



Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132

503-537-1240 • Fax 503-537-1272 • www.newbergoregon.gov

NOTICE OF DECISION
Brittelle ADU Design Review
2920 N Burlington Drive
DR119-0016

February 18, 2020

Michael Brittelle
2920 N Burlington Drive
Newberg, OR 97132

Dear Mr. McCleskey,

The Community Development Director has approved the design review application DR119-0016 for the addition of a detached accessory dwelling unit at 2920 N Burlington Drive. This decision will become effective on March 3, 2020 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. If you wish to appeal, you must submit the written appeal form together with the required fee of \$528.15 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on March 2, 2020.

Design review approval is only valid for one year from the effective date above. If design review approval on your project is approaching its expiration date, contact the Planning Division regarding extension opportunities.

If you have any questions, please contact me at 503-554-7778 or keshia.owens@newbergoregon.gov.

Sincerely,

Keshia Owens

Keshia Owens
Assistant Planner
City of Newberg, OR



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STAFF REPORT Brittell ADU Design Review DR119-0016

FILE NO: DR119-0016
REQUEST: Design review approval for a new ADU
LOCATION: 2920 N Burlington Drive
TAX LOT: R3207DA 00344
APPLICANT: Michael Brittell
OWNER: Michael Brittell
ZONE: R-1/SP Specific Plan

FINDINGS

Newberg Development Code 15.220.050(A), Type I. The following criteria are required to be met in order to approve a Type I design review request:

1. Parking. Parking areas shall meet the requirements of NMC 15.440.010.

Finding: There are 2 parking spaces required for the existing single family home. The existing garage can hold up to 2 vehicles, which meets the parking requirement for a single family home. This criterion is met.

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

Finding: The proposed detached ADU will be 280 square feet, 16 feet in height, and will meet public access standards. There will not be more than two accessory structures on the site and the applicant is not proposing a single family detached dwelling or a home occupation, which meets the requirements of 15.415.010 through 15.415.060. There are no changes to lot area proposed under this application, which meets the requirements of 15.405.010 through 15.405.030. The existing house and proposed ADU will not take up more than 40% of the lot area, which meets the requirements of 15.405.040 or more than 50%, which meets the requirements of the Northwest Newberg Specific Plan. The proposal also meets Maximum Lot and Parking Coverage requirements at 42% and Maximum Parking Coverage requirements at 7%. The proposed ADU will be setback 15 feet from the front yard and more than 5 feet from the side and rear yards, which meets the requirements of 15.410.020, 15.410.030, and the

Northwest Newberg Specific Plan. There are no changes in vision clearance or other yard requirements proposed under this application.

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

Finding: The proposal will not disturb any of the landscaping around or near the proposed ADU. There are no plans to change landscaping under this application.

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

Finding: The proposed work does not include any signage that requires permitting per 15.435.010.

5. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.303 and 15.305..

Finding: An accessory dwelling unit is an outright permitted use in the R-1 zoning district per 15.445.260.A and the Northwest Newberg Specific Plan, as permitted uses allowed in the Specific Plan are the same as those uses permitted in the base zoning districts. This criterion is met.

Newberg Development Code 15.445.060. The following criteria are required to be met in order to approve an Accessory Dwelling Unit request:

A. Location. Accessory dwelling units are outright permitted uses in the R-1, R-2, R-3, RP, I and AR zones. Accessory dwelling units are a conditional use in the C-2 and C-3 zones.

Finding: This proposal for an accessory dwelling unit is located in the R-1 zoning district and the Northwest Newberg Specific Plan, where it is outright permitted. This criterion is met.

B. Limitations. An accessory dwelling unit is permitted, providing there is compliance with all of the following standards:

1. An accessory dwelling unit may be created within the interior or as an addition to an attached or detached residential structure or as a freestanding accessory building.

Finding: A new detached ADU is being proposed under this application. This criterion is met.

2. An accessory dwelling unit may not exceed 50 percent of the size of the primary unit, up to a maximum of 1,000 square feet.

Finding: The existing house is 1,484 square feet. The ADU will be 280 square feet, roughly 19 percent of the size of the main house. This criterion is met.

3. The number of residents permitted to inhabit the accessory dwelling unit is regulated by the current edition of the Oregon Residential Specialty Code.

Finding: This criterion will be reviewed at the time of building permit submittal.

4. Owner occupancy of the primary unit or accessory dwelling unit is not required.

Finding: Not applicable.

5. An accessory dwelling unit cannot be partitioned or subdivided from the parcel of the primary unit if there are shared water and wastewater lines.

Finding: There are no proposals for a lot partition or subdivision under this application. This criterion is met.

6. There shall be compliance with all of the development standards established in the base zone.

Finding: An accessory dwelling unit is an outright permitted use in the R-1 zoning district and the Northwest Newberg Specific Plan, the lot meets setback, height, Maximum Lot Coverage, and Maximum Lot and Parking Coverage standards. There will be no changes to lot area or the existing vision clearance standards. This criterion is met.

Conclusion: The proposed design review and accessory dwelling unit meets the applicable criteria as proposed.

Engineering Department Comments

Site Information

Access and Transportation: Access to the lot is provided via a driveway from N Burlington Drive which is a local residential street in the City's Transportation System Plan (TSP).

Utilities:

Water: There is an existing 8-inch public water line documented in the City's GIS system on N Burlington Drive.

Wastewater: There is an existing 8-inch public wastewater line documented in the City's GIS system on N Burlington Drive.

Stormwater: There no stormwater facilities adjacent to the property.

Overhead Lines: There are no overhead utility lines along the property frontage on N Burlington Drive. New or modified service connections are required to be undergrounded.

Engineering Notes:

Permits required for construction of the proposed ADU include any applicable Building Permits, Public Improvement Permit for connections to public utilities/infrastructure, and an Erosion and Sedimentation Control (ESC) Permit for any ground disturbance during construction.

1. According to NMC 15.430.010 existing utilities lines shall be placed underground when they are newly installed or relocated. The applicant should anticipate undergrounding power service to the proposed ADU.
2. The City of Newberg has stormwater requirements which are outlined in NMC 13.25 Stormwater Management and in the Public Works Design and Construction Standards. If the applicant creates more than 500 square feet of net new impervious surface area, they will be required to meet the City's standards for treating and detaining stormwater.
3. A Transportation System Development Charge (TSDC) for the ADU will be assessed at the time of the Building Permit.