

CITY OF NEWBERG  
CITY COUNCIL AGENDA  
MONDAY, DECEMBER 3, 1990  
7:30 P.M.  
NEWBERG PUBLIC LIBRARY

- I. CALL MEETING TO ORDER
- II. ROLL CALL
- III. CONSENT CALENDAR:
  1. Approve minutes from a Regular meeting of the City Council on November 5, 1990.
  2. Appointment of Roger Gano to Enhanced 9-1-1 Evaluation Committee.
- IV. REQUESTS AND COMMUNICATIONS FROM THE FLOOR:
- V. PUBLIC HEARINGS:
  1. Continued public hearing regarding revisions to the Comprehensive Plan.
  2. Continued public hearing regarding Zoning Ordinance Amendments for a Manufactured Housing Overlay Zone
  3. Public hearing regarding Historic Preservation list and ordinance.
- VI. REPORT FROM CITY MANAGER.
- VII. REPORT FROM COUNTY COMMISSIONER.
- VIII. REPORT FROM CHAMBER OF COMMERCE.
- IX. CONTINUED BUSINESS.
  1. Ordinance No. 90-2288 regarding the closure of Church Street between First Street and Highway 99W. (Note: This is back on this agenda at Council request. An ordinance requires 5 votes to pass and only 4 affirmative votes were cast at the 11/20 meeting.)

PAGE 2

CITY COUNCIL AGENDA  
DECEMBER 3, 1990

X. NEW BUSINESS:

1. Appointment of Planning Commission Members:

S. M. Roberts  
Carol Ring  
Sandra Prewitt

XI. EXECUTIVE SESSION IF NEEDED.

XII. ADJOURN.

INDEX OF RESOLUTIONS AND ORDINANCES ON THIS AGENDA FOR ACTION.

RESOLUTIONS:

ORDINANCES:

1. Ordinance No. 90-2288 authorizing the closure of Church Street between First Street and Highway 99W.

\agendal.

CITY OF NEWBERG  
CITY COUNCIL WORK SESSION  
MONDAY, DECEMBER 3, 1990  
6:00 P.M.  
NEWBERG COMMUNITY HOSPITAL

THE CITY COUNCIL OF THE CITY OF NEWBERG WILL HOLD A WORK SESSION TO REVIEW THE DECEMBER 3, 1990 COUNCIL AGENDA ITEMS. THE COUNCIL WILL NOT MAKE ANY DECISIONS ON THE AGENDA ITEMS AT THE WORK SESSION. THE WORK SESSION WILL BE HELD AT THE NEWBERG COMMUNITY HOSPITAL, CONFERENCE ROOM "A".

THE WORK SESSION WILL BE FOLLOWED BY THE CITY COUNCIL MEETING WHICH WILL BE HELD AT NEWBERG PUBLIC LIBRARY BEGINNING AT 7:30 P.M.

DATED THIS 27TH DAY OF NOVEMBER, 1990.



DUANE R. COLE  
CITY MANAGER

\WSNOTE

## REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

X MOTION

DATE ACTION REQUESTED: December 3, 1990

SUBJECT: Enhanced 9-1-1 Evaluation Committee

RECOMMENDATION: The Community Relations Committee of the City Council met on November 20, 1990 and recommended that Roger Gano be appointed to serve on an Enhanced 9-1-1 Evaluation Committee.

### BACKGROUND:

1. The City of Newberg is committed to operating an independent dispatch center from the YCOM center in McMinnville. This commitment has been emphasized many times by the City Council. YCOM has suggested that the County, as a whole, look at an Enhanced 9-1-1 System for the dispatch center in McMinnville. Part of this consideration was to include Newberg in the Enhanced 9-1-1 system.
2. Several system operations problems and other concerns exist with the Newberg system. These problems and concerns are as follows:
  - a. Fire communications overlaps;
  - b. Skip on the system;
  - c. Hand held sets that do not work consistently;
  - d. Lack of cooperation between the users of the YCOM system and the City of Newberg;
  - e. Detailed breakdown of the levy expenditures;
  - f. Structure of YCOM;
  - g. Newberg's role in the YCOM system.
3. These concerns have created working problems between the technical staffs of the City of Newberg and the YCOM's system as well as other concerned people within the County. The feeling in Newberg is that the system operation problems need to be resolved before the Enhanced 9-1-1 technology is developed by the YCOM system.
4. In order to expedite a discussion of Newberg concerns so that the Enhanced 9-1-1 system can then be discussed, the McMinnville City Manager, Newberg City Manager and the County requested that Alan Hershey, COG Director, get involved in acting as a facilitator between the groups. The condition that the City Manager of Newberg set for Newberg's involvement was that Newberg remain as an independent communications center independent of YCOM.
5. Mr. Hershey visited the Community Relations Committee meeting on November 20th at which time he was given the list of concerns identified by the City Manager. Roger Gano volunteered and the Community Relations Committee decided to recommend Volunteer Roger Gano to serve on a County-wide communications committee to explore the system operation problems and an Enhanced 9-1-1 system for the YCOM and Newberg Communication Centers.

Page 2

Request for Council Action  
RE: Enhanced 9-1-1

6. The Council should be aware that YCOM, the County and McMinnville are all independent agencies. At one time, YCOM was under the control of the County but they have since formed their own corporate entity and the County serves as a member of the Board as do the cities of McMinnville, Sheridan and other entities that participate in the operation of the YCOM center. Newberg was thanked for participating on the levy committee and since Newberg is not a user of the YCOM system, Newberg is not included on the YCOM Board.

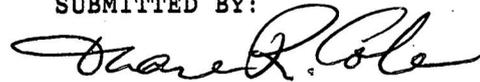
Newberg's Communications Center is impacted by the YCOM system since the two systems use the same repeaters. This means that the problems the City experiences in the Newberg Communications Center that are created by the YCOM system are difficult for Newberg to resolve since we do not have a seat on the Board. This does not mean that we could not attend their meetings regularly and express our concerns for the problems with the YCOM system.

7. The potential exists that through Mr. Gano's participation on this committee should the Council appoint him to the committee, the City's system operation problems could be resolved and the best choice county-wide for Enhanced 9-1-1 will be determined. Yamhill County is too small to not take every opportunity to work together so that we may all benefit with excellent service at a most favorable price.

**FISCAL IMPACT:**

There will be minimal fiscal impact if Mr. Gano is allowed to serve on this committee. Possibly a meal or two and mileage to the meeting location.

SUBMITTED BY:



Duane R. Cole  
City Manager

DRC/bjm

\enh911

7

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\agendal

Monday, 7:30 p.m.

November 5, 1990

MINUTES OF A REGULAR MEETING  
OF THE NEWBERG CITY COUNCIL

Newberg Public Library

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

ROLL CALL:

Present: Roger Gano  
Alan Halstead  
Donna McCain  
C. Eldon McIntosh  
Jack Nulsen  
Donna Proctor  
Joe Young

Absent: Rick Rementeria

Staff

Present: Duane R. Cole, City Manager  
Terry Mahr, City Attorney  
Bert Teitzel, Director of Public Works  
Katherine Tri, Director of Finance

Others

Present: Cheryl Hampton, Recording Secretary  
John Wenos, Newberg Graphic  
Mark McDevitt, TCI Cable  
Margie Taylor, NHRC Director

CONSENT CALENDAR:

Item No. 6 was pulled from the Calendar.

Motion: Gano/Halstead to adopt Consent Calendar. (Disposition: Unanimous)

Discussion began on item #6. Terry Mahr explained Resolution No. 90-1588, authorizing the Mayor to sign a lease agreement with Newberg Human Resource Center and CASA.

Joe Young stated that he preferred that a stipulation be placed in the Resolution that states the building will continue to be used as a homeless shelter in the event of its sale. Mr. Young also stated that he would like included in the Resolution that no alcoholic beverages or illegal substances be allowed on the premises.

Motion: Young/Gano to place this condition in Resolution. (Disposition: Unanimous)

Terry Mahr stated that these conditions will be placed on conveyance and paragraph two will be changed to include these items.

Motion: Halstead/Proctor to adopt Resolution as amended.  
(Disposition: Unanimous)

Margie Taylor, Director of Newberg Human Resources Center thanked the City Council for their support.

REQUESTS AND COMMUNICATIONS FROM THE FLOOR:

None

PUBLIC HEARINGS:

Mayor Hall opened the first Public Hearing.

Duane Cole explained Ordinance No. 90-2285, regarding prohibiting parking at a certain location on Deborah Road, amending Ordinance No. 902. Mr. Cole stated that it is a straight forward type of request. Mr. Cole stated that it had gone to the Community Relations Committee. Mr. Cole stated that Town and Country Wash and the Arco Station had each been sent a letter with regard to the parking issue.

Mayor Hall closed the Public Hearing.

Motion: Halstead/Young to read ordinance by title only.  
(Disposition - Unanimous)

Terry Mahr read Ordinance No. 90-2285 by title only.

Mayor Hall opened Public Hearing No. 2

Dennis Egner explained Ordinance No. 90-2286 regarding the vacation of the east-west alley in Block 37 Edwards Addition, between Sixth and Seventh, Chehalem and Willamette Streets. Mr. Cole stated that the City Staff had received some calls with questions regarding this matter. Mr. Egner said that he would direct the Council's attention to the Exhibit "A" that is attached to the ordinance in the Council packet. Mr. Egner explained a law which stated that the owners of the majority of the property must not object and that all of the property owners who abut this alley have signed the application. Mr. Egner stated that the vacation will significantly affect the value of the property concerned. Mr. Egner said it will basically add 300' to the properties. Mr. Egner stated that there are findings attached to the Ordinance which address the state law.

Russ Stroup, Newberg, Oregon, stated he wanted the property vacated to allow for future partitioning.

Mayor Hall closed the Public Hearing.

Motion: Gano/Halstead to read Ordinance by title only.  
(Disposition - Unanimous)

Terry Mahr read Ordinance No. 90-2286 by title only.

The Ordinance passed unanimously.

Mayor Hall opened Public Hearing No. 3.

Duane Cole explained the revisions to the Comprehensive Plan.

There was no discussion on this item.

Motion: Halstead/McIntosh to read Ordinance by title only.  
(Disposition - Unanimous)

Terry Mahr read Ordinance by title only.

Motion: Nulsen/Gano to reopen Public Hearing on November 20,  
1990. (Disposition - Unanimous)

Mayor Hall opened Public Hearing No. 4.

Dennis Egner stated there was a need to identify changes in the  
Comprehensive Plan.

Councilor Jack Nulsen stated that the wording in an airport overlay  
zone statement should read "the City shall" as opposed to "the City  
should", to avoid the City from being locked in.

Doug Delano, Newberg, Oregon, posed a question to Councilor Nulsen  
asking if the word "should", should be replaced with "shall" to  
protect trees in drainage areas.

There was a discussion on erosion concern and a desire for an item  
to be put into words in order for clear cutting to be avoided.

Councilor Joe Young stated possible conflicts.

Mr. Wilhelmson, 728 N. Main, Newberg, Oregon, explained that the  
area pertinent to the discussion at hand had been named as a  
greenway rather than an open area. He also stated that the trees  
must be protected to avoid serious erosion problems.

Duane Cole stated that perhaps the wording could be rewritten to  
protect trees without locking the City in to maintaining the  
property.

Doug Delano stated that a 16" main had just been installed which

carries water down Illinois St. and deposits it into the creek.

Councilor Joe Young, (as citizen of Newberg rather than a Council member), 1903 Orchard Dr., Newberg, Oregon, stated that as a realtor representing an owner, he would support change to a selective cut but he is adamantly opposed to any regulations enforcing the denial of cutting trees.

Terry Mahr stated some cities have tree cutting prohibitions for trees of a certain diameter.

At this time, following the close of the discussion, it was decided to remove the item "Density Policy C", re: Chehalem Park and Recreation District.

Joe Young stated that he believes the item should remain as is in the Comprehensive Plan.

Scott Reinhardt, 300 W. First, Newberg, Oregon, stated that CABO code is vague and should be addressed in future building and development plans.

A change was made in the Comprehensive Plan, page 23, Van/Small Transit Policy - correction changed to delete "Tri-Met and".

A change was made in the Comprehensive Plan, page 25, Public Facilities and Services - delete "in conjunction with Chehalem Park and Recreation District" and in (b.) remove Chehalem Park and Recreation District.

The Public Hearing remained open. The motion was continued to November 20, 1990.

Councilor Jack Nulsen left at 9:20 p.m.

Motion: Gano/Proctor to consider adjournment at 9:35 p.m. (Disposition: 5 Ayes, 1 Nay - Alan Halstead) Motion Carried.

Mayor Hall opened Public Hearing No. 5, regarding renaming a portion of Sunset Dr., Ordinance No. 90-2287.

Dennis Egner then stated that a problem with the title had been discovered.

Don Minor, Oregon Manufactured Housing Association, explained manufactured homes and showed photos of various manufactured homes in Yamhill. He suggested that the study underestimated the need for manufactured homes. Mr. Minor stated that he believes postponement of zoning this item would be a mistake and should open up the City for placement of manufactured homes.

Mayor Hall asked Don Minor to provide specific request in writing for the City Council.

This Public Hearing was continued to the November 20, 1990, City Council Meeting.

Motion: Gano/Young to adjourn. (Disposition: 5 Ayes, 1 Nay - Alan Halstead) Motion Carried.

Duane R. Cole, City Recorder

ATTEST:

Elvern Hall, Mayor

CCNOV5

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

X MOTION

DATE ACTION REQUESTED: December 3, 1990

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Request for Council Action  
RE: Enhanced 9-1-1

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**FISCAL IMPACT:**

There will be minimal fiscal impact if Mr. Gano is allowed to serve on this committee. Possibly a meal or two and mileage to the meeting location.

SUBMITTED BY:



Duane R. Cole  
City Manager

DRC/bjm

\enh911

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

\_\_\_\_\_ MOTION

DATE ACTION REQUESTED: December 3, 1990

\_\_\_\_\_ RESOLUTION

X ORDINANCE

X INFORMATION

SUBJECT: Revisions to the Comprehensive Plan

RECOMMENDATION:

Staff recommendation is to close the public hearing. An ordinance adopting the revised comprehensive plan will be prepared as part of the process of adopting the final periodic review order.

BACKGROUND:

On November 20, 1990, the City Council directed staff to amend the draft comprehensive plan by deleting Housing Mix Policy f and revising Downtown Policy g. Those changes have been made and a copy is attached to this memo. Also attached is a copy of the current Comprehensive Plan.

COST: None



Dennis Egner, Planning Director



Duane Cole, City Manager

ugb\compplan.cc

**DUANE REQUESTED THAT  
THIS ITEM BE SENT EARLY.  
PLEASE BRING YOUR COPY  
TO THE 12-3 MEETING. A  
NEW COPY WILL NOT BE IN  
YOUR COUNCIL AGENDA PACKET**

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

X MOTION

DATE ACTION REQUESTED: December 3, 1990

\_\_\_\_\_ RESOLUTION

\_\_\_\_\_ ORDINANCE

X INFORMATION

SUBJECT: Zoning Ordinance Revisions for Manufactured Housing

RECOMMENDATION:

Staff recommendation is to close the public hearing and direct staff to prepare an ordinance to adopt the Zoning Ordinance amendments.

BACKGROUND:

On November 20, the City Council directed staff to amend the development standards of the proposed ordinance as they relate to foundations and roof slope. Staff identified a problem with Section 468 (A) which requires all dwellings to have minimum exterior dimensions of 20 feet. Those changes have been made and a copy is attached to this memo.

Council expressed concern regarding the development standards of the proposed ordinance. A copy of House Bill 2863 has been enclosed for your review. Subsections (a-f) of Section 2 (5) set the development standards which local governments may adopt for manufactured homes. The legislation states that local governments cannot exceed the standards listed in section (a-f). Section (g) allows a city to add other standards provided that all dwelling units in the district meet the requirements. The types of requirements which could be added may include the provision of street trees, sidewalks or architectural features.

We have also enclosed a copy of a technical bulletin prepared by the Department of Land Conservation and Development to assist local governments in planning for manufactured housing. On page 2 of the technical bulletin it is clearly stated that local governments cannot require continuous reinforced concrete perimeter foundations. Staff will provide photographs of typical foundations for manufactured housing at the public hearing.

COST: None



\_\_\_\_\_  
Dennis Egner, Planning Director



\_\_\_\_\_  
Duane Cole, City Manager

ZONING ORDINANCE AMENDMENTS TO CREATE A MI MIXED INFILL HOUSING SUBDISTRICT

254 Definitions. The following definition shall be added to the existing list of definitions:

Manufactured home. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction.

270 (7) MI Mixed Infill Housing Subdistrict. Pursuant to the provisions of Sections 464-468, a MI subdistrict may be created within the R-1 residential zoning district. The subdistrict shall be designated by the suffix "MI" added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the MI subdistrict.

314 Permitted Buildings and Uses. Section 314 lists the permitted uses in the R-2 zone. A new subsection 314 (9) shall be added and following sections shall be renumbered. Subsection 314 (9) shall state:

314 (9) Manufactured Homes; subject to the following conditions:

- A. Manufactured homes shall not be located within 200 feet of historic resources listed on the Final Inventory of Historic Resources in the Comprehensive Plan.
- B. Manufactured homes shall meet the development standards of the MI overlay zone as set forth in Section 468.

MI MIXED INFILL SUBDISTRICT

464 Purpose. The purpose of the MI subdistrict is to allow manufactured housing on individual single family residential lots consistent with the City's identified need for individually sited manufactured homes. The MI subdistrict will allow manufactured homes to be intermixed with traditional "stick built" housing.

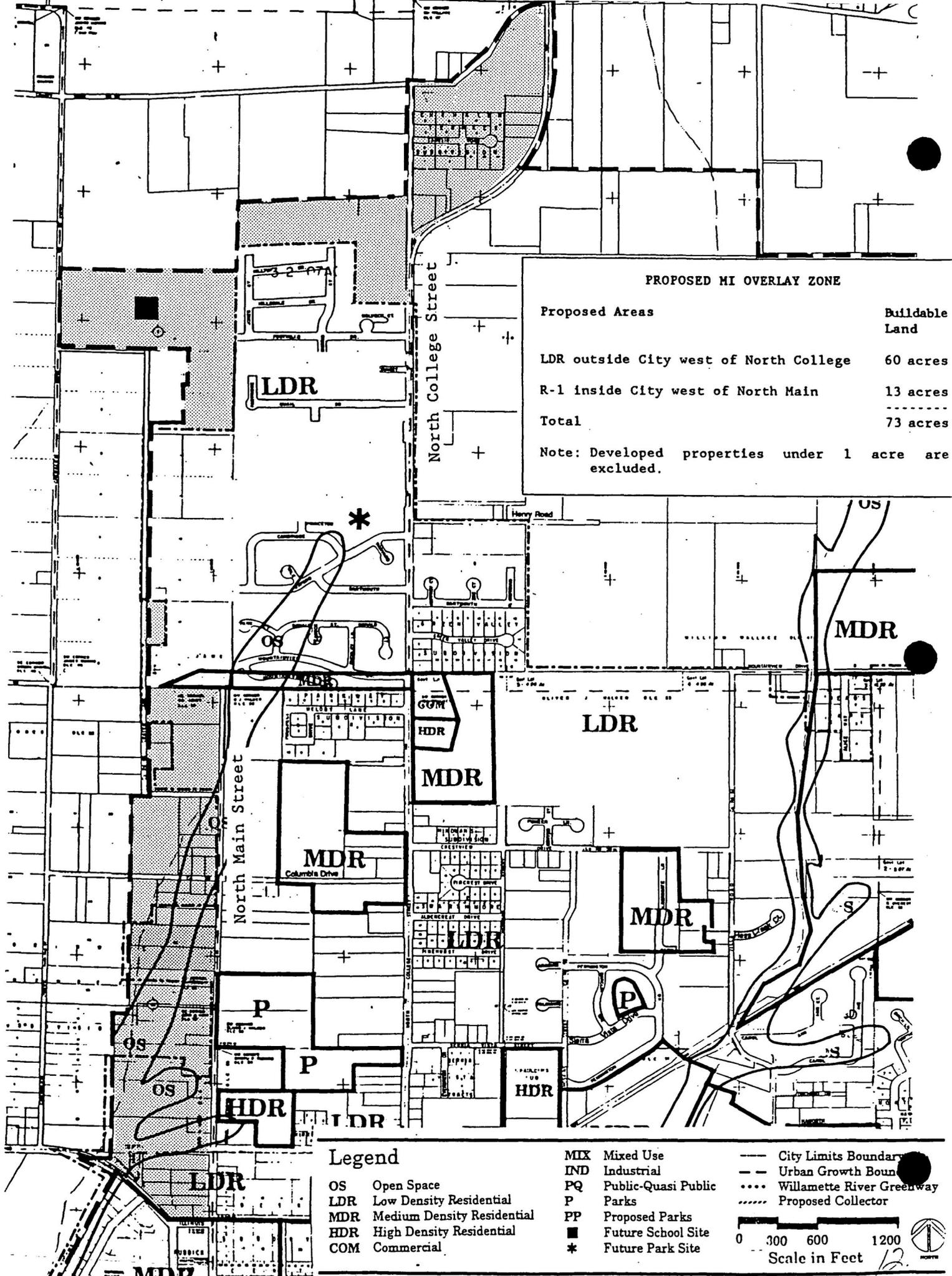
466 Uses. In addition to the buildings and uses permitted in the underlying zoning district, an MI subdistrict allows manufactured homes on individual lots as a permitted use.

468 Development Standards. Residential development in the MI overlay district shall meet the following minimum standards:

- A. Each dwelling unit shall enclose a space of not less than 1,000 sq. ft. If the unit is a manufactured home, it shall be multi-sectional.

- B. Each dwelling unit shall be placed on an excavated and backfilled foundation and enclosed on the perimeter. If the unit is a manufactured home, the chassis shall be located not more than 12 inches above grade and any axels or other transportation mechanisms shall be removed.
- C. All dwelling units shall have a roof slope no less than 3 feet in height for every 12 feet in width.
- D. Dwelling units shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing material commonly used on "stick built" residential dwellings within the community or which is comparable to the predominate materials used on surrounding dwellings as determined by the Building Official.
- E. All manufactured homes shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family homes dwellings constructed under the state building codes defined in ORS 455.010.
- F. All dwelling units shall have a carport or garage constructed of like materials. An attached garage shall be provided where such is consistent with the predominant construction of immediately surrounding dwellings.

ugb\mhzon3



**PROPOSED MI OVERLAY ZONE**

Proposed Areas	Buildable Land
LDR outside City west of North College	60 acres
R-1 inside City west of North Main	13 acres
<b>Total</b>	<b>73 acres</b>

Note: Developed properties under 1 acre are excluded.

**Legend**

- OS Open Space
- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- COM Commercial

- MIX Mixed Use
- IND Industrial
- PQ Public-Quasi Public
- P Parks
- PP Proposed Parks
- Future School Site
- \* Future Park Site

- City Limits Boundary
- - - Urban Growth Boundary
- .... Willamette River Greenway
- ..... Proposed Collector

0 300 600 1200  
Scale in Feet

A-Engrossed  
House Bill 2863

Ordered by the House April 4  
Including House Amendments dated April 4

Sponsored by Representatives DWYER, D. JONES, YOUNG, BAUMAN, BUNN, BURTON, CALHOON, DOMINY, EDMUNSON, FORD, HOSTICKA, HUGO, KOTULSKI, McTEAGUE, MINNIS, NORRIS, PETERSON, ROBERTS, SAYLER, SOWA, WEHAGE, Senators BRADBURY, BROCKMAN, BUNN, J. HILL, L. HILL, HOUCK, KENNEMER, KERANS, KINTIGH, OTTO, ROBERTS (at the request of Oregon Manufactured Housing Association, Oregon State Tenants Association, League of Oregon Cities, United Seniors of Oregon)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs that needed housing within urban growth boundary be permitted in one or more zoning districts or in overlay zones. Allows, as "needed housing," mobile home parks and manufactured housing meeting design and placement standards specified by local government. Provides that provisions regarding manufactured homes apply January 1, [ ] 1991, or next periodic review, whichever comes first.

A BILL FOR AN ACT

1  
2 Relating to manufactured housing, creating new provisions; and amending ORS 197.303 and 197.307.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 197.303 is amended to read:

5 197.303. (1) As used in ORS 197.307, until the beginning of the first periodic review of a local  
6 government's acknowledged comprehensive plan, "needed housing" means housing types determined  
7 to meet the need shown for housing within an urban growth boundary at particular price ranges and  
8 rent levels. On and after the beginning of the first periodic review of a local government's ac-  
9 knowledged comprehensive plan, "needed housing" also means:

10 (a) Housing that includes, but is not limited to, attached and detached single-family housing and  
11 multiple family housing for both owner and renter occupancy; *[and manufactured homes; and]*

12 (b) Government assisted housing; [.]

13 (c) Mobile home parks as provided in ORS 197.475 to 197.490; and

14 (d) **Manufactured homes on individual lots planned and zoned for single-family residential**  
15 **use that are in addition to lots within designated manufactured home subdivisions.**

16 (2) *[Paragraph]* Paragraphs (a) and (d) of subsection (1) of this section shall not apply to:

17 (a) A city with a population of less than 2,500.

18 (b) A county with a population of less than 15,000.

19 (3) A local government may take an exception to subsection (1) of this section in the same  
20 manner that an exception may be taken under the goals.

21 **SECTION 2.** ORS 197.307 is amended to read:

22 197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for  
23 persons of lower, middle and fixed income is a matter of state-wide concern.

24 (2) Many persons of lower, middle and fixed income depend on government assisted housing as  
25 a source of affordable decent, safe and sanitary housing.

NOTE: Matter in bold face in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.

13

1 (3) When a need has been shown for housing within an urban growth boundary at particular  
2 price ranges and rent levels, needed housing shall be permitted in [a zone or zones] one or more  
3 zoning districts or in zones described by some comprehensive plans as overlay zones with  
4 sufficient buildable land to satisfy that need.

5 (4) Subsection (3) of this section shall not be construed as an infringement on a local govern-  
6 ment's prerogative to:

- 7 (a) Set approval standards under which a particular housing type is permitted outright;
- 8 (b) Impose special conditions upon approval of a specific development proposal; or
- 9 (c) Establish approval procedures.

10 (5) In the areas identified by the needs analysis conducted under subsection (3) of this  
11 section, a jurisdiction may adopt any or all of the following placement standards, or any less  
12 restrictive standard, for the approval of manufactured homes located outside mobile home  
13 parks:

14 (a) The manufactured home shall be multisectional and inclose a space of not less than  
15 1,000 square feet.

16 (b) The manufactured home shall be placed on an excavated and back-filled foundation  
17 and inclosed at the perimeter such that the manufactured home is located not more than  
18 12 inches above grade.

19 (c) The manufactured home shall have a pitched roof, except that no standard shall re-  
20 quire a slope of greater than a nominal three feet in height for each 12 feet in width.

21 (d) The manufactured home shall have exterior siding and roofing which in color, mate-  
22 rial and appearance is similar to the exterior siding and roofing material commonly used on  
23 residential dwellings within the community or which is comparable to the predominant ma-  
24 terials used on surrounding dwellings as determined by the local permit approval authority.

25 (e) The manufactured home shall be certified by the manufacturer to have an exterior  
26 thermal envelope meeting performance standards which reduce levels equivalent to the per-  
27 formance standards required of single-family dwellings constructed under the state building  
28 code as defined in ORS 455.010.

29 (f) The manufactured home shall have a garage or carport constructed of like materials.  
30 A jurisdiction may require an attached or detached garage in lieu of a carport where such  
31 is consistent with the predominant construction of immediately surrounding dwellings.

32 (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or  
33 county may subject a manufactured home and the lot upon which it is sited to any develop-  
34 ment standard, architectural requirement and minimum size requirement to which a con-  
35 ventional single-family residential dwelling on the same lot would be subject.

36 [(5)] (6) Any approval standards, special conditions and the procedures for approval adopted by  
37 a local government shall be clear and objective and shall not have the effect, either in themselves  
38 or cumulatively, of discouraging needed housing through unreasonable cost or delay.

39 **SECTION 3.** Notwithstanding the provisions of ORS 197.303 (1) relating to periodic review, the  
40 requirements of ORS 197.303 (1)(d) apply on January 1, 1991, or a jurisdiction's next periodic review,  
41 whichever comes first.

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# TECHNICAL BULLETIN

## PLANNING FOR MANUFACTURED HOUSING ON INDIVIDUAL LOTS

A Technical Assistance Bulletin from Oregon's Department of Land Conservation and Development  
May, 1990

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Cities and counties are now required to plan for manufactured homes on individual lots.

Manufactured homes on individual lots are now a "needed housing" type.

### NEW PLANNING REQUIREMENTS FOR MANUFACTURED HOUSING

The 1989 Legislature enacted new planning requirements for manufactured housing on lots outside of manufactured housing subdivisions (ORS 197.295 through ORS 197.313 "Needed Housing"). We have received several inquiries from local planners asking how the Department interprets these statutes. The paragraphs below contain a summary of the new statutory requirements and responses to questions we have received. Throughout the discussion below, we use the term "manufactured home" as stated in the original bill, HB 2863. ORS 197.295 through ORS 197.313 incorrectly uses the term "manufactured dwelling." A manufactured home is a manufactured dwelling which has been certified to meet the 1976 HUD standard. "Manufactured dwellings" includes residential trailers and mobile houses constructed prior to 1976.

The most frequently asked question has been how to project the need for manufactured housing. We have been meeting with an *ad hoc* committee to address this question. The committee includes members from local planning agencies, the manufactured housing industry and the State Housing Agency. The committee has developed a "needs analysis" example using a standard methodology, which is attached to this notice. If you choose to use this methodology, you will meet the requirements of the statute. You are welcome to use either this standard methodology or to complete a more detailed analysis using local data.

ORS 197.303 defines as a needed housing type, "Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated

Any of the following or less restrictive standards may be required:

- multisectional units
- 1,000 square foot minimum area
- excavated and back filled foundation
- pitched roof
- specific siding and roofing materials
- thermal performance
- garage or carports

A continuous concrete perimeter foundation isn't needed--and cannot be required.

manufactured home subdivisions." The applicability of this definition is limited as follows:

- applies only within urban growth boundaries
- does not apply to cities with a population under 2,500
- does not apply to counties with a population under 15,000

ORS 197.307(3) requires cities and counties to zone sufficient buildable land to meet the need.

ORS 197.307(5) lists placement standards which may be required for manufactured homes located outside of mobile home subdivisions or manufactured dwelling parks. Local governments may adopt any of the following standards or less restrictive standards:

(a) The manufactured home must be multisectional and enclose at least 1,000 square feet;

(b) The manufactured home must be located not more than 12 inches above grade on an excavated and back-filled foundation which is enclosed at the perimeter;

(c) The manufactured home must have a pitched roof, but no standard shall require a slope greater than a nominal three feet in height for each 12 feet in width;

(d) Exterior siding and roofing must be similar in color, material and appearance to that used on dwellings in the community or on surrounding dwellings;

(e) The exterior thermal envelope must meet performance standards equivalent to those required for single family dwellings under the state building code; and

(f) The manufactured home must have a garage or carport.

In addition, a city or county may impose any development standard, architectural requirement or minimum size requirement to which a conventional single family residential dwelling on the same lot would be subject.

We have received several questions on these standards. These are discussed below:

**Is a "tip-out" unit considered to be multisectional?**

No. A tip-out unit is not considered by the industry to be a multisectional home.

**Can a local jurisdiction require a continuous reinforced concrete perimeter foundation?**

No. Manufactured homes cannot be required to meet structural building code requirements; they do not need a perimeter foundation. However, the local jurisdiction can require that the base of the home be enclosed at its perimeter.

**Can the standard on roofing and siding materials be applied through an administrative procedure?**

Yes, if the types of materials allowed or not allowed are listed in your implementing ordinance. To simply restate the language in paragraph (d) above is not adequate because it is not clear and objective.

These requirements must be met by January 1, 1991.

How does the local planning or building department determine the thermal performance of a manufactured home?

The jurisdiction can require that the applicant provide the manufacturer's certification of the unit's thermal performance. A jurisdiction may find that it lacks the staff time or technical ability to evaluate this thermal performance information. No jurisdiction is required to include the thermal performance standard in its ordinance.

Section 3, chapter 380, Oregon Laws 1989 states that these requirements apply on January 1, 1991, or at a jurisdiction's next periodic review, whichever comes first. Several planners have asked how this requirement applies to jurisdictions which are in periodic review. Can this statute be raised at a final periodic review hearing if it was not listed as a requirement in the Department's 180-day periodic review notice? There is no clear precedent to answer this question. Our best advice is as follows:

- For most jurisdictions, the question is moot. The time line for complying with the statute is so short that they should proceed immediately through the post-acknowledgment plan amendment process to address it. January 1, 1991, is the deadline, regardless of your periodic review status.

- Jurisdictions which are now considering other amendments as part of their periodic review should include this planning in their work program. This is not only the safest approach, but it may be the most efficient way of doing the work.

- If all periodic review requirements are complete but you have not addressed this statute, we recommend that you include in your final order a statement that you are aware of the statute and will comply with it by January 1, 1991. If anyone objects, you have the option of amending your final order under OAR 660-19-085.

The Department thanks the following members of the *ad hoc* committee, who contributed many hours to this project:

- Jan Childs                      City of Eugene
- Don Miner                      Oregon Manufactured Housing Association
- Bob Quitmeier                City of Redmond
- Lynn Schoessler              Oregon Housing Agency
- Jim Hinman                    Department of Land Conservation and Development

If you have questions, call Jim Hinman at 373-0088.

■ ■ ■

**A detailed example of a needs analysis using the standard methodology begins on the next page. >>>>**

## MANUFACTURED HOME NEED EXAMPLE

### Introduction

The following example shows one way of planning for manufactured homes on lots outside of manufactured housing subdivisions. ORS 197.303 now defines this as a needed housing type. Local comprehensive plans must project the need for this housing type and provide sufficient buildable land.

The simplest way to meet this requirement is to permit manufactured homes outright in all single family residential zones, subject to the siting standards listed in ORS 197.307. In this case, manufactured homes are included in the need for all single family dwellings. Therefore, no further analysis of need is required.

Another simple approach is discussed below. This approach starts with the need for new single family units already projected in the local comprehensive plan. The number of single family units is split between conventional and manufactured single family units, using a percentage from the attached table. The percentage has been determined for each county on the basis of population, housing cost and income. The example is presented in three steps after a short discussion of assumptions and methodology.

We recognize that this is not the only possible approach. Other more detailed methods, however, may be time consuming and may require data which is difficult to obtain. The advantages of this approach are that it is relatively simple and if you use it, your plan will comply with the requirements of the new statute.

### Assumptions Used in the Standard Methodology

1. For purposes of this example, manufactured dwellings on individual lots and in manufactured housing subdivisions are considered as single family housing and the need for these dwellings is considered a part of the overall single family housing need. (This example assumes that a jurisdiction has a comprehensive plan housing needs projection based on single family and multifamily housing types.)

2. The housing-needs projection and buildable-lands inventory in a jurisdiction's acknowledged comprehensive plan determine the type, density and location of needed housing. No change is required to the single family/multifamily split, owner/renter split, or income distributions in the comprehensive plan's housing needs projection or in the amount, density or location of the Plan's buildable land allocation for single family or multifamily housing.

3. Based on a range of manufactured housing structure costs from \$26,800 to \$46,488 and of lot costs from \$5,000 to \$9,000, the minimum income required to purchase a manufactured dwelling on an individual lot or a subdivision is estimated to range from \$15,000 to \$26,000.

A simply way to meet this requirement is to permit manufactured homes by right in single family zones.

The method described below is another way to meet these requirements, based on household income and housing cost.

Other approaches are possible.

If better local information on income is available, the jurisdiction may use that instead of the standard county figures attached to this bulletin.

4. It is assumed that households with incomes below \$15,000 will rent their dwellings and that households with incomes above \$15,000 will purchase single family dwellings, including manufactured housing. It is further assumed that households with incomes between \$15,000 and \$26,000 will purchase either manufactured housing or conventional single family housing and that households with incomes above \$26,000 will only purchase conventional single family housing.

5. It is assumed that new single family units, including both manufactured housing and conventional single family housing, will be owner-occupied.

6. It is assumed that the need for manufactured housing on individual lots and in subdivisions can be estimated based on the income distribution of the jurisdiction. Countywide income data, based on state tax returns by income range, can be used to estimate the number of households on the \$15,000 to \$26,000 income range and the number of households with incomes greater than \$26,000. This is considered "best available information." Jurisdictions may substitute local income data if it is available.

7. It is assumed that the number of manufactured dwellings on individual lots or in subdivisions required to meet the need can be estimated by calculating the percentage of all households with incomes greater than \$15,000 whose incomes are in the \$15,000 to \$26,000 range. This becomes the percentage (of the new single family units included on a jurisdiction's housing needs projection) for which the opportunity should be provided for siting of both manufactured housing and conventional housing.

8. It is assumed that adequate land in the jurisdiction's buildable lands inventory is allocated to land planned and zoned to accommodate the housing needs projections for single family dwellings. It is assumed that "need" can be measured by the percentage of all households with incomes above \$15,000 in the \$15,000 to \$26,000 range. This percentage is multiplied by the number of single family dwellings projected in the plan to determine the number of manufactured homes needed. The number of manufactured homes is divided by the density (dwellings per acre). When the resulting acreage is planned and zoned to allow both manufactured housing on individual lots or in subdivisions and conventional single family housing as permitted uses (with placement standards as specified in ORS 197.307, if desired), the jurisdiction has met its obligation.

### Housing Cost and Income

The tables below compare the income needed to buy a manufactured dwelling on a lot with the distribution of income. Housing cost and income determine how many households are potential manufactured home buyers. As shown in the attached table "Summary of Income to Qualify for Lower Cost, Average Cost, and Higher Cost Manufactured Homes," households with an income of \$15,000 to \$26,000 can afford to purchase a manufactured home on a lot. The table "Potential Manufactured Home Buyers" (attached)

Income required to qualify for a loan for a manufactured home on a lot ranged from \$15,000 to \$26,000.

shows that approximately 36 percent of households which can afford to buy a home fall within the income range for manufactured housing. Column A in the table shows the percentage for each county. The percentages in column A are used in step 2, below, to estimate need for manufactured homes on lots.

Cost and income requirements for a manufactured home on a lot:

<u>Range</u>	<u>Lot</u>	<u>Structure</u>	<u>Minimum Income</u>
Low	\$5,000	\$26,800	\$15,000
Average	\$7,000	\$36,600	\$20,600
Higher	\$9,000	\$46,488	\$26,200

Source: Cost data from Oregon Manufactured Housing Association; Income calculation from Oregon Housing Agency (see attached table).

Income distribution:

	<u>1989 Income Range</u>	<u>Number of Returns</u>	<u>%</u>
Manufactured Housing	15-26	223,404	36 (From Column A of attached table)
Conventional Housing	26+	402,571	64
All Single Family	15+	625,975	100

In the analysis above, we have assumed that the projected need for multifamily housing and mobile home parks is already shown in your comprehensive plan. Column B of the attached chart shows manufactured housing on lots as a percent of all housing (including multifamily and mobile home parks). Statewide, the need for manufactured housing on lots is 23% of all housing (based on the assumption that 65% of new housing is single family). For Portland Metro jurisdictions, manufactured housing need is 15 to 19% of all housing, because these jurisdictions are required to plan for 50% multifamily. You can recalculate the percentage in column B, using the percentages of single family housing, multifamily housing and mobile home parks projected in your comprehensive plan.

### Step 1: Project the housing increase, 1990-2010

Start with the number of new single family dwelling units projected in your comprehensive plan for the planning period. Include conventional single family units and manufactured housing in mobile home subdivisions. For these purposes, we are not including mobile home parks or multiple family housing; we assume that these have been projected separately and are not part of this analysis. For this example suppose your plan projects 2,000 additional single family dwellings over the next twenty years.

36% of all Oregon households fell within the \$15,000 to \$26,000 income range.

Step 1: Start with the number of single family dwellings projected in your comprehensive plan.

20.

Step 2: "Split" the number of single family dwellings between conventional and manufactured homes, using the percentage in column "A" of the attached table.

"Acres of buildable land needed" is the number of dwellings divided by the density allowed in the plan and zoning ordinance.

Step 3: Sufficient land must be planned and zoned to meet the need.

### Step 2: Allocate new homes and land needs by housing type

Allocate the projected single family dwellings between conventional and manufactured home types. In this example, the statewide percentage, 36%, is used. We recommend that you use the percentage for your county shown in column A of the attached table. Land needs are projected by dividing the number of dwellings by the gross density for single family lots.

<u>Single Family Housing</u>	<u>% Split</u>	<u>Units Dwell -ings</u>	<u>Gross Per Acre</u>	<u>Acres Needed</u>
Conventional	64	1,280	6	213
Manufactured or Conventional	36	720	6	120
All Single Family	100%	2,000		333

### Step 3: Plan and zone sufficient buildable land

Once the housing need is determined, Goal 10 requires that sufficient land be planned and zoned to meet that need. The permitted uses in zones "A", "B", and "C" are shown below for discussion purposes. The two examples discussed below are only the most basic ones. Many variations are possible but will not be discussed here.

**Example 1.** The simplest way to meet this planning requirement is to allow both conventional and manufactured housing in all single family residential zones. Zone "A" allows conventional and single family housing, as well as mobile home parks. In this example, 333 acres plus the amount of land needed for mobile home parks would be included in the "A" zone. None of the analysis above would be required. The only change would be to add manufactured dwellings to the list of allowed uses. Alternatively, the definition of single family residential use could be amended to include manufactured dwellings as well as dwellings built to Uniform Building Code standards.

**Example 2.** A community which has more than one single family residential zone has several options. As in the example above, manufactured dwellings could be allowed in all zones. Alternatively, a zone (or zones) can be reserved for conventional dwellings only. Zone "B" allows conventional units only and would contain up to 213 acres of vacant buildable land. Zones "A" and "C" which allow conventional and manufactured homes would contain at least 120 acres of vacant buildable land. Zone "A" would require additional land for mobile home parks.

	<u>Zone "A"</u>	<u>Zone "B"</u>	<u>Zone "C"</u>
Single Family			
Conventional single family	P	P	P
Manufactured homes			
M H Subdivisions	P	NP	P
Individual Lots	P	NP	P
M H Parks	P	NP	NP
Multiple family	NP	NP	NP

"P" = Permitted      "NP" = Not permitted

■ ■ ■

21.

POTENTIAL MANUFACTURED HOUSING BUYERS  
Based on State Tax Returns by Income Range

\$ X 1,000	Households in Income Range 15 to 26	Households in Income Range 15 and Over	COLUMN A (See Below)	COLUMN B (See Below)
BAKER	1221	2839	43%	28%
BENTON	4170	13201	32%	21%
CLACKAMAS	19081	64691	29%	19%
CLATSOP	2514	6597	38%	25%
COLUMBIA	2510	8444	30%	19%
COOS	4576	11982	38%	25%
CROOK	1138	2838	40%	26%
CURRY	1549	3530	44%	29%
DESCHUTES	6128	15686	39%	25%
DOUGLAS	7227	19712	37%	24%
GILLIAM	146	376	39%	25%
GRANT	664	1733	38%	25%
HARNEY	571	1520	38%	24%
HOOD RIVER	1408	3551	40%	26%
JACKSON	11240	29576	38%	25%
JEFFERSON	933	2231	42%	27%
JOSEPHINE	4916	11313	43%	28%
KLAMATH	4312	11158	39%	25%
LAKE	631	1534	41%	27%
LANE	21741	59182	37%	24%
LINCOLN	3074	7370	42%	27%
LINN	7147	19588	36%	24%
MALHEUR	1966	4508	44%	28%
MARION	18421	48322	38%	25%
MORROW	637	1624	39%	25%
MULTNOMAH	53177	143308	37%	24%
POLK	3455	9742	35%	23%
SHERMAN	157	454	35%	22%
TILLAMOOK	1827	4183	44%	28%
UMATILLA	4867	11970	41%	26%
UNION	1759	4701	37%	24%
WALLOWA	610	1419	43%	28%
WASCO	1709	4482	38%	25%
WASHINGTON	23265	79800	29%	19%
WHEELER	100	218	46%	30%
YAMHILL	4558	12593	36%	24%
OREGON	223404	625974	36%	23%

NOTES:

The percentage in COLUMN A is the number of returns in the income range \$15,000 to \$26,000 divided by the number of returns reporting an income over \$15,000. This is the estimated percentage of single family housing buyers who can just afford a manufactured home.

COLUMN B shows manufactured homes as a percentage of all dwellings added to the housing stock. The percentage in column A was multiplied by the ratio of single family units to all housing (65%). For Portland Metro counties, a 50% ratio was used as required by OAR 660-07.

Income data is from the Oregon Department of Revenue, Oregon Personal Income Tax Annual Statistics, 1987. Income ranges were interpolated to 1989 housing cost ranges after adjusting for inflation.

22

SUMMARY OF MINIMUM INCOME TO QUALIFY  
FOR LOWER COST, AVERAGE COST AND HIGHER COST  
MANUFACTURED HOMES  
ECONOMICS SECTION, OREGON HOUSING AGENCY

CATEGORY	LOWER COST	AVERAGE COST	HIGHER COST
Minimum Income to Qualify	\$15,000	\$20,600	\$26,200
Household Size	2	2	2
Length of Loan(Years)	25	25	25
Property Tax Rate	2.70%	2.70%	2.70%
Monthly Mortgage Payment	\$ 274	\$ 377	\$ 479
Interest Rates	10.00%	10.00%	10.00%
Loan to Value Ratio	0.95	0.95	0.95
Value of Land	\$ 5,000	\$ 7,000	\$ 9,000
Value of Structure	\$26,768	\$36,628	\$46,488
Value of Property	\$31,768	\$43,628	\$55,488
Maximum Loan Amount	\$30,179	\$41,446	\$52,713
FEDERAL TAX COMPUTATIONS			
State Income Tax	\$ 471	\$ 750	\$ 1,038
Property Tax	\$ 858	\$ 1,178	\$ 1,498
Mortgage Interest	\$ 3,018	\$ 4,145	\$ 5,271
Miscellaneous Deductions (2% of Income)	\$ 300	\$ 412	\$ 524
Itemized Deductions	\$ 4,647	\$ 6,485	\$ 8,331
Adjusted Gross Income	\$15,000	\$20,600	\$26,200
-Allowable Deductions	\$ 4,647	\$ 6,485	\$ 8,331
-Personal Exemptions	\$ 3,900	\$ 3,900	\$ 3,900
Or Standard Deduction	\$ 5,000	\$ 0	\$ 0
=Fed. Taxable Income	\$ 6,100	\$10,215	\$13,969
Federal Taxes from Charts	\$ 915	\$ 1,532	\$ 2,095
STATE TAX COMPUTATIONS			
Adjusted Gross Income	\$15,000	\$20,600	\$26,200
-Federal Tax	\$ 915	\$ 1,532	\$ 2,095
-Itemized Deductions	\$ 4,647	\$ 6,485	\$ 8,331
=Taxable Balance	\$ 9,438	\$12,583	\$15,774
Oregon Taxes from Charts	\$ 581	\$ 852	\$ 1,140
-Exemption Credit	\$ 102	\$ 102	\$ 102
=State Tax	\$ 479	\$ 750	\$ 1,038



## OREGON MANUFACTURED HOUSING ASSOCIATION

2255 State Street • Salem, OR 97301  
(503) 364-2470

November 28, 1990

Mr. Dennis Egner, Planning Director  
City of Newberg  
414 E. First Street  
Newberg, OR 97132

Dear Dennis,

I want to again thank you and the Planning Commission for all the time you have taken in developing the proposed Manufactured Home ordinance. We are particularly appreciative that the City has decided not to utilize a zone change process. We believe that the City itself and prospective home owners will all benefit from this decision.

As noted in our letter of October 30, 1990 we continue to be concerned with some aspects of the proposed ordinance and plan amendments. Due to a conflict in my schedule I will not be able to personally address these concerns at the Council meeting on December 4. I request that the City Council be made aware of the concerns listed herein.

### HOUSING NEEDS ANALYSIS

As noted in our earlier letter, we believe that the proposed plan amendment understates the need for manufacture homes located on individual lots outside of "mobile home parks," and we continue to object to the needs analysis for the following reasons:

1/ the need projection is based on past housing trends occurring between 1960 - 1979. This past trend doesn't reflect actual market demand for manufactured homes, as the prior zoning severely limited the placement of manufactured homes during this time frame.

In earlier plan reviews, LCDC has not accepted past trends as a sufficient basis to project the future need for manufactured homes.

2/ the need projection is not based on an actual analysis of housing costs and the ability of consumers to buy homes.

3/ the plan does not separately project the need for individually sited manufactured homes. ORS 197.303(1)(c)(d) identifies manu-

factured homes located in "mobile home parks" and manufactured homes located on individual lots as separate types of needed housing. The needs projection provided by the plan does not separately project the need for manufactured homes located in parks and homes located on individual lots. Instead both needs are combined in a single projection.

4/ The technical bulletin "Planning for Manufactured Homes on Individual Lots" identifies a need for 36% of the new single family homes in Newberg to be manufactured homes on individual lots. The proposed needs analysis says that 20% of the new homes in the community will be manufactured homes. No explanation for this discrepancy is provided.

Please note that the 20% includes both homes in parks and on individual lots.

Also note that during 1989 about 37% of the new single family homes in Yamhill County were manufactured.

#### INSUFFICIENT BUILDABLE LAND PROVIDED TO MEET NEED

We do not believe sufficient buildable land has been made available to meet the need for manufactured homes, and we also object to the use of multi-family land to meet the need.

As noted above, we believe the plan understates the need for manufactured homes. With this in mind, we do not believe the plan provides sufficient buildable land zoned for single family use to even meet the 20% need.

A.

ORS 197.307(3) requires that needed housing shall be permitted within one or more zones with sufficient buildable land to satisfy that need."

The vast majority of land allocated for manufactured homes is located outside the City limits of Newberg (only 13 acres of LDR zoned land is provided within the City). The land provided outside the City is zoned for large acreage agricultural use and cannot be used for urban levels of housing without annexation and a zone change.

The zone change process is discretionary and cannot be relied on to demonstrate that sufficient land can be made available.

There is also a considerable amount of vacant buildable land zoned for single family use within the City. We are concerned that annexing additional land for single family use will be difficult to justify.

B.

The Oregon Legislature recognizes manufactured homes as a form of detached single family housing. The Legislature also recognized

that it does not make sense to accommodate single family homes in areas planned and zoned for multi-family densities. Accordingly, ORS 197.303(1)(d) requires that individually sited manufactured homes be permitted in areas "... planned and zoned for single-family residential use."

The "Request for Council Action" dated November 20, 1990 states that 127 acres of land zoned MDR (Medium Density Residential) will be used to meet the 20% need for manufactured homes. With the above statute in mind, it is apparent that land zoned MDR cannot be counted to meet the need for single family use.

We understand that land suitable for multi family housing is a scarce commodity. This type of land usually has been developed with an infrastructure capable of accommodating higher density housing. It is wasteful of both land and public facilities to permit low density detached single family homes on this land. Underutilizing this land will also hasten the need to expand the Urban Growth Boundary and cause the premature extension of urban services.

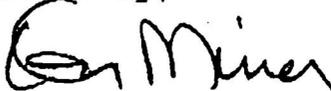
It is also generally recognized that manufactured homes are not able to economically compete for this land with multi-family housing.

We respectfully request that sufficient buildable land zoned for single family homes be provided within the City of Newberg so that manufactured homes can be accommodated on 36% zoned for single family homes.

We recognize that both the Planning Commission and the staff have spent considerable time on this issue and, we appreciate this effort. We hope that our suggestions will contribute to a development code that meets the needs of all citizens living in Newberg.

Thank you for your consideration.

Sincerely,



Don Miner  
Executive Director

cc: Jim Hinman, Land Conservation & Development  
Burton Weast, Western Land Use Services  
Jim Capp, Western Land Use Services  
Salem OMHA Members  
Bob Huber, McMinnville Factory Homes  
John Chandler, Staff Attorney, Metro HBA

JL

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

\_\_\_\_\_ MOTION

DATE ACTION REQUESTED: December 3, 1990

\_\_\_\_\_ RESOLUTION

\_\_\_\_\_ ORDINANCE

X INFORMATION

SUBJECT: Amendment to the City of Newberg Zoning Ordinance and Comprehensive Plan Inventory of Natural and Cultural Resources to add a Final Inventory of Historic Resources and provide a design review procedure related to historic landmarks.

I. SCHEDULE

Staff has scheduled and advertised two public hearings on the proposed Historic Landmarks Ordinance. On December 3, the staff presentation and a question/answer session is scheduled. Public testimony is scheduled for December 18. Notice of these hearings was sent to all affected property owners.

II. INTRODUCTION

As part of the state mandated periodic review of the Comprehensive Plan, the City is required to protect identified historic resources as required by Statewide Planning Goal 5. To complete the Goal 5 process, the City must adopt a historic preservation ordinance and adopt a Final Plan Inventory of historic resources that would be protected under the ordinance. The Planning Commission has reviewed a draft ordinance and has recommended approval of the ordinance to the City Council. The proposed ordinance is attached. This staff report includes the following sections:

- o Summary of Issues
- o State Requirements
- o Historic Landmarks Ordinance
- o Historic Resources Inventory
- o Conclusion

A more detailed report on the Historic Resources Inventory will be provided with the December 18 staff report.

III. SUMMARY OF ISSUES

The Historic Landmarks Ordinance has been prepared in response to the requirements of Statewide Planning Goal 5. Goal 5 requires that communities inventory historic resources and develop programs to protect those resources. The historic resources in the City of Newberg were inventoried in 1985 through a project funded by a State Historic Preservation Office grant. In 1986 the City received notice to begin the Periodic Review of its Comprehensive Plan. The State mandated Periodic Review process requires that each community address any

27.

new inventories that have been completed since the Comprehensive Plan was acknowledged. This requires that Newberg apply the Goal 5 process to protect its inventoried historic resources.

The proposed Historic Landmarks Ordinance provides designation procedures and a design review process. Design review is required for exterior alterations and demolitions of historic resources. Design review is also required for new construction within identified historic districts. The design review process has been developed to be as "user friendly" as possible. An administrative review procedure has been established for minor alterations. This allows minor alterations to be approved by the Planning Director as an "over the counter" approval. Major alterations, demolitions or the introduction of new non-historic materials would require review by the Planning Commission. The ordinance includes criteria for minor alterations and for major alterations. The Landmarks Ordinance would be applied to inventoried Landmark properties or to properties within historic districts. The City Council is currently scheduled to review the proposed Inventory of Historic Landmarks on December 18.

At Planning Commission hearings, concern has been raised regarding mandatory compliance with a proposed historic preservation ordinance. Based on 1989 Court of Appeals and Land Use Board of Appeals decisions related to the Yamhill County historic preservation ordinance, owner consent cannot be considered as criteria for inclusion on an inventory of historic resources. The City of Newberg Inventory was prepared by an outside consultant in 1985 and re-evaluated by another consultant in 1990. Based on the expertise of these consultants, the Inventory represents the historic resources of the community. The proposed Historic Landmarks Ordinance would protect these properties as required under Statewide Planning Goal 5.

#### IV. STATE REQUIREMENTS

##### A. Statewide Planning Goal 5

Statewide Planning Goal 5 is entitled "Open Spaces, Scenic and Historic Areas and Natural Resources". The Goal states in part that "programs shall be provided that will...protect scenic historic areas and natural resources for future generations...". The Goal requires that local governments conduct inventories of historic resources, analyze conflicting uses, and develop programs to protect the resources and achieve the goal.

Oregon Administrative Rule, Chapter 660, Division 16 sets forth the requirements and application procedures for complying with Statewide Goal 5. The rule sets out the procedure for adoption of a plan inventory and the analysis of conflicting uses. The conflicting use analysis involves a determination of the economic, social, environmental and energy (ESEE) consequences of the conflicting use. The ESEE analysis provides the opportunity to weigh the benefits of the conflicting use against the benefit of preserving the resource site. The administrative rule requires one of the following actions be taken to resolve the conflict:

- o Preserve the resource site;
- o Allow the conflict; or

- o Specifically limit the conflicting use.

The Historic Landmarks Ordinance provides a mechanism to limit the conflicting use by establishing a design review process for alterations. This type of mechanism has been generally recognized throughout the State as the process to be followed to satisfy Goal 5 requirements.

B. The Yamhill County Experience - LUBA/Court of Appeals

In 1989 Yamhill County amended its historic preservation ordinance to specifically include owner consent as part of the criteria for landmark designation. This amendment was appealed to the Land Use Board of Appeals (LUBA) by county residents, the Historic Preservation League of Oregon and the Department of Land Conservation and Development. LUBA concluded that making land owner consent a determinative criterion for whether a site will be included on an inventory of historic resources is not allowed by Goal 5 and OAR 660-16 (LUBA No. 89-040 and LUBA No. 89-042). Yamhill County appealed the LUBA decision to the State Court of Appeals (CA A61886). The Court affirmed the LUBA decision.

On November 13, 1990 City Attorney Terry Mahr and Planning Director Dennis Egner met with Assistant Yamhill County Council Todd Sadlo. Mr. Sadlo represented the County at LUBA and strongly suggested that the City avoid the mistakes that Yamhill County had made. He said that by making the inclusion on the inventory voluntary, the County had brought statewide attention to the issue. He felt that through this action, the County had effectively lost local control of its decisions. He stated that a more effective method of satisfying property owner concerns is through the Goal 5 ESEE analysis process. This process allows the community to balance the benefit of preservation against the benefits of allowing a conflicting use.

V. HISTORIC LANDMARKS ORDINANCE

A. Concept

The primary function of the proposed Historic Landmarks Ordinance is to create a process for design review of exterior alterations and demolitions to assure that changes are compatible with the historic character of the resource and neighborhood. The proposed ordinance has been developed to make the review process easy for both property owners and staff. The ordinance includes a staff level design review for minor alterations and a review by the Planning Commission for major alterations. The review by the Planning Commission must occur within ten days of the submittal by the applicant. This process differs significantly from previously proposed historic preservation ordinances in that it provides staff with broader administrative review authority and substitutes the Planning Commission for a separate Historic Review Board.

**B. Organization - Ordinance Provisions**

The proposed Historic Landmarks Ordinance will be incorporated into the Zoning Ordinance as an Historic Landmark Subdistrict. The subdistrict will be applied to all properties which are included on the final plan inventory and are designated as Landmarks or are within designated Historic Districts. Properties which carry the historic landmark subdistrict designation will be subject to design review procedures for exterior alterations and demolitions. The proposed ordinance sets forth two levels of design review. Administrative review is required for minor alterations including replacement of siding, roofing, foundations, porch features and other minor changes. The Planning Commission would be charged with review of demolitions and major alterations such as additions, and changes which would involve new materials which do not match the historic character of the building. Criteria are provided for review. The administrative review can occur over the counter. Planning Commission review is required to occur within ten days of submittal with a ten day appeal period. A process for appealing Planning Commission decisions to the City Council is also outlined.

The ordinance includes a section defining exceptions for economic hardships. Exceptions can be granted after consideration of the cost of rehabilitation, the market value of the property and any potential income from the property if income producing. The ordinance also includes exceptions for maintenance actions such as repair of materials and painting.

The process for designating new individual Landmarks and Districts is specified by the ordinance. In essence, this process is an amendment to the inventory of historic resources in the Comprehensive Plan.

**C. State Review**

A draft of the proposed ordinance has been reviewed by James Hamrick of the State Historic Preservation Office. Mr. Hamrick has stated that the ordinance generally meets state standards. Concern was raised about the economic exception clause and the level of local discretion in its application.

**D. Planning Commission Review**

The City Planning Commission recommended approval of the ordinance at their July 19, meeting. Since that time the staff and Planning Commission have worked on updating the inventory. The version of the ordinance before the Council includes minor changes prepared by staff relating to inventory definitions, designation criteria, administrative review criteria, Planning Commission review process, and maintenance definitions. The changes are administrative in nature and do not effect the substance or intent of the Planning Commission approved ordinance.

## VI. HISTORIC RESOURCES INVENTORY

The adoption of the proposed zoning ordinance amendments to create the Historic Landmarks subdistrict represents only one portion of the action necessary to implement a historic preservation program and satisfy state requirements. To complete the process, the City must adopt a Final Plan Inventory of Historic Resources and designate Landmarks and/or districts to be protected under the Landmarks Ordinance. The adoption of the inventory will be an amendment to the City Comprehensive Plan. A copy of the proposed inventory will be included in the December 18 Council packet.

### A. Current Plan Inventory

The current Inventory of Natural and Cultural Resources in the City's Comprehensive Plan identifies eleven historic sites or structures in the Newberg area. Two structures have been demolished (Springbrook Friends Church and the S.P. Railroad Depot) and one is outside the City Urban Growth Boundary.

### B. Inventory Update

In 1984-85, the City received a State Historic Preservation Office (SHPO) grant to inventory additional historic resources. A community wide effort was made to conduct the inventory and 193 historic properties were inventoried. The inventory was never adopted as part of the City's Comprehensive Plan. As part of the Periodic Review process, cities are required to evaluate inventories that have been completed since acknowledgement of the Comprehensive Plan and take appropriate action on those inventories. As noted previously, Statewide Planning Goal 5 sets up a specific process for addressing historic resource inventories.

To evaluate the 1985 inventory, it was necessary to update the inventory and prepare evaluation forms. Evaluation forms for each of the inventoried properties were prepared and were based on the draft criteria of the proposed Historic Landmarks Ordinance. A subcommittee of the Planning Commission, together with Planning staff and a historic preservation consultant, re-evaluated the inventory and ranked the properties as primary, secondary or contributing. As part of this process, staff contacted James Hamrick of the State Historic Preservation Office, who stated that at a minimum, primary resources in the City must be protected. Mr. Hamrick also stated that all secondary and contributing properties within the potential historic districts should also be protected. Four potential districts are identified in the City's 1985 Inventory and 1990 Inventory update.

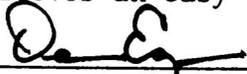
The 1985 inventory identified potential districts on the north side of downtown, along First Street, and in the Edwards neighborhood on the south side of downtown. The 1990 Inventory update also identified the Springbrook area as a district. The proposed Inventory must be adopted as an amendment to the Comprehensive Plan.

C. Designation Process

As a comprehensive plan amendment, the adoption of the inventory and the identification of Landmarks or Districts will need to be consistent with local Comprehensive Plan policies and Statewide Goal requirements. As noted above Statewide Planning Goal 5 sets forth the appropriate process and LUBA and the Court of Appeals have determined that owner consent can not be included as part of the criteria for designation.

VII. CONCLUSION

Adoption of a historic preservation program consistent with Statewide Planning Goal 5 is a mandatory element of the Periodic Review Process. The preservation issue is the single major item that has delayed completion of Periodic Review for so long. The proposed Historic Landmarks Ordinance and the related plan inventory provide a method of satisfying state requirements. As proposed, the ordinance provides a relatively easy administrative approval process for most exterior alterations. To create a successful preservation program, staff believes an easy "user friendly" process is essential.



\_\_\_\_\_  
Dennis Egner, Planning Director



\_\_\_\_\_  
Duane Cole, City Manager

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ORDINANCE NO.

AN ORDINANCE ESTABLISHING A HISTORIC LANDMARKS ZONING SUBDISTRICT, PROVIDING A PROCEDURE FOR ESTABLISHING HISTORIC LANDMARKS AND PROVIDING APPLICABLE REGULATION.

WHEREAS, The City of Newberg completed an historic resources inventory in 1985 and a re-evaluation of that inventory in 1990; and

WHEREAS, Statewide Planning Goal 5 requires that historic resource inventories be completed and that programs be developed to protect significant resources.

NOW, THEREFORE, the Council of the City of Newberg ordains as follows:

Section 1. Ordinance 1968 shall be amended by deleting the H Historic District provision listed in Sections 422, 424, 426, and 428 and replacing the sections with a new H Historic Landmarks Subdistrict as noted in Section 2 of this Ordinance.

Section 2. Ordinance 1968 shall be amended to include the following sections:

- 270 (8) H Historic Landmarks Subdistrict. Pursuant to the provisions of Sections 420-424, an H subdistrict may be created within any zoning district. The subdistrict shall be designated by the suffix "H" added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the "H" subdistrict subject to procedures listed in Sections 420-424.

H HISTORIC LANDMARKS SUBDISTRICT

420 Purpose and Definitions.

A. Purpose. The purpose of the "H" subdistrict is to:

1. Safeguard the historic district(s), landmarks, buildings and sites representing significant elements of Newberg history;
2. Promote the historic, educational, cultural, economic and general welfare of the public through the preservation, restoration and protection of these buildings, structures, sites, districts and objects of historic interest within the City;
3. Foster civic pride in the accomplishments of the past;
4. Protect and enhance the City's attractions to tourists and visitors;

5. Carry out the provisions of the Land Conservation and Development Commission Goal 5.
- B. Definitions. For the purpose of carrying out the intent and purposes of the Ordinance, words, phrases and terms, as used herein, shall be deemed to have meaning ascribed to them in this section:
1. Alteration or Alter - The addition to, removal of or from, or physical modifications or repair of, any exterior part or portion of a Landmark designated by the city; excluding, however, routine maintenance, painting, minor alterations subject to administrative review, and non-designated vegetative features. Signs and fences which are not specifically excluded shall be considered a form of alteration and shall be treated as such.
  2. Historic District - A geographic area with a high concentration of historical, architectural, archeological or cultural Landmarks and/or a high concentration of contributing resources. The term "Historic District" includes Multiple Property or Resource District. The term also refers to both local historic districts and historic districts listed on the National Register of Historic Places. The "H" subdistrict designation shall be applied to recognize local historic districts as set forth in Section 421.
  3. Initial Inventory of Historic Resources - A 1985 census of historical, architectural, archeological or cultural buildings, structures, objects, vegetation, sites, districts and signs. Each resource (i.e. building, structure, etc.) was documented in terms of location, a written description and a discussion of the resource's significance.
  4. Final Plan Inventory of Historic Resources - The list of significant resources which are included in the Comprehensive Plan. The final Inventory includes an evaluation of the economic, social, environmental, and energy consequences of conflicting uses.
  5. Multiple Property or Resource District - All or part of the Historic Resources identified within the City, or within a specific section of the City. These resources may be dispersed geographically, but shall be related to one another in a clearly distinguishable way.
  6. Landmark - Properties selected from the Historic Inventory pursuant to Section 421 of this ordinance that

are of individual importance based on architectural, historical, and/or environmental criteria. The "H" subdistrict designation shall be applied to landmark properties.

421 Landmark and District Designation.

- A. Institution of Proceedings. The City Council, Planning Commission, Planning Director, or interested parties may initiate the proceedings for designation of a historic district or landmark. Applications for designation shall be made available by the Planning Director. To comply with notice requirements, a completed application must be submitted 50 days prior to the final public hearing.
- B. Application Information. The Planning Director may specify the information required in an application.
- C. Designation Procedure. Notice of an application to designate a property as a Landmark or a District shall be provided to the property owner(s) and other interested parties. A written notice of the proposed designation shall be posted on the property in a visible location. All public notice shall be provided not less than 20 days nor more than 30 days prior to the final public hearing. The application shall be considered by the Planning Commission at its next available meeting.

Upon a positive recommendation with findings by the Planning Commission, the application will be considered by the City Council at its next available meeting. The Council shall approve or disapprove the designation based on the designation criteria of Section 421(D) and shall notify the property owner(s) of its decision. Upon approval, the Council shall identify the location of the Landmark or District by application of the "H" subdistrict designation and by amending the Final Plan Inventory of Historic Resources in the Comprehensive Plan.

- D. Designation Criteria. If the building, structure, site, district or object is currently listed in the National Register of Historic Places of the United States of America, the property or properties shall be designated as a Local Landmark or Historic District. The following criteria will be used by the Planning Commission and Council in considering other properties:

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1. The evaluation criteria used in the 1990 Historic Resources Evaluation shall be considered. Any or all of the criteria may be satisfied for designation:
    - a. The Landmark or District is associated with natural history, historic people, or with important events in national, state or local history. The age of a specific building shall be considered but shall not be deemed sufficient in itself to warrant designation as a significant historic resource.
    - b. The Landmark or the structures within the District embody the distinguishing characteristics of architectural specimens inherently valuable for a study of a period, style, or method of construction.
    - c. The Landmark or the structures within the District are notable works of master builders, designers or architects, or the structures represent rarities of types, styles, or designs in the community.
    - d. The Landmark or the structures within the District retain a high degree of original design, crafting, materials, and original site features.
    - e. The Landmark or the structures within the District contribute to the immediate environment and the character of the neighborhood or city.
  2. The proposed Landmark or District will serve the purpose of this section as stated in Section 420.
  3. The economic, social, environmental, and energy consequences of conflicting uses shall be considered.
- E. Designation Removal. Request for removal of a historic landmark designation may be made by the property owner and shall follow the same procedures as required for inclusion by this ordinance.

422 Alteration, New Construction, Demolitions.

A. Exterior Alterations.

1. Application Process. Application for permit approval shall be made to the Planning Director. The application shall be in such form and detail as the Planning

Director prescribes. The application shall include site plans, floor plans, elevations, materials, textures, and other information deemed necessary by the Planning Director to determine the appropriateness of the alterations of the designated Landmark.

2. Planning Director Review. The Planning Director shall approve minor alteration requests if there is no significant change in appearance, or in original material integrity, from the existing structure or site. The Director's approval may include conditions to assure compatibility. Minor alterations meeting the following standards shall be approved and shall be documented by written findings:
  - a. The proposed alteration duplicates or restores the affected exterior features and materials as determined from historic photographs, original building plans, or other evidence of original features or materials.
  - b. The proposed alteration results in new siding, roofing, or foundation skirting which matches materials used on the structure or is typical in terms of material and texture for the style of the Landmark.
  - c. The proposed alteration results in the replacement of gutters and downspouts, or the addition of gutters and downspouts, using materials that match those typically used on similar style buildings;
  - d. The proposed alteration results in a new foundation that does not raise or lower the building elevation provided the foundation materials and/or craftsmanship do not contribute to the historical and architectural significance of the landmark;
  - e. The proposed alteration results in the application of storm windows made with wood, bronze or flat finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building;
  - f. The proposed alteration results in replacement of existing sashes with new sashes, when using material which is consistent with the original historic material and appearance;

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- g. The proposed alteration results in modifications to the porch which imitate or restore railings, posts, steps, and skirting which were typical for the style of the Landmark.
- h. The proposed alteration results in construction of a wood fence in the front yard which was typical for the style of the Landmark. Solid wood fences shall be permitted along side and rear property boundaries.
- i. The proposed alteration results in the installation of permanent air conditioning or heating facilities including solar panels which are not readily visible from the public right-of-way excluding alleys, or other Landmark properties.
- j. The proposed alteration results in new awnings or signage which were typical for the style of the Landmark.

The Planning Commission may develop additional standards to guide the Planning Director in determining what constitutes a significant change. The Director's decision may be appealed to the Planning Commission and shall be processed as set forth in Sections 422 (A)3-5. At the Director's discretion, any minor alteration may be referred to the Planning Commission for review subject to the process outlined below.

- 3. Planning Commission Review. Excluding routine maintenance and minor alterations subject to Planning Director review, requests to alter a designated Landmark in such a manner as to affect its exterior appearance shall be reviewed for permit approval by the Planning Commission. The Planning Commission, in considering applications for permit approval for any alteration, shall base their decision on the guidelines identified in Section 422 (A)5.
- 4. Review Process. Application for permit approval shall be filed by the applicant with the Planning Director. Upon the filing of a complete application, the Planning Director shall schedule a public hearing at which the Planning Commission shall review the request.
  - a. Public Hearing. The public hearing before the Planning Commission shall be a special meeting conducted within 10 days of submittal of the

complete application or, if acceptable to the applicant, the hearing shall be scheduled for the next available regular Planning Commission meeting. Public notice of the hearing shall be posted at City Hall and in a conspicuous place on or near the property.

At the hearing, the Planning Commission shall hear all arguments and evidence in support and against the request and shall decide whether the request should be approved. The Planning Commission, after public hearing and deliberation, shall approve issuance, approve issuance with conditions, or disapprove issuance of the permit for the request. The decision of the Planning Commission shall be based upon findings which address the appropriate review criteria.

- b. Notice of Decision. Notice of the Planning Commission decision shall be mailed to all participants in the public hearing and to the owners of property within 100 feet of the site. The notice shall identify the name of the applicant, the subject of the application, and the process under which the decision may be appealed. Appeals shall be according to Section 424 (D). If an appeal is not filed within ten (10) days of the notice, the Planning Commission decision shall be final.

- 5. Review Criteria and Guidelines. For exterior alterations of designated Landmarks, the criteria to be used by the Planning Commission in reaching its decision on the permit application shall be substantial compliance with the following design guidelines:

- a. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- b. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

- c. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- d. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- e. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- f. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- g. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- h. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- i. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

B. New Construction.

- 1. Review Required. If an application is made for property within a historic district to build a new building or to alter the exterior of an existing non-Landmark building,

the Building Official shall transmit to the Planning Director a copy of the request. Minor exterior alterations consistent with Section 422 (A)2 shall be reviewed by the Planning Director. The Planning Commission shall review all other requests to assure the plans are compatible with structures in the surrounding area. No new structure or major public improvement shall be constructed in a historic district without review pursuant to the criteria listed in Section 422 (B)2 and the process outlined in Section 422 (A)4.

2. Review Criteria. Designs shall be compatible with structures in the surrounding area in terms of size, scale, material and character of the district. Contemporary designs shall not be discouraged when they do not destroy significant historical, architectural, or cultural material. Review criteria for building expansions shall include consideration of the guidelines listed in Section 422(A)5.

C. Demolition and Moving Review.

1. Building Official Review. The Building Official shall issue a permit for moving or demolition if any of the following conditions exist:
  - a. The building is not a designated Landmark. If the Landmark is pending review under Section 421 of this ordinance, no permit shall be issued; and/or
  - b. The Landmark has been damaged beyond reasonable repair through fire, flood, wind or other acts of God, vandalism, or neglect, and poses an immediate threat to public safety.

For any demolition or moving which does not comply with the above criteria, it shall be referred to the Planning Commission.

2. Planning Commission Review Process. The process and public notice for review of a demolition permit shall be the same as stated in Section 422(A)4. Unless extended by mutual consent of the applicant and the Planning Commission, the Planning Commission shall complete any review within 90 days of the date the City received a complete application, with the intent that the Planning Commission and applicant seek alternatives such as sale, salvage, relocation or donation to historic or

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interested groups, not simply to delay the demolition or moving.

3. Review Criteria. In reviewing an application for a demolition permit or moving permit, the Commission shall consider the purpose of this ordinance as stated in Section 420 and the criteria used in the original designation of the Landmark as stated in Section 421(D).
4. Council Review of Dangerous Structures. The City Council may order the removal or demolition of any structure determined to be dangerous to life, health, or property.
5. Documentation. In the event of the demolition or moving of a landmark, building, structure, district, site or object, the history of such landmark shall be documented and kept on file with the Newberg Planning Department.

423 Exceptions for Economic Hardship. When the applicant has demonstrated an economic hardship as a result of the provisions of this ordinance, the Commission or Council may relax the requirements of the ordinance provided the relaxation is consistent with the purpose of this ordinance as stated in Section 420. Any relaxation of requirements shall be the minimum necessary to alleviate the economic hardship. In determining whether an exception due to economic hardship is justified, the Commission or Council shall consider the following factors:

- a. Estimated cost of rehabilitation;
- b. Estimated market value of property in current condition and after proposed construction;
- c. Potential income from property if income producing; and
- d. Any other economic information deemed relevant to the decision.

The applicant shall provide adequate documentation to justify an economic hardship. The information shall be provided on a form available from the Planning Department. In general, no requirement of this ordinance is intended to increase the cost of construction or remodeling by more than 25%.

424 General Administration.

- A. Waiver of Certain Permit Fees. Building fees not including system development charges attributable to the City shall be waived for all improvements which require a building permit and meet the review criteria of this ordinance.

42.

- B. Identification Signs. One identification sign no larger than 200 square inches which identifies historic Landmarks is permitted in addition to other permitted signs.
- C. Maintenance. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural features which does not involve a change in design, material or the outward appearance thereof, nor to prevent the construction, reconstruction, alteration or demolition of such feature which the City's Building Official shall certify is required by the City's building and development codes. Maintenance and repair actions include, but are not limited to:
1. Repair of siding, roofing, foundations, and gutters or downspouts when required due to deterioration, with materials that match the original materials or are in character with materials typically used on similar style buildings;
  2. Painting and related preparation;
  3. Water quality protection actions;
  4. Installation of air conditioners, provided the units are removable and no structural alterations are necessary.
  5. Site maintenance such as pruning, landscaping maintenance, brush clearing and removal of debris;
  6. Temporary removals of roofs or other access obstructions for purposes of repair or maintenance of interior components of industrial or power generation facilities.
- D. Appeals. Any applicant, owner, representative of the owner of a designated Landmark, or any person who was a party to this action, who is aggrieved by a determination of the Planning Commission may within ten (10) days from and after such determination, file with the Planning Director notice to the effect that such person desires to appeal such determination to the City Council, and shall at that time pay an appeal fee, the sum of which shall be set by resolution of the City Council. This fee shall be collected at the Planning Department. The filing of such notice shall have the effect of suspending any permit approval so challenged, pending determination of such appeal by the Council. Upon the filing of such notice, the Planning Director shall set such appeal for hearing before the Council at its next available meeting provided proper public notice is given consistent with the mailed notice requirements as set forth in Section 422(A)4(b).

43.

Upon the hearing of such appeal, the Council shall take testimony and hear all evidence and arguments which may be offered on the issue and shall then either affirm or reject the decision of the Planning Commission based upon the criteria used in the original decision.

Decisions of the Planning Director shall be appealed to the Planning Commission and shall follow the same procedural actions as outlined above for an application for review before the Planning Commission.

Section 3: Severability Clause. If any article, section, subsection, subdivision, phrase, clause, sentence, or word in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance, but shall be confined to the article, section, subsection, subdivision, clause, phrase, sentence or word so held invalid or unconstitutional.

Section 4. The Newberg City Council adopts the findings of fact which shall be made a part of this ordinance and are attached as Exhibit A.

PASSED by the City Council of the City of Newberg this \_\_\_\_ day of \_\_\_\_\_, 199\_\_, by the following votes:

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
City Recorder

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 199\_\_.

\_\_\_\_\_  
Elvern Hall - Mayor

HIST\PC-ORD.N27\11-27-90

EXHIBIT A - ORDINANCE NO.  
FINDINGS OF FACT AND CONCLUSIONS OF LAW  
PLANNING DEPARTMENT FILE NO. PR-3-90

HEARING DATE: Planning Commission - May 17, May 31, June 21, and  
July 19, 1990  
7:30 PM - Newberg Public Library

City Council - December 3 and December 18, 1990  
7:30 PM - Newberg Public Library

PROPONENT: City of Newberg

REQUEST: An amendment to the Newberg Zoning Ordinance to add an  
Historic Landmarks Zoning Subdistrict and providing applicable  
regulation

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I. SUMMARY

The Historic Landmarks Zoning Subdistrict is in response to the requirements of Statewide Planning Goal 5. The Goal requires that communities inventory historic resources and develop programs to protect those resources. The Historic Landmarks Ordinance sets forth procedures for designating new historic resources and for design review of alterations or demolitions to inventoried resources.

II. CRITERIA AND ORDINANCE REQUIREMENTS

A. Zone Change Criteria

The zone change criteria are set forth in Section 600 of the Newberg Zoning Ordinance No. 1968 and read as follows:

1. The proposed change is consistent with and promotes the objectives of the Comprehensive Plan and of the Zoning Ordinance of the City.
2. There is a public need for a change of the kind in question.
3. The need will be best served by changing the classification of the particular piece of property in question as compared with other available properties.

B. Applicable Comprehensive Plan Goals and Policies

Goals and Policies found within the Newberg Comprehensive Plan which are relevant to this request include the following:

### Historic Resources Policies

1. The continued preservation of Newberg's designated historic site and structures shall be encouraged. Special sources of funds as well as other incentives for restoration and preservation should be investigated.
2. Newberg's inventory shall be continually updated to reflect new information.

### III. FACTS

- A. In 1985, the City of Newberg completed an Inventory of Historic Resources that was funded by a State Historic Preservation Office grant. In 1990, the Historic Resources Inventory was updated and re-evaluated to verify the rankings assigned in the original inventory.
- B. In 1986, the City of Newberg received notice from the Department of Land Conservation and Development to begin Periodic Review of the Comprehensive Plan. The Inventory of Historic Resources was identified as a new planning inventory that must be addressed as part of the Periodic Review process. The Statewide Planning Goal 5 Administrative Rule sets out the process for addressing new inventories. The Rule requires that where conflicting uses are identified, the resource must either be protected from the conflicting use, the conflicting use be allowed, or the conflicting use must be mitigated. Regarding historic properties, exterior alterations represent conflicting uses and a design review process for exterior alterations provides a mechanism to mitigate impacts.
- C. The 1989 State Legislature adopted House Bill 2288 which broadly defined land use actions and set forth notice requirements for land use actions in urban growth boundaries. Under House Bill 2288 discretionary design review decisions would be considered land use actions requiring public notice.
- D. Public hearings regarding proposed Zoning Ordinance amendments to protect historic resources were held before the City Planning Commission on the following dates: May 17, May 31, June 21, and July 19, 1990.

Public hearings before the City Council were held on December 3 and December 18, 1990.

### IV. CONCLUSIONARY FINDINGS

- A. Regarding Criterion 1, the ordinance amendment is in response to Statewide Planning Goal 5 and City Historic Resources Policy 1. The ordinance includes procedures to protect historic resources and mitigate the impacts of the conflicting uses.
- B. Regarding Criterion 2, a specific public need has been identified for the amendment. Statewide Planning Goal 5 requires that historic resources be

Exhibit A - File No. PR-3-90  
Findings of Fact

410.

protected. The Historic Landmarks Ordinance is a requirement for completion of the Periodic Review Process.

C. Regarding Criterion 3, the Historic Landmark Subdistricts will apply to inventoried and designated historic landmarks or districts.

V. CONCLUSION

Based on the criteria, facts, testimony, and conclusionary findings, it is concluded that the proposal satisfies the zone change criteria.



Department of Revenue regarding Budget Law and Ballot Measure 5. Kathy Tri attended this meeting and it was basically a repeat of information. BM 5 will test how innovative we can be.

Chief Christensen and Chief Bishop regarding dispatch center problems.

Community Relations. Discussion with Mr. Hershey and the Committee regarding YCOM.

City Council Workshop and Council Meeting. A busy evening as we discussed the comprehensive plan.

November 21:

Staff Meeting

Scott Reinhardt regarding the budget. I briefed Scott on the budget document and the process.

November 22 and 23: Thanksgiving Holidays

November 26:

Appeal meeting with EPA and Ashbrook in Seattle. We met with the Ashbrook officials and KCM to develop the EPA presentation.

November 27:

Appeal Meeting with EPA in Seattle. The appeal went well as the City and Ashbrook presented the information. More on this at the Council meeting on December 3, 1990.

November 28:

Returned from EPA meeting in Seattle. Met with several staff members, read the mail, and reviewed the Council agenda.

November 29:

Doreen Turpen regarding State Library budget cuts.

Terry Mahr and Dave Bishop regarding hospital issues.

MEETINGS PLANNED:

November 30:

Kelly Soderquist has been assisting Terry with the legal department work during the past few months during Mary's leave. Mary Newell has decided not to return to work. Meeting with Kelly to recognize her contribution filling in.

December 3:

Meeting regarding the Joint Meeting January 10, 1991 with School, Cities of Dundee, Newberg, and CPRD Boards and Councils.  
City Council

December 4:

Chamberboard  
Staff meeting regarding Ordinances regulating businesses  
GTE Phone system demonstration

December 5:

Regular Staff Meeting  
Mark Johnson regarding the City's retirement plan.

December 6:

Wellness meeting  
Community Development  
Festival of Trees. I have been recruited to hand out candy after the story time.

December 7:

Chamber Greeters -- Mary Foster's office.  
John Puskas open house. 2:00 to 9:00 p.m.

December 10:

Chamber forum

December 11:

COG Meeting in Salem

December 12:

Leadership meeting at ADEC -- Speak on the Local Economy

December 13:

Presentation regarding METRO and home rule in Washington County at NIKE World headquarters.

December 14:

EAS Meeting in Newberg. This will be a briefing for the other cities included in UM 194

December 18:

Chamberboard

CVSC at the Library  
Community Relations  
City Council Workshop and Meeting

December 19:

Finance Committee

December 20:

Legislative Meeting

December 22 -- January 1, 1991

I will be available during this period by phone. My sister and brother-in-law will be visiting and since they live in Europe, I have not seen them in 2 1/2 years. This will be an opportunity to spend some quality time. The office will be covered during this period.

January 2:

John Garofalo regarding the Council retreat.

January 3:

Community Development

January 7:

City Council meeting.

January 8:

Chamberboard

January 10:

Mark and Spike regarding Hospital Finances and Issues.  
Community Development  
Joint meeting with CPRD, School and Cities of Dundee and Newberg

January 11 and 12:

City Council Retreat

January 14:

Chamber Focus Forum

January 17:

Legislative Committee  
Chamber Annual Dinner

City/County Dinner -- Lafayette

January 18:

EDC at the Chamber

January 21:

Martin Luther King Holiday

January 22:

Chamberboard

Community Relations

City Council -- We hope to have a session to update you on the Composter and other pending litigation and issues.

January 24:

Budget Committee

January 25:

Annual employee dinner. Fire Hall. Mayor and Council invited.

January 29:

Finance Committee

Other Information:

January will be a busy month. Please check your calendars now to reserve the Council meeting times and other dates.



Duane R. Cole  
City Manager

DRC/bjm

\cmr11-29

NEWBERG COMMUNITY HC

MINUTES: BOARD OF COMMISSIONERS, OCTOB.

M.

PRESENT: Hal Grobey, Ed Stevens, Phil E  
Holman, Dr. Isaacson

Dr.

ABSENT: Rolland Carlson, Jack Nulsen, 1

EX-OFFICIO: Mark Meinert, Elvern Hall, D.

GUESTS: Terry Mahr, Spike Sumner, Justir.  
Fortmann, Jon Pitcher, Warren Go

*CMR*  
*Attachments*

The meeting was called to order at 7:05 by

Minutes of the September 25th meeting were  
submitted.

Warren Good, Executive Director of the Foundation, presented  
information to the Board on current Foundation activities  
including:

- A. The Foundation Board will be expanded.
- B. Rules and responsibilities for Board members will be  
addressed.
- C. A Long Range Planning Committee will be appointed and will  
develop a Foundation Long Range Plan.
- D. March 1, 1991 has been targeted to launch an Annual Planned  
Giving Program.
- E. A previous donor contact list is being developed as well as  
a data base of all Newberg residents.

Jon Pitcher, Ernst and Young, was present to submit the Fiscal  
Year 1990 audit and review the Management Letter. There was a  
brief question and answer period following Mr. Pitcher's  
presentation. Mr. Grobey moved that the budget be accepted,  
Fonda Schmidt seconded the motion and it passed unanimously.

ACTION ITEMS:

A. Substance Abuse Policy: Linda Fortmann presented the  
hospital policy on substance abuse. There was brief discussion  
and Mr. Grobey emphasized the need to educate managers on how to  
enforce this policy. Dr. Isaacson moved to approve the  
Substance Abuse Policy, Hal Grobey seconded the motion and it  
passed unanimously.

B. Facility & Site Development Policy: This policy combines  
two existing and antiquated policies. After brief discussion  
Hal Grobey moved that the Facility and Site Development Policy  
be approved. Fonda Schmidt seconded the motion and it passed  
unanimously.

COMMITTEE REPORTS:

Minutes of the Joint Conference Committee, Finance Committee, Personnel Committee and Long Range Planning Committee were briefly discussed and were attached for Board review. The Executive Committee did not meet in October.

OLD BUSINESS: There was no old business.

NEW BUSINESS:

Phil Edin reported attending his first meeting as a member of the OAH Board on Governance. He indicated strong support by the Trustees and that the Board is working on an educational forum for new Trustees which would probably be available at either the Fall or Spring OAH convention. Educational opportunities for all trustees will be similar to information offered at the Estes Park Conferences. The OAH Political Action Committee is asking for donations to assist them in their efforts and Phil challenged each Board member to match the donation he plans to submit.

ADMINISTRATOR'S REPORT:

Mark distributed information from OAH on ballot measures 5 and 6 which OAH opposes.

Medicaid funding for Category B Hospitals, anticipated to be available through September '91, will be exhausted in April, 1991.

Mark distributed the Newberg Community Hospital Annual Report to Board members, asked them to review at their leisure and present any questions regarding the annual report at the next meeting.

The Hospital Christmas Party will be held on December 1, 1990 at the Tualatin Country Club.

The City Council/Board Dinner will be held at the Hospital on November 6, 1990.

Guests were recognized at this time and the meeting was called into Executive Session under ORS 192.660 (1) (c).

After return to open session, the following actions were taken:

Ed Stevens moved and Hal Grobey seconded a motion to accept the Medical Staff's recommendations pertaining to the reappointments of John Wallin, M. D., Jonathan Jahnke, M. D., Maya Manka, M. D., C. Edward Skeeters, M. D., C. Craig Kiser, M. D. and Harold Hoover, M. D. The motion was unanimously supported.

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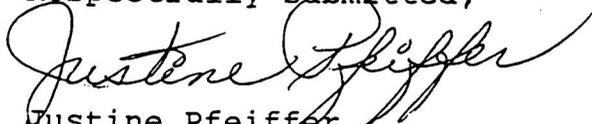
Ed Stevens moved and Dr. Isaacson seconded a motion to accept the Medical Staff's recommendation pertaining to the advancement of Robert Galasso, M. D. The motion was unanimously supported.

Ed Stevens moved and Dr. Isaacson seconded a motion to accept the recommendations of the Medical Staff pertaining to the resignations of Stuart Trenholme, M. D. and David Peto, M. D. The motion was unanimously supported.

ADJOURN:

The meeting adjourned at 9:20 P. M.

Respectfully submitted,



Justine Pfeiffer  
Executive Secretary

JJP

NEWBERG COMMUNITY HOSPITAL

MINUTES: EXECUTIVE COMMITTEE, 11/9/90, 7:00 A. M.

PRESENT: Ed Stevens, Dr. Holman, Phil Edin, Terry Mahr, Spike Sumner, Mark Meinert

ABSENT: Tobi Young

The meeting was called to order by Dr. Holman at 7:10 A. M.

The minutes of 9/14/90 were approved as submitted.

DECEMBER BOARD MEETING

The Board meeting, scheduled for December 25, 1990, falling on Christmas, was discussed. The Executive Committee was in agreement that the December 25 Board meeting be cancelled and appropriate agenda items forwarded to the January, 1991 meeting. In addition, the Executive Committee asked Administration to consider an alternative date for the December Board meeting in case any items requiring immediate action needed to be addressed by the Board. In the absence of any significant issues requiring immediate action, the December Board meeting is cancelled.

EXECUTIVE SESSION

The meeting was called into Executive Session under ORS 192.660 (1) (c).

Upon return to open session, the following actions were taken:

BOARD MEMBER REPLACEMENT

- A. Phil Edin moved and Dr. Holman seconded a motion to amend the current hospital policy pertaining to the replacement of Board members so that current Board members could be reappointed without requiring the Executive Committee to submit an alternate name to the full Board for consideration. The motion was unanimously supported and Mark Meinert indicated that he would present to the Executive Committee in December a revised Hospital Board Replacement Policy.
- B. Phil Edin moved, Dr. Holman seconded a motion to submit Jack Nulsen, Dr. Holman and Ed Stevens' names to the full Board for reappointment to the Board of Commissioners. The motion was unanimously supported with the abstention of Dr. Stevens concerning his appointment and Dr. Holman concerning his appointment.
- C. Rolland Carlson has submitted his resignation as a member of the Board of Commissioners. Phil Edin moved that the

56. 18

name of Norman Parker be forwarded to the Board of Commissioners for consideration with the following individuals in descending order of priority to be considered as alternates: Alan Steiger, Joe Plews, Susan Sokol Blosser. The Executive Committee unanimously supported the motion.

#### PHYSICAL THERAPY SERVICES

The contract for physical therapy services to NCH and the NCH Home Health Care Department was discussed. Phil Edin moved and Dr. Holman seconded a motion to approve the requested modifications to Roger Giles contract with the lone modification that the effective date of the increases be December 1, 1990. Therefore, the recommendation to the full Board is that Roger Giles contract be modified to indicate \$5.50 per RVU and \$45.00 per Home Health Care visit.. The motion was unanimously supported and will be forwarded to the full Board at its November meeting.

#### OB PROJECT

Dr. Holman moved and Phil Edin seconded a motion to direct Administration to proceed with the preliminary work to bring the OB project to bid and to consider a more universal approach to resolving hospital problems including reassessment of outpatient surgery and traffic flow as immediate needs. Specifically, the request is for a January Board meeting presentation whereby the OB project, the day surgery and traffic flow issues are all addressed under a single financial package of \$1.3 million. The motion was unanimously supported.

#### ADJOURN

The meeting adjourned at 8:45 A. M.

Respectfully submitted,



Mark W. Meinert  
Administrator

NEWBERG COMMUNITY HOSPITAL  
FINANCIAL SUMMARY - OCTOBER 1990

UTILIZATION:

Inpatient utilization was again significantly below budget at 26.2% of occupancy. The total percent of occupancy was 35.5% or 75% of budget. Inpatient daily occupancy was 11.5, while total patient daily occupancy was 15.6 people. The Surgery, Home Health, Caremates, and Radiology all exceeded their volume projections for the month. Interestingly, outpatient surgical minutes were 44% of total surgical minutes which is somewhat lower than we had been seeing year to date.

REVENUE:

Gross revenue of \$1,033,516 was 94% of budget. Inpatient revenue at \$516,898 was 85% of the budget, and outpatient revenue at \$475,838 was 107% of budget. Deductions from revenue at \$239,352 were 98% of budget. Medicare/Medicaid allowances exceeded budget by 16% primarily due to the increased percentage of Medicare/Medicaid revenue of total patient revenue. Alternative systems discounts at \$55,721 were 75% of budget, somewhat higher than they have been year to date. Inpatient revenue per patient day at \$1,448 exceeded budget by 24%, and outpatient revenue per outpatient department visit at \$70 exceeded budget by 25%. Outpatient revenue was 48% of total patient revenue for the month. Medicare/Medicaid revenues were 48.1% of total revenue for the month.

EXPENSE:

Total expense of \$810,150 was 100% of budget. In reviewing the expenses, in the ancillary services other expense area, the variance from budget was created by surgical/medical supply expense, anesthesia contract CRNA services, and Caremates travel costs. In the Administration and house services salary expense area, the variance was created by salaries in the Dietary Department, Social Services, Medical Staff, Admitting, Materials Management and Community Education Departments. The Administration and House Services other expense variance was created by food costs, medical records minor equipment and maintenance costs, accounting purchased services, patient accounts collection expense, administrative consulting costs relating to the OB recruitment and Ernst and Young financial assessment projects and Foundation minor equipment costs. Total expenses were 78% of gross revenue for the month, exceeding budget by 6%. Paid hours per adjusted admission at 190 exceeded budget by 31% while productive hours per adjusted admission at 171 exceeded budget by 30%.

MISCELLANEOUS:

Days of gross revenue in gross accounts receivable increased less than one day to 79.4 days. Cash collections at \$770,227 were 96% of projection. Medicare receivables increased due to the fourteen day claim payment delay that was reinstated effective October 1, 1990. Regularly scheduled cash transfers were made to the Bond and Capital Improvement Funds during the month. The Hospital had a net loss from operations of \$15,986, and a loss of \$12,171 on the contribution line.

Respectfully submitted,



Jack R. "Spike" Sumner  
Director of Finance

JRS:jp

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NEWBERG COMMUNITY HOSPITAL

PERSONNEL COMMITTEE MINUTES

November 12, 1990

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PRESENT: Hal Grobey  
Mark Meinert  
Linda Fortmann

NEW BUSINESS:

Action Item:

Personnel policy 303.16 regarding the Earned Leave Program was presented to the Committee. Following discussion, the Committee passed a motion recommending this policy to the Board of Commissioners for approval. This policy will replace the hospital's existing vacation, sick and holiday policies. Earned Leave combines vacation, holiday and a portion of sick leave into one category, allowing employees greater flexibility to manage their paid time away from work. A portion of the existing sick leave benefit will be retained in an account titled Extended Illness Reserve. This reserve provides employees with protection for long periods of illness or recuperation. The Earned Leave program is a cost neutral issue. The program will provide an extremely positive addition to our employee benefit package and allows the hospital to offer a benefit which is competitive with area hospitals.

Informational Items:

The hospital had a successful United Way Campaign during October. Donations increased two-fold over last year's contributions.

A training program regarding the hospital's new substance abuse policy was conducted on November 7th for managers. The program was well received by the management staff. On November 8th, the policy and acknowledgement forms were distributed to all employees with their paychecks. Personnel is in the process of collecting the signed acknowledgement forms which will be placed in employees' personnel files.

Respectfully submitted,

*Linda Fortmann*

Linda Fortmann  
Personnel Manager

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1163CA

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NEWBERG COMMUNITY HOSPITAL

MEETING MINUTES

LONG RANGE PLANNING COMMITTEE

November 15, 1990

Call to Order: 6:50 p.m.

MEMBERS PRESENT:

Hal Grobey

Don Tarlow

William Bailey, M.D.

Mark Meinert

Spike Sumner

John Puskas, M.D.

Ann Oakley

Linda Miller

MEMBERS ABSENT:

Tobi Young

Marie Hansen

Jim Snell

The regularly scheduled meeting of the Long Range Planning Committee of Newberg Community Hospital was called to order by Hal Grobey. A quorum was present and the minutes of October 18, 1990, were approved as written.

OLD BUSINESS

AGENDA ITEM: Review of The Long Range Plan

1. Strategic Issues.

DISCUSSION: The committee completed the identification of strategic issues, upon which the Long Range strategic priorities and policies will be based.

2. Discussion of services:

DISCUSSION: The committee briefly discussed services that be provided by Newberg Community Hospital. The need for mission and value statements that can be used as a measure for the development of new services was identified.

The committee felt that it was important to be able to condense the mission statement to a short phrase, thus allowing all employees to know and understand the hospital's mission.

ACTION: The committee asked Linda Miller to take the identified strategic and draft new strategic priorities, mission and value statement. This draft is to be sent to committee for review and return prior to the next meeting. The revised plan will go to the Board of Commissioners for approval in December.

OPEN AGENDA

DISCUSSION: Hal Grobey discussed the need for a retreat in January to identify goals for each of the strategic priorities. Members of the Board, Medical Staff, Management Team and Planning Committee would be invited to attend.

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NEXT MEETING DATE:

ACTION: The next meeting of the Long Range Planning Committee will be held December 13, 1990, at 6:30 p.m. Dinner will be served. The agenda will be 1) discussion of the draft strategic priorities, 2) review a new mission/value statements and 3) plan the January retreat.

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Respectfully submitted by,



Linda Miller  
Director of Marketing and Planning

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DRAFT  
MINUTES

DWANE

NEWBERG PUBLIC LIBRARY BOARD  
November 15, 1990

PRESENT:

BOARD MEMBERS:

Kate Copenhaver  
Pat Landis  
Linda Budan

STAFF:

Doreen Turpen

OTHER:

Bonnie Arbogast

ABSENT:

Dorothy Rogers  
George Whitmer

The meeting was called to order at 7:10 p.m. by Chair Kate Copenhaver.

**MOTION:** Budan/Landis to approve the consent calendar. Motion carried.

**ACTION ITEMS:**

**Election of Officers:** Linda Budan moved to cast a unanimous ballot for Dorothy Rogers for Vice-Chair. Motion carried.

**Ordinance relating to duties of the Library Board:** Board members continued their discussion of Ordinance No. 2124, particularly Section A relating to the Board's role in selection of the Library Director. They listened to comments made by the City Manager in a memo sent by him to the Library Director and to a proposal for a change in the language that was drafted by the City Manager and the Library Director. Following discussion, they agreed that they would like to meet directly with the City Manager to address this section and other items relating to their role and purpose, rather than try to work on the ordinance through memos.

A brief discussion of the December meeting date occurred.

**MOTION:** Budan/Landis moved to change the December meeting date to December 27 from December 20. Motion carried.

**Ordinance relating to Wilful Detention of Library Materials:** Board members reviewed the ordinance and the corresponding state statute. The Library Director requested additional time to review this ordinance with the City Attorney before taking action. Board members agreed to this delay.

**Capital Improvement Plan:** The Library Director presented a list of projects that could fall under the criteria for the Capital Improvement Plan that is being developed by the City. These included development of the audio-visual/computer area in conjunction with revisions to the reference area, finishing an area in the storage room for a storytime room, changing the circulation desk, and acquisition of a parking area for the library.

Linda Budan suggested adding the development of a computer area for children to the list.

**Motion:** Landis/Budan to accept the list as amended for the Capital Improvement Plan. Motion carried.

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**LIBRARIAN'S REPORT:** The librarian's report was not yet available and the Director noted that it would be mailed within the next week.

**INFORMATION/CORRESPONDENCE:** The Library Director noted that there are openings on the City Budget Committee and that meetings begin on November 19. There was no correspondence to review.

**ADJOURNMENT:** The meeting was adjourned at 9:15 p.m.

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Doreen Turpen, Library Director

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4. New Business

A. Report on Oregon Traffic Safety Conference

Lt. Hailey attended this conference at the Salishan. He said that this was a good conference, very informative regarding traffic safety. Some of the main things that were discussed were Risk Management, how to avoid Tort claims, and other traffic safety issues. While at this conference Lt. Hailey also attended a victims panel presentation and was given information regarding the group OSSOM which stands for (Oregon Student Safety on the Move).

B. Discussion on Measure Nine

It was noted that it will be the quickest way to save 200 lives in Oregon.

C. 1991 Selective Traffic Enforcement Grant Activities

From this grant we are going to be refunded approximately \$14,909. Something that will be added to this will be DUII enforcement and education of distributors in order to avoid DUII incidents and a strong focus on the child restraint law.

D. Request for Crosswalk at Edwards School

After discussion, the Traffic Safety Committee moved to approve this crosswalk. Lt. Hailey will be making contact with the resident directly across the street where the crosswalk will terminate to determine what their concerns may be regarding the crosswalk.

E. Award

The Traffic Safety Committee was presented an outstanding service award from the Oregon Traffic Safety Commission for the innovative mini-grant where video equipment provided through this grant is used to index city streets and key intersections as well as a method of bringing the traffic safety concerns into the meetings via video tape.

Meeting adjourned at 7:56 p.m.

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536 cars per day to 819 cars per day. The traffic on Second Street and on Everest Road was essentially unchanged.

Westbound traffic has been by-passing Villa Road and coming down to the street closure. These vehicles then either cut through the Shell Service Station lot or turn left on Church Street and proceed through the residential area. The operators of the Shell Station reported that they have between 40 and 60 vehicles per day cut through their lot. They also report that about half a dozen trucks and trailers come down to the street closure and either cut through their lot or turn left on Church Street and proceed through the residential area. The signing at Villa Road has been reviewed and needs to be revised. The State Highway Department has been contacted and they are printing some new signs to install at that location.

Time Oil Company, the owner of the Rocket Station, has also contacted the City and claims that the closure decreased the volume at the station enough to force the closure of the station. In reviewing the records that Time Oil Company supplied, I do not believe the closure of the street effected the volume at the station substantially. Prior to April, 1990, the station was averaging over 115,000 gallons per month. In May and June, 1990, the station pumped 76,000 and 81,000 gallons respectively. The Arco Station on Highway 99W and Deborah Road opened in May. In July of 1990, Time Oil reported only pumping 43,000 gallons. In reviewing the City records, I find that the water service was discontinued on July 18, 1990, so this gallon change only represented half of the month. I, therefore, do not believe that the closure substantially affected the amount of gas pumped at that station.

The property owners adjacent to Church Street and First Street in the vicinity have been notified of this pending action.

The recommendation to permanently close Church Street has been reviewed and approved by the Police Department and the Community Relations Committee. The recommendation also includes the continual monitoring of the signage at Highway 99W and Villa Road and providing some no through traffic signing for the driveway of the Shell Service Station.

COST:

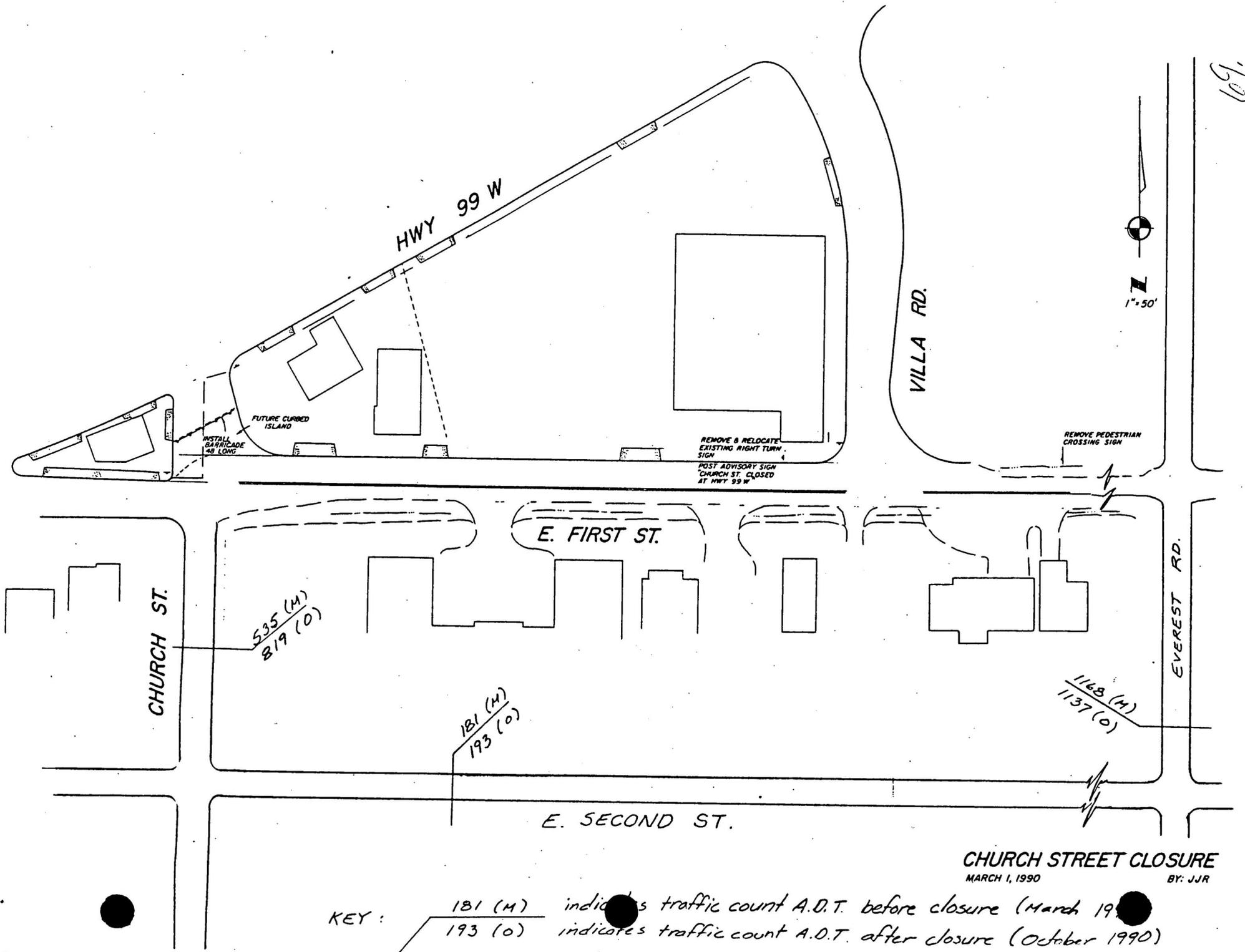
The cost to remove the street and landscape the area will be about \$50,000.00. This cost will be included in future budgets for consideration. The cost will also be shared by the state.

  
Bert S. Teitzel, Director of Public Works

  
Duane R. Cole, City Manager

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**CHURCH STREET CLOSURE**  
 MARCH 1, 1990  
 BY: JJR

KEY:  $\frac{181 (M)}{193 (O)}$  indicates traffic count A.D.T. before closure (March 1989)  
 $\frac{193 (O)}{181 (M)}$  indicates traffic count A.D.T. after closure (October 1990)

ORDINANCE NO. 90-2288

AN ORDINANCE AMENDING ORDINANCE NO. 1593, WHICH ORDINANCE CONTROLS VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE CITY OF NEWBERG BY SPECIFYING THE AUTHORITY OF THE COUNCIL TO PERMANENTLY CLOSE A STREET AND SPECIFICALLY GIVING THE AUTHORITY TO THE CHIEF OF POLICE TO TEMPORARILY CLOSE A STREET FOR PUBLIC SAFETY REASONS.

RECITALS

1. The Traffic Safety Committee held a meeting on February 12, 1990, and discussed the traffic safety problem created at the intersection of First Street (Hwy. 219), Church Street and 99W.
2. A meeting was held in which the adjacent property owners were invited to attend. Present at the meeting were Dick McPike, President of Sentry Market, Jason Simpson, Manager of Newberg Sentry Market and Vince McDonald, Owner/Manager of Shell Service Station.
3. After such meeting Church Street between First Street (Hwy. 219) and 99W was temporarily closed by order of the Police Chief.
4. Traffic counts were taken to measure traffic impacts.
5. The matter was reviewed by the Police Department and the Community Relations Committee. The Committee recommends that Church St. between First Street (Hwy. 219) and 99W be permanently closed.

NOW THEREFORE, THE CITY OF NEWBERG, OREGON, ORDAINS AS FOLLOWS:

Section 1 - Ordinance No. 1593, Section 4 - Powers of the Council, subsection (2) The Powers of the Council shall include, and not be limited to: subparagraph (L) Temporary blocking or closing of streets, be and hereby is amended to read as follows:

(L) Temporary blocking; closing of streets and permanent closing of streets.

Section 2 - Ordinance No. 1593, Section 4 (A) - Duties of the Chief of Police be and hereby is amended by adding paragraph (5) to read as follows:

(5) Temporary blocking or closing of streets due to public safety and traffic flow considerations.

Section 3 - Ordinance No. 1593 is amended to add Schedule F entitled Closed Streets to read as follows:

Sec of	Amending Ordinance	Date of Enactment	Closed Street(s)
	90-2288	12/03/90	Church Street between 99W South to First Street (Hwy. 219).

Section 4 - The remainder of Ordinance No. 1593 as amended remains in full force and effect.

PASSED by the City Council of the City of Newberg, Oregon, this 3rd day of December, 1990, by the following votes:

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

\_\_\_\_\_  
Duane R. Cole, City Recorder

APPROVED by the Mayor this \_\_\_\_\_ day of November, 1990.

\_\_\_\_\_  
Elvern Hall, Mayor

TRF.ORD

CITY OF NEWBERG  
APPLICATION  
FOR POSITION ON  
COMMITTEE COMMISSION-BOARD

Committee, Commission or Board Applying For: PLANNING

Name: S M ROBERTS Home Phone: 6791

Address: 814 E. HANCOCK Work Phone: 6791  
NEWBERG 97132

Are you a registered voter? YES

Do you live within the city limits? YES

How long have you lived at the above address? 6 MO

Previous Address: CALIFORNIA How long? 12 YEARS

Occupation: CHEMIST Employer: SELF

Spouse's Name: N/A

Spouse's Occupation: N/A Employer: N/A

Date: 11/26/90

S M Roberts

(Signed)

Why do you want this position? (Continue on back or separate sheet if needed.)

As an "outsider" who plans to make a home/business here, I may be able to assist in the planning process by bringing new viewpoints to bear. Also seems to be a good way to get to know the city & people.

CITY OF NEWBERG  
APPLICATION  
FOR POSITION ON  
COMMITTEE COMMISSION-BOARD

Committee, Commission or Board Applying For: Planning Com

Name: Carol Ring Home Phone: 538-8369

Address: 3104 Crestview Dr. Work Phone: \_\_\_\_\_  
Newberg OR 97132

Are you a registered voter? Yes

Do you live within the city limits? Yes

How long have you lived at the above address? 16 yrs.

Previous Address: 1536 3rd Newberg How long? 8 months

Occupation: Ed. Asst. Employer: Newberg Sch. Dist.

Spouse's Name: Roger

Spouse's Occupation: Production Ops Manger Employer: Cadre, Beaverton

Date: 11-8-90

Carol A. Ring  
(Signed)

Why do you want this position? (Continue on back or separate sheet if needed.)

Since being involved in the "Northeast Crestview" issue I see a real need for community involvement and input. Community attention needs to help plan our growth and development before localized conflict ~~arise~~ arise.

Please return this form to the office of the City Recorder

Rev. 2/85

E

CITY OF NEWBERG  
APPLICATION  
FOR POSITION ON  
COMMITTEE COMMISSION-BOARD

Committee, Commission or Board Applying For: Newberg Planning Comm.

Name: Sandra Prewitt Home Phone: 538-3200

Address: 1408 Barclay Way Work Phone: 538-8360  
Newberg, OR 97132

Are you a registered voter? yes

Do you live within the city limits? yes

How long have you lived at the above address? 1 1/2 yrs

Previous Address: 2400 Haworth How long? 1 1/2 yrs

Occupation: teacher Employer: Newberg Sch. Dist.

Spouse's Name: Paul

Spouse's Occupation: substitute Employer: Yambill Co.  
teacher

Date: 11-26-90

Sandra Prewitt

(Signed)

Why do you want this position? (Continue on back or separate sheet if needed.)

I am interested in working in an area that allows me to be involved with my city and its government. I am interested in the planning commission because I feel Newberg is rapidly growing and changing and I'd like to be a part of that. I'd like to encourage businesses, recreation services to locate in Newberg that would fill a need for our young people. While Park+Rec. have a fine program, they cannot provide it all and I am concerned with the lack of opportunities. I'm also interested in encouraging Fred Meyer to consider Newberg. It would draw

Please return this form to the office of the City Recorder

Rev. 2/85 surrounding areas to shops in Newberg as well as fill a need in our town.

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

MOTION

DATE ACTION REQUESTED: December 3, 1990

RESOLUTION

X ORDINANCE

X INFORMATION

SUBJECT: Revisions to the Comprehensive Plan

RECOMMENDATION:

Staff recommendation is to close the public hearing. An ordinance adopting the revised comprehensive plan will be prepared as part of the process of adopting the final periodic review order.

BACKGROUND:

On November 20, 1990, the City Council directed staff to amend the draft comprehensive plan by deleting Housing Mix Policy f and revising Downtown Policy g. Those changes have been made and a copy is attached to this memo. Also attached is a copy of the current Comprehensive Plan.

COST: None



Dennis Egner, Planning Director



Duane Cole, City Manager

ugb\compplan.cc

**DUANE REQUESTED THAT  
THIS ITEM BE SENT EARLY.  
PLEASE BRING YOUR COPY  
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8.

NEWBERG COMPREHENSIVE PLAN  
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A recognized forest inventory can be found in the Inventory of Natural and Cultural Resources

## I. INTRODUCTION AND BACKGROUND

### A. INTRODUCTION

Newberg is a small but growing community. Attracted by the high quality of life, increasing numbers of people have chosen to live in Newberg while commuting to other areas for employment. Adding to the population has been the expansion and diversification of the City's economic base. Population growth in Newberg has meant new housing, expanding commercial areas, additional parks and recreational facilities, and the expansion of a variety of other uses. The result has been a changing land use pattern.

This Plan is intended to guide the growing land use needs of the City until the year 2010. As required by State Senate Bill 100, the Plan addresses and is consistent with established statewide goals and guidelines. At the same time, the goals and policies included within the Plan reflect primarily local concerns. Newberg residents and their representatives have produced this plan based upon community needs and expectations for the future.

### B. BACKGROUND

In preparing the Plan, the first step was a land use inventory and a general analysis of needs through the year 2000. Based upon findings, an urban growth boundary was proposed and, after numerous public hearings and several revisions, was formally adopted by the City Council. The Plan was updated in 1990.

With the adoption of the Urban Growth Boundary (UGB) in August, 1977 (amended June, 1979), the planning area was defined. Work was begun on a detailed inventory report to provide background material for the comprehensive plan. The inventory was prepared in draft form and sent out to interested agencies, public officials and citizens for review and comment. The final report, entitled Inventory of Natural and Cultural Resources, was completed and made available in January, 1978.

The initial Inventory examined existing resources in the Newberg area and projects future needs for these resources through the year 2000. The Inventory was updated in 1990 and adjusted to meet future needs through the year 2010. Resources described include agricultural and forest lands, mineral and aggregate resources, housing, public facilities, transportation, and other areas of public concern.

Following completion of the initial Inventory report, the Newberg Citizen Involvement Advisory Committee (CIAC) held public meetings on goals and policies for the different resource areas. Based upon the recommendations of the CIAC, the information included in the Inventory report, and the considerations of existing plan designations, staff prepared three alternative land use plan concepts. The CIAC and the Planning Commission adopted a modified version of

one of the alternatives as a draft plan. The City Council examined the recommended plan and, with minor modifications, distributed it for public review and comment.

During the following months, a series of hearings and work sessions were held. With the active participation of local residents, public officials and representatives of affected governmental agencies, several changes were made in the draft Plan. On July 2, 1979, the Newberg Comprehensive Plan was officially adopted by the City Council.

#### C. SIGNIFICANCE

The Comprehensive Plan provides the city with a positive tool to direct growth. The plan is general in nature, providing a basis for long term decision-making. The plan is not an end in itself, but must be implemented through specific ordinances and programs.

For example, the zoning ordinance regulates land uses within various zoning classifications, while the land use element of the Comprehensive Plan provides general goals, policies and classifications.

Besides the zoning ordinance, several other ordinances and plans have been prepared to implement the Comprehensive Plan. Examples of implementing regulations include subdivision, annexation and design review ordinances. Implementing plans mandated by the Comprehensive Plan include a phased utility plan, a six-year capital improvements program, a streets plan and other such reports. Together, these documents affect both the quality and location of future developments.

Policies included under the Recreation and Public Facilities sections of the Comprehensive Plan influence the location of new schools, parks, fire stations and other public facilities. Policies on hazardous lands add conditions to the development of areas with natural limitations. The Transportation section includes required standards for the provision of streets, sidewalks and curbs as well as recommended bikeway facilities. These policies will affect improvements in new developments as well as repairs or expansions of existing facilities.

The Urban Growth Boundary will also have an important effect on local residents. The UGB, although only a guide, is intended to provide adequate space for land use needs to the year 2010 and defines the area within which urban services can be provided. The purpose of the UGB is to contain urban growth within a reasonable area while providing adequate choices for new development locations.

Neither the Comprehensive Plan nor the UGB are intended to be inflexible. The Plan, its subsections and implementing ordinances will be reviewed continually and revised as needed. Every five to seven years a periodic review will take place, examining population projections, economic conditions, land use needs, local concerns, and other planning information. The Plan is not a static document. Instead, it is intended to change according to local needs.

D. PERIODIC REVIEW OF 1990.

The first periodic review of the 1979 Plan was begun in 1986 and completed in 1990. This review presented the City with an opportunity not only to fine-tune the existing plan, but also to make additions to those areas deemed especially important by, and for, the community.

Three such areas were identified: The Willamette Riverfront; the downtown; and economic development, especially industrial development. Policies were added to address these needs. The City also made those modifications required to comply with state-mandated programs, such as Goal 5 (Historic Preservation), and the public facilities plan.

E. THE PLAN

The Plan has several components. The Goals and Policies section includes general goals associated with each resource area followed by specific policies. This section includes information on the general intent of the Plan and more detailed requirements on a resource-by-resource basis. In most cases, goals and policies relate to the entire planning area rather than to specific locations.

The Plan Description Section is somewhat more area-specific. It explains the land use plan map and describes the different land use categories. It also analyzes the amounts of land provided in the Plan for various uses in comparison with projected needs.

The final element in the Comprehensive Plan is the land use plan map which specifies geographic locations of intended densities and/or land use classifications. In a few cases, such as in the designation of future park and school sites, locations are intentionally imprecise and are more closely defined in the text of the Plan Description section.

## II. GOALS AND POLICIES

The following goals and policies are important elements in the Comprehensive Plan. These statements indicate the intent of the Plan and establish directions for future planning decisions and activities.

### A. CITIZEN INVOLVEMENT

#### GOAL:

To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

### B. LAND USE PLANNING

#### GOAL:

To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

#### POLICIES:

1. To implement the Comprehensive Plan, the following detailed plans shall be periodically updated by the City:
  - a. Phased Utility Expansion Plan
  - b. Six-Year Capital Improvements Program
  - c. Bikeway and Pedestrian Plan
  - d. Streets Plan
2. The Comprehensive Plan and implementing ordinances shall be reviewed continually and revised as needed. Major reviews shall be conducted during the State periodic review process.
3. Industrial land use needs shall be periodically evaluated.
4. When Comprehensive Plan statements conflict, the relative importance of the statements should be balanced by giving consideration to existing and future public need, impacts on surrounding areas, and the effect of any precedent that may be established.

**C. AGRICULTURAL LANDS**

**GOAL:**

To provide for the orderly and efficient transition from rural to urban land uses.

**POLICIES:**

1. The conversion of urbanizable land from agricultural to urban land uses shall be orderly and efficient.
2. Inclusion of lands in agricultural use within the Urban Growth Boundary is recognition of a commitment to future urbanization, as such lands are necessary to meet long-range population and economic needs, based on criteria outlined in the statewide Urbanization Goal.

**D. WOODED AREAS**

**GOAL:**

To retain and protect wooded areas.

**POLICIES:**

1. Existing wooded areas shall be encouraged to remain as open areas for wildlife habitat and limited recreational uses.
2. Development in drainageways shall be limited in order to prevent erosion and protect water quality. Trees provide needed protection from erosion and should be maintained.

**E. AIR, WATER, AND LAND RESOURCE QUALITY**

**GOAL:**

To maintain and, where feasible, enhance the air, water and land resource qualities within the community.

**POLICIES:**

1. Development shall not exceed the carrying capacity of the air, water or land resource base.
2. Water quality in the Willamette River and tributary streams shall be protected.
3. As public sanitary sewer systems become available, all development shall connect to the public system. To encourage economic development, the City

may permit subsurface sewerage disposal where the system meets State and County requirements and where unique circumstances exist.

4. The Newberg airshed shall be protected from excessive pollution levels resulting from urbanization.
5. New industry should be located in areas which minimize impacts upon the air, water, and land resource base, as well as upon surrounding land uses.
6. The City will cooperate with State and Federal agencies which regulate environmental quality and shall adhere to the standards established by these agencies in the issuance of any permits or approvals given by the City. This policy is intended to cover discharges and emissions which may impair air, water or land quality or exceed the established standards for noise or other emissions.
7. The threat of excessive noise will be considered when reviewing land use requests. In addition, any new commercial and industrial developments shall conform to DEQ noise pollution standards.
8. The City will continue to support soil conservation measures designed to prevent unnecessary losses through excavation, stripping, erosion, and sedimentation.
9. The City will seek abatement of the aesthetic degradation of the environment resulting from blighted neighborhoods, indiscriminate waste disposal, offensive outdoor storage.
10. The City shall promote community cleanup programs.
11. The City will continue to encourage and support the three R's of recycling (re-use, reduction and recycling).

#### **F. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS**

##### **GOAL:**

To protect life and property from natural disasters and hazards.

##### **POLICIES:**

1. The City will coordinate with the Federal Emergency Management Agency to ensure continued compliance with federal flood plain regulations.
2. The largest floodplain area within the Urban Growth Boundary is located within the Willamette Greenway. As such, this area will be subject to Greenway plans and regulations.
3. In other areas of potential or existing hazards, development shall be subject to special conditions. Reasonable development may be permitted in

these areas when it can be shown, based on sound engineering and planning criteria, that adverse impacts can be mitigated and kept to a minimum. Hazardous areas shall be considered to be lands with slopes 20% or greater, potential and existing slide areas, fault areas, and areas with severe soil limitations.

#### G. OPEN SPACE, SCENIC, NATURAL HISTORIC AND RECREATIONAL RESOURCES

##### GOALS:

1. To ensure that adequate land shall be retained in permanent open space use and that natural, scenic and historic resources are protected.
2. To provide adequate recreational resources and opportunities for the citizens of the community and visitors.
3. To protect, conserve, enhance and maintain the Willamette River Greenway.

##### POLICIES:

#### 1. Open Space & Natural Resources Policies

- a. While the Land Use Inventory has shown that an ample amount of open space currently exists within the Urban Growth Boundary, the City shall insure that, as development continues, adequate land shall be retained in permanent open space use.
- b. In selecting areas to be maintained as open space, parcels shall be of adequate size and possess desirable natural and locational qualities. Cost and ease of acquisition shall also be important considerations.
- c. The purchase of partial easements, transfers of development rights, cluster development incentives, taxation policies and other techniques should be considered as methods of keeping important lands in open space uses.
- d. The dedication of easements for public use of drainageways should be encouraged when properties are either developed or redeveloped. Development densities that would normally be allocated to portions of property in the drainageways may be transferred to adjoining areas up to a maximum increase of 10 percent.
- e. The floodplains and natural drainageway areas in Newberg should be preserved with a largely open character to provide a basic open space framework for the community. The capacities of these areas shall be maintained to provide a natural storm water and natural drainage system, as well as to continue to provide a natural habitat for local fish and wildlife. Natural drainageways should be kept in open space

uses. Bicycle and pedestrian pathways might be included in these areas. Care should be taken to minimize disturbances in these often erosive and steep areas. All uses should be compatible with the specific sites.

- f. The Smurfit Newsprint processing plant has a waste treatment lagoon located inside the urban growth boundary and within a designated open space area. The waste treatment system has been in place for 35 years and is not incompatible with the identified fish and wildlife habitat. This system shall be permitted to continue, subject to applicable State and Federal environmental regulations.
- g. The City shall coordinate with State and Federal agencies to protect identified wetland areas. The National Wetlands Maps prepared by the U.S. Fish and Wildlife Service in 1981 provides an initial inventory of wetlands in Newberg.

## **2. Scenic Resources Policies**

- a. The City shall take steps to maintain and improve the visual quality of the City.
- b. The City will encourage identification of scenic drives, sites and viewpoints.

## **3. Historic Resources Policies**

- a. The continued preservation of Newberg's designated historic sites and structures shall be encouraged.
- b. Newberg's Historic Inventory shall be updated as needed to reflect new information.
- c. The City will encourage the establishment of a museum for the housing of historic artifacts, the sponsorship of touring exhibits, seminars and oral history, archival research, etc.
- d. The City will encourage the re-use of historic structures such as the establishment of bed and breakfast operations, specialty shops, restaurants and professional offices.
- e. The City will encourage identification and/or preservation of significant historic landmarks, archaeological or architectural sites which meet criteria established by the City.

## **4. Recreation Policies**

- a. Recreational facilities and services shall expand to meet growing recreational demands. In cooperation with Chehalem Park and

Recreation District, these demands shall periodically be assessed and plans for programs and facilities shall be revised accordingly.

- b. To ensure that adequate lands shall be available for recreation, areas which are suitable recreational sites due to locational and natural qualities shall be designated as park land on the land use plan map. Other less specific park sites shall also be indicated on the plan.
- c. The City shall encourage the establishment of a comprehensive program for sequential park and recreation land development by the Chehalem Park and Recreation District. Such a program would include planning in coordination with state, county and other affected agencies.
- d. High priority shall be given to recreational facilities and services designed to:
  - Meet recreational needs requirements for higher density areas.
  - Provide recreational opportunities for persons of limited mobility and finances.
  - Minimize the adverse impact on the environment.
  - Meet recreational needs of the area's citizens and visitors.
- e. Recreational facilities shall be located throughout the planning area in order to minimize distances between residential areas and recreational opportunities.
- f. The continued multiple use of public facilities for recreational and other purposes shall be encouraged. In particular, schools and parks shall be located on adjacent sites wherever possible.
- g. Recreational standards for the planning area shall be as follows. These standards shall be considered as desirable guidelines to be achieved whenever possible.

Classification	1000 People	Acres Per Size Range	Service Area
Neighborhood Parks	2.5	Free-standing; 3-10 acres. Adjacent to an elementary school; 2-5 acres with the school supplying about 6 acres of playground.	1/4 to 1/2 Mile
Community Parks	2.5	Free-standing; 10-25 acres. Adjacent to junior or senior high school; 8-15 acres with school supplying about 12 acres.	Not more than 1-1/2 miles
A City-Wide Park	---	25 acre minimum	Entire City

Source: Chehalem Park & Recreation District

- h. Public and private recreational development will be encouraged on sites suitable for the proposed uses.
- i. The City shall cooperate with Chehalem Park and Recreation District to provide recreational opportunities which meet the needs of Newberg and Yamhill County residents as well as any transient and regional population.
- j. A senior center, a community center, and an adult sports complex of 20-50 acres should be developed.
- k. The City will cooperate with the Chehalem Park and Recreation District to locate parks and scenic areas which are easily accessible to the City's population and which can be developed to provide recreational opportunities for a variety of age and interest groups.
- l. Newberg's Public Lands Fund shall be used to support a variety of public purposes including recreation facilities. The allocation of these funds shall be made by the Council in accordance with public needs for these facilities.

#### 5. Willamette River Greenway Policies

- a. Newberg will encourage the protection, conservation, enhancement and maintenance of the Willamette River Greenway.

- b. Newberg recognizes the importance of the Willamette River as a regional resource which should be maintained for its natural, scenic, economic, recreational, agricultural and historic value.
- c. The Oregon Department of Transportation Greenway Plan shall by reference be incorporated within the Newberg Comprehensive Plan.
- d. Recreational activities shall be encouraged consistent with the statewide Willamette River Greenway Goal.
- e. Newberg should actively promote programs to preserve the Willamette River for recreational and open space uses.
- f. Additional public access to the River should be provided in the Newberg area.
- g. The current boat launching site is a proposed acquisition area, which in cooperation with Yamhill County, should be purchased for public use when funds become available.
- h. The City shall encourage the establishment of river oriented uses such as boat landings, docks and people oriented attractions such as restaurants and tourist or community related facilities.
- i. Existing waterfront parklands shall be developed to maximize their water orientation.
- j. The City's Willamette Greenway program will emphasize the recreational use of the Greenway.
- k. Waterfront recreational and park development along the Willamette River will be given emphasis to provide recreational resources for future generations.
- l. The City shall create a Riverfront Zone to identify which uses shall be permitted outright or through a conditional use permit.
- m. New development within the floodplain shall conform to General Hazard and Flood Hazard regulations.
- n. Public and private recreational development will be encouraged on sites suitable for the proposed uses.
- o. The City will seek to establish increased public access to areas of prime recreational significance and the development of additional water based recreational opportunities.
- p. Developments within the Greenway shall be encouraged to donate land within the 100 year flood plain to either the City or Chehalem Park and Recreation District. Transfer of development rights and other

alternative approaches should be considered as a way of implementing this policy.

- q. The use of the riverfront for commercial, residential and open space recreation purposes shall be encouraged, preserving as nearly as possible the natural character of the area.
- r. Extractive processes should be screened from view, should control dust through watering or other acceptable practices, and should consider limiting their hours of operation to daylight times only.
- s. All sites will be planned for re-use upon depletion of the resource. The property owner is responsible for planning and reconstructing the site. Re-use of the site will be consistent with the land use policies outlined in the comprehensive plan.

#### H. THE ECONOMY

##### GOAL:

To develop a diverse and stable economic base.

##### POLICIES:

##### 1. General Policies

- a. In order to lessen the percentage of persons who live in Newberg but must work elsewhere, the City should encourage a diverse and stable economic base through tax incentive programs, land use controls, preferential assessments and capital improvement programs. The formation of a community development corporation should also be considered.
- b. The City shall encourage economic expansion consistent with local needs.
- c. The City will encourage the creation of a diversified employment base, the strengthening of trade centers, and the attraction of both capital and labor intensive enterprises.
- d. Newberg will encourage the development of industries which represent the most efficient use of existing resources including land, air, water, energy and labor.
- e. Economic expansion shall not exceed the carrying capacity of the air, water or land resource quality of the planning area.
- f. The City shall participate with local and regional groups to coordinate economic planning.

- g. The City shall encourage business and industry to locate within the Newberg City limits.
- h. Yamhill County history, products and activities should be promoted.
- i. The City shall encourage tourist-related activities and services such as motor inns, restaurants, parks and recreation facilities, a visitor center, conference and seminar activities.
- j. A regional destination resort shall be encouraged to be built near the Willamette River.
- k. The City shall promote Newberg as a tourist destination location.
- l. The City shall promote the expansion of local viticulture and wine production as a method for increasing tourism.

**2. Industrial Areas Policies**

- a. Industrial expansion shall be located and designed to minimize impacts on surrounding land uses.
- b. The City shall encourage industrial development, preferring firms that:
  - Meet or exceed state or local environmental standards;
  - Utilize the existing labor force and help to reduce seasonal unemployment fluctuations; and
  - Are efficient consumers of energy.
- c. Newberg shall actively pursue the inclusion of large industrial sites within the urban growth boundary.
- d. The City shall reserve land for industrial development prior to demand and attract new industries in accordance with future community needs.
- e. Established industrial areas may be extended and new industrial areas designated by plan amendment where development trends warrant such extension or designation. Full urban services will be extended into the area if appropriate, if the extension of land use and services is consistent with all other goals and policies of the plan.
- f. Concerted community efforts should be made to see that industrial development expands outward from existing areas rather than occurring in haphazard patterns.

3. Commercial Areas Policies

- a. The City shall encourage the retention of the downtown core as a shopping, service and financial center for the Newberg area. New commercial developments shall be encouraged to locate there.
- b. Adequate neighborhood commercial areas will be provided to serve localized needs.
- c. Commercial development will be encouraged to be clustered and to develop off-street parking facilities in conjunction with other nearby developments.
- d. To maintain the integrity and function of the highway system, new commercial development shall be discouraged along the rout of any limited access highway.
- e. New highway oriented commercial development at limited access highway interchanges will only be permitted where direct access is provided from a local street system. The City will prohibit direct access from the State highway system for commercial development oriented to limited access highways.

I. HOUSING

GOAL:

To provide for the housing needs of the community commensurate with regional income levels.

POLICIES:

1. Density Policies

- a. Density rather than housing type shall be the most important development criteria and shall be used to classify different types of residential areas on the plan.
- b. Density classifications shall be as follows:

Classification	Units Per Gross Acre*
Urban Low Density	4.4
Urban Medium Density	4.4 - 8.8
Urban High Density	8.8 - 21.8

\*Includes a 25 percent allowance for streets

- c. In determining net residential densities, developers may be given density credit for land donated and accepted by the City for needed public facilities.

## 2. Location Policies

- a. Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces.

## 3. Mix Policies

- a. The City will encourage innovative approaches to solving the problem of meeting low income housing needs. Such approaches may include, but are not limited to the following: rent subsidies, federally funded development under HUD programs, state and regional housing programs.
- b. Low and moderate income housing should not be concentrated within particular areas of the City.
- c. Manufactured homes should be recognized as a source of low income housing.
- d. Modular housing meeting all building codes and placed on permanent foundations shall be treated as single-family units. They will be subject to the same locational and density requirements as other single-family dwellings. The City shall employ a MI sub-district overlay zone to satisfy State requirements for siting manufactured housing on individual lots within single family zones.
- e. Manufactured homes shall only be permitted in the following locations: 1) manufactured home parks, 2) manufactured home subdivisions, 3) individual lots within the MI subdistrict and 4) individual lots in the R-2 Medium Density zone when units meet MI standards.
- f. The City shall ensure that enough land is planned for manufactured homes, particularly in conjunction with transportation corridors.
- g. Home occupations shall be permitted provided that such uses are compatible with adjoining residential uses and there are no outward manifestations of the business.

- h. To reduce distances between land uses, a mixture of all compatible uses will be encouraged. As such, convenience commercial areas may be located within residential districts provided they meet special development standards.
- i. The City shall support regional fair share distribution of assisted housing for low income people.
- j. The City shall encourage innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs.
- k. The City shall encourage an adequate supply of rental housing dispersed throughout the City to meet the needs of renters.
- l. The City shall encourage residential occupancy of upper floors within multi-story commercial buildings.
- m. Within the urban area, land use policies will attempt to provide a broad range of residential uses and encourage innovative development techniques.

## J. URBAN DESIGN

### GOAL:

To maintain and improve the natural beauty and visual character of the City.

### POLICIES:

#### 1. General Policies

- a. Design review should be performed at the staff level.
- b. Design review should be provided for all new developments more intensive than duplex residential use.
- c. Non-residential uses abutting residential areas should be subject to special development standards in terms of setbacks, landscaping, sign regulations, building heights and designs.
- d. The City should impose a design overlay zone on those areas adjacent to major and minor arterial streets.
- e. Developments should respect the natural ground cover of their sites to the extent possible and plans should be made to preserve existing mature, non-hazardous trees in healthy condition.
- f. The planting of street trees should be required in conjunction with a list of City-approved trees.

- g. Community appearance should continue to be a major concern and subject of a major effort in the area. Street tree planting, landscaping, sign regulations and building improvements contribute to community appearance and should continue to be a major design concern and improvement effort.
- h. Landscaping shall be required along street frontage strips within the street right-of-way in order to soften the appearance of commercial and industrial developments.
- i. The City shall encourage tree planting for aesthetic purposes.
- j. Curbs, gutters, and sidewalks are to be required in all new developments.
- k. Curb ramps will be required at intersections and pedestrian crosswalks wherever new curbs are installed. These ramps improve access for the elderly and handicapped, as well as for strollers, bicycles and other wheeled vehicles.
- l. The City shall encourage compatible architectural design of new structures in the community.
- m. The City shall encourage the use of planned unit developments.
- n. The City shall encourage innovative design and ensure that developments consider site characteristics and the impact on surrounding areas.
- o. The City shall encourage flexibility in design review and interpretation of policies and regulations by ensuring that functional design and community benefit remain as the principal review criteria. Consider variance procedures where interpretation of regulations impede fulfillment of these criteria.
- p. Public and private properties located along entrances should be attractively landscaped in order to reinforce the sense of gateway into Newberg.
- q. The City shall develop and adopt a design review manual.
- r. Developments of medium or high density shall be of a quality and design which will effectively offset the greater density.
- s. The City shall ensure that City review processes do not unnecessarily delay development of projects.
- t. The City shall encourage residential-professional uses as a buffer between intensive commercial uses and less intensive residential uses.

**2. Industrial Areas Policies**

- a. Industrial development should be encouraged to locate in industrial parks offering good access, buffering and landscaping.
- b. Industrial developments should be well landscaped and maintained and existing trees should be preserved where possible.
- c. Where industrial uses abut residential zones or uses, special development standards relating to setbacks, screening, signs, building height and architectural review should be established.

**3. Commercial Areas Policies**

- a. Where commercial development is permitted, such development should be subject to design requirements for ingress and egress, landscaping and sign control.
- b. Existing development shall be encouraged to follow the same general design standards as new commercial development.
- c. The City shall adopt sign design and placement regulations prior to the next periodic review of this plan. Non-conforming signs shall be removed within five years of the adoption of these regulations.
- d. Residents of the City should have access to neighborhood commercial facilities, and these uses should conform to the character of the area in which they are located.
- e. Off-street parking should be provided in adequate amounts.

**4. Residential Areas Policies**

- a. The City will require buffering and landscaping to minimize impacts between housing and potentially conflicting uses.
- b. The City will evaluate and encourage various innovative and alternative approaches to zoning, including but not limited to the following: zero lot lines, cluster and density zoning, planned unit developments, performance standards and condominiums.
- c. Solar rights of residences should be protected where possible. Lot designs should provide for maximum design flexibility in landscaping and building.

5. Downtown Policies

- a. The City shall encourage improvement of the central business district as the economic, cultural, business and governmental center of the Newberg area.
- b. The City shall encourage federal, state and local government to maintain or locate their offices and related facilities in the central business district.
- c. The City shall encourage a variety of commercial and service activities to locate in the central business district.
- d. The City shall discourage the use of the central business district for non-intensive land uses or uses which have a low floor area to site size ratio.
- e. The City shall encourage a higher utilization of downtown space, encouraging intensive use of all building levels.
- f. A concerted effort should be made to revitalize the central business district through rehabilitation or redevelopment of existing areas.
- g. The City shall encourage:
  - Reconstruction of First Street and both sidewalks to accommodate a two-way flow of traffic with diagonal and parallel parking.
  - Creation of a major attraction in the downtown retail core to showcase Yamhill County's agriculture, industry, arts, culture and history.
  - Retention of a post office within the downtown and continued occupancy of the existing post office building.
  - Adequate off-street parking to serve retail and institutional needs.
  - Construction of a new one-way eastbound couplet to encourage downtown core development.
  - Adoption of a downtown design ordinance, instituted to review and control all private and public improvements.
- h. Benches, street trees, and other pedestrian-scaled amenities shall be planned for and encouraged in the downtown area.

K. TRANSPORTATION

GOALS:

1. To encourage development of a safe, convenient and economic transportation system through a variety of transportation means.
2. To minimize adverse impacts of Highway 99W upon the City.
3. To develop and implement an area transportation plan consistent with local needs and the comprehensive plan.

POLICIES:

1. Overall Transportation Policies

- a. Transportation facilities will recognize and respect the natural features of the areas in which they are sited and will be designed to minimize impacts on:
  - Present and Planned Land Use patterns;
  - Natural and Scenic Resources;
  - Air Resource Quality, including noise;
  - Water and Land Resource Quality; and
  - Existing and Planned Transportation Facilities.
- b. Transportation facilities will respect adjacent land uses and be so designed as to be an asset to an area rather than a disruptive feature. As such, transportation facilities should be landscaped and designed to be aesthetically pleasing.
- c. Transportation improvements shall be used to guide urban development and shall be designed to serve anticipated future needs.
- d. While automobiles may continue as the primary means of transportation, the City shall encourage the development of a variety of alternative modes including light rail, mass transit, small mass transit, bicycle and pedestrian systems.
- e. Low density areas shall continue to be served primarily by automobiles with bike and pedestrian paths along selected arterials and collectors.
- f. The City shall minimize conflicts between transportation types, especially when those conflicts create a particularly hazardous area.

- g. Streets adjoining new commercial and industrial developments shall be brought up to City standards at the time of development.
- h. The City shall encourage more efficient use of existing transportation systems including car pooling, park and ride stations and bus service.

2. Automobile Policies

- a. New arterial rights-of-way should be wide enough to permit sidewalks, bikeways and adequate planter strips except that limited access facilities need not include sidewalks.
- b. A Future Streets Plan should be developed to serve as a guide in the decision-making process on new development requests. Future rights-of-way should be identified in undeveloped areas to facilitate acquisition with minimal disruption and cost.
- c. The City shall coordinate with the Oregon Department of Transportation to implement the highway improvement program.
- d. Although cul-de-sacs shall be permitted, local streets should interconnect to improve access for residents, emergency service vehicles and others.
- e. Hazardous road sections and intersections shall be examined in detail and recommendations shall be made for improvement.
- f. Poorly controlled access shall be prohibited.
- g. To help facilitate traffic flow in the northern portion of the City, an east-west collector street is needed.
- h. The City will continue to work with the State, Yamhill County, and the City of Dundee on alternatives for routing the Highway 99W traffic through or around Newberg/Dundee.
- i. The City shall periodically review the street classification plan and standards.
- j. The City shall promote means to move traffic through town in an efficient manner.
- k. The City shall promote transportation improvements which would result in less through automobile and truck traffic on First Street and maintain the option of future development of light rail to serve the downtown area.
- l. Using the design review process, the City will coordinate with the State to restrict access to major arterials wherever possible.

m. The City will promote the creation of left-turn lanes at the intersection of Highway 219 and Wilsonville Road; and Highway 219 and Dog Ridge Road.

n. Street classifications and standards shall be as follows:

- Arterial Streets

Arterial streets are designed primarily to move traffic between Newberg and other communities as well as to provide links between major sections of the City. Arterials shall have a minimum 70 to 90 feet of right-of-way. Direct access will be minimized and there will be few intersections. Bicycle paths may be provided along both sides of streets. Sidewalks and curbs shall be required on both sides of the street.

- Collector Streets

Collector streets connect local streets with arterials. Collector streets should be designed to facilitate traffic movement. They also can provide access to adjoining properties, however this access should be restricted. These streets shall have 60-90 feet of right-of-way. Bicycle paths may be provided along both sides of the street. Parking will generally not be permitted on the street except where it is determined necessary to the local residences. Sidewalks and curbs shall be required on both sides of the streets.

- Local Streets

These streets provide direct access to adjoining property. Two driving lanes with a total right-of-way of 50 to 60 feet is adequate. Roadways will be between 24 and 34 feet (with 34 feet preferred) depending on anticipated traffic and private off-street parking provisions. Sidewalks and curbs shall be required on both sides of the street.

o. Streets designated as arterials shall be:

- Highway 99W, including First Street and Hancock Street;
- Yamhill-Newberg Highway from the northern urban boundary to First Street; and
- Highway 219 - Hillsboro/Silverton Highway.

### 3. Bicycle and Pedestrian Policies

- a. The City shall maintain a bikeway plan which will be coordinated with Yamhill County bikeway plans.
- b. A comprehensive system for bikeway and pedestrian movement should be provided throughout the planning area.
- c. Schools, parks, major residential, shopping and employment areas should be interconnected with bicycle and pedestrian paths.
- d. Pedestrian traffic will be separated from automobile traffic wherever possible.
- e. Recreational bike paths and trails which are separate from City streets and automobile traffic represent a desirable form of bikeway in parks and open space areas. As a general policy, bike lanes on existing streets marked and allocated exclusively to bicycle traffic will be the most favored type of facility. Bike routes marked only by signage with automobile parking still permitted are a less desirable form of bicycle facility. Considerations of cost, relative safety improvement, existing site conditions and user demand will determine solutions for particular areas. Generally no special provisions will be necessary on quiet residential streets.
- f. In designing bicycle and pedestrian pathways, safety from crime shall be a major consideration. Where feasible, paths shall have lighting and access for police vehicles.
- g. Bikeway design standards will be developed based upon available guidelines such as those recommended by the Oregon Department of Transportation.
- h. Bicycle parking shall be provided at schools, recreational centers, the library and other public facilities. The City will also encourage the provision of bicycle parking at private establishments.
- i. The City shall encourage better pedestrian access across First Street.

### 4. Transit Policies

- a. The City shall encourage the continued operation of the existing public transit system.
- b. The City shall explore and encourage linkages with Portland Metro Area transit systems.

**5. Air Transportation Policies**

- a. As a means of promoting economic development, the City shall encourage retention of the existing airport and its designation as a public use airport.
- b. The City shall maintain an airport overlay zone.
- c. Adequate open space and landscaping shall be provided by all new development around the airport to reduce the noise impact of airport operations on surrounding residential areas.
- d. The City shall encourage the use of properties adjacent to the airport for industrial parks, related commercial activities and community facilities in order to maximize airport services and provide a buffer for surrounding residences.

**L. PUBLIC FACILITIES AND SERVICES**

**GOAL:**

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

**POLICIES:**

**1. All Facilities & Services Policies**

- a. The provision of public facilities and services shall be used as tools to implement the land use plan and encourage an orderly and efficient development pattern.
- b. The extension of publicly-owned facilities and services into currently undeveloped areas shall occur only in accordance with the Public Facilities and Service Plan.
- c. New public facilities and services shall be designed at levels consistent with planned densities and designated land uses for the area.
- d. Services shall be planned to meet anticipated community needs.
- e. Owners of properties which are located on unimproved streets should be encouraged to develop their streets to City standards.
- f. Maximum efficiency for existing urban facilities and services will be encouraged through infill of vacant City land.

- g. Public facilities and services necessary to meet the special needs of industrial activities should be planned for those areas designated industrial on the comprehensive plan map and should be provided at a level sufficient to support proposed activities, if public funds are available.
- h. New residential areas shall have: paved streets, curbs, pedestrian ways, water, sewer, storm drainage, street lights and underground utilities.

**2. Sewers and Water Policies**

- a. All existing development within the City limits will connect to public sewer and water systems as soon as they become available.
- b. Water systems within the planning area will be designed to provide an adequate peak flow for fire protection.
- c. Developments with urban densities should be encouraged to locate within the area which can be serviced by Newberg's present sanitary sewer system.
- d. Sewer and water service shall not be provided outside the City limits except for cases of health hazards, where no other alternative exists, and where property owners agree to annex upon request of the City.

**3. Street Lighting Policies**

- a. Adequate street lighting shall be provided with priority given to arterial and collector streets, intersections, pedestrian paths, and bikeways.
- b. New street lights shall use high pressure sodium or other energy efficient lamps.

**4. Fire Protection Policies**

- a. Fire protection should be provided in accordance with the suggested guidelines of the National Board of Fire Underwriters and the Insurance Services Office.
- b. Fire stations shall have good access to arterial streets.
- c. Adequate warning signals should be installed where emergency vehicles gain access to the street.

**5. Schools Policies**

- a. Elementary schools should be centrally located with reference to their service areas.
- b. In accordance with the land use plan, the school district should anticipate development and acquire the best sites in advance of urbanization.
- c. Elementary schools should not be located on arterial streets.
- d. Schools should be built with parks wherever possible. To this end, the City together with the School and Park Districts should coordinate development plans.
- e. The location of schools should be used as a major tool for directing future residential growth.
- f. Schools shall be encouraged to serve as centers for neighborhood and community activities.
- g. New schools shall be located in such a manner as to provide adequate and safe pedestrian, bicycle, and automobile access. Streets shall be fully improved and major intersections shall provide signalization where necessary.
- h. Access to existing schools should be upgraded to levels required for new school facilities.
- i. The City shall encourage and support George Fox College as a community asset.

**6. Civic Center Policies**

- a. The City shall actively pursue acquisition of lands and the development of a civic center.
- b. The Civic Center shall be located to serve the entire planning area.

**7. Park Facilities Policies**

- a. In conjunction with Chehalem Park and Recreation District, park facilities shall be provided consistent with recreational needs.
- b. New residential development shall contribute to the Public Lands Fund or shall donate land for public parks or facilities when appropriate and acceptable to the City.

**M. ENERGY**

**GOAL:**

To conserve energy through efficient land use patterns and energy- related policies and ordinances.

**POLICIES:**

**1. Planning Policies**

- a. The City will encourage energy-efficient development patterns. Such patterns shall include the mixture of compatible land uses and a compactness of urban development.

**2. Public Energy Conservation Policies**

- a. Techniques for recycling sewage sludge and "grey water" shall be continued and expanded if economically and environmentally feasible.
- b. In the planning of new public buildings, operating as well as building costs shall be examined. The operating costs will include expenditures for heating and cooling.
- c. Public buildings shall be designed for multiple use and located in easily accessible areas.
- d. The City shall, when practicable, make energy conservation a regular practice in its design and operation of buildings, facilities, and equipment.

**3. Design Policies**

- a. The City shall encourage the use of energy-efficient materials and construction methods in building new residential, commercial, industrial and other types of structures.

**N. URBANIZATION**

**GOALS:**

1. To provide for the orderly and efficient transition from rural to urban land uses.
2. To maintain Newberg's identity as a community which is separate from the Portland Metropolitan area.
3. To create a quality living environment through a balanced growth of urban and cultural activities.

**POLICIES:**

**1. Urban Growth Boundary Policies**

- a. The conversion of lands from rural to urban uses within the Urban Growth Boundary will be based on a specific plan for the extension of urban services.
- b. The City shall oppose urban development outside the City limits but within the Newberg Area Influence.
- c. The City shall encourage urban development within the City limits.
- d. The Urban Growth Boundary shall designate urbanizable land.
- e. The City will support development within the areas outside the city limits but within the Newberg Urban Growth Boundary based on the following standards and restrictions:
  - Residential development will be allowed on the basis of one house per 10 acres, or any lot of record created prior to January 1, 1989.
  - Commercial and industrial uses will generally be discouraged.
  - Agricultural uses will be allowed in accordance with the Yamhill County Comprehensive Plan.

Development not meeting the standards may be opposed by the City.

- f. In expanding or otherwise altering the Urban Growth Boundary, the Boundary shall follow road rights-of-way, lot lines, or natural features.
- g. The City and County shall coordinate action regarding partitions and subdivisions of land within the urban growth boundary. The City shall seek revisions to the Urban Growth Boundary Mangement Agreement to require City consent for such partitions and subdivisions.

**2. Annexation Policies**

- a. The City shall amend the annexation ordinance to streamline the procedures used for annexations.
- b. If it appears that a proposed annexation would create excessive public costs or impacts on the surrounding area, an analysis of costs and/or impacts will be required.
- c. Property outside the Urban Growth Boundary may be annexed only upon inclusion of such property into the Urban Growth Boundary.

- d. Any islands of non-incorporated territory created by an annexation shall be incorporated within a year of the annexation creating the island with or without the owners consent.

### 3. General Policies

- a. In new development areas all utility lines shall be placed underground. In existing areas an effort will be made to locate power, telephone, cable television and other utility cables underground over a period of time.
- b. The City shall coordinate planning activities with the county in order that lands suitable for industrial use but not needed within the planning period are zoned in a manner which retains these lands for future industrial use.
- c. The City may use the following or similar implementation measures to promote and encourage the establishment and expansion of industry in the planning area: tax incentives, land use controls and ordinances, preferential assessments, capital improvement programming, fee and less than fee acquisition techniques, and available state and federal programs or grants.
- d. Transfer of development rights may be used as a tool to aid in the preservation of historic sites, natural resources and open space areas.

### III. VACANT LAND INVENTORY

A vacant land inventory was prepared as part of the Newberg Comprehensive Plan. An inventory of vacant land was necessary in order to determine whether adequate amounts of suitable vacant land will be available in each land use category to accommodate projected needs to the year 2010. The following factors were utilized in determining what lands were not suitable, available and vacant:

1. All lands above 20% slope
2. All street and railroad rights-of-way
3. Public land
4. Watercourses
5. Parcels with less than twice the minimum lot size, having generally sound structures situated thereon
6. Parcels that, because of odd shape, topography, irregular placement of buildings or limited accessibility, could not be readily developed if urban services were available
7. Cemeteries
8. Developed portions of the Sportsman Airport
9. Parking lots

The vacant land inventory is plotted on 1984 aerial orthophoto maps. Most of the maps used are quarter section maps at a scale of 1" = 100'. The vacant land inventory was prepared utilizing the above referenced criteria, then checked in the field for accuracy. By verifying the inventory through a visual land survey of all properties within the UGB, it was possible to ensure that the vacant lands identified were actually vacant and suitable for development.

#### IV. PLAN DESCRIPTION

##### A. INTRODUCTION

In addition to the overall goals and policies listed within the Comprehensive Plan, a land use map is included which ties land uses and densities to specific locations. The Land Use Plan is designed to provide adequate land for residential, commercial, industrial and other uses for a projected population of 27,000 plus people by the year 2010. The UGB defines Newberg's planning area and is intended to accommodate land use needs over the 20 year period. The City of Newberg is continually updating the buildable lands inventory and closely monitoring development rates to determine whether the UGB contains sufficient buildable lands to meet future needs.

##### B. URBAN GROWTH BOUNDARY

The Urban Growth Boundary (UGB) was established to separate urban and urbanizable areas from lands which are to remain in rural uses through the year 2010. The UGB contains approximately 3,952 acres, as compared with the current City area of approximately 2,780 acres. 1,043 acres have been identified as being vacant and buildable. Anticipated development needs are expected to exceed the area currently within the UGB.

The UGB was adopted based on anticipated needs for housing, employment and livability. In accordance with Statewide planning goals, the UGB is designed to accommodate a projected population of 27,000 people; the orderly and economic provision of public facilities and services; and to provide for maximum efficiency of land uses both within and on the fringe of the existing urban area. Environmental, social, energy, and economic consequences and the compatibility of proposed urban uses with nearby agricultural activities were also considered in the location of the UGB.

Overall, the UGB was based upon a service area concept. Nearly all of the land within the adopted boundary is within the drainage basin of the sewage treatment plant. Urban expansion to the east or west of the adopted UGB may require pumping facilities.

##### C. LAND USE NEEDS

The provision of land to meet future needs was one of the most important considerations in the design of the Newberg UGB. Land needs were determined by use of various methods. Residential land needs were projected on the basis of existing densities and housing mix trends. Commercial and industrial land needs were based primarily upon projected economic growth rates as related to employees per acre. The acreage provided for commercial and industrial uses will be adequate to implement the City's long range policy of encouraging industrial growth and economic independence. Park land needs were calculated with use of suggested guidelines from the Chehalem Park and Recreation District and the National Recreation and Park Association. These guidelines provide

standards for recreational acreages based upon population. Public/Quasi-Public land needs were determined without the use of ratios. Needed school sites were added to existing Public/Quasi-Public lands.

Based upon an expected population of 27,000 by the year 2010, land use needs for the planning period were calculated as follows:

TABLE IV - 1  
YEAR 2010 LAND USE NEEDS  
IN ACRES

<u>Use</u>	<u>Land Use Needs</u>	<u>Land Available in UGB (1989)</u>
Residential	2,140	2,194
Commercial	324	324
Industrial	709	709
Public	299	218
Parks	100	45
Unbuildable	462	462
TOTAL	4,034	3,952

Source: Land Needs - 1979 Comprehensive Plan; Land Available - 1989 Lands Inventory

The above table indicates that 4,034 acres may be required for urban uses by the year 2010. Since only 3,952 acres are presently included within the Newberg UGB, a limited amount of acreage may need to be added at some future time, depending upon trends of urban growth.

It should be noted that the UGB includes approximately 462 acres of land which are considered unbuildable due to steep slopes, unstable soils, flood hazards, or other natural conditions. These lands are most suitable for light agriculture or open space and are designated General Hazard or Flood Hazard sub-district zoning designations.

The Comprehensive Plan provides less park and public/quasi-public lands than are projected as needed. The acreage provided for public/quasi-public uses largely consists of areas already in these uses.

Additional lands are intended to be transferred from residential areas as needs for specific sites become apparent.

Overall, the Newberg Comprehensive Plan is well-balanced with respect to lands that are provided to accommodate projected needs. The City of Newberg will closely monitor development rates to determine whether the UGB contains sufficient buildable lands to accommodate land use needs. Any future change of

the Newberg UGB will be based upon a consideration of the seven factors of Goal 14.

D. HOUSING NEEDS

Housing needs are based on a variety of factors including population growth and income levels. During the 1979 Comprehensive Plan process, a full housing needs analysis was conducted. As part of the 1990 Periodic Review, the 1979 housing needs analysis was updated, incorporating 1989 land use data and 1990 population data. The housing mix data from the 1979 Comprehensive Plan was largely unchanged in the update.

Based on population projections from the 1979 Plan and the preliminary 1990 census figures, the City is expected to grow by 14,000 people to year 2010. Based on an estimated overall housing density of 2.3 persons per dwelling unit, 6,126 new dwelling units will be needed.

TABLE IV-2  
PROJECTED POPULATION GROWTH

<u>1980</u>	<u>1990</u>	<u>2010</u>	<u>Change</u> <u>1990-2010</u>
10,394	13,000	27,000	14,000

Source: 1980 and 1990 U.S. Census; 1979 Comprehensive Plan

Tables IV-3 and IV-4 project housing needs and provide the future number of dwelling units and acreage required by each housing type. The stated housing mix for single family, multi-family and manufactured housing is unchanged from the 1979 Comprehensive Plan. The housing split between manufactured housing parks and manufactured housing in subdivisions or on individual lots assumes that future manufactured housing development will shift from the 1989 mix, which is almost 90 percent manufactured home park development, to a 50-50 split between park development and subdivision/individual lot development. Because there is no empirical data to show the future split between individual lots and subdivision development, the split between these uses is also expected to be 50 percent each. The multi-family split between medium and high density use is based on the 1989 mix of medium density-high density development in the City of Newberg. The City Land Use Inventory indicated that 61 percent of all multi-family development is located in the R-2 zone and 39 percent is located in the R-3 zone. Based on these assumptions, just over 1,000 acres of land will be needed to accommodate the projected 6,126 housing units needed between 1990 and the year 2010.

**TABLE IV-3  
POPULATION GROWTH AND NEEDED DWELLINGS**

Housing Type	Mix	DU	Pop/DU	Population-Increase 1990-2010
Single Family	45%	2,756	2.6	7,166
Multiple Family	35%	2,144	1.9	4,074
Manufactured Homes	20%			
Parks	(10%)	613	1.9	1,165
Sub./Ind. Lot	(10%)	613	2.6	1,593
<b>TOTAL/AVERAGE</b>	<b>100%</b>	<b>6,126</b>	<b>2.3</b>	<b>13,998</b>

Source: Mix - 1979 Comprehensive Plan; Pop/DU - 1980 Census, PSU Center for Population Research, and Metropolitan Service District

**TABLE IV-4  
PROJECTED HOUSING NEEDS 1990-2010**

<u>Housing Type</u>	<u>Mix</u>	<u>Additional DU 1990-2010</u>	<u>DU/AC</u>	<u>Acreage Needed</u>
Single Family	45%	2,756	4.4	626
Multiple Family	35%			
Medium Density	(22%)	1,372	8.8	156
High Density	(13%)	772	21.8	35
Manufactured Home	20%			
Parks	(10%)	613	8.8	70
Subdivisions	(5%)	306	6.5	47
Individual Lots	(5%)	307	4.4	70
<b>TOTAL</b>	<b>100%</b>	<b>6,126</b>		<b>1,004</b>

Source: Mix - 1979 Comprehensive Plan and 1989 Lands Inventory; DU/AC - Maximum densities within appropriate zones given a 25% allowance for right-of-way and public lands

Table IV-5 displays land need by plan category. Almost 700 acres of land are needed for low density residential use with almost 300 acres needed for medium and high density use. Table IV-6 compares land need to buildable land available. In all cases, a surplus of land is available based on 1989 Land Use Inventory data.

TABLE IV-5  
DEMAND BY PLAN CATEGORY

<u>Housing Type</u>	<u>Total Acreage Need</u>	<u>Land Needed By Plan Category</u>		
		<u>LDR</u>	<u>MDR</u>	<u>HDR</u>
Single Family	626	626		
Multiple Family				
Medium Density	156		156	
High Density	35			35
Manufactured Home				
Parks	70		70	
Subdivision	47		47	
Individual Lots	70	70		
<b>TOTAL</b>	<u>1,004</u>	<u>696</u>	<u>273</u>	<u>35</u>

TABLE IV-6  
SUPPLY AND DEMAND ANALYSIS

<u>Plan Category</u>	<u>Land Needed By Plan Category</u>	<u>Buildable Land Within UGB</u>	<u>Surplus</u>
LDR	696	775	79
MDR	273	327	54
HDR	35	38	3

Source: 1989 Land Use Inventory

Table IV-7 indicates that adequate land is available for individually sited manufactured homes. The table is partially based designation of certain areas west of North College Street for the MI overlay zone plus designation of MDR land for manufactured home infill development. The table illustrates that 127 acres are available for manufactured home infill development. The Housing Needs Analysis indicated that 70 acres would be needed for the individually sited manufactured homes, leaving a 57 acre surplus in the Plan. Because individually sited manufactured homes are permitted on MDR land, the actual inventory of land available for this type of development is far greater than the identified need. Approximately 327 buildable acres of MDR are available in the UGB. In combination with 73 acres of buildable LDR land designated for infill manufactured homes, 400 total acres are available to satisfy the 70 acres of need.

TABLE IV-7  
LAND AVAILABLE FOR  
INDIVIDUALLY SITED MANUFACTURED HOMES

	<u>Buildable Acres</u>
MDR	
Infill on existing lots	15 <sup>1</sup>
Surplus MDR (excludes infill land)	39 <sup>2</sup>
LDR-MI	
Outside City - West of N. College	60
R-1 Inside City West of N. Main	<u>13</u>
Total Available	127
Land Needed for MI	<u>70</u>
Surplus Available	57

NOTES:

1. 1989 Land Use Inventory - existing and potential lots; 106 lots exist or can be provided based on 1990 Planning Department estimates.
2. Surplus MDR from Table IV-6 minus 15 acres for infill on existing lots.

As can be seen from the tables above, the Plan includes more than sufficient amounts of land to meet the projected housing needs of Newberg for the next 20 years for all three major housing types.

OAR 660-08-015 requires clear and objective standards, conditions and procedures regulating the development of needed housing. The Newberg Zoning Ordinance accomplishes this primarily through its simplicity. The ordinance specifies four residential zones: R-1 (Low Density Residential), R-2 (Medium Density Residential), R-3 (High Density Residential) and R-P (Residential-Professional). In addition, an overlay zone, MI (Mixed Infill) has been developed primarily for use with the R-1 zone in order to accommodate manufactured homes in the single family areas. The residential uses allowed in each zone are:

TABLE IV-8  
HOUSING TYPES ALLOWED BY ZONE

ZONES	HOUSING TYPES					
	SINGLE FAMILY	DUPLEXES	MULTI- FAMILY 3+ UNITS	MANUF. HOME SUB'S.	MANUF. HOME INFILL	MANUF. HOME PARK
R-1 LDR	P	CU	CU	NP	NP	NP
R-2 MDR	P	P	P	P	P	P
R-3 HDR	P	P	P	NP	NP	NP
R-P	P	P	P	NP	NP	NP
R-1 MI	P	CU	CU	P	P	NP
P = PERMITTED		NP = NOT PERMITTED			CU = CONDITIONAL USE	

## E. PLAN CONCEPT

The Comprehensive Plan Map relies upon the goals, policies and projected needs of the community. Existing land uses and the 1973 Comprehensive Plan designations were also considered in the preparation of the Land Use Plan Map. The Plan maintains a strong central core while providing for neighborhood commercial centers. In general, medium and high density residential areas are clustered around commercial areas and along arterials. Lower density residential areas are generally located to the north of downtown and in peripheral areas.

The floodplain and drainageways provide a basic framework for Newberg's open space network. Existing and future park sites have been located at scattered locations throughout the planning area, so that all residential areas can be served by neighborhood parks. Other future park locations will be defined as the need arises.

## F. PLAN CLASSIFICATIONS

For the purpose of evaluating and eventually implementing the proposed Comprehensive Plan, descriptions of land use classifications are essential. Explanations of the map designations are as follows:

### 1. Mixed Use (MIX)

The objective of this designation is to provide a compatible mixture of commercial, office, employment and high density residential uses. Commercial uses are intended to include neighborhood convenience uses such as convenience retail businesses, retail food establishments, personal service establishments, institutional uses and professional offices. Office employment uses may include office buildings, banks, theaters, and other similar types of facilities. Residential uses will be primarily multi-plexes and low or medium rise multi-family dwellings. Light industrial uses which are compatible with the general character of the area may also be permitted.

Due to the area's location, development should not be limited to a single type of use. Instead, this designation provides flexibility and recognizes that certain commercial, residential and industrial activities can be located together without conflicts. Proposals for the mixed use area shall be consistent with the availability of services and should not adversely impact existing or potential development of adjacent lands.

### 2. Residential Land Use

Residential land is divided into three categories. Density rather than housing type is generally the most important development criteria used to classify residential areas. Manufactured home parks and manufactured home subdivisions are permitted outright in the medium density residential

zone. Manufactured homes on individual single family lots are permitted through the MH sub-district of the Zoning Ordinance.

The following is a summary of the three residential land use categories:

**a. Low Density Residential (LDR)**

The objective of this designation is to provide a wide range of housing types and styles, while allowing for an overall density of up to 4.4 units per acre.

Typical housing types will include single-family attached and detached housing. Clustered housing areas within Planned Unit Developments or condominiums must include adequate open areas to maintain the low overall density of this classification.

Services shall include improved streets, underground utilities (except electrical transmission lines), street lighting, sidewalks, and in some cases, bikeways.

**b. Medium Density Residential (MDR)**

The objective of this designation is to provide a wide range of housing types and styles while maintaining an overall density of up to 8.8 units per acre.

Typical housing types include single-family housing on small lots, attached or detached single-family or duplex units or tri- or four-plexes where adequate open areas exist and where the overall density is within the limits of this classification.

Services shall include improved streets, underground utilities (except electric transmission lines), street lighting, sidewalks and, in some cases, bikeways.

**c. High Density Residential (HDR)**

The objective of this designation is to provide multi-family housing of different types while maintaining an overall density of up to 21.8 units to the acre.

Typical housing types include apartments, townhouses, and a variety of cluster developments. Density may vary depending on lot sizes, off-street parking and other site constraints.

Services shall include improved streets, underground utilities (except electric transmission lines), street lighting, sidewalks, and in some cases, bikeways.

3. **Commercial Land Use (COM)**

The objective of this designation is to provide for a wide variety of commercial activities including offices, retail sales and services.

Several areas are designated for commercial use. The downtown core is recognized as the Central Business District (CBD) of Newberg. This area should remain as a stable commercial area and a primary location for offices and retail sales.

The area along Highway 99W east of the CBD is recognized as a commercial growth area. It will serve primarily as a service-type commercial area providing shopping centers, restaurants, motels and other services.

Neighborhood commercial areas are included on the Land Use Plan. These areas provide convenience sales or services to the neighborhood in which they are located. The services provided are at a scale consistent with the needs of the neighborhood and are designed so as to be compatible with the general character of the area.

4. **Open Space (OS)**

Open space lands are primarily in floodplains and drainageways which, due to natural limitations, are to be preserved in a largely open character. The open space lands also serve as a habitat for fish and wildlife. These lands form the basic open space framework for the community and may be augmented over time with other parcels of land possessing desirable natural and locational qualities. Boundaries of designated open space areas are defined as those lands below a 20% break in slope along the drainageways as well as some lands which have been identified as being generally hazardous due to geologic or soil conditions. The open space lands were carefully examined in conjunction with fish and wildlife habitats. The General Hazard and Flood Hazard ordinances have been designed to ensure the protection and preservation of these lands.

5. **Parks (P)**

Park lands are usually publicly-owned or leased open areas which provide recreational or other types of leisure-oriented opportunities. Boundaries of these areas are specifically defined on the Plan map. These areas shall be located throughout the planning area in order to minimize travel distances to recreation opportunities.

6. **Future Park Site**

The purpose of this designation is to provide the Parks District and/or The City of Newberg with a first option to buy part or all of the indicated areas.

**7. Future Park and School Sites**

The approximate future park and school site symbols indicate general locations of needed new facilities. Specific sites are not delineated due to financial constraints and, in some cases, to the lack of immediacy in the need for the facilities. As these projects become more feasible, symbols may be removed and specific future park or school sites may be added to the Comprehensive Plan map as needs become apparent.

Whenever possible, future school sites should be located adjacent to existing or future park sites.

**8. Public/Quasi-Public (PQ)**

The public/quasi-public designation is used to indicate the location of schools, public and private; airports; hospitals; cemeteries; government centers and other non-park facilities serving major community functions.

Except in cases where specific new sites are known, only existing public/quasi-public uses shall be shown on the Land Use Plan map. In general, these areas will expand into adjacent areas when the need arises.

**9. Industrial Use Areas (IND)**

The objective of this designation is to provide land for a variety of light industrial, heavy industrial and industrial park areas.

Heavy industrial uses should be located in the area near Smurfit Newsprint, an existing pulp and paper mill. Other designated areas should be developed to light industrial or industrial park type uses.

**10. Commercial/Medium-High Density Center At Mountainview Road and College Street**

Although specific boundaries are indicated on the Comprehensive Plan map, these designations are indicative of approximate acreages rather than exact locations of these uses. The center is meant to include approximately 2.3 acres of commercial land, two acres of high density residential land, and ten acres of medium density land in any type of well-designed land use pattern. Commercial uses in this area shall be limited to neighborhood convenience types of activities which shall not be permitted until transportation provisions are adequate. Such provisions shall include the completion of Mountainview Drive from Springbrook Road to College Street and the installation of proper traffic controls.

**11. Springbrook District (SD)**

The objective of this designation is to provide a compatible mixture of residential, hospitality/public, commercial, and industrial uses, governed

by a master development plan. Residential uses will be primarily single-family dwellings and multi-plexes. Hospitality/public uses will be hotels and recreational facilities. Commercial uses are intended to include general commercial and neighborhood convenience uses such as retail businesses, retail food establishments, personal service establishments, and offices. Total area for commercial uses shall not exceed 10 acres, excluding open space. Light industrial uses which are compatible with the general character of the area are also permitted. Proposals for development shall be consistent with the master plan and the availability of services, and should not adversely impact existing or potential development of adjacent lands.

12. **Commercial/Industrial/Residential Area South of Highway 99W/East of Springbrook Road (Tax Lots 3221-100 and 3216- 2000)**

The large size of these parcels provides a special opportunity for a flexible development pattern. As a result, the location of designated uses in this area are not intended to be specific. Percentages of indicated land uses should be approximately as follows:

Industrial	52%
Commercial	8%
Medium Density Residential	14%
Single Family Residential	26%

13. **Riverfront District (RD)**

The Riverfront's potential for both local and regional development requires a flexible approach. Development should not be limited to a single type of use; residential and certain commercial activities can be located together without conflicts. Residential uses may be of all types except manufactured homes. Commercial uses must have a demonstrated need to be located near the River. Proposals for development shall be consistent with the availability of services and should not adversely impact existing or potential development of adjacent lands.

F. **PROVISION FOR FUTURE NEEDS**

1. **Land Needs**

Land requirements for all uses have been projected and summarized in ten-year intervals to enable comparison and monitoring of population projects and development trends.

**TABLE IV-9**  
**LAND USE REQUIREMENTS**  
**1990 - 2010**

<u>Use</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>Percent</u>	<u>Available</u>
Residential	1,580	2,090	2,765	58%	2,194
Commercial	250	309	381	7%	324
Industrial	490	730	1,087	20%	709
Public	223	299	375	7%	219
Parks	44	100	180	3%	45
Unbuildable	<u>462</u>	<u>462</u>	<u>462</u>	<u>9%</u>	<u>462</u>
<b>TOTAL</b>	<b>3,049</b>	<b>3,990</b>	<b>5,250</b>	<b>100%</b>	<b>3,952</b>

The above Table indicates that 5,250 acres may be required for urban uses by the year 2010. Since 3,952 acres are presently included within the Newberg UGB, a considerable amount of acreage needs to be added.

The projections in the above table are calculated with the same percentage increases as in the 1979 acknowledged Comprehensive Plan, but with 1989-1990 existing use figures as a base. As the table indicates, Newberg's vacant land will be marginally sufficient to the year 2000; projections for the following 10 years demonstrate that Newberg will be deficient in all categories, but especially so for residential and industrial uses.

The Comprehensive Plan provides less park and public/quasi-public lands than are projected as needed. The acreage provided for public/quasi-public uses largely consists of areas already in these uses. Additional lands are intended to be transferred from residential areas as the need for specific sites becomes apparent.

Overall, the Newberg Comprehensive Plan is well-balanced with respect to lands that are provided to accommodate projected needs. The City of Newberg will closely monitor development rates to determine whether the UGB contains sufficient buildable lands to accommodate land use needs. Any future change of the Newberg UGB will be based upon a consideration of the seven factors of Goal 14.

## 2. Public Facilities

The Public Facilities Planning Rule (OAR 660, Division 11) requires that each City develop and adopt a public facility plan for areas within urban growth boundaries. The City has prepared Master Plans for water, sewer and drainage systems. The plans are designed to address the City's public facility needs through the year 2010. The following is the list of public facility projects as required by OAR 660, Division 11.

TABLE IV-10  
 CAPITAL IMPROVEMENTS - SEWER  
 NOVEMBER 9, 1990

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
1. Springbrook St. Sewer - S. of Crestview	43,256	1992	1
2. Hess Creek Sewer - Sixth St. to Hess Creek Ct.	438,725	1992	1
3. Hess Creek Sewer - Sixth St. to South P.S.	204,230	1993	1
4. Springbrook St. - Sandoz Rd. - Wyooski Rd. to Waste Water Treatment Plant	656,320	1995	2
5. Morton & Sheridan Sts. to Eighth St. Pump Station via Fifth St.	230,540	1994	1
6. Eighth St. Pump Station - Upgrade	220,000	1994	1
7. Wyooski Rd. Pump Station East of Waste Water Treatment Plant	736,000	1995	1,2
SERVICE PROVIDER:			
1. CITY OF NEWBERG			
2. LOCAL IMPROVEMENT DISTRICT			
3. DEVELOPER			

TABLE IV-11  
CAPITAL IMPROVEMENTS - WATER  
NOVEMBER 9, 1990

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
1. Highway 219 - East Second St. to Sandoz Rd.	189,300	1991	2
2. Design Treatment Plant/Update Master Plan	100,000	1991	1
3. Wells in well field located in Marion County	135,000	1991	1
4. Reservoir - 4,000,000 gallon at storage site	585,000	1992	1
5. New Water Treatment on Wyooski Street	2,610,500	1992	1
6. River Rd. Loop (College St.-Waterfront Dr.-River St.-11th St.)	170,800	1993	1,2
7. Springbrook Loop (E. 2nd St. and north to Hwy 99W)	440,000	1993	1,2,3
8. Springbrook Rd. - College St. Loop (Mountainview Dr.-Zimri Dr. west to College St.)	750,000	1995	1,3
9. Transmission Line 24" Across Bridge	307,100	1995	1
10. Water Treatment Plant Expansion	1,405,700	1997-99	1
11. Wells in well field located in Marion County	135,000	1999	1
12. Springbrook Rd. - Wilsonville Road Loop	672,000	2000	1,3
13. New Reservoir at storage site NE of City	585,000	2000	1
14. Wells in well field located in Marion County	585,000	2006	1

SERVICE PROVIDER: 1. CITY OF NEWBERG  
2. LOCAL IMPROVEMENT DISTRICT  
3. DEVELOPER

TABLE IV-12  
CAPITAL IMPROVEMENTS - STORM SEWER  
NOVEMBER 9, 1990

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
1. Blaine Street Sixth St. to Ninth St.	129,600	1991	1
2. Railroad Ditch - Smurfit South of Ninth St. to drainage	4,600	1992	4
3. Sheridan St. - Lincoln - Sheridan - Harrison West of Main St., North of Hancock St.	72,900	1993	1,2
4. Sherman St. - Franklin St. West of Main St.	6,600	1993	1,2
5. Main St. North St. to Franklin St.	15,400	1994	1,2
6. Center St. and Hancock to Hess Crk. Along New Highway Couplet Alignment	33,200	1994	1,4
7. Carlton Way Sheridan St. to Hess Crk.	58,300	1994	1
8. Meridian St. Sheridan St. to Hancock St.	12,200	1994	1
9. Hancock St. School St. to Center St.	88,100	1994	1,4
10. Wynooski St. Culvert East of Tenth St.	35,400	1995	4
11. Second St. Culvert North of Airport	7,300	1995	5
12. Hwy 99W Culvert and Haworth Terrace Apts. Hwy 99W to Haworth St. East of Elliott Rd.	112,000	1996	2,3
13. Haworth Ave. Haworth Terrace Apts. to Elliott Road	20,700	1996	1
14. George Fox College East of North St. to Hess Creek	51,600	1997	1,3
15. Center St. and North St. to Vermillion St. and Meridian St.	47,500	1998	1

CAPITAL IMPROVEMENTS - STORM SEWER, CONTINUED

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
16. Vermillion St. Extension Meridian St. to RR	10,100	1999	3
17. S.P.R.R. Culvert North of Edwards St.	8,100	1999	1
18. Meridian St. R/R to to 1000 ft. North	5,700	2000	1
19. Meridian St. R/R to Vermillion St.	43,700	2000	1
20. Hwy 219 - Culvert Near Western Helicopter Access Road	8,100	2001	3
21. Church St. Hess Creek to Hwy 219	72,900	2001	1,3
22. Leo Lane East of Springmeadow Subdivision to Hwy 99W	21,600	2002	3
23. Eighth St. Willamette St. to Hess Creek	72,900	2003	1,3
24. Center St. Fourth St. to 200 ft. South of Ninth St.	153,000	2004	1,3
25. Eighth St. Center St. to Willamette St.	16,200	2005	1
26. College St. Culvert South of Andrew St.	26,900	2006	1
27. Sunnycrest Road Hwy 99W to Chehalem St.	81,000	2007	2,3
28. Hwy 219 - Ditches Church St. to Everest Road	74,400	2008	4
29. Carol Avenue Culvert Between Carol Avenue and Ann Dr.	17,000	2009	1
30. Birch Lane Culvert West of Hawthorne Loop	23,300	2009	1

CAPITAL IMPROVEMENTS - STORM SEWER, CONTINUED

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
31. Laurel Dr. Between Villa Rd. and Holly Dr.	31,600	2010	1
SERVICE PROVIDER:			
1. CITY OF NEWBERG			
2. LOCAL IMPROVEMENT DISTRICT			
3. DEVELOPER			
4. OREGON DEPARTMENT OF TRANSPORTATION			
5. COUNTY			

## V. SUMMARY

The Comprehensive Plan provides the basis for making land use decisions through the year 2010. The goals included in the Plan describe long-range community objectives, while related policies clarify the intent of the Plan and directions for future planning decisions and activities. The Plan map with its related text indicates the geographic locations of different land uses and densities. In order for the Comprehensive Plan to continue to provide reliable guidance, the Plan, its subsections and implementing ordinances will be reviewed and revised as needed. A periodic review will take place every five to seven years, based upon an examination of local concerns and other planning information, to determine whether revisions will be necessary.

The Comprehensive Plan is intended to be flexible enough to meet changing needs. At the same time, it must be stable enough to provide reliable guidance. Overall, the Plan will provide for a continued development of Newberg as a healthy, well-balanced community offering a high quality of life.

Adopted by Ordinance No. 1967 on July 2, 1979.

Amended by Ordinance No. 2047 on April 6, 1981.

Amended by Ordinance No.           on                           1990.

## COMPREHENSIVE PLAN AMENDMENTS

Ord. No.	Date of Enactment	Location	From	To
1975A	10/1/79	YC TL No. 3218DB-500	Proposed Park	LDR
2019	6/9/80	YC TL No. 3216-2000 & 3221-100	Incorporating property in to Urban Growth Boundary	
2020	6/9/80	YC TL No. 3216-2000 & 3221-100	Incorporating property in to Urban Growth Boundary and to change land use percentages	
2021 s	6/9/80	NE 1/4 of Sec. 7, T3S, R2W, & south 1/2 of TL No. 3207-1000	Included within UGB and to designate property as Low-Density Res./School Facility.	
2165	5/6/85	YC TL No. 3216 CA 2190	LDR	COMM
2177	4/7/86	YC TL No. 3216 BB-300	Proposed Park	LDR
2191	11/3/86	YC TL No. 3221-3600	MDR	IND
2200	4/6/87	YC TL No. 3221-3700	MDR	IND
2217	10/5/87	YC TL No. 3216-1900	IND/COMM	COMM
		YC TL No. 3217DC-1000	MDR/COMM	COMM
		YC TL No. 3217DC-1025 - 1035 and 3217DC-1042 - 1063	LDR/MDR and COMM	MDR
		YC TL No. 3217DD-1523	HDR/COMM	HDR
		YC TL No. 3217DD-1900	MDR/COMM	COMM
		YC TL No. 3217DD-2400	HDR/COMM	COMM
		YC TL No. 3217DD-2501	COMM	HDR
		YC TL No. 3218DD-200	MDR/IND	MDR
		YC TL No. 3218DD-700	MDR/IND	MDR
		YC TL No. 3219AC-1300	LDR/HDR	LDR
		YC TL No. 3219AC-4800	LDR/HDR	LDR
		YC TL No. 3219BD-200	LDR/COMM	COMM
		YC TL No. 3219BD-300	COMM/IND	IND
		YC TL No. 3220AB-1700	COMM	HDR
		YC TL No. 3220AB-2100	HDR	IND
		YC TL No. 3221-1400	PQ	MDR

Ord. No.	Date of Enactment	Location	From	To
88-2228		YC TL No. 3219 DD-1300 -1400	IND	MDR
		YC TL No. 3208-4400, -4401, -4500, -4700, -4800	LDR, MDR, IND	MIX-SD
		YC TL No. 3209-2600, -2690 -2700, -2703		
		YC TL No. 3209CD-200, -300, -700, -800, -900, -1000		
		YC TL No. 3216BB-100, -300, -400, -401, -402, -600		
		YC TL No. 3217-100		
88-2246		YC TL No. 3217CD-4400, -7100	HDR	COMM

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Agenda  
112-3

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 6, 1990

X MOTION

DATE REQUESTED: November 20, 1990

RESOLUTION

ORDINANCE

X INFORMATION

SUBJECT: Revisions to the Comprehensive Plan.

RECOMMENDATION:

The staff recommendation is to close the public hearing and direct staff to prepare an ordinance to adopt the revised Comprehensive Plan.

BACKGROUND:

On November 5, 1990 the City Council directed staff to make various changes to the Comprehensive Plan. In addition to changes approved by the Council, information and policies have been added for manufactured housing, public facilities, and the proposed Newberg/Dundee Bypass. The key issues are discussed below.

On November 13, 1990 the Newberg Urban Area Management Commission (NUAMC) met and reviewed relevant Transportation, Greenway and Urbanization policies. The NUAMC recommended that the Council approve the Plan sections with the changes noted below.

A. Preservation of Trees in Drainage Ways

Wooded Areas Policy 2 on page five will remain as written stating "trees provide needed protection from erosion and should be maintained". The term shall will not be inserted since it does not provide adequate flexibility. Staff will prepare an amendment to the zoning ordinance to establish a process for harvesting certain trees in drainage ways.

B. Various Text Changes - Complete Sentences

The following policies were incomplete sentences in the draft. The term "the City shall" was inserted in each policy to complete the sentence.

<u>Page</u>	<u>Policies</u>
11	Greenway Policy h.
13	Economy-General Policies g., k., and l.
13	Economy-Industrial Areas Policy b.
15	Housing Mix Policies f.
16	Housing Mix Policies j. - m.
17	Urban Design-General Policies l. - o., s., and t.
19	Urban Design-Downtown Policies a. - e.
20	Transportation-Overall Transportation Policy f.
26	Public Facilities and Services-Schools Policy i.
28	Urbanization-General Policy b.

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C. **Manufactured Homes.**

Based on the comments of Don Miner, Executive Director of the Manufactured Housing Association. Staff has revised housing analysis text, on pages 34-35, to identify specific areas for MI zoning. The previous text assumed use of a floating zone for manufactured housing. The advantage of fixing the zoning is to avoid numerous zone change requests in the future.

D. **Public Facilities List - Storm Sewer**

Pages 42-45 have been revised to clarify who will be responsible for providing identified public facilities. A list of storm sewer projects has also been included. These lists are required to be in the Plan by OAR 660 Division 11.

E. **Newberg/Dundee Bypass - Transportation Policies**

Last month the Newberg Urban Area Management Commission (NUAMC) was formed to review Plan policies as they relate to the Newberg/Dundee Bypass. The NUAMC met on November 13, 1990 to coordinate Plan policies between the City and the County. On the suggestion of highway department officials, the City and County staff prepared two policies which are designed to maintain the integrity of the bypass, if it is built. The policies were reviewed and approved by the NUAMC and are included as Commercial Area Policies d. and e. on page 14. The policies limit highway commercial development in the vicinity of the bypass. The NUAMC also made minor revisions to Automobile policies a., k. and l., and Overall Transportation policy d. to encourage greater coordination with the State and to provide consideration of light rail systems in the future. A new policy "h." was added to the Overall Transportation section to encourage use of alternatives to automobiles.

F. **Greenway/Urbanization**

The NUAMC reviewed Greenway policies and no changes were suggested. The following policy was determined to be ambiguous and was recommended for deletion from the Urbanization section:

Policy g. The City will coordinate land uses inside and outside the urban growth boundary with the county to ensure protection of these rural lands.

COST: None

  
\_\_\_\_\_  
Dennis Egner, Planning Director

  
\_\_\_\_\_  
Duane R. Cole, City Manager

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NEWBERG COMPREHENSIVE PLAN  
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A recognized forest inventory can be found in the Inventory of Natural and Cultural Resources

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I. INTRODUCTION AND BACKGROUND

A. INTRODUCTION

Newberg is a small but growing community. Attracted by the high quality of life, increasing numbers of people have chosen to live in Newberg while commuting to other areas for employment. Adding to the population has been the expansion and diversification of the City's economic base. Population growth in Newberg has meant new housing, expanding commercial areas, additional parks and recreational facilities, and the expansion of a variety of other uses. The result has been a changing land use pattern.

This Plan is intended to guide the growing land use needs of the City until the year 2010. As required by State Senate Bill 100, the Plan addresses and is consistent with established statewide goals and guidelines. At the same time, the goals and policies included within the Plan reflect primarily local concerns. Newberg residents and their representatives have produced this plan based upon community needs and expectations for the future.

B. BACKGROUND

In preparing the Plan, the first step was a land use inventory and a general analysis of needs through the year 2000. Based upon findings, an urban growth boundary was proposed and, after numerous public hearings and several revisions, was formally adopted by the City Council. The Plan was updated in 1990.

With the adoption of the Urban Growth Boundary (UGB) in August, 1977 (amended June, 1979), the planning area was defined. Work was begun on a detailed inventory report to provide background material for the comprehensive plan. The inventory was prepared in draft form and sent out to interested agencies, public officials and citizens for review and comment. The final report, entitled Inventory of Natural and Cultural Resources, was completed and made available in January, 1978.

The initial Inventory examined existing resources in the Newberg area and projects future needs for these resources through the year 2000. The Inventory was updated in 1990 and adjusted to meet future needs through the year 2010. Resources described include agricultural and forest lands, mineral and aggregate resources, housing, public facilities, transportation, and other areas of public concern.

Following completion of the initial Inventory report, the Newberg Citizen Involvement Advisory Committee (CIAC) held public meetings on goals and policies for the different resource areas. Based upon the recommendations of the CIAC, the information included in the Inventory report, and the considerations of existing plan designations, staff prepared three alternative land use plan concepts. The CIAC and the Planning Commission adopted a modified version of

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one of the alternatives as a draft plan. The City Council examined the recommended plan and, with minor modifications, distributed it for public review and comment.

During the following months, a series of hearings and work sessions were held. With the active participation of local residents, public officials and representatives of affected governmental agencies, several changes were made in the draft Plan. On July 2, 1979, the Newberg Comprehensive Plan was officially adopted by the City Council.

#### C. SIGNIFICANCE

The Comprehensive Plan provides the city with a positive tool to direct growth. The plan is general in nature, providing a basis for long term decision-making. The plan is not an end in itself, but must be implemented through specific ordinances and programs.

For example, the zoning ordinance regulates land uses within various zoning classifications, while the land use element of the Comprehensive Plan provides general goals, policies and classifications.

Besides the zoning ordinance, several other ordinances and plans have been prepared to implement the Comprehensive Plan. Examples of implementing regulations include subdivision, annexation and design review ordinances. Implementing plans mandated by the Comprehensive Plan include a phased utility plan, a six-year capital improvements program, a streets plan and other such reports. Together, these documents affect both the quality and location of future developments.

Policies included under the Recreation and Public Facilities sections of the Comprehensive Plan influence the location of new schools, parks, fire stations and other public facilities. Policies on hazardous lands add conditions to the development of areas with natural limitations. The Transportation section includes required standards for the provision of streets, sidewalks and curbs as well as recommended bikeway facilities. These policies will affect improvements in new developments as well as repairs or expansions of existing facilities.

The Urban Growth Boundary will also have an important effect on local residents. The UGB, although only a guide, is intended to provide adequate space for land use needs to the year 2010 and defines the area within which urban services can be provided. The purpose of the UGB is to contain urban growth within a reasonable area while providing adequate choices for new development locations.

Neither the Comprehensive Plan nor the UGB are intended to be inflexible. The Plan, its subsections and implementing ordinances will be reviewed continually and revised as needed. Every five to seven years a periodic review will take place, examining population projections, economic conditions, land use needs, local concerns, and other planning information. The Plan is not a static document. Instead, it is intended to change according to local needs.

D. PERIODIC REVIEW OF 1990

The first periodic review of the 1979 Plan was begun in 1986 and completed in 1990. This review presented the City with an opportunity not only to fine-tune the existing plan, but also to make additions to those areas deemed especially important by, and for, the community.

Three such areas were identified: The Willamette Riverfront; the downtown; and economic development, especially industrial development. Policies were added to address these needs. The City also made those modifications required to comply with state-mandated programs, such as Goal 5 (Historic Preservation), and the public facilities plan.

E. THE PLAN

The Plan has several components. The Goals and Policies section includes general goals associated with each resource area followed by specific policies. This section includes information on the general intent of the Plan and more detailed requirements on a resource-by-resource basis. In most cases, goals and policies relate to the entire planning area rather than to specific locations.

The Plan Description Section is somewhat more area-specific. It explains the land use plan map and describes the different land use categories. It also analyzes the amounts of land provided in the Plan for various uses in comparison with projected needs.

The final element in the Comprehensive Plan is the land use plan map which specifies geographic locations of intended densities and/or land use classifications. In a few cases, such as in the designation of future park and school sites, locations are intentionally imprecise and are more closely defined in the text of the Plan Description section.

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## II. GOALS AND POLICIES

The following goals and policies are important elements in the Comprehensive Plan. These statements indicate the intent of the Plan and establish directions for future planning decisions and activities.

### A. CITIZEN INVOLVEMENT

#### GOAL:

To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

### B. LAND USE PLANNING

#### GOAL:

To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

#### POLICIES:

1. To implement the Comprehensive Plan, the following detailed plans shall be periodically updated by the City:
  - a. Phased Utility Expansion Plan
  - b. Six-Year Capital Improvements Program
  - c. Bikeway and Pedestrian Plan
  - d. Streets Plan
2. The Comprehensive Plan and implementing ordinances shall be reviewed continually and revised as needed. Major reviews shall be conducted during the State periodic review process.
3. Industrial land use needs shall be periodically evaluated.
4. When Comprehensive Plan statements conflict, the relative importance of the statements should be balanced by giving consideration to existing and future public need, impacts on surrounding areas, and the effect of any precedent that may be established.

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C. AGRICULTURAL LANDS

GOAL:

To provide for the orderly and efficient transition from rural to urban land uses.

POLICIES:

1. The conversion of urbanizable land from agricultural to urban land uses shall be orderly and efficient.
2. Inclusion of lands in agricultural use within the Urban Growth Boundary is recognition of a commitment to future urbanization, as such lands are necessary to meet long-range population and economic needs, based on criteria outlined in the statewide Urbanization Goal.

D. WOODED AREAS

GOAL:

To retain and protect wooded areas.

POLICIES:

1. Existing wooded areas shall be encouraged to remain as open areas for wildlife habitat and limited recreational uses.
2. Development in drainageways shall be limited in order to prevent erosion and protect water quality. Trees provide needed protection from erosion and should be maintained.

E. AIR, WATER, AND LAND RESOURCE QUALITY

GOAL:

To maintain and, where feasible, enhance the air, water and land resource qualities within the community.

POLICIES:

1. Development shall not exceed the carrying capacity of the air, water or land resource base.
2. Water quality in the Willamette River and tributary streams shall be protected.
3. As public sanitary sewer systems become available, all development shall connect to the public system. To encourage economic development, the City

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may permit subsurface sewerage disposal where the system meets State and County requirements and where unique circumstances exist.

4. The Newberg airshed shall be protected from excessive pollution levels resulting from urbanization.
5. New industry should be located in areas which minimize impacts upon the air, water, and land resource base, as well as upon surrounding land uses.
6. The City will cooperate with State and Federal agencies which regulate environmental quality and shall adhere to the standards established by these agencies in the issuance of any permits or approvals given by the City. This policy is intended to cover discharges and emissions which may impair air, water or land quality or exceed the established standards for noise or other emissions.
7. The threat of excessive noise will be considered when reviewing land use requests. In addition, any new commercial and industrial developments shall conform to DEQ noise pollution standards.
8. The City will continue to support soil conservation measures designed to prevent unnecessary losses through excavation, stripping, erosion, and sedimentation.
9. The City will seek abatement of the aesthetic degradation of the environment resulting from blighted neighborhoods, indiscriminate waste disposal, offensive outdoor storage.
10. The City shall promote community cleanup programs.
11. The City will continue to encourage and support the three R's of recycling (re-use, reduction and recycling).

#### F. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

##### GOAL:

To protect life and property from natural disasters and hazards.

##### POLICIES:

1. The City will coordinate with the Federal Emergency Management Agency to ensure continued compliance with federal flood plain regulations.
2. The largest floodplain area within the Urban Growth Boundary is located within the Willamette Greenway. As such, this area will be subject to Greenway plans and regulations.
3. In other areas of potential or existing hazards, development shall be subject to special conditions. Reasonable development may be permitted in

these areas when it can be shown, based on sound engineering and planning criteria, that adverse impacts can be mitigated and kept to a minimum. Hazardous areas shall be considered to be lands with slopes 20% or greater, potential and existing slide areas, fault areas, and areas with severe soil limitations.

G. OPEN SPACE, SCENIC, NATURAL HISTORIC AND RECREATIONAL RESOURCES

GOALS:

1. To ensure that adequate land shall be retained in permanent open space use and that natural, scenic and historic resources are protected.
2. To provide adequate recreational resources and opportunities for the citizens of the community and visitors.
3. To protect, conserve, enhance and maintain the Willamette River Greenway.

POLICIES:

1. Open Space & Natural Resources Policies
  - a. While the Land Use Inventory has shown that an ample amount of open space currently exists within the Urban Growth Boundary, the City shall insure that, as development continues, adequate land shall be retained in permanent open space use.
  - b. In selecting areas to be maintained as open space, parcels shall be of adequate size and possess desirable natural and locational qualities. Cost and ease of acquisition shall also be important considerations.
  - c. The purchase of partial easements, transfers of development rights, cluster development incentives, taxation policies and other techniques should be considered as methods of keeping important lands in open space uses.
  - d. The dedication of easements for public use of drainageways should be encouraged when properties are either developed or redeveloped. Development densities that would normally be allocated to portions of property in the drainageways may be transferred to adjoining areas up to a maximum increase of 10 percent.
  - e. The floodplains and natural drainageway areas in Newberg should be preserved with a largely open character to provide a basic open space framework for the community. The capacities of these areas shall be maintained to provide a natural storm water and natural drainage system, as well as to continue to provide a natural habitat for local fish and wildlife. Natural drainageways should be kept in open space

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uses. Bicycle and pedestrian pathways might be included in these areas. Care should be taken to minimize disturbances in these often erosive and steep areas. All uses should be compatible with the specific sites.

- f. The Smurfit Newsprint processing plant has a waste treatment lagoon located inside the urban growth boundary and within a designated open space area. The waste treatment system has been in place for 35 years and is not incompatible with the identified fish and wildlife habitat. This system shall be permitted to continue, subject to applicable State and Federal environmental regulations.
- g. The City shall coordinate with State and Federal agencies to protect identified wetland areas. The National Wetlands Maps prepared by the U.S. Fish and Wildlife Service in 1981 provides an initial inventory of wetlands in Newberg.

2. Scenic Resources Policies

- a. The City shall take steps to maintain and improve the visual quality of the City.
- b. The City will encourage identification of scenic drives, sites and viewpoints.

3. Historic Resources Policies

- a. The continued preservation of Newberg's designated historic sites and structures shall be encouraged.
- b. Newberg's Historic Inventory shall be updated as needed to reflect new information.
- c. The City will encourage the establishment of a museum for the housing of historic artifacts, the sponsorship of touring exhibits, seminars and oral history, archival research, etc.
- d. The City will encourage the re-use of historic structures such as the establishment of bed and breakfast operations, specialty shops, restaurants and professional offices.
- e. The City will encourage identification and/or preservation of significant historic landmarks, archaeological or architectural sites which meet criteria established by the City.

4. Recreation Policies

- a. Recreational facilities and services shall expand to meet growing recreational demands. In cooperation with Chehalem Park and

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Recreation District, these demands shall periodically be assessed and plans for programs and facilities shall be revised accordingly.

- b. To ensure that adequate lands shall be available for recreation, areas which are suitable recreational sites due to locational and natural qualities shall be designated as park land on the land use plan map. Other less specific park sites shall also be indicated on the plan.
- c. The City shall encourage the establishment of a comprehensive program for sequential park and recreation land development by the Chehalem Park and Recreation District. Such a program would include planning in coordination with state, county and other affected agencies.
- d. High priority shall be given to recreational facilities and services designed to:
  - Meet recreational needs requirements for higher density areas.
  - Provide recreational opportunities for persons of limited mobility and finances.
  - Minimize the adverse impact on the environment.
  - Meet recreational needs of the area's citizens and visitors.
- e. Recreational facilities shall be located throughout the planning area in order to minimize distances between residential areas and recreational opportunities.
- f. The continued multiple use of public facilities for recreational and other purposes shall be encouraged. In particular, schools and parks shall be located on adjacent sites wherever possible.
- g. Recreational standards for the planning area shall be as follows. These standards shall be considered as desirable guidelines to be achieved whenever possible.

Classification	1000 People	Acres Per Size Range	Service Area
Neighborhood Parks	2.5	Free-standing; 3-10 acres. Adjacent to an elementary school; 2-5 acres with the school supplying about 6 acres of playground.	1/4 to 1/2 Mile
Community Parks	2.5	Free-standing; 10-25 acres. Adjacent to junior or senior high school; 8-15 acres with school supplying about 12 acres.	Not more than 1-1/2 miles
A City-Wide Park	---	25 acre minimum	Entire City

Source: Chehalem Park & Recreation District

- h. Public and private recreational development will be encouraged on sites suitable for the proposed uses.
  - i. The City shall cooperate with Chehalem Park and Recreation District to provide recreational opportunities which meet the needs of Newberg and Yamhill County residents as well as any transient and regional population.
  - j. A senior center, a community center, and an adult sports complex of 20-50 acres should be developed.
  - k. The City will cooperate with the Chehalem Park and Recreation District to locate parks and scenic areas which are easily accessible to the City's population and which can be developed to provide recreational opportunities for a variety of age and interest groups.
  - l. Newberg's Public Lands Fund shall be used to support a variety of public purposes including recreation facilities. The allocation of these funds shall be made by the Council in accordance with public needs for these facilities.
5. Willamette River Greenway Policies
- a. Newberg will encourage the protection, conservation, enhancement and maintenance of the Willamette River Greenway.

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- b. Newberg recognizes the importance of the Willamette River as a regional resource which should be maintained for its natural, scenic, economic, recreational, agricultural and historic value.
- c. The Oregon Department of Transportation Greenway Plan shall by reference be incorporated within the Newberg Comprehensive Plan.
- d. Recreational activities shall be encouraged consistent with the statewide Willamette River Greenway Goal.
- e. Newberg should actively promote programs to preserve the Willamette River for recreational and open space uses.
- f. Additional public access to the River should be provided in the Newberg area.
- g. The current boat launching site is a proposed acquisition area, which in cooperation with Yamhill County, should be purchased for public use when funds become available.
- h. The City shall encourage the establishment of river oriented uses such as boat landings, docks and people oriented attractions such as restaurants and tourist or community related facilities.
- i. Existing waterfront parklands shall be developed to maximize their water orientation.
- j. The City's Willamette Greenway program will emphasize the recreational use of the Greenway.
- k. Waterfront recreational and park development along the Willamette River will be given emphasis to provide recreational resources for future generations.
- l. The City shall create a Riverfront Zone to identify which uses shall be permitted outright or through a conditional use permit.
- m. New development within the floodplain shall conform to General Hazard and Flood Hazard regulations.
- n. Public and private recreational development will be encouraged on sites suitable for the proposed uses.
- o. The City will seek to establish increased public access to areas of prime recreational significance and the development of additional water based recreational opportunities.
- p. Developments within the Greenway shall be encouraged to donate land within the 100 year flood plain to either the City or Chehalem Park and Recreation District. Transfer of development rights and other

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alternative approaches should be considered as a way of implementing this policy.

- q. The use of the riverfront for commercial, residential and open space recreation purposes shall be encouraged, preserving as nearly as possible the natural character of the area.
- r. Extractive processes should be screened from view, should control dust through watering or other acceptable practices, and should consider limiting their hours of operation to daylight times only.
- s. All sites will be planned for re-use upon depletion of the resource. The property owner is responsible for planning and reconstructing the site. Re-use of the site will be consistent with the land use policies outlined in the comprehensive plan.

#### H. THE ECONOMY

##### GOAL:

To develop a diverse and stable economic base.

##### POLICIES:

##### 1. General Policies

- a. In order to lessen the percentage of persons who live in Newberg but must work elsewhere, the City should encourage a diverse and stable economic base through tax incentive programs, land use controls, preferential assessments and capital improvement programs. The formation of a community development corporation should also be considered.
- b. The City shall encourage economic expansion consistent with local needs.
- c. The City will encourage the creation of a diversified employment base, the strengthening of trade centers, and the attraction of both capital and labor intensive enterprises.
- d. Newberg will encourage the development of industries which represent the most efficient use of existing resources including land, air, water, energy and labor.
- e. Economic expansion shall not exceed the carrying capacity of the air, water or land resource quality of the planning area.
- f. The City shall participate with local and regional groups to coordinate economic planning.

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- g. The City shall encourage business and industry to locate within the Newberg City limits.
- h. Yamhill County history, products and activities should be promoted.
- i. The City shall encourage tourist-related activities and services such as motor inns, restaurants, parks and recreation facilities, a visitor center, conference and seminar activities.
- j. A regional destination resort shall be encouraged to be built near the Willamette River.
- k. The City shall promote Newberg as a tourist destination location.
- l. The City shall promote the expansion of local viticulture and wine production as a method for increasing tourism.

2. Industrial Areas Policies

- a. Industrial expansion shall be located and designed to minimize impacts on surrounding land uses.
- b. The City shall encourage industrial development, preferring firms that:
  - Meet or exceed state or local environmental standards;
  - Utilize the existing labor force and help to reduce seasonal unemployment fluctuations; and
  - Are efficient consumers of energy.
- c. Newberg shall actively pursue the inclusion of large industrial sites within the urban growth boundary.
- d. The City shall reserve land for industrial development prior to demand and attract new industries in accordance with future community needs.
- e. Established industrial areas may be extended and new industrial areas designated by plan amendment where development trends warrant such extension or designation. Full urban services will be extended into the area if appropriate, if the extension of land use and services is consistent with all other goals and policies of the plan.
- f. Concerted community efforts should be made to see that industrial development expands outward from existing areas rather than occurring in haphazard patterns.

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3. Commercial Areas Policies

- a. The City shall encourage the retention of the downtown core as a shopping, service and financial center for the Newberg area. New commercial developments shall be encouraged to locate there.
- b. Adequate neighborhood commercial areas will be provided to serve localized needs.
- c. Commercial development will be encouraged to be clustered and to develop off-street parking facilities in conjunction with other nearby developments.
- d. To maintain the integrity and function of the highway system, new commercial development shall be discouraged along the route of any limited access highway. *sp?*
- e. New highway oriented commercial development at limited access highway interchanges will only be permitted where direct access is provided from a local street system. The City will prohibit direct access from the State highway system for commercial development oriented to limited access highways.

I. HOUSING

GOAL:

To provide for the housing needs of the community commensurate with regional income levels.

POLICIES:

1. Density Policies

- a. Density rather than housing type shall be the most important development criteria and shall be used to classify different types of residential areas on the plan.
- b. Density classifications shall be as follows:

Classification	Units Per Gross Acre*
Urban Low Density	4.4
Urban Medium Density	4.4 - 8.8
Urban High Density	8.8 - 21.8

\*Includes a 25 percent allowance for streets

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- c. In determining net residential densities, developers may be given density credit for land donated and accepted by the City for needed public facilities.

## 2. Location Policies

- a. Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces.

## 3. Mix Policies

- a. The City will encourage innovative approaches to solving the problem of meeting low income housing needs. Such approaches may include, but are not limited to the following: rent subsidies, federally funded development under HUD programs, state and regional housing programs.
- b. Low and moderate income housing should not be concentrated within particular areas of the City.
- c. Manufactured homes should be recognized as a source of low income housing.
- d. Modular housing meeting all building codes and placed on permanent foundations shall be treated as single-family units. They will be subject to the same locational and density requirements as other single-family dwellings. The City shall employ a MI sub-district overlay zone to satisfy State requirements for siting manufactured housing on individual lots within single family zones.
- e. Manufactured homes shall only be permitted in the following locations: 1) manufactured home parks, 2) manufactured home subdivisions, 3) individual lots within the MI subdistrict and 4) individual lots in the R-2 Medium Density zone when units meet MI standards.
- f. The City <sup>recognizes</sup> shall encourage manufactured homes as a viable alternative to conventional housing. ✓
- g. The City shall ensure that enough land is planned for manufactured homes, particularly in conjunction with transportation corridors.
- h. Home occupations shall be permitted provided that such uses are compatible with adjoining residential uses and there are no outward manifestations of the business.

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- i. To reduce distances between land uses, a mixture of all compatible uses will be encouraged. As such, convenience commercial areas may be located within residential districts provided they meet special development standards.
- j. The City shall support regional fair share distribution of assisted housing for low income people.
- k. The City shall encourage innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs.
- l. The City shall encourage an adequate supply of rental housing dispersed throughout the City to meet the needs of renters.
- m. The City shall encourage residential occupancy of upper floors within multi-story commercial buildings.
- n. Within the urban area, land use policies will attempt to provide a broad range of residential uses and encourage innovative development techniques.

J. URBAN DESIGN

GOAL:

To maintain and improve the natural beauty and visual character of the City.

POLICIES:

1. General Policies

- a. Design review should be performed at the staff level.
- b. Design review should be provided for all new developments more intensive than duplex residential use.
- c. Non-residential uses abutting residential areas should be subject to special development standards in terms of setbacks, landscaping, sign regulations, building heights and designs.
- d. The City should impose a design overlay zone on those areas adjacent to major and minor arterial streets.
- e. Developments should respect the natural ground cover of their sites to the extent possible and plans should be made to preserve existing mature, non-hazardous trees in healthy condition.
- f. The planting of street trees should be required in conjunction with a list of City-approved trees.

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- g. Community appearance should continue to be a major concern and subject of a major effort in the area. Street tree planting, landscaping, sign regulations and building improvements contribute to community appearance and should continue to be a major design concern and improvement effort.
- h. Landscaping shall be required along street frontage strips within the street right-of-way in order to soften the appearance of commercial and industrial developments.
- i. The City shall encourage tree planting for aesthetic purposes.
- j. Curbs, gutters, and sidewalks are to be required in all new developments.
- k. Curb ramps will be required at intersections and pedestrian crosswalks wherever new curbs are installed. These ramps improve access for the elderly and handicapped, as well as for strollers, bicycles and other wheeled vehicles.
- l. The City shall encourage compatible architectural design of new structures in the community.
- m. The City shall encourage the use of planned unit developments.
- n. The City shall encourage innovative design and ensure that developments consider site characteristics and the impact on surrounding areas.
- o. The City shall encourage flexibility in design review and interpretation of policies and regulations by ensuring that functional design and community benefit remain as the principal review criteria. Consider variance procedures where interpretation of regulations impede fulfillment of these criteria.
- p. Public and private properties located along entrances should be attractively landscaped in order to reinforce the sense of gateway into Newberg.
- q. The City shall develop and adopt a design review manual.
- r. Developments of medium or high density shall be of a quality and design which will effectively offset the greater density.
- s. The City shall ensure that City review processes do not unnecessarily delay development of projects.
- t. The City shall encourage residential-professional uses as a buffer between intensive commercial uses and less intensive residential uses.

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2. Industrial Areas Policies

- a. Industrial development should be encouraged to locate in industrial parks offering good access, buffering and landscaping.
- b. Industrial developments should be well landscaped and maintained and existing trees should be preserved where possible.
- c. Where industrial uses abut residential zones or uses, special development standards relating to setbacks, screening, signs, building height and architectural review should be established.

3. Commercial Areas Policies

- a. Where commercial development is permitted, such development should be subject to design requirements for ingress and egress, landscaping and sign control.
- b. Existing development shall be encouraged to follow the same general design standards as new commercial development.
- c. The City shall adopt sign design and placement regulations prior to the next periodic review of this plan. Non-conforming signs shall be removed within five years of the adoption of these regulations.
- d. Residents of the City should have access to neighborhood commercial facilities, and these uses should conform to the character of the area in which they are located.
- e. Off-street parking should be provided in adequate amounts.

4. Residential Areas Policies

- a. The City will require buffering and landscaping to minimize impacts between housing and potentially conflicting uses.
- b. The City will evaluate and encourage various innovative and alternative approaches to zoning, including but not limited to the following: zero lot lines, cluster and density zoning, planned unit developments, performance standards and condominiums.
- c. Solar rights of residences should be protected where possible. Lot designs should provide for maximum design flexibility in landscaping and building.

5. Downtown Policies

- a. The City shall encourage improvement of the central business district as the economic, cultural, business and governmental center of the Newberg area.
- b. The City shall encourage federal, state and local government to maintain or locate their offices and related facilities in the central business district.
- c. The City shall encourage a variety of commercial and service activities to locate in the central business district.
- d. The City shall discourage the use of the central business district for non-intensive land uses or uses which have a low floor area to site size ratio.
- e. The City shall encourage a higher utilization of downtown space, encouraging intensive use of all building levels.
- f. A concerted effort should be made to revitalize the central business district through rehabilitation or redevelopment of existing areas.
- g. The City shall encourage:
  - Reconstruction of First Street and both sidewalks to accommodate a two-way flow of traffic with diagonal and parallel parking.
  - Creation of a major attraction in the downtown retail core to showcase Yamhill County's agriculture, industry, arts, culture and history.
  - Retention of ~~the~~ post office within the downtown and continued occupancy of the existing post office building.
  - Adequate off-street parking to serve retail and institutional needs.
  - Construction of a new one-way eastbound couplet ~~in the downtown area~~ *by pass is not constructed.*
  - Adoption of a downtown design ordinance, instituted to review and control all private and public improvements.
- h. Benches, street trees, and other pedestrian-scaled amenities shall be planned for and encouraged in the downtown area.

*to encourage downtown core development.*

K. TRANSPORTATION

GOALS:

1. To encourage development of a safe, convenient and economic transportation system through a variety of transportation means.
2. To minimize adverse impacts of Highway 99W upon the City.
3. To develop and implement an area transportation plan consistent with local needs and the comprehensive plan.

POLICIES:

1. Overall Transportation Policies

- a. Transportation facilities will recognize and respect the natural features of the areas in which they are sited and will be designed to minimize impacts on:
  - Present and Planned Land Use patterns;
  - Natural and Scenic Resources;
  - Air Resource Quality, including noise;
  - Water and Land Resource Quality; and
  - Existing and Planned Transportation Facilities.
- b. Transportation facilities will respect adjacent land uses and be so designed as to be an asset to an area rather than a disruptive feature. As such, transportation facilities should be landscaped and designed to be aesthetically pleasing.
- c. Transportation improvements shall be used to guide urban development and shall be designed to serve anticipated future needs.
- d. While automobiles may continue as the primary means of transportation, the City shall encourage the development of a variety of alternative modes including light rail, mass transit, small mass transit, bicycle and pedestrian systems.
- e. Low density areas shall continue to be served primarily by automobiles with bike and pedestrian paths along selected arterials and collectors.
- f. The City shall minimize conflicts between transportation types, especially when those conflicts create a particularly hazardous area.

- g. Streets adjoining new commercial and industrial developments shall be brought up to City standards at the time of development.
- h. The City shall encourage more efficient use of existing transportation systems including car pooling, park and ride stations and bus service.

2. Automobile Policies

- a. New arterial rights-of-way should be wide enough to permit sidewalks, bikeways and adequate planter strips except that limited access facilities need not include sidewalks.
- b. A Future Streets Plan should be developed to serve as a guide in the decision-making process on new development requests. Future rights-of-way should be identified in undeveloped areas to facilitate acquisition with minimal disruption and cost.
- c. The City shall coordinate with the Oregon Department of Transportation to implement the highway improvement program.
- d. Although cul-de-sacs shall be permitted, local streets should interconnect to improve access for residents, emergency service vehicles and others.
- e. Hazardous road sections and intersections shall be examined in detail and recommendations shall be made for improvement.
- f. Poorly controlled access shall be prohibited.
- g. To help facilitate traffic flow in the northern portion of the City, an east-west collector street is needed.
- h. The City will continue to work with the State, Yamhill County, and the City of Dundee on alternatives for routing the Highway 99W traffic through or around Newberg/Dundee.
- i. The City shall periodically review the street classification plan and standards.
- j. The City shall promote means to move traffic through town in an efficient manner.
- k. The City shall promote transportation improvements which would result in less through automobile and truck traffic on First Street and maintain the option of future development of light rail to serve the downtown area.
- l. Using the design review process, the City will coordinate with the State to restrict access to major arterials wherever possible.

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m. The City will promote the creation of left-turn lanes at the intersection of Highway 219 and Wilsonville Road; and Highway 219 and Dog Ridge Road.

n. Street classifications and standards shall be as follows:

- Arterial Streets

Arterial streets are designed primarily to move traffic between Newberg and other communities as well as to provide links between major sections of the City. Arterials shall have a minimum 70 to 90 feet of right-of-way. Direct access will be minimized and there will be few intersections. Bicycle paths may be provided along both sides of streets. Sidewalks and curbs shall be required on both sides of the street.

- Collector Streets

Collector streets connect local streets with arterials. Collector streets should be designed to facilitate traffic movement. They also can provide access to adjoining properties, however this access should be restricted. These streets shall have 60-90 feet of right-of-way. Bicycle paths may be provided along both sides of the street. Parking will generally not be permitted on the street except where it is determined necessary to the local residences. Sidewalks and curbs shall be required on both sides of the streets.

- Local Streets

These streets provide direct access to adjoining property. Two driving lanes with a total right-of-way of 50 to 60 feet is adequate. Roadways will be between 24 and 34 feet (with 34 feet preferred) depending on anticipated traffic and private off-street parking provisions. Sidewalks and curbs shall be required on both sides of the street.

o. Streets designated as arterials shall be:

- Highway 99W, including First Street and Hancock Street;
- Yamhill-Newberg Highway from the northern urban boundary to First Street; and
- Highway 219 - Hillsboro/Silverton Highway.

### 3. Bicycle and Pedestrian Policies

- a. The City shall maintain a bikeway plan which will be coordinated with Yamhill County bikeway plans.
- b. A comprehensive system for bikeway and pedestrian movement should be provided throughout the planning area.
- c. Schools, parks, major residential, shopping and employment areas should be interconnected with bicycle and pedestrian paths.
- d. Pedestrian traffic will be separated from automobile traffic wherever possible.
- e. Recreational bike paths and trails which are separate from City streets and automobile traffic represent a desirable form of bikeway in parks and open space areas. As a general policy, bike lanes on existing streets marked and allocated exclusively to bicycle traffic will be the most favored type of facility. Bike routes marked only by signage with automobile parking still permitted are a less desirable form of bicycle facility. Considerations of cost, relative safety improvement, existing site conditions and user demand will determine solutions for particular areas. Generally no special provisions will be necessary on quiet residential streets.
- f. In designing bicycle and pedestrian pathways, safety from crime shall be a major consideration. Where feasible, paths shall have lighting and access for police vehicles.
- g. Bikeway design standards will be developed based upon available guidelines such as those recommended by the Oregon Department of Transportation.
- h. Bicycle parking shall be provided at schools, recreational centers, the library and other public facilities. The City will also encourage the provision of bicycle parking at private establishments.
- i. The City shall encourage better pedestrian access across First Street.

### 4. Transit Policies

- a. The City shall encourage the continued operation of the existing public transit system.
- b. The City shall explore and encourage linkages with Portland Metro Area transit systems.

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5. Air Transportation Policies

- a. As a means of promoting economic development, the City shall encourage retention of the existing airport and its designation as a public use airport.
- b. The City shall maintain an airport overlay zone.
- c. Adequate open space and landscaping shall be provided by all new development around the airport to reduce the noise impact of airport operations on surrounding residential areas.
- d. The City shall encourage the use of properties adjacent to the airport for industrial parks, related commercial activities and community facilities in order to maximize airport services and provide a buffer for surrounding residences.

L. PUBLIC FACILITIES AND SERVICES

GOAL:

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

POLICIES:

1. All Facilities & Services Policies

- a. The provision of public facilities and services shall be used as tools to implement the land use plan and encourage an orderly and efficient development pattern.
- b. The extension of publicly-owned facilities and services into currently undeveloped areas shall occur only in accordance with the Public Facilities and Service Plan.
- c. New public facilities and services shall be designed at levels consistent with planned densities and designated land uses for the area.
- d. Services shall be planned to meet anticipated community needs.
- e. Owners of properties which are located on unimproved streets should be encouraged to develop their streets to City standards.
- f. Maximum efficiency for existing urban facilities and services will be encouraged through infill of vacant City land.

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- g. Public facilities and services necessary to meet the special needs of industrial activities should be planned for those areas designated industrial on the comprehensive plan map and should be provided at a level sufficient to support proposed activities, if public funds are available.
- h. New residential areas shall have: paved streets, curbs, pedestrian ways, water, sewer, storm drainage, street lights and underground utilities.

2. Sewers and Water Policies

- a. All existing development within the City limits will connect to public sewer and water systems as soon as they become available.
- b. Water systems within the planning area will be designed to provide an adequate peak flow for fire protection.
- c. Developments with urban densities should be encouraged to locate within the area which can be serviced by Newberg's present sanitary sewer system.
- d. Sewer and water service shall not be provided outside the City limits except for cases of health hazards, where no other alternative exists, and where property owners agree to annex upon request of the City.

3. Street Lighting Policies

- a. Adequate street lighting shall be provided with priority given to arterial and collector streets, intersections, pedestrian paths, and bikeways.
- b. New street lights shall use high pressure sodium or other energy efficient lamps.

4. Fire Protection Policies

- a. Fire protection should be provided in accordance with the suggested guidelines of the National Board of Fire Underwriters and the Insurance Services Office.
- b. Fire stations shall have good access to arterial streets.
- c. Adequate warning signals should be installed where emergency vehicles gain access to the street.

5. Schools Policies

- a. Elementary schools should be centrally located with reference to their service areas.
- b. In accordance with the land use plan, the school district should anticipate development and acquire the best sites in advance of urbanization.
- c. Elementary schools should not be located on arterial streets.
- d. Schools should be built with parks wherever possible. To this end, the City together with the School and Park Districts should coordinate development plans.
- e. The location of schools should be used as a major tool for directing future residential growth.
- f. Schools shall be encouraged to serve as centers for neighborhood and community activities.
- g. New schools shall be located in such a manner as to provide adequate and safe pedestrian, bicycle, and automobile access. Streets shall be fully improved and major intersections shall provide signalization where necessary.
- h. Access to existing schools should be upgraded to levels required for new school facilities.
- i. The City shall encourage and support George Fox College as a community asset.

6. Civic Center Policies

- a. The City shall actively pursue acquisition of lands and the development of a civic center.
- b. The Civic Center shall be located to serve the entire planning area.

7. Park Facilities Policies

- a. In conjunction with Chehalem Park and Recreation District, park facilities shall be provided consistent with recreational needs.
- b. New residential development shall contribute to the Public Lands Fund or shall donate land for public parks or facilities when appropriate and acceptable to the City.

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M. ENERGY

GOAL:

To conserve energy through efficient land use patterns and energy-related policies and ordinances.

POLICIES:

1. Planning Policies

- a. The City will encourage energy-efficient development patterns. Such patterns shall include the mixture of compatible land uses and a compactness of urban development.

2. Public Energy Conservation Policies

- a. Techniques for recycling sewage sludge and "grey water" shall be continued and expanded if economically and environmentally feasible.
- b. In the planning of new public buildings, operating as well as building costs shall be examined. The operating costs will include expenditures for heating and cooling.
- c. Public buildings shall be designed for multiple use and located in easily accessible areas.
- d. The City shall, when practicable, make energy conservation a regular practice in its design and operation of buildings, facilities, and equipment.

3. Design Policies

- a. The City shall encourage the use of energy-efficient materials and construction methods in building new residential, commercial, industrial and other types of structures.

N. URBANIZATION

GOALS:

1. To provide for the orderly and efficient transition from rural to urban land uses.
2. To maintain Newberg's identity as a community which is separate from the Portland Metropolitan area.
3. To create a quality living environment through a balanced growth of urban and cultural activities.

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**POLICIES:**

**1. Urban Growth Boundary Policies**

- a. The conversion of lands from rural to urban uses within the Urban Growth Boundary will be based on a specific plan for the extension of urban services.
- b. The City shall oppose urban development outside the City limits but within the Newberg Area Influence.
- c. The City shall encourage urban development within the City limits.
- d. The Urban Growth Boundary shall designate urbanizable land.
- e. The City will support development within the areas outside the city limits but within the Newberg Urban Growth Boundary based on the following standards and restrictions:
  - Residential development will be allowed on the basis of one house per 10 acres, or any lot of record created prior to January 1, 1989.
  - Commercial and industrial uses will generally be discouraged.
  - Agricultural uses will be allowed in accordance with the Yamhill County Comprehensive Plan.

Development not meeting the standards may be opposed by the City.

- f. In expanding or otherwise altering the Urban Growth Boundary, the Boundary shall follow road rights-of-way, lot lines, or natural features.
- g. The City and County shall coordinate action regarding partitions and subdivisions of land within the urban growth boundary. The City shall seek revisions to the Urban Growth Boundary Mangement Agreement to require City consent for such partitions and subdivisions.

**2. Annexation Policies**

- a. The City shall amend the annexation ordinance to streamline the procedures used for annexations.
- b. If it appears that a proposed annexation would create excessive public costs or impacts on the surrounding area, an analysis of costs and/or impacts will be required.
- c. Property outside the Urban Growth Boundary may be annexed only upon inclusion of such property into the Urban Growth Boundary.

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- d. Any islands of non-incorporated territory created by an annexation shall be incorporated within a year of the annexation creating the island with or without the owners consent.

3. General Policies

- a. In new development areas all utility lines shall be placed underground. In existing areas an effort will be made to locate power, telephone, cable television and other utility cables underground over a period of time.
- b. The City shall coordinate planning activities with the county in order that lands suitable for industrial use but not needed within the planning period are zoned in a manner which retains these lands for future industrial use.
- c. The City may use the following or similar implementation measures to promote and encourage the establishment and expansion of industry in the planning area: tax incentives, land use controls and ordinances, preferential assessments, capital improvement programming, fee and less than fee acquisition techniques, and available state and federal programs or grants.
- d. Transfer of development rights may be used as a tool to aid in the preservation of historic sites, natural resources and open space areas.

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### III. VACANT LAND INVENTORY

A vacant land inventory was prepared as part of the Newberg Comprehensive Plan. An inventory of vacant land was necessary in order to determine whether adequate amounts of suitable vacant land will be available in each land use category to accommodate projected needs to the year 2010. The following factors were utilized in determining what lands were not suitable, available and vacant:

1. All lands above 20% slope
2. All street and railroad rights-of-way
3. Public land
4. Watercourses
5. Parcels with less than twice the minimum lot size, having generally sound structures situated thereon
6. Parcels that, because of odd shape, topography, irregular placement of buildings or limited accessibility, could not be readily developed if urban services were available
7. Cemeteries
8. Developed portions of the Sportsman Airport
9. Parking lots

The vacant land inventory is plotted on 1984 aerial orthophoto maps. Most of the maps used are quarter section maps at a scale of 1" = 100'. The vacant land inventory was prepared utilizing the above referenced criteria, then checked in the field for accuracy. By verifying the inventory through a visual land survey of all properties within the UGB, it was possible to ensure that the vacant lands identified were actually vacant and suitable for development.

IV. PLAN DESCRIPTION

A. INTRODUCTION

In addition to the overall goals and policies listed within the Comprehensive Plan, a land use map is included which ties land uses and densities to specific locations. The Land Use Plan is designed to provide adequate land for residential, commercial, industrial and other uses for a projected population of 27,000 plus people by the year 2010. The UGB defines Newberg's planning area and is intended to accommodate land use needs over the 20 year period. The City of Newberg is continually updating the buildable lands inventory and closely monitoring development rates to determine whether the UGB contains sufficient buildable lands to meet future needs.

B. URBAN GROWTH BOUNDARY

The Urban Growth Boundary (UGB) was established to separate urban and urbanizable areas from lands which are to remain in rural uses through the year 2010. The UGB contains approximately 3,952 acres, as compared with the current City area of approximately 2,780 acres. 1,043 acres have been identified as being vacant and buildable. Anticipated development needs are expected to exceed the area currently within the UGB.

The UGB was adopted based on anticipated needs for housing, employment and livability. In accordance with Statewide planning goals, the UGB is designed to accommodate a projected population of 27,000 people; the orderly and economic provision of public facilities and services; and to provide for maximum efficiency of land uses both within and on the fringe of the existing urban area. Environmental, social, energy, and economic consequences and the compatibility of proposed urban uses with nearby agricultural activities were also considered in the location of the UGB.

Overall, the UGB was based upon a service area concept. Nearly all of the land within the adopted boundary is within the drainage basin of the sewage treatment plant. Urban expansion to the east or west of the adopted UGB may require pumping facilities.

C. LAND USE NEEDS

The provision of land to meet future needs was one of the most important considerations in the design of the Newberg UGB. Land needs were determined by use of various methods. Residential land needs were projected on the basis of existing densities and housing mix trends. Commercial and industrial land needs were based primarily upon projected economic growth rates as related to employees per acre. The acreage provided for commercial and industrial uses will be adequate to implement the City's long range policy of encouraging industrial growth and economic independence. Park land needs were calculated with use of suggested guidelines from the Chehalem Park and Recreation District and the National Recreation and Park Association. These guidelines provide

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standards for recreational acreages based upon population. Public/Quasi-Public land needs were determined without the use of ratios. Needed school sites were added to existing Public/Quasi-Public lands.

Based upon an expected population of 27,000 by the year 2010, land use needs for the planning period were calculated as follows:

TABLE IV - 1  
YEAR 2010 LAND USE NEEDS  
IN ACRES

<u>Use</u>	<u>Land Use Needs</u>	<u>Land Available in UGB (1989)</u>
Residential	2,140	2,194
Commercial	324	324
Industrial	709	709
Public	299	218
Parks	100	45
Unbuildable	462	462
TOTAL	4,034	3,952

Source: Land Needs - 1979 Comprehensive Plan; Land Available - 1989 Lands Inventory

The above table indicates that 4,034 acres may be required for urban uses by the year 2010. Since only 3,952 acres are presently included within the Newberg UGB, a limited amount of acreage may need to be added at some future time, depending upon trends of urban growth.

It should be noted that the UGB includes approximately 462 acres of land which are considered unbuildable due to steep slopes, unstable soils, flood hazards, or other natural conditions. These lands are most suitable for light agriculture or open space and are designated General Hazard or Flood Hazard sub-district zoning designations.

The Comprehensive Plan provides less park and public/quasi-public lands than are projected as needed. The acreage provided for public/quasi-public uses largely consists of areas already in these uses.

Additional lands are intended to be transferred from residential areas as needs for specific sites become apparent.

Overall, the Newberg Comprehensive Plan is well-balanced with respect to lands that are provided to accommodate projected needs. The City of Newberg will closely monitor development rates to determine whether the UGB contains sufficient buildable lands to accommodate land use needs. Any future change of

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the Newberg UGB will be based upon a consideration of the seven factors of Goal 14.

D. HOUSING NEEDS

Housing needs are based on a variety of factors including population growth and income levels. During the 1979 Comprehensive Plan process, a full housing needs analysis was conducted. As part of the 1990 Periodic Review, the 1979 housing needs analysis was updated, incorporating 1989 land use data and 1990 population data. The housing mix data from the 1979 Comprehensive Plan was largely unchanged in the update.

Based on population projections from the 1979 Plan and the preliminary 1990 census figures, the City is expected to grow by 14,000 people to year 2010. Based on an estimated overall housing density of 2.3 persons per dwelling unit, 6,126 new dwelling units will be needed.

TABLE IV-2  
PROJECTED POPULATION GROWTH

<u>1980</u>	<u>1990</u>	<u>2010</u>	<u>Change</u> <u>1990-2010</u>
10,394	13,000	27,000	14,000

Source: 1980 and 1990 U.S. Census; 1979 Comprehensive Plan

Tables IV-3 and IV-4 project housing needs and provide the future number of dwelling units and acreage required by each housing type. The stated housing mix for single family, multi-family and manufactured housing is unchanged from the 1979 Comprehensive Plan. The housing split between manufactured housing parks and manufactured housing in subdivisions or on individual lots assumes that future manufactured housing development will shift from the 1989 mix, which is almost 90 percent manufactured home park development, to a 50-50 split between park development and subdivision/individual lot development. Because there is no empirical data to show the future split between individual lots and subdivision development, the split between these uses is also expected to be 50 percent each. The multi-family split between medium and high density use is based on the 1989 mix of medium density-high density development in the City of Newberg. The City Land Use Inventory indicated that 61 percent of all multi-family development is located in the R-2 zone and 39 percent is located in the R-3 zone. Based on these assumptions, just over 1,000 acres of land will be needed to accommodate the projected 6,126 housing units needed between 1990 and the year 2010.

TABLE IV-3  
POPULATION GROWTH AND NEEDED DWELLINGS

Housing Type	Mix	DU	Pop/DU	Population-Increase 1990-2010
Single Family	45%	2,756	2.6	7,166
Multiple Family	35%	2,144	1.9	4,074
Manufactured Homes	20%			
Parks	(10%)	613	1.9	1,165
Sub./Ind. Lot	(10%)	613	2.6	1,593
<b>TOTAL/AVERAGE</b>	<b>100%</b>	<b>6,126</b>	<b>2.3</b>	<b>13,998</b>

Source: Mix - 1979 Comprehensive Plan; Pop/DU - 1980 Census, PSU Center for Population Research, and Metropolitan Service District

TABLE IV-4  
PROJECTED HOUSING NEEDS 1990-2010

<u>Housing Type</u>	<u>Mix</u>	<u>Additional DU 1990-2010</u>	<u>DU/AC</u>	<u>Acreage Needed</u>
Single Family	45%	2,756	4.4	626
Multiple Family	35%			
Medium Density	(22%)	1,372	8.8	156
High Density	(13%)	772	21.8	35
Manufactured Home	20%			
Parks	(10%)	613	8.8	70
Subdivisions	(5%)	306	6.5	47
Individual Lots	(5%)	307	4.4	70
<b>TOTAL</b>	<b>100%</b>	<b>6,126</b>		<b>1,004</b>

Source: Mix - 1979 Comprehensive Plan and 1989 Lands Inventory; DU/AC - Maximum densities within appropriate zones given a 25% allowance for right-of-way and public lands

Table IV-5 displays land need by plan category. Almost 700 acres of land are needed for low density residential use with almost 300 acres needed for medium and high density use. Table IV-6 compares land need to buildable land available. In all cases, a surplus of land is available based on 1989 Land Use Inventory data.

TABLE IV-5  
DEMAND BY PLAN CATEGORY

<u>Housing Type</u>	<u>Total Acreage Need</u>	<u>Land Needed By Plan Category</u>		
		<u>LDR</u>	<u>MDR</u>	<u>HDR</u>
Single Family	626	626		
Multiple Family				
Medium Density	156		156	
High Density	35			35
Manufactured Home				
Parks	70		70	
Subdivision	47		47	
Individual Lots	70	70		
TOTAL	<u>1,004</u>	<u>696</u>	<u>273</u>	<u>35</u>

TABLE IV-6  
SUPPLY AND DEMAND ANALYSIS

<u>Plan Category</u>	<u>Land Needed By Plan Category</u>	<u>Buildable Land Within UGB</u>	<u>Surplus</u>
LDR	696	775	79
MDR	273	327	54
HDR	35	38	3

Source: 1989 Land Use Inventory

Table IV-7 indicates that adequate land is available for individually sited manufactured homes. The table is partially based designation of certain areas west of North College Street for the MI overlay zone plus designation of MDR land for manufactured home infill development. The table illustrates that 127 acres are available for manufactured home infill development. The Housing Needs Analysis indicated that 70 acres would be needed for the individually sited manufactured homes, leaving a 57 acre surplus in the Plan. Because individually sited manufactured homes are permitted on MDR land, the actual inventory of land available for this type of development is far greater than the identified need. Approximately 327 buildable acres of MDR are available in the UGB. In combination with 73 acres of buildable LDR land designated for infill manufactured homes, 400 total acres are available to satisfy the 70 acres of need.

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TABLE IV-7  
LAND AVAILABLE FOR  
INDIVIDUALLY SITED MANUFACTURED HOMES

	<u>Buildable Acres</u>
MDR	
Infill on existing lots	15 <sup>1</sup>
Surplus MDR (excludes infill land)	39 <sup>2</sup>
LDR-MI	
Outside City - West of N. College	60
R-1 Inside City West of N. Main	<u>13</u>
Total Available	127
Land Needed for MI	<u>70</u>
Surplus Available	57

NOTES:

1. 1989 Land Use Inventory - existing and potential lots; 106 lots exist or can be provided based on 1990 Planning Department estimates.
2. Surplus MDR from Table IV-6 minus 15 acres for infill on existing lots.

As can be seen from the tables above, the Plan includes more than sufficient amounts of land to meet the projected housing needs of Newberg for the next 20 years for all three major housing types.

OAR 660-08-015 requires clear and objective standards, conditions and procedures regulating the development of needed housing. The Newberg Zoning Ordinance accomplishes this primarily through its simplicity. The ordinance specifies four residential zones: R-1 (Low Density Residential), R-2 (Medium Density Residential), R-3 (High Density Residential) and R-P (Residential-Professional). In addition, an overlay zone, MI (Mixed Infill) has been developed primarily for use with the R-1 zone in order to accommodate manufactured homes in the single family areas. The residential uses allowed in each zone are:

TABLE IV-8  
HOUSING TYPES ALLOWED BY ZONE

ZONES	HOUSING TYPES					
	SINGLE FAMILY	DUPLEXES	MULTI- FAMILY 3+ UNITS	MANUF. HOME SUB'S.	MANUF. HOME INFILL	MANUF. HOME PARK
R-1 LDR	P	CU	CU	NP	NP	NP
R-2 MDR	P	P	P	P	P	P
R-3 HDR	P	P	P	NP	NP	NP
R-P	P	P	P	NP	NP	NP
R-1 MI	P	CU	CU	P	P	NP
P = PERMITTED		NP = NOT PERMITTED			CU = CONDITIONAL USE	

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E. PLAN CONCEPT

The Comprehensive Plan Map relies upon the goals, policies and projected needs of the community. Existing land uses and the 1973 Comprehensive Plan designations were also considered in the preparation of the Land Use Plan Map. The Plan maintains a strong central core while providing for neighborhood commercial centers. In general, medium and high density residential areas are clustered around commercial areas and along arterials. Lower density residential areas are generally located to the north of downtown and in peripheral areas.

The floodplain and drainageways provide a basic framework for Newberg's open space network. Existing and future park sites have been located at scattered locations throughout the planning area, so that all residential areas can be served by neighborhood parks. Other future park locations will be defined as the need arises.

F. PLAN CLASSIFICATIONS

For the purpose of evaluating and eventually implementing the proposed Comprehensive Plan, descriptions of land use classifications are essential. Explanations of the map designations are as follows:

1. Mixed Use (MIX)

The objective of this designation is to provide a compatible mixture of commercial, office, employment and high density residential uses. Commercial uses are intended to include neighborhood convenience uses such as convenience retail businesses, retail food establishments, personal service establishments, institutional uses and professional offices. Office employment uses may include office buildings, banks, theaters, and other similar types of facilities. Residential uses will be primarily multi-plexes and low or medium rise multi-family dwellings. Light industrial uses which are compatible with the general character of the area may also be permitted.

Due to the area's location, development should not be limited to a single type of use. Instead, this designation provides flexibility and recognizes that certain commercial, residential and industrial activities can be located together without conflicts. Proposals for the mixed use area shall be consistent with the availability of services and should not adversely impact existing or potential development of adjacent lands.

2. Residential Land Use

Residential land is divided into three categories. Density rather than housing type is generally the most important development criteria used to classify residential areas. Manufactured home parks and manufactured home subdivisions are permitted outright in the medium density residential

zone. Manufactured homes on individual single family lots are permitted through the MH sub-district of the Zoning Ordinance.

The following is a summary of the three residential land use categories:

a. Low Density Residential (LDR)

The objective of this designation is to provide a wide range of housing types and styles, while allowing for an overall density of up to 4.4 units per acre.

Typical housing types will include single-family attached and detached housing. Clustered housing areas within Planned Unit Developments or condominiums must include adequate open areas to maintain the low overall density of this classification.

Services shall include improved streets, underground utilities (except electrical transmission lines), street lighting, sidewalks, and in some cases, bikeways.

b. Medium Density Residential (MDR)

The objective of this designation is to provide a wide range of housing types and styles while maintaining an overall density of up to 8.8 units per acre.

Typical housing types include single-family housing on small lots, attached or detached single-family or duplex units or tri- or four-plexes where adequate open areas exist and where the overall density is within the limits of this classification.

Services shall include improved streets, underground utilities (except electric transmission lines), street lighting, sidewalks and, in some cases, bikeways.

c. High Density Residential (HDR)

The objective of this designation is to provide multi-family housing of different types while maintaining an overall density of up to 21.8 units to the acre.

Typical housing types include apartments, townhouses, and a variety of cluster developments. Density may vary depending on lot sizes, off-street parking and other site constraints.

Services shall include improved streets, underground utilities (except electric transmission lines), street lighting, sidewalks, and in some cases, bikeways.

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3. Commercial Land Use (COM)

The objective of this designation is to provide for a wide variety of commercial activities including offices, retail sales and services.

Several areas are designated for commercial use. The downtown core is recognized as the Central Business District (CBD) of Newberg. This area should remain as a stable commercial area and a primary location for offices and retail sales.

The area along Highway 99W east of the CBD is recognized as a commercial growth area. It will serve primarily as a service-type commercial area providing shopping centers, restaurants, motels and other services.

Neighborhood commercial areas are included on the Land Use Plan. These areas provide convenience sales or services to the neighborhood in which they are located. The services provided are at a scale consistent with the needs of the neighborhood and are designed so as to be compatible with the general character of the area.

4. Open Space (OS)

Open space lands are primarily in floodplains and drainageways which, due to natural limitations, are to be preserved in a largely open character. The open space lands also serve as a habitat for fish and wildlife. These lands form the basic open space framework for the community and may be augmented over time with other parcels of land possessing desirable natural and locational qualities. Boundaries of designated open space areas are defined as those lands below a 20% break in slope along the drainageways as well as some lands which have been identified as being generally hazardous due to geologic or soil conditions. The open space lands were carefully examined in conjunction with fish and wildlife habitats. The General Hazard and Flood Hazard ordinances have been designed to ensure the protection and preservation of these lands.

5. Parks (P)

Park lands are usually publicly-owned or leased open areas which provide recreational or other types of leisure-oriented opportunities. Boundaries of these areas are specifically defined on the Plan map. These areas shall be located throughout the planning area in order to minimize travel distances to recreation opportunities.

6. Future Park Site

The purpose of this designation is to provide the Parks District and/or The City of Newberg with a first option to buy part or all of the indicated areas.

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7. Future Park and School Sites

The approximate future park and school site symbols indicate general locations of needed new facilities. Specific sites are not delineated due to financial constraints and, in some cases, to the lack of immediacy in the need for the facilities. As these projects become more feasible, symbols may be removed and specific future park or school sites may be added to the Comprehensive Plan map as needs become apparent.

Whenever possible, future school sites should be located adjacent to existing or future park sites.

8. Public/Quasi-Public (PQ)

The public/quasi-public designation is used to indicate the location of schools, public and private; airports; hospitals; cemeteries; government centers and other non-park facilities serving major community functions.

Except in cases where specific new sites are known, only existing public/quasi-public uses shall be shown on the Land Use Plan map. In general, these areas will expand into adjacent areas when the need arises.

9. Industrial Use Areas (IND)

The objective of this designation is to provide land for a variety of light industrial, heavy industrial and industrial park areas.

Heavy industrial uses should be located in the area near Smurfit Newsprint, an existing pulp and paper mill. Other designated areas should be developed to light industrial or industrial park type uses.

10. Commercial/Medium-High Density Center At Mountainview Road and College Street

Although specific boundaries are indicated on the Comprehensive Plan map, these designations are indicative of approximate acreages rather than exact locations of these uses. The center is meant to include approximately 2.3 acres of commercial land, two acres of high density residential land, and ten acres of medium density land in any type of well-designed land use pattern. Commercial uses in this area shall be limited to neighborhood convenience types of activities which shall not be permitted until transportation provisions are adequate. Such provisions shall include the completion of Mountainview Drive from Springbrook Road to College Street and the installation of proper traffic controls.

11. Springbrook District (SD)

The objective of this designation is to provide a compatible mixture of residential, hospitality/public, commercial, and industrial uses, governed

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by a master development plan. Residential uses will be primarily single-family dwellings and multi-plexes. Hospitality/public uses will be hotels and recreational facilities. Commercial uses are intended to include general commercial and neighborhood convenience uses such as retail businesses, retail food establishments, personal service establishments, and offices. Total area for commercial uses shall not exceed 10 acres, excluding open space. Light industrial uses which are compatible with the general character of the area are also permitted. Proposals for development shall be consistent with the master plan and the availability of services, and should not adversely impact existing or potential development of adjacent lands.

12. Commercial/Industrial/Residential Area South of Highway 99W/East of Springbrook Road (Tax Lots 3221-100 and 3216- 2000)

The large size of these parcels provides a special opportunity for a flexible development pattern. As a result, the location of designated uses in this area are not intended to be specific. Percentages of indicated land uses should be approximately as follows:

Industrial	52%
Commercial	8%
Medium Density Residential	14%
Single Family Residential	26%

13. Riverfront District (RD)

The Riverfront's potential for both local and regional development requires a flexible approach. Development should not be limited to a single type of use; residential and certain commercial activities can be located together without conflicts. Residential uses may be of all types except manufactured homes. Commercial uses must have a demonstrated need to be located near the River. Proposals for development shall be consistent with the availability of services and should not adversely impact existing or potential development of adjacent lands.

F. PROVISION FOR FUTURE NEEDS

1. Land Needs

Land requirements for all uses have been projected and summarized in ten-year intervals to enable comparison and monitoring of population projects and development trends.

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TABLE IV-9  
LAND USE REQUIREMENTS  
1990 - 2010

Use	1990	2000	2010	Percent	Available
Residential	1,580	2,090	2,765	58%	2,194
Commercial	250	309	381	7%	324
Industrial	490	730	1,087	20%	709
Public	223	299	375	7%	219
Parks	44	100	180	3%	45
Unbuildable	<u>462</u>	<u>462</u>	<u>462</u>	<u>9%</u>	<u>462</u>
TOTAL	3,049	3,990	5,250	100%	3,952

The above Table indicates that 5,250 acres may be required for urban uses by the year 2010. Since 3,952 acres are presently included within the Newberg UGB, a considerable amount of acreage needs to be added.

The projections in the above table are calculated with the same percentage increases as in the 1979 acknowledged Comprehensive Plan, but with 1989-1990 existing use figures as a base. As the table indicates, Newberg's vacant land will be marginally sufficient to the year 2000; projections for the following 10 years demonstrate that Newberg will be deficient in all categories, but especially so for residential and industrial uses.

The Comprehensive Plan provides less park and public/quasi-public lands than are projected as needed. The acreage provided for public/quasi-public uses largely consists of areas already in these uses. Additional lands are intended to be transferred from residential areas as the need for specific sites becomes apparent.

Overall, the Newberg Comprehensive Plan is well-balanced with respect to lands that are provided to accommodate projected needs. The City of Newberg will closely monitor development rates to determine whether the UGB contains sufficient buildable lands to accommodate land use needs. Any future change of the Newberg UGB will be based upon a consideration of the seven factors of Goal 14.

**2. Public Facilities**

The Public Facilities Planning Rule (OAR 660, Division 11) requires that each City develop and adopt a public facility plan for areas within urban growth boundaries. The City has prepared Master Plans for water, sewer and drainage systems. The plans are designed to address the City's public facility needs through the year 2010. The following is the list of public facility projects as required by OAR 660, Division 11.

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TABLE IV-10  
 CAPITAL IMPROVEMENTS - SEWER  
 NOVEMBER 9, 1990

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
1. Springbrook St. Sewer - S. of Crestview	43,256	1992	1
2. Hess Creek Sewer - Sixth St. to Hess Creek Ct.	438,725	1992	1
3. Hess Creek Sewer - Sixth St. to South P.S.	204,230	1993	1
4. Springbrook St. - Sandoz Rd. - Wyooski Rd. to Waste Water Treatment Plant	656,320	1995	2
5. Morton & Sheridan Sts. to Eighth St. Pump Station via Fifth St.	230,540	1994	1
6. Eighth St. Pump Station - Upgrade	220,000	1994	1
7. Wyooski Rd. Pump Station East of Waste Water Treatment Plant	736,000	1995	1,2

SERVICE PROVIDER:   1.   CITY OF NEWBERG  
                           2.   LOCAL IMPROVEMENT DISTRICT  
                           3.   DEVELOPER

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TABLE IV-11  
CAPITAL IMPROVEMENTS - WATER  
NOVEMBER 9, 1990

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
1. Highway 219 - East Second St. to Sandoz Rd.	189,300	1991	2
2. Design Treatment Plant/Update Master Plan	100,000	1991	1
3. Wells in well field located in Marion County	135,000	1991	1
4. Reservoir - 4,000,000 gallon at storage site	585,000	1992	1
5. New Water Treatment on Wynooski Street	2,610,500	1992	1
6. River Rd. Loop (College St.-Waterfront Dr.-River St.-11th St.)	170,800	1993	1,2
7. Springbrook Loop (E. 2nd St. and north to Hwy 99W)	440,000	1993	1,2,3
8. Springbrook Rd. - College St. Loop (Mountainview Dr.-Zimri Dr. west to College St.)	750,000	1995	1,3
9. Transmission Line 24" Across Bridge	307,100	1995	1
10. Water Treatment Plant Expansion	1,405,700	1997-99	1
11. Wells in well field located in Marion County	135,000	1999	1
12. Springbrook Rd. - Wilsonville Road Loop	672,000	2000	1,3
13. New Reservoir at storage site NE of City	585,000	2000	1
14. Wells in well field located in Marion County	585,000	2006	1

SERVICE PROVIDER: 1. CITY OF NEWBERG  
2. LOCAL IMPROVEMENT DISTRICT  
3. DEVELOPER

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TABLE IV-12  
CAPITAL IMPROVEMENTS - STORM SEWER  
NOVEMBER 9, 1990

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
1. Blaine Street Sixth St. to Ninth St.	129,600	1991	1
2. Railroad Ditch - Smurfit South of Ninth St. to drainage	4,600	1992	4
3. Sheridan St. - Lincoln - Sheridan - Harrison West of Main St., North of Hancock St.	72,900	1993	1,2
4. Sherman St. - Franklin St. West of Main St.	6,600	1993	1,2
5. Main St. North St. to Franklin St.	15,400	1994	1,2
6. Center St. and Hancock to Hess Crk. Along New Highway Couplet Alignment	33,200	1994	1,4
7. Carlton Way Sheridan St. to Hess Crk.	58,300	1994	1
Meridian St. Sheridan St. to Hancock St.	12,200	1994	1
9. Hancock St. School St. to Center St.	88,100	1994	1,4
10. Wyooski St. Culvert East of Tenth St.	35,400	1995	4
11. Second St. Culvert North of Airport	7,300	1995	5
12. Hwy 99W Culvert and Haworth Terrace Apts. Hwy 99W to Haworth St. East of Elliott Rd.	112,000	1996	2,3
13. Haworth Ave. Haworth Terrace Apts. to Elliott Road	20,700	1996	1
14. George Fox College East of North St. to Hess Creek	51,600	1997	1,3
15. Center St. and North St. to Vermillion St. and Meridian St.	47,500	1998	1

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CAPITAL IMPROVEMENTS - STORM SEWER, CONTINUED

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
16. Vermillion St. Extension Meridian St. to RR	10,100	1999	3
17. S.P.R.R. Culvert North of Edwards St.	8,100	1999	1
18. Meridian St. R/R to to 1000 ft. North	5,700	2000	1
19. Meridian St. R/R to Vermillion St.	43,700	2000	1
20. Hwy 219 - Culvert Near Western Helicopter Access Road	8,100	2001	3
21. Church St. Hess Creek to Hwy 219	72,900	2001	1,3
22. Leo Lane East of Springmeadow Subdivision to Hwy 99W	21,600	2002	3
23. Eighth St. Willamette St. to Hess Creek	72,900	2003	1,3
24. Center St. Fourth St. to 200 ft. South of Ninth St.	153,000	2004	1,3
25. Eighth St. Center St. to Willamette St.	16,200	2005	1
26. College St. Culvert South of Andrew St.	26,900	2006	1
27. Sunnycrest Road Hwy 99W to Chehalem St.	81,000	2007	2,3
28. Hwy 219 - Ditches Church St. to Everest Road	74,400	2008	4
29. Carol Avenue Culvert Between Carol Avenue and Ann Dr.	17,000	2009	1
30. Birch Lane Culvert West of Hawthorne Loop	23,300	2009	1

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CAPITAL IMPROVEMENTS - STORM SEWER, CONTINUED

<u>PROJECT/LOCATION</u>	<u>ESTIMATED COST</u>	<u>ESTIMATED YEAR</u>	<u>SERVICE PROVIDER</u>
31. Laurel Dr. Between Villa Rd. and Holly Dr.	31,600	2010	1
SERVICE PROVIDER:			
1. CITY OF NEWBERG			
2. LOCAL IMPROVEMENT DISTRICT			
3. DEVELOPER			
4. OREGON DEPARTMENT OF TRANSPORTATION			
5. COUNTY			

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V. SUMMARY

The Comprehensive Plan provides the basis for making land use decisions through the year 2010. The goals included in the Plan describe long-range community objectives, while related policies clarify the intent of the Plan and directions for future planning decisions and activities. The Plan map with its related text indicates the geographic locations of different land uses and densities. In order for the Comprehensive Plan to continue to provide reliable guidance, the Plan, its subsections and implementing ordinances will be reviewed and revised as needed. A periodic review will take place every five to seven years, based upon an examination of local concerns and other planning information, to determine whether revisions will be necessary.

The Comprehensive Plan is intended to be flexible enough to meet changing needs. At the same time, it must be stable enough to provide reliable guidance. Overall, the Plan will provide for a continued development of Newberg as a healthy, well-balanced community offering a high quality of life.

Adopted by Ordinance No. 1967 on July 2, 1979.

Amended by Ordinance No. 2047 on April 6, 1981.

Amended by Ordinance No.            on                            1990.

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## COMPREHENSIVE PLAN AMENDMENTS

Ord. No.	Date of Enactment	Location	From	To
1975A	10/1/79	YC TL No. 3218DB-500	Proposed Park	LDR
2019	6/9/80	YC TL No. 3216-2000 & 3221-100	Incorporating property in to Urban Growth Boundary	
2020	6/9/80	YC TL No. 3216-2000 & 3221-100	Incorporating property in to Urban Growth Boundary and to change land use percentages	
2021 s	6/9/80	NE 1/4 of Sec. 7, T3S, R2W, & south 1/2 of TL No. 3207-1000	Included within UGB and to designate property as Low-Density Res./School Facility.	
2165	5/6/85	YC TL No. 3216 CA 2190	LDR	COMM
2177	4/7/86	YC TL No. 3216 BB-300	Proposed Park	LDR
2191	11/3/86	YC TL No. 3221-3600	MDR	IND
2200	4/6/87	YC TL No. 3221-3700	MDR	IND
2217	10/5/87	YC TL No. 3216-1900 YC TL No. 3217DC-1000 YC TL No. 3217DC-1025 - 1035 and 3217DC-1042 - 1063 YC TL No. 3217DD-1523 YC TL No. 3217DD-1900 YC TL No. 3217DD-2400 YC TL No. 3217DD-2501 YC TL No. 3218DD-200 YC TL No. 3218DD-700 YC TL No. 3219AC-1300 YC TL No. 3219AC-4800 YC TL No. 3219BD-200 YC TL No. 3219BD-300 YC TL No. 3220AB-1700 YC TL No. 3220AB-2100 YC TL No. 3221-1400	IND/COMM MDR/COMM LDR/MDR and COMM HDR/COMM MDR/COMM HDR/COMM COMM MDR/IND MDR/IND LDR/HDR LDR/HDR LDR/HDR LDR/COMM COMM/IND COMM HDR HDR PQ	COMM COMM MDR HDR COMM COMM HDR MDR MDR LDR LDR LDR COMM IND HDR IND MDR

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Ord. No.	Date of Enactment	Location	From	To
88-2228		YC TL No. 3219 DD-1300 -1400	IND	MDR
		YC TL No. 3208-4400, -4401, -4500, -4700, -4800	LDR, MDR, IND	MIX-SD
		YC TL No. 3209-2600, -2690 -2700, -2703		
		YC TL No. 3209CD-200, -300, -700, -800, -900, -1000		
		YC TL No. 3216BB-100, -300, -400, -401, -402, -600		
		YC TL No. 3217-100		
88-2246		YC TL No. 3217CD-4400, -7100	HDR	COMM

69.

Back on } Agenda -  
Dec. 3 } 12-3

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 11, 1990

X MOTION

DATE ACTION REQUESTED: November 20, 1990

RESOLUTION

ORDINANCE

X INFORMATION

SUBJECT: Zoning Ordinance Revisions for a Manufactured Housing Overlay Zone

RECOMMENDATION:

The staff recommendation is to close the public hearing and direct staff to prepare an ordinance to adopt the proposed overlay zone.

BACKGROUND:

On November 5, the City Council received testimony from Don Miner, Executive Director of the Manufactured Housing Association. Mr. Miner had a variety of concerns which addressed the following issues.

- o Need for Manufactured Housing
- o Zone Change Process
- o Ordinance Standards

*On a permanent foundation*

Each of these topics are discussed below.

A. Need for Manufactured Housing

Mr. Miner stated that the City Comprehensive Plan underestimates the need for manufactured homes. The existing Comprehensive Plan was prepared in 1979 and was acknowledged by the Land Conservation and Development Commission. The Plan states that 20 percent of all housing in the community will be mobile homes/manufactured homes. The proposed draft Comprehensive Plan is based on the same 20 percent assumption that was acknowledged by LCDC. For this reason, it is believed the assumption should not be changed.

B. Zone Change Process

As originally proposed, the MI overlay zone would be a floating zone applied as needed. Mr. Miner testified that the overlay zone would create a burdensome process involving numerous zone changes. To simplify the process and eliminate the need for future zone changes, staff proposes that the MI designation be fixed on land west of North College outside the city limits, and west of North Main inside the City. The attached map illustrates where the MI zone would apply. This designation would make 73 acres of buildable LDR land available for manufactured homes. By allowing manufactured homes in the MDR zone, 127 acres are designated for the use, with approximately 400 buildable acres available.

C. Ordinance Standards

Mr. Miner has given staff specific comments about changes related to the development standards to make the standards consistent with State law. The only substantive change relates to Section 468 (f) which states that attached garages are only required when surrounding development includes an attached garage. (See the attached ordinance)

CONCLUSION:

The proposed changes will provide a simpler process for providing land for needed manufactured housing. Staff believes that the current proposal satisfies the requirements of House Bill 2863 and generally satisfies most of the concerns of the mobile home industry.

COST:

None



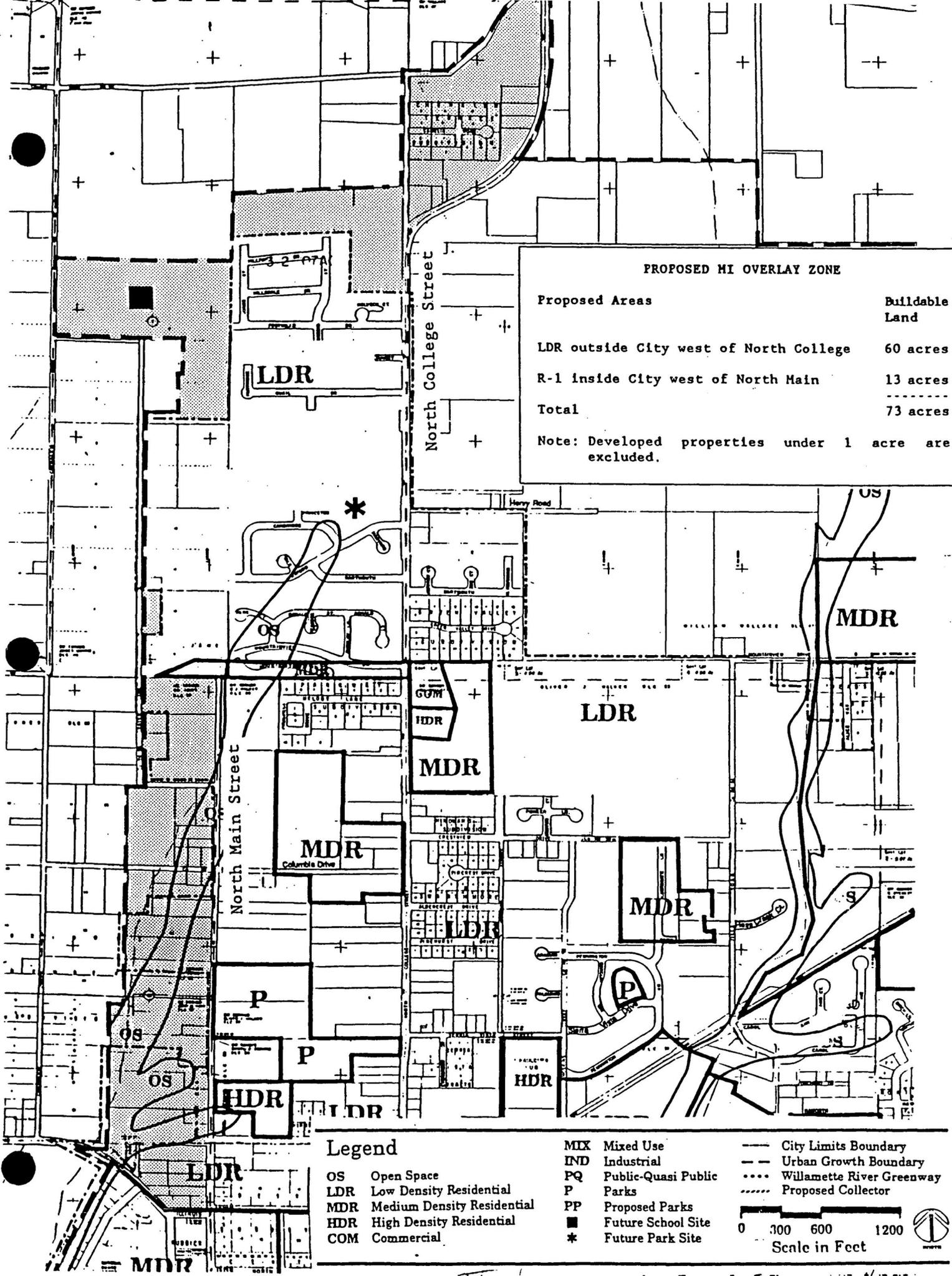
\_\_\_\_\_  
Dennis Egner, Planning Director



\_\_\_\_\_  
Duane Cole, City Manager

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ZONING ORDINANCE AMENDMENTS TO CREATE A MI MIXED INFILL HOUSING SUBDISTRICT

254 Definitions. The following definition shall be added to the existing list of definitions:

Manufactured home. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction.

270 (7) MI Mixed Infill Housing Subdistrict. Pursuant to the provisions of Sections 464-468, a MI subdistrict may be created within the R-1 residential zoning district. The subdistrict shall be designated by the suffix "MI" added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the MI subdistrict.

314 Permitted Buildings and Uses. Section 314 lists the permitted uses in the R-2 zone. A new subsection 314 (9) shall be added and following sections shall be renumbered. Subsection 314 (9) shall state:

314 (9) Manufactured Homes; subject to the following conditions:

- A. Manufactured homes shall not be located within 200 feet of historic resources listed on the Final Inventory of Historic Resources in the Comprehensive Plan.
- B. Manufactured homes shall meet the development standards of the MI overlay zone as set forth in Section 468.

MI MIXED INFILL SUBDISTRICT

464 Purpose. The purpose of the MI subdistrict is to allow manufactured housing on individual single family residential lots consistent with the City's identified need for individually sited manufactured homes. The MI subdistrict will allow manufactured homes to be intermixed with traditional "stick built" housing.

466 Uses. In addition to the buildings and uses permitted in the underlying zoning district, an MI subdistrict allows manufactured homes on individual lots as a permitted use.

468 Development Standards. Residential development in the MI overlay district shall meet the following minimum standards:

- A. Each dwelling unit shall enclose a space of not less than 1,000 sq. ft. If the unit is a manufactured home, it shall be multi-sectional. No external horizontal dimension shall be less than 20 feet in width.

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12.

excavated and placed on an excavated & backfilled foundation

B. Each dwelling unit shall be enclosed at the perimeter, with either a foundation that has been backfilled, or skirting. The enclosure shall have an appearance similar to that of a stick built home. If the unit is a manufactured home, the chassis shall be located not more than 12 inches above grade and any axels or other transportation mechanisms shall be removed.

18 inches on a stick built

C. All dwelling units shall have a roof slope ~~greater~~ <sup>not be required to</sup> ~~greater~~ than a ~~nominal~~ 3 feet in height for every 12 feet in width.

See Denney

D. Dwelling units shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing material commonly used on "stick built" residential dwellings within the community or which is comparable to the predominate materials used on surrounding dwellings as determined by the Building Official.

E. All manufactured homes shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family homes dwellings constructed under the state building codes defined in ORS 455.010.

F. All dwelling units shall have a carport or garage constructed of like materials. An attached garage shall be provided where such is consistent with the predominant construction of immediately surrounding dwellings.

G. Permanent foundation.

H. Same as stick built for drainage.

HB 2863

Question re. drainage standards?

Building Department for questions re. CABO HUD Standards UBC

- Pictures of back fill. See it, or drawing.
- What does it look like. What is the added cost for a foundation.
- Metal beams; Not an attitude against low cost housing.
- Safety issues.

V-1

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

  X   MOTION

DATE ACTION REQUESTED: December 3, 1990

       RESOLUTION

       ORDINANCE

  X   INFORMATION

SUBJECT: Zoning Ordinance Revisions for Manufactured Housing

RECOMMENDATION:

Staff recommendation is to close the public hearing and direct staff to prepare an ordinance to adopt the Zoning Ordinance amendments.

BACKGROUND:

On November 20, the City Council directed staff to amend the development standards of the proposed ordinance as they relate to foundations and roof slope. Staff identified a problem with Section 468 (A) which requires all dwellings to have minimum exterior dimensions of 20 feet. Those changes have been made and a copy is attached to this memo.

Council expressed concern regarding the development standards of the proposed ordinance. A copy of House Bill 2863 has been enclosed for your review. Subsections (a-f) of Section 2 (5) set the development standards which local governments may adopt for manufactured homes. The legislation states that local governments cannot exceed the standards listed in section (a-f). Section (g) allows a city to add other standards provided that all dwelling units in the district meet the requirements. The types of requirements which could be added may include the provision of street trees, sidewalks or architectural features.

We have also enclosed a copy of a technical bulletin prepared by the Department of Land Conservation and Development to assist local governments in planning for manufactured housing. On page 2 of the technical bulletin it is clearly stated that local governments cannot require continuous reinforced concrete perimeter foundations. Staff will provide photographs of typical foundations for manufactured housing at the public hearing.

COST: None



\_\_\_\_\_  
Dennis Egner, Planning Director



\_\_\_\_\_  
Duane Cole, City Manager

ugb\mhsr.cc

ZONING ORDINANCE AMENDMENTS TO CREATE A MI MIXED INFILL HOUSING SUBDISTRICT

254 Definitions. The following definition shall be added to the existing list of definitions:

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- A. Manufactured homes shall not be located within 200 feet of historic resources listed on the Final Inventory of Historic Resources in the Comprehensive Plan.
- B. Manufactured homes shall meet the development standards of the MI overlay zone as set forth in Section 468.

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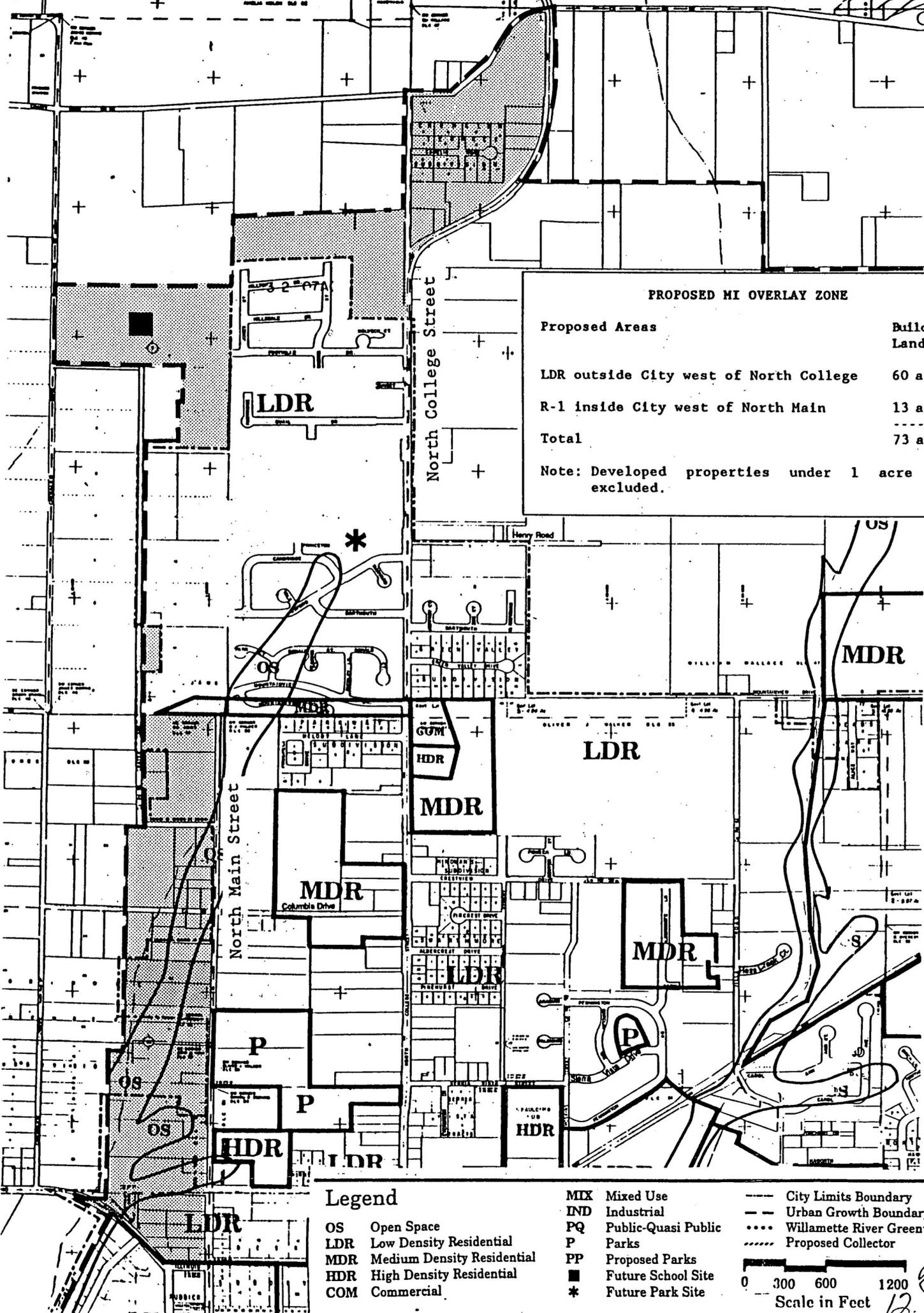
466 Uses. In addition to the buildings and uses permitted in the underlying zoning district, an MI subdistrict allows manufactured homes on individual lots as a permitted use.

468 Development Standards. Residential development in the MI overlay district shall meet the following minimum standards:

- A. Each dwelling unit shall enclose a space of not less than 1,000 sq. ft. If the unit is a manufactured home, it shall be multi-sectional.

- B. Each dwelling unit shall be placed on an excavated and backfilled foundation and enclosed on the perimeter. If the unit is a manufactured home, the chassis shall be located not more than 12 inches above grade and any axels or other transportation mechanisms shall be removed.
- C. All dwelling units shall have a roof slope no less than 3 feet in height for every 12 feet in width.
- D. Dwelling units shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing material commonly used on "stick built" residential dwellings within the community or which is comparable to the predominate materials used on surrounding dwellings as determined by the Building Official.
- E. All manufactured homes shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family homes dwellings constructed under the state building codes defined in ORS 455.010.
- F. All dwelling units shall have a carport or garage constructed of like materials. An attached garage shall be provided where such is consistent with the predominant construction of immediately surrounding dwellings.

ugb\mhzon3



**PROPOSED MI OVERLAY ZONE**

Proposed Areas	Buildable Land
LDR outside City west of North College	60 acres
R-1 inside City west of North Main	13 acres
<b>Total</b>	<b>73 acres</b>

Note: Developed properties under 1 acre are excluded.

**Legend**

- OS Open Space
- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- COM Commercial

- MIX Mixed Use
- IND Industrial
- PQ Public-Quasi Public
- P Parks
- PP Proposed Parks
- Future School Site
- \* Future Park Site

- City Limits Boundary
- - - Urban Growth Boundary
- ..... Willamette River Greenway
- ..... Proposed Collector

0 300 600 1200  
Scale in Feet

A-Engrossed  
House Bill 2863

Ordered by the House April 4  
Including House Amendments dated April 4

Sponsored by Representatives DWYER, D. JONES, YOUNG, BAUMAN, BUNN, BURTON, CALHOON, DOMINY, EDMUNSON, FORD, HOSTICKA, HUGO, KOTULSKI, McTEAGUE, MINNIS, NORRIS, PETERSON, ROBERTS, SAYLER, SOWA, WEHAGE, Senators BRADBURY, BROCKMAN, BUNN, J. HILL, L. HILL, HOUCK, KENNEMER, KERANS, KINTIGH, OTTO, ROBERTS (at the request of Oregon Manufactured Housing Association, Oregon State Tenants Association, League of Oregon Cities, United Seniors of Oregon)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs that needed housing within urban growth boundary be permitted in one or more zoning districts or in overlay zones. Allows, as "needed housing," mobile home parks and manufactured housing meeting design and placement standards specified by local government. Provides that provisions regarding manufactured homes apply January 1, [ ] 1991, or next periodic review, whichever comes first.

A BILL FOR AN ACT

1  
2 Relating to manufactured housing, creating new provisions; and amending ORS 197.303 and 197.307.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 197.303 is amended to read:

5 197.303. (1) As used in ORS 197.307, until the beginning of the first periodic review of a local  
6 government's acknowledged comprehensive plan, "needed housing" means housing types determined  
7 to meet the need shown for housing within an urban growth boundary at particular price ranges and  
8 rent levels. On and after the beginning of the first periodic review of a local government's ac-  
9 knowledged comprehensive plan, "needed housing" also means:

10 (a) Housing that includes, but is not limited to, attached and detached single-family housing and  
11 multiple family housing for both owner and renter occupancy; [*and manufactured homes; and*]

12 (b) Government assisted housing; [.]

13 (c) Mobile home parks as provided in ORS 197.475 to 197.490; and

14 (d) **Manufactured homes on individual lots planned and zoned for single-family residential**  
15 **use that are in addition to lots within designated manufactured home subdivisions.**

16 (2) [*Paragraph*] Paragraphs (a) and (d) of subsection (1) of this section shall not apply to:

17 (a) A city with a population of less than 2,500.

18 (b) A county with a population of less than 15,000.

19 (3) A local government may take an exception to subsection (1) of this section in the same  
20 manner that an exception may be taken under the goals.

21 **SECTION 2.** ORS 197.307 is amended to read:

22 197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for  
23 persons of lower, middle and fixed income is a matter of state-wide concern.

24 (2) Many persons of lower, middle and fixed income depend on government assisted housing as  
25 a source of affordable decent, safe and sanitary housing.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

1 (3) When a need has been shown for housing within an urban growth boundary at particular  
2 price ranges and rent levels, needed housing shall be permitted in [a zone or zones] one or more  
3 zoning districts or in zones described by some comprehensive plans as overlay zones with  
4 sufficient buildable land to satisfy that need.

5 (4) Subsection (3) of this section shall not be construed as an infringement on a local govern-  
6 ment's prerogative to:

- 7 (a) Set approval standards under which a particular housing type is permitted outright;  
8 (b) Impose special conditions upon approval of a specific development proposal; or  
9 (c) Establish approval procedures.

10 (5) In the areas identified by the needs analysis conducted under subsection (3) of this  
11 section, a jurisdiction may adopt any or all of the following placement standards, or any less  
12 restrictive standard, for the approval of manufactured homes located outside mobile home  
13 parks:

14 (a) The manufactured home shall be multisectional and inclose a space of not less than  
15 1,000 square feet.

16 (b) The manufactured home shall be placed on an excavated and back-filled foundation  
17 and inclosed at the perimeter such that the manufactured home is located not more than  
18 12 inches above grade.

19 (c) The manufactured home shall have a pitched roof, except that no standard shall re-  
20 quire a slope of greater than a nominal three feet in height for each 12 feet in width.

21 (d) The manufactured home shall have exterior siding and roofing which in color, mate-  
22 rial and appearance is similar to the exterior siding and roofing material commonly used on  
23 residential dwellings within the community or which is comparable to the predominant ma-  
24 terials used on surrounding dwellings as determined by the local permit approval authority.

25 (e) The manufactured home shall be certified by the manufacturer to have an exterior  
26 thermal envelope meeting performance standards which reduce levels equivalent to the per-  
27 formance standards required of single-family dwellings constructed under the state building  
28 code as defined in ORS 455.010.

29 (f) The manufactured home shall have a garage or carport constructed of like materials.  
30 A jurisdiction may require an attached or detached garage in lieu of a carport where such  
31 is consistent with the predominant construction of immediately surrounding dwellings.

32 (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or  
33 county may subject a manufactured home and the lot upon which it is sited to any develop-  
34 ment standard, architectural requirement and minimum size requirement to which a con-  
35 ventional single-family residential dwelling on the same lot would be subject.

36 [(5)] (6) Any approval standards, special conditions and the procedures for approval adopted by  
37 a local government shall be clear and objective and shall not have the effect, either in themselves  
38 or cumulatively, of discouraging needed housing through unreasonable cost or delay.

39 SECTION 3. Notwithstanding the provisions of ORS 197.303 (1) relating to periodic review, the  
40 requirements of ORS 197.303 (1)(d) apply on January 1, 1991, or a jurisdiction's next periodic review,  
41 whichever comes first.

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# TECHNICAL BULLETIN

## PLANNING FOR MANUFACTURED HOUSING ON INDIVIDUAL LOTS

A Technical Assistance Bulletin from Oregon's Department of Land Conservation and Development  
May, 1990

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Cities and counties are now required to plan for manufactured homes on individual lots.

Manufactured homes on individual lots are now a "needed housing" type.

### NEW PLANNING REQUIREMENTS FOR MANUFACTURED HOUSING

The 1989 Legislature enacted new planning requirements for manufactured housing on lots outside of manufactured housing subdivisions (ORS 197.295 through ORS 197.313 "Needed Housing"). We have received several inquiries from local planners asking how the Department interprets these statutes. The paragraphs below contain a summary of the new statutory requirements and responses to questions we have received. Throughout the discussion below, we use the term "manufactured home" as stated in the original bill, HB 2863. ORS 197.295 through ORS 197.313 incorrectly uses the term "manufactured dwelling." A manufactured home is a manufactured dwelling which has been certified to meet the 1976 HUD standard. "Manufactured dwellings" includes residential trailers and mobile houses constructed prior to 1976.

The most frequently asked question has been how to project the need for manufactured housing. We have been meeting with an *ad hoc* committee to address this question. The committee includes members from local planning agencies, the manufactured housing industry and the State Housing Agency. The committee has developed a "needs analysis" example using a standard methodology, which is attached to this notice. If you choose to use this methodology, you will meet the requirements of the statute. You are welcome to use either this standard methodology or to complete a more detailed analysis using local data.

ORS 197.303 defines as a needed housing type, "Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated

Any of the following or less restrictive standards may be required:

- multisectional units
- 1,000 square foot minimum area
- excavated and back filled foundation
- pitched roof
- specific siding and roofing materials
- thermal performance
- garage or carports

A continuous concrete perimeter foundation isn't needed--and cannot be required.

manufactured home subdivisions." The applicability of this definition is limited as follows:

- applies only within urban growth boundaries
- does not apply to cities with a population under 2,500
- does not apply to counties with a population under 15,000

ORS 197.307(3) requires cities and counties to zone sufficient buildable land to meet the need.

ORS 197.307(5) lists placement standards which may be required for manufactured homes located outside of mobile home subdivisions or manufactured dwelling parks. Local governments may adopt any of the following standards or less restrictive standards:

(a) The manufactured home must be multisectional and enclose at least 1,000 square feet;

(b) The manufactured home must be located not more than 12 inches above grade on an excavated and back-filled foundation which is enclosed at the perimeter;

(c) The manufactured home must have a pitched roof, but no standard shall require a slope greater than a nominal three feet in height for each 12 feet in width;

(d) Exterior siding and roofing must be similar in color, material and appearance to that used on dwellings in the community or on surrounding dwellings;

(e) The exterior thermal envelope must meet performance standards equivalent to those required for single family dwellings under the state building code; and

(f) The manufactured home must have a garage or carport.

In addition, a city or county may impose any development standard, architectural requirement or minimum size requirement to which a conventional single family residential dwelling on the same lot would be subject.

We have received several questions on these standards. These are discussed below:

**Is a "tip-out" unit considered to be multisectional?**

No. A tip-out unit is not considered by the industry to be a multisectional home.

**Can a local jurisdiction require a continuous reinforced concrete perimeter foundation?**

No. Manufactured homes cannot be required to meet structural building code requirements; they do not need a perimeter foundation. However, the local jurisdiction can require that the base of the home be enclosed at its perimeter.

**Can the standard on roofing and siding materials be applied through an administrative procedure?**

Yes, if the types of materials allowed or not allowed are listed in your implementing ordinance. To simply restate the language in paragraph (d) above is not adequate because it is not clear and objective.

These requirements must be met by January 1, 1991.

**How does the local planning or building department determine the thermal performance of a manufactured home?**

The jurisdiction can require that the applicant provide the manufacturer's certification of the unit's thermal performance. A jurisdiction may find that it lacks the staff time or technical ability to evaluate this thermal performance information. No jurisdiction is required to include the thermal performance standard in its ordinance.

Section 3, chapter 380, Oregon Laws 1989 states that these requirements apply on January 1, 1991, or at a jurisdiction's next periodic review, whichever comes first. Several planners have asked how this requirement applies to jurisdictions which are in periodic review. Can this statute be raised at a final periodic review hearing if it was not listed as a requirement in the Department's 180-day periodic review notice? There is no clear precedent to answer this question. Our best advice is as follows:

- For most jurisdictions, the question is moot. The time line for complying with the statute is so short that they should proceed immediately through the post-acknowledgment plan amendment process to address it. January 1, 1991, is the deadline, regardless of your periodic review status.

- Jurisdictions which are now considering other amendments as part of their periodic review should include this planning in their work program. This is not only the safest approach, but it may be the most efficient way of doing the work.

- If all periodic review requirements are complete but you have not addressed this statute, we recommend that you include in your final order a statement that you are aware of the statute and will comply with it by January 1, 1991. If anyone objects, you have the option of amending your final order under OAR 660-19-085.

The Department thanks the following members of the *ad hoc* committee, who contributed many hours to this project:

- Jan Childs                      City of Eugene
- Don Miner                      Oregon Manufactured Housing Association
- Bob Quitmeier                City of Redmond
- Lynn Schoessler              Oregon Housing Agency
- Jim Hinman                    Department of Land Conservation and Development

If you have questions, call Jim Hinman at 373-0088.

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**A detailed example of a needs analysis using the standard methodology begins on the next page. > > > >**

## MANUFACTURED HOME NEED EXAMPLE

### Introduction

The following example shows one way of planning for manufactured homes on lots outside of manufactured housing subdivisions. ORS 197.303 now defines this as a needed housing type. Local comprehensive plans must project the need for this housing type and provide sufficient buildable land.

The simplest way to meet this requirement is to permit manufactured homes outright in all single family residential zones, subject to the siting standards listed in ORS 197.307. In this case, manufactured homes are included in the need for all single family dwellings. Therefore, no further analysis of need is required.

Another simple approach is discussed below. This approach starts with the need for new single family units already projected in the local comprehensive plan. The number of single family units is split between conventional and manufactured single family units, using a percentage from the attached table. The percentage has been determined for each county on the basis of population, housing cost and income. The example is presented in three steps after a short discussion of assumptions and methodology.

We recognize that this is not the only possible approach. Other more detailed methods, however, may be time consuming and may require data which is difficult to obtain. The advantages of this approach are that it is relatively simple and if you use it, your plan will comply with the requirements of the new statute.

### Assumptions Used in the Standard Methodology

1. For purposes of this example, manufactured dwellings on individual lots and in manufactured housing subdivisions are considered as single family housing and the need for these dwellings is considered a part of the overall single family housing need. (This example assumes that a jurisdiction has a comprehensive plan housing needs projection based on single family and multifamily housing types.)

2. The housing-needs projection and buildable-lands inventory in a jurisdiction's acknowledged comprehensive plan determine the type, density and location of needed housing. No change is required to the single family/multifamily split, owner/renter split, or income distributions in the comprehensive plan's housing needs projection or in the amount, density or location of the Plan's buildable land allocation for single family or multifamily housing.

3. Based on a range of manufactured housing structure costs from \$26,800 to \$46,488 and of lot costs from \$5,000 to \$9,000, the minimum income required to purchase a manufactured dwelling on an individual lot or a subdivision is estimated to range from \$15,000 to \$26,000.

A simply way to meet this requirement is to permit manufactured homes by right in single family zones.

The method described below is another way to meet these requirements, based on household income and housing cost.

Other approaches are possible.

If better local information on income is available, the jurisdiction may use that instead of the standard county figures attached to this bulletin.

4. It is assumed that households with incomes below \$15,000 will rent their dwellings and that households with incomes above \$15,000 will purchase single family dwellings, including manufactured housing. It is further assumed that households with incomes between \$15,000 and \$26,000 will purchase either manufactured housing or conventional single family housing and that households with incomes above \$26,000 will only purchase conventional single family housing.

5. It is assumed that new single family units, including both manufactured housing and conventional single family housing, will be owner-occupied.

6. It is assumed that the need for manufactured housing on individual lots and in subdivisions can be estimated based on the income distribution of the jurisdiction. Countywide income data, based on state tax returns by income range, can be used to estimate the number of households on the \$15,000 to \$26,000 income range and the number of households with incomes greater than \$26,000. This is considered "best available information." Jurisdictions may substitute local income data if it is available.

7. It is assumed that the number of manufactured dwellings on individual lots or in subdivisions required to meet the need can be estimated by calculating the percentage of all households with incomes greater than \$15,000 whose incomes are in the \$15,000 to \$26,000 range. This becomes the percentage (of the new single family units included on a jurisdiction's housing needs projection) for which the opportunity should be provided for siting of both manufactured housing and conventional housing.

8. It is assumed that adequate land in the jurisdiction's buildable lands inventory is allocated to land planned and zoned to accommodate the housing needs projections for single family dwellings. It is assumed that "need" can be measured by the percentage of all households with incomes above \$15,000 in the \$15,000 to \$26,000 range. This percentage is multiplied by the number of single family dwellings projected in the plan to determine the number of manufactured homes needed. The number of manufactured homes is divided by the density (dwellings per acre). When the resulting acreage is planned and zoned to allow both manufactured housing on individual lots or in subdivisions and conventional single family housing as permitted uses (with placement standards as specified in ORS 197.307, if desired), the jurisdiction has met its obligation.

### Housing Cost and Income

The tables below compare the income needed to buy a manufactured dwelling on a lot with the distribution of income. Housing cost and income determine how many households are potential manufactured home buyers. As shown in the attached table "Summary of Income to Qualify for Lower Cost, Average Cost, and Higher Cost Manufactured Homes," households with an income of \$15,000 to \$26,000 can afford to purchase a manufactured home on a lot. The table "Potential Manufactured Home Buyers" (attached)

Income required to qualify for a loan for a manufactured home on a lot ranged from \$15,000 to \$26,000.

36% of all Oregon households fell within the \$15,000 to \$26,000 income range.

Step 1: Start with the number of single family dwellings projected in your comprehensive plan.

shows that approximately 36 percent of households which can afford to buy a home fall within the income range for manufactured housing. Column A in the table shows the percentage for each county. The percentages in column A are used in step 2, below, to estimate need for manufactured homes on lots.

Cost and income requirements for a manufactured home on a lot:

<u>Range</u>	<u>Lot</u>	<u>Structure</u>	<u>Minimum Income</u>
Low	\$5,000	\$26,800	\$15,000
Average	\$7,000	\$36,600	\$20,600
Higher	\$9,000	\$46,488	\$26,200

Source: Cost data from Oregon Manufactured Housing Association; Income calculation from Oregon Housing Agency (see attached table).

Income distribution:

	<u>1989 Income Range</u>	<u>Number of Returns</u>	<u>%</u>
Manufactured Housing	15-26	223,404	36 (From Column A of attached table)
Conventional Housing	26+	402,571	64
All Single Family	15+	625,975	100

In the analysis above, we have assumed that the projected need for multifamily housing and mobile home parks is already shown in your comprehensive plan. Column B of the attached chart shows manufactured housing on lots as a percent of all housing (including multifamily and mobile home parks). Statewide, the need for manufactured housing on lots is 23% of all housing (based on the assumption that 65% of new housing is single family). For Portland Metro jurisdictions, manufactured housing need is 15 to 19% of all housing, because these jurisdictions are required to plan for 50% multifamily. You can recalculate the percentage in column B, using the percentages of single family housing, multifamily housing and mobile home parks projected in your comprehensive plan.

### Step 1: Project the housing increase, 1990-2010

Start with the number of new single family dwelling units projected in your comprehensive plan for the planning period. Include conventional single family units and manufactured housing in mobile home subdivisions. For these purposes, we are not including mobile home parks or multiple family housing; we assume that these have been projected separately and are not part of this analysis. For this example suppose your plan projects 2,000 additional single family dwellings over the next twenty years.

Step 2: "Split" the number of single family dwellings between conventional and manufactured homes, using the percentage in column "A" of the attached table.

"Acres of buildable land needed" is the number of dwellings divided by the density allowed in the plan and zoning ordinance.

Step 3: Sufficient land must be planned and zoned to meet the need.

**Step 2: Allocate new homes and land needs by housing type**

Allocate the projected single family dwellings between conventional and manufactured home types. In this example, the statewide percentage, 36%, is used. We recommend that you use the percentage for your county shown in column A of the attached table. Land needs are projected by dividing the number of dwellings by the gross density for single family lots.

<u>Single Family Housing</u>	<u>% Split</u>	<u>Units Dwell -ings</u>	<u>Gross Per Acre</u>	<u>Acres Needed</u>
Conventional	64	1,280	6	213
Manufactured or Conventional	36	720	6	120
All Single Family	100%	2,000		333

**Step 3: Plan and zone sufficient buildable land**

Once the housing need is determined, Goal 10 requires that sufficient land be planned and zoned to meet that need. The permitted uses in zones "A", "B", and "C" are shown below for discussion purposes. The two examples discussed below are only the most basic ones. Many variations are possible but will not be discussed here.

**Example 1.** The simplest way to meet this planning requirement is to allow both conventional and manufactured housing in all single family residential zones. Zone "A" allows conventional and single family housing, as well as mobile home parks. In this example, 333 acres plus the amount of land needed for mobile home parks would be included in the "A" zone. None of the analysis above would be required. The only change would be to add manufactured dwellings to the list of allowed uses. Alternatively, the definition of single family residential use could be amended to include manufactured dwellings as well as dwellings built to Uniform Building Code standards.

**Example 2.** A community which has more than one single family residential zone has several options. As in the example above, manufactured dwellings could be allowed in all zones. Alternatively, a zone (or zones) can be reserved for conventional dwellings only. Zone "B" allows conventional units only and would contain up to 213 acres of vacant buildable land. Zones "A" and "C" which allow conventional and manufactured homes would contain at least 120 acres of vacant buildable land. Zone "A" would require additional land for mobile home parks.

	<u>Zone "A"</u>	<u>Zone "B"</u>	<u>Zone "C"</u>
Single Family			
Conventional single family	P	P	P
Manufactured homes			
M H Subdivisions	P	NP	P
Individual Lots	P	NP	P
M H Parks	P	NP	NP
Multiple family	NP	NP	NP

"P" = Permitted      "NP" = Not permitted



*21.*

**POTENTIAL MANUFACTURED HOUSING BUYERS**  
Based on State Tax Returns by Income Range

\$ X 1,000	Households in Income Range 15 to 26	Households in Income Range 15 and Over	COLUMN A (See Below)	COLUMN B (See Below)
BAKER	1221	2839	43%	28%
BENTON	4170	13201	32%	21%
CLACKAMAS	19081	64691	29%	19%
CLATSOP	2514	6597	38%	25%
COLUMBIA	2510	8444	30%	19%
COOS	4576	11982	38%	25%
CROOK	1138	2838	40%	26%
CURRY	1549	3530	44%	29%
DESCHUTES	6128	15686	39%	25%
DOUGLAS	7227	19712	37%	24%
GILLIAM	146	376	39%	25%
GRANT	664	1733	38%	25%
HARNEY	571	1520	38%	24%
HOOD RIVER	1408	3551	40%	26%
JACKSON	11240	29576	38%	25%
JEFFERSON	933	2231	42%	27%
JOSEPHINE	4916	11313	43%	28%
KLAMATH	4312	11158	39%	25%
LAKE	631	1534	41%	27%
LANE	21741	59182	37%	24%
LINCOLN	3074	7370	42%	27%
LINN	7147	19588	36%	24%
MALHEUR	1966	4508	44%	28%
MARION	18421	48322	38%	25%
MORROW	637	1624	39%	25%
MULTNOMAH	53177	143308	37%	24%
POLK	3455	9742	35%	23%
SHERMAN	157	454	35%	22%
TILLAMOOK	1827	4183	44%	28%
UMATILLA	4867	11970	41%	26%
UNION	1759	4701	37%	24%
WALLOWA	610	1419	43%	28%
WASCO	1709	4482	38%	25%
WASHINGTON	23265	79800	29%	19%
WHEELER	100	218	46%	30%
YAMHILL	4558	12593	36%	24%
OREGON	223404	625974	36%	23%

**NOTES:**

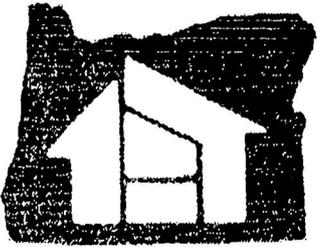
The percentage in COLUMN A is the number of returns in the income range \$15,000 to \$26,000 divided by the number of returns reporting an income over \$15,000. This is the estimated percentage of single family housing buyers who can just afford a manufactured home.

COLUMN B shows manufactured homes as a percentage of all dwellings added to the housing stock. The percentage in column A was multiplied by the ratio of single family units to all housing (65%). For Portland Metro counties, a 50% ratio was used as required by OAR 660-07.

Income data is from the Oregon Department of Revenue, Oregon Personal Income Tax Annual Statistics, 1987. Income ranges were interpolated to 1989 housing cost ranges after adjusting for inflation.

SUMMARY OF MINIMUM INCOME TO QUALIFY  
FOR LOWER COST, AVERAGE COST AND HIGHER COST  
MANUFACTURED HOMES  
ECONOMICS SECTION, OREGON HOUSING AGENCY

<u>CATEGORY</u>	<u>LOWER COST</u>	<u>AVERAGE COST</u>	<u>HIGHER COST</u>
Minimum Income to Qualify	\$15,000	\$20,600	\$26,200
Household Size	2	2	2
Length of Loan(Years)	25	25	25
Property Tax Rate	2.70%	2.70%	2.70%
Monthly Mortgage Payment	\$ 274	\$ 377	\$ 479
Interest Rates	10.00%	10.00%	10.00%
Loan to Value Ratio	0.95	0.95	0.95
Value of Land	\$ 5,000	\$ 7,000	\$ 9,000
Value of Structure	\$26,768	\$36,628	\$46,488
Value of Property	\$31,768	\$43,628	\$55,488
Maximum Loan Amount	\$30,179	\$41,446	\$52,713
FEDERAL TAX COMPUTATIONS			
State Income Tax	\$ 471	\$ 750	\$ 1,038
Property Tax	\$ 858	\$ 1,178	\$ 1,498
Mortgage Interest	\$ 3,018	\$ 4,145	\$ 5,271
Miscellaneous Deductions (2% of Income)	\$ 300	\$ 412	\$ 524
Itemized Deductions	\$ 4,647	\$ 6,485	\$ 8,331
Adjusted Gross Income	\$15,000	\$20,600	\$26,200
-Allowable Deductions	\$ 4,647	\$ 6,485	\$ 8,331
-Personal Exemptions Or Standard Deduction	\$ 3,900	\$ 3,900	\$ 3,900
=Fed. Taxable Income	\$ 6,100	\$10,215	\$13,969
Federal Taxes from Charts	\$ 915	\$ 1,532	\$ 2,095
STATE TAX COMPUTATIONS			
Adjusted Gross Income	\$15,000	\$20,600	\$26,200
-Federal Tax	\$ 915	\$ 1,532	\$ 2,095
-Itemized Deductions	\$ 4,647	\$ 6,485	\$ 8,331
=Taxable Balance	\$ 9,438	\$12,583	\$15,774
Oregon Taxes from Charts	\$ 581	\$ 852	\$ 1,140
-Exemption Credit	\$ 102	\$ 102	\$ 102
=State Tax	\$ 479	\$ 750	\$ 1,038



# OREGON MANUFACTURED HOUSING ASSOCIATION

2255 State Street • Salem, OR 97301  
(503) 364-2470

November 28, 1990

Mr. Dennis Egner, Planning Director  
City of Newberg  
414 E. First Street  
Newberg, OR 97132

Dear Dennis,

I want to again thank you and the Planning Commission for all the time you have taken in developing the proposed Manufactured Home ordinance. We are particularly appreciative that the City has decided not to utilize a zone change process. We believe that the City itself and prospective home owners will all benefit from this decision.

As noted in our letter of October 30, 1990 we continue to be concerned with some aspects of the proposed ordinance and plan amendments. Due to a conflict in my schedule I will not be able to personally address these concerns at the Council meeting on December 4. I request that the City Council be made aware of the concerns listed herein.

### HOUSING NEEDS ANALYSIS

As noted in our earlier letter, we believe that the proposed plan amendment understates the need for manufacture homes located on individual lots outside of "mobile home parks," and we continue to object to the needs analysis for the following reasons:

1/ the need projection is based on past housing trends occurring between 1960 - 1979. This past trend doesn't reflect actual market demand for manufactured homes, as the prior zoning severely limited the placement of manufactured homes during this time frame.

In earlier plan reviews, LCDC has not accepted past trends as a sufficient basis to project the future need for manufactured homes.

2/ the need projection is not based on an actual analysis of housing costs and the ability of consumers to buy homes.

3/ the plan does not separately project the need for individually sited manufactured homes. ORS 197.303(1)(c)(d) identifies manu-

factured homes located in "mobile home parks" and manufactured homes located on individual lots as separate types of needed housing. The needs projection provided by the plan does not separately project the need for manufactured homes located in parks and homes located on individual lots. Instead both needs are combined in a single projection.

4/ The technical bulletin "Planning for Manufactured Homes on Individual Lots" identifies a need for 36% of the new single family homes in Newberg to be manufactured homes on individual lots. The proposed needs analysis says that 20% of the new homes in the community will be manufactured homes. No explanation for this discrepancy is provided.

Please note that the 20% includes both homes in parks and on individual lots.

Also note that during 1989 about 37% of the new single family homes in Yamhill County were manufactured.

#### INSUFFICIENT BUILDABLE LAND PROVIDED TO MEET NEED

We do not believe sufficient buildable land has been made available to meet the need for manufactured homes, and we also object to the use of multi-family land to meet the need.

As noted above, we believe the plan understates the need for manufactured homes. With this in mind, we do not believe the plan provides sufficient buildable land zoned for single family use to even meet the 20% need.

A.

ORS 197.307(3) requires that needed housing shall be permitted within one or more zones with sufficient buildable land to satisfy that need."

The vast majority of land allocated for manufactured homes is located outside the City limits of Newberg (only 13 acres of LDR zoned land is provided within the City). The land provided outside the City is zoned for large acreage agricultural use and cannot be used for urban levels of housing without annexation and a zone change.

The zone change process is discretionary and cannot be relied on to demonstrate that sufficient land can be made available.

There is also a considerable amount of vacant buildable land zoned for single family use within the City. We are concerned that annexing additional land for single family use will be difficult to justify.

B.

The Oregon Legislature recognizes manufactured homes as a form of detached single family housing. The Legislature also recognized

that it does not make sense to accommodate single family homes in areas planned and zoned for multi-family densities. Accordingly, ORS 197.303(1)(d) requires that individually sited manufactured homes be permitted in areas "... planned and zoned for single-family residential use."

The "Request for Council Action" dated November 20, 1990 states that 127 acres of land zoned MDR (Medium Density Residential) will be used to meet the 20% need for manufactured homes. With the above statute in mind, it is apparent that land zoned MDR cannot be counted to meet the need for single family use.

We understand that land suitable for multi family housing is a scarce commodity. This type of land usually has been developed with an infrastructure capable of accommodating higher density housing. It is wasteful of both land and public facilities to permit low density detached single family homes on this land. Underutilizing this land will also hasten the need to expand the Urban Growth Boundary and cause the premature extension of urban services.

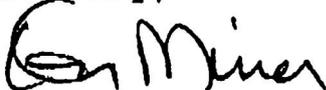
It is also generally recognized that manufactured homes are not able to economically compete for this land with multi-family housing.

We respectfully request that sufficient buildable land zoned for single family homes be provided within the City of Newberg so that manufactured homes can be accommodated on 36% zoned for single family homes.

We recognize that both the Planning Commission and the staff have spent considerable time on this issue and, we appreciate this effort. We hope that our suggestions will contribute to a development code that meets the needs of all citizens living in Newberg.

Thank you for your consideration.

Sincerely,



Don Miner  
Executive Director

cc: Jim Hinman, Land Conservation & Development  
Burton Weast, Western Land Use Services  
Jim Capp, Western Land Use Services  
Salem OMHA Members  
Bob Huber, McMinnville Factory Homes  
John Chandler, Staff Attorney, Metro HBA

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 21, 1990

\_\_\_\_\_ MOTION

DATE ACTION REQUESTED: December 3, 1990

\_\_\_\_\_ RESOLUTION

\_\_\_\_\_ ORDINANCE

X INFORMATION

SUBJECT: Amendment to the City of Newberg Zoning Ordinance and Comprehensive Plan Inventory of Natural and Cultural Resources to add a Final Inventory of Historic Resources and provide a design review procedure related to historic landmarks.

**I. SCHEDULE**

Staff has scheduled and advertised two public hearings on the proposed Historic Landmarks Ordinance. On December 3, the staff presentation and a question/answer session is scheduled. Public testimony is scheduled for December 18. Notice of these hearings was sent to all affected property owners.

**II. INTRODUCTION**

As part of the state mandated periodic review of the Comprehensive Plan, the City is required to protect identified historic resources as required by Statewide Planning Goal 5. To complete the Goal 5 process, the City must adopt a historic preservation ordinance and adopt a Final Plan Inventory of historic resources that would be protected under the ordinance. The Planning Commission has reviewed a draft ordinance and has recommended approval of the ordinance to the City Council. The proposed ordinance is attached. This staff report includes the following sections:

- o Summary of Issues
- o State Requirements
- o Historic Landmarks Ordinance
- o Historic Resources Inventory
- o Conclusion

A more detailed report on the Historic Resources Inventory will be provided with the December 18 staff report.

**III. SUMMARY OF ISSUES**

The Historic Landmarks Ordinance has been prepared in response to the requirements of Statewide Planning Goal 5. Goal 5 requires that communities inventory historic resources and develop programs to protect those resources. The historic resources in the City of Newberg were inventoried in 1985 through a project funded by a State Historic Preservation Office grant. In 1986 the City received notice to begin the Periodic Review of its Comprehensive Plan. The State mandated Periodic Review process requires that each community address any

new inventories that have been completed since the Comprehensive Plan was acknowledged. This requires that Newberg apply the Goal 5 process to protect its inventoried historic resources.

The proposed Historic Landmarks Ordinance provides designation procedures and a design review process. Design review is required for exterior alterations and demolitions of historic resources. Design review is also required for new construction within identified historic districts. The design review process has been developed to be as "user friendly" as possible. An administrative review procedure has been established for minor alterations. This allows minor alterations to be approved by the Planning Director as an "over the counter" approval. Major alterations, demolitions or the introduction of new non-historic materials would require review by the Planning Commission. The ordinance includes criteria for minor alterations and for major alterations. The Landmarks Ordinance would be applied to inventoried Landmark properties or to properties within historic districts. The City Council is currently scheduled to review the proposed Inventory of Historic Landmarks on December 18.

At Planning Commission hearings, concern has been raised regarding mandatory compliance with a proposed historic preservation ordinance. Based on 1989 Court of Appeals and Land Use Board of Appeals decisions related to the Yamhill County historic preservation ordinance, owner consent cannot be considered as criteria for inclusion on an inventory of historic resources. The City of Newberg Inventory was prepared by an outside consultant in 1985 and re-evaluated by another consultant in 1990. Based on the expertise of these consultants, the Inventory represents the historic resources of the community. The proposed Historic Landmarks Ordinance would protect these properties as required under Statewide Planning Goal 5.

#### IV. STATE REQUIREMENTS

##### A. Statewide Planning Goal 5

Statewide Planning Goal 5 is entitled "Open Spaces, Scenic and Historic Areas and Natural Resources". The Goal states in part that "programs shall be provided that will...protect scenic historic areas and natural resources for future generations...". The Goal requires that local governments conduct inventories of historic resources, analyze conflicting uses, and develop programs to protect the resources and achieve the goal.

Oregon Administrative Rule, Chapter 660, Division 16 sets forth the requirements and application procedures for complying with Statewide Goal 5. The rule sets out the procedure for adoption of a plan inventory and the analysis of conflicting uses. The conflicting use analysis involves a determination of the economic, social, environmental and energy (ESEE) consequences of the conflicting use. The ESEE analysis provides the opportunity to weigh the benefits of the conflicting use against the benefit of preserving the resource site. The administrative rule requires one of the following actions be taken to resolve the conflict:

- o Preserve the resource site;
- o Allow the conflict; or

- o Specifically limit the conflicting use.

The Historic Landmarks Ordinance provides a mechanism to limit the conflicting use by establishing a design review process for alterations. This type of mechanism has been generally recognized throughout the State as the process to be followed to satisfy Goal 5 requirements.

**B. The Yamhill County Experience - LUBA/Court of Appeals**

In 1989 Yamhill County amended its historic preservation ordinance to specifically include owner consent as part of the criteria for landmark designation. This amendment was appealed to the Land Use Board of Appeals (LUBA) by county residents, the Historic Preservation League of Oregon and the Department of Land Conservation and Development. LUBA concluded that making land owner consent a determinative criterion for whether a site will be included on an inventory of historic resources is not allowed by Goal 5 and OAR 660-16 (LUBA No. 89-040 and LUBA No. 89-042). Yamhill County appealed the LUBA decision to the State Court of Appeals (CA A61886). The Court affirmed the LUBA decision.

On November 13, 1990 City Attorney Terry Mahr and Planning Director Dennis Egner met with Assistant Yamhill County Council Todd Sadlo. Mr. Sadlo represented the County at LUBA and strongly suggested that the City avoid the mistakes that Yamhill County had made. He said that by making the inclusion on the inventory voluntary, the County had brought statewide attention to the issue. He felt that through this action, the County had effectively lost local control of its decisions. He stated that a more effective method of satisfying property owner concerns is through the Goal 5 ESEE analysis process. This process allows the community to balance the benefit of preservation against the benefits of allowing a conflicting use.

**V. HISTORIC LANDMARKS ORDINANCE**

**A. Concept**

The primary function of the proposed Historic Landmarks Ordinance is to create a process for design review of exterior alterations and demolitions to assure that changes are compatible with the historic character of the resource and neighborhood. The proposed ordinance has been developed to make the review process easy for both property owners and staff. The ordinance includes a staff level design review for minor alterations and a review by the Planning Commission for major alterations. The review by the Planning Commission must occur within ten days of the submittal by the applicant. This process differs significantly from previously proposed historic preservation ordinances in that it provides staff with broader administrative review authority and substitutes the Planning Commission for a separate Historic Review Board.

**B. Organization - Ordinance Provisions**

The proposed Historic Landmarks Ordinance will be incorporated into the Zoning Ordinance as an Historic Landmark Subdistrict. The subdistrict will be applied to all properties which are included on the final plan inventory and are designated as Landmarks or are within designated Historic Districts. Properties which carry the historic landmark subdistrict designation will be subject to design review procedures for exterior alterations and demolitions. The proposed ordinance sets forth two levels of design review. Administrative review is required for minor alterations including replacement of siding, roofing, foundations, porch features and other minor changes. The Planning Commission would be charged with review of demolitions and major alterations such as additions, and changes which would involve new materials which do not match the historic character of the building. Criteria are provided for review. The administrative review can occur over the counter. Planning Commission review is required to occur within ten days of submittal with a ten day appeal period. A process for appealing Planning Commission decisions to the City Council is also outlined.

The ordinance includes a section defining exceptions for economic hardships. Exceptions can be granted after consideration of the cost of rehabilitation, the market value of the property and any potential income from the property if income producing. The ordinance also includes exceptions for maintenance actions such as repair of materials and painting.

The process for designating new individual Landmarks and Districts is specified by the ordinance. In essence, this process is an amendment to the inventory of historic resources in the Comprehensive Plan.

**C. State Review**

A draft of the proposed ordinance has been reviewed by James Hamrick of the State Historic Preservation Office. Mr. Hamrick has stated that the ordinance generally meets state standards. Concern was raised about the economic exception clause and the level of local discretion in its application.

**D. Planning Commission Review**

The City Planning Commission recommended approval of the ordinance at their July 19, meeting. Since that time the staff and Planning Commission have worked on updating the inventory. The version of the ordinance before the Council includes minor changes prepared by staff relating to inventory definitions, designation criteria, administrative review criteria, Planning Commission review process, and maintenance definitions. The changes are administrative in nature and do not effect the substance or intent of the Planning Commission approved ordinance.

## VI. HISTORIC RESOURCES INVENTORY

The adoption of the proposed zoning ordinance amendments to create the Historic Landmarks subdistrict represents only one portion of the action necessary to implement a historic preservation program and satisfy state requirements. To complete the process, the City must adopt a Final Plan Inventory of Historic Resources and designate Landmarks and/or districts to be protected under the Landmarks Ordinance. The adoption of the inventory will be an amendment to the City Comprehensive Plan. A copy of the proposed inventory will be included in the December 18 Council packet.

### A. Current Plan Inventory

The current Inventory of Natural and Cultural Resources in the City's Comprehensive Plan identifies eleven historic sites or structures in the Newberg area. Two structures have been demolished (Springbrook Friends Church and the S.P. Railroad Depot) and one is outside the City Urban Growth Boundary.

### B. Inventory Update

In 1984-85, the City received a State Historic Preservation Office (SHPO) grant to inventory additional historic resources. A community wide effort was made to conduct the inventory and 193 historic properties were inventoried. The inventory was never adopted as part of the City's Comprehensive Plan. As part of the Periodic Review process, cities are required to evaluate inventories that have been completed since acknowledgement of the Comprehensive Plan and take appropriate action on those inventories. As noted previously, Statewide Planning Goal 5 sets up a specific process for addressing historic resource inventories.

To evaluate the 1985 inventory, it was necessary to update the inventory and prepare evaluation forms. Evaluation forms for each of the inventoried properties were prepared and were based on the draft criteria of the proposed Historic Landmarks Ordinance. A subcommittee of the Planning Commission, together with Planning staff and a historic preservation consultant, re-evaluated the inventory and ranked the properties as primary, secondary or contributing. As part of this process, staff contacted James Hamrick of the State Historic Preservation Office, who stated that at a minimum, primary resources in the City must be protected. Mr. Hamrick also stated that all secondary and contributing properties within the potential historic districts should also be protected. Four potential districts are identified in the City's 1985 Inventory and 1990 Inventory update.

The 1985 inventory identified potential districts on the north side of downtown, along First Street, and in the Edwards neighborhood on the south side of downtown. The 1990 Inventory update also identified the Springbrook area as a district. The proposed Inventory must be adopted as an amendment to the Comprehensive Plan.

C. Designation Process

As a comprehensive plan amendment, the adoption of the inventory and the identification of Landmarks or Districts will need to be consistent with local Comprehensive Plan policies and Statewide Goal requirements. As noted above Statewide Planning Goal 5 sets forth the appropriate process and LUBA and the Court of Appeals have determined that owner consent can not be included as part of the criteria for designation.

VII. CONCLUSION

Adoption of a historic preservation program consistent with Statewide Planning Goal 5 is a mandatory element of the Periodic Review Process. The preservation issue is the single major item that has delayed completion of Periodic Review for so long. The proposed Historic Landmarks Ordinance and the related plan inventory provide a method of satisfying state requirements. As proposed, the ordinance provides a relatively easy administrative approval process for most exterior alterations. To create a successful preservation program, staff believes an easy "user friendly" process is essential.



\_\_\_\_\_  
Dennis Egner, Planning Director



\_\_\_\_\_  
Duane Cole, City Manager

hist\sr2.cc\11-28-90

ORDINANCE NO.

AN ORDINANCE ESTABLISHING A HISTORIC LANDMARKS ZONING SUBDISTRICT, PROVIDING A PROCEDURE FOR ESTABLISHING HISTORIC LANDMARKS AND PROVIDING APPLICABLE REGULATION.

WHEREAS, The City of Newberg completed an historic resources inventory in 1985 and a re-evaluation of that inventory in 1990; and

WHEREAS, Statewide Planning Goal 5 requires that historic resource inventories be completed and that programs be developed to protect significant resources.

NOW, THEREFORE, the Council of the City of Newberg ordains as follows:

Section 1. Ordinance 1968 shall be amended by deleting the H Historic District provision listed in Sections 422, 424, 426, and 428 and replacing the sections with a new H Historic Landmarks Subdistrict as noted in Section 2 of this Ordinance.

Section 2. Ordinance 1968 shall be amended to include the following sections:

270 (8) H Historic Landmarks Subdistrict. Pursuant to the provisions of Sections 420-424, an H subdistrict may be created within any zoning district. The subdistrict shall be designated by the suffix "H" added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the "H" subdistrict subject to procedures listed in Sections 420-424.

H HISTORIC LANDMARKS SUBDISTRICT

420 Purpose and Definitions.

A. Purpose. The purpose of the "H" subdistrict is to:

1. Safeguard the historic district(s), landmarks, buildings and sites representing significant elements of Newberg history;
2. Promote the historic, educational, cultural, economic and general welfare of the public through the preservation, restoration and protection of these buildings, structures, sites, districts and objects of historic interest within the City;
3. Foster civic pride in the accomplishments of the past;
4. Protect and enhance the City's attractions to tourists and visitors;

5. Carry out the provisions of the Land Conservation and Development Commission Goal 5.

B. Definitions. For the purpose of carrying out the intent and purposes of the Ordinance, words, phrases and terms, as used herein, shall be deemed to have meaning ascribed to them in this section:

1. Alteration or Alter - The addition to, removal of or from, or physical modifications or repair of, any exterior part or portion of a Landmark designated by the city; excluding, however, routine maintenance, painting, minor alterations subject to administrative review, and non-designated vegetative features. Signs and fences which are not specifically excluded shall be considered a form of alteration and shall be treated as such.
2. Historic District - A geographic area with a high concentration of historical, architectural, archeological or cultural Landmarks and/or a high concentration of contributing resources. The term "Historic District" includes Multiple Property or Resource District. The term also refers to both local historic districts and historic districts listed on the National Register of Historic Places. The "H" subdistrict designation shall be applied to recognize local historic districts as set forth in Section 421.
3. Initial Inventory of Historic Resources - A 1985 census of historical, architectural, archeological or cultural buildings, structures, objects, vegetation, sites, districts and signs. Each resource (i.e. building, structure, etc.) was documented in terms of location, a written description and a discussion of the resource's significance.
4. Final Plan Inventory of Historic Resources - The list of significant resources which are included in the Comprehensive Plan. The final Inventory includes an evaluation of the economic, social, environmental, and energy consequences of conflicting uses.
5. Multiple Property or Resource District - All or part of the Historic Resources identified within the City, or within a specific section of the City. These resources may be dispersed geographically, but shall be related to one another in a clearly distinguishable way.
6. Landmark - Properties selected from the Historic Inventory pursuant to Section 421 of this ordinance that

are of individual importance based on architectural, historical, and/or environmental criteria. The "H" subdistrict designation shall be applied to landmark properties.

421 Landmark and District Designation.

- A. Institution of Proceedings. The City Council, Planning Commission, Planning Director, or interested parties may initiate the proceedings for designation of a historic district or landmark. Applications for designation shall be made available by the Planning Director. To comply with notice requirements, a completed application must be submitted 50 days prior to the final public hearing.
- B. Application Information. The Planning Director may specify the information required in an application.
- C. Designation Procedure. Notice of an application to designate a property as a Landmark or a District shall be provided to the property owner(s) and other interested parties. A written notice of the proposed designation shall be posted on the property in a visible location. All public notice shall be provided not less than 20 days nor more than 30 days prior to the final public hearing. The application shall be considered by the Planning Commission at its next available meeting.

Upon a positive recommendation with findings by the Planning Commission, the application will be considered by the City Council at its next available meeting. The Council shall approve or disapprove the designation based on the designation criteria of Section 421(D) and shall notify the property owner(s) of its decision. Upon approval, the Council shall identify the location of the Landmark or District by application of the "H" subdistrict designation and by amending the Final Plan Inventory of Historic Resources in the Comprehensive Plan.

- D. Designation Criteria. If the building, structure, site, district or object is currently listed in the National Register of Historic Places of the United States of America, the property or properties shall be designated as a Local Landmark or Historic District. The following criteria will be used by the Planning Commission and Council in considering other properties:

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1. The evaluation criteria used in the 1990 Historic Resources Evaluation shall be considered. Any or all of the criteria may be satisfied for designation:
    - a. The Landmark or District is associated with natural history, historic people, or with important events in national, state or local history. The age of a specific building shall be considered but shall not be deemed sufficient in itself to warrant designation as a significant historic resource.
    - b. The Landmark or the structures within the District embody the distinguishing characteristics of architectural specimens inherently valuable for a study of a period, style, or method of construction.
    - c. The Landmark or the structures within the District are notable works of master builders, designers or architects, or the structures represent rarities of types, styles, or designs in the community.
    - d. The Landmark or the structures within the District retain a high degree of original design, crafting, materials, and original site features.
    - e. The Landmark or the structures within the District contribute to the immediate environment and the character of the neighborhood or city.
  2. The proposed Landmark or District will serve the purpose of this section as stated in Section 420.
  3. The economic, social, environmental, and energy consequences of conflicting uses shall be considered.
- E. Designation Removal. Request for removal of a historic landmark designation may be made by the property owner and shall follow the same procedures as required for inclusion by this ordinance.

422 Alteration, New Construction, Demolitions.

A. Exterior Alterations.

1. Application Process. Application for permit approval shall be made to the Planning Director. The application shall be in such form and detail as the Planning

Director prescribes. The application shall include site plans, floor plans, elevations, materials, textures, and other information deemed necessary by the Planning Director to determine the appropriateness of the alterations of the designated Landmark.

2. Planning Director Review. The Planning Director shall approve minor alteration requests if there is no significant change in appearance, or in original material integrity, from the existing structure or site. The Director's approval may include conditions to assure compatibility. Minor alterations meeting the following standards shall be approved and shall be documented by written findings:
  - a. The proposed alteration duplicates or restores the affected exterior features and materials as determined from historic photographs, original building plans, or other evidence of original features or materials.
  - b. The proposed alteration results in new siding, roofing, or foundation skirting which matches materials used on the structure or is typical in terms of material and texture for the style of the Landmark.
  - c. The proposed alteration results in the replacement of gutters and downspouts, or the addition of gutters and downspouts, using materials that match those typically used on similar style buildings;
  - d. The proposed alteration results in a new foundation that does not raise or lower the building elevation provided the foundation materials and/or craftsmanship do not contribute to the historical and architectural significance of the landmark;
  - e. The proposed alteration results in the application of storm windows made with wood, bronze or flat finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building;
  - f. The proposed alteration results in replacement of existing sashes with new sashes, when using material which is consistent with the original historic material and appearance;

- g. The proposed alteration results in modifications to the porch which imitate or restore railings, posts, steps, and skirting which were typical for the style of the Landmark.
- h. The proposed alteration results in construction of a wood fence in the front yard which was typical for the style of the Landmark. Solid wood fences shall be permitted along side and rear property boundaries.
- i. The proposed alteration results in the installation of permanent air conditioning or heating facilities including solar panels which are not readily visible from the public right-of-way excluding alleys, or other Landmark properties.
- j. The proposed alteration results in new awnings or signage which were typical for the style of the Landmark.

The Planning Commission may develop additional standards to guide the Planning Director in determining what constitutes a significant change. The Director's decision may be appealed to the Planning Commission and shall be processed as set forth in Sections 422 (A)3-5. At the Director's discretion, any minor alteration may be referred to the Planning Commission for review subject to the process outlined below.

- 3. Planning Commission Review. Excluding routine maintenance and minor alterations subject to Planning Director review, requests to alter a designated Landmark in such a manner as to affect its exterior appearance shall be reviewed for permit approval by the Planning Commission. The Planning Commission, in considering applications for permit approval for any alteration, shall base their decision on the guidelines identified in Section 422 (A)5.
- 4. Review Process. Application for permit approval shall be filed by the applicant with the Planning Director. Upon the filing of a complete application, the Planning Director shall schedule a public hearing at which the Planning Commission shall review the request.
  - a. Public Hearing. The public hearing before the Planning Commission shall be a special meeting conducted within 10 days of submittal of the

complete application or, if acceptable to the applicant, the hearing shall be scheduled for the next available regular Planning Commission meeting. Public notice of the hearing shall be posted at City Hall and in a conspicuous place on or near the property.

At the hearing, the Planning Commission shall hear all arguments and evidence in support and against the request and shall decide whether the request should be approved. The Planning Commission, after public hearing and deliberation, shall approve issuance, approve issuance with conditions, or disapprove issuance of the permit for the request. The decision of the Planning Commission shall be based upon findings which address the appropriate review criteria.

- b. Notice of Decision. Notice of the Planning Commission decision shall be mailed to all participants in the public hearing and to the owners of property within 100 feet of the site. The notice shall identify the name of the applicant, the subject of the application, and the process under which the decision may be appealed. Appeals shall be according to Section 424 (D). If an appeal is not filed within ten (10) days of the notice, the Planning Commission decision shall be final.

- 5. Review Criteria and Guidelines. For exterior alterations of designated Landmarks, the criteria to be used by the Planning Commission in reaching its decision on the permit application shall be substantial compliance with the following design guidelines:

- a. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- b. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

- c. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- d. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- e. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- f. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- g. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- h. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- i. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

B. New Construction.

- 1. Review Required. If an application is made for property within a historic district to build a new building or to alter the exterior of an existing non-Landmark building,

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the Building Official shall transmit to the Planning Director a copy of the request. Minor exterior alterations consistent with Section 422 (A)2 shall be reviewed by the Planning Director. The Planning Commission shall review all other requests to assure the plans are compatible with structures in the surrounding area. No new structure or major public improvement shall be constructed in a historic district without review pursuant to the criteria listed in Section 422 (B)2 and the process outlined in Section 422 (A)4.

2. Review Criteria. Designs shall be compatible with structures in the surrounding area in terms of size, scale, material and character of the district. Contemporary designs shall not be discouraged when they do not destroy significant historical, architectural, or cultural material. Review criteria for building expansions shall include consideration of the guidelines listed in Section 422(A)5.

C. Demolition and Moving Review.

1. Building Official Review. The Building Official shall issue a permit for moving or demolition if any of the following conditions exist:
  - a. The building is not a designated Landmark. If the Landmark is pending review under Section 421 of this ordinance, no permit shall be issued; and/or
  - b. The Landmark has been damaged beyond reasonable repair through fire, flood, wind or other acts of God, vandalism, or neglect, and poses an immediate threat to public safety.

For any demolition or moving which does not comply with the above criteria, it shall be referred to the Planning Commission.

2. Planning Commission Review Process. The process and public notice for review of a demolition permit shall be the same as stated in Section 422(A)4. Unless extended by mutual consent of the applicant and the Planning Commission, the Planning Commission shall complete any review within 90 days of the date the City received a complete application, with the intent that the Planning Commission and applicant seek alternatives such as sale, salvage, relocation or donation to historic or

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interested groups, not simply to delay the demolition or moving.

3. Review Criteria. In reviewing an application for a demolition permit or moving permit, the Commission shall consider the purpose of this ordinance as stated in Section 420 and the criteria used in the original designation of the Landmark as stated in Section 421(D).
4. Council Review of Dangerous Structures. The City Council may order the removal or demolition of any structure determined to be dangerous to life, health, or property.
5. Documentation. In the event of the demolition or moving of a landmark, building, structure, district, site or object, the history of such landmark shall be documented and kept on file with the Newberg Planning Department.

423 Exceptions for Economic Hardship. When the applicant has demonstrated an economic hardship as a result of the provisions of this ordinance, the Commission or Council may relax the requirements of the ordinance provided the relaxation is consistent with the purpose of this ordinance as stated in Section 420. Any relaxation of requirements shall be the minimum necessary to alleviate the economic hardship. In determining whether an exception due to economic hardship is justified, the Commission or Council shall consider the following factors:

- a. Estimated cost of rehabilitation;
- b. Estimated market value of property in current condition and after proposed construction;
- c. Potential income from property if income producing; and
- d. Any other economic information deemed relevant to the decision.

The applicant shall provide adequate documentation to justify an economic hardship. The information shall be provided on a form available from the Planning Department. In general, no requirement of this ordinance is intended to increase the cost of construction or remodeling by more than 25%.

424 General Administration.

- A. Waiver of Certain Permit Fees. Building fees not including system development charges attributable to the City shall be waived for all improvements which require a building permit and meet the review criteria of this ordinance.

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- B. Identification Signs. One identification sign no larger than 200 square inches which identifies historic Landmarks is permitted in addition to other permitted signs.
- C. Maintenance. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural features which does not involve a change in design, material or the outward appearance thereof, nor to prevent the construction, reconstruction, alteration or demolition of such feature which the City's Building Official shall certify is required by the City's building and development codes. Maintenance and repair actions include, but are not limited to:
1. Repair of siding, roofing, foundations, and gutters or downspouts when required due to deterioration, with materials that match the original materials or are in character with materials typically used on similar style buildings;
  2. Painting and related preparation;
  3. Water quality protection actions;
  4. Installation of air conditioners, provided the units are removable and no structural alterations are necessary.
  5. Site maintenance such as pruning, landscaping maintenance, brush clearing and removal of debris;
  6. Temporary removals of roofs or other access obstructions for purposes of repair or maintenance of interior components of industrial or power generation facilities.
- D. Appeals. Any applicant, owner, representative of the owner of a designated Landmark, or any person who was a party to this action, who is aggrieved by a determination of the Planning Commission may within ten (10) days from and after such determination, file with the Planning Director notice to the effect that such person desires to appeal such determination to the City Council, and shall at that time pay an appeal fee, the sum of which shall be set by resolution of the City Council. This fee shall be collected at the Planning Department. The filing of such notice shall have the effect of suspending any permit approval so challenged, pending determination of such appeal by the Council. Upon the filing of such notice, the Planning Director shall set such appeal for hearing before the Council at its next available meeting provided proper public notice is given consistent with the mailed notice requirements as set forth in Section 422(A)4(b).

Upon the hearing of such appeal, the Council shall take testimony and hear all evidence and arguments which may be offered on the issue and shall then either affirm or reject the decision of the Planning Commission based upon the criteria used in the original decision.

Decisions of the Planning Director shall be appealed to the Planning Commission and shall follow the same procedural actions as outlined above for an application for review before the Planning Commission.

Section 3: Severability Clause. If any article, section, subsection, subdivision, phrase, clause, sentence, or word in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance, but shall be confined to the article, section, subsection, subdivision, clause, phrase, sentence or word so held invalid or unconstitutional.

Section 4. The Newberg City Council adopts the findings of fact which shall be made a part of this ordinance and are attached as Exhibit A.

PASSED by the City Council of the City of Newberg this \_\_\_\_ day of \_\_\_\_\_, 199\_\_, by the following votes:

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
City Recorder

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 199\_\_.

\_\_\_\_\_  
Elvern Hall - Mayor

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44.

EXHIBIT A - ORDINANCE NO.  
FINDINGS OF FACT AND CONCLUSIONS OF LAW  
PLANNING DEPARTMENT FILE NO. PR-3-90

HEARING DATE: Planning Commission - May 17, May 31, June 21, and  
July 19, 1990  
7:30 PM - Newberg Public Library

City Council - December 3 and December 18, 1990  
7:30 PM - Newberg Public Library

PROPONENT: City of Newberg

REQUEST: An amendment to the Newberg Zoning Ordinance to add an  
Historic Landmarks Zoning Subdistrict and providing applicable  
regulation

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I. SUMMARY

The Historic Landmarks Zoning Subdistrict is in response to the requirements of Statewide Planning Goal 5. The Goal requires that communities inventory historic resources and develop programs to protect those resources. The Historic Landmarks Ordinance sets forth procedures for designating new historic resources and for design review of alterations or demolitions to inventoried resources.

II. CRITERIA AND ORDINANCE REQUIREMENTS

A. Zone Change Criteria

The zone change criteria are set forth in Section 600 of the Newberg Zoning Ordinance No. 1968 and read as follows:

1. The proposed change is consistent with and promotes the objectives of the Comprehensive Plan and of the Zoning Ordinance of the City.
2. There is a public need for a change of the kind in question.
3. The need will be best served by changing the classification of the particular piece of property in question as compared with other available properties.

B. Applicable Comprehensive Plan Goals and Policies

Goals and Policies found within the Newberg Comprehensive Plan which are relevant to this request include the following:

### Historic Resources Policies

1. The continued preservation of Newberg's designated historic site and structures shall be encouraged. Special sources of funds as well as other incentives for restoration and preservation should be investigated.
2. Newberg's inventory shall be continually updated to reflect new information.

### III. FACTS

- A. In 1985, the City of Newberg completed an Inventory of Historic Resources that was funded by a State Historic Preservation Office grant. In 1990, the Historic Resources Inventory was updated and re-evaluated to verify the rankings assigned in the original inventory.
- B. In 1986, the City of Newberg received notice from the Department of Land Conservation and Development to begin Periodic Review of the Comprehensive Plan. The Inventory of Historic Resources was identified as a new planning inventory that must be addressed as part of the Periodic Review process. The Statewide Planning Goal 5 Administrative Rule sets out the process for addressing new inventories. The Rule requires that where conflicting uses are identified, the resource must either be protected from the conflicting use, the conflicting use be allowed, or the conflicting use must be mitigated. Regarding historic properties, exterior alterations represent conflicting uses and a design review process for exterior alterations provides a mechanism to mitigate impacts.
- C. The 1989 State Legislature adopted House Bill 2288 which broadly defined land use actions and set forth notice requirements for land use actions in urban growth boundaries. Under House Bill 2288 discretionary design review decisions would be considered land use actions requiring public notice.
- D. Public hearings regarding proposed Zoning Ordinance amendments to protect historic resources were held before the City Planning Commission on the following dates: May 17, May 31, June 21, and July 19, 1990.

Public hearings before the City Council were held on December 3 and December 18, 1990.

### IV. CONCLUSIONARY FINDINGS

- A. Regarding Criterion 1, the ordinance amendment is in response to Statewide Planning Goal 5 and City Historic Resources Policy 1. The ordinance includes procedures to protect historic resources and mitigate the impacts of the conflicting uses.
- B. Regarding Criterion 2, a specific public need has been identified for the amendment. Statewide Planning Goal 5 requires that historic resources be

Exhibit A - File No. PR-3-90  
Findings of Fact

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protected. The Historic Landmarks Ordinance is a requirement for completion of the Periodic Review Process.

C. Regarding Criterion 3, the Historic Landmark Subdistricts will apply to inventoried and designated historic landmarks or districts.

V. CONCLUSION

Based on the criteria, facts, testimony, and conclusionary findings, it is concluded that the proposal satisfies the zone change criteria.



Department of Revenue regarding Budget Law and Ballot Measure 5. Kathy Tri attended this meeting and it was basically a repeat of information. BM 5 will test how innovative we can be.

Chief Christensen and Chief Bishop regarding dispatch center problems.

Community Relations. Discussion with Mr. Hershey and the Committee regarding YCOM.

City Council Workshop and Council Meeting. A busy evening as we discussed the comprehensive plan.

November 21:

Staff Meeting

Scott Reinhardt regarding the budget. I briefed Scott on the budget document and the process.

November 22 and 23: Thanksgiving Holidays

November 26:

Appeal meeting with EPA and Ashbrook in Seattle. We met with the Ashbrook officials and KCM to develop the EPA presentation.

November 27:

Appeal Meeting with EPA in Seattle. The appeal went well as the City and Ashbrook presented the information. More on this at the Council meeting on December 3, 1990.

November 28:

Returned from EPA meeting in Seattle. Met with several staff members, read the mail, and reviewed the Council agenda.

November 29:

Doreen Turpen regarding State Library budget cuts.

Terry Mahr and Dave Bishop regarding hospital issues.

MEETINGS PLANNED:

November 30:

Kelly Soderquist has been assisting Terry with the legal department work during the past few months during Mary's leave. Mary Newell has decided not to return to work. Meeting with Kelly to recognize her contribution filling in.

December 3:

Meeting regarding the Joint Meeting January 10, 1991 with School, Cities of Dundee, Newberg, and CPRD Boards and Councils.  
City Council

December 4:

Chamberboard  
Staff meeting regarding Ordinances regulating businesses  
GTE Phone system demonstration

December 5:

Regular Staff Meeting  
Mark Johnson regarding the City's retirement plan.

December 6:

Wellness meeting  
Community Development  
Festival of Trees. I have been recruited to hand out candy after the story time.

December 7:

Chamber Greeters -- Mary Foster's office.  
John Puskas open house. 2:00 to 9:00 p.m.

December 10:

Chamber forum

December 11:

COG Meeting in Salem

December 12:

Leadership meeting at ADEC -- Speak on the Local Economy

December 13:

Presentation regarding METRO and home rule in Washington County at NIKE World headquarters.

December 14:

EAS Meeting in Newberg. This will be a briefing for the other cities included in UM 194

December 18:

Chamberboard

CVSC at the Library  
Community Relations  
City Council Workshop and Meeting

December 19:

Finance Committee

December 20:

Legislative Meeting

December 22 -- January 1, 1991

I will be available during this period by phone. My sister and brother-in-law will be visiting and since they live in Europe, I have not seen them in 2 1/2 years. This will be an opportunity to spend some quality time. The office will be covered during this period.

January 2:

John Garofalo regarding the Council retreat.

January 3:

Community Development

January 7:

City Council meeting.

January 8:

Chamberboard

January 10:

Mark and Spike regarding Hospital Finances and Issues.  
Community Development  
Joint meeting with CPRD, School and Cities of Dundee and Newberg

January 11 and 12:

City Council Retreat

January 14:

Chamber Focus Forum

January 17:

Legislative Committee  
Chamber Annual Dinner

City/County Dinner -- Lafayette

January 18:

EDC at the Chamber

January 21:

Martin Luther King Holiday

January 22:

Chamberboard

Community Relations

City Council -- We hope to have a session to update you on the Composter and other pending litigation and issues.

January 24:

Budget Committee

January 25:

Annual employee dinner. Fire Hall. Mayor and Council invited.

January 29:

Finance Committee

Other Information:

January will be a busy month. Please check your calendars now to reserve the Council meeting times and other dates.



Duane R. Cole  
City Manager

DRC/bjm

\cmr11-29

NEWBERG COMMUNITY HOSPITAL

MINUTES: BOARD OF COMMISSIONERS, OCTOBER 23, 1990, 7:00 P. M.

PRESENT: Hal Grobey, Ed Stevens, Phil Edin, Fonda Schmidt, Dr. Holman, Dr. Isaacson

ABSENT: Rolland Carlson, Jack Nulsen, Tobi Young

EX-OFFICIO: Mark Meinert, Elvern Hall, Dr. Lyles

GUESTS: Terry Mahr, Spike Sumner, Justine Pfeiffer, Linda Fortmann, Jon Pitcher, Warren Good, Carrie Rickstrew

The meeting was called to order at 7:05 by Dr. Holman.

Minutes of the September 25th meeting were approved as submitted.

Warren Good, Executive Director of the Foundation, presented information to the Board on current Foundation activities including:

- A. The Foundation Board will be expanded.
- B. Rules and responsibilities for Board members will be addressed.
- C. A Long Range Planning Committee will be appointed and will develop a Foundation Long Range Plan.
- D. March 1, 1991 has been targeted to launch an Annual Planned Giving Program.
- E. A previous donor contact list is being developed as well as a data base of all Newberg residents.

Jon Pitcher, Ernst and Young, was present to submit the Fiscal Year 1990 audit and review the Management Letter. There was a brief question and answer period following Mr. Pitcher's presentation. Mr. Grobey moved that the budget be accepted, Fonda Schmidt seconded the motion and it passed unanimously.

ACTION ITEMS:

A. Substance Abuse Policy: Linda Fortmann presented the hospital policy on substance abuse. There was brief discussion and Mr. Grobey emphasized the need to educate managers on how to enforce this policy. Dr. Isaacson moved to approve the Substance Abuse Policy, Hal Grobey seconded the motion and it passed unanimously.

B. Facility & Site Development Policy: This policy combines two existing and antiquated policies. After brief discussion Hal Grobey moved that the Facility and Site Development Policy be approved. Fonda Schmidt seconded the motion and it passed unanimously.

COMMITTEE REPORTS:

Minutes of the Joint Conference Committee, Finance Committee, Personnel Committee and Long Range Planning Committee were briefly discussed and were attached for Board review. The Executive Committee did not meet in October.

OLD BUSINESS: There was no old business.

NEW BUSINESS:

Phil Edin reported attending his first meeting as a member of the OAH Board on Governance. He indicated strong support by the Trustees and that the Board is working on an educational forum for new Trustees which would probably be available at either the Fall or Spring OAH convention. Educational opportunities for all trustees will be similar to information offered at the Estes Park Conferences. The OAH Political Action Committee is asking for donations to assist them in their efforts and Phil challenged each Board member to match the donation he plans to submit.

ADMINISTRATOR'S REPORT:

Mark distributed information from OAH on ballot measures 5 and 6 which OAH opposes.

Medicaid funding for Category B Hospitals, anticipated to be available through September '91, will be exhausted in April, 1991.

Mark distributed the Newberg Community Hospital Annual Report to Board members, asked them to review at their leisure and present any questions regarding the annual report at the next meeting.

The Hospital Christmas Party will be held on December 17, 1990 at the Tualatin Country Club.

The City Council/Board Dinner will be held at the Hospital on November 6, 1990.

Guests were recognized at this time and the meeting was called into Executive Session under ORS 192.660 (1) (c).

After return to open session, the following actions were taken:

Ed Stevens moved and Hal Grobey seconded a motion to accept the Medical Staff's recommendations pertaining to the reappointments of John Wallin, M. D., Jonathan Jahnke, M. D., Maya Manka, M. D., C. Edward Skeeters, M. D., C. Craig Kiser, M. D. and Harold Hoover, M. D. The motion was unanimously supported.

SH

Ed Stevens moved and Dr. Isaacson seconded a motion to accept the Medical Staff's recommendation pertaining to the advancement of Robert Galasso, M. D. The motion was unanimously supported.

Ed Stevens moved and Dr. Isaacson seconded a motion to accept the recommendations of the Medical Staff pertaining to the resignations of Stuart Trenholme, M. D. and David Peto, M. D. The motion was unanimously supported.

ADJOURN:

The meeting adjourned at 9:20 P. M.

Respectfully submitted,



Justine Pfeiffer  
Executive Secretary

JJP

NEWBERG COMMUNITY HOSPITAL

MINUTES: EXECUTIVE COMMITTEE, 11/9/90, 7:00 A. M.

PRESENT: Ed Stevens, Dr. Holman, Phil Edin, Terry Mahr, Spike Sumner, Mark Meinert

ABSENT: Tobi Young

The meeting was called to order by Dr. Holman at 7:10 A. M.

The minutes of 9/14/90 were approved as submitted.

DECEMBER BOARD MEETING

The Board meeting, scheduled for December 25, 1990, falling on Christmas, was discussed. The Executive Committee was in agreement that the December 25 Board meeting be cancelled and appropriate agenda items forwarded to the January, 1991 meeting. In addition, the Executive Committee asked Administration to consider an alternative date for the December Board meeting in case any items requiring immediate action needed to be addressed by the Board. In the absence of any significant issues requiring immediate action, the December Board meeting is cancelled.

EXECUTIVE SESSION

The meeting was called into Executive Session under ORS 192.660 (1) (c).

Upon return to open session, the following actions were taken:

BOARD MEMBER REPLACEMENT

- A. Phil Edin moved and Dr. Holman seconded a motion to amend the current hospital policy pertaining to the replacement of Board members so that current Board members could be reappointed without requiring the Executive Committee to submit an alternate name to the full Board for consideration. The motion was unanimously supported and Mark Meinert indicated that he would present to the Executive Committee in December a revised Hospital Board Replacement Policy.
- B. Phil Edin moved, Dr. Holman seconded a motion to submit Jack Nulsen, Dr. Holman and Ed Stevens' names to the full Board for reappointment to the Board of Commissioners. The motion was unanimously supported with the abstention of Dr. Stevens concerning his appointment and Dr. Holman concerning his appointment.
- C. Rolland Carlson has submitted his resignation as a member of the Board of Commissioners. Phil Edin moved that the

56. 18

name of Norman Parker be forwarded to the Board of Commissioners for consideration with the following individuals in descending order of priority to be considered as alternates: Alan Steiger, Joe Plews, Susan Sokol Blosser. The Executive Committee unanimously supported the motion.

#### PHYSICAL THERAPY SERVICES

The contract for physical therapy services to NCH and the NCH Home Health Care Department was discussed. Phil Edin moved and Dr. Holman seconded a motion to approve the requested modifications to Roger Giles contract with the lone modification that the effective date of the increases be December 1, 1990. Therefore, the recommendation to the full Board is that Roger Giles contract be modified to indicate \$5.50 per RVU and \$45.00 per Home Health Care visit.. The motion was unanimously supported and will be forwarded to the full Board at its November meeting.

#### OB PROJECT

Dr. Holman moved and Phil Edin seconded a motion to direct Administration to proceed with the preliminary work to bring the OB project to bid and to consider a more universal approach to resolving hospital problems including reassessment of outpatient surgery and traffic flow as immediate needs. Specifically, the request is for a January Board meeting presentation whereby the OB project, the day surgery and traffic flow issues are all addressed under a single financial package of \$1.3 million. The motion was unanimously supported.

#### ADJOURN

The meeting adjourned at 8:45 A. M.

Respectfully submitted,



Mark W. Meinert  
Administrator

NEWBERG COMMUNITY HOSPITAL

FINANCIAL SUMMARY - OCTOBER 1990

UTILIZATION:

Inpatient utilization was again significantly below budget at 26.2% of occupancy. The total percent of occupancy was 35.5% or 75% of budget. Inpatient daily occupancy was 11.5, while total patient daily occupancy was 15.6 people. The Surgery, Home Health, Caremates, and Radiology all exceeded their volume projections for the month. Interestingly, outpatient surgical minutes were 44% of total surgical minutes which is somewhat lower than we had been seeing year to date.

REVENUE:

Gross revenue of \$1,033,516 was 94% of budget. Inpatient revenue at \$516,898 was 85% of the budget, and outpatient revenue at \$475,838 was 107% of budget. Deductions from revenue at \$239,352 were 98% of budget. Medicare/Medicaid allowances exceeded budget by 16% primarily due to the increased percentage of Medicare/Medicaid revenue of total patient revenue. Alternative systems discounts at \$55,721 were 75% of budget, somewhat higher than they have been year to date. Inpatient revenue per patient day at \$1,448 exceeded budget by 24%, and outpatient revenue per outpatient department visit at \$70 exceeded budget by 25%. Outpatient revenue was 48% of total patient revenue for the month. Medicare/Medicaid revenues were 48.1% of total revenue for the month.

EXPENSE:

Total expense of \$810,150 was 100% of budget. In reviewing the expenses, in the ancillary services other expense area, the variance from budget was created by surgical/medical supply expense, anesthesia contract CRNA services, and Caremates travel costs. In the Administration and house services salary expense area, the variance was created by salaries in the Dietary Department, Social Services, Medical Staff, Admitting, Materials Management and Community Education Departments. The Administration and House Services other expense variance was created by food costs, medical records minor equipment and maintenance costs, accounting purchased services, patient accounts collection expense, administrative consulting costs relating to the OB recruitment and Ernst and Young financial assessment projects and Foundation minor equipment costs. Total expenses were 78% of gross revenue for the month, exceeding budget by 6%. Paid hours per adjusted admission at 190 exceeded budget by 31% while productive hours per adjusted admission at 171 exceeded budget by 30%.

58  
20

MISCELLANEOUS:

Days of gross revenue in gross accounts receivable increased less than one day to 79.4 days. Cash collections at \$770,227 were 96% of projection. Medicare receivables increased due to the fourteen day claim payment delay that was reinstated effective October 1, 1990. Regularly scheduled cash transfers were made to the Bond and Capital Improvement Funds during the month. The Hospital had a net loss from operations of \$15,986, and a loss of \$12,171 on the contribution line.

Respectfully submitted,



Jack R. "Spike" Sumner  
Director of Finance

JRS:jp

NEWBERG COMMUNITY HOSPITAL  
PERSONNEL COMMITTEE MINUTES

November 12, 1990

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**PRESENT:** Hal Grobey  
Mark Meinert  
Linda Fortmann

**NEW BUSINESS:**

**Action Item:**

Personnel policy 303.16 regarding the Earned Leave Program was presented to the Committee. Following discussion, the Committee passed a motion recommending this policy to the Board of Commissioners for approval. This policy will replace the hospital's existing vacation, sick and holiday policies. Earned Leave combines vacation, holiday and a portion of sick leave into one category, allowing employees greater flexibility to manage their paid time away from work. A portion of the existing sick leave benefit will be retained in an account titled Extended Illness Reserve. This reserve provides employees with protection for long periods of illness or recuperation. The Earned Leave program is a cost neutral issue. The program will provide an extremely positive addition to our employee benefit package and allows the hospital to offer a benefit which is competitive with area hospitals.

**Informational Items:**

The hospital had a successful United Way Campaign during October. Donations increased two-fold over last year's contributions.

A training program regarding the hospital's new substance abuse policy was conducted on November 7th for managers. The program was well received by the management staff. On November 8th, the policy and acknowledgement forms were distributed to all employees with their paychecks. Personnel is in the process of collecting the signed acknowledgement forms which will be placed in employees' personnel files.

Respectfully submitted,

*Linda Fortmann*

Linda Fortmann  
Personnel Manager

LF:ere  
1163CA

NEWBERG COMMUNITY HOSPITAL

MEETING MINUTES

LONG RANGE PLANNING COMMITTEE

November 15, 1990

Call to Order: 6:50 p.m.

MEMBERS PRESENT: Hal Grobey Spike Sumner  
Don Tarlow John Puskas, M.D.  
William Bailey, M.D. Ann Oakley  
Mark Meinert Linda Miller

MEMBERS ABSENT: Tobi Young Jim Snell  
Marie Hansen

The regularly scheduled meeting of the Long Range Planning Committee of Newberg Community Hospital was called to order by Hal Grobey. A quorum was present and the minutes of October 18, 1990, were approved as written.

OLD BUSINESS

AGENDA ITEM: Review of The Long Range Plan

1. Strategic Issues.

DISCUSSION: The committee completed the identification of strategic issues, upon which the Long Range strategic priorities and policies will be based.

2. Discussion of services:

DISCUSSION: The committee briefly discussed services that be provided by Newberg Community Hospital. The need for mission and value statements that can be used as a measure for the development of new services was identified.

The committee felt that it was important to be able to condense the mission statement to a short phrase, thus allowing all employees to know and understand the hospital's mission.

ACTION: The committee asked Linda Miller to take the identified strategic and draft new strategic priorities, mission and value statement. This draft is to be sent to committee for review and return prior to the next meeting. The revised plan will go to the Board of Commissioners for approval in December.

OPEN AGENDA

DISCUSSION: Hal Grobey discussed the need for a retreat in January to identify goals for each of the strategic priorities. Members of the Board, Medical Staff, Management Team and Planning Committee would be invited to attend.

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**NEXT MEETING DATE:**

ACTION: The next meeting of the Long Range Planning Committee will be held December 13, 1990, at 6:30 p.m. Dinner will be served. The agenda will be 1) discussion of the draft strategic priorities, 2) review a new mission/value statements and 3) plan the January retreat.

**ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

Respectfully submitted by,



Linda Miller  
Director of Marketing and Planning

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29

DRAFT  
MINUTES

NEWBERG PUBLIC LIBRARY BOARD  
November 15, 1990

PRESENT:

BOARD MEMBERS:

DUBANE

Kate Copenhaver  
Pat Landis  
Linda Budan

STAFF:

Doreen Turpen

OTHER:

Bonnie Arbogast

ABSENT:

Dorothy Rogers  
George Whitmer

The meeting was called to order at 7:10 p.m. by Chair Kate Copenhaver.

**MOTION:** Budan/Landis to approve the consent calendar. Motion carried.

**ACTION ITEMS:**

**Election of Officers:** Linda Budan moved to cast a unanimous ballot for Dorothy Rogers for Vice-Chair. Motion carried.

**Ordinance relating to duties of the Library Board:** Board members continued their discussion of Ordinance No. 2124, particularly Section A relating to the Board's role in selection of the Library Director. They listened to comments made by the City Manager in a memo sent by him to the Library Director and to a proposal for a change in the language that was drafted by the City Manager and the Library Director. Following discussion, they agreed that they would like to meet directly with the City Manager to address this section and other items relating to their role and purpose, rather than try to work on the ordinance through memos.

A brief discussion of the December meeting date occurred.

**MOTION:** Budan/Landis moved to change the December meeting date to December 27 from December 20. Motion carried.

**Ordinance relating to Wilful Detention of Library Materials:** Board members reviewed the ordinance and the corresponding state statute. The Library Director requested additional time to review this ordinance with the City Attorney before taking action. Board members agreed to this delay.

**Capital Improvement Plan:** The Library Director presented a list of projects that could fall under the criteria for the Capital Improvement Plan that is being developed by the City. These included development of the audio-visual/computer area in conjunction with revisions to the reference area, finishing an area in the storage room for a storytime room, changing the circulation desk, and acquisition of a parking area for the library.

Linda Budan suggested adding the development of a computer area for children to the list.

**Motion:** Landis/Budan to accept the list as amended for the Capital Improvement Plan. Motion carried.

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**LIBRARIAN'S REPORT:** The librarian's report was not yet available and the Director noted that it would be mailed within the next week.

**INFORMATION/CORRESPONDENCE:** The Library Director noted that there are openings on the City Budget Committee and that meetings begin on November 19. There was no correspondence to review.

**ADJOURNMENT:** The meeting was adjourned at 9:15 p.m.

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Doreen Turpen, Library Director

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4. **New Business**

A. **Report on Oregon Traffic Safety Conference**

Lt. Hailey attended this conference at the Salishan. He said that this was a good conference, very informative regarding traffic safety. Some of the main things that were discussed were Risk Management, how to avoid Tort claims, and other traffic safety issues. While at this conference Lt. Hailey also attended a victims panel presentation and was given information regarding the group OSSOM which stands for (Oregon Student Safety on the Move).

B. **Discussion on Measure Nine**

It was noted that it will be the quickest way to save 200 lives in Oregon.

C. **1991 Selective Traffic Enforcement Grant Activities**

From this grant we are going to be refunded approximately \$14,909. Something that will be added to this will be DUII enforcement and education of distributors in order to avoid DUII incidents and a strong focus on the child restraint law.

D. **Request for Crosswalk at Edwards School**

After discussion, the Traffic Safety Committee moved to approve this crosswalk. Lt. Hailey will be making contact with the resident directly across the street where the crosswalk will terminate to determine what their concerns may be regarding the crosswalk.

E. **Award**

The Traffic Safety Committee was presented an outstanding service award from the Oregon Traffic Safety Commission for the innovative mini-grant where video equipment provided through this grant is used to index city streets and key intersections as well as a method of bringing the traffic safety concerns into the meetings via video tape.

Meeting adjourned at 7:56 p.m.

66.



536 cars per day to 819 cars per day. The traffic on Second Street and on Everest Road was essentially unchanged.

Westbound traffic has been by-passing Villa Road and coming down to the street closure. These vehicles then either cut through the Shell Service Station lot or turn left on Church Street and proceed through the residential area. The operators of the Shell Station reported that they have between 40 and 60 vehicles per day cut through their lot. They also report that about half a dozen trucks and trailers come down to the street closure and either cut through their lot or turn left on Church Street and proceed through the residential area. The signing at Villa Road has been reviewed and needs to be revised. The State Highway Department has been contacted and they are printing some new signs to install at that location.

Time Oil Company, the owner of the Rocket Station, has also contacted the City and claims that the closure decreased the volume at the station enough to force the closure of the station. In reviewing the records that Time Oil Company supplied, I do not believe the closure of the street effected the volume at the station substantially. Prior to April, 1990, the station was averaging over 115,000 gallons per month. In May and June, 1990, the station pumped 76,000 and 81,000 gallons respectively. The Arco Station on Highway 99W and Deborah Road opened in May. In July of 1990, Time Oil reported only pumping 43,000 gallons. In reviewing the City records, I find that the water service was discontinued on July 18, 1990, so this gallon change only represented half of the month. I, therefore, do not believe that the closure substantially affected the amount of gas pumped at that station.

The property owners adjacent to Church Street and First Street in the vicinity have been notified of this pending action.

The recommendation to permanently close Church Street has been reviewed and approved by the Police Department and the Community Relations Committee. The recommendation also includes the continual monitoring of the signage at Highway 99W and Villa Road and providing some no through traffic signing for the driveway of the Shell Service Station.

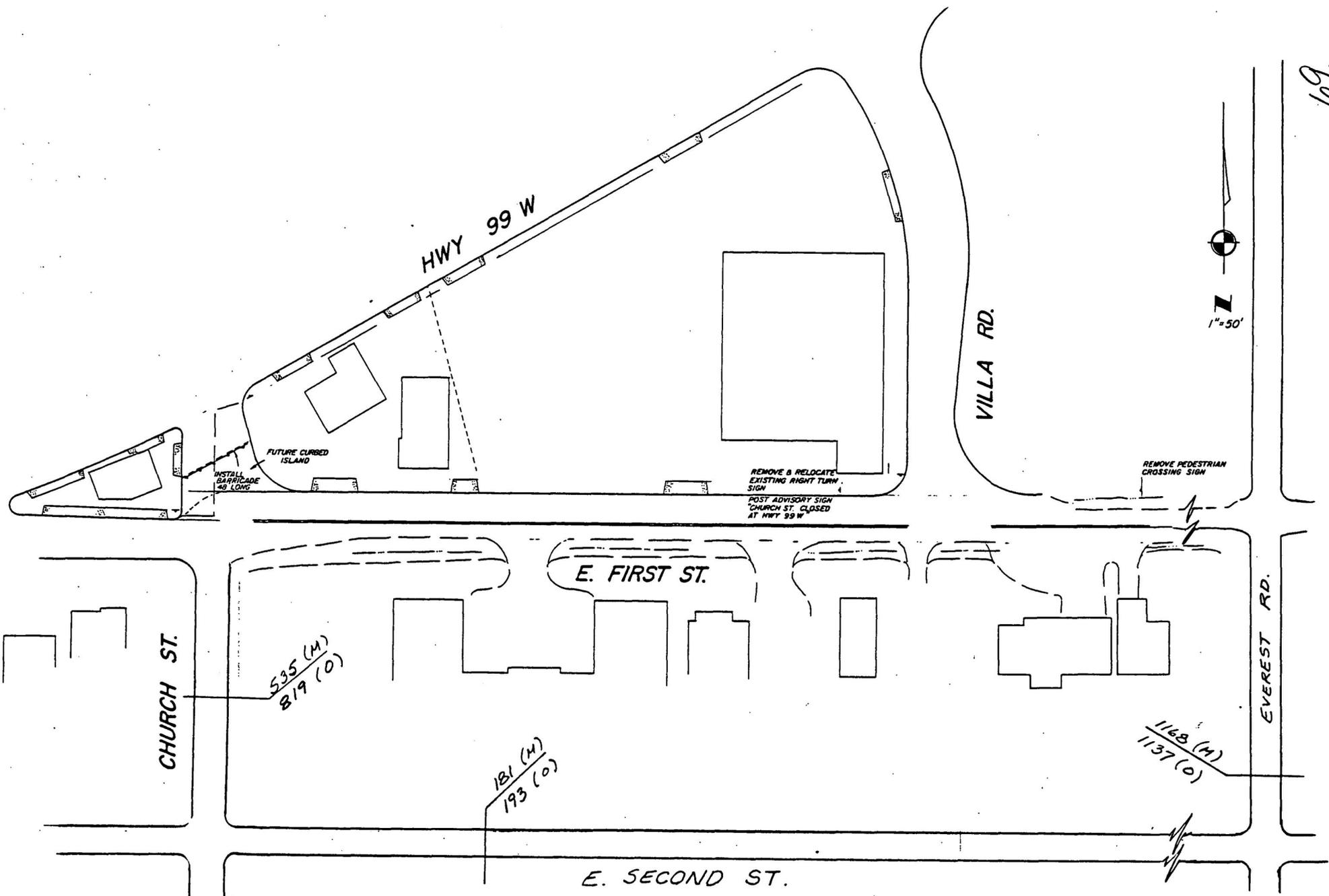
COST:

The cost to remove the street and landscape the area will be about \$50,000.00. This cost will be included in future budgets for consideration. The cost will also be shared by the state.

  
Bert S. Teitzel, Director of Public Works

  
Duane R. Cole, City Manager

69.



**CHURCH STREET CLOSURE**  
 MARCH 1, 1990 BY: JJR

KEY:  $\frac{181 (M)}{193 (O)}$  indicates traffic count A.D.T. before closure (March 1990)  
 indicates traffic count A.D.T. after closure (October 1990)

ORDINANCE NO. 90-2288

AN ORDINANCE AMENDING ORDINANCE NO. 1593, WHICH ORDINANCE CONTROLS VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE CITY OF NEWBERG BY SPECIFYING THE AUTHORITY OF THE COUNCIL TO PERMANENTLY CLOSE A STREET AND SPECIFICALLY GIVING THE AUTHORITY TO THE CHIEF OF POLICE TO TEMPORARILY CLOSE A STREET FOR PUBLIC SAFETY REASONS.

RECITALS

1. The Traffic Safety Committee held a meeting on February 12, 1990, and discussed the traffic safety problem created at the intersection of First Street (Hwy. 219), Church Street and 99W.
2. A meeting was held in which the adjacent property owners were invited to attend. Present at the meeting were Dick McPike, President of Sentry Market, Jason Simpson, Manager of Newberg Sentry Market and Vince McDonald, Owner/Manager of Shell Service Station.
3. After such meeting Church Street between First Street (Hwy. 219) and 99W was temporarily closed by order of the Police Chief.
4. Traffic counts were taken to measure traffic impacts.
5. The matter was reviewed by the Police Department and the Community Relations Committee. The Committee recommends that Church St. between First Street (Hwy. 219) and 99W be permanently closed.

NOW THEREFORE, THE CITY OF NEWBERG, OREGON, ORDAINS AS FOLLOWS:

**Section 1** - Ordinance No. 1593, Section 4 - Powers of the Council, subsection (2) The Powers of the Council shall include, and not be limited to: subparagraph (L) Temporary blocking or closing of streets, be and hereby is amended to read as follows:

(L) Temporary blocking; closing of streets and permanent closing of streets.

**Section 2** - Ordinance No. 1593, Section 4 (A) - Duties of the Chief of Police be and hereby is amended by adding paragraph (5) to read as follows:

(5) Temporary blocking or closing of streets due to public safety and traffic flow considerations.

Section 3 - Ordinance No. 1593 is amended to add Schedule F entitled Closed Streets to read as follows:

Sec of	Amending Ordinance	Date of Enactment	Closed Street(s)
	90-2288	12/03/90	Church Street between 99W South to First Street (Hwy. 219).

Section 4 - The remainder of Ordinance No. 1593 as amended remains in full force and effect.

PASSED by the City Council of the City of Newberg, Oregon, this 3rd day of December, 1990, by the following votes:

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

\_\_\_\_\_  
Duane R. Cole, City Recorder

APPROVED by the Mayor this \_\_\_\_\_ day of November, 1990.

\_\_\_\_\_  
Elvern Hall, Mayor

TRF.ORD

1412 E First Iron Base - Lonetta Habel 115 S Church -  
Solved one problem to create others. - Corner of 2nd + Church  
- Wes Mechum - Time Oil  
- Brian Kondua -

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: October 29, 1990

\_\_\_\_\_ MOTION

DATE REQUESTED: November 20, 1990

\_\_\_\_\_ RESOLUTION

X \_\_\_\_\_ ORDINANCE

\_\_\_\_\_ INFORMATION

12/3/ file  
Council

SUBJECT: CLOSURE OF CHURCH STREET BETWEEN FIRST STREET AND HIGHWAY 99 WEST.

RECOMMENDATION: I recommend that Church Street be closed permanently. I further recommend that the signing at the intersection of First Street and Villa Road be revised and monitored to help prevent westbound through traffic on the portion of First Street between Villa Road and Church Street.

BACKGROUND: The Traffic Safety Committee at their February 12, 1990 meeting, discussed the traffic safety problems at the intersection of First Street and Highway 99W. Several options were discussed in order to alleviate these traffic safety problems at this intersection. Options discussed were one way traffic on First Street eastbound between Church Street and Villa Road; placing an island in the center of Highway 99W to eliminate the left turns; revising the signing along Highway 219 at Villa Road to discourage traffic and closing Church Street between First Street and Highway 99W. After a discussion of the pros and cons of each alternative the Traffic Safety Committee recommended that Church Street be closed to traffic between Highway 99W and First Street. This was to be done on a trial basis to determine the effect of the traffic flow in the area.

The property owners and occupants of the property adjacent to First Street between Highway 99W and Villa Road were notified and invited to this meeting of the Traffic Safety Committee. Present at that meeting were Dick McPike, President of Sentry Market; Jason Simpson, Manager of Newberg Sentry Market; and Vince McDonald, Owner/Manager of the Shell Service Station.

Church Street was closed with a barricade on June 29, 1990. The signing of Highway 219 at Villa Road was also modified to indicate the closure of this street.

Traffic counts were taken on Church Street between First and Second Streets, on Second Street between Church Street and Everest Road, and on Everest Road between First and Second Streets. These counts were taken in March prior to the closure of the street and again in October after the closure had been in place for several months. There was about a 50% increase in the traffic on Church Street between First and Second Streets, from

536 cars per day to 819 cars per day. The traffic on Second Street and on Everest Road was essentially unchanged.

Westbound traffic has been by-passing Villa Road and coming down to the street closure. These vehicles then either cut through the Shell Service Station lot or turn left on Church Street and proceed through the residential area. The operators of the Shell Station reported that they have between 40 and 60 vehicles per day cut through their lot. They also report that about half a dozen trucks and trailers come down to the street closure and either cut through their lot or turn left on Church Street and proceed through the residential area. The signing at Villa Road has been reviewed and needs to be revised. The State Highway Department has been contacted and they are printing some new signs to install at that location.

Time Oil Company, the owner of the Rocket Station, has also contacted the City and claims that the closure decreased the volume at the station enough to force the closure of the station. In reviewing the records that Time Oil Company supplied, I do not believe the closure of the street effected the volume at the station substantially. Prior to April, 1990, the station was averaging over 115,000 gallons per month. In May and June, 1990, the station pumped 76,000 and 81,000 gallons respectively. The Arco Station on Highway 99W and Deborah Road opened in May. In July of 1990, Time Oil reported only pumping 43,000 gallons. In reviewing the City records, I find that the water service was discontinued on July 18, 1990, so this gallon change only represented half of the month. I, therefore, do not believe that the closure substantially affected the amount of gas pumped at that station.

The property owners adjacent to Church Street and First Street in the vicinity have been notified of this pending action.

The recommendation to permanently close Church Street has been reviewed and approved by the Police Department and the Community Relations Committee. The recommendation also includes the continual monitoring of the signage at Highway 99W and Villa Road and providing some no through traffic signing for the driveway of the Shell Service Station.

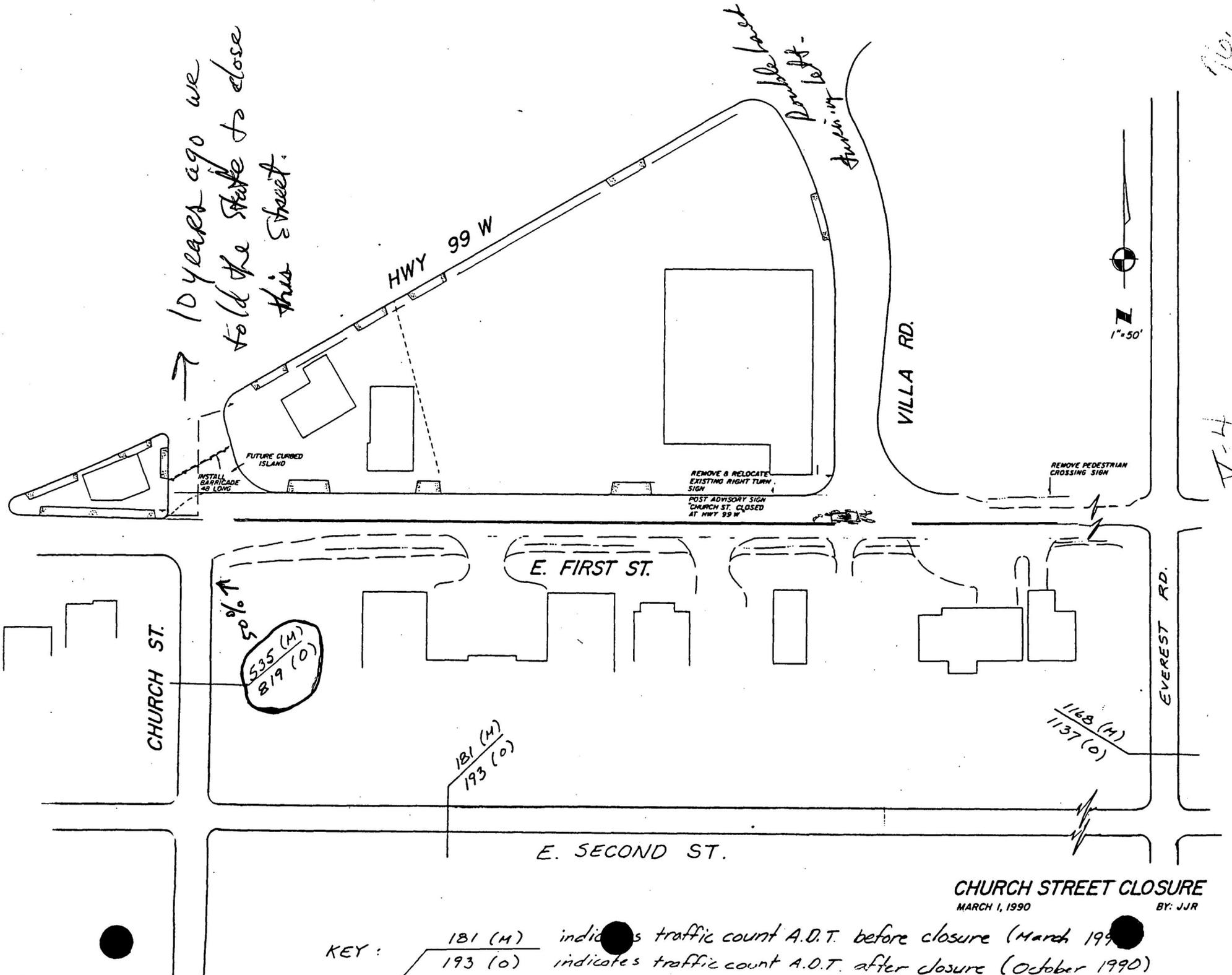
COST:

The cost to remove the street and landscape the area will be about \$50,000.00. This cost will be included in future budgets for consideration. The cost will also be shared by the state.

  
Bert S. Teitzel, Director of Public Works

  
Duane R. Cole, City Manager

→ 10 years ago we told the State to close this Street.



CHURCH ST.

HWY 99 W

VILLA RD.

E. FIRST ST.

EVEREST RD.

E. SECOND ST.

535 (M)  
819 (O)

181 (M)  
193 (O)

1168 (M)  
1137 (O)



CHURCH STREET CLOSURE  
MARCH 1, 1990  
BY: JJR

KEY:  $\frac{181 (M)}{193 (O)}$  indicates traffic count A.D.T. before closure (March 1990)  
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Sec of	Amending Ordinance	Date of Enactment	Closed Street(s)
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Section 4 - The remainder of Ordinance No. 1593 as amended remains in full force and effect.

PASSED by the City Council of the City of Newberg, Oregon, this 20th day of November, 1990, by the following votes:

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

\_\_\_\_\_  
Duane R. Cole, City Recorder

APPROVED by the Mayor this \_\_\_\_\_ day of November, 1990.

\_\_\_\_\_  
Elvern Hall, Mayor

TRF.ORD

V-4

ORDINANCE NO. 90-2288

AN ORDINANCE AMENDING ORDINANCE NO. 1593, WHICH ORDINANCE CONTROLS VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE CITY OF NEWBERG BY SPECIFYING THE AUTHORITY OF THE COUNCIL TO PERMANENTLY CLOSE A STREET AND SPECIFICALLY GIVING THE AUTHORITY TO THE CHIEF OF POLICE TO TEMPORARILY CLOSE A STREET FOR PUBLIC SAFETY REASONS.

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5. The matter was reviewed by the Police Department and the Community Relations Committee. The Committee recommends that Church St. between First Street (Hwy. 219) and 99W be permanently closed.

NOW THEREFORE, THE CITY OF NEWBERG, OREGON, ORDAINS AS FOLLOWS:

Section 1 - Ordinance No. 1593, Section 4 - Powers of the Council, subsection (2) The Powers of the Council shall include, and not be limited to: subparagraph (L) Temporary blocking or closing of streets, be and hereby is amended to read as follows:

(L) Temporary blocking; closing of streets and permanent closing of streets.

Section 2 - Ordinance No. 1593, Section 4 (A) - Duties of the Chief of Police be and hereby is amended by adding paragraph (5) to read as follows:

(5) Temporary blocking or closing of streets due to public safety and traffic flow considerations.

V-4

76.

CITY OF NEWBERG  
APPLICATION  
FOR POSITION ON  
COMMITTEE COMMISSION-BOARD

Committee, Commission or Board Applying For: Planning Commission

Name: Alanna Vernam Home Phone: 538-3462

Address: 1107 Sitka Ave Work Phone: \_\_\_\_\_  
Newberg, OR 97132

Are you a registered voter? Yes

Do you live within the city limits? Yes

How long have you lived at the above address? 1 year

Previous Address: 380 SW Douglas Cir. How long? \_\_\_\_\_  
Lake Oswego, OR 97132

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

Spouse's Name: Donald J. Vernam

Spouse's Occupation: Mngr. Cardio/Resp Employer: Newberg Com. Hospital  
Services

Date: 11-27-90

Alanna J. Vernam  
(Signed)

Why do you want this position? (Continue on back or separate sheet if needed.)

Since my husband & I settled in Newberg & became homeowners I've become increasingly concerned about maintaining the livability of this area. I've been seeing more & more how the decisions of today can affect our lives tomorrow. As a result it's become increasingly difficult for me to sit back & take a passive role other than write letters to the editor or discuss local issues with acquaintances. Now I want to be part of the process.

Newberg is a great community of people with beautiful areas surrounding I believe we can have growth if planned properly & still preserve the small town flavor of Newberg & keep the countryside as country.

My husband's involvement with "Leadership Newberg" has also inspired me to get involved. I have no "career" status in the community that gives me recognition but I feel community leaders can come from all facets of the population from city councilors to mothers at home with small children as I am. I look forward to getting on the Planning Commission as an open door to further community service.

Please return this form to the office of the City Recorder

CITY OF NEWBERG  
APPLICATION  
FOR POSITION ON  
COMMITTEE COMMISSION-BOARD

Committee, Commission or Board Applying For: Newberg Planning Comm.

Name: Sandra Prewitt Home Phone: 538-3700

Address: 1408 Barclay Way Work Phone: 538-8360  
Newberg, OR 97132

Are you a registered voter? yes

Do you live within the city limits? yes

How long have you lived at the above address? 1 1/2 yrs

Previous Address: 2400 Haworth How long? 1 1/2 yrs

Occupation: teacher Employer: Newberg Sch. Dist.

Spouse's Name: Paul

Spouse's Occupation: substitute teacher Employer: Yambill Co.

Date: 11-26-90

Sandra Prewitt

(Signed)

Why do you want this position? (Continue on back or separate sheet if needed.)

I am interested in working in an area that allows me to be involved with my city and its government. I am interested in the planning commission because I feel Newberg is rapidly growing and changing and I'd like to be a part of that. I'd like to encourage businesses, recreation services to locate in Newberg that would fill a need for our young people. While Park+Rec. have a fine program, they cannot provide it all and I am concerned with the lack of opportunities. I'm also interested in encouraging Fred Meyer to consider Newberg. It would draw

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Rev. 2/85 surrounding areas to shops in Newberg as well as fill a need in our town.

CITY OF NEWBERG  
APPLICATION  
FOR POSITION ON  
COMMITTEE COMMISSION-BOARD

Committee, Commission or Board Applying For: Planning Commission

Name: Alanna Vernam Home Phone: 538-3462

Address: 1107 Sitka Ave Work Phone: \_\_\_\_\_  
Newberg, OR 97132

Are you a registered voter? Yes

Do you live within the city limits? Yes

How long have you lived at the above address? 1 year

Previous Address: 380 SW Douglas Cir. How long? \_\_\_\_\_  
Lake Oswego, OR 97132

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

Spouse's Name: Donald J. Vernam

Spouse's Occupation: Mngr. Cardio/Resp Services Employer: Newberg Com. Hospital

Date: 11-27-90

Alanna J. Vernam  
(Signed)

Why do you want this position? (Continue on back or separate sheet if needed.)

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