TYPE I APPLICATION -- 2015
(ADMINISTRATIVE REVIEW)

File #:_____

TYPES – PLEASE CHECK ONE:

___ **Code Adjustment**
___ **Final Plat**
___ **Minor Design Review**
___ **Property Line Adjustment**
___ **Property Line Consolidation**
___ **Type I Extension or Type I Minor/Major Modification**
___ **Type II or Type III Extension or Minor Modification**
___ **Other: (Explain)** _____

APPLICANT INFORMATION:

APPLICANT:_____
ADDRESS:_____
EMAIL ADDRESS: _____
PHONE: _____ MOBILE: _____ FAX: _____
OWNER (if different from above): _____ PHONE: _____
ADDRESS: _____
ENGINEER/SURVEYOR: _____ PHONE: _____
ADDRESS: _____

GENERAL INFORMATION:

PROJECT NAME: _____ PROJECT LOCATION: _____
PROJECT DESCRIPTION/USE: _____
MAP/TAX LOT NO. (i.e.3200AB-400): _____ ZONE: _____ SITE SIZE: _____ SQ. FT. ☐ ACRE ☐
COMP PLAN DESIGNATION: _____ TOPOGRAPHY: _____
CURRENT USE: _____
SURROUNDING USES:
NORTH: _____ SOUTH: _____
EAST: _____ WEST: _____

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: ☐ Fees ☐ Current Title Report ☐ Written Criteria Response ☐ Owner Signature

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

Code Adjustment ……..... **p. 4**
Final Plat ……..... **p. 6**
Minor Design Review ……..... **p. 10**
Property Line Consolidation……..... **p. 11**
Property Line Adjustment……..... **p. 12**

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

_____ _____
Applicant Signature Date Owner Signature Date

_____ _____
Print Name Print Name

Attachments: General Information, Fee Schedule, Criteria, Checklists

GENERAL INFORMATION
Type I Development Permit Process (Administrative Decision)

Overview: Type I Permit applications are reviewed administratively using a process in which City staff applies clear and objective standards that do not allow much discretion. This process does not require public notice of the application or decision. Only the applicant may appeal the decision. Depending on the type of application, a Type I process can take as little time as a few days (i.e.: signs) or up to 60 days (i.e.: plat maps).

TYPE I PERMITS INCLUDE:

- Adjustments to Development Code Standards
- Duplexes
- Fences and trash enclosures
- Final plat maps for subdivisions and partitions
- Minor remodels or additions for commercial, industrial and multi-family residential
- Modifications, paving, landscaping, re-striping or re-grading of parking lots
- Property line adjustments or consolidations
- Signs (freestanding and building mounted)

- **Pre-Application Conference:** Please call to schedule a time for a pre-application meeting (optional) prior to submitting an application. The Development Review Meetings are held every Wednesday. This meeting provides the opportunity to get advance information from Planning, Engineering, and Building divisions all at once. It is likely to save you time and effort later. The non-refundable pre-application conference fee is $100.00, payable prior to the conference. If you continue with the application process after the pre-application conference, the pre-application fee will be applied to reduce the Planning application fee for the project.

- **Submit Application**
  - Pay fees
  - Complete application form(s): duplexes, signs, and minor additions require concurrent submittal of a building permit application.
  - Submit required plans

- **Processing**
  - Staff will perform a completeness check of the application and notify applicant of any information that is missing or incomplete.
  - If the application is complete, staff will notify applicant by phone or in writing that the application has been approved or requires modifications so that it may be approved.
  - Building permit fees may need to be paid at this time.

Helpful Hints:

- **Questions?** Information is free! Please do not hesitate to call (503) 537-1240 prior to submitting the application.
- **Time:** Make sure the application is complete. Incomplete applications will delay the processing. Please go through the detailed checklist to make sure you have everything. The more work you can do prior to submittal, the faster the application can be processed.
- **Partial Applications:** Please do not submit partial applications. If the application, plans, and fee are not submitted together; processing will be delayed and the application may not be accepted for review.
- **Face-to-Face:** It is best to submit an application in person. That way you can receive immediate feedback if there's missing information or suggestions for improvements.

Exhibit "A"

NEWBERG PERMIT CENTER FEE SCHEDULE Effective Date: April 1, 2015

PRE-APPLICATION REVIEW **$100**

TYPE I (ADMINISTRATIVE REVIEW)

ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION **$158**
PROPERTY CONSOLIDATION **$158**
CODE ADJUSTMENT **$392**
DESIGN REVIEW – TYPE I (DUPLEX OR COM./IND. MINOR ADDITION REVIEW) **0.3% OF PROJECT VALUE, $392 MINIMUM**
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION **$158**
MAJOR MODIFICATION OF TYPE I DECISION ..... **50% OF ORIGINAL FEE**
PARTITION FINAL PLAT ..... **$784 + $70 PER PARCEL**
PROPERTY LINE ADJUSTMENT **$784**
SIGN REVIEW ..... **$71 PLUS $1.00 PER SQ. FT. OF SIGN FACE**
SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT ..... **$1568 + $70 PER LOT OR UNIT**

TYPE II (LAND USE DECISION)

ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION **$784**
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION **$158**
MAJOR MODIFICATION OF TYPE II DECISION ..... **50% OF ORIGINAL FEE**
DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS) **0.6% OF TOTAL PROJECT COST, $784 MINIMUM***
PARTITION PRELIMINARY PLAT ..... **$784 PLUS $70 PER PARCEL**
SUBDIVISION PRELIMINARY PLAT ..... **$1568 PLUS $70 PER LOT**
VARIANCE **$784**
*FOR ANY DESIGN REVIEW FEE IN EXCESS OF $10,000, 50% OF THE DESIGN REVIEW FEE IS DUE AT TIME OF APPLICATION AND 50% DUE AT TIME OF BUILDING OR SIMILAR PERMIT ISSUANCE.

TYPE III (QUASI-JUDICIAL REVIEW)

ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION **$1661**
ANNEXATION ..... **$2183 PLUS $210 PER ACRE**
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC) **$2047**
CONDITIONAL USE PERMIT **$1661**
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION **$158**
MAJOR MODIFICATION OF TYPE III DECISION ..... **50% OF ORIGINAL FEE**
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION **$0**
HISTORIC LANDMARK ELIMINATION **$1904**
SUBDIVISION PRELIMINARY PLAT ..... **$1568 PLUS $70 PER LOT**
PLANNED UNIT DEVELOPMENT ..... **$3316+$70 PER LOT OR UNIT**
ZONING AMENDMENT (SITE SPECIFIC) **$2096**

TYPE IV (LEGISLATIVE AMENDMENTS)

COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION **$2352**
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION **$2352**

APPEALS

TYPE I OR II APPEAL TO PLANNING COMMISSION **$451**
TYPE I OR II APPEAL TO CITY COUNCIL **$815**
TYPE III APPEAL TO CITY COUNCIL **$957**
TYPE I ADJUSTMENTS OR TYPE II VARIANCES THAT ARE NOT DESIGNED TO REGULATE THE PHYSICAL CHARACTERISTICS OF A USE PERMITTED OUTRIGHT **$253**

OTHER FEES

COMMUNITY DEVELOPMENT FEE ..... **0.75% OF PROJECT COST**
CITY HALL FEE ..... **0.25% OF PROJECT COST**
(THE ABOVE TWO CHARGES ADDED TO ANY BUILDING PERMIT APPLICATION)
EXPEDITED LAND DIVISION ..... **$5824 + $70 PER LOT OR UNIT**
URBAN GROWTH BOUNDARY AMENDMENT **$3723**
VACATION OF PUBLIC RIGHT-OF-WAY **$1545**

LICENSE FEES

PEDDLER/SOLICITOR/STREET VENDOR ..... **No fee (Business License fee only)**
TEMPORARY MERCHANT ..... **$95/45 days or $310/perpetual**

ADOPTION AND REVISION HISTORY:

Adopted by: Resolution 98-2122, July 6, 1998
Amended by: Resolution 99-2214, December 8, 1999
Resolution 2000-2265, October 2, 2000
Resolution 2001-2318, November 19, 2001
Executive Order January 2, 2007 (Reso. 99-2210)
Executive Order October 24, 2008
Executive Order, December 16, 2002 pursuant to Resolution 99-2210
Executive Order, January 22, 2002 pursuant to Resolution 99-2210
Resolution 2004-2466, November 3, 2003
Resolution 2007-2752, December 3, 2007
Executive Order November 29, 2011(2011-32)
Executive Order October 24, 2012(2012-34)
Resolution 2014-3140, May 19, 2014
Executive Order April 1, 2015 (2015-42)

§ 15.210.020 TYPE I CODE ADJUSTMENTS

Definition: A limited adjustment to certain provisions of the Development Code. An adjustment cannot be granted unless certain criteria have been satisfied. Approval of an adjustment shall be based on written findings. The burden of proof, or demonstration of the need for an adjustment, is the responsibility of the applicant and not the City.

The director may authorize adjustments from the following requirements through a Type I procedure:

(A) Yard setback dimensions, lot area, percentage of lot coverage, lot dimensions.

1. Setbacks/street trees – Maximum adjustment of 25 percent of the dimensional standards for front yard setback requirements and the spacing of street trees.
2. Lot area – Maximum adjustment of 5 percent of the lot area required. A lot area adjustment shall not be granted thereby allowing a greater number of dwelling units than that permitted without the adjustment.
3. Percentage of lot coverage – Maximum adjustment of two percent more than permitted for all land uses except the maximum parking area coverage for R-3 Districts may be increased up to 50 percent.
4. Lot dimensions – Maximum of 10 percent of the required lot dimensions of frontages.

(B) Interior yard setback requirements in residential zones. Except for lots designated as "zero lot line lots", the director may approve an adjustment in the interior yard requirements so that a distance not less than 3 ft is maintained.

(C) Dimensional standards and minimum number of off-street parking spaces. The director may approve adjustments to the dimensional standards of off-street parking spaces; standards for the minimum number of off-street parking spaces; and required spaces to be used for compact cars excepting handicapped parking requirements.

(D) Vision clearance requirements on corner lots. Vision clearance requirements on corner lots may be waived by the director.

CODE ADJUSTMENT CRITERIA

Type I applications require a written response to applicable criteria to show that an adjustment is appropriate in each case. Please provide a written response to the applicable criteria for the adjustment you are applying for. **Your written response should address how you meet each of the criteria for an adjustment.**

For an adjustment to (A) <u>yard setback dimensions, lot area, percentage of lot coverage, lot dimensions</u>, provide a written response to how your request will meet the following criteria:

(a) More efficient use of the site.
(b) Preservation of natural features, where appropriate.
(c) Adequate provisions of light, air and privacy to adjoining properties.
(d) Adequate emergency access.
(e) The adjustment is consistent with the setbacks, lot area, and/or lot coverage of buildings or structures previously existing in the immediate vicinity.

For an adjustment to (B) <u>interior yard setback requirements in residential zones</u>, provide a written response to how your project will meet the following criteria:

(a) Adequate light, air and open space is provided on the lot.
(b) The building is limited to one story.
(c) The building is compatible with physical conditions and adjacent property.
(d) The adjustment is consistent with the setbacks, lot area, and/or lot coverage of buildings of structures previously existing in the immediate vicinity.

For an adjustment to (C) <u>dimensional standards and minimum number of off-street parking spaces</u>, Provide a written response to how your project will meet the following criteria:

(a) Special characteristics of users which indicate low demand for off-street parking (e.g. low income, elderly).
(b) Opportunities for joint use of nearby off-street parking facilities.
(c) Availability of public transit.
(d) Natural features of the site (topography, vegetation, drainage) which would be adversely affected by application of required parking standards.
(e) Possible conversion of the site to other uses in the future.
(f) No adjustment shall be greater than 25% of the requirement from which the exception is granted.

For an adjustment to (D) <u>vision clearance requirements on corner lots</u>, provide a written response to how your project will meet the following criteria:

(a) Traffic entering the intersection is controlled by traffic signals or stop signs.
(b) On-street vehicle parking, street trees, or other plantings do not interfere with necessary vision clearance; or in lieu of these findings;
(c) Topographic conditions are so extreme that it is not practical to provide required vision clearance.

CODE ADJUSTMENT APPLICATION CHECKLIST

The following items must be submitted with each application. All diagrams, maps and plans must be drawn to scale. Incomplete applications will not be processed and incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

❒ **FEES** ❒ **APPLICATION FORM** ❒ **CURRENT TITLE REPORT**

Please submit 2 copies of the following items:

WRITTEN CRITERIA RESPONSE – Submit a written response to criteria (A), (B), (C), or (D) as applicable.

SITE PLAN – Make sure that the site plan is drawn to at least 8 ½ x 11 inches in size and to a standard scale of multiples of 100 to the inch. Include the following information:

- <u>Existing Site Features</u>: Show existing landscaping, grades, slopes and structures on the site and for areas within 100' of the site. Indicate items to be preserved and removed.
- <u>Drainage & Grading</u>: Show the direction and location of on and off-site drainage on the plans. This shall include site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project. Provide an engineered grading plan if necessary.
- <u>Utilities</u>: Show the location of and access to all public and private utilities, including sewer, water, storm water and any overhead utilities.
- <u>Access, Parking, and Circulation</u>: Show proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points from adjacent streets. Provide dimensions for parking aisles, back-up areas, and other items as appropriate. Indicate where required bicycle parking will be provided on the site along with the dimensions of the parking spaces.
- <u>Site Features</u>: Indicate the location and design of all on-site buildings and other facilities such as mail delivery, trash disposal, above ground utilities, loading areas, and outdoor recreation areas. Include dimensions showing setbacks, lot sizes and building sizes.
- <u>ADA Plan Compliance</u>: Indicate compliance with any applicable ADA provisions, including the location of accessible parking spaces, accessible routes from the entrance to the public way, and ramps for wheelchairs.
- <u>Other</u>: Show any other site elements which will assist in the evaluation of the site and the project.

§ 15.235.150 FINAL SUBDIVISION PLAT OR PARTITION MAP APPROVAL

The final plat of final partition map shall be submitted to the director for final approval through a Type I procedure. The director shall determine whether the final plat or map conforms to the tentative plan approval requirements and applicable requirements of the development code. If the director determines that the final plat or map does not conform, the applicant shall make necessary corrections.

PRIOR TO SUBMITTING AN APPLICATION FOR FINAL PLAT:

- ☐ **Complete all conditions of preliminary plat approval for the partition or subdivision.** Provide a written response to all conditions of approval, explaining how each condition has been met.
- ☐ **Substantially complete all improvements** required as part of subdivision or partition approval.
- ☐ **Arrange a final walk-through inspection by the Engineering Division** of all improvements required as part of subdivision or partition approval.

FINAL PLAT PROCESS

Final plat reviews are done primarily through coordination by Planning and Engineering staff. The basic steps are as follows:

1. **Applicant** substantially completes public improvements and other conditions of approval as assigned at the tentative approval stage, applies for final plat approval, and calls the Engineering Division for inspections and approval.
2. **Planning** compiles the final plat application materials (includes the application, fees, current title report, written response to the conditions of approval, any required documents such as consent affidavit or easements, and two full-size copies of the plat for red-line review) and routes to the Planning Director and City Surveyor for review. The application packet may also be routed to anyone else with issues that are addressed by conditions of approval, such as the Fire Marshal or the Building Division.
3. The **City Surveyor** does red-line review of the plats and coordinates with Engineering to make sure that their conditions of approval are met (all public-side items such as streets, sidewalks and utilities). Red-line corrections are returned to the applicant's engineer to make the corrections.
4. **Planning** reviews the plat for consistency with the tentative plan approval and coordinates with other departments to make sure that all the conditions of approval have been met.
5. The **Engineering Inspector** coordinates the punch list of public improvements to be completed in the field, inspects the construction and signs off when it is complete. If the public improvements are deemed "substantially complete" the applicant may bond for the remainder of any outstanding items still to be constructed through a subdivision agreement.
6. The **applicant** submits engineer's estimates of the cost of any outstanding items to be completed for a subdivision agreement and for the cost of securing the public improvements for two years with a maintenance bond. **Engineering** reviews and approves the engineer's estimates for the bonds.
7. The **applicant** submits a landscape estimate to Planning for any required street trees that will be installed at the time of construction. **Planning** reviews and approves the amount for the bond.
8. The **Engineering Secretary** coordinates with Engineering, Planning, and the applicant to prepare the subdivision agreement and notify the applicant of the bond requirements (landscape bond, performance and/or maintenance bonds).
9. The **applicant's surveyor** completes any red-line corrections and returns final mylar copies of the plat. The **City Surveyor** reviews first to ensure that the corrections were all made, then the plats get signed by the Planning Director and the City Recorder. The **City Surveyor** also compiles any documents that need recorded and signed with the plat.
10. When all of the conditions of approval have been met and all bonds turned in, the final signed mylars are returned to the applicant to take to the Yamhill County offices for recording. The **applicant** must bring back one of the recorded copies of the plat for our records.

FINAL PLAT APPLICATION CHECKLIST

The following items must be submitted with each application. All diagrams, maps and plans must be drawn to scale. Incomplete applications will not be processed and incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

- ☐ **APPLICATION FORM**

- ☐ **FEES**

- ☐ **CONDITIONS OF APPROVAL RESPONSE** – Provide a written response to the conditions of approval assigned for the tentative plan.

- ☐ **CURRENT TITLE REPORT**

- ☐ **TWO BLUELINE COPIES** – The City Surveyor will do preliminary review of the plats and return red-line comments to the applicant's surveyor for correction.

- ☐ **FINAL PLAT** – (**After red-line comments have been received and corrected)** Submit 1 original and 2 reproductions of the final plat mylar's. The plats shall be 18" x 24" with a 1" margin and shall be drawn with permanent nature ink/silver halide reproductions on 4mm double matte mylar. The final plat shall be to scale. For more detailed information and a checklist of required plat elements, please see the City Land Surveying website – http://www.newbergoregon.gov/engineering/land-surveying-services

- ☐ **DOCUMENTS REQUIRED AS A CONDITION OF PRELIMINARY PLAT APPROVAL** – Check the conditions of approval for a list of required documents. Documents may include easements, payment-in-lieu agreements, codes, covenants & restrictions (CCRs), and/or dedications.

- ☐ **CONSENT AFFIDAVIT** – Submit an affidavit giving the consent of any properties holding interest in the property other than the primary owner, such as a mortgage company or trust deed holder. The affidavit should be recorded prior to or concurrent with recording of the final plat.

- ☐ **EVIDENCE OF AUTHORIZATION TO SIGN** – If any person is signing on behalf of a corporation or other entity, the applicant must submit evidence confirming that the person has authority to sign on the corporation's behalf.

- ☐ **CURRENT ENGINEER'S ESTIMATE** – Submit a current engineer's estimate of the cost of any improvements not completed prior to final plat application to help determine the amount of the bond as part of the subdivision agreement.

- ☐ **LANDSCAPE ESTIMATE** – Submit an estimate for the landscape bond that covers the cost of the street trees to be planted, plus installation costs, and including 10% contingency.

- ☐ **AS-BUILT DRAWINGS** – Submit as-built drawings of all public improvements completed prior to final plat application.

CONDOMINIUM PLAT APPLICATION CHECKLIST

The following items must be submitted with each application. All diagrams, maps and plans must be drawn to scale. Incomplete applications will not be processed and incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

- ☐ **APPLICATION FORM**
- ☐ **FEES**
- ☐ **CONDITIONS OF APPROVAL RESPONSE –** Provide a written response to the conditions of approval assigned for the tentative plan.
- ☐ C**URRENT TITLE REPORT**
- ☐ **TWO BLUELINE COPIES –** The City Surveyor will do preliminary review of the plats and return red-line comments to the applicant's surveyor for correction.
- ☐ **FINAL PLAT** – (**After red-line comments have been received and corrected)** Submit 1 original and 2 reproductions of the final plat mylars. The plats shall be 18" x 24" with a 1" margin and shall be drawn with permanent nature ink/silver halide reproductions on 4mm double matte mylar. The final plat shall be to scale. For more detailed information and a checklist of required plat elements, please see the City Land Surveying website – http://www.newbergoregon.gov/engineering/land-surveying-services
- ☐ **DECLARATION –** Submit a declaration pursuant to the provisions of the Oregon Condominium Act.
- ☐ **CONSENT AFFIDAVIT –** Submit an affidavit giving the consent of any properties holding interest in the property other than the primary owner, such as a mortgage company or trust deed holder. The affidavit should be recorded prior to or concurrent with recording of the final plat.
- ☐ **EVIDENCE OF AUTHORIZATION TO SIGN –** If any person is signing on behalf of a corporation or other entity, the applicant must submit evidence confirming that the person has authority to sign on the corporation's behalf.
- ☐ **BYLAWS & CODES, COVENANTS, AND RESTRICTIONS –** Submit a copy of bylaws and any codes, covenants, and restrictions (CCRs) for the condominium association and/or unit owners.
- ☐ **AS-BUILT DRAWINGS –** Submit as-built drawings of any public improvements completed prior to final plat application.

§ 15.220.020 TYPE I DESIGN REVIEW

Definition: A process to provide for review and approval of the design of certain developments and improvements in order to promote functional, safe and innovative site development that is compatible with the surrounding environment. Approval of a Type I design review project cannot be granted unless certain criteria have been satisfied. Design review approval shall be based on written findings. Site design review shall be required prior to issuance of building permits or commencement of work for all improvements noted below.

Type I site design review applies to the following activities:

(a) Single-family dwellings.
(b) Duplexes.
(c) Institutional, commercial, or industrial additions which do not exceed 1,000 square feet in gross floor area.
(d) Multi-family additions which do not exceed 1,000 square feet in gross floor area and do not add any new units, or new construction incidental to the main use on an existing developed site which do not exceed 1,000 square feet in gross floor area and do not add any new units.
(e) Institutional, commercial, or industrial interior remodels which do not exceed 25 percent of the assessed valuation of the existing structure.
(f) Multi-family remodels which do not exceed 25 percent of the assessed valuation of the existing structure and do not add any new units.
(g) Signs which are not installed in conjunction with a new development or remodel.
(h) Modifications, paving, landscaping, re-striping, or re-grading of an existing duplex, multi-family, institutional, commercial or industrial parking lot.
(i) Fences and trash enclosures.

TYPE I DESIGN REVIEW CRITERIA

Type I applications require a written response to applicable criteria to determine whether approval is justified. Please provide a written response to each of the applicable criteria for a Type I design review. **Your written response should address how you meet each of the following criteria.**

(1) Parking. Parking areas shall meet the requirements of § 15.440.010.
(2) Setbacks and general requirements – The proposal shall comply with §§ 15.415.010 et seq. dealing with height restrictions and public access; and §§ 15.410.010 et seq. dealing with setbacks, coverage, vision clearance, and yard requirements.
(3) Landscaping requirements – The proposal shall comply with § 15.420.010 dealing with landscape requirements and landscape screening.
(4) Signs – Signs shall comply with §§ 15.435.010 et seq. dealing with signs.
(5) 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 §§ 15.304.010 through 15.328.040 of this code.

TYPE I DESIGN REVIEW APPLICATION CHECKLIST

The following items must be submitted with each application. All diagrams, maps and plans must be drawn to scale. Incomplete applications will not be processed and incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

☐ **FEES**

☐ **APPLICATION FORM**

☐ **URRENT TITLE REPORT**

☐ **WRITTEN CRITERIA RESPONSE** – Provide a written response that addresses how your project meets the Type I design review criteria.

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

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

§ 15.230.010 PROPERTY CONSOLIDATION

Definition: The elimination of common property lines between two or more abutting properties.

The owner of abutting properties may consolidate them into a single property through any of the following ways:

(1) A deed restriction recorded with the Yamhill County Recorder. The applicant shall file a copy of the recorded deed restriction with the Director. The deed restriction shall state that the properties are to be considered one lot for planning and zoning purposes, and that the properties shall not be conveyed separately prior to them being divided in accordance with regulations of the city.

(2) The plat vacation process as described in O.R.S. 271.080 to 271.230.

(3) The replat process as described in O.R.S. 92.180 to 92.190.

(4) A property line adjustment, subdivision plat or partition plat that effects the consolidation of the property.

PROPERTY CONSOLIDATION PROCESS

Coordinate with a title company to get a deed restriction written up to consolidate the properties. The deed restriction should state that the properties are to be considered one lot for planning and zoning purposes, and that the properties shall not be conveyed separately prior to them being divided in accordance with regulations of the city. A new legal description that encompasses the entire new property (after consolidation) will also be necessary for review and recording with the deed restriction.

The Planning Division and City Surveyor will review the deed restriction and new legal description for approval. After approval, the deed restriction and accompanying new legal description will need to be recorded with the Yamhill County Recorder, with a copy of the documents returned to the City.

PROPERTY CONSOLIDATION APPLICATION CHECKLIST

The following items must be submitted with each application. All diagrams, maps and plans must be drawn to scale. Incomplete applications will not be processed and incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

☐ **FEES**

☐ A**PPLICATION FORM**

☐ **CURRENT TITLE REPORT**

☐ **DEED RESTRICTION** – Provide a deed restriction that effectively consolidates the properties.

☐ **LEGAL DESCRIPTION** – Provide both the current legal descriptions of the parcels to be consolidated and a new legal description that encompasses the entire new parcel after consolidation.

§ 15.230.020 PROPERTY LINE ADJUSTMENT

Definition: The adjustment of common property lines between two or more abutting properties. Approval of a property line adjustment cannot be granted unless certain criteria have been satisfied. Property line adjustment approval shall be based on written findings to the applicable criteria.

PROPERTY LINE ADJUSTMENT PROCESS & CRITERIA

Process: Coordinate with a surveyor to draw up new property surveys and legal descriptions for the parcels affected by the property line adjustment. Coordinate with a title company to write up property conveyance deeds for the portion of property to be adjusted in order to effect the property line adjustment. The Planning Division and City Surveyor will review the deeds, property surveys, and legal descriptions for approval. After approval, the deeds will need to be recorded with the Yamhill County Recorder and the new property surveys and legal descriptions will need to be filed with the County Surveyor. A copy of the documents will need to be returned to the City after recording.

Criteria: Type I applications require a written response to applicable criteria to determine whether approval is justified. Please provide a written response to each of the applicable criteria for a Type I design review. **Your written response should address how you meet each of the following criteria.**

(1) The property line adjustment does not create more lots than existed prior to the adjustment.
(2) The adjustment does not create any substandard condition relative to this code, including lot area, lot width, setbacks, and access. If any of the original lots do not meet these standards, the adjusted lots may remain non-conforming provided:
    (a) The adjustment cannot reasonably or practically bring the lots into conformity.
    (b) The adjustment does not worsen the non-conforming status of the lots.

PROPERTY LINE ADJUSTMENT APPLICATION CHECKLIST

☐ **FEES**

☐ **APPLICATION FORM**

☐ **CURRENT TITLE REPORT**

☐ **WRITTEN CRITERIA RESPONSE** – See above for the applicable criteria.

☐ **PROPERTY CONVEYANCE DEEDS** – For the portion of property to be conveyed to complete the property line adjustment.

☐ **LEGAL DESCRIPTION** – Provide the following legal descriptions:

- Current legal descriptions of the affected parcels
- A legal description of the portion of property to be conveyed
- New legal descriptions of the affected parcels after the property line adjustment

☐ **SITE PLAN** – Make sure the plans are prepared so that they are at least 8 ½ x 11 inches in size and the scale is standard. Include the following information on the plans:

- Existing Site Features:
- Show existing landscaping, grades, slopes and structures. Indicate items to be preserved and removed. Note distances to property lines for all structures.
- Show the location and sizes of all existing sewer and water lines in the area affected by the adjustment.
- Dimensions: Show the dimensions of all affected lots, before and after the proposed property line adjustment.
- Other: Show any other site elements which will assist in the evaluation of the site and the project.