NOTICE OF DECISION

Stream Corridor Modification – 4821 E Portland Road – MISC222-0004

July 31, 2023

Sam Huck
3J Consulting
9600 SW Nimbus Avenue, Suite 100
Beaverton, OR 97008

The Newberg Community Development Director has approved the proposed stream corridor mitigation application MISC222-0004 for Crestview Green Planned Unit Development at 4821 E Portland Rd, subject to the conditions listed in the attached report. The decision will become effective on August 15, 2023, unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. Anyone wishing to appeal must submit the written appeal form together with the required fee of $582 (plus a 5% technology fee) to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on August 14, 2023.

At the conclusion of the appeal period, please remove all notices from the site.
If you have any questions; please contact me at 503-537-1212 or doug.rux@newbergoregon.gov.

Sincerely,

Doug Rux, AICP
Community Development Director

DECISION AND FINDINGS
Stream Corridor Modification – 4821 E Portland Road – MISC222-0004

FILE NO:	MISC222-0004
REQUEST:	Stream corridor modification related to a pump station at the Crestview Green Planned Unit Development
LOCATION:	4821 E Portland Rd
TAX LOT:	R3216 00900
APPLICANT:	3J Consulting
OWNER:	Bruce Thomas
ZONE:	Low Density Residential (R-1)
PLAN DISTRICT:	Low Density (LDR)
OVERLAYS:	Stream Corridor Overlay (SC) Subdistrict

CONTENTS

Section I: Application Information
Section II: Findings for MISC222-0004 Stream Corridor Overlay (SC) Subdistrict
Section III: Conditions

Attachments:
1. Application and Supplemental Information
2. Agency Comments

Section I: Application Information

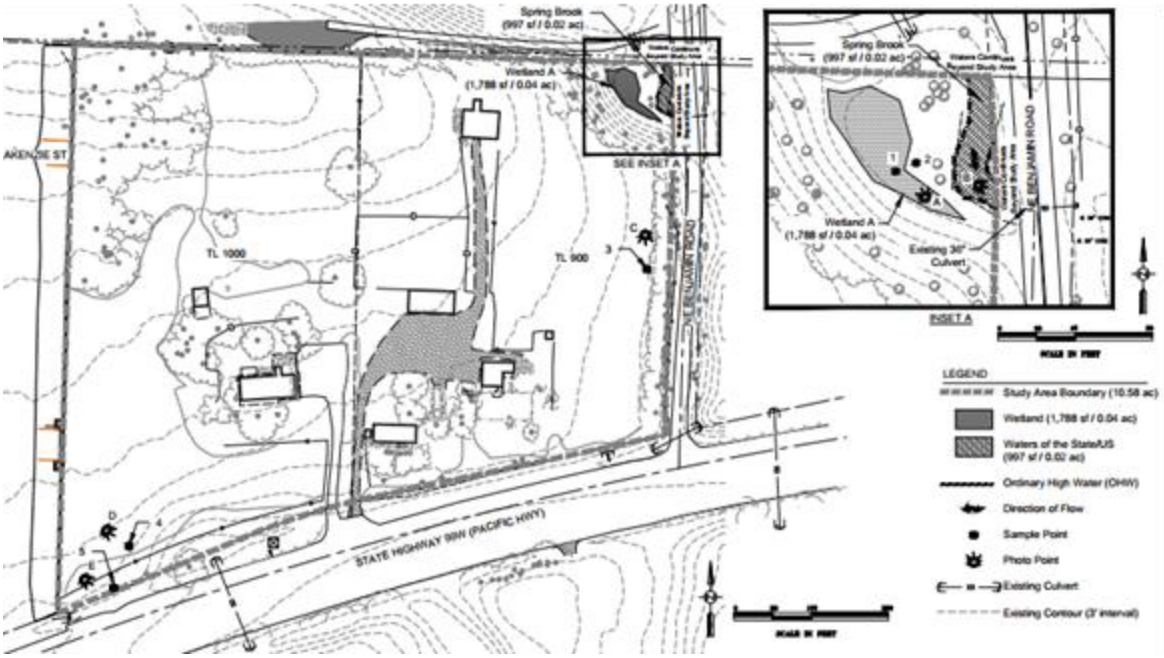
A. DESCRIPTION OF APPLICATION:

The applicant has requested approval to complete grading work related to a pump station within a portion of the stream corridor overlay at the site of the Crestview Green Planned Unit Development project. The Applicant will be removing a total of 11 trees and replanting 35.

There is a Stream Corridor overlay zone in the northeast corner of the Crestview Green site. The Stream Corridor overlay limits development in the stream corridor and requires that the area impacted by construction be restored and landscaped.

B. SITE INFORMATION:

1. Location: 4821 E Portland Road



2. Size: The disturbed area is ~ 0.12 Acres.

3. Topography: The mitigation area slopes downward to the north and northeast within the Stream Corridor.

4. Current Land Uses: Single family home, with a stream corridor in the northeast corner of the property.

5. Natural Features: Mature trees, grass and shrubs.

6. Adjacent Land Uses:

   a. North: Single family residential (outside UGB)

b. East: Single family residential (outside UGB)

c. South: Single family residential (outside UGB)

d. West: Single family residential

7. Adjacent Zoning:

a. North: VLDR-2.5 (Very Low Density Residential)

b. East: EF-20 (Agriculture/Forestry Large Holding)

c. South: VLDR2.5 and EF-20 (Very Low Density Residential and Agriculture/Forestry Large Holding

d. West: R-1/R-2/C-2 (Low Density Residential/Medium Density Residential/Community Commercial)

8. Access and Transportation: The site has access from E Portland Road.

9. Utilities: Not applicable to this project.

A. **PROCESS:** The Stream Corridor request is a Type II application and follows the procedures in Newberg Development Code 15.100.030. Following a 14-day public comment period, the Community Development Director makes a decision on the application based on the criteria listed in the attached findings. The Director's decision is final unless appealed. Important dates related to this application are as follows:

1. 10/18/2022: The Community Development Director deemed the application complete.

2. 10/18/2022: The Applicant mailed notice to the property owners within 500 feet of the site.

3. 10/20/2022: The Applicant posted notice on the site.

4. 02/9/2023: The Applicant requested an extension on reviewing the application by 245 days to October 18, 2023.

5. 05/1/2023: The Applicant re-initiated the project and submitted referral copies.

6. 07/31/23: The Director issued a decision on the application.

B. **AGENCY COMMENTS:** The application was routed to several public agencies for review and comment. Comments and recommendations from city departments have been incorporated into the findings and conditions. As of the writing of this report, the city received the following agency comments:

a. Building Official: Reviewed, no conflict.

b. Community Development Director: Reviewed, no conflict.

c. City Manager: Reviewed, no conflict.

d. Engineering Division: Reviewed, comments. "We have reviewed the above application submitted in response to Section III: Findings – File PUD22-0001 NMC 15.342.020 Condition of Approval Option Two (pg. 130 of Notice of Decision Order 2022-06 Crestview Green CUP22-0001/PUD22-0001 June 10, 2022) that the applicant would be required to submit a Type II application for modifications within the Stream Corridor as part of the CUP and PUD application for review and consideration. The application shows grading and tree removal within the designated stream corridor and widening of the right-of-way on its east end. Engineering has no conflict with the proposed modification."

e. ODOT: Reviewed, no conflict.

f. Police Department: Reviewed, no conflict.

g. Public Works WWTP: Reviewed, no conflict.

h. Public Works, Maintenance Superintendent: Reviewed, no conflict.

i. Public Works, WTP: Reviewed, no conflict.

j. Ziply Fiber: Reviewed, no conflict.

All agency comments are provided in Attachment 2.

C. PUBLIC COMMENTS: No public comments were received.

D. ANALYSIS: The application focuses on the northeast portion of the Crestview Green site (casefiles CUP 22-0001 and PUD 22-0001). The stream corridor is shown in Appendix "B" Land Use Plans of the application, and the modifications within the stream corridor are shown on Tract C of Sheet #C001. The subject area where modifications within the stream corridor will occur is approximately 0.12 acres in size and is located north of the proposed E Willakenzie Street extension and west of NE Benjamin Road. The site is identified as tax lot 3216AA00900. The property is located within the City of Newberg and is Zoned R-1: Low Density Residential.

The wetland and Stream Corridor is located on the northeast corner of tax lot 3216AA00900. A Property Line Adjustment ("PLA") application was submitted and approved on May 2, 2022, prior to the submittal of this land use application that transfers 8,148.50 square feet from the subject site to tax lot 3216AA01600 under different ownership. This adjustment has not yet been recorded. The area is comprised of the wetland area and will be granted to the north adjacent property under separate ownership. Due to existing grades and location of existing sanitary sewer facilities proposed for the Crestview Green Planned Unit Development (casefiles CUP 22-0001 and PUD 22-0001), a portion of the site will be served by a proposed public wastewater pump station and

sanitary sewer force main shown as Tract B “Pump Station” in Appendix “B” Sheet C001 of the application material.

The site will have frontage on E Willakenzie Street and NE Benjamin Road. The Crestview Green Planned Unit Development land use applications include single-family detached homes, attached single-family homes, and a multi-family apartment. The Crestview Crossing Planned Unit Development to the west includes commercial development, single-family homes, cottage style single-family homes, and multi-family homes. The properties to the north, east, and south have rural single-family uses.

The proposed Type II application for modifications within the Stream Corridor has been prepared in support of the PUD and CUP applications (CUP 22-0001 and PUD 22-0001). The submitted Stream Corridor application has been prepared in response to Option Two in the Conditions of Approval letter, Section III: Findings – File PUD22-0001, Planned Unit Development – Crestview Green, O. Site Modification, and supports the Type II application for Modifications within the Stream Corridor.

Section II: Findings – File MISC222-0004
Stream Corridor Mitigation Plan – 4821 E Portland Road

The Newberg Municipal Code (NMC) criteria and development standards are written in ***italic bold*** font and findings are written in regular font. The NMC criteria will be presented first, and followed by findings of fact.

Findings of fact with underlined font indicate subsequent inclusion into Conditions of Approval (Section III).

NEWBERG MUNICIPAL CODE (NMC)

15.342.020 Where these regulations apply.

The regulations of this chapter apply to the portion of any lot or development site which is within an SC overlay subdistrict. Unless specifically exempted by NMC 15.342.040, these regulations apply to the following:

> ***A. New structures, additions, accessory structures, decks, addition of concrete or other impervious surfaces;***
>
> ***B. Any action requiring a development permit by this code;***
>
> ***C. Changing of topography by filling or grading;***
>
> ***D. Installation or expansion of utilities including but not limited to phone, cable TV, electrical, wastewater, storm drain, water or other utilities;***
>
> ***E. Installation of pathways, bridges, or other physical improvements which alter the lands within the stream corridor overlay subdistrict.***

Finding: 15.342.020(C) applies to the application as grading is proposed within the Steam Corridor.

15.342.070 Activities requiring a Type II process.

The installation, construction or relocation of the following improvements shall be processed as a Type II decision. The proposal shall be accompanied by a plan as identified in NMC 15.342.080 and conform to the mitigation standards contained in NMC 15.342.090.

> ***A. Public or private street crossings, sidewalks, pathways, and other transportation improvements that generally cross the stream corridor in a perpendicular manner.***
>
> ***B. Bridges and other transportation improvements that bridge the wetland area.***
>
> ***C. Railroad trackage crossings over the SC overlay subdistrict that bridge the wetland area.***

D. Water, wastewater, and stormwater systems already listed within approved City of Newberg master infrastructure plans.

E. New single-family residences which meet all of the following requirements: Subsections 1 – 4 are not shown because the following finding determines Section E does not apply.

F. Reduced front yard setback. Properties within the SC subdistrict may reduce the front yard setback for single-family residences or additions where the following requirements are met:

> ***Subsections F(1) – F(4) are not shown because the following finding determines Section F does not apply.***

G. Temporary construction access associated with authorized Type II uses. The disturbed area associated with temporary construction access shall be restored pursuant to NMC 15.342.090.

H. Grading and fill for recreational uses and activities, which shall include revegetation, and which do not involve the construction of structures or impervious surfaces.

I. Public parks.

J. Stream corridor enhancement activities which are reasonably expected to enhance stream corridor resource values and generally follow the restoration standards in NMC 15.342.060.

Finding: The Applicant has responded to items A. – J. indicating they elected to choose between two options presented by the Planning Commission (Review Authority) for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. The construction activity related to Case Files: CUP 22-0001 and PUD 22-0001 will involve grading but does not involve the construction of structures or impervious surfaces within the Stream Corridor. After the construction activity has finished, the Stream Corridor will be appropriately mitigated in accordance with NMC 15.342.090, as described further in these findings.

The restoration activities proposed will advance 15.342.070(J) by enhancing stream corridor resource values and follow the restoration standards in NMC 15.342.060 with proposed conditions of approval.

This criterion is met.

15.342.080 Plan submittal requirements for Type II activities.

In addition to the design review plan submittal requirements, all applicants for Type II activities within the SC overlay subdistrict shall submit the following information:

A. A site plan indicating all of the following existing conditions:

1. Location of the boundaries of the SC overlay subdistrict.

Finding: A site plan showing the item listed above, is in Appendix "B" Land Use Plans, Sheets C000, C001, and L102.

This criterion is met.

2. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed, and existing utility locations.

Finding: A site plan showing the item listed above is in Appendix "B" Land Use Plans, Sheets C000, C001, and L102. No structures, decks, areas previously disturbed, and existing utility locations are within the Stream Corridor.

Appendix "B" Land Use Plans, Sheets C001 and L102 identifies a black line at the northern end of the identified Stream Corridor area. Conditions of approval for PUD22-0001, g.1. indicate:

g. Site Modification

1. *The Applicant has two options to address site modifications within the Stream Corridor. Option 1 is to revise the proposal to remove any grading activities, tree removal, and placement of the sound wall within the Stream Corridor. Option 2 is to submit a Type II application for modifications within the Stream Corridor as part of the CUP and PUD application for review and consideration.*

No wall shall be placed within the Stream Corridor area. Sheet C001 also identifies a fence along the proposed property line of the Stream Corridor as part of the approved Property Line Adjustment. Placement of a fence at this location would impede the ecological value of the stream corridor for wildlife habitat. <u>The Applicant shall revise Sheets C001 and L102 so that no sound wall encroaches within the Stream Corridor, and Sheet C001shall be revised to not show a fence along the proposed property line as part of ADJP22-0002. A fence may be located at the top of the slope of the Stream Corridor boundary. The revised Sheet C001 and L102 shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.</u>

If the aforementioned condition is adhered to, this criterion will be met.

3. Location of any wetlands or water bodies on the site and the location of the stream centerline and top of bank.

Finding: A site plan showing the item listed above is in Appendix "B" Land Use Plans, Sheets C000, C001, L102, and Appendix C Technical Reports. The wetland within the Stream Corridor has been identified.

This criterion is met.

4. Within the area to be disturbed, the approximate location of all trees that are more than six inches in diameter at breast height must be shown, with size and species. Trees outside the disturbed area may be individually shown or shown as crown cover with an indication of species type or types.

Finding: A site plan showing the item listed above is in Appendix "B" Land Use Plans, Sheets C000. Trees are identified as either deciduous or conifer and the size of each tree is identified.

This criterion is met.

5. Topography shown by contour lines at five-foot vertical intervals or less.

Finding: A site plan showing the item listed above is in Appendix "B" Land Use Plans, Sheets C000 and C001. Existing contours and proposed contour modifications are identified. Contours are identified at 2-foot intervals.

This criterion is met.

6. Photographs of the site may be used to supplement the above information but are not required.

Finding: Project photos are included in Appendix "C" - Technical Reports as part of the Wetland Delineation.

This criterion is met.

B. Proposed development plan including all of the following:

1. Outline of disturbed area including all areas of proposed utility work.

Finding: The project boundary showing the disturbed area is shown in Appendix "B" – Land Use Plans, Sheet C001.

This criterion is met.

2. Location and description of all proposed erosion control devices.

Finding: An Erosion Control Plan and associated narrative via sheet notes are shown in Appendix "B" – Land Use Plans, Sheet C001.

This criterion is met.

3. A landscape plan prepared by a landscape architect, or other qualified design professional, shall be prepared which indicates the size, species, and location of all new vegetation to be planted.

Finding: A Landscape Plan has been submitted as part of Appendix "B" Land Use Plans that was prepared by MEARS Design Group, a landscape architecture design firm. The size of mitigation trees have been identified which includes:

8 Service Berry trees at 1.5" caliber,
7 Incense Cedar trees at 6-7' in height,
5 Kousa Dogwood trees at 1.5" caliber,
10 Moerheim Blue Spruce trees at 6-7' in height,
5 Cascar trees at 1.5" caliber, and

Groundcover of EcoLawn (hydroseed).
No shrubs have been identified on the landscape Plan.

This criterion is met.

15.342.090 Mitigation requirements for Type II activities.

The following mitigation requirements apply to Type II activities. The plans required pursuant to NMC 15.342.080 shall be submitted indicating the following mitigation requirements will be met.

A. Disturbed areas, other than authorized improvements, shall be regraded and contoured to appear natural. All fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon.

Finding: The application narrative indicates the disturbed areas will be regarded and contoured to appear natural with the contours reflected in Appendix "B" Land Use Plans, Sheet C0001. There are no notations on the Landscape Plan, Sheet 102 that any fill shall be native soil per NMC 15.342.080. The Applicant shall add a note to Sheet L102 that all fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon. The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

If the aforementioned condition is adhered to, this criterion will be met.

B. Replanting shall be required using a combination of trees, shrubs and grass. Species shall be selected from the Newberg native plant list. Planting shall be as follows:

1. At least eight species of plants shall be used.

Finding: No plant materials have been identified on the Landscape Plan per the requirement of NMC 15.342.090(B)(1). Because plants have not been identified the criterion is not met. The Applicant shall revise the Landscape Plan to identify at least 8 species of plants in conformance with NMC 15.342.090(B)(1). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

If the aforementioned condition is adhered to, this criterion will be met.

2. At least two species must be trees and two species must be shrubs.

Finding: Five species of trees have been identified. No shrub species have been identified. Because no shrub species have been identified the criterion of NMC 15.342.090(B)(2) is not met. The Applicant shall revise the Landscape Plan to identify at least 2 species of plants in conformance with NMC 15.342.090(B)(2). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

If the aforementioned condition is adhered to, this criterion will be met.

3. No more than 50 percent of any seed mix used can be grass.

Finding: Appendix "B" Land Use Plans, Sheet L102 identifies Groundcover of EcoLawn (hydroseed) within the Stream Corridor mitigation area. NMC 15.342.090(B)(3) limits no more than 50 percent of any seed mixed used can be grass. The criterion is not met. The Applicant shall revise the Landscape Plan to identify that no more than 50 percent of any seed mix used can be grass in conformance with NMC 15.342.090(B)(3). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

If the aforementioned condition is adhered to, this criterion will be met.

4. A minimum of one tree and three shrubs shall be used for every 500 square feet of planting area.

Finding: No information was provided on the calculation for trees and shrubs for every 500 square feet of planting area. Because no information was provided the criterion is not met. The Applicant shall revise the Landscape Plan to identify that a minimum of one tree and three shrubs shall be used for every 500 square feet of planting area in conformance with NMC 15.342.090(B)(4). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

If the aforementioned condition is adhered to, this criterion will be met.

5. Areas to be replanted must be completed at the time of final inspection or completion of the work, except as otherwise allowed by this code.

Finding: The Applicant does not acknowledge this criterion in the narrative or in Appendix "B" Land Use Plans. The Applicant shall provide a written narrative that areas to be replanted must be completed at the time of final inspection or completion of the work in conformance with NMC 15.342.090(B)(5). The narrative shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

If the aforementioned condition is adhered to, this criterion will be met.

6. Existing vegetation that can be saved and replanted is encouraged, although not required.

Finding: Appendix "B" - Land Use Plans, Sheet C001 identifies that 11 trees will be removed. Understory will also be removed within the grading area. All remaining trees will be preserved identified on Sheets C000, C001 and L102. As noted and conditioned groundcover will augment the understory of the mitigation area.

This criterion is met.

C. Removed trees over six inches in diameter, as measured at breast height, shall be replaced as follows:

1. Trees from six to 18 inches in diameter shall be replaced with a minimum of three new trees for every tree removed.

2. Trees over 18 inches but less than 30 inches shall be replaced with a minimum of five trees for every tree removed.

3. Trees over 30 inches shall be replaced with a minimum of eight trees for every tree removed.

4. All trees replaced pursuant to this section shall have an average caliper measurement of a minimum of one inch. Additional trees of any size caliper may be used to further enhance the mitigation site.

Finding: The application materials identify in Appendix "B" Land Use Plans, Sheet C001 that trees will be removed and replanted. There are 10 trees that are between 6 and 18-inches in diameter and will be replaced with 30 trees. One tree to be removed is over 18-inches in diameter and will be replaced by 5 trees. All replacement trees will be 1.5-inch in caliper.

This criterion is met.

D. All disturbed areas, other than authorized improvements, shall be replanted to achieve 90 percent cover in one year. The director may require a bond or other form of security instrument to insure completion of the restoration plan. The director shall authorize the release of the bond or other security instrument when, after one year, the restoration site has achieved the purposes and standards of this section.

Finding: The application materials identify in Appendix "B" - Land Use Plans, Sheet C001 that plantings are spaced to achieve 90% coverage in one year. The Applicant also notes that they understand a bond or other form of security may be authorized by the director to ensure completion of the restoration plan. The proposed tree, shrub and seed mix as conditioned will allow for achievement of 90% coverage in 1 year.

This criterion is met.

E. All disturbed areas shall be protected with erosion control devices prior to construction activity. The erosion control devices shall remain in place until 90 percent cover is achieved.

Finding: The application materials identify in Appendix "B" - Land Use Plans, Sheet C001 that erosion control devices will be utilized. The devices will be installed prior to construction and remain in place until 90% coverage is achieved.

This criterion is met.

F. Except as provided below, all restoration work must occur within the SC overlay subdistrict and be on the same property. The director may authorize work to be performed on properties within the general vicinity or adjacent to the overlay subdistrict; provided, that the applicant demonstrates that this will provide greater overall benefit to the stream corridor areas.

Finding: The application materials indicate that all restoration work is proposed within the Stream Corridor Overlay Subdistrict on the respective impacted property. Because the proposed restoration work occurs within the SC overlay subdistrict and will be on the same property, the applicant has addressed the criterion.

This criterion is met.

15.342.100 Type III process for exceptions and variances.

A. Exceptions. Except as provided in NMC 15.342.040, 15.342.050, and 15.342.070, uses and activities otherwise allowed under the applicable base zone regulations shall be processed as a Type III. The applicant shall submit a stream corridor impact report (SCIR) and meet the criteria set forth in NMC 15.342.140: [Subsections 1 – 3 are not shown because as explained in the finding, below, Section 15.342.100, A, does not apply.]

Finding: The Applicant's narrative indicates that no exceptions are being requested and that the criterion does not apply.

B. Variance. A variance to the standards of this chapter may be granted under the Type III process. A variance to this chapter shall be processed as a Type III procedure and shall only be subject to the following criteria:

[Subsections 1 and 2 are not shown because as explained in the finding, below, Section 15.342.100(B) does not apply.]

Finding: The Applicant's narrative indicates that no variances are being requested and that the criterion does not apply.

C. Nothing contained herein shall be deemed to require a hearing body to approve a request for a Type III permit under this section.

Finding: Because no action requiring a Type III permit is proposed or requested the criterion is not appliable.

15.342.110 Prohibited uses and activities.
The following activities or uses are prohibited within this subdistrict:

> ***A. Except as provided in NMC 15.342.040(R), the planting or propagation of any plant identified as a nuisance plant as determined by a qualified botanist or indicated as a nuisance plant on the Newberg plant list.***

Finding: The Applicant has indicated in their narrative that they are not proposing any of the prohibited uses and activities within the Stream Corridor by this application of the approved CUP22-0001 and PUD22-0001.

This criterion is met.

> ***B. The removal of native trees that are greater than six inches in diameter at breast height, except as is otherwise permitted within this chapter.***

Finding: The Applicant has indicated in their narrative that they are not proposing any of the prohibited uses and activities within the Stream Corridor by this application of the approved CUP22-0001 and PUD22-0001.

This criterion is met.

> ***C. Any use dealing with hazardous substances or materials, including but not limited to gas service stations.***

Finding: The Applicant has indicated in their narrative that they are not proposing any of the prohibited uses and activities within the Stream Corridor by this application of the approved CUP22-0001 and PUD22-0001.

This criterion is met.

> ***D. Public pathways, except those in conjunction with public lands, public parks or public easements that have been acquired by other than eminent domain.***

Finding: The Applicant has indicated in their narrative that they are not proposing any of the prohibited uses and activities within the Stream Corridor by this application of the approved CUP22-0001 and PUD22-0001.

This criterion is met.

> ***E. Recreational marijuana producer and recreational marijuana processor.***

Finding: Because the applicant is not proposing any use associated with recreational marijuana this criterion is not applicable.

F. Recreational marijuana wholesalers, laboratories, research certificates and retailers.

Finding: Because the applicant is not proposing any use associated with recreational marijuana this criterion is not applicable.

G. Recreational marijuana dispensaries.

Finding: Because the applicant is not proposing any use associated with recreational marijuana dispensaries this criterion is not applicable.

15.342.120 Density transfer.
For residential development proposals on lands which contain the SC overlay subdistrict, a transfer of density shall be permitted within the development proposal site. The following formula shall be used to calculate the density that shall be permitted for allowed residential use on the property:

A. Step 1. Calculate expected maximum density. The expected maximum density (EMD) is calculated by multiplying the acreage of the property by the density permitted within the Newberg comprehensive plan.

B. Step 2. The density that shall be permitted on the property shall be equal to the EMD obtained in Step 1, provided:

[Subsections 1 - 5 are not shown because as explained in the finding, below, Section 15.342.120(B) does not apply.]

Finding: The Applicant has indicated in their narrative that they are not requesting a density transfer and criterion A and B are not applicable.

15.342.130 Procedure for adjusting and amending the delineated stream corridor.

A. Type II Process. The manager shall authorize an adjustment to the delineated stream corridor by a maximum of 15 percent of the corridor width as measured from the centerline of the stream to the upper edge of the stream corridor boundary (from the boundary location originally adopted as part of this chapter), provided the applicant demonstrates that the following standards are met:

1. The location of the delineated stream corridor boundary is not reduced to less than 50 feet from the edge of a wetland or 100-year flood elevation, whichever is higher; and

2. The lands to be eliminated do not contain sloped areas in excess of 20 percent; and

3. The lands to be eliminated do not significantly contribute to the protection of the remaining stream corridor for water quality, stormwater control and wildlife habitat; and

4. A stream corridor impact report which complies with the provisions of this chapter is provided; and

5. The line to be adjusted has not been previously adjusted from the boundary location originally adopted as part of this chapter.

Finding: The Applicant's narrative indicates that they are not proposing to adjust or amend the delineated stream corridor and the criteria are not applicable.

B. Type III Process. The applicant may propose to amend the delineated stream corridor boundary through a Type III quasi-judicial zone change proceeding consistent with the provisions of this code (see standard zone change criteria).

Finding: The Applicant's narrative indicates that they are not proposing to adjust or amend the delineated stream corridor and the criterion is not applicable.

CONCLUSION

Based on the above findings, the proposed stream corridor mitigation for grading meets the criteria required within the Newberg Development Code subject to completion of the attached conditions. The proposed project is recommended for approval.

Section III: Conditions – File MISC222-0004
Stream Corridor Mitigation Plan – 4821 E Portland Road

CONDTIONS OF APPROVAL

Either write or otherwise permanently affix the conditions of approval contained within this report onto the first page of the plans submitted for review.

A. Landscape Plan

1. The Applicant shall revise Sheets C001 and L102 so that no sound wall encroaches within the Stream Corridor, and Sheet C001shall be revised to not show a fence along the proposed property line as part of ADJP22-0002. A fence may be located at the top of the slope of the Stream Corridor boundary. The revised Sheet C001 and L102 shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

2. The Applicant shall add a note to Sheet L102 that all fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon. The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

3. The Applicant shall revise the Landscape Plan to identify at least 8 species of plants in conformance with NMC 15.342.090(B)(1). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

4. The Applicant shall revise the Landscape Plan to identify at least 2 species of plants in conformance with NMC 15.342.090(B)(2). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

5. The Applicant shall revise the Landscape Plan to identify that no more than 50 percent of any seed mix used can be grass in conformance with NMC 15.342.090(B)(3). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

6. The Applicant shall revise the Landscape Plan to identify that a minimum of one tree and three shrubs shall be used for every 500 square feet of planting area in conformance with NMC 15.342.090(B)(4). The revised Landscape Plan shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

7. The Applicant shall provide a written narrative that areas to be replanted must be completed at the time of final inspection or completion of the work in conformance

with NMC 15.342.090(B)(5). The narrative shall be submitted to the Planning Division for review and approval prior to any grading activities and/or submittal of Building Permits.

DEVELOPMENT NOTES:

1. **Stream Corridor Conditions:** Contact the Planning Division (503-537-1240) to verify that all conditions have been completed.

2. **Site Inspection:**

   a. Contact the Building Division (503-537-1240) for Building, Mechanical, and Plumbing final inspections.

   b. Contact the Fire Department (503-649-7302) for Fire Safety final inspections.

   c. Contact the Planning Division (503-537-1240) for stream corridor mitigation planting inspections.

Attachment 1: Application and Supplemental Information

3J CONSULTING

CIVIL ENGINEERING | WATER RESOURCES | LAND USE PLANNING

CRESTVIEW GREEN: STREAM CORRIDOR

4821 E PORTLAND ROAD | NEWBERG, OREGON 97132

APPLICANT:

3J CONSULTING, INC.
9600 NW NIMBUS AVENUE, SUITE 100
BEAVERTON, OR 97008
CONTACT: SAM HUCK
PHONE: (503) 946-9365

APPLICATION TYPE

TYPE II -
MODIFICATIONS WITHIN THE STREAM CORRIDOR

SUBMITTAL DATE

OCTOBER 12, 2022

Table of Contents

GENERAL INFORMATION 3
SITE INFORMATION 3
INTRODUCTION 4
APPLICANT'S REQUEST 4
SITE DESCRIPTION/SURROUNDING LAND USE 4
PROPOSAL 4
APPLICABLE CRITERIA 5
TITLE 15 DEVELOPMENT CODE 5
CHAPTER 15.100 LAND USE PROCESSES AND PROCEDURES 5
15.100.030 Type II procedure. 5
Chapter 15.342 STREAM CORRIDOR OVERLAY (SC) SUBDISTRICT 6
15.342.020 Where these regulations apply. 6
15.342.030 General information. 6
15.342.040 Activities exempt from these regulations. 6
15.342.070 Activities requiring a Type II process. 7
15.342.080 Plan submittal requirements for Type II activities. 8
15.342.090 Mitigation requirements for Type II activities. 9
15.342.100 Type III process for exceptions and variances. 10
15.342.110 Prohibited uses and activities. 10
15.342.120 Density transfer. 11
15.342.130 Procedure for adjusting and amending the delineated stream corridor. 11
SUMMARY AND CONCLUSION 12

Appendices

Appendix A – Land Use Application Form and Title Reports

Appendix B – Land Use Plans

- Sheet #C000: Stream Corridor Existing Conditions
- Sheet #C001: Stream Corridor Overlay Exhibit

Appendix C – Technical Reports

- Wetland Delineation Report: Pacific Habitat Services, Inc
- Wetland Delineation Report Concurrence Letter: Department of State Lands

GENERAL INFORMATION

Property Owner and Applicant:	**Westwood Homes, LLC** 12118 NW Blackhawk Drive Portland, OR 97229 Contact: Todd Boyce Phone: (503) 715-2383 Email: todd@westwoodhomesllc.com
Planning Consultant:	**3J Consulting, Inc.** 9600 SW Nimbus Avenue, Suite 100 Beaverton, OR 97008 Contact: Sam Huck Phone: (503) 946-9365 Email: sam.huck@3j-consulting.com
Civil Engineer/Project Manager:	**3J Consulting, Inc.** 9600 SW Nimbus Avenue, Suite 100 Beaverton, OR 97008 Contact: Aaron Murphy Phone: (503) 946-9365 Email: aaron.murphy@3j-consulting.com

SITE INFORMATION

Parcel Number:	3216 1000 & 900
Address:	4813 E Portland Road & 4821 E Portland Road
Gross Site Area:	10.58 acres
Zoning Designation:	R-1 (Low Density Residential), R-2 (Medium Density Residential), and C-2 (Community Commercial)
Overlay Zone:	Bypass Interchange (BI) Overlay
Existing Use:	Single-family residential
Surrounding Zoning:	The properties to the north are zoned Yamhill County VLDR-1 and VLDR-2. The properties to the south are zoned Yamhill County VLDR-2.5 and EF-20. The properties to the east are zoned EF-20. The properties to the west are zoned R-1, R-2 and C-2.
Street Classification:	OR-99W is classified as a Major Arterial and is an ODOT facility. E Jory Street is classified as a Minor Collector. E Willakenzie Street is classified as a local road. NE Benjamin Road is under the jurisdiction of Yamhill County and is classified as a local road.

INTRODUCTION

APPLICANT'S REQUEST

Westwood Homes, LLC ("the Applicant") proposes to construct a 133-unit residential development and seeks approval of a Type II application for modifications within the Stream Corridor, concurrently submitted with CUP and PUD (CUP 22-0001 and PUD 22-0001) applications currently in review and consideration. This narrative has been prepared to describe the proposed modifications within the Stream Corridor and to document compliance with the relevant sections of the City of Newberg's Municipal Code ("NMC") for the Type II Application.

The application for modifications within the Stream Corridor is evaluated under the Type II process. The Newberg Planning Director will render the Type II decision.

SITE DESCRIPTION/SURROUNDING LAND USE

This application will focus on the northeast portion of the Crestview Green site (casefiles CUP 22-0001 and PUD 22-0001). The stream corridor is shown on the attached Appendix "B" Land Use Plans, and the modifications within the stream corridor are shown in Tract C of Sheet #C001. The subject area where modifications within the stream corridor will occur is approximately 0.12 acres in size and is located north of E Willakenzie Street and west of NE Benjamin Road. The site is identified as tax lot 3216AA00900. The property is located within the City of Newberg and is Zoned R-1: Low Density Residential.

The wetland and Stream Corridor is located on the northeast corner of tax lot 3216AA00900. A Property Line Adjustment ("PLA") application has been submitted prior to the submittal of this land use application that transfers 8,148.50 square feet from the subject site to tax lot 3216AA01600 under different ownership. This area is comprised of the wetland area and will be granted to the north adjacent property under separate ownership. Due to existing grades and location of existing sanitary sewer facilities proposed for the Crestview Green site (casefiles CUP 22-0001 and PUD 22-0001), a portion of the site will be served by a proposed public pump station and sanitary sewer force main shown as Tract B "Pump Station" in Appendix "B" Sheet #C001.

The site has frontage on East Willakenzie Street and Benjamin Road. The Crestview Green land use applications include single-family detached homes, attached single-family homes, and multi-family apartments. The Crestview Crossing Planned Community to the west includes commercial development, single-family homes, cottage style single-family homes, and multi-family homes. The properties to the north, east, and south have rural single-family uses.

PROPOSAL

The proposed Type II application for modifications within the Stream Corridor has been prepared in support of the PUD and CUP applications (CUP 22-0001 and PUD 22-0001). This Application is prepared in response to Option Two in the Conditions of Approval letter, Section III: Findings – File PUD22-0001, Planned Unit Development – Crestview Green, O. Site Modification, and supports the Type II application for Modifications within the Stream Corridor.

APPLICABLE CRITERIA

The following sections of Newberg's Development Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for Type II Modifications within the Stream Corridor application.

TITLE 15 DEVELOPMENT CODE

CHAPTER 15.100 LAND USE PROCESSES AND PROCEDURES
15.100.030 Type II procedure.
A. Type II development actions shall be decided by the director.
B. Type II actions include, but are not limited to:

1. Site design review.
2. Variances.
3. Manufactured dwelling parks and mobile home parks.
4. Partitions.
5. Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).

Applicant's Findings: This application has been deemed necessary by the Review Authority for Case File CUP 22-0001 and PUD 22-0001 as a "Type II application for modifications within the Stream Corridor as part of the CUP and PUD application for review and consideration." As stated in 15.100.030.B., the Type II actions are not limited to the above list, therefore this threshold is met.

C. The applicant shall provide notice pursuant to the requirements of NMC 15.100.200 et seq.

Applicant's Findings: The applicant team has provided both written and posted notice in accordance with NMC 15.100.210 and NMC 15.100.260. This standard is met.

D. The director shall make a decision based on the information presented and shall issue a development permit if the applicant has complied with all of the relevant requirements of this code. The director may add conditions to the permit to ensure compliance with all requirements of this code.
E. Appeals may be made by an affected party, Type II, in accordance with NMC 15.100.160 et seq. All Type II development action appeals shall be heard and decided by the planning commission.
F. If the director's decision is appealed as provided in subsection (E) of this section, the hearing shall be conducted pursuant to the Type III quasi-judicial hearing procedures as identified in NMC 15.100.050.
G. The decision of the planning commission on any appeal may be further appealed to the city council by an affected party, Type III, in accordance with NMC 15.100.160 et seq. and shall be a review of the record supplemented by written or oral arguments relevant to the record presented by the parties.
H. An applicant shall have the option to request at the time the development permit application is submitted that the proposal be reviewed under the Type III procedure.

Applicant's Findings: The applicant team understands and acknowledges the City of Newberg Type II application procedures and that conditions of approval may be added to the permit. This standard is met.

Chapter 15.342 STREAM CORRIDOR OVERLAY (SC) SUBDISTRICT

15.342.020 Where these regulations apply.

The regulations of this chapter apply to the portion of any lot or development site which is within an SC overlay subdistrict. Unless specifically exempted by NMC 15.342.040, these regulations apply to the following:

A. New structures, additions, accessory structures, decks, addition of concrete or other impervious surfaces;

B. Any action requiring a development permit by this code;

C. Changing of topography by filling or grading;

D. Installation or expansion of utilities including but not limited to phone, cable TV, electrical, wastewater, storm drain, water or other utilities;

E. Installation of pathways, bridges, or other physical improvements which alter the lands within the stream corridor overlay subdistrict.

Applicant's Findings: No new structures are being proposed within the Stream Corridor, but a grading permit will be obtained, and grading will occur within the Stream Corridor. Pursuant to NMC 15.342.030 General information, a Stream Corridor is located at a distance 50 feet from the edge of the wetland. These regulations apply to this proposed development action; therefore this standard is met.

15.342.030 General information.

The delineated stream corridor overlay subdistrict is described by boundary lines delineated on the City of Newberg zoning map indicated with an SC symbol. The boundaries of the SC areas were established by an ecologist analyzing several environmental values including erosion potential, wildlife habitat, riparian water quality protection, floodplain water quality protection, natural condition, and ecological integrity. This information is contained in more detail in a document titled "City of Newberg, Stream Corridors as a Goal 5 Resource." This document includes a Goal 5 ESEE (economic, social, environment and energy consequences) analysis and was the basis for the preparation of this chapter. The boundaries of the SC overlay subdistrict are typically located at a logical top of bank, or where no obvious top of bank exists, are located at a distance 50 feet from the edge of the wetland.

Applicant's Findings: The location of the steam corridor is approximately shown on the City of Newberg zoning map, and the exact location of the on-site wetland has been determined and is shown through Wetland Delineation performed by Pacific Habitat Services, Inc and approved by the Department of State Lands (DSL), as shown in Appendix "C" Technical Reports Wetland Delineation for 4812 & 4813 E. Portland Road, Newberg, Oregon, and the DSL Concurrence Letter.

15.342.040 Activities exempt from these regulations.

Applicant's Findings: The applicant is not proposing any exempt activities with this application and therefore, the thresholds of this section are not applicable.

15.342.050 Activities requiring a Type I process.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. Therefore, the Type I process is not applicable for this application.

15.342.060 Restoration standards for Type I process.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. Therefore, the Type I process and restoration standards are not applicable for this application.

15.342.070 Activities requiring a Type II process.

The installation, construction or relocation of the following improvements shall be processed as a Type II decision. The proposal shall be accompanied by a plan as identified in NMC 15.342.080 and conform to the mitigation standards contained in NMC 15.342.090.

A. Public or private street crossings, sidewalks, pathways, and other transportation improvements that generally cross the stream corridor in a perpendicular manner.

B. Bridges and other transportation improvements that bridge the wetland area.

C. Railroad trackage crossings over the SC overlay subdistrict that bridge the wetland area.

D. Water, wastewater, and stormwater systems already listed within approved City of Newberg master infrastructure plans.

E. New single-family or duplex dwellings which meet all of the following requirements:

1. The lot was created prior to December 4, 1996, is currently vacant, has at least 75 percent of the land area located within the SC overlay subdistrict and has less than 5,000 square feet of buildable land located outside the SC overlay subdistrict.

2. No more than one single-family or duplex dwelling and its expansion is permitted on the property, which shall occupy a coverage area not to exceed 1,500 square feet in area.

3. The single-family or duplex dwelling shall be sited in a location which minimizes the impacts to the stream corridor.

4. The improvements and other work are not located within the 100-year flood boundary.

F. Reduced front yard setback. Properties within the SC subdistrict may reduce the front yard setback for single-family or duplex dwellings or additions where the following requirements are met:

1. The reduction in the front yard setback will allow no less than five feet between the property line and the proposed structure.

2. The reduction in the setback will allow the footprint of the proposed dwelling or addition to be located entirely out of the SC overlay subdistrict.

3. Two 20-foot-deep off-street parking spaces can be provided which do not project into the street right-of-way.

4. Maximum coverage within the stream corridor subdistrict shall not exceed 1,500 square feet.

G. Temporary construction access associated with authorized Type II uses. The disturbed area associated with temporary construction access shall be restored pursuant to NMC 15.342.090.
H. Grading and fill for recreational uses and activities, which shall include revegetation, and which do not involve the construction of structures or impervious surfaces.
I. Public parks.
J. Stream corridor enhancement activities which are reasonably expected to enhance stream corridor resource values and generally follow the restoration standards in NMC 15.342.060.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. The construction activity related to Case Files: CUP 22-0001 and PUD 22-0001 will involve grading, but does not involve the construction of structures or impervious surfaces within the Stream Corridor. After the construction activity has finished, the Stream Corridor will be appropriately mitigated in accordance with NMC 15.342.090, as described further in this narrative. This standard is met.

15.342.080 Plan submittal requirements for Type II activities.
In addition to the design review plan submittal requirements, all applicants for Type II activities within the SC overlay subdistrict shall submit the following information:
A. A site plan indicating all of the following existing conditions:
1. Location of the boundaries of the SC overlay subdistrict.
2. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed, and existing utility locations.
3. Location of any wetlands or water bodies on the site and the location of the stream centerline and top of bank.
4. Within the area to be disturbed, the approximate location of all trees that are more than six inches in diameter at breast height must be shown, with size and species. Trees outside the disturbed area may be individually shown or shown as crown cover with an indication of species type or types.
5. Topography shown by contour lines at five-foot vertical intervals or less.
6. Photographs of the site may be used to supplement the above information but are not required.
B. Proposed development plan including all of the following:
1. Outline of disturbed area including all areas of proposed utility work.
2. Location and description of all proposed erosion control devices.
3. A landscape plan prepared by a landscape architect, or other qualified design professional, shall be prepared which indicates the size, species, and location of all new vegetation to be planted.

Applicant's Findings: A site plan showing the items listed above, numbers A.1-6, are shown in the attached Appendix "B" Land Use Plans, Sheet #C000. A site plan with proposed development plan including the disturbed areas, location and description of erosion control devices proposed, and landscape plan that shows the mitigation standard compliance is shown attached in Appendix "B" Land Use Plans, Sheet #C001.

15.342.090 Mitigation requirements for Type II activities.

The following mitigation requirements apply to Type II activities. The plans required pursuant to NMC 15.342.080 shall be submitted indicating the following mitigation requirements will be met.

A. Disturbed areas, other than authorized improvements, shall be regraded and contoured to appear natural. All fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon.

Applicant's Findings: Disturbed areas within the Stream Corridor will be regraded and contoured to appear natural, as shown in Appendix "B" Land Use Plans Sheet #C001. No fill material will be used. This standard is met.

B. Replanting shall be required using a combination of trees, shrubs and grass. Species shall be selected from the Newberg native plant list. Planting shall be as follows:

1. At least eight species of plants shall be used.

2. At least two species must be trees and two species must be shrubs.

3. No more than 50 percent of any seed mix used can be grass.

4. A minimum of one tree and three shrubs shall be used for every 500 square feet of planting area.

5. Areas to be replanted must be completed at the time of final inspection or completion of the work, except as otherwise allowed by this code.

6. Existing vegetation that can be saved and replanted is encouraged, although not required.

Applicant's Findings: All replanting will be in accordance with the above criteria, as shown in the Stream Corridor Overlay Exhibit in Appendix "B" Land Use Plans Sheet #C001. The applicant team has kept as many trees in the Stream Corridor as possible, and will be removing a total of 11 trees, and replanting 35 trees. The tree species will be in accordance with the "Trees for Steams Plant List", shown on the Trees for Streams Program page on the City of Newberg website, and will include at least 8 species. This standard is met.

C. Removed trees over six inches in diameter, as measured at breast height, shall be replaced as follows:

1. Trees from six to 18 inches in diameter shall be replaced with a minimum of three new trees for every tree removed.

2. Trees over 18 inches but less than 30 inches shall be replaced with a minimum of five trees for every tree removed.

3. Trees over 30 inches shall be replaced with a minimum of eight trees for every tree removed.

4. All trees replaced pursuant to this section shall have an average caliper measurement of a minimum of one inch. Additional trees of any size caliper may be used to further enhance the mitigation site.

Applicant's Findings: All trees removed within the Stream Corridor are shown on Sheet #C001 in Appendix "B". Trees that will be replanted are shown on Sheet #C001, in Appendix "B". There will be 10 trees removed that are from six to 18 inches in diameter and replaced with 30 trees. One tree will be removed that is over 18 inches in diameter,

and will be replaced by 5 trees. All replacement trees will have an average caliper measurement of minimum one inch. This standard is met.

D. All disturbed areas, other than authorized improvements, shall be replanted to achieve 90 percent cover in one year. The director may require a bond or other form of security instrument to insure completion of the restoration plan. The director shall authorize the release of the bond or other security instrument when, after one year, the restoration site has achieved the purposes and standards of this section.

Applicant's Findings: The trees to be planted shown on Sheet #C001 in Appendix "B" are spaced in their approximate planting location to achieve 90 percent cover in one year. The applicant team understands that a bond or other form of security may be authorized by the director to insure completion of the restoration plan. This standard is met.

E. All disturbed areas shall be protected with erosion control devices prior to construction activity. The erosion control devices shall remain in place until 90 percent cover is achieved.

Applicant's Findings: The plans shown on Sheet #C001 in Appendix "B" will use the erosion control devices as shown. These devices will be installed prior to construction and stay in place until the 90% cover is achieved. This standard is met.

F. Except as provided below, all restoration work must occur within the SC overlay subdistrict and be on the same property. The director may authorize work to be performed on properties within the general vicinity or adjacent to the overlay subdistrict; provided, that the applicant demonstrates that this will provide greater overall benefit to the stream corridor areas.

Applicant's Findings: All proposed restoration work within the Stream Corridor will be on the same property. This standard is met.

15.342.100 Type III process for exceptions and variances.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a Stream Corridor as part of the CUP and PUD application for review and consideration, and therefore this standard is not applicable.

15.342.110 Prohibited uses and activities.
The following activities or uses are prohibited within this subdistrict:
A. Except as provided in NMC 15.342.040(R), the planting or propagation of any plant identified as a nuisance plant as determined by a qualified botanist or indicated as a nuisance plant on the Newberg plant list.
B. The removal of native trees that are greater than six inches in diameter at breast height, except as is otherwise permitted within this chapter.
C. Any use dealing with hazardous substances or materials, including but not limited to gas service stations.
D. Public pathways, except those in conjunction with public lands, public parks or public easements that have been acquired by other than eminent domain.

E. Recreational marijuana producer and recreational marijuana processor.
F. Recreational marijuana wholesalers, laboratories, research certificates and retailers.
G. Recreational marijuana dispensaries.

Applicant's Findings: The applicant is not proposing any of the above prohibited uses and activities within the Stream Corridor in either this application or in the Case Files: CUP 22-0001 and PUD 22-0001. This standard is met.

15.342.120 Density transfer.
For residential development proposals on lands which contain the SC overlay subdistrict, a transfer of density shall be permitted within the development proposal site. The following formula shall be used to calculate the density that shall be permitted for allowed residential use on the property:
A. Step 1. Calculate expected maximum density. The expected maximum density (EMD) is calculated by multiplying the acreage of the property by the density permitted within the Newberg comprehensive plan.
B. Step 2. The density that shall be permitted on the property shall be equal to the EMD obtained in Step 1, provided:

1. The density credit can only be transferred to that portion of the development site that is not located within the designated stream corridor; and
2. The minimum lot size required for residential dwellings, in the base zone, shall not be reduced by mor than 20 percent; and
3. The maximum dwelling units per net acre of buildable land, outside the SC boundary, shall not be increased by more than 20 percent; and
4. The types of residential uses and other applicable standards permitted in the zone shall remain the same; and
5. All other uses shall comply with applicable standards and criteria of the Newberg development code.

Applicant's Findings: The applicant is not requesting any density transfers; therefore this standard is not applicable.

15.342.130 Procedure for adjusting and amending the delineated stream corridor.
A. Type II Process. The manager shall authorize an adjustment to the delineated stream corridor by a maximum of 15 percent of the corridor width as measured from the centerline of the stream to the upper edge of the stream corridor boundary (from the boundary location originally adopted as part of this chapter), provided the applicant demonstrates that the following standards are met:

1. The location of the delineated stream corridor boundary is not reduced to less than 50 feet from the edge of a wetland or 100-year flood elevation, whichever is higher; and
2. The lands to be eliminated do not contain sloped areas in excess of 20 percent; and
3. The lands to be eliminated do not significantly contribute to the protection of the remaining stream corridor for water quality, stormwater control and wildlife habitat; and
4. A stream corridor impact report which complies with the provisions of this chapter is provided; and

5. The line to be adjusted has not been previously adjusted from the boundary location originally adopted as part of this chapter.

B. Type III Process. The applicant may propose to amend the delineated stream corridor boundary through a Type III quasi-judicial zone change proceeding consistent with the provisions of this code (see standard zone change criteria).

Applicant's Findings: The applicant is not any adjusting or amending of the delineated stream corridor; therefore, this standard is not applicable.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval of this application from the City of Newberg Community Development Director, for a Type II: Modifications within the Stream Corridor.

APPENDIX A -
LAND USE APPLICATION AND TITLE REPORTS

DigiSign Verified: FE46F25E-83B8-4912-868C-C2046491C6D8

TYPE II APPLICATION – LAND USE

File #: _____

TYPES – PLEASE CHECK ONE:

- ☐ **Design review**
- ☐ **Tentative Plan for Partition**
- ☐ **Tentative Plan for Subdivision**
- ☐ **Type II Major Modification**
- ☐ **Variance** _____
- ☑ **Other: (Explain)** Modifications within the Stream Corridor

APPLICANT INFORMATION:

APPLICANT: 3J Consulting, Inc. C/O Sam Huck
ADDRESS: 9600 SW Nimbus Ave. Suite 100, Beaverton, OR 97008
EMAIL ADDRESS: sam.huck@3j-consulting.com
PHONE: (503) 946-9365 x251 MOBILE: _____ FAX: _____
OWNER (if different from above): Bruce A. Thomas, Valerie J. Thomas PHONE: _____
ADDRESS: 4821 E Portland Road., Newberg, OR 97132
ENGINEER/SURVEYOR: 3J Consulting, Inc., C/O Aaron Murphy PHONE: (503) 946-9365 x218
ADDRESS: 9600 SW Nimbus Ave. Suite 100, Beaverton, OR 97008

GENERAL INFORMATION:

PROJECT NAME: Crestview Green - Modifications within the Stream Corridor PROJECT LOCATION: 4821 E Portland Road
PROJECT DESCRIPTION/USE: Modifications within the Stream Corridor related to Case File: CUP 22-0001 and PUD 22-0001 PROJECT VALUATION: _____
MAP/TAX LOT NO. (i.e.3200AB-400): 3216AA-900 ZONE: R-1 SITE SIZE: 0.12 SQ. FT. ☐ ACRE ☒
COMP PLAN DESIGNATION: LDR, MDR, COM TOPOGRAPHY: Sloped
CURRENT USE: Stream Corridor
SURROUNDING USES:
NORTH: Single-family residential SOUTH: Single-family residential
EAST: Single-family residential WEST: Planned development - single-family, attached and multi-family

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: ☑ Fees ☑ Public Notice Information ☑ Current Title Report ☑ Written Criteria Response ☑ Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Design Review ..... **p. 12**
Partition Tentative Plat ..... **p. 14**
Subdivision Tentative Plat ..... **p. 17**
Variance Checklist ..... **p. 20**

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

Sam Huck — Digitally signed by Sam Huck DN: C=US, E=sam.huck@3j-consulting.com, O=3J Consulting, CN=Sam Huck Date: 2022.10.11 08:51:08-07'00'
Applicant Signature Date

Sam Huck
Print Name

Valerie Thomas 10-11-2022
Owner Signature Date

Valerie Thomas
Print Name

Bruce Thomas 10-12-2022
Owner Signature Date

Bruce Thomas
Print Name

CERTIFICATE OF COMPLETION

DIGI SIGN

Envelope Id:	FE46F25E-83B8-4912-868C-C2046491C6D8	**Envelope Sent:**	10/11/2022 9:26:49 AM PDT
Subject:	4821 E Portland Rd Type 2 Land Use Application	**Envelope Completed:**	10/12/2022 8:23:13 AM PDT
Sender Name:	Ryann Reinhofer	**Envelope Pages:**	1
Sender Email:	ryann@TBREGroup.com	**Total Initials:**	0
IP Address:	69.168.123.67	**Total Signatures:**	2

SIGNER EVENTS

Name:	Bruce Thomas	**Envelope Sent:**	10/11/2022 9:26:50 AM PDT
Email:	btpolaris@aol.com	**Disclosure Accepted:**	10/12/2022 8:23:08 AM PDT
Signature:	Bruce Thomas **Initials:** BT	**Envelope Completed:**	10/12/2022 8:23:13 AM PDT
		Envelope Downloaded:	
IP Address:	107.77.205.102	**Signature Security:**	Email, Token Authentication

Name:	Valerie Thomas	**Envelope Sent:**	10/11/2022 9:26:50 AM PDT
Email:	ft712@msn.com	**Disclosure Accepted:**	10/11/2022 9:28:03 AM PDT
Signature:	Valerie Thomas **Initials:** VT	**Envelope Completed:**	10/11/2022 9:28:25 AM PDT
		Envelope Downloaded:	
IP Address:	73.67.218.203	**Signature Security:**	Email, Token Authentication

ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT

Skyslope™ is pleased to offer our clients the DigiSign™ electronic verification and document signing service. This service is compliant with the Electronic Signatures in Global and National Commerce Act ("the E-SIGN Act"). The E-SIGN Act was passed by Congress to facilitate the use of electronic signatures, communications and records (collectively, “Records”) in interstate and foreign commerce by ensuring the validity and legal effect of contracts entered into electronically. Careful to preserve the underlying consumer protection laws governing consumers' rights to receive certain information in writing, Congress imposed special requirements on businesses that want to use electronic records or signatures in consumer transactions. Section 101(c)(1) of the E-SIGN Act requires businesses to obtain from consumers affirmative consent to receive and execute (sign) Records electronically.

Please review the notice below (“Notice”) carefully. By using DigiSign you consent to this Notice. If you choose not to consent to this Notice or you withdraw your consent, you will be restricted from using DigiSign.

Your Consent:

By consenting to this notice, you are agreeing to:

1. Receive notices and disclosures from SkySlope in electronic form (in a manner that reasonably demonstrates your ability to access and retain such notices and disclosures; and

2. Use the DigiSign electronic signatures (“e-signatures”) on the documents you elect to execute or otherwise process through the DigiSign service. By delivering to DigiSign documents to be executed, you are authorizing DigiSign to imprint thereon your signature and that of other parties who have provided us with their consent, and to distribute copies of the executed versions to all parties. DigiSign will not make any other use of documents without your prior written authorization.

Activation and Confirmation of your Consent:

DigiSign will initiate an email invitation to you to start the verification process. You must confirm receipt of that email and acknowledge that you are able to download, save and print electronic documents.

Scope of Consent:

Your consent to this notice applies to all Records you receive or transact through DigiSign until such time as you withdraw your consent (see below).

Requesting Paper Copies:

You may request paper copies of a particular Record by emailing us at support@skyslope.com or writing us at 825 K St. FL 2, Sacramento, CA 95814. Your request must include: your name, physical address, email address, telephone number and the name of the transaction being processed. Your request will be effective within twenty (24) business hours from the time we receive your request. We may charge a reasonable service fee for the provision of paper Records. Any paper copy request must be made to "Attn: E-Sign Disclosure and Consent Notice."

Withdrawing Your Consent:

You may withdraw your consent to receive Records under this Notice by emailing us at support@skyslope.com or writing us at 825 K St. FL 2, Sacramento, CA 95814. Your withdrawal will be effective within twenty (24) business hours from the time we receive your withdrawal notice. Any withdrawal request must be made to "Attn: E-Sign Disclosure and Consent Notice."

Hardware and Software Requirements:

To access and retain electronic Records, you must have:

- A valid email address;
- A computer, mobile, tablet or similar device with internet access and current browser software and computer software that is capable of receiving, accessing, displaying, and either printing or storing Records received from us in electronic form;
- Sufficient storage space to save the Records (whether presented online, in e-mails or PDF) or the ability to print Records.

We will notify you as required by law if any of the foregoing hardware or software requirements change.

Updating Your Information:

It is your responsibility to keep your primary email address current so that SkySlope can communicate with you electronically. You understand and agree that if we send you a communication but you do not receive it because your primary email address on file is incorrect, out of date, blocked by your service provider, or you are otherwise unable to receive electronic communications, we will be deemed to have provided the communication to you; however, we

may deem your account inactive. You may not be able to transact using DigiSign until we receive a valid, working primary email address from you.

If you use a spam filter or similar software that blocks or re-routes emails from senders not listed in your email address book, we recommend that you add SkySlope to your email address book so that you can receive communications by e-mail.

You can update your email address or other information by emailing us at support@skyslope.com or writing us at 825 K St. FL 2, Sacramento, CA 95814 Any notices must be made to "Attn: E-Sign Disclosure and Consent Notice."

SkySlope Not a Party; Performance by Parties:

SkySlope provides the DigiSign service as a way for parties to execute agreements. When you and any one or more other parties executes an agreement through DigiSign, only you and those other parties have rights and duties with respect to such document. SkySlope is not a party to any such agreement, and shall not have any liability or responsibility with respect to the validity or enforceability, the breach by any party in the performance of its obligations under that agreement, or your failure to obtain the outcome you were seeking to achieve. Customer support provided by SkySlope is to only to answer questions regarding the functions of the service, and SkySlope will not have any obligation to provide any customer support with respect to the performance by any party to any agreement executed using DigiSign.

If any dispute arises between or among any parties to an agreement that has been executed using DigiSign, SkySlope shall not have any responsibility or liability with respect to that dispute. Without limiting the generality of the foregoing, SkySlope will not have any obligation to assist in mediating any such dispute, to locate any other party to the agreement, or otherwise to facilitate a resolution of the dispute.

ANY STATEMENTS MADE BY SKYSLOPE ABOUT THE VALIDITY OF ELECTRONIC CONTRACTS AND THE SIGNATURE LINES OF AGREEMENTS THAT ARE ELECTRONICALLY EXECUTED ARE GENERAL IN NATURE AND ARE NOT INTENDED, AND SHOULD NOT BE CONSTRUED, AS LEGAL ADVICE. SKYSLOPE HEREBY DISCLAIMS ANY RESPONSIBILITY FOR ENSURING THAT AGREEMENTS THAT ARE ELECTRONICALLY EXECUTED THROUGH DIGISIGN ARE VALID OR ENFORCEABLE UNDER THE LAWS OF ANY PARTICULAR STATE OR OTHER JURISDICTION. IF YOU WISH TO VERIFY THE VALIDITY OR ENFORCEABILITY OF ANY AGREEMENT YOU PLAN TO EXECUTE OR HAVE EXECUTED USING DIGISIGN, THEN YOU SHOULD CONSULT A LICENSED ATTORNEY FOR APPROPRIATE LEGAL ADVICE.

AmeriTitle, LLC
320 Church St. NE, Salem, OR 97301
PHONE (503)581-1431 FAX (503)364-8716

December 1, 2021
File Number: 444574AM
Report No.: **4**
Title Officer: Julie Lafoon

PRELIMINARY TITLE REPORT

Property Address: 4821 E Portland Road, Newberg, OR 97132

Policy or Policies to be issued:	Liability	Premium
OWNER'S STANDARD COVERAGE	$2,100,000.00	$3,750.00
Proposed Insured: **Westwood Homes, LLC, an Oregon limited liability company**		
Local Government Lien Search		$40.00

We are prepared to issue ALTA (06/17/06) title insurance policy(ies) of WFG National Title Insurance Company, in the usual form insuring the title to the land described as follows:

Legal description attached hereto and made a part hereof marked Exhibit "A"

and dated as of 22nd day of November, 2021 at 7:30 a.m., title is vested in:

Bruce A. Thomas and Valerie J. Thomas, as tenants by the entirety

The estate or interest in the land described or referred to in this Preliminary Title Report and covered herein is:

FEE SIMPLE

Except for the items properly cleared through closing, Schedule B of the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.

5. Any lien, or right to a lien, for services, labor, material, equipment rental, or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

EXCEPTIONS 1 THROUGH 5 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

SPECIAL EXCEPTIONS:

Tax Information:

Taxes assessed under Code No. 29.0 Account No. 29070 Map No. R3216 900
NOTE: The 2021-2022 Taxes: $3,381.00, are Paid

6. INTENTIONALLY DELETED.
7. City liens, if any, of the City of Newberg.
8. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
9. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
10. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
    Amount: $94,500.00
    Trustor/Grantor: Bruce A. Thomas and Valerie J. Thomas
    Trustee: Chicago Title Insurance Company
    Beneficiary: First Franklin Financial Corporation
    Dated: July 12, 1995
    Recorded: July 21, 1995
    Instrument No.: 1995-009522

    The beneficial interest under said Deed of Trust was assigned by successive assignments of record the last of which was assigned to Ocwen Loan Servicing LLC, by assignment recorded as Instrument No.: 2013-013294
11. Covenant of Waiver of Rights and Remedies, including the terms and provisions thereof,
    Recorded: January 31, 2007
    Instrument No.: 2007-002368

12. Covenant of Waiver of Rights and Remedies, including the terms and provisions thereof,
    Recorded: January 31, 2007
    Instrument No.: 2007-002369
13. Covenant and Waiver of Rights and Remedies, including the terms and provisions thereof,
    Recorded: January 31, 2007
    Instrument No.: 2007-002370
14. Covenant of Waiver of Rights and Remedies, including the terms and provisions thereof,
    Recorded: January 31, 2007
    Instrument No.: 2007-002371
15. Covenant and Waiver of Rights and Remedies, including the terms and provisions thereof,
    Recorded: June 13, 2008
    Instrument No.: 2008-010249
16. Covenant of Waiver and Rights of Remedies, including the terms and provisions thereof,
    Recorded: June 13, 2008
    Instrument No.: 2008-010250
17. Personal property taxes, if any.
18. Sale Agreement, including the terms and provisions thereof,
    Recorded: December 7, 2015
    Instrument No.:2015-018954
    Between: Valerie Thomas
    And: Bruce Thomas
19. INTENTIONALLY DELETED.
20. INTENTIONALLLY DELETED.
21. INTENTIONALLY DELETED.
22. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.
23. Rights of tenants under existing leases or tenancies.

INFORMATIONAL NOTES:

NOTE: THIS IS A TITLE ONLY ORDER, and as such this office will not be performing any escrow functions such as document preparation, wiring or payoff information, signings, closing protection letters and/or sub-escrows. For questions pertaining to your escrow,
Please contact: WFG National Title
Attn: Krista Thorne:
Address: 2430 NE John Olsen Avenue, Ste. 125, Beaverton, OR 97006
Reference: 21-136607

(If full escrow functions are needed on this transaction by this office, please contact us immediately.) (To release recordings for title only files, please contact our recording desk at (503)581-1431 or email SalemRecorder@amerititle.com)

NOTE: As of the date hereof, there are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:
Parties:
Westwood Homes, LLC, an Oregon Corporation
Valerie J. Thomas
Bruce A. Thomas

NOTE: We find no activity in the past 24 months regarding transfer of title to subject property.

NOTE: The following is the last deed of record affecting said land,
Document: Statutory Warranty Deed
Grantor: Lloyd Schoene
Grantee: Bruce A. Thomas and Valerie J. Thomas, husband and wife
Recorded: July 21, 1995
Instrument No.: 1995-009521

NOTE: This Report No. 4 was updated to reflect the following changes:
1. Bring Current
2. Add Taxes Paid
3. Delete Exceptions 19, 20 and 21

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the parties to the transaction must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

NOTE: Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Preliminary Title Report shall automatically be considered null and void and of no force and effect.

THIS PRELIMINARY TITLE REPORT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

End of Report

"Superior Service with Commitment and Respect for Customers and Employees"

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the Sebastian Brutscher Donation Land Claim No. 51 in Township 3 South of Range 2 West of the Willamette Meridian in Yamhill County, Oregon, as follows:

Beginning 11.50 chains West at the Northeast corner of said claim, at the Northwest corner of land conveyed to William C. Everest by Deed recorded May 6, 1865, in Book "G", Page 496, Deed Records; thence South along the West line of said Everest Tract to the Northerly right of way line of U.S. Highway 99W as shown by Deed from W.T. West to Yamhill County, Oregon, recorded December 2, 1922, Book 87, Page 69, Deed Records; thence Westerly along said right of way to the East line of land conveyed to Caroline Hutchens by Deed recorded October 3, 1891, Book 26, Page 129, Deed Records; thence North along East line of said Hutchens Tract to the North line of the Sebastian Brutscher Claim and thence East 6.56 chains to the place of beginning.

APPENDIX B - LAND USE PLANS

LEGEND

- PROJECT BOUNDARY
- RIGHT-OF-WAY LINE
- RIGHT-OF-WAY CENTERLINE
- PROPOSED RIGHT OF WAY
- EASEMENT LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ORDINARY HIGH WATER LINE
- WETLAND BOUNDARY
- EXISTING DECIDUOUS TREE
- EXISTING CONIFEROUS TREE

N
W E
S

SCALE: 1" = 10'
0 10 20 FT

REGISTERED PROFESSIONAL ENGINEER
92408
OREGON
JULY 11, 2017
JAMES J. SCHMITT
EXPIRES: 06/30/24
PRELIMINARY

PUBLISH DATE
10/10/2022

ISSUED FOR
LAND USE

REVISIONS

STREAM CORRIDOR EXISTING CONDITIONS

CRESTVIEW GREEN
PLANNED UNIT DEVELOPMENT

WESTWOOD HOMES LLC
NEWBERG, OR

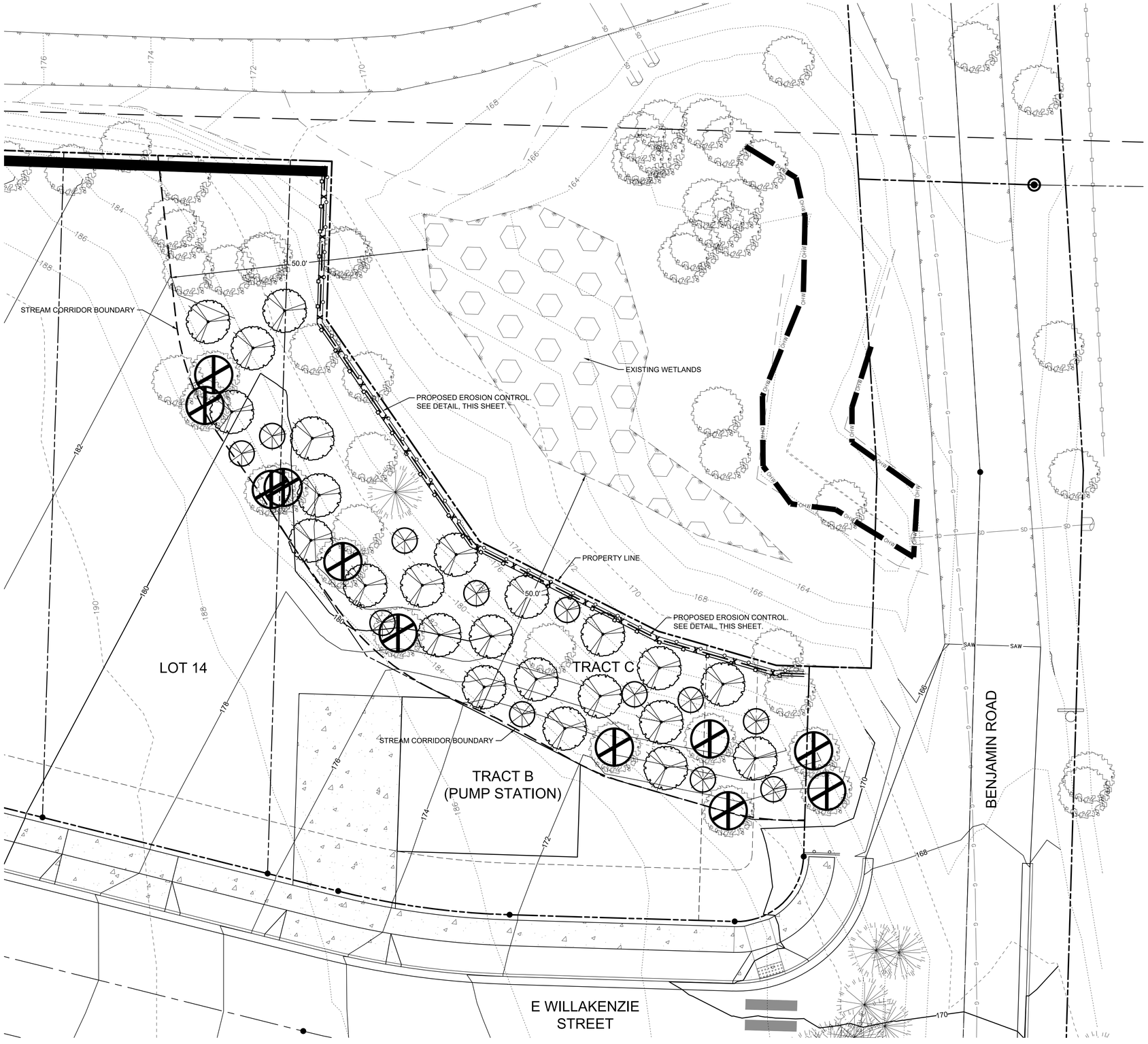
3J CONSULTING
CIVIL ENGINEERING
WATER RESOURCES
COMMUNITY PLANNING
9600 SW NIMBUS AVE., SUITE 100; BEAVERTON, OR 97008

PROJECT INFORMATION

3J PROJECT #	21701
TAX LOT(S)	3S2W16 900, 1000
LAND USE #	TBD
DESIGNED BY	JMF, SRC, JGW
CHECKED BY	JJS

SHEET NUMBER
C000

P:\21701-CRESTVIEW GREEN\CAD\DD\EXHIBITS\2022-10-07 WETLAND CORRIDOR EXHIBIT\21701-EXISTING CONDITIONS.DWG



LEGEND

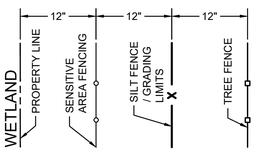
- PROJECT BOUNDARY
- RIGHT-OF-WAY LINE
- RIGHT-OF-WAY CENTERLINE
- PROPOSED RIGHT OF WAY
- EASEMENT LINE
- 100 EXISTING MAJOR CONTOUR
- 92 EXISTING MINOR CONTOUR
- 110 PROPOSED MAJOR CONTOUR
- 108 PROPOSED MINOR CONTOUR
- OHW ORDINARY HIGH WATER LINE
- WETLAND BOUNDARY

EXISTING DECIDUOUS TREE

EXISTING CONIFEROUS TREE

EXISTING TREE TO BE REMOVE
(ONLY NOTED WITHIN THE STREAM CORRIDOR FOR CLARITY)

PROPOSED TREES
(35 PROPOSED FOR MITIGATION)



TYPICAL WETLAND FENCING
(TYPICAL OR AS SHOWN) NTS

N
W E
S

SCALE: 1" = 10'
0 10 20 FT

REGISTERED PROFESSIONAL ENGINEER
92400PE
OREGON
JULY 11, 2017
JAMES J. SCHMITT
EXPIRES: 06/30/24
PRELIMINARY

PUBLISH DATE
10/10/2022
ISSUED FOR
LAND USE
REVISIONS

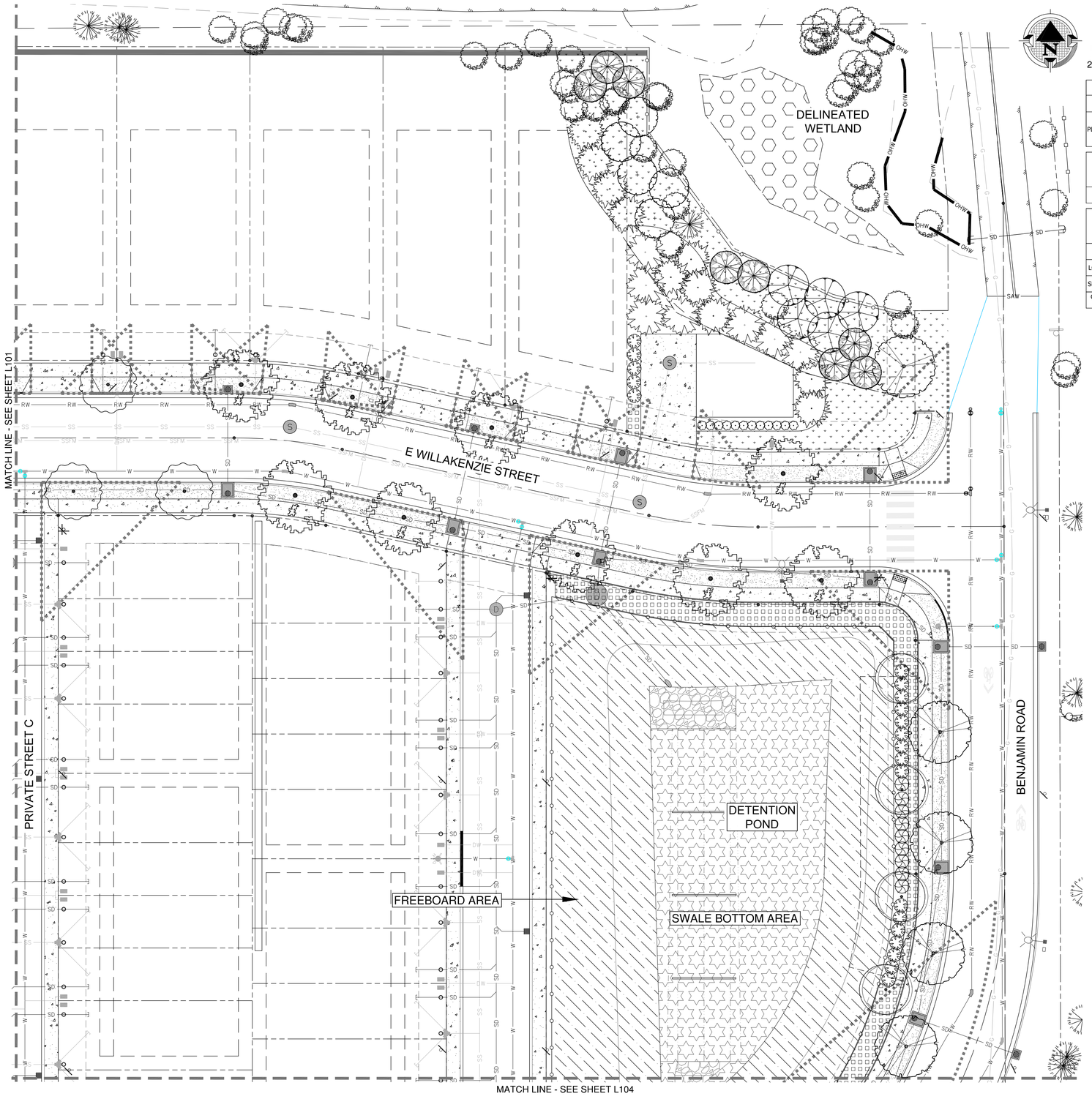
STREAM CORRIDOR OVERLAY EXHIBIT
CRESTVIEW GREEN
PLANNED UNIT DEVELOPMENT
WESTWOOD HOMES LLC
NEWBERG, OR

3J CONSULTING
CIVIL ENGINEERING
WATER RESOURCES
COMMUNITY PLANNING
9600 SW NIMBUS AVE., SUITE 100; BEAVERTON, OR 97008

PROJECT INFORMATION
3J PROJECT # | 21701
TAX LOT(S) | 3S2W16 900, 1000
LAND USE # | TBD
DESIGNED BY | JMF, SRC, JGW
CHECKED BY | JJS

SHEET NUMBER
C001

P:\21701-CRESTVIEW GREEN\CAD\DD\EXHIBITS\2022-10-07 WETLAND CORRIDOR EXHIBIT\21701-STREAM CORRIDOR.DWG



SCALE: 1" = 20'-0"

20' 10' 0' 20' 40'

DETENTION POND								
PLANTING RATES	REFER TO SHEET L105 FOR PLANT LISTING REQUIREMENTS							
PLANT TYPE	PLANTING AREA (SQ FT)		PLANTING DENSITY (PER SQ FT)			NUMBER OF PLANTS	NUMBER OF SPECIES
ZONE A	POND BOTTOM AREA 7,544 SQ FT							
HERBS	7,544	/	100	X	115	=	8,676	4
ZONE A/B	SIDE SLOPE AREA 16,161 SQ FT							
TREES	16,161	/	200	X	1	=	81	3
LG.SHRUBS	16,161	/	100	X	3	=	485	3
SM.SHRUBS	16,161	/	100	X	4	=	646	4
GROUND/ COVER	16,161	/	100	X	70	=	11,313	2

SITE PLANT MATERIALS LISTING:

Botanical name
Common Name

SYM	TREES	(D)eciduous/ (E)vergreen	QTY.	SIZE	CONDITION	REMARKS
	Acer griseum Paperbark Maple	(D)	25	1.5" Cal.	B&B	Street Tree
	Amelanchier alnifolia Serviceberry	(D)	*8	1.5" Cal.	B&B	Mitigation Tree
	Calocedrus decurrens Incense Cedar	(E)	*7	6-7'	B&B	Mitigation Tree
	Cercidiphyllum japonicum Katsura Tree	(D)	12	1.5" Cal.	B&B	Street Tree
	Cladrastis lutea Yellowwood	(D)	17	1.5" Cal.	B&B	Street Tree
	Cornus kousa Kousa Dogwood	(D)	*5	1.5" Cal.	B&B	Mitigation Tree
	Fraxinus pennsylvanica 'Patmore' Patmore Ash	(D)	6	2" Cal.	B&B	Street Tree
	Picea pungens 'Moerheim' Moerheim Blue Spruce	(E)	*10	6-7'	B&B	Mitigation Tree
	Pyrus calleryana 'Glen's Form' Chanticleer Pear	(D)	10	2" Cal.	B&B	Street Tree
			4	1.5" Cal.	B&B	Landscape
	Rhamnus purshiana Cascara	(D)	*5	1.5" Cal.	B&B	Mitigation Tree
	Styrax japonica Japanese Snowbell	(D)	9	1.5" Cal.	B&B	Street Tree
	Zelkova serrata 'Village Green' Village Green Zelkova	(D)	3	2" Cal.	B&B	Street Tree
Total Trees			121	* = signifies mitigation tree		

SYM	SHRUBS	(D)eciduous/ (E)vergreen	QTY.	SIZE	CONDITION	REMARKS
	Euonymus japonicus 'Aureovariegatus' Gold Spot Euonymus	(E)	9	5 Gal	Can	
	Euonymus japonicus 'Silver King' Silver King Euonymus	(E)	12	5 Gal	Can	
	Viburnum tinus 'Spring Bouquet' Spring Bouquet Viburnum	(E)	21	5 Gal	Can	
Total Shrubs			42			

SYM	GROUND COVER	(D)eciduous/ (E)vergreen	QTY.	SIZE	CONDITION	REMARKS
	Arctostaphylos uva-ursi 'Massachusetts' Massachusetts Kinnikinnick	(E)	1,220	4"	Pots	30" O.C.
	Mahonia repens Creeping Mahonia	(E)	1,470	1 Gal.	Can	36" O.C.
	Rubus calycinoides 'Emerald Carpet' Creeping Raspberry	(E)	2,255	4"	Pots	24" O.C.
	EcoLawn (Hydro-seed)		5,520 SF			
	Lawn (Hydro-seed)		14,750 SF			

NOTES:
1. REFER TO SHEET L105 FOR SITE PLANTING DETAILS & NOTES

MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | Portland, Oregon | 97281
Phone: 503.601.4516 | Fax: 503.924.4688

REGISTERED
540
TROY A. MEARS
OREGON
11/21/2003
LANDSCAPE ARCHITECT

CRESTVIEW GREEN SUBDIVISION

TAX LOTS 3216010000 & 3216009000
NEWBERG, OREGON

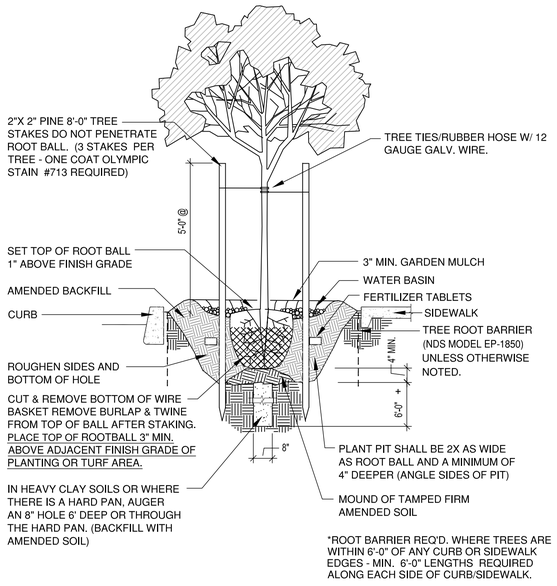
REVISIONS

REV.	DATE	DESCRIPTION
	10/28/22	City Comments

SHEET NAME:
PLANTING PLAN

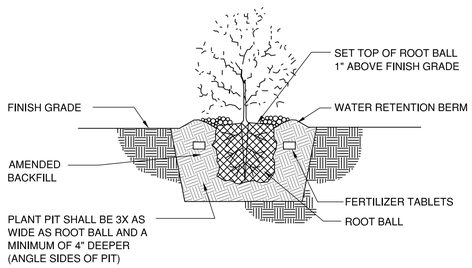
DRAWN BY:	TM
CHECKED BY:	TM
ISSUE DATE:	9/30/2022
JOB NO.:	2144

SHEET:
L102
OF 10



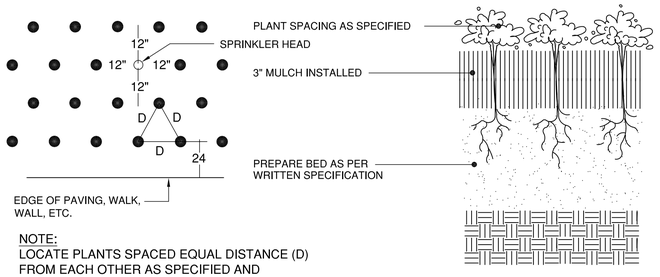
TREE PLANTING DETAIL

N.T.S.



SHRUB PLANTING DETAIL

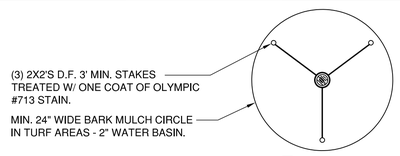
N.T.S.

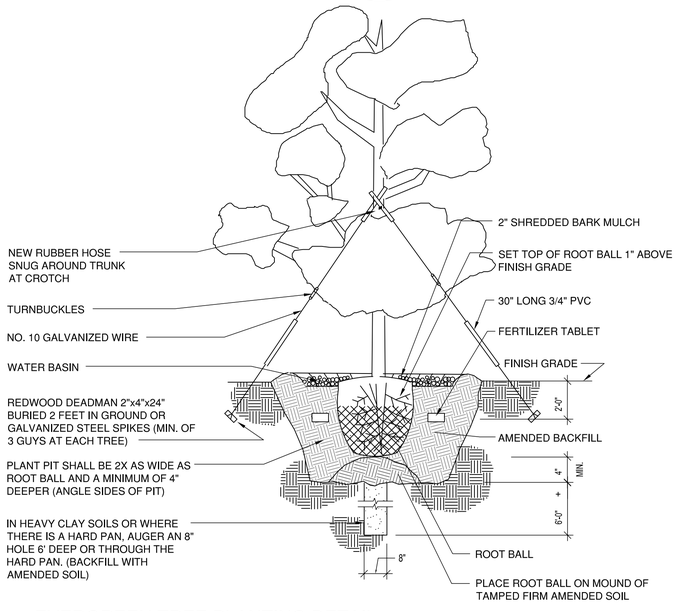


NOTE:
LOCATE PLANTS SPACED EQUAL DISTANCE (D) FROM EACH OTHER AS SPECIFIED AND MINIMUM OF 12" FROM SPRINKLER HEAD

GROUNDCOVER PLANTING DETAIL

N.T.S.





EVERGREEN TREE PLANTING DETAIL

N.T.S.

DETENTION POND

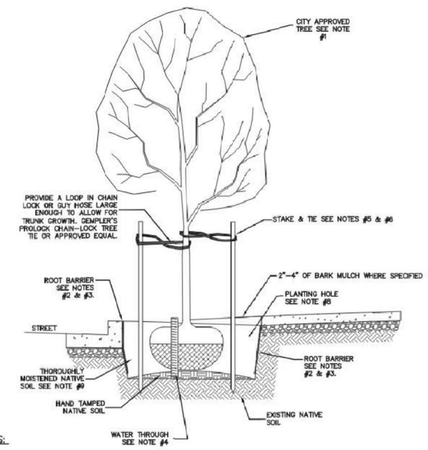
(REFER TO PLANTING DETAILS THIS SHEET)

BOTTOM — POND BOTTOM 7,544 SQ FT

	Common Name (Botanical name)	Minimum Species Composition	Plant Catagory	ZONE	Minimum Rooting Size	Spacing Format
HERBACEOUS	Slough Sedge (Carex obnupta)	2169	Herb	A	1/2 Gal.	1' o/c.
	Creeping Spike Rush (Eleocharis palustris)	2169	Herb	A	1/2 Gal.	1' o/c.
	Spreading Rush (Juncus patens)	2169	Herb	A	1/2 Gal.	1' o/c.
	Small Fruited Bulrush (Scirpus microcarpus)	2169	Herb	A	1/2 Gal.	1' o/c.
	Total Herbaceous Plants	8676				

SIDE SLOPES — UPLAND ZONE INTERIOR SIDE SLOPES 16,161 SQ FT

	Common Name (Botanical name)	Minimum Species Composition	Plant Catagory	ZONE	Minimum Rooting Size	Spacing Format
TREES	Red Alder (Alnus rubra)	27	Tree	A/B	1.5" Cal.	Single
	Cascara (Rhamnus purshiana)	27	Tree	A	1.5" Cal.	Single
	Hogan Cedar (Thuja plicata 'Hogan')	27	Tree	A/B	6-7'	Single
	Total Tree	81				
LG. SHRUBS	Indian Plum (Oemleria cerasiformis)	161	Shrub	A/B	3 gal.	4' o/c.
	Salmonberry (Rubus spectabilis)	162	Shrub	A/B	3 gal.	4' o/c.
	Douglas Spiraea (Spiraea douglasii)	162	Shrub	A/B	3 gal.	4' o/c.
	Total Shrubs	485				
SM. SHRUBS	Kelsey Dogwood (Cornus sericea 'Kelseyii')	162	Shrub	B	1 gal.	2' o/c.
	Oregon grape (Mahonia aquifolium)	162	Shrub	A/B	1 gal.	2' o/c.
	Nootka Rose (Rosa nutkana)	161	Shrub	A/B	1 gal.	2' o/c.
	Common Snowberry (Symphoricarpos alba)	161	Shrub	B	1 gal.	2' o/c.
	Total Shrubs	646				
G.C.	Kinnickinnick (Arctostaphylos uva-ursi)	5657	G.C.	B	1 gal.	12" o/c.
	Coastal Strawberry (Fragaria chiloensis)	5656	G.C.	B	1 gal.	12" o/c.
	Total Ground Cover	11,313				



NOTES:

1. REFER TO THE CITY PLANNING DEPARTMENT APPROVED STREET TREE PLANTING LIST.
2. ROOT BARRIER REQUIRED WHEN HARDSCAPE OR STRUCTURE IS LOCATED WITHIN A 6' RADIUS FROM CENTER OF TREE. ROOT BARRIER TO BE 18" DEEP AND SHALL BE INSTALLED ALONG ALL BOUNDARIES WITH HARDSCAPE e.g. SIDEWALK & CURB.
3. LINEAR OR CIRCULAR APPLICATION OF ROOT BARRIER PERMITTED. ROOT BARRIER TO EXTENT AT MINIMUM 24" PAST CENTER OF TREE IN ALL DIRECTIONS OR HAVE A MINIMUM RADIUS OF 24" FOR CIRCULAR APPLICATION. USE CENTURY CP-SERIES ROOTBARRIER PANELS WITH INTERLOCKING JOINTS OR NDS RP SERIES ROOT BARRIER PANELS WITH INTERLOCKING JOINTS. ALL ROOT BARRIER INSTALLATIONS SHALL BE IN CONFORMANCE WITH MANUFACTURERS RECOMENDATIONS.
4. OPPOSITE TREE STAKES, PROVIDE TWO, 3" DIAMETER HDPE PERFORATED PIPE WATERING THROUGHS, FILLED WITH CLEAN PEA GRAVEL.
5. REMOVE NURSERY STAKES & INSTALL 2" DIAMETER TREATED STAKES, SET OUTSIDE ROOTBALL AND DRIVE A MINIMUM OF 12" INTO UNDISTURBED SOIL BELOW PLANTING HOLE. TRIM STAKE 6" ABOVE HIGHEST TREE TIE TO AVOID INTERFENCE WITH CANOPY.
6. FLEXIBLE NON-ABRASIVE TREE TIE SECURED TO STAKE WITH A NAIL. PLACE TIES 6" ABOVE THE LOWEST POINT ON THE TRUNK WHERE IT CAN BE HELD SUCH THAT THE TOP OF THE TREE SPRINGS BACK TO THE UPRIGHT POSITION WHEN BENT OR DEFLECTED.
7. SET CROWN OF ROOTBALL 1-$\frac{1}{2}$" ABOVE FINISHED GRADE.
8. PLANTING HOLE TO BE TWICE THE DIAMETER OF ROOTBALL, WITH ROOTBALL RESTING ON FIRM SOIL. SCARIFY SIDES OF PLANTING HOLE.
9. BACKFILL WITH A MIXTURE OF $\frac{3}{4}$ NATIVE SOIL AN $\frac{1}{4}$ ORGANIC COMPOST. AREAS WITH POOR OR HEAVILY COMPACTED SOIL MAY REQUIRE ADDITIONAL AMENDMENT.

City of Newberg
PUBLIC WORKS ENGINEERING DIVISION
414 E. FIRST STREET NEWBERG, OR 97132
PHONE: 503-537-1240
FAX: 503-537-1277

REVISIONS: MAY 2014

STREET TREE & ROOT BARRIER

SCALE: N.T.S.
DATE: MARCH 2014
APPROVED BY: JAY H.
STANDARD DRAWING: 108

TYPICAL PLANTING NOTES:

1. B&B stock may be substituted with container stock of equal grade.
2. Container stock may be substituted with B&B stock of equal grade.
3. Plant material shall conform with American Standard for Nursery Stock, ANSI Z60.1, 2014 edition.
4. All trees shall be branched.
5. Refer to project technical specification for topsoil requirement. All planting beds shall have a minimum of 18 inches topsoil. Re-use of existing topsoil is recommended, but must meet specifications.
6. Garden mulch all planting beds with 3" min. Layer of specified garden mulch.
7. In the event of a discrepancy between this material listing and the drawings, the drawings shall govern the plant species and quantities required.
8. In the event of question or lack of clarity on drawings, Landscape Contractor is to call Landscape Architect before proceeding.
9. Landscape contractor is to notify Landscape Architect prior to installation of plant material to approve final placement.
10. Landscape Contractor to verify plant material quantities.
11. Contractor will provide a one year warranty on all provided & installed plant material from date of final approval by owner's representative.

MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | Portland, Oregon | 97281
Phone: 503.601.4516 | Fax: 503.924.4688

REGISTERED 540 TROY A. MEARS OREGON 11/21/2003 LANDSCAPE ARCHITECT

CRESTVIEW GREEN SUBDIVISION

TAX LOTS 321601000 & 321600900
NEWBERG, OREGON

REVISIONS

REV.	DATE	DESCRIPTION
	10/28/22	City Comments

SHEET NAME: PLANTING PLAN

DRAWN BY: TM
CHECKED BY: TM
ISSUE DATE: 9/30/2022
JOB NO.: 2144

SHEET: L105
OF 10

APPENDIX C - TECHNICAL REPORTS

Wetland Delineation for 4812 & 4813 E. Portland Road, Newberg, Oregon

(Township 3 South, Range 2 West, Section 16, Tax Lots 900 and 1000)

Prepared for

Todd Boyce
Westwood Homes, LLC
12700 NW Cornell Road
Portland, OR 97229

Prepared by

Joe Thompson PWS, Craig Tumer PWS,
John van Staveren SPWS
Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, Oregon 97070
(503) 570-0800
(503) 570-0855 FAX

PHS Project Number: 7284

December 17, 2021

TABLE OF CONTENTS

Page

I. INTRODUCTION....1

II. RESULTS AND DISCUSSION....1
A. Landscape Setting and Land Use....1
B. Site Alterations....1
C. Precipitation Data and Analysis....2
D. Methods....2
E. Description of all Wetlands and Other Non-Wetland Waters....3
F. Deviation from Local Wetland Inventory or National Wetland Inventory....3
G. Mapping Method....4
H. Additional Information....4
I. Results and Conclusions....4
J. Required Disclaimer....4

III. REFERENCES....5

APPENDIX A: Figures
Figure 1: Vicinity Map (USGS)
Figure 2: Tax Lot Map
Figure 3: Wetlands Inventory Map (National)
Figure 4: Soil Survey Map
Figure 5: Recent Aerial Photograph
Figure 6: Wetland Delineation Map

APPENDIX B: Wetland Delineation Data Sheets
APPENDIX C: Study Area Photos (ground level)
APPENDIX D: Wetland Definitions, Methodology (client only)

I. INTRODUCTION

Pacific Habitat Services, Inc. (PHS) conducted a wetland delineation for 4812 & 4813 E. Portland Road in Newberg, Oregon (Township 3 South, Range 2 West, Section 16, Tax Lots 900 and 1000). This report presents the results of PHS's delineation of the study area. Figures, including a map depicting the location of wetlands within the study area, are in Appendix A. Data sheets documenting on-site conditions are provided in Appendix B. Ground-level photos of the study area are included in Appendix C. A discussion of the wetland delineation methodology (for the client) is provided in Appendix D.

II. RESULTS AND DISCUSSION

A. Landscape Setting and Land Use

The approximately 10.58-acre study area is located in the eastern portion of Newberg, Yamhill County, Oregon and consists of two residences plus barns, gravel driveways and several small outbuildings. The majority of the site consists of fallow grass fields, although a small portion in the northeastern portion is used as a horse pasture. The northwest corner of the site is dominated by Oregon oak trees (*Quercus garryana*, FACU) with a dense understory of Himalayan blackberry (*Rubus armeniacus*, FAC). Oregon oaks are also common in the vicinity of the residences. The southern boundary, adjacent to Pacific Highway 99 West is dominated by Himalayan blackberry, snowberry (*Symphoricarpos alba*, FACU), and red osier dogwood (*Cornus alba*, FACW).

Spring Brook, a small, perennial stream lies below a steep escarpment in the northeastern portion of the study area and flows southeast, exiting the site via a culvert under NE Benjamin Road. With the exception of the escarpment in the northeast corner of the site, which slopes steeply to the northeast into the Spring Brook drainage, the overall site topography slopes gradually to the southeast.

Soils on the site are mapped as Wapato silty clay loam, 0 to 3 percent slopes (hydric), Woodburn silt loam, 3 to 12 percent slopes (non-hydric), Woodburn silt loam, 20 to 55 percent slopes (non-hydric), Woodburn silt loam, 12 to 20 percent slopes (non-hydric), and Amity silt loam, 0 to 3 percent slopes (non-hydric). All wetlands and waters of the study area are located in soils mapped as Woodburn silt loam, 20 to 55 percent slopes and Wapato silty clay loam, 0 to 3 percent slopes.

Areas south and west of the study area include new residential subdivisions and the City of Newberg. Areas north and east and south of the study area are primarily agricultural and include vineyards, orchards, pastures, and wooded areas. The Willamette River is approximately three miles to the south.

B. Site Alterations

No alterations to the site appear to have taken place in recent years that could have significantly affected the site's wetlands or waters.

C. Precipitation Data and Analysis

PHS conducted the wetland delineation fieldwork on October 8, 2021. Table 1 compares the average monthly precipitation to the observed monthly precipitation at the Rex 1S weather station in the three months prior to the fieldwork. Table 1 also compares the observed precipitation to the normal precipitation range, as identified in the NRCS WETS table for the Rex 1S weather station.

Table 1: Comparison of average and observed monthly precipitation at the Rex 1S weather station, prior to the October 2021 wetland delineation field work.

Month	Average Precipitation[1] (inches)	30% Chance Will Have		Observed Precipitation[2] (inches)	Percent of Normal (inches)
		Less Than Average[1] (inches)	More Than Average[1] (inches)		
July	0.70	0.22	0.81	0	0
August	0.89	0.29	1	0	0
September	1.76	0.76	2.05	2.93	166

[1] NRCS WETS Table for the Rex 1S Weather Station Source: http://agacis.rcc-acis.org/?fips=41071.

[2] Observed precipitation is the precipitation recorded at the Rex 1S Weather Station. Source: http://agacis.rcc-acis.org/?fips=41071

As shown in Table 1, no precipitation was recorded during July and August and recorded precipitation was above normal during September. Total observed precipitation for the water year (October 2020 through September 2021) was 41.96 inches, which is approximately 96 percent of normal for this same period (43.62 inches). During the two weeks preceding the October 8 fieldwork and data collection, 1.81 inches of precipitation was recorded. This is 287 percent of normal for the period (0.63 inches). No rainfall was recorded on the day when fieldwork was conducted. The October 8 fieldwork was, therefore, conducted during slightly above normal hydrological conditions.

D. Methods

PHS identified jurisdictional wetlands in the study area based on the presence of wetland hydrology, hydric soils, and hydrophytic vegetation, in accordance with the Routine On-site Determination, as described in the *Corps of Engineers Wetland Delineation Manual, Wetlands Research Program Technical Report Y 87 1* ("The 1987 Manual") and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*. The conclusions drawn by PHS were based on the methods outlined in the regional supplement, which requires a predominance of hydrophytic plant species, one indicator of hydric soil, and either one primary or two secondary indicators of hydrology to designate a sample point as a wetland. The ordinary high water (OHW) of Spring Brook was determined based on an abrupt transition from the stream channel to uplands due to the steep banks of the incised channel. The delineation took place on October 8, 2021.

Although the wetland delineation fieldwork was performed under conditions that were slightly above normal (normal for the water year and above normal for recent precipitation), it was considered too early in the rainy season for soils to be considered fully recharged. Therefore, at sample points where hydrophytic vegetation and hydric soils were observed, but either a single primary hydrology indicator or two secondary hydrology indicators were not present, the soils/hydrology pit was excavated 20-24 inches in order to determine whether or not a seasonally high water table was present, which would constitute a secondary hydrology indicator.

E. Description of all Wetlands and Other Waters

PHS identified the jurisdictional limits of one perennial stream (Spring Brook) and one wetland (Wetland A). Descriptions of the delineated resources are provided below.

Spring Brook

Spring Brook is a perennial stream and is a water of the state/U.S. It is classified under the Cowardin system as riverine upper perennial, unconsolidated bottom, permanently flooded (R5UBH) and under the Hydrogeomorphic (HGM) system as riverine flow-through (RTF). The OHW of the stream comprises 997 square feet (0.02 acres). Spring Brook flows though the northeast corner of the site in a southeasterly direction and exits the site at NE Benjamin Road via a culvert. The adjacent vegetation is upland and mainly consists of English ivy (*Hedera helix*, FACU), red osier dogwood, and holly (*Ilex aquifolium*, FACU).

Wetland A

Wetland A is classified under the Cowardin system as palustrine, forested (broad-leaved), seasonally flooded (PFO1C) and under the HGM system as flats and is 1,788 square feet (0.04 acres) in size. The dominant vegetation includes red osier dogwood, currant (*Ribes* spp.), stinging nettle (*Urtica dioica*, FAC), and English ivy. English ivy was most likely rooted in the adjacent uplands, and therefore, able to persist in the wetland. Soils meet the requirements for loamy gleyed matrix and hydrogen sulfide. Wetland hydrology indicators include saturation (in the upper 5 inches indicating a perched water table), hydrogen sulfide odor, and geomorphic position.

The dominant vegetation in the adjacent uplands includes red alder, red osier dogwood, holly, and English ivy. Soils meet the requirements for a depleted matrix; however, wetland hydrology is absent.

F. Deviation from Local Wetland Inventory or National Wetland Inventory

The National Wetlands Inventory depicts a riverine upper perennial, unconsolidated bottom, permanently flooded in approximately the same location as Wetland A and Stream 1. The NWI does not differentiate between the two jurisdictional features that were delineated because the NWI maps wetlands and waters are a much coarser scale.

No Local Wetland Inventory has been conducted for the City of Newberg or vicinity.

G. Mapping Method

The property boundaries Wetland A, Stream 1, and Sample Points 1 and 2 were surveyed by S&F Land Services, PLS with the exception of the northern 5 feet of Wetland A and the OHW of Spring Brook, which were surveyed using a compass and tape measure, and have an estimated accuracy of 3 feet. Sample Points 3, 4, and 5 were placed by hand onto a 1 inch = 100 feet aerial photo and are estimated to have 5-foot accuracy. The 3-foot contours were downloaded as shapefiles from NOAA.

H. Additional Information

None

I. Results and Conclusions

PHS delineated one stream comprising 0.02 acres and one wetland comprising 0.04 acres within the study area. Cowardin and HGM classes are state in Section E above.

J. Required Disclaimer

This report documents the investigation, best professional judgment and conclusions of the investigators. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through 141-090-0055.

III. REFERENCES

Adamus, P.R. and D. Field. 2001 *Guidebook for Hydrogeomorphic (HGM)-based Assessment of Oregon Wetland and Riparian Study areas. Willamette Valley Ecoregion, Riverine Impounding and Slopes/Flats Subclasses*. Oregon Division of State Lands, Salem, OR.

GoogleEarth Map, 2021. March 2020 aerial photo

Hitchcock, CL and A. Cronquist. 1973. *Flora of the Pacific Northwest: An Illustrated manual*. University of Washington Press.

Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. *State of Oregon 2018 Plant List. The National Wetland Plant List*: *2018 Wetland Ratings* http://wetland-plants.usace.army.mil/nwpl_static/v34/home/home.html#

Munsell Color, 2010. *Munsell Soil Color Charts*. Grand Rapids, Michigan. 2009 Year Revised, 2010 Production.

US Fish and Wildlife Services, National Wetlands Inventory, 2021. Source: https://www.fws.gov/wetlands/Data/Mapper.html

Natural Resources Conservation Service (NRCS) WETS Table for the Rex 1 Weather Station. Source: http://agacis.rcc-acis.org/?fips=41071

Oregon Department of State Lands. September 2001. *Removal-Fill Law (ORS 196.800-196.990) and Removal and Filling in Scenic Waterways (ORS 390.805-390.925).*

ORMAP tax maps, 2021. *http://www.ormap.net/*

US Army Corps of Engineers, Environmental Laboratory, 1987. *Corps of Engineers Wetland Delineation Manual. Technical Report Y-87-1*.

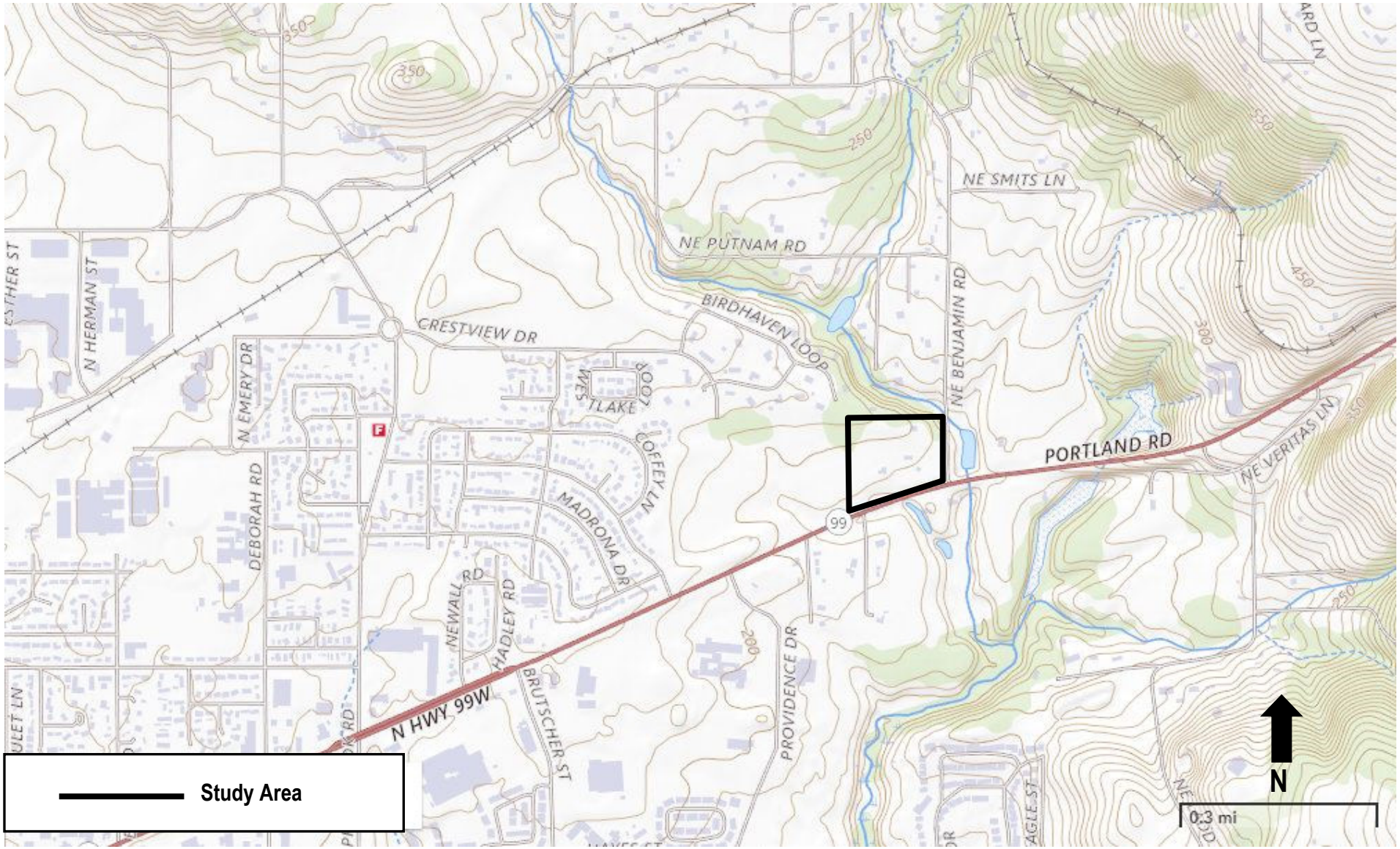
US Army Corps of Engineers, Environmental Laboratory, 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0).*

US Department of Agriculture, Natural Resource Conservation Services, 2021. *Web Soil Survey*.

U.S. Geological Survey, 2020. 7.5 topographic maps. *Newberg, Yamhill County, Oregon.*

Appendix A

Figures



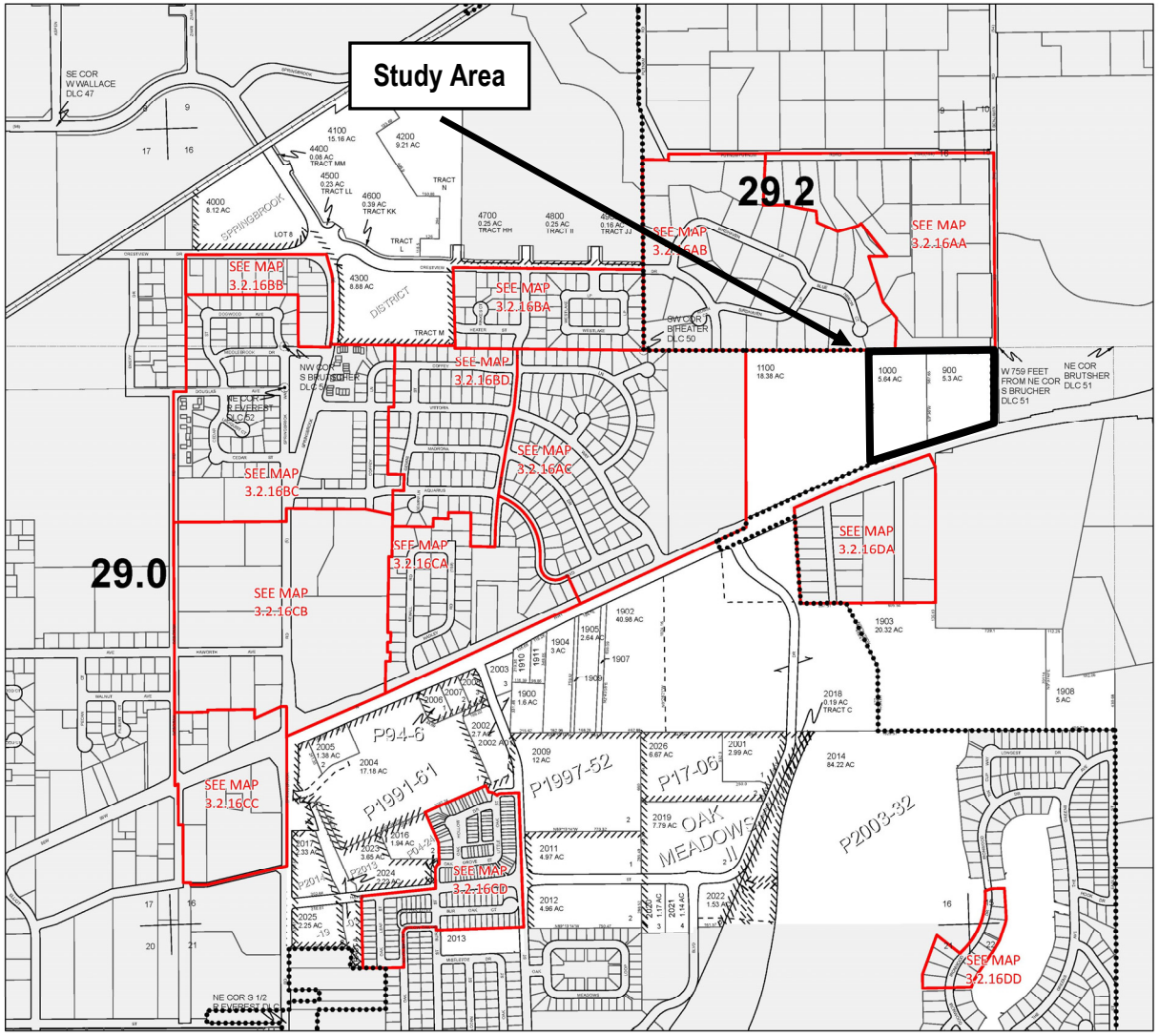
Project #7284
12/7/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

General Location and Topography
4812 and 4813 E. Portland Road - Newberg, Oregon
United States Geological Survey (USGS) Newberg, Oregon 7.5 quadrangle, 2020
(viewer.nationalmap.gov/basic)

FIGURE
1

3 2 16



N

659 ft

YAMHILL COUNTY
1843
ASSESSMENT & TAX CARTOGRAPHY

SECTION 16 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'

CANCELLED TAXLOTS:

2009 A01	2200
3800	2100
3701	2015
3700	2010
3602	1906
3601	1901
3600	1700
3500	1600
3400	1502
3300	1501
3200	1500
3100	1300
3001	800
3000	600
2900	500
2807	400
2806	300
2805	200
2804	105
2803	104
2802	103
2801	102
2800	101
2701	100
2700	3900
2600	
2501	
2500	
2400	
2300	

DATE PRINTED: 4/8/2021

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.

3 2 16

Project #7284
12/7/2021

PHS

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Tax Lot Map
4812 and 4813 E. Portland Road - Newberg, Oregon
The Oregon Map (ormap.net)

FIGURE
2

U.S. Fish and Wildlife Service
National Wetlands Inventory

NWI - 7284

Study Area

December 8, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

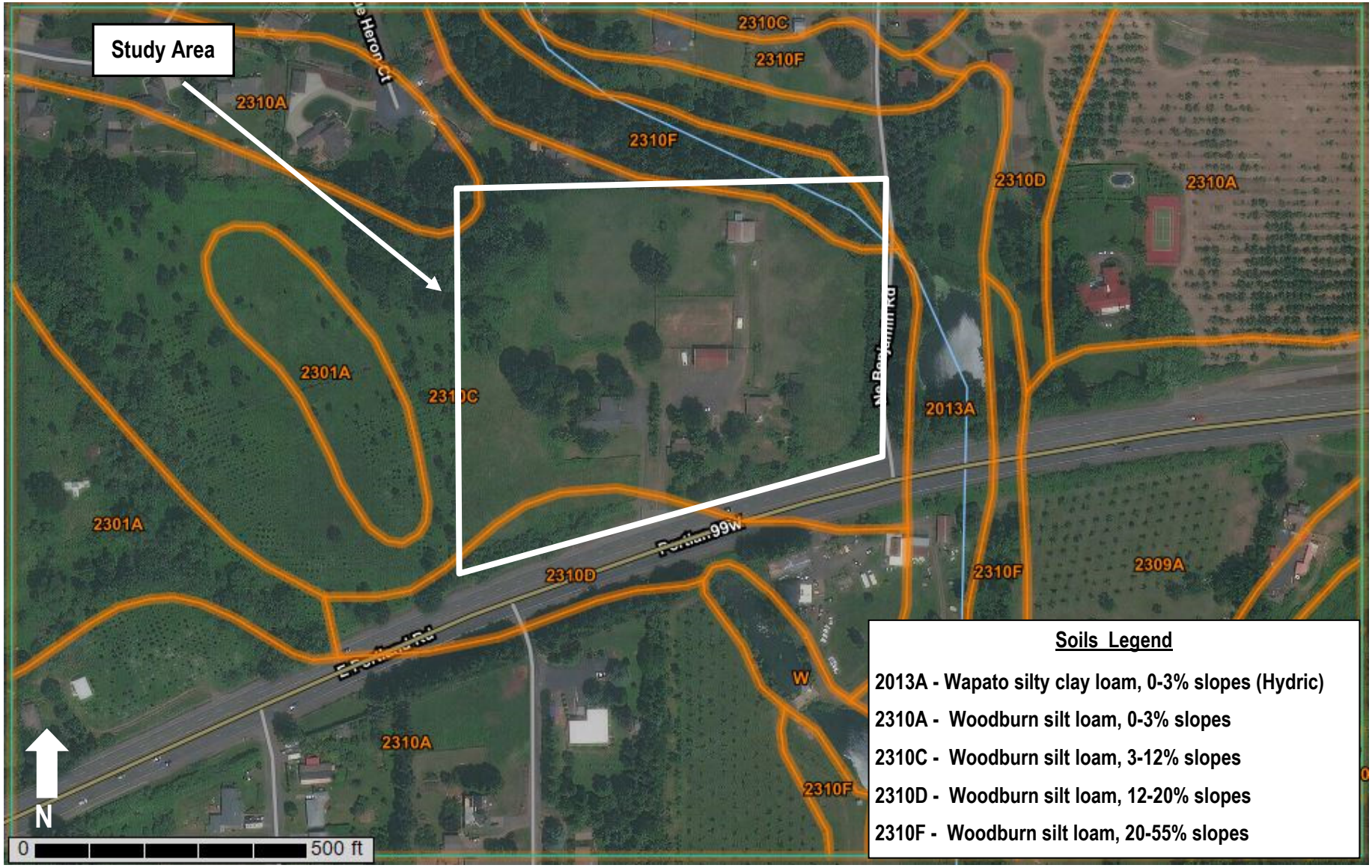
National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Project #7284
12/7/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

National Wetlands Inventory
4812 and 4813 E. Portland Road - Newberg, Oregon
United States Fish and Wildlife Service, Online Wetland Mapper, 2021

FIGURE
3

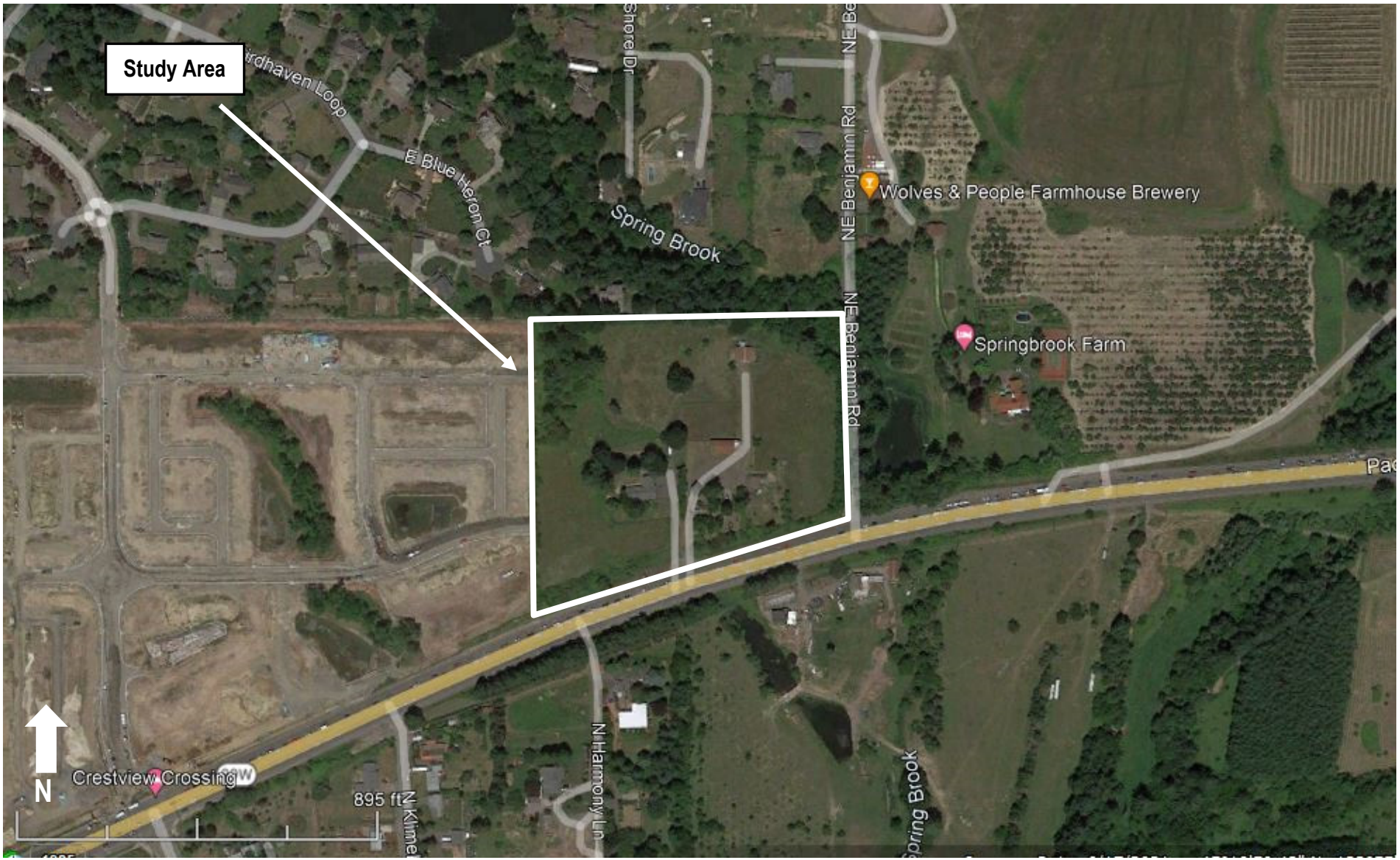


Project #7284
12/7/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Soils
4812 and 4813 E. Portland Road - Newberg, Oregon
Natural Resources Conservation Services, Web Soil Survey, 2020
(websoilsurvey.sc.egov.usda.gov)

FIGURE
4

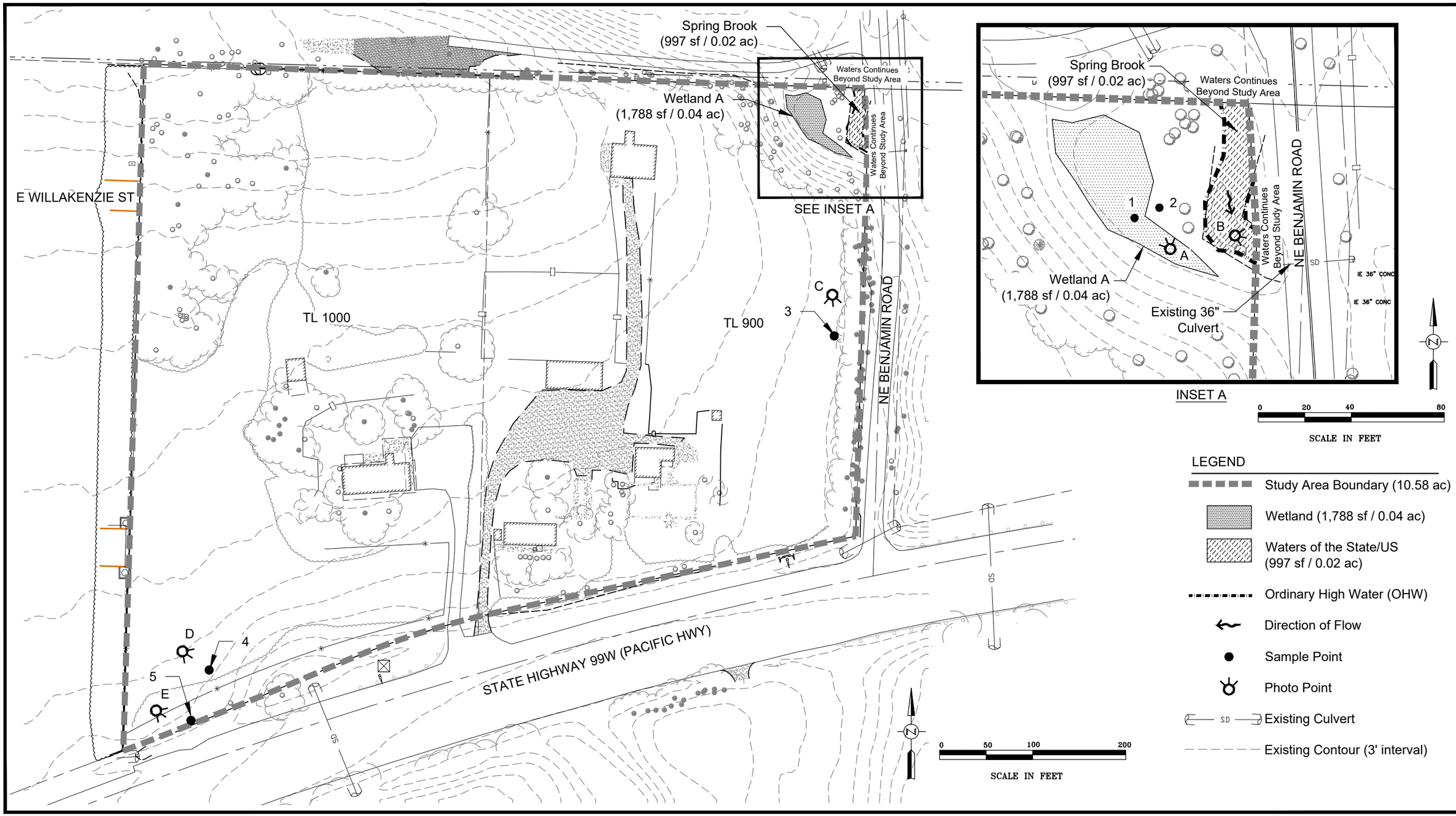


Project #7284
12/7/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Aerial Photo
4812 and 4813 E. Portland Road - Newberg, Oregon
GoogleEarth, 2020

FIGURE
5



Pacific Habitat Services,Inc.
9450 SW Commerce Circle, Suite 180 Wilsonville, Oregon 97070
Phone: (503) 570-0800 Fax (503) 570-0855

Base Survey, Wetland A, Spring Brook, and Sample Points 1 and 2 were surveyed by S&F Land Services, PLS with the exception of the northern 5 feet of Wetland A and the OHW of Spring Brook, which were surveyed using a compass and tape measure, and have an estimated accuracy of 3 feet. Sample Points 3, 4, and 5 were placed by hand onto a 1 inch = 100 feet aerial photo field map, and are estimated to have 5-foot accuracy. The 3-foot contours were downloaded as shapefiles from NOAA.

Wetland Delineation
4812 and 4813 E Portland Road - Newberg, Oregon

FIGURE
6

12-20-2021

Appendix B

Wetland Determination Data Sheets

PHS # 7284

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd | City/County: Newberg/Yamhill | Sampling Date: 10/8/2021

Applicant/Owner: Westwood Homes, LLC | State: OR | Sampling Point: 1

Investigator(s): JT/CT | Section, Township, Range: S16, T3S, R2W

Landform (hillslope, terrace, etc.): Swale | Local relief (concave, convex, none): Concave | Slope (%): ~1

Subregion (LRR): LRR A | Lat: 45.3133 | Long: -122.9289 | Datum: WGS84

Soil Map Unit Name: Woodburn silt loam, 20 to 55 percent slopes | NWI Classification: PFO1C

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ____ No X (if no, explain in Remarks)

Are vegetation ____ Soil ____ or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y

Are vegetation ____ Soil ____ or Hydrology ____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	X	No		
Hydric Soil Present?	Yes	X	No	**Is Sampled Area within a Wetland?**	Yes X No
Wetland Hydrology Present?	Yes	X	No		

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

	absolute % cover	Dominant Species?	Indicator Status
Tree Stratum (plot size: ____)			
1			
2			
3			
4			
	0	= Total Cover	
Sapling/Shrub Stratum (plot size: 15)			
1 *Cornus alba*	60	X	FACW
2 *Ribes sp*	50	X	(FAC)
3			
4			
5			
	110	= Total Cover	
Herb Stratum (plot size: 5)			
1 *Urtica dioica*	5	X	FAC
2			
3			
4			
5			
6			
7			
8			
	5	= Total Cover	
Woody Vine Stratum (plot size: 30)			
1 *Hedera helix*	100	X	FACU
2			
	100	= Total Cover	

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 75% (A/B)

Prevalence Index Worksheet:

Total % Cover of		Multiply by:	
OBL Species		x 1 =	0
FACW species		x 2 =	0
FAC Species		x 3 =	0
FACU Species		x 4 =	0
UPL Species		x 5 =	0
Column Totals	0 (A)		0 (B)

Prevalence Index =B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test for Hydrophytic Vegetation

X 2- Dominance Test is >50%

____ 3-Prevalence Index is ≤ 3.0[1]

____ 4-Morphological Adaptations[1] (provide supporting data in Remarks or on a separate sheet)

____ 5- Wetland Non-Vascular Plants[1]

____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Hedera helix is rooted in the adjacent uplands.

SOIL PHS # 7284 Sampling Point: 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(Inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-5	10YR 3/2	100					Silt Loam	
5-7	2.5/N	90	5YR 4/6	10	C	M	Silt Loam	
7-13	2.5/N	100					Silt Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

	Histosol (A1)		Sandy Redox (S5)
	Histic Epipedon (A2)		Stripped Matrix (S6)
	Black Histic (A3)		Loamy Mucky Mineral (F1) **(except MLRA 1)**
X	Hydrogen Sulfide (A4)	X	Loamy Gleyed Matrix (F2)
	Depleted Below Dark Surface (A11)		Depleted Matrix (F3)
	Thick Dark Surface (A12)		Redox Dark Surface (F6)
	Sandy Mucky Mineral (S1)		Depleted Dark Surface (F7)
	Sandy Gleyed Matrix (S4)		Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes X No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

	Surface Water (A1)		Water stained Leaves (B9) **(Except MLRA 1, 2, 4A, and 4B)**
	High Water Table (A2)		
X	Saturation (A3)		Salt Crust (B11)
	Water Marks (B1)		Aquatic Invertebrates (B13)
	Sediment Deposits (B2)	X	Hydrogen Sulfide Odor (C1)
	Drift Deposits (B3)		Oxidized Rhizospheres along Living Roots (C3)
	Algal Mat or Crust (B4)		Presence of Reduced Iron (C4)
	Iron Deposits (B5)		Recent Iron Reduction in Plowed Soils (C6)
	Surface Soil Cracks (B6)		Stunted or Stressed Plants (D1) **(LRR A)**
	Inundation Visible on Aerial Imagery (B7)		Other (Explain in Remarks)
	Sparsely Vegetated Concave Surface (B8)		

Secondary Indicators (2 or more required)

	Water stained Leaves (B9) **(MLRA1, 2, 4A, and 4B)**
	Drainage Patterns (B10)
	Dry-Season Water Table (C2)
	Saturation Visible on Aerial Imagery (C9)
X	Geomorphic Position (D2)
	Shallow Aquitard (D3)
	Fac-Neutral Test (D5)
	Raised Ant Mounds (D6) **(LRR A)**
	Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes		No X	Depth (inches):	
Water Table Present?	Yes		No X	Depth (inches):	>13
Saturation Present? (includes capillary fringe)	Yes	X	No	Depth (inches):	0-5

Wetland Hydrology Present? Yes X No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Saturation is from the surface.

PHS # 7284

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd | City/County: Newberg/Yamhill | Sampling Date: 10/8/2021

Applicant/Owner: Westwood Homes, LLC | State: OR | Sampling Point: 2

Investigator(s): JT/CT | Section, Township, Range: S16, T3S, R2W

Landform (hillslope, terrace, etc.): Terrace | Local relief (concave, convex, none): Slightly Convex | Slope (%): 2

Subregion (LRR): LRR A | Lat: 45.3133 | Long: -122.9289 | Datum: WGS84

Soil Map Unit Name: Woodburn silt loam, 20 to 55 percent slopes | NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ____ No X (if no, explain in Remarks)

Are vegetation ____ Soil ____ or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y

Are vegetation ____ Soil ____ or Hydrology ____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes		No	X	**Is Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes	X	No		
Wetland Hydrology Present?	Yes		No	X	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

	absolute % cover	Dominant Species?	Indicator Status
Tree Stratum (plot size: 30)			
1 *Alnus rubra*	40	X	FAC
2			
3			
4			
	40	= Total Cover	
Sapling/Shrub Stratum (plot size: 15)			
1 *Cornus alba*	30	X	FACW
2 *Ilex aquifolium*	20	X	FACU
3 *Ribes sp*	10		(FAC)
4			
5			
	60	= Total Cover	
Herb Stratum (plot size: ____)			
1			
2			
3			
4			
5			
6			
7			
8			
	0	= Total Cover	
Woody Vine Stratum (plot size: 30)			
1 *Hedera helix*	100	X	FACU
2			
	100	= Total Cover	

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 50% (A/B)

Prevalence Index Worksheet:

Total % Cover of		Multiply by:	
OBL Species		x 1 =	0
FACW species		x 2 =	0
FAC Species		x 3 =	0
FACU Species		x 4 =	0
UPL Species		x 5 =	0
Column Totals	0 (A)		0 (B)

Prevalence Index =B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test for Hydrophytic Vegetation

____ 2- Dominance Test is >50%

____ 3-Prevalence Index is ≤ 3.0[1]

____ 4-Morphological Adaptations[1] (provide supporting data in Remarks or on a separate sheet)

____ 5- Wetland Non-Vascular Plants[1]

____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

PHS # 7284 Sampling Point: 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features				Texture	Remarks
(Inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]		
0-8	**7.5YR 4/2**	**100**					**Silt Loam**	
8-20	**7.5YR 4/2**	**95**	**10YR 4/6**	**5**	**C**	**M**	**Silt Loam**	**Medium**

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- **X** Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: ___

Depth (inches): ___

Hydric Soil Present? Yes X No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water stained Leaves (B9) **(Except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Plowed Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water stained Leaves (B9) **(MLRA1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Fac-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No **X**	Depth (inches):		
Water Table Present?	Yes ___	No **X**	Depth (inches):	**>20**	
Saturation Present? (includes capillary fringe)	Yes ___	No **X**	Depth (inches):	**>20**	

Wetland Hydrology Present?

Yes ___ **No X**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

PHS # 7284

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd | City/County: Newberg/Yamhill | Sampling Date: 10/8/2021

Applicant/Owner: Westwood Homes, LLC | State: OR | Sampling Point: 3

Investigator(s): JT/CT | Section, Township, Range: S16, T3S, R2W

Landform (hillslope, terrace, etc.): Terrace | Local relief (concave, convex, none): None | Slope (%): 2

Subregion (LRR): LRR A | Lat: 45.3128 | Long: -122.9289 | Datum: WGS84

Soil Map Unit Name: Woodburn silt loam, 3 to 12 percent slopes | NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ____ No X (if no, explain in Remarks)

Are vegetation ____ Soil ____ or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y

Are vegetation ____ Soil ____ or Hydrology ____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes		No	X	**Is Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes		No	X	
Wetland Hydrology Present?	Yes		No	X	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

	absolute % cover	Dominant Species?	Indicator Status
Tree Stratum (plot size: ____)			
1			
2			
3			
4			
	0	= Total Cover	
Sapling/Shrub Stratum (plot size: ____)			
1 *Rubus armeniacus*	2		FAC
2			
3			
4			
5			
	2	= Total Cover	
Herb Stratum (plot size: ____)			
1 *Agrostis sp*	30	X	(FAC)
2 *Festuca rubra*	30	X	FAC
3 *Anthoxanthum odoratum*	25	X	FACU
4 *Schedonorus arundinaceus*	15		FAC
5 *Cirsium arvense*	10		FAC
6 *Jacobaea vulgaris*	5		FACU
7 *Plantago lanceolata*	5		FACU
8 *Rumex obtusifolius*	1		FAC
	121	= Total Cover	
Woody Vine Stratum (plot size: ____)			
1			
2			
	0	= Total Cover	

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 33% (A/B)

Prevalence Index Worksheet:

Total % Cover of		Multiply by:	
OBL Species		x 1 =	0
FACW species		x 2 =	0
FAC Species		x 3 =	0
FACU Species		x 4 =	0
UPL Species		x 5 =	0
Column Totals	0 (A)		0 (B)

Prevalence Index =B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test for Hydrophytic Vegetation

____ 2- Dominance Test is >50%

____ 3-Prevalence Index is ≤ 3.0[1]

____ 4-Morphological Adaptations[1] (provide supporting data in Remarks or on a separate sheet)

____ 5- Wetland Non-Vascular Plants[1]

____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

PHS # 7284 Sampling Point: 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features				Texture	Remarks
(Inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]		
0-12	**7.5YR 3/3**	**100**					**Silt Loam**	
12-20	**7.5YR 4/3**	**100**					**Silt Loam**	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) **(except MLRA 1)**
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes _____ **No X**

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water stained Leaves (B9) **(Except MLRA 1, 2, 4A, and 4B)**
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Plowed Soils (C6)
- Stunted or Stressed Plants (D1) **(LRR A)**
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water stained Leaves (B9) **(MLRA1, 2, 4A, and 4B)**
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- Fac-Neutral Test (D5)
- Raised Ant Mounds (D6) **(LRR A)**
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes		No **X**	Depth (inches):	
Water Table Present?	Yes		No **X**	Depth (inches):	**>20**
Saturation Present? (includes capillary fringe)	Yes		No **X**	Depth (inches):	**>20**

Wetland Hydrology Present?

Yes _____ **No X**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

PHS # 7284

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd | City/County: Newberg/Yamhill | Sampling Date: 10/8/2021

Applicant/Owner: Westwood Homes, LLC | State: OR | Sampling Point: 4

Investigator(s): JT/CT | Section, Township, Range: S16, T3S, R2W

Landform (hillslope, terrace, etc.): Slope | Local relief (concave, convex, none): None | Slope (%): 10

Subregion (LRR): LRR A | Lat: 45.3117 | Long: -122.9312 | Datum: WGS84

Soil Map Unit Name: Woodburn silt loam, 12 to 20 percent slopes | NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ____ No X (if no, explain in Remarks)

Are vegetation ____ Soil ____ or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) ____

Are vegetation ____ Soil ____ or Hydrology ____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	X	No		
Hydric Soil Present?	Yes		No	X	**Is Sampled Area within a Wetland?** Yes ____ No X
Wetland Hydrology Present?	Yes		No	X	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

		absolute % cover	Dominant Species?	Indicator Status
Tree Stratum (plot size: ____)				
1				
2				
3				
4				
		0	= Total Cover	
Sapling/Shrub Stratum (plot size: 15)				
1	*Cornus alba*	30	X	FACW
2	*Rubus armeniacus*	10	X	FAC
3				
4				
5				
		40	= Total Cover	
Herb Stratum (plot size: 5)				
1	*Anthoxanthum odoratum*	75	X	FACU
2	*Dactylis glomerata*	10		FACU
3	*Agrostis capillaris*	10		FAC
4	*Holcus lanatus*	5		FAC
5				
6				
7				
8				
		100	= Total Cover	
Woody Vine Stratum (plot size: ____)				
1				
2				
		0	= Total Cover	

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 67% (A/B)

Prevalence Index Worksheet:

Total % Cover of		Multiply by:	
OBL Species		x 1 =	0
FACW species		x 2 =	0
FAC Species		x 3 =	0
FACU Species		x 4 =	0
UPL Species		x 5 =	0
Column Totals	0 (A)		0 (B)

Prevalence Index =B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test for Hydrophytic Vegetation

X 2- Dominance Test is >50%

____ 3-Prevalence Index is ≤ 3.0[1]

____ 4-Morphological Adaptations[1] (provide supporting data in Remarks or on a separate sheet)

____ 5- Wetland Non-Vascular Plants[1]

____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

SOIL

PHS # 7284 Sampling Point: 4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features				Texture	Remarks
(Inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]		
0-13	**10YR 4/3**	**100**					**Silt Loam**	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) **(except MLRA 1)**
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes _____ **No X**

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water stained Leaves (B9) **(Except MLRA 1, 2, 4A, and 4B)**
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Plowed Soils (C6)
- Stunted or Stressed Plants (D1) **(LRR A)**
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water stained Leaves (B9) **(MLRA1, 2, 4A, and 4B)**
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- Fac-Neutral Test (D5)
- Raised Ant Mounds (D6) **(LRR A)**
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes	_____	No **X**	Depth (inches):	
Water Table Present?	Yes	_____	No **X**	Depth (inches):	**>13**
Saturation Present? (includes capillary fringe)	Yes	_____	No **X**	Depth (inches):	**>13**

Wetland Hydrology Present?

Yes _____ **No X**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

PHS # 7284

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd | City/County: Newberg/Yamhill | Sampling Date: 10/8/2021

Applicant/Owner: Westwood Homes, LLC | State: OR | Sampling Point: 5

Investigator(s): JT/CT | Section, Township, Range: S16, T3S, R2W

Landform (hillslope, terrace, etc.): Base of slope | Local relief (concave, convex, none): None | Slope (%): ~3

Subregion (LRR): LRR A | Lat: 45.3133 | Long: -122.9289 | Datum: WGS84

Soil Map Unit Name: Woodburn silt loam, 12 to 20 percent slopes | NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ____ No X (if no, explain in Remarks)

Are vegetation ____ Soil ____ or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y

Are vegetation ____ Soil ____ or Hydrology ____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes		No	X	**Is Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes		No	X	
Wetland Hydrology Present?	Yes		No	X	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

	absolute % cover	Dominant Species?	Indicator Status
Tree Stratum (plot size: 30)			
1 *Corylus cornuta*	40	X	FACU
2			
3			
4			
	40	= Total Cover	
Sapling/Shrub Stratum (plot size: 15)			
1 *Rubus armeniacus*	100	X	FAC
2 *Symphoricarpos albus*	20		FACU
3			
4			
5			
	120	= Total Cover	
Herb Stratum (plot size:)			
1			
2			
3			
4			
5			
6			
7			
8			
	0	= Total Cover	
Woody Vine Stratum (plot size: 30)			
1 *Hedera helix*	100	X	FACU
2			
	100	= Total Cover	

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 33% (A/B)

Prevalence Index Worksheet:

Total % Cover of		Multiply by:	
OBL Species		x 1 =	0
FACW species		x 2 =	0
FAC Species		x 3 =	0
FACU Species		x 4 =	0
UPL Species		x 5 =	0
Column Totals	0 (A)		0 (B)

Prevalence Index =B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test for Hydrophytic Vegetation

____ 2- Dominance Test is >50%

____ 3-Prevalence Index is ≤ 3.0[1]

____ 4-Morphological Adaptations[1] (provide supporting data in Remarks or on a separate sheet)

____ 5- Wetland Non-Vascular Plants[1]

____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

PHS # 7284 Sampling Point: 5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features				Texture	Remarks
(Inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]		
0-13	**10YR 3/2**	**100**					**Silt Loam**	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) **(except MLRA 1)**
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes _____ **No X**

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water stained Leaves (B9) **(Except MLRA 1, 2, 4A, and 4B)**
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Plowed Soils (C6)
- Stunted or Stressed Plants (D1) **(LRR A)**
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water stained Leaves (B9) **(MLRA1, 2, 4A, and 4B)**
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- Fac-Neutral Test (D5)
- Raised Ant Mounds (D6) **(LRR A)**
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes		No **X**	Depth (inches):	
Water Table Present?	Yes		No **X**	Depth (inches):	**>13**
Saturation Present? (includes capillary fringe)	Yes		No **X**	Depth (inches):	**>13**

Wetland Hydrology Present?

Yes _____ **No X**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Appendix C

Study Area Photos
(ground level)

Photo A:

Looking northwest at Sample Points 1 (wetland) and 2 (upland), Wetland A.

Photo taken on October 8, 2021.

Photo B:

Looking east at Spring Brook (Stream 1) at the NE Benjamin Road culvert.

Photo taken on October 8, 2021.

Project #7284
11/24/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photo documentation

4812 & 4813 E Portland Road, Newberg, Oregon

Photo C:

Looking south at Sample Point 3.

Photo taken on October 8, 2021.

Photo D:

Looking southeast at Sample Point 4.

Photo taken on October 8, 2021.

Project #7284
11/24/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photo documentation

4812 & 4813 E Portland Road, Newberg, Oregon

Photo E:

Looking southeast at Sample Point 5.

Photo taken on October 8, 2021.

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photo documentation

4812 & 4813 E Portland Road, Newberg, Oregon

Oregon
Kate Brown, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 986-5200
FAX (503) 378-4844
www.oregon.gov/dsl

State Land Board

Kate Brown
Governor

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

May 4, 2022

Westwood Homes LLC
Attn: Todd Boyce
12700 NW Cornell Road
Portland, OR 97229

Re: WD # 2021-0706 **Approved**
Delineation Report for Crestview Green Residential Subdivision
Yamhill County; T3S R2W S16 TLs 900 and 1000

Dear Todd Boyce:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services, Inc. for the site referenced above. Based upon the information presented in the report, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in Figure 6 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, one wetland (Wetland A, totaling approximately 0.04 acres) and one waterway (Spring Brook) were identified. They are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Yamhill County, Daniel Evans, PWS at (503) 986-5271.

Sincerely,

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Joe Thompson, PWS, Pacific Habitat Services, Inc.
Newberg Planning Department
Kinsey Friesen, Corps of Engineers
Katie Blauvelt, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

- **Under 50MB** - A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.
- **50MB or larger** - A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- OR a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

- By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.
- By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronically.

Contact and Authorization Information

☐ Applicant ☒ Owner Name, Firm and Address:

Todd Boyce, Westwood Homes LLC, 12700 NW Cornell Road, Portland OR, 97229

Business phone # (503) 715-2383
Mobile phone # (optional)
E-mail: Todd@westwoodhomesllc.com

☐ Authorized Legal Agent, Name and Address (if different):

Business phone #
Mobile phone # (optional)
E-mail:

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: Todd Boyce **Signature:**

Date: 12/15/2021 Special instructions regarding site access: Please notify me by phone so I can arrange access.

Project and Site Information

Project Name: Crestview Green Residential Subdivision

Latitude: 45.31255106 Longitude: -122.93043100
decimal degree - centroid of site or start & end points of linear project

Proposed Use:
Residential Subdivision

Tax Map #R3216
Tax Lot(s) 900, 1000

Tax Map #
Tax Lot(s)

Project Street Address (or other descriptive location):
4812 and 4813 E Portland Road

Township 3S Range 2W Section 16 QQ
Use separate sheet for additional tax and location information

City: Newberg County: Yamhill

Waterway: Spring Brook River Mile: N/A

Wetland Delineation Information

Wetland Consultant Name, Firm and Address:
Pacific Habitat Services, Inc.
Attn: Joe Thompson, PWS
9450 SW Commerce Cir #180
Wilsonville, OR 97070

Phone # (503) 570-0800
Mobile phone # (if applicable)
E-mail: jt@pacifichabitat.com

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

Consultant Signature: Joe Thompson Date: 12/15/2021

Primary Contact for report review and site access is ☒ Consultant ☐ Applicant/Owner ☐ Authorized Agent

Wetland/Waters Present? ☒ Yes ☐ No Study Area size: 11.44 Total Wetland Acreage: 0.0400

Check Applicable Boxes Below

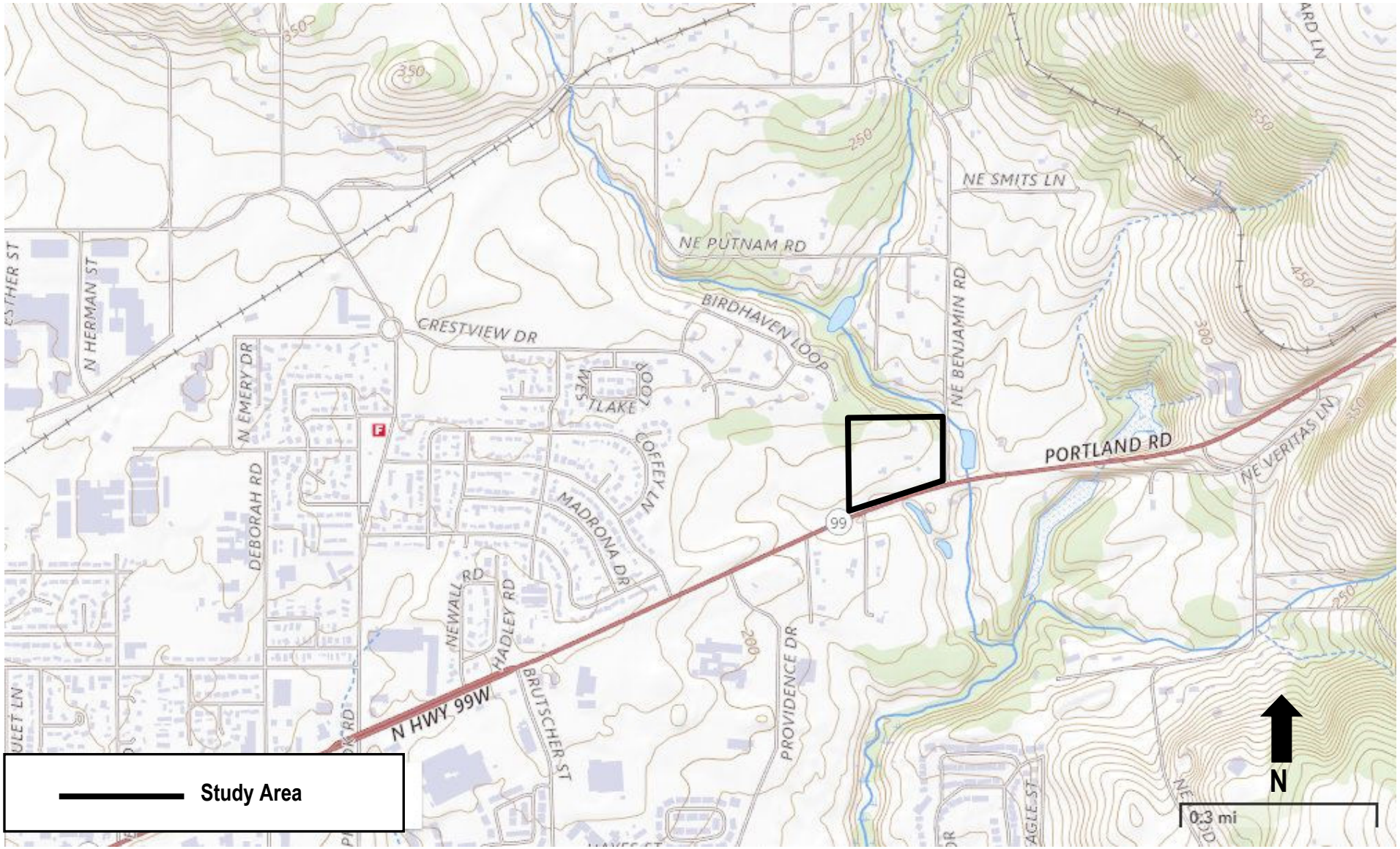
☐ R-F permit application submitted
☐ Mitigation bank site
☐ EFSC/ODOE Proj. Mgr:
☐ Wetland restoration/enhancement project (not mitigation)
☐ Previous delineation/application on parcel
If known, previous DSL # ____

☐ Fee payment submitted $ ____
☐ Resubmittal of rejected report ($100)
☐ Request for Reissuance. See eligibility criteria. (no fee)
DSL # ____ Expiration date____
☐ LWI shows wetlands or waters on parcel
Wetland ID code ____

For Office Use Only

DSL Reviewer: DE Fee Paid Date: ____/____/____ DSL WD # 2021-0706

Date Delineation Received: 12/21/2021 DSL App.# ____



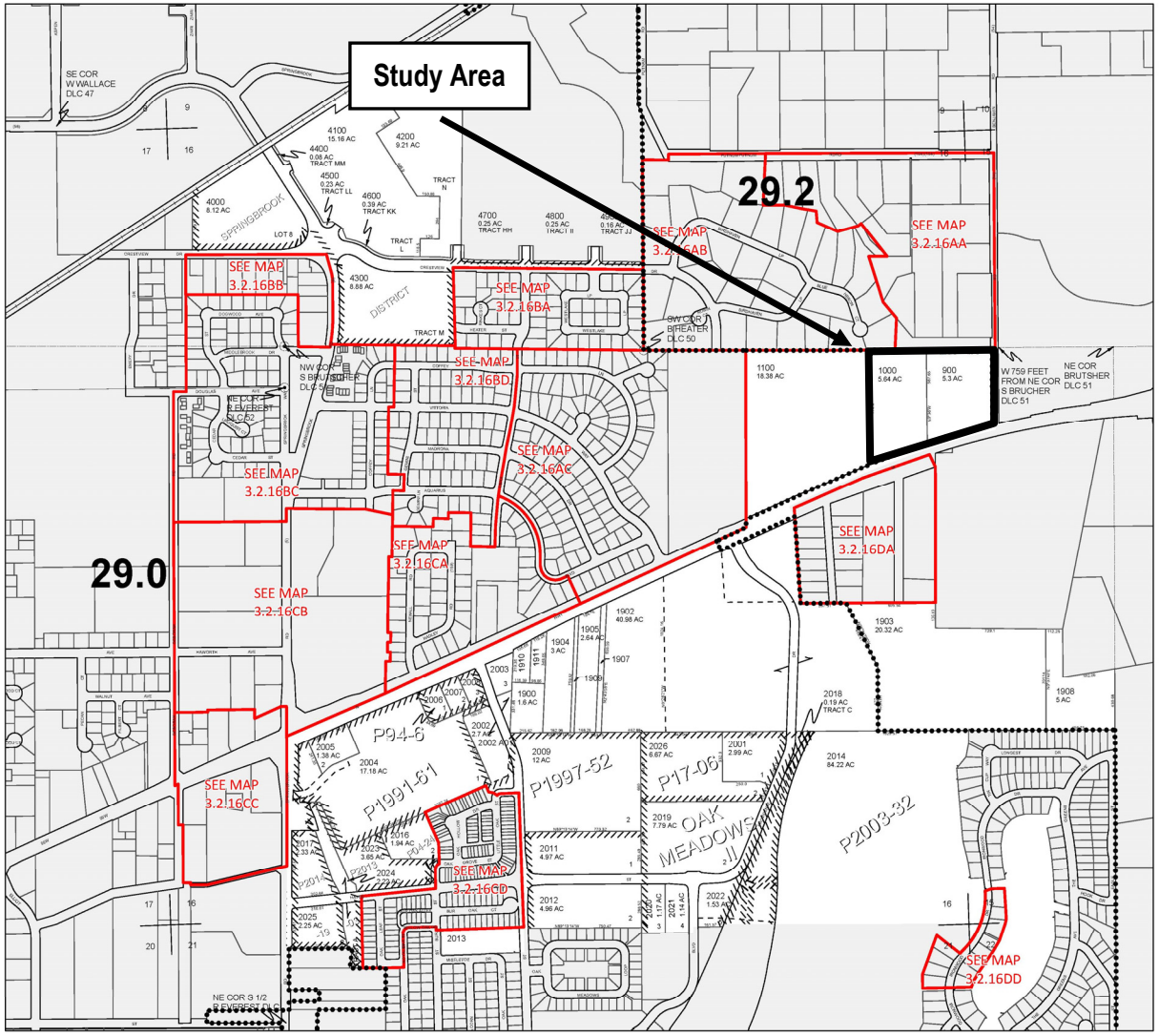
Project #7284
12/7/2021

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

General Location and Topography
4812 and 4813 E. Portland Road - Newberg, Oregon
United States Geological Survey (USGS) Newberg, Oregon 7.5 quadrangle, 2020
(viewer.nationalmap.gov/basic)

FIGURE
1

3 2 16



N

659 ft

YAMHILL COUNTY
1843
ASSESSMENT & TAX CARTOGRAPHY

SECTION 16 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'

CANCELLED TAXLOTS:

2009 A01	2200
3800	2100
3701	2015
3700	2010
3602	1906
3601	1901
3600	1700
3500	1600
3400	1502
3300	1501
3200	1500
3100	1300
3001	800
3000	600
2900	500
2807	400
2806	300
2805	200
2804	105
2803	104
2802	103
2801	102
2800	101
2701	100
2700	3900
2600	
2501	
2500	
2400	
2300	

DATE PRINTED: 4/8/2021

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.

3 2 16

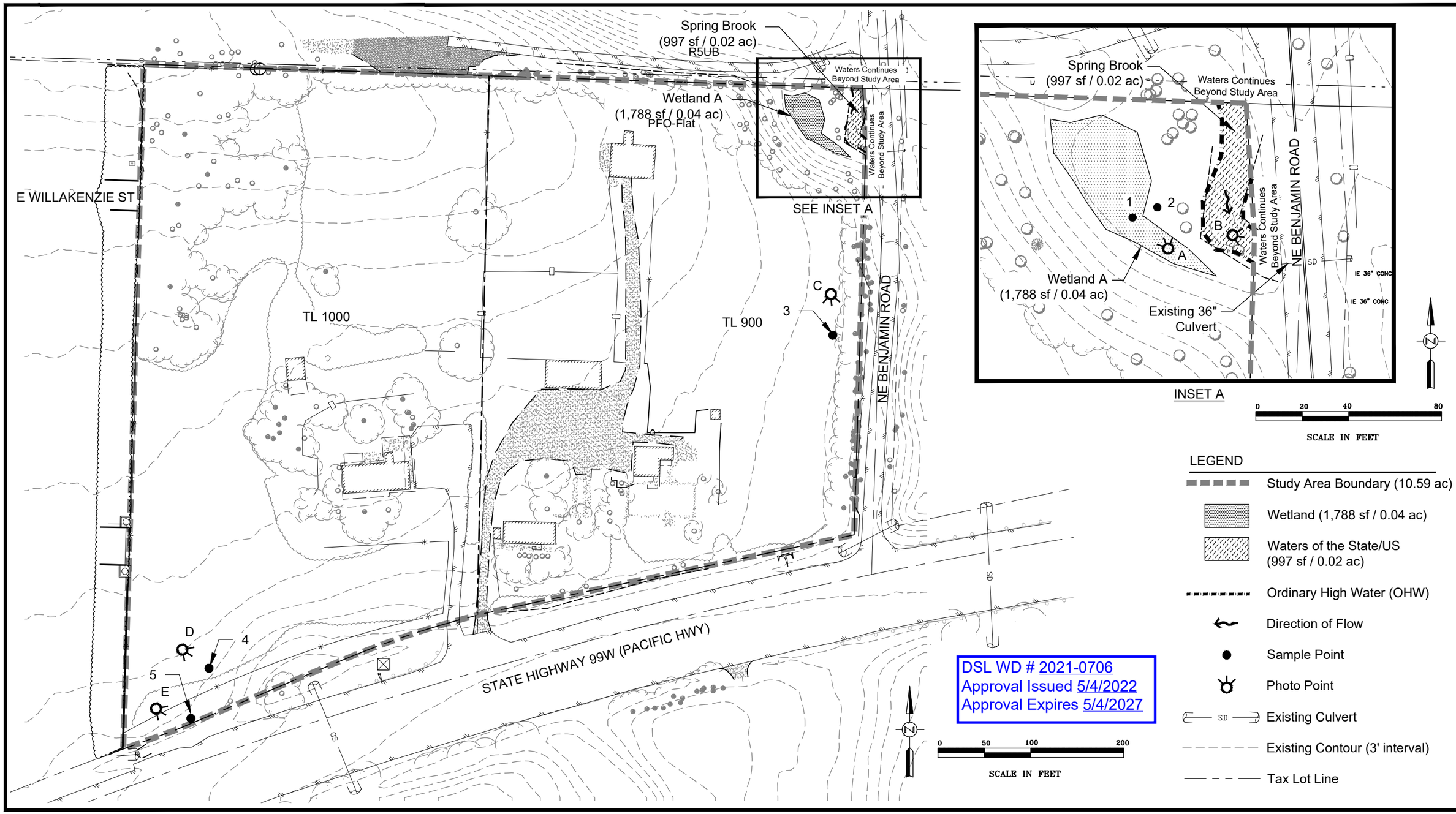
Project #7284
12/7/2021

PHS

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Tax Lot Map
4812 and 4813 E. Portland Road - Newberg, Oregon
The Oregon Map (ormap.net)

FIGURE
2



Pacific Habitat Services,Inc.
9450 SW Commerce Circle, Suite 180 Wilsonville, Oregon 97070
Phone: (503) 570-0800 Fax (503) 570-0855

Base Survey, Wetland A, Spring Brook, and Sample Points 1 and 2 were surveyed by S&F Land Services, PLS with the exception of the northern 5 feet of Wetland A and the OHW of Spring Brook, which were surveyed using a compass and tape measure, and have an estimated accuracy of 3 feet. Sample Points 3, 4, and 5 were placed by hand onto a 1 inch = 100 feet aerial photo field map, and are estimated to have 5-foot accuracy. The 3-foot contours were downloaded as shapefiles from NOAA. The tax lot boundaries were included in the survey and represent the study area in their entirety.

Wetland Delineation
4812 and 4813 E Portland Road - Newberg, Oregon

FIGURE 6

4-28-2022

Attachment 2: Agency Comments

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

Brooks Bateman

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
MAY 10 REC'D
By

Project Information is Attached:

- [x] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

BROOKS BATEMAN
Reviewed By:

5.9.23
Date:

Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

Doug Rux

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
MAY 25 REC'D
By

Project Information is Attached:

1. 15.342.080(B)(3) need to show size, species, location of new vegitation
2. 15.342.090 - Need to comply with A-D

☐ Reviewed, no conflict.

☐ Reviewed; recommend denial for the following reasons:

☐ Require additional information to review. (Please list information required)

☐ Meeting requested.

☑ Comments. (Attach additional pages as needed)

Doug Rux
Reviewed By:

5/25/23
Date:

City of Newberg
Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
5/5/2023
batesf

Project Information is Attached:

- [x] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

Digitally signed by Will
DN: C=US, OU=Worthey, O=City of Newberg, CN=Will, E=will.worthey@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
Date: 2023.05.05 08:18:18-07'00'
Foxit PhantomPDF Version: 10.1.9

Reviewed By: Will Worthey CM

Date: 5/5/23

Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
5/25/23

Project Information is Attached:

- [x] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [x] Comments. (Attach additional pages as needed)

Karyn G. Hanson, PE Digitally signed by Karyn G. Hanson, PE Date: 2023.05.25 20:08:14 -07'00'

Reviewed By:

5/25/23

Date:

City of Newberg

Organization:

Engineering Comments on MISC222-0004 Crestview Green Stream Corridor Modification
5/25/23

We have reviewed the above application submitted in response to Section III: Findings – File PUD22-0001 NMC 15.342.020 Condition of Approval Option Two (pg. 130 of Notice of Decision Order 2022-06 Crestview Green CUP22-0001/PUD22-0001 June 10, 2022) that the applicant would be required to submit a Type II application for modifications within the Stream Corridor as part of the CUP and PUD application for review and consideration. The application shows grading and tree removal within the designated stream corridor and widening of the right-of-way on its east end. Engineering has no conflict with the proposed modification.

Fe Bates

From: KNECHT Casey <Casey.KNECHT@odot.oregon.gov>
Sent: Friday, May 19, 2023 7:45 AM
To: PLANNING
Cc: WILLIAMS Brandon
Subject: ODOT Comments for City of Newberg MISC222-0004 - Crestview Green

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No comments from ODOT for the stream corridor modification.

Thanks,

Casey Knecht, P.E.
Development Review Coordinator
ODOT Region 2

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

RECEIVED
5/5/23

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

Project Information is Attached:

- [✓] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

J. Thiel
Reviewed By:

05/05/2023
Date:

Newberg-Dundee Police Dept
Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
5/8/23

Project Information is Attached:

- [✔] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

April Catan
Digitally signed by April Catan
DN: C=US, OU=Operations, O=City of Newberg, CN=April Catan, E=april.catan@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
Date: 2023.05.08 08:25:56-07'00'
Foxit PhantomPDF Version: 10.1.9

Reviewed By:

5/8/23
Date:

City of Newberg
Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
5/5/23

Project Information is Attached:

- [x] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

Reviewed By: _____ Date: 5/5/23

Maintenance Superintendent
Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

RECEIVED
5/5/23

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

Project Information is Attached:

- [✔] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

Reviewed By:

5/5/23
Date:

City of Newberg - Operations
Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

RECEIVED
5/5/23

Project Information is Attached:

- [x] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

Reviewed By: 5/5/23 Date:

Scott Albert - Ziply Fiber Network Engineer
Organization: 503-526-3544 scott.albert@ziply.com

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: May 19, 2023
Please refer questions and comments to: Clay Downing

NOTE: Full size plans are available at the Community Development Department Office.

RECEIVED
5/5/23

APPLICANT:	3J Consulting, Inc
REQUEST:	Modification within the Stream Corridor
SITE ADDRESS:	4813 & 4821 E Portland Rd
LOCATION:	N/A
TAX LOT:	R3216 900 & 1000
FILE NO:	MISC22-0004
ZONE:	R-1(Residential Low Density),R-2(Medium Density), C-2(Community Comercial)
HEARING DATE:	N/A

Project Information is Attached:

- [✔] Reviewed, no conflict.
- [ ] Reviewed; recommend denial for the following reasons:
- [ ] Require additional information to review. (Please list information required)
- [ ] Meeting requested.
- [ ] Comments. (Attach additional pages as needed)

Reviewed By:

5/5/23
Date:

City of Newberg - Operations
Organization: