

# Newberg Urban Renewal Plan

This document remains draft until adoption by the City of Newberg City Council.



Newberg Urban Renewal Plan

Adopted by the City of Newberg

DATE

Ordinance No. 2022 -

If Amendments are made to the Plan, the Resolution or Ordinance Number and date will be listed here.  
The amendment will be incorporated into the Plan and noted through a footnote.

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## **I. DEFINITIONS**

“Agency” means the Newberg Urban Renewal Agency. This Agency is responsible for administration of the urban renewal plan.

“Area” means the properties and rights-of-way located with the Newberg Urban Renewal Boundary.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting the urban renewal plan.

“Board of Commissioners” means the Yamhill County Board of Commissioners.

“City” means the City of Newberg, Oregon.

“City Council” or “Council” means the Newberg City Council.

“Comprehensive Plan” means the City of Newberg comprehensive land use plan and it’s implementing ordinances, policies, and standards.

“County” means Yamhill County, Oregon.

“Fiscal year ending” means the year commencing on July 1 and closing on June 30 of the next year.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within an urban renewal area at the time of adoption. The County Assessor certifies the assessed value after the adoption of an urban renewal plan.

“Increment” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in an urban renewal area, or portion thereof, over the assessed value specified in the certified statement.

“Maximum indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“ORS” means the Oregon Revised Statutes. Chapter 457 specifically relates to urban renewal.

“Planning Commission” means the Newberg Planning Commission.

“Revenue sharing” means under-levying tax increment proceeds to effectively share a portion of the revenue with the other taxing districts who levy permanent rate taxes in the urban renewal area as defined in ORS 457.470.

“Tax increment financing (TIF)” is a method of funding urban renewal projects and programs through incurring debt that is repaid by the division of taxes accomplished through the adoption of an urban renewal plan.

“Tax increment finance revenues” means the funds allocated by the assessor to an urban renewal area due to increases in assessed value over the frozen base within the area.

“UGB” means urban growth boundary.

“Urban renewal area (URA)” means a blighted area included in an urban renewal plan or an area included in an urban renewal plan under ORS 457.160.

“Urban renewal plan” or “Plan” means a plan, as it exists or is changed or modified from time to time, for one or more urban renewal areas, as provided in ORS 457.085, 457.095, 457.105, 457.115, 457.120, 457.125, 457.135 and 457.220.

“Urban renewal project” or “Project” means any work or undertaking carried out under ORS 457 in an urban renewal area.

“Urban renewal report” or “Report” means the official report that accompanies the urban renewal plan pursuant to ORS 457.087.

## II. INTRODUCTION

### A. Plan Overview

The City of Newberg has spent the last several years completing planning to set the stage for an urban renewal plan which is a key implementation tool. The City updated all infrastructure master plans. The updates to the *Transportation System Plan*, *Waster Master Plan*, *Wastewater Master Plan*, and *Stormwater Master Plan* were technical updates that consisted of addendums to the current master plans and the *Newberg Comprehensive Plan*. In addition, the City prepared the *Riverfront Master Plan* and the *Downtown Improvement Plan*. Newberg has also completed the *A NewBERG Vision*, *Newberg Economic Development Strategy*, *Newberg Strategic Tourism Plan*, *Newberg Housing Needs Analysis*, *Newberg Economic Opportunity Analysis*, and the *Urban Renewal Feasibility Study*. All of this planning has led to the formation of the Newberg Urban Renewal Agency (Agency) and the preparation of the Newberg Urban Renewal Plan (Plan).

Opportunity for public input was provided for each planning document used as a basis for this urban renewal plan. The City also convened an Ad Hoc Urban Renewal Citizens Advisory Committee (CAC) comprised of representatives of the Newberg City Council, Chehalem Park and Recreation District, Tualatin Valley Fire and Rescue (TVF&R), Newberg School District, Chehalem Valley Chamber of Commerce, business owners and community members. The CAC provided input on the boundary, proposed projects and finances for the urban renewal area. The Citizens Advisory Committee met seventeen times and at their last meeting on January 25, 2022 unanimously approved the projects in the Plan and unanimously recommended the Newberg Urban Renewal Plan and Report be forwarded to the Newberg Urban Renewal Agency for referral to taxing districts and to the Newberg City Council for adoption.

Materials were posted online during the feasibility study phase of the project including a series of videos to explain urban renewal. The briefings at the City Council and Planning Commission have been open public meetings. Additional opportunities for public input were at an online Open House on April 7, 2021, the Newberg Urban Renewal Agency (Agency) meeting on June 7, 2021, Newberg Planning Commission meeting on July 8, 2021 and the Newberg City Council public hearing on August 2, 2021. The City Council public hearing was noticed to all property owners in the City of Newberg and mailed to all property owners outside the city limits but within the urban renewal area.

The Yamhill County Board of Commissioners approved the Plan with a condition that it be presented to the electorate for a vote. Approval of the Plan was required by Yamhill County as there were unincorporated properties within the boundary area. At the August 2, 2021 City Council meeting, the City Council voted to approve the Plan and adopted Resolution No. 2021-3762 to place the item on the November 2021 ballot. At the August 16, 2021 meeting, the City Council rescinded that action and directed staff to consider alternatives.

Staff subsequently prepared information on other options for the Newberg Urban Renewal Plan. Staff was given guidance to revise the Newberg Urban Renewal Plan to exclude from the proposed urban renewal district lands not annexed into the Newberg city limits. This approach does not require Yamhill County to approve the Newberg Urban Renewal Plan. This approach included proceeding with the annexation of five properties south of NE Fourteenth Street and east/west of NE Waterfront Street to bring them into the city limits, which became effective on November 17, 2021. Additionally,

staff proceeded with the applications submitted by the Oregon Department of Transportation and Newberg OR, LLC (mill site) for annexation. The Oregon Department of Transportation and Newberg OR, LLC annexations were approved on December 20, 2021. These annexations became effective on January 19, 2022.

The City also has completed its acquisition of property from WestRock for future expansion of the Water Treatment Plant. Staff will prepare an annexation packet for the area within the Urban Growth Boundary and the proposed urban renewal district. This annexation will not be competed for inclusion in the proposed urban renewal district and will require a future amendment to the proposed Newberg Urban Renewal Plan.

Alternatives were presented to City Council who directed staff to finish annexations that were underway or contemplated and prepare an urban renewal plan that did not include any unincorporated properties.

The Plan boundary was revised to remove any remaining unincorporated properties. All data pertaining to the boundary including the financial analysis was revised and presented to the CAC in three additional meetings in November of 2021 and January of 2022. This Plan incorporates those revisions.

The Plan was presented to the Agency on February 7, 2022 and the consult and confer process began on February 10, 2022. Additional opportunities for public input were at the Planning Commission meeting on March 10, 2022 and the City Council hearing on April 4, 2022. The City Council public hearing was noticed to all property owners in the City of Newberg.

The Newberg Urban Renewal Plan Area (Area), shown in Figure 1, consists of approximately 540 total acres: 392.19 acres of land in tax lots and 147.81 acres of public rights-of-way. It is anticipated that the Plan will take thirty years of tax increment collections to implement. The maximum amount of indebtedness that may be issued for the Plan is \$125,800,000 (One Hundred Twenty Five Million Eight Hundred Thousand dollars). Detailed financial analysis is in the Report accompanying the Newberg Urban Renewal Plan.

Detailed goals and objectives developed for the Plan are intended to guide tax increment finance (TIF) revenue investment in the Area over the life of the Plan. The project category descriptions and list of projects are similarly intended to aid future decision makers when considering how best to expend TIF revenue. The Plan is to be administered by the Agency. Substantial amendments to the Plan must be approved by City Council as outlined in Section VII. All amendments to the Plan are to be listed numerically on the inside of the front page of the Plan and then incorporated into the Plan document and noted by footnote with an amendment number and adoption date.

The relationship between the sections of the Plan and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Plan that primarily addresses the statutory reference. There may be other sections of the Plan that also address the statute.

Table 1 - Statutory References

Statutory Requirement	Plan Section
ORS 457.085(2)(a)	V, VI
ORS 457.085(2)(b)	V, VI
ORS 457.085(2)(c)	XIV
ORS 457.085(2)(d)	XIII
ORS 457.085(2)(e)	XIII
ORS 457.085(2)(f)	IX
ORS 457.085(2)(g)	VIII
ORS 457.085(2)(h)	III
ORS 457.085(2)(i)	VII
ORS 457.085(2)(j)	Not applicable

## ***B. Urban Renewal Overview***

Urban renewal allows for the use of tax increment financing, a funding source that is unique to urban renewal, to fund its projects. Tax increment revenues - the amount of property taxes generated by the increase in total assessed values in the urban renewal area from the time the urban renewal area is first established - are used to repay borrowed funds. The borrowed funds are used to pay for urban renewal projects and cannot exceed the maximum indebtedness amount set by the urban renewal plan.

The purpose of urban renewal is to improve specific areas of a city that are poorly developed or underdeveloped, called blighted areas in Oregon Revised Statutes (ORS) 457.010. These areas can have old or deteriorated buildings, public spaces that need improvements, streets and utilities in poor condition, a complete lack of streets and utilities altogether, or other obstacles to development. In general, urban renewal projects can include construction or improvement of streets, utilities, and other public facilities; assistance for rehabilitation or redevelopment of property; acquisition and re-sale of property (site assembly) from willing sellers; and improvements to public spaces. This Area meets the definition of blight due to its transportation system infrastructure deficiencies, utility infrastructure deficiencies, and underdeveloped and undeveloped properties. These blighted conditions are specifically cited in the ordinance adopting the Plan and described in detail in the Report.

The Report contains the information required by ORS 457.087, including:

- A description of the physical, social, and economic conditions in the area;
- Expected impact of the Plan, including fiscal impact in light of increased services;
- Reasons for selection of the Plan area;
- The relationship between each project to be undertaken and the existing conditions;
- The estimated total cost of each project and the source of funds to pay such costs;
- The estimated completion date of each project;
- The estimated amount of funds required in the Area and the anticipated year in which the debt will be retired;
- A financial analysis of the Plan;
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the area; and
- A relocation report.

### **III. MAXIMUM INDEBTEDNESS**

Maximum indebtedness is the amount of indebtedness secured by a pledge of tax increment revenue that can be spent on projects, programs, and administration throughout the life of the Plan. The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon good faith estimates of the scope and costs of projects in the Plan and the schedule for their completion is \$125,800,000 (One Hundred Twenty-Five Million, Eight Hundred Thousand Dollars). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness or interest earned on bond proceeds.

## IV. PLAN GOALS

The goals of the Newberg Urban Renewal Plan come directly from existing publicly vetted and City Council adopted documents. A *NewBERG Community Vision* provides an overall vision for the city of Newberg identified as Goals A and B below. The *City of Newberg Riverfront Master Plan* provides the goals for the Riverfront, Goal C. The *City of Newberg Downtown Improvement Plan* provides goals for the Downtown, Goal D. The urban renewal plan is an implementation tool to enable the city to undertake projects already identified in these documents and in the City of Newberg Master Plans within the urban renewal area. There are many other Newberg planning documents that provide support to the projects identified in this Plan. Those are reviewed in Chapter XII of this Plan.

The goals of the Plan represent its basic intents and purposes. Accompanying each goal are objectives, which generally describe how the Agency intends to achieve each goal. The urban renewal projects identified in Sections V and VI of the Plan are the specific means of meeting the objectives. The goals and objectives will be pursued as economically as is feasible and at the discretion of the Agency. The goals and objectives are not listed in any order of importance or priority. A matrix of how the projects align with the goals and objectives is shown in Table 2.

### Goal A: ECONOMIC DEVELOPMENT

#### Goal 1. Enhance industrial development capabilities and opportunities

- Retention and expansion of existing industrial businesses
- Recruitment of traded sector companies
- Ensure adequate utilities (water, sewer, storm drainage, electricity, natural gas and telecommunications) to support industrial growth
- Improve transportation access for industrial land

#### Goal 2. Enhance commercial development capabilities and opportunities

- Redevelop vacant and underutilized commercial/retail sites
- Support creation of new retail/commercial businesses

#### Goal 4: Complete funding, administrative, and organizational actions for Newberg Downtown Improvement Plan

- Create an Urban Renewal District

### Goal B: LIVABILITY & DEVELOPMENT

#### Goal 1. Blend the built environment with surrounding natural landscape.

#### Goal 2. Improve multi-modal transportation.

- Complete ADA Spot Improvement Program projects for Primary Critical Routes to improve walkability in accordance with the Newberg Transportation System Plan

- Complete bicycle lanes and lane treatments along planned routes established by the Newberg Transportation System Plan

Goal 4. Complete Downtown Improvement Plan.

- Implement First Street improvement projects
- Implement West End/Mill District Project
- Implement Second Street Mixed-use District Projects
- Implement Catalyst Development Projects

Goal 5. Improve Infrastructure.

- Increase the supply of industrial and commercial/retail land
- Ensure adequate utilities (water, sewer, storm drainage, electricity, natural gas and telecommunications) to support industrial growth
- Improve transportation access for industrial land

Goal C: RIVERFRONT AREA

Goal 1. Provide a mix of land uses: public, residential, commercial/mixed use, and industrial.

Goal 2. Plan for a multi-modal transportation network to provide access and connections to the rest of the city, especially Downtown Newberg.

Goal 3. Preserve open space and incorporate natural features as part of the riverfront’s strong sense of place.

Goal D: DOWNTOWN AREA

Goal 1. Downtown will be a vibrant, inviting, and fun destination for those coming from near and far.

Goal 2. Downtown streets will be pedestrian-friendly and safe for all modes of transportation.

Goal 3. Downtown will be the center for public life – a place to shop, work, visit, gather and play.

Goal 4. Downtown will have increased density, a diverse mix of businesses and a broad range of places in which to live.

Goal 5. Downtown will be easy to navigate through attractive, effective signage and physical connections between activity centers and districts.

Goal 6. Downtown will have a variety of easy-to find parking options.

Goal 7. Downtown will have the appropriate type and level of infrastructure to support the envisioned future type, mix and intensity of uses.

Goal E: ADMINISTRATION

Goal 1. Provide for the administration of the urban renewal plan.

Table 2 – Relationship of Projects to Newberg Urban Renewal Plan Goals

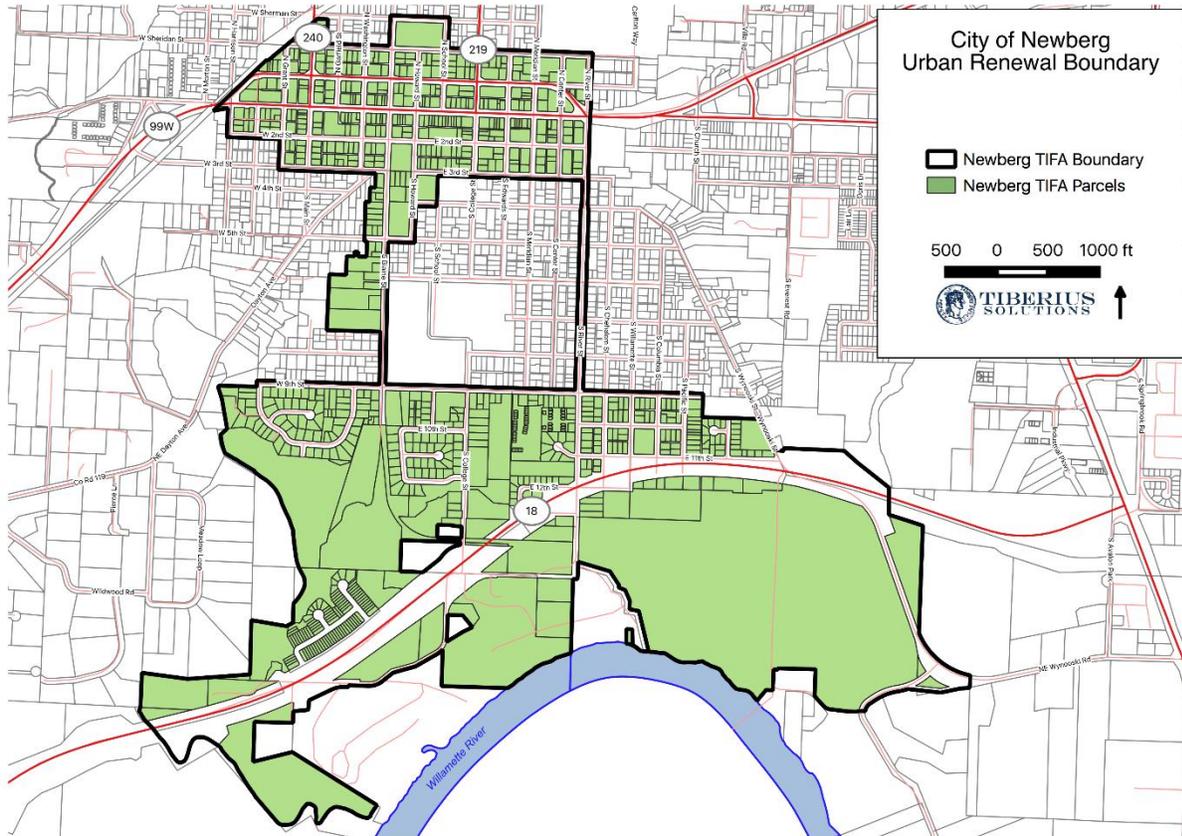
Project Category	Goals
Transportation	A,B,C,D
Infrastructure	A,B,C,D
Riverfront Trails	A,B,C
Utility Undergrounding	A,B,C,D
Acquisition	A
Administration	A,B,C, D, E

## V. URBAN RENEWAL PROJECT CATEGORIES

The projects within the Area fall into the following categories. The project lists are separated into specific geographical sub areas in the urban renewal area as shown in Figure 4 through Figure 11.

- A. Public Transportation***
- B. Infrastructure***
- C. Riverfront Trails***
- D. Undergrounding Utilities***
- E. Acquisition/Disposition***
- F. Administration***

Figure 1 – Newberg Urban Renewal Plan Area Boundary

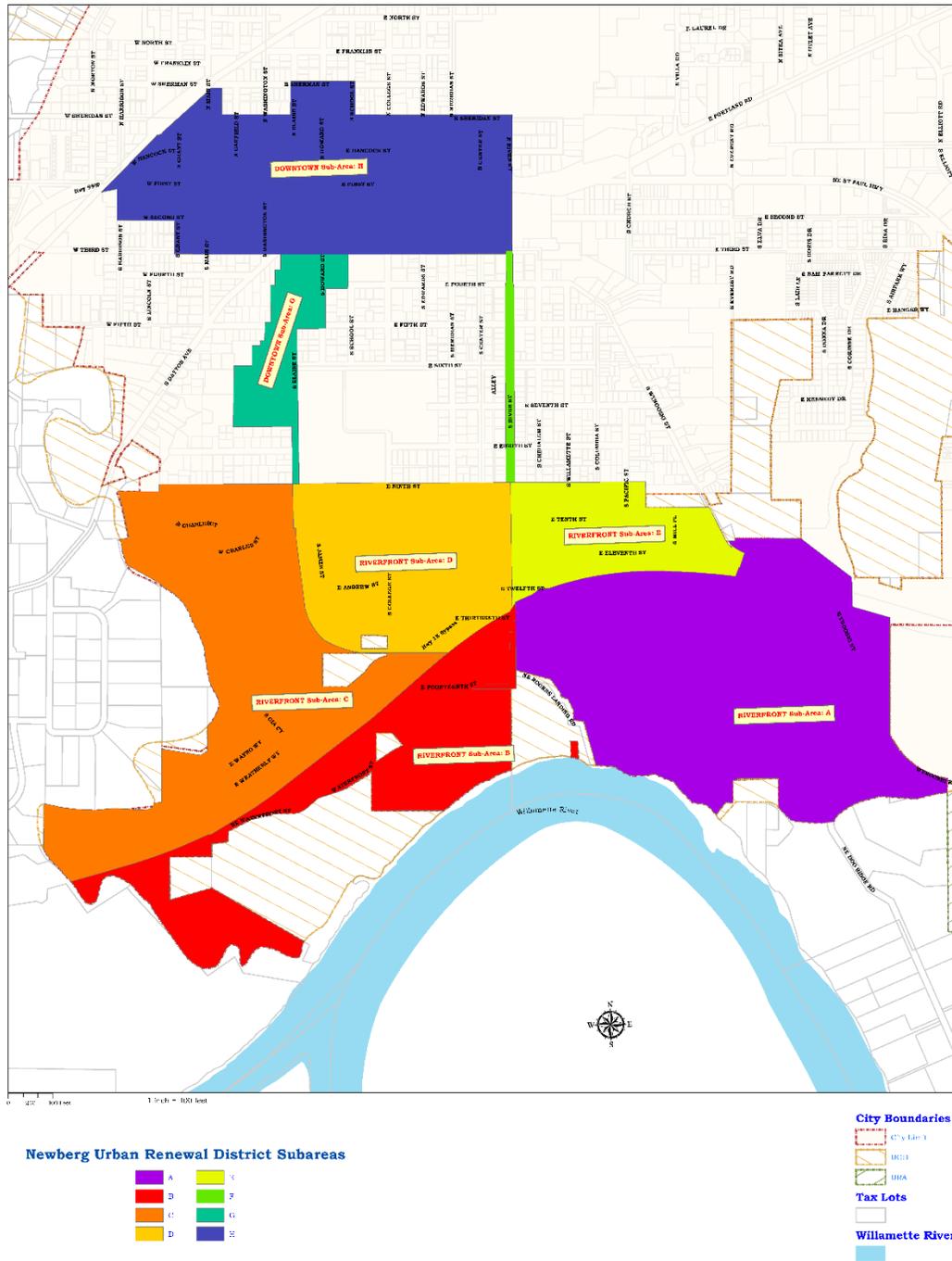


Source: Tiberius Solutions and City of Newberg

Note: The legal description and legal map included in Section XIV of the Newberg Urban Renewal Plan are the legal boundary. If there is any difference between the legal map and this map, the legal map takes precedence. The area acreage is approximately 540 acres.

Figure 2 - Urban Renewal Boundary with Sub-Areas

## Newberg Urban Renewal District Subareas



Source: City of Newberg

## **VI. URBAN RENEWAL PROJECTS**

Urban renewal projects authorized by the Plan are described below. They are not listed in any priority order. The Agency will determine the order of the projects and may add and remove projects in the future through the amendment process defined in Section VII of this Plan. The projects identified for the Area are described below, including how they relate to the existing conditions in the Area.

### **A. Sub-Area A Riverfront:**

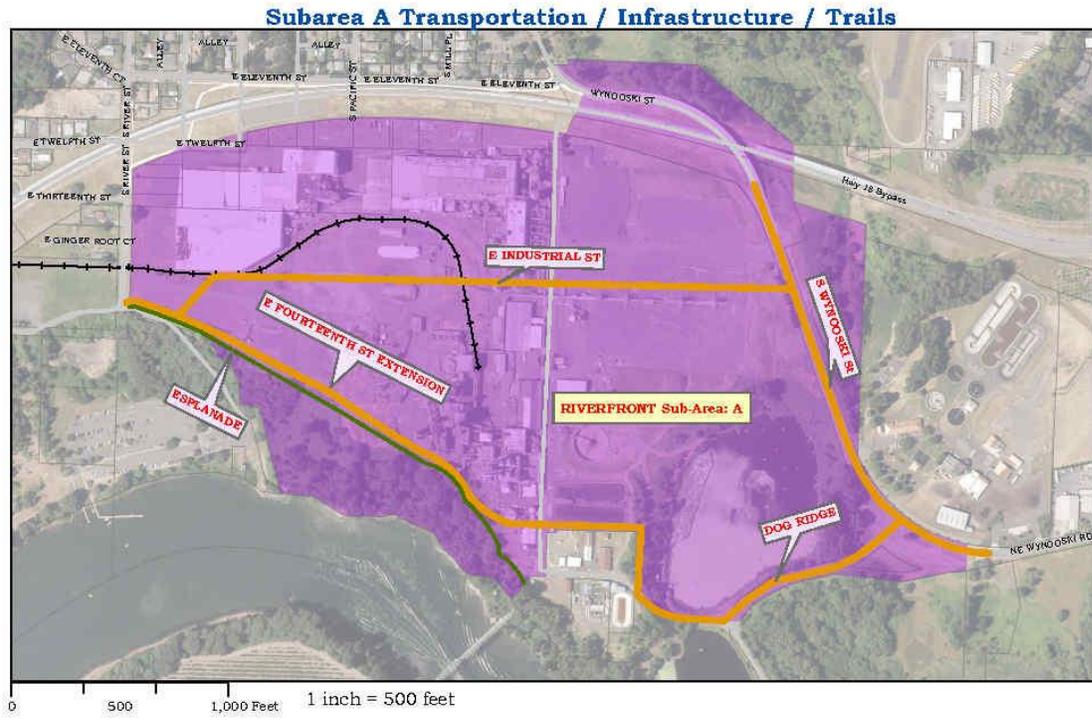
#### **1. Public Transportation and Infrastructure**

- a) E Fourteenth Street Extension – S River Street to NE Dog Ridge Road. Includes street, curb, sidewalk, stormwater, water. New street to meet City of Newberg standards.
- b) E Industrial Street from E Fourteenth Street extension to NE Wyooski Road. Includes street, curb, sidewalk, stormwater, water, wastewater. New street to meet City of Newberg standards.
- c) NE Wyooski Road from Bypass to NE Dog Ridge Road. Includes street, curb, sidewalk, and a stormwater project. This is currently a County Road. Improvements to the existing road to meet City of Newberg standards.
- d) NE Dog Ridge Road - E Fourteenth Street Extension to Wyooski Road . Includes street, curb, sidewalk, and a stormwater project. This is currently a County Road. Improvements to the existing road to meet City of Newberg standards.

#### **2. Riverfront Trails**

- a) Esplanade south of Mill Urban Multi-Use Trail.

Figure 3 – Sub-Area A Transportation, and Infrastructure and Trails



Source: City of Newberg

## B. Sub-Area B Riverfront:

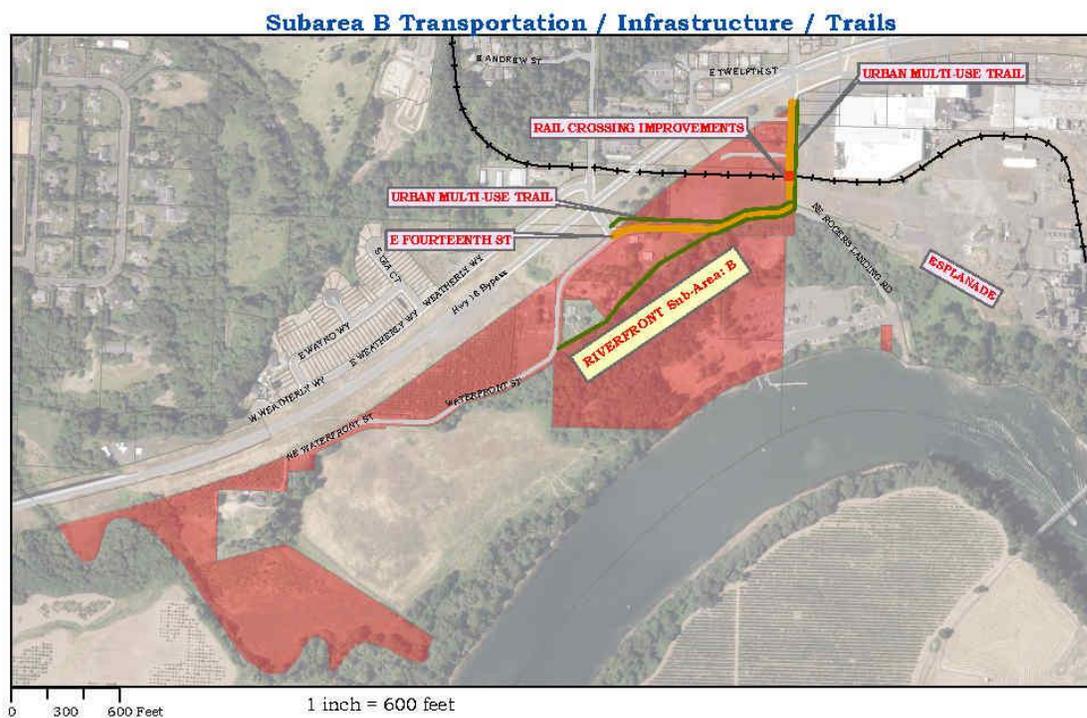
### 1. Public Transportation and Infrastructure

- a) S River Street Improvements – Bypass to Rogers Landing Road. Includes street, curb, sidewalk, stormwater, water, wastewater to meet City of Newberg standards. South of E Thirteenth is currently a County Road.
- b) Rail crossing improvements No. 40A-000.40 at S River Street to meet ODOT Rail requirements for future development.
- c) E Fourteenth Street - S College Street to S River Street. Includes street, curb, sidewalk, stormwater, water. This is currently a County -Road. Improvements to the existing road to meet City of Newberg standards.

### 2. Riverfront Trails

- a) S River Street to S College Street – Urban Multi-Use Trail.
- b) Esplanade west of S River Street - Urban Multi-Use Trail within URA only.

Figure 4 – Sub-Area B Transportation and Infrastructure



Source: City of Newberg

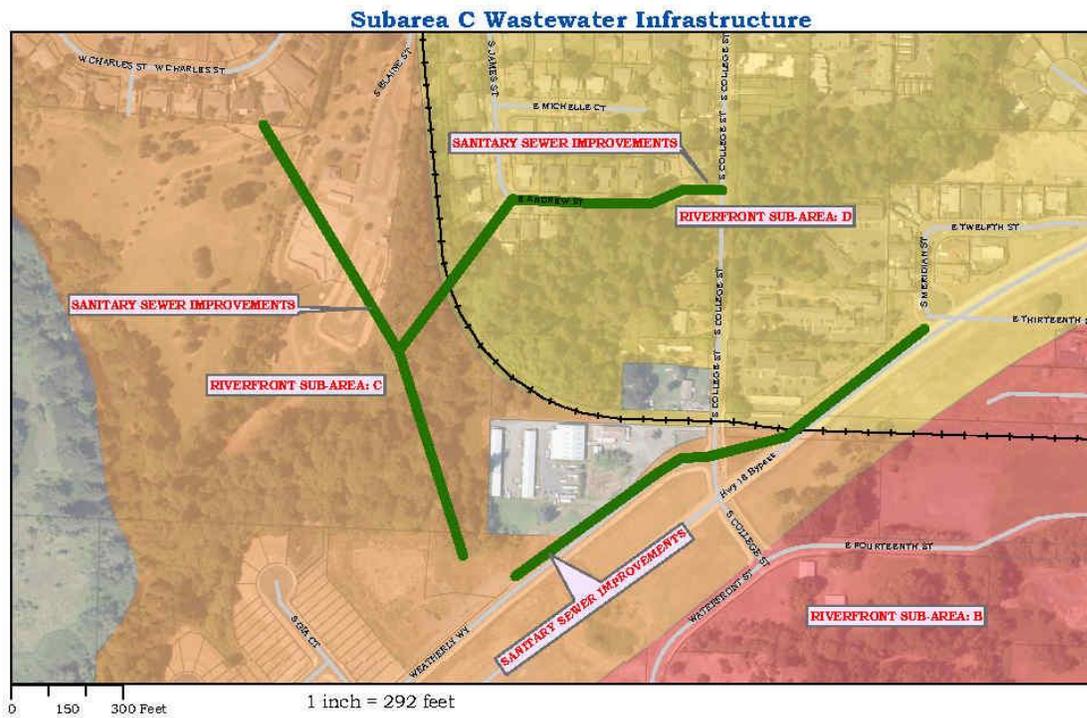
## C. Sub-Area C Riverfront

### 1. Wastewater

a) Riverfront Lift Station. This project includes the following mainline projects from the Wastewater Master Plan to address the lack of wastewater infrastructure in this area.

- i) Force Main B1
- ii) Gravity Main B4

Figure 5 - Sub-Area C - Utilities Projects



Source: City of Newberg



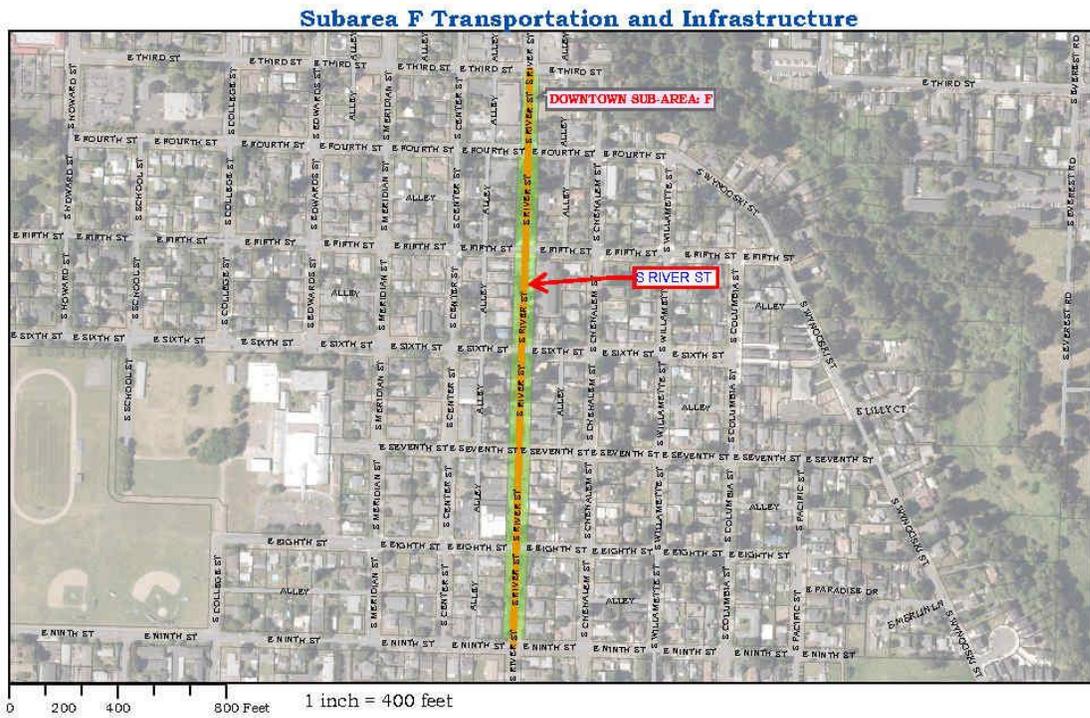


## F. Sub-Area F Downtown

### 1. Public Transportation and Infrastructure

- a) S River Street improvements - E Third Street to E Ninth Street. Includes street, curb, sidewalk, wastewater and stormwater.

Figure 8 – Sub-Area F Transportation and Infrastructure



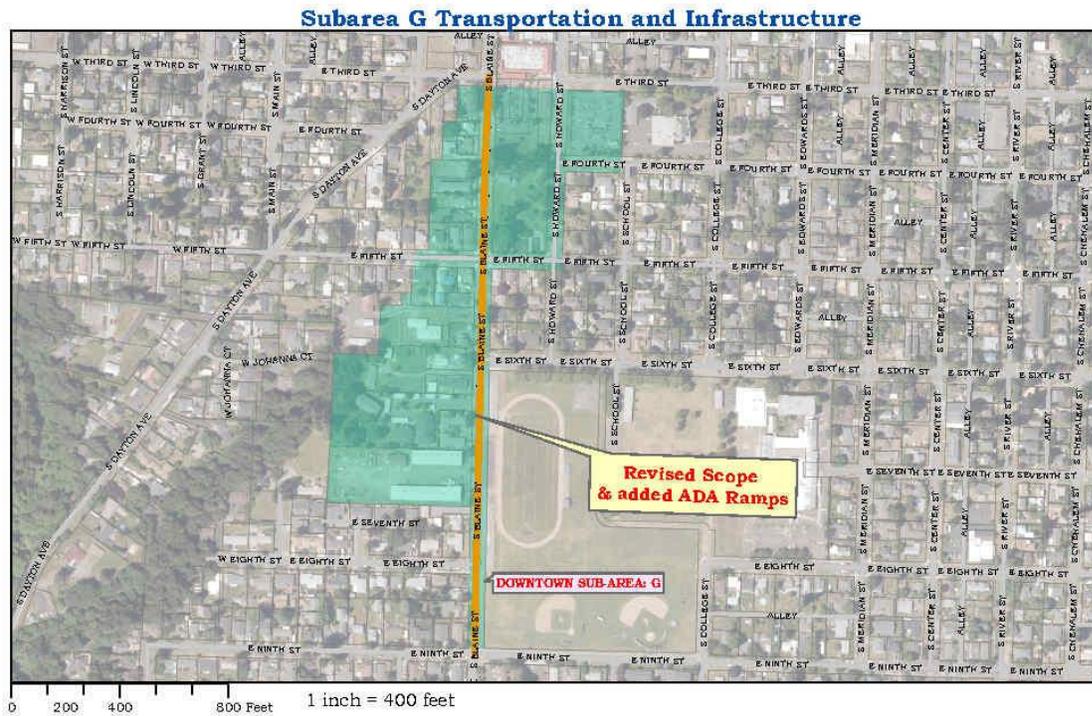
Source: City of Newberg

## G. Sub-Area G: Downtown

### 1. Public Transportation and Infrastructure

- a) S Blaine Street – E Third Street to E Ninth Street. Includes street, curb, ADA curb ramps, sidewalk, water and stormwater.

Figure 9 – Sub-Area G Transportation and Infrastructure



Source: City of Newberg

## **H. Sub-Area H: Downtown**

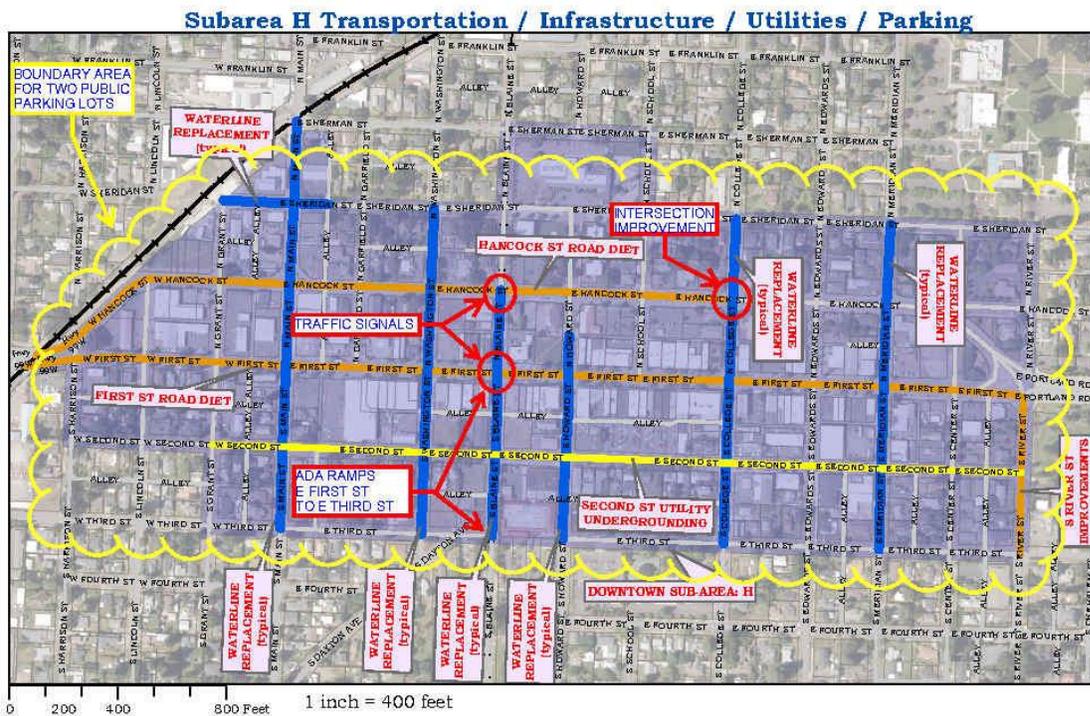
### **1. Public Transportation and Infrastructure**

- a) Meridian Street - E Third to E Sheridan - water line replacement.
- b) College Street - E Third to E Sheridan – water line replacement.
- c) Washington Street – water line replacement.
- d) Main Street - E Third to RR Tracks – water line replacement.
- e) Blaine Street E First to E Third – water line replacement.
- f) N College Street (Highway 219) at Hancock Street (Highway 99) Intersection Improvement - Add south bound right turn lane on N College Street.
- g) ADA Curb Ramps S Blaine Street, E First Street to E Third Street.
- h) First Street Road Diet. Includes street, curb, sidewalk, water line replacement, wastewater and stormwater.
- i) Hancock Street Road Diet (College to Garfield). Includes water line.
- j) Howard Street - E Third to E First - water line replacement.
- k) Sheridan Street - RR Tracks to ½ block east of N Main - water line replacement.
- l) S River Street improvements – E First Street to E Third Street. Includes street, curb, sidewalk, and wastewater and stormwater.
- m) N Blaine Street/E Hancock Signal
- n) N Blaine Street/E First Street Signal.
- o) Parking - Surface parking lots 1 and 2.

### **2. Undergrounding Utilities**

- a) Second Street utility undergrounding S Grant Street to S River Street.

Figure 10 – Sub-Area H Transportation, Infrastructure, Utilities and Parking



Source: City of Newberg

### I. Acquisition/Disposition

Acquisition/Disposition are allowed in the Plan. Prior to any property being acquired, it must be identified in the Plan in Section VIII.

### J. Administration

Authorizes expenditures for the administrative costs associated with managing the URA including budgeting and annual reporting, planning and the implementation of projects in the Area.

## VII. AMENDMENTS TO PLAN

The Plan may be amended as described in this section. Adding other properties to the Developer Incentives Program does not require an amendment to the Plan.

### A. *Substantial Amendments*

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan, under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Agency, the Planning Commission, the County, and adoption by the City Council by non-emergency ordinance after a hearing.

Notice of such hearing shall be provided to individuals or households within the City of Newberg, as required by ORS 457.120.

Notice of adoption of a Substantial Amendment shall be provided in accordance with ORS 457.095 and 457.115.

Substantial Amendments are amendments that:<sup>1</sup>

1. Add land to the urban renewal area, except for an addition of land that totals not more than a cumulative 1% of the existing area of the urban renewal area; or
2. Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.
3. Increase in duration or the time to retire Plan debt unless the increase is necessary to avoid a default on previously-issued indebtedness.

### B. *Council Approved Amendments*

Council Approved Amendments are amendments that require approval by the Newberg City Council by adoption of a resolution. Council Approved Amendments are the addition of a project where the tax increment revenue share of the project cost exceeds \$500,000. This threshold may be inflated annually on the date of adoption of the Plan by the cost of inflation for projects as published by the Seattle Engineering News Record or other generally accepted record if the Seattle Engineering News Record is no longer published.

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<sup>1</sup> Unless otherwise permitted by state law, no land equal to more than 20 percent of the total land area of the original Plan shall be added to the urban renewal area by amendments, and the aggregate amount of all amendments increasing the maximum indebtedness may not exceed 20 percent of the Plan's initial maximum indebtedness, as adjusted, as provided by law and by concurrence provisions in ORS 457.470.

### ***C. Minor Amendments***

Minor Amendments are amendments that are not Substantial Amendments or Council Approved Amendments as defined in this Plan and in ORS 457. Minor Amendments require approval by the Agency by resolution.

### ***D. Amendments to the Newberg Comprehensive Plan and/or Newberg Municipal Code.***

Amendments to the Newberg Comprehensive Plan and/or Newberg Municipal Code that affect the Plan and/or the Area shall be incorporated automatically within the Plan without any separate action required by the Agency or City Council. If a Substantial Amendment is prepared, the Section of this Plan on Relationship to Local Objectives should be updated.

## **VIII. PROPERTY ACQUISITION AND DISPOSITION**

The Plan authorizes the acquisition and disposition of property as described in this section. Property includes any and all interests in property, including fee simple ownership, lease, easements, licenses, or other rights to use. If property is acquired it will be identified in the Plan through a Minor Amendment, as described in Section VII. Identification of property to be acquired and its anticipated disposition is required by ORS 457.085(g). If property acquisition includes a public building, how that public building serves and benefits the Area must be identified per ORS 457.085(2)(j).

### ***A. Property acquisition for public improvements***

The Agency may acquire any property within the Area for the public improvement projects undertaken pursuant to the Plan by all legal means, including use of eminent domain. Good faith negotiations for such acquisitions must occur prior to institution of eminent domain procedures.

### ***B. Property acquisition from willing sellers***

The Plan authorizes Agency acquisition of any interest in property within the Area that the Agency finds is necessary for private redevelopment, but only in those cases where the property owner wishes to convey such interest to the Agency. The Plan does not authorize the Agency to use the power of eminent domain to acquire property from a private party to transfer property to another private party for private redevelopment. Property acquisition from willing sellers may be required to support development of projects within the Area.

### ***C. Land disposition***

The Agency will dispose of property acquired for a public improvement project by conveyance to the appropriate public agency responsible for the construction and/or maintenance of the public improvement. The Agency may retain such property during the construction of the public improvement.

The Agency may dispose of property acquired under Subsection B of this Section VIII by conveying any interest in property acquired. Property shall be conveyed at its fair reuse value. Fair reuse value is the value, whether expressed in terms of rental or capital price, at which the urban renewal agency, in its discretion, determines such land should be made available in order that it may be developed, redeveloped, cleared, conserved, or rehabilitated for the purposes specified in the Plan. Because fair reuse value reflects limitations on the use of the property to those purposes specified in the Plan, the value may be lower than the property's fair market value.

Where land is sold or leased, the purchaser or lessee must agree to use the land for the purposes designated in the Plan and to begin and complete the building of its improvements within a period of time that the Agency determines is reasonable.

### ***D. Properties to be acquired***

This Plan must provide an indication of which real property may be acquired and the anticipated disposition of said real property whether by retention, resale, lease or other legal use, together with an estimated time schedule for such acquisition and disposition. This may be added at a date when the property is identified and may be added through a Minor Amendment.

## **IX. RELOCATION METHODS**

When the Agency acquires occupied property under the Plan, residential or commercial occupants of such property shall be offered relocation assistance, as required under applicable state law. Prior to such acquisition, the Agency shall adopt rules and regulations, as necessary, for the administration of relocation assistance. The Agency will comply with all applicable state law in providing these potential benefits.

There are plans to acquire land for infrastructure which may trigger relocation benefits in the future in the Area. All acquisitions will be reviewed for potential of relocation benefits.

## **X. TAX INCREMENT FINANCING OF PLAN**

Tax increment financing consists of using annual tax increment revenues to make payments on debt, usually in the form of bank loans or revenue bonds. The proceeds of the debt are used to finance the urban renewal projects authorized in the Plan. Debt may be either long-term or short-term.

Tax increment revenues equal most of the annual property taxes imposed on the cumulative increase in assessed value within an urban renewal area over the frozen base value (i.e., total assessed value at the time an urban renewal plan is adopted). The property taxes for general obligation (GO) bonds and local option levies approved after October 6, 2001, are not part of the tax increment revenues.

### ***A. General description of the proposed financing methods***

The Plan will be financed using a combination of revenue sources. These include:

- Tax increment revenues;
- Advances, loans, grants, and any other form of financial assistance from federal, state, or local governments, or other public bodies;
- Loans, grants, dedications, or other contributions from private developers and property owners, including, but not limited to, assessment districts; and
- Any other public or private source.

Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements, and indebtedness incurred in (1) planning or undertaking project activities, or (2) otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the implementation of this Plan, including costs associated with the preparation of the Plan.

### ***B. Tax increment financing***

The Plan may be financed, in whole or in part, by tax increment revenues allocated to the Agency, as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to the Agency based upon the distribution schedule established under ORS 311.390.

### ***C. Duration***

The Agency intends not to collect tax increment revenues for the Area after thirty years of tax increment collections. The Agency shall not initiate any Projects in the Area unless the Agency reasonably projects it will be able to pay for those Projects from the proceeds of indebtedness issued on or before FYE 2053, and from other funds available to the Agency. Except as provided in the next sentence, all indebtedness that is secured by the tax increment revenues of the Area shall mature no later than FYE 2053, and the Agency shall structure all its indebtedness so that it can be paid in full from the tax increment revenues of the Area that the Agency reasonably projects it will receive on or before FYE 2053. The Agency may issue refunding indebtedness that matures after FYE 2053, only if issuing that refunding indebtedness is necessary to avoid a default on previously-issued indebtedness.

#### ***D. Review of Plan***

Every 5 years of the Plan from the date of first tax increment revenues, the Agency shall undertake a financial analysis of the Plan, including updated projections for tax increment finance revenues and evaluating the ability of the revenues to achieve or exceed the Plan's maximum indebtedness by the anticipated expiration date in FYE 2053. The Agency shall also review the project list for potential changes. The Agency shall consult and confer with affected taxing districts regarding the results of this financial and project update and will consider revenue sharing or shortening the time frame of the Plan if revenues are exceeding projections.

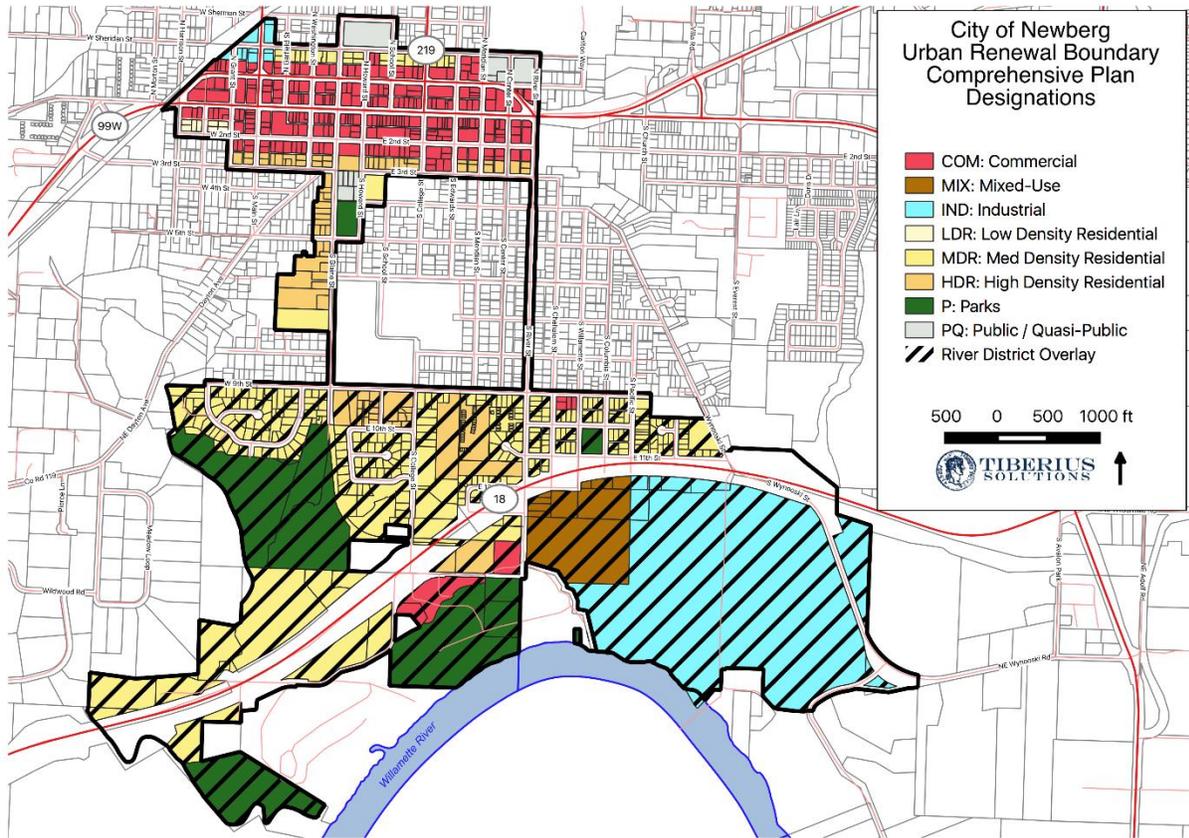
#### **XI. VALIDITY**

Should a court of competent jurisdiction find any work, clause, sentence, section, or part of this Plan to be invalid, the remaining words, clauses, sentences, sections or parts shall be unaffected by such findings and shall remain in full force and effect for the duration of this Plan.

#### **XII. ANNUAL REPORT**

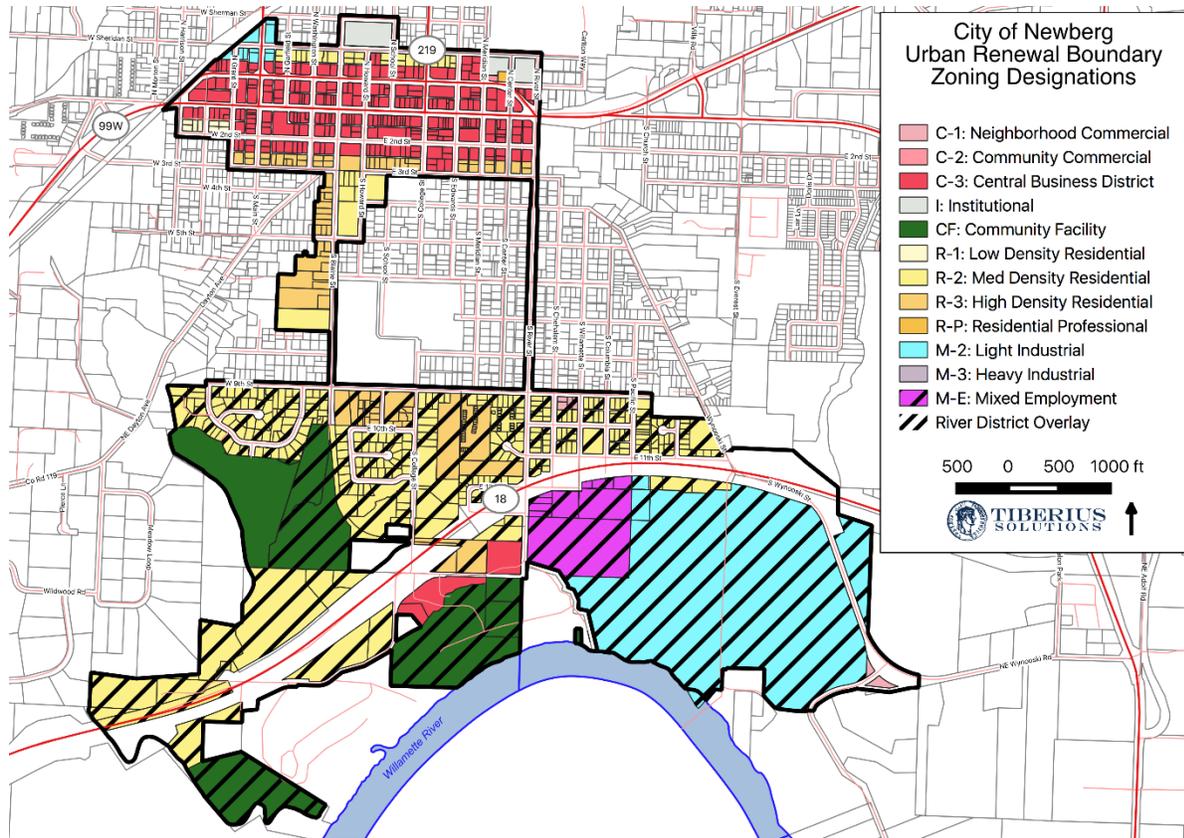
The Agency shall file an Annual Report in compliance with ORS 457.460.

Figure 11 - Comprehensive Plan Designations



Source: Tiberius Solutions and City of Newberg

Figure 12 Zoning Designations



Source: Tiberius Solutions and City of Newberg

### **XIII. RELATIONSHIP TO LOCAL OBJECTIVES**

ORS 457.085 requires that the Plan conform to local objectives including the comprehensive plan and economic development plan of a locality. This section provides that analysis. Relevant local planning and development objectives are contained within the *Newberg Comprehensive Plan* (Comprehensive Plan), *Newberg Transportation System Plan*, *Newberg Water Master Plan*, *Newberg Wastewater Master Plan*, *Newberg Stormwater Master Plan*, and *Newberg Municipal Code Title 15* (Municipal Code). The following section describes the purpose and intent of these plans, the main applicable goals and policies within each plan, and an explanation of how the Plan relates to the applicable goals and policies. The analysis covers the most relevant sections of the documents but may not cover every section of the documents that relate to the Plan.

The numbering of the goals and policies within this section reflects the numbering that occurs in the original document.

Comprehensive Plan designations for all land in the Area are shown in Figure 11. All proposed land uses conform to Figure 11. Maximum densities and building requirements for all land in the Area are contained in the Newberg Municipal Code.

#### **A. Newberg Comprehensive Plan**

The Comprehensive Plan is a set of policies and a map of land use designations that guide growth and development in the city. The Plan reflects community needs and goals and is consistent with established statewide planning goals and guidelines. The Comprehensive Plan contains the following sections: Introduction and Background; Goals and Policies; Plan Classifications; Population Growth; Land Need and Supply; and Summary. As the Comprehensive Plan is updated in the future, this document will automatically incorporate those updates without the Plan having to be formally amended. This section of the Plan should be updated if there is a substantial amendment completed in the future.

#### **A. CITIZEN INVOLVEMENT**

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

**Finding:** The preparation of the Plan was guided by a Citizens Advisory Committee (CAC). The Committee held fourteen meetings to guide preparation of the feasibility study, discuss the boundary, help prioritize the project list, review financial components of the Plan and review the draft Plan and Report. An additional three meetings were held to review the revision of the Plan to remove unincorporated properties. The CAC was comprised of taxing district representatives from Tualatin Valley Fire & Rescue, Newberg School District, Chehalem Park and Recreation District, and the Chehalem Valley Chamber of Commerce, Newberg Downtown Coalition, and five citizen representatives.

Once the feasibility study was completed, it was posted to the Newberg website as well as six videos explaining urban renewal technicalities. A Frequently Asked Questions fact sheet was also posted to the website as well as all documents from the Citizens Advisory Committee.

The City provided two updates to the City Council in televised meetings (Youtube) and three updates to the Planning Commission. Flyers in English and Spanish were distributed at the Wednesday Farmers'

Market and throughout Newberg. Other briefings were provided to the Rotary (2), Kiwanis, and City Club (2).

When the City Council made the determination to remove unincorporated properties, three additional CAC meetings were held in addition to open public meetings with the Agency, Planning Commission, Yamhill County Commission and City Council. Staff provided a City Club presentation in December 2021.

The Plan itself is based on the numerous planning documents prepared in the City of Newberg, all of which were thoroughly reviewed by the citizens of Newberg. These documents include *City of Newberg Riverfront Master Plan*, *City of Newberg Downtown Improvement Plan*, *A NewBERG Community Vision*, *the Newberg Comprehensive Plan*, *Stormwater Master Plan*, *Water Master Plan*, *Wastewater Master Plan*, *Transportation Systems Plan*, and *the Newberg Economic Development Strategy*.

#### **E. AIR, WATER, AND LAND RESOURCE QUALITY**

**GOAL:** To maintain and, where feasible, enhance the air, water and land resource qualities within the community.

**POLICIES:**

3. As public sanitary sewer systems become available, all development shall connect to the public system. To encourage economic development, the City may permit subsurface sewerage disposal where the system meets State and County requirements and where unique circumstances exist.

5. New industry should be located in areas which minimize impacts.

9. The City will seek abatement of the aesthetic degradation of the environment resulting from blighted neighborhoods, indiscriminate waste disposal, offensive outdoor storage.

12. The City will require development to establish and maintain adequate levels of natural area buffers between new development and the waterways in the Riverfront District.

13. The City will discourage the development of uses that will generate or import quantities of hazardous substances into the Riverfront District.

14. Development in the Riverfront District will be encouraged to retain existing native vegetation that contributes to habitat functions and values.

**Finding:** Development of the Riverfront District and Downtown is a key goal of the Plan. This development will provide new industry to Newberg. This new industry will comply with the provisions of the Comprehensive Plan as all new development will comply with the requirements of the City of Newberg. In the Downtown area new development and infill development will comply with the provisions of the Comprehensive Plan as all new development will comply with the requirements of the City of Newberg.

#### **F. AREAS SUBJECT TO NATURAL HAZARDS**

**GOAL:** To protect life and property from flooding and other natural hazards.

**POLICIES:**

6. The City will discourage development on hazardous slope areas and natural resource areas in the Riverfront District.

**Finding:** Development of the Riverfront District and Downtown is a key goal of the Plan. This new development will comply with the provisions of the Comprehensive Plan as all new development will comply with the requirements of the City of Newberg.

## **G. OPEN SPACE, SCENIC, NATURAL, HISTORIC AND RECREATIONAL RESOURCES**

### **GOALS:**

1. To ensure that adequate land shall be retained in permanent open space use and that natural, scenic and historic resources are protected.
2. To provide adequate recreational resources and opportunities for the citizens of the community and visitors.
3. To protect, conserve, enhance and maintain the Willamette River Greenway.

#### 1. Open Space & Natural Resources Policies

d. The dedication of easements for public drainageways and stream corridors should be encouraged when properties are either developed or redeveloped. Developed densities that would normally be allocated to portions of the property within delineated stream corridors may be transferred to adjoining areas up to a maximum increase of 20 percent.

#### 2. Scenic Resources Policies

- b. The City will encourage identification of scenic drives, sites and viewpoints.
- c. The City will encourage the protection and enhancement of views of the Willamette River throughout the Riverfront District.
- d. The City shall seek to protect identified key views of the Willamette River that are identified through area plans, specific plans, and other planning processes.

#### 4. Recreation Policies

- n. The City will encourage the development of greenways or trails connecting the Riverfront to other open spaces and/or parks in the Newberg areas.
- o. The City will encourage the development of a regional Riverfront pedestrian/bicycle path connection, including connections to Champoeg State Park, the French Prairie, and Dundee.

#### 5. Willamette River Greenway Policies

- f. Recreational access to the Willamette River for pedestrians, boaters (motorized and non-motorized), and other users who wish to appreciate the River from its banks should be provided.
- i. Existing waterfront parklands should be developed to maximize their water orientation and provide for a variety of active and passive recreational uses, including motorized and non-motorized boating, picnicking, walking, hiking, and other activities that make use of the waterfront and waterways.

j. The City will encourage the development of a pedestrian esplanade in the Riverfront District to provide views of the river and connections to the riverfront.

k. Waterfront recreational and park development along the Willamette River will be given emphasis to provide recreational resources for future generations.

**Finding:** There are specific projects within the Plan that will provide for the development of an esplanade and new trails in the Riverfront District. These projects will comply with the City's policies and development standards.

## H. THE ECONOMY

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

### POLICIES:

#### 1. General Policies

a. In order to increase the percentage of persons who live in Newberg and work in Newberg, the City shall encourage a diverse and stable economic base. Potential methods may include, but are not limited to, land use controls and capital improvement programs.

b. The City shall encourage economic expansion consistent with local needs.

c. The City will encourage the creation of a diversified employment base, the strengthening of trade centers and the attraction of both capital and labor intensive enterprises.

d. Newberg will encourage the development of industries which represent the most efficient use of existing resources including land, air, water, energy and labor.

g. The City shall encourage business and industry to locate within the Newberg City limits.

j. A mixed-use river-oriented commercial area should be encouraged to be developed near the Willamette River.

#### 2. Industrial Areas Policies

d. The City shall undertake specific activities to encourage the growth of existing businesses, to encourage a diversity of businesses, and to attract new businesses to the community in industries that will provide local employment opportunities consistent with community needs and goals.

g. The City shall identify land that will provide for expansion of existing businesses and/or attract new businesses and shall reserve that land for future industrial development that is consistent with community needs and goals.

i. Industrial land shall be reserved for industrial uses.

#### 3. Commercial Areas Policies

a. The City shall encourage the retention of the downtown core as a shopping, service and financial center for the Newberg area. New commercial developments shall be encouraged to locate there.

d. To maintain the integrity and function of the highway system, new commercial development shall be discouraged along the route of any limited access highway.

#### 4. Riverfront District Policies

a. The City will enhance commercial diversity and activity in the Riverfront District by encouraging a business mix that provides goods and services to satisfy neighborhood and visitor needs and that also draws people from the greater region.

b. The City will encourage development of the Riverfront District as a distinct river oriented center that can help support a variety of local businesses.

c. The City will encourage the development of commercial, retail, industrial, and employment uses that have a strong reason for locating near the Riverfront and support the vision of the Riverfront District as a walkable and bikeable mixed-use area.

**Finding:** One of the major goals of the Plan is to develop a diverse and stable economic base. The majority of funding in the Plan is allocated to transportation and infrastructure. The Riverfront District is presently a non-economic use and is blighted. Without the provision of infrastructure, this area will not develop to its full capacity. The Plan will provide transportation and infrastructure projects to encourage new development in the area. The projects designated for the Downtown area also provide key transportation and infrastructure projects to encourage economic development including rehabilitation of existing structures and new development. This development will comply with the City's policies and development standards.

### 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.

#### 2. Location Policies

c. The City will encourage medium - to high density- housing in and adjacent to the commercial core of the Riverfront District medium-density residential uses in the western and northern portions of the Riverfront District.

#### 3. Mix Policies

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

n. The City will encourage housing development in commercial areas within the Riverfront District as part of mixed use developments.

ad. The City shall permit duplex dwellings on any lot where single-family dwellings are permitted to provide additional housing options in compliance with OAR Division 660-046.

ae. The City shall permit middle housing including triplexes, quadplexes, townhouses and cottage clusters in residential areas in compliance with OAR Division 660-046.

**Finding:** The majority of funding in the Plan is allocated to transportation and infrastructure. These projects are intended to facilitate development including development in commercial and residential areas within the Riverfront District as part of Middle Housing and mixed use developments, and in the Downtown area for mixed use development.

## **J. URBAN DESIGN**

GOAL 1: To maintain and improve the natural beauty and visual character of the City.

### 1. General Policies

- h. Curbs, gutters, and sidewalks should be required in all new developments.
- i. Curb ramps should be required at intersections and pedestrian crosswalks wherever new curbs are installed. These ramps improve access for the elderly and handicapped, as well as for strollers, bicycles and other wheeled vehicles.

### 5. Downtown Policies

- a. The City should encourage improvement of the central business district as the economic, cultural, business and governmental center of the Newberg area.
- c. The City should encourage a variety of commercial and service activities to locate in the central business district, including mixed-use commercial/residential buildings and mixed-use commercial/craft industrial to create a vital downtown core with a strong retail sector.
- d. The City should discourage the use of the central business district for non- intensive land uses or uses which have a low floor area to site size ratio.
- e. The City should encourage a higher utilization of downtown space, encouraging intensive use of all building levels.
- f. A concerted effort should be made to revitalize the central business district through rehabilitation or redevelopment of existing areas.
- g. The City should consider:
  - Adequate off-street parking.
  - Adoption of a downtown improvement plan which should include design standards for all new private and public improvements.
  - Various options to make the downtown more pedestrian friendly, particularly as traffic volumes change with the opening of the Phase 1 Bypass.

**Finding:** The Plan provides for the extensive provision of new streets and street reconstruction. These streets will have curbs, gutters, sidewalks, and curb ramps to conform with the City standards for streets. Off street parking is one of the projects in the Plan. The projects are intended to help support the Downtown by providing transportation and infrastructure improvements to help facilitate redevelopment and development in the Downtown area.

## 6. Riverfront District Policies

- a. The City will encourage a mix of employment, housing, commercial, and industrial uses serving the neighborhood and the surrounding community to enhance the Riverfront District’s identity as a vital and attractive City asset and to ensure an active, pedestrian friendly, and thriving Riverfront District.
- b. Development and land uses will be encouraged that promote the Riverfront District as a convenient and attractive environment for residents of Newberg as well as for visitors from other cities and the region as a whole.
- c. The development of mixed commercial uses will be encouraged in the Riverfront District along E Fourteenth, NE Waterfront, S College, and S River Streets.
- d. The City will encourage the use of common design elements such as gateways, wayfinding signage, streetscape features, and building design elements for new and/or improved development in the Riverfront District in order to create a sense of identity that is unique to this area of Newberg.
- e. The City will permit land uses with design features along S River Street that are compatible with or provide a buffer between residential and retail uses on the west side of the street and industrial and mixed employment uses on the Riverfront Mill Site.
- f. The City will encourage commercial structures within the Riverfront District that are in scale with commercial sites and suitable for river-oriented businesses.

**Finding:** The Riverfront District is presently a non-economic use and is blighted. Without the provision of infrastructure, this area will not develop to its full capacity. The Plan will provide transportation and infrastructure projects to encourage new development in the area. These projects will comply with the City’s policies and development standards.

## K. TRANSPORTATION

**GOAL 1:** Establish cooperative agreements to address transportation based planning, development, operation and maintenance.

### POLICIES:

- b. The City should work to ensure that the transportation system is developed in a manner consistent with state and federal standards for the protection of air, land and water quality, including the State Implementation Plan for complying with the Clean Air Act and the Clean Water Act.

**GOAL 2:** Establish consistent policies which require concurrent consideration of transportation/land use system impacts.

### POLICIES:

- a. Transportation improvements should be used to guide urban development and should be designed to serve anticipated future needs.
- e. The City will encourage the development of retail development within the downtown area.

f. Within the Riverfront District Mixed Employment area, the City shall limit new retail development to up to 60,000 square feet and new office development to up to 60,000 square feet in order to mitigate traffic impacts identified in the 2019 Riverfront Master Plan

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

POLICIES:

a. Design the transportation system and related facilities to accommodate multiple modes of transportation where appropriate and encourage their integrated use;

1) The City should plan for a network of transportation facilities and services including but not limited to air, water, rail, auto, pedestrian, bicycle and public transit.

3) All local and commuter transit services must implement the accessible transportation requirements established by the Americans with Disabilities Act of 1990.

d. The City should develop a program in coordination with the rail line owner to operate a trolley on the rail line down Blaine Street to connect the downtown area to the Riverfront Mill Site.

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

POLICIES:

a. Enhance the efficiency of the existing collector/arterial street system to move local traffic off the regional system.

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

POLICIES:

a. The City should provide safe, convenient and well-maintained bicycle and pedestrian transportation systems that connect neighborhoods with identified community

a. Enhance the efficiency of the existing collector/arterial street system to move local traffic off the regional system.

i. A bicycle path should be provided along or near the bypass.

**GOAL 6:** Provide effective levels of non-auto oriented support facilities (e.g. bus shelters, bicycle racks, etc.).

a. The City should develop land use, density, and design standards to encourage development patterns that accommodate pedestrian, bicycle and transit uses.

b. New development should be designed to accommodate integrated multiple modes of transportation.

d. The City should provide a transportation system (traffic, bicycle, pedestrian and transit) with facilities that are accessible to all people, complying in the process with applicable provisions of the Americans with Disabilities Act (ADA).

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

**POLICIES:**

- a. The Transportation System Plan shall identify needed improvements to the collector/arterial street system, the public transit system, the pedestrian/bicycle system and the air, rail, water, and pipeline systems. Improvements should be identified as likely funded or aspirational projects for the 20-year planning horizon. (Ordinance 2016-2810, December 19, 2016)
- b. The list of improvement projects in the Transportation System Plan shall guide development of the city's capital improvement plan for transportation projects.
- i. New development and existing development undergoing expansion or modification should be designed to accommodate planned long-term transportation improvement projects in the vicinity of the development.

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

**POLICIES:**

- a. Enhance existing routes and add alternative routes for local travel.
- 3) The City should coordinate the development of an integrated bike and pedestrian system that provides for connections between and through adjacent development and that provides convenient links to community destinations.
- b. Develop a system of roads that provide for efficient movement of traffic. Specific design guidelines for the different classifications of roadways is found in the Transportation System Plan and the Newberg Public Works Design and Construction Standards. The functional classifications of roadways in the City of Newberg includes the following:

**Expressway.** Expressways should be designed to expedite the movement of regional traffic through the urban area; they function as freeways with limited access points and no private development access points.

Within the City of Newberg, the Highway 99W Bypass Corridor is intended to be an expressway, which is generally aligned east/west along the southern alignment route depicted in the Newberg/Dundee Bypass Location Environmental Impact Statement. The length of the Highway 99W Bypass within the City is approximately 3 miles. Expressways shall be designed to ODOT guidelines.

**Major Arterials.** Major Arterials expedite the movement of traffic to and from major trip generators and between communities, collect and distribute traffic from principal arterials to collector streets, or directly to traffic generators. The functional emphasis is on the movement of people, goods, and services through the city, therefore consolidating access points, minimizing parking, and managing traffic flow to promote through-travel is the desired condition. Exceptions may occur in the central business district and in designated neighborhood commercial areas. Within the City of Newberg, Highway 99W is a major arterial that is generally aligned east/west. The length of Highway 99W within the City is approximately 3.3 miles.

**Minor Arterial.** Minor Arterials collect and distribute traffic from major arterials to collector and local streets, and facilitate traffic movement between neighborhoods. Highway 219 (Hillsboro-Silverton

Highway) from first street to the southern urban growth boundary is a minor arterial that is generally aligned north/south. The length of Highway 219 within Newberg (south of Villa Road) is approximately 3.0 miles. Springbrook Road and Mountainview Drive are other examples of minor arterials.

**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. Villa Road, Haworth Avenue, and Wynooski Road are all examples of major collectors.

**Minor Collectors.** A minor collector provides access to abutting properties and serves the local access needs of neighborhoods by channeling traffic to the major collector and arterial street system. A minor collector is not intended to serve through traffic. Meridian Street, Columbia Drive, and Vittoria Way are all examples of minor collectors.

**Local Streets.** Local streets provide direct access to adjoining properties and connect to collector streets. Most residential neighborhood streets are local streets.

**Finding:** There are numerous transportation projects, including non-auto oriented projects in the Plan in both the Riverfront District and Downtown area. The projects will implement portions of the *City of Newberg Comprehensive Plan*, *City of Newberg Transportation System Plan*, and are therefore in conformance with the Comprehensive Plan. Some of the projects are designated in the *Riverfront Master Plan* and the *Downtown Improvement Plan*. These projects will comply with the City's policies and development standards.

## 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.

b. The extension of publicly-owned facilities and services into currently undeveloped areas shall occur only in accordance with the Water Master Plan, Wastewater Master Plan, Stormwater Master Plan and Newberg Design and Construction Standards.

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 land within the Urban Growth Boundary.

g. Public facilities and services necessary to meet the special needs of industrial and mixed employment activities should be planned for those areas designated industrial on the comprehensive plan map and should be provided at a level sufficient to support proposed activities, if public funds are available.

h. New residential areas shall have: paved streets, curbs, pedestrian ways, water, wastewater, stormwater, street lights and underground utilities.

## 2. Wastewater, Stormwater and Water Policies

a. All existing development within the City limits shall connect to public

wastewater, stormwater 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.

g. Stormwater systems should be designed to convey stormwater based on impervious area within the Urban Growth Boundary to protect, maintain, and enhance the public health, safety, and general welfare.

h. The design of the stormwater system should provide for the drainage of surface water from development, minimize erosion, and reduce degradation of water quality due to sediments and pollutants in stormwater runoff.

i. Encourage new development to maximize infiltration of stormwater runoff when soil conditions allow.

**Finding:** There are numerous infrastructure projects in the Plan. These projects are intended to develop a timely, orderly and efficient arrangement of public facilities in the Area. These projects will comply with the City's policies and development standards.

## 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.

**Finding:** The projects in the Plan provide support for development in the Downtown, an established area with a compactness of urban development. The projects will also encourage development in the Riverfront District which is zoned for a mixture of compatible uses and a compactness of urban development. These projects will comply with the City's policies and development standards.

**B. City of Newberg Transportation System Plan December 2016, updated March 2021 adding Addendum Riverfront Master Plan**

**Plan Details**

The Transportation System Plan (TSP) provides a long-term guide for City transportation investments by incorporating the vision of the community into an equitable and efficient transportation system. The plan evaluates the current transportation system and outlines policies and projects that are important to protecting and enhancing the quality of life in Newberg through the next 20 years. The TSP represents a collection of past and current ideas, incorporating projects, policies, decisions, and standards from past and current plans into a single document.

A TSP is required by the State of Oregon to help integrate local plans into the statewide transportation system. The plan balances the needs of walking, bicycling, driving, transit, freight, and rail into an equitable and efficient transportation system.

Goal 1: Maintain or improve access to existing properties and employment areas; improve freight traffic and/or minimize downtown trips for through traffic; have minimal impact on adjacent properties.

Goal 2: Emphasize visual and aesthetic qualities in their design; minimize any potential energy, social, environmental, and economic impacts; improve rail, water, and air transportation systems where possible.

Goal 3: Enhance access for emergency response; include improvements meant to reduce crash frequency and severity and/or to enhance pedestrian/bicyclist safety.

Goal 4: Include “complete street” principles with both vehicle and pedestrian/bicycle improvements; improve the connectivity of the street and/or sidewalk system; improve access to public transit.

Goal 5: Provide the most cost effective improvement option and identify stable funding sources for improvements; repair, maintain, and/or improve existing facilities and protect needed right-of-way for future projects; or constructed as a mitigation requirement by private development.

**Potential Additional Funding Sources**

**Urban Renewal District**

An Urban Renewal District (URD) would be a tax-funded district within the City. The URD would be funded with the incremental increases in property taxes resulting from construction of applicable improvements. This type of tax increment financing has been used in Oregon since 1960. Use of the funding includes, but is not limited to, transportation improvements, which are funded by the incremental taxes rather than fees. (P 53 of TSP)

**Finding:** There are numerous transportation projects, including non-auto oriented projects in the Plan in both the Riverfront District and Downtown areas. The projects are intended to implement the *City of Newberg Transportation System Plan*. These projects will comply with the City’s policies and development standards.

***C. City of Newberg Wastewater Master Plan May 2018, updated May 2021 adding Appendix K: Addendum to include Riverfront Master Plan***

**Plan Details**

In 2016, the City of Newberg, Oregon, contracted with Keller Associates, Inc. (Keller) to complete a wastewater facility planning study for the City's sanitary sewer collection system and wastewater treatment plant (WWTP). The study area consists of all areas within the City of Newberg Urban Growth Boundary (UGB). This study was updated in 2021 to include provisions in the Riverfront Master Plan.

**Finding:** There are wastewater projects identified for East Industrial Street, S River Street, and First Street in the Plan including new lines in new streets, improvements in existing streets, a Riverfront lift station, a force main and a gravity main project. These projects will comply with the City's policies and development standards.

***D. City of Newberg Water Master Plan May 2017, updated May 2021 adding Appendix E: Addendum Riverfront Master Plan***

**Plan Details**

The purpose of this Water Master Plan (WMP) is to perform an analysis of the City of Newberg's (City's) water system and:

- Document existing water system service area, facilities and operation
- Estimate future water requirements including potential water system expansion areas
- Identify deficiencies and recommend water facility improvements that correct deficiencies and provide for growth
- Update the City's capital improvement program (CIP)
- Evaluate the City's existing operation and maintenance (O&M) program
- Evaluate the City's existing system development charges (SDCs)

**Finding:** There are water projects identified in the Plan for East Industrial Street, S River Street, E Fourteenth Street, S Blaine Street, First Street, Meridian Street, N College Street, Howard Street, Washington Street, Main Street, E Sheridan Street, including new lines in new streets, improvements in existing streets and replacing water lines in some Downtown streets. These projects will comply with the City's policies and development standards.

### ***E. City of Newberg Stormwater Master Plan, updated June 2021***

#### **Plan Details**

In 2013, the City of Newberg (City) initiated development of a multi-objective Stormwater Master Plan (Master Plan) to provide a clear understanding of the existing stormwater system and provide a capital improvement project (CIP) program to address deficiencies in the system. The main objectives of this plan are as follows:

- a) Update the City's stormwater system's hydrologic and hydraulic models to evaluate system capacity.
- b) Develop an integrated stormwater system capital improvement program to address storm system capacity needs and water quality.
- c) Evaluate stream channel conditions with respect to erosion and impacts from future development.
- d) Continue to comply with water quality regulations.
- e) Review the City's stormwater management program and make recommendations on activities and staffing where applicable.
- f) Identify implementation priorities and impacts to the program budget.
- g) Develop a Master Plan document that is useful and easy to read, reference, and update.

**Finding:** There are stormwater projects identified on S Blaine Street, S River Street, NE Wynooksi Road, NE Dog Ridge Road, and First Street in the Plan. There are also stormwater projects in all new streets in Subarea A. These projects will comply with the City's policies and development standards.

## **F. Newberg Economic Development Strategy Updated 2019**

### **Plan Details**

**Goal:** *Having a qualified and educated workforce; an environment of openness to business investment; programs for retention, expansion and recruitment of businesses; public investment in critical infrastructure; metrics to measure economic activity; all while being sustainable.*

#### **INDUSTRIAL SECTOR**

**Goal:** *Enhance industrial development capabilities and opportunities*

#### **COMMERCIAL SECTOR**

**Goal:** *Enhance commercial development capabilities and opportunities*

#### **BUSINESS DEVELOPMENT AND WORKFORCE**

**Goal:** *Create a premier business and workforce development program*

#### **DOWNTOWN NEWBERG**

**Goal:** *Complete funding, administrative, and organizational actions for Newberg Downtown Improvement Plan.*

#### **TOURISM AND HOSPITALITY**

**Goal:** *Newberg / Chehalem Valley a regional, national & international tourist destination*

**Finding:** One of the major goals of the Plan is to develop a diverse and stable economic base. The majority of funding in the Plan is allocated to transportation and infrastructure. The Riverfront District is presently a non-economic use and is blighted. Without the provision of infrastructure, this area will not develop to its full capacity. The Plan will provide transportation and infrastructure projects to encourage new development in the area. The projects designated for the Downtown area also provide key transportation and infrastructure projects to encourage economic development including rehabilitation of existing structures and new development. This development will comply with the City's policies and development standards.

## ***G. Newberg Municipal Code Title 15 Development Code***

The land uses in the Area will conform to the zoning designations in the Municipal Code, including the maximum densities and building requirements, and are incorporated by reference herein. The existing zoning is shown in Figure 4.

As the Municipal Code is updated, this document will be automatically updated. If a substantial amendment is completed in the future, this section will be updated to match the current zoning designations.

The zoning categories at the time of the Newberg 2022 Urban Renewal Plan preparation follow. They are in the order that they occur in Title 15 of the Municipal Code.

### ***Existing Zoning Categories***

#### **R-1 Low Density Residential District**

1. The purpose of this land use designation is to provide a stable and healthful residential environment together with the full range of urban services. The R-1 zone is intended for low density urban residential uses at an average overall density of 4.4 units per gross buildable acre, and/or middle housing densities consistent with applicable minimum lot sizes, in the district.

2. Typical housing types will include single-family dwellings, duplex dwellings, triplex dwellings, quadplex dwellings, townhouse dwellings, cottage cluster projects and planned unit developments. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-1 district is intended to be consistent with the low density residential (LDR) designation of the comprehensive plan.

#### **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, and/or middle housing densities consistent with applicable minimum lot sizes, in the district.

2. Typical housing types will include single-family dwellings on small lots, duplex dwellings, triplex dwellings, quadplex dwellings, townhouse dwellings, cottage cluster projects, 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.

### **R-3 High Density Residential District**

1. The purpose of this land use designation is to provide dwellings of different types and styles at an average overall density of 16.5 units per gross buildable acre, and/or middle housing densities consistent with applicable minimum lot sizes, in the district.

2. Typical housing types will include duplex dwellings, triplex dwellings, quadplex dwellings, townhouse dwellings, cottage cluster projects, 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.

### **RP Residential-Professional District**

The RP residential-professional district provides for a desirable mixing of residential land uses with medical and local business office uses in possible close proximity to adjacent residential areas. The office building and parking coverage, traffic generation, open space and other external factors are intended to be compatible with the residential uses permitted. This district may be appropriate in transition areas between major land uses as indicated in the adopted plan. The RP district is intended to be consistent with commercial or residential designations on the Newberg comprehensive plan. RP districts shall be located as to conform to goals and policies identified within the Newberg comprehensive plan and in areas which have a minimal impact on the livability or appropriate development of abutting property.

### **C-1 Neighborhood Commercial District**

The C-1 neighborhood commercial district is intended to create, preserve and enhance areas of retail establishments serving frequently recurring needs in convenient locations. It is typically appropriate for small convenience stores or neighborhood shopping centers located within residential neighborhoods. The C-1 district is intended to be consistent with the commercial (COM) designation of the comprehensive plan.

### **C-2 Community Commercial District**

The C-2 community commercial district is intended to create, preserve and enhance areas with a wide range of retail sales, commercial services, and office establishments. Typical development types include individual commercial buildings on small and large sites, community shopping centers, and some outdoor retail uses. This district is typically located along highways and arterials. This district also includes some development which does not strictly fit the description of “commercial” but also does not merit a separate zoning district. The C-2 district is intended to be consistent with the commercial (COM) and mixed use (MIX) designations of the comprehensive plan.

### **C-3 Central Business District**

The C-3 central business district is intended to preserve and enhance areas within which the greatest possible concentration of retail sales and business will occur. The district will be applied to the “core” area based upon the guidelines established in the comprehensive plan. The buildings and uses

permitted reflect the desire to have parking provided on a district-wide basis rather than having each individual building or use provide parking. The C-3 district is intended to be consistent with the commercial (COM) designation of the comprehensive plan.

#### **C-4 Riverfront Commercial District**

1. The purpose of the C-4 riverfront commercial district is to allow a mix of uses that:
  - a. Provides a variety of retail, commercial, and residential uses that benefit from proximity to the river.
  - b. Encourages access to and enjoyment of the Willamette River.
  - c. Ensures compatibility of development with the surrounding area and minimizes impacts on the environment.
2. Properties zoned in this district must comply with the development standards of the riverfront overlay subdistrict, as described in NMC 15.352.010 through 15.352.060.
3. The C-4 district is intended to be consistent with the commercial/riverfront district (COM/RD) designation of the comprehensive plan.

#### **M-2 Light Industrial District**

The M-2 light industrial district is intended to create, preserve and enhance areas containing a wide range of manufacturing and related establishments and is typically appropriate to areas providing a wide variety of sites with good rail or highway access. The M-2 district is intended to be consistent with the industrial (IND) designation of the comprehensive plan.

#### **M-3 Heavy Industrial District**

The M-3 heavy industrial district is intended to create, preserve and enhance areas containing manufacturing or related establishments which are potentially incompatible with most other establishments and are typically appropriate to areas which are most distant from residential areas, and which have extensive rail or shipping facilities. The M-3 district is intended to be consistent with the industrial (IND) designation of the comprehensive plan.

#### **CF Community Facilities District**

The purpose of the CF community facilities district is to provide for appropriate development of community facilities, primarily by public agencies or nonprofit organizations. It encourages the preservation of natural resources and open space resources inventoried in the comprehensive plan. The CF district is intended to be consistent with the parks (P) and public/quasi-public (PQ) designations in the comprehensive plan. It may also be consistent with any other designation of the comprehensive plan as determined by the city council.

#### **I Institutional District**

The I institutional district is intended to support and promote institutional uses. The district provides for the establishment and growth of large institutional campuses as well as accessory and compatible uses. The institutional district is intended to be consistent with the public/quasi-public (PQ) designation of the comprehensive plan.

### **M-E Mixed Employment District**

The M-E mixed employment district is intended to create a mix of light industrial and limited commercial uses that provide employment opportunities for the City of Newberg while also creating a high-quality urban environment. This designation can provide a buffer between industrial uses with a high degree of external impact and other uses such as residential and recreational areas. The M-E designation is intended to be consistent with the industrial (IND) and mixed use (MIX) designations of the comprehensive plan.

### **CC Civic Corridor Overlay Subdistrict**

The CC subdistrict is intended to emphasize the civic and historic character of that portion of downtown Newberg generally bounded by Sherman Street on the north, Blaine Street on the west, 5th Street on the south and Howard and School Streets on the east and as depicted on the zoning map. The subdistrict overlay may be applied within any zoning district. The subdistrict shall be designated by the suffix CC added to the symbol of the parent district.

### **H Historic Landmarks Overlay Subdistrict**

The historic landmarks overlay subdistrict may be created within any zoning district. The overlay shall be designated by the suffix H added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the H overlay zone except as otherwise may be limited by this code.

### **IO Institutional Overlay Subdistrict**

The institutional overlay subdistrict may be created within any zoning district. The overlay shall be designated by the suffix IO added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the IO overlay zone except as otherwise may be limited by this code.

### **RD Riverfront Overlay Subdistrict**

The riverfront overlay subdistrict may be applied to R-1, R-2, R-3, M-1, M-2, M-3, M-E, C-1, C-4, and CF zoning districts. This subdistrict may be applied to lands south of Ninth Street to the Willamette River. The overlay shall be designated by the suffix RD added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the RD overlay zone except as otherwise may be limited in this code. Where provisions of the subdistrict are inconsistent with the parent district, the provisions of the subdistrict shall govern.

### **LU Limited Use Overlay Subdistrict**

The limited use overlay subdistrict identifies an area where special use restrictions or standards apply. These restrictions or standards are defined in the ordinance creating the LU subdistrict and may include prohibiting uses otherwise allowed in the underlying zone, requiring conditional use permits for certain uses that are otherwise permitted outright, or creating special standards, such as special setbacks or height restrictions. The limited use overlay subdistrict may be applied within any zoning district.

### **Bypass Interchange (BI) Overlay**

The bypass interchange overlay shall apply to lands within the city limits and within approximately one-quarter mile of the end of ramps of the East Newberg and Oregon 219 interchanges to the bypass. The

bypass interchange overlay may be applied in combination with any zoning district. The overlay shall be designated by the suffix BI added to the symbol of the parent district. All uses permitted in the parent zone shall be allowed within the bypass interchange overlay except as specifically limited by this code.

**Finding:** The Plan conforms with Title 15 of the Newberg Municipal Code as the projects will support the development of parcels in the Area and those parcels will be developed in accordance with the Municipal Code through the normal City of Newberg development review process.

**Conclusion:** Based on the above-findings, the request conforms with goals and policies within the Newberg Comprehensive Plan and Development Code.

**XIV. LEGAL DESCRIPTION**



## DESCRIPTION OF THE URBAN RENEWAL AREA OF THE CITY OF NEWBERG

Beginning at the southwest corner of Lot 10 Block 1 of Deskin's Fourth Addition To Newberg, Oregon, a duly recorded subdivision in Yamhill County, Oregon, said point being the intersection of the east line of the 60-foot right-of-way of N. Meridian Street and north line of the 60-foot right-of-way of E. Sheridan Street;

U1001. THENCE Easterly along said north right-of-way of E. Sheridan Street, 520 feet more or less, to the east line of the 60-foot right-of-way of N. River Street.

U1002. THENCE Southerly along said east right-of-way, 300 feet more or less, to the north line of the 60-foot right-of-way of E. Hancock Street, said point also being the southwest corner of Woodward Place a duly recorded subdivision in Yamhill County, Oregon;

U1003. THENCE Southerly 60 feet more or less, to the intersection of the south right-of-way line of E. Hancock Street and east right-of-way line of S. River Street; THENCE Southerly along said east right-of-way, 95 feet more or less, to an angle point; THENCE Southeasterly continuing along said east right-of-way, 16-feet more or less, to an angle point; THENCE Southerly continuing along said east right-of-way, 50 feet more or less, to the north right-of-way line of Highway 99W/E 1<sup>st</sup> Street; THENCE Southerly across the Highway 99W/E 1st Street right-of-way, 177 feet more or less, to a point on the south right-of-way of Highway 99W, said point being 10 feet east of the east line of the 60-foot right-of-way of S. River Street;

U1004. THENCE Southerly, leaving said south right-of-way, 10-foot easterly and parallel to said east 60-foot right-of-way of S. River Street, 856 feet more or less, to a point on the south line of the 60-foot right-of-way of East 4th Street, said point also being on the east line of the 80-foot right-of-way line of S. River Street;

U1005. THENCE Southerly, along the said east right-of-way of S. River Street, 1,761 feet more or less, to the north line of the 60-foot right-of-way of East 9th Street;

U1006. THENCE Easterly, along said north right-of-way, 1,180 feet more or less, to the southeast corner of Lot 14, Block 50, of Edwards Addition, a duly recorded subdivision in Yamhill County, Oregon, said point also being the intersection of said north right-of-way line and extension of the east line of the plat of City Park Addition, a duly recorded subdivision in Yamhill County, Oregon;

U1007. THENCE Southerly, along said east line of the plat of City Park Addition and its extension thereof, 234 feet more or less, to the southwest corner of that tract of land described in Book 99 Page 1198, Yamhill County Deed Records;

U1008. THENCE Easterly, along the south line of said tract, 567 feet more or less, to the center line Wynooski Street;

U1009. THENCE Southeasterly, along the center line of said Wynooski Street, 368 feet more or less, to a point on the north right-of-way line of the Highway 99 Newberg-Dundee Bypass;

U1010. THENCE Easterly, along said north right-of-way line, 42 feet more or less, to and angle point and the west line of the Richard Everest Donation Land Claim;

- U1011. THENCE Northerly, along said north right-of-way line and said DLC line, 26 feet more or less, to an angle point and the westerly extension of the south line of that tract of land described in Instrument No. 2003-23925, Yamhill County Deed Records;
- U1012. THENCE Easterly, along said north right-of-way line and the south line of said tract, 629 feet more or less, to the southeast corner of said tract;
- U1013. THENCE Southeasterly, along said north right-of-way and the south line of Tract A, Highland at Hess Creek Phase 4, a duly recorded subdivision in Yamhill County, Oregon, 580 feet more or less, to an angle point,;
- U1014. THENCE Southerly, departing from said south line, 264 feet more or less, to the intersection point of the south right-of-way of the Newberg-Dundee Bypass and the east right-of-way line of NE Wynooski Road;
- U1015. THENCE Southeasterly, along said south right-of-way line, 351 feet more or less, to the northerly extension of the west line of the tract of land described in Instrument No. 2007-21167, Yamhill County Deed Records;
- U1016. THENCE Southerly, along said west line and its northerly extension, 1,055 feet more or less, to the northerly right-of-way of NE Wynooski Road;
- U1020. THENCE Southeasterly, along said northerly right-of-way, 679 feet more or less, to the northerly extension of the east line of Lot 27 of Wynooski Subdivision, a duly recorded subdivision in Yamhill County, Oregon;
- U1021. THENCE Southerly, along the extension of said east line, 121 feet more or less, to the south right-of-way of NE Wynooski Road, said point also being on the north line of said Lot 27;
- U1022. THENCE Westerly, along said south right-of-way and continuing along the north line of said Lot 27, 290 feet more or less, to an angle point on said north line;
- U1023. THENCE Westerly, continuing along said north line, 325 feet more or less, to the south right-of-way of NE Dog Ridge Road;
- U1024. THENCE Southwesterly, along said south right-of-way, 530 feet more or less, to the point of intersection of the easterly extension of the south right-of-way of the vacated County Road 47;
- U1025. THENCE Westerly, along said easterly extension of and continuing along the southerly and easterly right-of-way of the vacated County Road 47, 1,375 feet more or less, to the old Wynooski Street Bridge on the Yamhill County side of the Willamette River;
- U1026. THENCE Westerly, along the Yamhill County side of the Willamette River, 3,960 feet more or less, to its confluence with the center of Chehalem Creek;
- U1027. THENCE Northwesterly, along the center of Chehalem creek, 4,292 feet more or less, to the point of intersection with the southerly extension of the east line of Lot 11 of Glen Hollow Estates, a duly recorded subdivision in Yamhill County, Oregon;
- U1028. THENCE Northerly, along said southerly extension and east line of said Lot 11, 396 feet more or less, to the southwest corner of Lot 14 of Hidden Meadows, a duly recorded subdivision in Yamhill County, Oregon;

- U1029. THENCE Easterly, along the south line of Hidden Meadows, 452 feet more or less, to an angle point; THENCE Easterly, along said south line, 616 feet more or less, to the southeast corner of Lot 15 of said Hidden Meadows;
- U1030. THENCE Northerly, along the east line of said Hidden Meadows subdivision, 534 feet more or less, to the Southwest corner of that tract of land described in Book 125, Page 0481, Yamhill County Deed Records;
- U1031. THENCE Easterly, along the south line of said tract, 351 feet more or less, to an angle point; THENCE Northeasterly, along said south line, 73 feet more or less, to the east line of said tract;
- U1032. THENCE Northerly, along said east line, 186 feet more or less, to the intersection with the center of Chehalem Creek;
- U1033. THENCE Northerly, departing from said east line, along the center of Chehalem Creek, 2,020 feet more or less, to a point being southwesterly 83 feet more or less from the southwest corner of Partition Plat 97-53, a duly recorded partition plat in Yamhill County, Oregon;
- U1034. THENCE Northeasterly, leaving the said center of Chehalem Creek, 83 feet more or less, to the southwest corner of said Partition Plat;
- U1035. THENCE Northerly, along the west line of said Partition Plat, 295 feet more or less, to an angle point; THENCE Northwesterly, along said west line, 123 feet more or less, to an angle point; THENCE Northeasterly, along said west line, 18 feet more or less, to the north line of said Partition Plat;
- U1036. THENCE Easterly, along said north line and the extension thereof, 369 feet more or less, to the west line of the 60-foot right-of-way of Charles Street;
- U1037. THENCE Northerly, along said west right-of-way, 62 feet more or less, to the north line of the 60-foot right-of-way of W. 9th Street;
- U1038. THENCE Easterly, along said north right-of-way, 1,205 feet more or less, to the west line of the 60-foot right-of-way of S Blaine Street;
- U1039. THENCE Northerly, along said west right-of-way, 517 feet more or less, to the northeast corner of the tract of land described in Instrument No. 2002-14801, Yamhill County Deed Records;
- U1040. THENCE Westerly, along the north line of said tract and the northerly extension thereof, 528 feet more or less, to the northwest corner of the tract of land described in Instrument No. 2014-14033, said point also being on the east line of the tract of land described in Instrument No. 1997-15269, Yamhill County Deed Records;
- U1041. THENCE Northerly, along said east line and the northerly extension of, 539 feet more or less, to the most westerly northwest corner of the tract of land described in Instrument No. 2019-16593, Yamhill County Deed Records;
- U1042. THENCE Easterly, along the north line of said tract, 164 feet more or less, to an angle point on said north line;
- U1043. THENCE Northerly, along the west line of said tract, 37 feet more or less, to the most northerly northwest corner of said tract; THENCE Easterly, along the north line of said tract, 1 foot more or less, to the southwest corner of the tract of land described in Instrument No. 2002-18241, Yamhill County Deed

- Records; THENCE Northerly, along the west line of said tract, 147 feet more or less, to the most southerly northwest corner of said tract;
- U1044. THENCE Easterly, along the north line of said tract, 75 feet more or less, to an angle point on said north line;
- U1045. THENCE Northerly, along the west line of said tract, 45 feet more or less, to the most northerly northwest corner of said tract, said point falling on the south line of that tract of land described in Instrument No. 2018-16315, Yamhill County Deed Records;
- U1046. THENCE Easterly, along the south line of said tract, 36 feet more or less, to the southeast corner of said tract, said point is also on the west line of that tract of land described in Instrument No. 2006-09500, Yamhill County Deed Records;
- U1047. THENCE Southerly, along said west line, 45 feet more or less, to the southwest corner of said Instrument No. 2006-09500;
- U1048. THENCE Easterly, along the south line of said tract, 84 feet more or less, to the southeast corner of said tract;
- U1049. THENCE Northerly, along the east line of said tract, 150 feet more or less, to the south line of the 60-foot right-of-way of E. 5th Street;
- U1050. THENCE Westerly, along said south right-of-way, 26 feet more or less, to the intersection point of said south right-of-way and the southerly extension of the west line of the tract described in Instrument No. 2003-23268, Yamhill County Deed Records;
- U1051. THENCE Northerly, along the southerly extension of said west line and its northerly extension thereof, 391 feet more or less to the south line of the tract described in Instrument No. 2017-06795, Yamhill County Deed Records;
- U1052. THENCE Easterly, along said south line, 41 feet more or less, to the southeast corner of said tract, said point also being the southwest corner of Partition Plat 91-51, a duly recorded partition plat, in Yamhill County, Oregon;
- U1053. THENCE Northerly, along the east line of said Instrument No. 2017-06795, 141 feet more or less, to the southwest corner of that tract of land described in Instrument No. 2019-15590, Yamhill County Deed Records;
- U1054. THENCE Easterly, along the south line of said Instrument No. 2019-15590, 50 feet more or less, to the southeast corner of said tract;
- U1055. THENCE Northerly, along the east line of said tract, 140 feet more or less, to the south line of the 60-foot right-of-way of E. 3rd Street;
- U1056. THENCE Westerly, along said south right-of-way, 958 feet more or less, to the west line of the 60-foot right-of-way of S. Grant Street;
- U1057. THENCE Northerly, along said west right-of-way, 300 feet more or less, to the south line of the 60-foot right-of-way line of W. 2nd Street;
- U1058. THENCE Westerly, along said south right-of-way and the westerly extension of, 520 feet more or less, to the west line of the 60-foot right-of-way of S. Harrison Street;

- U1059. THENCE Northerly, along said west right-of-way, 282 feet more or less, to the northeast corner of that tract of land described in Instrument No. 2004-05850, Yamhill County Deed Records;
- U1060. THENCE Southwesterly, along the north line of said Instrument No. 2004-05850 and continuing along the north line of the tract described in Instrument No. 2008-03366, Yamhill County Deed Records, 147 feet more or less, to the easterly right-of-way of the Southern Pacific Railroad;
- U1061. THENCE Northeasterly, along said easterly right-of-way, 724 feet more or less, to an angle point; THENCE Easterly, along said easterly right-of-way, 20 feet more or less, to an angle point; THENCE Northeasterly, along said easterly right-of-way, 628 feet more or less, to the south line of the 60-foot right-of-way E. Sherman Street;
- U1062. THENCE Easterly, along said south right-of-way, 107 feet more or less, to the east line of the 14 foot wide alley, said point being the northwest corner of Lot 5, Block 3 of Deskins Addition to Newberg, a duly recorded subdivision in Yamhill County, Oregon;
- U1063. THENCE Southerly, along said east line, 240 feet more or less, to the north line of the 60-foot right-of-way line of E. Sheridan Street;
- U1064. THENCE Easterly, along said north right-of-way, 613 feet more or less, to the west line of the 60-foot right-of-way line of N. Blaine Street;
- U1065. THENCE Northerly, along said west right-of-way, 300 feet more or less, to the north line of the 60-foot right-of-way of E. Sherman Street;
- U1066. THENCE Easterly, along said north right-of-way, 580 feet more or less, to the east line of the 60-foot right-of-way N. School Street;
- U1067. THENCE Southerly, along said east right-of-way, 300 feet more or less, to the north line of the 60-foot right-of-way of E. Sheridan Street;
- U1068. THENCE Easterly, along said north right-of-way, 905 feet more or less, to the east line of the 60-foot right-of-way line of N. Meridian Street and the point of beginning.

**Excepting the following described areas:**

Exception 1 - Beginning at a point on the south line of the 60-foot right-of-way of E. 3rd Street, said point being 10 feet west of the west line of the 60-foot right-of-way of S. River Street;

- U2101. THENCE Southerly, parallel to and 10-feet west of the said west right of way of S. River Street, 300 feet more or less, to the south line of the 60-foot right-of-way line of E. 4th Street, said point also being the west line of the 80-foot right-of-way for S. River Street;
- U2102. THENCE Southerly, along said west right-of-way, 1,761 feet more or less, to the north line of the 60-foot right-of-way line of E. 9th Street;
- U2103. THENCE Westerly, along said north right-of-way line, 1,865 feet more or less, to the east line of the 60-foot right-of-way line of S. Blaine Street;
- U2104. THENCE Northerly, along said east right-of-way line, 1,399 feet more or less, to the south line of the 60-foot right-of-way line of E. 5th Street;

- U2105. THENCE Easterly, along said south right-of-way line, 260 feet more or less, to the east line of the 60-foot right-of-way line of S. Howard Street;
- U2106. THENCE Northerly, along said east right-of-way, 360 feet more or less, to the south line of the 60-foot right-of-way of E. 4th Street;
- U2107. THENCE Easterly, along said south right-of-way line, 200 feet more or less, to the west line of the 60-foot right-of-way of S. School Street;
- U2108. THENCE Northerly, 60-feet more or less, to the north right of way line of E. 4th Street, said point being the southwest corner of the tract of land described by deed in Instrument No. 1993-13456, Yamhill County Deed Records; THENCE Northerly, along the west line of said tract of land, 240 feet more or less, to the south line of the 60-foot right of way of E. 3rd Street;
- U2109. THENCE Easterly, along said south right-of-way line, 1,414 feet more or less, to the Point of Beginning.

Exception 2.a – A portion of that tract of land described by deed in instrument 202016369, Yamhill County Deed Records and being more particularly described as follows:

Beginning at the northeast corner of said tract of land described in Instrument Number 202016369;

- U2201. THENCE Westerly, along the northerly line of said tract, 373 feet more or less, to an angle point;
- U2202. THENCE Southerly, continuing along said northerly line, 14 feet more or less, to an angle point;
- U2203. THENCE Westerly, continuing along said northerly line, 40 feet more or less, to the west line of said tract;
- U2204. THENCE Southerly, along said west line, 203 feet more or less, to and angle point, said point also being on the southerly right-of-way line of vacated County Road 47;
- U2205. THENCE Easterly, along said southerly right-of-way, 528 feet more or less, to the east line of said tract;
- U2206. THENCE Northerly, along said east line, 115 feet more or less, to an angle point; THENCE Northerly, continuing along said east line, 260 feet more or less, to the Point of Beginning.

Exception 2.b – A portion of that tract of land described by deed in Instrument Number 202016369, Yamhill County Deed Records being more particularly described as follows:

Commencing at the northeast corner of said tract of land described in Instrument Number 202016369;

- U2201. THENCE Westerly, along the northerly line of said tract, 373 feet more or less, to an angle point;
- U2202. THENCE Southerly, continuing along said northerly line, 14 feet more or less, to an angle point;
- U2203. THENCE Westerly, continuing along said northerly line, 40 feet more or less, to the west line of said tract;

U2204. THENCE Southerly, along said west line, 203 feet more or less, to and angle point, said point also being on the southerly right-of-way line of vacated County Road 47;

U2210. THENCE Westerly, continuing along said tract and said southerly right-of-way line, 11 feet more or less, to the Point of Beginning;

U2211. THENCE Westerly, continuing along said tract, 55 feet more or less, to the west most northwest corner of said tract;

U2212. THENCE Southwesterly, along the west line of said tract, 132 feet more or less, to the southerly line of said tract;

U2213. THENCE Southeasterly, along said southerly line, 71 feet more or less, to the easterly right-of-way line of vacated County Road 47;

U2214. THENCE Northeasterly, along said easterly right-of-way, 193 feet more or less, to the Point of Beginning.

Exception 3 – That tract of land described by deed in Instrument Number 202016370, Yamhill County Deed Records and being more particularly described as follows:

Beginning at the point of intersection of the easterly right-of-way of River Street and the northerly right-of-way of Rogers Landing;

U2301. THENCE Southeasterly, along the northerly right-of-way of Rogers Landing, 1,285 feet more or less, to the Yamhill County side of the Willamette River;

U2302. THENCE Northwesterly, along the Yamhill County side of the Willamette River, 177 feet more or less, to the east line of that tract of land described as a portion of Parcel 13 in Instrument Number 202016370, Yamhill County Deed Records;

U2303. THENCE Northerly, along said east line, 200 feet more or less, to the north line of said tract;

U2304. THENCE Westerly, along said north line, 60 feet more or less, to the west line of said tract;

U2305. THENCE Southerly, along said west line, 190 feet more or less, to the Yamhill County side of the Willamette River;

U2306. THENCE Westerly, along the Yamhill County side of the Willamette River, 564 feet more or less, to the southeast corner of that tract of land described in Instrument Number 202002291, Yamhill County Deed Records;

U2307. THENCE Northerly, along the east line of said tract and the northerly extension of, 727 feet more or less, to the southerly right-of-way of 14th Street;

U2308. THENCE Easterly, along said southerly right-of-way, 45 feet more or less, to the easterly right-of-way of River Street;

U2309. THENCE Northerly, along said easterly right-of-way, 170 feet more or less, to the Point of Beginning.

Exception 4 – That tract of land described by deed in Instrument Number 2021-00404, Yamhill County Deed Records and being more particularly described as follows:

Beginning at the northwest most corner of said tract, said point being on the east right-of-way line of Waterfront Street (County Road 65);

- U2401. THENCE Easterly, along the North line of said tract, 148 feet more or less, to an angle point;
- U2402. THENCE Southeasterly, along the Northeasterly line of said tract, 151 feet more or less, to the southerly line of said tract;
- U2403. THENCE Southwesterly, along said southerly line, 293 feet more or less, to the easterly right-of-way line of Waterfront Street (County Road 65);
- U2404. THENCE Northerly, along said easterly right-of-way, 265 feet more or less, to the Point of Beginning.

Exception 5 – That tract of land described by deed in Instrument Number 2019-02753 and a portion of that tract of land described in that instrument recorded as Film Volume 199 Page 1650, Yamhill County Deed Records and being more particularly described as follows:

Beginning at the northeast corner of that tract of land described in that instrument recorded as 2019-02753, said point falling on the west line of said tract described in that instrument recorded as Film Volume 199 Page 1650, Yamhill County Deed Records;

- U2501. THENCE Northerly, along said westerly line, 115 feet more or less, to the southerly right-of-way of the Highway 99 Newberg-Dundee Bypass;
- U2502. THENCE Easterly, along said southerly right-of-way, 147 feet more or less, to an angle point;
- U2503. THENCE Northerly, continuing along said southerly right-of-way, 95 feet more or less, to an angle point;
- U2504. THENCE Northeasterly, continuing along said southerly right-of-way, 413 feet more or less, to an angle point;
- U2505. THENCE Northerly, continuing along said southerly right-of-way, 18 feet more or less, to the southerly right-of-way of Waterfront Street (County Road 65);
- U2506. THENCE Easterly, along said southerly right-of-way, 1,024 feet more or less, to the westerly line of that tract of land described in Instrument Number 202002291, Yamhill County Deed Records;
- U2507. THENCE Southerly, along said westerly line, 359 feet more or less, to the southwest corner of said tract;
- U2508. THENCE Easterly, along the southerly line of said tract, 650 feet more or less, to the Yamhill County side of the Willamette River;
- U2509. THENCE Southwesterly, along the Yamhill County side of the Willamette River, 1,115 feet more or less, to its confluence with the center of Chehalem Creek;

U2510. THENCE Northwesterly, along the center of Chehalem Creek, 722 feet more or less, to the southwesterly line of that tract of land described in that instrument recorded as Film Volume 199 Page 1650, Yamhill County Deed Records;

U2511. THENCE Northwesterly, along said southwesterly line, 963 feet more or less, to the southeast corner of said tract of land conveyed by Instrument Number 2019-02753;

U2512. THENCE Southwesterly, along the southerly line of said tract, 395 feet more or less, to the southwest corner of said tract;

U2513. THENCE Northerly, along the westerly line of said tract, 393 feet more or less, to the northwest corner of said tract;

U2514. THENCE Easterly, along the northerly line of said tract, 380 feet more or less, to the westerly line of that tract of land described in that instrument recorded as Film Volume 199 Page 1650, Yamhill County Deed Records and the Point of Beginning.

Exception 6 – A portion of that tract of land described by deed in that instrument recorded as Film Volume 103, Page 739, Yamhill County Deed Records and being more particularly described as follows:

Beginning at the northwest corner of said tract of land, said point being on the south right-of-way line of the Spaulding Railroad right-of-way;

U2601. THENCE Easterly, along said south right-of-way, 581 feet more or less, to the west right-of-way line of S. College Street;

U2602. THENCE Southerly, along said west right-of-way, 28 feet more or less, to the northwesterly right-of-way of the Highway 99 Newberg-Dundee Bypass;

U2603. THENCE Southwesterly, along said northwesterly right-of-way, 462 feet more or less, to the south line of said tract;

U2604. THENCE Westerly, along said south line, 224 feet more or less, to the westerly line of said tract;

U2605. THENCE Northerly, along said westerly line, 293 feet more or less, to the Point of Beginning.

Exception 7 – A tract of land described by deed in that instrument recorded as Film Volume 208, Page 1025, Yamhill County Deed Records and being more particularly described as follows:

Beginning at the southeast corner of said tract, said point also being the intersection point of the westerly right-of-way line of S. College Street and the northerly right-of-way line of the Spaulding Railroad;

U2701. THENCE Westerly, along said northerly right-of-way, 239 feet more or less, to the southwest corner of said tract;

U2702. THENCE Northerly, along the west line of said tract, 124 feet more or less, to the northwest corner of said tract;

U2703. THENCE Easterly, along the northerly line of said tract, 144 feet more or less, to an angle point;

U2704. THENCE Southerly, continuing along said northerly line, 4 feet more or less, to an angle point;

U2705. THENCE Easterly, continuing along said northerly line, 95 feet more or less, to the westerly right-of-way of S. College Street;

U2706. THENCE Southerly, along said westerly right-of-way, 115 feet more or less, to the Point of Beginning.

Contains a net total of 540 acres more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

DIGITALLY SIGNED

OREGON  
JANUARY 18, 1994  
ANTHONY R. WELLER  
2649

RENEWS: 6/30/22