

**SECTION III: CONDITIONS OF APPROVAL
PARTITION, MIDDLE HOUSING LAND DIVISION, AND CODE ADJUSTMENT
200/170 E THIRD STREET (FILE NO. PAR23-0002/ADJC23-0006)**

1. Submittal and evaluation of the final plat will be required after preliminary plat approval.
2. A final plat shall be submitted and approved within three years of tentative approval of this preliminary plat.
3. Each lot in the middle housing land division for the detached duplex shall have separate utilities for each dwelling unit prior to final plat.
4. Final plans which meet the City of Newberg Public Works Design and Construction Standards for the public water service connection will be required with the application for a public improvement permit.
5. Final plans which meet the City of Newberg Public Works Design and Construction Standards for the public wastewater service connection will be required with the application for a public improvement permit.
6. The Applicant is required to submit a final plat that includes 10-foot utility easements along all the public street frontage.
7. The Applicant shall list the following notes for this middle housing land division on the final plat:
 - a. This approval was given under a middle housing land division in Newberg Municipal Code 15.235.050(B) and ORS 92.031.
 - b. The lots within this plat shall not be further subdivided.
 - c. Accessory Dwelling Units shall not be allowed on any lot within this middle housing land division
 - d. All lots within this middle housing division shall have no more than one dwelling unit per lot
 - e. The dwelling developed on the middle housing lot is a unit of middle housing (detached duplex) and not a single family detached residential unit or any other housing type.
8. Final plans of the driveway apron modifications to create separate driveway approaches which comply with the City of Newberg Public Works Design and Construction Standards are to be submitted with the public improvement permit application. Sidewalks through the proposed modifications to the driveway approach are to be 6-inches thick in accordance with the City of Newberg Public Works Design and Construction Standards.

9. A city issued erosion control permit will be required prior to any ground disturbance.

The Applicant will be required to submit a street lighting analysis to determine if existing street lighting along the property frontage meets city standards or if additional PGE Option A streetlights are required. The lighting analysis will need to extend to the centerline of the street along the property frontage. If additional street lighting is needed, plans submitted with permit applications are to include any additional PGE Option A streetlights necessary to meet City standards.

10. No building permits to put new structures on the lots shall be issued on either lot until a final plat is recorded.

11. Final Plat Requirements pursuant to NMC 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:

A. Submission Requirements. The final plat application shall include the following items:

1. 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.
2. Written response to any conditions of approval assigned to the land division.
3. A title report for the property, current within six months of the final plat application date.
4. Copies of any required dedications, easements, or other documents.
5. 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.
6. Copies of any required maintenance agreements for common property.
7. A bond, as approved by the city engineer, for public infrastructure improvements, if the improvements are not substantially complete prior to the final plat.

8. Any other item required by the city to meet the conditions of approval assigned to the land division.

B. 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.

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 GIS Department will assign an address for the new partition. Planning Division staff will send out notice of the new address after they receive a recorded copy of the final partition plat.