



TYPE III APPLICATION - 2017 (QUASI-JUDICIAL REVIEW)

File #: _____

TYPES – PLEASE CHECK ONE:

☐ Annexation
☐ Comprehensive Plan Amendment (site specific)
☐ Zoning Amendment (site specific)
☐ Historic Landmark Modification/alteration

☐ Conditional Use Permit
☐ Type III Major Modification
☐ Planned Unit Development
☒ Other: (Explain) Zone Change

APPLICANT INFORMATION:APPLICANT: RHW Enterprises INCADDRESS: 5201 SW Westgate Portland OR 97221EMAIL ADDRESS: wade@thewgropuloans.com markdaneplanning@gmail.comPHONE: 5033327167MOBILE: 5038199244FAX: 503 296 2980OWNER (if different from above): Carol Boyes

PHONE: _____

ADDRESS: _____

ENGINEER/SURVEYOR: Mark Dane PlanningPHONE: 503 332 7167ADDRESS: 12725 SW Glenhaven Street Portland OR 97225**GENERAL INFORMATION:**PROJECT NAME: River Street ApartmentsPROJECT LOCATION: 1109 S River Street NewbergPROJECT DESCRIPTION/USE: 45unit new construction apartment complex / Comp plan and zone change to R3MAP/TAX LOT NO. (i.e. 3200AB-400): R3220CC 05400ZONE: R2SITE SIZE: 2.3SQ. FT. ☐ ACRE ☒COMP PLAN DESIGNATION: Low DensityTOPOGRAPHY: Flat with draw at west edgeCURRENT USE: Vacant**SURROUNDING USES:**NORTH: SFR/ ApartmentsSOUTH: SFREAST: DuplexWEST: Apartments**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:

Annexationp. 15
 Comprehensive Plan / Zoning Map Amendment (site specific)p. 19
 Conditional Use Permitp. 21
 Historic Landmark Modification/Alterationp. 23
 Planned Unit Developmentp. 26

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

DocuSigned by:

Wade Willers

2/12/2018

Applicant Signature

Date

DocuSigned by:

Carol Boyes

2/12/2018

Owner Signature

Date

Wade Willers

Print Name

Carol Boyes

Print Name

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



First American

First American Title Company of Oregon

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

Order No.: 1032-2971979
November 20, 2017

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

JESSICA GRELL, Escrow Officer/Closer

Phone: (503)538-7361 - Fax: (866)800-7290 - Email: jgrell@firstam.com

First American Title Company of Oregon
515 E Hancock, Newberg, OR 97132

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer

Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Preliminary Title Report

County Tax Roll Situs Address: 1109 South River Street, Newberg, OR 97132

2006 ALTA Owners Standard Coverage	Liability \$	305,000.00	Premium \$	960.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$	To Come	Premium \$	To Come
Endorsement 9.10, 22 & 8.1			Premium \$	100.00
Govt Service Charge			Cost \$	20.00
Other			Cost \$	

Proposed Insured Lender: To Be Determined

Proposed Borrower: RHW Enterprises Inc. and/or Assigns

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of November 15, 2017 at 8:00 a.m., title to the fee simple estate is vested in:

Carol L. Boyes

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and 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; proceedings

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. 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, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. Taxes for the year 2017-2018
- | | | |
|--------------------|----|---|
| Tax Amount | \$ | 4,971.67 |
| Unpaid Balance: | \$ | 4,971.67, plus interest and penalties, if any |
| Code No.: | | 29.0 |
| Map & Tax Lot No.: | | R3220CC-05400 |
| Property ID No.: | | 62185 |
8. City liens, if any, of the City of Newberg.
- Note: There are no liens as of August 07, 2017. All outstanding utility and user fees are not liens and therefore are excluded from coverage.
9. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

10. Agreement and the terms and conditions thereof:

Between: Dale D. Voss and Alice A. Voss
And: Brentwood Corporation and Gary Albertson
Recording Information: June 21, 1991 in Film [Volume 256, Page 370](#), Deed and Mortgage Records

11. Deed of Trust and the terms and conditions thereof.

Grantor/Trustor: Charles M Boyes and Carol L Boyes, as tenants by the entirety
Grantee/Beneficiary: West Coast Bank
Trustee: West Coast Trust
Amount: \$250,000.00
Recorded: May 07, 2007
Recording Information: Instrument No. [200709924](#), Deed and Mortgage Records

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: We find no matters of public record against RHW Enterprises, Inc. that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

Situs Address as disclosed on Yamhill County Tax Roll:

1109 South River Street, Newberg, OR 97132

THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!

RECORDING INFORMATION

Filing Address: **Yamhill County**
535 NE Fifth Street
McMinnville, OR 97128

Recording Fees: \$ **41.00** for the first page
\$ **5.00** for each additional page

cc: RHW Enterprises Inc. and/or Assigns
cc: Carol Boyes
cc: To Be Determined

cc: Rob Molzahn, Berkshire Hathaway HomeServices Northwest Real Estate
2501 Portland Road, Newberg, OR 97132
cc: Rob Molzahn, Berkshire Hathaway HomeServices Northwest Real Estate
2501 Portland Road, Newberg, OR 97132



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

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; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. 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, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

A tract of land in the Joseph B. Rogers Donation Land Claim No. 55 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

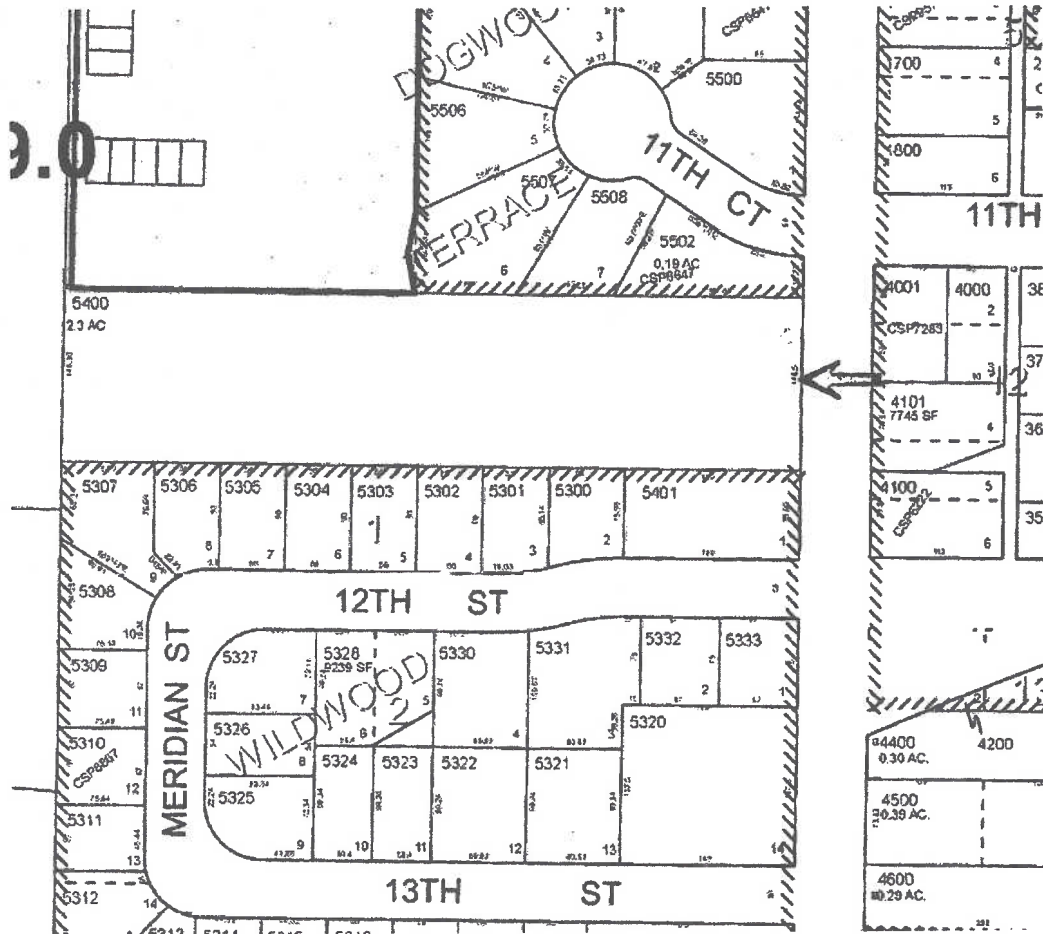
BEGINNING on the East line of and North 68 rods from the Southeast corner of that tract of land conveyed by Edwin R. Poppleton to Jesse Edwards by Deed recorded May 27, 1887 in Book "Y" Page 92, Deed Records, from which a maple tree 10 inches in diameter bears North 66°30' West 37 links; thence West 40 rods to the East line of that tract of land conveyed by A.J. Crouse to Alfred Wilson by Deed recorded July 5, 1944 in Book 109, Page 131, Deed Records; thence South 9 rods along the East line of said Wilson tract; thence East 40 rods; thence North 9 rods to the place of beginning.



First American



This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, SUITE 6, BEAVERTON OR 97006 / 503-332-7167

ATTACHMENTS:

- 1) Appended Narrative
- 2) Existing Conditions Plan
- 3) Conceptual Site Plan
- 4) Site Plan with Aerial Overlay
- 5) Boundary Exhibit
- 6) Area Map
- 7) Planning Commission Notice
- 8) Updated Traffic Report
- 9) Ordinance 2018-2824
- 10) Covenant of Waiver of Rights and Remedies

Application for Comprehensive Plan Amendment and Zone Change for 1109 South River Street

Submitted to:

City of Newberg Planning Department
Newberg City Hall
414 E. First Street
Newberg, OR 97132

Applicant:

RHW Enterprises Inc
Att: Wade Willers
5201 SW Westgate,
Portland OR 97221
503-819-9244 / 503-296-2980

Owner:

Carol Boyes
1109 South River Road, Newberg

Land Use

Mark Dane Planning Inc.
14631 SW Millikan Way # 6
Beaverton OR 97003
(503) 332-7167
Contact: Mark Dane
(markdaneplanning@gmail.com)

Traffic Engineer: Lancaster Traffic Engineering

Todd E. Mobley, PE | Principal
321 SW 4th Avenue, Suite 400 |
Portland, OR 97204
O: 503-248-0313 | C: 503-319-9811 |
todd@lancasterengineering.com

Economist: Cogan Owens Greene *

813 Alder Street, Suite 320
Portland, OR 97205-3111

**Original Source of work from obtained from public files*

Civil Engineer: TBD

Site Location:

Assessor's Information:

Site Size:

Existing Land Use/Zone:

Proposed Land Use/Zone:

1109 South River Street Property

Tax Map 3220CC -05400

2.13 Acres

Low Density Residential (LDR) / R-1

High Density Residential (HDR) / R-3

Comprehensive Plan Amendment and Zone Change Application for 1109 South River Street Property

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I. General Information

Request

Comment: RHW Enterprises Inc is requesting approval of a Type III Comprehensive Plan Amendment and Zone Change from Med Density Residential/R-2 to High Density Residential/R-3 for 2.13 acres on Tax lot R3220CC 05400 (the property is overlaid with a stream corridor overlay so that the net site area is 1.33 acres. This written narrative, together with preliminary plans and other documentation included in the application materials, establishes that the application follows all applicable approval criteria. This documentation represents substantial evidence and provides the basis for the Planning Commission and City Council to approve the application.

Project Description

Comment: Ultimately, RHW Enterprises Inc intends to build an apartment complex on the River Street property. A concept sketch has been included in Exhibit A, although this application is only for the Comprehensive Plan Amendment and Zone Change at this time. If approved, the Applicant will then submit a Development Review application for the final site design. The Applicant will meet with surrounding property owners in January 2018 to discuss the land use proposal. Concept sketches were shared, as well as example building elevations. It is anticipated that Key areas of concern will be traffic impacts, the number of units proposed, and adequate parking.

From a land use perspective, Yamhill County projects a growth rate for Newberg of approximately three percent per year over the next 15 years. A Publicly available Housing Needs Analysis prepared by Cogan Owens Green, for a recent land development project the land available for residential development within the Newberg Urban Growth Boundary is not sufficient to accommodate this expected growth. Newberg lacks enough land in the LDR, MDR, and HDR designations. Proportionately, Newberg only has current capacity to accommodate 89% of the projected LDR need, 34% of the projected MDR need, and only 13% of the projected HDR need. Changing the South River Street property from MDR to HDR will allow for more efficient use of the limited land available within the Urban Growth Boundary but will also provide more diverse housing opportunities.

Site Description

Comment: The South River Street property (R3220CC 05400) is located on the west side of River Road just north of the new bypass Road. The parent parcel currently contains a house, and oversized garage. This site has remained unused, and largely vacant as the neighborhoods around it have developed to urban densities. Land to the north has been developed on the west half of the north line with apartments and single-family homes on E 11th Court. The property to the west has also been developed with apartments (Woodside Apartments). The property to the south has been developed with double wide manufactured homes. East of the property is a fourplex, and a single-family home Facing E 11th Street. These homes are over shadowed by the new bypass that is raised some 60-ft to 80-ft above the ground.

The area is flat, but there is a draw along the western third of the property that flows southwest and falls from a top of bank to a low point of 128-feet. There is a small creek that runs along a clearly demarked food hazard area about 30-40-feet wide, and the toe of the slope. This draw is wooded. There is also a line of mature conifers that run along the central portion of the north line. It is the applicants goal where possible to retain these trees, as a vertical screen between the existing homes, and the proposed apartments. There is an SC overlay that roughly covers the Draw location. This area has been netted out of the density calculation.

DESCRIPTION OF SURROUNDING AREA

Area Jurisdiction Zoning Land Uses

North	Newberg R-3: Multifamily residential / R2 single family residential
South	Newberg R-2: Single Family Residential
East	Newberg R-2: Single-family detached residential / and multifamily
West	Newberg R-3: Multi family

PUBLIC UTILITIES

Streets:

Comment: There is currently a 60-ft right-of-way. River Street is a Major Collector. This functional classification requires between 57 to 80-feet. The applicant is requesting that the existing right of-way is sufficient, and that given that the properties both north and south of this parcel are fully developed that there is little chance of this street being widened. That to continue to match the curb line, that the existing curb not be altered. The street is currently 24-feet wide, with 18-feet from face of curb to the property line. There is currently a 4-ft wide sidewalk located 1.5 -feet forward of the property line. This should be replaced with a 5-ft sidewalk, 1 ft forward of said right-of-way.

Wastewater:

Comment: There is a 12-inch wastewater line along the east side of River Street. City GIS data indicates two service laterals extending to the property near the north and south ends of the property. Capacity of the existing service lateral and wastewater main will be verified by the applicant as suitable for the intended project. There is also an abandoned 27-inch wastewater line located on the west side of S. River Street that was installed in 1987 and served both sides of S. River Street. This will remain untouched.

Water:

Comment: There is a 6-inch water line on S. River Street (Ductile Iron – 1969), with a ¾-inch copper service lateral serving the property. Fire flow testing will be required. The applicant will propose either a 1 of 1 ½” combined domestic / fire flow meter and run the water line back onto the property. There will be a fire turn around, and probably a fire hydrant will be required at the time of the apartment design being submitted.

Stormwater:

Comment: There is an 18-inch storm line located on the east side of S. River Street. However, no public improvements will be required to be treated. All the private onsite storm drainage will be treated onsite in a water quality swale, and then delivered into the draw along the western edge of the property.

III. Applicable Review Criteria Newberg Development Code

Chapter 15.100 LAND USE PROCESSES AND PROCEDURES

Article I. Procedure Types and Determination of Proper Procedures

15.100.010 Procedures for processing development permits.

All development permits shall be classified as one of the following: Type I, Type II, Type III, or Type IV procedures.

15.100.050 Type III procedure – Quasi-judicial hearing.

A. All Type III decisions shall be heard and decided by the planning commission. The planning commission's decision shall be final unless the decision is appealed, or the decision is a recommendation to the city council.

B. Type III actions include, but are not limited to:

8. Comprehensive plan map amendments: this action is a recommendation to the city council.
9. Zoning map amendments and designation of subdistricts: this action is a recommendation to the city council.

C. Planning Commission Decisions and Recommendation Actions.

1. Planning Commission Decision. Development actions shall be decided by the planning commission for those land use actions that require a Type III procedure and do not require the adoption of an ordinance. The decision shall be made after public notice and a public hearing is held in accordance with the requirements of NMC 15.100.090 et seq. A Type III decision may be appealed to the city council by a Type III affected party in accordance with NMC 15.100.160 et seq.

2. Planning Commission Recommendation to City Council. Land use actions that would require the adoption of an ordinance shall be referred to the city council by the planning commission together with the record and a recommendation. The recommendation shall be made after public notice and a public hearing is held in accordance with the requirements of NMC 15.100.090 et seq.

D. City Council Action. If a recommendation to the city council is required, the matter shall be reviewed by the city council as a new hearing. The final decision on these actions is made by the city council.

E. The applicant shall provide notice pursuant to NMC 15.100.200 et seq.

F. The hearing body may attach certain conditions necessary to ensure compliance with this code.

G. If the application is approved, the director shall issue a building permit when the applicant has complied with all of the conditions and other requirements of this code.

H. If a Type III application is denied, or if the applicant wishes to make substantive modifications to an approved application, the applicant may modify the application after the planning commission hearing and request a new planning commission hearing to consider the application. An application so modified shall be considered a new application for purposes of the 120-day Comprehensive Plan Amendment and time limit for processing applications in accordance with NMC 15.100.100 and state statutes. The applicant shall acknowledge in writing that this is a new application for purposes of the 120-day rule. The city council shall establish a fee for such a reconsideration or modification by resolution. Application of this provision is limited to three times during a continuous calendar year.

Comment: This application proposes a Comprehensive Plan Amendment and Zone Change. This will be reviewed as a Type III application reviewed by the Planning Commission with a recommendation to City Council for a final decision. The Applicant will provide notice of the hearings in compliance with the development code. This criterion will be met.

15.100.150 Decision, findings and order – Types III and IV.

- A. Following the hearing for review of a development permit, the hearing body shall approve, conditionally approve, or deny the application. If the hearing is an appeal, the hearing body shall affirm, reverse, or remand the decision that is on appeal.
- B. The hearing body shall prepare written findings of fact and an order which shall include:
 - 1. A statement of the applicable criteria against which the proposal was tested.
 - 2. A statement of the facts that the hearing body found establishing compliance or noncompliance with each applicable criterion and assurance of compliance with applicable standards.
 - 3. The reasons for a conclusion to approve or deny.
 - 4. The decision to approve the proposed change with or without conditions, or the decision to deny the proposed change.
- C. The director shall notify the applicant and others entitled to notice of the disposition of the application within five calendar days of the written decision. This shall include the applicant, anyone providing written testimony prior to the close of the hearing, anyone providing oral testimony at the hearing, or anyone requesting such notice. The notice shall include a description of the item, indicate the date that the decision will take effect and describe the right of appeal pursuant to NMC 15.100.160 et seq.

Comment: This Type III application will be reviewed by the Planning Commission with a recommendation to City Council for a final decision. The City Council will issue a final decision based on written findings of fact and notify all participants.

Article III. Appeals

15.100.160 Appeal procedures.

C. Type III. An appeal of a Type III decision by the planning commission may be appealed within 14 calendar days of the date of the planning commission's written decision. Appeals may be made only by an affected party, Type III.
Article IV. Notice

15.100.200 Compliance required.

Notice on all Type I through Type IV actions, including appeals, shall be conducted in accordance with this article.

15.100.210 Mailed notice.

Mailed notice shall be provided as follows:...

15.100.230 Additional notice procedures for Type III quasi-judicial hearing. In addition to the requirements of NMC 15.100.210, mailed notice for Type III development actions shall also contain the following:...

15.100.260 Procedure for posted notice for Type II and III procedures....

15.100.270 Procedure for published notice on Type III and Type IV procedures....

Comment: The Applicant will work with City Staff to provide all required notice for this Type III application. This criterion will be met.

Chapter 15.302 DISTRICTS AND THEIR AMENDMENT

15.302.030 Procedures for comprehensive plan map and zoning map amendments.

This section describes the procedures and criteria that apply to any application to amend the land use designations identified on the comprehensive plan map, zoning map and land use regulations.

A. Type III Plan and Zoning Map Amendments – One Parcel or Small Group of Parcels.

1. Property owners or the city may initiate a map amendment for one parcel or a small group of parcels under the Type III procedure. May be initiated by a resolution of the planning commission or city council. Unlike other Type III procedures, the decision of the planning commission on a Type III plan map amendment shall be in the form of a recommendation to the city council. The city council will hold another new hearing and make a final decision.

Comment: The Applicant, RHW Enterprises Inc proposes a Comprehensive Plan Amendment and Zone Change for one parcel, Tax lot R2110CC 05400. This will be reviewed as a Type III application reviewed by the Planning Commission with a recommendation to City Council for a final decision.

2. Where an application has been denied, no new application for the same purpose shall be filed within one year of the date of the previous denial unless the city council for good cause shall grant permission to do so.
3. Amendment Criteria. The owner must demonstrate compliance with the following criteria:
 - a. The proposed change is consistent with and promotes the goals and policies of the Newberg comprehensive plan and this code;

Comment: The goals and policies of the Comprehensive Plan are addressed in detail later in this narrative. Overall, the proposed Plan and Zoning Map amendments promote the efficient use of limited land within the Urban Growth Boundary, improve housing diversity in this area of Newberg, provide affordable multi-family housing close to employment and urban services, and located along a major collector. These all match the goals and policies outlined in the Comprehensive Plan.

- b. Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change;

Comment: Exhibit D includes an Infrastructure Analysis for the proposed Comprehensive Plan Amendment and Zone Change. This memo reviews the existing infrastructure for domestic water, sanitary sewer, and storm drainage. It then reviews the impact that the potential 45 dwelling units will have on the existing

infrastructure and identifies any mitigation necessary to accommodate this additional impact. In addition, the memo outlines the expected transportation improvements necessary for development based upon City Standards, the Transportation System Plan, and recommendations from the Traffic Impact Analysis in Exhibit F. In summary, the water, sewer, and storm drainage facilities have sufficient capacity to accommodate development of the South River road development. Expected transportation improvements may include half street widening for South Road including the addition of a bike lane and sidewalks. The applicant would however like to discuss this further. Given the existing curb it would appear to propose a waiver of remonstrance against any future improvements while maintaining continuity of the current street and sidewalk infrastructure.

c. Compliance with the State Transportation Planning Rule (OAR 660-012-0060) for proposals that significantly affect transportation facilities.

Comment: *A full Transportation Impact Analysis (Attachment 8) specifically addresses the Transportation Planning Rule OAR 660-12-0060. The proposed zone change does not require or result in any changes to the functional classification of any transportation facility near the site or to the standards that implement the functional classification system*

4. The property owner who desired to have their property reclassified has the burden of establishing that the requested classification meets the requirements of this section. As part of the application, the property owner requesting a change shall file a waiver stating that the owner will not file any demand against the city under Ballot Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197.

Comment: *The amendment criteria have been addressed above and throughout this narrative. The property owner will sign a waiver on City forms.*

5. A traffic study shall be submitted for any proposed change that would significantly affect a transportation facility, or that would allow uses that would increase trip generation in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed, which adequately mitigate any traffic impacts and/or the proposed use is not in a location, which is adjacent to an intersection, which is functioning at a poor level of service. A traffic study may be required by the director for changes in areas below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards.

Comment: *A full Traffic Impact Analysis has been included (Attachment 8). This report studied both the impact of the proposed zone change on the 2035 performance of the planned transportation system, as well as the short term build out impacts of the proposed apartment complex on the existing roadway system and listed necessary mitigation measures to ensure there is not a significant degradation of the Newberg Transportation system.*

15.302.032 Purposes of each zoning district.

15.302.032 Purposes of each zoning district.

B. R-2 Medium Density Residential District.

1. The purpose of this land use designation is to provide a wide range of dwelling types and styles at an average overall density of nine units per gross buildable acre in the district.
2. Typical housing types will include single-family dwellings on small lots, attached single-family, duplex or multifamily dwellings, and manufactured dwelling parks. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-2 district is intended to be consistent with the medium density residential (MDR) designation of the comprehensive plan.

C. R-3 High Density Residential District.

1. The purpose of this land use designation is to provide multifamily dwellings of different types and styles at an average overall density of 16.5 units per gross buildable acre in the district.
2. Typical housing types will include duplexes, multifamily dwellings, and manufactured dwelling and mobile home parks. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. Density may vary depending on lot size, off-street parking area, transportation, landscaping and other site considerations. The R-3 district is intended to be consistent with the high density residential (HDR) designation of the comprehensive plan.

Comment: *If this application is approved, RHW Enterprises Inc will submit for Site Plan Review for an apartment complex based on the Concept Sketch in Exhibit A. The land use review will consider parking, intensity, landscaping, buffering, and transportation impacts. The Concept Plan has been revised based on neighborhood feedback to reduce the number of dwelling units, increase the number of parking spaces per dwelling unit, and reduce the number of structures adjacent to existing homes along the northern property line. The impact of the apartments has in part been mitigated by retention of a number of the conifers trees along the properties northern boundary.*

An R-3 designation is appropriate in this location due to several factors. The size of the property allows for thoughtful site planning, with three story structures along the northern boundary separated by the existing trees and significant separation for buffering. The location is within walking and biking distance to several parks including boat access to the Tualatin River. South River road planned for bike lanes for convenient alternative connections to community services listed above, including education, employment, services, and recreation.

Chapter 15.305 ZONING USE TABLE

15.305.010 Classification of uses.

The zoning use table under NMC 15.305.020 identifies the land uses that are allowed in the various zoning districts.

# Use	R-2	R-3	Notes and Special Use Standards
200 RESIDENTIAL USES			
Def. Dwelling, single-family detached	P(2)	P(3)	Subject to density limits of NMC 15.405.010(B)
Def. Dwelling, single-family attached	S(2)	S(3)	NMC 15.415.050; subject to density limits of NMC 15.405.010(B)
Def. Manufactured home on individual lot 15.405.010(B)	S(2)	S(3)	NMC 15.445.050 – 15.445.070; subject density limits of NMC
Def. Manufactured dwelling park		S	NMC 15.445.075 – 15.445.160

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Def. Mobile home park	S		NMC 15.445.075 – 15.445.160
Def. Manufactured home subdivision			NMC 15.445.075 – 15.445.160
Def. Dwelling, two-family (duplex)	P(2)	P	Subject to density limits of NMC 15.405.010(B)
Def. Dwelling multifamily	P	P	Subject to density limits of NMC 15.405.010(B)

Comment: As previously described, the Applicant's goal is to build a multi-family apartment complex. This is a permitted use within the R-3 zone.

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:

1. In the R-1 district, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for single-family development shall not exceed 10,000 square feet.

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.

Comment: The proposed development site contains 2.13 acres, well above the minimum lot size of 3,000 square feet of this section. This criterion is met.

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 more than 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.

3. In the R-3 district, there shall be a minimum of 1,500 square feet of lot or development site area per dwelling unit. Lots or development sites more than 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 2,500 square feet lot area.

Comment: The site contains 2.13 acres of 93,000 SF. The Stream corridor overlay subtracts out about 35,000 SF netting 58,000 SF. This Area divided $1,500 / 58,000 = 38.67$ units. When a density transfer of the 35,000 SF of unbuildable area is multiplied in the unit count can be increased by 20% or $38.67 \times 1.2 = 46.4$ units. It is possible to develop the site with up to 45 units, and provide the necessary parking, and open space. This will be shown under the Design review submittal.

- 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.
- 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, if the average size of all lots is at least the minimum lot size.

Comment: Final net site area calculations will be provided for Site Design Review once a final design is proposed.

15.405.030 Lot dimensions and frontage.

A. Width.

Widths of lots shall conform to the standards of this code.

Comment: The proposed development parcel is 148.6-feet wide

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.

Comment: The parcel is 629-feet wide giving it a width depth ratio of 4.2 : 1. This is the size of the pre-existing parcel and is not caused by the applicant who is requesting an adjustment to this standard.

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.

Comment: The proposed develop parcel contains 2.13 acres on Tax lot R2110CC 05400 (the property is overlaid with a stream corridor overlay so that the net site area is 1.33 acres. No public, or private streets are proposed within the development site

D. Frontage.

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.
- b. Each lot in an R-2 and R-3 zone shall have a minimum width of 30 feet at the front building line.
- c. Each lot in an R-1, AI, or RP zone shall have a minimum width of 50 feet at the front building line.
- d. Each lot in an AR zone shall have a minimum width of 45 feet at the front building line.

Comment: *The proposed development has 148.6-feet of frontage onto South River Road*

2. The above standards apply with the following exceptions:

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

Comment: *The proposed development parcel was a legally created parcel, and lot of record. Please see the attached Title Report.*

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.

b. R-3: 70 percent.

Comment: *Final lot coverage and parking coverage calculations will be provided for Site Design Review once a final design is proposed.*

Newberg Comprehensive Plan

II. GOALS AND POLICIES

The following goals and policies are important elements in the Comprehensive Plan. These statements indicate the intent of the Plan and establish directions for future planning decisions and activities.

A. CITIZEN INVOLVEMENT

GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

Comment: The public will also can participate in the Planning Commission hearing as well as the City Council hearing. Public notice will be provided for each of those hearings as well as a notice of decision for all who participate.

I. HOUSING

GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

POLICIES:

2. Location Policies

- a. Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces.

Comment: As noted before, an R-3 designation is appropriate in this location due to several factors. . IN part because it is adjacent to R3 zoning to the north along the western portion of that boundary, to the west, and is adjacent to a duplex, and has direct frontage onto a major collector street.

3. Mix Policies

AFFORDABLE HOUSING means a dwelling unit that provides housing for a family or individual(s) with a household income less than the median household income for the Newberg area, such that a household pays no more than 30 percent of its annual income on housing (rent/mortgage, utilities, property taxes). Affordable housing may include a care home for low-income individuals. Affordability can be assured through deed-restriction or other recorded documents that specify qualifying income of buyers or renters, and limiting sales price, rent levels and appreciation. Affordable housing may also include small, market-rate dwelling units (e.g., studios, apartments and accessory dwelling units).

Comment: The South River Street Project will not be an Affordable Housing project as defined by this Plan policy, but it will provide an affordable housing option for many residents of Newberg located close to employment, services, and educational uses. The proposed units will be a combination of one, two, and three-bedroom units with efficient internal layouts that allows for a lower overall rental rate. With the close proximity of George Fox University, students are an identified tenant profile that is sensitive to rental rates.

- b. Low and moderate-income housing should not be concentrated within particular areas of the City.

Comment: *This area of Newberg does not contain a large concentration of low and moderate-income housing. There is a new Affordable Housing project west on Meridian Street. Most other R-3/apartment lands (moderate income housing) are located in the southern portion of the City. Approval of this amendment would provide family wage housing opportunities in this area.*

- k. The City shall encourage an adequate supply of rental housing dispersed throughout the City to meet the needs of renters.

Comment: *Again, this area of Newberg does not contain a large concentration of low and moderate-income housing. There is a new Affordable Housing project to the west on Meridian Street. Most other R-3/apartment lands are located in the southern portion of the City. Approval of this amendment would provide family wage housing opportunities in this area.*

- o. The City has adopted a comprehensive approach to meeting local housing needs that balances density, design, and flexibility in code standards and procedures. The City shall use development incentives such as density bonuses, flexible development standards, and streamlined review procedures to stimulate or require the production and preservation of affordable housing. (replaces old policy “o”)

Comment: *No density bonuses are requested. The proposed Plan Amendment and Zone Change will allow for development of an apartment complex. The proposed density is within the typical range for an apartment complex and matches the density of the R-3 zone.*

- u. The City shall build understanding and support for affordable housing through educational forums with residents and employers, pre-application consultations with developers, and through local housing studies.

- v. The City shall work with local affordable housing providers in developing an overall strategy for meeting Newberg’s housing needs.

- w. City resources shall be directed toward assisting public and private entities in producing and preserving affordable housing throughout the community.

- z. To the extent possible, the City shall zone residential housing near employment centers.

Comment: *The Comprehensive Plan contains many goals and policies in support of affordable housing within Newberg. As noted above, this project will not meet the Plan’s definition of affordable housing with specific rent and income limits, it will provide an affordable housing opportunity for the residents of Newberg. This property will also improve the diversity of housing opportunities.*

K. TRANSPORTATION

GOAL 3: Promote reliance on multiple modes of transportation and reduce reliance on the automobile.

POLICIES:

b. Modifications should be made to the City's land use plan and development ordinances that will decrease trip length and encourage non-auto oriented development.

2) The City shall encourage higher density development in residential areas near transit corridors, commercial areas and employment centers, including the downtown.

Comment: This proposed R-3 site is within walking and biking distance of the City center.

GOAL 4: Minimize the impact of regional traffic on the local transportation system.

POLICIES:

k. For the purposes of compliance with the Transportation Planning Rule, OAR 660-12-0060 and in order to support the goal exception that Yamhill County took to advance construction of the Bypass, the City of Newberg acknowledges that reliance upon the Bypass as a planned improvement to support comprehensive plan amendments or zone changes is premature. In accordance with OAR 660-012-0060, the Bypass will be considered a planned improvement that is reasonably likely to be constructed during the 20-year planning horizon when the OTP includes all or a specific phase of the Bypass in the construction section of the Statewide Transportation Improvement Program (STIP), or when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period. ODOT expects to provide such a letter upon receiving a record of decision for the design level EIS if it results in a record of decision authorizing a full Bypass or a specific Bypass phase that can be funded within the 20-year planning horizon. During the period before the Bypass can be considered a planned improvement, the City of Newberg will work with ODOT to pursue interim measures to comply with OAR 660-12-0060. This may include adopting alternative mobility standards for Oregon 99W and Oregon 219. For purposes of the Newberg TSP, alternative mobility standards are consistent with the planned function of Oregon 99W through Newberg as a lower speed local arterial intended to provide access to businesses and residences and a more pedestrian friendly environment. Alternative mobility standards may continue to be necessary on Oregon 99W and Oregon 219 until the full Bypass can be completed.

Comment: A full Transportation Impact Analysis can specifically addresses the Transportation Planning Rule OAR 660-12-0060. The proposed zone change does not require or result in any changes to the functional classification of any transportation facility in the vicinity of the site or to the standards that implement the functional classification system.

GOAL 5: Maximize pedestrian, bicycle & other non-motorized travel throughout the City.

POLICIES: The City shall provide safe, convenient and well-maintained bicycle and pedestrian transportation systems that connect neighborhoods with identified community destinations, such as schools, parks, neighborhood commercial centers, and employment centers.

b. Bicycle parking facilities shall be required for all new and improved commercial, institutional, office, industrial, and multi-family development.

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- c. All new and improved commercial, office, institutional, and multifamily development shall be conveniently and directly accessible from the public right-of-way by bicycle and on foot.
- d. Public sidewalks shall be provided along all public street frontages. Pedestrian traffic shall be separated from automobile traffic whenever possible.

(1) Sidewalks should be provided whenever there is development of abutting properties.

(2) Sidewalks should be constructed when any new road is constructed

(3) When existing roads are widened or improved, sidewalks should be provided.

- h. On-street bike lanes or parallel bikeways will be provided on all designated major collector and arterial roadways, and on certain neighborhood collectors if warranted from a bicycle system connectivity standpoint.

Comment: A significant appeal of this site for multi-family development is the location along South River Street which is planned for bike lanes to provide for convenient alternative connections to community services including education, employment, services, and recreation. Development of the site will require frontage improvements along South River Street to improve the bicycle and pedestrian corridor. On-site bicycle parking will also be required as well as a complete interior sidewalk system that connects South River Road. It is an important business investment to complete the pedestrian and bicycle connection to the George Fox campus, and throughout the City to attract student tenants, as well as families, and local businesses

GOAL 7: Minimize the capital improvement and community costs to implement the transportation plan.

POLICIES:

- a. The Transportation System Plan shall identify short and long term improvements to the collector/arterial street system, the public transit system, the pedestrian/bicycle system and the air, rail, water, and pipeline systems.
- b. The list of improvement projects in the Transportation System Plan shall guide development of the city's capital improvement plan for transportation projects.

Comment: Upon development of The South River Street project it will be required to make frontage improvements to match City standards. In addition, the project is responsible for System Development Charges (SDC's) based on the number of proposed dwelling units. This is a best-case scenario of maximizing the available financing for immediate improvements directly associated with the project. This coordination will continue as the project moves through the public review process.

- i. New development and existing development undergoing expansion or modification shall be designed to accommodate planned long term transportation improvement projects in the vicinity of the development.

Comment: As described below, development of the South River Street property may require frontage improvements to match City standards.

GOAL 8: Maintain and enhance the City's image, character and quality of life.

POLICIES:

d. The City will encourage development that protects the integrity of existing neighborhoods, commercial, and industrial areas using the following design techniques.

1) New development and new transportation facilities shall be designed to meet the street classification, design, and access standards identified in the Transportation System Plan.

Comment: As described below, South River Road is classified as a Major Collector. A half street right-of-way dedication of 30 feet will be required with development, as well as a half street widening of 34 feet to curb with a five foot bike lane, a six foot planter strip, and a six foot detached sidewalk. No on-street parking is permitted.

GOAL 9: Create effective circulation and access for the local transportation system.

POLICIES:

c. Develop a system of roads that provide for efficient movement of traffic, considering the general design guidelines below:

4) Major Collectors. Major collectors serve multi-neighborhood areas. They are intended to channel traffic from local streets and/or minor collectors to the arterial street system. A major collector can also provide access to abutting properties.

- 60 to 80 feet of right-of-way with ten foot public utility easements.
- 34 to 46 feet curb to curb cross section.
- Five-foot bike lanes on both sides of the street.
- On-street parking is generally not allowed except in the downtown and other areas where special circumstances warrant. No parking will be allowed within 20 feet of curb return.
- A minimum six-foot planter strip and six-foot sidewalk on both sides of the street.

Comment: South River Road is classified as a Major Collector. A half street right-of-way dedication of 30 feet will be required with development, as well as a half street widening of 34 feet to curb with a five foot bike lane, a six foot planter strip, and a six foot detached sidewalk. No on-street parking is permitted.

L. PUBLIC FACILITIES AND SERVICES

GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

POLICIES:

1. All Facilities & Services Policies

- a. The provision of public facilities and services shall be used as tools to implement the land use plan and encourage an orderly and efficient development pattern.

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- b. The extension of publicly-owned facilities and services into currently undeveloped areas shall occur only in accordance with the Public Facilities and Service Plan.
- c. New public facilities and services shall be designed at levels consistent with planned densities and designated land uses for the area.
- d. Services shall be planned to meet anticipated community needs.
- e. Owners of properties which are located on unimproved streets should be encouraged to develop their streets to City standards.
- f. Maximum efficiency for existing urban facilities and services will be encouraged through infill of vacant City land.
- h. New residential areas shall have: paved streets, curbs, pedestrian ways, water, sewer, storm drainage, street lights and underground utilities.

2. Sewers and Water Policies

- a. All existing development within the City limits will connect to public sewer and water systems as soon as they become available.
- b. Water systems within the planning area will be designed to provide an adequate peak flow for fire protection.
- c. Developments with urban densities should be encouraged to locate within the area which can be serviced by Newberg's present sanitary sewer system.

Comment: The Newberg Water Master Plan shows that all property under an elevation of 300 feet can be served by the existing reservoir system. This property is at an elevation of 165 at the highest point, and can be served by public water. Eight inch waterlines are existing adjacent to the property within South River Road.

Storm drainage can be treated on site in a water quality facility and released into the onsite creek which abuts the property along the west boundary. Sanitary sewer is also immediately adjacent to the site; there is an existing eight inch line in South River Road.

No development will be approved without sufficient capacity and improvements can be reasonably conditioned on land use decisions. Development of infill sites supports the policy of efficient use of existing infrastructure. The proposed Plan Amendment maximizes the efficiency of the public investment in water and sanitary sewer systems.

M. ENERGY

GOAL: To conserve energy through efficient land use patterns and energy- related policies and ordinances.

POLICIES:

1. Planning Policies

- a. The City will encourage energy-efficient development patterns. Such patterns shall include the mixture of compatible land uses and a compactness of urban development.

Comment: As noted above, Development of infill sites supports the policy of efficient use of existing infrastructure. The proposed Plan Amendment maximizes the efficiency of the public investment in water and sanitary sewer systems.

N. URBANIZATION

GOALS:

1. To provide for the orderly and efficient transition from rural to urban land uses.
2. To maintain Newberg's identity as a community which is separate from the Portland Metropolitan area.
3. To create a quality living environment through a balanced growth of urban and cultural activities.

POLICIES:

3. General Policies

- a. In new development areas all utility lines shall be placed underground. In existing areas an effort will be made to locate power, telephone, cable television and other utility cables underground over a period of time.

Comment: All proposed infrastructure will be placed underground. Existing overhead wires along South River Road will be undergrounded with development of the site.

III. PLAN CLASSIFICATIONS

For the purpose of evaluating and eventually implementing the proposed Comprehensive Plan, descriptions of land use classifications are essential. Explanations of the map designations are as follows:

2. Residential Land Use

Residential land is divided into three categories. Density rather than housing type is generally the most important development criteria used to classify residential areas. Manufactured dwelling parks, mobile home parks and manufactured home subdivisions are permitted outright in the medium density residential zone. Manufactured homes on individual single family lots are permitted.

c. High Density Residential (HDR)

The objective of this designation is to provide multi-family housing of different types while maintaining an overall density of up to 21.8 units to the acre. Typical housing types include apartments, townhouses, and a variety of cluster developments. Density may vary depending on lot sizes, off-street parking and other site constraints. Services shall include improved streets, underground utilities (except electric transmission lines), street lighting, sidewalks, and in some cases, bikeways.

Comment: As stated previously, if this application is approved, the Applicant intends to submit a Site Plan Review application for an apartment complex as sketched out in the Concept Plan in Exhibit A. As described in this section, final density will depend on site constraints and parking, but will be line with adopted density controls. Full urban infrastructure will be required for development, including underground utilities, lighting, and street improvements as outlined in Exhibit D.

IV POPULATION GROWTH

A. HISTORIC POPULATION

Comment: Newberg grew over 500 percent from 1960 to 2010. This population growth was due to a variety of factors: regional population growth, expansion of industry and business in the area, proximity to other employment centers, and the high quality of life in the area.

Table III-1. Newberg City Population – 1960-2009

Year Population

1960 4,204	1980 10,394	2000 18,064
1970 6,507	1990 13,086	2010 22,068

Sources: U.S. Census: The Portland State University Population Research Center estimated Newberg's population as of July 1, 2010 to be 22,110. As of July 1, 2011, the Urban Growth Boundary has an estimated population of 22,730.

B. POPULATION PROJECTIONS

Comment: Population projections are the basis of comprehensive land use planning. To maintain a high quality of living, the community must plan for its future population. Population growth will require sufficient land and services. Many of the same factors that have contributed to Newberg's historic population growth will contribute to its future growth: employment opportunities both in Newberg and nearby, high quality of life, and regional population growth. Newberg is already experiencing a great amount of population growth due to the lack of buildable land within the Portland area. Portland State University's Population Research Center developed a future population forecast for the Newberg Urban Area. This forecast was adopted by Yamhill County as the coordinated population forecast required by state law. This forecast is shown in Table III-2. The projections taken from the US Census at The Portland State University Population Research Center estimated Newberg's population were updated by the Center in June 2017. The updated figures are shown in **Bold**

Table III-2. Future Population Forecast – Newberg Urban Area

Year Population Forecast

(2010)	(2015)	CHANGE IN FORECAST AS %
2015 24,663	24,296 [2017]	
2020 25,250	25,889	2%
2025 32,213	26,602	-11%
2030 35,408	31,336	-12%
2035 38,490	34,021	-12%

Source: Population Research Center, Portland State University, Population Forecasts for Yamhill County, its Cities and Unincorporated Area, 2011-2035, 2012, June 30 - 2017

This population forecast was used to determine future land needs within the Newberg urban area.

V. LAND NEED AND SUPPLY

A. BUILDABLE LAND INVENTORY

Comment: The Newberg Planning Division prepared an inventory of buildable land in the Newberg UGB in 2004. The buildable land inventory includes vacant and redevelopable land in the existing (2004) UGB. This land base is the starting point for determining how much future growth can be accommodated inside the existing UGB and the size of the unmet land need that must be accommodated through zone changes or UGB expansion. Physical constraints such as steep slopes (greater than 25%) and stream setbacks have been deducted from the parcel size, so the buildable land inventory is based on buildable acres, not total acres. In addition, lands that are under development are not considered buildable. This inventory also does not include land located within the future right-of-way of the proposed Newberg- Dundee Bypass. In November 2004, the Newberg UGB had approximately 778 acres of buildable land inside the UGB (Table IV-1).

Table IV-1. Newberg UGB Buildable

	Land Inventory (Nov. 2004)	Land Inventory (Feb 2015)*	Land Inventory(2018)*
Plan Designation	Buildable Land		
Low Density Residential	359 ac.	363ac.	402.21 ac.
Medium Density Residential	142 ac.	92 ac.	80.43 ac.
High Density Residential	13 ac.	13 ac.	7.06ac.
Commercial	105 ac.	-	-
Industrial	159 ac.	-	-
TOTAL	778 ac.	-	-

Source: Ad Hoc Committee on Newberg's Future (2005), Report to the City Council

**provided by City Planning Staff April 2018, from Gross Acreage Buildable Land Changes since Markl Commons BLI Inventory 2015*

Comment: In addition, there is approximately 467 acres of buildable land within the Newberg Urban Reserve Area. This area does not have any comprehensive plan district designations assigned.

B. HOUSING AND RESIDENTIAL LAND NEEDS

1. Housing Needs.

Comment: In order to determine the amount of residential land needed, Newberg used Johnson Gardner to create a Housing Needs Analysis. That analysis examined the demographic, housing cost, and household income data for the City of Newberg to determine the need for specific housing types: single-family, multi-family, and manufactured homes. Two adjustments were made to the Johnson Gardner residential land need analysis. Development projects that were in the land use approval process during the preparation of the needs analysis were subtracted from the overall 2005-2025 need. 49 dwelling units displaced by the proposed Newberg-Dundee Bypass were added to the housing need. The result is the future housing needs projections shown in Table IV-2.

Table IV-2. Future Housing Need by Housing Type (number of dwelling units)

	Single Family Detached 50%	Multi-Family Attached Medium Density / High Density 7% 15% 23%	Manufactured Parks 2%	Subdivision 2%	Total 100%
2005 to 2025	3,377	492	1,533	140 140	6,704
2026 to 2040	3,234	471 978	1,467	135 135	6,420
Total	6,611	963 2,000	3,000	275 275	13,124

The residential land need is determined by assigning each housing type to a comprehensive plan designation – low density residential (LDR), medium density residential (MDR), and high density residential (HDR) (Table IV-3).

Table IV-3. Housing Types by Plan and Zone Category Single Family

Multi-Family Detached	Attached	Manufactured Medium Density	High Density	Park	Subdivision
LDR	MDR	MDR	HDR	MDR	LDR
R-1	R-2	R-2	R-3	R-2	R 1

Source: Johnson Gardner

Table IV-4 presents the 2025 and 2040 housing unit need by comprehensive plan designation.

Table IV-4. Adjusted Housing Unit Need

Plan Designation	Units Needed		Units Needed	
	2005-2025 (-11%)		2026-2040 (-12%)	
LDR	2,691	(2395)	3,234	(2846)
MDR	1,556	(1385)	1,719	(1513)
HDR	1,473	(1311)	1,467	(1291)
TOTAL	5,720	(5091)	6,420	(5620)

Comment: The re-adjusted housing Unit need takes into consideration the downward projections of population growth shown in the updated numbers provided by the Population Research Center from Portland State University June 30, 2017.

2. Planned Residential Densities

Table IV-5. Planned Residential Densities

Recent Trends Units/Acre	Planned Density 3.6	Single Family 4.4
Average Lot Size	9,800 sf	8,000 sf
Med Density Multi-Family Units/ Acre	5.8	9
Type High Density Multi-Family Units/Acre	Single Family 15.4	Townhouses + Duplexes 16.5
Type Average Units/Acre	2 story apts. with surface parking 6.8	2-3 story apts. with surface parking 8.3

Comment: there is no evidence to suggest that the overall trends in unit per acre density of development has seen a any statistical change.

3. Residential Land Need

Comment: The total amount of residential land needed for housing was calculated by dividing the dwelling units needed by the planned residential densities. The total buildable residential land needs through 2025 and 2040 are shown in Table IV-6.

Table IV-6. Buildable Residential Land Need

Plan	Density	Dwelling Units	Buildable Acres	Dwelling Units	Buildable Acres
Designation	(du/ac.)	Needed	Needed	Needed	Needed
		(2005-2025)	(2005-2025)	(2026-2040)	(2026-2040)
LDR	4.4	2,691	612	3,234	735
MDR	9	1,556	173	1,719	191
HDR	16.5	1,473	89	1,367	83
Total		5,720	874	6,320	1,009

4. Residential Land Need and Supply

Comment: Comparing the residential land need the current supply, the City has a deficit of residential land to meet needs through 2025 in all residential categories. It also has a deficit of land within the URA to meet the needs from 2026-2040. Table IV-7 compares the amount of residential land with the available supply.

Table IV-7: Buildable Residential Land Needs vs. Supply

Comprehensive Plan Amendment and Zone Change Application for 1109 South River Street Property

<i>Plan</i>	<i>Buildable Acres</i>	<i>Buildable Acres</i>	<i>Surplus (Deficit)</i>	<i>Buildable Acres</i>	<i>Buildable Acres</i>	<i>Surplus (Deficit)</i>
<i>Des</i>	<i>Needed</i>	<i>UGB (2004)</i>	<i>for 2005-2025</i>	<i>Needed</i>	<i>In URA (2004)</i>	<i>2026-2040</i>
		<i>for 2005-2025</i>	<i>2026-2040</i>			
LDR	612	359	(253)	735		
MDR	173	142	(31)	191		
HDR	89	13	(76)	83		
Total	874	514	(380)	1009		

F. SUMMARY OF LAND NEEDS

Table IV-14 summarizes the future land needs for the Newberg urban area.

Table IV-14. Future Land Needs and Supply, Newberg Urban Area

<i>Plan</i>	<i>Buildable Acres</i>		<i>Buildable Acres</i>		<i>Surplus (Deficit)</i>		<i>Buildable Acres</i>		<i>Buildable Acres</i>		<i>Surplus (Deficit)</i>
<i>Des</i>	<i>Needed</i>		<i>UGB (2004)</i>		<i>for 2005-2025</i>		<i>Needed</i>		<i>In URA (2004)</i>		<i>2026-2040</i>
<i>for</i>			<i>2005-2025</i>				<i>2026-2040</i>				
LDR	612	(544)	359	(402)	-253	(-142)	735	(646)			
MDR	173	(154)	142	(80)	-31	(-74)	191	(168)			
HDR	89	(79)	13	(7)	-76	(-72)	83	(73)			
COM	111		105		-6		109				
IND	50		99		49		37				
IND	100		60		-40		120				
P	85		0		-85		115				
<i>I, PQ, or</i>											
<i>other Ins</i>	164		0		-164		233				
Total	1,384		778		-606		1,623		467		(1,156)

Comment: The housing analysis in the adopted Comprehensive Plan dates from 2004. In 2009, Newberg proposed an update to the Housing Element of the Comprehensive Plan parallel with an effort to add industrial land on the south end of town for future employment growth. That effort has been stalled by appeal with LUBA and now enters into an unprecedented mediation process. In October 2012, the Yamhill County Planning Commission adopted a new coordinated population forecast for the Newberg UGB through 2035 based on 2010 census data as well as a report titled "Population Forecasts for Yamhill County, its Cities and Unincorporated Areas 2011-2035" prepared by Portland State University Population Research Center. Cogan Owens Greene prepared a Housing Needs Analysis based on the 2009 inventory updated with current GIS data provided by City Staff, the projections from the Portland State Report, and refined for the remand findings from LUBA. The updated Future Land Needs based on the updated population forecast, the changes to the Buildable land inventory, and the inclusion of the constrained property result in the new numbers shown in brackets within the previous table.

Comprehensive Plan Amendment and Zone Change Application for 1109 South River Street Property

Overall there will be a shortage of land available in 2030 for LDR, MDR, and HDR lands:

Plan Designation	Buildable Acres Needed	Buildable Acres in UGB	(Deficit)	Percentage of Available Capacity
LDR	406	369	(37)	91%
MDR	179	92	(87)	51%
HDR	62	7	(55)	11%
Total	647	468	(179)	72%

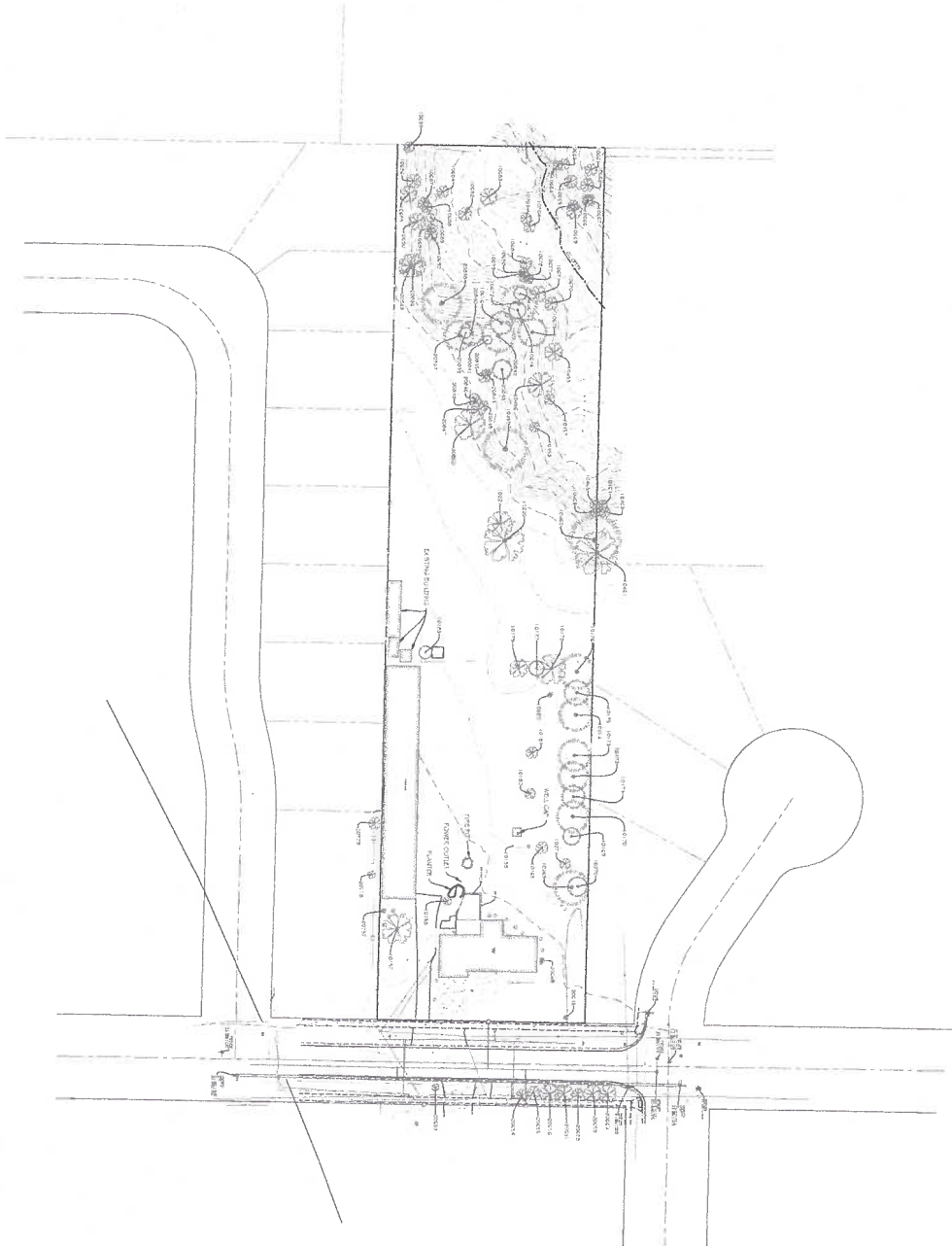
Comment: While all lands show a shortage, the greatest percentage shortage is HDR with only seven buildable acres within City limits, and the lowest shortage is LDR. It should also be noted that the most efficient use of scarce residential land is HDR. The proposed Comprehensive Plan Amendment and Zone Change would help preserve as much residential opportunity as possible and improve the diversity of housing opportunities. While the City works diligently to resolve the UGB stalemate, it is important to understand the significant shortage of HDR lands across the City. When the UGB is expanded, there is still a need to disperse the available HDR lands throughout the City where there is convenient access to employment and services. Martell Commons is an ideal geographic location to provide diversity for the housing needs of Newberg, consistent with other goals and policies of the Comprehensive Plan addressed above.

IV. Conclusion

Comment: The listed findings and accompanying documentation demonstrates that the proposal is consistent with the applicable provisions of the City of Newberg Development Code and Comprehensive Plan. The applicant respectfully requests approval of the proposed South River Street Comprehensive Plan Amendment and Zone Change Application.

POINT NO.	DESCRIPTION
10197	CR 23 WARE
10198	CR 7/8 TRUNK 5
10199	CR 7/8 TRUNK 6
10200	CR 10 TRUNK 8 TRUNK 6
10201	CR 12 TR
10202	CR 23 TR
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EXISTING CONDITIONS
P1



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CONCEPT SITE PLAN

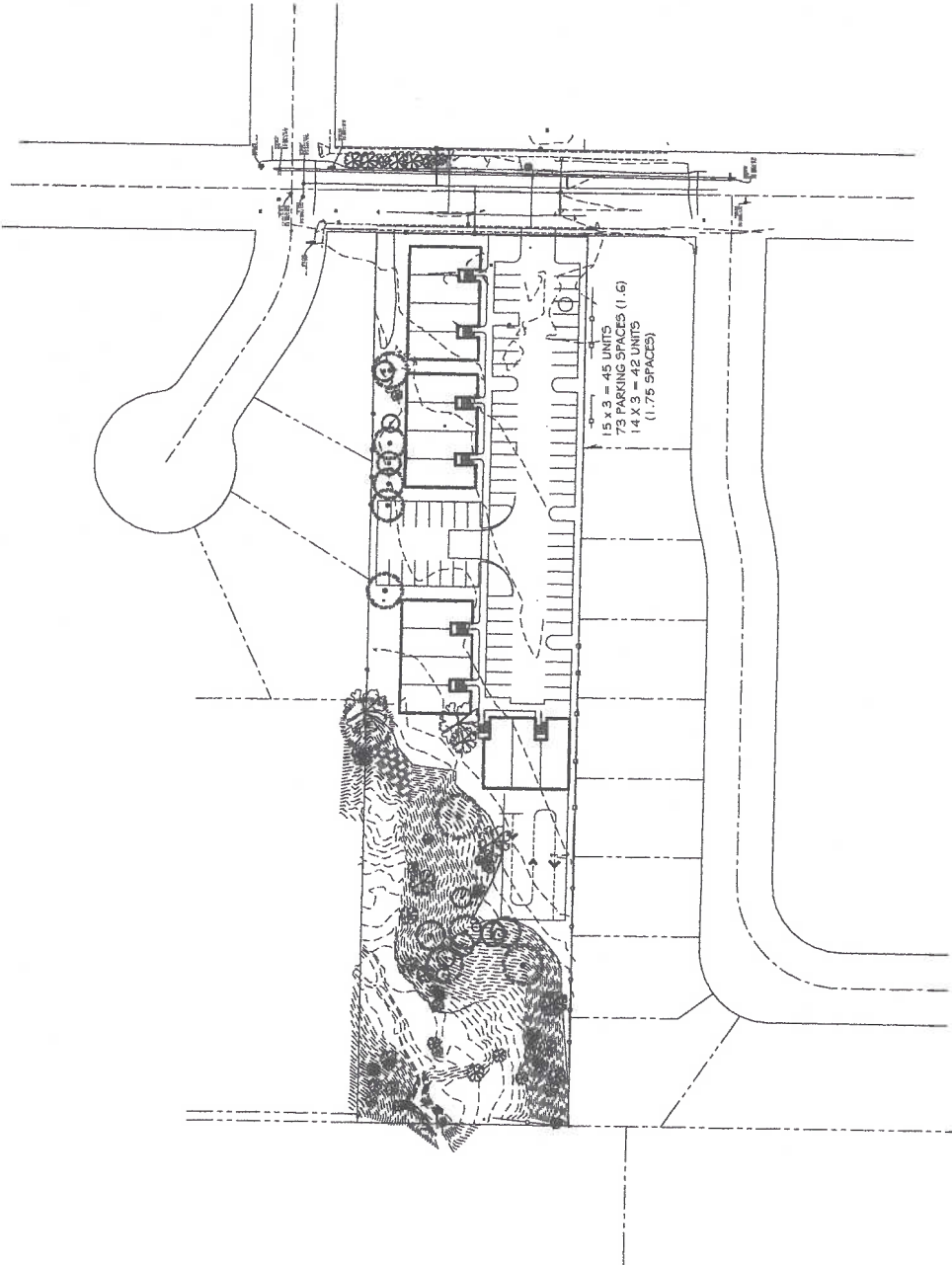
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APPROVED	W&P

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SCALE NOTE:
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WADE WILLIAMS
1109 S. RIVER ROAD
DEVELOPMENT
CITY OF NEWBERG



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10267	CITRUS 25' TRUNK	10267 21" EVERGREEN
10268	CITRUS 25' TRUNK	10268 21" EVERGREEN
10269	CITRUS 25' TRUNK	10269 21" EVERGREEN
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10271	CITRUS 25' TRUNK	10271 21" EVERGREEN
10272	CITRUS 25' TRUNK	10272 21" EVERGREEN
10273	CITRUS 25' TRUNK	10273 21" EVERGREEN
10274	CITRUS 25' TRUNK	10274 21" EVERGREEN
10275	CITRUS 25' TRUNK	10275 21" EVERGREEN



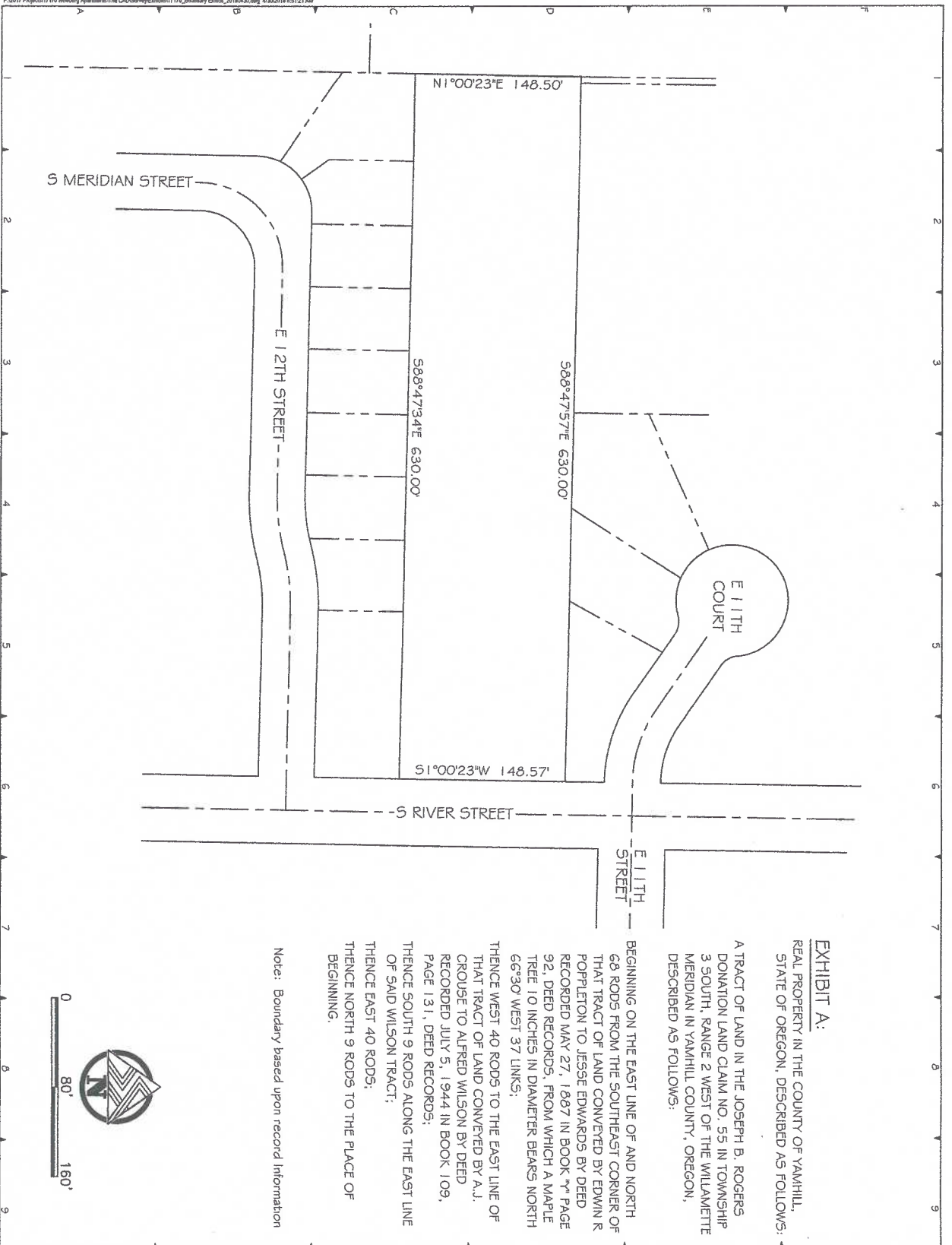


EXHIBIT A:

REAL PROPERTY IN THE COUNTY OF YAMHILL,
STATE OF OREGON, DESCRIBED AS FOLLOWS:

A TRACT OF LAND IN THE JOSEPH B. ROGERS
DONATION LAND CLAIM NO. 55 IN TOWNSHIP
3 SOUTH, RANGE 2 WEST OF THE WILLAMETTE
MERIDIAN IN YAMHILL COUNTY, OREGON,
DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST LINE OF AND NORTH
68 RODS FROM THE SOUTHEAST CORNER OF
THAT TRACT OF LAND CONVEYED BY EDWIN R
POPLETON TO JESSE EDWARDS BY DEED
RECORDED MAY 27, 1887 IN BOOK "Y" PAGE
92, DEED RECORDS, FROM WHICH A MAPLE
TREE 10 INCHES IN DIAMETER BEARS NORTH
66°30' WEST 37 LINKS;

THENCE WEST 40 RODS TO THE EAST LINE OF
THAT TRACT OF LAND CONVEYED BY A.J.
CROUSE TO ALFRED WILSON BY DEED
RECORDED JULY 5, 1944 IN BOOK 109,
PAGE 131, DEED RECORDS;

THENCE SOUTH 9 RODS ALONG THE EAST LINE
OF SAID WILSON TRACT;

THENCE EAST 40 RODS;

THENCE NORTH 9 RODS TO THE PLACE OF
BEGINNING.

Note: Boundary based upon record information



PREPARED BY:

**PROJECT
DELIVERY
GROUP**

Engineers | Land Surveyors | Project Managers

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Keith Whisenand

OREGON
MAY 18, 2012
KEITH WHISENAND
62878

RENEWAL DATE: 6/30/18

DATE SIGNED:

PREPARED FOR:

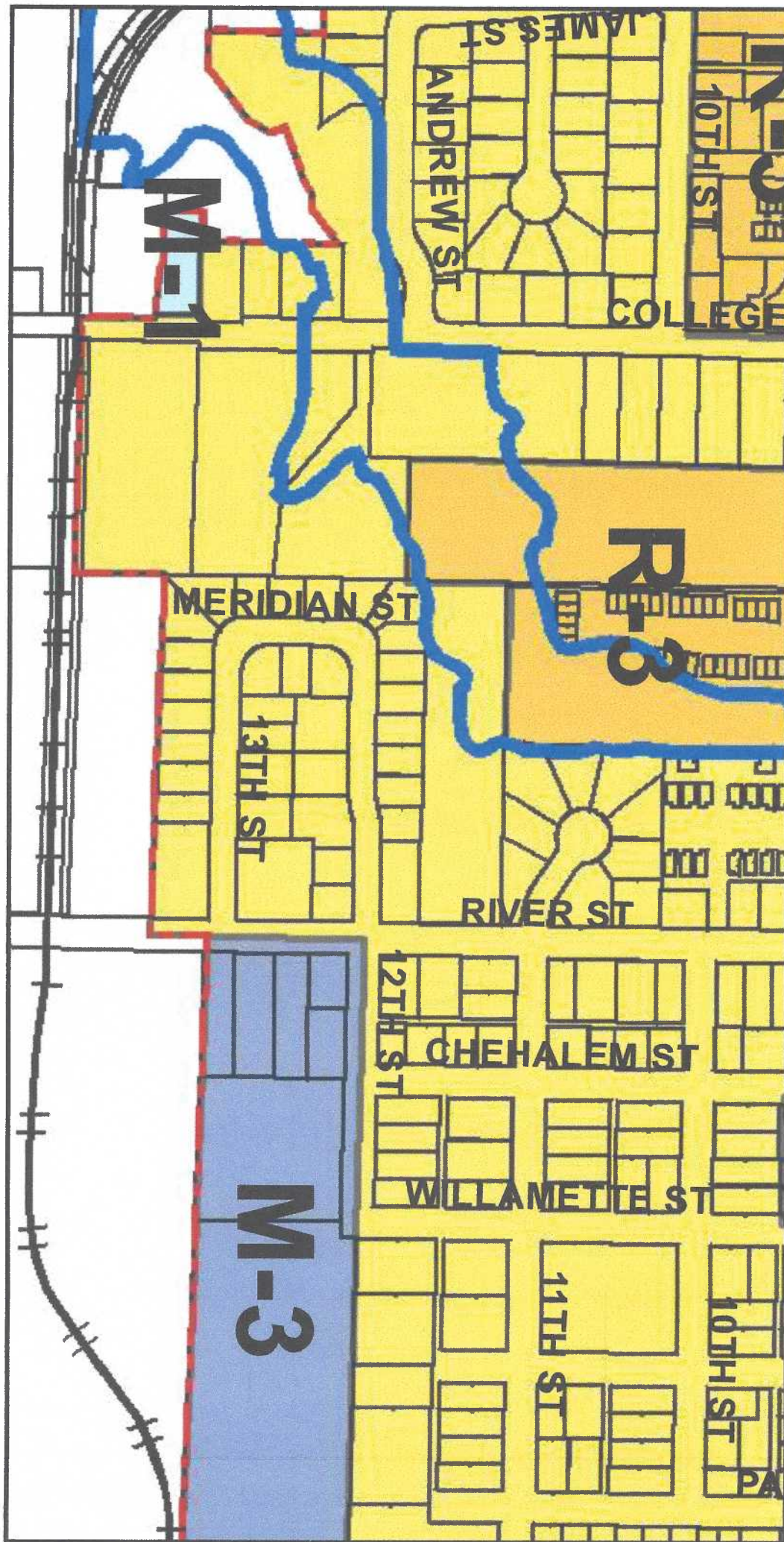
THE W GROUP

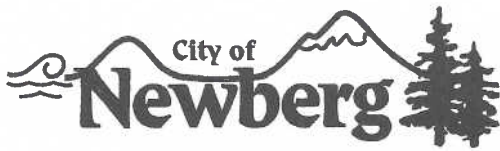
PROJECT NO.	17178
PROJECT NAME	NEWBERG APTS
DATE OF SURVEY	11/17/17
FIELD SCALE	AS SHOWN
VERTICAL SCALE	AS SHOWN
DESIGN	200
DRAWN	200
CHECKED	11/17
APPROVED:	

SHEET TITLE

NEWBERG
APTS
BOUNDARY
EXHIBIT

G-1.01





Planning and Building Department

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

NOTICE OF PLANNING COMMISSION HEARING ON A COMPREHENSIVE PLAN AND ZONE CHANGE

A property owner in your neighborhood submitted an application to the City of Newberg for a comprehensive plan zone change from Medium Density Residential (MDR) to High Density Residential (HDR) and zone change R2 to R3. The Newberg Planning Commission will hold a hearing on **July 12, 2018** at 7pm at the Newberg Public Safety Building, 401 E. Third Street, Newberg, OR, to evaluate the proposal. You are invited to take part in the City's review of this project by sending in your written comments or testifying before the City Council. The applicable criteria used to make a decision on this application for a comprehensive plan map and zone change are found in Newberg Development Code Section 15.302.030(A) (3). For more details about giving comments, please see the back of this sheet.

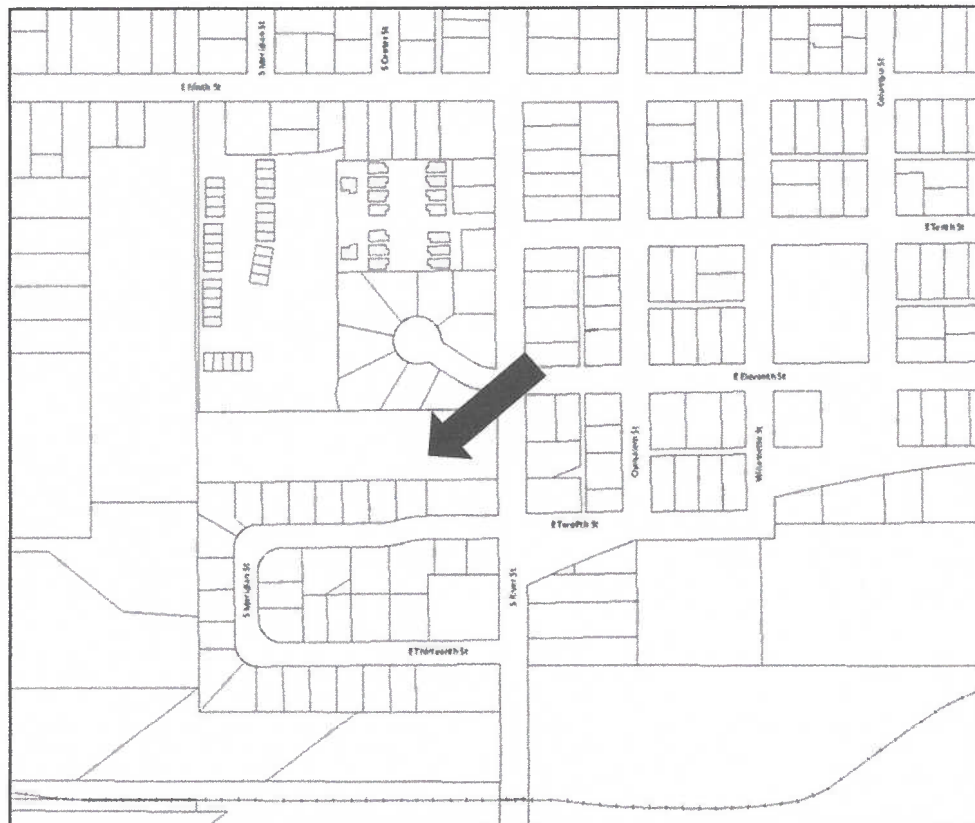
The proposed changes would allow the applicant to submit an application for a 45-unit apartment complex on the currently vacant parcel. There is a need for such housing, and adequate public services necessary are either available, or can be made available to service it. The property is adjacent to other R3 zoned parcels to the west, and north (west half). There is multifamily development east of the property, and close to the south side of the property is the Newberg bypass.

APPLICANT: **Wade Willers**
TELEPHONE: **503-819-9244**

PROPERTY OWNER: **Carol Boyes**

LOCATION: **1109 South River Road**

TAX LOT NUMBER: **3220CC-05400**



We are mailing you information about this project because you own land within 500 feet of the proposed comprehensive plan zone change. We invite you to participate in the land use hearing scheduled before the Planning Commission. If you wish to participate in the hearing, you may do so in person or be represented by someone else. You also may submit written comments. Oral testimony is typically limited to five minutes per speaker.

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

Written Comments: File No: CPMA18-0002/ZMA18-0001
City of Newberg
Planning & Building Department
PO Box 970
Newberg, OR 97132

All written comments must be received by noon on July 9, 2018. Written information received after this time will be read aloud at the hearing subject to time limits for speakers and will be included in the record if there are further proceedings.

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E. First Street. You can view a copy of the application on the city website at www.newbergoregon.gov/planning. You can also buy copies of the information for a cost of 25 cents a page. A staff report relating to the proposal will be available for inspection at no cost seven days prior to the public hearing. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be raised during the public hearing process. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for a comprehensive plan map and zone change are found in Newberg Development Code Section 15.302.030(A) (3).

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

The Planning Commission will make a recommendation to the City Council at the end of the public hearing process. The Planning Commission's recommendation will be forwarded to the City Council. The City Council will hold a hearing on the application at a later date. If you participate in the public hearing process, either by testifying at the public hearing, or by sending in written comments, you will be sent information about any decision made by the City relating to this project.

Date Mailed: _____

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:

In order to accommodate persons with physical impairments, please notify the City Recorder's office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact the City Recorder at 503-537-1283. For TTY services please dial 711.

Date: March 28, 2018
 To: Mark Dane, Mark Dane Planning Inc.
 From: Karl Birky, PE, PTOE
 Re: TPR Analysis for 1109 S River St Apts, Newberg, OR



Mr. Dane:

This letter addresses Transportation Planning Rule aspects of your request to the City of Newberg (OR) to change the Comprehensive Plan map designation and the zoning for Tax Lot 5400 of Tax Map 3S2W20CC. The parcel is currently zoned R-2. Your request to the City of Newberg is to change the zoning to R-3. The site is west of River St and south of 11th St in Newberg. The requested zone change will increase the housing density on the parcel, consistent with City of Newberg goals.

The Oregon Transportation Planning Rule (TPR) requires an estimate of the effects a land use action will have on the transportation system in certain instances. This zoning change request is one of those instances.

The zone change can be allowed if there is no "significant" effect on the transportation system.

Changing the zoning from R-2 to R-3 allows a higher density of development. Uses allowed in R-2 and R-3 are similar. This analysis will assume that any increase in traffic from the site is from the higher density allowed in R-3. Division 15.400 of the Newberg Development Code states *"In the R-2, ... there shall be a minimum of 3,000 (3 ksf) square feet of lot or development site area per dwelling unit."* It also states *"In the R-3 district there shall be a minimum of 1,500 (1.5 ksf) square feet of lot or development site area per dwelling unit."*

The parcel is 2.3 acres in size or 100,200 sf. However, 0.78 acres of the site is a wooded slope and cannot be developed. At a minimum the remaining 65,354 sf on the parcel could be developed with 21 apartment units if it is zoned R-2 and with 43 apartment units if it is zoned R-3. Traffic engineers use the Institute of Transportation Engineers - Trip Generation Manual to estimate the trips that different uses generate. Apartments are estimated to generate 0.51 trips in the AM peak hour, 0.62 trips in the PM peak hour and 6.65 trips each day.

Zone	Apt Units	AM trips	PM trips	ADT
R-2	21 units	11	13	140
R-3	43 units	22	27	286
Net Increase	22	11	14	146

The City of Newberg Comprehensive Plan (Dec 2016) states:

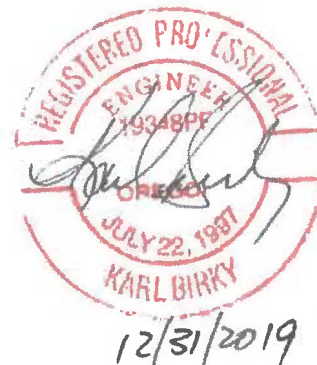
"Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces". (I.2.a)

Table V-2 of the Comprehensive Plan indicates a need for 23% of the land in Newberg be zoned High Density from 2005 to 2045 while Table V-1 indicates only 1.6% (13Ac of 778Ac) of the land was zoned R-3 in 2004. (*Newberg Comprehensive Plan (Dec 2016).*)

This proposed zone change will increase density on a parcel with direct access to a Major Collector and 3 blocks from Scott Leavitt Park and 6 blocks from school. River St is a Major Collector in the City of Newberg Transportation System Plan (TSP). The estimated 146 additional vehicle trips per day that could result from the requested zone change is 1 vehicle on River St every 10 minutes on average. It is my opinion that the requested zoning can be approved from a traffic engineering perspective without "significantly affecting" the transportation system. Even if the developer were to build 50 units on the site, the resulting 333 trips (193 net additional trips) each day would not "significantly affect" the transportation system. If there is any additional information you or the City would like or find helpful, please do not hesitate to request it. I can be reached at 503-364-5066.

Regards;


Karl Birky, PE, PTOE
Associated Transportation Engineering & Planning, Inc.





ORDINANCE No. 2018-2824

**AN ORDINANCE AMENDING THE NEWBERG COMPREHENSIVE PLAN,
SECTION IV (SUBSECTIONS A AND B) TO REFLECT UPDATED HISTORIC
AND PROJECTED POPULATION INFORMATION.**

RECITALS:

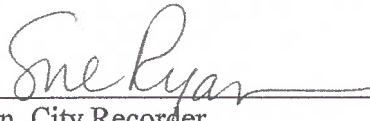
1. The Newberg Planning Commission adopted Resolution 2016-334, which initiated text amendments to the Newberg Comprehensive Plan.
2. After proper notice, the Newberg Planning Commission held a hearing on December 14, 2017 to consider the text amendment. The Commission considered testimony, deliberated, and adopted Resolution No. 2017-336 recommending that the City Council adopt text amendments to the Newberg Comprehensive Plan to update historic and projected population information.
3. The Newberg City Council held a public hearing on January 16, 2018 to consider the proposed text amendment. Due to insufficient notice, the Council continued the item to February 5, 2018 for a second reading.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Council finds that amending the historic and projected population information would be in the best interests of the city. The Council adopts the text amendments to the Newberg Comprehensive Plan as shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit "B" are hereby adopted. Exhibit "B" is by this reference incorporated.

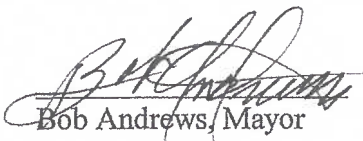
➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: March 7, 2018.

ADOPTED by the City Council of the City of Newberg, Oregon, this 5th day of February, 2018, by the following votes: **AYE: 6 NAY: 0 ABSENT: 1 ABSTAIN: 0**



Sue Ryan, City Recorder

ATTEST by the Mayor this 8th day of February, 2018.


Bob Andrews, Mayor

**Exhibit “A” to City Council Ordinance No. 2018-2824
Comprehensive Plan Text Amendment –File CPTA17-0004
Population Projections Comprehensive Plan Text Amendment**

Note: Existing text is shown in regular font.
Added text is shown in double-underline.
Deleted text is shown in strikethrough.

IV POPULATION GROWTH

A. HISTORIC POPULATION

Newberg grew over 400 500 percent from 1960 to 2004 2010. This population growth was due to a variety of factors: regional population growth, expansion of industry and business in the area, proximity to other employment centers, and the high quality of life in the area.

Table IV-1. Newberg City Population – 1960-~~2004~~2010

Year	Population
1960	4,204
1970	6,507
1980	10,394
1990	13,086
2000	18,064
2004	19,910
<u>2010</u>	<u>22,068</u>

Sources: U.S. Census; Population Research Center, Portland State University

~~In addition, approximately 374 people live in the area between the city limits and the urban growth boundary, making the 2004 Newberg UGB population about 20,284.~~

B. POPULATION PROJECTIONS

Population projections are the basis of comprehensive land use planning. To maintain a high quality of living, the community must plan for its future population. Population growth will require sufficient land and services.

Oregon Revised Statutes (ORS) 195.033 requires that Portland State University Population Research Center issue a population forecast for each county and urban growth boundary outside the Metro region not less than once every four years. Previously each county was required to establish and maintain forecasts with local governments. The population forecast was completed in 2017 for Yamhill County and its cities. Population projections from the report *Coordinated Population Forecast for Yamhill County, its Urban Growth Boundaries (UGB), and Area Outside UGBs 2017-2067*, are found in Table IV-2.

Many of the same factors that have contributed to Newberg’s historic population growth will contribute to its future growth: employment opportunities both in Newberg and nearby, housing opportunities, high quality of life, and regional population growth. Newberg ~~is already~~ continues

to experience experiencing a great amount of population growth due to the lack of buildable land within the Portland area--increased in-migration. Population in Newberg is expected to increase at a fast rate in the first half of the forecast period (through 2035) and then more slowly in the second half.

~~Future population projections for the City of Newberg were prepared in 2004 by Barry Edmonston, Portland State University, Population Research Center,^a using two different methodologies: a ratio method and a cohort component method. While the two methods produced similar results, City staff and the Ad Hoc Committee on Newberg's Future felt that the cohort component method more accurately projected the future population of Newberg. In addition, projected population growth for the area outside the city limits but inside the UGB was added to the City population projections to yield Urban Area population projections. Table IV-2 presents the resulting population forecasts through 2040.~~

Table IV-2. Future Population Forecast – Newberg Urban Area

Year	Population Forecast
2000 ^{ba}	18,438
2005	21,132
2010	24,497
2015	28,559
2020	33,683 <u>25,889</u>
2025	38,352 <u>28,602</u>
2030	42,870 <u>31,336</u>
2035	48,316 <u>34,021</u>
2040	54,097 <u>36,709</u>

Sources: Johnson Gardner, Barry Edmonston; Population Research Center, Portland State University

~~This population forecast was used to determine future land needs within the Newberg urban area.~~

Footnotes

^a Barry Edmonston, Director, Population Research Center, Portland State University, Portland, Oregon. "Population Projection for Newberg, Yamhill County, Oregon: 2000 to 2040." March 25, 2004.

^b 2000 Population is the U.S. Census estimate for Newberg plus the estimate of population outside City limits but within the UGB.

Exhibit “B” to City Council Ordinance No. 2018-2824
Findings –File CPTA17-0004
Population Projections Comprehensive Plan Text Amendment

Comprehensive Plan amendments must comply with applicable statewide planning goals (SPG) and Newberg Comprehensive Plan (NCP) goals and policies.

NCP: A. Citizen Involvement/SPG 1: Citizen Involvement

NCP/SPG GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

FINDING: Newberg has a Citizen Involvement Program, including citizens appointed to decision making committees and several opportunities for the public to comment on proposed applications during review of planning applications. This proposed Comprehensive Plan amendment will go before both the appointed Planning Commission and the elected City Council for local decisions. This goal is met.

NCP: B. Land Use Planning/SPG 2: Land Use Planning

NCP GOAL: To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

NCP POLICIES: 2. The Comprehensive Plan and implementing ordinances shall be reviewed continually and revised as needed. Major reviews shall be conducted during the State periodic review process.

SPG GOAL: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: Newberg has an ongoing land use planning program, which includes using the adopted Comprehensive Plan, Development Code, and related plans to guide planning activities within the city. This proposed amendment to the Comprehensive Plan will help keep the Plan relevant and current. This goal is met.

NCP: H. The Economy/SPG 9: Economic Development

NCP GOAL: To develop a diverse and stable economic base.

NCP POLICIES: 1. General Policies. b. The City shall encourage economic expansion consistent with local needs.

SPG GOAL: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

FINDING: In 2013, the State of Oregon adopted new administrative rules for population forecasts, which specified that the Portland State University Population Research Center (PRC) will forecast populations for the regions of the state. Projections for Yamhill County and its cities were finalized in 2017. The proposed Comprehensive Plan amendment is to update the historic and projected population sections based on these projections and U.S. Census data.

Newberg had previously adopted the coordinated population forecast as part of the south industrial urban growth boundary amendment and Economic Opportunities Analysis code amendments. However, City Council repealed these items on October 5, 2015, through adoption of Ordinance No. 2015-2786, which also voided adoption of the coordinated population forecast

The purpose of these amendments is to help the city plan for the future, including the ability to help develop a diverse and stable economic base and to provide a variety of economic opportunities. Without an accurate population forecast, the city would not be as prepared to plan for future needs. This goal is met.

NCP: I. Housing/SPG 10: Housing

NCP GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

SPG GOAL: To provide for the housing needs of the citizens of the state.

FINDING: Newberg uses the Comprehensive Plan and related adopted plans to guide future land use planning efforts. The proposed Comprehensive Plan amendment will reference the updated population forecast for the city, enabling future planning efforts to plan for adequate housing for the current and future citizens of the city. This goal is met.

NCP: L. Public Facilities And Services/SPG 11: Public Facilities and Services

NCP/SPG GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

FINDING: Newberg needs to have an updated population and employment forecast in order to effectively plan future needs for public facilities and services. By updating the Comprehensive Plan, Newberg can more effectively plan for public facility needs. This goal is met.

Appendix C: Detailed Population Forecast Results

Figure 22. Yamhill County—Population by Five-Year Age Group

Population Forecasts by Age Group / Year	2017	2020	2025	2030	2035	2040	2045	2050	2055	2060	2065	2067
00-04	6,582	6,674	6,978	7,241	7,483	7,727	7,982	8,248	8,506	8,750	8,980	9,072
05-09	6,958	7,147	7,378	7,713	8,004	8,263	8,517	8,784	9,062	9,335	9,591	9,689
10-14	7,190	7,335	7,736	7,985	8,348	8,652	8,915	9,173	9,445	9,731	10,012	10,118
15-19	7,889	7,983	8,320	8,775	9,056	9,456	9,782	10,061	10,334	10,627	10,934	11,056
20-24	7,139	7,325	7,544	7,862	8,291	8,545	8,902	9,191	9,434	9,676	9,935	10,045
25-29	6,341	6,564	6,918	7,133	7,433	7,833	8,055	8,375	8,628	8,844	9,057	9,149
30-34	6,345	6,514	6,963	7,339	7,565	7,875	8,284	8,504	8,828	9,085	9,301	9,388
35-39	6,779	7,027	7,404	7,916	8,345	8,596	8,934	9,385	9,622	9,979	10,260	10,355
40-44	6,865	7,133	7,640	8,048	8,606	9,065	9,316	9,669	10,138	10,384	10,759	10,878
45-49	6,698	6,877	7,401	7,931	8,358	8,932	9,395	9,642	9,995	10,472	10,718	10,871
50-54	6,711	6,774	7,149	7,700	8,256	8,693	9,280	9,751	9,993	10,352	10,837	10,938
55-59	6,651	6,670	6,843	7,229	7,796	8,356	8,790	9,375	9,844	10,084	10,444	10,638
60-64	6,481	6,676	6,777	6,961	7,365	7,944	8,511	8,948	9,541	10,019	10,265	10,412
65-69	5,732	6,350	6,738	6,846	7,038	7,446	8,027	8,592	9,025	9,621	10,100	10,198
70-74	4,311	5,059	6,066	6,448	6,563	6,750	7,145	7,705	8,248	8,667	9,245	9,431
75-79	3,283	3,864	5,014	5,975	6,311	6,373	6,499	6,823	7,298	7,748	8,071	8,256
80-84	2,223	2,592	3,388	4,380	5,200	5,465	5,487	5,564	5,806	6,175	6,519	6,613
85+	2,377	2,534	3,083	3,923	5,079	6,339	7,331	8,019	8,555	9,114	9,777	10,061
Total	106,555	111,101	119,339	127,404	135,096	142,311	149,150	155,808	162,303	168,662	174,806	177,170

Population Forecasts prepared by: Population Research Center, Portland State University, June 30, 2017.

Figure 23. Yamhill County's Sub-Areas—Total Population

Area / Year	2017	2020	2025	2030	2035	2040	2045	2050	2055	2060	2065	2067
Yamhill County	106,555	111,101	119,339	127,404	135,096	142,311	149,150	155,808	162,303	168,662	174,806	177,170
Amity UGB	1,642	1,691	1,769	1,840	1,910	1,975	2,038	2,096	2,154	2,206	2,257	2,276
Carlton UGB	2,229	2,340	2,586	2,813	3,013	3,204	3,384	3,551	3,704	3,841	3,959	3,998
Dayton UGB	2,837	2,914	3,004	3,108	3,200	3,290	3,376	3,461	3,545	3,628	3,723	3,761
Dundee UGB	3,243	3,408	3,772	4,158	4,570	4,936	5,296	5,645	5,979	6,296	6,590	6,697
Gaston UGB (Yamhill)	157	157	158	158	159	159	159	160	160	160	161	161
Lafayette UGB	4,083	4,436	4,958	5,375	5,717	5,970	6,187	6,367	6,540	6,709	6,872	6,937
McMinnville UGB	34,293	35,709	38,437	41,255	44,122	46,956	49,728	52,541	55,428	58,449	61,557	62,803
Newberg UGB	24,296	25,889	28,602	31,336	34,021	36,709	39,393	42,101	44,984	47,966	50,957	52,135
Sheridan UGB	6,340	6,401	6,598	6,754	6,893	7,016	7,122	7,225	7,326	7,424	7,521	7,560
Willamina UGB (Yamhill)	1,227	1,230	1,245	1,259	1,272	1,287	1,302	1,315	1,328	1,341	1,355	1,360
Yamhill UGB	1,077	1,099	1,184	1,264	1,338	1,406	1,467	1,514	1,560	1,606	1,652	1,671
Outside UGB Area	25,132	25,827	27,027	28,084	28,880	29,403	29,698	29,831	29,594	29,037	28,203	27,812

Population Forecasts prepared by: Population Research Center, Portland State University, June 30, 2017.

Mon Apr 30 2018 09:02:56 AM.

AFTER RECORDING RETURN TO:

City of Newberg
Planning and Building Department
PO Box 970 - (414 E. First Street)
Newberg, OR 97132

COVENANT OF WAIVER OF RIGHTS AND REMEDIES

Recitals

- 1) The undersigned, WADE WILLERS and CAROL BOYES (hereinafter referred to as "Owner" or "Owners") has/have petitioned the City of Newberg (hereinafter referred to as "City") to commence certain proceedings, relating to A PROPOSED COMP. PLAN AMENDMENT AND ZONE CHANGE for the real property described in Exhibit A which is attached hereto and incorporated herein.
- 2) Pursuant to the enactment of **Ballot Measure 49** (adopted November 6, 2007), if a public entity enacts one or more land use regulations that restrict the residential use of private real property or a farming or forest practice and that reduce the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations as provided in Measure 49.
- 3) There is the potential that the Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances.
- 4) City does not wish to approve the Owner's/Owners' requested proceedings if the result would or could arguably give rise to a later claim by the Owner or Owners, or the Owner's/Owners' successors or assigns for compensation for the land use regulations in effect upon the effective date of the proceedings, or would or could arguably require the City to waive the City's land use regulations in effect upon the effective date of the proceedings, which are being newly imposed upon the property by reason and result of the proceedings.
- 5) Owner(s) seek(s) to induce the City to proceed with the proceedings and therefore Owner(s) agree(s) to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

NOW THEREFORE, the undersigned Owner(s) warrant(s) that the Owner(s) executing this covenant hold(s) the full and complete present ownership or any interest therein in the property, and hereby agree(s) and covenant(s) as follows:

- 1) As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: 1109 SOUTH RIVER STREET, which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Limited Use Overlay District, (all inclusively referred to herein as "proceedings"), the undersigned Owner(s), on behalf of Owner(s), Owner's/Owners' heirs, devisees, executors, administrators, successors and assigns, agree(s) and covenant(s) to the City of Newberg, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases and forever discharges, and agrees that Owner(s) shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from City land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.
- 2) This waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release and discharge shall run with the land, and this instrument, or a memorandum hereof, may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Covenant filed by the City of Newberg.

- 3) If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Owner(s) acknowledge(s) that the proceedings may be initiated by the City of Newberg at any time in the discretion of the City of Newberg, and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
- 4) This document is executed of my/our own free will and without duress. I, or if more than one, each of us respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect my/our legal rights and remedies.

OWNER

OWNER

Carol Boyes

STATE OF OREGON)

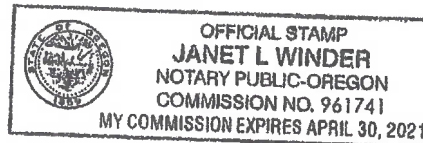
County of Yamhill

) ss.
)

This instrument was acknowledged before me on this 1st day of May, 2018 by Carol Boyes and _____.

Janet L Winder
Notary Public for Oregon

My Commission expires: 4/30/2021



CITY OF NEWBERG

APPROVED AS TO FORM:

Norma I. Alley, City Recorder

Terrence D. Mahr, City Attorney

Dated: _____

Dated: _____

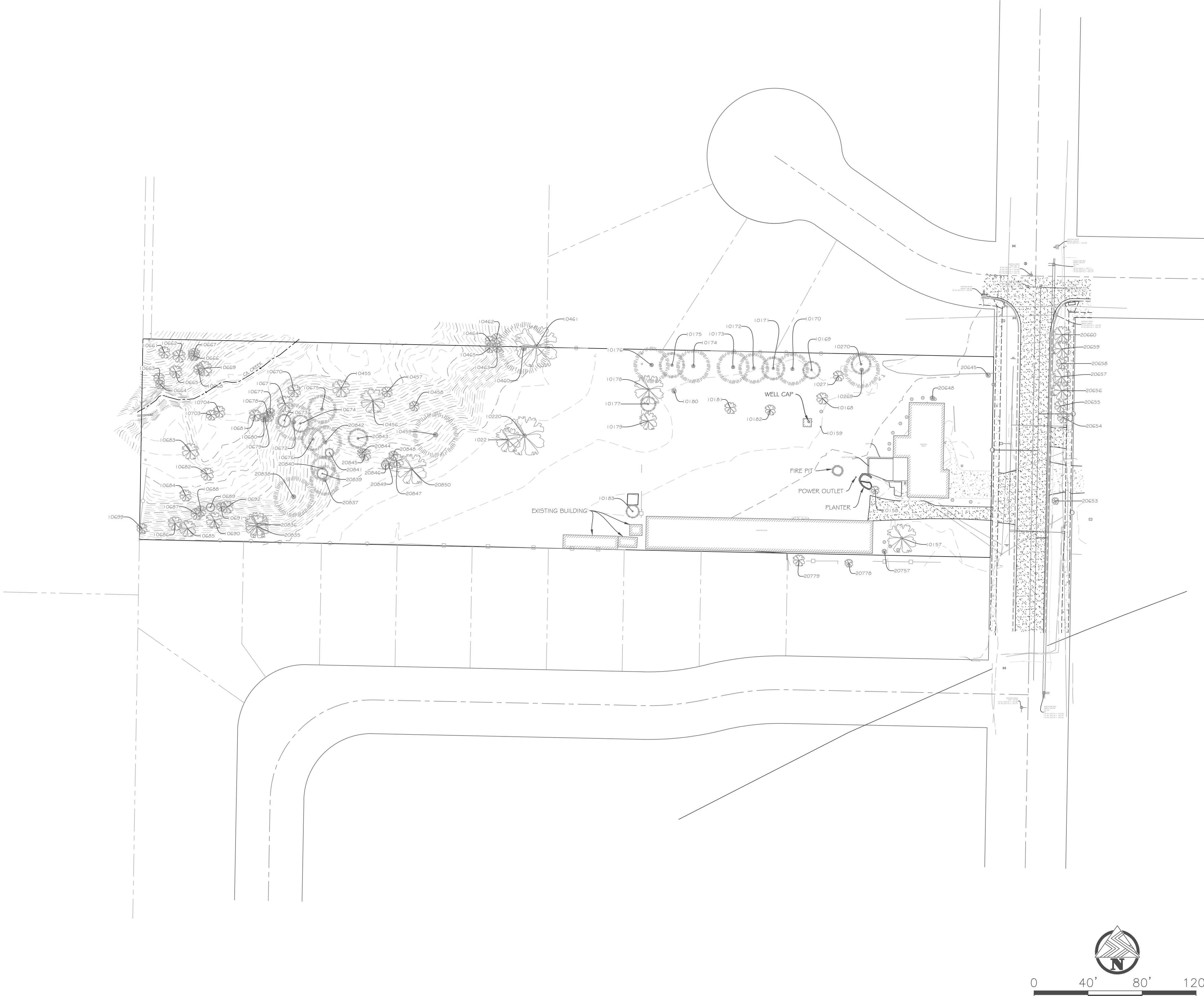
Gross acreage buildable land changes since Martell Commons BLI Inventory Feb 2015

Plan Designation	Buildable Acres After Zone Change*	Annexed	Constrained – stream corridor	Developed – new subdivisions with building permits issued/homes constructed	Net Acres
LDR	363	41.03	(1.82)		402.21
MDR	92	3.06		(14.63)	80.43
HDR	13	-		(5.94)	7.06

*These numbers were taken from Table 10 of the COG Feb 2015 report.

POINT NO.	DESCRIPTION
10157	DTR 25' MAPLE
10158	DTR 7/3' TRUNK G
10159	DTR PEAR 10/5' TRUNK G
10168	DTR 10' PEAR/3' TRUNK G
10169	ETR 16' FIR
10170	ETR 29' FIR
10171	ETR 21' FIR
10172	ETR 27' FIR
10173	ETR 29' FIR
10174	ETR 30' FIR
10175	ETR 23' FIR
10176	ETR 32' FIR
10177	14" FIR
10178	25" DECIDUOUS
10179	15" DECIDUOUS
10180	(2)3" & 4" PEAR
10181	10" PEAR
10182	9" DECIDUOUS
10183	12" FIR
10220	34" DECIDUOUS
10221	21" DECIDUOUS
10269	32" FIR
10270	18" FIR
10271	9" DECIDUOUS
10455	15" DECIDUOUS
10456	21" DECIDUOUS
10457	(2) 4" & 9" DECIDUOUS
10458	8.5" DECIDUOUS
10459	40' FIR
10460	46' FIR
10461	36" DECIDUOUS
10462	9" DECIDUOUS
10463	8" DECIDUOUS
10464	9" DECIDUOUS
10465	8" DECIDUOUS
10661	(2)5" & 10" DECIDUOUS
10662	11" DECIDUOUS
10663	9.5" DECIDUOUS
10664	8" DECIDUOUS
10665	11" DECIDUOUS
10666	9" DECIDUOUS
10667	10" DECIDUOUS
10668	3.5",8" & 8.5" DECIDUOUS
10669	14",6" & 13" DECIDUOUS
10670	11" DECIDUOUS
10671	14" DECIDUOUS
10672	33" FIR
10673	12" FIR
10674	16" FIR
10675	26" EVERGREEN

POINT NO.	DESCRIPTION
10676	21" EVERGREEN
10677	8" DECIDUOUS
10678	5, 7" & 9" DECIDUOUS
10679	8" DECIDUOUS
10680	8" DECIDUOUS
10681	10" DECIDUOUS
10682	11" & 4.5" DECIDUOUS
10683	14" DECIDUOUS
10684	10" DECIDUOUS
10685	14" DECIDUOUS
10686	12" DECIDUOUS
10687	10" & 9" DECIDUOUS
10688	9" DECIDUOUS
10689	8" FIR
10690	14" DECIDUOUS
10691	8" DECIDUOUS
10692	11" DECIDUOUS
10699	9" DECIDUOUS
10704	10" DECIDUOUS
20645	4" MAPLE
20648	4" ORNAMENTAL
20653	6" MAPLE
20654	10" BIRCH
20655	10" UNKNOWN
20656	16" BIRCH
20657	16" UNKNOWN
20658	9" BIRCH
20659	15" UNKNOWN
20660	15" BIRCH
20757	4" MAPLE
20778	7" MAPLE
20779	10" MAPLE
20835	20" UNKNOWN
20836	20" UNKNOWN
20837	27" FIR
20838	36" FIR
20839	10" FIR
20840	22" FIR
20841	8" FIR
20842	30" FIR
20843	18" FIR
20844	8" UNKNOWN
20845	10" UNKNOWN
20846	8" FIR
20847	12" MAPLE
20848	8" MAPLE
20849	10" MAPLE
20850	26" UNKNOWN



PROJECT NO.: W432-001	REVISIONS		
	NO.	DESCRIPTION	DATE
HORIZ DATUM: NA			
VERT DATUM: NA			
HORIZ SCALE: AS SHOWN			
VERT SCALE: AS SHOWN			
DRAWN: MSD			
DESIGN: MSD			
APPROVED:			

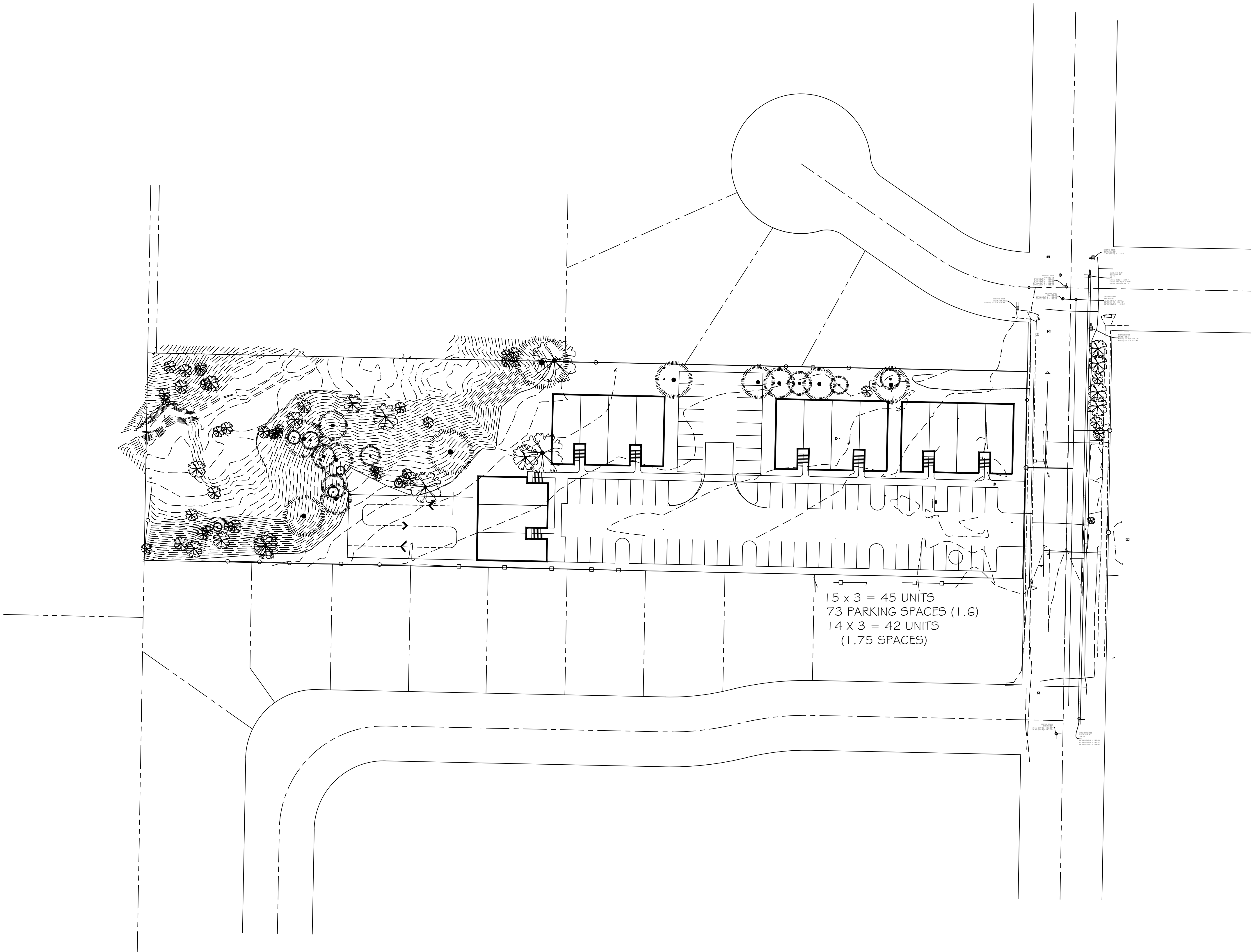
SHEET TITLE:

EXISTING
CONDITIONS

P

TREE TABLE	
POINT NO.	DESCRIPTION
10157	DTR 25 MAPLE
10158	DTR 7 /3 TRUNK G
10159	DTR PEAR 10 /5 TRUNK G
10168	DTR 10 PEAR /3 TRUNK G
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20846	8" FIR
20847	12" MAPLE
20848	8" MAPLE
20849	10" MAPLE
20850	26" UNKNOWN



DATE SIGNED:

WADE WILLERS

1109 S. RIVER ROAD

DEVELOPMENT

CITY OF NEWBERG

SCALE NOTE:

1" = 1'0"

BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

PROJECT NO.: WADE-001		REVISIONS			
		NO.	DESCRIPTION	DATE	BY
HORIZ DATUM: 0					
VERT DATUM: 0					
HORIZ SCALE: AS SHOWN					
VERT SCALE: AS SHOWN					
DRAWN: M50					
DESIGN: M50					
APPROVED: M50					

SHEET TITLE:

CONCEPT SITE PLAN