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PARTITION APPLICATION

South 100 Feet, Lots 13, 14, 15 and 16, Block 25

EDWARDS ADDITION

A Proposed 2 Parcel Partition

City of Newberg

Yamhill County, Oregon

28 January 2022



PREPARED FOR:

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RENEWAL DATE 12/31/2022

**PLANNED DEVELOPMENTS • RESIDENTIAL SUBDIVISIONS
WATER, SANITARY SEWER AND DRAINAGE SYSTEMS
LAND SURVEYS • WATER RIGHTS**

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EXHIBITS

- Tax Map 3 - 2 - 19BA
- Tentative Plan (Map)
- Tentative Plan (Google)
- Tentative Plan (Survey)

APPLICANT AND SITE INFORMATION

DATE: 28 January 2022

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REQUEST: Tentative Plan Approval for a Two Parcel Partition

LEGAL DESCRIPTION: South 100 Feet of Lots 13, 14, 15 and 16, Block 25,
"EDWARDS ADDITION TO THE CITY OF NEWBERG"

TAX LOTS Tax Lot 5700, Map No. 3-2-19AD

COMPREHENSIVE PLAN: Medium Density Residential (MDR)

ZONING: Medium Density Residential (R-2)

SIZE: 10,000 sq. ft. (Deed), 9,460± sq. ft. (Occupation)

LOCATION: Southeast Corner, Block 25, "EDWARDS ADDITION",
On the North Side of 5th Street, West Side of Meridian
Street

SPECIFIC REQUESTS: Tentative Plan Approval for a 2 Parcel Partition

INTRODUCTION & BACKGROUND

The applicant owns a parcel of land on the Northwest Corner of the Intersection of 5th Street and Meridian Street in the City of Newberg. The existing large house, garage and out buildings, as shown by the Google Earth image, have been removed, and one new home and garage is being constructed on the South half of the property. The new garage under construction is detached from the house, and is located on the West side of the property with access to Fifth Street

The applicant would like to partition the tax lot in order to build two houses on the property. One house on the South Half of the property is under construction.

The property is identified as Tax Lot 5700 of Map No. 3-2-19AD. The property legal description is described as "THE SOUTH 100 FEET OF LOTS 13, 14, 15 AND 16 IN BLOCK 25 IN EDWARD'S ADDITION TO THE TOWN OF NEWBERG IN YAMHILL COUNTY, OREGON".

During a review of the survey records and improvements on the site, it was noted that the North Deed Boundary may not match the occupation line (fence) for the property to the North. The occupation line is partially defined by County Survey 10819 by John Thatcher who ties an iron pipe at the Northeast corner of the Manning property. It is the intent of this application to follow and partition to the occupation and monumented line.

The property surrounding the site is zoned R-2, Medium Density Residential. The neighborhood is predominantly single family residential.

The property to the North, South, East and West is zoned R-2, Medium Density Residential. The neighborhood is predominantly single family residential.

Chapter 15.100.030 Type II Procedure.

- A. *Type II development actions shall be decided by the director.*
- B. *Type II actions include, but are not limited to:*
 - 1. *Site design review.*
 - 2. *Variances.*
 - 3. *Manufactured dwelling parks and mobile home parks.*
 - 4. *Partitions.*
 - 5. *Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).*

Finding: This application is a Type II, partition application for the division of a tract of land into two parcels. The applicant will provide notice (mailing notices and posting two signs) and comply with all other requirements of Chapter 15.100, Land Use Processes and Procedures.

15.235.040 Preliminary plat submission requirements.

Applications for preliminary plat approval shall contain all of the following information:

A. General Submission Requirements.

1. *Information required for a Type II application.*
2. *Traffic Analysis. A traffic analysis shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. A traffic analysis may be required for projects below the 40 trips per p.m. peak hour threshold when the development's location or traffic characteristics could affect traffic safety, access management, street capacity or a known traffic problem or deficiency. The traffic analysis shall be scoped in conjunction with the city and any other applicable roadway authority.*

Finding: This project is only for two parcels and two single family dwellings, one of which is under construction. The original dwelling on the site has been removed. At ten trips per day per residence, the total traffic increase for the project would be 10 trips. There are no known traffic problems in the neighborhood.

3. *Public Utilities Analysis. The public facilities analysis shall be scoped with the city, and shall address the impact of the proposed development on the public wastewater and water systems. The analysis shall identify any mitigation or improvements necessary to the public facilities to adequately serve the development per city standards under adopted ordinances and master plans.*

Finding: This project is only for two parcels (only one new residence), and there will be no significant impact to the City of Newberg utilities.

4. *Stormwater Analysis. The stormwater analysis shall address the criteria listed in Chapter 13.25 NMC.*

Finding: The project proposes to dispose of all increased runoff by the use of paver driveways, swales and/or rain gardens. Since the site was previously occupied by a larger building and garage, replacing the previous large buildings with two smaller dwellings will likely add little to no additional storm water runoff compared to historical levels.

5. *Wetland Delineation Approved by the Department of State Lands (DSL). An approved wetland delineation shall be submitted for any property listed in the National Wetlands Inventory (NWI) or that is located within the city's mapped stream corridor.*

Finding: There are no known wetlands on the property along with no known accumulations of water or no known drainage channels.

6. *Future Streets Concept Plan. The future streets concept shall show all existing subdivisions, streets, and unsubdivided land surrounding the subject property and show how proposed streets may be extended to connect with existing streets. At a minimum, the plan shall depict future street connections for land within 400 feet of the subject property.*

Finding: This area of Newberg was originally platted in 1883, and therefore has a history of up to 139 years of occupation. The original plat of the block consisted of 16 lots, each 25 feet wide and 144 feet deep. The existing Streets, 5th Street and Meridian Street, were created by the original plat, and have been developed and served by existing street, water, sewer and storm drainage improvements. The applicant only wants to divide the property into two parcels at this time so that he can build a second residence on the property.

B. Preliminary Plat Information. *In addition to the general information described in subsection (A) of this section, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide all of the following information, in quantities required by the director:*

1. *General Information.*

- a. *Name of subdivision (partitions are named by year and file number). This name shall not duplicate the name of another land division in Yamhill County;*

Finding: The partition plat number will be assigned at the time of recording.

- b. *Date, north arrow, and scale of drawing;*

Finding: The date, north arrow and scale of the drawing are shown. The scale of the full size drawing is 1" = 20" with North up.

- c. *Location of the development sufficient to define its location in the city, boundaries, and a legal description of the site;*

Finding: Maps of the property, the Tax Lot Number, and a copy of the deed to the property is included in this report.

- d. *Zoning of tract to be divided, including any overlay zones;*

Finding: The property and its surrounds is zoned R-2, Medium Residential Density.

- e. *A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the name of the engineer and surveyor, and the date of the survey; and*

Finding: The Title Block of the Preliminary Plat has the name of the Applicant/Owner, and the Engineer/Surveyor.

- f. *Identification of the drawing as a "preliminary plat."*

Finding: The drawing has been labeled a "Preliminary Partition Plat"

- 2. *Existing Conditions. Except where the director deems certain information is not relevant, applications for preliminary plat approval shall contain all of the following information on existing conditions of the site:*

- a. *Streets. Location, name, and present width of all streets, alleys and rights-of-way on and abutting the site;*

Finding: Meridian Street and Fifth Street front the site, and both right-of-ways are 60-feet wide.

- b. *Easements. Width, location and purpose of all existing easements of record on and abutting the site;*

Finding: No easements were created by the original plat, and no easements are listed on the attached title report.

- c. *Public Utilities. Location and identity of all public utilities on and abutting the site. If water mains, stormwater mains, and wastewater mains are not on or abutting the site, indicate the direction and distance to the nearest utility line and show how utilities will be brought to standard;*

Finding: Approximation of the public utilities based on a visual site inspection are shown on the "Preliminary Partition Plat"

- d. *Private Utilities. Location and identity of all private utilities serving the site, and whether the utilities are above or underground;*

Finding: An overhead electrical power line is located on the East side of the lot within the public right-of-way. There is a power pole at the Northeast corner of the site in the public right-of-way. There is a gas maker across the street to the South. No utility structures were noted on the site.

- e. *Existing Structures. Show all structures on the project site and adjacent abutting properties;*

Finding: All of the historic improvements on the site have been removed, but the original structures on and adjacent to the site are shown on the "Google Earth Map" included as part of this application.

f. Ground elevations shown by contour lines at a minimum two-foot vertical interval for slopes up to 10 percent and five feet for slopes over 10 percent. Show elevations for the subject property and within 100 feet of the subject property. Such ground elevations shall be related to some established benchmark or other datum approved by the county surveyor; the city engineer may waive this standard for partitions when grades, on average, are less than six percent;

Finding: The site is relatively "flat", and grades are less than six percent. The lots were created in 1883. It is requested that the City Engineer waive this standard as the grades are less than six percent.

g. The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);

Finding: City of Newberg "Benchmark No. 10", Elevation 171.28, is located "Top of Curb", South side of 5th Street, 31' West of the centerline of Edwards Street.

h. Wetlands and stream corridors;

Finding: There are no wetlands or stream corridors near the project.

i. The base flood elevation, per FEMA Flood Insurance Rate Maps, as applicable;

Finding: The site is not within a FEMA flood zone and is not subject to flooding.

j. North arrow and scale; and

Finding: The site plans attached include a North arrow and graphic scale.

k. Other information, as deemed necessary by the director for review of the application. The city may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.

Finding: The site is within a hundred twenty three year old plat, and has been used for a single family residential site for decades.

3. *Proposed Development. Except where the director deems certain*

information is not relevant, applications for preliminary plat approval shall contain all of the following information on the proposed development:

- a. *Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street centerline grades. All tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;*

Finding: The proposed Parcel boundaries, bearings and distances are shown on the Preliminary Plat and supplemental drawings for the project

- b. *Easements. Location, width and purpose of all proposed easements;*

Finding: No new easements are requested, proposed, or necessary.

- c. *Lots and private tracts (e.g., private open space, common area, or street) with approximate dimensions, area calculation (e.g., in square feet), and identification numbers. Through lots shall be avoided except where necessary to provide separation of residential development from major traffic routes, adjacent nonresidential activities, or to overcome specific issues with topography or orientation;*

Finding: The proposed Parcel boundaries, bearings and distances are shown on the Preliminary Plat and supplemental drawings for the project

- d. *Proposed uses of the property, including all existing structures to remain, areas proposed to be dedicated as public right-of-way or preserved as open space for the purpose of stormwater management, recreation, or other use;*

Finding: The proposed use of the property is to construct an two dwellings under a separate ownership on the property.

- e. *Proposed grading;*

Finding: No major grading is proposed other foundation excavation and construction of new driveway approach on Meridian Street..

- f. *Proposed public street improvements, pursuant to NMC 15.505.030, including street cross sections;*

Finding: The site is already fully developed, so no major street, water, sanitary sewer or storm drainage improvements are necessary or proposed. An additional water meter

and a sanitary sewer lateral to serve the new house will be required along new sidewalks fronting the property.

- g. Information demonstrating that proposed lots can reasonably be accessed and developed without the need for a variance and in conformance with applicable setbacks and lot coverage requirements;*

Finding: As shown by the development plan, reasonable access to the proposed lot can be provided with a minimal impact on existing improvements.

- h. Preliminary design for extending city water and wastewater service to each lot, per NMC 15.505.040;*

Finding: As shown by the development plan, only one water meter and one sewer lateral will be required to be installed to serve the new residence.

- i. Proposed method of stormwater drainage and treatment, if required, pursuant to NMC 15.505.050;*

Finding: Due to existing conditions and existing impervious areas on the site, additional storm water runoff will be minimal and can be addressed by rain-infiltration gardens and pervious pavers.

- j. The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable;*

Finding: There is an existing street light on the power pole at the Southwest corner of the intersection of Fifth Street and Meridian Street. An additional street light is not necessary.

- k. Evidence of compliance with applicable overlay zones; and*

Finding: There are no known overlay zones at this stage of the project.

- l. Evidence of contact with the applicable road authority for proposed new street connections. [Ord. 2813 § 1 (Exh. A § 7), 9-5-17.]*

Finding: Sufficient information is shown on the Preliminary Plat to show that the project will fit in with existing conditions, will not require excessive grading, will retain most if not all storm water on site, and will be similar to and will fit it with existing developments in the area.

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: It is the intent of this application to conform to all of the requirements of this chapter.

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

Finding: It is the intent of this application to conform to all of the requirements of this chapter, and the requirements of Section 15.400 are address later in this report.

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: It is the intent of this application to conform to all of the requirements of this chapter, and the requirements of Section 15.500 are address later in this report.

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

Finding: This is a Partition Plat, and the Partition Number will be assigned at recording.

5. *The proposed streets, utilities, and storm water 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: No public improvements are anticipated except for sidewalks fronting the site as necessary and installation of a second sewer lateral and water meter.

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: No private common areas or improvements are proposed.

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

Finding: No state and federal permits are anticipated or appear necessary for this project.

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: No county, state or federal permits are known to be required for this project.

B. *Conditions of Approval. The city may attach such conditions as are necessary to carry out provisions of this code, and other applicable ordinances and regulations.*

Finding: It is the intent of this application to conform to all City conditions, provisions of the code and other applicable ordinances and regulations.

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, 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.*

Finding: The total areas of the site is 9,460± square feet. Parcel 1 will have an area of 5,200 square feet and Parcel 2 will have an area of 4,300 square feet, both of which exceed the required area of 3,000 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.

Finding: The total area of the development site is 9,460± square feet. Based on 5,000 square feet per dwelling, at least two dwelling units would be required based on the gross area, and two are proposed.

C. *In calculating lot area for this section, lot area does not include land within public or private streets. In calculating 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 a future development plan, or land for uses not appurtenant to the residence.*

Finding: This calculations above do not include land within public or private streets.

D. *Lot size averaging is allowed for any subdivision. Some lots may be under the minimum lot size required in the zone where the subdivision is located, as long as the average size of all lots is at least the minimum lot size.*

Finding: Lot size averaging is not being proposed.

15.405.020 Lot area exceptions.

The following shall be exceptions to the required lot areas:

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

Finding: All lots meet the area requirements and no lot area exceptions are requested or necessary.

15.405.030 Lot dimensions and frontage.

- A. *Width. Widths of lots shall conform to the standards of this code.*

Finding: A proposed lots conform to the requirements of this code and no width exceptions are requested or necessary.

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

Finding: Both proposed Parcels conform to the requirements of this code, but since the parcels are under 15,000 square feet, this code provision does not apply.

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

Finding: A proposed parcels conform to the requirements of this code.

D. Frontage.

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

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

Finding: Parcel One will have a 50 foot wide frontage to Meridian Street. Parcel Two will have a 50 foot widefrontage to Meridian Street and a 100 foot frontage to 5th Street.

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.

Finding: Both parcels will meet and exceed the 25 foot width requirement.

15.405.040 Lot coverage and parking coverage requirements.

A. Purpose. The lot coverage and parking coverage requirements below are intended to:

1. Limit the amount of impervious surface and storm drain runoff on residential lots.

2. *Provide open space and recreational space on the same lot for occupants of that lot.*
3. *Limit the bulk of residential development to that appropriate in the applicable zone.*

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: 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: 70 percent.*

Finding: *Estimated Lot coverage based on existing foundation on Parcel 1 and estimated coverage for Parcel 2 is as follows:*

AREA	PARCEL ONE	LOT COVERAGE	PARCEL TWO *	LOT * COVERAGE
House	1306	25%	1392	32%
Garage	540	10%	400	9%
Porch/Patio	270	5%	270	6%
Driveway	360	7%	360	8%
Landscaping	2994	58%	2145	50%
Total Area	5200	100%	4297	100%
Calculated Area	5,199.94		4,296.98	

* Estimated

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.*

Finding: *All front yards will be a minimum of 15 feet and landscaped at the time of dwelling construction.*

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 will conform to the garage setback requirement and Parcel 2 (under construction) conforms with the garage setback requirement of 20-feet.

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: All interior yards will be five feet or greater.

15.410.060 Vision clearance setback

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

- A. *At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.*

Finding: The house under construction on the future Parcel Two conforms to this requirement.

- 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.*

Finding: This section does not apply to this application.

- C. *Vision clearance triangles shall be kept free of all visual obstructions from two and one half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.*

Finding: A clear vision triangle (25' legs) is shown on the site plan at the intersection of Meridian Street and Fifth Street. Landscaping provided by the builder/applicant will conform to this requirement.

15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

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

- A. *Depressed Areas.* In any district, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls may be located in required yards; provided, that such devices are not more than three and one-half feet in height.
- B. *Accessory Buildings.* In front yards on through lots, where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, that every portion of such accessory building is not less than 10 feet from the nearest street line.
- C. *Projecting Building Features.* The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:
 - 1. *Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.*
 - 2. *Chimneys and fireplaces, provided they do not exceed eight feet in width.*
 - 3. *Porches, platforms or landings which do not extend above the level of the first floor of the building.*
 - 4. *Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).*

Finding: Conformance to these requirements will be determined at the time of issuance of the building permits.

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.*

Finding: The only new utilities (water, sewer, phone, TV and Internet) will be service connections to the two new residences to be constructed. Sewer service for both parcels to use the existing sewer lateral along Meridian Street with the installation of a double wye connection and cleanout at the property line. A new water meter is to be installed for Parcel 1. Power, telephone, gas and internet service connections to be installed by the public utility providing the service.

15.440.030 Parking Spaces required

Residential Types

Three- and four-bedroom unit

Minimum Parking Spaces Required

2 per dwelling unit

Finding: The two residences will each have a two car garage and a driveway in front of the garage which will provide 4 parking spaces per dwelling. The South parcel (dwelling under construction) conforms to this section. Conformance for the North Parcel will be verified at the time of building permit application.

15.440.060 Parking area and service drive improvements

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

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

Finding: All access routes and driveways are proposed to be hard surfaced with concrete pavers.

- B. *All parking areas shall be designed not to encroach on public streets, alleys, and other rights-of-way. Parking areas shall not be placed in the area between the curb and sidewalk or, if there is no sidewalk, in the public right-of-way between the curb and the property line. The director may issue a permit for exceptions for unusual circumstances where the design maintains safety and aesthetics.*

Finding: Conformance to this section for the North Parcel will be determined at the time of building permit. The South parcel has received a building permit and conforms to this section.

- G. *Parking areas for residential uses shall not be located in a required front yard, except as follows:*
1. *Attached or detached single-family or two-family: parking is authorized in a front yard on a service drive which provides access to an improved parking area outside the front yard.*

Finding: The South parcel conforms and the North parcel will conform to this requirement.

Chapter 15.505 PUBLIC IMPROVEMENTS 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.*

Finding: The existing street right-of-way in "EDWARDS ADDITION" are 60 feet and have been improved with curb and gutter and pavement. No additional improvements except sidewalks as part of the building permits are planned or necessary.

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

Finding: New property line sidewalks and driveway approaches are proposed for both parcels and will be constructed as part of the building permit process.

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:*

Finding: Planter strips are proposed fronting Fifth Street and Meridian Street.

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

Finding: Since the property is relatively level, slope easements will not be required.

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

Finding: The only standard that applies is construction of new five foot wide sidewalks fronting the property on Meridian Street and Fifth Street. Sidewalks will be installed under the building permit process.

Public Works Design and Construction Standards - City of Newberg 2015

Section 4 Storm Drainage

4.0 General Design Requirements

The City's Public Works Design and Construction Standards define the requirements for development to treat and detain stormwater runoff. Stormwater is the runoff from impervious surfaces such as streets, roofs and parking lots that flows to storm drains, ditches and culverts, and then to the nearest river, stream or wetland. When it rains, stormwater runoff may pick up oil, sediment, bacteria, grease and chemicals that can pollute local waterways.

4.1 Performance Standards

All storm drain system designs shall make adequate provisions for collecting, treating, detaining and conveying all storm water runoff. The system shall accommodate all runoff from upstream tributary areas whether or not such areas are within the proposed development. The amount of runoff to be accommodated shall be based upon ultimate development of all upstream tributary areas. New or modified existing storm drain systems shall not adversely impact any inadequate downstream system. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat, per ORS 92.044 (7).

Storm drainage design shall comply with the required ESC Measures (see City of Newberg Erosion and Sediment Control Manual). The development area must include provisions to adequately control runoff from all public and private streets and the roof, footing, and area drains of residential, multi-family, commercial, or industrial buildings. The design must ensure future extension of the drainage system to the entire drainage basin in conformance with the adopted Storm Drainage Master Plans and these Public Works Design and Construction Standards. These provisions include:

- I. Surface and/or subsurface drainage, caused or affected by the alteration of the natural grade, removal of natural ground cover/vegetation, or placement of impervious surfaces, shall not be allowed to flow over adjacent public or private property in a volume, velocity or location materially different from that which existed before development occurred. Surface and/or subsurface drainage shall be managed, treated, and infiltrated or collected, and conveyed in an approved manner, to an approved point of discharge.*
- II. Surface water entering the subject property shall be received at the naturally occurring locations and surface water exiting the subject property*

shall be discharged at the natural locations with adequate flow control and energy dissipation, to prevent adverse impacts from flooding, erosion, or sedimentation.

- III. *Approved points of discharge for storm water may include but not be limited to a storm drain, existing open channel, creek, low impact development approach facility, detention pond, or retention pond, as approved by the City Engineer. Acceptance of suggested facilities will depend upon the prevailing site conditions, capacity of existing downstream facilities, and feasibility of alternate designs. Curb weep hole drainage systems shall only be utilized for single home developments.*
- IV. *A drainage report with the required analysis of downstream system conditions is required with all plan submittals. Planning applications shall include a draft preliminary report.*
- V. *When private property must be crossed in order to reach an approved point of disposal, it shall be the developer's responsibility to acquire a recorded public drainage easement on city form prior to commencement of construction. The drainage facility installed must be a closed conduit system. Temporary drainage ditch facilities, when approved, must be engineered to contain the storm water without causing erosion or other adverse effects to the public and/ or private property.*
- VI. *Drainage from roofs, footings, and downspouts may drain directly to a street through the curb under the following circumstances:*
 - a. *The building pad ground elevation is at least 12 inches above the existing street curb.*
 - b. *The existing street is adequately crowned to avoid sheet flow across the street.*
 - c. *Storm water quantity and quality facility provisions have been satisfactorily addressed.*
 - d. *Springs/ sump pumps shall connect to a piping system, unless approved by the City Engineer.*

Finding: *It is the intent of this application to conform to the requirements of this section. Storm water management will be via rain gardens and/or paver driveways for the proposed two residences.*

4.5 Drainage Report

A final drainage report containing the information listed below shall be submitted at the

time of initial construction plan review by the City. An abbreviated preliminary drainage report shall be prepared and submitted during the land use approval process that is an outline/draft form of the final report requirements listed below. The City may waive some or all of these report requirements for single-family residential partition projects and projects where post-development impervious surfaces constitute less than 25% of the parcel. In order to apply for a waiver, the applicant must submit a written request to the City and the applicant or applicant's Engineer must participate in a pre-design meeting to discuss the proposed project and its stormwater impacts prior to the land use approval process submittal.

Finding: This site is basically already “developed” as shown by the existing structures on the Google Earth image. Replacing these structures with a two new smaller residences will not significantly increase storm water runoff from the site. Following, is a Drainage Report for the application:

Introduction

The site is located in an existing developed area. The property slopes slightly from North to South and from West to East. Existing storm drain improvements front the property.

The applicant proposes to maintain all storm water created by the development on site by the use pavers, rain gardens or swales.

Roof Drainage: Roof and gutter drainage from the proposed dwelling will be collected by rain drains and discharged into individual rain gardens with overflows to the curb.

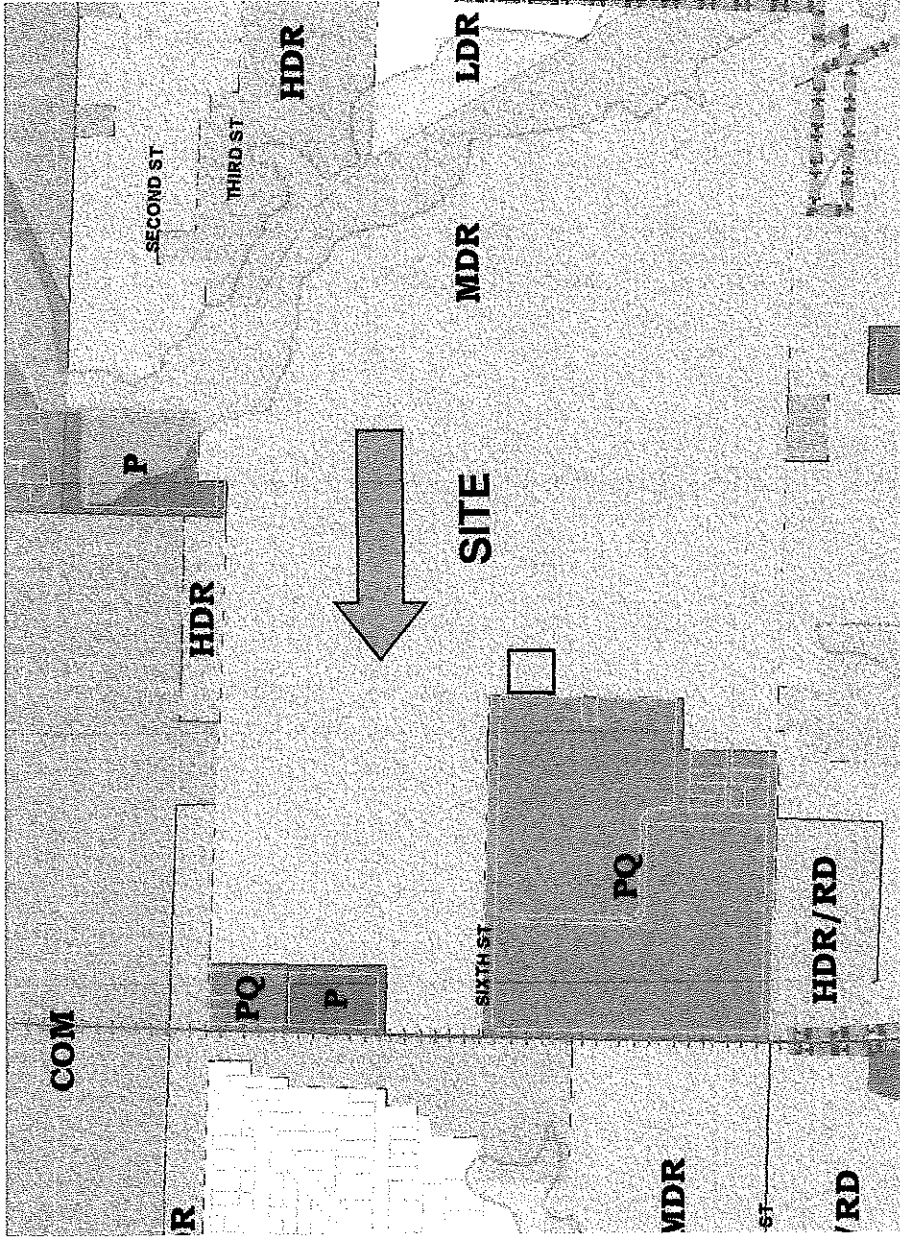
Location and sizes of the rain gardens will be approved by the building permit process.

Conclusion

This development is an urban infill site that can be developed in accordance with the affordable housing and density goals of the R-2 site zoning

The applicant is building one new house on the property and is submitting this application in order to build a second new house on his property. These two houses will replace the one house previously on the property.

Approval of Partition Plat for two parcels to allow a second single family home under a Type II review is hereby requested.



City of Newberg, Oregon

**COMPREHENSIVE
PLAN MAP
Including the Urban
Reserve Areas**

- CF/RO
- COM Commercial
- SDV Springbrook District - Village
- SDWC Springbrook District - Neighborhood Commercial
- SDM Springbrook District - Hospitality
- COMRD Commercial Riverfront
- COMRSP Specific Plan
- ND Intertial
- INDRD Industrial Riverfront
- INDRSP Specific Plan
- SDIE Springbrook District - Employment
- LDR Low Density Residential
- LDR-6.5 Low Density Residential 6.5 d.u./ac
- LDR-1A
- SDLCR Springbrook District - Low Density Residential
- LDR/RD Low Density Residential Riverfront
- LDRRSP Specific Plan
- MDR Medium Density Residential
- MDRRD Medium Density Residential Riverfront
- MDRSP Specific Plan
- SDMHR Springbrook District - Mid-High Residential
- HDR High Density Residential
- HDRRD
- HDRRSP Specific Plan
- MIX Mixed Use
- WV/RD Riverfront District
- VDRSP Specific Plan
- P Parks
- P/RD Parks Riverfront
- PO Public-Open Public
- Stream Corridor
- Current Tax Lots
- City Limit
- UGB
- JURA
- Railroad
- Paluro Park Site

NEWBERG COMPREHENSIVE PLAN MAP

