

Exhibit C.
Order No. 2023-44 and Ordinance No. 2023-2915
Conditions of Approval

A. Springbrook Master Plan (Order No. 2023-44)

1. The condition of Ordinance No. 2007-2678, Exhibit 3: AMENDMENTS TO DEVELOPMENT AGREEMENT AND MASTER PLAN, subsection 2a “Relocate the public walkway at the east end of Sunset Drive so that it aligns with sidewalks on Sunset Drive.” is deleted from Ordinance No. 2007-2678.
2. The condition of Ordinance No. 2007-2678, Exhibit 3: AMENDMENTS TO DEVELOPMENT AGREEMENT AND MASTER PLAN, subsection 2a “Extend Edgewood Drive to Villa Road. Replace the proposed street connection just north of Edgewood Drive with public walkway, extending the existing public walkway from the west.” is deleted from Ordinance No. 2007-2678.
3. To comply with Ordinance No. 2007-2678: Utility lines shall be extended within the planned right-of-ways to the edge of the development and along the frontage of the development, unless such extensions would not serve the Springbrook or other properties (in some cases, such as south of Henry Road, it appears that the proposed lines stop short of the extensions needed). (Note: Detailed engineering may require additional or different utility improvements than those shown on the master plan).
4. To comply with Ordinance No. 2007-2678: Henry Road east of Center Street: Coordinate with the Chehalem Park and Recreation District to complete Henry Road fully abutting Gail Park. The developer could negotiate Parks SDC credits in exchange for full improvements to the road.
5. The language in Ordinance No. 2007-2678 is revised to read: Mountainview Drive: Villa Road to Aspen Way: This should be improved full-width with curbs and sidewalks both sides. Construction of bike lanes and sidewalks in the segment of E Mountainview Drive east of N Villa Road through the “dip” may be deferred provided:
 - a. The Applicant constructs a shared use path and bridge through this segment that meets the requirements of the City Engineer and;
 - b. Completes intersection improvements at N Mountainview Drive that address safety mitigation measures for all modes of transportation that meets the requirements of the City Engineer for not constructing the full-width street section with sidewalks and bike lanes on both sides through this segment of E Mountainview Drive through the “dip”. This would include safety mitigation measures for not raising the segment of E Mountainview Drive through the ”dip”.
6. The A-dec, Ushio, and Bramble Creek properties have waivers of remonstrance for frontage improvements. It is recommended that the developer contact the industrial users to coordinate improvement plans.

7. The language in Ordinance No. 2007-2678 is revised to read: College Street: The east side of N College Street from E Crestview Drive to the project site should be improved along with the development of the Mid-Rise Residential project.
8. To comply with Ordinance No. 2007-2678 the Applicant shall meet the following Local Street Standards condition in Ordinance No. 2007-2678, Exhibit 3: AMENDMENTS TO DEVELOPMENT AGREEMENT AND MASTER PLAN, subsection 3a Streets:
 - a. Local Street Standards. Local streets shall follow the City's adopted standards. Modification to allow the applicant's proposed 28-foot wide local street standard may be used only under the following conditions:
 1. The street must be a local residential street.
 2. It is only allowed within the Low-Density Residential district.
 3. It may only be used on blocks less than 600 feet in length with outlets at each end (i.e. not on cul-de-sacs)
 4. The final design must be approved by the City Engineer and Fire Marshal.
 5. Hydrant placements, driveway restrictions near intersections, and other factors may require wider street widths in sections. Striping and signage for no parking shall not be a substitute for wider street widths.
 6. All lots fronting the street shall have a minimum of two off-street parking spaces exclusive of the garage.
 7. Buildings shall be limited to 30 feet in height, as measured by the Development Code.
 8. Driveways shall be designed to be offset so that the entire length of the street shall have no parking on one side.
 9. Notices of the last three restrictions above shall be placed in the deeds or CC&R's for each lot with such restrictions.
9. To comply with Ordinance No. 2007-2678 the Applicant shall meet the following:
 - a. Utility lines shall be extended within the public right-of-ways as much as is practical.
 - b. Utility lines shall be extended within the planned right-of-ways to the edge of the development and along the frontage of the development, unless such extensions would not serve the Springbrook or other properties.
 - c. Water quality swales and basins shall be maintained by the homeowners association. Facilities to be constructed with the stream corridor shall be replanted per the approved stream corridor mitigation plan.

10. The condition in Ordinance No. 2007-2678, Exhibit 3: AMENDMENTS TO DEVELOPMENT AGREEMENT AND MASTER PLAN, subsection 3c Parks, pathways, and landscape tracts shall be modified to read: A public walkway shall be provided crossing east-west through Tract A.
11. The condition of Ordinance No. 2007-2678, Exhibit 3: AMENDMENTS TO DEVELOPMENT AGREEMENT AND MASTER PLAN, subsection 3d Tree management plan shall apply to the proposed Master Plan amendment. Tree management plan. Prior to development within each phase, present an overlay of the significant trees for preservation within that phase. Adjustments to the road alignments, lot layouts, or development may be necessary to preserve these natural features. Also, present a management plan designed to manage development and construction that will occur near these features.
12. To comply with Ordinance No. 2007-2678 the Applicant shall meet the following:
 - a. Well Protection Best Management Practices: The development shall follow the well protection best management practices as outlined in Exhibit S.
13. To comply with Ordinance No. 2007-2678 the Applicant shall meet the following:
 - a. Geotechnical: Incorporate the recommendations from the Report of Initial Geotechnical Engineering Services (May 17, 2007) into the design and construction of the site.
14. The Applicant shall submit a revised Collina at Springbrook Architecture Concepts & Design Guidelines for review and comment prior to final acceptance by the City of Newberg and the Applicant recording of the document.
15. Gateway features shall be designed to meet vision clearance standards, or to meet sight distance requirements as determined by an engineer.
16. At the time of submittal of individual building permits for homes within Collina at Springbrook, Architectural Review Committee (ARC) approval documentation shall be submitted with the Building Permit application.

B. Zone Map Amendment (Ordinance No. 2023-2915)

1. The Applicant will be required to adhere to this trip cap – 1,960 daily trips, 142 weekday AM, and 181 weekday PM peak hour trips for the development of the property located at the southeast corner of the intersection of E Mountainview Drive and N College Street.

C. Subdivision (Order No. 2023-44)

1. The applicant is conditioned to complete construction (i.e. required public improvements, utilities, streets) for the subdivision phase per the approved phasing plan.
2. The applicant is conditioned to record the final plat within the subdivision approval period.
3. General Requirements for the Public Improvement Permit:
The Public Works Design and Construction Standards require that the Applicant submit engineered construction plans for review and approval of all utilities, public street

improvements, and any new public streets being constructed. Please note that additional Engineering Department plan review application and fees apply for review of plans. Submit any required easements for review and approval and record approved easements. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved and all necessary permits have been obtained.

- a. Public utility infrastructure improvements not limited to street improvements, public walkways, water, wastewater, and stormwater will require permits from partner agencies to authorize different work tasks. All other agency permitting will be required prior to the City of Newberg issuing a Public Improvement Permit.

4. The Applicant must provide the following information for review and approval prior to construction of any improvements:

a. Community Building

1. The Applicant will need to submit a separate Type II Design Review application for the community building.

b. Traffic Signal

1. Based on the information in Tech Memo 10 Finance Program in Appendix A of the adopted Transportation System Plan and the Improvement Fee Project List in Appendix A of the adopted Transportation System Development Charge Methodology Report it is anticipated that a minimum of 50% of the cost for a traffic signal at the intersection of N Villa Road at E Mountainview Drive would be eligible for SDC credits. Final determination of Transportation System Development Charge credits would occur as part of the public improvement permit process.
2. The Applicant is responsible for installation of a traffic signal at the intersection of N Villa Road and E Mountainview Drive as part of safety improvements for all modes of transportation, including bicycles and pedestrians, associated with mitigation measures for this project not constructing street improvements for the full length of the E Mountainview frontage east of N Villa Road.

c. Property Line Adjustment

1. Prior to recording of Phase 1 of the Collina at Springbrook Subdivision a Property Line Adjustment application shall be submitted for review.

d. Phasing

1. The Applicant is proposing a phased subdivision, the phasing shall comply with NMC 15.235.030E to include:
 - a. In no case shall the construction time period (i.e., for required public improvements, utilities, streets) for the first subdivision phase be more than one year;

- b. Public facilities shall be constructed in conjunction with or prior to each phase;
- c. The phased development shall not result in requiring the city or a third party (e.g., owners of lots) to construct public facilities that are required as part of the approved development proposal;
- d. The proposed time schedule for phased development approval shall be reviewed concurrently with the preliminary subdivision plat application; and
 - e. Modifications to the phasing schedule or phasing elements will be processed per NMC 15.235.030(D) and (E) as a Type III application.
- e. CC&Rs
 - 1. To comply with Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Subdivision, subsection 4g Documents & Submittals Required the Applicant shall:
 - a. Provide written documentation that ensures that the Homeowners Association (HOA) will maintain the landscape tracts, water quality and flow control features of the storm water system. The HOA will also be responsible for leaf cleanup and root repair of street trees abutting the landscape tracts. Provide a copy of the documents forming the homeowners association.
 - 2. Prior to recording the Collina at Springbrook CC&Rs the Applicant shall submit a final copy for review and concurrence by the City.
- f. Department of State Lands (DSL)
 - 1. Per the DSL letter dated February 2, 2023, the Applicant is to provide copies of any State and/or Federal permits related to the onsite wetlands and show compliance with any State and/or Federal permits, or provide documentation from State and/or Federal agencies that wetland/waters of the state related permits are not required, prior to issuance of permits from the City of Newberg.
 - 2. To comply with Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Subdivision, subsection 3d the Applicant shall provide a copy of Department of State Lands and U.S. Army Corps of Engineers permits as needed.
- g. General Conditions of Approval
 - 1. Subdivision agreements are no longer required. The language in Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Subdivision, subsection 4 is revised to read:

a. The following improvements, dedications, easements, documents & submittals must be completed prior to final plat approval, or secured for in accordance with City policy:

1. Improvements Required

- A. Complete Construction of Aldersgate Lane abutting the proposed lots.
- B. Construct all approved public utility lines and any improvements required for stormwater mitigation.
- C. Complete required undergrounding of utilities crossing or fronting the street improved as part of the subdivision.
- D. Incorporate the recommendations from the Report of Initial Geotechnical Engineering Services into the design and construction of the site.

2. Vacations

- A. Any proposed right-of-way vacations must go through the applicable City or County vacation process. This process is required in the following areas (and any other areas where proposed tract or lot lines are shown over existing right-of-way), or the plat must be modified to show the existing right-of-way:
 - i. Portions of Aspen Way
 - ii. Portions of Zimri Dr
 - iii. Identify on the plan the existing access road located at the northernmost point of the site the extends southwest from Aspen Way, and vacate if necessary.

3. Existing Septic

- A. Abandon and obtain a demolition permit for any existing septic systems.

4. Existing Wells

- A. "Existing wells located on the site must be shown on the plans and properly abandoned."

5. Existing Structures

- A. Remove existing structures that would be crossed by lot or tract lines. If any structures are within setback lines for new property lines, either remove them, or provide a schedule for their removal, subject to Planning Director

approval, and indicate that building code requirements will be met in the interim. A demolition permit is required prior to removal of any structure.

6. Dedications /Easements Required

- A. There are current easements for existing public utilities located on the property. Some of the older easements have inadequate descriptions or use terms and conditions not found in the current standard City easement form. New easements with properly surveyed descriptions must be granted to the City of Newberg to take the place of these older inadequate easements. Copies of all existing easements must be submitted for final plat approval; however, existing easements may be submitted for review and/or reconstruction prior to the final plat approval process.
- B. All existing easements must be shown on the plat.

7. Documents and Submittals Required

- A. Submit a current title report (within 6 months) for the property. Include copies of all existing easements, codes covenants and restrictions pertaining to the property.
- B. Resolve any boundary or deed discrepancies found.

h. Lot Requirements/Size/Frontage

- 1. The Applicant shall provide a revised preliminary plat prior to submitting a final plat so that minimum lot sizes can be evaluated against the minimum identified in the Springbrook Master Plan Development Standards Matrix.
- 2. The applicant shall submit a separate land division application to divide Lots 43, 44, 45, 46, 99, 100, 101, 102, 103, 124, 125, 149, 150, 151, 152, 153, 154, and 155 in accordance with Ordinance No. 2023-2912 to meet lot size requirements.
- 3. The applicant shall submit a separate land division application to divide Lots 43, 44, 45, 46, 99, 100, 101, 102, 103, 124, 125, 149, 150, 151, 152, 153, 154, and 155 in accordance with Ordinance No. 2023-2912 for lot width requirements to meet lot width requirement.
- 4. The Applicant shall provide a revised preliminary plat prior to submitting a final plat so that minimum lot dimensions and frontage can be evaluated against the minimum identified in the Springbrook Master Plan Development Standards Matrix.
- 5. The Applicant shall revise the quadplex lots to identify a 25-foot-wide access easement, or request a Type III modification to the Springbrook Master Plan Development Standards Matrix per NMC 15.326.060 to establish an alternative access easement width that differs from 15.405.030(D)(1)(a).

6. The Applicant shall revise the proposed language related to design of quadplexes for clarity and submit new language for review and approval prior to submittal of Building Permits for the quadplexes.
 - i. Vision Clearance
 1. The Applicant shall comply with Vision Clearance setback requirements of 15.410.060.
 - j. Retaining Walls
 1. The Applicant shall submit for and obtain building permits for any retaining walls above 4 feet in height including the foundation.
 - k. Street Trees & Planting Strips
 1. Per Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Subdivision, subsection 3c these trees are required to be Raywood Ash. The Applicant shall identify street trees along N Aldersgate Drive as Raywood Ash as part of the Public Improvement Permit application.
 2. Per Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Subdivision, subsection 3c these trees are required to be Crimson Century Maple. The Applicant shall identify street trees along E Henry Road as Crimson Century Maple as part of the Public Improvement Permit application.
 3. The Applicant shall provide the species and caliper of street trees in conformance with the City approved Street Tree List, and identify the type of ground cover or plant materials including size and spacing in accordance with 15.420.010(B) for each phase of the subdivision as part of the Public Improvement Permit application.
 4. If the landscaping cannot be completed prior to issuance of occupancy the Applicant may place a security on file per NMC 15.420.010(C).
 5. 15.420.020(A)(1) Street trees planted in pedestrian spaces shall be planted according to NMC 15.420.010(B)(4).
 6. 15.420.020(A)(2) Pedestrian spaces shall have low (two and one-half feet) shrubs and ground covers for safety purposes, enhancing visibility and discouraging criminal activity.
 - a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms, and at maturity maintain growth within the planting area (refer to plant material matrix below).
 - b. Plant placement shall also adhere to clear sight line requirements as well as any other relevant city safety measures.

7. 15.420.020(A)(5) Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility.
8. 15.420.020(B)(1) Planting strips which do not have adjacent parking shall have a combination of ground covers, low (two and one-half feet) shrubs and trees. Planting strips adjacent to frequently used on-street parking, as defined by city staff, shall only have trees protected by tree grates, and planting strips adjacent to infrequently used on-street parking shall be planted with ground cover as well as trees (see Appendix A, Figures 18 and 19, Typical Planting Strip Layouts). District themes or corridor themes linking individual districts should be followed utilizing a unifying plant characteristic, e.g., bloom color, habit, or fall color. When specifying thematic plant material, monocultures should be avoided, particularly those species susceptible to disease.
9. 15.420.020(B)(2) Street trees shall be provided in all planting strips as provided in NMC 15.420.010(B)(4).
 - a. Planting strips without adjacent parking or with infrequent adjacent parking shall have street trees in conjunction with ground covers and/or shrubs.
 - b. Planting strips with adjacent parking within 300 feet of the Community Building shall have only street trees protected by tree grates.
10. 15.420.020(B)(3) Shrubs and ground covers shall be provided in planting strips without adjacent parking with low (two and one-half feet) planting masses to enhance visibility, discourage criminal activity, and provide a physical as well as psychological buffer from passing traffic.
 - a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms and at maturity maintain growth within the planting area.
 - b. Ground cover able to endure infrequent foot traffic shall be used in combination with street trees for planting strips with adjacent occasional parking (refer to plant material matrix below).
 - c. All plant placement shall adhere to clear sight line requirements as well as any other relevant city safety measures.
11. 15.420.020(C) Maintenance. All landscapes shall be maintained for the duration of the planting to encourage health of plant material as well as public health and safety. All street trees and shrubs shall be pruned to maintain health and structure of the plant material for public safety purposes.
12. The Applicant shall comply with the conditions of approval for NMC 15.420.010(B)(4) and NMC 15.420.020(A-D).
13. The Applicant shall Provide a bond for the street tree planting as part of the public improvements.

1. Undergrounding Utilities

1. With the public improvement permit application the Applicant is to include plans for undergrounding of the existing overhead utility lines along the E Mountainview frontage between N Villa Road and an existing utility pole located approximately 150-feet east of N Thorne Street.
2. Plans submitted with the public improvement permit application to show all utilities installed underground.
3. To comply with Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Subdivision, subsection 3a Engineered Construction Plans, General Utilities the Applicant shall:
 - a. Submit engineered construction plans for review and approval. Pay appropriate plan review fees. Submit plans showing storm and street information on one sheet; water and sanitary on another sheet. The plans must include the following:
 1. General Utilities
 - A. All utilities crossing or fronting the site must be undergrounded, subject to City standards and exceptions, including power, cable, and telephone lines.

m. Signs

1. The Applicant shall comply with signage requirements of Chapter 15.435 SIGNS and the Springbrook Master Plan Development Standards Matrix.

n. Permits

1. Final plans demonstrating all public improvements meet the requirements of the most recent Newberg Public Works Design and Construction Standards are required with the submittals for the public improvement permits.
2. The Applicant is required to submit final construction plans and obtain a public improvement permit for the proposed new streets and improvements to existing streets. Plans will be fully reviewed for compliance with city standards including NMC 15.505.030 and the Public Works Design and Construction Standards as part of the public improvement permit plan review process.
3. Any required public improvements for this project must be completed prior to building permits being issued.

o. Streets - Local

1. The Applicant shall submit final plans for public improvement permits to show local residential streets consisting of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, minimum 4.5-foot planter, 0.5-foot curb, 7-foot parking lane, 9-foot

travel lane, 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, minimum 4.5-foot planter, 5-foot sidewalk, 1-foot from back of walk to right-of-way.

2. The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 54-feet of right-of-way to construct the local residential streets to serve the subdivision.

p. Streets – N Aldersgate Drive

1. The Applicant shall revise submit final plans for public improvement permits to show completion of street improvements to N Aldersgate Drive, a local residential street, consisting of the following: 1-foot from back of walk to right-of-way, 5-foot sidewalk, minimum 4.5-foot planter, 0.5-foot curb, 7-foot parking lane, 9-foot travel lane, 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, minimum 4.5-foot planter, 5-foot sidewalk, 1-foot from back of walk to right-of-way.
2. The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 54-feet of right-of-way to construct the remaining improvements to N Aldersgate Drive, a local residential street.
3. The required vacation of right-of-way at the E Edgewood and N Aldersgate Drive intersection is to occur with a separate application prior to submittal of public improvement permits for phases adjacent to this location.

q. Streets - Traffic Circle E Henry Road/N Center Street

1. Street improvement plans for the traffic circle at the intersection of N Center Street with E Henry Road are to include yield signs.

r. Streets – E Henry Road

1. The Applicant is required to provide a public pedestrian access easement, meeting City of Newberg requirements, for the sidewalk shown on the north side of the E Henry Road improvements that is within Tom Gail Park and outside of the public right-of-way.
2. Determination of the condition of the existing walkway within Tom Gail Park on the north side of the E Henry Road improvements is to occur as part of the public improvement permit process. Any portions of the walkway found to be in poor condition or not meeting ADA standards will be required to be replaced as part of the E Henry Road improvements.
3. The Applicant shall provide plans for public improvement permits to show the E Henry Road improvements consisting of the following:
 - a. south of the center line along the Collina frontage:

1. 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, minimum 4.5-foot planter, minimum 5-foot sidewalk, 1-foot from back of walk to right-of-way.
- b. north of the center line along the Tom Gail Park frontage:
1. 9-foot travel lane, 7-foot parking lane, 0.5-foot curb, minimum 4.5-foot planter, minimum 5-foot sidewalk, 1-foot from back of walk to right-of-way – except where for the area of the existing sidewalk outside of the right-of-way is to be within a public pedestrian access easement.
4. The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 54-feet of right-of-way to construct the local residential streets to serve the subdivision.
 5. Determination of the limits of the public pedestrian access easement along the southern frontage of Tom Gail Park is to occur as part of the public improvement permit process.
- s. Streets – E Mountainview Drive West of N Villa Road
1. The Applicant shall provide plans for public improvement permits to show construction of required ½ street improvements to E Mountainview Drive, a minor arterial street, conforming to Ordinance No. 2007-2678 consisting of the following: 8-foot meandering sidewalk, partially in and partially out of the right-of-way with a public access easement for any portion of the sidewalk outside of the right-of-way, 10.5-foot planter, 0.5-foot curb, 6-foot bike lane, 12-foot travel lane, 2-foot minimum shy distance between edge of median and 12-foot-wide travel lane, 12-foot turn lane/median, 2-foot minimum shy distance between edge of median and 12-foot-wide travel lane, 12-foot travel lane, 6-foot bike lane, 0.5-foot curb, +/-5-foot planter, +/-5-foot sidewalk, 0.5-foot from back of walk to right-of-way. Alternatively, the applicant has the option to submit a Type II application for modification of street right-of-way and improvement width per NMC 15.505.030(H).
 2. The Applicant is required to dedicate sufficient right-of-way to achieve a minimum of 74-feet of right-of-way to construct the required improvements to E Mountainview Drive, minor arterial street. Alternatively, the applicant has the option to submit a Type II application for modification of street right-of-way and improvement width per NMC 15.505.030(H).
 3. With public improvement permit submittals the Applicant is to provide documentation clearly justifying the installation of marked crosswalks across E Mountainview Drive at its intersection with N Center Street and for the installation of rectangular rapid flashing beacons at this intersection. This documentation is to include the queuing analysis referenced in the preliminary plans.
- t. Streets – E Mountainview Drive East of N Villa Road

1. Marked crosswalks across E Mountainview Drive are not to be installed without appropriate documentation and justification, including addressing sight distance or other issues, and receiving approval of the City of Newberg Engineer or authorized representative.
 2. Mitigation measures for this project not constructing street improvements for the full length of the E Mountainview Drive frontage east of N Villa Road are to include alternative safety improvements for all modes of transportation including bicycles and pedestrians. These mitigation measures are to include:
 - a. Traffic signal and associated improvements at the intersection of N Villa Road at E Mountainview Drive.
 - b. A minimum 12-wide paved shared use path with 2-foot-wide shoulders within a public access easement east the E Mountainview Drive at N Villa Road intersection.
 - c. The 12-foot wide shared use path with 2-foot-wide shoulders is to extend from N Villa Road to the proposed shared use bridge across Hess Creek and is to include provisions for bike access to the shared use path.
 - d. The 12-foot wide shared use path with 2-foot-wide shoulders is also to extend from the proposed shared use bridge to the east side of the E Mountainview Drive intersection with N Alice Way and is to include provisions for bike access to the shared use path from E Mountainview Drive.
 - e. The limits of the public access easement for the shared use path is to be confirmed as part of the public improvement permit process.
 - f. An E Mountainview Drive at N Villa Road intersection designed to address and route eastbound pedestrian and bicycle traffic to the planned shared use bridge to be confirmed as part of the public improvement permit process.
 3. A minimum 12-wide shared use bridge across Hess Creek. The shared use bridge is to be privately maintained by an HOA or other entity. A private maintenance agreement is to be recorded and provided to the City of Newberg.
 4. Based on the information in Tech Memo 10 Finance Program in Appendix A of the adopted Transportation System Plan and the Improvement Fee Project List in Appendix A of the adopted Transportation System Development Charge Methodology Report it is anticipated that a minimum of 50% of the cost for a traffic signal at the intersection of N Villa Road at E Mountainview Drive would be eligible for SDC credits. Final determination of Transportation System Development Charge credits would occur as part of the public improvement permit process.
- u. Construction of New Streets
1. Based on the information in Tech Memo 10 Finance Program in Appendix A of the adopted Transportation System Plan and the Improvement Fee Project List in Appendix

A of the adopted Transportation System Development Charge Methodology Report a portion of the costs for the Foothills Drive extension and the Villa Road extension may be eligible for SDC credits. Final determination of Transportation System Development Charge credits would occur as part of the public improvement permit process.

2. The language in Ordinance No. 2007-2678 is revised to read:
 - a. Specify the exact extent of streets to be constructed with the subdivision.
3. To comply with Ordinance No. 2007-2678 the Applicant shall:
 - a. Provide construction plans for review for the street improvement required on Aldersgate Ln. The frontage must be fully improved with sidewalks, street trees, curb and gutters, with the width of the improvement to be determined during approval of the construction drawings. Also, construct short segments of streets east of Aldersgate Ln. to Vill Road.
 - b. Provide construction plans for any other streets, including spur entrance roads, that will be constructed as part of the subdivision.
 - c. A 2-foot minimum shy distance is required from the edge of all medians to the 12 ft wide travel lane. A 6-foot wide bike lane is required on the minor arterial.
4. The language in Ordinance No. 2007-2678 is revised to read:
 - a. Present a revised drawing for the E Mountainview Drive section through the Hess Creek crossing. It is recommended that the section through the crossing be narrowed to the extent possible by narrowing or eliminating the median in this section. Bike lanes are required through the section. The section must accommodate sidewalks on the south side. Verify the design meets vertical curve standards. The design will need proper barriers on each side. It is recommended that iron or similar railing be considered rather than fencing. Design and construction of bike lanes and sidewalks in the segment of E Mountainview Drive east of N Villa Road through the “dip” at Hess Creek may be deferred provided:
 1. The applicant constructs a shared use path and bridge through this segment that meets the requirements of the city engineer and;
 2. Completes intersection improvements at N Mountainview Drive that address safety mitigation measures for all modes of transportation that meets the requirements of the city engineer for not constructing the full-width street section with sidewalks and bike lanes on both sides through this segment of E Mountainview Drive through the “dip”. This would include safety mitigation

measures for not raising the segment of E Mountainview Drive through the “dip”.

3. To comply with Ordinance No. 2007-2678 the Applicant shall:

- A. Ensure that manhole lids do not conflict with the edges of the medians. Modifications of median widths and/or adjustments to the separation between storm and sanitary lines may be necessary to correct this problem.
- B. Verify that future streets will fit within the proposed corner radii and right-of-way as shown on the plat (proposed boundaries of tracts). Tract lines may require adjustment to accommodate changes in the master plan layout.

v. Streets – N Springbrook Road/E Haworth Avenue

- 1. The Applicant will be required to participate in funding improvements at the N Springbrook Road and E Haworth Avenue intersection that are indicated in the City of Newberg Transportation System Plan (TSP) as Project I09. The Traffic Impact Fee formula developed to capture the proportional impact of developments is based on the most significant a.m. or p.m. proportional volume contribution. The trips referenced in the formula come from the traffic study required for the development.

$$\frac{(\text{Cost in the TSP for improvements}) \times (\text{Trips directly related to the development})}{(\text{Total trips through the intersection})} = \text{the proportionate share of the development}$$

- 2. Prior to final plat approval the Applicant is responsible for payment of the Traffic Impact Fee amount of \$15,924 for development’s proportionate share of the cost of future improvements at the E Haworth Avenue at N Springbrook Road intersection.

w. Streets - Turn Lanes

- 1. The Applicant shall revise plans for public improvement permits to show construction of a northbound left-turn lane on N Villa Road at the future E Foothills Drive intersection with a minimum of 50-feet of storage for the northbound left-turn lane for that phase of the subdivision.

x. Streets - Slope Easements

- 1. Determination if any slope easements are required is to occur as part of the permit plan review process.

y. Streets - Temporary Turnarounds

- 1. The Applicant is required to submit plans for temporary turn arounds meeting the standards of this section with the public works improvement permit application

materials. This includes provisions for a turnaround where the extension of N Villa Road is shown ending at the northern property line of the development.

z. Streets - Topography

1. The Applicant will be required to provide plans that provide for a suitable and safe transition from the end of the proposed road to the surrounding existing ground.
2. The Applicant will be required to submit designs for the proposed retaining walls which address existing surcharge loads and are prepared by a licensed geotechnical engineer.

aa. Street Names

1. To comply with Ordinance No. 2007-2678 the Applicant shall:
 - a. Name any proposed new streets. The proposed street names are subject to review and approval by the City Planning Division and the Fire Marshal.
 - b. The Applicant is required to coordinate with the Planning Division to determine appropriate street names and install street name signs at all public street intersections within the development.

bb. Intersections/Driveways/Alleys

1. Access shall be taken from the street with the lesser functional classification.
2. Plans submitted with permit applications shall clearly show the lot frontage separation between driveways associated with each quadplex as a minimum of 22-feet. or submit for a Type III modification of the Springbrook Development Standards Matrix per NMC 15.326.06015.220.020(D).
3. Plans submitted with permit applications shall clearly show the lot frontage separation between driveways associated with each duplex lot as a minimum of 22-feet.
4. Lots that have frontage on an alley and the only other frontage is on collector or arterial streets (N Villa Drive, E Foothills Drive and E Mountainview Drive) shall take access from the alley.
5. The Applicant will be required to submit and record shared access easements and maintenance plans for all proposed shared driveways prior to the final plat.
6. To adequately provide emergency vehicle access and separate wastewater, water and stormwater service laterals to each lot served by a shared access driveway, access and utility easements for shared driveways are to be 25-foot wide with a 20-foot-wide paved surface. or submit a Type III modification of the Springbrook Development Standards Matrix per NMC 15.326.060.

7. Shared driveways are to be posted as no parking fire lanes where required by the fire marshal.
8. One additional parking space over those otherwise required shall be provided for each dwelling on the lots served by the shared access driveway adjacent to lots 338 through 341.

cc. Public Walkways

1. With permit submittals the Applicant is to submit plans showing all public walkways as a minimum 10-feet in width, conforming to the City of Newberg Public Works Design and Construction Standards, and meeting ADA requirements.
2. As part of the public improvement permit process the Applicant shall provide documentation of a homeowner's association, or similar entity, responsible for the maintenance of the public walkways and associated improvements. A maintenance agreement, or agreements, for the public walkways are to be recorded and provided to the City as part of the public improvement permit process.

dd. Street Lights

1. With public improvement permit submittals, the Applicant is required to submit final plans with a street lighting analysis and plan for PGE Option A street lights necessary to meet City standards. Street lighting analysis, and plans if additional PGE Option A street lights are necessary, is to include the E Mountainview Drive frontage.

ee. Water

1. The Applicant is required to submit construction plans and obtain a public improvement permit for the proposed water system improvements.
2. New water mains in E Foothills Drive and N Villa Road are to be 12-inch as shown on the preliminary plans consistent with the current water master plan.
3. The Applicant is also required to install the new 12-inch water line parallel to the existing 12-inch waterline in E Mountainview Drive east of N Villa Road along the E Mountainview Drive frontage consistent with the current water master plan.
4. Plans will be fully reviewed for compliance with city standards including NMC 13.15 and the Public Works Design and Construction Standards as part of the public improvement permit plan review process.
5. All onsite fire hydrants are to be public fire hydrants served by public water lines. Onsite public water lines not within public street rights-of-way, including those serving onsite fire hydrants, are to be in a 15-foot-wide public water line easement.
6. Fire flow test results are to be submitted with permit applications to be reviewed by the Fire Marshall for approval.

7. The language in Ordinance No. 2007-2678 is revised to read:

a. Submit engineered construction plans for review and approval. Pay appropriate plan review fees. Submit plans showing storm and street information on one sheet; water and sanitary on another sheet. The plans must include the following:

1. Water

A. Show water connections to each “lot”.

B. Every water line tee is required to have 2 valves.

C. Every water line cross is required to have 3 valves.

D. All waterlines serving fire hydrants must be minimum 8-inch diameter and be located within public easements. Maximum fire hydrant spacing is 500 ft apart. Verify that the location and installation of all fire hydrants meets the Fire Code and City of Newberg specifications.

E. Hydrant locations must be coordinated with the location of medians and landscape tracts. In some cases, modifications to the medians, street widths, or hydrant locations may be needed. Verify that the location of all fire hydrants meets the fire Code. Location shall be approved by the Fire Marshal.

2. Re-use Waterline

A. A re-use waterline is to be installed in Mountainview Dr, Crestview Dr, Springbrook Rd and Villa Rd. Re-use lines shall also be extended within residential roads as necessary to reach developed parks and open spaces that will require irrigation.

3. General Utilities

A. Each lot must have separate private utility laterals to the main or to a double water service where allowed per the Public Works Design and Construction Standards.

ff. Non-potable Water

1. The Applicant will be required to submit final plans for the proposed non-potable water system with the public works improvement permit application. Plans will be fully reviewed for compliance with city standards including the Public Works Design and Construction Standards as part of the public improvement permit plan review process.

2. Meters for irrigation of open spaces or other locations are to be temporarily connected to potable water service lines until non-potable water is available.

3. The minimum pipe size for City water mains, including non-potable water mains is 8-inches.

gg. Wastewater

1. The Applicant is required to abandon or remove the septic system in accordance with Yamhill County Standards. The Applicant will need to provide a certification from Yamhill County of the septic system abandonment/removal as part of the public improvement permit process.
2. The Applicant will be responsible for verifying that the capacity of the existing wastewater lines are adequate for the development.
3. All necessary easements required for the construction of these facilities are to be obtained by the Applicant and granted to the City pursuant to City requirements.
4. The Applicant will be required to submit final plans for the wastewater collection system with the public works permit application.
5. The proposed wastewater facilities are to be sized to provide adequate capacity during peak flows from the entire area potentially served by the facilities.
6. The Applicant is required to submit construction plans and obtain a public improvement permit for the proposed wastewater service. Plans will be fully reviewed for compliance with city standards including NMC 13.10 the Public Works Design and Construction Standards as part of the public improvement permit plan review process.
7. Service laterals for wastewater service are to be provided from a public wastewater main to each lot or dwelling under separate ownership. Including lots adjacent to proposed shared access driveways.
8. The language in Ordinance No. 2007-2678 is revised to read:
 - a. Submit engineered construction plans for review and approval. Pay appropriate plan review fees. Submit plans showing storm and street information on one sheet; water and sanitary on another sheet. The plans must include the following:
 1. Sewer
 - A. Show sewer lateral connections to each “lot”.
 2. General Utilities
 - A. Each lot must have separate private utility laterals to the main or to a double wye branch where allowed per the Public Works Design and Construction Standards.

hh. Easements

1. The Applicant will be required to submit final plans clarifying which public utility easement is being vacated along the north side of E Mountainview Drive.
2. Ten-foot-wide public utility easements (PUEs) are to be provided along all public rights-of-way within the development.
3. All easements proposed to benefit the city and needed temporary construction easements shall be submitted with the public works improvement permit application.
4. Easements deemed necessary to benefit the city as confirmed or identified during the public improvement permit process are to be recorded as part of the public improvement permit process.
5. All private easements shall be recorded and provided to the city as part of the permit process.
6. Easements to be recorded on easement forms approved by the City and designated on the final plat.
7. To comply with Ordinance No. 2007-2678 the Applicant shall:
 - a. Submit engineered construction plans for review and approval. Pay appropriate plan review fees. Submit plans showing storm and street information on one sheet; water and sanitary on another sheet. The plans must include the following:
 1. "General Utilities
 - A. 10-foot wide utility easements are required along all frontages (no longer called "public utility easements"), except where all franchise utilities (phone, cable, gas, and electricity) indicate acceptance of an 8-foot easement.

ii. Stormwater

1. The Applicant will be required to submit final plans, with the public works improvement permit application, showing how erosion at the outfall to Hess Creek is minimized.
2. The Applicant will be required to submit, with the public works improvement application, a downstream conveyance analysis to identify likely downstream impacts to the public storm system beginning in N Center Street and a recommended plan identifying the scope of the downstream conveyance upgrades anticipated.
3. The Applicant will be required to submit a stormwater management plan for Tract H with the building permit application.
4. A final stormwater report with downstream conveyance analysis and design will be required with the public works improvement permit application.
5. The Applicant will be required to obtain a 1200-C Stormwater General Permit from Oregon Department of Environmental Quality prior to any ground disturbing activity.

6. To comply with Ordinance No. 2007-2678 the Applicant shall:
 - a. Obtain a DEQ 1200-C permit for grading. Submit a grading plan for review and approval.
7. The Applicant will be required to submit a final stormwater management plan with final construction plans meeting the requirements of the current Newberg Public Works Design and Construction Standards in accordance with NMC 13.20 and 13.25 Stormwater Management with the public works improvement permit application. This includes demonstrating compliance with the stormwater facility selection hierarchy described in Section 4.6.8 of the Public Works Design and Construction Standards.
8. The language in Ordinance No. 2007-2678 is revised to read:
 - a. Submit engineered construction plans for review and approval. Pay appropriate plan review fees. Submit plans showing storm and street information on one sheet; water and sanitary on another sheet. The plans must include the following:
 1. Storm Drainage
 - A. Submit drainage calculations that specify the capacity of the storm system.
 - B. Catch basins are required on the uphill side of intersections.
 - C. Do not place any manholes at the centerline of the street.
 - D. Submit a storm water report that details the impact of the outfall into the stream that addresses erosion and provides measures to mitigate the erosion. Drainage on the NE side of Mountainview Dr can be (and should be) fully connected to the Mountainview-Springbrook line once the 12” storm line is replaced by a 30” line.

The Applicant must complete the following prior to final plat approval.

1. **Substantially Complete the Construction Improvements:** Prior to final plat approval, the Applicant must substantially complete the construction improvements and secure for inspection with the Engineering Division (503-537-1273). In addition to those items listed below, the inspector will also be looking for completion of items such as sidewalks, street signs, streetlights, and fire hydrants.

ORS455.174 defines substantial completion as the completion of the:

- a. Water supply system;
- b. Fire hydrant system;
- c. Sewage disposal system;
- d. Storm water drainage system;

- e. Curbs;
- f. Demarcating of street signs acceptable for emergency responders; and
- g. Roads necessary for access by emergency vehicles.

Final plat submission requirements and approval criteria: In accordance with NDC final plans showing utility easements will be required prior to submitting for building permits.15.235.070, final plats require review and approval by the director prior to recording with Yamhill County. The final plat submission requirements, approval criteria, and procedure are as follows:

1. Submission Requirements:

The Applicant shall submit the final plat within two years, or as otherwise provided for in NMC 15.235.030. The format of the plat shall conform to ORS Chapter 92. The final plat application shall include the following items:

- a. One original and one identical copy of the final plat for signature. The plat copies shall be printed on mylar, and must meet the requirements of the county recorder and county surveyor. The plat must contain a signature block for approval by the city recorder and community development director, in addition to other required signature blocks for county approval. Preliminary paper copies of the plat are acceptable for review at the time of final plat application.
 - b. Written response to any conditions of approval assigned to the land division.
 - c. A title report for the property, current within six months of the final plat application date.
 - d. Copies of any required dedications, easements, or other documents.
 - e. Copies of all homeowner’s agreements, codes, covenants, and restrictions, or other bylaws, as applicable. This shall include documentation of the formation of a homeowner’s association, including but not limited to a draft homeowner’s association agreement regarding the maintenance of planter strips adjacent to the rear yard of proposed through lots.
 - f. Copies of any required maintenance agreements for common property.
 - g. A bond, as approved by the city engineer, for public infrastructure improvements, if the improvements are not substantially complete prior to the final plat.
 - h. Any other item required by the city to meet the conditions of approval assigned to the land division.
2. Approval Process and Criteria. By means of a Type I procedure, the director shall review and approve, or deny, the final plat application based on findings of compliance or noncompliance with the preliminary plat conditions of approval.

Filing and recording: In accordance with NMC 15.235.080, a new lot is not a legal lot for purposes of ownership (title), sale, lease, or development/land use until a final plat is recorded for the subdivision or partition containing the lot. The final plat filing and recording requirements are as follows:

1. **Filing Plat with County.** Within 60 days of the city approval of the final plat, the Applicant shall submit the final plat to Yamhill County for signatures of county officials as required by ORS Chapter 92.
2. **Proof of Recording.** Upon final recording with the county, the applicant shall submit to the city a paper copy of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits for the newly created lots.
3. **Prerequisites to Recording the Plat.**
 - a. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92;
 - b. No plat shall be recorded until the county surveyor approves it in the manner provided by ORS Chapter 92.

Development Notes:

1. **Postal Service:** The applicant shall submit plans to the Newberg Postmaster for approval of proposed mailbox delivery locations. Contact the Newberg Post Office for assistance at 503-554-8014.
2. **PGE:** PGE can provide electrical service to the project under terms of the current tariff which will involve developer expense and easements. Contact the Service & Design Supervisor, PGE, at 503-463-4348.
3. **Zipty:** The developer must coordinate trench/conduit requirements with Zipty. Contact the Engineering Division, Zipty, at 541-269-3375.
4. **Addresses:** The Planning Division will assign addresses for the new subdivision. Planning Division staff will send out notice of the new addresses after they receive a recorded copy of the final subdivision plat.

D. Stream Corridor (Order No. 2023-44)

1. The Applicant shall add the following to the General Landscape Notes: Disturbed areas, other than authorized improvements, shall be regraded and contoured to appear natural. All fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon.
2. The Applicant shall provide information for review to show compliance with NMC 15.342.090(B)(4) on the submitted building plans.

3. To comply with Ordinance No. 2007-2678, Exhibit 4: SUBDIVISION AND STREAM CORRIDOR CONDITIONS OF APPROVAL, Stream Corridor the Applicant shall add the following to the General Landscape Notes: Disturbed areas, other than authorized improvements, shall be regraded and contoured to appear natural. All fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon.