

**NOTICE OF DECISION**  
**Type II Design Review for Parr Lumber Storage Building**  
**200 N Elliot Road – File No. DR223-0006**

January 26, 2024

Bob Pardee  
Gallant Construction, Inc.  
P.O. Box 181  
Banks, OR 97106

Sent via email: [Bob.Pardee@GoGallant.com](mailto:Bob.Pardee@GoGallant.com)

Dear Applicant,

The Community Development Director has approved the design review application DR223-0006 for a new lumber storage accessory building at 200 N Elliot Road. The decision will become effective on February 10, 2024, unless an appeal is filed.

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

**The deadline for filing an appeal is 4:30 pm on February 9, 2024.**

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

If you have any questions; please contact me at 503-554-7764 or [james.dingwall@newbergoregon.gov](mailto:james.dingwall@newbergoregon.gov).

Sincerely,

A handwritten signature in blue ink that reads "James Dingwall".

James Dingwall, Assistant Planner  
City of Newberg, Community Development Department

**STAFF REPORT**  
**Type II Design Review for Parr Lumber Storage Building**  
**200 N Elliot Road – File No. DR223-0006**

FILE NO: DR223-0006

REQUEST A new lumber storage accessory building

LOCATION: 200 N Elliot Road

TAX LOT: R3220AA 00800, R3220AA 00900

APPLICANT: Gallant Construction, Inc.

OWNER: Parr Lumber

ZONE: C-2 Community Commercial

PLAN DISTRICT: Mix – Mixed Use

OVERLAY: AO – Airport Overlay Subdistrict

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**CONTENTS**

- Section I: Application Information
- Section II: Findings
- Section III: Conditions of Approval

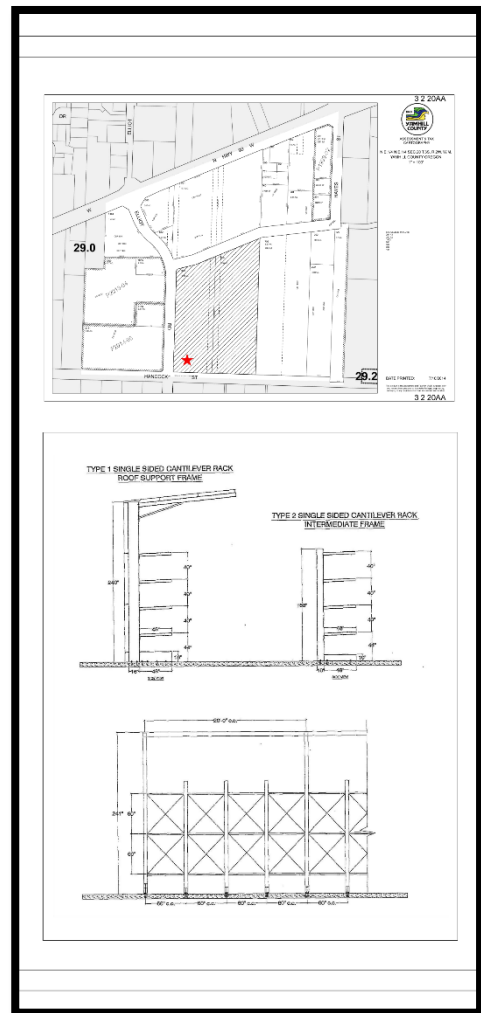
**ATTACHMENTS:**

- Attachment 1: Application and Supplemental Materials
- Attachment 2: Agency Comments

**SECTION I: APPLICATION INFORMATION**  
**Type II Design Review for Parr Lumber Storage Building**  
**200 N Elliot Road – File No. DR223-0006**

**DESCRIPTION OF APPLICATION:**

Gallant Construction, Inc. (Applicant), on behalf of Parr Lumber (Owner), has requested to construct an accessory building which would function as a lumber storage structure replacing existing open-air lumber storage at 200 N Elliot Road. The total building area will be approximately 2,933 square feet and have a maximum height of 21 feet four inches.



Aerial Photo of Site

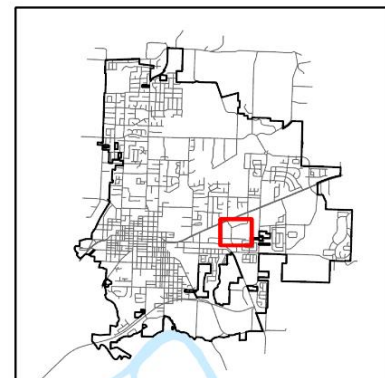


200 N Elliot Road

- Subject Property
- Taxlots



0 250 500 Feet



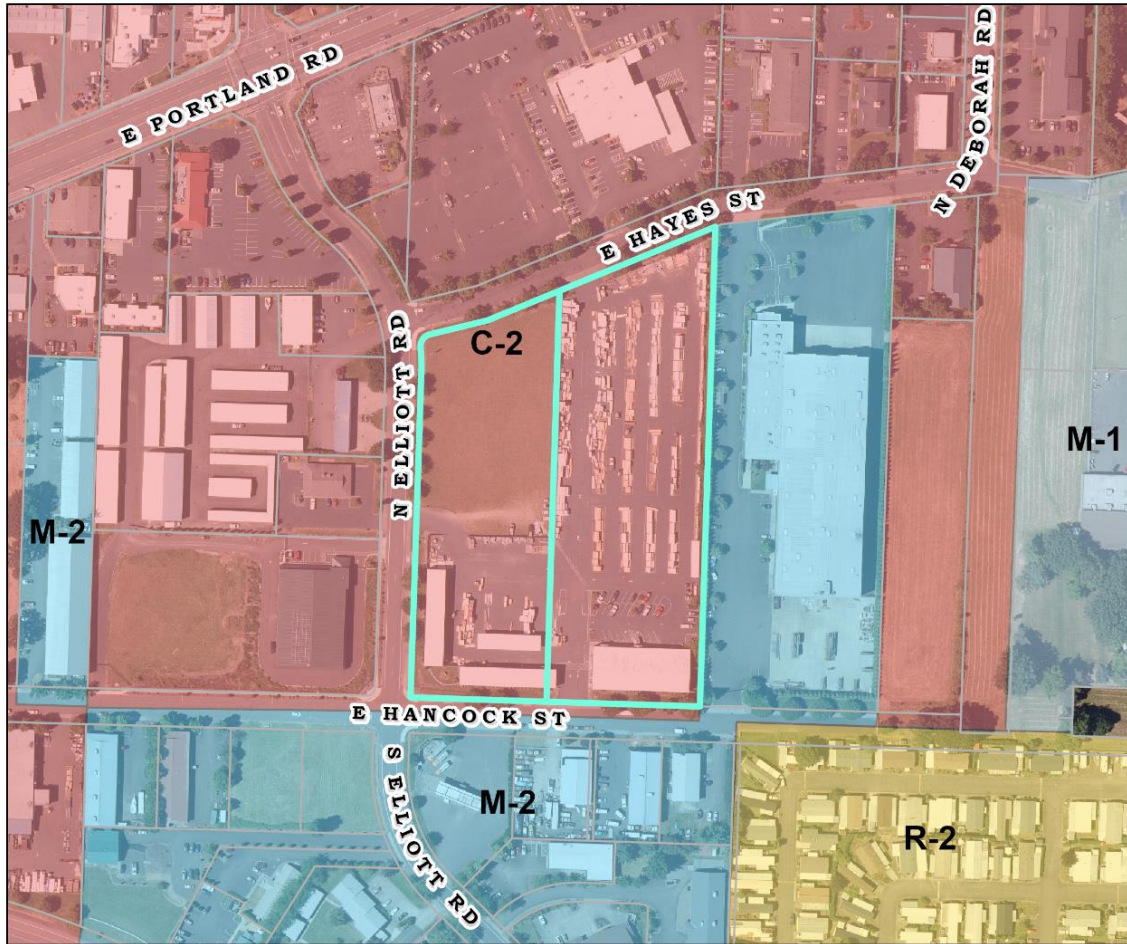
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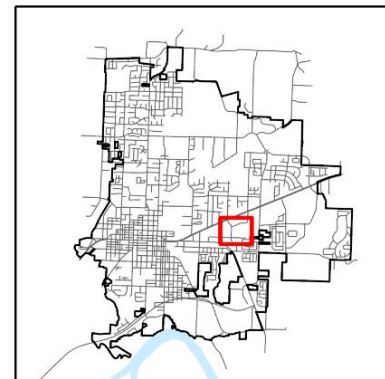


Zoning Map



200 N Elliot Road - Zoning

- Subject Property
  - Taxlots
- ZONING
- C-2 Community Commercial
  - M-1 Limited Industrial District
  - M-2 Light Industrial District
  - R-2 Medium Density Residential



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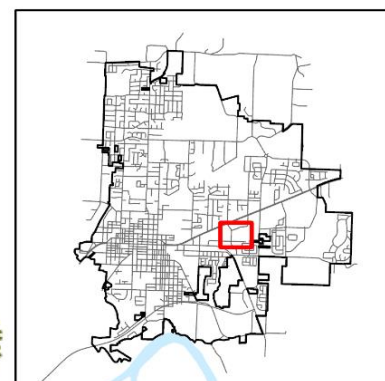
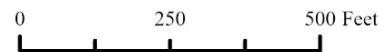


## Site Utilities Map



### 200 N Elliot Road - Utilities

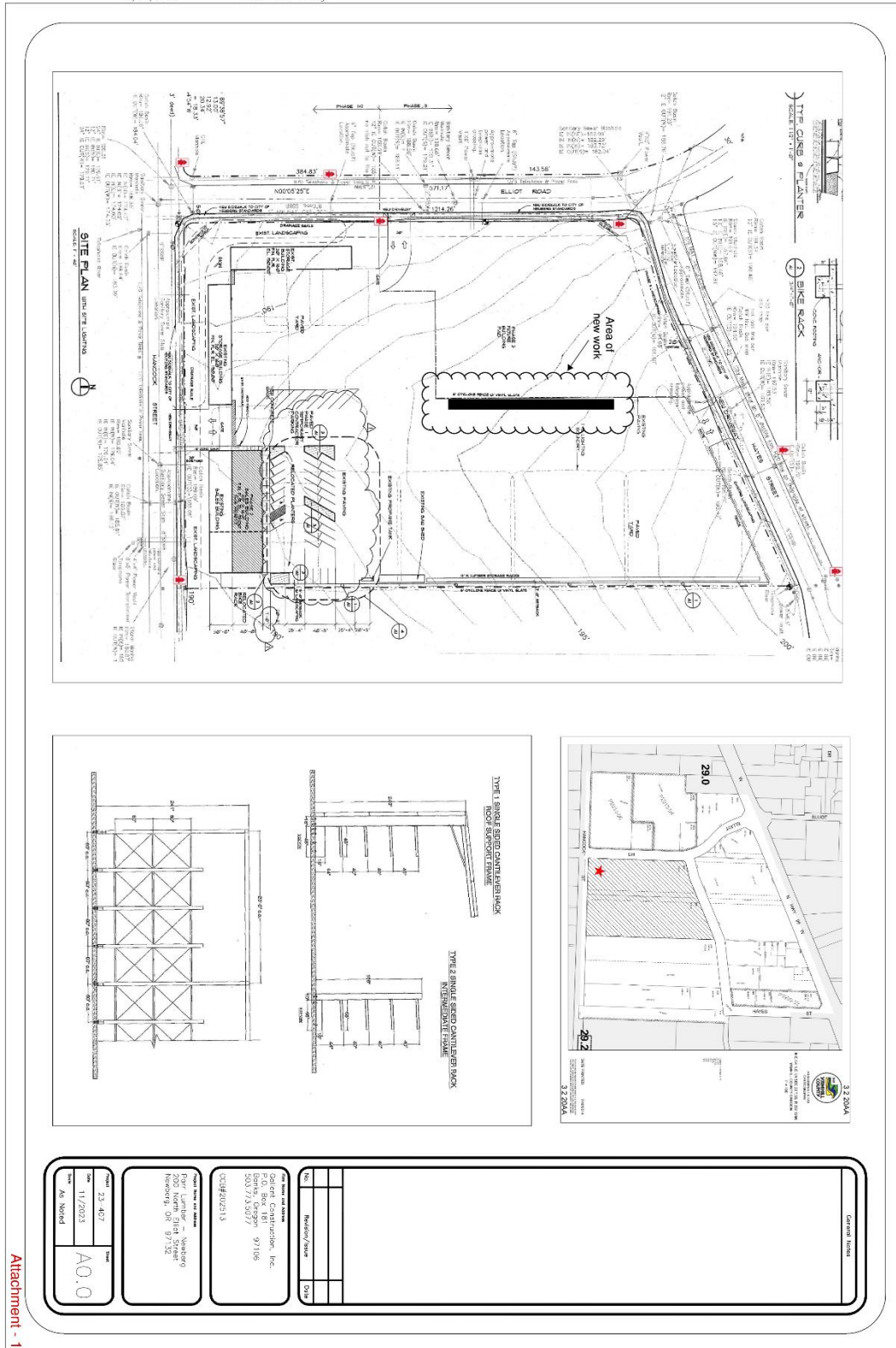
Subject Property	Sewer Laterals	Storm Pipe	Water Laterals
Sewer CleanOut	Sewer Mains	Abandoned Collector	Hydrant Lateral
Sewer Manholes	Gravity Main	Collector-Pvt	Service Lateral
Sewer Manholes	Storm Manhole	Water Meter	Water Mains
Sewer Manholes	Storm Manhole	Water Meter	CITY OF NEWBERG Potable Main
	Storm Inlet	Water Valves	
	Active	Valves	
	Removed		



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## Site Plan & Elevations



Attachment - 1

## **SITE INFORMATION:**

1. Location: 200 N Elliot Road (R3220AA 00800, R3220AA 00900)
2. Size:  $\pm 7.67$  acres ( $\pm 334,033$  square feet)
3. Current Land Uses: Commercial (Retail Sales: Bulk Outdoor)
4. Natural Features: Flat terrain, landscaping
5. Adjacent Land Uses:
  - a. North: Commercial
  - b. South: Industrial
  - c. East: Industrial
  - d. West: Commercial
6. Zoning: The following zoning districts abut the subject property.
  - a. North: C-2 (Community Commercial)
  - b. East: M-2 (Light Industrial)
  - c. South: M-2 (Light Industrial)
  - d. West: C-2 (Community Commercial)
7. Access and Transportation: The property's boundaries have frontage on the public right-of-way including E Hancock Street to the south, N Elliot Road to the west, and E Hayes Street to the north. Vehicular access is available from all three frontages.
8. Utilities:
  - a. Water: Potable water is provided via two 1-inch laterals connected to 8-inch water mains in E Hancock Street and N Elliot Road. An 8-inch water main is also located in E Hayes Street adjacent to the parcel.
  - b. Wastewater: Three wastewater laterals connect to 8-inch sewer mains located in E Hancock Street and N Elliot Road. An 8-inch sewer main also runs along the parcel's eastern boundary in E Hayes Street.
  - c. Stormwater: A 24-inch stormwater pipe runs along the southern boundary in E Hancock Street with one storm adjacent to the property. A 12-inch stormwater pipe with three inlets runs along the lower half of the site's frontage along N



Elliot Road. An 18-inch stormwater pipe with three inlets runs along the site's northern frontage in E Hayes Street.

- d. Overhead Lines: The site is not served by overhead lines. Any new connection to the property will need to be undergrounded. See NMC 15.430.010 for exception provisions.

## PROCESS:

The Design Review request is a Type II application and follows the procedures in Newberg Development Code 15.100.040. Following a 15-day referral 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. 12/20/2023: The Community Development Director deemed the application complete.
2. 12/26/2023: Application was routed for a 15-day referral review.
3. 12/29/2023: The Applicant mailed and posted public notice pursuant to NMC 15.100.200.
4. 1/26/2024: The Community Development Director issued a decision on the application.

## AGENCY COMMENTS:

The application was routed to several public agencies for review and comment which are provided in Attachment 2. 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:

1. Building Official: Reviewed – The following comment was received:

*Building will require structural engineering. If building is on property line a fire rated assembly is required.*

2. City Manager: Reviewed – Reviewed, no conflict.
3. Finance: Reviewed – Reviewed, no conflict.
4. Oregon Department of Aviation: The following comment was received:

*In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The aeronautical evaluations are initiated by the applicant providing separate notices to both the FAA and ODAV to determine if the proposal poses an obstruction to aviation safety. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.*

*The height of any new structures, trees, and other planted vegetation should not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.*

*Any proposed external lights shall be designed as to not interfere with aircraft or airport operations.*

5. Public Works Director: Reviewed – Reviewed, no conflict.
6. Public Works Wastewater: Reviewed – Reviewed, no conflict.
7. Public Works Water Operations: Reviewed – Reviewed, no conflict.
8. Public Works Engineering: Reviewed – Reviewed, no conflict.

## **ANALYSIS**

The subject property is owned by Parr Lumber and includes existing commercial facilities, including structures and lumber storage. The subject property is located in the C-2 zoning district. The Retail Sales: Bulk Outdoor use category is permitted outright in the C-2 zoning district. The proposed project will construct a new covered lumber storage rack and has a \$125,000 project valuation.

The City of Newberg's records indicate that the subject property is located in the Airport Approach Safety Zone, Runway Protection Zone, and Displaced Threshold Approach Surface Zone of the Airport Overlay Subdistrict (AO) associated with Sportsman Airpark. The proposed location of the accessory building lies only within the Airport Approach Safety Zone and Displaced Threshold Approach Surface Zone imaginary surfaces. The height limitation of the Airport Approach Safety Zone is approximately 57 feet above airport elevation and the height limitation of the Displaced Threshold Approach Surface Zone is approximately 84 feet above airport elevation at the proposed accessory building location, and the maximum building height of the proposed accessory building is 21 feet four inches. Therefore, the proposed structure would not be considered an obstruction. The Oregon Dept. of Aviation and FAA require that the Applicant submit plans for their review to confirm that the project does not create an obstruction to aviation. The Applicant will need to obtain a determination from ODA/FAA that no obstruction will be created prior to the City issuing building permits. The requirements of the Airport Overlay zone will then be met.

**SECTION II: FINDINGS****Type II Design Review for Parr Lumber Storage Building  
200 N Elliot Road – File No. DR223-0006**

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

Findings of fact with underlined font indicate subsequent inclusion into Conditions of Approval.

**A. FINDINGS FOR LAND USE PROCESSES AND PROCEDURES (NMC DIVISION 15.100)*****Chapter 15.100 LAND USE PROCESSES AND PROCEDURES******15.100.030 Type II procedure.******A. Type II development actions shall be decided by the director.***

**Finding:** The application was deemed to be a Type II application per NMC 15.100.030, and a decision shall be made by the Director. A Notice of Decision shall be provided to the Applicant.

This criterion is met.

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

***1. Site design review.***

***2. Multifamily dwellings in the R-2, R-3, RP, AR, C-3 (except along Hancock Street), C-4 or I zone meeting the objective process requirements of NMC 15.220.060.***

***3. Multifamily dwellings in the R-3, AR, C-3 (except along Hancock Street), or I zone not meeting the objective process requirements of NMC 15.220.060.***

***4. Variances.***

***5. Manufactured dwelling parks and mobile home parks.***

***6. Partitions, including middle housing land divisions.***

***7. Subdivisions, including middle housing land divisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).***

**Finding:** This is an application for a Type II Site Design Review per NMC 15.220.020(A)(2), the applicability of which is addressed elsewhere in this staff report.

This criterion is met.

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

*[...]*

**Finding:** The Applicant mailed and posted notice complying with NMC 15.100.200 on December 29, 2023. An affidavit of noticing was received by the Community Development Department on January 2, 2024.

Because the Applicant provided noticing pursuant to the requirements of NMC 15.100.200, the criteria is met.

## **B. FINDINGS FOR LAND USE APPLICATIONS (NMC DIVISION 15.200)**

### ***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.***

*[...]*

**2. *Type II.***

**a. *Any new development or remodel which is not specifically identified within subsection (A)(1) or (A)(3) of this section.***

**b. *Telecommunications facilities.***

**3. *Type III.***

*[...]*

**Finding:** The proposed project requests construction of a lumber storage rack accessory building with a total floor area of approximately 2,933 square feet.

Because the proposed project requests to construct a commercial addition consisting of an accessory building greater than 1,000 square feet gross floor area, the standards identified within NMC 15.220.020(A)(2) are applicable and the application will be processed as a Type II Site Design Review.

The criterion is met.

#### ***15.220.050 Criteria for design review.***

*[...]*

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

**1. *Design Compatibility. The proposed design review request incorporates an architectural design which is the same as 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 shall 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 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, public access, residential development standards and home occupations; 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. Subdistrict 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. 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. 2913 § 2 (Exh. B § 6), 4-17-23; Ord. 2889 § 2 (Exh. B § 6), 12-6-21; 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.]***

**Findings:** The review criteria for NMC 15.220.050(B) are addressed as noted below:

1. **Design Compatibility:** The application materials indicate that the architecture, materials, colors, roof design, landscape design, and signage are the same as existing or proposed uses in the surrounding area. The proposed accessory building is similar in design to other storage structures and commercial buildings existing on the site. This criterion is met.
2. **Parking and On-Site Circulation:** See finding for NMC 15.440.010 which is provided elsewhere in this staff report.
3. **Setbacks and General Requirements:** See 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 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements which are provided elsewhere in this staff report.
4. **Landscaping Requirements:** See finding for NMC 15.420.010 dealing with landscape requirements and landscape screening which is provided elsewhere in this staff report.
5. **Signs:** Application materials indicate that the structure is located away from public entries and will not require any new or additional signage. This criterion is not applicable.
6. **Manufactured Dwellings, Mobile Homes, and RV Parks:** The proposed accessory building is not a Manufactured Dwelling, Mobile Home, or RV Park. This criterion is not applicable.
7. **Zoning District Compliance:** See findings for NMC 15.305 and NMC 15.340 which are provided elsewhere in this staff report.
8. **Subdistrict Compliance:** The subject property is within the Airport Overlay Subdistrict. See finding for NMC 15.340.050 which is provided elsewhere in this staff report.
9. **Alternative Circulation, Roadway Frontage Improvements, and Utility Improvements:** Application materials indicate that there are no utility improvements required for this

three-sided, covered storage building, including domestic water, fire sprinklers, or power. Application materials also indicate that the property has been developed and in operation for a number of years with improved sidewalks, landscaping, parking, and designated traffic flow already well established. The City’s Engineering Division notes that there appears to be adequate existing right-of-way along the project site’s frontage. Right-of-way dedication is not anticipated. Because the condition of existing sidewalks is unknown at this time, the Applicant will be required to replace any sidewalks along the site’s frontage that are in poor condition or not in full compliance with City of Newberg and ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process. Upon adherence to the aforementioned condition of approval, the criterion is met.

10. Traffic Study Improvements: The City’s Engineering department has determined that a Traffic Study is not required for the proposed development. This criterion is not applicable.

The criteria will be met as discussed elsewhere in this staff report.

**C. FINDINGS FOR ZONING DISTRICTS (NMC DIVISION 15.300)**

*Chapter 15.305 ZONING USE TABLE*

*15.305.020 Zoning use table – Use districts.*

#	Use	C-2	Notes and Special Use Standards
422	Retail sales – Bulk outdoor	P	

**Finding:** The existing use of the site is within the Retail sales – Bulk outdoor category, which is a Permitted use in the C-2 Community Commercial zoning district. The proposed accessory building is compatible with and consistent with this permitted use.

The criterion is met.

*Chapter 15.340 AIRPORT OVERLAY (AO) SUBDISTRICT*

*15.340.020 Permitted uses within the airport approach safety zone.*

*The following uses are permitted:*

[...]

***B. All uses permitted in the primary zoning district, provided the use does not create the following:***

- 1. Electrical interference with navigational signals or radio communication between the airport and aircraft.***

- 2. *Visual interference which would make it difficult for pilots to distinguish between airport lights or other lighting.*
- 3. *Impairment of visibility.*
- 4. *Bird strike hazards.*
- 5. *Endangerment or interference with the landing, taking off or maneuvering of aircraft intending to use the airport.*
- 6. *Population densities which exceed the following limitations:*

*Permitted Density Table*

<i>Distance from the Displaced Threshold</i>	<i>Occupant Load (Gross Sq. Ft. of Building per Person)</i>
<i>Less than 1,500 ft.</i>	<i>125 sq. ft.</i>
<i>1,501 – 2,000 ft.</i>	<i>30 sq. ft.</i>
<i>Greater than 2,000 ft.</i>	<i>15 sq. ft.</i>

**Findings:** The review criteria for NMC 15.340.020(B) are addressed as noted below:

- 1. The proposed accessory building will be located amongst other buildings of a similar size, height, and material, and the application materials indicate that there will be no power or utilities associated with the proposed accessory building. This criterion is met.
- 2. The application materials do not indicate any additional lighting to be installed on the proposed accessory building in addition to the existing light boundaries identified on the site plan. This criterion is met.
- 3. The proposed accessory building will be located amongst other buildings of a similar size, height, and material, and the proposed accessory building’s maximum height is below the Airport Overlay Subdistrict’s imaginary surface thresholds. Because the proposed structure is similar to existing commercial buildings on the site and is below the Airport Overlay height limitations, it will not create an impairment of visibility with surrounding site improvements. This criterion is met.
- 4. The proposed accessory building will be located amongst other buildings of a similar size, height, material, and the proposed accessory building’s maximum height is below the Airport Overlay Subdistrict’s imaginary surface thresholds. Because the proposed structure is similar to existing commercial buildings on the site and is below the Airport



Overlay height limitations, it will not create additional bird strike hazards with surrounding site improvements. This criterion is met.

5. The location of the proposed accessory building is outside the Runway Protection Zone and the maximum height is less than the minimum height limitations of the Airport Approach Safety Zone and Displaced Threshold Approach Surface Zones. Because the proposed structure does not penetrate into any of the imaginary surfaces defined in the Airport Overlay Subdistrict, this criterion is met.

6. The proposed accessory building for lumber storage is not a residential structure and will not accommodate persons creating an occupant load. This criterion is not applicable.

***C. Roadways, parking areas and storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing approach. Approach surfaces must clear these by a minimum of 15 feet. [Ord. 2889 § 2 (Exh. B § 16), 12-6-21; Ord. 2880 § 2 (Exh. B § 19), 6-7-21; Ord. 2451, 12-2-96. Code 2001 § 151.451.]***

**Finding:** The proposed project does not modify existing roadways or parking areas within the site. As discussed in the finding for NMC 15.340.050(A) elsewhere in this staff report, the maximum height of the proposed accessory building is approximately 39 feet below the height limitation of the Airport Approach Safety zone and approximately 66 feet below the Displaced Threshold Approach Surface Zone. Because the proposed development does not modify existing roadways or parking areas and approach surfaces are cleared by a minimum of 15 feet, this criterion is met.

#### ***15.340.040 Procedures.***

***A. Development Permits. An application for a development permit for any permitted use within the airport approach safety zone or the displaced threshold approach surface zone which is subject to site design review as required by NMC 15.220.010 et seq. and shall include the following information:***

- 1. The boundaries of the airport imaginary surfaces as they relate to property boundary lines; and***
- 2. The location and height of all existing and proposed buildings, structures, utility lines and roads; and***
- 3. A statement from the Oregon Aeronautics Division indicating whether the proposed use will interfere with operation of the landing facility.***

**Finding:** The location of the proposed accessory building on the subject property is within the Airport Approach Safety Zone and Displaced Threshold Approach Surface Zone. The boundaries of the airport imaginary surfaces as they relate to property boundary lines have been evaluated in the review of this land use application. The location of all existing and proposed buildings, structures, utility lines, and roads, and the height of the proposed accessory building were

included in the application materials. The Applicant will submit notification to the Federal Aviation Administration and Oregon Department of Aviation and form 7460-1 to receive an Obstruction Evaluation / Airport Airspace Analysis and Notice of Determination and submit the results to the Community Development prior to the issuance of building permits. The criterion will be met with adherence to the aforementioned condition of approval.

***B. FAA Notice Required. To meet the requirements of Federal Aviation Regulations Part 77, FAA Form 7460-1, Notice of Proposed Construction or Alteration, must be submitted for any construction or alteration of greater height than an imaginary surface extending outward and upward at a slope of 50 to one for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport. Notice is not required for construction or alteration that is shielded by existing structures or terrain as defined in Section 77.15 of Part 77 of the Federal Aviation Regulations. [Ord. 2451, 12-2-96. Code 2001 § 151.453.]***

**Finding:** The Federal Aviation Administration's Notice Criteria Tool has indicated that Notice and an Obstruction Evaluation / Airport Airspace Analysis may be required for the proposed accessory building. The Applicant will submit notification to the Federal Aviation Administration and Oregon Department of Aviation and form 7460-1 to receive an Obstruction Evaluation / Airport Airspace Analysis and Notice of Determination and submit the results to the Community Development prior to the issuance of building permits. The criterion will be met with adherence to the aforementioned condition of approval.

#### ***15.340.050 Limitations.***

- A. To meet the standards and reporting requirements established in FAA Regulations, Part 77, no structure shall penetrate into the airport imaginary surfaces as defined in this code except as provided in NMC 15.340.030(B).***
- B. High density public uses as defined in this code shall not be permitted in the airport approach safety zone or the displaced threshold approach surface zone.***
- C. Following July 1990, if FAA funds are used by the city to improve or enhance the airport, new structures, buildings and dense uses shall be prohibited in the runway protection zone consistent with federal requirements.***
- D. Whenever there is a conflict in height limitations prescribed by this overlay zone and the primary zoning district, the lowest height limitation fixed shall govern; provided, however, that the height limitations here imposed shall not apply to such structures customarily employed for aeronautical purposes.***
- E. No glare-producing materials shall be used on the exterior of any structure located within the airport approach safety zone.***
- F. In noise-sensitive areas (within 1,500 feet of an airport or within established noise contour boundaries of 55 Ldn and above for identified airports) where noise levels are a concern, a declaration of anticipated noise levels shall be attached to any building permit or development approval. In areas where the noise level is anticipated to be 55 Ldn and above, prior to issuance of a building permit for construction of noise-sensitive land use (real property normally used for sleeping or normally used as schools, churches, hospitals, or public libraries) the permit applicant shall be required to demonstrate that the indoor noise level will not***

*exceed 55 Ldn. The director will review building permits for noise-sensitive developments.*

**Findings:** The proposed project addresses the limitations of this code section as noted below:

- A. The City of Newberg's records indicate that the subject property is located in the Airport Approach Safety Zone, Runway Protection Zone, and Displaced Threshold Approach Surface Zone of the Airport Overlay (AO) associated with Sportsman Airpark. The location of the proposed accessory structure within the subject property lies only within the Airport Approach Safety Zone and Displaced Threshold Approach Surface Zone. Pursuant to NMC 15.05.030, the Airport Approach Safety Zone and Displaced Threshold Approach Surface Zone are two of the airport's five imaginary surfaces "and any object extending above these imaginary surfaces is an obstruction." The definitions of these surfaces are as follows:

*1. Airport Approach Safety Zone. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface except as noted on Airport Overlay Map A (see Appendix B, Map 2). The inner edge of the approach surface is the same width as the primary surface and extends to a width of 1,250 feet for a utility runway having only visual approaches, and 1,500 feet for a runway other than a utility runway having only visual approaches. The airport approach surface extends for a horizontal distance of 3,000 feet at a slope of 20 feet outward for each foot upward (20:1) for all utility and visual runways.*

*2. Displaced Threshold Approach Surface Zone. The imaginary surface depicted on the Displaced Threshold Approach Surface Map (see Appendix B, Map 3). In the plan view, the centerline of this surface extends 3,000 feet along the extended runway centerline. This surface extends upward at a slope of 20 feet outward for each foot upward (20:1). This surface extends laterally 125 feet on each side of the centerline at the threshold and increases in width to 350 feet at a point 2,250 feet from the threshold; thereafter, it extends laterally 350 feet on each side of the centerline. The displaced threshold approach surface extends to the north and begins at the displaced threshold, 360 feet south of the end of the runway as it existed on July 9, 1990.*

The location of the proposed accessory building is within the Airport Approach Safety Zone, approximately 1,150 feet from the end of the

primary surface. This distance means that the lowest height of the Airport Approach Safety zone is approximately 57.5 feet above the airport elevation at the proposed location of the accessory building. The location of the proposed accessory building is approximately 1,688 feet from the end of the Displaced Threshold Approach Surface Zone. This distance means that the lowest height of the Displaced Threshold Approach Surface Zone is approximately 84.4 feet above the airport elevation at the proposed location of the accessory building. According to the facility details provided by the Federal Aviation Administration (FAA), the elevation of Sportsman Airpark is 181 feet. The proposed location of the accessory structure within the subject property is at an elevation of approximately 199 feet, meaning the height limitation of the Airport Approach Safety Zone begins approximately 39 feet and the height limitation of the Displaced Threshold Approach Surface Zone begins approximately 66 feet above the subject property. According to the application materials, this project aims to construct a lumber storage rack with a maximum height of 21 feet four inches. Because the maximum height of the accessory building is below the height limitations of the Airport Approach Safety Zone and Displaced Threshold Approach Surface Zone, the criterion is met.

- B. The proposed accessory structure is within the airport approach safety zone. “High density public use” is defined in the NMC as “a structure or place which the public may enter for such purposes as deliberation, education, worship, entertainment, amusement, awaiting transportation or similar activity where the occupant load is greater than one person per 15 square feet of gross building lot coverage.” Because the proposed addition of the accessory building is not a high density public use, this criterion is not applicable.
- C. While a portion of the subject property is within the runway protection zone, the proposed location of the accessory building is not within the runway protection zone. This criterion is not applicable.
- D. There is no building height limitation within the C-2 zoning district. The maximum height of the Airport Approach Safety Zone shall govern. This criterion is met.
- E. The subject property and proposed accessory building are within the Airport Approach Safety zone. Documentation of similar structures constructed submitted at the project’s pre-application meeting indicates that the proposed structure will not contain glare producing materials. Because the application materials do not demonstrate how potential glare will be eliminated from the proposed structure, the Applicant will ensure that no glare-producing materials shall be used on the exterior of the



proposed accessory building. Upon adherence to the aforementioned condition of approval, the criterion is met.

- F. The subject property is in a noise-sensitive area within 1,500 feet of an airport, however the commercial zoning district and use and surrounding commercial and industrial uses render noise levels not a concern. The proposed development of a lumber storage accessory building is not a noise-sensitive land use. Because noise levels are not a concern in the area and the proposed development is not a noise-sensitive land use, the criterion is not application.

The criteria will be met if the aforementioned conditions of approval are adhere to.

## **D. FINDINGS FOR DEVELOPMENT STANDARDS (NMC DIVISION 400)**

### ***Chapter 15.405 LOT 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:***

*[...]*

***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.***

*[...]*

**Finding:** The subject property consists of two lots, R3220AA 00900 and R3220AA 00800. The owner of both properties has constructed a structure across the property line separating the two lots at the southern end of the property. Per NMC 15.230.010(B) the adjacent properties shall be considered consolidated into a single lot for the purposes of this code. The total area of the lots is approximately 334,033 square feet.

Because the development site has an area greater than 5,000 square feet, this criterion is met.

#### ***15.405.030 Lot dimensions and frontage.***

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

- 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.
- 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:** A lot of record is defined in NMC 15.05.030 as a:

*lot shown as part of a recorded subdivision, or any parcel of land described by metes and bounds in a recorded deed, record of survey, or other appropriate document recorded in the office of the county recorder; except, that no lot or parcel of land created without complying with the provisions of the land division requirements of the state and this code is entitled to the waiver of this section.*

The subject property is defined in the legal description provided in the application materials (Attachment 1). Therefore, the established site meets the definition of an established lot of record.

The proposed project will not alter the existing lot's dimensions or boundaries.

Because the subject property is an existing lot of record and the proposed project will not modify the (A) width, (B) depth to width ratio, (C) area, or (D) frontage of the subject property, the criteria are not applicable.

### *15.405.40 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:** The subject property is occupied by a commercial facility as part of the site's General retail – Bulk outdoor use category. The subject property is located in the C-2 zoning district. Because the subject property is located in the C-2 zoning district, the project is not limited by lot coverage and parking coverage requirements.

The criterion is not applicable.

### **Chapter 15.410 YARD SETBACK REQUIREMENTS**

#### **15.410.010 General yard regulations.**

- A. *No yard or open space provided around any building for the purpose of complying with the provisions of this code shall be considered as providing a yard or open space for any other building.*
- B. *No yard or open space on adjoining property shall be considered as providing required yard or open space for another lot or development site under the provisions of this code.*
- C. *No front yards provided around any building for the purpose of complying with the regulations of this code shall be used for public or private parking areas or garages, or other accessory buildings, except as specifically provided elsewhere in this code.*
- D. *When the common property line separating two or more contiguous lots is covered by a building or a permitted group of buildings with respect to such common property line or lines does not fully conform to the required yard spaces on each side of such common property line or lines, such lots shall constitute a single development site and the yards as required by this code shall then not apply to such common property lines.*
- E. *Dwellings Where Permitted above Nonresidential Buildings. The front and interior yard requirements for residential uses shall not be applicable; provided, that all yard requirements for the district in which such building is located are complied with.*
- F. *In the AI airport industrial district, clear areas, safety areas, object-free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, even if located upon an adjacent parcel.*
- G. *In the AR airport residential district, clear areas, safety areas, object-free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, if located upon an adjacent parcel.*

**Finding:** No portion of the proposed project will occur within required setback areas of the subject property. The common property line between the two lots is covered by a building, rendering the two lots to constitute a single development side per subsection (D) and NMC 15.230.010(B) and the yards as required by this code shall not apply to the common property line. Because the proposed project will occur beyond the existing setbacks of the subject property, the required setback areas of the subject property will not be modified and comply with or are not applicable to 15.410.010(A-G).

The criteria are met.

*15.410.020 Front yard setback.*

[...]

**B. Commercial.**

[...]



*2. All lots or development sites in the C-2 district shall have a front yard of not less than 10 feet. There shall be no minimum front yard setback for C-2 zoned property that has frontage on E. Portland Road or Highway 99 W. The maximum front yard setback for C-2 zoned property that has frontage on E. Portland Road or Highway 99 W. shall be no greater than 10 feet. A greater front yard setback is allowed for C-2 zoned property having frontage on E. Portland Road or Highway 99 W. when a plaza or other pedestrian amenity is provided; however, said front yard setback should be the minimum setback needed to accommodate a pedestrian amenity. No parking shall be allowed in said yard. Said yard shall be landscaped and maintained.*

[...]

**Finding:** The subject property includes commercial facilities and is located within the C-2 zoning district. The proposed accessory building will not occur within 10 feet of any lot line within the required setback. Because the proposed structure will not be within 10 of any property line, the proposed structure does not conflict with a required front yard setback for an institutional or community facility.

The criterion is met.

*15.410.030 Interior yard setback.*

[...]

**B. Commercial.**

*1. All lots or development sites in the C-1 and C-2 districts have no interior yards required where said lots or development sites abut property lines of commercially or industrially zoned property. When interior lot lines of said districts are common with property zoned residentially, interior yards of not less than 10 feet shall be required opposite the residential districts.*

[...]

**Finding:** The subject property is within the C-2 zoning district and abuts commercially and industrially zoned properties. Because the subject property does not abut residentially zoned property, no interior yards are required.

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 a building is removed at least 25 feet from every boundary of any property included in any residential district.*

**Finding:** The proposed project will construct an accessory building for a General retail – Bulk outdoor commercial use.

Because the proposed structure will not be erected, used, or maintained for a school, church, or public or semi-public building or use, institution or similar use, the criterion is not applicable.

- 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:** Because the proposed structure will not be erected, used, or maintained for a school, church, or public or semi-public building or use, institution or similar use, the criterion is not applicable.

#### ***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.**
- 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.*

**Finding:** The proposed project does not include planned rights of way.

The criterion is not applicable.

#### **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 accessory building is located within the subject property beyond any required vision clearance setbacks.

The criterion is not applicable.

#### **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.***

**Findings:** The responses below correspond with the code's sub-sections related to yard exceptions and permitted intrusions into required setback areas:

- A. Depressed Areas: The proposed structure does not include depressed area. This criterion is not applicable.
- B. Accessory Buildings: The project site is not a through-lot. This criterion is not applicable.
- C. Projecting Building Features: The proposed structure does not contain building features projecting in to required setbacks. This criterion is not applicable.
- D. Fences and Walls: The proposal does not include additional fences or walls within the site setbacks. This criterion is not applicable.
- E. Parking and Service Drives: The proposal does not include alterations to the existing parking or service drives on the site. This criterion is not applicable.
- F. Public Telephone Booths: Public telephone booths are not proposed in the application materials. This criterion is not applicable.
- G. Hangars within the AR airport residential district: The subject property is located within the C-2 zoning district. This criterion is not applicable.

The criteria are not applicable.

## ***Chapter 15.415 BUILDING AND SITE DESIGN STANDARDS***

### ***15.415.010 Main buildings and uses as accessory buildings.***

- A. ***Hereinafter, any building which is the only building on a lot is a main building.***
- B. ***In any residential district except RP, there shall be only one main use per lot or development site; provided, that home occupations shall be allowed where permitted.***
- C. ***In any residential district, there shall be no more than two accessory buildings on any lot or development site.***

**Findings:** The responses below correspond with the code's sub-sections:

- A. The proposed project will construct a lumber storage accessory building. Because there are other buildings on the property, the structure will not be the main building. The criterion is met.
- B. The subject property is located in the C-2 zoning district. Because the subject property is not in a residential zoning district, the criterion is not applicable.
- C. The subject property is located in the C-2 zoning district. Because the subject property is not in a residential zoning district, the criterion is not applicable.

The criteria are met or not applicable.

## *15.415.020 Building height limitation.*

[...]

### ***B. Commercial, Industrial and Mixed Employment.***

***1. In the C-1 district no main building or accessory building shall exceed 30 feet in height.***

***2. In the AI, C-2, C-3, M-E, M-1, M-2, and M-3 districts there is no building height limitation, except, where said districts abut upon a residential district, the maximum permitted building height shall not exceed the maximum building height permitted in the abutting residential district for a distance of 50 feet from the abutting boundary.***

***3. In the C-4 district, building height limitation is described in NMC 15.352.040(J)(1).***

***4. In the M-E district within the riverfront overlay subdistrict, building height limitation is described in NMC 15.352.060.***

[...]

**Findings:** The responses below correspond with the code's sub-sections:

1. The subject property is not within the C-1 zoning district. This criterion is not applicable.
2. The subject property is within the C-2 zoning district and is not abutting a residential zoning district. Because the subject property does not abut a residential zoning district, there is no building height limitation and the criteria is met.
3. The subject property is not within the C-4 zoning district subdistrict. This criterion is not applicable.
4. The subject property is not within the M-E zoning district or the riverfront overlay subdistrict. This criterion is not applicable.

The criteria are met.

## *15.415.030 Building Height Exemptions.*

***Roof structures and architectural features for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, TV antennas, steeples and similar structures may be erected above the height limits prescribed in this code; provided, that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space.***

*Further, no roof structure or architectural feature under this exemption shall be erected more than 18 feet above the height of the main building, whether such structure is attached to it or freestanding, nor shall any such structure or feature exceed the height limits of the airport overlay subdistrict.*

**Finding:** The proposed accessory structure will not exceed the maximum allowable building height and will not contain roof structures or architectural features above the height limits prescribed in this code.

The criterion is not applicable.

*15.415.040 Public access required.*

*No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. New private streets may not be created to provide access except as allowed under NMC 15.332.020(B)(24), 15.336.020(B)(8), and in the M-4 zone. Existing private streets may not be used for access for new dwelling units, except as allowed under NMC 15.405.030. No building or structure shall be erected or altered without provisions for access roadways as required in the Oregon Fire Code, as adopted by the city.*

**Finding:** The subject property abuts and has access off E Hancock Street, N Elliot Road, and E Hayes Street from the south, west, and north frontages respectively. The off-street parking area is accessible via E Hancock Street.

This criterion is met

*15.415.050 Rules and exceptions governing triplex and quadplex dwellings, townhouse dwellings and cottage cluster projects.*

*A. Where permitted, triplex dwellings and quadplex dwellings are subject to the following provisions:*

*[...]*

*B. Where permitted, townhouse dwellings are subject to the following provisions:*

*[...]*

*C. Where permitted, cottage cluster projects are subject to the following provisions:*

*[...]*

**Finding:** The project does not propose to construct a triplex or quadplex dwelling, townhouse dwelling, or cottage cluster project. Because the project does not propose to construct (A) triplex



or quadplex dwelling, (B) townhouse dwelling, or (C) cottage cluster project, the criteria are not applicable.

### *15.415.060 Home occupation.*

*Home occupations shall be processed as a Type I procedure. Home occupation uses shall comply with the following standards:*

*[...]*

**Finding:** The proposed project does not request a home occupation. Because the proposed project does not request a home occupation, the criterion is not applicable.

## *Chapter 15.420 LANDSCAPING AND OUTDOOR AREAS*

### *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.***
- 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.*

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.*



<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>

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.*
  6. *Required landscaping shall be continuously maintained.*
  2. *Maximum height of tree species shall be considered when planting under overhead utility lines.*
  3. *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.*
  4. *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.*
- 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*

**Findings:** The findings below correspond to the code’s sub-sections:

- A. Because the project will construct accessory structure in the C-2 zoning district and does not include a residential development, this criterion is not applicable.
- B. The subject property contains approximately 20 percent existing landscape coverage, and no new landscaping is proposed. The proposed accessory structure will not impact any existing landscaped area. Because the subject property currently meets the landscaping requirements of NMC 15.420 and the proposed accessory building will not impact any existing landscaping, this criterion is met.



C. No new landscaping is proposed or will be required. This criterion is not applicable.

The criteria are met or not applicable.

## *Chapter 15.425 EXTERIOR LIGHTING*

*[...]*

### *15.420.020 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 proposed location for the accessory building is outside the area of assembly, parking, and traverse of the commercial facility, and the application materials do not indicate any additional lighting will be installed with the accessory building outside the existing lighting boundaries identified on the site plan.

The criterion is met.

### *15.425.040 Requirements.*

#### *A. General Requirements – All Zoning Districts.*

1. *Low-level light fixtures include exterior lights which are installed between ground level and six feet tall. Low-level light fixtures are considered nonintrusive and are unrestricted by this code.*
2. *Medium-level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium-level light fixtures must either comply with the shielding requirements of subsection (B) of this section, or the applicant shall show that light trespass from a property has been designed not to exceed one-half foot-candle at the property line.*
3. *High-level light fixtures include exterior lights which are installed 15 feet or more above ground level. High-level light fixtures must comply with the*

*shielding requirements of subsection (B) of this section, and light trespass from a property may not exceed one-half foot-candle at the property line.*

**B. Table of Shielding Requirements.**

<i>Fixture Lamp Type</i>	<i>Shielded</i>
<i>Low/high pressure sodium, mercury vapor, metal halide and fluorescent over 50 watts</i>	<i>Fully</i>
<i>Incandescent over 160 watts</i>	<i>Fully</i>
<i>Incandescent 160 watts or less</i>	<i>None</i>
<i>Fossil fuel</i>	<i>None</i>
<i>Any light source of 50 watts or less</i>	<i>None</i>
<i>Other sources</i>	<i>As approved by NMC 15.425.030</i>

**Findings:** No additional exterior lighting is indicated in the application materials in addition to existing lighting boundaries shown on the site plan. Any future exterior lighting installed must meet the shielding requirements of NMC 15.425.040.

Upon adherence to the aforementioned condition of approval the criteria are 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 application materials indicate that no utility services are required for the proposed accessory building.

This criterion is not applicable.

**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:** No existing utility lines are proposed to be relocated or new utility lines installed as part of the proposed project. Any new utility connection on the property shall be underground.

Upon adherence to the aforementioned condition of approval the criterion is met.

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

**Finding:** No exceptions to the requirement to underground utilities is requested or required for the proposed project.

This criterion is not applicable.

### *Chapter 15.435 SIGNS*

#### *15.435.020 Applicability and exemptions.*

- A. *All signs placed or maintained anywhere within the city shall comply with the standards of this chapter, with the exception of the following:*
1. *Public signs.*
  2. *Signs that are required to be placed by law and that are no more than 50 percent larger than the minimum size required by law or, if there is no minimum size specified, signs with lettering height no more than four inches.*
  3. *Signs painted on or attached to windows that do not cover more than 50 percent of the surface of that window.*
  4. *Signs located entirely within a building and not on a window.*
  5. *Signs not legible from the public right-of-way.*

**Finding:** The Applicant has indicated that the proposed accessory structure is located away from public entries and will not require any new or additional signage. Any signs legible from the public right-of-way will need to meet the standards in NMC 15.435.

Upon adherence to the aforementioned condition of approval the criterion is met.

- B. *If any of the signs listed above require permits under the current edition of the Oregon Structural Specialty Code, the sign shall be placed only following issuance of such permit.*

**Finding:** The Applicant has indicated that the proposed accessory structure is located away from public entries and will not require any new or additional signage and are therefore exempt from the standards of NMC 15.435. If any signs legible from the public right-of-way require permits, the signs shall be placed only following issuance of such permits.

This criterion is not applicable.

- C. *Nothing in this chapter shall be construed to allow placement of a sign on a property without the authority of the property owner.*

[...]

**Finding:** The Applicant has indicated that the proposed accessory structure is located away from public entries and will not require any new or additional signage and are therefore exempt from the standards of NMC 15.435. Any signs placed on the property shall require the authority of the property owner.

This criterion is not applicable.

#### **Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS**

##### **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.*
- 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.*
- 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.*
- 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.*
- 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.*
- 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.*

**Findings:** The findings below correspond with the sub-sections of the code:

- A. The subject property's existing commercial facility includes an off-street parking lot with 31 spaces, two of which are ADA accessible. This criterion is met.
- B. No modifications to the existing parking, driveways, or vehicular circulation are proposed and the proposed accessory building is replacing existing lumber storage. Because no additional parking demand is generated and parking is already provided, this criterion is not applicable.
- C. The proposed project is in the C-2 zoning district. Because the subject property is not in the C-3 zoning district, this criterion is not applicable.
- D. The proposed project is in the C-2 zoning district. Because the subject property is not in the C-4 zoning district, this criterion is not applicable.
- E. No modifications to the existing parking, driveways, or vehicular circulation are proposed and the proposed accessory building is replacing existing lumber storage. Because no additional parking demand is generated and parking is already provided, this criterion is not applicable.
- F. Because the proposed project will not modify the number of existing parking spaces, driveways, or vehicular circulation. This criterion is not applicable.

The criteria are met or not applicable.

## **CONCLUSION:**

The proposed site design review will meet all of the applicable criteria for a Type II site design review if the aforementioned conditions of approval are adhered to.



**SECTION III: CONDITIONS OF APPROVAL**  
**Type II Design Review for Parr Lumber Storage Building**  
**200 N Elliot Road – File No. DR223-0006**

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

- 1. Permit Submittal:** Submit a building permit application and two complete working drawing sets of the proposed project. Show all the features of the plan approved through design review, including the following:
  - a. Mechanical details
  - b. Structural details
  - c. Electrical details
- 2. Alternative Circulation, Roadway Frontage Improvements, and Utility Improvements:**
  - a. The Applicant will be required to replace any sidewalks along the site's frontage that are in poor condition or not in full compliance with City of Newberg and ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process.
- 3. Airport Overlay Subdistrict Limitations:**
  - a. The Applicant will submit notification to the Federal Aviation Administration and Oregon Department of Aviation and form 7460-1 to receive an Obstruction Evaluation / Airport Airspace Analysis and Notice of Determination and submit the results to the Community Development prior to the issuance of building permits.
  - b. No glare-producing materials shall be used on the exterior of the proposed accessory building.
- 4. Exterior Lighting**
  - a. Any future exterior lighting installed must meet the shielding requirements of NMC 15.425.040.
- 5. Underground Utilities**

- a. Any new utility connection on the property shall be underground.

**6. Signs:**

- a. Any signs legible from the public right-of-way will need to meet the standards in NMC 15.435.
- b. If any signs legible from the public right-of-way require permits, the signs shall be placed only following issuance of such permits.
- c. Any signs placed on the property shall require the authority of the property owner.

## **Attachment 1: Application Materials**



# TYPE II APPLICATION – LAND USE

File #: DR223-0006(PRE23-0020)

**TYPES – PLEASE CHECK ONE:**

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision
- Type II Major Modification
- Variance \_\_\_\_\_
- Other: (Explain) \_\_\_\_\_

**APPLICANT INFORMATION:**

**APPLICANT:** Gallant Construction, Inc.  
**ADDRESS:** P.O. Box 181 **CITY:** Banks **STATE:** OR **ZIP:** 97106  
**EMAIL ADDRESS:** Bob.Pardee@GoGallant.com **PHONE:** 503-773-5077 **MOBILE:** 541-219-1948

**OWNER** (if different from above): Parr Lumber Company **PHONE:** 503-614-2500  
**ADDRESS:** 5630 NE Century Boulevard **CITY:** Hillsboro **STATE:** OR **ZIP:** 97124

**ENGINEER/SURVEYOR:** TM Rippey, Consulting Engineers **CONTACT:** Kristen Jaycox, P.E., S.E.  
**EMAIL ADDRESS:** \_\_\_\_\_ **PHONE:** (503) 443-3900 **MOBILE:** \_\_\_\_\_

**GENERAL INFORMATION:**

**PROJECT LOCATION:** 200 North Elliott Rd - Newberg **PROJECT VALUATION:** \$ 125,000  
**PROJECT DESCRIPTION/USE:** Erect a (new) covered lumber storage rack at existing Parr Lumber Yard.  
**MAP/TAX LOT NO. (i.e. 3200AB-400):** 032W20AA TL 800/900 **SITE SIZE:** 7.66 **SQ. FT.**  **ACRE**   
**COMP PLAN DESIGNATION:** Mixed Use **CURRENT ZONING:** C-2  
**CURRENT USE:** Retail Sales : Bulk Outdoor

**SURROUNDING USES:**  
**NORTH:** Commercial **SOUTH:** Industrial / MDF  
**EAST:** Commercial / Industrial **WEST:** Commercial / Mix

**ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check all that apply)**

- General Checklist:**  Fees  Public Notice Information  Current Title Report  Written Criteria Response  Owner Signature  
 1 Digital copy of complete Application Packet  2 Hard copies of complete Application Packet


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


- Design Review ..... p. 13
- Land Division (Partition & Subdivision Tentative Plat) ..... p. 15
- Variance Checklist ..... p. 20
- Short-term Rental ..... p. 22

The Application Packet can be submitted to [Planning@newbergoregon.gov](mailto:Planning@newbergoregon.gov) or at 414 E First St., Newberg OR. 9713  
2 physical copies of the Applications must be mailed or brought into the Community Development Department

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.

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief.

  
 Applicant Signature 10/23/23  
 Date

  
 Owner Signature 10/23/23  
 Date

Robert Pardee  
Print Name

Eric Schmidlin  
Print Name

# Parr Lumber Company

## Type II Land Use Application

**Owner Representative:** Parr Lumber Company  
5630 NE Century Boulevard  
Hillsboro, OR 97124

Eric Schmidlin  
Facilities Manager  
Phone: (503) 614-2500

**Applicant:** Gallant Construction, Inc.  
PO Box 181  
Banks, OR 97106

Bob Pardee, Project Manager  
(503) 773-5077  
Email: Bob.Pardee@GoGallant.com

**Site Address:** 200 North Elliot Road  
Newberg, OR 97123

**Tax Lot:** Tax Map 03 2W 20AA, Tax Lot 800 & 900

**Parcel Size:** TL 800 – 4.38 acres  
TL 900 – 3.28 acres

**Site Size:** 7.66 acres

**Zoning:** C2 – Community Commercial

**Summary of Request:** Erect a new covered lumber storage rack at existing Parr Lumber yard in Newberg. Construction includes erecting a single-sided cantilever rack on a new engineered footing. This structure is 220 linear feet long, 13'4" wide and 20' to the eave. No impact on traffic, parking or egress. This structure will allow for more efficient storage of lumber in covered racks versus open lot storage. Photo of similar structure recently installed in the Parr Springfield Lumber Yard is enclosed.



## DEVELOPMENT PROPOSAL

The property is located at 200 North Elliot Road in Newberg, Oregon and consists of two adjoining tax lots. The project will include construction of a 2,670 square foot pre-engineered steel structure on a concrete slab.

This structure is a single-sided cantilevered rack designed for lumber storage.

'Response' sections below are in response to conference notes from the Pre-Application meeting that took place September 6, 2023. Comments in GREEN are notes

Notes in GREEN are comments from the City Response in conference notes from the Pre-Application meeting that took place September 6, 2023. Notes in RED are responses from the applicant.

### **GENERAL COMMENTS:**

The pre-application notes provided are preliminary based on the information provided by the applicant and may not cover all of the development issues or requirements for the project. When a complete application is received and a full review is conducted, it may be determined that additional information or other regulations within the Municipal Code apply that were not determined during the limited pre-application review.

### **TUALATIN VALLEY FIRE & RESCUE:**

- When submitting for a service provider permit, a site circulation plan will be required.
- The proposed project may not need sprinklers, but if necessary the TVF&R review will look at fire connections.
- Contact TVF&R to discuss service provider permit requirements. An approved service provider permit from TVF&R will be a required document for a complete land use application submittal to the City of Newberg.
- 503-259-1550 or FireLifeSafety@tvfr.com
- <https://www.tvfr.com/399/Service-Provider-Permit>
- **Contact:** Jason Arn at 503-259-1510 or Jason.Arn@tvfr.com

TVF&R Service Provider Permit issued with no conditions or site visit required. (attachment 2)

### **BUILDING SAFETY DIVISION COMMENTS:**

- **Contact:** Jared Bradbury at 503-537-1286 or Jared.Bradbury@newbergoregon.gov

More information about permit applications, fees, inspections, and other topics available at <https://www.newbergoregon.gov/building>.

### **ENGINEERING COMMENTS:**

- **Contact:** Brett Musick at 503-554-1631 or brett.musick@newbergoregon.gov

#### **Street**

The proposed project site has access frontage on N Elliot Road, E Hayes Street and E Hancock Street. N Elliot is classified as Major Collector. E Hayes Street is classified as a Minor Collector. E Hancock is a local commercial street. All are under the jurisdiction of the City of Newberg. All streets are improved along the property frontages.

\*5-foot minimum inclusive of the curb per NMC 15.505.030(G)(8), \*\*Per PWDCS 5.14  
If more than \$30,000 of improvements are made to the property, street/frontage improvements can be required, see NMC 12.05.090.

The applicant will be required to replace any sidewalks along the site's frontage that are in poor condition or not in full compliance with City of Newberg and ADA standards. Determination of any sidewalk panels to be replaced will occur as part of the building permit process.

There appears to be adequate existing right-of-way along the project site's frontage. Right-of-way dedication is not anticipated.

**Street Lights:**

There are existing streetlights around the perimeter of the property.

With this project consisting solely of a covered lumber storage rack in an area of existing outside lumber storage it is unlikely that a street lighting analysis would be required.

**Traffic Study**

Per Newberg Development Code 15.220.030(B)(14) a traffic study is required or may be required based on the following criteria:

*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.]*

Based on the proposed project, a traffic study is not required by the City of Newberg.

**Trip Rates/Transportation SDCs:** To develop Transportation System Development Charges (TSDC), the city currently uses the Institute of Transportation Engineers, Trip Generation Manual, 10th Edition in coordination with the City's TSDC Methodology document which can be found on the City's website.

The proposed use is most consistent with ITE Trip Code 812 Building Materials and Lumber Store. Outside storage that is not within the principal outside faces of the exterior building walls is not included in the gross floor area used in the ITE trip generation rates for ITE Code 812.

The proposed covered lumber storage rack does not trigger a Transportation SDC.

**Wastewater:** The proposed project does not include new wastewater facilities.

**Water:** The proposed project does not include new water connections. Fire flows may need to be verified (confirm with TVF&R). Show closest existing fire hydrant on preliminary plans. Any

onsite fire hydrants will be required to be public and served by public water mains within a 15-foot wide easement.

Fire hydrants shown on site plan. (attachment 1)

Confirm with the Fire Marshal (TVF&R) if fire flow test results will need to be submitted with permit applications to be reviewed by the Fire Marshall for approval. If so, the applicant will need to hire a private testing firm to conduct the fire flow test and coordinate with the Public Works Maintenance Division.

No fire flow required per TVF&R. (attachment 3)

**Stormwater:** The City's GIS mapping shows there are stormwater system inlets on Hayes Street. It appears that the proposed project will likely not include new impervious area.

If the applicant is proposing to create more than 500 square feet of impervious area, the quantity and quality of stormwater will need to be treated 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.

Include in the land use submittal and permit submittals a narrative and plans/exhibits that clearly describe existing and proposed impervious areas.

Existing impervious area used for lumber storage will be used for this storage shed. There is no new disturbance requirement.

**Erosion and Sedimentation Control (ESC):** A DEQ 1200-C permit will be required if 1-acre or more is disturbed. If less than 1-acre is disturbed the City will require a city issued Erosion Control and Sedimentation Plan/Permit. The permit can be found online here:  
<https://www.newbergoregon.gov/engineering/page/erosion-sedimentation-control-permitapplication>

No new disturbance.

**Other Utilities:** Any new service connection to the property is required to be undergrounded. See NMC 15.430.010 for additional requirements and exception provisions.

No new service is required.

**Notes:** The City's GIS System can be accessed online to view utility and planning maps: <http://www.newbergoregon.gov/planning/page/interactive-city-map> Within the land use application materials, the applicant should clearly indicate sidewalk locations and widths, the driveway approach location and width, parking areas, building setbacks, and utility connections on the existing conditions plan and the preliminary plans.

See attached site plan of existing property. (attachment 1)

**General Comment:** The engineering pre-application notes provided are preliminary based on the information provided by the applicant and may not cover all of the development issues or requirements for the project. When a complete application is received and a full review is conducted, it may be determined that additional requirements to meet the Municipal Code or the Public Works Design and Construction Standards exist.

The Engineering Division also administers/assigns System Development Charges (SDCs) for the following utilities:

- Transportation System Development Charge
- Water System Development Charge
- Wastewater System Development Charge
- Stormwater System Development Charge
- Non-Potable System Development Charge

**PLANNING COMMENTS:**

- **Contact:** James Dingwall at 503-554-7764 or james.dingwall@newbergoregon.gov.
  
- As a commercial addition greater than 1,000 square feet, the proposed project requires a Type II Design Review. The associated fee is 0.6% of the total project cost, plus a 5% technology fee. Once submitted, the application will be reviewed for completeness within 14-30 days, and an administrative decision will be issued by the Community Development Director 35-60 days after application is deemed complete. The decision is final following a 14-day appeal period (to the Planning Commission). The Type II application can be found here: <https://www.newbergoregon.gov/planning/page/type-iiapplication-land-use-decision>.
  
- Mailed and posted notice is required. Mailed notification must be sent to property owners within 500 feet of the subject property, and signs must be placed on each frontage of the site. A 14-day public comment period takes place after the mailing, concurrent with City review.

**Sample notice attached. (attachment 4)**

- The application will be evaluated under Type II Design Criteria identified in Newberg Municipal Code including:
  - *Design compatibility:* Architecture, materials, colors, roof design, landscape design, and signage is the same as existing or proposed uses in the surrounding area.
  - *Parking and On-Site Circulation:* Additional parking will not be required.
  - *Setbacks and General Requirements:*
    - *Height:* No limit (the property does not abut a residential zoning district).
    - *Lot Coverage:* No limit.
    - *Setbacks:* Front – 10 ft., Interior – none (abuts commercial/industrial zoning districts)
    - *Vision clearance:* Not applicable for the proposed storage structure location.
  - *Landscaping:* Proposed structure does not appear to alter existing landscaping. In the final proposal the site shall still meet the minimum standards in NMC 15.420.
  - *Signs:* Any signs on the structure must comply with NMC 15.435.
  - *Manufactured Dwellings/Mobile Home/RV Parks:* Not applicable.

- *Zoning Compliance:* The use is considered “Retail Sales: Bulk Outdoor”, which is a permitted use in the C-2 zoning district.
- *Subdistrict Compliance:* Not applicable.

## II. CONCLUSION

This summary of pre-application conference questions and attachments demonstrate compliance with applicable approval criteria. The applicant respectfully requests that the City of Newberg approve this Type II Land Use application.

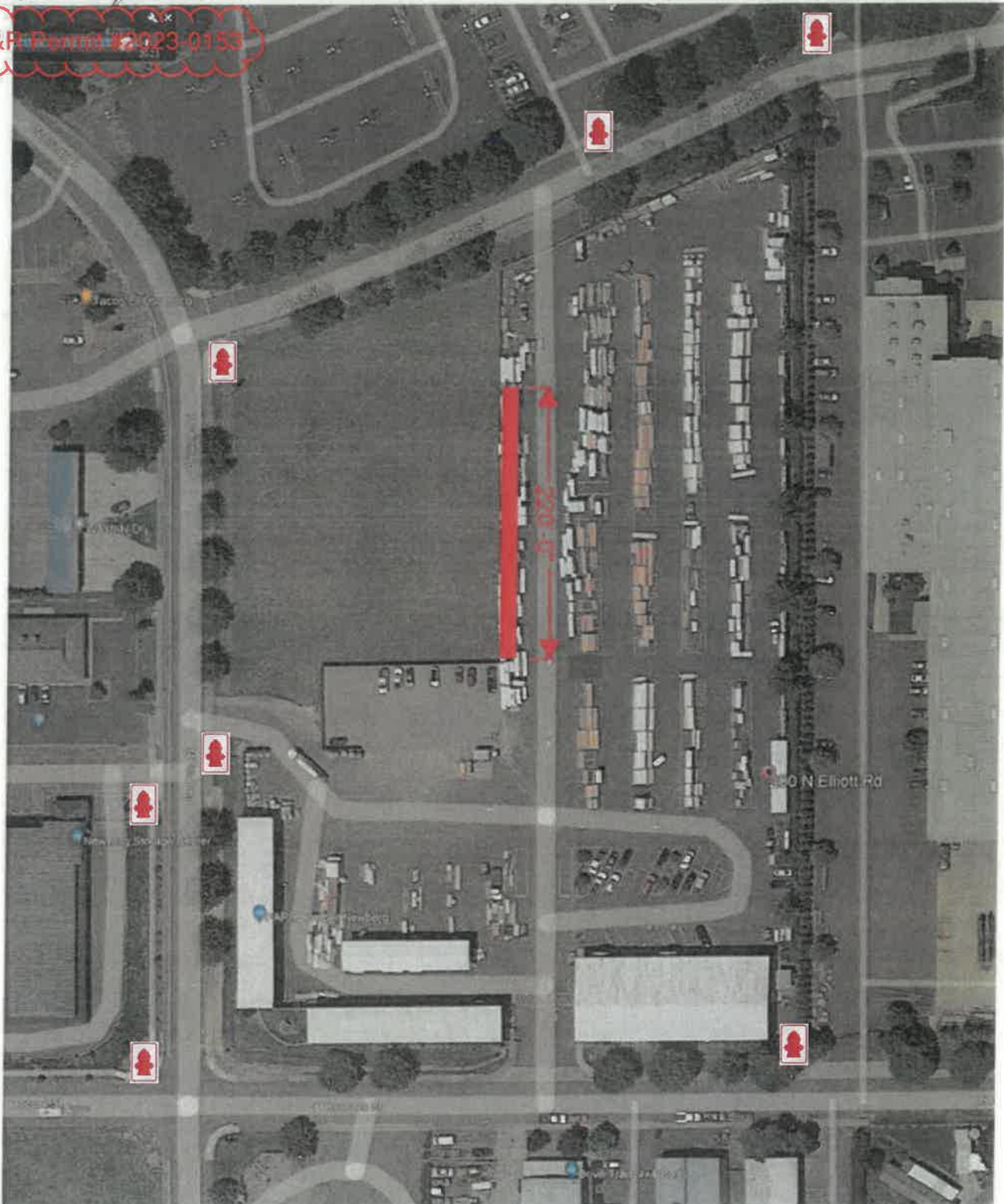


APPROVAL OF PLANS IS NOT AN APPROVAL  
OF OMISSIONS OR OVERSIGHTS

*Jason Ann Jander*  
Deputy Fire Marshal II

**Parr Lumber Yard  
200 N. Elliott Road  
Newberg, OR 97123**

TVF&R Permit #2023-0153



Red box represents approximate location of 14' x 220' lumber storage shed with 20' eaves. This is a three sided, covered structure with cantilever storage racks to store lumber out of the weather.

**FIRE CODE / LAND USE / BUILDING REVIEW APPLICATION**



**North Operating Center**  
 11945 SW 70<sup>th</sup> Avenue  
 Tigard, OR 97223  
 Phone: 503-649-8577

**South Operating Center**  
 8445 SW Elligsen Rd  
 Wilsonville, OR 97070  
 Phone: 503-649-8577

REV 6-30-20

**Project Information**

Applicant Name: Bob Pardee  
 Address: P.O. 181 - BANKS, OR 97106  
 Phone: 541-219-1948  
 Email: Bob.Pardee@CoGallant.com  
 Site Address: 200 N ELLIOT Rd.  
 City: NEWBERG  
 Map & Tax Lot #: 03 2W 20AA #200 + 900  
 Business Name: Parr Lumber Company  
 Land Use/Building Jurisdiction: City of NEWBERG  
 Land Use/ Building Permit # TBD

Choose from: Beaverton, Tigard, Newberg, Tualatin, North Plains, West Linn, Wilsonville, Sherwood, Rivergrove, Durham, King City, Washington County, Clackamas County, Multnomah County, Yamhill County

**Project Description**

Erect new covered Lumber Storage Rack at EXISTING Lumber Yard.  
 220' Long, 13'4" WIDE, 20' EAVE  
 Construction includes Pre-engineered metal building on concrete pad.  
 NO NEW WATER CONNECTIONS PROPOSED

**Permit/Review Type (check one):**

- Land Use / Building Review - Service Provider Permit
- Emergency Radio Responder Coverage Install/Test
- LPG Tank (Greater than 2,000 gallons)
- Flammable or Combustible Liquid Tank Installation (Greater than 1,000 gallons)
  - \* Exception: Underground Storage Tanks (UST) are deferred to DEQ for regulation.
- Explosives Blasting (Blasting plan is required)
- Exterior Toxic, Pyrophoric or Corrosive Gas Installation (in excess of 810 cu.ft.)
- Tents or Temporary Membrane Structures (in excess of 10,000 square feet)
- Temporary Haunted House or similar
- OLCC Cannabis Extraction License Review
- Ceremonial Fire or Bonfire (For gathering, ceremony or other assembly)

**For Fire Marshal's Office Use Only**

TVFR Permit # 2023-0153  
 Permit Type: SPP-Newberg  
 Submittal Date: 10-5-23  
 Assigned To: DFM Ann  
 Due Date: NA  
 Fees Due: Ø  
 Fees Paid: Ø

**Approval/Inspection Conditions (For Fire Marshal's Office Use Only)**

This section is for application approval only

Fire Marshal or Designee

10-9-23

Date

Conditions:

See Attached Conditions:  Yes  No

Site Inspection Required:  Yes  No

This section used when site inspection is required

Inspection Comments:

Final TVFR Approval Signature & Emp

## Bob Pardee

---

**From:** Arn, Jason S. <Jason.Arn@tvfr.com>  
**Sent:** Wednesday, October 11, 2023 11:58 AM  
**To:** Bob Pardee  
**Cc:** Josh Shroyer  
**Subject:** RE: Provider Permit Question

Bob,

For this project I don't see the need.

Thanks for checking.

**Jason Arn | Deputy Fire Marshal CFI**  
Tualatin Valley Fire & Rescue  
Direct: 503-259-1510  
[www.tvfr.com](http://www.tvfr.com)

---

**From:** Bob Pardee <bob.pardee@gogallant.com>  
**Sent:** Wednesday, October 11, 2023 11:08 AM  
**To:** Arn, Jason S. <Jason.Arn@tvfr.com>  
**Cc:** Josh Shroyer <josh@gogallant.com>  
**Subject:** RE: Provider Permit Question

**\*\*\*The sender is from outside TVF&R – Do not click on links or attachments unless you are sure they are safe\*\*\***

Good morning Jason,

Based on the One more question for clarification:

Because there are no new water connections proposed, is it safe to assume there will be no need for a flow test?

**Bob Pardee - Operations & Projects**  
Office: (503) 773-5077  
Cell: (541) 219-1948  
[www.GoGallant.com](http://www.GoGallant.com)



'Do or do not, there is no try.' ~ Yoda

# Preliminary Report

Fidelity National Title - Oregon  
900 SW 5th Avenue, Portland, OR 97204

Escrow Officer: Paula Kingsley  
Email: Paula.Kingsley@fnf.com  
Phone: 503-222-2424  
File No.: 45142306903

Property Address: 200 N. Elliott Road, Newberg, OR 97132

## Introducing LiveLOOK

LiveLOOK title document delivery system is designed to provide 24/7 real-time access to all information related to a title insurance transaction.

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**Fidelity National Title**  
Company of Oregon

## PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Fidelity National Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a/an Florida corporation.

**Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.**

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

*Countersigned*

---

Tara Waterman





# Fidelity National Title

Company of Oregon

900 SW 5th Avenue, Portland, OR 97204  
(503)222-2424 FAX (503)227-2274

## PRELIMINARY REPORT

**ESCROW OFFICER:** Paula Kingsley  
Paula.Kingsley@fnf.com  
503-222-2424

**ORDER NO.:** 45142306903

**TITLE OFFICER:** Deborah Clark

**TO:** Fidelity National Title Company of Oregon  
900 SW 5th Avenue  
Portland, OR 97204

**ESCROW LICENSE NO.:** 901000243

**BUYER/BORROWER:** Parr Lumber Company

**PROPERTY ADDRESS:** 200 N. Elliott Road, Newberg, OR 97132

**EFFECTIVE DATE:** August 28, 2023, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Loan Policy 2021	\$ TBD	\$ TBD
<b>Proposed Insured: TBD</b>		
Government Lien Search		\$ 50.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Parr Lumber Company, an Oregon corporation

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF NEWBERG, COUNTY OF YAMHILL, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**EXHIBIT "A"**  
Legal Description

Being a part of the Donation Land Claim of Richard Everest and wife, Notification No. 1474, Claim No. 52 in Section 17 and 20 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being particularly described as follows:

Commencing at a point 25 chains West of the Southeast corner of the North half of said Donation Land Claim at a point on the line between the East and West halves of the North half of said Donation Land Claim; and running thence East 7.75 chains to a stake; thence North 21.19 chains to the center of Portland Road designated by a stone weighing 10 pounds; thence South 66° West, along the center of said road, 8.25 chains to a stone on a line between said East and West halves of the North half of said claim as designated by survey; thence South on said line 17.65 chains to the place of beginning.

TOGETHER WITH that portion of vacated street which inured thereto by Vacation Ordinance No. 1807 and Ordinance No. 1931 of the City of Newberg.

EXCEPTING THEREFROM, that part lying North of the South line of Hayes Street.

FURTHER EXCEPTING THEREFROM, that portion lying within Elliott Road.

**AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:**

**GENERAL EXCEPTIONS:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession thereof.
3. Easements, or claims thereof, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien, or right to a lien, for services, labor, material or equipment rental, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

**SPECIFIC ITEMS AND EXCEPTIONS:**

6. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2023-2024.
7. City Liens, if any, in favor of the City of Newberg. None found as of September 2, 2023.
8. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and/or highways.
9. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance.
10. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: State of Oregon, by and through its State Highway Commission  
Recording Date: August 1, 1962  
Recording No.: Film [Volume 24, page 404](#)

11. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: State of Oregon, by and through its State Highway Commission  
Recording Date: October 23, 1962  
Recording No.: Film [Volume 26, page 281](#)

12. Conditions, easements, reservations and restrictions contained in an instrument,

Recording Date: June 12, 1974  
Recording No.: Film [Volume 100, page 1180](#)

13. Matters contained in that certain document

Entitled: Statutory Warranty Deed  
Dated: June 2, 1987  
Executed by: Arthur Spada and Richard Spada  
Recording Date: June 2, 1987  
Recording No: Film [Volume 213, page 1578](#)  
Which provides for, among other things: See Exhibit "B" of said deed.

Reference is hereby made to said document for full particulars.

and Re-Recording Date: June 17, 1987  
and Re-Recording No: Film [Volume 214, page 125](#)

14. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.
15. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
16. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below:

Name of Corporation: Parr Lumber Company, an Oregon corporation

- a) A Copy of the corporation By-laws and Articles of Incorporation
- b) An original or certified copy of a resolution authorizing the transaction contemplated herein
- c) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and By-laws of the parent
- d) A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

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

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

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

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

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

The Company will require a survey of the Land by a professional surveyor, and this exception may be eliminated or limited as a result thereof.

**ADDITIONAL REQUIREMENTS/NOTES:**

- A. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023  
Amount: \$13,291.96  
Levy Code: 29.0  
[Account No.: 56067](#)  
Map No.: R3220AA 00900

Affects: A portion of subject premises

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- B. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023  
Amount: \$17,423.47  
Levy Code: 29.0  
[Account No.: 56021](#)  
Map No.: R3220AA 00800

Affects: A portion of subject premises

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- C. Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022-2023  
Amount: \$10,447.61  
Levy Code: 29.0  
[Account No.: 508387](#)

Affects: Personal property

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.



D. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

E. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Parr Lumber Company, an Oregon corporation

F. No search has been made for financing statements filed in the office of the Secretary of State, or in any county other than the county in which the herein described land is located. No liability is assumed for any financing statement filed in the office of the County Clerk (Recorder) covering timber, crops, fixtures or contracts affecting said land if said land is Not described by metes and bounds, recorded lot and block or under the rectangular Survey system.

G. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, processing, manufacture, sale, dispensing or use of marijuana and psilocybin, the Company is not able to close or insure any transaction involving Land associated with these activities.

H. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Multnomah	\$86.00	\$5.00
Washington	\$81.00	\$5.00
Clackamas	\$93.00	\$5.00

Note: When possible the company will record electronically. An additional charge of \$5.00 applies to each document which is recorded electronically.

Note: Please send any documents for recording to the following address:

Portland Title Group  
Attn: Recorder  
1455 SW Broadway, Suite 1450  
Portland, OR. 97201

I. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.

J. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

K. Note: 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. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

L. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS

Fiscal Year:	July 1 <sup>st</sup> through June 30 <sup>th</sup>
Taxes become a lien on real property, but are not yet payable:	July 1 <sup>st</sup>
Taxes become certified and payable (approximately on this date):	October 15 <sup>th</sup>
First one third payment of taxes is due:	November 15 <sup>th</sup>
Second one third payment of taxes is due:	February 15 <sup>th</sup>
Final payment of taxes is due:	May 15 <sup>th</sup>

Discounts: If two thirds are paid by November 15<sup>th</sup>, a 2% discount will apply.  
If the full amount of the taxes are paid by November 15<sup>th</sup>, a 3% discount will apply.

Interest: Interest accrues as of the 15<sup>th</sup> of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

**EXHIBIT ONE**  
**2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)**  
**EXCLUSIONS FROM COVERAGE**

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

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or

- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

**SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

**2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)**  
**EXCLUSIONS FROM COVERAGE**

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

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection;
- b. any governmental forfeiture, police, regulatory, or national security power
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
- Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed or agreed to by the Insured Claimant;
  - b. not known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;

- d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
  - a. fraudulent conveyance or fraudulent transfer, or
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

**SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

## EXHIBIT ONE

### 2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

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

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions or location of any improvement erected on the land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
  - created, suffered, assumed or agreed to by the Insured Claimant;
  - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
  - Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
  - Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

### 2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

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

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions or location of any improvement erected on the land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
  - created, suffered, assumed or agreed to by the Insured Claimant;

- not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

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- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
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- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.



Inquire before you wire!

## WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.  
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

**Federal Bureau of Investigation:**

<http://www.fbi.gov>

**Internet Crime Complaint Center:**

<http://www.ic3.gov>



## **FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE**

Effective January 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### **Collection of Browsing Information**

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

### **Other Online Specifics**

**Cookies.** When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

**Web Beacons.** We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

**Do Not Track.** Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

### **Use of Personal Information**

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

### **Security of Your Information**

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

### **Choices With Your Information**

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: [aginquiries@ag.state.nv.us](mailto:aginquiries@ag.state.nv.us).

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia privacy rights, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

### **Information From Children**

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

### **International Users**

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

### **FNF Website Services for Mortgage Loans**

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

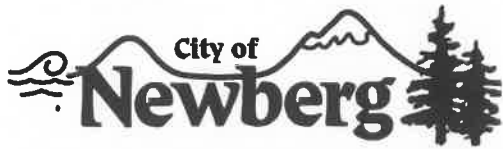
### **Your Consent To This Privacy Notice; Notice Changes**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

### **Accessing and Correcting Information; Contact Us**

If you have questions or would like to correct your Personal Information, visit FNF's [Privacy Inquiry Website](#) or contact us by phone at (888) 714-2710, by email at [privacy@fnf.com](mailto:privacy@fnf.com), or by mail to:

Fidelity National Financial, Inc.  
601 Riverside Avenue,  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer



# Community Development Department

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

503-537-1240. Fax 503-537-1272 [www.newbergoregon.gov](http://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 construct *a new covered lumber storage rack in the existing lumber yard*. You are invited to take part in the City's review of this project by sending in your written comments. For more details about giving comments, please see the back of this sheet.

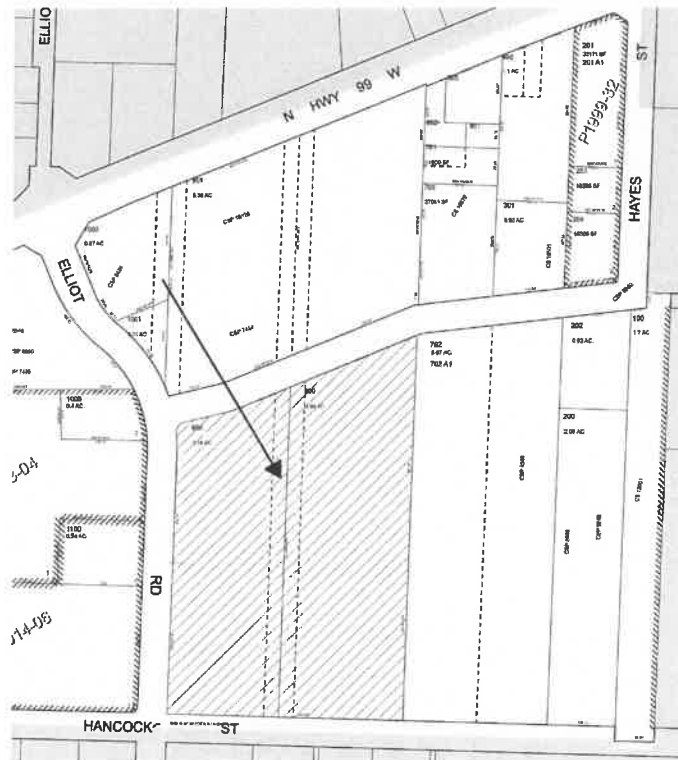
The development would include: *Construction includes erecting a single-sided cantilever rack on a new concrete footing. This structure is 220 feet long, 13'4" wide and 20' to the eave. All construction will take place on Parr property. There is no impact on traffic, parking or egress.*

APPLICANT: **Gallant Construction, Inc.**  
TELEPHONE: **(503) 773-5077**

PROPERTY OWNER: **Parr Lumber Company**

LOCATION: **200 North Elliot Road  
Newberg, OR**

TAX LOT NUMBER: **3 2 20AA, TL 800 & 900**



*Working Together For A Better Community-Serious About Service"*

Z:\oba\23-407 Parr - Newberg L-shed\Type II Land Use\type\_ii\_mailed\_notice\_-\_design\_review\_2017.doc

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. ***TBD*** (City staff will give you the file number for  
City of Newberg your project at the time of application)  
Community Development Department  
PO Box 970  
Newberg, OR 97132

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.

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 design review approval are found in Newberg Development Code 15.220.050(B).

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.

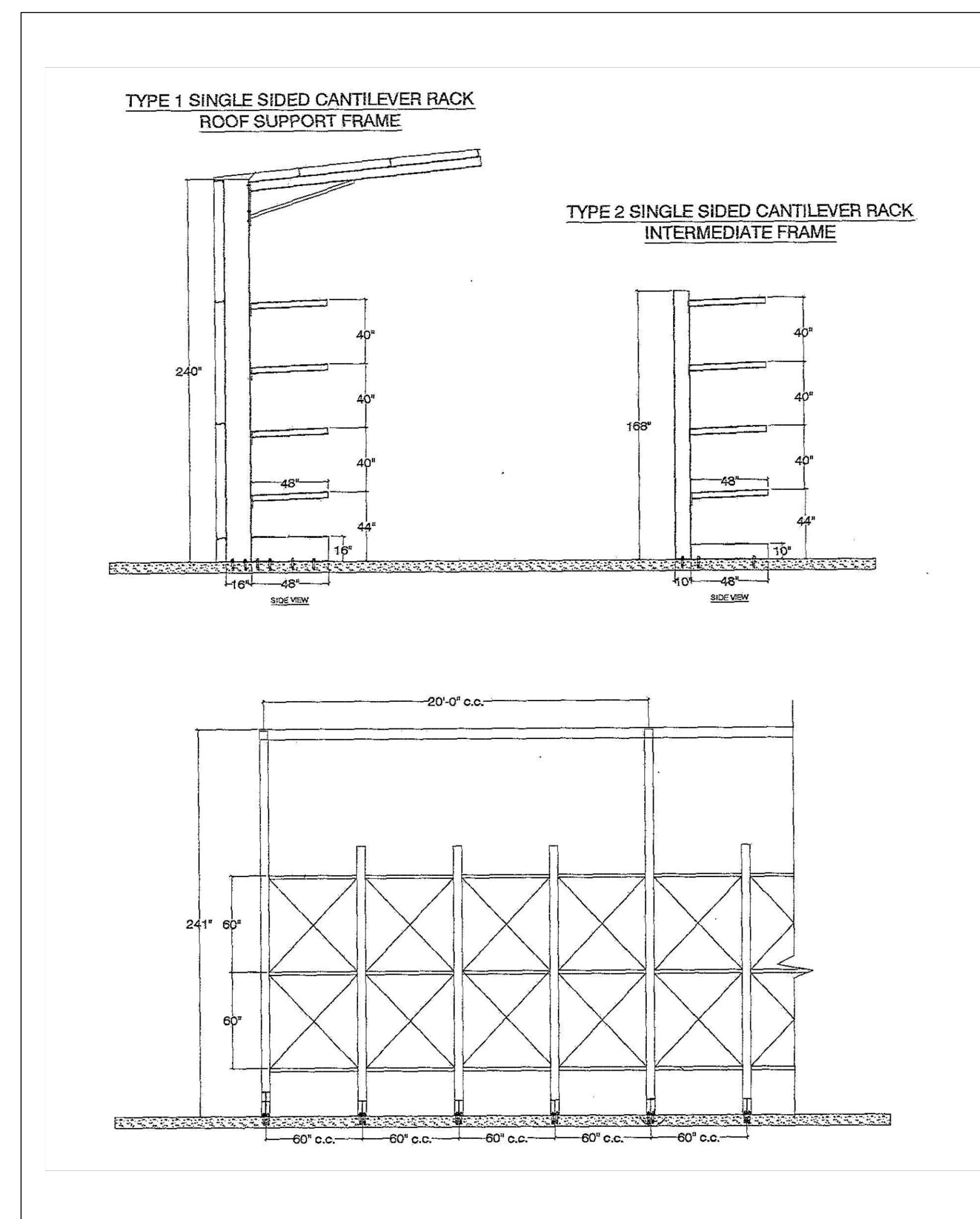
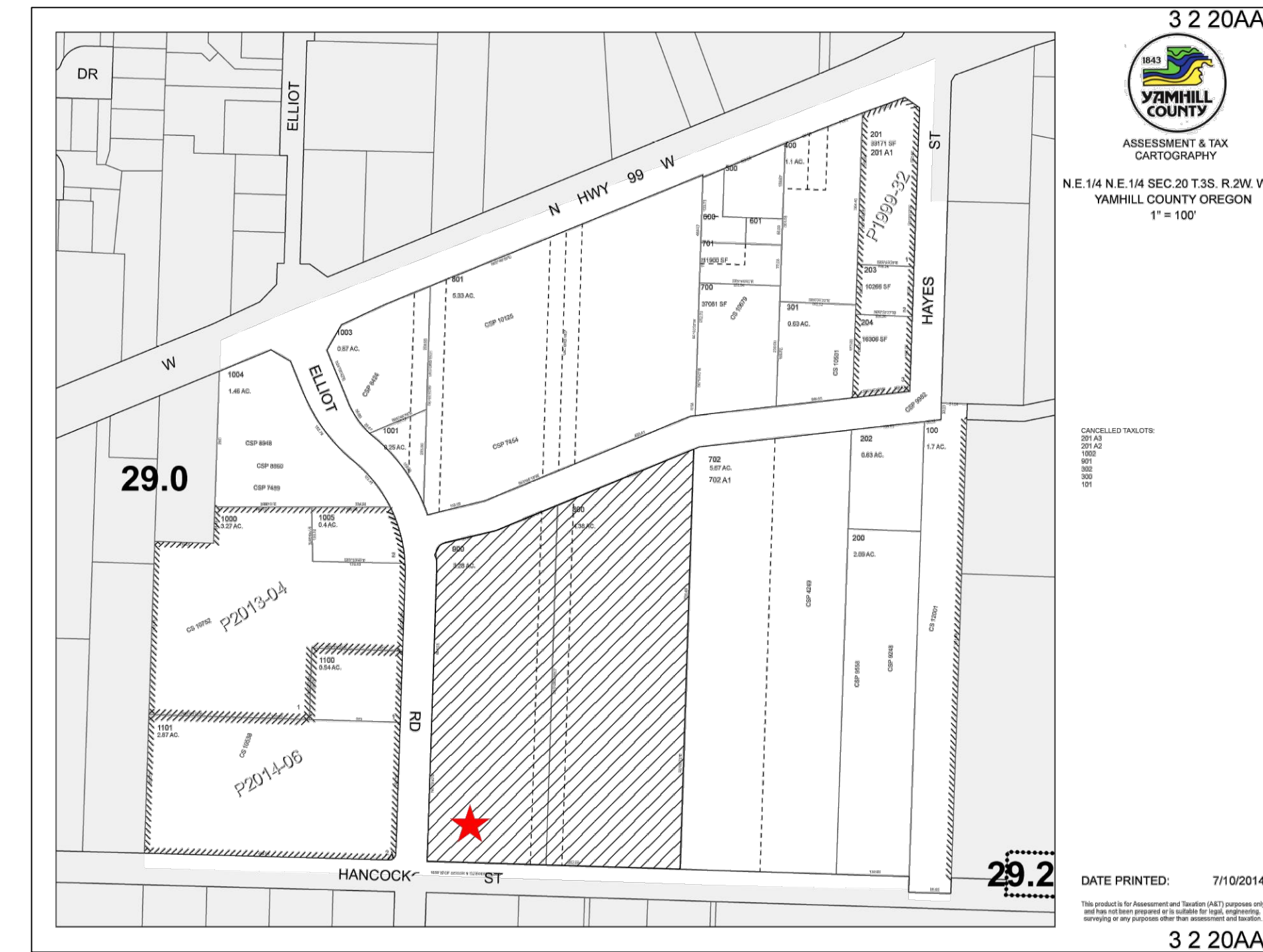
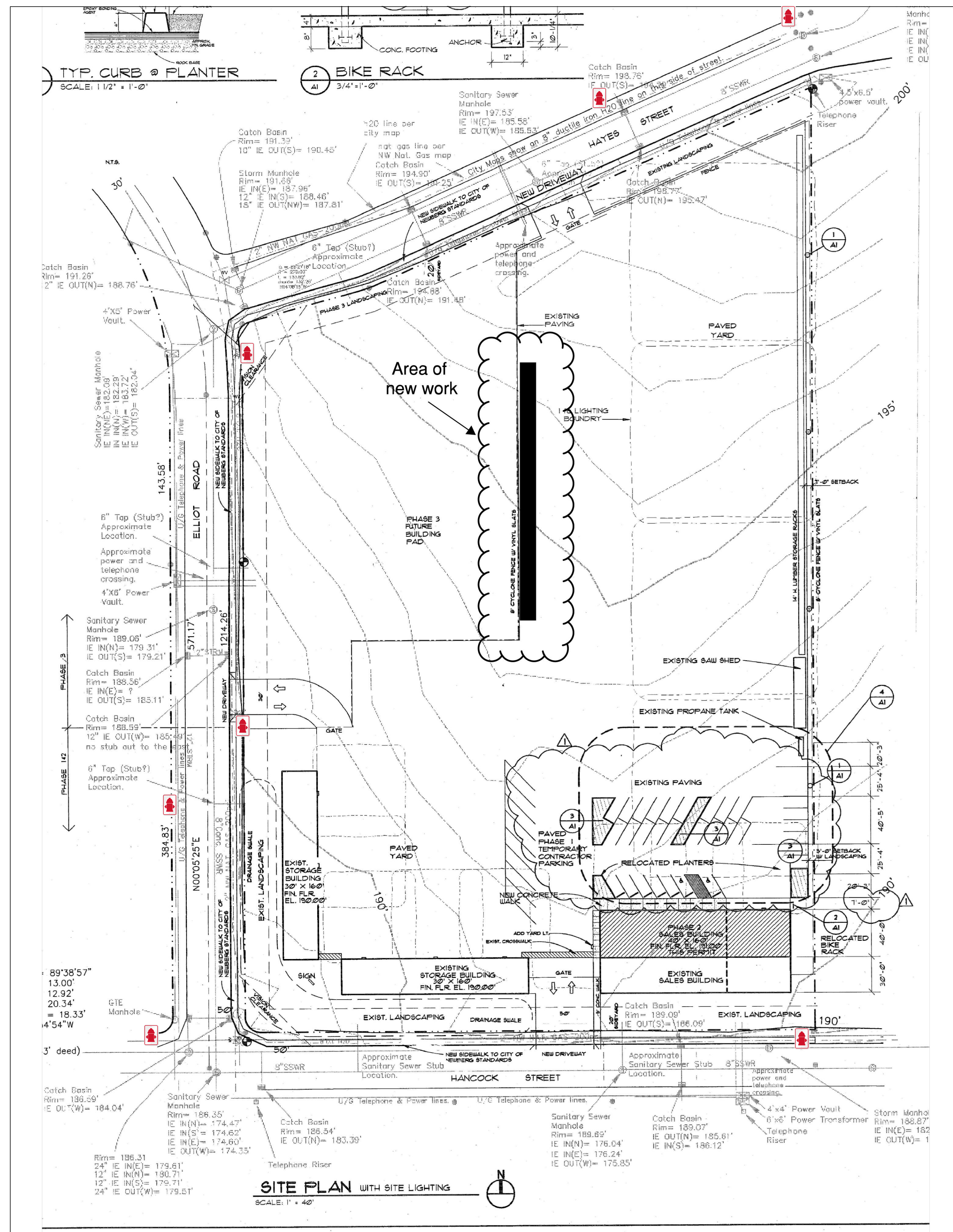
Date Mailed: ***Date notice is mailed***



Mailing List - 500' radius from  
Parr Lumber  
200 N. Elliott Rd  
Newberg, OR 97123

Name	Street Address	City	State	Zip
Spencer, John & Janelle	2900 E. Portland Rd.	Newberg	Oregon	97132
Webster Newberg, LLC	2800 E. Hayes St.	Newberg		
Matthews, James	2880 E. Hayes St.	Newberg		
MHBH, LLC	701 N. Deborah Rd. - C	Newberg		
T&C Wash Systems, Inc	701 N. Deborah Rd. - B	Newberg		
T&C Wash Systems, Inc	701 N. Deborah Rd. - A	Newberg		
Cen, Yao L. Revocable Living Trust	2818 E. Portland Rd.	Newberg		
Russel, Frederick H - Trustee	2855 E. Hayes St.	Newberg		
Shreeji Inc.	2816 E. Portland Rd.	Newberg		
Caliba Ventures, Inc.	2810 E. Portland Rd.	Newberg		
RSK Milas, LLC	2700 E. Portland Rd.	Newberg		
The Holland, Inc.	2514 E. Portland Rd.	Newberg		
Portland Road Rental, LLC	2512 E. Portland Rd.	Newberg		
SW Center, LLC	2508 E. Portland Rd. - A	Newberg		
SW Center, LLC	2510 E. Portland Rd. - C	Newberg		
SW Center, LLC	2510 E. Portland Rd. - B	Newberg		
SW Center, LLC	2510 E. Portland Rd. - A	Newberg		
Pacifico Properties, LLC	317 N. Elliott Rd.	Newberg		
Elliott Rd. Self Storage, LLC	315 N. Elliott Rd.	Newberg		
Davidson Brothers, LLC	301 N. Elliott Rd.	Newberg		
Hancock Street, LLC	215 N. Elliott Rd.	Newberg		
2500 Hancock St., LLC	2500 E. Hancock St.	Newberg		
Sheehan, James	2410 E. Hancock St.	Newberg		
MCA Investments, LLC	2400 E. Hancock St.	Newberg		
Matthiesen, Daniel	151 N. Elliott Rd.	Newberg		
Matthiesen, Marsha	131 N. Elliott Rd.	Newberg		
Elliot Road Newberg 1, LLC	101 N. Elliott Rd.	Newberg		
Jankat, LLC	115 S. Elliott Rd.	Newberg		
Schmitz, David & Elizabeth	120 S. Elliott Rd.	Newberg		
Elliot Road Newberg 2, LLC	116 S. Elliott Rd.	Newberg		
KSB1946, LLC	110 S. Elliott Rd.	Newberg		
Bretthauer Newberg, LLC	100 S. Elliott Rd.	Newberg		
Nutmeg Properties, LLC	2610 E. Hancock St.	Newberg		
Williams, Jack	2700 E. Hancock St.	Newberg		
Gouger Family	2710 E. Hancock St.	Newberg		
Bauer Family Trust	2901 E. 2nd St.	Newberg		





General Notes

No.	Revision/Issue	Date

Firm Name and Address  
Gallant Construction, Inc.  
P.O. Box 181  
Banks, Oregon 97106  
503.773.5077

CCB#202513

Project Name and Address  
Parr Lumber - Newberg  
200 North Elliot Street  
Newberg, OR 97132

Project	23-407	Sheet	A0.0
Date	11/2023	Scale	
Scale	As Noted		





**FIRE CODE / LAND USE / BUILDING REVIEW APPLICATION**

**North Operating Center**  
 11945 SW 70<sup>th</sup> Avenue  
 Tigard, OR 97223  
 Phone: 503-649-8577

**South Operating Center**  
 8445 SW Elligsen Rd  
 Wilsonville, OR 97070  
 Phone: 503-649-8577

REV 6-30-20

**Project Information**

Applicant Name: Bob Pardee  
 Address: P.O. 181 - BANKS, OR 97106  
 Phone: 541-219-1948  
 Email: Bob.Pardee@GoGallant.com  
 Site Address: 200 N ELLIOT Rd.  
 City: NEWBERG  
 Map & Tax Lot #: 03 2W 20AA #300 + 900  
 Business Name: Parc Lumber Company  
 Land Use/Building Jurisdiction: City of NEWBERG  
 Land Use/ Building Permit #: TBD

Choose from: Beaverton, Tigard, Newberg, Tualatin, North Plains, West Linn, Wilsonville, Sherwood, Rivergrove, Durham, King City, Washington County, Clackamas County, Multnomah County, Yamhill County

**Project Description**

Erect new covered Lumber Storage Rack at EXISTING Lumber Yard.  
 220' Long, 13'4" WIDE, 20' EAVE  
 Construction includes Pre-engineered metal building on concrete pad.  
 NO NEW WATER CONNECTIONS PROPOSED

**Permit/Review Type (check one):**

Land Use / Building Review - Service Provider Permit  
 Emergency Radio Responder Coverage Install/Test  
 LPG Tank (Greater than 2,000 gallons)  
 Flammable or Combustible Liquid Tank Installation (Greater than 1,000 gallons)  
 \* Exception: Underground Storage Tanks (UST) are deferred to DEQ for regulation.  
 Explosives Blasting (Blasting plan is required)  
 Exterior Toxic, Pyrophoric or Corrosive Gas Installation (in excess of 810 cu.ft.)  
 Tents or Temporary Membrane Structures (in excess of 10,000 square feet)  
 Temporary Haunted House or similar  
 OLCC Cannabis Extraction License Review  
 Ceremonial Fire or Bonfire (For gathering, ceremony or other assembly)

**For Fire Marshal's Office Use Only**

TVFR Permit #: 2023-0153  
 Permit Type: SPP-Newberg  
 Submittal Date: 10-5-23  
 Assigned To: DFM Ann  
 Due Date: NA  
 Fees Due: Ø  
 Fees Paid: Ø

**Approval/Inspection Conditions**  
 (For Fire Marshal's Office Use Only)

**This section is for application approval only**

[Signature] 0430 10-9-23  
 Fire Marshal or Designee Date  
 Conditions:  
 See Attached Conditions:  Yes  No  
See approved FS plan  
 Site Inspection Required:  Yes  No

**This section used when site inspection is required**

Inspection Comments:  
 \_\_\_\_\_  
 Final TVFR Approval Signature & Emp ID Date

## Bob Pardee

---

**From:** Arn, Jason S. <Jason.Arn@tvfr.com>  
**Sent:** Wednesday, October 11, 2023 11:58 AM  
**To:** Bob Pardee  
**Cc:** Josh Shroyer  
**Subject:** RE: Provider Permit Question

Bob,

For this project I don't see the need.

Thanks for checking.

**Jason Arn | Deputy Fire Marshal CFI**  
Tualatin Valley Fire & Rescue  
Direct: 503-259-1510  
[www.tvfr.com](http://www.tvfr.com)

---

**From:** Bob Pardee <bob.pardee@gogallant.com>  
**Sent:** Wednesday, October 11, 2023 11:08 AM  
**To:** Arn, Jason S. <Jason.Arn@tvfr.com>  
**Cc:** Josh Shroyer <josh@gogallant.com>  
**Subject:** RE: Provider Permit Question

**\*\*\*The sender is from outside TVF&R – Do not click on links or attachments unless you are sure they are safe\*\*\***

Good morning Jason,

Based on the One more question for clarification:

Because there are no new water connections proposed, is it safe to assume there will be no need for a flow test?

**Bob Pardee - Operations & Projects**  
Office: (503) 773-5077  
Cell: (541) 219-1948  
[www.GoGallant.com](http://www.GoGallant.com)



'Do or do not, there is no try.' ~ Yoda



# Community Development Department

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

503-537-1240. Fax 503-537-1272 [www.newbergoregon.gov](http://www.newbergoregon.gov)

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

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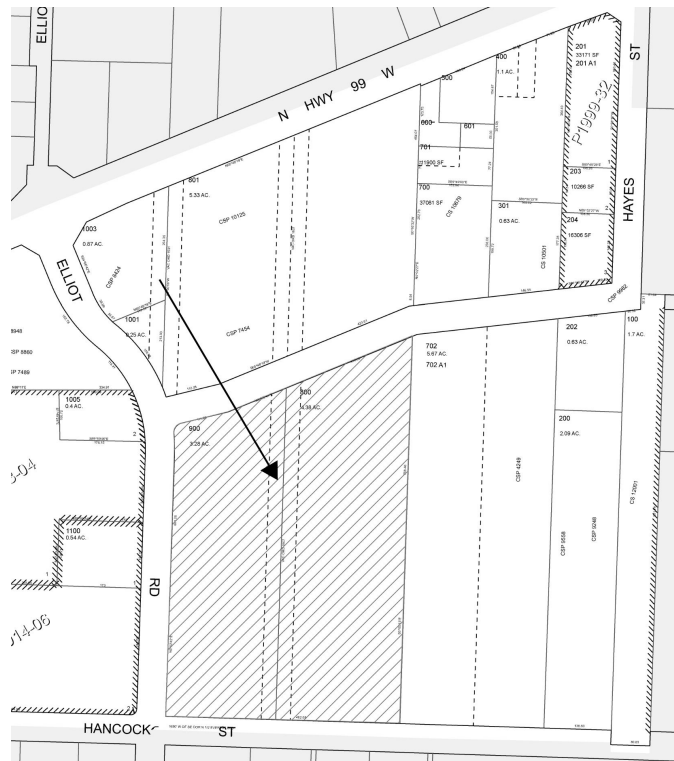
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APPLICANT: **Gallant Construction, Inc.**  
TELEPHONE: **(503) 773-5077**

PROPERTY OWNER: **Parr Lumber Company**

LOCATION: **200 North Elliot Road  
Newberg, OR**

TAX LOT NUMBER: **3 2 20AA, TL 800 & 900**



*Working Together For A Better Community-Serious About Service"*

Z:\Jobs\23-407 Parr - Newberg L-shed\Type II Land Use\type\_ii\_mailed\_notice\_-\_design\_review\_2017.doc



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. ***TBD*** **(City staff will give you the file number for your project at the time of application)**  
City of Newberg  
Community Development Department  
PO Box 970  
Newberg, OR 97132

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.

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

Mailing List - 500' radius from  
Parr Lumber  
200 N. Elliott Rd  
Newberg, OR 97123

Name	Street Address	City	State	Zip
Spencer, John & Janelle	2900 E. Portland Rd.	Newberg	Oregon	97132
Webster Newberg, LLC	2800 E. Hayes St.	Newberg		
Matthews, James	2880 E. Hayes St.	Newberg		
MHBH, LLC	701 N. Deborah Rd. - C	Newberg		
T&C Wash Systems, Inc	701 N. Deborah Rd. - B	Newberg		
T&C Wash Systems, Inc	701 N. Deborah Rd. - A	Newberg		
Cen, Yao L. Revocable Living Trust	2818 E. Portland Rd.	Newberg		
Russel, Frederick H - Trustee	2855 E. Hayes St.	Newberg		
Shreeji Inc.	2816 E. Portland Rd.	Newberg		
Caliba Ventures, Inc.	2810 E. Portland Rd.	Newberg		
RSK Milas, LLC	2700 E. Portland Rd.	Newberg		
The Holland, Inc.	2514 E. Portland Rd.	Newberg		
Portland Road Rental, LLC	2512 E. Portland Rd.	Newberg		
SW Center, LLC	2508 E. Portland Rd. - A	Newberg		
SW Center, LLC	2510 E. Portland Rd. - C	Newberg		
SW Center, LLC	2510 E. Portland Rd. - B	Newberg		
SW Center, LLC	2510 E. Portland Rd. - A	Newberg		
Pacifico Properties, LLC	317 N. Elliott Rd.	Newberg		
Elliott Rd. Self Storage, LLC	315 N. Elliott Rd.	Newberg		
Davidson Brothers, LLC	301 N. Elliott Rd.	Newberg		
Hancock Street, LLC	215 N. Elliott Rd.	Newberg		
2500 Hancock St., LLC	2500 E. Hancock St.	Newberg		
Sheehan, James	2410 E. Hancock St.	Newberg		
MCA Investments, LLC	2400 E. Hancock St.	Newberg		
Matthiesen, Daniel	151 N. Elliott Rd.	Newberg		
Matthiesen, Marsha	131 N. Elliott Rd.	Newberg		
Elliot Road Newberg 1, LLC	101 N. Elliott Rd.	Newberg		
Jankat, LLC	115 S. Elliott Rd.	Newberg		
Schmitz, David & Elizabeth	120 S. Elliott Rd.	Newberg		
Elliot Road Newberg 2, LLC	116 S. Elliott Rd.	Newberg		
KSB1946, LLC	110 S. Elliott Rd.	Newberg		
Bretthauer Newberg, LLC	100 S. Elliott Rd.	Newberg		
Nutmeg Properties, LLC	2610 E. Hancock St.	Newberg		
Williams, Jack	2700 E. Hancock St.	Newberg		
Gouger Family	2710 E. Hancock St.	Newberg		
Bauer Family Trust	2901 E. 2nd St.	Newberg		

# Parr Lumber Company

Type II Land Use Application

**Owner Representative:** Parr Lumber Company  
5630 NE Century Boulevard  
Hillsboro, OR 97124

Eric Schmidlin  
Facilities Manager  
Phone: (503) 614-2500

**Applicant:** Gallant Construction, Inc.  
PO Box 181  
Banks, OR 97106

Bob Pardee, Project Manager  
(503) 773-5077  
Email: Bob.Pardee@GoGallant.com

**Site Address:** 200 North Elliot Road  
Newberg, OR 97123

**Tax Lot:** Tax Map 03 2W 20AA, Tax Lot 800 & 900

**Parcel Size:** TL 800 – 4.38 acres  
TL 900 – 3.28 acres

**Site Size:** 7.66 acres

**Zoning:** C2 – Community Commercial

## Summary of Request:

Erect a new covered lumber storage rack at existing Parr Lumber yard in Newberg. Construction includes erecting a single-sided cantilever rack on a new engineered footing. This structure is 220 linear feet long, 13'4" wide and 20' to the eave. There is no expected impact on traffic, parking or egress. This structure will allow for more efficient storage of lumber in covered racks versus open lot storage.

## DEVELOPMENT PROPOSAL

This project is located at the existing Parr Lumberyard at 200 North Elliot Road in Newberg, Oregon. All work will take place on existing impervious area used for existing outdoor lumber storage. The project will include construction of a 2,670 square foot pre-engineered steel structure on a concrete slab. The proposed structure is a single-sided cantilevered rack designed to protect lumber from the elements.

This narrative is structured to address criteria regarding Type II design review and also address matters noted in the pre-application meeting that took place September 6, 2023. (PRE23-0020)

'*APPLICANT Response*' notes are clarifying responses from the applicant.

'*CITY Comments*' are taken directly from the Pre-Application meeting notes from the September 6, 2023 meeting.

\*\*\*\*\*

The following criteria are required to be met in order to approve a Type II or III design review request found in [NMC 15.220.050\(B\)](#):

### 1. Design Compatibility.

***APPLICANT Response*** – *Architecture, materials, colors, roof design, landscape design, and signage is the same as existing or proposed uses in the surrounding area.*

### 2. Parking and On-Site Circulation.

***APPLICANT Response:*** *No changes are proposed to existing traffic patterns or parking on the property. This building will replace existing open-storage units of lumber.*

***CITY Comment:*** *Based on the proposed project, a traffic study is not required by the City of Newberg*

### 3. Setbacks and General Requirements.

***APPLICANT Response:*** *This project does not abut any neighboring properties or create any traffic vision issues. The building height of 20' and building type meets City of Newberg Municipal Code as required above.*

### 4. Landscaping Requirements.

***APPLICANT Response:*** *Existing landscape improvements and screening efforts are already in place.*

5. [Signs](#).

**APPLICANT Response:** *This building is located away from public entries and will not require any new or additional signage.*

6. [Manufactured Dwelling](#), [Mobile Home](#) and [RV Parks](#).

**APPLICANT Response:** *Not Applicable*

7. Zoning District Compliance.

**APPLICANT Response:** *Both tax lots are zoned C-2 Commercial. (NMC 15.305.020) Uses permitted outright include: Retail Sales – Bulk Outdoor. (NMC 15.303.422)*

8. Subdistrict Compliance.

**APPLICANT Response:** *Not Applicable*

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements.

**APPLICANT Response:** *There are no utility improvements required for this three sided, covered storage building. No domestic water, no fire sprinklers, no power needs. The property has been developed and in operation for a number of years, with improved sidewalks, landscaping, parking and designated traffic flow already well-established.*

**CITY Comment:** *There appears to be adequate existing right-of-way along the project site's frontage. Right-of-way dedication is not anticipated. The proposed covered lumber storage rack does not trigger a Transportation SDC.*

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

**CITY Comment:** *Based on the proposed project, a traffic study is not required by the City of Newberg.*



## SUPPLEMENTAL INFORMATION

Comments below are supplemental feedback prompted by discussions noted in the Pre-Application meeting notes from September 6, 2023.

### TUALATIN VALLEY FIRE & RESCUE:

**APPLICANT Response** - TVF&R Service Provider Permit issued with no conditions or site visit required. (attachment 2)

### ENGINEERING COMMENTS:

The proposed project site has access frontage on N Elliot Road, E Hayes Street and E Hancock Street. N Elliot is classified as Major Collector. E Hayes Street is classified as a Minor Collector. E Hancock is a local commercial street. All are under the jurisdiction of the City of Newberg. All streets are improved along the property frontages.

**APPLICANT Response:** Sidewalks and curbs around the perimeter of property currently meet City of Newberg standards.

**CITY Comment:** There appears to be adequate existing right-of-way along the project site's frontage. Right-of-way dedication is not anticipated.

### Street Lights:

There are existing streetlights around the perimeter of the property.

**CITY Comment:** With this project consisting solely of a covered lumber storage rack in an area of existing outside lumber storage it is unlikely that a street lighting analysis would be required.

### Traffic Study:

Per Newberg Development Code 15.220.030(B)(14) a traffic study is required or may be required.

**CITY Comment:** Based on the proposed project, a traffic study is not required by the City of Newberg.

### Trip Rates/Transportation SDCs:

**CITY Comment:** The proposed covered lumber storage rack does not trigger a Transportation SDC.

### Wastewater:

**CITY Comment:** The proposed project does not include new wastewater facilities.

Water: The proposed project does not include new water connections. Fire flows may need to be verified (confirm with TVF&R). Show closest existing fire hydrant on preliminary plans.

***APPLICANT Response:*** Fire hydrants shown on site plan. (attachment 1)

Confirm with the Fire Marshal (TVF&R) if fire flow test results will need to be submitted with permit applications to be reviewed by the Fire Marshall for approval.

***APPLICANT Response:*** No fire flow required per TVF&R. (attachment 3)

Stormwater: The City's GIS mapping shows there are stormwater system inlets on Hayes Street. It appears that the proposed project will likely not include new impervious area.

If the applicant is proposing to create more than 500 square feet of impervious area, the quantity and quality of stormwater will need to be treated in accordance with the Newberg Municipal Code (NMC) and the Public Works Design and Construction Standards (PWDCS).

***APPLICANT Response:*** Existing impervious area used for lumber storage will be used for this storage shed. There is no new disturbance requirement.

Erosion and Sedimentation Control (ESC): A DEQ 1200-C permit will be required if 1-acre or more is disturbed. If less than 1-acre is disturbed the City will require a city issued Erosion Control and Sedimentation Plan/Permit.

***APPLICANT Response:*** The project areas is less than 1 acre and on existing impervious area.

Other Utilities: Any new service connection to the property is required to be undergrounded.

***APPLICANT Response:*** No new services are required.

Mailed and posted notice is required: Mailed notification must be sent to property owners within 500 feet of the subject property, and signs must be placed on each frontage of the site.

***APPLICANT Response:*** Sample notice and mailing list is attached. (attachment 4)

The application will be evaluated under Type II Design Criteria identified in Newberg Municipal Code including:

- *Design compatibility:*

***APPLICANT Response:*** Architecture, materials, colors, roof design, landscape design, and signage is the same as existing or proposed uses in the surrounding area.

- *Parking and On-Site Circulation:*

**APPLICANT Response:** *This replaces existing outdoor storage on impervious ground. No change to traffic flow on-property or changes to parking are required.*

- *Setbacks and General Requirements:*

- *Height:*

**APPLICANT Response:** *No limit (the property does not abut a residential zoning district)*

- *Lot Coverage:*

**APPLICANT Response:** *No limit.*

- *Setbacks: Front – 10 ft., Interior – none (abuts commercial/industrial zoning districts)*

**APPLICANT Response:** *All set-back requirements are met.*

- *Vision clearance:*

**CITY Comment:** *Not applicable for the proposed storage structure location.*

- *Landscaping:* Proposed structure does not appear to alter existing landscaping. In the final proposal the site shall still meet the minimum standards in NMC 15.420.

- *Signs:* Any signs on the structure must comply with NMC 15.435.

- *Manufactured Dwellings/Mobile Home/RV Parks:* Not applicable.

- *Zoning Compliance:*

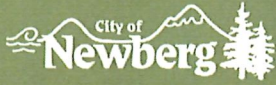
**CITY Comment:** *The use is considered "Retail Sales: Bulk Outdoor" which is a permitted use in the C-2 zoning district.*

- *Subdistrict Compliance:* Not applicable.

## II. CONCLUSION

Applicant requests a favorable review of this Development Review Application and respectfully requests that the City of Newberg approve this Type II Land Use application.

## **Attachment 2: Agency Comments**



# AFFIDAVIT OF ROUTING

**FILE #:** DR223-0006

**REFERRAL OF APPLICATION**

**INFO:** New Covered Lumber Rack in Lumber Yard

## CITY OF NEWBERG AFFIDAVIT OF ROUTING

**REFERENCE ATTACHED LIST(S)/NOTICE(S)**

I, Fé Bates, for the City of Newberg, Oregon, do hereby certify that the attached referral was;

- A. Routed/mailed referral to the following list, by Email or United States mail, postage prepaid & interoffice mail Dec 26, 2023 .

Administrative Assistant

12/26/23

Signature

Title

Date




## Fe Bates

---

**From:** Fe Bates  
**Sent:** Tuesday, December 26, 2023 11:00 AM  
**Cc:** Fe Bates; James Dingwall; Leanne Wagener  
**Subject:** City of Newberg 3 Referral Requests: CUP23-0020, CUP23-0021 & DR223-0006

Good Day,

Below are links to 3 Referral :

1. Referral CUP23-0020 for a Vacation rental at 206 E Fifth St:  
 [Referral - CUP23-0020.pdf](#)
2. Referral CUP23-0021 for a Vacation Rental at 1113 E Fourth St  
 [Referral -CUP23-0021.pdf](#)
3. Referral DR223-0006 for New Covered Lumber Rack in Parr Lumber Yard  
 [Referral -DR223-0006.pdf](#)

Please fill out the Referral Sign Off sheet and email it back no later than **January 10, 2023** to [Planning@newbergoregon.gov](mailto:Planning@newbergoregon.gov).

Please reach out if you have any questions.

Thank you,

Thank you & HAPPY HOLIDAYS!



Fé Bates

Community Development

Administrative Assistant

**City of Newberg**

City Hall: 503-537-1240

Direct: 503-554-7788

**The City Offices are Closed for the Holidays Dec. 22 & 25 and January 1<sup>st</sup>, 2024**

**Members:**

andress@newberg.k12.or.us	andress@newberg.k12.or.us
Brown, Jason	JBrown2@wm.com
Comcast Business (Jason_carroll@cable.comcast.com)	Jason_carroll@cable.comcast.com
Don Clements	dclements@cprdnewberg.org
jwille@wm.com	jwille@wm.com
Newberg Postmaster	97132newbergor@usps.gov
NW Nat-Brian Kelley	brian.kelley@nwnatural.com
ODOT - Planing	ODOTR2PLANMGR@odot.oregon.gov
ODOT Rail-Manager Rail Safety	Carrie.a.martin@odot.state.or.us
PGE-Service & Design	service coordinators@pgn.com
Sportsman Airpark-Jason	jason1@sportsmanairpark.com
Sportsman Airpark-Jerry	jerry@sportsmanairpark.com
thompsonc@co.yamhill.or.us	thompsonc@co.yamhill.or.us
TVFR Deputy Fire Marshall-Ty Darby	Ty.darby@tvfr.com
Yamhill County Planning-Ken Friday	fridayk@co.yamhill.or.us
Yamhill County Roads Dept	haffnerg@co.yamhill.or.us
Ziplay Fiber Engineering	scott.albert@ziplay.com

**Members:**

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Russ Thomas	russ.thomas@newbergoregon.gov
Vance Barton	vance.barton@newbergoregon.gov
Will Worthey	Will.Worthey@newbergoregon.gov



# 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: January 10, 2024  
Please refer questions and comments to: James Dingwall

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

**APPLICANT:** Gallant Construction Inc for Parr Lumber Company  
**REQUEST:** New Covered Lumber Rack in Lumber Yard(  
**SITE ADDRESS:** 200 N Elliott Rd  
**LOCATION:** N/A  
**TAX LOT:** R3220AA 00800  
**FILE NO:** DR223-0006  
**ZONE:** C-2 (Community Commercial 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)

*BUILDING WILL REQUIRE STRUCTURAL ENGINEERING -  
IF BUILDING IS ON PROPERTY LINE A FIRE RATED ASSEMBLY  
IS REQUIRED*

Reviewed By: *[Signature]*

Date: 1-2-24

Organization: *BUILDING*



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Digitally signed by Will Worthey  
DN: cn=US, ou=Newberg, o=City of Newberg, cn=Will Worthey,  
E=will.worthey@newbergoregon.gov  
Reason: I have reviewed this document  
Location: your signing location here  
Date: 2023.12.26 16:57:29-0800  
Foxit PhantomPDF Version: 10.1.12

12/26/23

Reviewed By:

Date:

Will Worthey CM

Organization:



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Reviewed By:

**CON PW Engineering**

Organization:

**1/12/24**

Date:





COMMUNITY DEVELOPMENT  
LAND USE APPLICATION REFERRAL

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**HEARING DATE:** N/A



Project Information is Attached:

- Reviewed, no conflict. *no city lien/ arrear on utility bill*
- 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:

*12/27/23*  
Date:

*Finance*  
Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: James Dingwall

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**LOCATION:** N/A  
**TAX LOT:** R3220AA 00800  
**FILE NO:** DR223-0006  
**ZONE:** C-2 (Community Commercial Zoning)  
**HEARING DATE:** N/A



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- Comments. (Attach additional pages as needed)

**April Catan**

Digitally signed by April Catan  
DN: cn=US, ou=Operations, o=City of Newberg, cn=April Catan,  
E=april.catan@newbergoregon.gov  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2023.12.26 14:16:21-08'00'  
Foxit PhantomPDF Version: 10.1.10

**12/26/23**

Reviewed By:

Date:

**City of Newberg**

Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Reviewed By: \_\_\_\_\_

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Date: \_\_\_\_\_

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Organization: \_\_\_\_\_



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Please refer questions and comments to: James Dingwall

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

**APPLICANT:** Gallant Construction Inc for Parr Lumber Company  
**REQUEST:** Vacation Rental  
**SITE ADDRESS:** 200 N Elliott Rd  
**LOCATION:** N/A  
**TAX LOT:** R3220AA 00800  
**FILE NO:** DR223-0006  
**ZONE:** C-2 (Community Commercial Zoning)  
**HEARING DATE:** N/A



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Project Information is Attached:

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- 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:

12/26/23

Date:

City of Newberg - Operations

Organization: