required, see NMC 12.05.090.

12.05.090 Permits and certificates.

A. Concurrent with the issuance of a building permit for the construction of a building for residential use or business structures or an addition to a dwelling or business structure, the value of which is \$30,000 or more except as the city engineer may require on building permits of lesser value in accordance with NMC 12.05.040, the owner, builder or contractor to whom the building permit is issued shall meet the following requirements:

- 1. Construct a sidewalk within the dedicated right-of-way for the full frontage in which a sidewalk in good repair does not exist. The sidewalk construction shall be completed within the building construction period or prior to issuance of an occupancy permit, whichever is the lesser.*
- 2. Dedicate right-of-way in accordance with the city transportation plan.*

Any sidewalk panels not meeting current ADA standards will need to be replaced i.e. tripping hazards, lifting, settling, cracking, etc. A new driveway approach will be required at the time of building permits.

Brett Musick
Senior Engineer
City of Newberg