

NOTICE OF DECISION
JOAN AUSTIN ELEMENTARY SCHOOL DESIGN REVIEW– DR222-0012

February 21, 2023

Harper Houf Peterson Righellis, Inc
Attn: Brad Kilby, AICP
205 SE Spokane Street, #200
Portland, OR 97202

The Newberg Community Development Director **approved** the proposed design review DR222-0012 for the addition of a covered play structure at 2200 N. Center Street, tax lot R3217 01904 subject to the conditions listed in the attached report. The decision will become effective on March 8, 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 \$440 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on March 7, 2023.


At the conclusion of the appeal period, please remove all notices from the site.

Design review approval is only valid for one year from the effective date above. If building or construction permits are not issued within this time period, then design review approval becomes null and void and no construction may take place. If design review approval on your project is approaching its expiration date, contact the Planning Division regarding extension opportunities.

Please note that final building plans submitted for building permit review must comply with the attached conditions. If you have already applied for a building permit then it is your responsibility to make sure that your plans are revised as needed to comply with the attached conditions. **You must comply with all conditions required through the design review process before final occupancy will be granted.**

Please contact me at clay.downing@newbergoregon.gov or 503-664-7728 if you have questions.

Sincerely,


Clay Downing, Planning Manager
Enc

cc: file DR222-0012

DECISION AND FINDINGS
JOAN AUSTIN ELEMENTARY SCHOOL DESIGN REVIEW– DR222-0012

FILE NO: DR22-0012

REQUEST: Site Design Review for Installation Covered Play Structure at Joan Austin Elementary School

LOCATION: 2200 N Center Street

TAX LOT: R3217 01904

APPLICANT: Newberg School District
Brad Kilby, AICP, Harper Houf Peterson Righellis, Inc

OWNER: Newberg School District

ZONE: Low Density Residential (R-1)

PLAN DISTRICT: Public – Quasi Public (PQ)

OVERLAYS: None

CONTENTS

Section I: Application Information

Section II: Findings

Section III: Conditions

Attachments:

1. Application and Supplemental Information
2. Agency Comments
3. Public Comments/ Correspondence Received

Section I: Application Information

A. DESCRIPTION OF APPLICATION:

The applicant, Newberg School District, has requested design review approval for the installation of a 2,000 square foot covered play structure at Joan Austin Elementary School. The proposed covered play structure will be a maximum of 28 feet in height. The project includes a flow-through planter feature which will provide stormwater capture and pre-treatment for the covered play structure.

The subject property is approximately 11.49 acres in size and is the campus for Joan Austin Elementary School. The subject property is bounded to the west by N Center Street and agricultural fields, to the north by E Mountainview Drive and agricultural fields, to the east by Northwest Christian Church, and to the south by George Fox University's soccer fields. The subject property's existing features include an approximately 42,919 square foot school building, 11,461 square foot uncovered playground area, and 3,325 square foot covered play area.

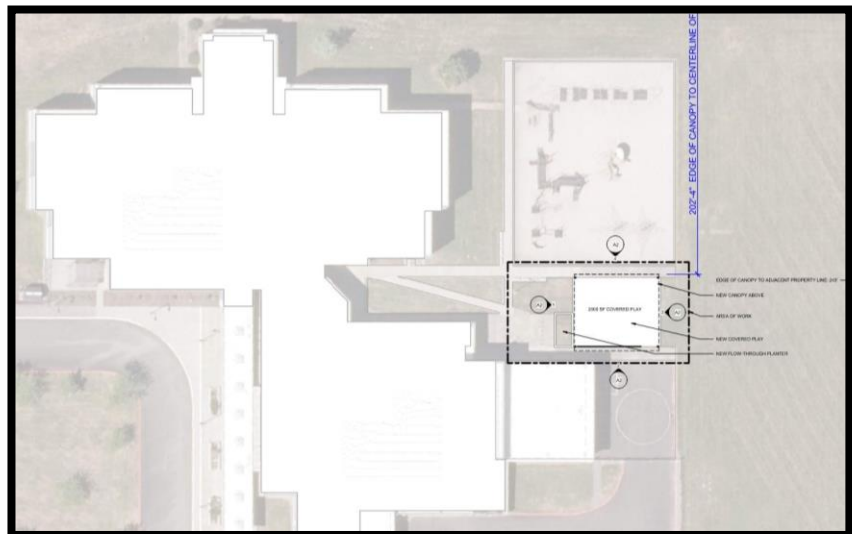


Figure 1. Site Plan

The proposed project will add a covered play structure next to the site's existing playground area. The covered play structure would be located more than 200 feet from the nearest property line or public right of way. The proposed project includes a water quality flow through planter as a feature designed to manage and treat stormwater associated with the covered play structure.

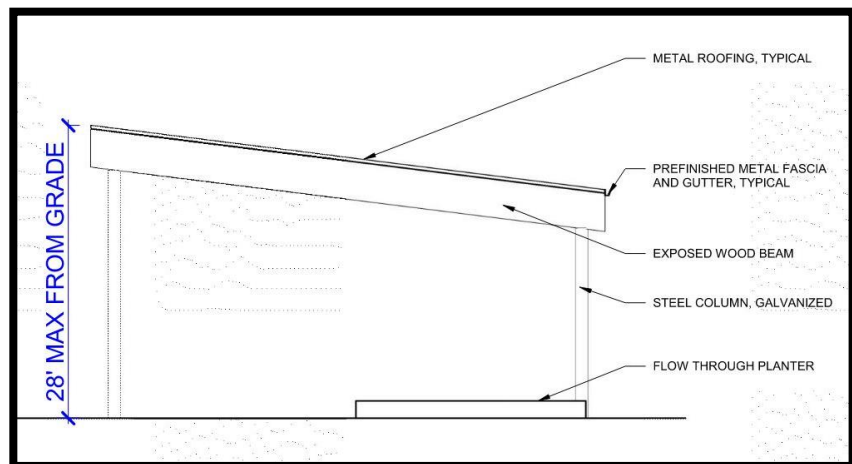


Figure 2. Project Elevation

B. SITE INFORMATION:

1. Location: 2200 N Center Street, Joan Austin Elementary School
2. Size: 11.49 acres or 500,309.4 square feet
3. Topography: Flat
4. Current Land Uses: Elementary School



Figure 3. Subject Property (2200 N Center Street)

5. Natural Features: The subject property is an elementary school campus that includes large lawn areas; perimeter tree plantings along E Mountainview Drive, N Center Street, and the property's southern boundary; and a vegetated area and grove of trees in the southeastern portion of the property.
6. Adjacent Land Uses:
 - a. North: E Mountainview Drive and agricultural fields
 - b. East: Northwest Christian Church
 - c. South: George Fox University athletic fields
 - d. West: N Center Street and agricultural fields
7. Adjacent Zoning:
 - a. North: Springbrook District / Low Density Residential (SD / R-1)
 - b. East: Low Density Residential (R-1)
 - c. South: Institutional (I)
 - d. West: Springbrook District – Mid-Rise Residential (SD-MRR)
8. Access and Transportation: The project site has frontage along E Mountainview Drive and along N Center Street. Access to the proposed development is provided

from N Center Street. It is classified as a local residential street under the jurisdiction of the City of Newberg.

9. Utilities:
 - a. Wastewater: There is an 8-inch wastewater collection line on N Center serving the site.
 - b. Water: There is an 8-inch water line on N Center Street serving the site.
 - c. Stormwater: There is a 24-inch stormwater collection line on N Center which crosses the northwest corner of the site before it crosses under Mountain View Drive.
 - d. Overhead Lines: Any new connection to the property will need to be undergrounded. See Newberg Municipal Code (NMC) 15.430.010 for exception provisions.

C. PROCESS: The Design Review 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. 1/24/2023 The Community Development Director deemed the application complete.
2. 1/26/2023 The applicant mailed notice to the property owners within 500 feet.
3. 1/26/2023 The applicant posted notice on the site.
4. 2/9/2023 The 14-day public comment period ended.
5. 2/21/2023 The Community Development Director issued a decision on the application.

D. 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. City Manager: Reviewed, no conflict.

- c. Community Development Director: Reviewed, no conflict.
- d. Finance Department: Reviewed, no conflict.
- e. Police Department: Reviewed, no conflict.
- f. Public Works, Director: Reviewed, no conflict.
- g. Public Works, Maintenance Superintendent: Reviewed, no conflict.
- h. Public Works, Water Superintendent: Reviewed, no conflict.
- i. Public Works, Senior Engineer: Reviewed, no conflict.
- j. Zply Fiber: Reviewed, no conflict.

E. PUBLIC COMMENTS: As of the writing of this report, the city has not received any written public comments.

F. ANALYSIS: The subject property is the campus for Joan Austin Elementary School and located in the R-1 district. The Newberg Municipal Code (NMC) identifies such uses as being part of the “School, primary or secondary” use category. The NMC’s use table identifies the “School, primary or secondary” use category as a permitted use in the R-1 district. Further, the proposed outdoor play structure is an accessory building, and its use is incidental to the subject property’s primary use as an elementary school. The NMC’s zoning use table also identifies an “accessory building” as a permitted use in the R-1 district.

As proposed, the outdoor play structure would be a maximum of 28 feet in height and located more than 200 feet from any property line of site. The proposed structure is considered consistent with the existing uses on-site and compatible with other structures in the immediate vicinity. The proposed structure includes a flow-through planter feature which will address stormwater management, treatment, and conveyance associated with the new structure.

Because the proposed project does not create new classroom space or otherwise impact the number of students that will attend the school, it is not expected to generate additional traffic. Therefore, no additional parking is proposed or requested for this project.

Section II: Findings –File DR222-0012
Joan Austin Elementary School Design Review

NEWBERG MUNICIPAL CODE (NMC)

Chapter 12.05 Street and Sidewalks

12.05.090 *Permits and certificates.*

A. Concurrent with the issuance of a building permit for the construction of a building for residential use or business structures or an addition to a dwelling or business structure, the value of which is \$30,000 or more except as the city engineer may require on building permits of lesser value in accordance with NMC 12.05.040, the owner, builder or contractor to whom the building permit is issued shall meet the following requirements:

1. Construct a sidewalk within the dedicated right-of-way for the full frontage in which a sidewalk in good repair does not exist. The sidewalk construction shall be completed within the building construction period or prior to issuance of an occupancy permit, whichever is the lesser.

Finding: The proposed plans do not include sidewalk improvements. The applicant will be required to replace any sidewalks along the site’s frontage that are in poor condition or do not meet current ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process.

This criterion will be met if the aforementioned condition of approval is adhered to.

Chapter 15.220 Site Design Review

15.220.020 *Site design review applicability.*

A. Applicability of Requirements. Site design review shall be required prior to issuance of building permits or commencement of work for all improvements noted below. Site design review permits shall be processed as either Type I or Type II, as noted below.

1. Type I.

a. Single-family dwellings;

b. Duplex dwellings;

c. Triplex dwellings;

d. Quadplex dwellings;

e. Townhouse dwellings;

f. Cottage cluster projects;

g. Institutional, commercial or industrial additions which do not exceed 1,000 square feet in gross floor area;

h. Multifamily additions which do not exceed 1,000 square feet in gross floor area and do not add any new units, or new construction incidental to the main use on an existing developed site which does not exceed 1,000 square feet in gross floor area and does not add any new units;

i. Institutional, commercial or industrial interior remodels which do not exceed 25 percent of the assessed valuation of the existing structure;

j. Multifamily remodels which do not exceed 25 percent of the assessed valuation of the existing structure and do not add any new units;

k. Signs which are not installed in conjunction with a new development or remodel;

l. Modifications, paving, landscaping, restriping, or regrading of an existing multifamily, institutional, commercial or industrial parking lot;

m. Fences and trash enclosures;

n. Accessory dwelling units.

2. Type II.

a. Any new development or remodel which is not specifically identified within subsection (A)(1) of this section.

b. Telecommunications facilities.

3. Exemptions to Type I and Type II Process. The following development activities are exempt from Type I or Type II standards:

a. Replacement of an existing item such as a roof, floor, door, window, or siding.

b. Plumbing and/or mechanical alterations which are completely internal to an existing structure.

Finding: This review will be processed as a Type II review per NMC 15.220.020(A)(2)(a) because it is an institutional addition which exceeds 1,000 square feet in gross floor area.

15.220.050 *Criteria for design review (Type II process).*

B. Type II. *The following criteria are required to be met in order to approve a Type II design review request*

1. Design compatibility. *The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.*

Finding: The proposed covered play structure is 2,000 square feet in area with a maximum height of 28 feet. The structure would be located more than 200 feet from the nearest property line. The structure incorporates a flowthrough planter feature for stormwater runoff and pre-treatment. The structure includes lighting fixtures that are downward facing, fully shielded, and will be directed onto the site.

The proposed structure is compatible with existing structures, both administrative and outdoor recreation, in the immediate vicinity. The structure's proposed height is less than the maximum allowable height of 30 feet for the R-1 zoning district. Stormwater run-off from the proposed structure's roof will be directed into a flowthrough planter feature for pre-treatment prior to being directed into the stormwater system as required. Proposed lighting is shielded and directed downward so as to prevent light trespass to surrounding properties.

The criterion is met.

2. Parking and On-Site Circulation. *Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.*

Finding: The proposed covered play area does not impact student enrollment or increase the number of classrooms at Joan Austin Elementary School. The proposed improvements are not expected to generate additional trips to the site.

Because the proposed structure is not expected to generate additional trips to the site this criterion is not applicable.

15.440.010. Required off-street parking

A. Off-street parking shall be provided on the lot or development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the lot or development site or within 400 feet of the lot or development site which the parking is required to serve. All required parking must be under the same ownership as the lot or development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the lot or development site.

1. In cases where the applicant is proposing off-street parking, refer to subsection (F) of this section for the maximum number of parking spaces.

Finding: The proposed covered play area does not impact student enrollment or increase the number of classrooms at Joan Austin Elementary School. The proposed improvements are not expected to generate additional trips to the site. The subject property includes on-site off-street parking.

The criterion is met.

B. Off-street parking is required pursuant to NMC 15.440.030 in the C-2 district.

1. In cases where the applicant is proposing off-street parking, refer to subsection (F) of this section for the maximum number of parking spaces.

Finding: The subject property is located in the R-1 district.

Because the subject property is not located in the C-2 district, the criterion is not applicable.

C. Off-street parking is not required in the C-3 district, except for:

1. Dwelling units meeting the requirements noted in NMC 15.305.020.

2. New development which is either immediately adjacent to a residential district or separated by nothing but an alley.

3. In cases where the applicant is proposing off-street parking, refer to subsection (F) of this section for the maximum number of parking spaces.

Finding: The subject property is located in the R-1 district.

Because the subject property is not located in the C-3 district, the criterion is not applicable.

D. Within the C-4 district, the minimum number of required off-street parking spaces shall be 50 percent of the number required by NMC 15.440.030, except that no reduction is permitted for residential uses. For maximum number of off-street parking spaces refer to subsection (F) of this section.

Finding: The subject property is located in the R-1 district.

Because the subject property is not located in the C-4 district, the criterion is not applicable.

E. All commercial, office, or industrial developments that have more than 20 off-street parking spaces and that have designated employee parking must provide at least one preferential carpool/vanpool parking space. The preferential carpool/vanpool parking space(s) must be located close to a building entrance.

Finding: Joan Austin Elementary School is considered a “School, primary or secondary” use category pursuant to use categories in NMC Chapter 15.303.

Because the existing use category is not commercial, office, or industrial the criterion is not applicable.

F. Maximum Number of Off-Street Automobile Parking Spaces. The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces, pursuant to NMC 15.440.030, multiplied by a factor of:

- 1. One and one-fifth spaces for uses fronting a street with adjacent on-street parking spaces; or***
- 2. One and one-half spaces for uses fronting no street with adjacent on-street parking; or***
- 3. A factor determined according to a parking analysis.***

Finding: The proposed covered play area does propose additional off-street parking spaces, does not impact student enrollment, and does not increase the number of classrooms at Joan Austin Elementary School. The proposed improvements are not expected to generate additional trips to the site.

Because the proposed will not add additional off-street automobile parking spaces site this criterion is not applicable.

15.440.100 Facility requirements.

Bicycle parking facilities shall be provided for the uses shown in the following table. Fractional space requirements shall be rounded up to the next whole number.

New commercial, industrial, office, and institutional developments, including additions that total 4,000 square feet or more	One bicycle parking space for every 10,000 square feet of gross floor area. In C-4 districts, two bicycle parking spaces, or one per 5,000 square feet of building area, must be provided, whichever is greater
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Finding: This is an existing facility, and although the addition is 4,000 square feet, it is a covered play structure. No bicycle parking is required.

This criterion is not applicable.

15.440.140 Private walkway design.

A. All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.

B. Required private walkways shall be a minimum of four feet wide.

C. Required private walkways shall be constructed of portland cement concrete or brick.

Finding: The site has existing private walkways. The narrative states the site has previously been designed to be compliant with the Americans with Disabilities Act (ADA). No new private walkways are required to be constructed.

This criterion is not applicable.

D. Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving

materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.

Finding: No crosswalk crossings are proposed.

This criterion is not applicable.

E. At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.

Finding: The site has existing private walkways that connect it with N Center Street.

This criterion is met.

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

Response: The criterion is addressed in the following findings for NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and NMC 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

15.405.010 Minimum and maximum lot area.

A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

1. In the R-1, R-2, R-3, R-P and AR districts, the following minimum lot area standards apply:

<i>Zone</i>	<i>Minimum lot area for single family</i>	<i>Minimum lot area for duplex dwelling</i>	<i>Minimum lot area for triplex dwelling</i>	<i>Minimum lot area for quadplex dwelling</i>	<i>Minimum lot area for townhouse</i>	<i>Minimum lot area for cottage cluster</i>	<i>Minimum lot area per dwelling unit for multifamily</i>
<i>R-1</i>	<i>5,000 SF</i>	<i>5,000 SF</i>	<i>5,000 SF</i>	<i>7,000 SF</i>	<i>1,500 SF</i>	<i>7,000 SF</i>	<i>Per conditional use review</i>
<i>R-2</i>	<i>3,000 SF</i>	<i>3,000 SF</i>	<i>5,000 SF</i>	<i>7,000 SF</i>	<i>1,500 SF</i>	<i>7,000 SF</i>	<i>3,000 SF</i>
<i>R-3</i>	<i>2,500 SF</i>	<i>2,500 SF</i>	<i>4,500 SF</i>	<i>6,000 SF</i>	<i>1,500 SF</i>	<i>6,000 SF</i>	<i>1,500 SF</i>

<i>Zone</i>	<i>Minimum lot area for single family</i>	<i>Minimum lot area for duplex dwelling</i>	<i>Minimum lot area for triplex dwelling</i>	<i>Minimum lot area for quadplex dwelling</i>	<i>Minimum lot area for townhouse</i>	<i>Minimum lot area for cottage cluster</i>	<i>Minimum lot area per dwelling unit for multifamily</i>
<i>R-P</i>	<i>3,000 SF</i>	<i>3,000 SF</i>	<i>5,000 SF</i>	<i>7,000 SF</i>	<i>1,500 SF</i>	<i>7,000 SF</i>	<i>3,000 SF</i>
<i>AR</i>	<i>5,000 SF</i>	<i>5,000 SF</i>	<i>5,000 SF</i>	<i>7,000 SF</i>	<i>1,500 SF</i>	<i>7,000 SF</i>	—

2. In the AI, C-1, C-2, and C-3 districts, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict.

3. In the M-1, M-2, M-3, and M-E districts, each lot or development site shall have a minimum area of 20,000 square feet.

4. Institutional districts shall have a minimum size of five contiguous acres in order to create a large enough campus to support institutional uses; however, additions to the district may be made in increments of any size.

5. Within the commercial and mixed employment district(s) of the riverfront overlay subdistrict, there is no minimum lot size required, provided the other standards of this code can be met.

B. Maximum Lot or Development Site Area per Dwelling Unit.

1. In the R-1 district, the average size of lots in a subdivision intended for single-family development shall not exceed 10,000 square feet.

2. In the R-2 and R-P districts, the average size of lots in a subdivision intended for single-family development shall not exceed 5,000 square feet.

3. In the R-2, AR and R-P districts, lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex, triplex, quadplex, multifamily dwellings or cottage cluster projects shall be developed at a minimum of one dwelling per 5,000 square feet lot area.

4. In the R-3 district, lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex, triplex, quadplex, multifamily dwellings or cottage cluster

projects shall be developed at a minimum of one dwelling per 2,500 square feet lot area.

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

C. In calculating lot area for this section, lot area does not include land within public or private streets. In calculating lot area for maximum lot area/minimum density requirements, lot area does not include land within stream corridors, land reserved for public parks or open spaces, commons buildings, land for preservation of natural, scenic, or historic resources, land on slopes exceeding 15 percent or for avoidance of identified natural hazards, land in shared access easements, public walkways, or entirely used for utilities, land held in reserve in accordance with a future development plan, or land for uses not appurtenant to the residence.

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

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

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

15.405.020 Lot area exceptions.

The following shall be exceptions to the required lot areas:

A. Lots of record with less than the area required by this code.

B. Lots or development sites which, as a process of their creation, were approved in accordance with this code.

C. Planned unit developments, provided they conform to requirements for planned unit development approval.

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

15.405.030 *Lot dimensions and frontage.*

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

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

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

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

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

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

D. Frontage.

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

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

b. Each lot in R-2 zone shall have a minimum width of 25 feet at the front building line and R-3 zone shall have a minimum width of 30 feet at the front building line, except that duplex, triplex, quadplex and cottage cluster project lots in the R-3 zone shall have a minimum width of 25 feet at the front building line.

c. Each lot in R-1 zone shall have a minimum width of 35 feet at the front building line and AI or RP shall have a minimum width of 50 feet at the front building line.

d. Each lot in an AR zone shall have a minimum width of 45 feet at the front building line.

2. The above standards apply with the following exceptions:

a. Lots for townhouse dwellings in any zone where they are permitted shall have a minimum frontage on a public street for a distance of at least 20 feet, shall have a minimum width of 20 feet at the front building line and shall have access meeting the provisions of NMC 15.415.050(B).

b. Legally created lots of record in existence prior to the effective date of the ordinance codified in this code.

c. Lots or development sites which, as a process of their creation, were approved with sub-standard widths in accordance with provisions of this code.

d. Existing private streets may not be used for new dwelling units, except private streets that were created prior to March 1, 1999, including paving to fire access roads standards and installation of necessary utilities, and private streets allowed in the airport residential and airport industrial districts. However, existing single-family detached dwellings on existing private streets may be converted to duplex, triplex, or quadplex dwellings.

Finding: The proposed project occurs on an existing lot of record and does not modify the subject property's lot area.

Because the project does not modify the subject property's lot area this criterion is not applicable.

15.405.040 *Lot coverage and parking coverage requirements.*

B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards; however, cottage cluster projects shall be exempt from the standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.

1. Maximum Lot Coverage.

a. R-1: 40 percent, except:

i. Fifty percent if all structures on the lot are one story; and

ii. Sixty percent for townhouse dwellings.

b. R-2 and RP: 60 percent.

c. AR and R-3: 60 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

a. R-1: 60 percent.

b. R-2, R-3, RP and townhouse dwellings in R-1: 70 percent.

C. All other districts and uses not listed in subsection (B) of this section shall not be limited as to lot coverage and parking coverage except as otherwise required by this code.

Finding: Joan Austin Elementary School is located in the R-1 district, which is a residential zoning district. Joan Austin Elementary School is considered a “School, primary or secondary” use category pursuant to use categories in NMC Chapter 15.303. Because the existing use is for a school the site’s ongoing use is not considered residential in nature. Pursuant to sub-section 15.405.040.C the lot coverage and parking coverage shall not be limited except as otherwise required by this code.

The criterion is met.

15.410.020 Front yard setback.

A. Residential (see Appendix A, Figure 10).

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.

2. R-3 and RP districts shall have a front yard of not less than 12 feet. Said yard shall be landscaped and maintained.

3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

4. Cottage cluster projects in any zone in which they are permitted shall have a front yard of not less than 10 feet. Any garage, carport, or parking areas that are part of a cottage cluster shall be set back at least 20 feet from the nearest property line of the street to which access will be provided; however, the foregoing setback requirement

shall not apply where the garage or carport will be provided with access to an alley only.

Finding: The subject property is located in the R-1 district. The proposed structure will be located more than 200 feet from the subject property's front lot line.

The criterion is met.

15.410.030 Interior yard setback.

A. Residential.

1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.

2. All lots or development sites in the RP district shall have interior yards of not less than eight feet.

3. All lots with townhouse dwellings shall have no minimum interior yard setback where units are attached.

Finding: The subject property is located in the R-1 district. The proposed structure will be located more than 200 feet from the subject property's interior lot line.

The criterion is met.

15.410.040 Setback and yard restrictions as to schools, churches, public buildings.

A. Building Setback. No buildings shall be erected, used or maintained for a school, church or public or semi-public building or use, institution or similar use under the regulations of this code unless such building is removed at least 25 feet from every boundary line of any property included in any residential district.

B. Required Yard. No required front or interior yard of the lot on which such building or use is located shall be used for play or parking purposes.

Finding: Per the applicant's site plan the covered play structure will be over 200 feet from the nearest property line, beyond the required 25-foot setback.

This criterion is met.

15.410.050 *Special setback requirements to planned rights-of-way.*

A. Yard Requirements for Property Abutting Partial or Future Street Rights-of-Way.

1. Except as provided in subsection (A)(2) of this section, no building shall be erected on a lot which abuts a street having only a portion of its required width dedicated, unless the yards provided and maintained in connection with such building have a width and/or depth needed to complete the street width plus the width and/or depths of the yards required on the lot by this code.

2. Where a comprehensive plan street design or a future street plan exists, the placement of buildings and the establishment of yards where required by this code shall relate to the future street boundaries as determined by said plans.

Finding: The subject property is bounded by E Mountainview Drive to the north N Center Street to the west. Each right-of-way is complete for the purposes of this code section and no future right-of-way are planned to occur on the subject property pursuant to the City's Transportation System Plan.

The criterion is met.

B. Planned Street Right-of-Way Widths. *Planned street right-of-way widths are established as indicated in subsection (C) of this section for the various categories of streets shown in the transportation system plan.*

C. A lot or parcel of land in any district adjoining a street for which the planned right-of-way width and alignment have been determined shall have a building setback line equal to the yard required in the district, plus a distance of:

1. Fifty feet from and parallel with the centerline of expressways.

2. Thirty-five feet from and parallel with the centerline of major and minor arterials.

3. Thirty feet from and parallel with the centerline of multifamily, commercial and industrial streets and single-family collector streets.

4. Thirty feet from and parallel with the centerline of single-family local streets.

5. Twenty-five feet from and parallel with the centerline of single-family hillside, cul-de-sacs and local streets which will never be extended more than 2,400 feet in length and which will have a relatively even division of traffic to two or more exits.

Exceptions to the above five classifications are shown in the transportation system plan.

D. The centerline of planned streets shall be either the officially surveyed centerline or a centerline as on a precise plan. In the event of conflict between the two, the latter-described line shall prevail. In all other cases, a line midway between properties abutting the right-of-way shall be the centerline for the purposes of this code.

Finindg: Access to the subject property is provided from N Center Street, which is classified as a local residential street under the jurisdiction of the City of Newberg. This segment of the N Center Street right-of-way is complete for the purposes of this code section pursuant to the City's Transportation System Plan.

The criterion is met.

15.410.060 Vision clearance setback.

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

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

B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.

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

D. There is no vision clearance requirement within the commercial zoning district(s) located within the riverfront (RF) overlay subdistrict.

Finding: The proposed structure will be located more than 200 feet from the nearest property line or public right of way.

The criterion is met.

15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

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

A. Depressed Areas. In any district, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls may be located in required yards; provided, that such devices are not more than three and one-half feet in height.

B. Accessory Buildings. In front yards on through lots, where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, that every portion of such accessory building is not less than 10 feet from the nearest street line.

C. Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:

1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.

2. Chimneys and fireplaces, provided they do not exceed eight feet in width.

3. Porches, platforms or landings which do not extend above the level of the first floor of the building.

4. Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).

D. Fences and Walls.

1. In the residential district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:

a. Not to exceed six feet in height. Located or maintained within the required interior yards. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of a six-foot fence on the property line. In no case may a fence extend into the clear vision zone as defined in NMC 15.410.060.

b. Not to exceed four feet in height. Located or maintained within all other front yards.

2. In any commercial, industrial, or mixed employment district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:

a. Not to exceed eight feet in height. Located or maintained in any interior yard except where the requirements of vision clearance apply. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of an eight-foot fence on the property line.

b. Not to exceed four feet in height. Located or maintained within all other front yards.

3. If chain link (wire-woven) fences are used, they are manufactured of corrosion-proof materials of at least 11-1/2 gauge.

4. The requirements of vision clearance shall apply to the placement of fences.

E. Parking and Service Drives (Also Refer to NMC 15.440.010 through 15.440.080).

1. In any district, service drives or accessways providing ingress and egress shall be permitted, together with any appropriate traffic control devices in any required yard.

2. In any residential district, public or private parking areas and parking spaces shall not be permitted in any required yard except as provided herein:

a. Required parking spaces shall be permitted on service drives in the required front yard in conjunction with any single-family detached dwelling, duplex dwelling, triplex dwelling, quadplex dwelling, or townhouse dwelling on a single lot.

b. Recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are restricted to parking in the front yard setback for not more than 48 hours; and recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required interior yards.

c. Public or private parking areas, parking spaces or any building or portion of any building intended for parking which have been identified as a use permitted in any residential district shall be permitted in any interior yard that abuts an alley, provided said parking areas, structures or spaces shall comply with NMC 15.440.070, Parking tables and diagrams (Diagrams 1 through 3).

d. Public or private parking areas, service drives or parking spaces which have been identified as a use

permitted in any residential district shall be permitted in interior yards; provided, that said parking areas, service drives or parking spaces shall comply with other requirements of this code.

3. In any commercial or industrial district, except C-1, C-4, M-1, and M-E, public or private parking areas or parking spaces shall be permitted in any required yard (see NMC 15.410.030). Parking requirements in the C-4 district and the M-E district within the riverfront overlay subdistrict are described in NMC 15.352.040(H).

4. In the I district, public or private parking areas or parking spaces may be no closer to a front property line than 20 feet, and no closer to an interior property line than five feet.

F. Public Telephone Booths and Public Transit Shelters. Public telephone booths and public transit shelters shall be permitted; provided, that vision clearance is maintained for vehicle requirements for vision clearance.

G. Hangars within the AR airport residential district may be constructed with no yard setbacks to property lines adjacent to other properties within the airport residential or airport industrial districts.

Finding: The proposed project occurs more than 200 feet from any property line of the subject property.

Because the proposed project will not occur in a required setback this criterion is not applicable.

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

Finding: The criterion is addressed in the following findings for NMC 15.420.010 dealing with landscape requirements and landscape screening.

15.420.010 Required minimum standards.

A. Private and Shared Outdoor Recreation Areas in Residential Developments.

1. Private Areas. Each ground-level living unit in a residential development subject to a design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.

2. Individual and Shared Areas. Usable outdoor recreation space shall be provided for the individual and/or shared use of residents and their guests in any multifamily residential development, as follows:

a. One- or two-bedroom units: 200 square feet per unit.

b. Three- or more bedroom units: 300 square feet per unit.

c. Storage areas are required in residential developments. Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, and the like. These shall be entirely enclosed.

3. In the AR airport residential district a five percent landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement.

Finding: The proposed project is not a residential development.

Because the proposed project is not a residential development, the criterion is not applicable.

B. Required Landscaped Area. The following landscape requirements are established for all developments except single-family detached dwellings, duplex dwellings, triplex dwellings, quadplex dwellings, townhouse dwellings and cottage cluster projects:

1. A minimum of 15 percent of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subsection (B)(3) of this section. Development in the C-3 (central business district) zoning district and M-4 (large lot industrial) zoning district is exempt from the 15 percent landscape area requirement of this section. Additional

landscaping requirements in the C-4 district are described in NMC 15.352.040(K). In the AI airport industrial district, only a five percent landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement. Developments in the AI airport industrial district with a public street frontage shall have said minimum landscaping between the front property line and the front of the building.

Finding: The applicant narrative states that more than 15% of the lot area is already landscaped and shall remain landscaped following addition of the proposed structure.

This criterion is met.

2. All areas subject to the final design review plan and not otherwise improved shall be landscaped.

3. The following landscape requirements shall apply to the parking and loading areas:

a. A parking or loading area providing 10 or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.

b. A parking, loading area, or drive aisle which runs adjacent to a property line shall be separate from any lot line adjacent to a street by a landscaped strip at least 10 feet in interior width or the width of the required yard, whichever is greater, and any other lot line by a landscaped strip of at least five feet in interior width. See subsections (B)(3)(c) and (d) of this section for material to plant within landscape strips.

c. A landscaped strip separating a parking area, loading area, or drive aisle from a street shall contain street trees spaced as appropriate to the species, not to exceed 50 feet apart on average, and a combination of shrubs and ground cover, or lawn. This landscaping shall provide partial screening of these areas from the street.

d. A landscaped strip separating a parking area, loading area, or drive aisle from an interior lot line shall contain any combination of trees, shrubs, ground cover or lawn.

Plant material shall be selected from at least two different plant material groups (example: trees and shrubs, or lawn and shrubs, or lawn and trees and shrubs).

e. Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.

f. Landscaping areas in a parking lot, service drive or loading area shall have an interior width of not less than five feet.

g. All multifamily, institutional, commercial, or industrial parking areas, service drives, or loading zones which abut a residential district shall be enclosed with a 75 percent opaque, site-obscuring fence, wall or evergreen hedge along and immediately adjacent to any interior property line which abuts the residential district. Landscape plantings must be large enough to provide the required minimum screening requirement within 12 months after initial installation. Adequate provisions shall be maintained to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.

h. An island of landscaped area shall be located to separate blocks of parking spaces. At a minimum, one deciduous shade tree per seven parking spaces shall be planted to create a partial tree canopy over and around the parking area. No more than seven parking spaces may be grouped together without an island separation unless otherwise approved by the director based on the following alternative standards:

i. Provision of a continuous landscaped strip, with a five-foot minimum width, which runs perpendicular to the row of parking spaces (see Appendix A, Figure 13).

ii. Provision of tree planting landscape islands, each of which is at least 16 square feet in size, and spaced no more than 50 feet apart on average, within areas proposed for back-to-back parking (see Appendix A, Figure 14).

Finding: There are no modifications being made to the parking lot and the overall landscaping percentage criteria has previously been met.

Because no modifications being made and the overall landscaping percentage criteria was previously met, this criterion is not applicable.

4. Trees, Shrubs and Ground Covers. The species of street trees required under this section shall conform to those authorized by the city council through resolution. The director shall have the responsibility for preparing and updating the street tree species list which shall be adopted in resolution form by the city council.

a. Arterial and minor arterial street trees shall have spacing of approximately 50 feet on center. These trees shall have a minimum two-inch caliper tree trunk or stalk at a measurement of two feet up from the base and shall be balled and burlapped or boxed.

b. Collector and local street trees shall be spaced approximately 35 to 40 feet on center. These trees shall have a minimum of a one and one-half or one and three-fourths inch tree trunk or stalk and shall be balled and burlapped or boxed.

c. Accent Trees. Accent trees are trees such as flowering cherry, flowering plum, crab-apple, Hawthorne and the like. These trees shall have a minimum one and one-half inch caliper tree trunk or stalk and shall be at least eight to 10 feet in height. These trees may be planted bare root or balled and burlapped. The spacing of these trees should be approximately 25 to 30 feet on center.

d. All broad-leafed evergreen shrubs and deciduous shrubs shall have a minimum height of 12 to 15 inches and shall be balled and burlapped or come from a two-gallon can. Gallon-can size shrubs will not be allowed except in ground covers. Larger sizes of shrubs may be required in special areas and locations as specified by the design review board. Spacing of these shrubs shall be typical for the variety, three to eight feet, and shall be identified on the landscape planting plan.

e. Ground Cover Plant Material. Ground cover plant material such as greening juniper, cotoneaster, minor

Bowles, English ivy, hypericum and the like shall be one of the following sizes in specified spacing for that size:

<i>Gallon cans</i>	<i>3 feet on center</i>
<i>4" containers</i>	<i>2 feet on center</i>
<i>2-1/4" containers</i>	<i>18" on center</i>
<i>Rooted cuttings</i>	<i>12" on center</i>

Finding: The proposed project does not include removal or modification of any existing landscaping along the site frontages along either E Mountainview Drive or N Center Street. The subject property includes existing street trees along both E Mountainview Drive or N Center Street.

Because the proposed project does not include removal or modification of existing landscaping along the site frontages, this criterion is not applicable.

5. Automatic, underground irrigation systems shall be provided for all areas required to be planted by this section. The director shall retain the flexibility to allow a combination of irrigated and nonirrigated areas. Landscaping material used within nonirrigated areas must consist of drought-resistant varieties. Provision must be made for alternative irrigation during the first year after initial installation to provide sufficient moisture for plant establishment.

Finding: The landscaping criteria is already being met by existing landscaping. No further landscaping improvements are being required.

This criterion is met.

6. Required landscaping shall be continuously maintained.

Finding: The existing site landscaping is already maintained. The application does not propose any changes to existing landscaping.

This criterion is met.

7. Maximum height of tree species shall be considered when planting under overhead utility lines.

Finding: The development is not located near any overhead utility lines. Per Engineering standards, all new utility lines will need to be placed underground. No new trees are proposed. This criterion is met.

8. Landscaping requirements and standards for parking and loading areas (subsection (B)(3) of this section) will apply to development proposals unless the institution has addressed the requirements and standards by an approved site development master plan. With an approved site development master plan, the landscape requirements will be reviewed through an administrative Type I review process.

Finding: The development does not have an approved site development master plan. The landscaping requirements of subsection (B)(3) of this section have been applied to this project.

This criterion is met.

9. In the M-4 zone, landscaping requirements and standards for parking and loading areas (subsection (B)(3) of this section) do not apply unless within 50 feet of a residential district.

Finding: This project is in the R-1 / Low Density Residential zone, not in the M-4 zone.

This criterion is not applicable.

C. Installation of Landscaping. All landscaping required by these provisions shall be installed prior to the issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the director is filed with the city, insuring such installation within six months of occupancy. A security – cash, certified check, time certificates of deposit, assignment of a savings account, bond or such other assurance of completion as shall meet with the approval of the city attorney – shall satisfy the security requirements. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the director, the security may be used by the city to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the city shall be returned to the applicant.

Finding: The landscaping criteria is already being met onsite. Therefore, this criterion is not applicable.

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

Finding: The project contains no sign revision or addition.

Because the project proposes not additional signs nor modifications to existing signage, the criterion is not applicable.

6. Manufactured Home, Mobile Home and RV Parks. *Manufactured home, mobile home, and recreational vehicle parks shall also comply with the standards listed in NMC 15.445.050 et seq. in addition to the other criteria listed in this section.*

Finding: The proposed project is not a manufactured home, mobile home, or RV park.

Because the proposed project is not a manufactured home, mobile home, or RV park, the criterion is not applicable.

7. Zoning District Compliance. *The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.304.010 through 15.328.040. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.*

Finding: The subject property is the campus for Joan Austin Elementary School and located in the R-1 district. Pursuant to NMC Chapter 15.303, the existing use category is “School, primary or secondary” which is a permitted use in the R-1 district per NMC 15.305.020 (Line 330). Further, the proposed structure is an accessory building, and its use is incidental to the subject property’s primary use as an elementary school. “Accessory building” is a permitted use in the R-1 district per NMC 15.305.020 (following Line 600)

The criterion is met.

8. Subdistrict Compliance. *Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.*

Finding: The subject property is not located within any of the subdistricts listed in NMC 15.340.010 through 15.348.060.

Because the property is not located within any of the applicable subdistricts, the criterion is not applicable.

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. *Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in*

the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

Finding: Following compliance with design review conditions, the new development will provide future vehicular and pedestrian access to adjacent properties which are currently developed or will be developed in the future, frontage and roadway improvements will be completed and the project will meet the standards contained within the Transportation Plan.

The submitted materials do not propose public improvements. If it is determined during the building permit process that sidewalk repairs or replacements are required, the applicant will submit public improvement plans for the sidewalks. The applicant will be required to replace any sidewalks along the site's frontage that are in poor condition or do not meet current ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process.

This criterion will be met if the aforementioned condition of approval is adhered to.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director.

Finding: The submitted materials show that the proposed development is for a covered play structure. The proposed project does not create any new traffic impacts.

This criterion is not applicable.

15.220.030 Site design review requirements

B. Type II The following information is required to be submitted with all Type II applications for a site design review.

11. Exterior Lighting. Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.

15.425 Exterior Lighting

15.425.020 Applicability and exemptions.

A. Applicability. Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will

comply with this section. This information shall contain but not be limited to the following:

1. The location, height, make, model, lamp type, wattage, and proposed cutoff angle of each outdoor lighting fixture.

2. Additional information the director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.

3. If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.

Finding: The applicant's narrative states that there is not exterior lighting associated with the proposal. There is ceiling mounted lighting to light the interior of the play structure, but it is oriented to the ground.

This criterion is met.

Chapter 15.430 Underground Utility Installation

15.430.010 Underground utility installation.

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

Finding: The submitted plans and narrative propose all new utility lines be constructed underground.

This criterion is met.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

Finding: There are not existing overhead utilities along the project site's frontages.

This criterion is not applicable.

C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:

- 1. The cost of undergrounding the utility is extraordinarily expensive.*
- 2. There are physical factors that make undergrounding extraordinarily difficult.*
- 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed.*

Finding: There are not existing overhead utilities along the project site's frontages.

This criterion is not applicable.

15.505.010 Purpose.

This chapter provides standards for public infrastructure and utilities installed with new development, consistent with the policies of the City of Newberg comprehensive plan and adopted city master plans. The standards are intended to minimize disturbance to natural features, promote energy conservation and efficiency, minimize and maintain development impacts on surrounding properties and neighborhoods, and ensure timely completion of adequate public facilities to serve new development.

15.505.020 Applicability.

The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).

Finding: All improvements reviewed under this application are identified in the NMC 15.505 section specific to them and are conditioned to comply with the Public Works Design and Construction Standards in those sections.

This criterion is met.

A. Public Works Design and Construction Standards. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply with the requirements of the most recently adopted Newberg public works design and construction standards.

Finding: The submitted plans reference the most current Newberg Public Works Design and Construction Standards.

This criterion is met.

B. Street Improvements. All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.

Finding: Street frontages adjacent to the proposed development are already improved.

This criterion is met.

C. Water. All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.

Finding: The proposed project does not require new water service.

This criterion is not applicable.

D. Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.

Finding: The proposed project does not require new wastewater service.

This criterion is not applicable.

E. Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.

Finding: The materials submitted include a preliminary stormwater management plan. The applicant will be required to submit a final stormwater management plan that meets the objectives of NMC Chapters 13.20 and 13.25.

This criterion will be met if the aforementioned condition of approval is adhered to.

F. Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.

Finding: The proposed project does not require any new easements.

This criterion is not applicable.

G. City Approval of Public Improvements Required. No building permit may be issued until all required public facility improvements are in place and approved by the

director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards.

Finding: Any required public improvement permit(s) for this project must be submitted, approved and issued prior to building permits being issued.

This criterion will be met if the aforementioned condition of approval is adhered to.

15.505.030 Street standards.

A. Purpose. *The purpose of this section is to:*

- 1. Provide for safe, efficient, and convenient multi-modal transportation within the City of Newberg.*
- 2. Provide adequate access to all proposed and anticipated developments in the City of Newberg. For purposes of this section, “adequate access” means direct routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.*
- 3. Provide adequate area in all public rights-of-way for sidewalks, wastewater and water lines, stormwater facilities, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way. For purposes of this section, “adequate area” means space sufficient to provide all required public services to standards defined in this code and in the Newberg public works design and construction standards.*

B. Applicability. *The provisions of this section apply to:*

- 1. The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.*
- 2. The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.*
- 3. The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.*
- 4. The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.*
- 5. Developments outside the city that tie into or take access from city streets.*

C. Layout of Streets, Alleys, Bikeways, and Walkways. *Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.*

D. Construction of New Streets. *Where new streets are necessary to serve a new development, subdivision, or partition, right-of-way dedication and full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarter street improvements may be allowed by the city only where all of the following criteria are met:*

- 1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and***
- 2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.***

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements and none are required.

This criterion is not applicable.

E. Improvements to Existing Streets.

- 1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.***
- 2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.***

3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements or right-of-way dedication. No street improvements or right-of-way dedication are required.

This criterion is not applicable.

F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.

Finding: There are no improvements relating to impacts identified as part of this proposed development.

This criterion is not applicable.

G. Street Width and Design Standards.

1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
<i>Arterial Streets</i>						
<i>Expressway**</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>
<i>Major arterial</i>	<i>95 – 100 feet</i>	<i>74 feet</i>	<i>4 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor arterial</i>	<i>69 – 80 feet</i>	<i>48 feet</i>	<i>2 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Collectors</i>						
<i>Major</i>	<i>57 – 80 feet</i>	<i>36 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor</i>	<i>61 – 65 feet</i>	<i>40 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes*</i>	<i>Yes*</i>
<i>Local Streets</i>						
<i>Local residential</i>	<i>54 – 60 feet</i>	<i>32 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking both sides</i>	<i>44 – 50 feet</i>	<i>28 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking one side</i>	<i>40 – 46 feet</i>	<i>26 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>One side</i>
<i>Local commercial/ industrial</i>	<i>55 – 65 feet</i>	<i>34 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>No*</i>	<i>Yes*</i>

* *May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.*

** *All standards shall be per ODOT expressway standards.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements or right-of-way dedication. No street improvements or right-of-way dedication are required.

This criterion is not applicable.

2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

a. Exception.

i. Minimum Lane width of 11 feet along S River Street from E First Street to E Fourteenth Street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

3. Bike Lanes. *Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.*

a. Exception.

i. Minimum striped bike lane width of six feet with a one-foot-wide buffer along S River Street from E First Street to the bypass.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

4. Parking Lanes. *Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.*

a. Exception.

i. Minimum parking lane width of seven feet along S River Street from the bypass to E Fourteenth Street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required. This criterion is not applicable.

5. Center Turn Lanes. *Where a center turn lane is provided, it shall be a minimum of 12 feet wide.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

6. Limited Residential Streets. *Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:*

a. The requirements of the fire chief shall be followed.

b. The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.

c. Use for through streets or looped streets is preferred over cul-de-sac streets.

d. Use for short blocks (under 400 feet) is preferred over longer blocks.

e. The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.

f. On-street parking usage is limited, such as by providing ample off-street parking, or by staggering driveways so there are few areas where parking is allowable on both sides.

Finding: No new limited residential streets are proposed, and none are required for this development.

This criterion is not applicable.

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

a. Exception.

i. Twelve-foot-wide sidewalks, inclusive of the curb, with tree wells along S River Street from the bypass to E Fourteenth Street.

ii. Twelve-foot-wide shared-use path and four-foot buffer, inclusive of the curb, with tree wells along the east side of S River Street from the bypass to E Fourteenth Street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

8. Planter Strips. *Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:*

a. Additional reinforcement is done to the sidewalk section at corners.

b. Sidewalk width is six feet.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

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

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose slope easements. No slope easements are required.

This criterion is not applicable.

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

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

11. The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.

Finding: The applicant is not requesting any modifications.

This criterion is not applicable.

H. Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

1. The modification is necessary to provide design flexibility in instances where:

a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or

b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or

c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or

d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.

2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.

Finding: The applicant is not requesting any modifications to street right-of-way or width.

This criterion is not applicable.

I. Temporary Turnarounds. Where a street will be extended as part of a future phase of a development, or as part of development of an abutting property, the street may be terminated with a temporary turnaround in lieu of a standard street connection or circular cul-de-sac bulb. The director and fire chief shall approve the temporary turnaround. It shall have an all-weather surface, and may include a hammerhead-type turnaround meeting fire apparatus access road standards, a paved or graveled circular turnaround, or a paved or graveled temporary access road. For streets extending less than 150 feet and/or with no significant access, the director may approve the street without a temporary turnaround. Easements or right-of-way may be required as necessary to preserve access to the turnaround.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

J. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of this code.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

*K. Future Extension of Streets. All new streets required for a subdivision, partition, or a project requiring site design review shall be constructed to be “to and through”:
through the development and to the edges of the project site to serve adjacent properties for future development.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

L. Cul-de-Sacs.

1. Cul-de-sacs shall only be permitted when one or more of the circumstances listed in this section exist. When cul-de-sacs are justified, public walkway connections shall be provided wherever practical to connect with another street, walkway, school, or similar destination.

a. Physical or topographic conditions make a street connection impracticable. These conditions include but are not limited to controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not be reasonably made.

b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.

c. Where streets or accessways would violate provisions of leases, easements, or similar restrictions.

d. Where the streets or accessways abut the urban growth boundary and rural resource land in farm or forest use, except where the adjoining land is designated as an urban reserve area.

2. Cul-de-sacs shall be no more than 400 feet long (measured from the centerline of the intersection to the radius point of the bulb).

3. Cul-de-sacs shall not serve more than 18 single-family dwellings.

Each cul-de-sac shall have a circular end with a minimum diameter of 96 feet, curb-to-curb, within a 109-foot minimum diameter right-of-way. For residential uses, a 35-foot radius may be allowed if the street has no parking, a mountable curb, curbside sidewalks, and sprinkler systems in every building along the street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

M. Street Names and Street Signs. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for new streets not in

alignment with existing streets are subject to approval by the director and the fire chief and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. It shall be the responsibility of the land divider to provide street signs.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

N. Platting Standards for Alleys.

- 1. An alley may be required to be dedicated and constructed to provide adequate access for a development, as deemed necessary by the director.*
- 2. The right-of-way width and paving design for alleys shall be not less than 20 feet wide. Slope easements shall be dedicated in accordance with specifications adopted by the city council under NMC 15.505.010 et seq.*
- 3. Where two alleys intersect, 10-foot corner cut-offs shall be provided.*
- 4. Unless otherwise approved by the city engineer where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall be not less than 100 feet.*
- 5. All provisions and requirements with respect to streets identified in this code shall apply to alleys the same in all respects as if the word "street" or "streets" therein appeared as the word "alley" or "alleys" respectively.*

Finding: The proposed project does not impact any alley and does not propose any new alley.

This criterion is not applicable.

O. Platting Standards for Blocks.

- 1. Purpose. Streets and walkways can provide convenient travel within a neighborhood and can serve to connect people and land uses. Large, uninterrupted blocks can serve as a barrier to travel, especially walking and biking. Large blocks also can divide rather than unite neighborhoods. To promote connected neighborhoods and to shorten travel distances, the following minimum standards for block lengths are established.*
- 2. Maximum Block Length and Perimeter. The maximum length and perimeters of blocks in the zones listed below shall be according to the following table. The review body for a subdivision, partition, conditional use permit, or a*

Type II design review may require installation of streets or walkways as necessary to meet the standards below.

<i>Zone(s)</i>	<i>Maximum Block Length</i>	<i>Maximum Block Perimeter</i>
<i>R-1</i>	<i>800 feet</i>	<i>2,000 feet</i>
<i>R-2, R-3, RP, I</i>	<i>1,200 feet</i>	<i>3,000 feet</i>

3. Exceptions.

a. If a public walkway is installed mid-block, the maximum block length and perimeter may be increased by 25 percent.

b. Where a proposed street divides a block, one of the resulting blocks may exceed the maximum block length and perimeter standards provided the average block length and perimeter of the two resulting blocks do not exceed these standards.

c. Blocks in excess of the above standards are allowed where access controlled streets, street access spacing standards, railroads, steep slopes, wetlands, water bodies, preexisting development, ownership patterns or similar circumstances restrict street and walkway location and design. In these cases, block length and perimeter shall be as small as practical. Where a street cannot be provided because of these circumstances but a public walkway is still feasible, a public walkway shall be provided.

d. Institutional campuses located in an R-1 zone may apply the standards for the institutional zone.

e. Where a block is in more than one zone, the standards of the majority of land in the proposed block shall apply.

f. Where a local street plan, concept master site development plan, or specific plan has been approved for an area, the block standards shall follow those approved in the plan. In approving such a plan, the review body shall follow the block standards listed above to the extent appropriate for the plan area.

Finding: The proposed project does not change block length or perimeter.

This criterion is not applicable.

4. Public Pedestrian Walkways and Bicycle Access. *The approval authority in approving a land use application with conditions may require a developer to provide an access way where the creation of a street consistent with street spacing standards is infeasible and the creation of a cul-de-sac or dead-end street is unavoidable. A public walkway provides a connection through a block that is longer than established standards or connects the end of the street to another right-of-way or a public access easement. A public walkway shall be contained within a public right-of-way or public access easement, as required by the city. A public walkway shall be a minimum of 10 feet wide and shall provide a minimum six-foot-wide paved surface or other all-weather surface approved by the city (see subsection (S) of this section for public walkway standards).*

Design features should be considered that allow access to emergency vehicles but that restrict access to non-emergency motorized vehicles.

Finding: The applicant is not proposing a public walkway, and none is required.

This criterion is not applicable.

P. Private Streets. *New private streets, as defined in NMC 15.05.030, shall not be created, except as allowed by NMC 15.240.020(L)(2).*

Finding: The applicant is not proposing private streets.

This criterion is not applicable.

Q. Traffic Calming.

1. *The following roadway design features may be required in new street construction where traffic calming needs are anticipated:*

a. Serpentine alignment.

b. Curb extensions.

c. Traffic diverters/circles.

d. Raised medians and landscaping.

e. Other methods shown effective through engineering studies.

2. *Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street constructions.*

Finding: The applicant is not proposing traffic calming and none is required.

This criterion is not applicable.

R. Vehicular Access Standards.

1. Purpose. The purpose of these standards is to manage vehicle access to maintain traffic flow, safety, roadway capacity, and efficiency. They help to maintain an adequate level of service consistent with the functional classification of the street. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access is limited and managed on these roads to promote efficient through movement. Local streets and alleys provide access to individual properties. Access is managed on these roads to maintain safe maneuvering of vehicles in and out of properties and to allow safe through movements. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function.

2. Access Spacing Standards. Public street intersection and driveway spacing shall follow the standards in Table 15.505.R below. The Oregon Department of Transportation (ODOT) has jurisdiction of some roadways within the Newberg city limits, and ODOT access standards will apply on those roadways.

Table 15.505.R. Access Spacing Standards

<i>Roadway Functional Classification</i>	<i>Area¹</i>	<i>Minimum Public Street Intersection Spacing (Feet)²</i>	<i>Driveway Setback from Intersecting Street³</i>
<i>Expressway</i>	<i>All</i>	<i>Refer to ODOT Access Spacing Standards</i>	<i>NA</i>
<i>Major arterial</i>	<i>Urban CBD</i>	<i>Refer to ODOT Access Spacing Standards</i>	
<i>Minor arterial</i>	<i>Urban CBD</i>	<i>500 200</i>	<i>150 100</i>
<i>Major collector</i>	<i>All</i>	<i>400</i>	<i>150</i>
<i>Minor collector</i>	<i>All</i>	<i>300</i>	<i>100</i>

¹ “Urban” refers to intersections inside the city urban growth boundary outside the central business district (C-3 zone).

“CBD” refers to intersections within the central business district (C-3 zone).

“All” refers to all intersections within the Newberg urban growth boundary.

² Measured centerline to centerline.

³ The setback is based on the higher classification of the intersecting streets. Measured from the curb line of the intersecting street to the beginning of the driveway, excluding flares. If the driveway setback listed above

<i>Roadway Functional Classification</i>	<i>Area¹</i>	<i>Minimum Public Street Intersection Spacing (Feet)²</i>	<i>Driveway Setback from Intersecting Street³</i>
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would preclude a lot from having at least one driveway, including shared driveways or driveways on adjoining streets, one driveway is allowed as far from the intersection as possible.

Finding: The applicant is not proposing new access.

This criterion is not applicable.

3. Properties with Multiple Frontages. *Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.*

a. For a duplex, triplex or quadplex dwelling or a cottage cluster project with frontage on two local streets, access may be permitted on both streets.

Finding: The applicant is not requesting any new access.

This criterion is not applicable.

4. Driveways. *More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.*

a. For a duplex, triplex or quadplex dwelling or a cottage cluster project, more than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 22 feet of lot frontage separating each driveway approach.

Finding: The applicant is not proposing any new driveway.

This criterion is not applicable.

5. Alley Access. *Where a property has frontage on an alley and the only other frontages are on collector or arterial streets, access shall be taken from the alley only. The review body may allow creation of an alley for access to lots that do not otherwise have frontage on a public street provided all of the following are met:*

a. The review body finds that creating a public street frontage is not feasible.

b. The alley access is for no more than six dwellings and no more than six lots.

c. The alley has through access to streets on both ends.

d. One additional parking space over those otherwise required is provided for each dwelling. Where feasible, this shall be provided as a public use parking space adjacent to the alley.

Finding: The applicant is not requesting any new access.

This criterion is not applicable.

6. Closure of Existing Accesses. Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.

Finding: The applicant is not proposing to close an existing access.

This criterion is not applicable.

7. Shared Driveways.

a. The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes. Where there is an abutting developable property, a shared driveway shall be provided as appropriate. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) and maintenance agreements shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

c. No more than four lots may access one shared driveway, with the exception of cottage dwellings on individual lots that are part of a cottage cluster.

d. Shared driveways shall be posted as no parking fire lanes where required by the fire marshal.

e. Where three or more lots share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway. However, duplex, triplex, quadplex, townhouse and cottage dwellings with shared driveways shall be exempt from this standard.

Finding: The applicant is not proposing any new access.

This criterion is not applicable.

8. Frontage Streets and Alleys. The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.

Finding: The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

9. ODOT or Yamhill County Right-of-Way. Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.

Finding: The project site does not abut an ODOT or Yamhill County right-of-way.

This criterion is not applicable.

10. Exceptions. The director may allow exceptions to the access standards above in any of the following circumstances:

a. Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.

b. Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.

c. Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on the street and on site, than access otherwise allowed under these standards.

Finding: The applicant is not requesting any exceptions to access standards.

This criterion is not applicable.

11. Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.

Finding: The applicant is not requesting any exceptions to access standards.

This criterion is not applicable.

S. Public Walkways.

1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.

2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.

3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.

4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.

5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.

6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.

7. Lighting may be required for public walkways in excess of 250 feet in length.

8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.

Finding: The applicant is not proposing a public walkway, and none is required.

This criterion is not applicable.

T. Street Trees. Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).

Finding: The subject property includes existing street trees along both E Mountainview Drive and N Center Street. The proposed project does not include removal or modification of any existing landscaping or street trees along either E Mountainview Drive or N Center Street.

Because the proposed project does not include removal or modification of existing landscaping or street trees, this criterion is not applicable.

U. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for streetlights according to the specifications and standards of the Newberg public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.

Finding: Street frontages adjacent to the proposed development are already improved with existing street lighting.

This criterion is not applicable.

V. Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:

- 1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section, "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.***
- 2. A transit passenger landing pad accessible to disabled persons.***
- 3. An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.***

4. Lighting at the transit facility.

Finding: The applicant is not proposing transit improvements, and none are required.

This criterion is not applicable.

15.505.040 Public utility standards.

A. Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.

B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.

C. General Standards.

1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.

2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.

D. Standards for Water Improvements. All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary wastewater and stormwater facilities, as applicable.

1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped

where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.

3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in the judgment of the city, cannot be feasibly served otherwise.

4. Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city.

Finding: The applicant is not proposing water improvements, and none are required.

This criterion is not applicable.

E. Standards for Wastewater Improvements. All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and stormwater facilities, as applicable.

1. All septic tank systems and on-site sewage systems are prohibited. Existing septic systems must be abandoned or removed in accordance with Yamhill County standards.

2. All properties shall be provided with gravity service to the city wastewater system, except for lots that have unique topographic or other natural features that make gravity wastewater extension impractical as determined by the director. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the director.

3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately sized wastewater facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.

5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.

6. The design of the wastewater facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.

7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.

Finding: The applicant is not proposing wastewater system improvements, and none are required.

This criterion is not applicable.

F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards.

The applicant is not proposing new easements, and none are required.

This criterion is not applicable.

15.505.050 Stormwater system standards.

A. Purpose. The purpose of this section is to provide for the drainage of surface water from all development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in stormwater runoff.

B. Applicability. The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city stormwater system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.

C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property.

The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

Finding: The proposed project is a covered play area. The applicant has submitted a preliminary stormwater management plan which proposes LIDA facilities to manage the runoff from the new impervious area. The facilities drain to an onsite storm conveyance system which does connect to the public storm system. Downstream conveyance calculations were not submitted because the amount of new impervious area (1925 square feet) does not reach the threshold of 2877 square feet which requires downstream conveyance assessment.

The applicant shall submit a final stormwater management plan with the building permit application which addresses stormwater management in accordance with the NMC and the Public Works Design and Construction Standards (PWDCS). Refer to NMC 13.25.28 and PWDCS 4.6.

This criterion will be met if the aforementioned condition of approval is adhered to.

D. Plan for Stormwater and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:

- 1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.*
- 2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.*
- 3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.*

Finding: The proposed project is a covered play area. The applicant has submitted a preliminary stormwater management plan to manage run off. They calculated the new impervious area as 1,925 square feet. They have proposed a flow through planter to treat and detain run off from the new impervious area. They have sized the facility for the roof surface area which is more than the net new impervious area created by the play area. They reference standard drawings no. 452 and no. 459. The preliminary plan references methods which are appropriate. The applicant shall submit a final stormwater management plan with the building permit application which addresses stormwater management in accordance with the NMC and the PWDCS. Refer to NMC 13.25.28 and PWDCS 4.6.

A City of Newberg Erosion Control Permit will be required prior to any ground disturbing activity.

This criterion will be met if the aforementioned condition of approval is adhered to.

E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.

Finding: The submitted preliminary stormwater report references the City of Newberg Public Works Design and Construction Standards. The applicant will be required to submit a final stormwater management report and plans which meet the objectives of the City of Newberg Public Works Design and Construction Standards. Plans will be fully reviewed for compliance with city standards including the Public Works Design and Construction Standards as part of the permit plan review process. The applicant will also be required to submit and record a maintenance plan and agreement for the private stormwater facility proposed onsite.

This criterion will be met if the aforementioned condition of approval is adhered to.

CONCLUSION

Based on the above findings, the proposed covered play structure 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 DR222-0012
Joan Austin Elementary School Design Review

A. THE FOLLOWING MUST BE COMPLETED BEFORE THE CITY WILL ISSUE A BUILDING PERMIT:

1. **Permit Submittal:** Submit a building permit application, two (2) complete working drawing sets of the proposed project. Show all the features of the plan approved through design review, including the following:
 - a. Any required public improvement permit(s) for this project must be submitted, approved, and issued prior to building permits being issued.
2. **Conditions 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 building permit review.
3. **Sidewalks:**
 - a. The applicant will be required to replace any sidewalks along the site's frontage that are in poor condition or do not meet current ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process.
 - b. If it is determined during the building permit process that sidewalk repairs or replacements are required, the applicant will submit public improvement plans for the sidewalks.
4. **Stormwater:**
 - a. The applicant will be required to submit a final stormwater management plan that meets the objectives of NMC Chapters 13.20 and 13.25.
 - b. The applicant shall submit a final stormwater management plan with the building permit application which addresses stormwater management in accordance with the Newberg Municipal Code (NMC) Chapter 13.20, NMC 13.25, and PWDCS 4.6.
 - c. A City of Newberg Erosion Control Permit will be required prior to any ground disturbing activity.
 - d. The applicant will be required to submit a final stormwater management report and plans which meet the objectives of the City of Newberg Public Works Design and Construction Standards (PWDCS). Plans will be fully

reviewed for compliance with city standards including the PWDCS as part of the permit plan review process. The applicant will also be required to submit and record a maintenance plan and agreement for the private stormwater facility proposed onsite.

B. THE FOLLOWING MUST BE ACCOMPLISHED PRIOR TO OCCUPANCY

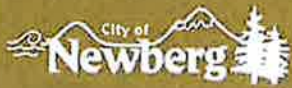
1. **Fire Department Requirements:** This project is subject to compliance with all Fire Department standards relating to access and fire protection.
2. **Design Review Conditions:** Contact the Planning Division (503-537-1240) to verify that all design review conditions have been completed.
3. **Site 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 Yamhill County (503-538-7302) for electrical final inspections.
 - d. Contact the Planning Division (503-537-1240) for landscaping final inspections.

C. DEVELOPMENT NOTES

- a. Systems development charges (SDCs) will be collected when building permits are issued. For questions regarding SDCs please refer to the attached fee packet and contact the Engineering Division.

Attachment 1: Application and Supplemental Information

2200 N CENTER STREET, JOAN AUSTIN ELEMENTARY SCHOOL
DESIGN REVIEW – DR222-0012



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) _____

APPLICANT INFORMATION:

APPLICANT: HHPR, Inc. - Attn: Brad Kilby, AICP

ADDRESS: 205 SE Spokane Street #200 CITY: Portland STATE: OR ZIP: 97202
 EMAIL ADDRESS: bradk@hhpr.com PHONE: 503-221-1131 MOBILE: _____

OWNER (if different from above): Newberg School District - Attn: Dr. Stephen Phillips PHONE: 503-554-5000
 ADDRESS: 714 E. Sixth Street CITY: Newberg STATE: OR ZIP: 97132-3406

ENGINEER/SURVEYOR: KPFF Consulting Engineers CONTACT: Andrew Chung, PE
 EMAIL ADDRESS: _____ PHONE: (503) 542-3872 MOBILE: _____

GENERAL INFORMATION:

PROJECT LOCATION: 2200 N. Center Street PROJECT VALUATION: \$ 300,000
 PROJECT DESCRIPTION/USE: Proposal to construct a new 2,000 SF Covered Play Area
 MAP/TAX LOT NO. (i.e. 3200AB-400): 32171904 SITE SIZE: 11.49 SQ. FT. ACRE
 COMP PLAN DESIGNATION: Public - Quasi Public CURRENT ZONING: R-1
 CURRENT USE: Elementary School
 SURROUNDING USES:
 NORTH: Orchard SOUTH: Residential
 EAST: Residential WEST: Farming

ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check all that apply)

- General Checklist:** Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature
 2 Copies of full Application Packet

For detailed checklists, applicable criteria for the written response, and other requirements per application type, turn to:

Design Review	p. 13
Partition Tentative Plat	p. 15
Subdivision Tentative Plat	p. 17
Variance Checklist	p. 20
Short-term Rental	p. 22

The Application Packet can be submitted to Planning@newbergoregon.gov or at 414 E First St., Newberg OR. 97132
 If the Application is emailed 2 physical copies must be mailed or brought into the Community Development Department

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.

Brad Kilby
 Applicant Signature _____ Date _____

Brad Kilby
 Print Name _____

Owner Signature _____ Date 12/16/22

Dr. Stephen Phillips
 Print Name _____

NEWBERG PERMIT CENTER FEE SCHEDULE Effective Date: April 1, 2022

5% Technology fee will be added to total fees (resolution No. 2016-3268)

PRE-APPLICATION REVIEW	\$100
TYPE I (ADMINISTRATIVE REVIEW)	
ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$190
ADU DESIGN REVIEW	\$190
COTTAGE CLUSTER DESIGN REVIEW.....	\$380
PROPERTY CONSOLIDATION	\$190
CODE ADJUSTMENT.....	\$475
DESIGN REVIEW - TYPE I (DUPLEX OR COM. /IND. MINOR ADDITION REVIEW)	0.3% OF PROJECT VALUE, \$475 MINIMUM
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION.....	\$190
MAJOR MODIFICATION OF TYPE I DECISION	50% OF ORIGINAL FEE
PARTITION FINAL PLAT	\$954 + \$83 PER PARCEL
PROPERTY LINE ADJUSTMENT	\$954
SIGN REVIEW	\$84 PLUS \$1.00 PER SQ. FT. OF SIGN FACE
SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT.....	\$1912 + \$83 PER LOT OR UNIT
TYPE II (LAND USE DECISION)	
ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$954
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION	\$190
MAJOR MODIFICATION OF TYPE II DECISION.....	50% OF ORIGINAL FEE
DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS)	0.6% OF TOTAL PROJECT COST, \$954 MINIMUM*
PARTITION PRELIMINARY PLAT.....	\$954 PLUS \$83 PER PARCEL
SUBDIVISION PRELIMINARY PLAT.....	\$1912 PLUS \$83 PER LOT
VARIANCE.....	\$954
TYPE III (QUASI-JUDICIAL REVIEW)	
ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$2026
ANNEXATION	\$2663 PLUS \$254 PER ACRE
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC)	\$2496
CONDITIONAL USE PERMIT.....	\$2026
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION	\$190
MAJOR MODIFICATION OF TYPE III DECISION	50% OF ORIGINAL FEE
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION	\$0
HISTORIC LANDMARK ELIMINATION	\$2323
SUBDIVISION PRELIMINARY PLAT.....	\$1912 PLUS \$83 PER LOT
PLANNED UNIT DEVELOPMENT	\$4046+\$83 PER LOT OR UNIT
ZONING AMENDMENT (SITE SPECIFIC).....	\$2523
TYPE IV (LEGISLATIVE AMENDMENTS)	
COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION	\$2870
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION.....	\$2870
APPEALS	
TYPE I OR II APPEAL TO PLANNING COMMISSION	\$547
TYPE I OR II APPEAL TO CITY COUNCIL	\$992
TYPE III APPEAL TO CITY COUNCIL	\$1165
TYPE I ADJUSTMENTS OR TYPE II VARIANCES (THAT ARE NOT DESIGNED TO REGULATE THE PHYSICAL CHARACTERISTICS OF A USE PERMITTED OUTRIGHT)	\$307
EXHIBITOR LICENSE FEE APPEAL TO THE CITY COUNCIL	50% OF EXHIBITOR LICENSE FEE
OTHER FEES	
TECHNOLOGY FEE (This fee will be added to all Planning, Engineering and Building Fees, does not apply to SDC fees) 5% OF TOTAL EXPEDITED LAND DIVISION.....	\$7109 + \$83 PER LOT OR UNIT
URBAN GROWTH BOUNDARY AMENDMENT.....	\$4543
VACATION OF PUBLIC RIGHT-OF-WAY.....	\$1885
FEE-IN-LIEU OF PARKING PROGRAM.....	\$14,689 PER VEHICLE SPACE
BIKE RACK COST SHARING PROGRAM	\$100 PER RACK
LICENSE FEES	
GENERAL BUSINESS	\$50
HOME OCCUPATION	\$25
PEDDLER/SOLICITOR/STREET VENDOR.....	No fee (Business License fee only)
EXHIBITOR.....	\$140
TEMPORARY MERCHANT	\$113/45 days or \$377/perpetual

ADDITIONAL LAND USE REVIEW FEES - ENGINEERING DEPARTMENT

Planning Review, Partition, Subdivision & PUD's (Type II/III Application) - \$310.06 - 19 lots, Plus \$13.78 per lot over 19 lots

Final Plat Review, Partition and subdivision\$310.06 Plus\$7.79 per lot or parcel

Development review for public improvements on Commercial, Industrial, Multifamily Developments & Institutional zones
\$433.62 1st Acre \$247.69 Additional acre

ADOPTION AND REVISION HISTORY:
 Adopted by: Resolution 98-2122, July 6, 1998
 Amended by: Resolution 99-2214, December 8, 1999
 Resolution 2000-2265, October 2, 2000
 Resolution 2001-2318, November 19, 2001
 Executive Order January 2, 2007 (Reso. 99-2210)
 Executive Order, December 16, 2002 pursuant to Resolution 99-2210
 Executive Order October 24, 2008
 Executive Order April 1, 2015 (2015-42)

Executive Order, January 22, 2002 pursuant to Resolution 99-2210
 Resolution 2004-2466, November 3, 2003
 Resolution 2007-2752, December 3, 2007
 Executive Order November 29, 2011(2011-32)
 Executive Order October 24, 2012(2012-34)
 Resolution 2014-3140, May 19, 2014
 Resolution 2016-3268, April 18, 2016

Resolution 2017-3361 March 2017
 Resolution 2018-3443 March 2018
 Resolution 2019-3539 March 2019
 Resolution 2020-3646 March 2020
 Resolution 2021-3722 March 2021
 Resolution 2022-3788 March 2022

GENERAL INFORMATION

Type II Development Permit Process

Overview: Type II Permit applications are reviewed administratively using a process in which City staff apply clear and objective standards that do not allow limited discretion. Notice is provided to property owners within 500 ft of the site so that they may provide input into the process. The noticing comment period is limited to 14 days in which written comments may be filed. The applicant or any person that comments in writing is able to appeal the staff decision to the Planning Commission. During the 14 day notice period, anyone may request that a Type II Subdivision decision be converted to a Type III process and that a hearing be held before the Planning Commission. Type II Decisions may take from 30 to 120 days.

Type II Permits Include:

- Design review for commercial, industrial and multi-family projects
 - Manufactured home parks and mobile home parks.
 - Partitions
 - Subdivisions except those meeting the criteria in NDC § 15.235.030(A)
 - Variances
 - Short-term Rentals located in R-2, R-3 & RP Zones
-

Pre-Application Conference:

Please call to schedule a time for a pre-application meeting (optional) prior to submitting an application. The (Development Review Meetings) or pre-application meetings are held every Wednesday. This meeting provides the opportunity to get advance information from Planning, Engineering, and Building divisions all at once. It is likely to save you time and effort later. The non-refundable pre-application conference fee is \$105, payable prior to the conference.

Submit Type II Application

- ◆ Pay fees
- ◆ Complete application form(s)
- ◆ Submit plans and other required information

Processing

- ◆ Staff will perform a completeness check of the application and notify applicant of any information that is missing or incomplete. Processing time 0 to 30 days.
- ◆ Staff will route the application to affected agencies and City departments Processing time 14 to 20 days
- ◆ Applicant will provide copies of mailed and posted notices to the City for review, mail the approved notice to property owners within 500 ft. of the site, post the site, and provide staff with an affidavit verifying that the notice was mailed and posted. Processing Time: 14 to 20 days.
- ◆ Subdivision Conversion to Type III Review. During the 14 day comment period, anyone may request that a subdivision application be converted to a Type III review process. If this occurs, the subdivision will be reviewed by the Planning Commission at their next available meeting. Processing Time: 30 to 60 days.
- ◆ If all comments are addressed and no changes are required, then an approval letter is sent to the applicant and those providing comment. Processing Time: 14 to 20 days.

GENERAL INFORMATION

Type II Development Permit Process

Appeals

If the applicant, or another party providing written comments within the noticing period, is dissatisfied with the decision; then an appeal must be filed within 14 calendar days of the issuance of the decision. Appeals of Type II decisions proceed to the Planning Commission and are processed as a Type III decision.

Partition and Subdivision Plats

The applicant must submit final improvement plans and a final partition or subdivision plat within two years of the date of preliminary plat approval. Final plats are processed under a Type I decision.

Building Permits

The applicant may submit building permit applications concurrently with submission of other development applications; however, no building permits will be issued until the appeal period has expired on pending development applications

Helpful Hints:

Questions?

Information is free! Please do not hesitate to call (503) 537-1240 prior to submitting the application.

Partial Applications

Please do not submit partial applications. If the application, plans, and fee are not submitted together; processing will be delayed and the application may not be accepted for review.

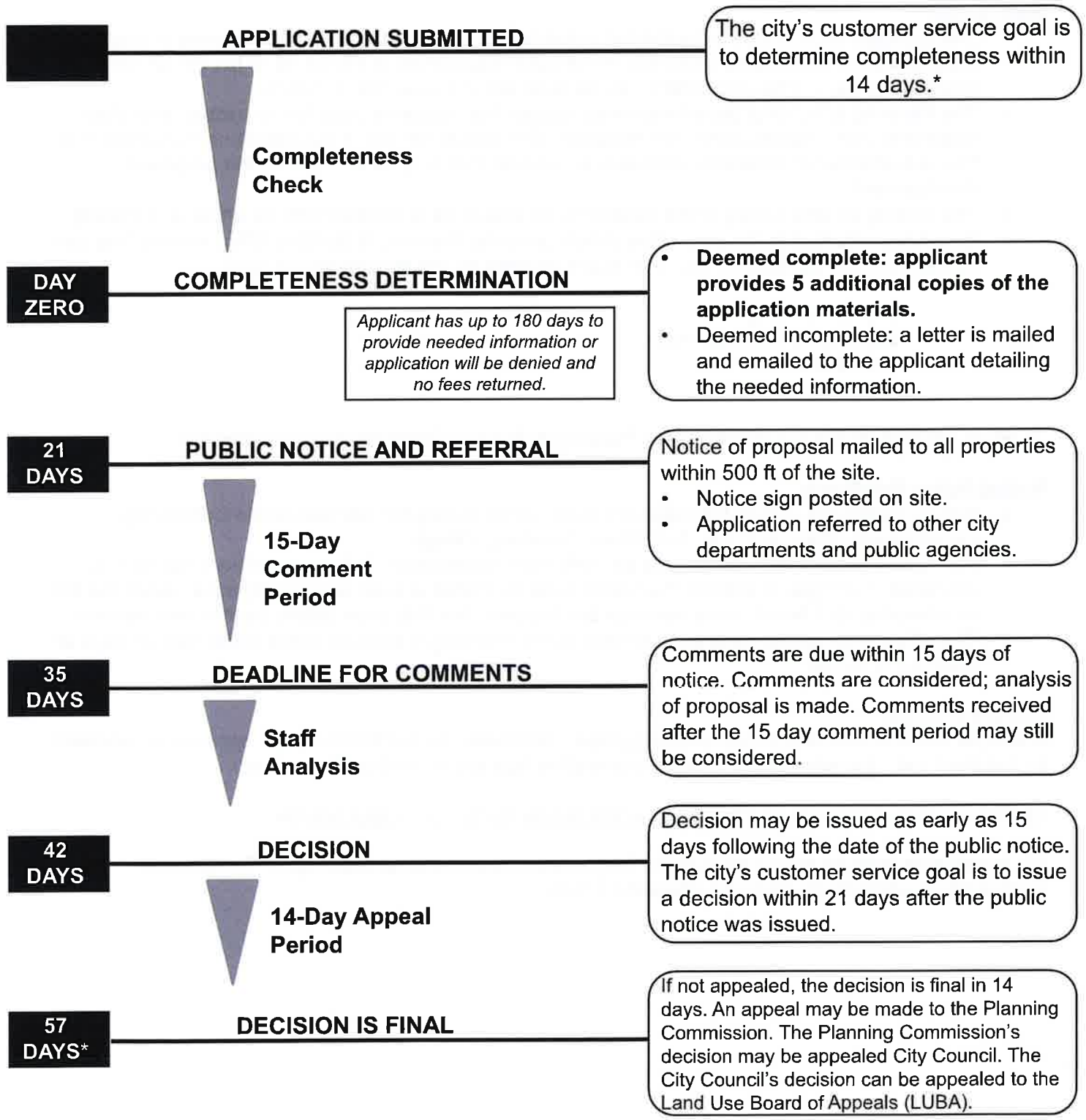
Face-to-Face

It is best to submit an application in person. That way you can receive immediate feedback if there is missing information or suggestions for improvements.

LAND USE REVIEW PROCEDURE TYPE II



A pre-application conference is optional, **but encouraged**, for Type II procedures.



*Timeline reflects Newberg Municipal Code requirements and the city's customer service goals. The city customer service goal is to issue a decision within 60 days or less. Oregon State law allows 30 days for a completeness determination and requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or extend past 120 days.

CITY OF NEWBERG

REQUIREMENTS FOR MAILED NOTICES

For all Type II and Type III land use applications, mailed notice must be sent to all property owners within five hundred (500) feet of the site. Newberg Development Code §15.100.210 sets forth the requirements for mailed notices. The applicant is responsible for preparing and mailing the notices, for paying the postage, and for submitting an affidavit of mailing within two days of mailing the notices.

Mailing List:

- The applicant must create a mailing list including the tax lot numbers and addresses of property owners within five hundred (500) feet of the outer boundaries of the tax lot or tax lots of the proposed project. This information can be obtained at a local title company.
- The Planning & Building Department may request that notice be provided to people other than those who own property within five hundred (500) feet of the site, if the Department believes that they are affected or otherwise represent an interest that may be affected by the proposed development.
- The mailing list and a copy of the mailed notice should be submitted with the affidavit of mailing.
- Envelopes returned to the post office should go to the Planning & Building Office so that they can be kept with the application file. The return address on the notices should read:

City of Newberg
Community Development
P.O. Box 970
Newberg, OR 97132

A return address stamp is available at the Planning & Building Office for your convenience.

Mailed Notice Deadlines:

- Before mailing the notice, the applicant must submit a copy for approval to the Community Development Office at 414 E. First Street, Newberg, Oregon.
- For Type II actions, the notice must be mailed at least fourteen (14) days before a decision is rendered. For Type III actions, the notice must be mailed at least twenty (20) days before the first new hearing, or if two or more hearings are required, ten (10) days before the first new hearing.
- The affidavit of mailing must be submitted to the Planning & Building Office within two (2) days of mailing the notice.

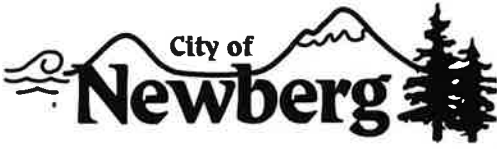
Sample Notices:

A sample notice is included on the following page. Information to be filled in by the applicant is indicated by italicized text. Sample notices for each application type are located on the web at:

<http://www.newbergoregon.gov/planning/sample-notice-forms-type-ii-applications>

(Or to navigate there on your own from the homepage (www.newbergoregon.gov): Government, Community Development, Planning, Planning Forms)

CITY OF NEWBERG TYPE II
SAMPLE MAILED NOTICE



Community Development Department

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

**WE WANT YOUR COMMENTS ON A PROPOSED NEW
DEVELOPMENT IN YOUR NEIGHBORHOOD**

A property owner in your neighborhood submitted an application to the City of Newberg to subdivide a parcel of land from *(insert number of original lots i.e. one, two, etc)* lot(s) into *(insert number of lots created)* separate lots. You are invited to take part in the City's review of this project by sending in your written comments. You also may request that the Planning Commission hold a hearing on the application. The applicable criteria used to make a decision on this application for preliminary subdivision plan approval are found in Newberg Development Code 15.235.050(A). For more details about giving comments, please see the back of this sheet.

The development would include *(briefly describe what the project number of lots, size of lots, new streets created, etc.)*

APPLICANT: *Applicant's name*
TELEPHONE: *Applicant's phone number*
PROPERTY OWNER: *Property owner name*
LOCATION: *Project Address*
TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number (i.e. 3219AB-1400)*

Insert site map with the project location highlighted as shown on the adjacent sample map.



We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed. You also may request that the Newberg Planning Commission hold a hearing on the application by sending a written request during this 14-day period and identifying the issues you would like the Planning Commission to address.

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

Written Comments: File No.XX
City of Newberg
Community Development
PO Box 970
Newberg, OR 97132

(City staff will give you the file number for your project at the time of application)

All written comments must be turned in by 4:30 p.m. on **enter date two weeks from date you mailed notice**. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for preliminary subdivision plan approval are found in Newberg Development Code 15.235.050(A).

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E. First Street. You can also buy copies of the information for a cost of 25 cents a page. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: ***Date notice is mailed***

CITY OF NEWBERG

REQUIREMENTS FOR POSTED NOTICES

For all Type II and Type III land use applications, the site must be posted with an approved notice. Newberg Development Code §15.100.260 establishes the standards for posted notices. Before notice is posted on the site, a copy of the notice must be submitted to the Planning & Building Office for review. Within two (2) days of posting the site, an affidavit of posting must be submitted to the Community Development office.

Posted notices must contain the following information:

- Planning Division file number
- A brief description of the proposal
- Phone number and address for the Newberg Planning & Building Department, 414 E. First Street, phone 503-537-1240

Guidelines for Posting Notice:

- The posted notice must be waterproof and a minimum of two (2) feet by three (3) feet in size.
- Each frontage of the site must be posted. If a frontage is more than six hundred (600) feet in length, additional notices are required for each six hundred (600) feet or fraction thereof. For example, a lot with a 1400' frontage on Wyooski Street must be posted with three notices along that frontage.
- The notices must not be posted within the public right-of-way, though they must be within ten (10) feet of it.
- The notices must be clearly visible to pedestrians and motorists in the public right-of-way, and must not be posted on trees.
- For Type II applications, the site must be posted at least fourteen (14) days before a decision is rendered.
- For Type III applications, the site must be posted at least ten days (10) before the first scheduled hearing.

Signs for posted notices:

The posted notices must be able to withstand adverse weather. All posted notice signs must conform to the attached example. Signs must be landscape orientation and white with black lettering ("sans-serif" font i.e. Arial or block printing).

Signs may be ordered custom-made from sign companies such as Chehalem Sign Co., or applicants may construct their own signs.

Acceptable materials for notice signs: (dimensions: minimum 2' x 3')

- Plywood (but sign face must be white)
- Plastic or corrugated plastic
- Foam core board (available at many art and hobby supply shops)
- Water resistant poster board
- Other weatherproof materials

Posted notice signs may not be attached to trees, and must be located outside the public right-of-way but within ten (10) feet of it. Therefore, the signs should have legs or stakes or otherwise be freestanding.

Removal of Posted Notice:

The notice must remain posted until a final decision is made. Within ten (10) days of the final decision, the notice(s) must be removed from the site by the applicant.

**CITY OF NEWBERG
SAMPLE POSTED NOTICE**

Land Use Notice

FILE # (insert the file number assigned to you at the time of application)

PROPOSAL: (insert general description of project)

FOR FURTHER INFORMATION, CONTACT:

City of Newberg
Community Development Department
414 E First Street
Phone: 503-537-1240

2'

3'

Notice must be white with black letters, and must be landscape orientation, as shown above. The notice must be lettered using block printing or a "sans-serif" font, such as Arial.

CITY OF NEWBERG

AFFIDAVIT OF NOTICING REQUIREMENTS

The affidavit on the following page must be submitted to the Community Development Department **within two (2) days of mailing notice** and **within two (2) days of posting notice**. The consequences of failure to mail and post notice, and to submit the affidavits within the two (2) day deadline are described in Newberg Development Code §15.100.210(J) and §15.100.260(I).

§15.100.210(J) - Failure to Mail the Notice:

Failure to mail the notice and affirm that the mailing was completed in conformance with the code shall result in:

- (1) Postponement of a decision until the mailing requirements have been met; or
- (2) Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
- (3) The entire process being invalidated; or
- (4) Denial of the application.

§15.100.260(I) - Failure to Post the Notice:

The failure of the posted notice to remain on the property shall not invalidate the proceedings. Failure by the applicant to post a notice and affirm that the posting was completed in conformance with the code shall result in:

- (1) Postponement of a decision until the mailing requirements have been met; or
- (2) Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
- (3) The entire process being invalidated; or
- (4) Denial of the application.

PLANNING DIVISION FILE #: _____

**CITY OF NEWBERG
AFFIDAVIT OF NOTICING**

REFERENCE ATTACHED LIST(S)/NOTICE(S)

I, _____, do hereby certify that the attached Notice of Land Use Action was:

- a) mailed to the following list of property owners, by United States mail, postage prepaid
on _____;
(date)
- b) posted on the site according to standards established in Newberg Development Code §15.100.260
on _____.
(date)

I acknowledge that failure to mail the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledge that failure to mail will result in the automatic postponement of a decision on the application 15.100.210.(D)(2) _____.
(date)

Signature Date

Print name

§15.220.050 - TYPE II DESIGN REVIEW CRITERIA

Type II Site Design Review applies to the following activities:

- Any new development or remodel which is not specifically identified within Newberg Development Code § 15.220.020(A)(1).
- Telecommunication facilities.

The following development activities are exempt from Type II standards:

- Replacement of an existing item such as a roof, floor, door, window or siding.
- Plumbing and/or mechanical alterations which are completely internal to an existing structure.

Provide a written response that specifies how your project meets the following criteria:

- (1) Design Compatibility. *The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.*
- (2) Parking and On-Site Circulation. *Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.*
- (3) Setbacks and General Requirements. *The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements*
- (4) Landscaping Requirements. *The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.*
- (5) Signs. *Signs shall comply with NMC 15.435.010 et seq. dealing with signs.*
- (6) Manufactured Dwelling, Mobile Home and RV Parks. *Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.*
- (7) Zoning District Compliance. *The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.*
- (8) Sub district Compliance. *Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.*
- (9) Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. *Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.*
- (10) Traffic Study Improvements. *If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director. [Ord. 2763 § 1, (Exh. A § 7), 9-16-13; Ord. 2747 § 1 (Exh. A § 5), 9-6-11; Ord. 2451, 12-2-96. Code 2001 § 151.194.]*

DESIGN REVIEW CHECKLIST

The following items must be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

FEES

PUBLIC NOTICE INFORMATION – Draft of mailer notice and sign; mailing list of all properties within 500’.

CURRENT TITLE REPORT (within 60 days old)

WRITTEN CRITERIA RESPONSE – Address the criteria listed on page 13.

SITE DEVELOPMENT PLAN. Make sure the plans are prepared so that they are at least 8 ½ x 11 inches in size and the scale is standard, being 10, 20, 30, 40, 50, 100 or multiples of 100 to the inch (such as 1”:10’, 1”:20’ or other multiples of 10). Include the following information in the plan set (information may be shown on multiple pages): *FOCUSED ON AREA OF WORK*

- Existing Site Features: Show existing landscaping, grades, slopes, wetlands and structures on the site and for areas within 100’ of the site. Indicate items to be preserved and removed.
- Drainage & Grading: Show the direction and location of on and off-site drainage on the plans. This shall include site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project. Provide an engineered grading plan if necessary. A preliminary storm water report is required (see Public works Design and Construction standards). *N/A*
- Utilities: Show the location of and access to all public and private utilities, including sewer, water, storm water and any overhead utilities. *N/A*
- Public Improvements: Indicate any public improvements that will be constructed as part of the project, including sidewalks, roadways, and utilities. *N/A*
- Access, Parking, and Circulation: Show proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points from adjacent streets. Provide dimensions for parking aisles, back-up areas, and other items as appropriate. Indicate where required bicycle parking will be provided on the site along with the dimensions of the parking spaces. *N/A*
- Site Features: Indicate the location and design of all on-site buildings and other facilities such as mail delivery, trash disposal, above ground utilities, loading areas, and outdoor recreation areas. Include appropriate buffering and screening as required by the code. *FOCUSED ON AREA OF WORK*
- Exterior Lighting Plan: Show all exterior lighting, including the direction of the lighting, size and type of fixtures, and an indication of the amount of lighting using foot candles for analysis. *N/A*
- Landscape Plan: Include a comprehensive plan that indicates the size, species and locations of all planned landscaping for the site. The landscape plan should have a legend that indicates the common and botanical names of plants, quantity and spacing, size (caliper, height, or container size), planned landscaping materials, and description of the irrigation system. Include a calculation of the percentage of landscaped area. *N/A*
- ADA Plan Compliance: Indicate compliance with any applicable ADA provisions, including the location of accessible parking spaces, accessible routes from the entrance to the public way, and ramps for wheelchairs. *N/A*
- Architectural Drawings: Provide floor plans and elevations for all planned structures.
- Signs and Graphics: Show the location, size, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features if applicable. *N/A*
- Other: Show any other site elements which will assist in the evaluation of the site and the project.

TRAFFIC STUDY

A traffic study shall be submitted for any project that generates in excess of forty (40) trips per p.m. peak hour. This requirement may be waived by the Director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the Director for projects below forty (40) trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. *N/A*

Tualatin Valley Fire & Rescue Service Provider Permit: This only pertains to New Commercial/ Industrial projects or additions /multifamily projects and Units. The permit form and detailed information can be found on TVFR website at: <https://www.tvfr.com/376/New-Construction-and-Service-Provider-Pe> *N/A*



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

STATUS OF RECORD TITLE

FSBO Customer Yamhill
FSBO

December 16, 2022
Title Number: 574020AM
Title Officer: Michele Harris
Fee: \$200.00

Your Reference No.

We have searched the status of record title as to the following described property:

Parcel 2 of Partition Plat 2003-030, in the City of Newberg, County of Yamhill, and State of Oregon

Vestee:

Newberg School District 29J

and dated as of **December 15, 2022** at 7:30 a.m.

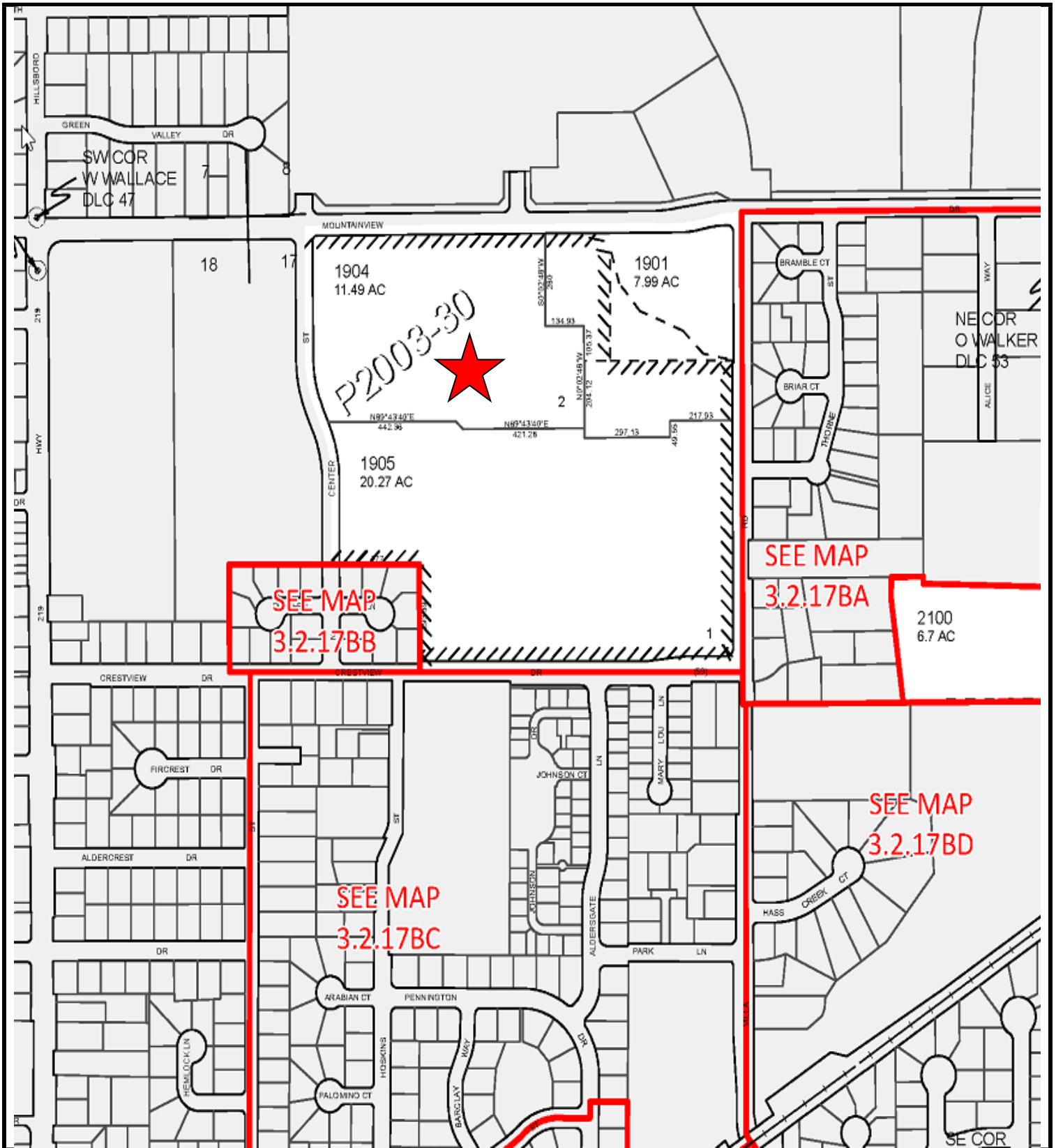
Said property is subject to the following on record matters:

1. [Taxes](#) assessed under Code No. 29.0 Account No. 526585 Map No. 03S-02W-17 1904, including the current fiscal year, not assessed because of School Exemption. If the exempt status is terminated an additional tax may be levied.
2. City liens, if any, of the City of Newberg.
3. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: City of Newberg
Recorded: May 22, 2002
[Instrument No.](#): 2002-10193
5. Easements as shown on the Partition [Plat](#) No. 2003-030.

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.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

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



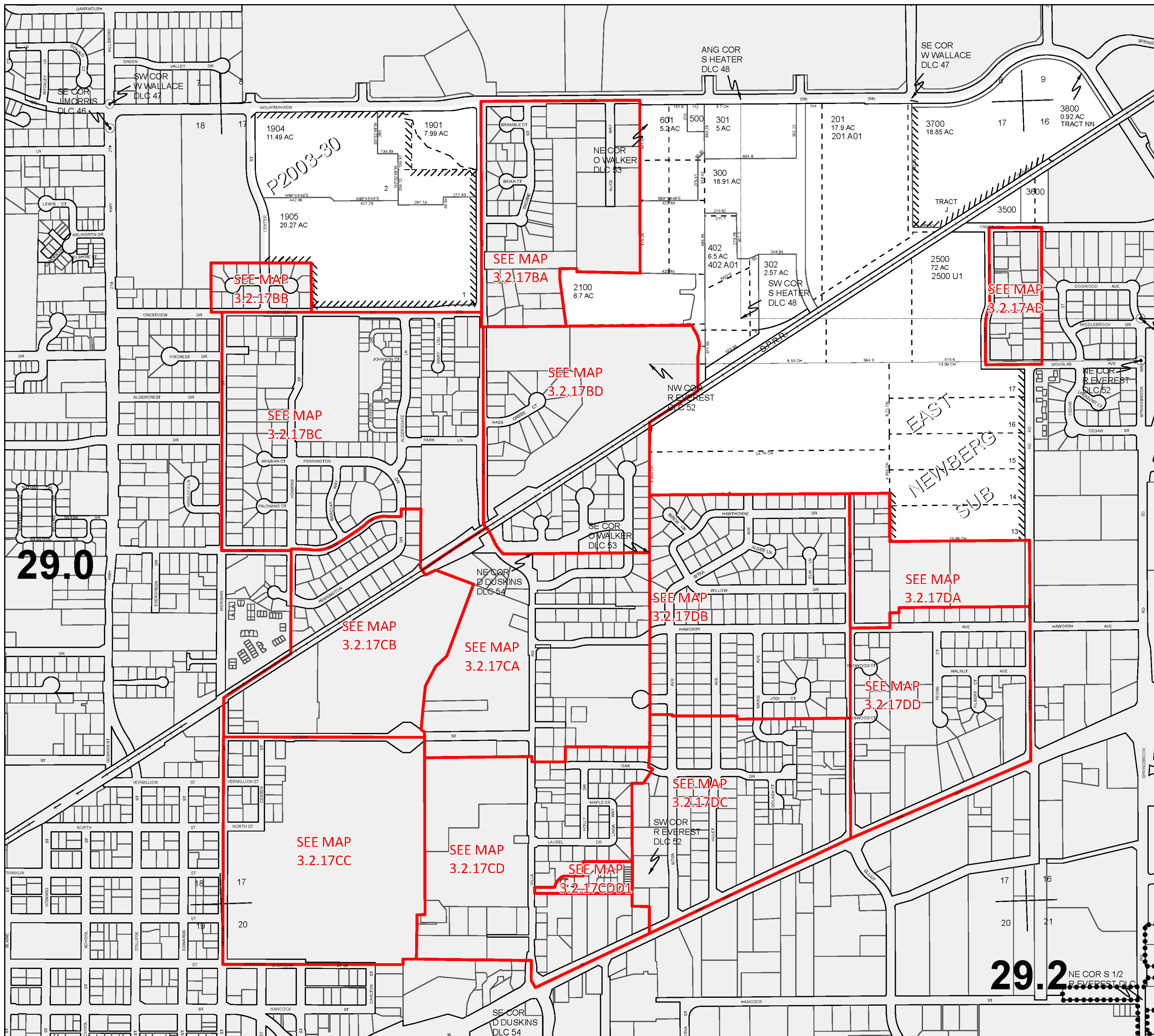
2200 N Center St
Newberg, OR 97132

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF



ASSESSMENT & TAX
CARTOGRAPHY

SECTION 17 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



CANCELLED TAXLOTS:

3700	2103	307
3400	2102	306
3306	2101	305
3305	2000	304
3304	1903	303
3303	1902	200
3302	1900	100
3301	1804	
3300	1803	
3200	1802	
3100	1801	
3004	1800	
3003	1700	
3002	1600	
3001	1500	
3000	1400	
2900	1300	
2800	1202	
2700	1201	
2602	1200	
2601	1100	
2600	1000	
2401	900	
2400	800	
2302	700	
2301	405	
2300	404	
2200	403	
2105	401	
2104	400	

DATE PRINTED: 5/19/2022

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.

Joan Austin Elementary School Design Review
Land Use Application

Owner: Newberg School District
C/o: Dr. Stephen Phillips, Superintendent
714 E. 6th Street
Newberg, OR 97132

Applicant: Harper Houf Peterson Righellis Inc.
205 SE Spokane Street, Suite 200
Portland, OR 97202
(503) 221-1131

Brad Kilby, AICP
Bradk@hhpr.com

Engineer: KPFF Consulting Engineers
111 SW Fifth Avenue, Suite 2500
Portland, OR 97204

Andrew Chung, PE
(503) 542-3872
Andrew.chung@kpff.com

Architect: BRIC Architecture, Inc.
1233 NW Northrup Street, Suite 100
Portland, OR 97209

Tonie Esteban, AIA
(503) 595-4902
Tonie.Esteban@bric-arch.com

Site Location: 2200 N. Center Street

Tax Lot(s): Tax Map 3S217 Tax lot 01904

Site Size: 11.49 Acres (Area of work ~2000 SF)

Zoning: R-1



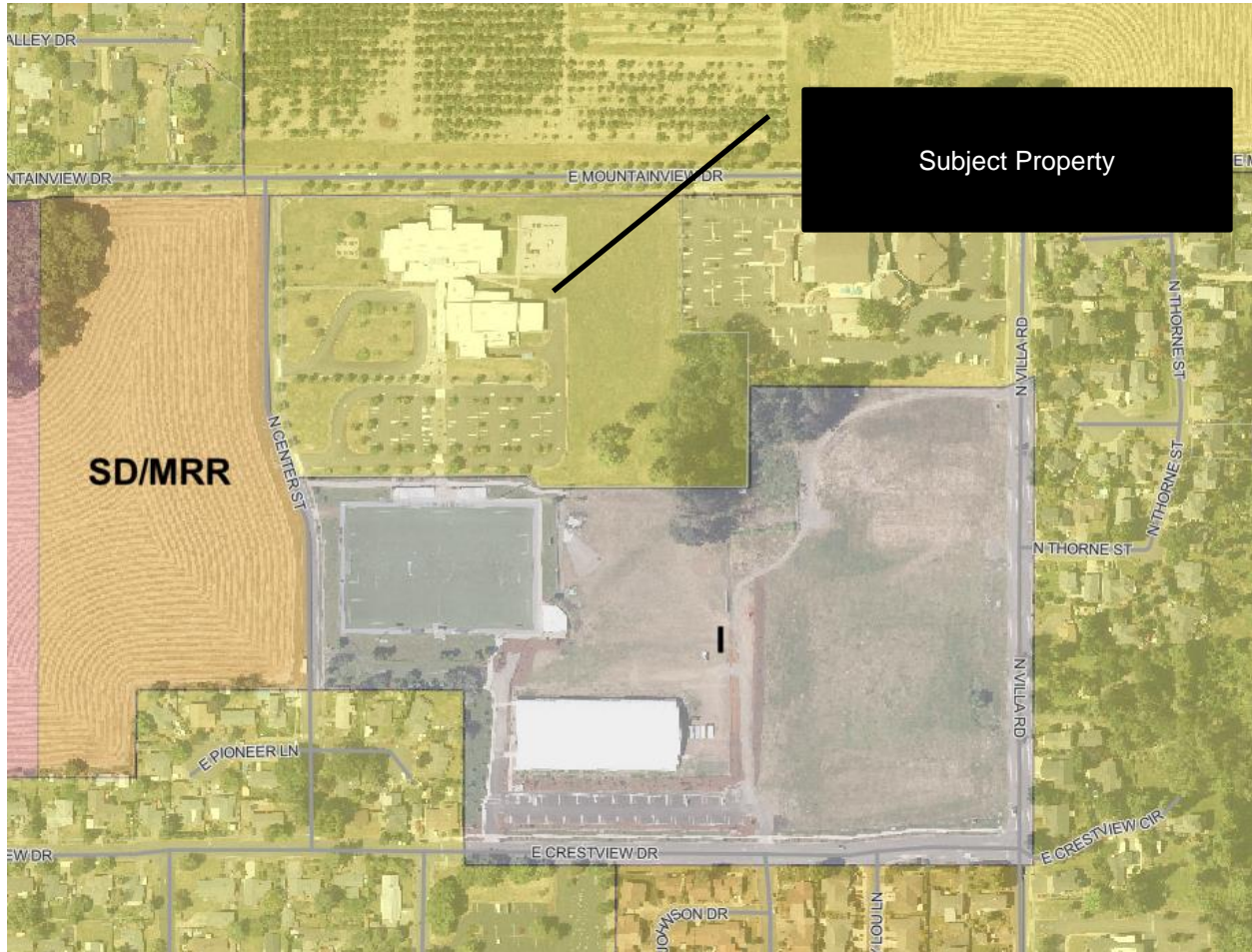
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I. DESCRIPTION OF PROPOSAL

The Newberg School District is in the process of making bond improvements to several Newberg Schools. Specific to Joan Austin Elementary School, the district proposes to add a 2,000 SF covered play area at the rear of the school next to the existing playground.



II. RESPONSE TO APPLICABLE CODE STANDARDS AND APPROVAL CRITERIA

CITY OF NEWBERG, OREGON DEVELOPMENT CODE (NDC)

Chapter 15 – DEVELOPMENT CODE

Note: Only those standards that are applicable to the proposed development are addressed below. Standards of the Development Code that were not found to be applicable to the proposed improvements have not been responded to.

15.100 Land Use Processes and Procedures



Response: The campus is located within the R-1 zoning district. According to section 15.305.020 Zoning Use Table – Use Districts, primary and secondary schools are permitted outright within the R-1 zone. Joan Austin Elementary School is existing and the proposed covered play area is accessory to the school. The total net area of the covered play area is approximately 2,000 square feet. There is also a proposed water quality flow through planter adjacent to the covered play area to capture and treat any stormwater from the new cover.

According to discussions with staff and section 15.220.020.A.2.a, Site Design Review for these improvements are subject to a Type II review. Section 15.220.050 spells out the standards that must be met for such a development and compliance with the applicable approval criteria are discussed in the following narrative.

15.220 Site Design Review

B. Type II. The following information is required to be submitted with all Type II applications for site design review:

1. Site **Development Plan**. A site **development plan** shall be to scale and shall indicate the following as appropriate to the nature of the use:
 - a. **Access** to site from adjacent **right-of-way**, **streets** and **arterials**;
 - b. Parking and circulation areas;
 - c. Location and design of **buildings** and **signs**;
 - d. Orientation of windows and doors;
 - e. Entrances and exits;
 - f. Private and shared outdoor recreation spaces;
 - g. Pedestrian circulation;
 - h. Outdoor play areas;
 - i. Service areas for **uses** such as mail delivery, trash disposal, above-ground **utilities**, loading and delivery;
 - j. Areas to be landscaped;
 - k. Exterior lighting;
 - l. Special provisions for handicapped **persons**;
 - m. Other site elements and spaces which will assist in the evaluation of site development;
 - n. Proposed grading, slopes, and proposed drainage;
 - o. Location and **access** to **utilities** including hydrant locations; and
 - p. **Streets**, **driveways**, and **sidewalks**.

Response: This narrative is supplemented by a plan set that includes a site plan illustrating the location of the proposed covered play area (area of work) and elevations for the new covered play area. Existing utilities, landscaping and service areas, driveways and sidewalks are not proposed to be modified.

2. Site Analysis Diagram. A site analysis diagram shall be to scale and shall indicate the following characteristics on the site and within 100 feet of the site:
 - a. Relationship of adjacent lands;
 - b. Location of species of trees greater than four inches in diameter at four feet above ground level;
 - c. Existing and proposed topography;
 - d. Natural drainage and proposed drainage and grading;



e. Natural features and **structures** having a visual or other significant relationship with the site.

Response: An aerial showing the site's relationship to adjacent land is provided below. Surrounding properties include R-1, I, SD/MRR zoning district classifications. The properties located directly north and west of the campus are currently in agricultural use. The property immediate east of the school is developed with a religious institution. Property to the south is developed with a sports complex owned and maintained by George Fox University.



3. *Architectural Drawings.* Architectural drawings shall be prepared which identify floor plans and elevations.

Response: Architectural elevations for the proposed covered play area are included with the submittal. See Sheet A2.

4. **Landscape Plan.** The **landscape** plan shall indicate:

- a. The size, species and approximate locations of plant materials to be retained or placed on the site together with a statement which indicates the mature size and canopy shape of all plant materials;
- b. Proposed site contouring; and



c. A calculation of the percentage of the site to be landscaped.

Response: The proposed modifications and additions would impact a small amount of grassed area between the building and the existing playground. A formal landscape plan has not been provided since no new landscaping is proposed. A site visit and review of the aerial on Google Maps illustrates that more than 15% of the site is landscaped. With the exception of the location of the covered play area, no other landscaping on site is impacted by this request.

5. *Special Needs for Handicapped.* Where appropriate, the design review plan shall indicate compliance with handicapped accessibility requirements including, but not limited to, the location of handicapped **parking spaces**, the location of accessible routes from the entrance to the public way, and ramps for wheelchairs.

Response: The site has previously been designed to be compliant with the Americans with Disabilities Act (ADA). No modifications to existing ADA routes or parking are proposed with this application.

6. *Existing Features and Natural **Landscape**.* The plans shall indicate existing landscaping and existing **grades**. Existing trees or other features intended to be preserved or removed shall be indicated on the plans.

Response: The site plan, sheet A1 illustrates the area of work. That plan in combination with the overall aerial illustrates the existing features and landscaping that will be impacted by this request. Impacts are to existing lawn. No trees or shrubs are proposed to be removed with this request.

7. *Drives, Parking and Circulation.* Proposed vehicular and pedestrian circulation, **parking spaces**, parking aisles, and the location and number of **access** points shall be indicated on the plans. Dimensions shall be provided on the plans for parking aisles, back-up areas, and other items as appropriate.

Response: The aerials on pages 3 and 5 above illustrate the location of the existing access points, parking, pedestrian, and vehicular circulation. The proposed improvements do not impact any of these areas.

8. *Drainage.* The direction and location of on- and off-site drainage shall be indicated on the plans. This shall include, but not be limited to, site drainage, parking **lot** drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project.

Response: Appendix 1, a preliminary stormwater memorandum that include more specific details about stormwater treatment and detention. This specific proposal would add approximately 2,000 square feet of new or modified impervious area to the campus and it is assumed that additional treatment would be provided as shown within the flow through planter illustrated on sheet A1. There are no other proposed alterations to the existing grades that would impact existing an previously approved drainage patterns and treatment.



9. *Buffering and Screening. Buffering and screening of areas, **structures** and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking and similar accessory areas and **structures** shall be shown on the plans.*

Response: The covered play areas is between the existing playground and the building. There are no proposed structures that require buffering or screening. The covered play area is interior to the site and approximately 204 feet away from the nearest right of way. Parking and service areas are pre-existing and not affected by the proposed improvements. None of the existing required buffering and screening is impacted by this proposal.

10. ***Signs** and Graphics. The location, colors, materials, and lighting of all exterior **signs**, graphics or other informational or directional features shall be shown on the plans.*

Response: No new signage or graphics are proposed with these new improvements.

11. *Exterior Lighting. Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.*

Response: The proposed covered play area will not be provided with exterior lighting. Lighting will be provided beneath the canopy. It will be downlit on the interior which means that lighting would not project beyond the footprint of the covered area. The District has indicated that there will not be any new vertically mounted fixtures. Please see the attached lighting plan and cutsheet.

12. *Trash and Refuse Storage. All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete **block** or other similar products as approved by the **director**.*

Response: The location of trash and refuse areas were previously approved and are not affected by the proposed modifications. None of the existing service areas or screening are impacted by the proposed modifications.

13. *Roadways and **Utilities**. The proposed plans shall indicate any public improvements that will be constructed as part of the project, including, but not limited to, roadway and utility improvements.*

Response: The district is aware that improvements totaling more than \$30K may afford the City an opportunity to request additional improvements under the development code. The District is not proposing to make any new public improvements with this application. If dedication and improvements are warranted and found to be roughly proportional to the impacts of the proposed improvements associated with this application, the District will comply. It should be noted that no new vehicular or pedestrian trips are expected to be generated with this proposal and that enrollment is not expected to be increased with these improvements.

14. *Traffic Study. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the **director** when a*



determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]

Response: As indicated above, no new vehicular or pedestrian trips are expected to be generated with this proposal and enrollment at the school is not expected to increase with these improvements.

15.220.050 Criteria for design review (Type II process)

B. Type II. The following criteria are required to be met in order to approve a Type II design review request:

- 1. Design Compatibility. The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.*

Response: The proposed covered area has been designed to be compatible with the architecture of the existing schools. It is located well away from any nearby property line and adjacent to the existing playground. An elevation of the proposed play area has been included with this application on sheets A2. The proposed structure does not exceed the allowable dimensional standards of the NMC and there is no evidence to suggest that the proposed covered play area would be incompatible with the existing uses in the surrounding area.

- 2. Parking and On-Site Circulation. Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.*

Response: The on-site circulation and parking was previously reviewed, approved, and found to be consistent with the applicable standards of the NMC. No changes are proposed to the layout or design.

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



Response: The proposal does not include any requests for adjustments or modifications to the standards of the code and complies with the requirements listed above.

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

Response: With the exception of a new storm pond associated with the covered play area, no new landscaping is proposed with this application. In addition, none of the existing landscaping intended to screen or buffer the schools from the surrounding properties is affected by these proposed improvements.

5. *Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.*

Response: No new signs are proposed with this application. This criterion is not applicable to the proposed development.

6. *Manufactured Dwelling, Mobile Home and RV Parks. Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.*

Response: The proposed development is to add a covered play area to an existing elementary school campus. This criterion is not applicable to this proposal.

7. *Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.*

Response: The proposed improvements are located on property zoned R-1 Low-Density Residential. According to NMC 15.305.010, primary and secondary schools are outright permitted uses in the zone. The overall development of the site was previously subject to Site Design approval and compliance along with other applicable provisions of the NMC. As proposed and discussed in detail throughout this narrative, the proposed modifications comply with the applicable standards of the Newberg Municipal Code.

8. *Subdistrict Compliance. Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.*

Response: The proposed development is not located within a subdistrict. This standard is not applicable to the proposed development.

9. *Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. Where applicable, new developments shall provide for access for vehicles and*



pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

Response: Circulation on and around the site was reviewed and approved previously. No changes to access or circulation are proposed with this request.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director. [Ord. 2763 § 1 (Exh. A § 7), 9-16-13; Ord. 2747 § 1 (Exh. A § 5), 9-6-11; Ord. 2451, 12-2-96. Code 2001 § 151.194.]

Response: A traffic study is not warranted by the proposed improvements to the site.

15.302 Districts and their Amendment

15.302.032 Purposes of each zoning district.

A. R-1 Low Density Residential District.

- 1. The purpose of this land use designation is to provide for low density urban single-family residential uses at an average overall density of 4.4 units per gross buildable acre in the district. It is intended to provide a stable and healthful environment together with the full range of urban services.*
- 2. Typical housing types will include single-family dwellings, duplex dwellings and planned unit developments. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-1 district is intended to be consistent with the low density residential (LDR) designation of the comprehensive plan.*

Response: The proposed development is located within the R-1 Low Density Residential. The school is a pre-existing approved use. Neither density or housing types associated with the districts purpose statement are proposed with this development.

15.302.040 Subdistricts.

Subdistricts of each of the use districts may be established. The parent residential district requirements shall apply to those respective subdistricts except those regulations pertaining to lot area per dwelling unit or density.

Response: None of the subject site is located within a subdistrict or overlay. These criteria are not applicable to the proposed development.



15.303 Use Categories

This section speaks to the uses that are outright permitted, conditionally permitted, or not permitted within a specific zoning classification.

Response: Section 15.303.331 defines Schools, primary or secondary as, “public and private schools, secular or parochial, at the primary, elementary, middle, junior high, or high school level that provide state mandated basic education primarily to minors.” Accessory uses include, “play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care, and administrative offices.” The proposed development would include construction of a covered play area which is considered a customarily accessory use to an already permitted use.

15.305 Zoning Use Table

Response: This portion of the campus is located within the R-1 Zoning district. As indicated previously in this narrative, primary and secondary schools are listed as permitted uses within the zone. This proposal would result in the addition of three accessory covered activity areas on the overall campus, removal of

15.405 Lot Requirements

15.405.010 Lot area – Lot areas per dwelling unit.

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

Response: This proposal would not create any new lots within the district. The current lot size is 11.49 gross acres and is developed an existing school. This criterion is not applicable.

15.405.040 Lot coverage and parking coverage requirements

Response: According to section 15.405.040.C, lot and parking coverage associated with primary and secondary schools is not limited under these provisions.

15.410 Yard Setback Requirements

15.410.020.A.1 R-1 districts shall have a front yard not less than 15 feet. Said yard shall be maintained and landscaped.

Response: The proposed development has frontage onto both N. Center Street and E. Mountainview Drive. The proposed building and improvements along the sites’ frontage with E. Mountainview Drive exceeds the minimum setbacks prescribed above. The covered structure is located behind the primary structure on site and are well beyond the 15-foot setback required by this section. This criterion is satisfied.

15.410.030.A.1 All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.



Response: The proposed covered area is interior to the site and well away from the side property lines. The proposed covered play area associated with the elementary school is approximately 243-feet away from the eastern property line and 202-feet away from E. Mountainview Dr. See sheet A1 for details.

15.410.040 Setback and yard restrictions as to schools, churches, public buildings.

A. Building Setback. No buildings shall be erected, used or maintained for a school, church or public or semi-public building or use, institution or similar use under the regulations of this code unless such building is removed at least 25 feet from every boundary line of any property included in any residential district.

Response: The property is developed an existing elementary school. There are residences located south, east, and north of the site but they are separated from the school by institutional uses or agriculture. The proposed building is well away from properties located north and east property lines by hundreds of feet. Please see sheet A1 for details.

15.410.050.B Required Yard. No required front or interior yard of the lot on which such building or use is located shall be used for play or parking purposes.

Response: There are no proposed play or parking areas within the required yards associated with these site modifications. The parking lot is existing and was previously approved. No new parking is proposed.

15.410.050.C A lot or parcel of land in any district adjoining a street for which the planned right-of-way width and alignment have been determined shall have a building setback line equal to the yard required in the district, plus a distance of:

- 1. Fifty feet from and parallel with the centerline of expressways.*
- 2. Thirty-five feet from and parallel with the centerline of major and minor arterials.*
- 3. Thirty feet from and parallel with the centerline of multifamily, commercial and industrial streets and single-family collector streets.*
- 4. Thirty feet from and parallel with the centerline of single-family local streets.*
- 5. Twenty-five feet from and parallel with the centerline of single-family hillside, cul-de-sacs and local streets which will never be extended more than 2,400 feet in length and which will have a relatively even division of traffic to two or more exits.*

Response: The property fronts N. Center Street and E. Mountainview Dr. According to the City's transportation system plan, NE Center Street is classified as a local street. E. Mountainview Drive is classified as a Minor Arterial. The proposed setback to the covered play structure to the nearest right-of-way is 202.4 to the closest point. The structures are not proposed to be any closer to Center Street than what has already been approved.

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



- A. *At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.*
- B. *At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.*
- C. *Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.*

Response: The proposed covered play area is interior to the site. Existing vision clearance will not be impacted by the proposed improvements.

15.415 Building and Design Standards

- D. *Institutional. The maximum height of any building or structure will be 75 feet except as follows:*
 1. *Within 50 feet of an interior property line abutting a C-1, R-1, R-2 or R-P district, no main building may exceed 30 feet.*
 2. *Within 50 feet of an interior property line abutting an R-3 district, no main building may exceed 45 feet.*
 3. *Within 100 feet of a property line abutting a public street or railroad right-of-way, or within 100 feet of property lines abutting parcels with an R-1, R-2, R-3, R-P, C-1, C-2, C-3, M-1, M-2, or M-3 zoning designation, no main building may exceed 50 feet in height.*
 4. *To utilize the maximum permitted height standard, at least 80 percent of the building's ground coverage must be beyond the setback area designated in subsection (D)(3) of this section. The maximum encroachment may not exceed 25 feet.*

Response: The NMC defines building height as, "...the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable roof..." The proposed covered play area is not considered "main buildings" as defined in this section. The accessory building height limitations do not appear to be listed within these provisions. The covered play area is not located within 100 feet of a property line with an R-1 zone and the proposed building height is 28 feet. Please see sheet A2 for the proposed elevation.

15.420 Landscaping and Outdoor Areas

Response: None of the existing landscaping would be affected by the proposed improvements.



15.425 Exterior Lighting

15.425.020 Applicability and exemptions

A. Applicability. Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will comply with this section. This information shall contain but not be limited to the following:

- 1. The location, height, make, model, lamp type, wattage, and proposed cutoff angle of each outdoor lighting fixture.*
- 2. Additional information the director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.*
- 3. If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.*

Response: The covered play area is not proposed to be provided with any exterior lighting; however, there will be lighting provided beneath the cover. As proposed, lighting will be ceiling mounted and the covered area will be downlit. No lighting is expected to trespass beyond the proposed footprint of the covered play area. Please see the attached lighting plan and cutsheet.

15.430 Underground Utility Installation

15.430.010 Underground utility installation

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:

- 1. The cost of undergrounding the utility is extraordinarily expensive.*
- 2. There are physical factors that make undergrounding extraordinarily difficult.*
- 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed. [Ord. 2537, 11-6-00. Code 2001 § 151.589.]*



Response: Any new utilities needed to serve the covered play area will be placed underground in compliance with this section.

15.440 Off-Street Parking, Bicycle Parking, and Private Walkways

Response: All required parking will remain on site. The play area does not increase the number of teaching stations on site. The previously approved parking circulation and pedestrian ways areas will not be modified with this request.

15.505 Public Improvement Standards

15.505.030 Street Standards

E. Improvements to Existing Streets.

- 1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.*
- 2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.*
- 3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.*

Response: The proposed development provides a new covered play area on an existing school campus. The District is not proposing any public improvements with this request. The proposed development will not generate any additional traffic trips that would generally be expected to further impact the existing transportation system.

F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation



facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.

Response: The District is not proposing any additional dedication or street improvements with this application.

G. Street Width and Design Standards.

- 1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.*

Response: If conditioned to provide additional dedications or improvements, the District will comply so long as the exactions are directly related and roughly proportional to the impacts of the proposed development.

S. Public Walkways.

- 1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.*
- 2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.*
- 3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.*
- 4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.*
- 5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.*
- 6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.*
- 7. Lighting may be required for public walkways in excess of 250 feet in length.*



8. *The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.*

Response: This request does not impact any of the existing walkways associated with the campus.

T. Street Trees. Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).

Response: The District is not proposing to impact any of the existing street trees with these improvements.

15.505.040 Public Utility Standards

B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.

Response: The proposed improvements to the site do not impact any of the public utilities. Stormwater improvements are required and will be constructed to treat and detain the storm water from the covered structure. A preliminary stormwater memorandum is attached to this application as Appendix 1.

C. General Standards.

- 1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.*
- 2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.*

Response: The District is not proposing any new public utility improvements with the proposed site improvements. The proposed stormwater improvements will be located, designed and constructed in conformance with the Newberg public works design and construction standards.

F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards.



Response: Easements for on-site public and private utilities will be provided where required. As proposed, this criterion is satisfied.

15.505.050 Stormwater system standards

C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

Response: New on-site stormwater will be collected and treated in a flow through planter proposed near the covered play area associated with this request.

D. Plan for Stormwater and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:

- 1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.*
- 2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.*
- 3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.*

Response: A preliminary stormwater memorandum, prepared by a professional and licensed engineer within the State of Oregon has been prepared and submitted along with this application. Please see Appendix 1. Proposed erosion control will include best management practices as prescribed by the Oregon Department of Environmental Quality (DEQ).

E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.

Response: Noted. The project engineer is aware of this requirement and has designed the improvements with the applicable design and construction standards in mind.



III. CONCLUSION

This summary of the request and attachments demonstrate compliance with the City of Newberg applicable approval criteria for the proposed design review. The applicant respectfully requests that the City approve this request.

IV. APPENDIX

1. Preliminary stormwater memorandum.

V. PLAN SETS

Architectural

A1 – Site Plan
A2 – Covered Play Area Elevations
Lighting Plan
Lighting Cutsheet



Project		Catalog #		Type	
Prepared by		Notes		Date	



McGraw-Edison

TT TopTier

Parking Garage / Canopy
Low-Bay Luminaire

Typical Applications

Parking Garages • Parking Lots

Interactive Menu

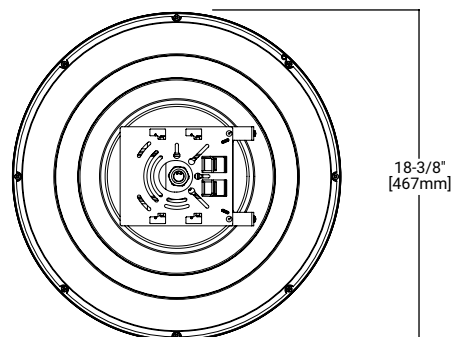
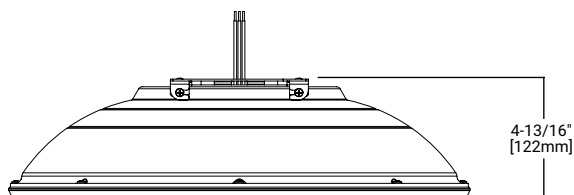
- Ordering Information [page 2](#)
- Product Specifications [page 2](#)
- Optical Configurations [page 2](#)
- Mounting Details [page 3](#)
- Energy and Performance Data [page 4](#)
- Control Options [page 6](#)

Quick Facts

- Lumen packages range from 3,000 - 13,300
- Efficacies up to 146 lumens per watt
- Utilizes patented waveguide technology for maximum visual comfort
- Surface, pendant, trunnion, wall and direct conduit mount options

Dimensional Details

SURFACE MOUNT



Product Certifications / Features



Connected Systems

- WaveLinx Lite
- Synapse
- Enlighted

Ordering Information

SAMPLE NUMBER: TT-D3-740-U-WQ-STM-30L-AP

Product Family	Configuration	Color Temperature	Voltage	Distribution	Mounting	Lead Length ⁷	Finish
TT=TopTier ¹	D1=4,000 Nominal Lumens D2=5,500 Nominal Lumens D3=6,500 Nominal Lumens D4=8,000 Nominal Lumens D5=10,000 Nominal Lumens D6=13,000 Nominal Lumens	735=70 CRI, 3500K CCT 740=70 CRI, 4000K CCT 750=70 CRI, 5000K CCT 830=80 CRI, 3000K CCT	U=120-277V H=347-480V ^{22, 26} 1=120V 4=277V 8=480V 9=347V	CQ=Concentrated MQ=Medium WQ=Wide RW=Rectangular Wide DL=Drive Lane / Type 4 ³	[Blank]=Surface Mount ¹⁶ TMB=Trunnion Mount with Connection Box DPM=Decorative Pendant Mount ⁴ WM=Wall Mount STM=Stem Mount to 1/2" conduit ¹⁶	[Blank]=6" 30L=30" 36L=36" 48L=48" 72L=72" 108L=108" 120L=120" 144L=144"	NW=White AP=Grey BZ=Bronze BK=Black DP=Dark Platinum GM=Graphite Metallic
Options (Add as Suffix)				Accessories (Order Separately)			
F=Single Fuse (120, 277 or 347V Specify Voltage) FF=Double Fuse (208, 240 or 480V Specify Voltage) IBP=Integral Battery Pack ^{5, 24} IBP-CEC=Integral Battery Pack, CEC compliant ⁵ ITS=Integral Transfer Switch ¹⁰ 924=UL924 listed luminaire ¹⁹ CG=Clear Glass ⁸ SG=Solite® Glass ⁹ UPL=Uplight ⁶ TR=Tamper Resistant Hardware NAT=Natatorium finish DALI=DALI Driver ¹⁵ MS/DIM-L08=Dimming Occupancy Sensor (<9' Mounting) ^{11, 17} MS/DIM-L20=Dimming Occupancy Sensor (9' - 20' Mounting) ^{11, 17} ZW=WaveLinX-Enabled Module and 4-PIN Receptacle ²³ ZD=WaveLinX-Enabled Module with DALI Driver and 4-PIN Receptacle ²³ ZW-SWPD4XX=WaveLinX Control Module and Wireless Sensor - 7'-15' ²¹ ZW-SWPD5XX=WaveLinX Control Module and Wireless Sensor - 15'-40' ²¹ ZW-WOBXX=WaveLinX Control Module and LC Bluetooth Sensor - 7'-15' ²¹ ZW-WOFXX=WaveLinX Control Module and LC Bluetooth Sensor - 15'-40' ²¹ ZD-SWPD4XX=WaveLinX with DALI Driver and Wireless Sensor - 7'-15' ²¹ ZD-SWPD5XX=WaveLinX with DALI Driver and Wireless Sensor - 15'-40' ²¹ ZD-WOBXX=WaveLinX with DALI Driver and LC Bluetooth Sensor - 7'-15' ²¹ ZD-WOFXX=WaveLinX with DALI Driver and LC Bluetooth Sensor - 15'-40' ²¹ LWR-LW=Enlighted Wireless Sensor, Wide Lens 8' - 16' Mounting Height ^{11, 18} LWR-LN=Enlighted Wireless Sensor, Narrow Lens 16' - 40' Mounting Height ^{11, 18} DIM10-MS/DIM-L08=Synapse occupancy sensor (<8' Mounting) DIM10-MS/DIM-L20=Synapse occupancy sensor (8'-20' Mounting)				MA1252=Replacement 10kV Surge Module TT/WG=Wire Guard ²⁵ TT/BG-UP-XX=Bird Guard ^{12, 13} TT/HSS-XX=House Side Shield ²⁵ DPMS36-XX=36" Pendant Mount Stem ^{12, 14} DPMS48-XX=48" Pendant Mount Stem ^{12, 14} DPMS96-XX=96" Pendant Mount Stem ^{12, 14} FSIR-100=Wireless Configuration Tool for Occupancy Sensor ¹⁷ SWPD4-XX=WaveLinX Wireless Sensor, 7'-15' Mounting Height ^{20, 21, 22, 23} SWPD5-XX=WaveLinX Wireless Sensor, 15'-40' Mounting Height ^{20, 21, 22, 23}			
NOTES: 1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details. 2. Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems). 3. D1-D4 lumen packages only. 4. Order Pendant Mount Stem accessory. 5. IBP ambient operating temperature -20°C to 35°C (D1-D3), -20°C to 25°C (D4-D6). Not available with DALI. 6. Additional 8.0W. Provides 920 lumens. 7. Choose lead length for Surface Mount and Stem Mount only. TMB, DPM and WM lengths predetermined. 8. Not available with CQ. 9. Standard with CQ, option available with WQ only. 10. U voltage only. Ambient operating temperature -20°C to 50°C (D1-D4) or -20°C to 40°C (D5-D6). UL924 listed component. 11. Includes integral photocell. 12. Specify color in place of XX. 13. Designed for use with Stem Mount and Decorative Pendant Mount only. 14. Designed for use with Decorative Pendant Mount only. 15. Not available with H voltage or IBP. Not compatible with MS/DIM or LWR sensors. 16. Specify Lead Length for wire harness length. 17. The FSIR-100 configuration tool is required to adjust parameters including high and low modes, sensitivity, time delay and more. 18. Enlighted wireless sensors are factory installed only, and require network components in appropriate quantities. 19. 924 option provides luminaire UL924 listing, used in conjunction with ITS or IBP-CEC. 20. Requires ZW or ZD receptacle. 21. Replace XX with sensor color (WH, BZ or BK.) 22. Cannot be used with other control options. 23. For WaveLinX applications, WAC Gateway required to enable field-configurability: Order WAC-PoE and WPOE-120 (10V to PoE injector) power supply if needed. Not required for WaveLinX Lite Commercial (LC) applications. 24. Specify 120V or 277V. 25. TT/WG and TT/HSS cannot be installed together. 26. D4-D6 only. Not compatible with battery.							

Product Specifications

Construction

- Low copper content, die-cast aluminum housing provides a clean, symmetric aesthetic

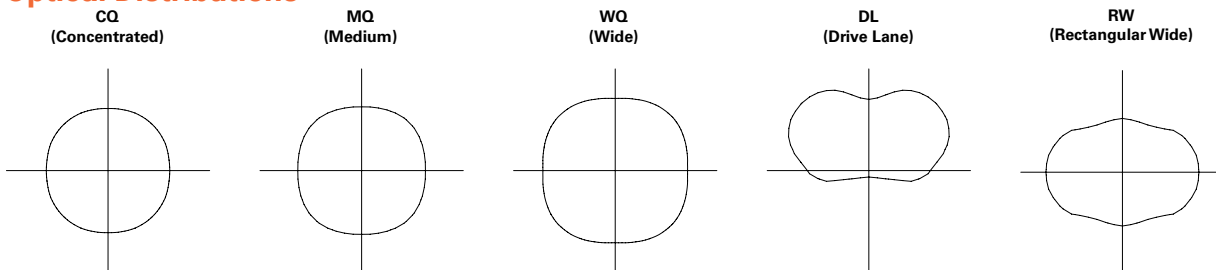
Optics

- Five optical distributions utilizing patented visual comfort WaveStream™ technology
- Six lumen packages, ranging from 3,000 to 13,300
- Integral uplight option utilizes a dedicated, 8W light engine, producing 920 lumens for reduced visual contrast and cave effect
- IDA Certified for 3000k CCT and warmer only. Not available with uplight option.

Electrical

- 40°C - 50°C operating temperature

Optical Distributions



- Greater than 90% lumen maintenance at 60,000 hours
- IP66 rated
- 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation
- 10kV surge module standard
- 0-10V dimming standard

Mounting

- Surface mount directly to square or octagonal 4" surface or recessed junction box using quick mount bracket
- Optional stem mount bracket with set screw for direct 1/2" NPS conduit mounting
- Trunnion, decorative pendant, and wall mount options also available

Finish

- 2.5 mil nominal TGIC powder coat thickness
- Finishes include white, black, bronze, gray, dark platinum and graphite metallic
- RAL and custom color matches available
- Natatorium option (NAT) available, providing 5,000 hour salt spray rating per ASTM B117, with a scribe rating of 9 per ASTM D1654

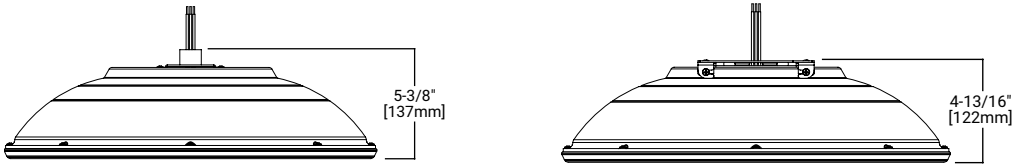
Warranty

- Five-year warranty

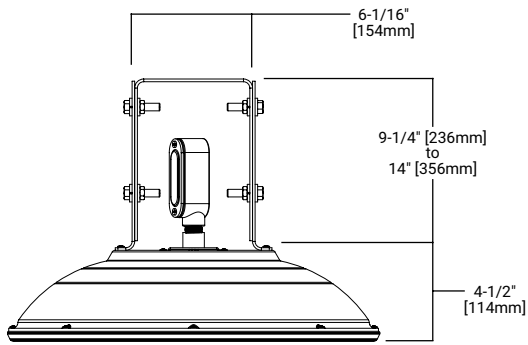
Mounting Details

*Base luminaire weight: 18.2 lbs

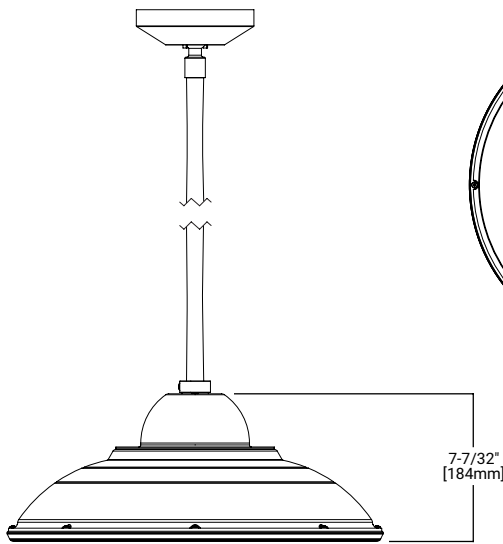
Stem Mount



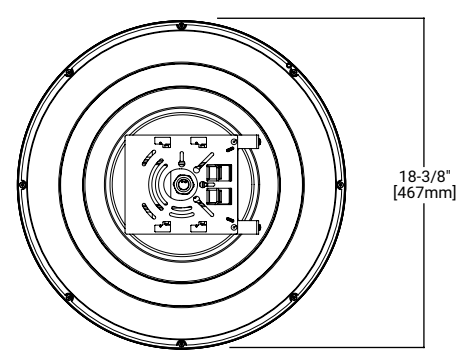
Trunnion Mount



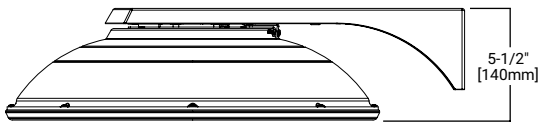
Decorative Pendant Mount



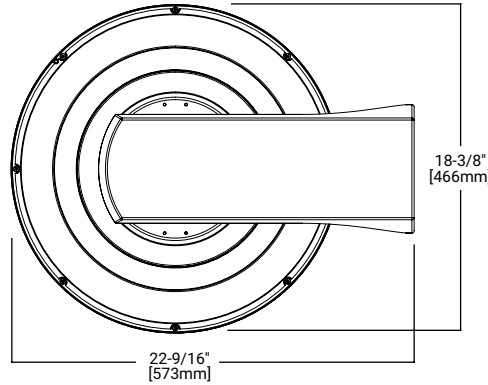
Top View



Wall Mount

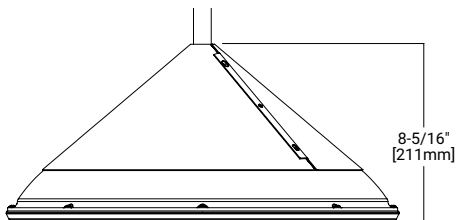


Top View - Wall Mount

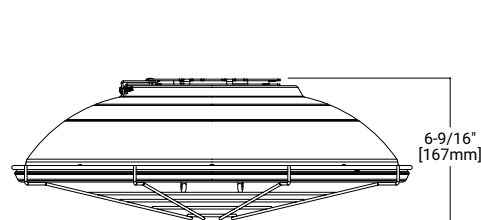


Accessories

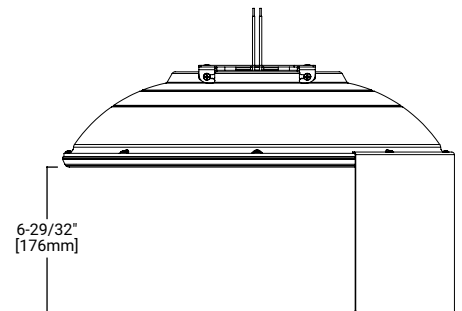
Bird Guard (TT/BG-UP-XX)



Wire Guard (TT/WG)



House Side Shield (TT/HSS-XX)



Energy and Performance Data

[View TopTier IES files](#)

Power and Lumens (3000K/3500K/4000K/5000K)

Lumen Package		D1	D2	D3	D4	D5	D6	
Power (Wattage) CQ, MQ, WQ, RW		28.0	39.2	47.2	57.6	74.7	105.2	
Power (Wattage) DL Only		28.8	40.5	48.8	59.8	--	--	
Distribution								
3000K CCT 80 CRI	CQ Concentrated	Lumens	3,409	4,640	5,595	6,660	8,383	11,030
		BUG Rating	B1-U0-G1	B2-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G2
		Lumens per Watt	122	118	119	116	112	105
	MQ Medium	Lumens	3,647	4,964	5,986	7,125	8,969	11,800
		BUG Rating	B2-U0-G1	B2-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3
		Lumens per Watt	130	127	127	124	120	112
	WQ Wide	Lumens	3,449	4,695	5,662	6,740	8,483	11,161
		BUG Rating	B2-U0-G1	B3-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3
		Lumens per Watt	123	120	120	117	114	106
	RW Rectangular Wide	Lumens	2,757	3,753	4,526	5,387	6,781	8,922
		BUG Rating	B2-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3
		Lumens per Watt	98	96	96	94	91	85
	DL Drive Lane / Type 4	Lumens	2,959	3,985	4,762	5,622	--	--
		BUG Rating	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3	--	--
		Lumens per Watt	103	98	98	94	--	--
3500K CCT 70 CRI	CQ Concentrated	Lumens	3,618	4,925	5,940	7,070	8,899	11,708
		BUG Rating	B1-U0-G1	B2-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G2
		Lumens per Watt	129	126	126	123	119	111
	MQ Medium	Lumens	3,872	5,270	6,355	7,564	9,520	12,527
		BUG Rating	B2-U0-G2	B2-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3
		Lumens per Watt	138	134	135	131	127	119
	WQ Wide	Lumens	3,662	4,984	6,011	7,154	9,005	11,848
		BUG Rating	B2-U0-G1	B3-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B4-U0-G3
		Lumens per Watt	131	127	127	124	121	113
	RW Rectangular Wide	Lumens	2,927	3,984	4,805	5,719	7,198	9,471
		BUG Rating	B2-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3	B4-U0-G3
		Lumens per Watt	105	102	102	99	96	90
	DL Drive Lane / Type 4	Lumens	3,141	4,230	5,055	5,968	--	--
		BUG Rating	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3	--	--
		Lumens per Watt	109	104	104	100	--	--
4000K/ 5000K CCT 70 CRI	CQ Concentrated	Lumens	3,828	5,211	6,284	7,480	9,415	12,387
		BUG Rating	B1-U0-G1	B2-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G2
		Lumens per Watt	137	133	133	130	126	118
	MQ Medium	Lumens	4,096	5,575	6,723	8,002	10,072	13,253
		BUG Rating	B2-U0-G2	B2-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3
		Lumens per Watt	146	142	142	139	135	126
	WQ Wide	Lumens	3,874	5,273	6,359	7,569	9,527	12,535
		BUG Rating	B2-U0-G1	B3-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B4-U0-G3
		Lumens per Watt	138	135	135	131	128	119
	RW Rectangular Wide	Lumens	3,097	4,215	5,083	6,050	7,615	10,020
		BUG Rating	B2-U0-G2	B3-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3	B4-U0-G3
		Lumens per Watt	111	108	108	105	102	95
	DL Drive Lane / Type 4	Lumens	3,323	4,475	5,348	6,314	--	--
		BUG Rating	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3	--	--
		Lumens per Watt	115	110	110	106	--	--

Energy and Performance Data

CQ, MQ, WQ and RW Distributions

Lumen Package	D1	D2	D3	D4	D5	D6
Power (Wattage)	28.0	39.2	47.2	57.6	74.7	105.2
Input Current @ 120V (A)	0.23	0.33	0.39	0.48	0.62	0.88
Input Current @ 208V (A)	0.13	0.19	0.23	0.28	0.36	0.51
Input Current @ 240V (A)	0.12	0.16	0.20	0.24	0.31	0.44
Input Current @ 277V (A)	0.10	0.14	0.17	0.21	0.27	0.38
Input Current @ 347V (A)	0.08	0.11	0.14	0.17	0.22	0.30
Input Current @ 480V (A)	0.06	0.08	0.10	0.12	0.16	0.22

DL Distributions

Lumen Package	D1	D2	D3	D4
Power (Wattage)	28.8	40.5	48.8	59.8
Input Current @ 120V (A)	0.24	0.34	0.41	0.50
Input Current @ 208V (A)	0.14	0.19	0.23	0.29
Input Current @ 240V (A)	0.12	0.17	0.20	0.25
Input Current @ 277V (A)	0.10	0.15	0.18	0.22
Input Current @ 347V (A)	0.08	0.12	0.14	0.17
Input Current @ 480V (A)	0.06	0.08	0.10	0.12

Lumen Maintenance

Ambient Temperature	25,000 hours*	50,000 hours*	60,000 hours*	100,000 hours**	Theoretical L70 hours**
25°C	98.0%	95.2%	94.1%	89.8%	> 300,000
40°C	97.9%	94.8%	93.6%	89.0%	> 290,000
50°C	97.7%	94.5%	93.2%	88.4%	> 270,000

* Supported by IES TM-21 standards

**Theoretical values represent estimations commonly used; however, refer to the IES position on LED Product Lifetime Prediction, IES PS-10-18, explaining proper use of IES TM-21 and LM-80

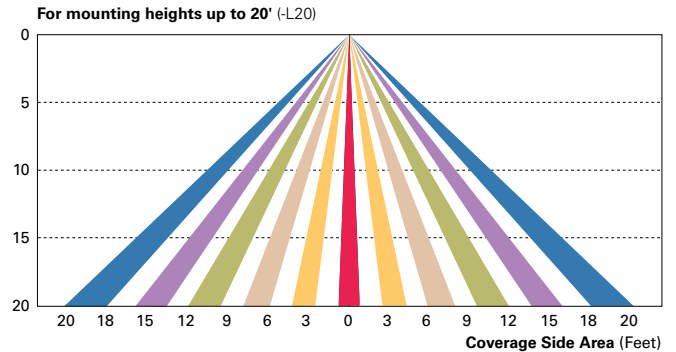
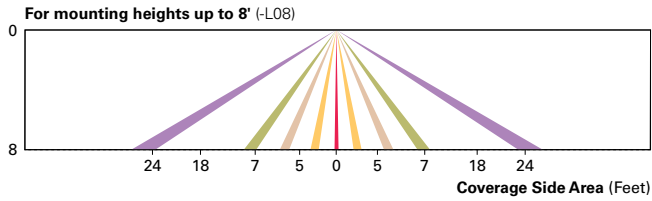
Lumen Multiplier

Ambient Temperature	Multiplier
0°C	1.03
10C	1.02
25°C	1.00
40°C	0.98
50°C	0.97

Control Options

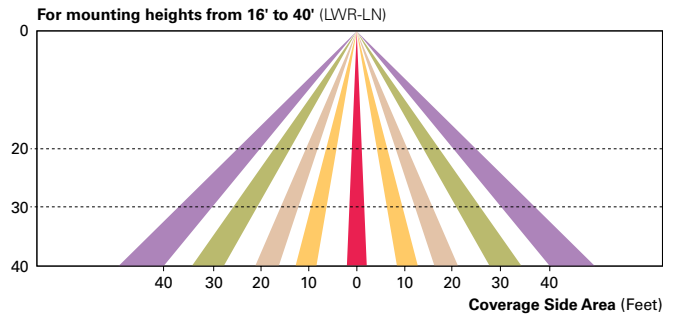
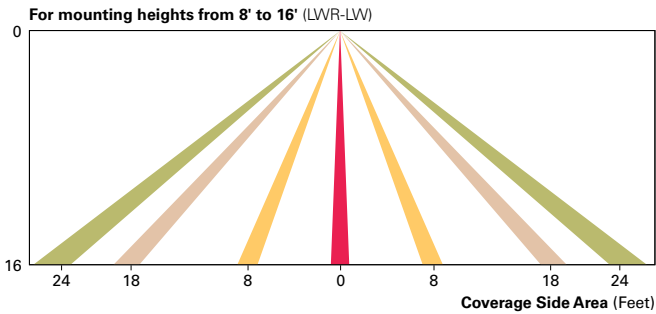
0-10V (D) 0-10V dimming comes standard on all TopTier configurations for use with integrated or external lighting controls.

Dimming Occupancy Sensor (MS/DIM) These sensors are factory installed in the luminaire, dimming to 50% after five minutes of no motion detected. When motion is detected, the luminaire output is 100%. Includes an integral photocell that can be programmed for “dusk-to-dawn” operation. The FSIR-100 programming tool can be utilized to adjust dimming level, time delay, sensitivity and other parameters. Two lens options provide optimal coverage patterns up to 20’ mounting height.

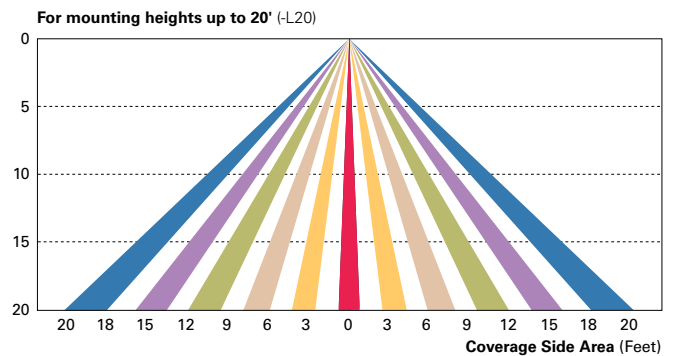
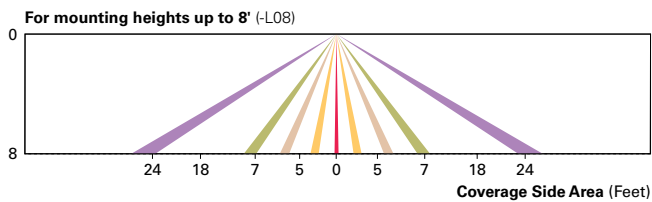


WaveLinx-Ready 4-PIN Twistlock Receptacle (ZW) Includes the WaveLinx control module, integrated 4-Pin receptacle, and standard 0-10V dimming driver, enabling the subsequent addition of a WaveLinx sensor.

Enlighted Wireless Control and Monitoring System (LWR-LW and LWR-LN) The Enlighted control system is a connected lighting solution, combining LED luminaires with an integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes while collecting valuable data about building performance and use. Software applications utilizing energy dashboards maximize data inputs to help optimize the use of other resources beyond lighting.



Synapse (DIM10) SimplySNAP integrated wireless controls system by Synapse. Includes factory installed DIM10 control module and MS/DC motion sensor; requires additional Synapse system components for operation. Contact Synapse at www.synapsewireless.com for product support, warranty, and terms and conditions.





November 9, 2022

RE: Joan Austin Elementary School Covered Plan
Land Use Stormwater Narrative

The proposed project at the Joan Austin Elementary School includes a new covered play structure with asphalt ground cover and reconstruction of existing concrete sidewalks. This new structure is located south of the existing bark chip playground at the northeast corner of the existing school. A new sidewalk on the east side of the proposed covered play will be installed as pervious concrete.

Note that this narrative, calculations and exhibits are preliminary for Land Use only. A final storm report with final calculations will be submitted with the site permit submission. The existing impervious area within the project limits is 1,244 SF. The proposed new impervious area is 3,169 SF and 509 SF of pervious concrete. The covered play roof extends 2-feet to the north and 2-feet to the south of the asphalt limits shown.

The net new impervious area requiring management is 1,925 SF. Basin maps are provided for net new impervious area calculation (Fig A1 and Fig B1). This triggers the City of Newberg's stormwater management requirements for water quality and water quantity. The net new impervious area requiring management is less than the 2,877 SF threshold for downstream analysis. The downstream analysis will not be provided for this project.

The proposed roof area is 2,284 SF and will be captured by a flow-through planter (Fig C2). This flow-through planter is sized using the City of Newberg LIDA sizing chart (Fig C1) and City of Newberg standard detail 452 (Fig C2). The planter area proposed is greater than the calculated minimum area for conservative design. The pervious concrete will be designed and constructed per the City of Newberg standard detail 459 (Fig C2).

Stormwater conveyance piping will be sized to convey the 25-year design storm. Peak flows will be calculated using the rational method and pipe conveyance will be verified using Manning's equation. A fully signed storm report will be submitted at permit submittal.

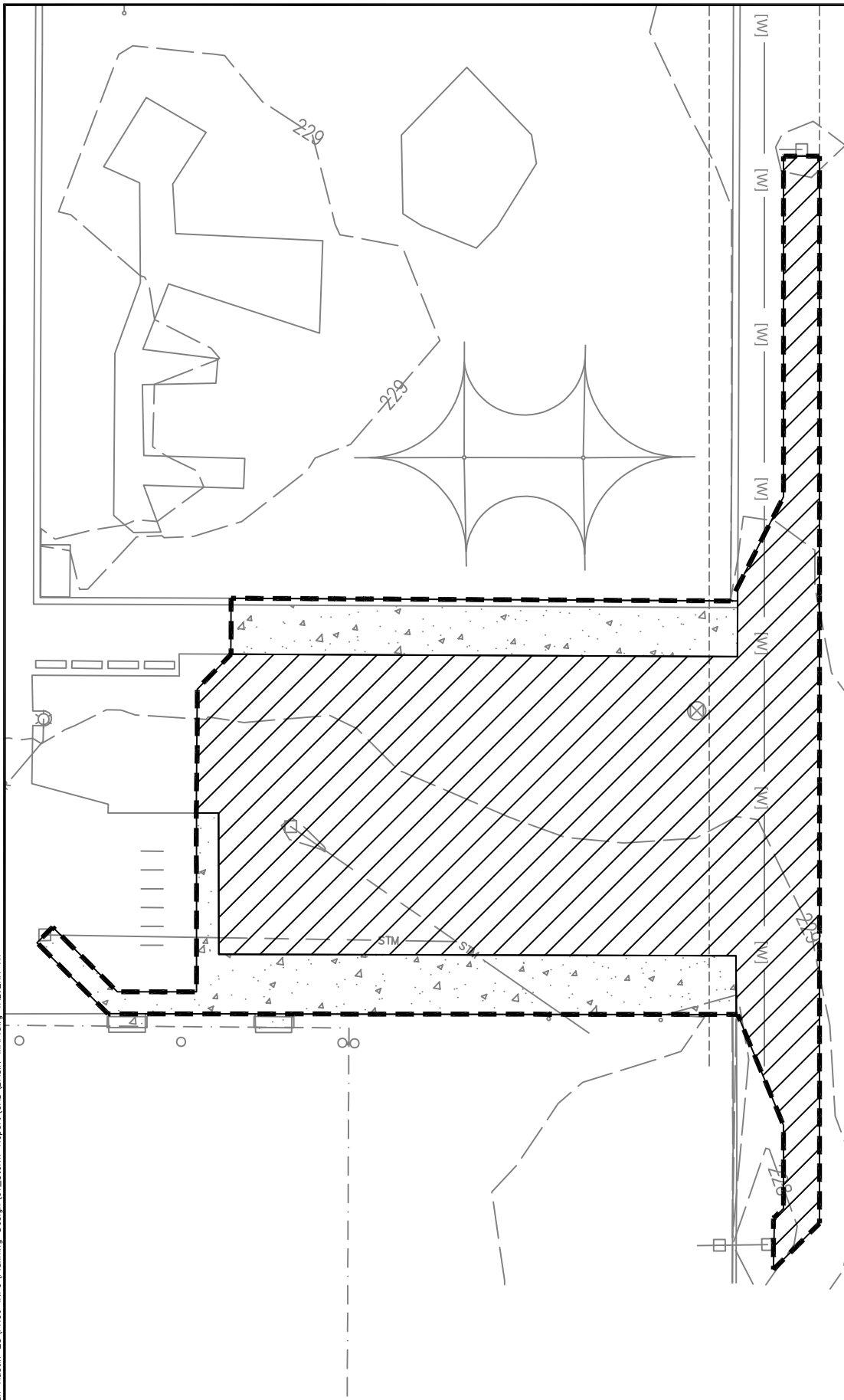
Thank you,
KPFF Consulting Engineers

A handwritten signature in blue ink, appearing to read 'Andrew Chung'.


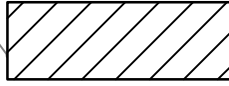

Andrew Chung, PE

Attachments: Figures A1, B1, C1, C2
2200235-pm

File: N:\c\p\2022\2200325-joan-austin-es\PROJ-INFO\Planning-Design\01_Storm-Report\CAD\BASIN-MAP.dwg TAB:EXH-A1



SHEET LEGEND

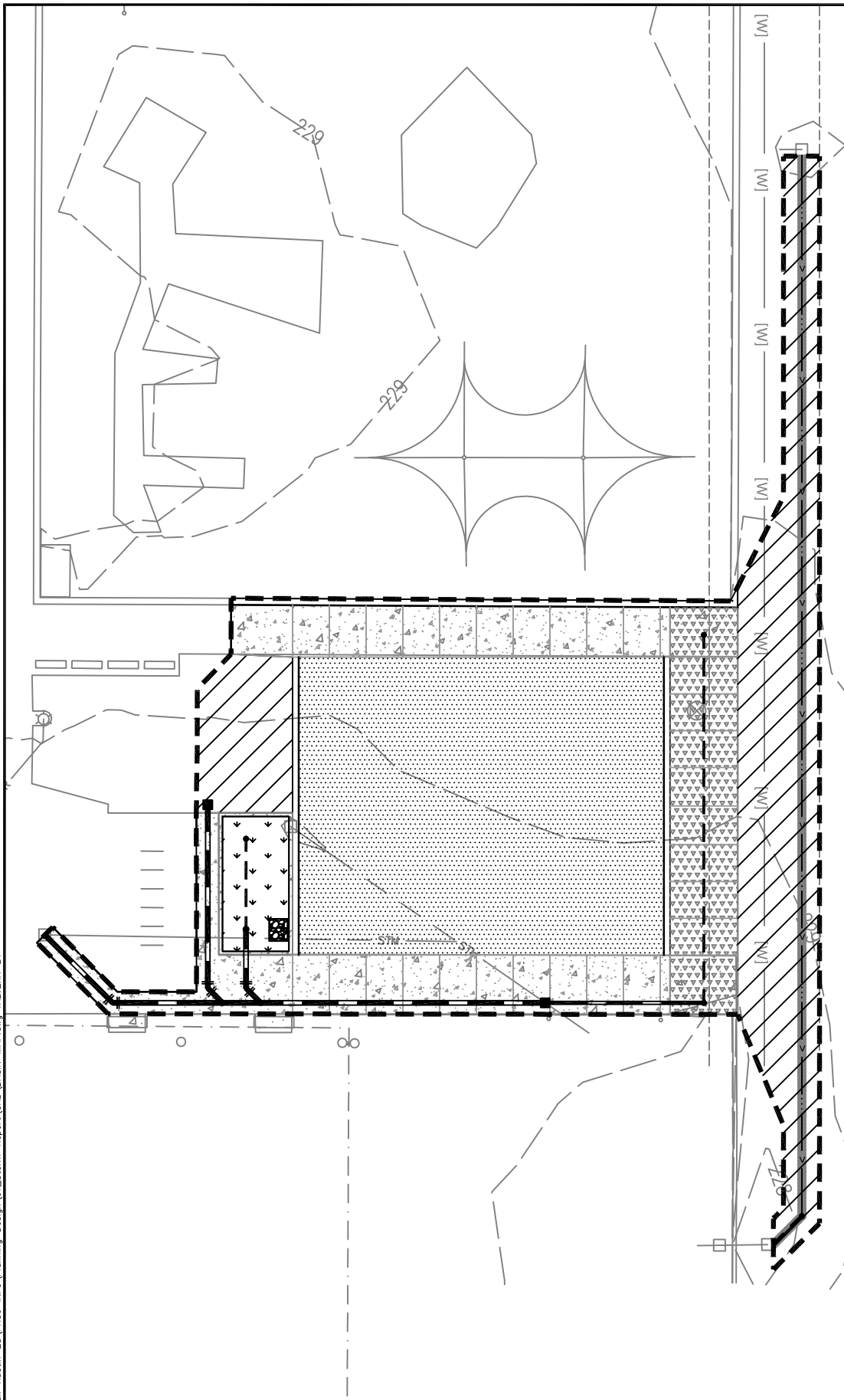
-  STORMWATER BASIN BOUNDARY
-  EXISTING PERVIOUS LANDSCAPE (4108 SQFT)
-  EXISTING IMPERVIOUS AREA (1244 SQFT)




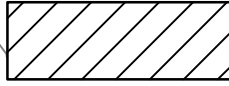

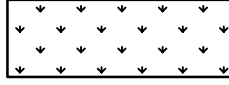
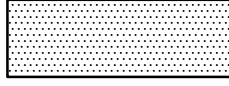
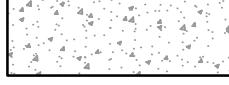
STORMWATER BASIN MAP

JOAN AUSTIN
COVERED PLAY
EXH-A1

File: N:\c\p\2022\2200325-joan-austin-es\PROJ-INFO\Planning-Design\01_Storm-Report\CAD\BASIN-MAP.dwg TAB:EXH-B1



SHEET LEGEND

-  STORMWATER BASIN BOUNDARY
-  PROPOSED PERVIOUS LANDSCAPE (1445 SQFT)
-  PROPOSED PERVIOUS CONCRETE (509 SQFT)
-  PROPOSED STORMWATER PLANTER (165 SQFT)
-  PROPOSED ASPHALT (2012 SQFT)
-  PROPOSED CONCRETE (1,157 SQFT)



STORMWATER BASIN MAP

JOAN AUSTIN
COVERED PLAY
EXH-B1

City of Newberg LIDA Sizing Form

(Include this form with plan submittal)

Project Title: JOAN AUSTIN COVERED PLAY

Project Address: 2200 N CENTER ST, NEWBERG, OR 97132

Project Taxlot/ Taxmap#: TAXLOT #1904/TAXMAP #3217

Project Location: NORTH EAST CORNER OF JOAN AUSTIN ES SITE

Contact Name/Title/Company: PAITEN TENSEN/CIVIL DESIGNER/KPFF

Phone/e-mail: 503-542-3853/paiten.tensen@kpff.com

STEP 1: Determine Impervious Area Requiring Treatment

Total Gross Site Area (acres):	0.123	Pre. Dev. Impervious Area (ft):	1244	(X)
Proposed Net New Impervious Area (ft): (PA)= (Y) - (X)	1925	(PA)	Post Dev. Impervious Area (ft):	3169
				(Y)

STEP 2: Deduct Impervious Area LIDA Credits

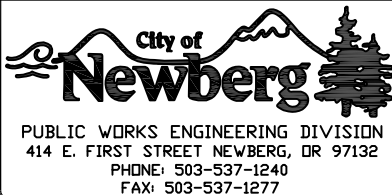
Porous Pavement (sq. ft.):	0	(P)	POROUS PAVEMENT REMOVED FROM AREA Y.
Green Roof (sq. ft.):	0	(G)	
Other Credits as approved (sq. ft.):	0	(O)	
Total Credits (sq. ft.): (C)= (P)+(G)+(O)	0	(C)	
Impervious Area Requiring Treatment (sq. ft.): (IA)= (PA) - (C)	1925	(IA)	

PRELIMINARY
SIZING

STEP 3: Size LIDA Facilities for Remaining Impervious Area

	Impervious Area Treated (sq. ft.)	SF, Sizing Factor	LIDA Facility Size (sq. ft.)
Infiltration Planters/ Rain Garden		0.045	
Flow-through Planter		0.060	
Public Flow-through Planter	2284	0.060	137
	MANAGING ROOF AREA FROM COVERED PLAY. MORE AREA IS BEING MANAGED THAN REQUIRED.		PROPOSED FACILITY IS 165 SQFT. GREATER THAN REQUIRED.

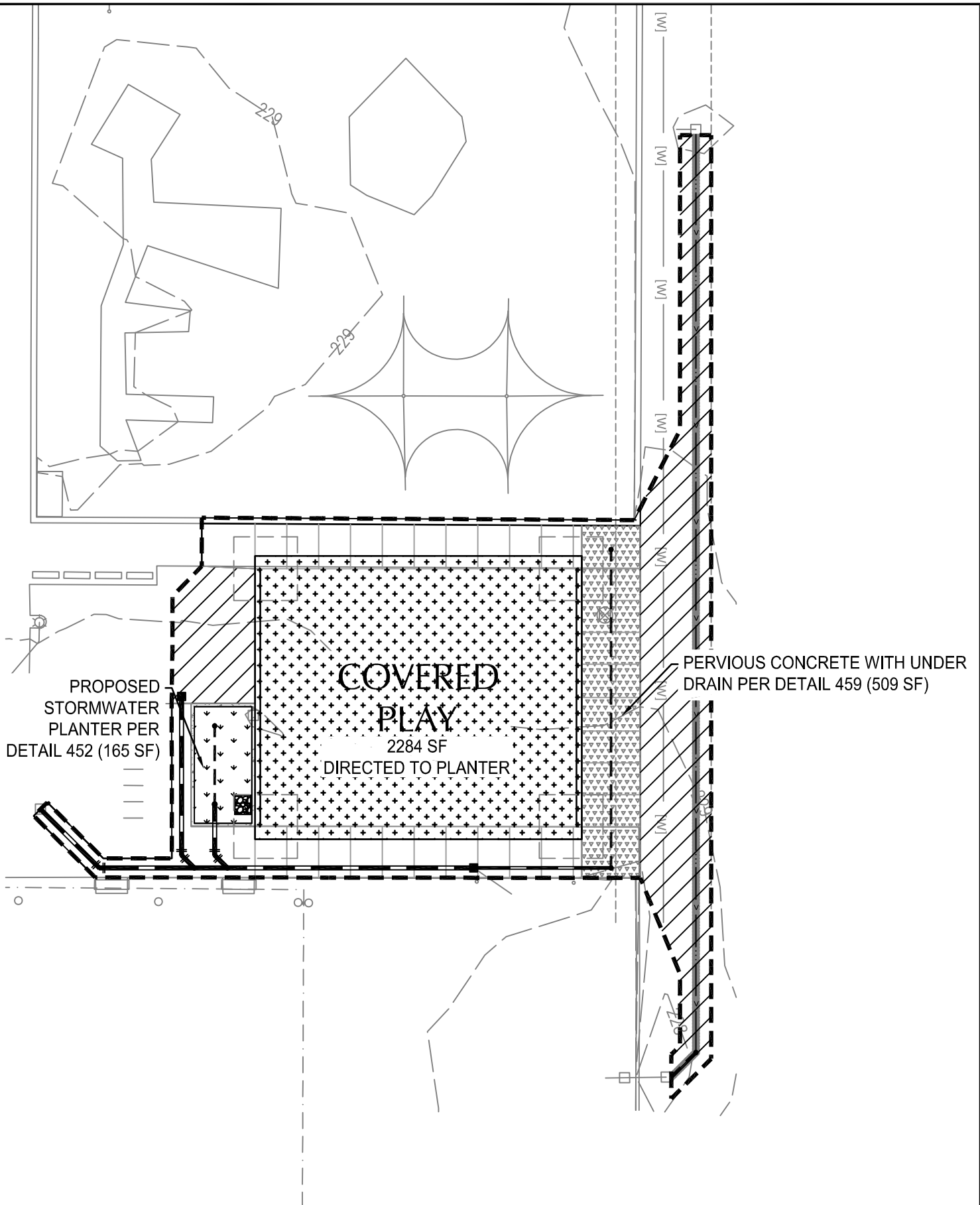
Total Impervious Area Treated (sq. ft.)	2284	MUST BE EQUAL TO (IA)
---	------	-----------------------



REVISIONS:

LIDA SIZING FORM

SCALE:	N.T.S.
DATE:	MARCH 2014
APPROVED BY:	JAY H.
STANDARD DRAWING	451



PROPOSED
STORMWATER
PLANTER PER
DETAIL 452 (165 SF)

**COVERED
PLAY**
2284 SF
DIRECTED TO PLANTER

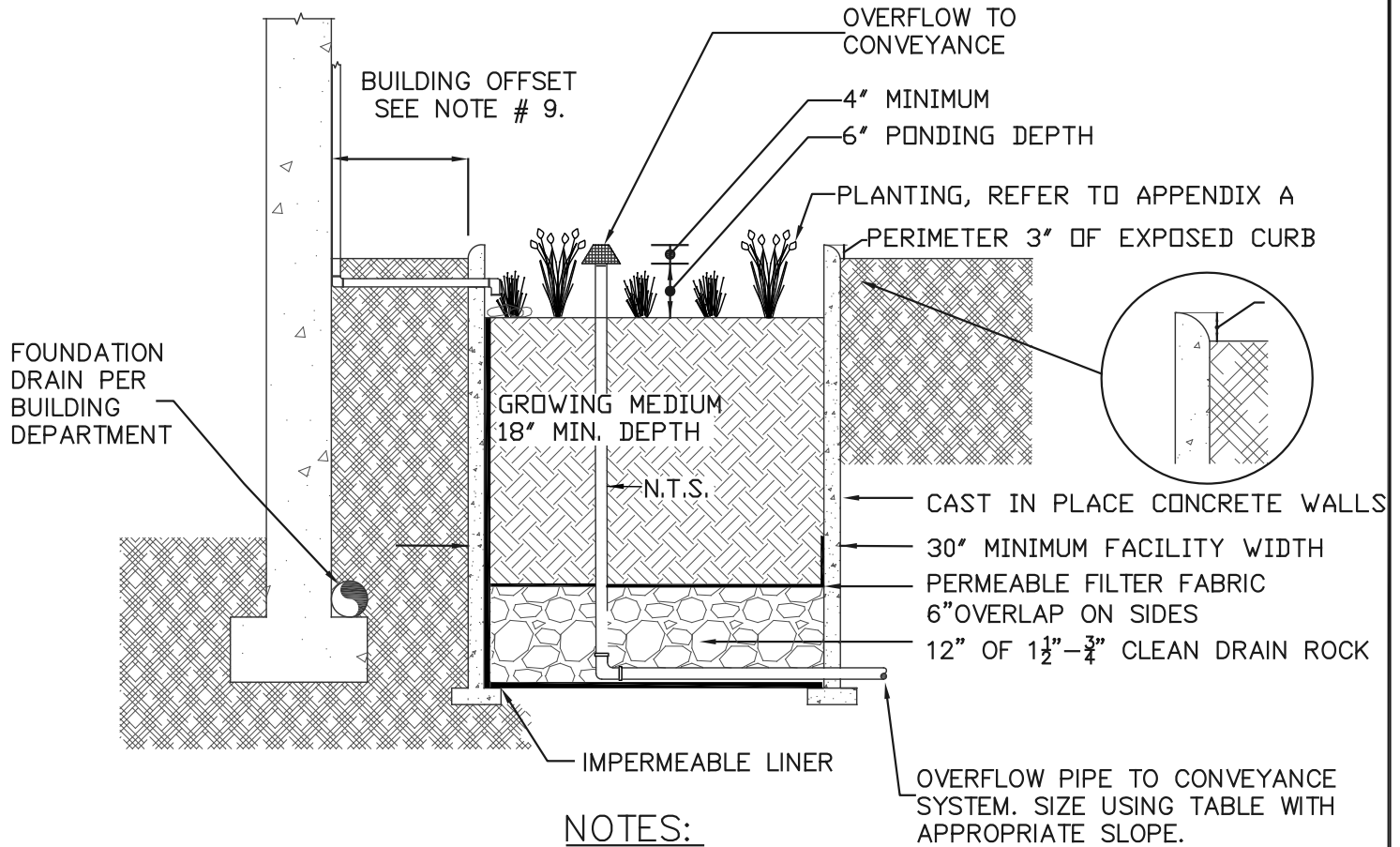
PERVIOUS CONCRETE WITH UNDER
DRAIN PER DETAIL 459 (509 SF)



**STORMWATER
COLLECTION
AND MANAGEMENT**

JOAN AUSTIN
COVERED PLAY
EXH-C2

PRIVATE/ PUBLIC WATER QUALITY & QUANTITY TREATMENT



NOTES:

1. MAXIMUM SLOPE OF PLANTER 0.5%.
2. NO TREES OR DEEP ROOTED VEGETATION OVER PIPING IS ALLOWED IN FACILITY.
3. STORM PIPING TO FACILITY THROUGH WALL CORE HOLES, MAINTAIN MAXIMUM DISTANCE FROM THE OVERFLOW PIPE AS POSSIBLE.
4. PRIVATE OVERFLOW PIPE TO BE MINIMUM SPECIFIED IN PLUMBING CODE, SEE TABLE. PUBLIC FACILITIES SHALL BE SIZED TO CONVEY THE 25 YEAR STORM.
5. ENERGY DISSIPATERS REQUIRED AT WATER ENTRANCES MINIMUM 18"X18"X6" OF 4 TO 6 INCH ANGULAR RIPRAP.
6. PERMEABLE FILTER FABRIC REQUIRED BETWEEN LAYERS
7. IMPERMEABLE LINER REQUIRED AT FACILITY BOTTOM AND ON WALLS ADJACENT TO STRUCTURES (AS SHOWN).
8. "PARTIAL" INFILTRATION FACILITIES ARE ENCOURAGED. IMPERMEABLE LINER LOCATED AT FACILITY BOTTOM, MAY BE REMOVED FOR "PARTIAL" INFILTRATION, APPROVAL BY DESIGN PROFESSIONAL AND BUILDING DEPARTMENT REQUIRED.
9. BUILDING OFFSET REQUIRED ONLY WHEN INFILTRATING, 10 FT MINIMUM.
10. MUST BE LOCATED A MINIMUM OF 3 FT FROM ADJACENT PROPERTY LINE.

OVERFLOW PIPE SIZE (1/8 in./ft. SLOPE)	
MAX PROJECT ROOF AREA (ft.)	OVERFLOW PIPE SIZE (in.)
822	3
1,880	4
3,340	6

OVERFLOW PIPE SIZE (1/4 in./ft. SLOPE)	
MAX PROJECT ROOF AREA (ft.)	OVERFLOW PIPE SIZE (in.)
1,160	3
2,650	4
4,720	6

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

REVISIONS

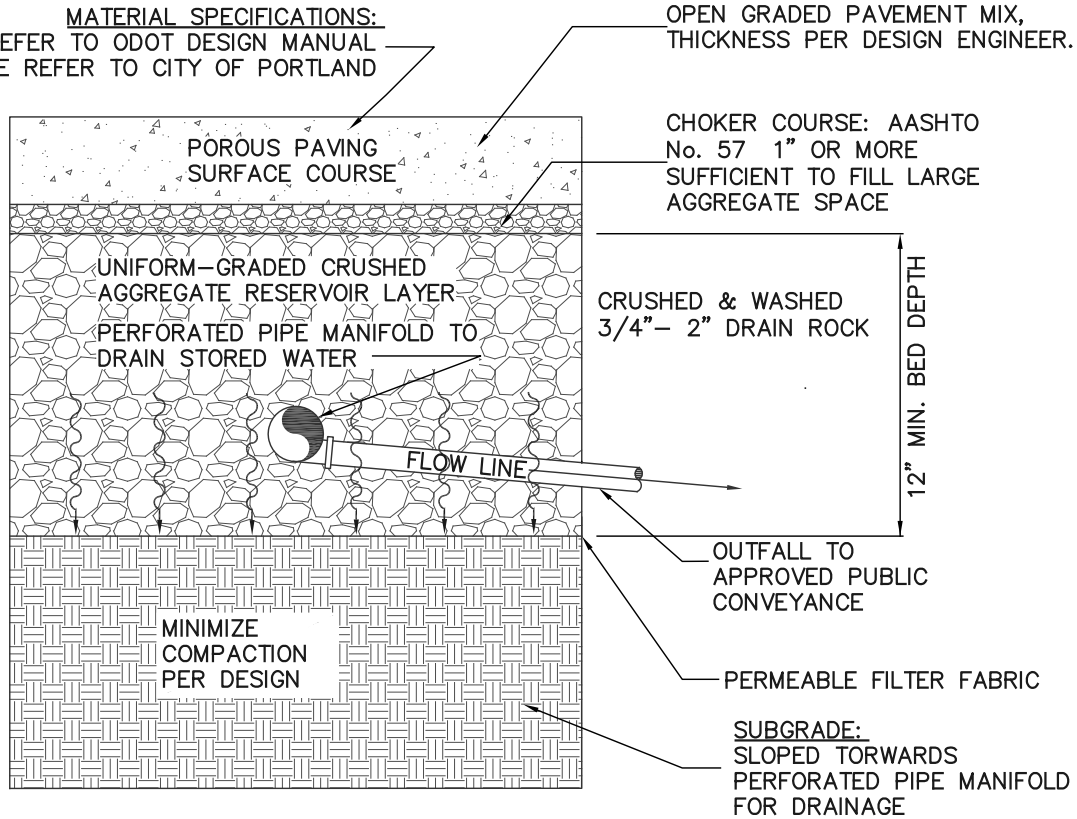
FLOW THROUGH PLANTER

SCALE:	N.T.S.
DATE:	MARCH 2014
APPROVED BY:	JAY H.
STANDARD DRAWING	452

POROUS PAVEMENT

1:1 IMPERVIOUS AREA DEDUCTION

MATERIAL SPECIFICATIONS:
 ASPHALT REFER TO ODOT DESIGN MANUAL
 CONCRETE REFER TO CITY OF PORTLAND



NOTES:

1. PAVEMENT SURFACE TO BE CONSTRUCTED WITH HIGH PERMEABILITY (> 8" PER HR).
2. UNIFORM-GRADED CRUSHED DRAIN ROCK BED WITH MINIMUM 40% VOID SPACE
3. PROVIDE PERFORATED PIPE MANIFOLD IN RESERVOIR LAYER FOR CONVEYANCE, IF UNFACTORED SOIL INFILTRATION RATES LESS THAN 2"/HOUR. SEE PERFORATED PIPE DRAWING NO. 463.
4. NOT RECOMMENDED FOR TRAFFIC SURFACES WITH SLOPE > 5%.
5. DO NOT PLACE DRAIN ROCK BED ON COMPACTED FILL AREAS.
6. HIGHEST SEASONAL WATER TABLE MUST BE AT LEAST 5' BELOW RESERVOIR LAYER. STRUCTURE MUST BE 100' AWAY FROM DRINKING WATER WELL. MINIMUM OF 100' AWAY UP SLOPE & 10' AWAY DOWN SLOPE FROM STRUCTURE FOUNDATIONS. A WRITTEN REPORT IS REQUIRED.
7. FLOWS FROM OTHER IMPERVIOUS AREAS SHALL NOT DRAIN TO POROUS PAVEMENT.
8. ONSITE INFILTRATION TESTING REQUIRED BEFORE AND DURING CONSTRUCTION BY A DESIGN PROFESSIONAL.

REVISIONS:

SCALE:	N.T.S.
DATE:	MARCH 2014
APPROVED BY:	JAY H.
STANDARD DRAWING	459

LAND USE NOTICE

File Number: DRXXXXXX

Proposal: Newberg School District is proposing to construct a 2,000 SF covered play structure.

For Further Information:

City of Newberg
Community Development Department
414 E First Street
503-537-1240



Community Development Department

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

WE WANT YOUR COMMENTS ON A PROPOSED NEW DEVELOPMENT IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to make improvements to Joan Austin Elementary School. You are invited to take part in the City's review of this project by sending in your written comments. The applicable criteria used to make a decision on this application for preliminary development plan approval are found in Newberg Development Code 15.220.050(B). For more details about giving comments, please see the back of this sheet.

The development will include the construction of a new 2,000 SF covered play area at the rear of the school.

APPLICANT NAME: Brad Kilby, AICP
APPLICANT TELEPHONE: (503) 221-1131
PROPERTY OWNER: Newberg School District
LOCATION: 2200 N. Center Street
TAX LOT NUMBER: 3S2W1701904



We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed.

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

Written Comments: File No. DRXXXXX
City of Newberg
Community Development
PO Box 970
Newberg, OR 97132

All written comments must be turned in by 4:30 p.m. on XXXXXXXXXXXX. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. You must include enough detail to enable the decision maker an opportunity

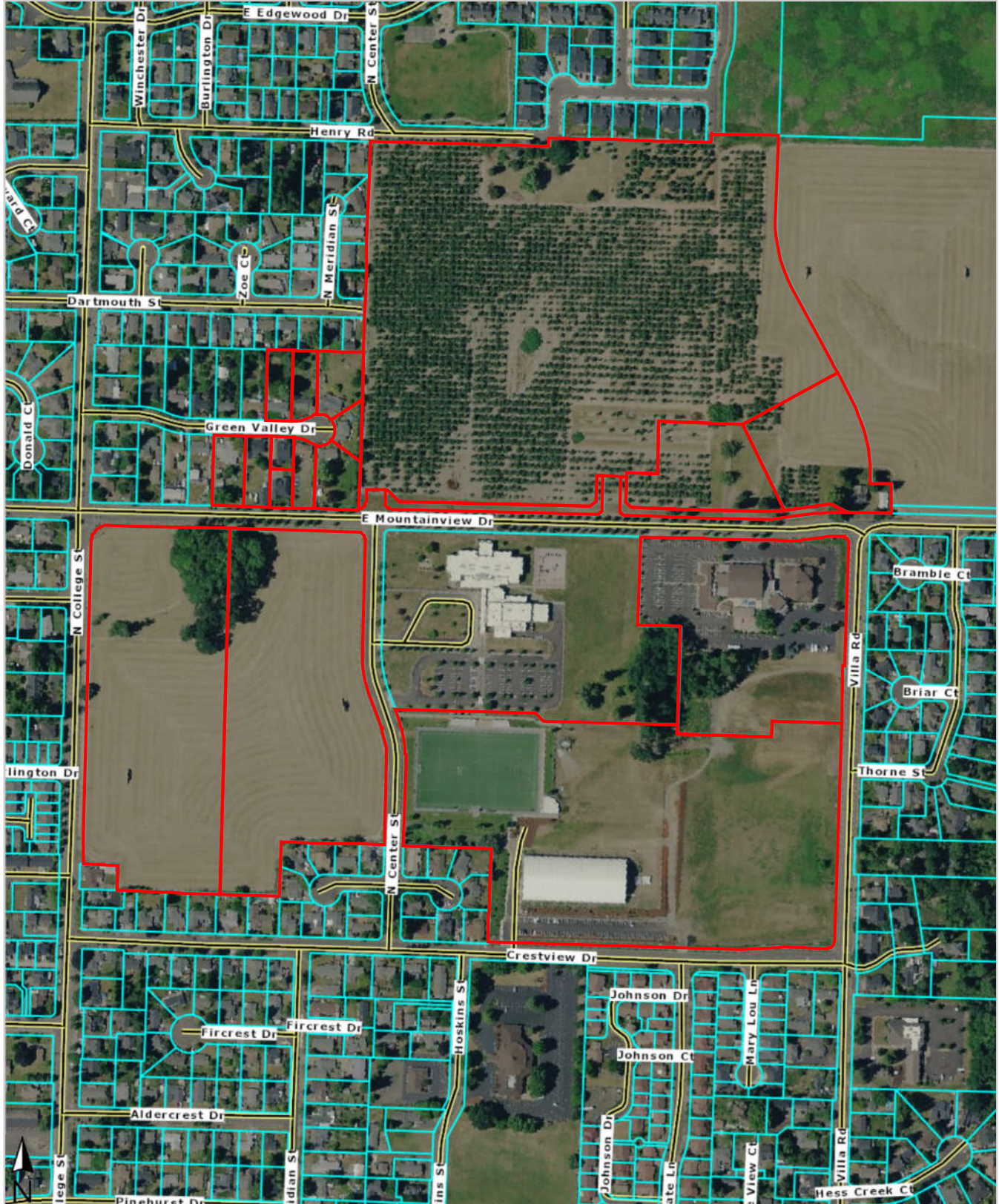
to respond. The applicable criteria used to make a decision on this application approval are found in Newberg Development Code 15.220.050(B).

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E First Street. You can also buy copies of the information for a cost of 25 cents a page.

Information can also be found at:

If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240. The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: XXXXXXXXXXXXX



This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

24592
R3207DD01800
Williams Derin & Andra Living Trust
809 Green Valley Dr
Newberg OR 97132

24609
R3207DD01900
Derin Williams
809 Green Valley Dr
Newberg OR 97132

24618
R3207DD02000
Grow L Yvonne Trustee For
901 Green Valley Dr
Newberg OR 97132

24627
R3207DD02100
Leonard Lilley Jr
904 Green Valley Dr
Newberg OR 97132

24636
R3207DD02200
Thomas Nelson
900 Green Valley Dr
Newberg OR 97132

24645
R3207DD02300
Heath Cornick
812 Green Valley Dr
Newberg OR 97132

24654
R3207DD02400
Christenson Larry D Co-Trustee
16107 SE Wallace Rd
Dayton OR 97114

24663
R3207DD02500
James Trigg
PO Box 76
Newberg OR 97132

24672
R3207DD02600
Brian Cordua
800 Green Valley Dr
Newberg OR 97132

33225
R3217BB00100
Joseph Mah
1908 N Center St
Newberg OR 97132

33234
R3217BB00200
Carol McComis
1005 Pioneer Ln
Newberg OR 97132

33243
R3217BB00300
Kenneth Luce
PO Box 114
Dundee OR 97115

33305
R3217BB00900
Donna Page
1909 N Center St
Newberg OR 97132

33314
R3217BB01000
Terrence Weldon
909 Pioneer Ln
Newberg OR 97132

33323
R3217BB01100
Keith Reed
905 Pioneer Ln
Newberg OR 97132

423651
R321701901
Northwest Christian Church
2315 Villa Rd
Newberg OR 97132

526588
R321701905
George Fox University
414 N Meridian St
Newberg OR 97132

547318
R320804900
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547321
R320805000
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547324
R320805100
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547357
R320806200
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547360
R320806300
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547432
R321800800
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

547435
R321800900
Aspen Way West LLC
3113 Crestview Dr
Newberg OR 97132

557209
R3207DD02401
Cline Don E & Judith L Living Trust
808 Green Valley Dr
Newberg OR 97132

Attachment 2: Agency Comments

2200 N CENTER STREET, JOAN AUSTIN ELEMENTARY SCHOOL
DESIGN REVIEW - DR222-0012



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: Feb 10, 2023
Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
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)

Brooks Bateman

Reviewed By:

1-31-23
Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



1/27/23

Project Information is attached

- Reviewed, no conflict.
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- 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:
Date: 2023.01.27 07:53:50-08'00'
Foxit PDF Editor Version: 12.0.0

1/27/23

Reviewed By:
Will Worthey CM

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: Feb 10, 2023
Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



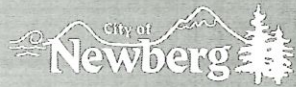
Project Information is attached

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- Meeting requested.
- Comments. (Attach additional pages as needed)

Doug Rux
Reviewed By:

1/27/23
Date:

City of Newberg
Organization:



COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
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)

[Signature]
Reviewed By:

1/27/23
Date:

Finance
Organization:

COMMUNITY DEVELOPMENT
LAND USE APPLICATION REFERRAL



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Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



Project Information is attached

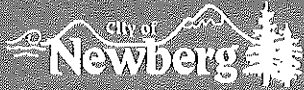
- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

Reviewed By:

1-27-2023
Date:

NDPD

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: Feb 10, 2023
Please refer questions and comments to: Sam Gudmestad

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

APPLICANT: HHPR, Inc
REQUEST: Mountain View Middle School new 4,000 sqft Covered Play area & add windows to existing building
SITE ADDRESS: 2015 N Emery Dr
LOCATION:
TAX LOT: R3217 02500
FILE NO: DR222-0013
ZONE: R1 (Low Density Residential Zoning)
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:

1-27-2023

Date:

NDPD

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: Feb 10, 2023
Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



1/27/23

Project Information is attached

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- Reviewed; recommend denial for the following reasons:
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- Meeting requested.
- Comments. (Attach additional pages as needed)

Russ Thomas

1/27/2023

Reviewed By:

Date:

Public Works Director, 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: Feb 10, 2023
Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



1/26/23

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)

1/26/23

Reviewed By:
Maintenance Superintendent

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



1/27/23

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)

Daniel L Wilson

Reviewed By:

City of Newberg Operations

Organization:

1/27/23

Date:



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: Feb 10, 2023
Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



Project Information is attached

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- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

Karyn G. Hanson, PE Digitally signed by Karyn G. Hanson, PE
Date: 2023.02.13 20:50:34 -08'00'

2/13/23

Reviewed By:
CON Engineering

Date:

Organization:

ENGINEERING COMMENTS

February 8, 2023

FILE NO: DR222-0012
REQUEST: Joan Austin Elementary School Covered Play Area
LOCATION: 2200 N Center Street

SITE INFORMATION:

Access and Transportation: The project site has frontage along E Mountainview Drive and along N Center Street. Access to the proposed development is provided from N Center Street. It is classified as a local residential street under the jurisdiction of the City of Newberg.

Utilities:

Water: There is an 8-inch water line on N Center Street serving the site.

Wastewater: There is an 8-inch wastewater collection line on N Center serving the site.

Stormwater: There is a 24-inch stormwater collection line on N Center which crosses the northwest corner of the site before it crosses under Mountain View Drive.

Overhead Lines: Any new connection to the property will need to be undergrounded. See NMC 15.430.010 for exception provisions.

Chapter 12.05 Street and Sidewalks

12.05.090 Permits and certificates.

A. Concurrent with the issuance of a building permit for the construction of a building for residential use or business structures or an addition to a dwelling or business structure, the value of which is \$30,000 or more except as the city engineer may require on building permits of lesser value in accordance with NMC 12.05.040, the owner, builder or contractor to whom the building permit is issued shall meet the following requirements:

1. Construct a sidewalk within the dedicated right-of-way for the full frontage in which a sidewalk in good repair does not exist. The sidewalk construction shall be completed within the building construction period or prior to issuance of an occupancy permit, whichever is the lesser.

Finding: The proposed plans do not include sidewalk improvements. The applicant will be required to replace any sidewalks along the site's frontage that are in poor condition or do not meet current ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process.

This criterion will be met if the aforementioned condition of approval is adhered to.

Chapter 15.220 Site Design Review

15.220.030 Site design review requirements.

B. Type II. The following information is required to be submitted with all Type II applications for site design review:

13. Roadways and Utilities. The proposed plans shall indicate any public improvements that will be constructed as part of the project, including, but not limited to, roadway and utility improvements.

Finding: The submitted materials do not propose public improvements. If it is determined during the building permit process that sidewalk repairs or replacements are required, the applicant will submit public improvement plans for the sidewalks.

This criterion will be met if the aforementioned condition of approval is adhered to.

14. Traffic Study. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required

by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]

Finding: The submitted materials show that the proposed development is for a covered play structure. The proposed project does not create any new traffic impacts.

This criterion is not applicable.

Chapter 15.430 Underground Utility Installation

15.430.010 Underground utility installation.

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

Finding: The submitted plans and narrative propose all new utility lines constructed underground.

This criterion is met.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:

- 1. The cost of undergrounding the utility is extraordinarily expensive.***
- 2. There are physical factors that make undergrounding extraordinarily difficult.***
- 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed. [Ord. 2537, 11-6-00. Code 2001 § 151.589.]***

Finding: There are not existing overhead utilities along the project site's frontages.

This criterion is not applicable.

Chapter 15.505 Public Improvement Standards

Engineering Division • P.O. Box 970, Newberg, OR 97132 • engineering@newbergoregon.gov • (503) 537-1273

15.505.010 Purpose.

This chapter provides standards for public infrastructure and utilities installed with new development, consistent with the policies of the City of Newberg comprehensive plan and adopted city master plans. The standards are intended to minimize disturbance to natural features, promote energy conservation and efficiency, minimize and maintain development impacts on surrounding properties and neighborhoods, and ensure timely completion of adequate public facilities to serve new development. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

15.505.020 Applicability.

The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).

Finding: All improvements reviewed under this application are identified in the NMC 15.505 section specific to them and are conditioned to comply with the Public Works Design and Construction Standards in those sections.

This criterion is met.

A. Public Works Design and Construction Standards. *The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply with the requirements of the most recently adopted Newberg public works design and construction standards.*

Finding: The submitted plans reference the most current Newberg Public Works Design and Construction Standards.

This criterion is met.

B. Street Improvements. *All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.*

Finding:

Street frontages adjacent to the proposed development are already improved.

This criterion is met.

C. Water. *All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.*

Finding: The proposed project does not require new water service.

This criterion is not applicable.

D. Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.

Finding: The proposed project does not require new wastewater service.

This criterion is not applicable.

E. Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.

Finding: The materials submitted include a preliminary stormwater management plan. The applicant will be required to submit a final stormwater management plan that meets the objectives of NMC Chapters 13.20 and 13.25.

This criterion will be met if the aforementioned condition of approval is adhered to.

F. Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.

Finding: The proposed project does not require any new easements.

This criterion is not applicable.

G. City Approval of Public Improvements Required. No building permit may be issued until all required public facility improvements are in place and approved by the director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

Finding: Any required public improvement permit(s) for this project must be submitted, approved and issued prior to building permits being issued.

This criterion will be met if the aforementioned condition of approval is adhered to.

15.505.030 Street standards.

A. Purpose. The purpose of this section is to:

1. Provide for safe, efficient, and convenient multi-modal transportation within the City of Newberg.

2. Provide adequate access to all proposed and anticipated developments in the City of Newberg. For purposes of this section, “adequate access” means direct routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.

3. Provide adequate area in all public rights-of-way for sidewalks, wastewater and water lines, stormwater facilities, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way. For purposes of this section, “adequate area” means space sufficient to provide all required public services to standards defined in this code and in the Newberg public works design and construction standards.

B. Applicability. The provisions of this section apply to:

1. The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.

2. The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.

3. The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.

4. The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.

5. Developments outside the city that tie into or take access from city streets.

C. Layout of Streets, Alleys, Bikeways, and Walkways. Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.

D. Construction of New Streets. Where new streets are necessary to serve a new development, subdivision, or partition, right-of-way dedication and full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarter street improvements may be allowed by the city only where all of the following criteria are met:

1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and

2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements and none are required.

This criterion is not applicable.

E. Improvements to Existing Streets.

1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.

2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.

3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements or right-of-way dedication. No street improvements or right-of-way dedication are required.

This criterion is not applicable.

F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not

occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.

Finding: There are no improvements relating to impacts identified as part of this proposed development.

This criterion is not applicable.

G. Street Width and Design Standards.

1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
<i>Arterial Streets</i>						
<i>Expressway**</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>
<i>Major arterial</i>	<i>95 – 100 feet</i>	<i>74 feet</i>	<i>4 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor arterial</i>	<i>69 – 80 feet</i>	<i>48 feet</i>	<i>2 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Collectors</i>						
<i>Major</i>	<i>57 – 80 feet</i>	<i>36 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor</i>	<i>61 – 65 feet</i>	<i>40 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes*</i>	<i>Yes*</i>
<i>Local Streets</i>						
<i>Local residential</i>	<i>54 – 60 feet</i>	<i>32 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking both sides</i>	<i>44 – 50 feet</i>	<i>28 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking one side</i>	<i>40 – 46 feet</i>	<i>26 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>One side</i>
<i>Local commercial/ industrial</i>	<i>55 – 65 feet</i>	<i>34 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>No*</i>	<i>Yes*</i>

* *May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.*

** *All standards shall be per ODOT expressway standards.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements or right-of-way dedication. No street improvements or right-of-way dedication are required.

This criterion is not applicable.

2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

a. Exception.

i. Minimum Lane width of 11 feet along S River Street from E First Street to E Fourteenth Street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

a. Exception.

i. Minimum striped bike lane width of six feet with a one-foot-wide buffer along S River Street from E First Street to the bypass.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

4. Parking Lanes. Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.

a. Exception.

i. Minimum parking lane width of seven feet along S River Street from the bypass to E Fourteenth Street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.
This criterion is not applicable.

5. Center Turn Lanes. *Where a center turn lane is provided, it shall be a minimum of 12 feet wide.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

6. Limited Residential Streets. *Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:*

a. The requirements of the fire chief shall be followed.

b. The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.

c. Use for through streets or looped streets is preferred over cul-de-sac streets.

d. Use for short blocks (under 400 feet) is preferred over longer blocks.

e. The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.

f. On-street parking usage is limited, such as by providing ample off-street parking, or by staggering driveways so there are few areas where parking is allowable on both sides.

Finding: No new limited residential streets are proposed, and none are required for this development.

This criterion is not applicable.

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

a. Exception.

i. Twelve-foot-wide sidewalks, inclusive of the curb, with tree wells along S River Street from the bypass to E Fourteenth Street.

ii. Twelve-foot-wide shared-use path and four-foot buffer, inclusive of the curb, with tree wells along the east side of S River Street from the bypass to E Fourteenth Street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

8. Planter Strips. *Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:*

a. Additional reinforcement is done to the sidewalk section at corners.

b. Sidewalk width is six feet.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

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

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose slope easements. No slope easements are required.

This criterion is not applicable.

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

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

11. *The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.*

Finding: The applicant is not requesting any modifications.

This criterion is not applicable.

H. Modification of Street Right-of-Way and Improvement Width. *The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:*

1. *The modification is necessary to provide design flexibility in instances where:*
 - a. *Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or*
 - b. *Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or*
 - c. *A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or*
 - d. *A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.*
2. *Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.*

Finding: The applicant is not requesting any modifications to street right-of-way or width.

This criterion is not applicable.

I. Temporary Turnarounds. *Where a street will be extended as part of a future phase of a development, or as part of development of an abutting property, the street may be terminated with a temporary turnaround in lieu of a standard street connection or circular cul-de-sac bulb. The director and fire chief shall approve the temporary turnaround. It shall have an all-weather surface, and may include a hammerhead-type turnaround meeting fire apparatus access road standards, a paved or graveled circular turnaround, or a paved or graveled temporary access road. For streets extending less than 150 feet and/or with no significant access, the director may approve the street without a temporary turnaround. Easements or right-of-way may be required as necessary to preserve access to the turnaround.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

J. Topography. *The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of this code.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

K. Future Extension of Streets. All new streets required for a subdivision, partition, or a project requiring site design review shall be constructed to be “to and through”: through the development and to the edges of the project site to serve adjacent properties for future development.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

L. Cul-de-Sacs.

1. Cul-de-sacs shall only be permitted when one or more of the circumstances listed in this section exist. When cul-de-sacs are justified, public walkway connections shall be provided wherever practical to connect with another street, walkway, school, or similar destination.

a. Physical or topographic conditions make a street connection impracticable. These conditions include but are not limited to controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not be reasonably made.

b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.

c. Where streets or accessways would violate provisions of leases, easements, or similar restrictions.

d. Where the streets or accessways abut the urban growth boundary and rural resource land in farm or forest use, except where the adjoining land is designated as an urban reserve area.

2. Cul-de-sacs shall be no more than 400 feet long (measured from the centerline of the intersection to the radius point of the bulb).

3. Cul-de-sacs shall not serve more than 18 single-family dwellings.

Each cul-de-sac shall have a circular end with a minimum diameter of 96 feet, curb-to-curb, within a 109-foot minimum diameter right-of-way. For residential uses, a 35-foot radius may be allowed if the street has no parking, a mountable curb, curbside sidewalks, and sprinkler systems in every building along the street.

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

M. Street Names and Street Signs. *Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for new streets not in alignment with existing streets are subject to approval by the director and the fire chief and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. It shall be the responsibility of the land divider to provide street signs.*

Finding: Street frontages adjacent to the proposed development are already improved. The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

N. Platting Standards for Alleys.

- 1. An alley may be required to be dedicated and constructed to provide adequate access for a development, as deemed necessary by the director.*
- 2. The right-of-way width and paving design for alleys shall be not less than 20 feet wide. Slope easements shall be dedicated in accordance with specifications adopted by the city council under NMC 15.505.010 et seq.*
- 3. Where two alleys intersect, 10-foot corner cut-offs shall be provided.*
- 4. Unless otherwise approved by the city engineer where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall be not less than 100 feet.*
- 5. All provisions and requirements with respect to streets identified in this code shall apply to alleys the same in all respects as if the word “street” or “streets” therein appeared as the word “alley” or “alleys” respectively.*

Finding: The proposed project does not impact any alley and does not propose any new alley.

This criterion is not applicable.

O. Platting Standards for Blocks.

- 1. Purpose. Streets and walkways can provide convenient travel within a neighborhood and can serve to connect people and land uses. Large, uninterrupted blocks can serve as a barrier to travel, especially walking and biking. Large blocks also can divide rather than unite neighborhoods. To promote connected neighborhoods and to shorten travel distances, the following minimum standards for block lengths are established.*
- 2. Maximum Block Length and Perimeter. The maximum length and perimeters of blocks in the zones listed below shall be according to the following table. The review body for a subdivision, partition, conditional use permit, or a Type II design review may require installation of streets or walkways as necessary to meet the standards below.*

<i>Zone(s)</i>	<i>Maximum Block Length</i>	<i>Maximum Block Perimeter</i>
<i>R-1</i>	<i>800 feet</i>	<i>2,000 feet</i>
<i>R-2, R-3, RP, I</i>	<i>1,200 feet</i>	<i>3,000 feet</i>

3. Exceptions.

a. If a public walkway is installed mid-block, the maximum block length and perimeter may be increased by 25 percent.

b. Where a proposed street divides a block, one of the resulting blocks may exceed the maximum block length and perimeter standards provided the average block length and perimeter of the two resulting blocks do not exceed these standards.

c. Blocks in excess of the above standards are allowed where access controlled streets, street access spacing standards, railroads, steep slopes, wetlands, water bodies, preexisting development, ownership patterns or similar circumstances restrict street and walkway location and design. In these cases, block length and perimeter shall be as small as practical. Where a street cannot be provided because of these circumstances but a public walkway is still feasible, a public walkway shall be provided.

d. Institutional campuses located in an R-1 zone may apply the standards for the institutional zone.

e. Where a block is in more than one zone, the standards of the majority of land in the proposed block shall apply.

f. Where a local street plan, concept master site development plan, or specific plan has been approved for an area, the block standards shall follow those approved in the plan. In approving such a plan, the review body shall follow the block standards listed above to the extent appropriate for the plan area.

Finding: The proposed project does not change block length or perimeter.

This criterion is not applicable.

4. Public Pedestrian Walkways and Bicycle Access. *The approval authority in approving a land use application with conditions may require a developer to provide an access way where the creation of a street consistent with street spacing standards is infeasible and the creation of a cul-de-sac or dead-end street is unavoidable. A public walkway provides a connection through a block that is longer than established standards or connects the end of the street to another right-of-way or a public access easement. A public walkway shall*

be contained within a public right-of-way or public access easement, as required by the city. A public walkway shall be a minimum of 10 feet wide and shall provide a minimum six-foot-wide paved surface or other all-weather surface approved by the city (see subsection (S) of this section for public walkway standards).

Design features should be considered that allow access to emergency vehicles but that restrict access to non-emergency motorized vehicles.

Finding: The applicant is not proposing a public walkway, and none is required.

This criterion is not applicable.

P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created, except as allowed by NMC 15.240.020(L)(2).

Finding: The applicant is not proposing private streets.

This criterion is not applicable.

Q. Traffic Calming.

1. The following roadway design features may be required in new street construction where traffic calming needs are anticipated:

a. Serpentine alignment.

b. Curb extensions.

c. Traffic diverters/circles.

d. Raised medians and landscaping.

e. Other methods shown effective through engineering studies.

2. Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street constructions.

Finding: The applicant is not proposing traffic calming and none is required.

This criterion is not applicable.

R. Vehicular Access Standards.

1. Purpose. *The purpose of these standards is to manage vehicle access to maintain traffic flow, safety, roadway capacity, and efficiency. They help to maintain an adequate level of service consistent with the functional classification of the street. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access is limited and managed on these roads to promote efficient through movement. Local streets and alleys provide access to individual properties. Access is managed on these roads to maintain safe maneuvering of vehicles in and out of properties and to allow safe through movements. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function.*

2. Access Spacing Standards. *Public street intersection and driveway spacing shall follow the standards in Table 15.505.R below. The Oregon Department of Transportation (ODOT) has jurisdiction of some roadways within the Newberg city limits, and ODOT access standards will apply on those roadways.*

Table 15.505.R. Access Spacing Standards

<i>Roadway Functional Classification</i>	<i>Area¹</i>	<i>Minimum Public Street Intersection Spacing (Feet)²</i>	<i>Driveway Setback from Intersecting Street³</i>
<i>Expressway</i>	<i>All</i>	<i>Refer to ODOT Access Spacing Standards</i>	<i>NA</i>
<i>Major arterial</i>	<i>Urban CBD</i>	<i>Refer to ODOT Access Spacing Standards</i>	
<i>Minor arterial</i>	<i>Urban CBD</i>	<i>500 200</i>	<i>150 100</i>
<i>Major collector</i>	<i>All</i>	<i>400</i>	<i>150</i>
<i>Minor collector</i>	<i>All</i>	<i>300</i>	<i>100</i>

¹ *“Urban” refers to intersections inside the city urban growth boundary outside the central business district (C-3 zone).*

“CBD” refers to intersections within the central business district (C-3 zone).

“All” refers to all intersections within the Newberg urban growth boundary.

² *Measured centerline to centerline.*

³ *The setback is based on the higher classification of the intersecting streets. Measured from the curb line of the intersecting street to the beginning of the driveway, excluding flares. If the driveway setback listed above would preclude a lot from having at least one driveway, including shared driveways or driveways on adjoining streets, one driveway is allowed as far from the intersection as possible.*

Finding: The applicant is not proposing new access.

This criterion is not applicable.

3. Properties with Multiple Frontages. *Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.*

a. For a duplex, triplex or quadplex dwelling or a cottage cluster project with frontage on two local streets, access may be permitted on both streets.

Finding: The applicant is not requesting any new access.

This criterion is not applicable.

4. Driveways. *More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.*

a. For a duplex, triplex or quadplex dwelling or a cottage cluster project, more than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 22 feet of lot frontage separating each driveway approach.

Finding: The applicant is not proposing any new driveway.

This criterion is not applicable.

5. Alley Access. *Where a property has frontage on an alley and the only other frontages are on collector or arterial streets, access shall be taken from the alley only. The review body may allow creation of an alley for access to lots that do not otherwise have frontage on a public street provided all of the following are met:*

a. The review body finds that creating a public street frontage is not feasible.

b. The alley access is for no more than six dwellings and no more than six lots.

c. The alley has through access to streets on both ends.

d. One additional parking space over those otherwise required is provided for each dwelling. Where feasible, this shall be provided as a public use parking space adjacent to the alley.

Finding: The applicant is not requesting any new access.

This criterion is not applicable.

6. Closure of Existing Accesses. Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.

Finding: The applicant is not proposing to close an existing access.

This criterion is not applicable.

7. Shared Driveways.

a. The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes. Where there is an abutting developable property, a shared driveway shall be provided as appropriate. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) and maintenance agreements shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

c. No more than four lots may access one shared driveway, with the exception of cottage dwellings on individual lots that are part of a cottage cluster.

d. Shared driveways shall be posted as no parking fire lanes where required by the fire marshal.

e. Where three or more lots share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway. However, duplex, triplex, quadplex, townhouse and cottage dwellings with shared driveways shall be exempt from this standard.

Finding: The applicant is not proposing any new access.

This criterion is not applicable.

8. Frontage Streets and Alleys. The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.

Finding: The submitted materials do not propose street improvements. No street improvements are required.

This criterion is not applicable.

9. ODOT or Yamhill County Right-of-Way. *Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.*

Finding: The project site does not abut an ODOT or Yamhill County right-of-way.

This criterion is not applicable.

10. Exceptions. *The director may allow exceptions to the access standards above in any of the following circumstances:*

a. Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.

b. Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.

c. Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on the street and on site, than access otherwise allowed under these standards.

Finding: The applicant is not requesting any exceptions to access standards.

This criterion is not applicable.

11. *Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.*

Finding: The applicant is not requesting any exceptions to access standards.

This criterion is not applicable.

S. Public Walkways.

1. *Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or*

where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.

2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.

3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.

4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.

5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.

6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.

7. Lighting may be required for public walkways in excess of 250 feet in length.

8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.

Finding: The applicant is not proposing a public walkway, and none is required.

This criterion is not applicable.

T. Street Trees. *Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).*

Finding: PLANNING

This criterion will be met if the aforementioned condition of approval is adhered to.

or

This criterion is not applicable.

or

This criterion is met.

U. Street Lights. *All developments shall include underground electric service, light standards, wiring and lamps for streetlights according to the specifications and standards of the Newberg*

public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.

Finding: Street frontages adjacent to the proposed development are already improved with existing street lighting.

This criterion is not applicable.

V. Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:

1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section, "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.

2. A transit passenger landing pad accessible to disabled persons.

3. An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.

4. Lighting at the transit facility. [Ord. 2889 § 2 (Exh. B §§ 43 – 45), 12-6-21; Ord. 2880 § 2 (Exh. B §§ 51, 52), 6-7-21; Ord. 2871 § 3 (Exh. D), 3-1-21; Ord. 2862 § 1 (Exh. A § 1), 6-15-20; Ord. 2822 § 1 (Exh. A), 2-5-18; Ord. 2810 § 2 (Exhs. B, C), 12-19-16; Ord. 2763 § 1 (Exh. A § 19), 9-16-13; Ord. 2736 § 1 (Exh. A §§ 1, 3, 4), 3-21-11; Ord. 2619, 5-16-05; Ord. 2513, 8-2-99; Ord. 2507, 3-1-99; Ord. 2494, 4-6-98; Ord. 2451, 12-2-96. Code 2001 §§ 151.681, 151.683, 151.684 – 151.686, 151.689 – 151.692, 151.694, 151.695, 151.701 – 151.703, 151.705.]

Finding: The applicant is not proposing transit improvements, and none are required.

This criterion is not applicable.

15.505.040 Public utility standards.

A. Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.

B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.

C. General Standards.

1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.

2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.

D. Standards for Water Improvements. *All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary wastewater and stormwater facilities, as applicable.*

1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.

3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in the judgment of the city, cannot be feasibly served otherwise.

4. Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city.

Finding: The applicant is not proposing water improvements, and none are required.

This criterion is not applicable.

E. Standards for Wastewater Improvements. *All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and stormwater facilities, as applicable.*

- 1. All septic tank systems and on-site sewage systems are prohibited. Existing septic systems must be abandoned or removed in accordance with Yamhill County standards.*
- 2. All properties shall be provided with gravity service to the city wastewater system, except for lots that have unique topographic or other natural features that make gravity wastewater extension impractical as determined by the director. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the director.*
- 3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately sized wastewater facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.*
- 4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.*
- 5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.*
- 6. The design of the wastewater facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.*
- 7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.*

Finding: The applicant is not proposing wastewater system improvements, and none are required.

This criterion is not applicable.

F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

The applicant is not proposing new easements, and none are required.

This criterion is not applicable.

15.505.050 Stormwater system standards.

A. Purpose. *The purpose of this section is to provide for the drainage of surface water from all development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in stormwater runoff.*

B. Applicability. *The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city stormwater system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.*

C. General Requirement. *All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.*

Finding: The proposed project is a covered play area. The applicant has submitted a preliminary stormwater management plan which proposes LIDA facilities to manage the runoff from the new impervious area. The facilities drain to an onsite storm conveyance system which does connect to the public storm system. Downstream conveyance calculations were not submitted because the amount of new impervious area (1925 square feet) does not reach the threshold of 2877 square feet which requires downstream conveyance assessment.

The applicant shall submit a final stormwater management plan with the building permit application which addresses stormwater management in accordance with the [Newberg Municipal Code](#) (NMC) and the Public Works Design and Construction Standards (PWDCS). Refer to NMC 13.25.28 and PWDCS 4.6.

This criterion will be met if the aforementioned condition of approval is adhered to.

D. Plan for Stormwater and Erosion Control. *No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:*

1. *The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.*

2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.

3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.

Finding: The proposed project is a covered play area. The applicant has submitted a preliminary stormwater management plan to manage run off. They calculated the new impervious area as 1,925 square feet. They have proposed a flow through planter to treat and detain run off from the new impervious area. They have sized the facility for the roof surface area which is more than the net new impervious area created by the play area. They reference standard drawings no. 452 and no. 459. The preliminary plan references methods which are appropriate. The applicant shall submit a final stormwater management plan with the building permit application which addresses stormwater management in accordance with the [Newberg Municipal Code](#) (NMC) and the Public Works Design and Construction Standards (PWDCS). Refer to NMC 13.25.28 and PWDCS 4.6.

A City of Newberg Erosion Control Permit will be required prior to any ground disturbing activity.

This criterion will be met if the aforementioned condition of approval is adhered to.

E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

Finding: The submitted preliminary stormwater report references the City of Newberg Public Works Design and Construction Standards. The applicant will be required to submit a final stormwater management report and plans which meet the objectives of the City of Newberg Public Works Design and Construction Standards. Plans will be fully reviewed for compliance with city standards including the Public Works Design and Construction Standards as part of the permit plan review process. The applicant will also be required to submit and record a maintenance plan and agreement for the private stormwater facility proposed onsite.

This criterion will be met if the aforementioned condition of approval is adhered to.



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: Feb 10, 2023
Please refer questions and comments to: Clay Downing

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

APPLICANT: HHPR, Inc
REQUEST: Joan Austin Elementary School new 2,000 sqft Covered Play area
SITE ADDRESS: 2200 N Center St
LOCATION:
TAX LOT: R3217- 01904
FILE NO: DR222-0012
ZONE: R1 (Low Density Residential Zoning)
HEARING DATE: N/A



1/27/23

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)

1/27/23

Reviewed By:
Scott Albert - Ziply Fiber Network Engineer

Date:

Organization:

Attachment 3. Public Comments

2200 N CENTER STREET, JOAN AUSTIN ELEMENTARY SCHOOL
DESIGN REVIEW – DR222-0012

No public comments were received.