

Community Development Department

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

NOTICE OF DECISION

Accessory Dwelling Unit review – located in the Ursus Place subdivision
File # MISC-15-012

January 5, 2016

Den of Newberg LLC
PO Box 8464
Portland, OR 97221

All persons providing comments

The Newberg Community Development Director has approved the proposed accessory dwelling unit (ADU) review MISC-15-012 for ten ADUs on lots located in the Ursus Place subdivision, corner of First Street and Church Street, subject to the conditions listed in the attached report. The decision will become effective on January 21, 2016 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. Anyone wishing to appeal must submit the written appeal form together with the required fee of \$440 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on January 20, 2016.

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

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

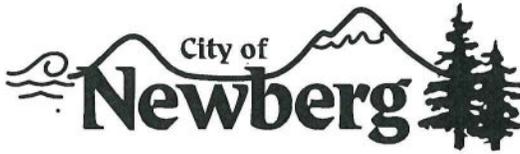
Please note that final building plans submitted for building permit review must comply with the attached conditions. You must comply with all conditions required through the review process before final occupancy will be granted.

If you have any questions, please contact me at 503-537-1215 or steve.olson@newbergoregon.gov.

Sincerely,

Steve Olson, Associate Planner

Enc



Community Development Department

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

DECISION AND FINDINGS

Accessory Dwelling Unit review – located in the Ursus Place subdivision

File # MISC-15-012

FILE NO: MISC-15-012

REQUEST: Approval for 10 accessory dwelling units

LOCATION: 102 & 104 Church Street, 1500 E. 1st Street

TAX LOT: 3220BA-2300, -2400, -2500

APPLICANT/OWNER: Den of Newberg LLC

ZONE: R-2

CONTENTS

Section I: Application Information

Section II: Findings

Section III: Conditions

Attachments:

1. Aerial Photo
2. Site Plan
3. Public Comments/
Correspondence Received
4. Application (by reference)



Section I: Application Information

- A. DESCRIPTION OF APPLICATION:** The applicant, Den of Newberg LLC, has requested approval for accessory dwelling units (ADUs) on 10 lots in the Ursus Place subdivision. The subdivision has preliminary approval, and is under construction. When it is final platted it will have 11 lots, and a single-family home will be built on each lot. This application requests approval to also build ADUs on 10 of the 11 lots.
- B. SITE INFORMATION:**
1. Location: 102 & 104 Church Street, and 1500 E. 1st Street
 2. Size: Approx. 43,205 square feet
 3. Topography: Flat
 4. Current Land Uses: Vacant – the two houses and assisted living facility that previously existed on the site were demolished.
 5. Adjacent Land Uses:
 - a. North: Across 1st Street – commercial uses, C-2 zone
 - b. East: Commercial clinic – Residential-Professional zone
 - c. South: Single-family homes – R-2 zone
 - d. West: Across Church Street – single-family homes, R-2 zone
 6. Access and Transportation: The ADUs will take access from the new alley under construction, which accesses Church Street, or directly from Church Street. The alley and other street improvements are being constructed as a requirement of the Ursus Place subdivision.
 7. Utilities:
 - a. Sanitary Sewer: There is an 8-inch public wastewater line in Church Street.
 - b. Water: There is an 8-inch water line in First Street.
 - c. Storm: When the Ursus Subdivision was approved there were no requirements for stormwater detention or water quality facilities because the new development was replacing existing development, and not creating more than 500 square feet of new impervious surfaces.
- C. PROCESS:** The Accessory Dwelling Unit review is a Type II application in the R-2 zone and follows the procedures in Newberg Development Code 15.100.140. Following a 14 day public comment period, the Community Development Director makes a decision on the application based on the criteria listed in the attached findings. The Director's decision is final unless appealed. Important dates related to this application are as follows:

1. 12/3/15: The Community Development Director deemed the application complete.
2. 12/2/15: The applicant mailed notice to the property owners within 500 feet of the site.
3. 12/2/15: The applicant posted notice on the site.
4. 12/16/15: The 14-day public comment period ended.
5. 1/5/16: The Director issued a decision on the application.

D. AGENCY COMMENTS: The application was routed to several public agencies for review and comment. Comments and recommendations from city departments have been incorporated into the findings and conditions. As of the writing of this report, the city received the following agency comments:

1. Newberg School District: *Reviewed, no conflict.*
2. PGE: *Reviewed, no conflict.*
3. Oregon Department of Transportation (the full comment and attachments are included in Attachment 3):

ODOT staff has completed a review of the submitted application and has the following comments.

The property abuts the Hillsboro-Silverton Highway Connector, No. 140AE, (1st Street), and is subject to state laws administered by the Oregon Department of Transportation. These laws may require the applicant to obtain one or more state permits to carry out the intended use of the property, or to otherwise comply with state law without need for a permit. The applicant will be required to obtain A Permit To Occupy Or Perform Operations Upon A State Highway to construct site frontage improvements along the state highway right-of-way.

ODOT has reviewed the applicant's site plan and approved the construction drawings associated with highway frontage improvements. Additionally, ODOT has issued a permit to The Den of Newberg, LLC for work within state highway right-of-way. A copy of the construction drawings and permit are attached.

Please note, the contractor should notify Robert Earl, ODOT District 3 Senior Permit Specialist, at least 48 hours prior to commencing construction activities as directed under the Special Provisions of the permit.

E. PUBLIC COMMENTS: As of the writing of this report, the city has received 5 written comments on the application. The major issues in the comments are summarized below, and the full comments are included in Attachment 3.

- Either the main home or the ADU should be required to be owner occupied.
- The ADUs appear to be too tall.

- The area does not need more apartments.
- The area already has too much traffic, and visibility is poor near the corner of Church and 1st.
- The project will not provide enough parking.
- The ADU application amounts to a rezoning of the site.
- The ADUs and houses will be rented to students, instead of providing affordable homes for purchase or multi-generational family homes, as mentioned in the purpose statement for ADUs.

General response: The city is required to base its decision on the criteria and development standards for ADUs listed in chapter 15.445.260 of the Newberg Development Code. If an application meets the standards in 15.445.260 then the city is required to approve it. The Development Code section is included below for reference. The purpose statement in 15.445.250 includes a list of aspirational goals for ADUs; this section is included in the Development Code to explain why the city allows ADUs in some residential areas, and what the city hopes to achieve. The goals in the purpose statement are not approval criteria and cannot be used as such, since they are not clear and objective standards.

Article V. Accessory Dwelling Units

15.445.250 Purpose.

This article provides clear and objective standards for the establishment of accessory dwelling units in existing and new detached single-family residences to achieve the following:

- A. Increase the number of affordable housing units in the community.
 - B. Increase residential densities with minimal impact on the quality or character of existing neighborhoods.
 - C. Allow small and/or older households to retain large homes as residences.
 - D. Permit young households to achieve home ownership by using the rent from the accessory unit to offset mortgage costs.
 - E. Provide needed space for elderly family members, teenagers, and/or returning adult children.
- [Ord. 2505, 2-1-99. Code 2001 § 151.678.1.]

15.445.260 Development standards.

- A. Location. Accessory dwelling units are permitted as conditional uses in the R-1 zone and as outright permitted uses in the R-2 and R-3 zones.
- B. Limitations. An accessory dwelling unit is permitted, providing there is compliance with all of the following standards:

1. An accessory dwelling unit may be created within or as an addition to a detached or attached single-family structure or as a freestanding accessory building.
 2. An accessory dwelling unit may not exceed 50 percent of the size of the primary unit, up to a maximum of 1,000 square feet.
 3. The number of residents permitted to inhabit the accessory dwelling unit is regulated by the current edition of the Oregon Residential Specialty Code.
 4. In addition to the number of parking spaces required for the primary residence, as established in NMC 15.440.030, one on-site parking space shall be provided for the accessory dwelling unit. This parking space shall be paved and/or covered.
 5. The front door of the accessory dwelling unit shall not be located on the front facade of the primary residence unless the door is already existing.
 6. Second story windows 10 feet or less from the property line must be made of privacy glass.
 7. There shall be compliance with all of the development standards established in the base zone.
- [Ord. 2730 § 1 (Exh. A (15)), 10-18-10; Ord. 2505, 2-1-99. Code 2001 § 151.678.2.]

Some of the public comments (regarding height and parking) address the criteria for ADUs, and are therefore addressed in the Findings section. Regarding other comments:

- Newberg's Development Code for ADUs used to require either the main home or the ADU to be owner occupied. This provision was removed from the Code by the City Council in 2010 as part of a package of code changes intended to improve the supply of affordable housing. Since the provision was removed from the Code in 2010 it cannot be used as a criterion now to deny the application.
- The R-2 zone allows ADUs as long as they meet the relevant criteria, so approving an ADU application does not change the zoning on the site.
- Ownership versus rental of the main house and ADU: Any owner of a single-family home in Newberg has the option of either living in the home or renting it out. The city cannot restrict the property owner from renting the house to another person. The developer has stated that they intend to keep ownership of all of the houses/ADUs at this time and rent them to students. They are allowed to do this, and that does not turn the development into apartments. Each house/ADU will still be on an individual lot, so the developer still has the option of selling the house/ADU to an individual owner in the future.
- Traffic study: The impact of 10 ADUs is too small to require a traffic study for this project. A traffic study is required if a development will generate more than 40 trips in the PM peak hour (rush hour). A single-family house is expected to generate about 1 trip in the PM peak hour, and an ADU would be expected to generate less traffic than a house due to its smaller size. If all of the single-family homes and ADUs in Ursus Place were added together they would be expected to generate approximately 21 trips in the PM peak hour. There was previous development on the site, so in order to determine the true impact of Ursus Place (houses plus ADUs) you would need to subtract the amount of traffic that had been generated by the assisted living facility and two houses that previously existed on the site. The net result is that the Ursus Place subdivision, including ADUs, would generate less than 20 additional trips in the PM peak hour.
- Visibility: The houses in the development will be required to meet vision clearance standards at the corner of Church and 1st, so the development will not worsen visibility at the corner.
- Planned transportation improvements in the area: While the impact of this development may be small, there is existing traffic in the area and there are safety improvements planned for the intersections of Hwy 219 and 2nd Street, and Hwy 219 and Everest Road. Plans include the installation of a median for right in / right out turning restrictions at Hwy 219 and 2nd street (to be installed by ODOT as part of the Springbrook Road/Bypass improvements), and a traffic signal at the intersection of Hwy 219 and Everest Road. These improvements will be completed by ODOT and the City when funding is available.

F. ANALYSIS:

The application is for ADUs on lots in the Ursus Place subdivision. This subdivision is still under construction and has not been final platted yet. The approval for the ADUs is therefore conditional on completion of Ursus Place subdivision, and compliance with all conditions of approval placed on said subdivision. Specifically:

- NMC 13.10 requires all new construction with human occupancy to connect to the public wastewater system. The applicant must provide a revised plan showing connections to the

public wastewater system for the ADUs under consideration. In addition, the applicant must provide connections that comply with the PW Design and Construction Standards including, but not limited to, Sections 2.3 and 2.7.

- NMC 13.15 requires that all new construction be connected to the public water system. The applicant must provide a revised plan showing connections to the public water system for the ADUs under consideration. In addition, the applicant must provide connections that comply with the PW Design and Construction Standards including, but not limited to, Sections 3.2 and 3.3. Fire flow calculations must be submitted to the Engineering Services Division showing that adequate water is available for the additional units.
- NMC 13.25 requires that all construction creating more than 500 sq. ft. of impervious surface provide stormwater management. Because the impervious area created by the ADUs will increase the site's impervious area by more than 500 sq. ft., the applicant must provide a stormwater report showing how the new impervious area will be managed. The report must provide the information required by the PW Design and Construction Standards including, but not limited to, Sections 4.7 to 4.9
- The Fire Marshal commented that all addresses must be off 1st Street (for the ADUs on the lots that front on 1st Street).

Section II: Findings –File MISC-15-012
Accessory Dwelling Units – on lots in the Ursus Place subdivision

A. Accessory Dwelling Unit (ADU) Review; Criteria That Apply - Newberg Development Code 15.445.260:

15.445.260 Development standards.

A. Location. Accessory dwelling units are permitted as conditional uses in the R-1 zone and as outright permitted uses in the R-2 and R-3 zones.

Finding: The site is in the R-2 zone. Accessory dwelling units (ADUs) are Special uses in the R-2 zone, which means they are outright permitted uses provided they comply with the development standards listed below.

B. Limitations. An accessory dwelling unit is permitted, providing there is compliance with all of the following standards:

1. An accessory dwelling unit may be created within or as an addition to a detached or attached single-family structure or as a freestanding accessory building.

Finding: The proposed ADUs are located within or attached to single-family structures, and therefore meet this criterion.

2. An accessory dwelling unit may not exceed 50 percent of the size of the primary unit, up to a maximum of 1,000 square feet.

Finding: The ADUs on lots 1 and 2 are 903 sq. ft., and the main house on each lot is 1,941 sq. ft. The ADUs on lots 1 and 2 do not exceed 50% of the size of the primary unit, and are less than 1,000 square feet. The ADUs on lots 4-11 are 871 sq. ft., and the main house on each lot is 1,750 sq. ft. The ADUs on lots 4-11 do not exceed 50% of the size of the primary unit, and are less than 1,000 square feet. The proposed ADUs therefore meet this criterion.

3. The number of residents permitted to inhabit the accessory dwelling unit is regulated by the current edition of the Oregon Residential Specialty Code.

Finding: The Oregon Residential Specialty Code does not provide a set limit on the number of residents that can inhabit an ADU. The Newberg Development Code allows one family to occupy a dwelling; a “family” means an individual, or two or more persons related by blood or marriage, or a group of not more than five persons who need not be related by blood or marriage, living together in a dwelling unit. An ADU cannot be inhabited by more than one family, as defined above.

4. In addition to the number of parking spaces required for the primary residence, as established in NMC 15.440.030, one on-site parking space shall be provided for the accessory dwelling unit. This parking space shall be paved and/or covered.

Finding: The Development Code requires each single-family house to provide two off-street paved parking spaces, and each ADU to provide at least one additional paved off-street parking space. Lots 1 and 2 will have three off-street paved parking spaces for the house and ADU, and lots 4-11 will have four off-street paved parking spaces for the house and ADU. The proposed ADUs meet this criterion.

5. The front door of the accessory dwelling unit shall not be located on the front facade of the primary residence unless the door is already existing.

Finding: The front doors of the ADUs are not located on the front façade of the primary residence.

6. Second story windows 10 feet or less from the property line must be made of privacy glass.

Finding: The second story windows of the ADUs will be conditioned to comply with this requirement.

7. There shall be compliance with all of the development standards established in the base zone. [Ord. 2730 § 1 (Exh. A (15)), 10-18-10; Ord. 2505, 2-1-99. Code 2001 § 151.678.2.]

Finding: The site is in the R-2 zone, which requires a minimum 15 foot front setback for buildings, a 20 foot front setback for garages, a 5 foot side and rear setback, and limits lot coverage by buildings to 50%, parking to 30%, and total combined coverage to 60%. As proposed, all primary houses and ADUs meet the 15 foot front setback and 5 foot side/interior setback. The buildings on lots 1 and 2 do not meet the 20 foot front setback to the garages (they are setback 19 feet 9 inches), so they will need to be modified to meet this standard. All of the primary houses and ADUs meet the lot coverage standards as proposed. The R-2 zone limits the height of main buildings to 30 feet, and the height of detached accessory buildings to 16 feet. The ADUs on lots 1 and 2 are located inside the primary buildings, which do not exceed 30 feet in height. The ADUs on lots 4-11 appear on the site plan to be detached buildings, but drawing A09 shows the applicant has connected the ADU and the primary building with a roof structure over the covered patio; the ADU is therefore considered attached to the single-family home, and they are considered a single main building. The buildings on lots 4-11 do not exceed the 30 foot maximum height limit.

15.445.270 Approval.

To obtain approval to create an accessory dwelling unit, the applicant must demonstrate compliance with all of the requirements of NMC 15.445.260. The application shall be processed as a Type II procedure as regulated by NMC 15.100.140. [Ord. 2730 § 1 (Exh. A (15)), 10-18-10; Ord. 2505, 2-1-99. Code 2001 § 151.678.3.]

Finding: The proposal, as conditioned, complies with the requirements of NMC 15.445.260. The application was processed as a Type II procedure, and notice was posted on site and sent to all property owners within 500 feet as required by NMC 15.100.140.

B. CONCLUSION: Based on the above mentioned findings, the project meets the criteria required within the Newberg Development Code, subject to completion of the attached conditions.

Section III: Conditions –File MISC-15-012
ADUs – Ursus Place

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

1. The building plans must indicate that second story ADU windows 10 feet or less from the property line will be made of privacy glass.
2. Modify the buildings or site plans on lots 1 and 2 to meet the 20 foot front setback to the garage.
3. The application is for ADUs on lots in the Ursus Place subdivision. This subdivision is still under construction and has not been final platted yet. The approval for the ADUs is therefore conditional on completion of Ursus Place subdivision, and compliance with all conditions of approval placed on said subdivision. Specifically:
 - a. NMC 13.10 requires all new construction with human occupancy to connect to the public wastewater system. The applicant must provide a revised plan showing connections to the public wastewater system for the ADUs under consideration. In addition, the applicant must provide connections that comply with the PW Design and Construction Standards including, but not limited to, Sections 2.3 and 2.7.
 - b. NMC 13.15 requires that all new construction be connected to the public water system. The applicant must provide a revised plan showing connections to the public water system for the ADUs under consideration. In addition, the applicant must provide connections that comply with the PW Design and Construction Standards including, but not limited to, Sections 3.2 and 3.3. Fire flow calculations must be submitted to the Engineering Services Division showing that adequate water is available for the additional units.
 - c. NMC 13.25 requires that all construction creating more than 500 sq. ft. of impervious surface provide stormwater management. Because the impervious area created by the ADUs will increase the site's impervious area by more than 500 sq. ft., the applicant must provide a stormwater report showing how the new impervious area will be managed. The report must provide the information required by the PW Design and Construction Standards including, but not limited to, Sections 4.7 to 4.9
 - d. The Fire Marshal commented that all addresses must be off 1st Street (for the ADUs on the lots that front on 1st Street).
 - e. ODOT commented:

The property abuts the Hillsboro-Silverton Highway Connector, No. 140AE, (1st Street), and is subject to state laws administered by the Oregon Department of Transportation. These laws may require the applicant to obtain one or more state permits to carry out the intended use of the property, or to otherwise comply with

state law without need for a permit. The applicant will be required to obtain A Permit To Occupy Or Perform Operations Upon A State Highway to construct site frontage improvements along the state highway right-of-way.

ODOT has reviewed the applicant's site plan and approved the construction drawings associated with highway frontage improvements. Additionally, ODOT has issued a permit to The Den of Newberg, LLC for work within state highway right-of-way. A copy of the construction drawings and permit are attached.

Please note, the contractor should notify Robert Earl, ODOT District 3 Senior Permit Specialist, at least 48 hours prior to commencing construction activities as directed under the Special Provisions of the permit.

2. THE FOLLOWING MUST BE ACCOMPLISHED PRIOR TO OCCUPANCY

1. **Fire Department Requirements:** This project is subject to compliance with all Fire Department standards relating to access and fire protection.
2. **Design Review Conditions:** Contact the Planning Division (503-537-1240) to verify that all design review conditions have been completed.
3. **Site Inspection:** Contact the Building Division (503-537-1240) for Building, Mechanical, and Plumbing final inspections. Contact the Fire Department (503-537-1260) for Fire Safety final inspections. Contact Yamhill County (503-538-7302) for electrical final inspections. Contact the Planning Division (503-537-1240) for landscaping final inspections.

3. DEVELOPMENT NOTES

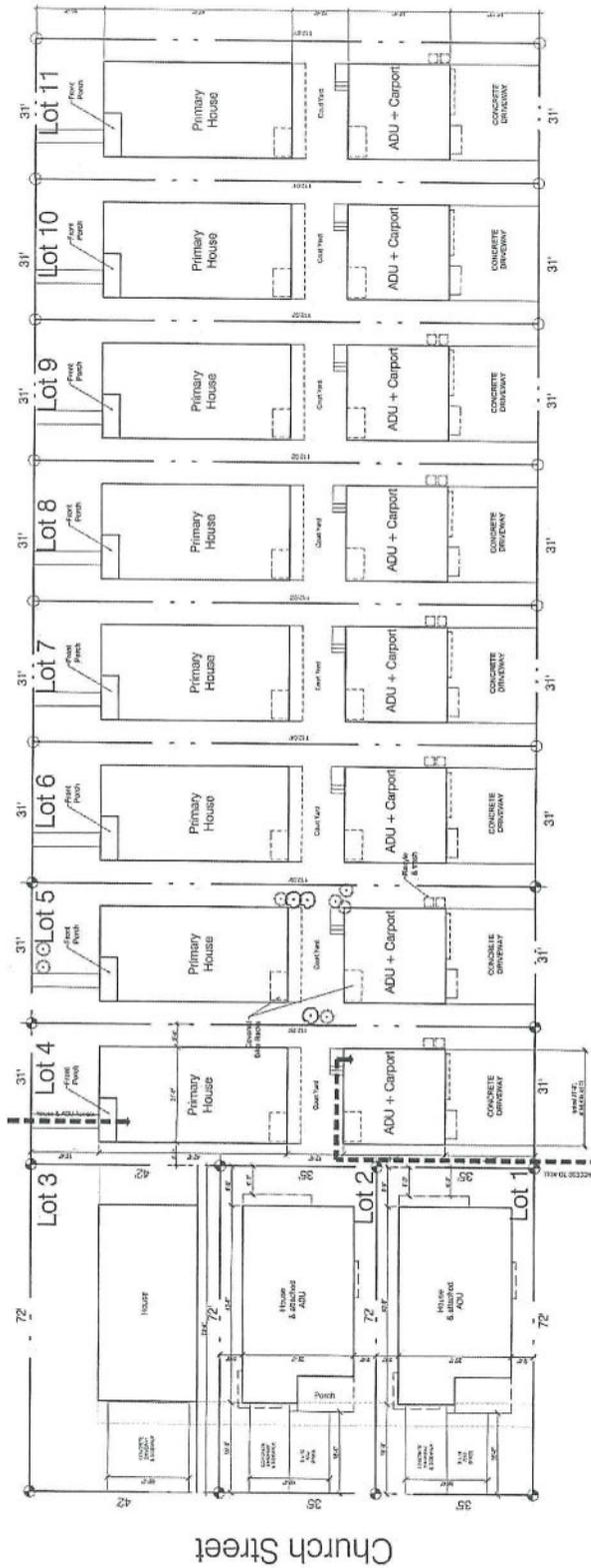
1. Systems development charges (SDCs) will be collected when building permits are issued. For questions regarding SDCs please refer to the City fee packet and contact the Engineering Services Department.

Attachment 1: Aerial Photo



Attachment 2: Site Plan

East 1st St



Church Street

Public alley

SITE PLAN

SCALE: 1" = 10'-0"
 PROJECT NO. 150401-00000001
 PORTLAND HOUSEWORK, INC.

A00



Steve Olson

From: Ryan Crowther <rycrowther@gmail.com>
Sent: Wednesday, December 16, 2015 8:36 AM
To: Steve Olson
Subject: Re: Ursus ADU application
Attachments: Tigard Municipal Code Title 18.pdf

Hi Steve,

Hope you are having a great week. As promised, I wanted to provide

- The intent of the code section 15.445.250 appears to be that the main home or accessory dwelling unit on the lot be owner occupied. I request that a condition be made that one of the structures on each lot be owner occupied. The code section seems to be very similar in nature to nearby jurisdictions, such as the City of Tigard section 18.710 (attached), which requires the "Either the primary or accessory residential unit must be owner-occupied".
- It appears per sheet A09 that there are still height issues with the accessory dwelling units. The total height is shown to be 29'2" for the accessory structure, which exceeds to 24' maximum height.

Thanks for all answering all of my questions.

Ryan Crowther

On Mon, Dec 14, 2015 at 9:34 AM, Ryan Crowther <rycrowther@gmail.com> wrote:
Hi Steve,

Thanks for checking in, I really appreciate it. You are right that up until now most have been questions / concerns to discuss with you. I will have an official comment or two, and I will get those to you later today.

Thanks,

Ryan Crowther

On Mon, Dec 14, 2015 at 8:26 AM, Steve Olson <steve.olson@newbergoregon.gov> wrote:

Ryan, I just wanted to check in with you on the ADU application. The comment period ends on 12/16.

Did you plan on submitting any comments on the application?

I was treating your earlier emails as questions, not as public testimony, since that is what they seemed to be. I just wanted to be clear, in case you wanted to submit some comments.

Regards,

Steve Olson, AICP : Associate Planner : City of Newberg

(503)537-1215 : steve.olson@newbergoregon.gov

Chapter 18.710
ACCESSORY RESIDENTIAL UNITS

Sections:

- 18.710.010 Purpose**
18.710.020 Standards
18.710.030 Approval

18.710.010 Purpose

A. This chapter provides clear and objective standards for the establishment of accessory residential units in detached single-family residences to achieve the following:

1. Increase energy efficiency in large and/or older homes;
2. Increase the number of affordable housing units;
3. Increase residential densities with minimal impact on the quality or character of existing neighborhoods;
4. Allow small households to retain large houses as residences;
5. Permit young households to achieve home ownership;
6. Provide needed space for elderly family members, teenagers and/or returning adult children.

18.710.020 Standards

A. Location. As noted in the use tables (18.510.1 and 18.520.1), accessory residential units are permitted as limited uses in all zones where detached, single-family dwelling units are permitted.

B. Limitations. An accessory residential unit is permitted providing there is compliance with all of the following standards:

1. An accessory residential unit may be created within or as an addition to a detached single-family dwelling. For the purposes of this chapter, "addition" means the sharing of a common wall with the primary residence. A garage may not be converted to an accessory residential unit unless it is rebuilt as part of the primary structure;
2. An accessory residential unit may not exceed 50% of the size of the primary unit, up to a maximum of 800 square feet;
3. The number of residents permitted to inhabit the accessory residential unit is regulated by the state building code;
4. Either the primary or accessory residential unit must be owner-occupied;
5. A primary residence in which an accessory residential unit has been created may have only one home occupation;

6. In addition to the number of parking spaces required for the primary residence, as established in Chapter 18.765, one parking space shall be provided for the accessory residential unit. This parking space shall be paved and/or covered;
7. The front door of the accessory residential unit shall not be located on the front facade of the primary unit unless the door is already existing;
8. There shall be compliance with all development standards established in the base zone. (Ord. 09-13)

18.710.030 Approval

To obtain approval to create an accessory residential unit, the applicant must demonstrate compliance with all of the requirements in Section 18.710.020 by means of a Type I procedure, as governed by Section 18.390.030. ■

This area of town does not need to be more crowded with apartment type buildings. As a home owner I have worked hard to make the neighborhood better, making my house look nice, more apartments would defeat the purpose of the neighborhood and the value of our living space for us and our children.

The fact is that this area is already over ran with several apartments. The traffic is horrific throughout the streets, all through the day and night.

RECEIVED

DEC 03 2015

Initial: _____

Thank you



Mandy Kimmel

1531 east 3rd Street

Newberg, Oregon 97132

Casefile SUB2-14-001/ADJC-14-002

December 15, 2015

ATTACHMENT 3

City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

RE: File MISC-15-012
(Ursus Place-Church and First Street project)

We multiple concerns regarding the impact this project will have on the already strained on street parking, visibility, road safety for the bike traffic and mostly pedestrians. The proposed ADU plan over runs the current zoning and should be re examined for rezoning and the additional impact they would create leaving the City to handle the costs to protect those new occupants also.

As a long time homeowner on Church Street, this visibility at and near the corner of Church and First has always been a concern to me. This time of year especially, the time change creates very unsafe visibility issues for drivers making a left turn on Church Street. There are no street lights and pedestrians are difficult to see crossing Church or crossing First. An addition of a yellow pedestrian light, like that installed at Everest intersection, may help to also slow traffic down coming from downtown. The addition of the homes expends foot traffic crossing the street going to the handy quick stop and the grocery store and the ADU's would send it way over the top.

This addition also adds far too many units to such a small area. While it's great for our growth, it also has its drawbacks. The ADU's is surely not considered to be the "affordable single-family homes" I've heard about.

Please do some traffic studies in the area. What effect would these additional units have on the already stressed traffic. Congestion at the Villa stoplight has been a nightmare recently. Trying to turn left on Villa from First blocks traffic from downtown (no passing without crossing the solid white line). Try it sometime around 3 PM-just for one time slot.

Thank you,
Bud & Crystal Thompson
114 S. Church St.
Newberg, OR 97132
503-538-1009

NOV. 29, 2015
RECEIVED

DEC 02 2015

City of Newberg
Community Development Department

This letter is in response to the proposed expansion of the development on First and Church St. (casefile SUB2-14-001/ADJC-14-002).

I submitted a letter to the City of Newberg earlier this year expressing my concerns regarding the impact the proposed development would have on the flow of traffic on First St. The original subdivision proposal had the potential to significantly increase the bottleneck of traffic from First St onto 219. Also, anyone trying to make a left turn across 219 from either direction to access any of the cross roads does not have a designated left turn lane or any traffic lights to facilitate a safe and timely turn across a steady stream of oncoming traffic.

The proposed increase for "accessory dwelling units" means there would be even more vehicles contributing to an existing problem.

Please reconsider the impact the additional traffic from the proposed expansion of this development would cause to those drivers trying to enter/exit the neighborhood via 219.

Thank you,

Karen Wilhami
1530 E. 2nd St.

Dr. Marilee Newell
115 S. Church Street
Newberg, OR 97132
(503) 422-9718
marilee.c.newell@gmail.com

December 9th, 2015

Mr. Doug Rux
Community Development Director
City Hall
414 E. First St
Newberg, OR 97132

Dear Mr. Rux, dear City of Newberg Development Department,

I write regarding Mr. Sean Heyworth's design review approval application for accessory dwelling units at 1500 E. First Street, 102 and 104 S. Church Street.

My husband Mr. Nathan West and I own a home within 500 feet of the recently approved eleven lot subdivision and we have a number of safety concerns with respect to Mr. Heyworth's proposal to add 10 ADUs, which may legally house up to 5 people each, to a development that was originally approved as "11 detached single-family homes" in an R-2 zone.

What is our concern?

Our primary concern is for the safety and quality of life of current and future residents of our neighborhood. A secondary concern is the use of the rhetoric of 1) affordable housing for individuals to purchase, 2) granny flats and multi-generational family homes, and 3) owner occupant landlords, for the purpose of legally loopholing investment properties intended as multi-family and student rental housing without requesting a zoning change to a more advantageous classification.

Comparable zoning classifications in Newberg developments:

Assuming a legal maximum of 4-5 people per ADU and up to 8 more per primary 4-bedroom residence (many of which will have two kitchens each) for a total of 12-13 people per "unit," the current Ursus Place development ADU proposal offers a potential 128-138 residents within approximately one acre of land, which surely resembles R-3 zoning more than R-2. The Meridian Heights townhouses on 9th street and the townhouses on Little Oak Drive and Little Oak Street near Fred Meyer are R-3 zones – even though there are restrictions within the Meridian Heights development as to how many of the townhouses may be occupied by non-owners. In our own neighborhood, the Pamela Terrace Apartments are also classified as R-3, and yet Pamela Terrace does not house well over 100 people as the Ursus Place development with ADUs has the potential to do.

Newberg's R-3 zones "average 16.5 units per gross buildable acre." Mr. Heyworth's proposed ADU addition makes his Ursus Place project closer to the average for high density housing (R-3)

than it is to medium density (R-2), as for all intents and purposes it will include 21 units on one buildable acre. The average for medium density housing in Newberg is “9 units per gross buildable acre.”

Experience with vehicle overcrowding in our neighborhood caused by new higher density housing with insufficient on-site parking spaces:

We have some experience in the Hobson’s Addition neighborhood already where housing intended and ultimately marketed to investment landlords as higher density student housing was initially presented to the community as medium-density family condominiums with 1 garage parking space and 1-2 driveway spaces per unit. What makes this classification of privately owned student dormitories unsatisfactory is that as many as 8 students living in a 4 bedroom condominium will require more than the 2-3 parking spaces that would be entirely adequate for a single-family living in the same amount of space. When the students and their vehicles moved into the new condominiums on E. 2nd street in 2014, availability of on-street parking in our older neighborhood where many of the existing houses have limited on-site parking became a problem. People were parking wherever they could, parallel-parking along the streets all the way up to street corners. This obscured visibility for drivers, bicyclists, and pedestrians wishing to cross the streets, so much so that the City of Newberg painted no-parking lines along the street corners on S. Church Street and E. 2nd Street. While these yellow lines helped with the safety issue, they made finding on-street parking even worse than before. Students would park in front of our driveway and we would have to ask them to move their cars. The same year, we had a hit-and-run on our car, which, because we had been unable to park in our driveway, was parked along the street right outside our home.

What is the developer’s intent for Ursus Place?

If the intent of Mr. Heyworth’s ADU proposal is indeed to provide affordable homes to purchase in Newberg, multi-generational housing, and owner-occupant landlords, my question is how will this be enforced? Newberg, unlike Sherwood, has no law regarding ADUs that “the property owner, which shall include the holders and contract purchasers, must occupy either the principal unit or the ADU as their permanent residence, but not both, for at least six months out of the year, and at no time receive rent for the owner-occupied unit” (see Sherwood Oregon Accessory Dwelling Unit Standards: B, Owner Occupancy). With no existing owner occupancy law for ADUs, I do not see how Mr. Heyworth’s proposal fulfills any of Newberg’s Special Use Standards for ADUs, as outlined in Chapter 15.445, Article V., criteria A-E. How will these homes be “affordable” for buyers given that they are 4 bedroom primary residences, most of them with two kitchens, and all but one with two-bedroom ADUs? And can the City of Newberg guarantee that it will not, like the City of Portland, opt to tax homes with detached ADUs at a much higher rate?

The signs point to a student housing investment property, so why should occupant landlords and affordable housing for individuals to purchase be used as legal justification for adding ADUs?

It is the very proposal to add ADUs to the Ursus Place development that makes me doubt that affordable, multigenerational housing for individuals to purchase is really part of the Ursus Place vision. The name “Ursus Place” evokes, I’m sure intentionally, the brown bear or Bruin, the George Fox University mascot. An interview with Mr. Heyworth printed by the Pamplin Media

Group on December 10, 2014, states that Mr. Heyworth's "goal and hope is to create more rental stock for the city and ideally the university." Regarding the 60-year-old care home previously on the property, Mr. Heyworth said, "We racked our brains to figure out whether we could preserve it or turn it into housing for college students." The article states that Mr. Heyworth "is currently working to divide the three existing tax lots into 10 or 11 spaces. A detached single family home would go on each lot and each would feature off-street parking." In light of the information local property owners have now received on Mr. Heyworth's application to add ADUs to 10 of the 11 approved lots however, his vision for student rental housing seems clear enough in this article. Despite this, his ADU application makes use of owner-occupied home rhetoric in order to justify the inclusion of ADUs on the properties as beneficial to the community. But if stipulations on owner occupancy are not in place in Newberg law, it is reasonable to assume that these units will become tenant-occupied investment properties, as further suggested by the double kitchen, 4-bedroom primary unit designs, the built-in desks, the outdoor bike racks, and even the development's name. The ADUs proposed on the two units for S. Church Street, moreover, look much less like a developer's afterthought or a granny-flat than a loophole for constructing not two single-family homes, but two small, 3-storey apartment buildings. In the two S. Church Street units, the ADUs are an essential and integrated part of the design, not an addendum.

Specific safety concerns on S. Church and E. 1st Street:

If 128-138 new residents (or even 100 new residents), many of them individuals with cars, will be moving into the Ursus Place development, where will they park? The design accounts for a minimum of 33 on-site parking spots, and that is assuming that the garages are actually used to house cars rather than to store items. Currently, visibility is already poor for cars pulling onto E. 1st Street from S. Church Street when even 2 or 3 cars are parked along E. 1st. Portland Road merges into E. 1st Street, which is supposed to have a 35mph speed limit, but this is rarely enforced and people take the stretch at upwards of 55mph. Additionally, there is no stop sign for cars turning onto S. Church Street from E. 1st. There is already the danger of bikes and pedestrians being hit when attempting to cross E. 1st Street because of the lack of a crosswalk, and this is without the increased traffic on E. 1st that will result from the Ursus Place development with people pulling in and out of new driveways on E. 1st and more people turning onto S. Church Street. With more pedestrians in the area, even without the ADUs there will be an even greater need for somewhere safe for pedestrians and bicyclists to cross E. 1st. Will the City need to do a traffic study? Is there a need for a traffic light or another stop sign? More street lights? A crosswalk over by the Grocery Outlet parking lot? A restructuring of the intersections at E. 1st and Portland Road/99W? Is the developer willing to pay for these safety improvements?

Recommendations:

My husband and I would like to give our recommendation that, if there are no stipulations for owner-occupancy in place in Newberg law as there is in Sherwood regarding ADUs, Mr. Heyworth's ADU proposal should either be denied because the proposal no longer qualifies as "single-family homes" acceptable in an R-2 zone OR that the ADU proposal should be denied unless reclassified as an R-3 zone development, requiring an application for zoning change approval and the process that goes with a zoning change. We disagree that adding so many new residents in such a small space with so few on-site parking spots will "increase residential densities with minimal impact on the quality or character of the existing neighborhood." In

Newberg, for fraternities, sororities, cooperatives, and dormitories, the minimum parking space requirement is "1 for each three occupants for which sleeping facilities are provided." If between 128 and 138 people are provided sleeping facilities by the landlord(s) at Ursus Place, by this calculation there would need to be a minimum of 43-46 on-site parking spaces at the development: 10-13 more than the current minimum (33 @ 3 spaces per unit). Perhaps one of the subdivided lots would be better utilized for on-site parking instead of an eleventh primary unit and its ADU? Although it will not be owned by the university and therefore not officially student housing, a development such as Mr. Heyworth is proposing with ADUs is surely more comparable to student housing than to "single-family homes."

Either way, we hope that Mr. Heyworth and the City of Newberg will take seriously the need to improve visibility, traffic flow, and speed limit conditions for pedestrians, bicyclists, and drivers in the E. 1st/S. Church/E. 2nd Street (Hobson's Addition) neighborhood before a bicyclist or pedestrian is killed by a car (as happened over by the Newberg Walgreens before road safety and visibility was improved in that area), and before a car coming fast off of Portland Road crashes into a driver turning onto S. Church or a new E. 1st Street driveway. We are a relatively high foot-traffic area of Newberg, and the City has a responsibility to protect residents from dangers that it has the power to prevent.

Thank you very much for listening to our concerns.

Sincerely,




Marilee Newell and Nathan West

17. SD Springbrook district.

B. Subdistricts of **Use** Districts.

1. AO **airport** overlay subdistrict.

2. CC civic corridor overlay subdistrict.

3. H historic **landmarks** subdistrict.

4. IO institutional overlay subdistrict.

5. LU **limited use overlay subdistrict**.

6. **RF** riverfront subdistrict.

7. SC **stream corridor** overlay subdistrict.

8. SP specific plan subdistrict.

9. AIO **airport** industrial overlay subdistrict.

10. **Airport** residential overlay subdistrict.

11. Bypass interchange overlay subdistrict.

12. Interim industrial overlay subdistrict. [Ord. 2720 § 1(8), 11-2-09; Ord. 2564, 4-15-02; Ord. 2561, 4-1-02; Ord. 2550, 5-21-01; Ord. 2451, 12-2-96. Code 2001 § 151.120.]

15.302.020 Establishment of districts.

On the effective date of the ordinance codified in this **code**, the provisions of this **code** shall apply to and govern the **use** or maintenance of any land or other property in the **city**, exclusive of **streets**, alleys, and public lands used or reserved for governmental purposes as provided by law. The **city** shall be divided by the **city council** into parts and each such part may be subdivided into units, for the purposes of imposing or establishing districts and subdistricts on land and property. Such parts of units may be zoned and rezoned whenever the **city council**, after investigation and report by the **commission**, finds that criteria in NMC 15.302.030 are satisfied. [Ord. 2451, 12-2-96. Code 2001 § 151.121.]

Cross-reference: For lands used or reserved for governmental purposes as provided by law, see Section 5 of Article VIII of the Oregon Constitution and Chapter 271 of Title 25 ORS, generally. See also Chapter 271 of Title 25 ORS pertaining to public lands.

15.302.030 Procedures for comprehensive plan map and zoning map amendments.

This section describes the procedures and criteria that apply to any application to amend the land **use** designations identified on the **comprehensive plan** map, zoning map and land **use** regulations.

A. Type III Plan and Zoning Map Amendments – One Parcel or Small Group of Parcels.

1. Property **owners** or the **city** may initiate a map **amendment** for one **parcel** or a small group of **parcels** under the Type III procedure. May be initiated by a resolution of the **planning commission** or **city council**. Unlike other Type III procedures, the decision of the **planning commission** on a Type III plan map **amendment** shall be in the form of a recommendation to the **city council**. The **city council** shall hold another **new hearing** and make a final decision.

2. Where an application has been denied, no new application for the same purpose shall be

filed within one year of the date of the previous denial unless the **city council** for good cause shall grant permission to do so.

3. Amendment Criteria. The **owner** must demonstrate compliance with the following criteria:

- a. The proposed change is consistent with and promotes the goals and policies of the Newberg **comprehensive plan** and this **code**;
- b. Public facilities and services are or can be reasonably made available to support the **uses** allowed by the proposed change;
- c. Compliance with the State Transportation Planning Rule (OAR 660-012-0060) for proposals that significantly affect transportation facilities.

4. The property **owner** who desired to have their property reclassified has the burden of establishing that the requested classification meets the requirements of this section. As part of the application, the property **owner** requesting a change shall file a waiver stating that the **owner** will not file any demand against the **city** under Ballot Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197.

5. A traffic study shall be submitted for any proposed change that would significantly affect a transportation facility, or that would allow **uses** that would increase trip generation in excess of 40 trips per p.m. peak hour. This requirement may be waived by the **director** when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed, which adequately mitigate any traffic impacts and/or the proposed **use** is not in a location, which is adjacent to an intersection, which is functioning at a poor level of service. A traffic study may be required by the **director** for changes in areas below 40 trips per p.m. peak hour where the **use** is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the **City** of Newberg design standards.

B. Type IV Plan and Zoning Map Amendments – Large Area of the City and Multiple Ownerships.

1. The **city** may initiate plan map **amendments** affecting large areas and multiple ownerships under the Type IV procedure. No public notice is required to initiate the **amendment**. Initiation must be done by resolution of the **planning commission** or **city council**. These map changes include those that have widespread and significant impact beyond the immediate area of change.

2. Amendment Criteria. The **city** must demonstrate:

- a. The proposed change is consistent with and promotes the objectives of the Newberg **comprehensive plan** and this **code**;
- b. There is a public need for a change of the kind in question;
- c. The need will be best served by changing the classification of the particular piece of property in question as compared with other available property;
- d. Compliance with the State Transportation Planning Rule (OAR 660-012-0060) for proposals that significantly affect transportation facilities.

C. Amendment of Land Use Regulation. A change in requirements, general provisions, exceptions or other provisions of a land **use** regulation may be initiated by a resolution of the **planning commission** or the **city council**. No notice is required to initiate the **amendment**. **Amendments** to land **use** regulation shall be reviewed under the Type IV procedure. [Ord. 2733 Att. A, 2-7-11;

Ord. 2693 § 1 (Exh. A(5)), 3-3-08; Ord. 2619, 5-16-05; Ord. 2612, 12-6-04; Ord. 2451, 12-2-96. Code 2001 § 151.122.]

15.302.032 Purposes of each zoning district.

A. R-1 Low Density Residential District.

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

B. R-2 Medium Density Residential District.

1. The purpose of this land **use** designation is to provide a wide range of **dwelling** types and styles at an average overall density of nine units per gross buildable acre in the district.
2. Typical housing types will include **single-family dwellings** on small lots, attached single-family, **duplex** or **multifamily dwellings**, and **manufactured dwelling parks**. The district also is intended to allow low intensity institutional **uses** that operate consistent with peaceful enjoyment of residential neighborhoods. The R-2 district is intended to be consistent with the medium density residential (MDR) designation of the **comprehensive plan**.

C. R-3 High Density Residential District.

1. The purpose of this land **use** designation is to provide **multifamily dwellings** of different types and styles at an average overall density of 16.5 units per gross buildable acre in the district.
2. Typical housing types will include **duplexes, multifamily dwellings, and manufactured dwelling and mobile home parks**. The district also is intended to allow low intensity institutional **uses** that operate consistent with peaceful enjoyment of residential neighborhoods. Density may vary depending on **lot size, off-street parking area, transportation, landscaping and other site considerations**. The R-3 district is intended to be consistent with the high density residential (HDR) designation of the **comprehensive plan**.

D. R-4 Manufactured Dwelling District.

1. The purpose of this land **use** designation is to provide locations reserved for **manufactured homes, manufactured dwelling parks, mobile home parks, manufactured home subdivisions, and related uses**.
2. This district allows **manufactured homes, mobile home parks, or manufactured home subdivisions** at a density of up to 12 units per gross buildable acre. The R-4 district is intended to be consistent with the medium density residential (MDR) or high density residential (HDR) designation of the **comprehensive plan**.

E. RP Residential-Professional District. The RP residential-professional district provides for a desirable mixing of residential land **uses** with medical and **local business office** uses in possible close proximity to adjacent residential areas. The office **building and parking coverage**, traffic generation, **open space** and other external factors are intended to be compatible with the residential **uses** permitted. This district may be appropriate in transition areas between major land

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Care home razed to make way for residences

Created on Wednesday, 10 December 2014 11:10 | Written by [Colin Staub](#) |

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New direction — Rehab center residents moved to new facility, plans call for detached residential housing

Last week, the former site of the Newberg Marquis Post-Acute Rehab center on First Street was demolished. The property was sold last spring and by the time the sale had closed all the patients were moved into the new Marquis Newberg center on Werth Boulevard.

In place of the former care facility a Portland-based developer is planning a residential project.

“Our goal and hope is to create more rental stock for the city and ideally the university,” said Sean Heyworth of Portland Houseworks. “Exactly what’s going to go there yet we don’t know. We know the community is kind of underserved on rental housing.”

The previous facility was 60 years old and was too far gone to save, Heyworth said.

“We racked our brains to figure out whether we could preserve it or turn it into housing for college students,” he said. In the end, though, he determined it was not feasible to save the building. “It was laden with asbestos.”

In addition to the facility itself, Heyworth owns two tax lots to the west of the property. The structures on these lots were affiliated with the care facility, but are also too dilapidated to preserve, he added.

While the exact plans for the property remain uncertain, Heyworth has an idea of what his company would like to construct. He is currently working to divide the three existing tax lots into 10 or 11 spaces. A detached single family home would go on each lot and each would feature off-street parking.

“It’s got a bit of the Northwest contemporary flair to it,” Heyworth said of the architectural style he plans for the development.

While this is Heyworth’s first development in Newberg, he has a prior connection to the town, having graduated from George Fox University in 1998.



Photo Credit: GARY ALLEN - Clearing space - In place of the demolished Newberg Marquis Post-Acute Rehab center facility, Portland developer Sean Heyworth plans to subdivide the lot and build single family residences.

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Newberg

61°F
Cloudy/Windy
Humidity: 83%
Wind: 25 mph

8 Dec 2015



59°F 80°F

9 Dec 2015



53°F 44°F

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Q accessory dwelling

1 C 16.52.020 - Requirements for all Accessory Dwelling Units | **Code of Ordinances**

2 C Chapter 16.52 - ACCESSORY DWELLING UNITS* | **Code of Ordinances**

3 C 16.52.010 - Purpose | **Code of Ordinances**

4 C 16.50.040 - Accessory Structure Exemptions | **Code of Ordinances**

5 C 15.20.020 - Definitions. | **Code of Ordinances**

6 C 16.12.020 - Allowed Residential Land Uses | **Code of Ordinances**

7 C 15.20.040 - Application. | **Code of Ordinances**

8 C 16.68.030 - Building Design on Infill Lots | **Code of Ordinances**

9 C 16.140.030 - Accessory Use Solid Waste Facilities | **Code of Ordinances**

Municode Library

ATTACHMENT 3

All **Accessory Dwelling** Units must meet the following standards:

- A. Creation: One **Accessory Dwelling** Unit per residence may only be created through the following methods:
 - 1. Converting existing living area, attic, basement or garage;
 - 2. Adding floor area;
 - 3. Constructing a detached ADU on a site with an existing house;
 - 4. Constructing a new house with an internal or detached ADU.
- B. **Owner Occupancy:** The property owner, which shall include the holders and contract purchasers, must occupy either the principal unit or the ADU as their permanent residence, but not both, for at least six months out of the year, and at no time receive rent for the owner-occupied unit.
- C. **Number of Residents:** The total number of individuals that reside in both units may not exceed the number that is allowed for a household.
- D. **Location of Entrances:** The primary entrance to the ADU shall be located in such a manner as to be unobtrusive from the same view of the building which encompasses the entrance to the principal unit.
- E. **Parking:** Additional parking shall be in conformance with the off-street parking provisions for single-family **dwellings**.
- F. **Floor Area:** The maximum gross habitable floor area (GHFA) of the ADU shall not exceed 40% of the GHFA of the primary residence on the lot.
- G. **Setbacks and Dimensional Requirements:** The ADU shall comply with the setback and dimensional requirements of the underlying zone. In addition, there shall be a minimum ten (10) foot separation between the primary residence and the ADU.
- H. **Design and Appearance:** The ADU shall be designed so that, to the degree reasonably feasible, the appearance of the building conforms to the original design characteristics and style of the building, and appears to be a single-family residence.
- I. **Partitioning:** An ADU shall not be partitioned or divided off from the parent parcel.

(Ord. 2000-1108, § 3)

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Chapter 15.410 Yard Setback Requirements

15.410.020 Front Yard Setback.

A. Residential

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.
3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

Response: All lots will have a 15' front yard setback, as shown on the plans. Garages on Lots 1-3 will be set back 20', all other lots are accessed from an alley.

Chapter 15.415 Building and Site Design Standards

15.415.020 Building height limitation.

A. Residential.

1. In the R-1, R-2, AR, and RP districts, no main building shall exceed 30 feet in height...

Response: The proposed single-family dwelling structures and associated accessory dwellings will not exceed 30' in height.

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

15.440.010 Required off-street parking.

Response: Each lot will accommodate 3-4 parking spaces.

15.440.030 Parking spaces required.

Response: According to the table, 2 off-street parking spaces are required for each 4 bedroom dwelling unit, plus 1.5 spaces for each 2 bedroom dwelling unit. The Accessory Dwelling development standards of 15.445.260 specify that only one paved or covered parking space is required for an accessory dwelling unit. Lots 1-3 will have a garage plus two spaces in the driveway, Lots 4-11 will have a carport, with room for two additional cars in the driveway.

Chapter 15.445 Special Use Standards

Article V. - Accessory Dwelling Units

15.445.250 Purpose

This article provides clear and objective standards for the establishment of accessory dwelling units in existing and new detached single-family residences to achieve the following:

- A. Increase the number of affordable housing units in the community.
- B. Increase residential densities with minimal impact on the quality or character of existing neighborhoods.
- C. Allow small and/or older households to retain large homes as residences.

D. Permit young households to achieve home ownership by using the rent from the accessory unit to offset mortgage costs.

E. Provided needed space for elderly family members, teenagers, and/or returning adult children.

Response: The proposal is to include accessory dwelling units on ten of the single-family lots in the subdivision. The site is within walking distance to George Fox University and will provide additional options for convenient student housing.

15.445.260 Development Standards

A. Location. Accessory dwelling units are permitted as conditional uses in the R-1 zone and as outright permitted uses in the R-2 and R-3 zones.

Response: The site is within the R-2 zoning district.

B. Limitations. An accessory dwelling unit is permitted, providing there is compliance with all of the following standards:

1. An accessory dwelling unit may be created within or as an addition to a detached or attached single-family structure or as a freestanding accessory building.

Response: As shown on the plans, some of the proposed accessory dwellings will be within the detached single-family structures, others will be a freestanding accessory building.

2. A accessory dwelling unit may not exceed 50 percent of the size of the primary unit, up to a maximum of 1,000 square feet.

Response: All of the primary units are more than twice the size of the accessory dwellings, as detailed on the plans and square footage synopsis table.

3. The number of residents permitted to inhabit the accessory dwelling unit is regulated by the current edition of the Oregon Residential Specialty Code.

Response: According to City staff, the accessory dwellings can legally house up to five people.

4. In addition to the number of parking spaces required for the primary residence, as established in NMC 15.440.030, one on-site parking space shall be provided for the accessory dwelling unit. This parking space shall be paved and/or covered.

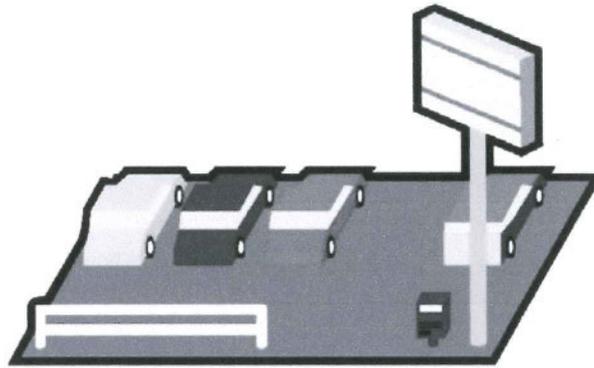
Response: Lots 1 & 2 will accommodate up to three parking spaces, lots 4-11 will accommodate up to 4 spaces on the lots.

5. The front door of the accessory unit shall not be located on the front facade of the primary residence unless the door is already existing.

Response: The front doors of the accessory dwelling are not located on the front facade of the primary residence.

PARKING STANDARDS HANDOUT

Excerpted from City of Newberg Code of Ordinances, and Oregon
Transportation Commission adopted standards



ATTACHMENT 3

Use	Minimum Parking Spaces Required
• On-street parking credit	On-street parking spaces may be counted toward the minimum number of required spaces for developments required to have more than 10 spaces on a lot. The on-street spaces must be directly adjoining and on the same side of the street as the subject property, must be legal spaces that meet all city standards, and cannot be counted if they could be removed by planned future street widening or a bike lane on the street.
• Available transit service	At the review body's discretion, affordable housing projects may reduce the required off-street parking by 10 percent if there is an adequate continuous pedestrian route no more than 1,500 feet in length from the development to transit service with an average of less than one hour regular service intervals during commuting periods or where the development provides its own transit. A developer may qualify for this parking reduction if improvements on a proposed pedestrian route are made by the developer, thereby rendering it an adequate continuous route.
Commercial neighborhood district (C-1)	1 for each dwelling
Dwelling, single-family or two-family	2 for each dwelling unit on a single lot
Fraternities, sororities, cooperatives and dormitories	1 for each three occupants for which sleeping facilities are provided
Hotels, motels, motor hotels, etc.	1 for each guest room
Rooming or boarding houses	1 for each guest room
Special needs housing	1 space per 3 beds or actual parking needs as demonstrated through a parking analysis.
Institutional Types	
Churches, clubs, lodges	1 for every 4 fixed seats or every 8 feet of bench length or every 28 sq. ft. where no permanent seats or benches are maintained – in main auditorium (sanctuary or place of worship)
Continuing care retirement community not including nursing care	1 space per living unit
Day care facility	5 spaces per each 1,000 gross sq. ft.
Hospitals (including accessory retail wholly contained within a hospital building)	2 spaces for each 1,000 gross sq. ft.

Steve Olson

From: JUSTER Gerard P *Gerry <Gerard.P.JUSTER@odot.state.or.us>
Sent: Wednesday, December 09, 2015 1:40 PM
To: Steve Olson
Cc: EARL Robert; DRAKE Ray F; KNECHT Casey
Subject: ODOT comments for MISC-15-012 (Portland Houseworks, LLC)
Attachments: 265-004 E 1st St - Newberg reduced Set 8-26-15.pdf; Permit Hwy 140_red.pdf

Hi Steve,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the Type II Design Review. This letter is submitted for inclusion in the public hearing record and ODOT should be considered a party to the land use action. Please provide a copy of the land use decision, notice of any time extensions or continuances, to ODOT at the address provided below, or you may provide notice to ODOT via e-mail. Electronic format is preferred.

Planning and Development Manager
Oregon Department of Transportation
Region 2 Headquarters
455 Airport Road SE, Building B
Salem, OR 97301-5395

Electronic documents can be directed to:

ODOTR2PLANMGR@ODOT.STATE.OR.US

ODOT staff has completed a review of the submitted application and has the following comments.

The property abuts the Hillsboro-Silverton Highway Connector, No. 140AE, (1st Street), and is subject to state laws administered by the Oregon Department of Transportation. These laws may require the applicant to obtain one or more state permits to carry out the intended use of the property, or to otherwise comply with state law without need for a permit. The applicant will be required to obtain *A Permit To Occupy Or Perform Operations Upon A State Highway* to construct site frontage improvements along the state highway right-of-way.

ODOT has reviewed the applicant's site plan and approved the construction drawings associated with highway frontage improvements. Additionally, ODOT has issued a permit to The Den of Newberg, LLC for work within state highway right-of-way. A copy of the construction drawings and permit are attached.

Please note, the contractor should notify Robert Earl, ODOT District 3 Senior Permit Specialist, at least 48 hours prior to commencing construction activities as directed under the Special Provisions of the permit. If you have any questions associated with this message do not hesitate to contact me.

Thank you,

Gerry Juster
Development Review Coordinator
Oregon Department of Transportation
855 Airport Rd SE, Bldg. Y | Salem, Oregon 97301
Office: 503.986.2732 | FAX: 503.986.2748
e-mail: gerard.p.juster@odot.state.or.us

1500 EAST 1ST STREET

A11 LOT SUBDIVISION OF TAX LOTS S 2300, 2400 & 2500
CITY OF NEWBERG, YAMHILL COUNTY, OREGON

1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 206A
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

COVER SHEET, INDEX OF DRAWINGS & LEGEND

REVISIONS

NO.	DATE	DESCRIPTION
1	5-11-15	ADJUST CON. COMMENTS
2	5-11-15	ADJUST CON. COMMENTS

EMERIO Design
8285 SW NIMBUS AVE, SUITE 100
BEAVERTON, OREGON 97008
PH: (503)-746-8812

REGISTERED PROFESSIONAL ENGINEER
No. 1025
STATE OF OREGON
EMERIO, GAEITA

SHEET
01 OF 21

DESIGN START: PROJECT: AUG 26, 2015 @ 7:57AM; P: 13108-004 1000 E 1st ST (1004) Engineer: GAEITA, DORRIS AEG

LEGEND

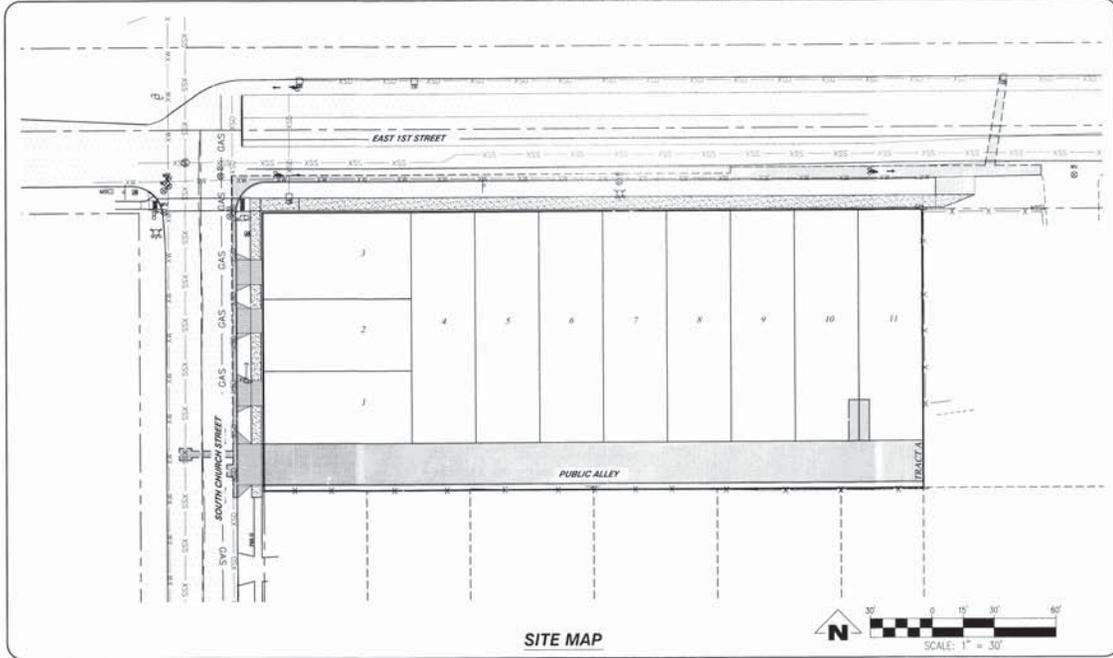
- ROCK WALL
- FLOW LINE
- FENCE
- MINOR CONTOUR
- MAJOR CONTOUR
- WETLAND
- SANITARY SEWER LINE
- STORM DRAIN LINE
- GAS LINE
- WATER LINE
- OVERHEAD UTILITIES LINE
- UNDERGROUND UTILITIES LINE
- COMMUNICATIONS LINE
- ELECTRIC LINE
- FIRE HYDRANT
- AIR RELEASE
- WATER BLOWOFF
- WATER METER/SERVICE
- WATER VAULT
- IRRIGATION SPRINKLER HEAD
- CULVERT / OUTFALL
- STORM DRAIN MANHOLE
- CATCH BASIN / AREA DRAIN
- SANITARY SEWER MANHOLE
- UTILITY MANHOLE
- UTILITY CLEAN OUT
- UTILITY VALVE
- UTILITY VAULT
- UTILITY PEDESTAL
- UTILITY POLE
- UTILITY GUY POLE
- UTILITY GUY WIRE
- UTILITY LIGHT POLE
- LIGHT POLE
- LIGHT POLE WITH ARM
- LIGHT SIGNAL JUNCTION BOX
- JUNCTION BOX
- ELECTRIC METER/SERVICE
- ELECTRIC PEDESTAL
- ELECTRIC VAULT
- TELEPHONE MANHOLE
- COMMUNICATIONS PEDESTAL
- COMMUNICATIONS VAULT
- GAS METER/SERVICE
- GAS PEDESTAL
- DECIDUOUS TREE
- EVERGREEN TREE
- SIGN POST
- MAILBOX
- WELL

ENGINEER'S NOTE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS; TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE THE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.

THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFINE, IDENTIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.



SITE MAP

PROJECT CONTACTS

OWNER:
THE DEN OF NEWBERG
5105 SW 45TH AVE., SUITE 201
PORTLAND, OR 97221
CONTACT: MIKE MITCHOFF
(503) 891-1999 (P)

LAND USE, CIVIL ENGINEER AND SURVEYOR:
EMERIO DESIGN, LLC
8285 SW NIMBUS AVE, SUITE 100
BEAVERTON, OR 97008
ENGINEER CONTACT: RAFAEL GAEITA
SURVEYOR CONTACT: KING PHELPS
(503) 746-8812 (P)
(503) 639-9592 (F)

BENCHMARK INFORMATION

THE DATUM FOR THIS SURVEY IS BASED UPON THE CITY OF NEWBERG BM #73 TOP OF CURB, NORTH SIDE OF HIGHWAY 219, 35 FEET WEST OF THE CENTERLINE OF CHURCH STREET.

ELEVATION: 168.84 (NAVD 29)

HORIZONTAL DATUM: BASIS OF BEARINGS IS N00°05'00"W ALONG THE CENTERLINE OF CHURCH STREET BETWEEN THE FOUND RAILROAD SPIKE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF 1ST STREET AND THE CENTERLINE OF CHURCH STREET AND THE FOUND 7" IRON PIPE AT THE CENTERLINE INTERSECTION OF CHURCH STREET AND 2ND STREET PER SURVEY NUMBER CSP 9901.

SITE INFORMATION

AREA: 0.99 Ac.
ZONING: MEDIUM DENSITY RESIDENTIAL
TAX MAP: T3S R2W, 206A
TAX LOTS: 2300, 2400 & 2500
NUMBER OF LOTS: 11

NOTICE TO EXCAVATORS

THIS DESIGN COMPLIES WITH ORS 92.044 (7) IN THAT NO UTILITY INFRASTRUCTURE IS DESIGNED TO BE WITHIN ONE (1) FOOT OF A SURVEY MONUMENT LOCATION SHOWN ON A SUBDIVISION OR PARTITION PLAT. NO DESIGN EXCEPTIONS NOT FINAL FIELD LOCATION CHANGES SHALL BE PERMITTED IF THAT CHANGE WOULD CAUSE ANY UTILITY INFRASTRUCTURE TO BE PLACED WITHIN THE PROHIBITED AREA.

NOTICE TO EXCAVATORS

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).

POTENTIAL UNDERGROUND FACILITY OWNERS
Dig Safely.
Call the Oregon One-Call Center
DIAL 811 or 1-800-332-2344



DRAWING INDEX

SH.	TITLE
Construction Drawings	
01	COVER SHEET, INDEX OF DRAWINGS & LEGEND
02	EXISTING CONDITIONS & DEMOLITION PLAN
03	PRELIMINARY PLAT
04	COMPOSITE UTILITY & SITE PLAN
05	EAST 1ST STREET PLAN & PROFILE
06	SOUTH CHURCH STREET PLAN & PROFILE
07	PUBLIC ALLEY PLAN & PROFILE
08	SANITARY & WATER PLAN & PROFILE
09	STREET LIGHTING PLAN
10	STREET LIGHTING DETAILS
11	LANDSCAPE & STREET TREE PLAN
12	UTILITY CONSTRUCTION DETAILS
13	UTILITY CONSTRUCTION DETAILS
14	UTILITY CONSTRUCTION DETAILS
15	STREET CONSTRUCTION DETAILS
16	STREET CONSTRUCTION DETAILS
17	SIGNAGE CONSTRUCTION DETAILS
1200-C	
E01	COVER SHEET, INDEX OF DRAWINGS & LEGEND
E02	DEMOLITION AND EROSION & SEDIMENT CONTROL PLAN
E03	GRAZING STREET UTILITY AND EROSION & SEDIMENT CONTROL PLAN
E04	EROSION CONTROL DETAILS

UTILITY CONTACTS

POWER: PORTLAND GENERAL ELECTRIC
5480 SW BOECKMAN ROAD
WILSONVILLE, OREGON 97070
(503) 228-6322 (P)

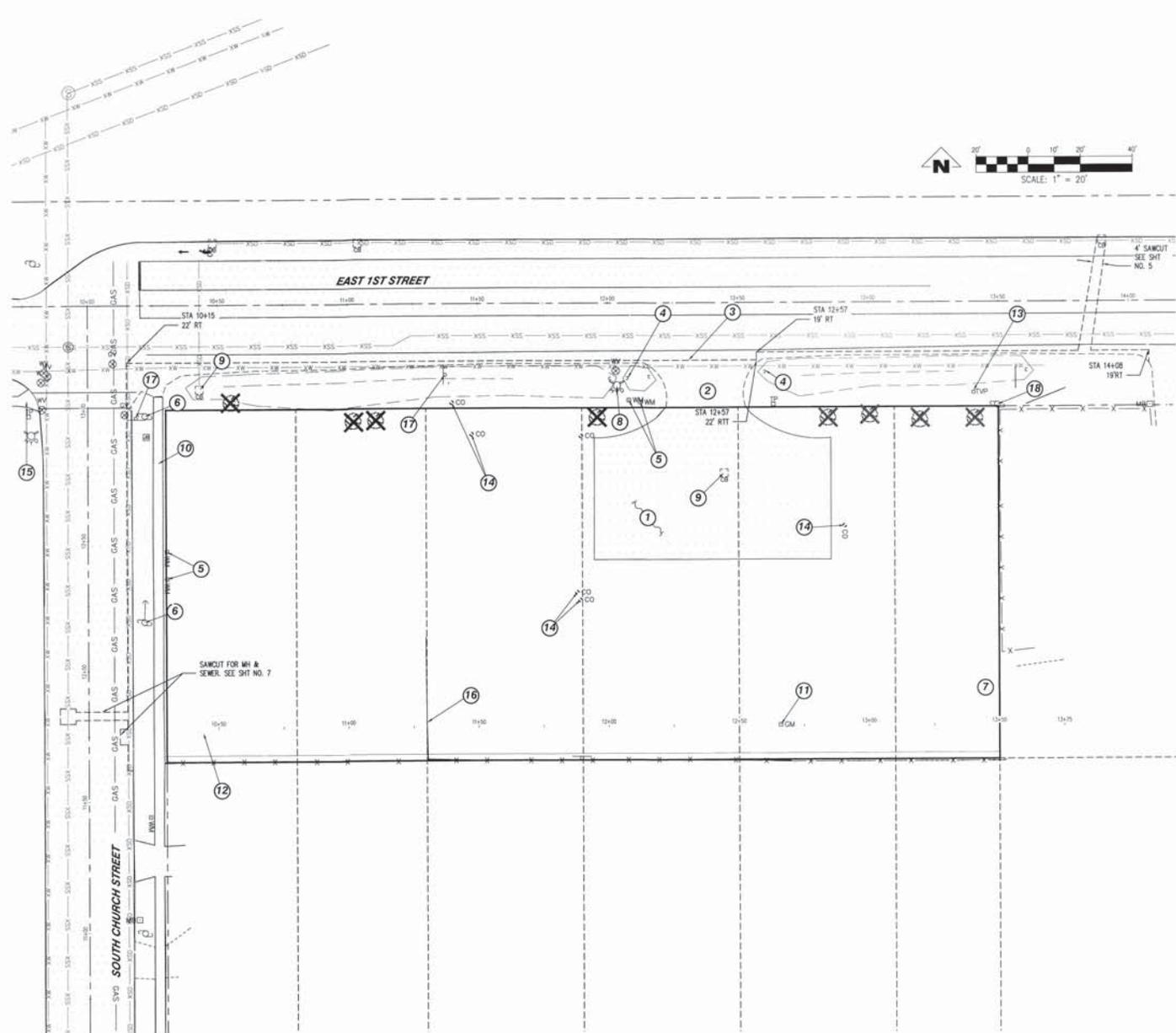
WATER: CITY OF NEWBERG
414 E. FIRST STREET
NEWBERG, OREGON 97132
(503) 537-1205 (P)

CABLE: COMCAST
14200 SW BRIGADOON CT.
BEAVERTON, OREGON 97005
(503) 641-5974

TELEPHONE: VERIZON NORTHWEST
P.O. BOX 1100
BEAVERTON, OREGON 97075
(503) 645-1171

CONDUIT/TRENCH: ENGINEERING DIVISION, FRONTIER
(541) 269-3375

FIRE: NEWBERG FIRE AND RESCUE
414 E. 2ND STREET
NEWBERG, OREGON 97132
(503) 537-1230 (P)



ALL EXISTING UTILITY LINES AND STRUCTURES ARE TO REMAIN AND BE PROTECTED. CONTRACTOR IS RESPONSIBLE FOR DAMAGES DURING CONSTRUCTION.

LEGEND	
---	PROPERTY/ROW LINE
---	ADJACENT/ADJOINING LOT LINE
---	CENTER LINE OF ROW
---	EASEMENT LINE
---○---	EXISTING STORM SEWER & MANHOLE
---□---	EXISTING STORM SEWER & INLET
---○---	EXISTING SANITARY SEWER & MANHOLE
---○---	EXISTING WATERLINE & SERVICE
---○---	EXISTING WATER VALVE & BOX
---○---	EXISTING FIRE HYDRANT
---○---	EXISTING OVERHEAD UTILITY LINE
---○---	EXISTING UTILITY POLE
---○---	EXISTING LIGHT POLE
---○---	EXISTING GUY WIRE
---○---	EXISTING ELECTRICAL JUNCTION BOX
---○---	EXISTING MAIL BOX
---	EXISTING 1' CONTOUR LINE
---	EXISTING 5' CONTOUR LINE
---	EXISTING FENCE
---	EXISTING SIGN
---	EXISTING TREE TO BE REMOVED
---	EXISTING TREE TO REMAIN

SURVEY NOTES

1. BENCH MARK IS CITY OF NEWBERG BM #73 TOP OF CURB, NORTH SIDE OF HIGHWAY 219, 35 FEET WEST OF THE CENTERLINE OF CHURCH STREET. ELEVATION 168.84 (NAVD 29)
2. BASIS OF BEARINGS IS $90^{\circ}05'00''$ W ALONG THE CENTERLINE OF CHURCH STREET BETWEEN THE RAILROAD SPIKE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF 1ST STREET AND THE CENTERLINE OF CHURCH STREET AND THE FOUND $3/4''$ IRON PIPE AT THE CENTERLINE INTERSECTION OF CHURCH STREET AND 2ND STREET PER SURVEY NUMBER CSP 9901.

- DEMOLITION NOTES**
- 1 EXISTING AC PAVEMENT TO BE REMOVED
 - 2 EXISTING DRIVEWAY TO BE REMOVED
 - 3 SAWCUT AND REMOVE EXISTING PAVEMENT
 - 4 EXISTING CULVERT TO BE REMOVED
 - 5 EXISTING WATER METER TO BE REMOVED
CONTRACTOR TO COORDINATE WITH CITY OF NEWBERG
 - 6 EXISTING POLE TO BE REMOVED, OVERHEAD UTILITIES TO BE UNDERGROUND.
 - 7 EXISTING NEIGHBORING EASEMENT - SEE SUPPORTING DOCS FOR FURTHER DESCRIPTION
 - 8 EXISTING FIRE HYDRANT AND WATERLINE TO TEE TO BE REMAIN, ADJUST GATE VALVE RIM TO MATCH FINISH GRADE
 - 9 EXISTING CATCH BASIN TO BE REMOVED
 - 10 EXISTING SIDEWALK TO BE REMOVED
 - 11 EXISTING GAS METER TO BE REMOVED
 - 12 EXISTING DRAVEL TO BE REMOVED
 - 13 EXISTING TV PANEL BOX TO BE RELOCATED
 - 14 EXISTING CLEANOUT TO BE REMOVED
 - 15 EXISTING RAMP TO BE REMOVED.
 - 16 EXISTING CONCRETE RETAINING WALL TO BE REMOVED
 - 17 EXISTING SIGN TO REMAIN AND BE PROTECTED. CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION.
 - 18 EXISTING POLE TO REMAIN AND BE PROTECTED. CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION.

1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 20BA
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

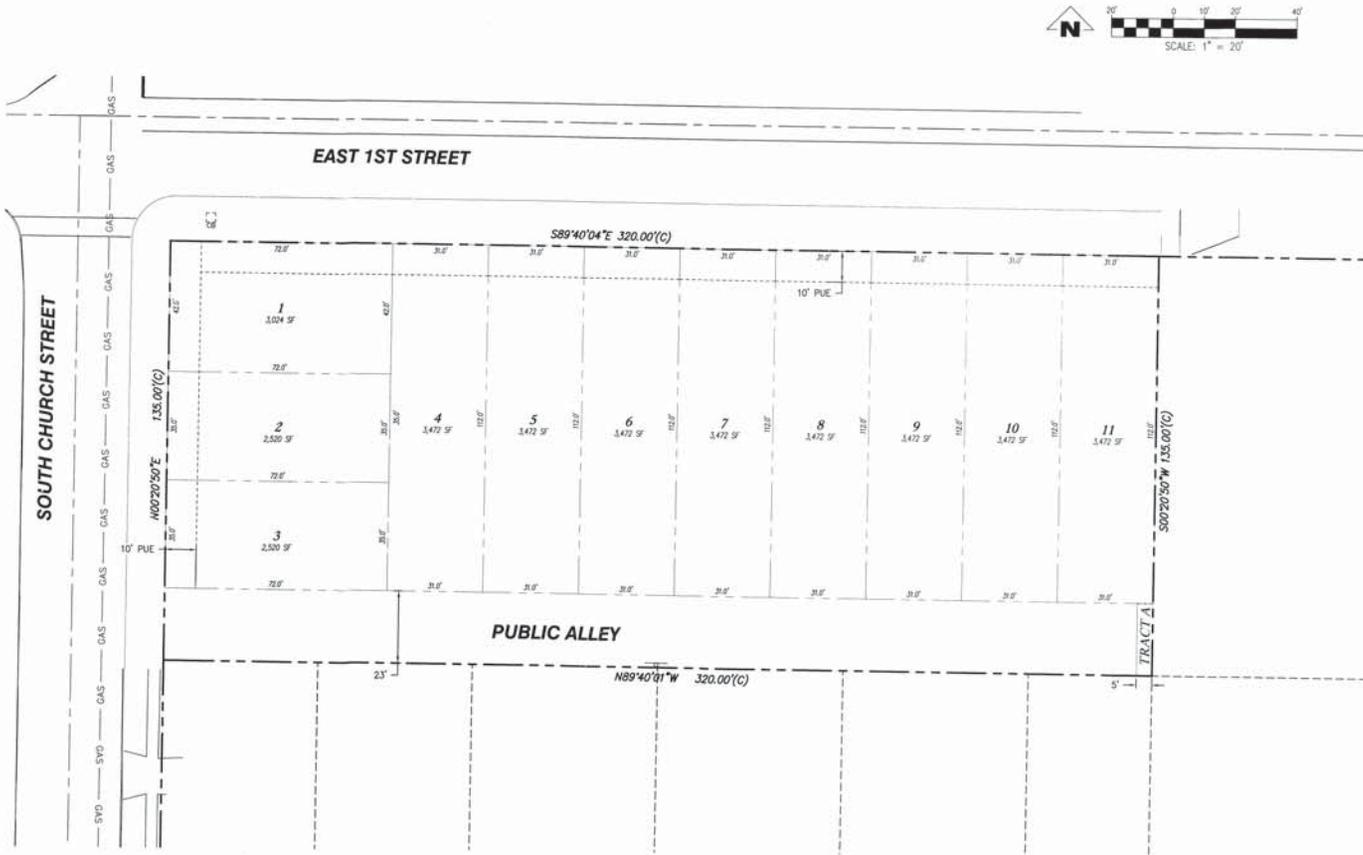
EXISTING CONIDITIONS & DEMOLITION PLAN

REVISIONS	DESCRIPTION
NO.	DATE

EMERIO
Design
8285 SW NAMBUS AVE., SUITE 160
BEAVERTON, OREGON 97008
PH: (503)-647-6812



SHEET
02
OF
21



LEGEND

- PROPERTY/ROW LINE
- - - ADJACENT/ADJOINING LOT LINE
- CENTER LINE OF ROW
- - - EASEMENT LINE
- - - PUBLIC UTILITY EASEMENT LINE

ZONE: R6

SETBACKS

FRONT:	15' OR 20'	SIDE:	5'
REAR:	5' OR 15'	STREET:	15' OR 20'
GARAGE:	15' OR 20'		

TOTAL SITE AREA = 43,205 SF

TOTAL SITE IMPERVIOUS = 28,732 SF

ON SITE

EXISTING IMPERVIOUS	= 26,952 SF	62%
PROPOSED IMPERVIOUS	= 24,419 SF	57%
- LOTS	= 17,640 SF	
- ALLEY	= 6,779 SF	

OFF SITE

EXISTING IMPERVIOUS	= 1,372 SF
PROPOSED IMPERVIOUS	= 4,313 SF

1500 EAST 1ST STREET
 11 LOT SUBDIVISION
 TAX MAP T3S R2W 20BA
 TAX LOTS 2300, 2400 & 2500
 NEWBERG, OREGON

PRELIMINARY PLAT

REVISIONS

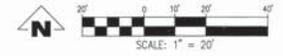
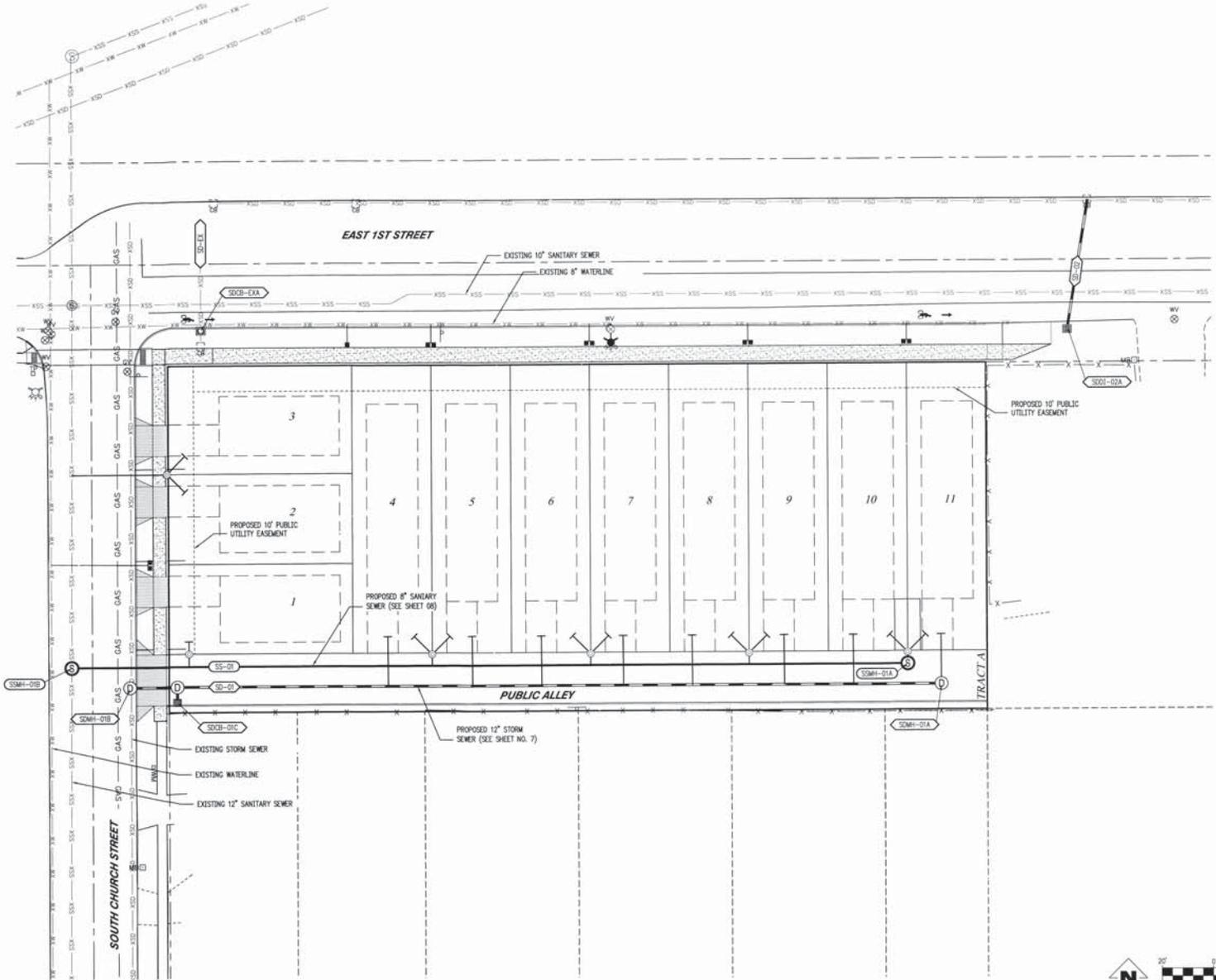
NO.	DATE	DESCRIPTION
1	8-11-15	REVISION FOR COMMENTS

EMERIO
Design
 8285 SW NUMBUS AVE, SUITE 180
 BLAINEVILLE, OREGON 97008
 PH: (503) 746-8812



SHEET
03

DESIGN START: PROJECT: AUG 25, 2015 - 3:35PM P:\2852-004\2000 E 1st SW\DWG\Engineering\2852-004_3pp1.dwg



1500 EAST 1ST STREET
 11 LOT SUBDIVISION
 TAX MAP T3S R2W 20BA
 TAX LOTS 2300, 2400 & 2500
 NEWBERG, OREGON

**COMPOSITE UTILITY &
 SITE PLAN**

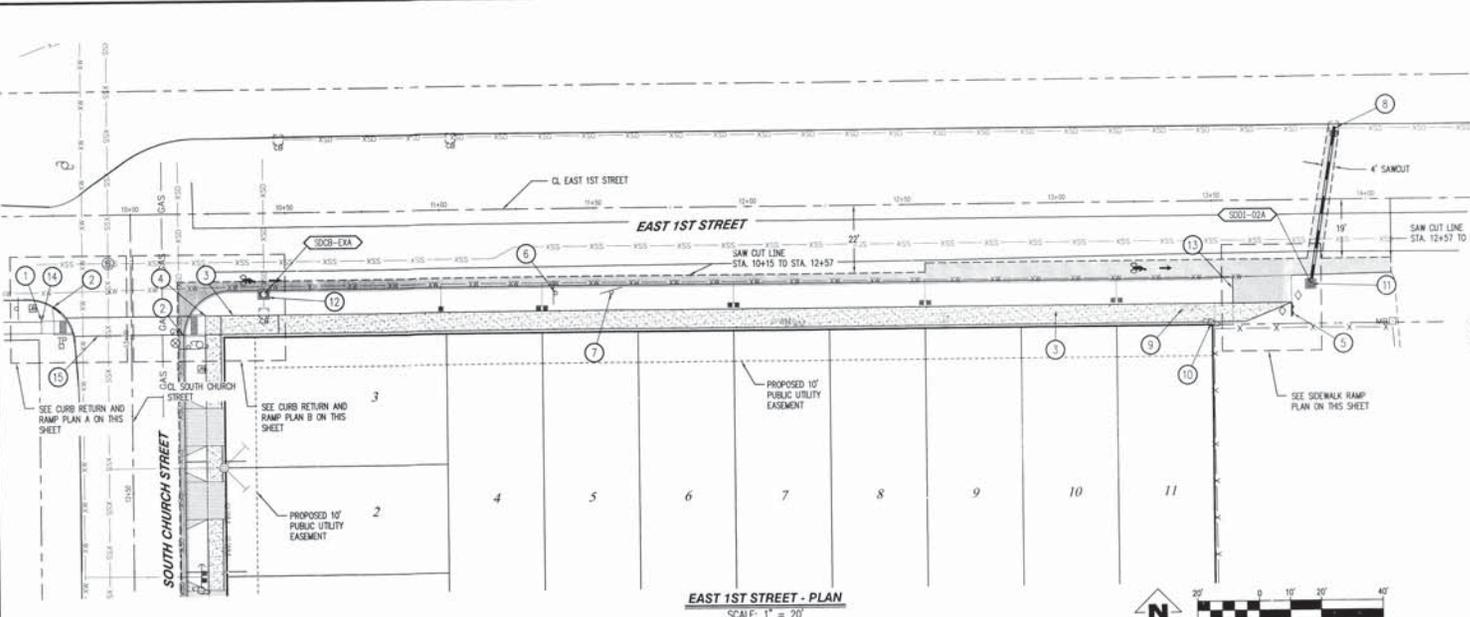
NO.	DATE	DESCRIPTION
1	08-15-13	ISSUE FOR PERMITS
2	08-15-13	REVISIONS FOR PERMITS
3	08-15-13	REVISIONS FOR PERMITS

EMERIO
Design
 8285 SW HAMBURG AVE, SUITE 180
 BEAVERTON, OREGON 97008
 PH: (503) 746-8812

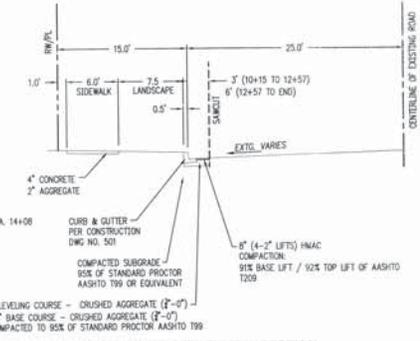


SHEET
04
 OF
21

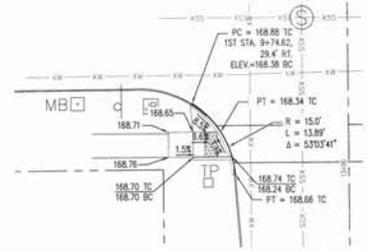
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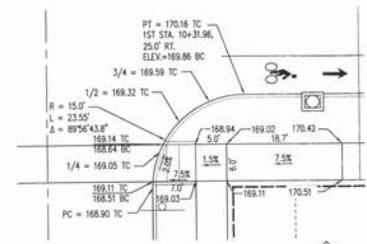
EAST 1ST STREET - PLAN
SCALE: 1" = 20'



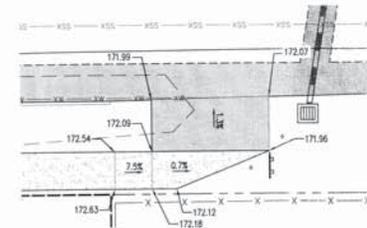
EAST 1ST STREET - TYPICAL SECTION
SCALE: N.T.S.



CURB RETURN AND RAMP - PLAN A
SCALE: 1" = 10'



CURB RETURN AND RAMP - PLAN B
SCALE: 1" = 10'

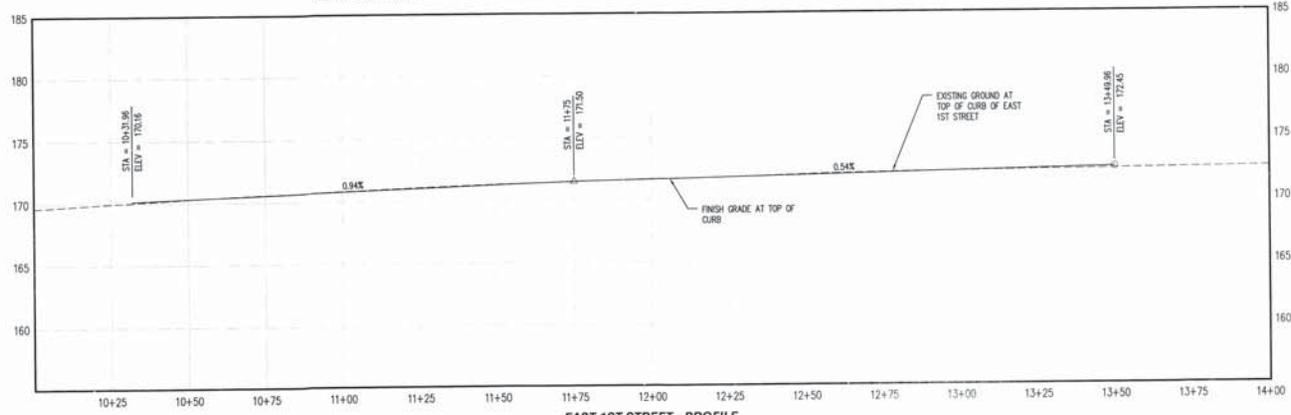


SIDEWALK RAMP - PLAN
SCALE: 1" = 10'

CONSTRUCTION NOTES:

- 1 EAST 1ST STREET STA. 9+70.85 START CONSTRUCTION
- 2 EAST 1ST STREET STA. 9+74.62 & 10+17.07 INSTALL CURB & OUTER PER ODOT DWG NO. R0700
- 3 EAST 1ST STREET STA. 10+32.96 INSTALL 6.0' SIDEWALK PER ODOT DWG NO. R0759
- 4 EAST 1ST STREET STA. 10+17.07 INSTALL STANDARD ADA RAMP. SEE CURB RETURN PLAN B FOR HC RAMP AND ODOT DWG NO. R0759
- 5 EAST 1ST STREET STA. 13+50.00 EXISTING POWER POLE TO REMAIN AND BE PROTECTED. CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION.
- 6 EAST 1ST STREET STA. 13+56.99 INSTALL DITCH INLET RIM 170.00
12" IN = 168.55 (NE)
S1.2 LF O.I.P. S=0.009
SEE ODOT DWG NO. R0370
- 7 EXISTING 35 MPH SIGN TO REMAIN

- 8 EAST 1ST STREET STA. 11+55.62 INSTALL NO PARKING SIGN PER ODOT DWGS NO. T4200 & T4206
- 9 CONNECT PROPOSED 12" STORM D.I.P. TO EXISTING CATCH BASIN. GRATE RIM 171.28 EXTC
12" IN = 168.28 (SW) NEW
12" IN = 168.13 (W) EXTC
12" OUT = 168.08 (E) EXTC
- 10 EAST 1ST STREET STA. 13+40.71 RELOCATE EXISTING TV PANEL BOX OUTSIDE OF SIDEWALK
- 11 EAST 1ST STREET STA. 13+50.00 EXISTING POWER POLE TO REMAIN AND BE PROTECTED. CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION.
- 12 EAST 1ST STREET STA. 10+43.00 INSTALL TYPE CG-3 CONCRETE INLET RIM 169.60
CONNECT TO EXISTING 12"
FIELD VERIFY IE
SEE ODOT DWGS NO. R0371 & R0372
- 13 INSTALL SIDEWALK RAMP AND LANDING (FOR ENDS OF SIDEWALKS). SEE ODOT DWG NO. R0758 OPTION F
- 14 EAST 1ST STREET STA. 9+70.85 INSTALL STANDARD ADA RAMP. SEE CURB RETURN PLAN A FOR HC RAMP AND ODOT DWG NO. R0759
- 15 STROKE CROSSWALK



EAST 1ST STREET - PROFILE
HORIZ. SCALE: 1" = 20'; VERT. SCALE 1" = 5'

1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 20BA
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

EAST 1ST STREET PLAN
& PROFILE

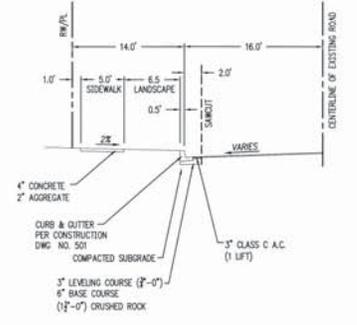
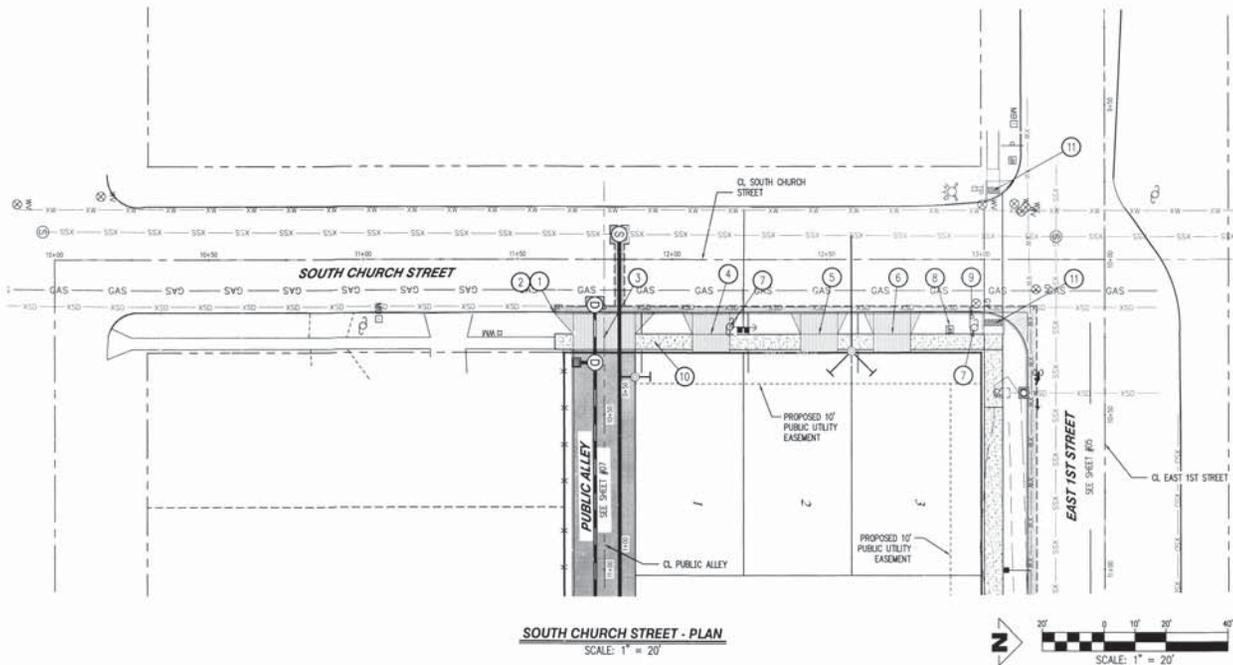
NO.	DATE	REVISIONS
1	11-11-15	REVISE PER C.N. # 2017 COMMENTS
2	12-11-15	REVISE PER C.N. # 2017 COMMENTS

EMERIO
Design
0705 SW NEWBERG AVE SUITE 100
NEWBERG, OREGON 97138
PH: (503) 746-8812

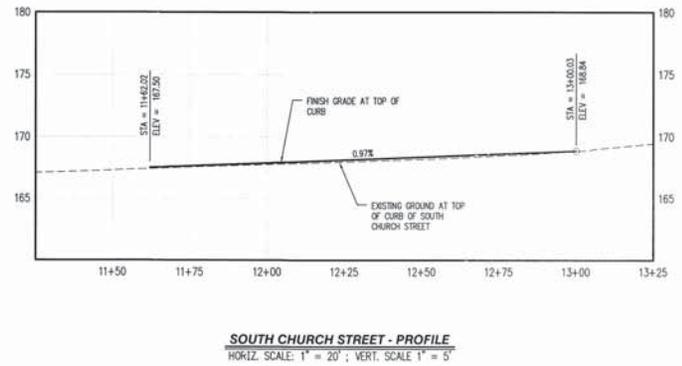
REGISTERED PROFESSIONAL
LAND SURVEYOR
JAMES P. GAY
NOV 15, 2005
PAUL GAY

SHEET
05
EXPRES 8-30-17

DESIGN STAFF, Printed: Aug 26, 2015 - 8:28am, P:\2015-004-15000 - E. 1st St\DWG\Engineer\2015-004-C007.dwg



- CONSTRUCTION NOTES:**
- 1 SOUTH CHURCH STREET STA. 11+42.02 START CONSTRUCTION
 - 2 SOUTH CHURCH STREET STA. 11+42.02 INSTALL CURB & GUTTER PER C.O.N. DWG NO. 501
 - 3 SOUTH CHURCH STREET STA. 11+78.08 INSTALL 20' COMMERCIAL PVT DRIVEWAY PER C.O.N. DWG NO. 501
 - 4 SOUTH CHURCH STREET STA. 12+13.61 INSTALL 12' PVT DRIVEWAY PER C.O.N. DWG NO. 509
 - 5 SOUTH CHURCH STREET STA. 12+46.62 INSTALL 12' PVT DRIVEWAY PER C.O.N. DWG NO. 509
 - 6 SOUTH CHURCH STREET STA. 12+70.24 INSTALL 12' PVT DRIVEWAY PER C.O.N. DWG NO. 509
 - 7 EXISTING POWER POLE TO BE REMOVED, ALL OVERHEAD UTILITIES TO BE UNDERGROUNDED
 - 8 EXISTING JUNCTION BOX TO REMAIN AND PROTECTED, CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION
 - 9 EXISTING SIGN TO REMAIN AND PROTECTED, CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION
 - 10 SOUTH CHURCH STREET STA. 11+94.02 INSTALL 5' SIDEWALK PER C.O.N. DWG NO. 501
 - 11 INSTALL ADA RAMP. SEE SHY NO. 5 FOR DETAIL.



1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 20BA
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

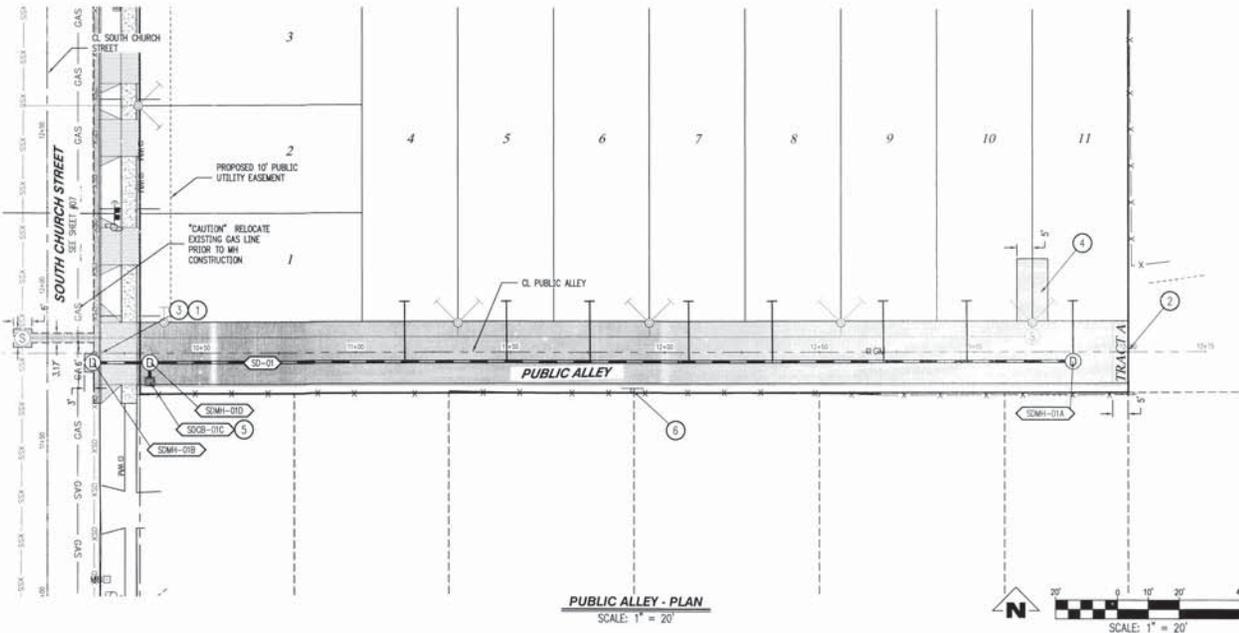
**SOUTH CHURCH STREET
PLAN & PROFILE**

NO.	DATE	DESCRIPTION
1	5-11-15	REVISE PER C.O.N. COMMENTS
2	5-19-15	REVISE PER C.O.N. & CDDI COMMENTS

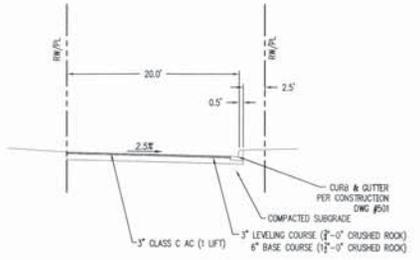
EMERIO Design
8284 SW ANGLIS AVE, SUITE 180
BEAVERTON, OREGON 97008
PH: (503) 746-8812



DATEPLOT: 8-26-17
SHEET
06 OF
21



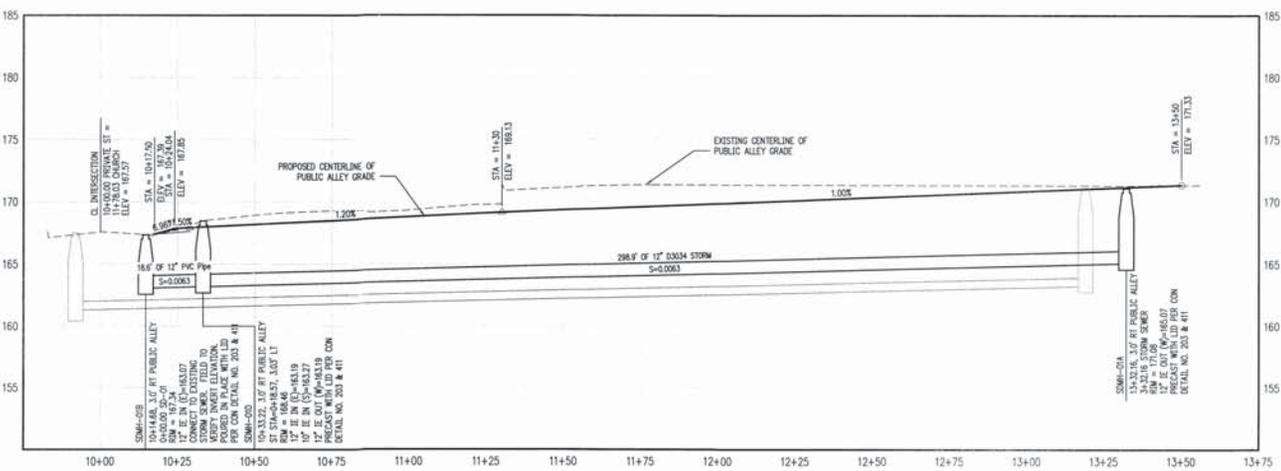
PUBLIC ALLEY - PLAN
SCALE: 1" = 20'



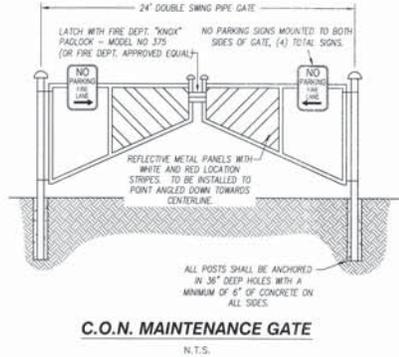
PUBLIC ALLEY - TYPICAL SECTION
SCALE: N.T.S.

CONSTRUCTION NOTES:

- 1 PUBLIC ALLEY STA. 10+17.50 START CONSTRUCTION
- 2 PUBLIC ALLEY STA. 13+50.00 END CONSTRUCTION. INSTALL 20' LOCKABLE GATE. COORDINATE WITH CITY OF NEWBERG REGARDING LOCK TYPE. SEE C.O.N. DWG. NO. 516A FOR BARRICADE SHEETING REFERENCE.
- 3 PUBLIC ALLEY STA. 10+17.50 INSTALL 20' COMMERCIAL DROWEYWAY PER C.O.N. DWG. NO. 510
- 4 INSTALL 10' x 20' TURN AROUND AREA WITH 3" CLASS C (2 LIFT) AC, 3" LEVELING COURSE (2"-0" CRUSHED ROCK), 6" BASE COURSE (1 1/2"-0" CRUSHED ROCK)
- 5 INSTALL STANDARD CATCH BASIN TYPE N-1 PER C.O.N. DWG. NO. 401 & 402
- 6 INSTALL NO PARKING SIGN PER C.O.N. DWG. NO. 524A, 524B, & 525A.



PUBLIC ALLEY - PLAN
HORIZ. SCALE: 1" = 20'; VERT. SCALE 1" = 5'



C.O.N. MAINTENANCE GATE
N.T.S.

CATCH BASIN DATA TABLE						
CATCH BASIN	C.B. TYPE	STREET STA.	RIM ELEV.	I.E. OUT	SLOPE	PIPE DATA
SOCB-01C	N-1	10+33.24 9.05 RT	167.74	163.50	3.79%	6.03 U 10" PVC PIPE

1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 20BA
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

PUBLIC ALLEY PLAN & PROFILE

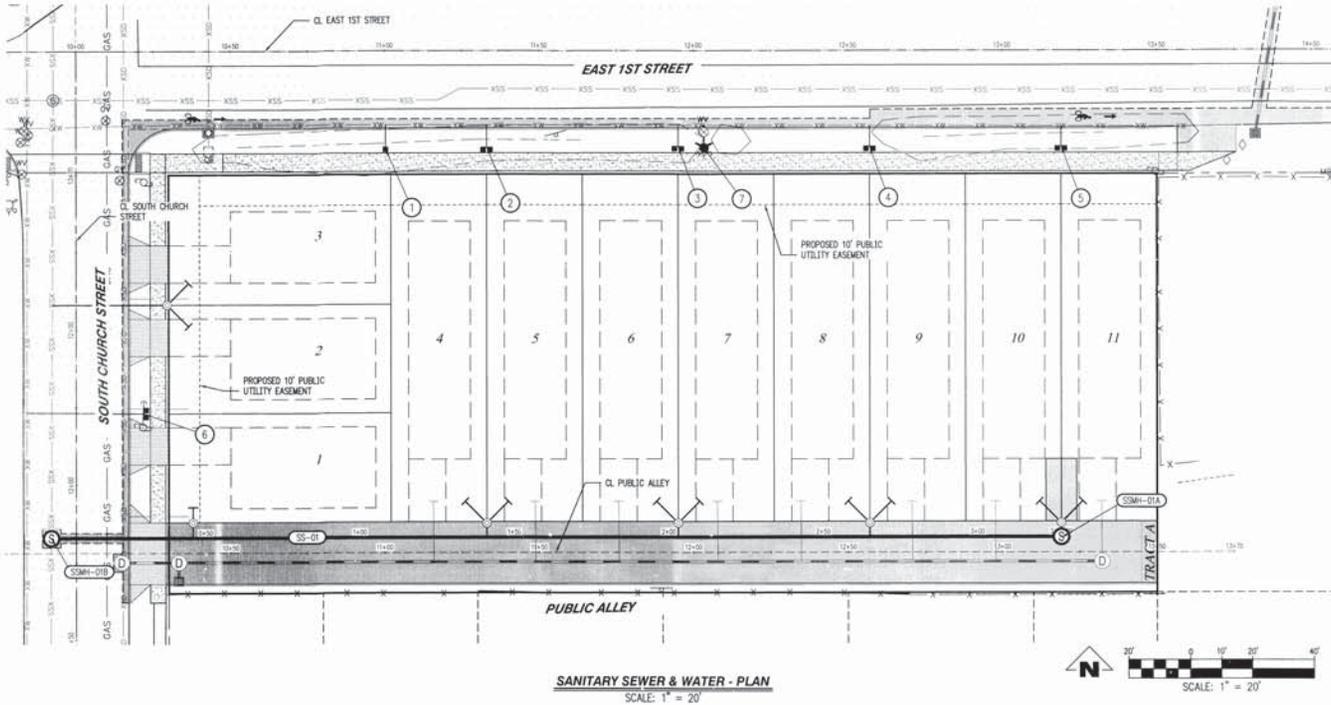
NO.	DATE	DESCRIPTION
1	10-13-21	REVISED PER CITY OF NEWBERG
2	10-13-21	REVISED PER CITY OF NEWBERG
3	10-13-21	REVISED PER CITY OF NEWBERG

EMERIO Design
2545 SW ANNEBURN AVE. SUITE 180
CLEAVERTON, OREGON 97008
PH: (503) 746-8812



SHEET
07
OF
21

ATTACHMENT 3



CONSTRUCTION NOTES:

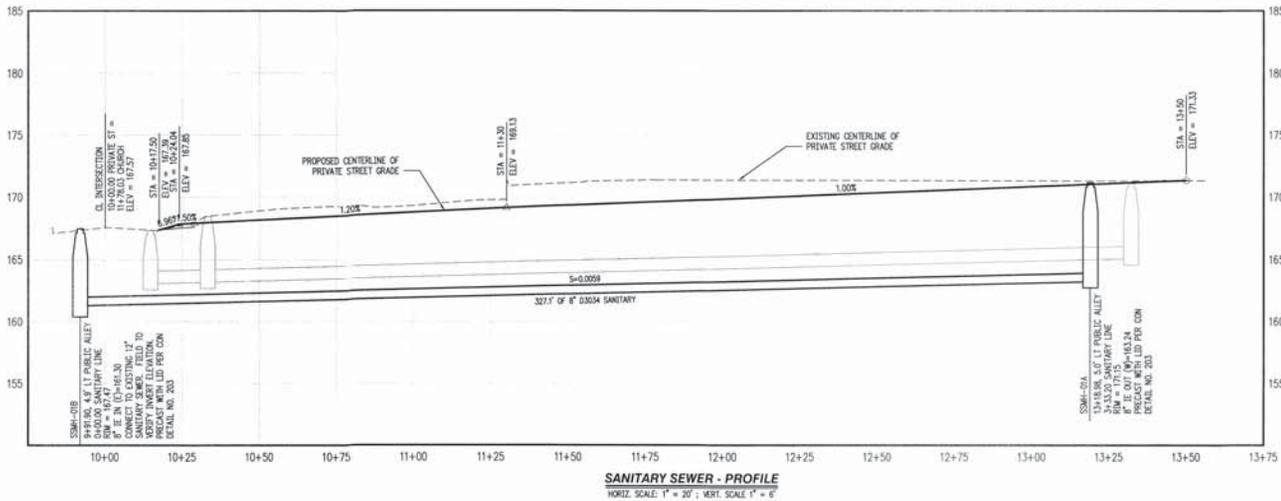
- ① EAST 1ST STREET STA. 11+00.04 INSTALL SINGLE 1" WATER SERVICE PER C.O.M. DWG NO. 307
- ② EAST 1ST STREET STA. 11+33.14 INSTALL DOUBLE 1" WATER SERVICE PER C.O.M. DWG NO. 308
- ③ EAST 1ST STREET STA. 11+95.11 INSTALL DOUBLE 1" WATER SERVICE PER C.O.M. DWG NO. 308
- ④ EAST 1ST STREET STA. 12+57.14 INSTALL DOUBLE 1" WATER SERVICE PER C.O.M. DWG NO. 308
- ⑤ EAST 1ST STREET STA. 13+19.15 INSTALL DOUBLE 1" WATER SERVICE PER C.O.M. DWG NO. 308
- ⑥ SOUTH CHURCH STREET 12+23.11 INSTALL DOUBLE 1" WATER SERVICE PER C.O.M. DWG NO. 308
- ⑦ EAST 1ST STREET STA. 12+03.01 EXISTING FIRE HYDRANT TO REMAIN. ADJUST GATE VALVE RIM TO MATCH FINISH GRADE

SANITARY LATERAL NOTE:

LATERALS SHOWN TO BE EXTENDED SHALL BE 4" OR 6" P.V.C. WITH A MINIMUM SLOPE OF 2% AND CONSTRUCTED PER CITY OF NEWBERG DETAIL 211 & 212

GENERAL NOTES:

- A. CONTRACTOR TO EXCAVATE FOR WATER TAP. CITY OF NEWBERG TO PERFORM HOT TAPS, RUN COPPER & PLACE METER BOXES TO SURVEYED LOCATIONS.
- B. CITY SHALL NOT BE RESPONSIBLE FOR AN EXCAVATION OR BACK FILL. SCHEDULE WORK WITH CITY ONCE TIME & MATERIAL ESTIMATE IS PAID.



1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 20BA
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

**SANITARY & WATER
PLAN & PROFILE**

NO.	DATE	REVISIONS	DESCRIPTION
1	5-11-15	REVISED	REVISED C.O.M. COMMENTS
2	8-18-15	REVISED	REVISED PER CITY COMMENTS

EMERIO
Design
3335 SW ANIBUS AVE., SUITE 180
NEWBERG, OR 97132
PH: (503) 746-8812



SHEET
08
21

ATTACHMENT 3

1500 EAST 1ST STREET
 11 LOT SUBDIVISION
 TAX MAP T3S R2W 20BA
 TAX LOTS 2300, 2400 & 2500
 NEWBERG, OREGON

STREET LIGHTING PLAN

NO.	DATE	REVISIONS DESCRIPTION

EMERIO
Design
 8285 SW NIMBUS AVE. SUITE 160
 BEAVERTON, OREGON 97008
 PH: (503)-746-8812
 FAX: (503)-746-8812

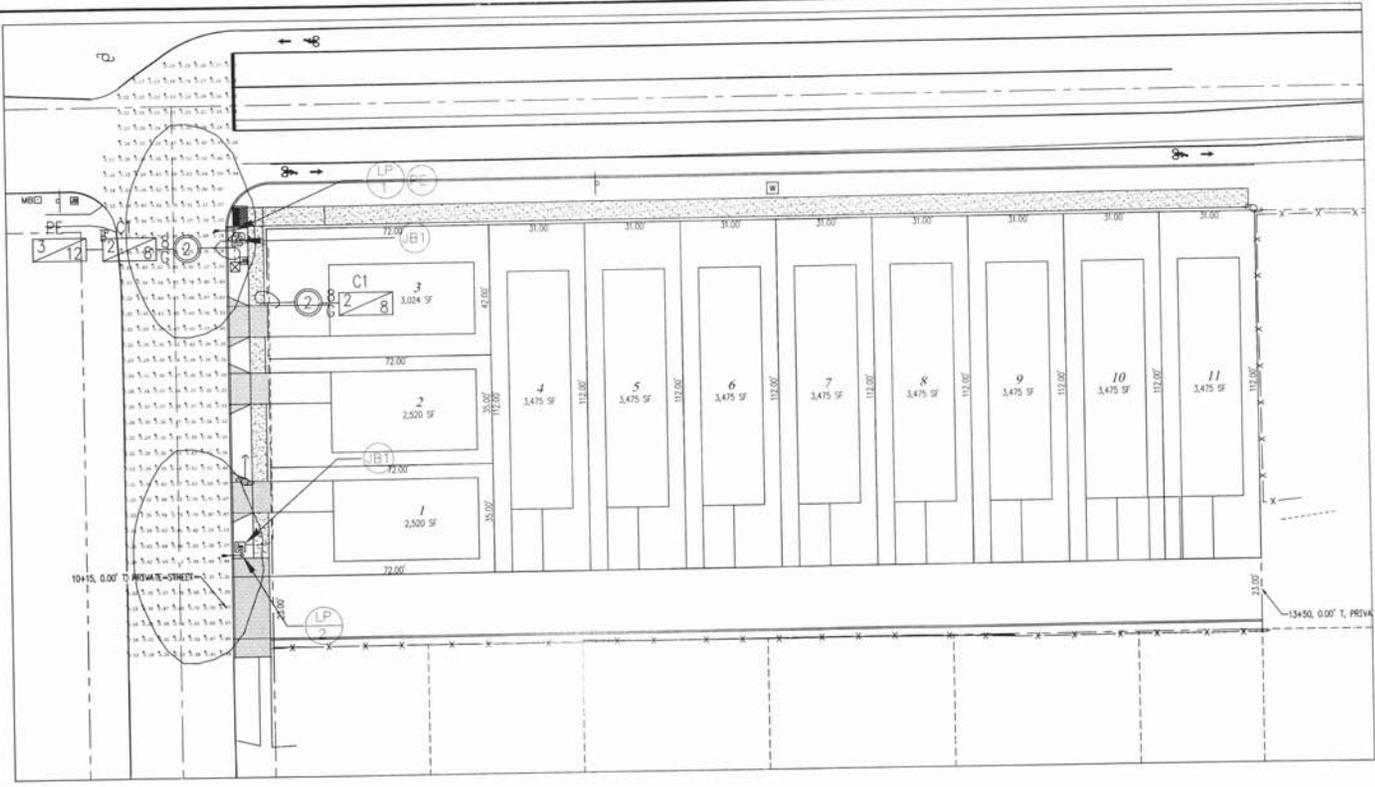


9/21
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- (LP X) = INSTALL LUMINAIRE POLE #.
(X = POLE #).
- (X) = INSTALL COOPER B-LINE CUP4111-GRN STREET LIGHT CONTROLLER VERIFY POWER SOURCE WITH PGE
- (JB) = INSTALL JB 10" X 17" WITH LID MARKED "LIGHTING"
- (PE) = INSTALL PHOTOELECTRIC CONTROL
- (W) = INSTALL WIRE AND CONDUIT BASED ON PGE PLANS.

LEGEND

- 1 = CONDUIT SIZE
- 2 = GROUNDING CONDUCTOR SIZE
- 3 = NUMBER OF XHHW LIGHTING CONDUCTORS
- 4 = LIGHTING CONDUCTORS SIZE
- 5 = LIGHTING CIRCUIT NUMBER
- G = DESIGNATES A GROUNDING CONDUCTOR



STREETLIGHTING DESIGN
 Scale: 1" = 20'

DWG. NO.	Title:	REV. DATE	NO.	REV. DESCRIPTION
EL1	STREET LIGHTING			
	Designed by: Adam Suminski			
	Checked by: Jesse Culp			
	Date: July 8, 2015			

1500 1ST STREET
 NEWBERG, OR



Northstar Electrical Contractors
 19450 S.W. Ctpole Road, Suite 107
 Tualatin, Oregon 97062-7111
 Phone 503-612-0840
 Fax 503-612-0891
 Email hgdesign@NorthStarElect.com

DESIGN STAFF: Project: Aug 26, 2015 8:03am, P:\305-004_1500 E 1st St\DWG\Engineer\305-004_1500.dwg

STREET LIGHTING NOTES:

1. LIGHT POLES SHALL BE 30 FOOT, 25 FOOT MOUNTING HEIGHT, TWO-PIECE GRAY, FIBERGLASS POLE.
CITY OF NEWBERG APPROVED LIGHT POLES ARE:
SHAKESPEARE BH13099528L9901
CMT M0530-T-100-S1-HS-PC-NP-1B-22

CITY OF NEWBERG APPROVED STUBS ARE:
SHAKESPEARE BH530996L9901
CMT 25-STUB-UP

2. JUNCTION BOXES SHALL BE CITY OF NEWBERG APPROVED SPICE BOXES.
CITY OF NEWBERG APPROVED JUNCTION BOXES ARE:
NEWBASIS FCA132418T-00043
QUADZITE A42132418A017
ARMORCAST A6001948TAX18-PGE
HIGHLINE CH4132418BET
OLDCASTLE 13241617

"LIGHTING" SHALL BE IN THE LID MARKING AREA.

3. LUMINAIRES SHALL BE CITY OF NEWBERG APPROVED 49/42 WATT LED, 240V, MAST ARM MOUNTED, GRAY, COBRAHEAD, FLAT LENS FIXTURE WITH A NORMAL POWER FACTOR REACTOR BALLAST, WITH TWISTLOCK P.E. RECEPTACLE.
CITY OF NEWBERG APPROVED COBRAHEAD LUMINAIRES ARE:
49W LEOTEK GC01-20E-MV-NW-2-CY-700-ML-PGE
42W CREE BX3PRAG3FC-USVY

4. THE PHOTOELECTRIC CONTROL SHALL BE CITY OF NEWBERG APPROVED TWISTLOCK, FAIL-ON ELECTRONIC, 105-300 VAC, 60 HZ PER ANSI 136.10, BRONZE HOUSING, 1.5 LUMEN TURN-ON RATED 1000W TUNGSTEN (1800 VA BALLAST) 1.5:1 TURN-OFF/TURN-ON RATIO, SOLID BRASS PLUG BLADES, CONFORMALLY COATED CDS CELL, 160 JOULE MOV, 2-4 SEC. TURN-OFF DELAY.
CITY OF NEWBERG APPROVED PHOTOELECTRIC CONTROLS ARE:
DTL D124-1.5-1704

5. THE WIRING FROM THE SPICE BOX TO THE LUMINAIRE SHALL BE CITY OF NEWBERG APPROVED #10 AWG, 600-VOLT, 3-CONDUCTOR, CLASS B STANDING TYPE TC WITH 45-ML SUNLIGHT RESISTANT PVC JACKET, SUITABLE FOR DIRECT BURIED APPLICATIONS. RATED 90°C DRY AND 75°C WET.
FOR 240-VOLT APPLICATIONS, THE CITY OF NEWBERG WIRING CONFIGURATION IS:
BLACK AND RED (HOT)
GREEN (GROUND)

6. ALL MATERIAL AND WORKMANSHIP SHALL CONFORM TO P.G.E. SCHEDULE "905" OPTION "C" SPECIFICATIONS. ALL MATERIALS AND INSTALL BE APPROVED BY CITY OF NEWBERG. LIGHT POLES, BASES, CONDUIT, WIRES, AND STREET LIGHTS TO BE INSTALLED BY ELECTRICAL CONTRACTOR.

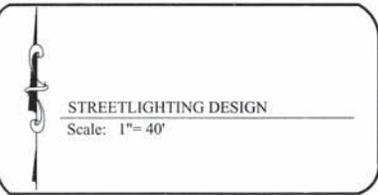
7. THE CONTRACTOR SHALL COORDINATE WORK WITH TRACY AGUILAR AT (503) 463-5139 TO DETERMINE POWER SOURCE FOR THE LIGHTING SYSTEM.

8. LIGHTING CONTRACTOR/INSTALLER IS SOLELY RESPONSIBLE FOR INSTALLATION OF CORRECT MATERIAL BASED ON CURRENT CITY OF NEWBERG APPROVED MATERIAL LIST AND JURISDICTION SPECIFICATIONS AND STANDARDS. LIGHT POLE AND FIXTURE SUBMITTAL TO PROPER JURISDICTION IS RECOMMENDED.

LIGHT LEVEL REQUIREMENTS				
ROADWAY	CLASSIFICATION		LIGHT LEVEL	UNIFORMITY
CHURCH STREET	LOCAL	TARGET	0.4 FC AVG	6:1 AVG/MIN
		ACHIEVED	0.48 FC AVG	4.36:1 AVG/MIN

NUMERIC SUMMARY						
PROJECT: 1500 1ST STREET						
LABEL	CALC TYPE	UNITS	AVG	MAX	MIN	AVG/MIN
CHURCH STREET	ILLUMINANCE	FC	0.48	1.48	0.11	4.36

LIGHT POLE LOCATION TABLE							
POLE NUMBER	MH	WATTS	LUMENS	ARM	ARRANGEMENT	STREET	POLE TYPE
1	25 FT	49	3399	6	SINGLE	CHURCH STREET	AL POLE PGE OPT. C
2	25 FT	49	3399	6	SINGLE	CHURCH STREET	AL POLE PGE OPT. C



DWG NO EL2	Title:	STREET LIGHTING	REV DATE	NO.	REV DESCRIPTION
	Designed by:	Adam Suminski			
	Checked by:	Jesse Culp			
	Date:	July 8, 2015			

1500 1ST STREET
NEWBERG, OR



Northstar Electrical Contractors
19450 S.W. Cipole Road, Suite 107
Tualatin, Oregon 97062-7111
Phone 503-612-0840
Fax 503-612-0891
Email Itgdesign@NorthStarElect.com

1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T3S R2W 205A
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

STREET LIGHTING
DETAILS

NO.	DATE	DESCRIPTION	BY
1	7/8/15	SCALE, ETC. & BEST COMMENTS	

EMERIO
Design
8285 SW NIMBUS AVE, SUITE 180
BEAVERTON, OREGON 97008
PH: (503) 746-8612



SHEET
10 OF
21

TRENCH PAVING

REVISIONS: 01/20/08
 DATE: 01/20/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: May 2007
 PROJECT: 517

STANDARD 3/4" AND 1" WATER SERVICE

REVISIONS: 07/29/08
 DATE: 07/29/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: July 2004
 PROJECT: 307

DOUBLE WATER SERVICE

REVISIONS: 01/20/08
 DATE: 01/20/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: May 2007
 PROJECT: 308

DITCH INTERCEPTOR FRAME AND GRATE TYPE A

REVISIONS: 01/20/08
 DATE: 01/20/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: May 2007
 PROJECT: 404

SEWER SERVICE BRANCH

REVISIONS: 01/09/08
 DATE: 01/09/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: May 2007
 PROJECT: 211

DOUBLE WYE SERVICE BRANCH

REVISIONS: 07/29/08
 DATE: 07/29/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: July 2004
 PROJECT: 212

48" STANDARD MANHOLE

REVISIONS: 01/20/08
 DATE: 01/20/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: May 2007
 PROJECT: 204

MANHOLE BASE

REVISIONS: 01/20/08
 DATE: 01/20/08
 DRAWN BY: B. DURACK
 CHECKED BY: N.T.S.
 DATE: May 2007
 PROJECT: 203

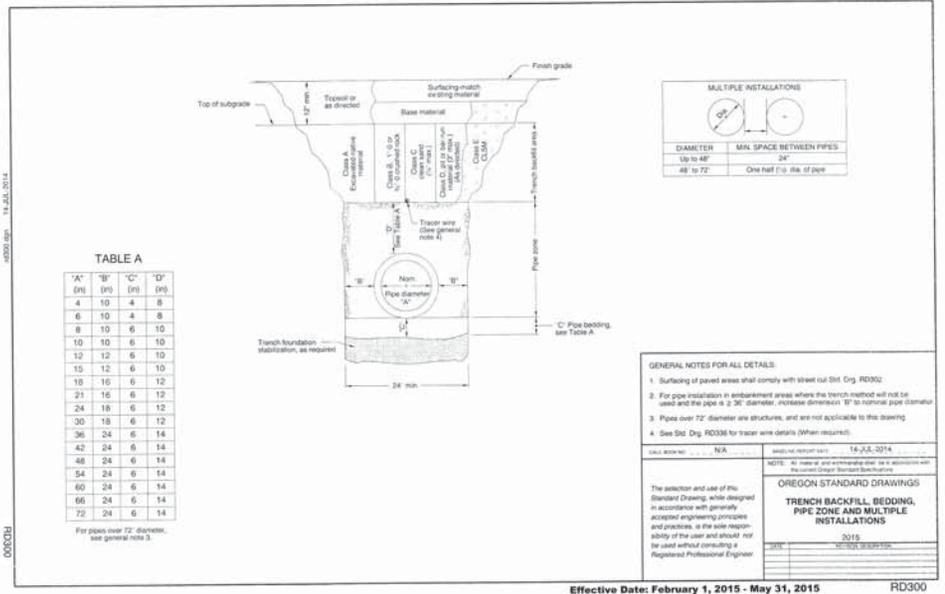
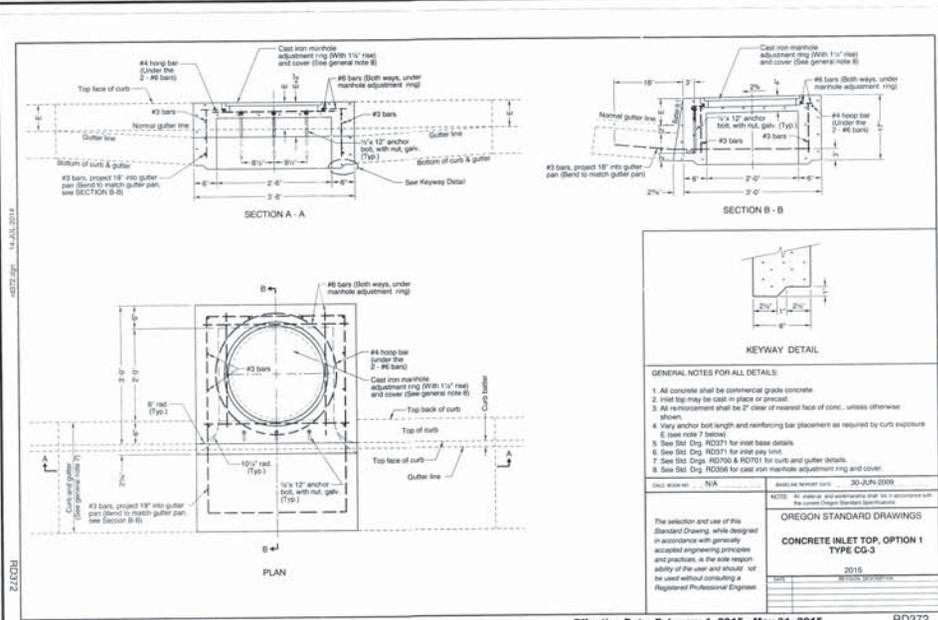
1500 EAST 1ST STREET
 11 LOT SUBDIVISION
 TAX MAP T3S R2W 20BA
 TAX LOTS 2300, 2400 & 2500
 NEWBERG, OREGON

UTILITY CONSTRUCTION
 DETAILS

NO.	DATE	DESCRIPTION
1	3-11-13	REUSE PER C.D.N. COMMENTS

EMERIG Design
 8285 SW ANHURST AVE, SUITE 100
 BEAVERTON, OREGON 97008
 PH: (503)-746-8812





1500 EAST 1ST STREET
 11 LOT SUBDIVISION
 TAX MAP T3S R2W 20BA
 TAX LOTS 2300, 2400 & 2500
 NEWBERG, OREGON

UTILITY CONSTRUCTION
 DETAILS

REVISIONS

NO.	DATE	DESCRIPTION
1	1-11-15	REVISE PER C.O.A. COMMENTS

EMERIO Design

REGISTERED PROFESSIONAL ENGINEER

8285 SW NUMBER 1400 AVE. SUITE 180
 BEAUMONT, OREGON 97108
 PH: (503) 746-8812



SHEET
 14
 OF
 21

1500 EAST 1ST STREET
11 LOT SUBDIVISION
TAX MAP T330 R2W 20BA
TAX LOTS 2300, 2400 & 2500
NEWBERG, OREGON

STREET CONSTRUCTION
DETAILS

REVISIONS
DATE DESCRIPTION
1 12-14-2015 REVISE PER PLAN & CADD COMMENTS
2 1-14-2015 REVISE PER PLAN & CADD COMMENTS

EMERIO
Designer
8285 SW NAVIGUS AVE., SUITE 160
BEAVERTON, OREGON 97008
PH: (503) 746-8812

REGISTERED PROFESSIONAL
ENGINEER
No. 55538
STATE OF OREGON
KAROL GAETA

SHEET
16
21

TYPICAL SETBACK SIDEWALK CROSS SECTION
E - curb exposure, see general note 6

TYPICAL CURB SIDEWALK CROSS SECTION
E - curb exposure, see general note 6

TYPICAL MONOLITHIC CURB & SIDEWALK
E - curb exposure, see general note 6

TYPICAL PLAN VIEW - SEPARATED SIDEWALK

TYPICAL PLAN VIEW - CURB LINE SIDEWALK

REQUIRED SIDEWALK WIDENING AROUND OBSTRUCTIONS

CLEAR CIRCULATION PATH

GENERAL NOTES FOR ALL DETAILS:

- Include additional paved or unpaved 2' clearance to vertical faces higher than 3' such as retaining walls, sound walls, fences and buildings.
- Curb gaps and sidewalk width as shown on plans or as detailed.
- On sidewalks 8' and wider, provide a longitudinal joint at the midpoint.
- Install 2" PVC expansion joints in sidewalks where shown on plans, and allowed by jurisdiction. Place contraction joint over top of joint.
- Constr. expansion joints at 200' maximum spacing, and at points of tangency.
- And at ends of each driveway.
- For monolithic curb & sidewalk, constr. expansion joints at 40' maximum spacing.
- Constr. contraction joints at 15' maximum spacing, and at ends of each driveway and ramp.
- For curb details, see Std. Digs. RD703 & RD701.
- Sidewalk details are based on United States Access Board Standards.
- For driveway details not shown, see Std. Digs. RD725, RD730, RD735, RD740, RD745 & RD750.

OREGON STANDARD DRAWINGS
2015
RD720

Effective Date: February 1, 2015 - May 31, 2015

OPTION A PERPENDICULAR RAMP WITH LANDSCAPED BUFFER STRIP

OPTION B PERPENDICULAR RAMP (FOR WIDE SIDEWALKS)

OPTION C PERPENDICULAR RAMP (FOR NARROW SIDEWALKS)

OPTION D DIAGONAL RAMP (FOR WIDE SIDEWALKS)

OPTION E DIAGONAL RAMP (FOR SIDEWALK WIDTHS ≥ RADIUS)

OPTION F SIDEWALK RAMP AND TURNING SPACE (FOR ENDS OF SIDEWALKS)

GENERAL NOTES FOR ALL DETAILS:

- Sidewalk form is not necessary where the ramp is protected from pedestrian cross travel.
- For the purpose of this drawing, a curb ramp is considered "perpendicular" if the angle between the longitudinal axis of the ramp and a line tangent to the curb at the ramp center is 75° or greater.
- Ramps for curbs intersecting a roadway should be full width of path, excluding faces. When a curb is used to provide bicycle access from a roadway to a sidewalk, the ramp should be 4' wide.
- Place truncated dome detectable warning surface in the lower 2' adjacent to buffer of finish of ramp only. For details not shown, see Std. Dig. RD739.
- Side frames that are not part of the path of travel may be any angle. Check the gutter flow path to assure that the design flood does not overflow the back of sidewalk. If overflowing occurs place a weir at upstream side or perform other approved design mitigation.
- Sidewalk form is not necessary where the ramp is protected from pedestrian cross travel.
- For the purpose of this drawing, a curb ramp is considered "perpendicular" if the angle between the longitudinal axis of the ramp and a line tangent to the curb at the ramp center is 75° or greater.
- Ramps for curbs intersecting a roadway should be full width of path, excluding faces. When a curb is used to provide bicycle access from a roadway to a sidewalk, the ramp should be 4' wide.
- When 2 curb ramps are immediately adjacent as in Options B & C, the curb exposure (E) between the adjacent side frames may range between 3' and 4' design exposure.
- Only use options allowed by jurisdiction.
- See project plans for details not shown.

OREGON STANDARD DRAWINGS
2015
RD756

Effective Date: June 1, 2015 - November 30, 2015

PLACEMENT ON SIDEWALK RAMP

PLACEMENT ON PUBLIC TRANSPORTATION PLATFORM

PLACEMENT ON CROSSING ISLAND

PLACEMENT AT RAIL CROSSING

TRUNCATED DOME DETAIL

TRUNCATED DOME DETECTABLE WARNING SURFACE

TRUNCATED DOME PATTERN

GENERAL NOTES FOR ALL DETAILS:

- Truncated dome detectable warning surface details & locations are based on United States Access Board Standards.
- See Std. Digs. RD703 & RD701 for curbs. See Std. Dig. RD720 for sidewalks. See Std. Digs. TM603 & TM604 for crosswalk markings, widths, etc. See Std. Dig. RD730 for curbs.
- Place truncated dome detectable warning surface in the lower 2' adjacent to buffer of finish of ramp only, unless otherwise shown.
- Arrange domes using square in line pattern only. Color to be safety yellow if no color specified in construction note. All products are an exception to be denoted.
- Truncated dome detectable warning surface shall be used where the pedestrian access route meets the street, in the following locations:
 - at sidewalk ramps (See Std. Digs. RD703, RD736, & RD735);
 - at crossing islands (Accessible Route islands. (See Std. Dig. RD710) & Rail crossings. (See detail).
- Where public transportation stations (bus, trol, etc.) are platform boarding, truncated dome detectable warning surface shall be placed along the full edge length of the station, when not protected by platform screens or guards.
- Truncated dome detectable warning surface shall not be used on the following locations:
 - at railroad sidewalk transitions (See Std. Dig. RD736);
 - at Standard concrete driveways (See Std. Digs. RD725, RD730, RD735, RD740, RD745, & RD750);
 - at parking lots.
- Only use details allowed by jurisdiction.
- See project plans for details not shown.

OREGON STANDARD DRAWINGS
2015
RD759

Effective Date: June 1, 2015 - November 30, 2015

BARRICADE RAIL LAYOUT

BARRICADE NOTATION

DIAGRAM FOR BARRICADE PLACEMENT AND SLOPE MARKING

GENERAL NOTES FOR ALL DETAILS:

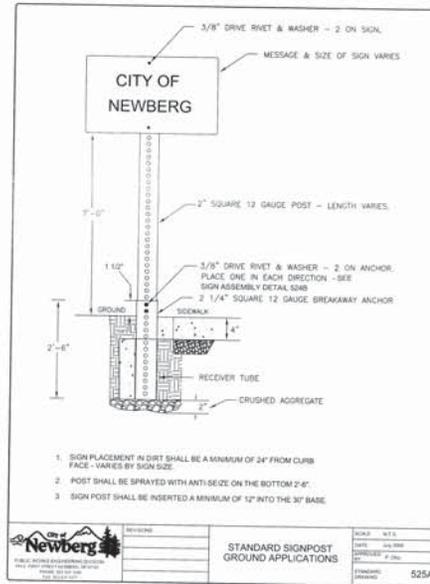
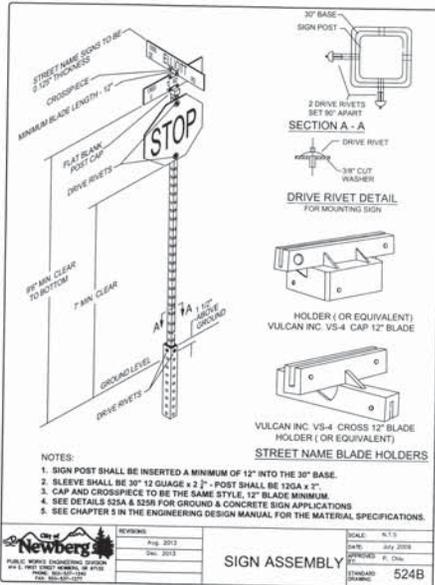
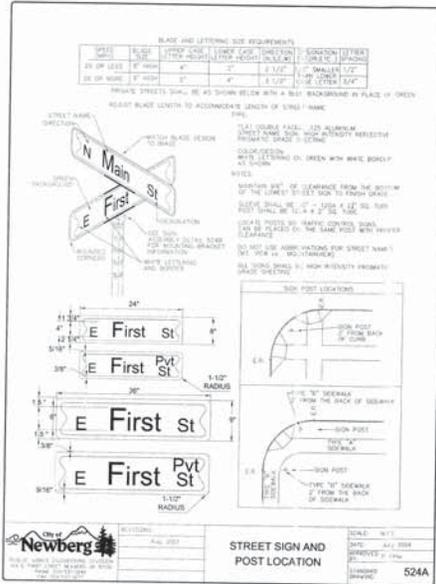
- All non-reflected surfaces shall be white.
- Sanitary (approximately 20 ft) back float with sand may be placed on lower frame to prevent additional sand.
- Balance shall not extend above top rail or be supported from barricade.
- For rails less than 30" high, 4" wide struts shall be used.
- Rails must be 8" min. to 12" max. in height.
- Use Barricade from ODOT Qualified Products List (QPL).
- Use 4 Type II barricades where horizontal space is limited.
- Do not place barricade in situations unless the facility is properly closed and signed.
- Do not place barricade in situations unless advised by street and signed according to the TCF. (See Std. Dig. TM 604)

NOTES:

- Markings for barricade rails shall slope downward at an angle of 60° in the direction of travel.
- When a barricade extends entirely across a roadway, it is assumed that the open slope downward in the direction toward traffic shall be in the direction from the center of the barricade.
- When both right and left turns are provided for approach the open slope downward in the direction toward traffic shall be in the direction from the center of the barricade.
- For full channel closures, the Cur LR barricade may be used. Limited barricade capacity access openings are required to permit for local road users.

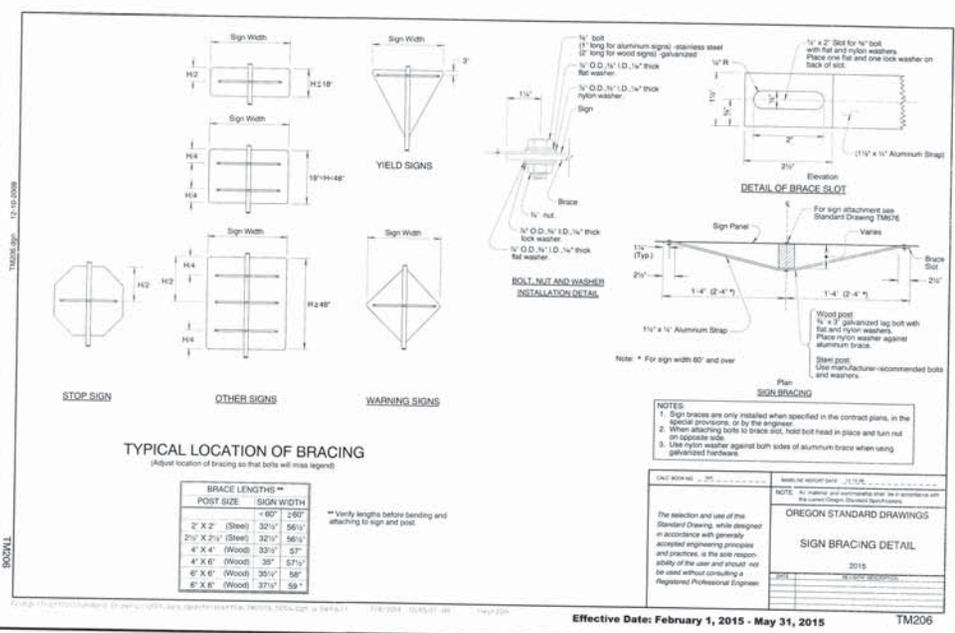
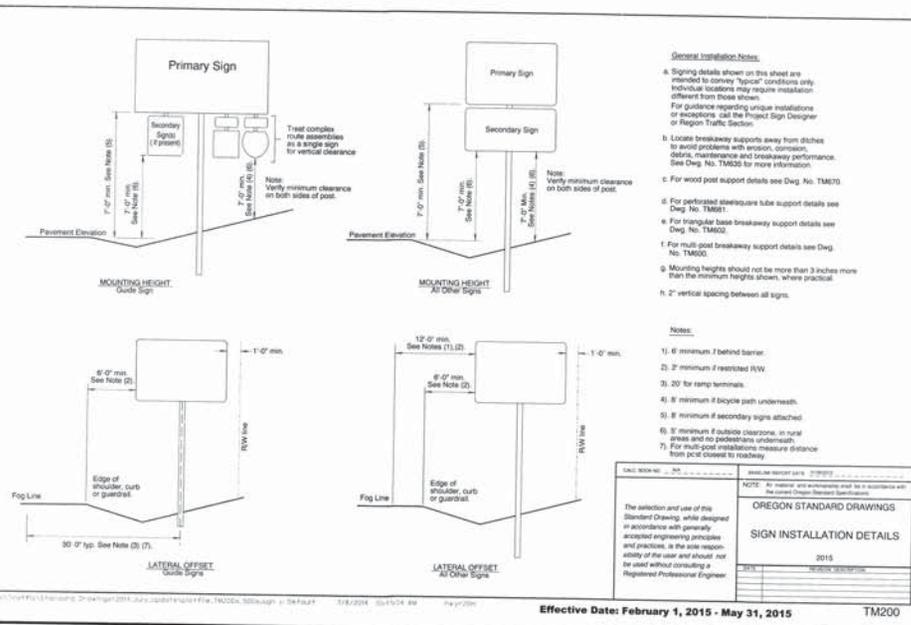
OREGON STANDARD DRAWINGS
2015
TM620

Effective Date: June 1, 2015 - November 30, 2015



1500 EAST 1ST STREET
 11 LOT SUBDIVISION
 TAX MAP T3S R2W 20BA
 TAX LOTS 2300, 2400 & 2500
 NEWBERG, OREGON

SIGNAGE CONSTRUCTION DETAILS



NO.	DATE	DESCRIPTION

EMERIO Design

6265 SW HAMBURG AVE., SUITE 180
 BEASLEY, OREGON 97105
 PH: (503) 746-8872

REGISTERED PROFESSIONAL ENGINEER

55529
 OREGON
 RAYMOND GANTZ
 EXPIRES: 5-30-17

SHEET 17 OF 21



**ATTACHMENT 3
APPLICATION AND PERMIT TO OCCUPY OR
PERFORM OPERATIONS UPON A STATE HIGHWAY**

PERMIT NUMBER

03M 43637

See Oregon Administrative Rule, Chapter 734, Division 55

CLASS	KEY#
-------	------

GENERAL LOCATION				PURPOSE OF APPLICATION (TO CONSTRUCT/OPERATE/MAINTAIN)			
HIGHWAY NAME AND ROUTE NUMBER OR-219/ 140 / Hillsboro-Silverton				<input type="checkbox"/> POLE LINE	TYPE	MIN. VERT. CLEARANCE	
HIGHWAY NUMBER 140	COUNTY Yamhill			<input type="checkbox"/> BURIED CABLE	TYPE		
BETWEEN OR NEAR LANDMARKS Near junction to Hwy 99				<input checked="" type="checkbox"/> PIPE LINE	TYPE		
HWY. REFERENCE MAP	DESIGNATED FREEWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IN U.S. FOREST <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> NON-COMMERCIAL SIGN	FEE AMOUNT N/A		
APPLICANT NAME AND ADDRESS The Den of Newberg, LLC 5105 SW 45th Ave. Suite 201 Portland, OR 97221				<input checked="" type="checkbox"/> MISCELLANEOUS OPERATIONS AND/OR FACILITIES AS DESCRIBED BELOW			
				FOR ODOT USE ONLY			
				BOND REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	REFERENCE: OAR 734-55-035(2)	AMOUNT OF BOND 57,289.09	
				INSURANCE REQUIRED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	REFERENCE: OAR 734-55-035(1)	SPECIFIED COMP. DATE 3/30/16	

DETAIL LOCATION OF FACILITY(For more space attach additional sheets)

MILE POINT	TO	MILE POINT	ENGINEERS STATION	ENGINEERS TO STATION	SIDE OF HWY OR ANGLE OFCROSSING	DISTANCE FROM		BURIED CABLE OR PIPE		SPAN LENGTH
						CENTER OF PVMT	R/W LINE	DEPTH/VERT.	SIZE AND KIND	
20.73		20.73	10+00	13+00	South	25 feet	15 feet	3 feet	12" DIP	51 ft

DESCRIPTION AND LOCATION OF NON-COMMERCIAL SIGNS OR MISCELLANEOUS OPERATIONS FACILITIES

Existing 35 MPH sign to remain, proposed no parking sign at STA: 11+55

Frontage Improvements

SPECIAL PROVISIONS (FOR MORE SPACE ATTACH ADDITIONAL SHEETS)

TRAFFIC CONTROL REQUIRED

- OPEN CUTTING OF PAVED OR SURFACED AREAS ALLOWED?

- ◆ YES [OAR 734-55-025(6)] NO
- ◆ YES [OAR 734-55-100(2)] NO [OAR 734-55-100(1)]

◆ **AT LEAST 48 HOURS BEFORE BEGINNING WORK, THE APPLICANT OR HIS CONTRACTOR SHALL NOTIFY THE DISTRICT REPRESENTATIVE AT TELEPHONE NUMBER: 503-472-2737**

OR FAX A COPY OF THIS PAGE TO THE DISTRICT OFFICE AT: 503-472-9080 SPECIFY TIME AND DATE IN THE SPACE BELOW.

◆ A COPY OF THIS PERMIT AND ALL ATTACHMENTS SHALL BE AVAILABLE AT THE WORK AREA DURING CONSTRUCTION.

◆ **ATTENTION: Oregon Law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the center at (503) 232-1987.**

CALL BEFORE YOU DIG 1-800-332-2344

COMMENTS - ODOT USE ONLY

SEE ATTACHED GENERAL PROVISIONS

SEE ATTACHED SPECIAL PROVISIONS

IF THE PROPOSED APPLICATION WILL AFFECT THE LOCAL GOVERNMENT, THE APPLICANT SHALL ACQUIRE THE LOCAL GOVERNMENT OFFICIAL'S SIGNATURE BEFORE ACQUIRING THE DISTRICT MANAGER'S SIGNATURE.

LOCAL GOVERNMENT OFFICIAL SIGNATURE		TITLE	DATE
X			
APPLICANT SIGNATURE	APPLICATION DATE	TITLE	TELEPHONE NO.
X	9/11/15	Owner	503-740-8391
DISTRICT MANAGER OR REPRESENTATIVE			APPROVAL DATE
X			9-30-15

When this application is approved by the Department, the applicant is subject to, accepts and approves the terms and provisions contained and attached: and the terms of Oregon Administrative Rules, Chapter 734, Division 55, which is by this reference made a part of this permit.

03M 43637^{1 of 4}

**GENERAL PROVISIONS FOR POLELINE,
PIPELINE, BURIED CABLE PERMITS AND MISCELLANEOUS PERMITS**

(Rev) May 2010

APPLICANT: The Den of Newberg LLC ROUTE: 140 MP: 20.73

All checked () provisions apply.

WORKSITE

1. Permittee must call for utility locates before digging ("Call Before You Dig") 1-800-332-2344 per Oregon Administrative Rules (Chapter 952, Division 1). You may be held liable for damages. Pre-marking of excavation area is required.
2. Permittee shall have a copy of this permit and all attachments at the work site. They shall be available to the District Manager or representative at their request.
3. Permittee shall acknowledge, in writing, receipt and review of Oregon Administrative Rules (Chapter 734, Division 55) governing miscellaneous facilities and operations on the highway right of way as the governing provisions of this permit or agreement. Copies of this rule may be obtained from any district maintenance office.
4. Permittee shall review the Oregon Administrative Rules (Chapter 734 Division 55) governing miscellaneous facilities and operations on the highway right of way as the governing provisions of this permit or agreement.
Web Site: http://arcweb.sos.state.or.us/pages/rules/oars_700/oar_734/734_tofc.html
5. Access control fence must be maintained during construction and restored to its original or better condition after construction is complete.
6. The permittee shall not use state highway right of way to display advertising signs or merchandise of any kind.
7. The stopping and parking of vehicles upon state highway right of way for the maintenance of adjoining property or in furtherance of any business transaction or commercial establishment is strictly prohibited.
8. All grass and small brush within the work area shall be rotary or flail mowed to ground level prior to the beginning of work to facilitate clean up.
9. Disturbed areas shall be reseeded with grass native to the area in an appropriate seeding time.
10. The spreading of mud or debris upon any state highway is strictly prohibited; any violation will be cause for immediate cancellation of the permit. The highway will be cleaned of all dirt and debris, clean up shall be at the applicant's expense.
11. Permittee shall replace to pre-existing condition or better any landscape vegetation or fence that is removed or destroyed. Any damage that is not fully recovered within 30 days (weather permitting) shall be replaced by ODOT at the expense of the permittee. A "plant establishment" shall be understood to be part of the planting work to assure satisfactory growth of planted materials. The plant establishment period will begin when the original planting and all landscape construction has been completed and approved. The length of the establishment period will be one calendar year or as defined in the permit Special Provisions.
12. Permittee shall install and maintain landscaped area as shown on the attached drawings. Planting shall be limited to low-growing shrubs, grass or flowers that do not attain sufficient height to obstruct clear vision in any direction. The Oregon Department of Transportation (ODOT) shall have the right to remove said landscaping at any time such removal may appear to be in the public interest, without liability or loss, injury, or damage of any nature whatsoever.

TRAFFIC

13. During construction or maintenance, the work area shall be protected in accordance with the current Manual on Uniform Traffic Control Devices, (MUTCD), Federal Highway Administration, US Department of Transportation, and the Oregon Department of Transportation supplements thereto. Flaggers must have a card or certificate indicating their completion of an approved work zone traffic control course. All traffic control devices shall be maintained according to the American Traffic Safety Services Association (ATSSA), Quality Standards for Work Zone Traffic Control Devices handbook.
14. Permittee shall provide a detailed traffic control plan for each phase of the work, showing signs and cones. Plans shall be reviewed by Oregon Department of Transportation in advance of construction or maintenance.
15. All damaged or removed highway signs shall be replaced by the permittee. Installation shall be according to MUTCD standards or ODOT specifications, and shall be completed as soon as possible but no later than the end of the work shift.
16. No lane restrictions are permitted on the roadway during the hours of darkness, on weekends or holidays or between commuting hours of 6:00 a.m. and 9:00 a.m., or 4:00 p.m. and 6:00 p.m. Monday thru Thursday (off the highway by 12:00 noon on Friday) without prior authorization from the District Manager, ODOT Motor Carriers and/or the provisions of this permit.
17. **If stopping traffic and/or closing or encroaching into travel lane(s)** or if for any reason two-way traffic and/or mobility standards cannot be maintained through the work zone **night work will be required**. Work hours are 7:00 pm to 5:00 am Sunday through Thursday. District Manager or representative reserves the right to adjust work hours or impose night work if one or more of these issues are prevalent.

DRAINAGE

18. On-site storm drainage shall be controlled within the permitted property. No blind connections to existing state facilities are allowed (or as required by ODOT Hydrology review).
19. Excavation shall not be done on ditch slopes. Trench excavation shall either be at ditch bottom or outside ditch area. (Minimum depth at bottom of ditch shall be 48 inches; minimum depth outside of ditch shall be 42 inches). (Or as required by ODOT Hydrology review)
20. Only earth or rock shall be used as fill material and shall slope so as not to change or adversely affect existing drainage. Fine grade and seed the finished fill with native grasses to prevent erosion (or as required by ODOT Hydrology review).
21. A storm drainage study stamped by an Oregon Registered Professional Engineer (PE) is required. The study must meet standards of the National Pollution Discharge Elimination Systems (NPDES) when any of the following conditions apply: (or as required by ODOT Hydrology review)
- Whenever a four inch pipe is inadequate to serve the developed area,
 - development site is one acre or larger in size and directly or indirectly affects state facilities,
 - or as directed by the District Manager or representative.
22. Permittee shall provide on-site retention for storm water runoff that exceeds that of the undeveloped site (or as required by ODOT Hydrology review).
23. All water discharged to an ODOT drainage system must be treated prior to discharge. All requests for connection to an ODOT storm system must meet any requirements of the National Pollutant Discharge Elimination System (NPDES). This may include local jurisdiction approval of on-site water quality treatment facilities and/or development of an operation and maintenance plan for any on-site water quality treatment facility, as determined by local jurisdiction (or as required by ODOT Hydrology review).

EXCAVATION/CONSTRUCTION

24. The following ODOT documents and any supplements and subsequent revisions thereto, where applicable and not otherwise superseded by the permit language herein, but only to the extent that they provide standards and performance requirements for work to be performed under the permit, shall be incorporated for use in the permit: "Oregon Standard Specifications for Construction (2008)". ODOT shall have authority over acceptance of all materials and workmanship performed under this permit as stated in Section 00150.00 of the "Oregon Standard Specifications for Construction (2008)." For additional Supplemental and Special Provisions please refer to: <http://www.odot.state.or.us/techserv/roadway/specs/home.htm> Standard Specification books are available on this site.
25. Open cutting of pavement is allowed only in areas specifically approved by the District Manager.
26. Trench/bore pit backfill outside of pavement shall be according to the attached 'Trench Backfill Typical Section' drawing.
27. Open cutting of the highway is allowed with construction in accordance with OAR 734-55-0100. All excavation in paved areas shall be backfilled and the roadway surface patched before the end of each shift. In special cases where steel plates are allowed, said plates shall be pinned and a temporary cold patch applied to the edges. The permittee shall be fully responsible for monitoring and maintenance of temporary patching and steel plating.
28. Compaction tests shall be required for each open cut per Oregon Standard Specification for Construction. Compaction tests shall be conducted once for every 300 lineal feet per lift of continuous trench according to the Manual of Field Test Procedures (MFTP), published by ODOT. Percent Compaction shall be 95%. At the discretion of the District Manager or representative, results of compaction test shall be provided to District Manager or representative at applicants' expense.
29. Control Density Fill (CDF) shall be used as surface backfill material in place of crushed rock in open trenches that impact the travel portions of the highway. A ¾"-0, or 1"-0 rock will be used for the aggregate. The amount of cement used shall not exceed 3.0% of the total mixture's weight. Maximum compressed strengths must not exceed 250 pounds per square inch (psi).
30. Surface restoration shall be a minimum of eight inches of hot asphalt-concrete (AC), compacted in two inch lifts, or match existing pavement depth, whichever is greater. Sand-seal all edges and joints.
31. All aggregate shall conform to Oregon Standard Specification for Construction, Section 02630 - Base Aggregate.
32. Any area of cut or damaged asphalt shall be restored in accordance with the included attachment "Typical Section: Pavement Cut" drawing. For a period of two years following the patching of paved surface, permittee shall be responsible for the condition of permittee's pavement patches, and during that two year period shall repair to District Manager or representative satisfaction any of the patches which become settled, cracked, broken, or otherwise faulty.
33. An overlay to seal an open-cut area shall be completed prior to the end of the construction season, or when minimum temperature allows per "Oregon Standard Specification for Construction (2008)" and any subsequent revisions thereto. Typical overlay shall be one and one half-inches (1½") deep and cover the affected area from edge of pavement to edge of pavement, and taper longitudinally at a fifty feet to one inch (50' : 1") ratio. Taper may be adjusted by the District Manager as required. For a period of two years following this patching of the surface, the permittee shall be responsible for the condition of said pavement patches, and during that time shall repair to the District Manager or representative's satisfaction any of the patches which become settled, cracked, broken or otherwise faulty.
34. Highway crossings shall be bored or jacked. Bore pits shall be located behind ditch line or in areas satisfactory to the District Manager. Unattended pits shall either be protected by a six-foot fence, backfilled, or steel plated and pinned.
35. Permittee shall install a "tracer wire" or other similar conductive marking tape or device, if installing any non-conductive, unlocatable underground facility, in order to comply with Oregon Utilities Coordination Council (OUCC), per OAR 952-01-0070 (6).
36. Trench/pit backfill outside of ditch line or in approved areas can be native soil compacted at optimum moisture in twelve inch layers to 90% or greater of the maximum density.

37. Native material that is found to be unsatisfactory for compaction shall be disposed of off the project and granular backfill used.
38. Trench backfill in rock slope or shoulder shall be crushed 1"-0 or ¾"-0 size rock compacted at optimum moisture in eight-inch layers. Compaction tests shall be conducted according to the Manual of Field Test Procedures (MFTP), published by ODOT. Percent compaction shall be 95%. At the discretion of the District Manager or representative, results of compaction tests shall be provided to District Manager or representative at applicant's expense.
39. Where excavation is on fill slope steeper than a two to one (2:1) ratio, slope protection shall be provided using four-inch size rock laid evenly to a minimum depth of twelve inches.
40. No trench/pit shall be left in an open condition overnight or when unattended.
41. Areas of disturbed cut and fill slopes shall be restored to a condition suitable to the District Manager or representative. Areas of erosion are to be inlaid with an acceptable riprap material.
42. All underground utilities shall be installed with three-foot or more of horizontal clearance from existing or contract plans guardrail posts and attachments. All non-metallic water, sanitary and storm sewer pipe shall have an electrically conductive insulated Number 12-gauge copper tracer wire the full length of the installed pipe using blue wire for water and green for storm and sanitary sewer piping.
43. Any area of cut or damaged concrete shall be restored to pre-existing condition or better. Removed sidewalk panels shall be restored in accordance with the attached 'Utility Under Sidewalk Typical Section'.
44. Utility markers and pedestals shall be placed as near the highway right-of-way line as practical. In no case shall pedestals and line markers be located within the highway maintenance area.
45. No cable plowing is allowed within the lateral support of the highway asphalt (i.e. at six feet lower than the edge of the asphalt, no plowing within nine feet of the edge of the asphalt).
46. Review by ODOT Bridge Engineers is required for all proposed bridge and structure attachments and for utility or any facilities to be installed within sixteen feet of bridge foundations, supports, walls or related, or within the influence zone of bridge facilities.

Miscellaneous:

47. Permittee shall be responsible and liable for (1) investigating presence/absence of any legally protected or regulated environmental resource(s) in the action area; (2) determining any and all restrictions or requirements that relate to the proposed actions, and complying with such, including but not limited to those relating to hazardous material(s), water quality constraints, wetlands, archeological or historic resources(s) state and federal threatened or endangered species, etc., (3) complying with all federal, state, and local laws, and obtaining all required and necessary permits and approvals.
48. If the permittee impacts a legally protected/regulated resource, permittee shall be responsible for all costs associated with such impact, including, but not limited to all costs of mitigation and rehabilitation, and shall indemnify, and hold ODOT harmless for such impacts and be responsible and liable to ODOT for any associated costs or claims that ODOT may have.
49. Plans are approved by ODOT in general only and do not relieve the permittee from completing construction improvements in a manner satisfactory to ODOT. The District Manager or representative may require field changes. When revisions are made in the field, permittee is responsible to provide "as built" drawings, within 60 days from completion of highway improvements, and shall submit them to the District Office issuing the permit.
50. Permittee shall be responsible for locating and preserving all existing survey monumentation within the work area in accordance with ORS 209.150 and/or 209.155. If monumentation or its accessories are inadvertently or otherwise disturbed or destroyed, applicant shall be responsible for all costs and coordination associated with its reestablishment by a professional licensed surveyor.

**SPECIAL PROVISIONS
FOR UTILITY AND MISCELLANEOUS PERMITS**

03M 45657

Applicant:	the Den of Newberg LLC	Route:	140	MP:	20.73
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ALL CHECKED (☒) PROVISIONS APPLY

- ☒ 1. Applicant is responsible for: (1) Investigating presence/absence of any legally protected or regulated environmental resource(s) in the action area e.g. hazardous material(s), water quality constraints, wetlands, archeological or historic resource(s), state or federal threatened or endangered species, etc. (2) Complying with all applicable environmental laws pertaining to the proposed action. If this project involves environmentally or culturally sensitive areas such as wetlands, waterways, endangered plant or endangered animal species, or lands held sacred by native peoples, the applicant will be responsible to contact all appropriate agencies for permits and regulatory requirements. The restoration of the work area is the responsibility of the applicant and may require conditions in addition to this permit. Subjects that will need to be investigated before work shall begin are:

- Wetland determination and delineation – if wetlands are located within ODOT owned Right of Way, and there is a potential for these areas to be impacted as part of the project, these determinations will need to be completed.
- Archeology Surveys – will be required on all projects, in all areas. If an archeological site is discovered, and if it will become impacted as part of the project (can not be avoided) then phase 2 testing will be required.
- Threatened and endangered plant surveys – will be required on all projects, in all areas. These surveys can only be completed during the blooming season, which is between May – August (generally speaking). If a threatened or endangered plant is found and can not be avoided, then a biological assessment will be required.
- Threatened or endangered animals – if any habitat or ecosystems may be impacted by the project, i.e.; habitat destruction, visual impacts, noise impacts, etc. then a biological assessment will be required for all threatened or endangered animal species as well.

Complying with all applicable environmental laws pertaining to the proposed action: If the applicant inadvertently impacts a legally protected/regulated resource, the applicant shall be responsible for all mitigation and/or rehabilitation costs. Applicant shall follow all State and Federal regulations while working in close proximity to any legally protected and/or regulated environmental resource(s).

The restoration of the work area is the responsibility of the applicant.

- ☒ 2. Applicant shall be responsible for repair or replacement of all removed or damaged motorist informational signs, tourist oriented directional signs and logo signs due to construction, all signs shall be maintained and visible to traffic at all times. If any sign as described herein is out of service due to construction work the applicant shall pay to the Oregon Travel Experience the following amounts: (a) \$500.00 for each day over five (5) days that a motorist informational sign or a tourist oriented directional sign is out of service; (b) \$500.00 for each day over five (5) days that a logo sign that has four or fewer logos is out of service; and (c) \$1,000.00 for each day over five (5) days that a logo sign that has five or more logos is out of service.
- ☒ 3. All equipment shall be parked off the right-of-way or in areas acceptable to the District Manager or representative.
- ☒ 4. Work site shall be restored to pre-existing condition or better.

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5. If highway sign is impacted during construction contact Steve Barner, ODOT Sign Coordinator at 503-986-2890, cell 503-931-0986 before end of workday.
6. The permittee or their contractor is to provide to ODOT a detailed traffic control plan for each phase of the work showing signs and cones. Plans to be submitted no less than five days in advance of construction or maintenance for ODOT review and approval. Signs and standards shall be compliant with the Federal Highway Administration's NCHRP Report 350.
7. The Oregon Department of Transportation (ODOT) has the responsibility to manage physical custody of "personal property" that appears to have been abandoned within the ODOT right of way. "Personal property" for this purpose includes items that are reasonably recognized as belonging to individual persons and that have apparent utility. This may include books, photographs, personal documents such as identification and social security cards, camping equipment, bicycles, clothing, or miscellaneous junk (*as defined in ORS 377.605*). If during construction personal property is found and needs to be removed from the work area, ODOT must be contacted (refer to the contact listed on page one of this permit). ODOT will follow state guidelines to notify, schedule and remove the personal property that may appear to be forfeited, voluntarily abandoned and/or unclaimed. This process may take 14-30 days.
8. Traffic flow on state highways shall be maintained through the work zone at all times and shall meet or exceed mobility standards. Unanticipated traffic delays shall be no more than three minutes.
9. **Day Work** is allowed. Traffic lanes shall not be closed between:
 12:00 p.m. (noon) on Fridays and 8:00 p.m. on Sundays or
 12:00 p.m. (noon) on the day preceding legal holidays or holiday weekends and midnight on legal holidays or the last day of holiday weekends, except for Thanksgiving, when no lanes may be closed between noon on Wednesday and 8:00 p.m. on the following Sunday.

Legal holidays are as follows: New Year's Day on January 1; Memorial Day on the last Monday in May; Independence Day on July 4; Labor Day on the first Monday in September; Thanksgiving Day on the fourth Thursday in November; Christmas Day on December 25

When a holiday falls on Sunday, the following Monday shall be recognized as a legal holiday. When a holiday falls on Saturday, the preceding Friday shall be recognized as a legal holiday.

Roadways shall be free of barricades or other objects and all lanes opened to traffic during all the restrictive periods listed above.

10. All Hard Surface (Asphalt and/or Concrete) approaches on ODOT Right-of-way shall be bored in lieu of an open cut unless otherwise stipulated.
11. Any Asphalt Approach road requiring an open cut shall be restored to its pre-existing or better condition after construction is complete or when minimum temperature allows per ODOT Standard for Highway Construction. If open cutting use the "T-Cut Typical Section" (see attached). Any Concrete Approach requiring an Open Cut shall be reconstructed with concrete and restored to its original or better condition after construction is complete. Applicant shall be responsible for the condition of said patches for a period of two years. During that time applicant shall repair, to the District Managers or representative's satisfaction, any of the patches that become settled, cracked, broken or otherwise faulty.

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12. The applicant shall provide a registered professional engineer to inspect the project. The Engineer shall ensure the quality, construction and conformance to ODOT standards, specifications, general and special provisions. Inspection reports shall be faxed to this office daily during construction. Fax (503) 986-2881. Upon conclusion of this project, a PE-stamped "AS CONSTRUCTED" drawing shall be submitted to this office within a minimum of 45 days of ODOT acceptance.
13. Encasement of pressurized PVC water/sewer carrier pipe(s) under pavement is required. Casing shall be Ductile-iron or steel pipe with welded joints OR Applicant shall provide proof that encasement of the facility is unnecessary to maintaining the structural integrity of the roadway (documentation submitted shall be stamped by a registered Structural Engineer). The annular space between the carrier pipe and casing is to be filled with cement slurry (see attached drawing RD308).
14. No pit / trench is to left in an open condition during off work hours or when unattended. Pit / trench shall be covered with steel plates and pinned. Any open-cutting of the highway surface is to be backfilled, compacted and capped with asphalt within 48 hours. Any extension of the 48 hours will require approval from the District Manager. It is the applicant's responsibility to assure the pit / trench does not become a drainage channel.
15. Bore pits not to be located on ODOT right of way. Bore will be from outside right of way to outside right of way.
16. If the asphalt is open-cut or damaged within the travel portion of the highway **where no curbs exist** an overlay of the affected lane(s) will be required (see General Provision number 33 for overlay requirements). The District Manager or representative reserves the right to assess changes and/or assign paving limits. Unless otherwise noted the applicant shall replace all highway striping and legends covered or damaged by the overlay project. Striping materials shall match or exceed existing.
17. If the asphalt is open-cut or damaged within the travel portion of the highway **where curbs exist** a grind and inlay of the affected lane(s) will be required (inlay to cover full lane width, see attached typical for grind and inlay requirements). The inlay is to be sand-sealed at its perimeter, curb reveal and water run-off is to be maintained. The District Manager or representative reserves the right to adjust the dimensions of the grind as deemed necessary to preserve the integrity of the highway.
18. Applicant shall be responsible for all future maintenance and locates of abandoned facility located under pavement (pipe four inches and above shall be plugged and capped). If future highway development requires the removal of abandoned facility, facility will be removed by applicant and/or at applicant's expense. Abandonment of a facility not under paved surface will not be allowed, facility will be removed by applicant and/or at applicant's expense.
19. A minimum cover of 48" is required for all high impact utilities (i.e. electrical, gas, buried cable).
20. If bore breaches highway surface and/or causes damage to compacted sub-grade highway repair shall be as follows: Saw-cut perimeter of affected area, excavate and re-compact all affected base and sub-grade materials, grind and inlay affected lane(s). Repair shall be to the satisfaction of the District Manager.
21. Bore (vac-x) holes in pavement shall be backfilled with bentonite or a granular backfill compacted to 95% density and capped with asphalt. Asphalt material is to match the existing and is to be compacted in two-inch lifts matching the existing pavement depth. Bore holes in highway shoulder area may be backfilled with native material; percent compaction shall be 95%. The applicant shall bear responsibility for any failure and/or repair of highway caused by bore holes.

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22. Applicant shall comply with all applicable General Provisions, Special Provisions and Attachments to the permit.
23. Construction shall comply with plans submitted to and approved by ODOT, shall meet or exceed ODOT standards and/or shall be to the satisfaction of the District Manager. Construction not in compliance shall be removed/repared by applicant to meet ODOT Standards and/or to the satisfaction of the District Manager.
24. Pavement markings that are to be removed shall be removed by shot blasting; other means of removal shall be approved by the District Manager. Removed markings shall be replaced with temporary durable markings; durable markings shall be maintained to the satisfaction of the District Manager.
25. All Local Agency or Consultant inspectors must be Certified Traffic Signal Inspector (CTSI) certified for electrical installations. CTSI is a requirement for inspection of electrical installations on the State Highway System or installations ODOT will maintain by agreement. Electrical installations include, but are not limited to, traffic signals, illumination, variable message signs, road and weather information systems, video camera systems, and other intelligent transportation systems.
26. Charges resulting from incomplete or unacceptable work and/or damage that is not repaired or work that is not in compliance with this permit or its provisions which require the Department of Transportation to correct, repair or replace shall be assessed against the applicant and/or their contractor and/or their bond. The applicant and/or contractor will be notified of the discrepancies and given 48 hours to comply. In those situations where public safety has been compromised no notice will be given. The Department of Transportation may seek, if necessary, legal action for the repair of its Right of Way.
(This also addresses any Department of Transportation sign that is removed or damaged and not replaced within the time limits as set forth in this permit.)
27. ODOT permits only those portions of utility installations or miscellaneous work that will affect its right of way. It is the responsibility of the applicant to acquire permission or permits from other affected property owners and/or jurisdictions.
28. A sufficient number of inlets (catch basins) shall be installed per Standard Drawings RD336 (Concrete Inlets), RD339 (Concrete Inlets) and/or RD342 (Concrete Inlets) to ensure proper drainage along curbed sections of the highway. Applicant may have a Site Plan approved by ODOT, which may not show an inlet or a sufficient number of inlets to drain water off the highway pavement. However, at ODOT's discretion the Applicant may be required to install a sufficient number of inlets to properly drain water.
29. Any field change to the ODOT approved plan(s) shall require written approval from the District Manager or his/her Representative prior to installation of the change. A request for a field change shall be submitted in writing to the District Office for review; the request shall include a copy of the approved drawing/plan and a copy of the proposed field change. The District Permits Office fax number is (503) 986-2748 and phone number is (503) 986-2876.
30. Newly installed sidewalk(s) shall meet ODOT's current curb and sidewalk height/width design requirements and shall be ADA compliant. A replaced sidewalk shall match the existing curb/sidewalk height/width and shall be ADA compliant. Where a new sidewalk does not connect to an existing sidewalk, the end sections shall be ADA compliant with ramps having a maximum slope of 2%.
31. The District Manager reserves the right to administer and/or amend requirements that in his/her opinion are necessary for public safety and/or betterment of the highway system.
32. For all major roadway work (new travel lane, median, roadway widening, etc.) the performance bond may be required to remain active for up to two years to warranty the construction work. The date ODOT conducts the final sign-off inspection and approves all work associated with this permit shall be the start date of that two year period. In the event re-work is required prior to the end of the two year period, the bond shall remain in place until such re-work is satisfactorily completed. Once the re-work is completed to ODOT's satisfaction/standards the bond can then be released. The Permittee shall be responsible for all labor and costs associated with the re-work.

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33. The owner of the installed facility, upon completion of its installation, shall take responsibility for its future maintenance and repair.
34. If the utility installation will be within the ditch line all excavation shall be at the bottom of the ditch. The ditch is to be restored to pre-construction condition or better. Applicant shall assure water flow through the ditch will not be blocked.
35. Utility pedestals/markers installed on ODOT Right of Way shall be marked by the applicant in such a manner as to remain visible at all times to ODOT maintenance personnel during their seasonal maintenance operations. ODOT will not be responsible for any damage to unmarked pedestals or appurtenances.
36. Any materials or workmanship found to be incomplete or not in compliance with this permit, provisions and/or Oregon Standard Specifications shall be the responsibility of the permittee/contractor to maintain and/or repair to a level acceptable by ODOT. ODOT reserves the right to hold any performance bond provided for this permit up to two years from the date of construction completion to insure adequate performance of said materials and workmanship.
37. If any materials or workmanship are found to be incomplete or not in compliance with this permit, provisions and/or Oregon Standard Specifications, for up to two years from the date of construction, the permittee/contractor shall be responsible for any maintenance and/or repair. Maintenance and repair shall be to a level acceptable by ODOT. This is to insure adequate performance of all materials and workmanship.
38. It is the responsibility of the permit applicant to ensure public safety within the work zone at all times. The applicant assumes all liability for any damage or injury caused by reasons of acts, conduct or operations of the applicant, its agents or employees in connection with the permitted activity on Oregon Department of Transportation's right-of-way.
39. A minimum of 20 feet horizontal clearance is required through the work zone as allowance for over-width traffic.
40. When an activity restricts the width, length, height, or weight of vehicles through the activity area, or causes vehicles to detour around the activity area, notify the ODOT Motor Carrier Transportation Division (MCTD) by using the web based electronic version of the "Highway Restriction Notice-Size and/or Weight" form (Form No. 734-2357). Notification is required at least 28 calendar days before the restriction or detour takes effect."
41. Longitudinal installations will not be allowed within the Interstate access control lines (OAR 734-055-0080).
42. No work or equipment is allowed within the access control line of Interstate 5.