

Council Roundup for April 17, 2023

The Newberg City Council met on April 17, 2023 and took the following actions.

Approved:

Ordinance 2023-2913, Development Code Amendment for Multi-Family Design Standards.

In other business:

Heard presentations on Traffic Safety Commission, and Miller Nash contract legal services.



City Council Work Session

April 17, 2023 - 6:00 PM

Newberg Public Safety Building 401 E. Third Street

Denise Bacon Community Room

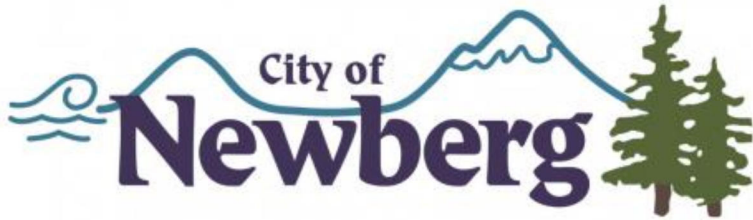
Hybrid Meeting

Please Click This Url To Join: <https://us06web.zoom.us/j/87564353442>

Or Join By Phone: 719 359 4580

Webinar Id: 875 6435 3442

- 1. CALL MEETING TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. REVIEW OF THE COUNCIL AGENDA AND MEETING**
- 5. COUNCIL BUSINESS ITEMS**
- 6. PRESENTATIONS**
 - 6.A Miller Nash Presentation - placeholder
[2023.04.17 Legal Department FunctionsNewberg City Council \(Walker\).pdf](#)
 - 6.B Newberg Water System
[20230417_Water Presentation.docx](#)
[20230417_Council Water Work Session.pdf](#)
 - 6.C An Ordinance amending the Newberg Comprehensive Plan and Newberg Municipal Code, Title 15 Development Code, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030
- 7. ADJOURNMENT**

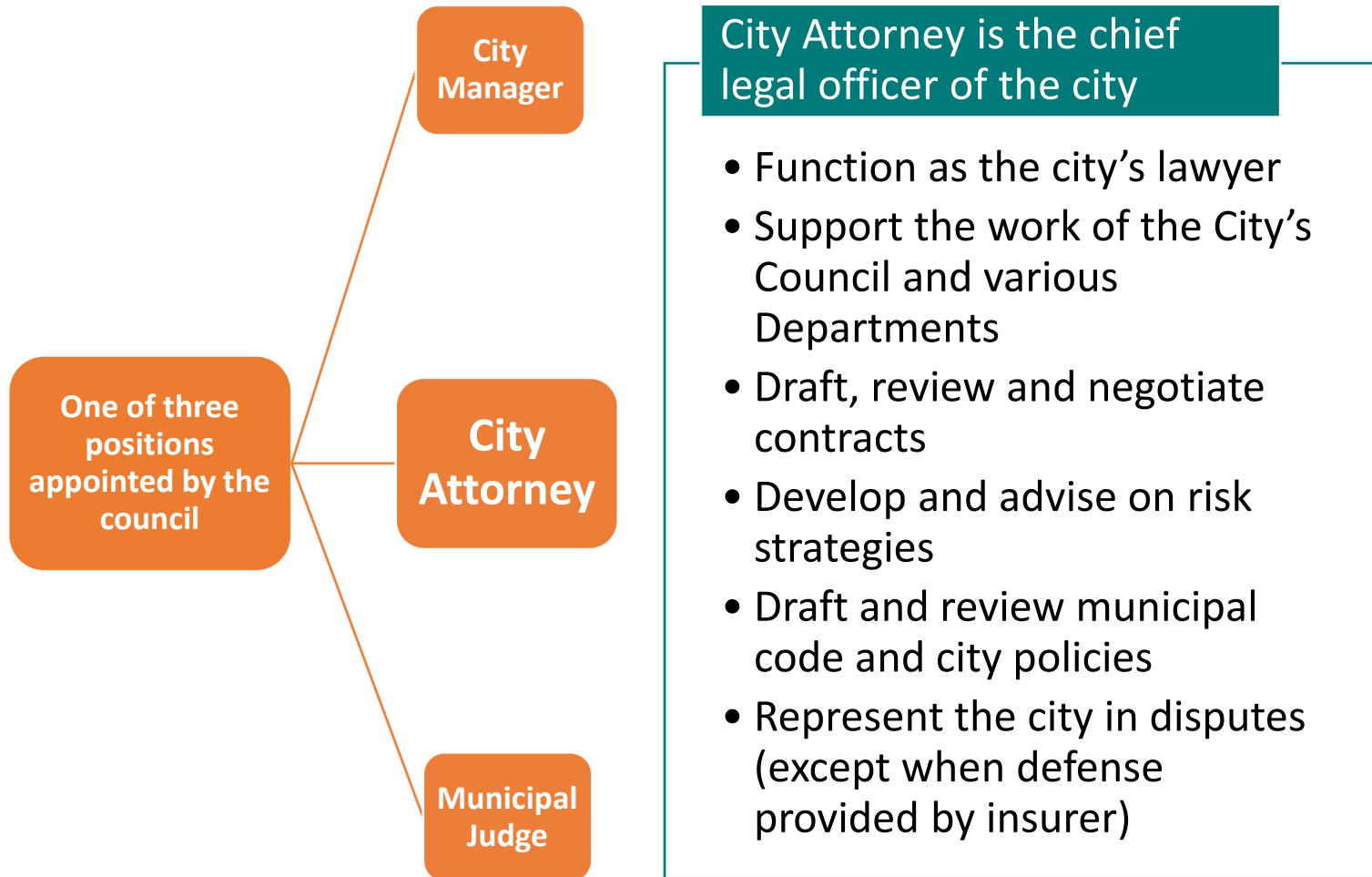


City Council Briefing – Legal Department Functions

*James Walker, Jeff Chicoine, Souvanny Miller,
Christine A. Slattery, and Christine Taylor*
Miller Nash LLP

*For Newberg City Council
April 17, 2023*

Background on City Attorney Role and Structure of Office



Miller Nash LLP hired to provide City Attorney services in 2020 (began in 2021)

- Historically Newberg had an in-house City Attorney, City Prosecutor, Paralegal and possibly other staff – also hired multiple outside firms for specialized areas / high volumes
- Miller Nash LLP functions as legal department by providing City Attorney, paralegal support and specialty counsel that historically went to a collection of outside firms. City Prosecutor remains a direct hire by City.

Access to and Communications with City Attorney's Office



Requests for attorney services are submitted in writing by staff, must be approved by City Manager



Per council rules, individual members of council can submit request for information or advice that will require less than two hours to satisfy



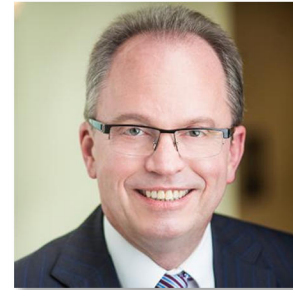
Requests from members of council for legal services that require two hours or more require concurrence from majority of Council

Governance Matters



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Eden Vasquez

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Public Meetings and Records



Attend work session and regular business meetings

- Assist with conduct of legislative and quasi-judicial hearings
- Resource on legal matters that may arise during meetings



Attend and participate in executive session deliberations



Advise on meetings and records law compliance



Review and perform redactions on public records prior to disclosure



Defend the city on public records appeals



Procurement & Public Works



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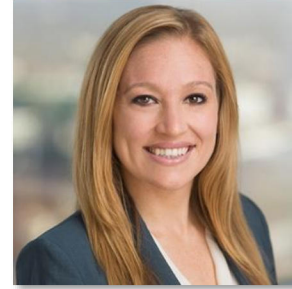
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Erica Clausen

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Procurement & Public Works



Comprehensive updates to the city's purchasing policy and public contracting rules



Comprehensive updates to:

- (a) the city's construction solicitation documents and
- (b) the city's form of construction contract and general conditions



Groundwater Treatment Plant—solicitations and contracts for design and construction; work with EPA re financing



Day-to-day review of agreements with consultants and contractors with an eye toward promoting good relationships while managing risk to the city

Land Use



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Cozette Tran-Caffee

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Land Use



Advise staff and assist with negotiations when land use permit applicants have engaged legal counsel



Prepare and review performance agreements and other documents used in land use process



Develop intergovernmental agreements



Prepare ballot titles and summaries for elections packets



Newberg Urban Area Management operating documents including NUAMC Bylaws, Urban Area Growth Management Agreement

Labor & Employment



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Erin Burris

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Employment

Provide advice and counsel regarding:

- High-risk terminations
- Reductions-in-force
- Discrimination and harassment
- Retaliation
- FMLA, OFLA, and OSTL
- Wage & Hour issues
- Compliance with background check requirements
- Compliance with reference check obligations
- Other personnel issues

Employee complaint management, including:

- Advising on internal investigations
- Identifying and retaining external investigators
- Managing ongoing investigations, directing same, and advising on risk
- At conclusion of investigation, determine appropriate next steps

Draft and negotiate employment agreements

Draft and negotiate severance agreements

Prepare updated employee handbook

Handle Oregon Bureau of Labor & Industries charges

Labor Relations

Collective bargaining

- At-the table representation (AFSCME)
- Behind the scenes support (police)

Advice as to contract administration/legal obligations

- Interpreting and applying terms
- Responding to grievances
- Obligations under PECBA

Other services—Hearing representation

- Arbitration
- Oregon Employment Relations Board

Other Topics and Areas



Thank You



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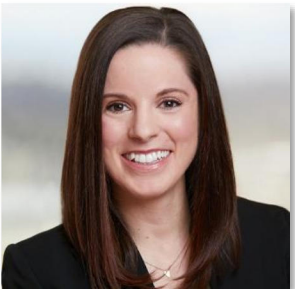
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REQUEST FOR COUNCIL ACTION



Date Action Requested: April 17, 2023

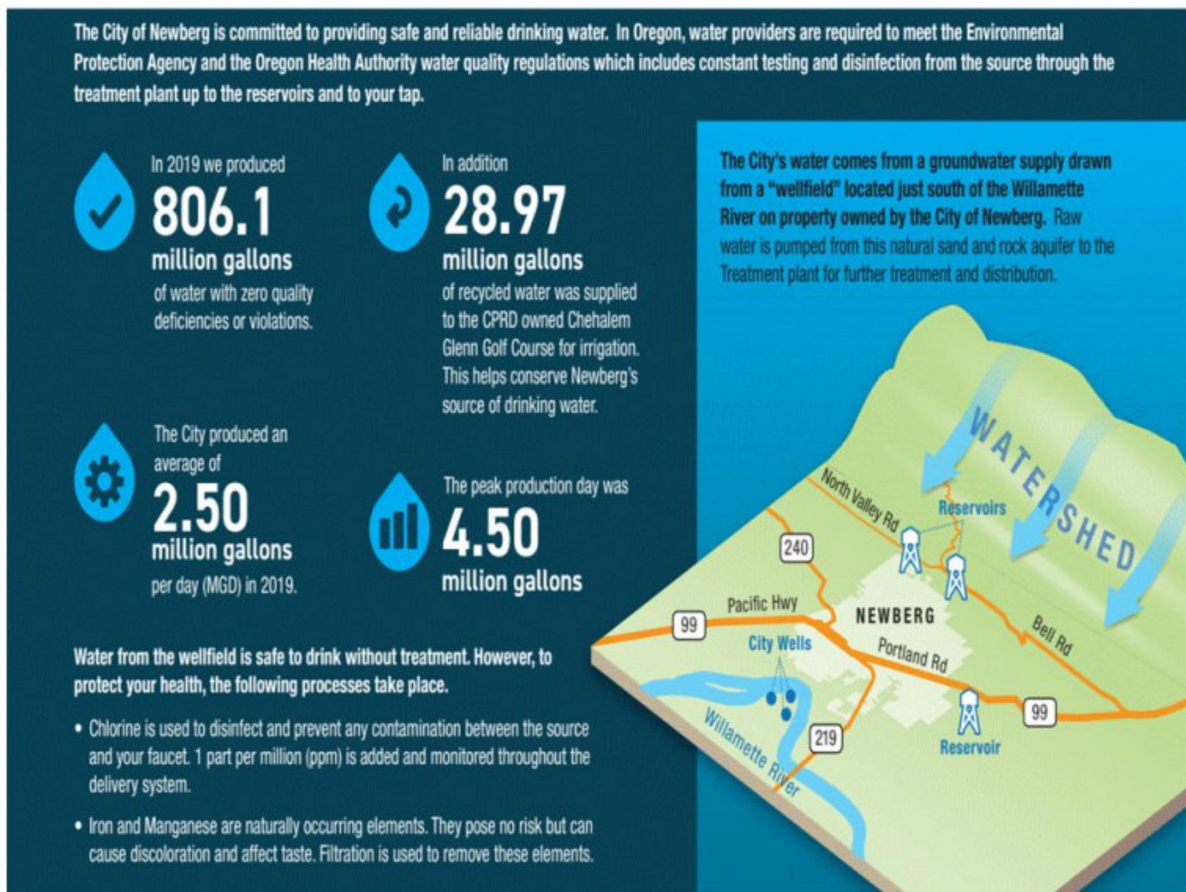
Order ☐ Ordinance ☐ Resolution ☐ Motion ☐ Information ☒	
Subject: Newberg Water System	Staff: Kaaren Hofmann, City Engineer Department: Public Works File No.
Work Session ☒ Business Session ☐	Order On Agenda:

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action:

Executive Summary:

The Newberg Water System includes both a potable and a non-potable system. More information will be provided in the attached powerpoint and during the presentation.



Newberg Water System Work Session

City Council
April 17, 2023

Where do cities get water?

Surface/river water



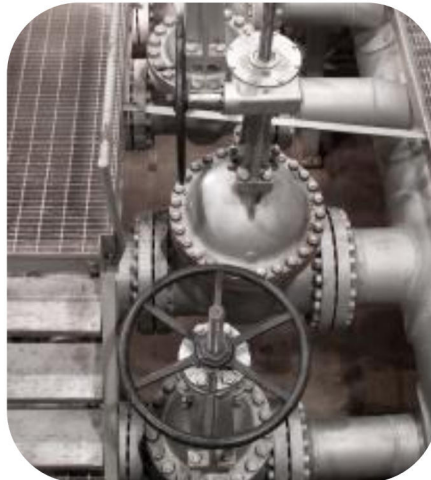
Reservoir



Groundwater



Purchase
wholesale
water



Water
conservation



Water Treatment

Groundwater has a different composition than surface (river) water.

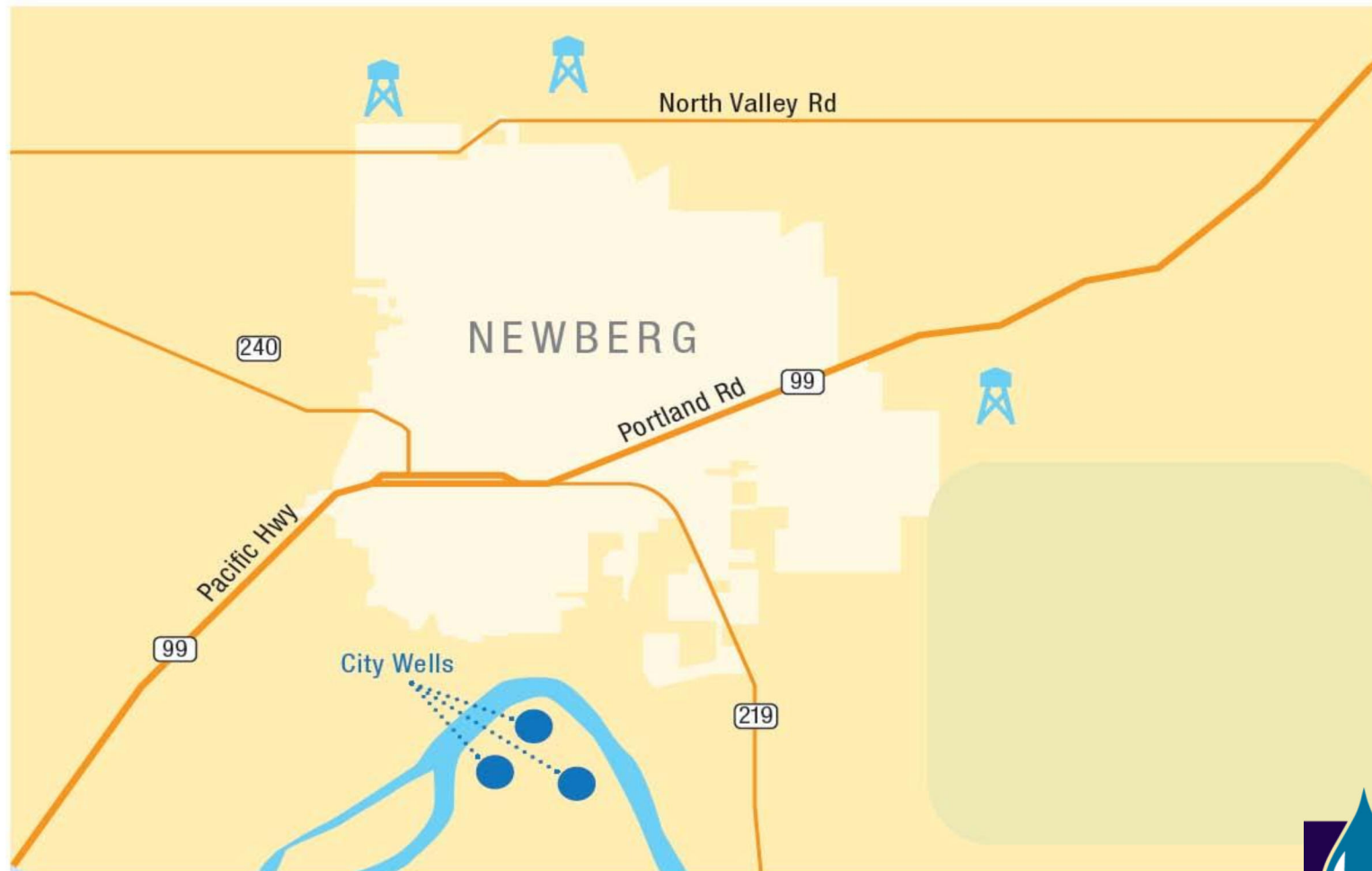
Groundwater requires a process to treat for high iron and adjust pH. This is a different process than what's needed for surface water.

River (surface) water has a different composition than groundwater.

To be safe to drink, it requires additional and different treatment than groundwater.

Newberg Water System

Overview of Newberg's Current System



Where does
Newberg currently
get its water?

Groundwater

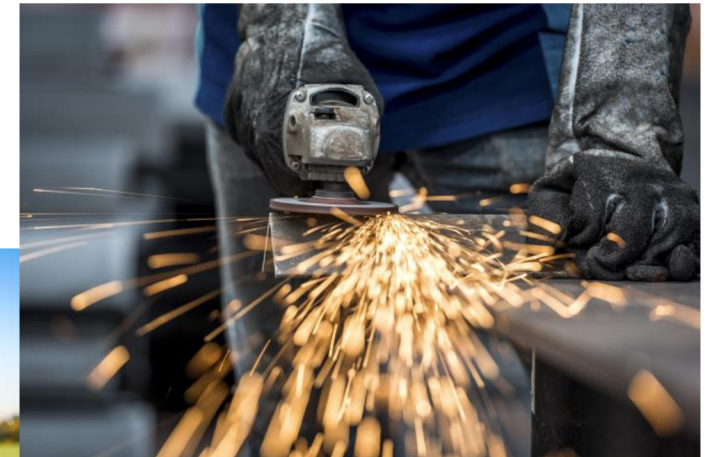


Water conservation



Non-potable Water

- Non-potable water is not treated for human consumption.
- May be used for irrigation, manufacturing, emergencies - to put out fires etc.
 - This reduces the burden on potable water supply
- Two existing sources of non-potable water
 - Otis Springs
 - Reuse Recycle System



Need and Capacity

Current (mgd)		2041 (mgd)		Build-out (mgd)	
ADD	MDD	ADD	MDD	ADD	MDD
2.33	4.47	4.06	8.12	4.50	9.00

- Existing water source provides enough capacity for the next 20 years based on population growth projections
- **It takes 10+ years** to plan, design, and build a water source

Ground Water Treatment Plant History

- Constructed in 1953
 - 1953 population: 4,000
 - 2021 population: over 25,000
 - 2035 est. population: over 38,000
- Expanded and upgraded in 1961, 1970, 1980, 1997 and 2006



Water Supply History

- City currently has one source of water
- An earthquake or other disaster could make this inoperable
 - No water for residents, commerce or industry
- Two transmission lines
 - Bridge and transmission line unlikely to survive a disaster
 - Retrofit of bridge will cost tens-of-millions
- Yamhill County has looked at regional water network – Newberg is too far away to be fiscally feasible

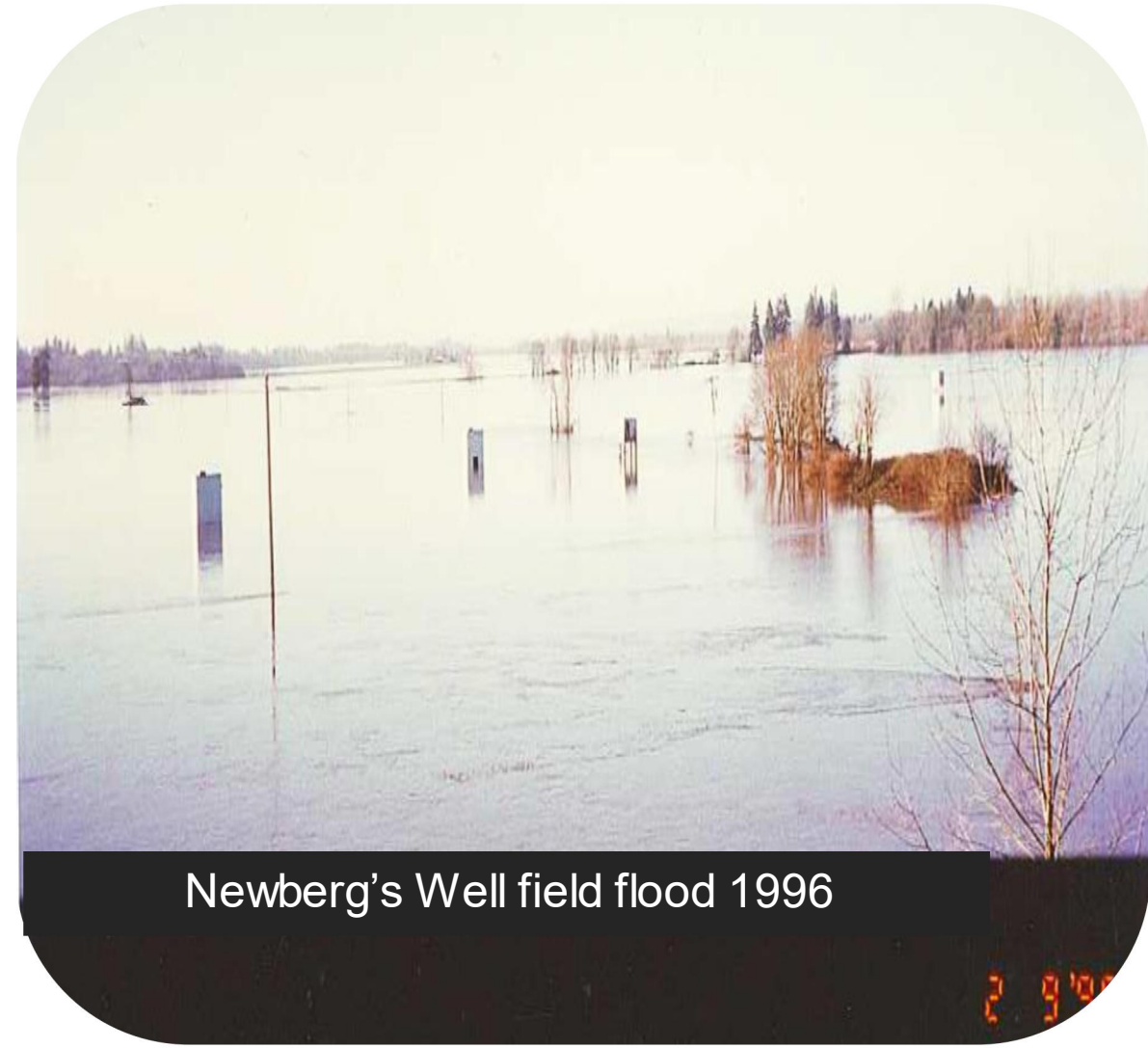


How We Got Here and What We've Learned



Single Water Source Limitations

- Vulnerable to flooding, ground shifting, earthquakes or other disaster
- Groundwater at risk from contamination above ground
- No alternate after an emergency
 - FEMA support is not guaranteed after disasters. (Federal declaration)



Process for a Secure Water Supply



Future Community Benefit

- Adds second water source in the future in case of an earthquake or other disaster
- Provides water infrastructure for future economic development and family wage jobs
- Ensures Newberg's water infrastructure has supply for the future— with capacity to grow as the City's population grows
- Provides incremental solution that prepares for the long-term

Affordability and Funding

Preparing for Long-term Community and Economic Growth

- Fiscally prudent
- Supports economic growth of the City
- Makes City more attractive to new and expanded businesses.
- Long Term Planning allows for strategic budgeting but does not require spending until the distant future

Affordability & Funding

- City actively pursues funding sources to keep improvements affordable
 - ✓ \$720,000 Grant from American Rescue Plan Act (ARPA)
 - ✓ \$17 million WIFIA loan: long-term, low-interest federal loan with friendly repayment structure
 - ✓ Business Oregon's Safe Drinking Revolving Loan Fund
 - Partially funded by the Bipartisan Infrastructure Law
 - Could be eligible for a \$150,000 subsidy
 - ✓ Others as opportunities arise
- Projects in the 10 year plan are not projected to increase water rates

Questions

Next Steps



City Council Business Session

April 17, 2023 - 7:00 PM

Newberg Public Safety Building 401 E. Third Street

Denise Bacon Community Room

Hybrid Meeting

Please Click This Url To Join: <https://Us06web.Zoom.us/J/87564353442>

Or Join By Phone: 719 359 4580

Webinar Id: 875 6435 3442

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. CITY MANAGER'S REPORT

4.A CM statistics report for February
[CM statistics - Feb. 2023 2023-0417.pdf](#)

5. PUBLIC COMMENTS

6. CONTINUED BUSINESS

6.A Ordinance 2023-2913, An Ordinance amending the Newberg Comprehensive Plan and Newberg Municipal Code, Title 15 Development Code, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030
[RCA_ORD_2913.docx](#)
[Attachment 1 - Res3765.pdf](#)
[Attachment 2 - Public Comments.pdf](#)
[Attachment 3 - Staff-Agency Comments.pdf](#)
[Attachment 4 - Online Survey Results.pdf](#)
[Attachment 5 - Resolution 2023-386- Signed.pdf](#)

7. COUNCIL BUSINESS

8. ADJOURNMENT

ADA STATEMENT

Contact the City Recorder's Office for physical or language accommodations at least 2 business days before the meeting. Call (503) 537-1283 or email cityrecorder@newbergoregon.gov. For TTY services please dial 711.

Newberg CM report

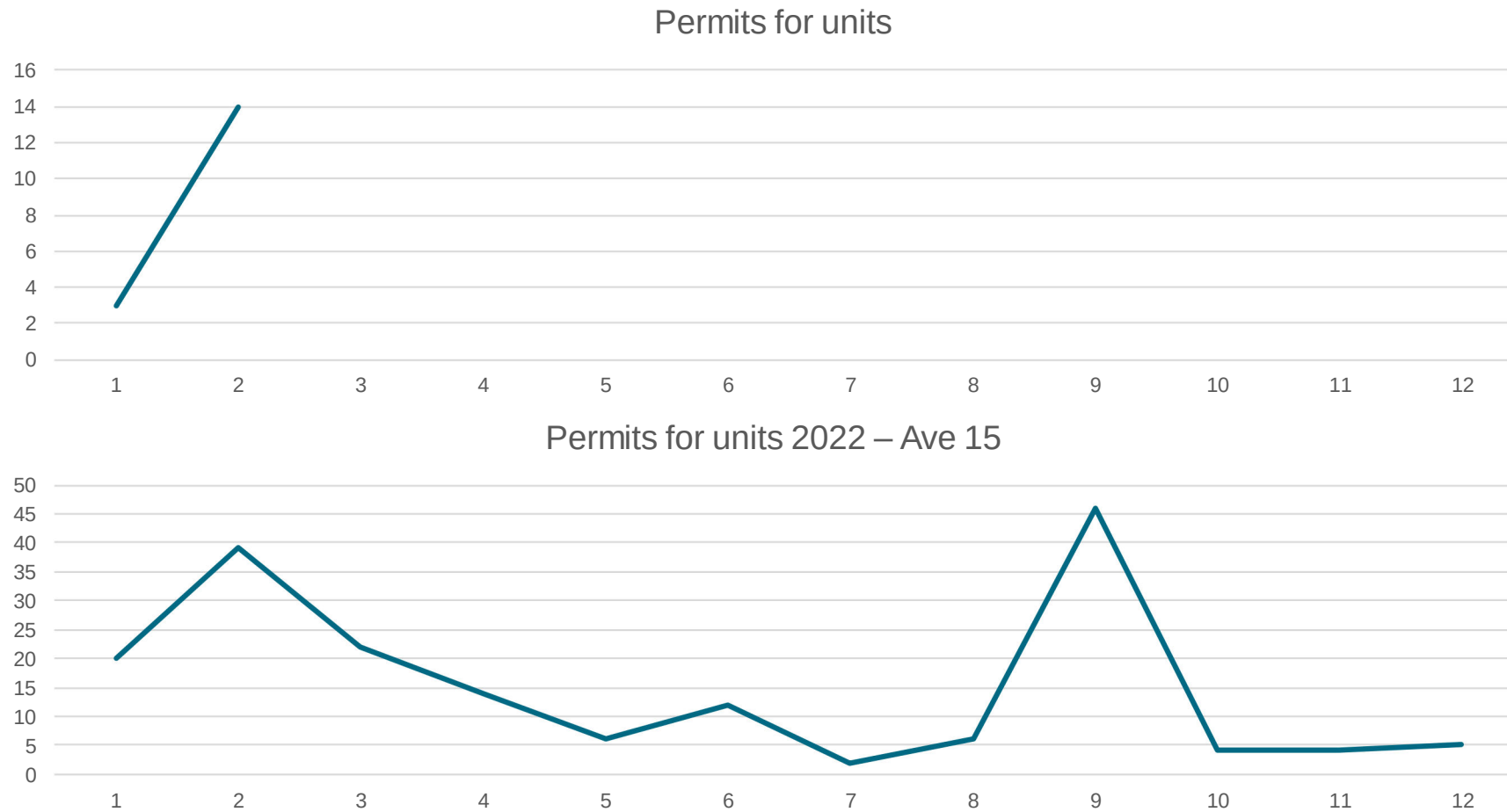
Monthly Statistics – February 2023

Planning: combined planning decisions of all sorts*: 23

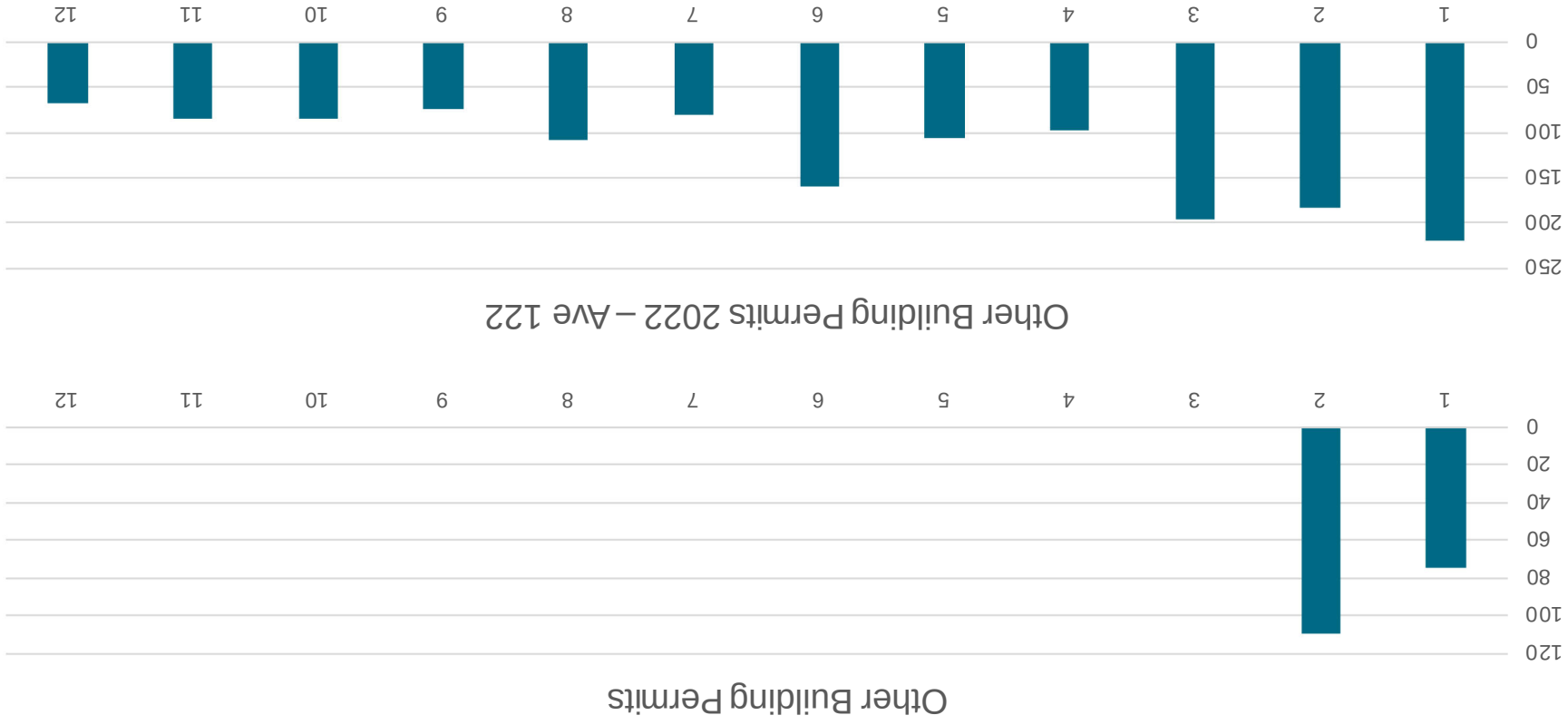


* Combined from the Director, Planning Commission and Council

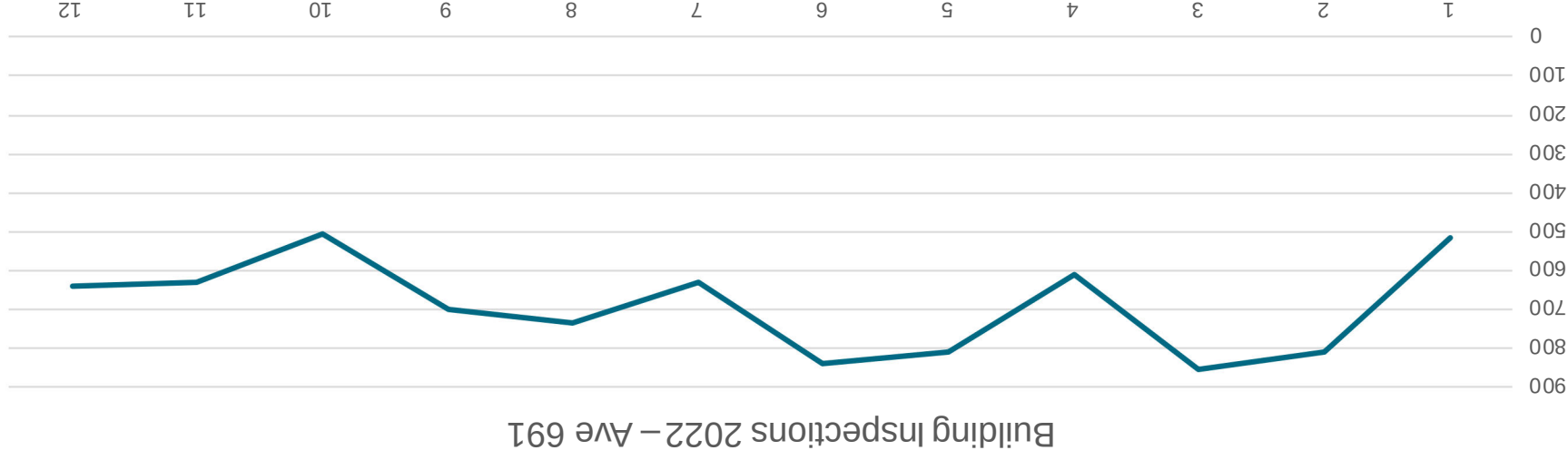
Planning: building permits for housing units: 14



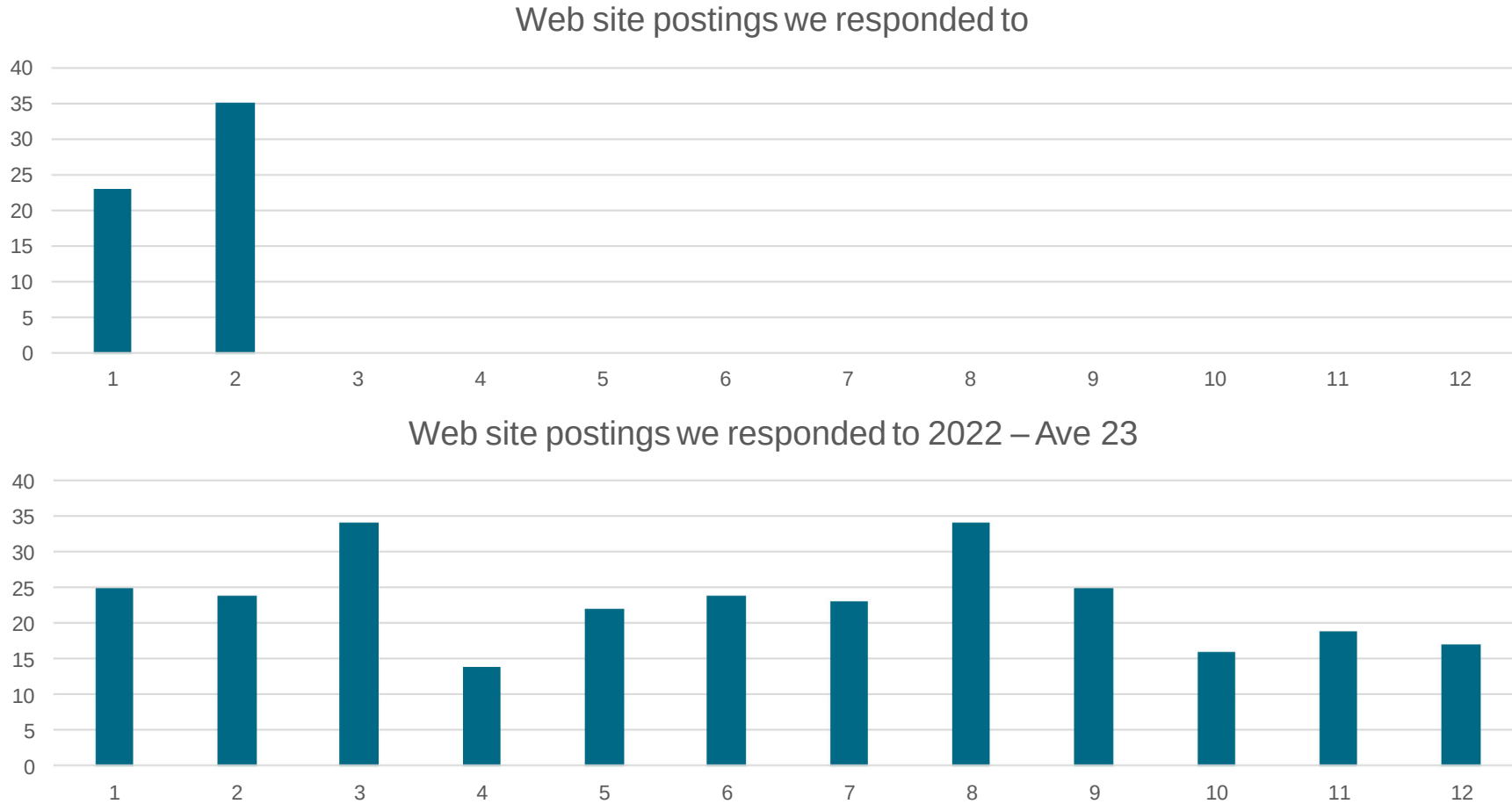
Planning: building permits other types: 110



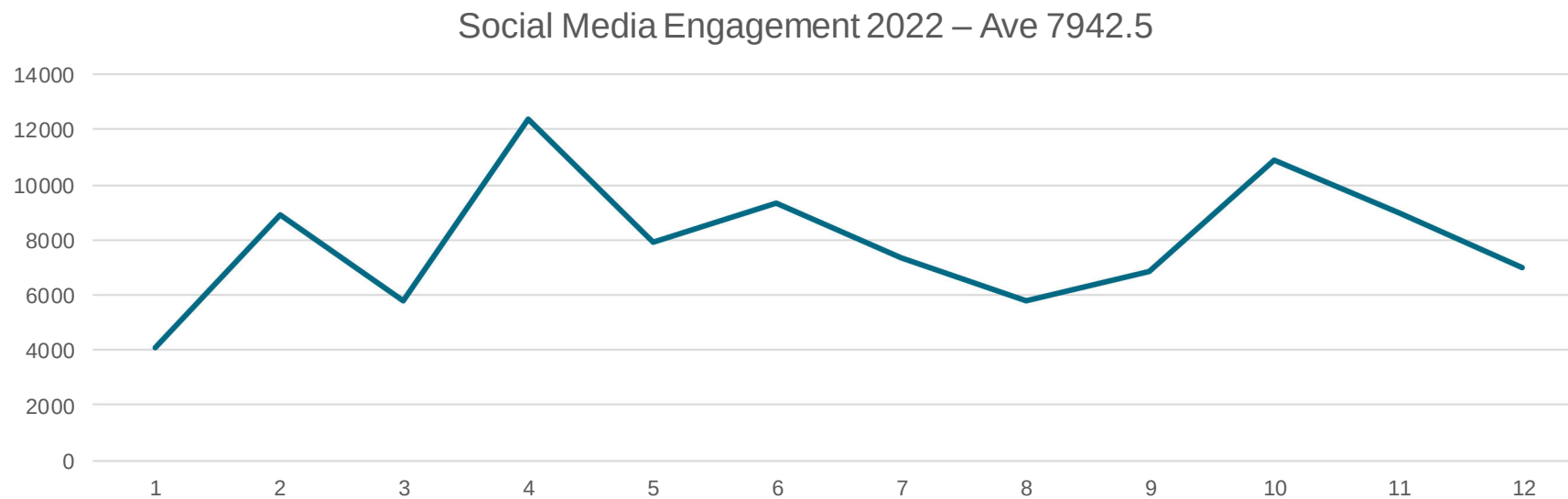
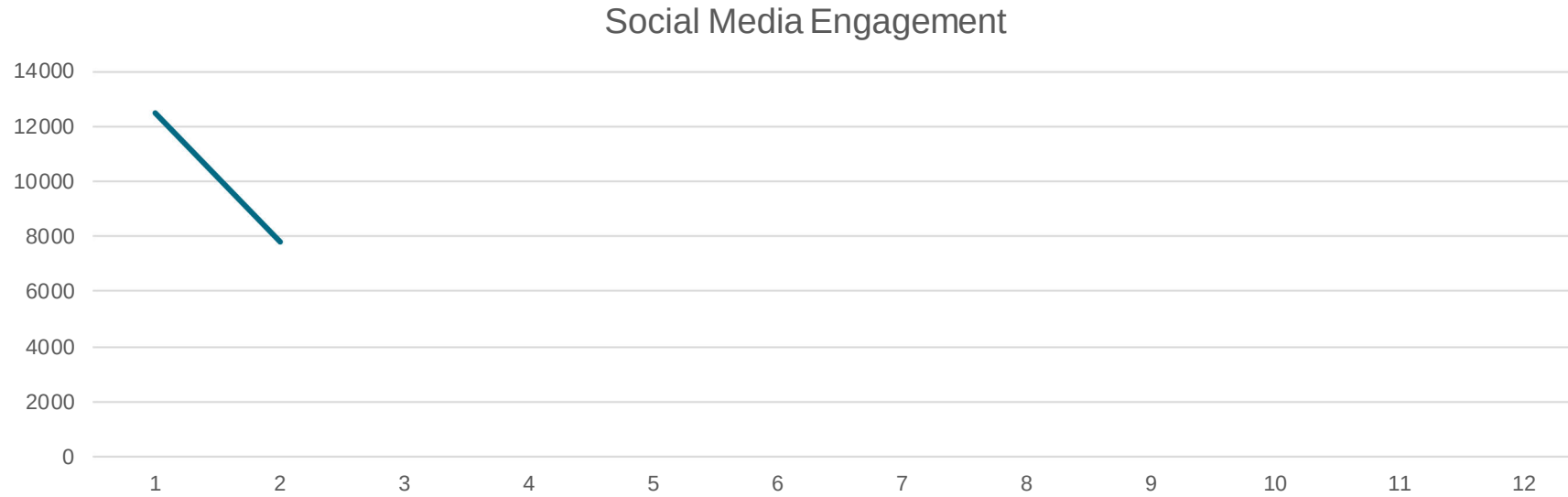
Planning: building inspections: 844



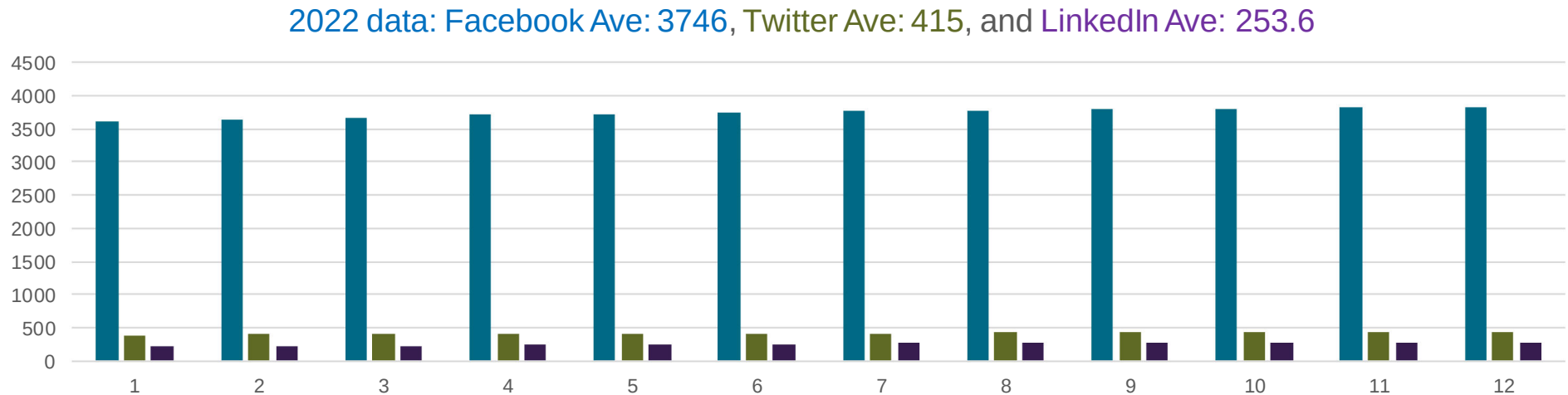
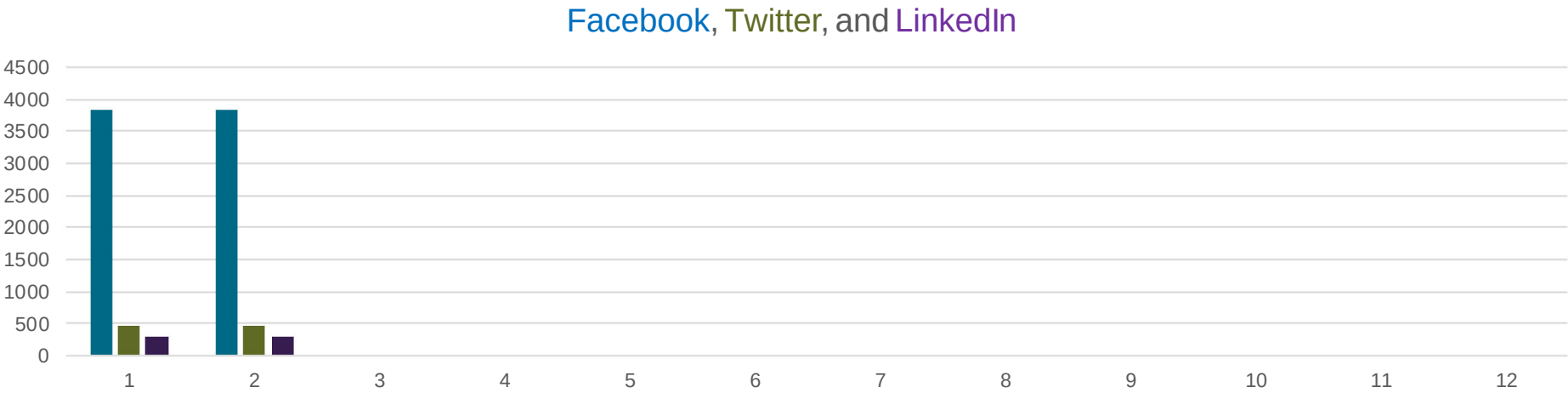
Community Engagement: submission forms through website: 35



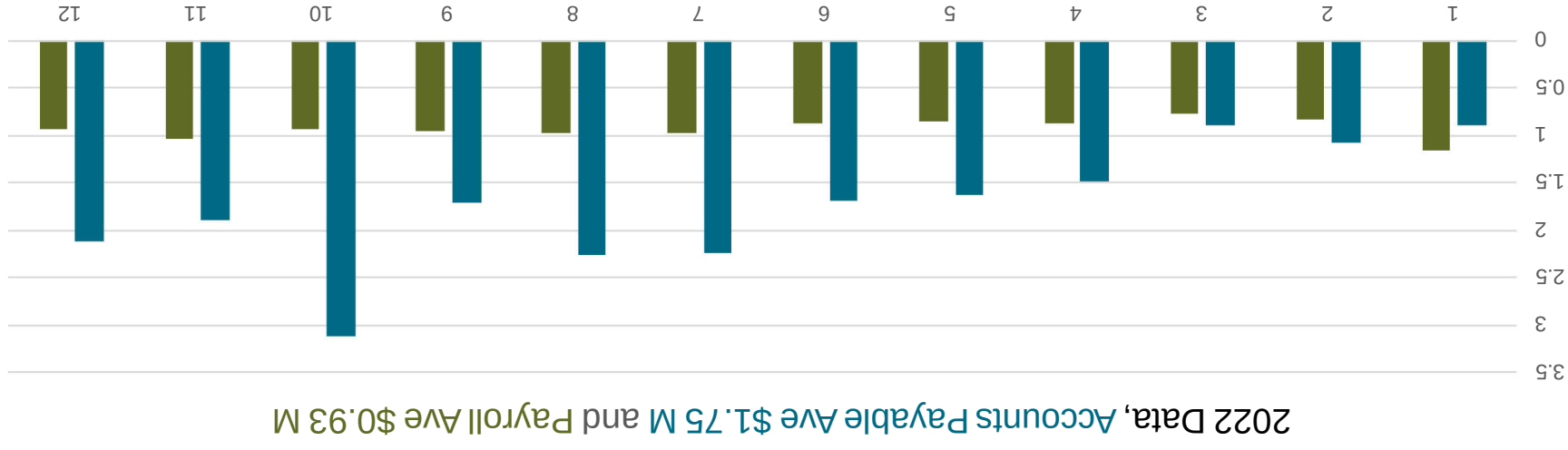
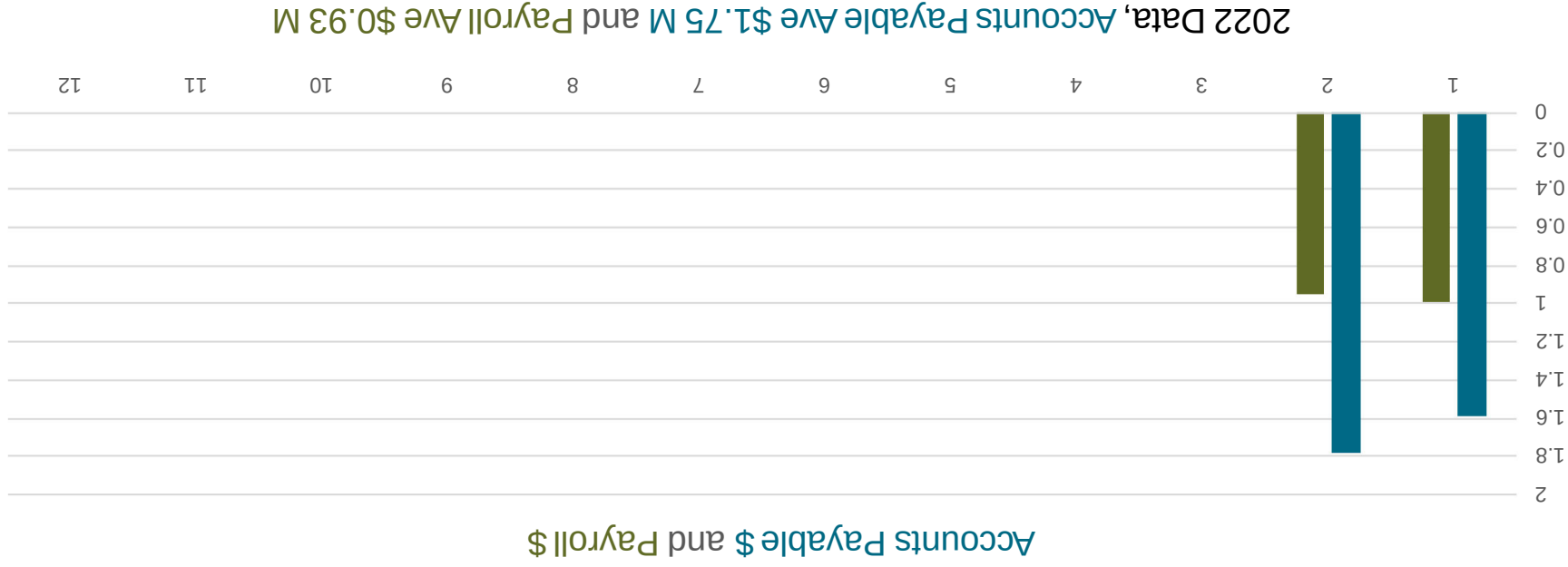
Community Engagement: social media engagement: 7,832



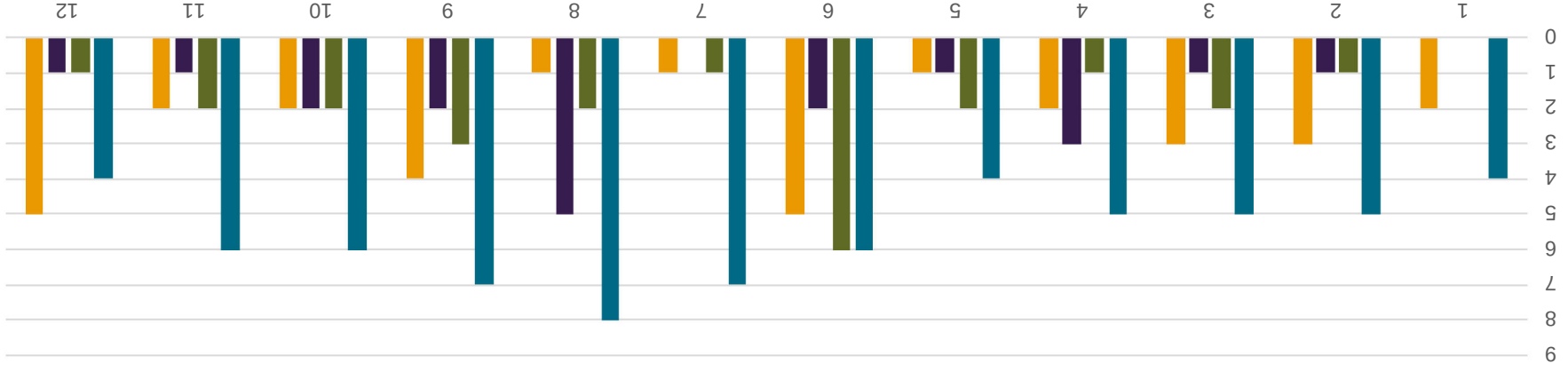
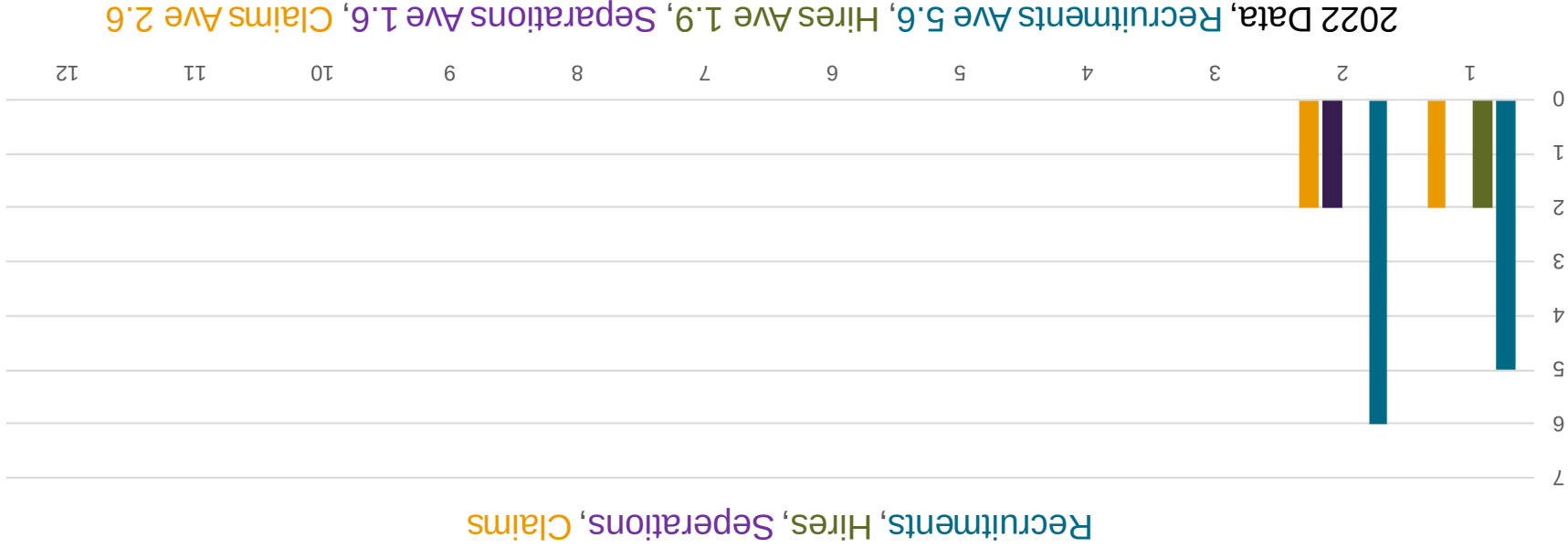
Community Engagement: social media followers Facebook 3842, Twitter 450, LinkedIn 229



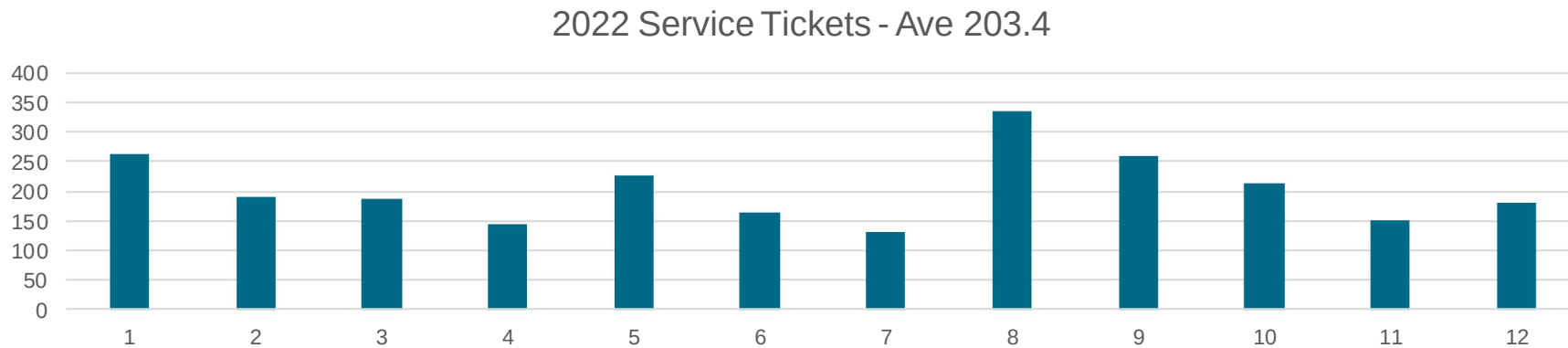
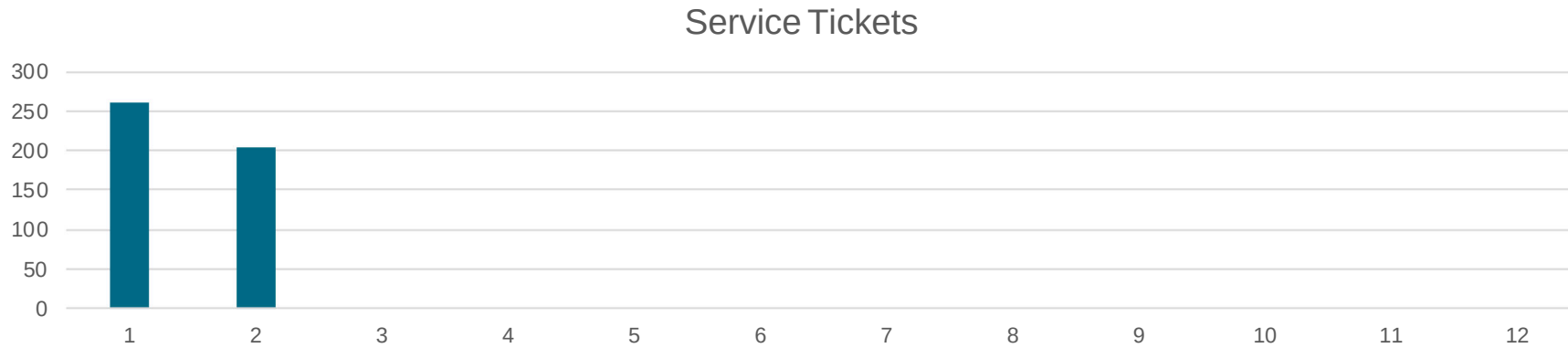
Finance: \$1.78 M of payments to accounts payable & \$0.95 M of payroll



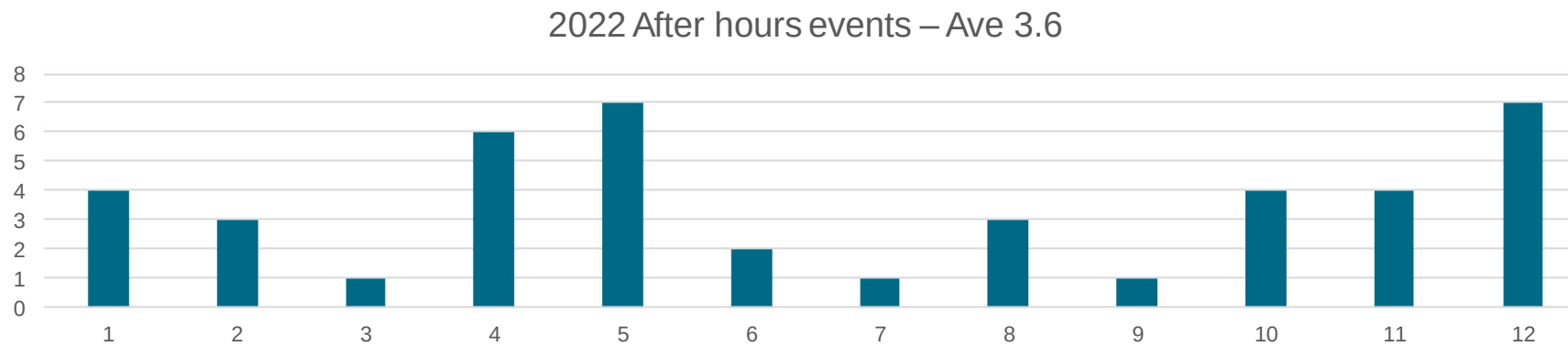
HR activity: recruitments advertised: 6, hires: 0, separations: 2, FMLA / ADA / OFLA / workers comp claims: 2



IT resolved 204 service tickets for the city.

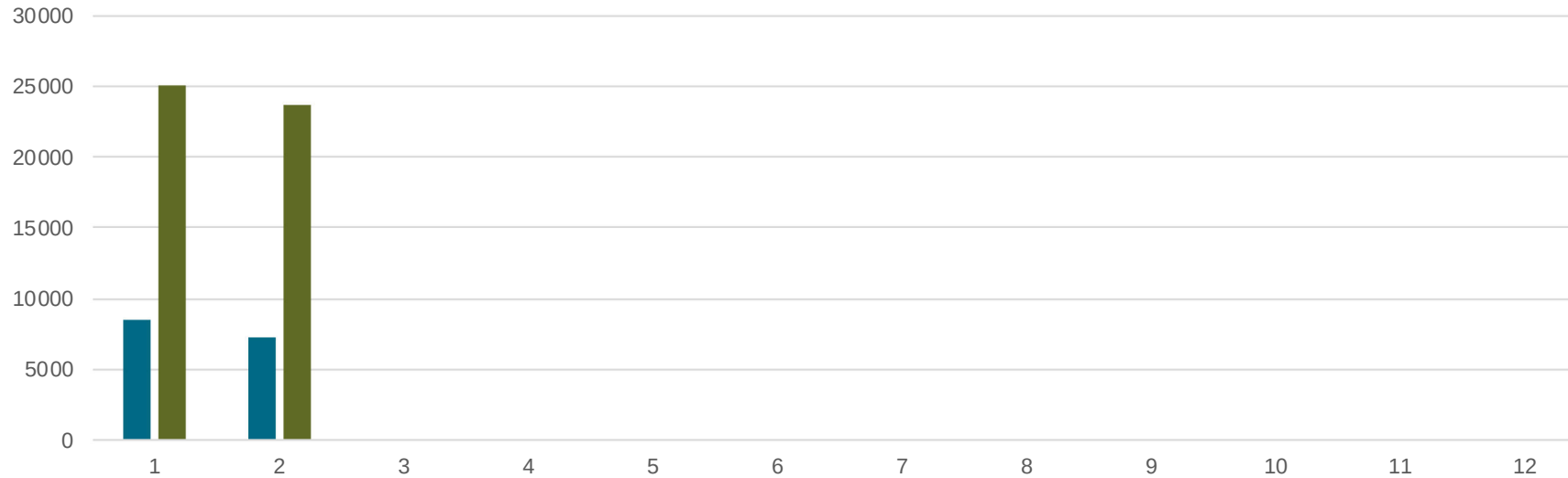


IT responded to 4 after hours on-call events.

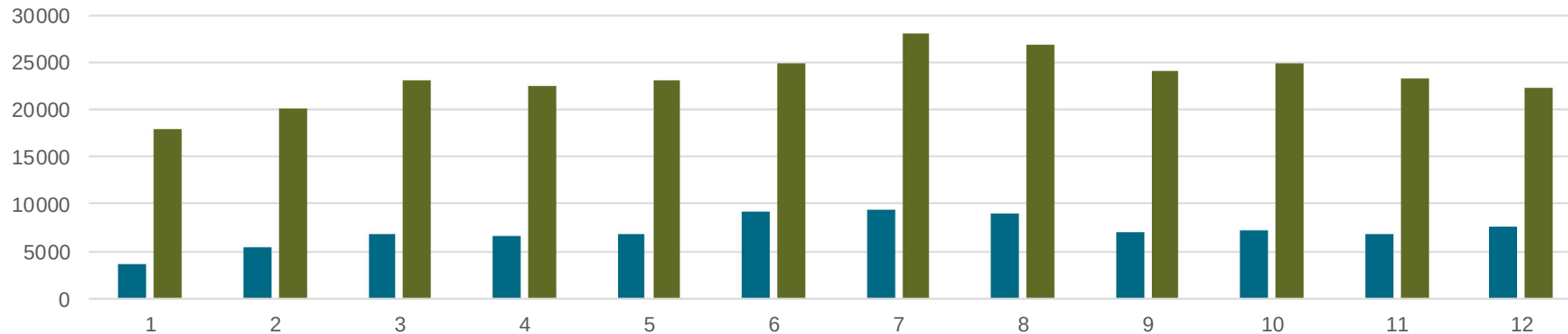


Library Activity: door count 7,191; circulation events 23,660

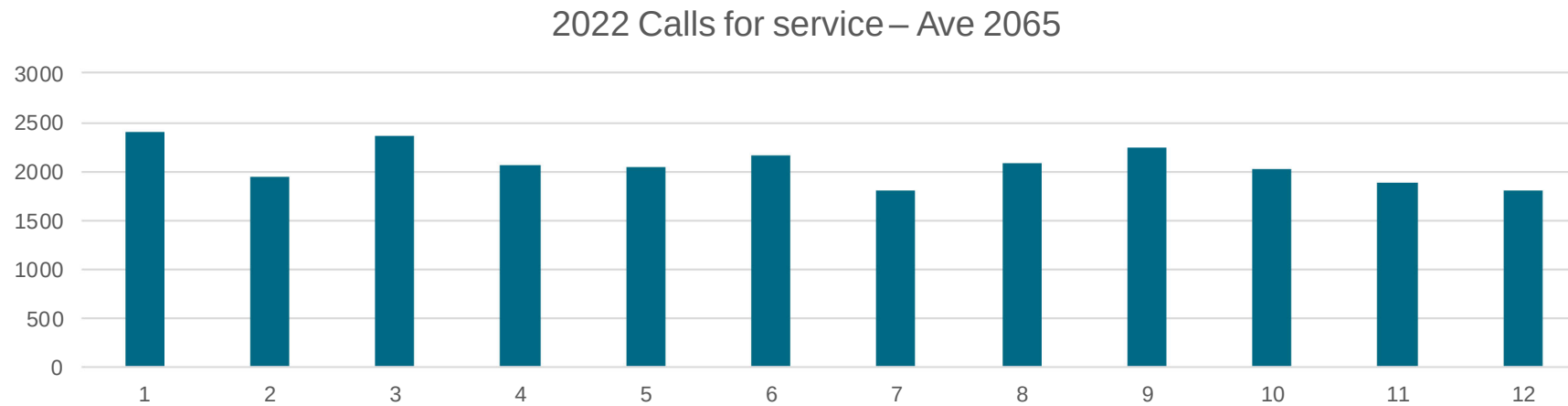
Door Count, Circulation Events



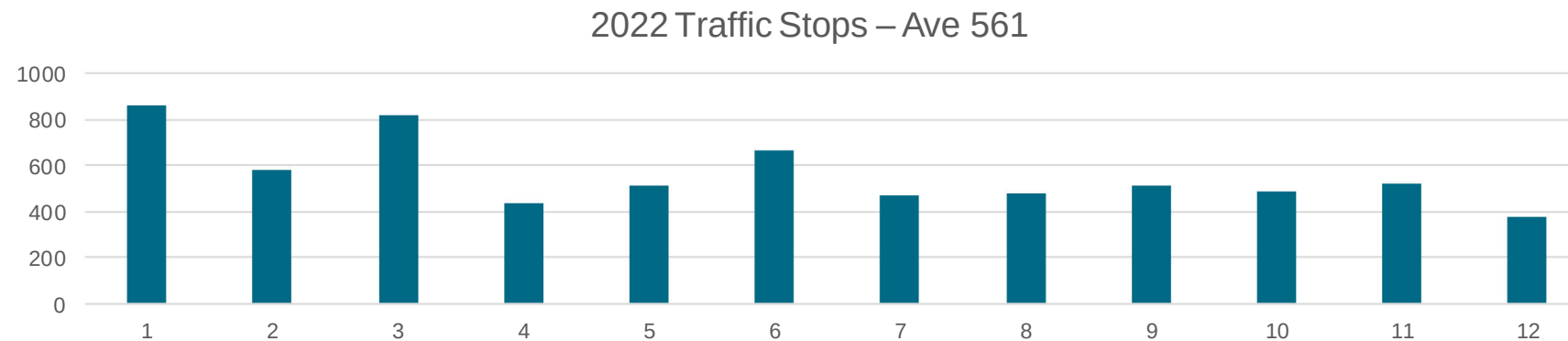
2022 Data, Door Count Ave 7108, Circulation Events Ave 23,418



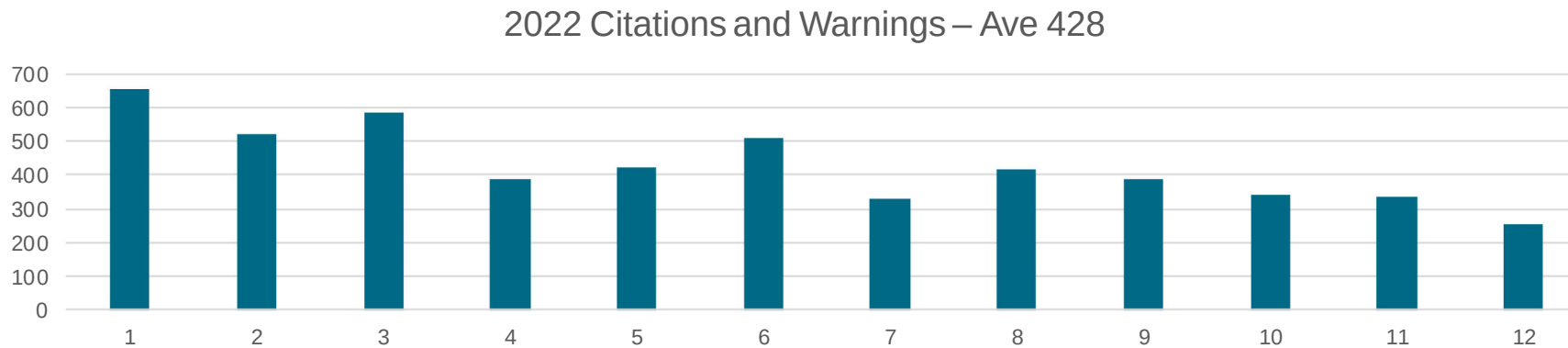
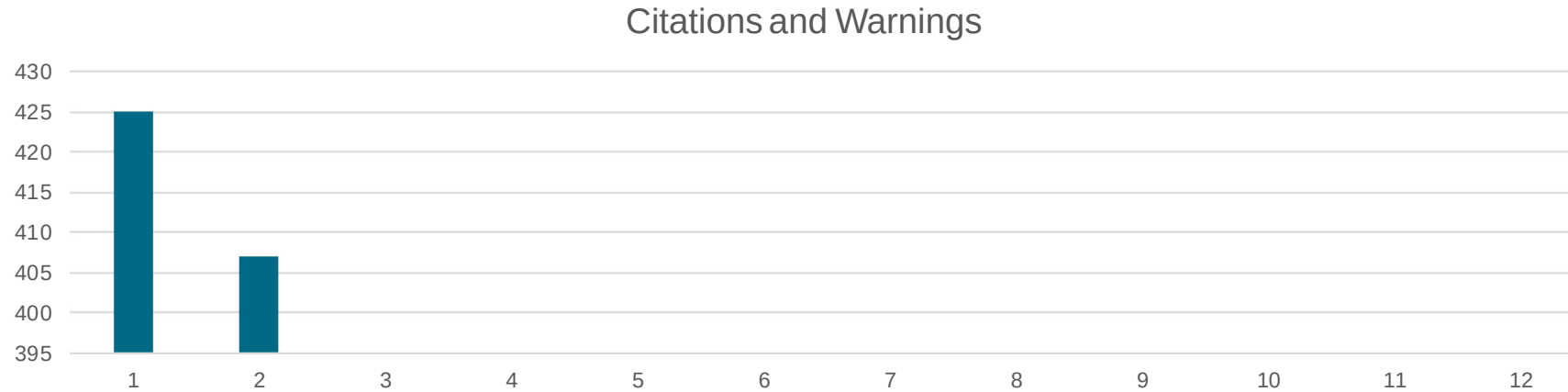
Public Safety: 1,734 – calls for service



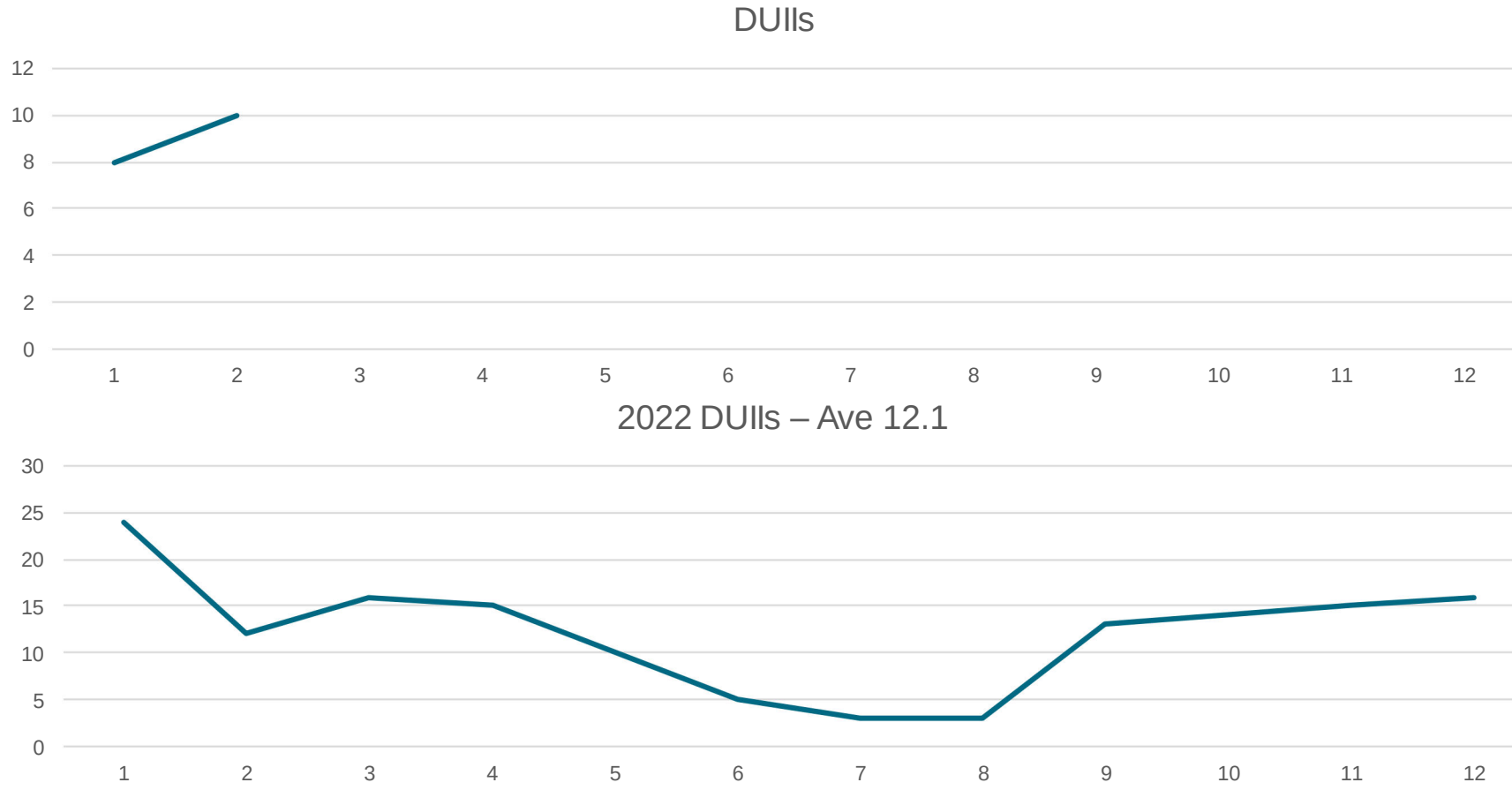
Public Safety: 488 – traffic stops



Public Safety: 407 – citations & warnings

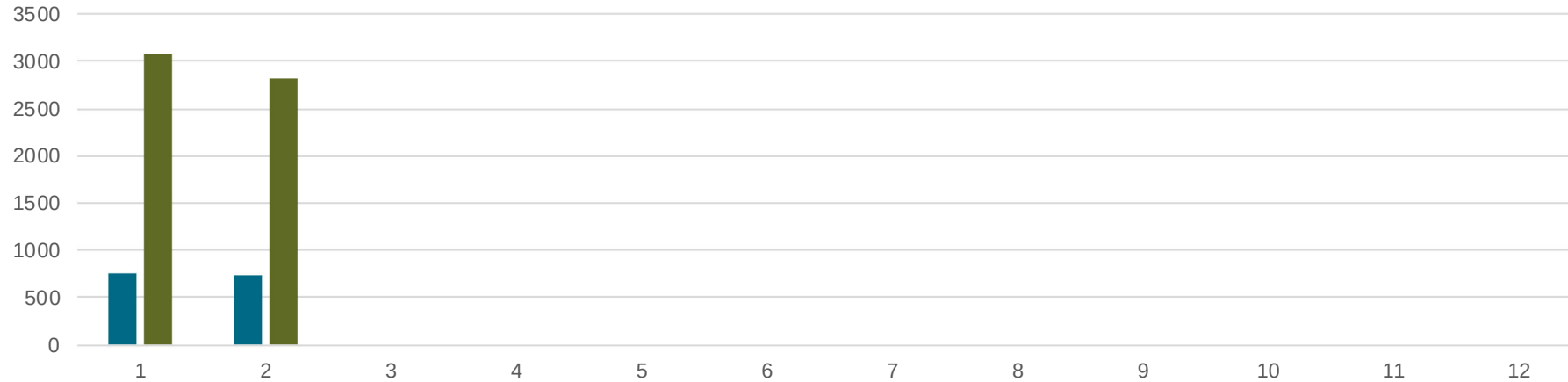


Public Safety: 10 – DUI's

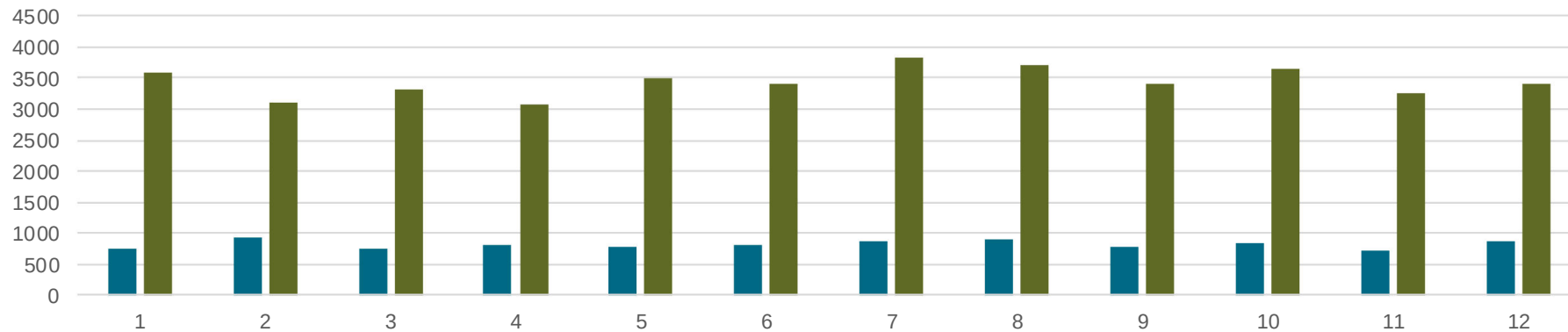


Dispatch: 731 911 calls & 2,808 non-emergency calls

911 calls, Non emergency calls

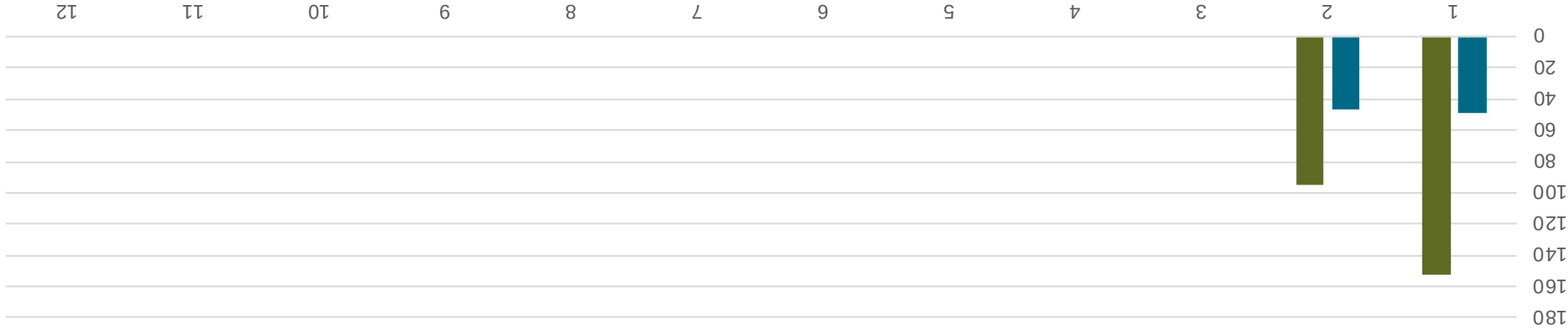


2022 Data, 911 calls Ave 817, Non emergency calls Ave 3436

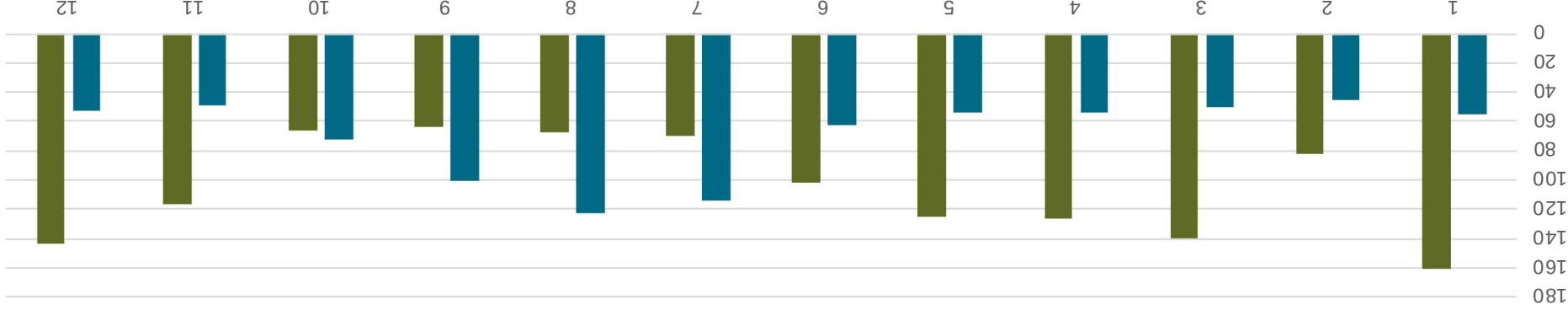


Public Works: water production was 470 million gallons, & 94,605 million gallons were treated

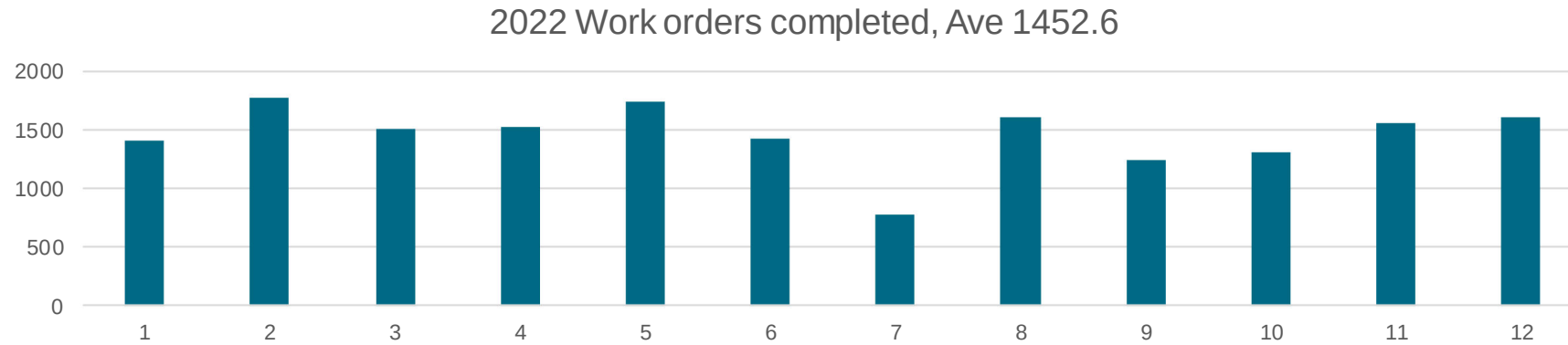
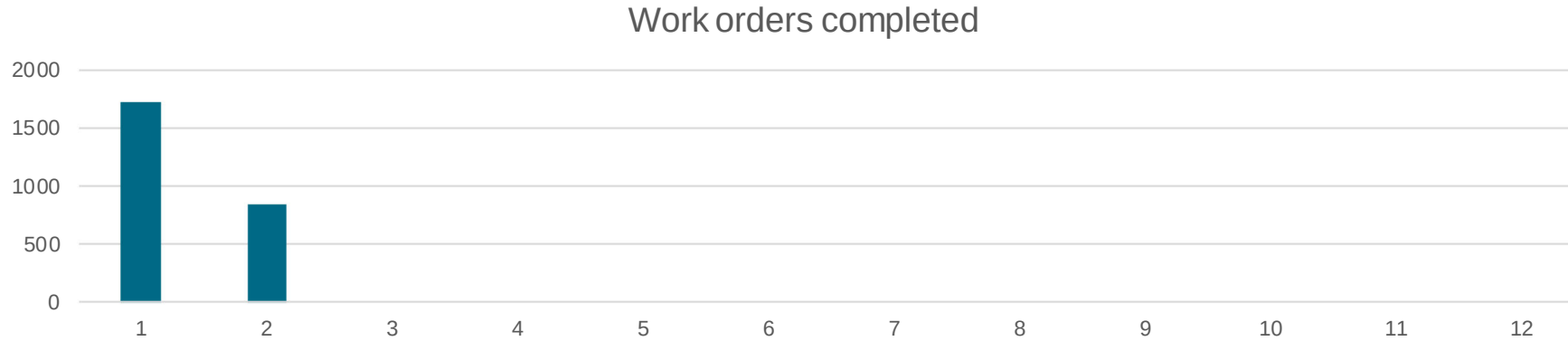
Clean water, Waste Water

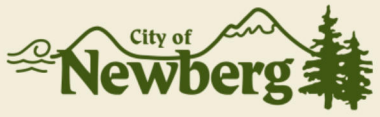


2022 Data Clean water Ave 69.45, Waste Water Ave 105.46

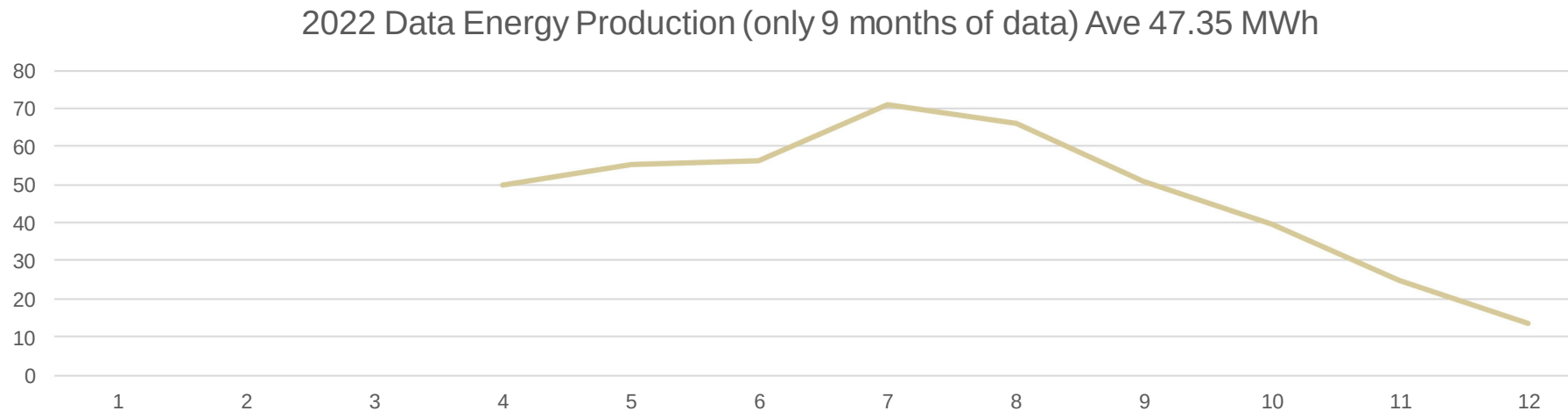
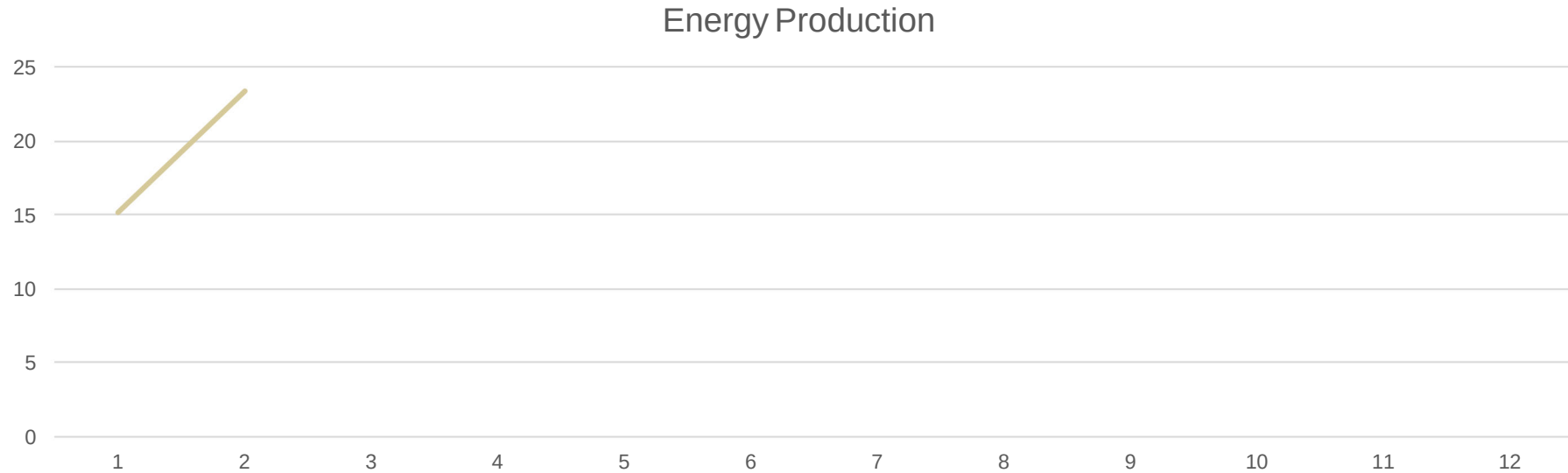


Public Works: 847 work orders completed





Public Works: 23.4 MWh of energy generated



So that's it for February stats!

More months go by, and the data keeps flowing.
With more data, annual trends will emerge over
time.

Questions?

REQUEST FOR COUNCIL ACTION



Date Action Requested: April 17, 2023

Order ☐ Ordinance ☒ Resolution ☐ Motion ☐ Information ☐

No. 2023-2913

Subject: An Ordinance amending the Newberg Comprehensive Plan and Newberg Municipal Code, Title 15 Development Code, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030

Staff: Doug Rux, Director
Department: Community Development
File No. CPTA23-0001/DCA23-0001

Business Session

Order On Agenda: Public Hearing

Hearing Type: Legislative ☒ Quasi-Judicial ☐ Administrative ☐ Not Applicable ☐

Is this item state mandated? Yes ☒ No ☐

If yes, please cite the state house bill or order that necessitated this action: ORS 197.303 and 197.307.

Recommendation:

Adopt Ordinance No. 2023-2913.

Executive Summary:

A. SUMMARY:

The proposed amendment does the following:

Amends the Newberg Comprehensive Plan, Newberg Municipal Code, Title 15 Development Code, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030 related to multifamily (5+ units) design standards to create clear and object site and building design requirements.

The proposal does not change the zoning of property or uses allowed on property. The proposal does not modify requirements for single family detached housing or Middle Housing (duplex, triplex, quadplex, townhouses or cottage clusters).

City Council requested on April 3, 2023, changes to the proposal regarding review types. Specifically, that Type I reviews in the C-3 (except along Hancock Street), and I zones for Clear and Objective be placed as Type II reviews and be added to the list of R-2, RP, R-3, AR, C-4 for Clear and Objective reviews.

B. BACKGROUND:

On September 20, 2021, the Newberg City Council directed staff to apply for a grant from the Oregon Department of Land Conservation and Development (DLCD) (Attachment 1). DLCD

Technical Assistance grants are used to help complete projects that update comprehensive plans and implementing regulations, plan for specific areas, or support inclusive planning activities. The 2021-2023 Grants Allocation Plan, approved by the Land Conservation and Development Commission, lists the program priorities for use of Technical Assistance grant funds as follows:

1. Promote provision of affordable and workforce housing
2. Promote economic development
3. Plan for resilience to natural hazards and climate change
4. Provide infrastructure financing plans for urbanizing areas
5. Update comprehensive plans and implementing codes to respond to changes in state law or advance regulatory streamlining

City staff submitted for a grant under the category of “1. Promote provision of affordable and workforce housing.” The grant was to audit the Newberg Comprehensive Plan and Newberg Development Code and update necessary goals, policies and development code standards to ensure Newberg’s housing goals and policies, and development regulations are clear and objective for needed housing. The Fair Housing Council of Oregon had previously identified that the Newberg Development Code is not in conformance with URBAN GROWTH BOUNDARIES AND NEEDED HOUSING WITHIN BOUNDARIES ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards.

The City was awarded a grant in the amount of \$50,000 and was matched by \$10,000 of General Fund dollars for the project. The grant agreement was entered into on January 11, 2022. 3J Consulting was selected as the consultant of record for the project. 3J Consulting has experience with Newberg as they were the consultant for updating the Comprehensive Plan and Development Code for compliance with Middle Housing as part of implementation of HB 2001 and OAR Chapter 660 Division 046.

A Citizens Advisory Committee was convened utilizing the Newberg Planning Commission to provide feedback and guidance to staff and the project’s consultant, 3J Consulting.

Developer/Stakeholder interviews were conducted. Feedback included:

Housing costs are high because of:

- Limited land supply
- High cost of land, supplies, workforce, fees and SDCs
- Parking requirements using much of buildable area
- Limitations on vertical development
- Long land use review timelines

The City should consider:

- Reducing SDCs and project review timelines
- Reducing lot size requirements
- Making land easier to subdivide
- Changing community needs and climate resiliency

- C. **PROCESS:** A Comprehensive Plan and municipal code amendment is a Type IV application and follows the procedures in Newberg Municipal Code 15.100.060. The Planning Commission will

hold a legislative public hearing on the application. The Commission will make a recommendation to the Newberg City Council. Following the Planning Commission’s recommendation, the Newberg City Council will hold a legislative public hearing to consider the matter. Important dates related to this application are as follows:

1. 9/20/21: The Newberg City Council adopted Resolution 2021-3765 apply for a DLCD grant.
2. 12/9/21: Planning Commission Briefing.
3. 2/10/22: Planning Commission Briefing.
4. 6/23/22: Citizens Advisory Committee Meeting #1.
5. 8/25/22: Citizens Advisory Committee Meeting #2.
6. 12/12/22: Citizens Advisory Committee Meeting #3.
7. 1/9/23: Public Open House (virtual) and Community Survey.
8. 2/6/23: Planning Commission/City Council Joint Work Session.
9. 2/15/23: Measure 56 Notice distributed.
10. 2/15/23: Planning staff placed notice on Newberg’s website and posted notice in four public buildings. *The Newberg Graphic* published notice of the hearing.
11. 3/9/23: The Planning Commission held a public hearing, took public testimony, deliberated on the proposal and adopted Resolution No. 2023-386.
12. 3/22/23: Planning staff placed notice on Newberg’s website and posted notice in four public buildings. *The Newberg Graphic* published notice of the hearing.
13. 4/3/23: After proper notice, the City Council held a legislative hearing to consider the item, conducted the first reading of the ordinance and continued the hearing to April 17, 2023.
14. 4/17/23: City Council continued the legislative hearing on the item.

D. PUBLIC COMMENTS: As of the writing of this report, the City has received four (4) written comments on the proposal (Attachment 2). Public participation was solicited through the Citizens Advisory Committee process with one open house that included public participation and a community survey (Attachment 4). A Measure 56 was mailed to property owners.

E. STAFF/AGENCY COMMENTS: As of the writing of this report, the City has received the following comments on the proposal (Attachment 3).

City Manager – Reviewed, meeting requested. I have marked this as “require meeting” per a

discussion with mayor Rosacker. I will be circling back later to derive a time for such a meeting to clarify some points of this complex document.

Engineering Division - Reviewed, no conflict.

Finance Department – Reviewed, no conflict.

Public Works WWP - Reviewed, no conflict.

Public Works Director - Reviewed, no conflict.

Public Works Maintenance Superintendent – Reviewed, no conflict.

Public Works Water Superintendent – Reviewed, no conflict.

Waste Management - Reviewed, no conflict.

Yamhill County Transit - Reviewed, no conflict.

Ziply Fiber – Reviewed, no conflict.

F.

DISCUSSION:

There are a variety of Comprehensive Plan and Development Code modifications that are necessary to bring Newberg into conformance with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards. The Citizens Advisory Committee (CAC) met from June 2022 through December 2022 providing guidance and feedback to the project consultant 3J Consulting. Input was also gathered though an open house and an online survey.

Exhibits “A” and “B” are the culmination of the CAC and consultants work in identifying what policies need to be modified in the Comprehensive Plan under I. Housing and J. Urban Design, and feedback from the Planning Commission. In addition, there are sections of the Development Code that need to be modified as noted under the Summary section of this report.

The following are summaries of the proposed changes in the Development Code.

Parking Requirements

Based on the joint Work Session between the City Council and Planning Commission and feedback received the changes below for the Proposed Minimum have been removed from the proposal. The Planning Commission further discussed parking at their public hearing and chose to stay with the Current Minimum parking requirement within the Development Code.

Current Minimum:
 Studio/1 bedroom: 1 per unit 2 bedroom: 1.5 per unit
 3 and 4 bedroom: 2 per unit
 5 or more bedroom: 0.75 per bedroom per unit
 0.2 spaces per unit for visitor

Proposed Minimum:
 1.5 spaces per dwelling unit
 0.2 spaces per unit for visitors

Clear and Objective Design Standards

New Table in NMC 15.220.060.B Two pathways:

Discretionary (keep current code- projects obtain points)
Objective (proposed code- projects must meet all standards)

Private and Shared Open Space

Private open space per unit:

48 square feet private outdoor area per ground level unit.

Individual and Shared Areas

One-or two-bedroom units: 200 square feet per unit.

Three- or more bedroom units: 300 square feet per unit.

18 square feet private storage per unit.

Site Vegetation (Landscaping):

Maintain existing code provisions.

Vehicle Parking (Location and Lighting):

No vehicular parking between primary building(s) and abutting right-of-way.

May not occupy more than 50% of linear frontage of that side.

Parking/loading areas shall be illuminated to a min. 0.5 footcandles.

Multiple Building Groupings:

Follow Private and Shared Recreation Areas.

Landscaping:

Follow requirements of NMC 15.420

Parking Vegetation Buffer:

Follow requirements of NMC 15.440 and 15.420

Street Trees:

Follow requirements of NMC 15.420.020

Outdoor Furnishings:

Clear and objective standards permit but do not require these amenities.

Fencing:

Follow requirements of NMC 15.410.070.D

Entrance Building Materials:

Requires emphasizing using recess, projections, corner entries or landscape treatments.

Outdoor Lighting:

Parking .5-foot candles

Walkways .5-foot candles

Entrances 1 foot candle

Property line .5-foot candle

Cutoff light fixtures

Building Orientation & Entrances:
 Primary building entrances shall be emphasized through the use of features or elements such as recesses, projections, corner entries or landscape treatments.
 Primary entrances must face street ROW or central common area.

Building Façade Design:
 Min. 25% street-facing- windows and glass portions of doors.
 Distinct base and top required.
 Limits on blank walls (up to 750 sq ft on street-facing façade).
 Garage doors painted to match color pallets.

Building Materials:
 Prohibited materials on street-facing façade (and max 35% on any other façade) include vinyl PVC siding, T-11 plywood, exterior insulation finishing, corrugated metal, plain concrete or concrete block, spandrel glass and sheet pressboard.

Architectural Elements:
 Not required, but encouraged to incorporate elements of one of the city's historical styles (Queen Anne, Dutch colonial revival, colonial revival or bungalow).

Carports and Garages:
 Must be located to the side or behind primary structure.

Front Porches:
 Front porch or patio required for at least one main entry.

Roofs:
 Where a sloped roof is proposed, the pitch shall be 3:12 or steeper.

Land Use Review Type

Current Code

Review	Zone	Applicable Standard
Type 1 – staff decision, no public notice	None	None
Type II – staff decision, public notice	R-2, R-3, RP, AR, C-3 (except along Hancock Street), C-4, I	Discretionary (the only option available currently)
Type III – Planning Commission decision, public notice and hearing	R-1, R-4, C-2, C-3 along Hancock Street	Conditional Use

Proposed (Per Planning Commission)

Review	Zone	Applicable Standard
Type I – staff decision, no public comment	C-3 (except along Hancock Street), I	Clear and Objective
Type II – staff decision, public notice	R-2, R-3, RP, AR, C-4	Clear and Objective
	R-3, AR, C-3 (except along Hancock Street), I	Discretionary
Type III – Planning Commission, public notice and hearing	R-1, R-4, C-2, C-3 along Hancock Street	Conditional Use
	R-2, RP, C-4	Discretionary

Proposed (Per City Council)

Review	Zone	Applicable Standard
Type 1 – staff decision, no public notice	None	None
Type II – staff decision, public notice	R-2, R-3, RP, AR, C-3 (except along Hancock Street), C-4, I	Clear and Objective
	R-3, AR, C-3 (except along Hancock Street), I	Discretionary
Type III – Planning Commission, public notice and hearing	R-1, R-4, C-2, C-3 along Hancock Street	Conditional Use
	R-2, RP, C-4	Discretionary

Current Code

Zone	Clear & Objective	Discretionary	Conditional Use
R-1			Type III
R-2		Type II	
R-3		Type II	
R-4			Type III
RP		Type II	
AR		Type II	
C-2			Type III
C-3		Type II	
C-3 Hancock Street			Type III
C-4		Type II	
I		Type II	

Proposed (Per City Council)

Zone	Clear & Objective	Discretionary	Conditional Use
R-1			Type III
R-2	Type II	Type III	
R-3	Type II	Type II	
R-4			Type III
RP	Type II	Type II	
AR	Type II	Type II	
C-2			Type III
C-3	Type II	Type II	
C-3 Hancock Street			Type III
C-4	Type II	Type II	
I	Type II	Type II	

G. CITIZENS ADVISORY COMMITTEE

The Citizens Advisory Committee met on December 12, 2022, and recommend the Planning Commission and City Council approve the Comprehensive Plan and Development Code Changes.

H. NEWBERG AFFORDABLE HOUSING COMMISSION

The Newberg Affordable Housing Commission met on January 24, 2023, and recommended the Planning Commission and City Council adopt the Comprehensive Plan amendments, and Development Code amendments.

I. PLANNING COMMISISON

The Newberg Planning Commission held a public hearing on March 9, 2023, heard public testimony, and approved Resolution No. 2023-386 (Attachment 5) recommending that City Council adopt the Comprehensive Plan amendments and Development Code amendments.

In the approved Resolution the Planning Commission retained the current parking requirements that are in the Development Code. The Planning Commission removed the proposed requirement for Individual and Shared Areas that if a development is within ¼ mile (as measured along a pedestrian route) of a public park may reduce this requirement by 50 percent. The Commission discussed that it is important to have open space on the site and a reduction was not in the best interest of the residents of a development.

Fiscal Impact:

Funding for development of the multifamily design standards was from a grant from the Department of Land Conservation and Development. The grant amount was \$50,000 and is expended out of 01-4110-533011 Planning Misc Grants. In addition the City contributed \$10,000 in funding that was expended out of Professional Services (01-4110-580000).

ATTACHMENTS:

Ordinance No. 2023-2913 with:

Exhibit “A”: Comprehensive Plan Amendments

Exhibit “B”: Development Code Amendments

Exhibit “C”: Findings

1. City Council Resolution No. 2021-3765 DLCD Grant Application
2. Public Comments
3. Staff/Agency Comments
4. Open House Community Survey
5. Planning Commission Resolution No. 2023-386

ORDINANCE NO. 2023-2913



An Ordinance amending the Newberg Comprehensive Plan and Newberg Municipal Code, Title 15 Development Code, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030

Recitals:

1. The Newberg City Council authorized an application to the Department of Land Conservation and Development (DLCD) for a grant to comply needed housing Statutes ORS 197.286 – 197.314 for clear and objective standards by City Council Resolution No. 2021-3765.
2. DLCD awarded the City of Newberg a grant on January 11, 2022.
3. The City established a Citizens Advisory Committee consisting of the Newberg Planning Commission.
4. The Citizens Advisory Committee met three (3) times in developing code provisions for multifamily dwellings.
6. The Planning Commission was briefed two (2) times on the draft Comprehensive Plan and Development Code provisions.
7. The Affordable Housing Commission was briefed once on the draft Comprehensive Plan and Development Code provisions.
8. The City Council and Planning Commission held a joint work session on the draft Comprehensive Plan and Development provisions on February 6, 2023.
9. The Affordable Housing Commission recommends the Comprehensive Plan and Development Code amendments be adopted.
10. After proper notice, the Newberg Planning Commission opened the hearing on March 9, 2023, considered public testimony and deliberated. They found that the proposed amendments were in the best interests of the City adopted Resolution No. 2023-386.
11. After proper notice, the Newberg City Council opened the hearing on April 3, 2023, considered public testimony and deliberated. They found that the proposed amendments were in the best interests of the City.

The City of Newberg Ordains as Follows:

- 1. The Newberg Comprehensive Plan is amended as shown in Exhibit “A”.
- 2. The Newberg Development Code is amended and shown in Exhibit “B”.
- 3. The adoption is based upon the findings in Exhibit “C”.
- 4. Exhibits “A”, “B”, and “C” are hereby adopted and by this reference incorporated.

Effective Date of this ordinance is 30 days after the adoption date, which is: May 17, 2023.
Adopted by the City Council of Newberg, Oregon, this 17th day of April, 2023, by the following
votes: **AYE:** **NAY:** **ABSTAIN:**

Sue Ryan, City Recorder

Attest by the Mayor this 20th day of April, 2023.

Bill Rosacker, Mayor

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Added text is shown in double underline
Deleted text is shown in ~~strike through~~.

The Newberg Comprehensive Plan shall be amended as follows:

Section 1. The Newberg Comprehensive Plan, I. Housing, Policies: 1. Density Policies, subsection a. is amended to read:

- a. Needed housing, as identified in the Newberg Housing Needs Analysis, Density rather than housing type shall be the most important development criteria and shall be considered ~~when examining used to classify different types of residential areas on the plan. (Ordinance 2023-2913, April 3, 2023)~~

Section 2. The Newberg Comprehensive Plan, J. Urban Design, Goal 1: 4. Residential Areas Policies, subsection d. is amended to read:

- d. Special development and design standards should be adopted in the Development Code to ensure that the opportunity exists for development of all varieties of needed housing. Residential design standards shall be required to support quality residential development in the city. ~~multi-family, attached single-family and manufactured home park/subdivision projects are aesthetically pleasing and compatible with nearby lower-density residential development.~~ (Ordinance 2016-2810, December 19, 2016; Ordinance 2023-2913, April 3, 2023)

Note: Existing text is shown in regular font.
Added text is shown in double underline
Deleted text is shown in ~~strike through~~.

The Newberg Development Code shall be amended as follows:

Section 1. Subsection B of Section 15.100.020 shall be amended to read:

B. Type I actions include, but are not limited to:

1. Design review permits for single-family dwellings, duplex dwellings, triplex dwellings, quadplex dwellings, townhouses, cottage cluster projects, additions, accessory dwelling units, accessory structures, or other additions specifically listed in NMC 15.220.020(A)(1).

2. Home occupation permits.

3. Signs, not in conjunction with a new development or major remodel.

4. Adjustments.

5. Processing final land division maps and plats.

6. Determining compliance with the conditions of approval for a land use action processed under a Type II or Type III procedure.

Section 2. Subsection B of Section 15.100.030 shall be amended to read:

B. Type II actions include, but are not limited to:

1. Site design review.

2. Multifamily dwellings in the R-2, R-3, RP, AR, C-3 (except along Hancock Street), C-4 or I zone meeting the objective process requirements of NMC 15.220.060.

3. Multifamily dwellings in the R-3, AR, C-3 (except along Hancock Street), or I zone NOT meeting the objective process requirements of NMC 15.220.060.

4. Variances.

5. Manufactured dwelling parks and mobile home parks.

6. Partitions.

7. Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).

Section 3. Subsection B of Section 15.100.050 shall be amended to read:

B. Type III actions include, but are not limited to:

1. An appeal of a Type I or Type II decision: This action of the planning commission is a final decision unless appealed to the city council.

2. Conditional use permits: This action is a final decision unless appealed.

3. Planned unit developments: This action is a final decision unless appealed.

4. Substantial change to the exterior appearance of a historic landmark: This action is final unless appealed.

5. Establishment of a historic landmark: This is a final decision by the planning commission, unless appealed.

6. Establishment of a historic landmark subdistrict: This is a recommendation to the city council.

7. Comprehensive plan map amendments: This action is a recommendation to the city council.

8. Zoning map amendments and designation of subdistricts: This action is a recommendation to the city council.

9. Annexation: This action is a recommendation to the city council.

10. Subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).

11. Multifamily dwellings in the R-2, RP or C-4 zone NOT meeting the objective process requirements of NMC 15.220.060.

12. Multifamily dwellings in the R-1, R-4 or C-2 zone (conditional use permit also required).

13. Multifamily dwellings in the C-3 zone along Hancock Street (conditional use permit also required).

Section 4. Subsection A of Section 15.220.020 shall be amended to read:

A. Applicability of Requirements. Site design review shall be required prior to issuance of building permits or commencement of work for all improvements noted below. Site design review permits shall be processed as either Type I or Type II, as noted below.

1. Type I.

a. Single-family dwellings;

b. Duplex dwellings;

c. Triplex dwellings;

d. Quadplex dwellings;

e. Townhouse dwellings;

f. Cottage cluster projects;

g. Institutional, commercial or industrial additions which do not exceed 1,000 square feet in gross floor area;

h. Multifamily additions or remodels which do not exceed 1,000 square feet in gross floor area, do not exceed 25 percent of the assessed value of the existing structure, and do not add any new units, or new construction incidental to the main use on an existing developed site which does not exceed 1,000 square feet in gross floor area and does not add any new units;

i. Institutional, commercial or industrial interior remodels which do not exceed 25 percent of the assessed valuation of the existing structure;

j. ~~Multifamily remodels which do not exceed 25 percent of the assessed valuation of the existing structure and do not add any new units;~~

jk. Signs which are not installed in conjunction with a new development or remodel;

kl. Modifications, paving, landscaping, restriping, or regrading of an existing multifamily, institutional, commercial or industrial parking lot;

lm. Fences and trash enclosures;

mn. Accessory dwelling units.

2. Type II.

a. Any new development or remodel which is not specifically identified within subsection (A)(1) or (A)(3) of this section.

b. Telecommunications facilities.

3. Type III.

a. Multifamily dwellings in the R-2, RP or C-4 zone NOT meeting the objective process requirements of NMC 15.220.060.

b. Multifamily dwellings in the R-1, R-4 or C-2 zone (conditional use permit also required).

c. Multifamily dwellings in the C-3 zone along Hancock Street (conditional use permit also required).

34. Exemptions to Type I and Type II Process. The following development activities are exempt from Type I or Type II standards:

a. Replacement of an existing item such as a roof, floor, door, window or siding.

b. Plumbing and/or mechanical alterations which are completely internal to an existing structure.

Section 5. Subsection B of Section 15.220.030 shall be amended to read:

B. Type II or III. The following information is required to be submitted with all Type II or III applications for site design review:

1. Site Development Plan. A site development plan shall be to scale and shall indicate the following as appropriate to the nature of the use:

a. Access to site from adjacent right-of-way, streets and arterials;

b. Parking and circulation areas;

c. Location and design of buildings and signs;

d. Orientation of windows and doors;

e. Entrances and exits;

f. Private and shared outdoor recreation spaces;

g. Pedestrian circulation;

h. Outdoor play areas;

i. Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;

j. Areas to be landscaped;

k. Exterior lighting;

l. Special provisions for handicapped persons;

m. Other site elements and spaces which will assist in the evaluation of site development;

n. Proposed grading, slopes, and proposed drainage;

o. Location and access to utilities including hydrant locations; and

p. Streets, driveways, and sidewalks.

2. Site Analysis Diagram. A site analysis diagram shall be to scale and shall indicate the following characteristics on the site and within 100 feet of the site:

a. Relationship of adjacent lands;

b. Location of species of trees greater than four inches in diameter at four feet above ground level;

c. Existing and proposed topography;

d. Natural drainage and proposed drainage and grading;

e. Natural features and structures having a visual, or other significant relationship with the site.

3. Architectural Drawings. Architectural drawings shall be prepared which identify floor plans and elevations.

4. Landscape Plan. The landscape plan shall indicate:

a. The size, species and approximate locations of plant materials to be retained or placed on the site together with a statement which indicates the mature size and canopy shape of all plant materials;

b. Proposed site contouring; and

c. A calculation of the percentage of the site to be landscaped.

5. Special Needs for Handicapped. ~~Where appropriate,~~ The design review plan shall indicate compliance with all handicapped accessibility requirements including, but not limited to, the location of handicapped parking spaces, the location of accessible routes from the entrance to the public way, and ramps for wheelchairs.

6. Existing Features and Natural Landscape. The plans shall indicate existing landscaping and existing grades. Existing trees or other features intended to be preserved or removed shall be indicated on the plans.

7. Drives, Parking and Circulation. Proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points shall be indicated on the plans. Dimensions shall be provided for all elements, ~~on the plans for parking aisles, back-up areas, and other items as appropriate.~~

8. Drainage. The direction and location of on- and off-site drainage shall be indicated on the plans. This shall include, but not be limited to, site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project as identified in the submitted preliminary stormwater report.

9. Buffering and Screening. Buffering and screening of areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be shown on the plans.

10. Signs and Graphics. The location, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features shall be shown on the plans.

11. Exterior Lighting. Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.

12. Trash and Refuse Storage. All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete block or material matching the material used on other proposed structures on the site, ~~other similar products as approved by the director.~~

13. Roadways and Utilities. The proposed plans shall indicate any public improvements that will be construed as part of the project, including, but not limited to, roadway and utility improvements.

14. Traffic Study. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study ~~may~~ shall be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an

intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]

Section 6. Section 15.220.050 shall be amended to read:

A. Type I. The following criteria are required to be met in order to approve a Type I design review request:

1. Parking. Parking areas shall meet the requirements of NMC 15.440.010.
2. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions, and public access, residential development standards and home occupations; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.
3. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.
4. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.
5. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020.
6. Sufficient Infrastructure. For all triplex dwellings, quadplex dwellings, townhouse dwellings, and cottage cluster developments, the city shall work with the applicant to ensure that sufficient infrastructure will be provided, or can be provided, to include:

- a. Connection to a public wastewater system capable of meeting established service levels.
- b. Connection to a public water system capable of meeting established service levels.
- c. Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
- d. Storm drainage facilities capable of meeting established service levels for storm drainage.

B. Type II or III. The following criteria are required to be met in order to approve a Type II or III design review request:

1. Design Compatibility. The proposed design review request incorporates an architectural design which is compatible with and/or superior to the same as existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.
2. Parking and On-Site Circulation. Parking areas shall meet the requirements of NMC 15.440.010.

Parking studies may shall be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the

parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

3. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions, public access, residential development standards and home occupations; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

4. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.

5. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.

6. Manufactured Dwelling, Mobile Home and RV Parks. Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.

7. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.

8. Subdistrict Compliance. Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. ~~Where applicable, a new~~ developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director. [Ord. 2889 § 2 (Exh. B § 6), 12-6-21; Ord. 2763 § 1 (Exh. A § 7), 9-16-13; Ord. 2747 § 1 (Exh. A § 5), 9-6-11; Ord. 2451, 12-2-96. Code 2001 § 151.194.]

Section 7. Section 15.220.060 shall be amended to read:

The purpose of this section is to ensure that multifamily residential projects-containing five or more units meet minimum standards for good design, provide a healthy and attractive environment for those who live there, and are compatible with surrounding development. As part of the site design review process, an applicant for a new multifamily residential project must demonstrate that some of the following site

and building design elements, each of which has a point value, have been incorporated into the design of the project. At least 14 points are required for smaller multifamily projects with five to eight units and at least 20 points are required for multifamily projects with nine or more units. For more information and illustrations of each element, refer to the Newberg Residential Development Design Guidelines (July 1997).

A. Review Process

Two review processes are available for review of multi-family residential development: objective and discretionary. An applicant may choose which process to use. The objective process uses clear and objective standards that do not require the use of discretionary decision-making. The discretionary process uses design guidelines that are more subjective in nature and are intended to provide the applicant with more design flexibility. Regardless of the review process, the applicant must demonstrate how the applicable standards or guidelines are being met.

As part of the discretionary site design review process, an applicant for a new multifamily residential project must demonstrate that some of the following site and building design elements, each of which has a point value, have been incorporated into the design of the project. At least 14 points are required for smaller multifamily projects with five to eight units and at least 20 points are required for multifamily projects with nine or more units. For more information and illustrations of each element, refer to the Newberg Residential Development Design Guidelines (July 1997).

A project may be reviewed using only one of the 2 review processes. For example, a project may not use some of the objective standards and some of the discretionary guidelines for one application. Pursuant to NMC 15.100 and 15.220:

- 1. A Type II review is required for:
 - a. Projects in zones R-2, R-3, RP, AR, C-3 (except along Hancock Street), C-4, and I following the objective process.
 - b. Projects in zones R-3, AR, C-3 (except along Hancock Street), and I following the discretionary process.
- 2. A Type III site design review is required for:
 - a. Projects in zones R-2, RP and C-4 following the discretionary process.
 - b. Projects in zones R-1, R-4, C-2, C-3 (Hancock Street) (conditional use permit also required).

B. Design Guidelines and Standards

Applicable guidelines and standards for multi-unit and congregate housing are located in Table 15.220.060.B. These standards should not be interpreted as requiring a specific architectural style.

<u>Table 15.220.060.B</u> <u>Multi-Family Residential Design Guidelines and Standards</u>
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<u>Design Element</u>	<u>Design Guideline (Discretionary Process)</u> <u>Projects with 5-8 dwelling units must obtain 14 points, projects with 9 or more dwelling units must obtain 20 points.</u>	<u>Design Standard (Objective Process)</u> <u>All standards must be met.</u>
<u>Site Design Elements</u>		
<u>1. Private and Shared Recreation Areas</u>	<u>Consolidate green space to increase visual impact and functional utility. This applies to larger projects which collectively have a significant amount of open space areas which can be consolidated into children’s play areas, gardens, and/or dog-walking areas (three points).</u>	a. <u>Private Areas. Each ground-level living unit in a residential development subject to a design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.</u> b. <u>Individual and Shared Areas. In addition to the private open space identified above, usable outdoor recreation space shall be provided for the individual and/or shared use of residents and their guests in any multifamily residential development, as follows:</u> i. <u>One- or two-bedroom units: 200 square feet per unit.</u> ii. <u>Three- or more bedroom units: 300 square feet per unit.</u> iii. <u>Storage areas are required in residential developments. Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, and the like. These shall be entirely enclosed and shall be a minimum of 18 square feet per dwelling unit.</u>
<u>2. Site Vegetation</u>	<u>Preserve existing natural features, including topography, water features, and/or native vegetation (three points).</u>	<u>The proposal shall adhere to the landscaping standards in 15.420.</u>
<u>3. Building Setbacks</u>	<u>Use the front setback to build a street edge by orienting building(s) toward the street with a relatively shallow front yard (12 to 15 feet for two-story buildings) to create a more “pedestrian-friendly” environment (three points).</u>	<u>The proposal shall adhere to the base zone standard for building setbacks listed in 15.410.</u>

<u>4. Vehicle Parking</u>	<u>Place parking lots to the sides and/or back of projects so that front yard areas can be used for landscaping and other “pedestrian-friendly” amenities (three points).</u>	<u>Parking for the development shall comply with the following:</u> <u>a. On-site surface parking areas, garages, and vehicle maneuvering areas shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way.</u> <u>b. Parking located to the side of a dwelling structure shall be limited to 50% of the linear frontage of the site. Drive aisles without adjacent parking spaces do not count as parking areas for purposes of this standard.</u>
<u>5. Multiple Building Groupings</u>	<u>Create “outdoor” rooms in larger projects by grouping buildings to create well-defined outdoor spaces (two points).</u>	<u>Adhere to the design standards in Private and Shared Recreation Areas, above.</u>
<u>6. Landscaping</u>	<u>Provide good-quality landscaping. Provide coordinated site landscaping sufficient to give the site its own distinctive character, including the preservation of existing landscaping and use of native species (two points).</u>	<u>The proposal shall adhere to the landscaping standards in 15.420.</u>
<u>7. Parking Vegetation Buffer</u>	<u>Landscape at the edges of parking lots to minimize visual impacts upon the street and surrounding properties (two points).</u>	<u>Parking design and landscape shall adhere to the standards in 15.440 and 15.420.</u>
<u>8. Street Trees</u>	<u>Use street trees and vegetative screens at the front property line to soften visual impacts from the street and provide shade (one point).</u>	<u>The proposal shall adhere to the street trees and landscaping amenities in public rights-of-ways standards in 15.420.020.</u> <u>On-site landscaping shall adhere to the standards in 15.420.</u>
<u>9. Outdoor Furnishings</u>	<u>Use site furnishings to enhance open space. Provide communal amenities such as benches, playground equipment, and fountains to enhance the outdoor environment (one point).</u>	<u>User amenities—such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pool—may be placed in outdoor shared recreation areas.</u>
<u>10. Fencing</u>	<u>Keep fences neighborly by keeping them low, placing them back from the sidewalk, and using compatible building materials (one point).</u>	<u>The proposal shall adhere to the fence height standards in 15.410.070.D.</u>
<u>11. Entrance Building Materials</u>	<u>Use entry accents such as distinctive building or paving materials to mark major entries to multifamily buildings or to individual units (one point).</u>	<u>Building entrances shall be emphasized through the use of recesses, projections, corner entries, or landscape treatments.</u>
<u>12. Outdoor Lighting</u>	<u>Use appropriate outdoor lighting which enhances the nighttime safety and security of pedestrians without causing glare in nearby buildings (one point).</u>	<u>a. Uses on the site shall be illuminated as follows:</u> <u>(1) Parking and loading areas: 0.5 footcandle minimum.</u>

		<u>(2) Walkways: 0.5 footcandle minimum and average of 1.5 footcandles.</u> <u>(3) Building entrances: 1 footcandle minimum with an average of 3.5 footcandles, except that secondary entrances may have an average of 2.0 footcandles.</u> <u>b. Maximum illumination at the property line shall not exceed 0.5 footcandles. However, where a site abuts a nonresidential district, maximum illumination at the property line shall not exceed 1 footcandle. This standard applies to adjacent properties across a public right-of-way.</u> <u>c. Developments shall use full cut-off lighting fixtures to avoid off-site lighting, night sky pollution, and shining lights into residential units.</u>
Building Design Elements		
<u>1. Building Orientation and Entrances</u>	<u>Orient buildings toward the street. For attached single-family and smaller multifamily projects, this means orienting individual entries and porches to the street. In larger projects with internal circulation and grounds, this means that at least 10 percent of the units should have main entries which face the street rather than be oriented toward the interior (three points).</u>	<u>a. The primary building entry, or entries, for ground-floor units shall face the street right-of-way or a central common open space. Secondary entries may face parking lots or other interior site areas.</u> <u>b. For sites not on an arterial street, at least 50% of a site's street frontage, excluding driveways, shall be occupied by buildings that are located no further than 10 feet from the required setback line.</u> <u>c. For sites on an arterial street, at least 50% of a site's street frontage, excluding driveways, shall be occupied by buildings that are located no further than 20 feet from the required setback line.</u>
<u>2. Building Height</u>	<u>Respect the scale and patterns of nearby buildings by reflecting the architectural styles, building details, materials, and scale of existing buildings (three points).</u>	<u>The proposal shall adhere to the base zone standard for building height listed in 15.415.020.</u>
<u>3. Building Articulation</u>	<u>Break up large buildings into bays by varying planes at least every 50 feet (three points).</u>	<u>a. Street-facing building façades shall be divided into wall planes. The wall plane on the exterior of each dwelling unit shall be articulated by doing one or more of the following:</u>

		<u>(1) Incorporating elements such as porches, balconies, or decks into the wall plane.</u> <u>(2) Recessing the building a minimum of 2 feet deep x 6 feet long.</u> <u>(3) Extending an architectural bay at least 2 feet from the primary street-facing façade.</u> <u>b. To avoid long, monotonous, uninterrupted walls, buildings shall incorporate exterior wall off-sets, projections and/or recesses. At least 1 foot of horizontal variation shall be used at intervals of 40 feet or less along the building's primary façade on the ground-floor level.</u>
<u>4. Building Façade Design</u>	<u>Provide variation in repeated units large multifamily projects so that these projects have recognizable identities. Elements such as color; porches, balconies, and windows; railings; and building materials and form, either alone or in combination, can be used to create this variety (three points).</u>	<u>a. Windows and the glass portion(s) of doors with glazing shall occupy a minimum of 25% of the total street-facing façade.</u> <u>b. Buildings shall have a distinct base and top. The base of the building (ground-floor level) shall be considered from grade to 12 feet above grade. The base shall be visually distinguished from the top of the building by any of the following physical transitions: a change in brick pattern, a change in surface or siding materials, a change in color, or a change in the size or orientation of window types.</u> <u>c. Blank, windowless walls in excess of 750 sq ft are prohibited when facing a public street, unless required by the Building Code. In instances where a blank wall exceeds 750 sq ft, it shall be articulated (see Building Articulation, above) or landscaping shall be planted in front of it that will grow to cover 50% of the wall withing 3 years of planting.</u> <u>d. Garage doors shall be painted to match the color or color palette used on the rest of the buildings.</u>
<u>5. Building Materials</u>	<u>Use some or all of the following materials in new buildings: wood or wood-like siding applied horizontally or vertically as board and batten; shingles, as roofing, or on upper portions of exterior walls and gable ends; brick at the base of walls and chimneys; wood or wood-like sash windows; and wood or wood-like trim (one point for each material described above).</u>	<u>The following building materials are prohibited on street-facing building façades and shall not collectively be used on more than 35% of any other building façade:</u> <u>(1) Vinyl PVC siding</u> <u>(2) T-111 Plywood</u> <u>(3) Exterior insulation finishing (EIFS)</u> <u>(4) Corrugated metal</u>

		<u>(5) Unfinished or untextured concrete or concrete block</u> <u>(6) Spandrel glass</u> <u>(7) Sheet pressboard</u>
<u>6. Architectural Elements</u>	<u>Incorporate architectural elements of one of the city's historical styles (Queen Anne, Dutch colonial revival, colonial revival, or bungalow style) into the design to reinforce the city's cultural identity. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, dormer windows, and decorative trim boards (two points).</u>	<u>The applicant is encouraged to incorporate elements of one of the city's historical styles (Queen Anne, Dutch colonial revival, colonial revival, or bungalow style) into the design to reinforce the city's cultural identity.</u>
<u>7. Carports and Garages</u>	<u>Keep garages and carports secondary to the building by placing them to the side or back of units and/or using architectural designs, materials, and landscaping to buffer visual impacts from the street (two points).</u>	a. <u>On-site garages or carports shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way.</u> b. <u>All garages or carports that are part of the same structure that contains dwelling units shall be located at least 4 feet behind the front building façade.</u>
<u>8. Front Porches</u>	<u>Provide a front porch at every main entry as this is both compatible with the city's historic building pattern and helps to create an attractive, "pedestrian-friendly" streetscape (two points).</u>	<u>Provide a front porch or patio for at least one main entry.</u>
<u>9. Roofs</u>	<u>Use sloped roofs at a pitch of 3:12 or steeper. Gable and hip roof forms are preferable (two points).</u>	<u>Where a sloped roof is proposed, the sloped roof shall be at a pitch of 3:12 or steeper.</u>

[Ord. 2889 § 2 (Exh. B § 7), 12-6-21; Ord. 2763 § 1 (Exh. A § 8), 9-16-13; Ord. 2505, 2-1-99. Code 2001 § 151.195.]

A. Site Design Elements.

- ~~1. Consolidate green space to increase visual impact and functional utility. This applies to larger projects which collectively have a significant amount of open space areas which can be consolidated into children's play areas, gardens, and/or dog walking areas (three points).~~
- ~~2. Preserve existing natural features, including topography, water features, and/or native vegetation (three points).~~
- ~~3. Use the front setback to build a street edge by orienting building(s) toward the street with a relatively shallow front yard (12 to 15 feet for two-story buildings) to create a more "pedestrian-friendly" environment (three points).~~

4. Place parking lots to the sides and/or back of projects so that front yard areas can be used for landscaping and other “pedestrian friendly” amenities (three points).
5. Create “outdoor” rooms in larger projects by grouping buildings to create well-defined outdoor spaces (two points).
6. Provide good-quality landscaping. Provide coordinated site landscaping sufficient to give the site its own distinctive character, including the preservation of existing landscaping and use of native species (two points).
7. Landscape at the edges of parking lots to minimize visual impacts upon the street and surrounding properties (two points).
8. Use street trees and vegetative screens at the front property line to soften visual impacts from the street and provide shade (one point).
9. Use site furnishings to enhance open space. Provide communal amenities such as benches, playground equipment, and fountains to enhance the outdoor environment (one point).
10. Keep fences neighborly by keeping them low, placing them back from the sidewalk, and using compatible building materials (one point).
11. Use entry accents such as distinctive building or paving materials to mark major entries to multifamily buildings or to individual units (one point).
12. Use appropriate outdoor lighting which enhances the nighttime safety and security of pedestrians without causing glare in nearby buildings (one point).

B. Building Design Elements.

1. Orient buildings toward the street. For attached single-family and smaller multifamily projects, this means orienting individual entries and porches to the street. In larger projects with internal circulation and grounds, this means that at least 10 percent of the units should have main entries which face the street rather than be oriented toward the interior (three points).
2. Respect the scale and patterns of nearby buildings by reflecting the architectural styles, building details, materials, and scale of existing buildings (three points).
3. Break up large buildings into bays by varying planes at least every 50 feet (three points).
4. Provide variation in repeated units in both single-family attached and large multifamily projects so that these projects have recognizable identities. Elements such as color; porches, balconies, and windows; railings; and building materials and form, either alone or in combination, can be used to create this variety (three points).
5. Building Materials. Use some or all of the following materials in new buildings: wood or wood-like siding applied horizontally or vertically as board and batten; shingles, as roofing, or on upper portions of exterior walls and gable ends; brick at the base of walls and chimneys; wood or wood-like sash windows; and wood or wood-like trim (one point for each material described above).
6. Incorporate architectural elements of one of the city’s historical styles (Queen Anne, Dutch colonial revival, colonial revival, or bungalow style) into the design to reinforce the city’s cultural

8. Residential Density. Residential density is governed by the SP overlay subdistrict.
- a. The following development standards shall be applied to Springbrook Oaks for single-family detached dwellings and duplex dwellings (please refer to Graphic VI for map of development areas A through H of the Springbrook Oaks specific plan). See Appendix A, Figure 20. These standards shall supersede any density or density transfer standards established in the development code.

Section 9. Subsection B Springbrook Oaks Specific Plan, Subsection 8 of Section 15.346.070 shall be amended to read:

- the comprehensive plan.
- The R-1 district is intended to be consistent with the low density residential (LDR) designation of institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods.
- and planned unit developments. The district also is intended to allow low intensity quadruplex dwellings, townhouse dwellings, cottage cluster projects, ~~limited multifamily dwellings~~
2. Typical housing types will include single-family dwellings, duplex dwellings, triplex dwellings, and/or middle housing densities consistent with applicable minimum lot sizes, in the district.
- density urban residential uses at an average overall density of 4.4 units per gross buildable acre, environment together with the full range of urban services. The R-1 zone is intended for low
1. The purpose of this land use designation is to provide a stable and healthful residential
- A. R-1 Low Density Residential District.

Section 8. Subsection A of Section 15.302.032 shall be amended to read:

- ~~1-99. Code 2001 § 151.195.]~~
9. Use sloped roofs at a pitch of 3:12 or steeper. Gable and hip roof forms are preferable (two points). ~~[Ord. 2889 § 2 (Exh. B § 7), 12-6-21; Ord. 2763 § 1 (Exh. A § 8), 9-16-13; Ord. 2505, 2-~~
8. Provide a front porch at every main entry as this is both compatible with the city's historic building pattern and helps to create an attractive, "pedestrian-friendly" streetscape (two points):
7. Keep car shelters secondary to the building by placing them to the side or back of units and/or using architectural designs, materials, and landscaping to buffer visual impacts from the street (two points):
- trim boards (two points):
- identity. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, dormer windows, and decorative

Area	Zone	Minimum Lot Size (Square Feet)	Minimum Lot Area per Dwelling Unit (Square Feet)	Maximum Density (Dwelling Units per Acre)
A	C-2	5,000	NA	NA
B ^{4, 5}	RP	1,500*	1,500*	21.8* ¹
C ^{4, 5}	R-3	2,500*	2,500*	13.1*
D ^{4, 5}	R-2	3,750*	3,750	8.8
E ^{4, 5}	R-2	5,000	5,000*	6.6*
F-1 ^{4, 5}	RP	1,500*	1,500*	21.8*
F-2 ^{4, 5}	RP	1,500*	None* ²	None* ²
F-3 ^{4, 5}	RP	1,500*	1,500*	21.8*
G	M-1	20,000	NA	NA
H ^{4, 5}	R-1	5,000*	10,000* ³	3.3*

* Different than the standards established elsewhere in the development code. Residential land use only permitted on F-1 area for Yamhill County tax lot 3216-02026.

¹ Up to 100 percent of the land zoned RP within area B may be developed for residential use.

² There is no limit on the number of dwelling units allowed in area F-2.

³ Average lot area per dwelling in any one subdivision.

⁴ Duplex dwellings are exempt from minimum lot area per dwelling unit. Duplex dwellings count as a single dwelling for the purpose of calculating compliance with the maximum density.

⁵ Triplex dwellings, quadplex dwellings, townhouse dwellings, multifamily dwellings, and cottage cluster projects are permitted on lots meeting the applicable minimum lot areas for the dwelling type in the corresponding zone per NMC 15.405.010(A), and are exempt from the development standards in this table.

Section 10. Section 15.405.040 shall be amended to read:

A. Purpose. The lot coverage and parking coverage requirements below are intended to:

1. Limit the amount of impervious surface and storm drain runoff on residential lots.
 2. Provide open space and recreational space on the same lot for occupants of that lot.
 3. Limit the bulk of residential development to that appropriate in the applicable zone.
- B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards; however, cottage cluster projects shall be exempt from the standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.

1. Maximum Lot Coverage.

- a. R-1: 40 percent, except:
 - i. Fifty percent if all structures on the lot are one story; and
 - ii. Sixty percent for townhouse dwellings.
- b. R-2 and RP: 60 percent.
- c. AR and R-3: 60 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

- a. R-1: 60 percent.

- b. R-2, R-3, RP and townhouse dwellings in R-1: 70 percent.

C. All other districts and uses not listed in subsection (B) of this section shall not be limited as to lot coverage and parking coverage except as otherwise required by this code. [Ord. 2889 § 2 (Exh. B § 28), 12-6-21; Ord. 2880 § 2 (Exh. B § 39), 6-7-21; Ord. 2832 § 1 (Exh. A), 7-2-18; Ord. 2746 § 1 (Exh. A § 1), 8-15-11; Ord. 2730 § 1 (Exh. A (3)), 10-18-10; Ord. 2647, 6-5-06; Ord. 2451, 12-2-96. Code 2001 § 151.568.]

Section 11. Subsection A of Section 15.410.020 shall be amended to read:

A. Residential (see Appendix A, Figure 10).

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet, ~~except that multifamily dwellings with parking to the side or rear shall have a front yard of not less than 10 feet.~~
- Said yard shall be landscaped and maintained.
2. R-3 and RP districts shall have a front yard of not less than 12 feet, ~~except that multifamily dwellings with parking to the side or rear shall have a front yard of not less than 8 feet.~~
- Said yard shall be landscaped and maintained.
3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

4. Cottage cluster projects in any zone in which they are permitted shall have a front yard of not less than 10 feet. Any garage, carport, or parking areas that are part of a cottage cluster shall be set back at least 20 feet from the nearest property line of the street to which access will be provided; however, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

Section 12. Section 15.410.030 shall be amended to read:

A. Residential.

1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.
2. All lots or development sites in the RP district shall have interior yards of not less than eight feet.
3. All lots with townhouse dwellings shall have no minimum interior yard setback where units are attached.
4. All lots with new multifamily dwellings shall have interior yards of not less than eight feet adjacent to lot lines shared with existing single-family dwellings. All other multifamily dwellings shall meet the provisions of subsections (A)(1) of this section.

APPROVAL CRITERIA

A. Statewide Planning Goals (the “Goals”)

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The City meets this requirement by having various citizen committees and/or commissions with opportunities for the public to testify on general or specific matters. The proposal went before the Newberg Planning Commission on March 9, 2023, and Newberg City Council on April 3, 2023, which provided the opportunity for public comment. In addition, there were three Citizen Advisory Committee meetings, one virtual community open houses, one community survey, social media posts, and a web page prepared to inform the public of the pending proposal. Finally, notice was published in the Newberg Graphic newspaper and posted in four public places.

The amendments are subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

The Goal is met.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The proposed land use action has an adequate factual base and is required by ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards and has been thoroughly described in this application.

The alternatives to amending the Comprehensive Plan and Municipal Code text would be to: 1) deny the application, or 2) modify the application proposal.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations as noted in these findings.

The Goal is met.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Finding: Not applicable because the proposal does not propose any land use regulation changes to agricultural lands outside of the Newberg Urban Growth Boundary.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: Not applicable because the proposal does not propose any land use regulation changes to the Stream Corridor that protects wooded areas within the Newberg Urban Growth Boundary.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The proposed amendments will not negatively impact inventoried Goal 5 resources because the amendments do not change protections that already exist in the Newberg Municipal Code, Specific Plans and Master Plans to protect these resources. Newberg has an acknowledged Stream Corridor designation, inventoried historic resources, and identified open spaces in compliance with Goal 5.

This Goal is met.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. Protections are already in place for air, water, and land resource quality. This proposal does not modify the existing goals and policies. Complying with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards does not negatively impact Goal 6.

This Goal is met.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the City's natural hazards requirements such as flood plain or landslide areas. This proposal does not modify the existing goals and policies.

This Goal is met.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to

provide for the siting of necessary recreational facilities including destination resorts.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the City's recreational goals and policies.

This Goal is met.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The implementation of the Multifamily Code Audit to comply with ORS 197.286, ORS 197.296 – 197.314, and ORS 197.303 do not apply to lands that are zoned for employment uses on Commercial, Industrial or Public lots or parcels with the primary use intended for those activities. These lands are held for employment or public improvements to further Goal 9 activities pursuant to Newberg's Economic Opportunities Analysis. Newberg does allow for multifamily housing on lands zoned for commercial uses. Compliance with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards will provide additional housing opportunities within the City of Newberg to support workers on employment designated lands.

The Goal is met.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Finding: The City of Newberg is experiencing a variety of housing supply and costs issues. The City's Housing Needs Analysis dates to 2005. A new Housing Needs Analysis was accepted by the City Council on July 19, 2021. That report indicates a lack of Medium Density and High-density residential land, significant increase in the median home price between 2018 and 2020 of \$90,000 and that over 50% of the households are cost burned related to housing. The intent is that updating Newberg's design requirements for multifamily developments (5+ units) to establish a clear and objective path along with a discretionary path will address the requirements of ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards for Needed Housing in an efficient manner for current and future citizens.

Newberg's adopted HNA dates to 2005 as an attachment updating the Population and Land Needs Projections element of the Comprehensive Plan as part of Ordinance No. 2005-2626. This document is now 21 years old. An update was prepared in 2019 but that report was only accepted by the City Council (Resolution No. 2019-3582) and not adopted. Newberg further updated the HNA in 2021 (Resolution No. 2021-3718 and Resolution No. 2021-3752) and that report has only been accepted and not adopted or acknowledged by DLCD. The City Council has not set a date specific as to when they will adopt the 2021 HNA.

ORS 197.296 (6)(b) says the following:

Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section.

The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region.

The Goal is met.

GOAL 11: PUBLIC FACILITIES AND SERVICES

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

Finding: The City applied for a grant from DLCD to amend its Development Code to create clear and objective stands for the development of multifamily housing (5+ units) and was awarded the grant. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing. The proposal does not affect public facilities or services.

The proposal meets the Goal.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Finding: The City of Newberg has an adopted Transportation System Plan from 2016 which includes the Addendum Riverfront Master Plan 2021 which have gone through the Post Acknowledgment Amendment process. The transportation system is planned to accommodate the population growth of the community for a 20-year planning period. The proposed Comprehensive Plan and Development Code changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing. The proposal does not change the City's Transportation System Plan.

The proposal meets the Goal.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

Finding: Not applicable as the proposed amendment does not affect energy conservation.

This Goal is met.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The proposed amendments do not include an expansion of the Urban Growth Boundary but ensures the efficient use of the land within the existing Urban Growth Boundary for the projected population and employment opportunities within the City and meets the goal. The proposal will maintain

Newberg's identity and enhance the quality living and employment environment by balancing growth and providing cultural activities. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing.

This Goal is met.

GOAL 15: WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: The proposal does not modify the requirements for the Stream Corridor regulations within the Willamette River Greenway.

B. Newberg Comprehensive Plan

II. GOALS AND POLICIES

A. CITIZEN INVOLVEMENT

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

Finding: The City meets this requirement by having various citizen committees and/or commissions with opportunities for the public to testify on general or specific matters. The proposal went before the Newberg Planning Commission on March 9, 2023, and Newberg City Council on April 3, 2023, which provided the opportunity for public comment. In addition, there were three Citizen Advisory Committee meetings, one virtual community open houses, one community survey, social media posts, and a web page prepared to inform the public of the pending proposal. Finally, notice was published in the Newberg Graphic newspaper and posted in four public places.

The amendments are subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

The Goal is met.

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.

Finding: This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The proposed land use action has an adequate factual base and is required by ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards and has been thoroughly described in this application.

The alternatives to amending the Comprehensive Plan and Municipal Code text would be to: 1) deny the application, or 2) modify the application proposal.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations as noted in these findings.

The Goal is met.

C. AGRICULTURAL LANDS

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

Finding: Not applicable because the proposal does not propose any land use regulation changes to

agricultural lands outside of the Newberg Urban Growth Boundary.

D. WOODED AREAS

GOAL: To retain and protect wooded areas.

Finding: Not applicable because the proposal does not propose any land use regulation changes to the Stream Corridor that protects wooded areas within the Newberg Urban Growth Boundary.

E. AIR, WATER, AND LAND RESOURCE QUALITY

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

POLICY: 1. Development shall not exceed the carrying capacity of the air, water or land resource base.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. Protections are already in place for air, water, and land resource quality. This proposal does not modify the existing goals and policies. Complying with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards does not negatively impact Goal 6.

This Goal is met.

F. AREAS SUBJECT TO NATURAL HAZARDS

GOAL: To protect life and property from flooding and other natural hazards.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the City's natural hazards requirements such as flood plain or landslide areas. This proposal does not modify the existing goals and policies.

This Goal is met.

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.

Finding: The proposed amendments will not negatively impact inventoried Goal 5 resources because the amendments do not change protections that already exist in the Newberg Municipal Code, Specific Plans and Master Plans to protect these resources. Newberg has an acknowledged Stream Corridor designation, inventoried historic resources, and identified open spaces in compliance with Goal 5.

This Goal is met.

H. THE ECONOMY

GOAL: To develop a diverse and stable economic base.

POLICY: 1. General Policies. b. The City shall encourage economic expansion consistent with local needs.

Finding: The implementation of the Multifamily Code Audit to comply with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards do not apply to lands that are zoned for employment uses on Commercial, Industrial or Public lots or parcels with the primary use intended for those activities. These lands are held for employment or public improvements to further Goal 9 activities pursuant to Newberg’s Economic Opportunities Analysis. Newberg does allow for multifamily housing on lands zoned for commercial uses. Compliance with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards will provide additional housing opportunities within the City of Newberg to support workers on employment designated lands.

The Goal is met.

I. HOUSING

GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels. (Ordinance 2006-2634)

Finding: The City of Newberg is experiencing a variety of housing supply and costs issues. The City’s Housing Needs Analysis dates to 2005. A Housing Needs Analysis was accepted by the City Council on July 19, 2021. That report indicates a lack of Medium Density and High-density residential land, significant increase in the median home price between 2018 and 2020 of \$90,000 and that over 50% of the households are cost burned related to housing. The intent is that updating Newberg’s design requirements for multifamily developments (5+ units) to establish a clear and objective path along with a discretionary path will address the requirements of ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards for Needed Housing in an efficient manner for current and future citizens.

Newberg’s adopted HNA dates to 2005 as an attachment updating the Population and Land Needs Projections element of the Comprehensive Plan as part of Ordinance No. 2005-2626. This document is now 21 years old. An update was prepared in 2019 but that report was only accepted by the City Council (Resolution No. 2019-3582) and not adopted. Newberg further updated the HNA in 2021 (Resolution No. 2021-3718 and Resolution No. 2021-3752) and that report has only been accepted and not adopted or acknowledged by DLCD. The City Council has not set a date specific as to when they will adopt the 2021 HNA.

ORS 197.296 (6)(b) says the following:

Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region.

The Goal is met.

J. URBAN DESIGN

GOAL 1: To maintain and improve the natural beauty and visual character of the City.

GOAL 2: To develop and maintain the physical context needed to support the livability and unique character of Newberg.

Finding: The proposed amendments will provide a discretionary, and clear and objective pathways for development of multifamily housing related to design. This will assist in supporting the visual character of the community and support the livability and unique character of Newberg.

The Goal is met.

K. TRANSPORTATION

GOAL 1: Establish cooperative agreements to address transportation based planning, development, operation and maintenance.

GOAL 2: Establish consistent policies which require concurrent consideration of transportation/land use system impacts.

GOAL 3: Promote reliance on multiple modes of transportation and reduce reliance on the automobile.

GOAL 4: Minimize the impact of regional traffic on the local transportation system.

GOAL 5: Maximize pedestrian, bicycle and other non-motorized travel throughout the City.

GOAL 6: Provide effective levels of non-auto oriented support facilities (e.g. bus shelters, bicycle racks, etc.).

GOAL 8: Maintain and enhance the City's image, character and quality of life.

GOAL 9: Create effective circulation and access for the local transportation system.

GOAL 10: Maintain the viability of existing rail, water and air transportation systems.

GOAL 11: Establish fair and equitable distribution of transportation improvement costs.

GOAL 12: Minimize the negative impact of a Highway 99 bypass on the Newberg community.

GOAL 13: Utilize the Yamhill County Transit Authority (YCTA) Transit Development Plan (TDP) as a Guidance Document.

GOAL 14: Coordinate with Yamhill County Transit Area.

GOAL 15: Implement Transit-Supportive Improvements.

Finding: The City of Newberg has an adopted Transportation System Plan from 2016 which includes the Addendum Riverfront Master Plan 2021 which have gone through the Post Acknowledgment Amendment process. The transportation system is planned to accommodate the population growth of the community for a 20-year planning period. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing.

The Goals are met.

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.

Finding: The City applied for a grant from DLCD to amend its Development Code to create clear and objective stands for the development of multifamily housing (5+ units) and was awarded the grant. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing. The proposal does not affect public facilities or services.

The Goal is met.

M. ENERGY

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

Finding: Not applicable as the proposed amendment does not affect energy conservation.

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.

Finding: The proposed amendment does not include an expansion of the Urban Growth Boundary but ensures the efficient use of the land within the existing Urban Growth Boundary for the projected population and employment opportunities within the City, and meets the goal. The proposal will maintain Newberg's identity and enhance the quality living and employment environment by balancing growth and providing cultural activities.

The Goals are met.

C. Oregon Revised Statutes and Oregon Administrative Rules

197.303 “Needed housing” defined.

(1) As used in ORS 197.286 to 197.314, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last review under ORS 197.296 (2)(a)(B) and the projected future changes in these factors over a 20-year planning period:

(a) Household sizes;

(b) Household demographics;

(c) Household incomes;

(d) Vacancy rates; and

(e) Housing costs.

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last review under ORS 197.296 (2)(a)(B) if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

(5) Subsection (1)(a) and (d) of this section does not apply to:

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

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

(6) A local government may take an exception under ORS 197.732 to the definition of “needed housing” in subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1; 2011 c.354 §2; 2017 c.745 §4; 2019 c.639 §6; 2019 c.640 §10a]

Finding: The City has a Housing Needs Analysis (HNA) dating back to 2005 and includes a buildable land inventory. Various housing types are included to be developed in Newberg. The HNA was acknowledged by the Department of Land Conservation and Development and incorporated into the Newberg Comprehensive Plan. The City prepared a new HNA in 2021 that updates the 2005 HNA. This document has been accepted by the City Council but not adopted or acknowledged by DLCD. The 2021 HNA shows a slower population growth and a need for additional land within the UGB to accommodate future growth out to 2041 for housing. The 2021 HNA can be accessed at:
https://www.newbergoregon.gov/sites/default/files/fileattachments/community_development/page/29851/res3752.pdf

197.307 Needed housing policy; clear and objective standards for housing; siting of manufactured dwellings. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

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

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

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

(8) In accordance with subsection (4) of this section and ORS 197.314, a jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

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

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

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

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

(e) The manufactured home 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 dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

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

(g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2; 2011 c.354 §3; 2017 c.745 §5; 2019 c.401 §7]

Note: The amendments to 197.307 by section 14, chapter 401, Oregon Laws 2019, become operative January 2, 2026. See section 18, chapter 401, Oregon Laws 2019, as amended by section 1c, chapter 422, Oregon Laws 2019. The text that is operative on and after January 2, 2026, is set forth for the user's convenience.

197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

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

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

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits

for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

(8) In accordance with subsection (4) of this section and ORS 197.314, a jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

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

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

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

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

(e) The manufactured home 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 dwellings constructed under the state building code as defined in ORS 455.010.

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

(g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any development

standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject.

Finding: The City has a Housing Needs Analysis (HNA) dating back to 2005 and includes a buildable land inventory. Housing types listed above are included as housing to be developed in Newberg. The HNA was acknowledged by The Department of Land Conservation and Development and incorporated into the Newberg Comprehensive Plan. The City prepared a new HNA in 2021 that updates the 2005 HNA. This document has been accepted by the City Council but not adopted or acknowledged by DLCD. The 2021 HNA shows a slower population growth and a need for additional land within the UGB to accommodate future growth out to 2041 for housing. The 2021 HNA can be accessed at: https://www.newbergoregon.gov/sites/default/files/fileattachments/community_development/page/29851/res3752.pdf

The City has clear and objective standards for detached single family, duplexes, triplexes, quadplexes, cottage clusters, townhouse and manufactured homes. The current multifamily standards (5+ units) are discretionary related to site design and building design. The City is proposing a two track system to have discretionary, and clear and objective standards to comply with ORS 197.307(4). Adoption of the proposed amendments will bring the City into compliance with ORS 197.307(4).

D. Newberg Municipal Code

Chapter 15.100 LAND USE PROCESSES AND PROCEDURES

15.100.060 Type IV procedure – Legislative.

A. Type IV Actions Are Legislative. The planning commission shall hold a public hearing and make a recommendation to the city council. The city council shall hold another public hearing and make a final decision.

B. Legislative actions include, but are not limited to:

- 1. Amendments to the Newberg comprehensive plan text;*
- 2. Amendments to the Newberg development code;*
- 3. The creation of any land use regulation.*

C. The public hearing before the planning commission shall be held in accordance with the requirements of this code. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property (refer to NMC 15.100.200 et seq.).

D. Interested persons may present evidence and testimony relevant to the proposal. If criteria are involved, the planning commission shall make findings for each of the applicable criteria.

E. The city council shall conduct a new hearing pursuant to this code. At the public hearing, the staff shall present the report of the planning commission and may provide other pertinent information. Interested persons shall be given the opportunity to present new testimony and information relevant to the proposal that was not heard before the planning commission.

F. To the extent that a finding of fact is required, the city council shall make a finding for each of the applicable criteria and in doing so may sustain or reverse a finding of the planning commission. In granting an approval, the city council may delete, add, or modify any of the provisions in the proposal or attach certain conditions beyond those warranted for the compliance with standards if the city council determines that the conditions are necessary to fulfill the approval criteria.

G. The city council's decision shall become final upon the effective date of the ordinance or resolution.

Finding: Public hearings with the Planning Commission and the City Council are required to finalize a decision regarding the application for the amendment to the Comprehensive Plan and Development Code.

This requirement can be met.

Conclusion: Based on the above findings, the application meets the requirements of Oregon Revised Statutes 197.307(4), criteria to amend the Newberg Comprehensive Plan and Newberg Development Code as noted in this staff report.



RESOLUTION No. 2021-3765

A RESOLUTION SUPPORTING A GRANT APPLICATION AND AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO APPLY FOR A DLCD 2021-2023 TECHNICAL ASSISTANCE GRANT UNDER THE CATEGORY OF PROMOTE PROVISION OF AFFORDABLE AND WORKFORCE HOUSING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL GRANT AWARD CONTRACT DOCUMENTS

RECITALS:

1. During the 2021 legislative session, the Legislature approved the Department of Land Conservation and Development (DLCD) budget that included funds for technical assistance grants to communities.
2. Technical Assistance grants are used to help complete projects that update comprehensive plans and implementing regulations, plan for specific areas, or support inclusive planning activities.
3. The 2021-2023 Grants Allocation Plan, approved by the Land Conservation and Development Commission, lists the program priorities for use of Technical Assistance grant funds as follows:
 - a. Promote provision of affordable and workforce housing
 - b. Promote economic development
 - c. Plan for resilience to natural hazards and climate change
 - d. Provide infrastructure financing plans for urbanizing areas
 - e. Update comprehensive plans and implementing codes to respond to changes in state law or advance regulatory streamlining
4. The Community Development Department proposes to submit for a grant under the category of “a. Promote provision of affordable and workforce housing.” The grant request would be to audit the Newberg Comprehensive Plan and Newberg Development Code, and update necessary goals, policies and development code standards to ensure Newberg’s housing goals and policies, and development regulations are clear and objective for needed housing.
5. As part of the 2021-23 Technical Assistance Grant program the local government must include a resolution from the governing body of the city demonstrating support for the project. The proposed resolution would comply with the grant requirements.

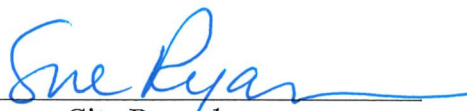
THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. City Council supports the grant application and authorizes the Community Development Director to submit an application to the Department of Land Conservation and Development for a 2021-2023 Technical Assistance Grant to conduct and audit of the Newberg Comprehensive Plan and Newberg Development Code, and update necessary goals, policies and development code standards to ensure Newberg’s housing goals and policies, and development regulations are clear and objective for needed housing.

2. The City Manager is authorized to execute all grant award contract documents.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 21,, 2021.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of September 2021.



Sue Ryan, City Recorder

ATTEST by the Mayor this 23rd day of September, 2021.



Rick Rogers, Mayor

Jim Talt
 201 Crestview Dr
 Newberg, OR 97132
 (503) 554 5461

March 6, 2023

Newberg Community Development & Planning Commission
 414 E First Street
 Newberg, OR 97132

Attention: Planning Commission

Subject: Resolution 2023-386 Related to multifamily residential design standards

Ref: CPTA23-0001, DCA23-0001, Attachment B, Table 15.220.060.B, Private and Shared Recreation Areas

Resolution 2023-386 proposes to allow a 50% reduction of shared open space for multifamily developments that are within $\frac{1}{4}$ mile of a public park. As outlined below, this proposed change does not consider the needs and well-being of all potential residents :

- a) A reduction of shared open space may result in a few more living units but it also has the potential to create a sub-tier category of multifamily residences that will become Newberg's "less desirable" future housing.
- b) As mentioned by 3J Consultant Heather Austin during the Feb 06, joint session council meeting, more than 50% of survey respondents were opposed to the reduction of open space requirements.
- c) Open space and landscaping influence quality of life and mental health. Reducing open spaces will negatively impact on both. This concern was repeatedly voiced by numerous Commissioners during each of the 3 CAC meetings.
- d) Some residents may consider their park as unsafe for them to visit. This concern was raised by Commissioner Kriss Wright during CAC meeting #2.
- e) Residents with mobility issues may have difficulty getting to a park $\frac{1}{4}$ mile from their residence. For example, elderly residents with hip or knee issues, veterans with prosthetics, young parents with toddlers. The proposed reduction of onsite open space ignores their needs and fails the equitable access 'test'.

Finally, the proposed reduction is not required by Oregon State law and is outside the scope of creating clear and objective standards for Newberg multifamily code.

For the reasons cited herein, I request you remove the proposed open space reduction. Also, please consider adding requirements or encouragement for private space such as balconies to upper floor units.

Respectfully,

Jim Talt

Jim Talt
201 Crestview Dr
Newberg, OR 97132
(503) 554 5461

March 8, 2023

Newberg Community Development & Planning Commission
414 E First Street
Newberg, OR 97132

Attention: Planning Commission

Subject: Resolution 2023-386 Related to multifamily residential design standards

Ref: (1) Mar 9 Meeting Agenda VI.A PC Staff Report CPTA23-0001 DCA23-0001
(2) Jim Talt Letter Relating To Resolution 2023-386 dtd 03/06/2023

I apologize for my late arriving comments on the subject resolution and I hope you still have the time to give them full consideration. Listed below are my suggestions. Please don't mistake the bulleted format as curt or impolite. I'm just wanted to be brief and respectful of your time.

- 1) Please designate Institutional land use as Type II Review for both the Clear & Objective and Discretionary paths. Newberg has more than 300 acres of Institutional properties which are adjacent to, or surrounded by, lower density residential properties. It would be insensitive and disrespectful to the surrounding community to allow a large multifamily development without the Type II process that has always been Newberg's approach.
- 2) Please add a private space requirement such as balconies for upper floor units to the Clear & Objective path and wording that encourages or requires it in the Discretionary path. As discussed in my Mar 6 letter, open spaces are important to livability. Also, omitting this design feature could create a less desirable and sub-tier residence when compared to most other existing multifamily units in Newberg.
- 3) Please delete the proposed reduction in shared open space for multifamily residences within ¼ mile of a park. This is discussed in detail in the Mar 6 letter. However, further thought might be given to such a reduction for developments smaller than 10 units.
- 4) It could be helpful to add the methodology for calculating parking spaces to the Clear & Discretionary path in Table 15.220.060.B directly or by reference to the NMC.

Respectfully,

Jim Talt



March 9, 2023

City of Newberg Planning Commission
414 E. First Street
Newberg, OR 97132

RE: Amends the Newberg Comprehensive Plan and Newberg Development Code for Clear and Objective Design Standards for multifamily housing development (5+ units). (CPTA23-0001/DCA23-0001)

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO are supportive of the attempt to reduce barriers to needed housing, including the creation of a clear and objective path for multifamily developments. However, both HLA and FHCO urge the City to adopt the 2021 Housing Needs Analysis (HNA) as soon as possible. Staff should be able to base land use recommendations on the most current data available, which also serves to increase public confidence in the prudence of land use decisions. Only by having a current HNA can the City ensure it is meeting the housing needs of its residents.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Allan Lazo".

Allan Lazo
Executive Director
Fair Housing Council of Oregon

Cc: Kevin Young, DLCD



P.O. Box 1083
McMinnville, Oregon 97128

Helping to shape the use of our natural resources to protect the quality of life in Yamhill County

March 31, 2023

Newberg City Council
414 E. First Street
Newberg, OR 97132

SENT VIA EMAIL

RE: Clear and Objective Design Standards for Multifamily Housing Development
(Ordinance No. 2023-2913; File No. CPTA23-0001/DCA23-0001)

Mayor Rosacker and Council members:

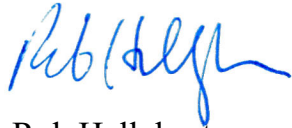
Friends of Yamhill County works to maintain and improve the present and future quality of life in Yamhill County for both urban and rural residents through the implementation of Oregon's land use planning goals, policies, and laws. Friends of Yamhill County supports the planning commission's recommendations concerning proposed clear and objective standards for multifamily housing development.

The staff report states that the amendments are proposed to make the zoning ordinance conform with state law. In addition, clear and objective standards are desired because they increase certainty for developers and they decrease the opportunity for unmerited opposition to permitted development. Both of these effects tend to reduce costs and therefore increase potential affordability of the developed units. Upon review of the proposed amendments, we find that if they are adopted the city will be better positioned to address housing affordability issues in the city. The proposal is well-crafted and reasonable.

An earlier draft of the amendments included proposed changes to parking standards that would have been counterproductive in the effort to increase housing affordability because they would have resulted in a larger number of parking spaces required for some multifamily developments. Unless the city council would consider reducing the number of required spaces, we support the planning commission recommendation to leave the current standards in place.

Friends of Yamhill County encourages the city council to adopt the amendments as recommended by the planning commission. Thank you for the opportunity to submit our comments on these important amendments.

Yours truly,

A handwritten signature in blue ink, appearing to read "Rob Hallyburton", with a stylized flourish at the end.

Rob Hallyburton
Vice President

cc: Doug Rux, Community Development Director



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: Feb 21, 2023
Please refer questions and comments to: Doug Rux

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: City of Newberg, City Council Resolution 2021-3765

REQUEST: A Resolution recommending City Council amend the Newberg Comprehensive Plan and Newberg Municipal Code, Title 15 Development Code, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030, 15.440.030

FILE NO: CPTA23-0001, DCA23-0001

HEARING DATE: 3/9/2023



Project Information is Attached

- ☐ Reviewed, no conflict.
- ☐ Reviewed; recommend denial for the following reasons:
- ☐ Require additional information to review. (Please list information required)
- ☒ Meeting requested.
- ☐ Comments. (Attach additional pages as needed)

Will Worthey

Digitally signed by Will Worthey, CN=Will Worthey, O=City of Newberg, CN=Will Worthey, E=will.worthey@newbergoregon.gov
Reason: I am the author of this document
Location:
Date: 2023.02.13 13:23:50-08'00'
Foxit PDF Editor Version: 12.0.0

2/13/23

Reviewed By:
Will Worthey CM

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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- ☐ Comments. (Attach additional pages as needed)

Brett Musick

Digitally signed by Brett Musick
DN: CN=Brett Musick, E=brett.musick@newbergoregon.gov
Reason: I have reviewed this document
Location:
Date: 2023.02.15 14:44:43-08'00'
Foxit PDF Editor Version: 12.0.0

2/15/23

Reviewed By:
CON-Engineering

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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FILE NO: CPTA23-0001, DCA23-0001

HEARING DATE: 3/9/2023



Project Information is Attached



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

Barbara Davis

Digitally signed by Barbara Davis
DN: CN=Barbara Davis, E=Accountsreceivable@newbergoregon.gov
Reason: I am the author of this document
Location: your signing location here
Date: 2023.02.06 14:38:17-0800
Foxit PhantomPDF Version: 10.1.9

2/6/23

Reviewed By:

Finance

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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HEARING DATE: 3/9/2023



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Meeting requested.



Comments. (Attach additional pages as needed)

April Catan

Digitally signed by April Catan
DN: cn=US, ou=Operations, o=City of Newberg, cn=April Catan, e=april.catan@newbergoregon.gov
Reason: I am the author of this document
Location:
Date: 2023.02.07 07:21:23-08'00'
Foxit PDF Editor Version: 12.0.0

2/7/23

Reviewed By:

City of Newberg

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

2/7/23

Reviewed By:

Public Works Director - City of Newberg

Date:

Organization:

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- ☐ Comments. (Attach additional pages as needed)

A handwritten signature in blue ink, likely of the reviewer.

Reviewed By:
Maintenance Superintendent

Organization:

2/8/23

Date:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Daniel L Wilson

2/6/23

Reviewed By:

City of Newberg Operations

Date:

Organization:

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- ☐ Comments. (Attach additional pages as needed)

A handwritten signature in black ink, appearing to read "Gary M Nelson".

Digitally signed by Gary M Nelson
Date: 2023.02.08 06:47:56 -08'00'

2/8/23

Reviewed By:

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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FILE NO: CPTA23-0001, DCA23-0001

HEARING DATE: 3/9/2023



Project Information is Attached



Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

2/7/23

Reviewed By:

Yamhill County Transit

Date:

Organization:



COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Reviewed, no conflict.



Reviewed; recommend denial for the following reasons:



Require additional information to review. (Please list information required)



Meeting requested.



Comments. (Attach additional pages as needed)

2/6/23

Reviewed By:

Scott Albert - Ziply Fiber Network Engineer

Date:

Organization: 503-526-3544 scott.albert@ziply.com

Newberg Multifamily Code Amendments Online Survey: 1/10/2023 to 1/30/2023

Q1. What is your level of support for or opposition to revising the minimum parking standard for multifamily developments?

Answer Choices	Response Percent	Responses
Strongly Support	16.11%	24
Support	24.16%	36
Neutral	17.45%	26
Oppose	11.41%	17
Strongly Oppose	30.87%	46
	Answered	149
	Skipped	0

Q2. Please provide any additional comments you may have regarding Question 1

Answered	76
Skipped	73

Q3. What is your level of support for or opposition to permitting a reduction in on-site open space for developments within ¼ mile of a public park?

Answer Choices	Response Percent	Responses
Strongly Support	10.74%	16
Support	16.78%	25
Neutral	10.07%	15
Oppose	21.48%	32
Strongly Oppose	40.94%	61
	Answered	149
	Skipped	0

Q4. Please provide any additional comments you may have regarding Question 3

Answered	62
Skipped	87

Q5. What is your level of support for or opposition to not requiring outdoor furnishings for projects utilizing the clear and objective review path?

Answer Choices	Response Percent	Responses
Strongly Support	19.46%	29
Support	18.79%	28
Neutral	26.17%	39
Oppose	15.44%	23

Strongly Oppose	20.13%	30
Answered		149
Skipped		0

Q6. Please provide any additional comments you may have regarding Question 5

Answered	51
Skipped	98

Q7. What is your level of support for or opposition to prohibiting these materials on the street-facing façade for projects utilizing the clear and objective review path?

Answer Choices	Response Percent	Responses
Strongly Support	15.44%	23
Support	23.49%	35
Neutral	29.53%	44
Oppose	10.74%	16
Strongly Oppose	20.81%	31
Answered		149
Skipped		0

Q8. Please provide any additional comments you may have regarding Question 7

Answered	53
Skipped	96

Q9. What is your level of support for or opposition to the proposed amendments to the land use review processes for multifamily developments?

Answer Choices	Response Percent	Responses
Strongly Support	9.4%	14
Support	15.44%	23
Neutral	26.17%	39
Oppose	14.77%	22
Strongly Oppose	34.23%	51
Answered		149
Skipped		0

Q10. Please provide any additional comments you may have regarding Question 9

Answered	60
Skipped	89

Please provide any additional comments you may have regarding Question 1

Respondent ID	Response Date	Responses	Tags
1.14233E+11	Jan 30 2023 09:05 AM	Parking spaces are already difficult to find.	
1.14232E+11	Jan 29 2023 11:37 PM	As long as all parking is off the street and contained within the multi family property parking.	
1.14232E+11	Jan 29 2023 06:04 PM	Parking is already an issue in many residential neighborhoods even under the current codes. Why require even less parking spots?	
1.14232E+11	Jan 28 2023 10:49 AM	I do not support less parking. I oppose tiny homes. I can’t believe our city leaders are even considering this. Traffic is awful and I oppose an urban growth boundary as well.	
1.14232E+11	Jan 28 2023 09:53 AM	minimum parking requirements make housing more expensive	
1.14232E+11	Jan 28 2023 08:25 AM	Parking is already an issue in Newberg. We need more, not less spaces. There needs to be adequate parking available for any development. The above is not enough parking. There is sometimes not enough street parking to accommodate the extra parking needed and should not be relied upon to provide adequate parking. The development itself should provide the parking needs for that development.	
1.14231E+11	Jan 27 2023 12:15 PM		
1.14231E+11	Jan 27 2023 11:09 AM	Please more clearly define dwelling unit.	
1.14231E+11	Jan 27 2023 10:24 AM	This minimum requirement of 1.5 spaces is not based in the reality of need. The need for more than 1.5 spaces will have to be met somewhere. Where will that be met if not at the residence?	
1.14231E+11	Jan 27 2023 10:05 AM	Parking on the streets just clogs everything up and makes it harder for people to see when driving. 0	
1.14231E+11	Jan 27 2023 08:54 AM		
1.14231E+11	Jan 27 2023 07:58 AM	With multi-generation families having to live together this is not enough parking. Plus garages (when available) hardly fit today's cars causing more street parking.	
1.14231E+11	Jan 27 2023 06:15 AM	none	
1.14231E+11	Jan 27 2023 03:23 AM	Parking is already a problem in more dense neighborhoods. I actually hate visiting friends in these areas because of it ND I would hate to live where I have to hunt for parking	
1.14231E+11	Jan 26 2023 07:18 PM	If there are not sufficient parking spaces, residents have to park on the streets. This narrows existing roads and creates ugly clutter in neighborhoods.	
1.1423E+11	Jan 26 2023 05:17 PM	There should be enough parking for 2 vehicles every unit.	
1.1423E+11	Jan 26 2023 04:56 PM	That's not enough parking place! Families typically have two or more vehicles... We can't pretend otherwise. Because of "affordable housing " near Lilly Court, and not enough parking, the livability in this area has been negatively affected. Several times I've had the police ticket vehicles that were either parked on the sidewalk or blocking the Lilly Court intersection itself.	
1.1423E+11	Jan 26 2023 04:31 PM		
1.1423E+11	Jan 26 2023 04:25 PM	Decreasing the limit for larger units will cause overflow to residential streets due to the high number of college students and car collectors.	
1.1423E+11	Jan 26 2023 04:15 PM	Not enough parking on the property causes people to clog the streets with cars or not xtra cars they may have which in turn devalues the neighborhood. Not providing enough parking for the residents or multifamily dwellings will put undue stress on the surrounding residential roadways, and cause an unsafe condition for drivers and pedestrians alike. To assume a residence with up to 5 bedrooms will only have 2 cars is unrealistic.	
1.1423E+11	Jan 26 2023 03:42 PM		
1.1423E+11	Jan 26 2023 03:12 PM	I do not want to see an overabundance of parking on the streets. I think wording should be implemented in the housing contract that each owner is to park in his/her spot and not extra cars on the street. Inadequate parking spaces on site for dwellings forces further congestion along community streets. Example: parking on Debra, where most cars are not licensed or inoperable and I assume belong to residents of the mobile home park or the apartments across the street from the middle school.	
1.1423E+11	Jan 26 2023 03:05 PM	It depends which direction the city wants to move. People need places to park. We are not Portland where there is a more robust transit system. People in Newberg NEED cars to get around and those cars need places to park. If changes need to be made it needs to be on the side of increasing available parking, not decreasing.	
1.1423E+11	Jan 26 2023 03:01 PM		
1.1423E+11	Jan 26 2023 03:00 PM	No need to cram more cars into town. There's already too few spots as is.	
1.1423E+11	Jan 26 2023 02:48 PM	1.5 per unit is too low, it should be 1 space per bedroom	
1.1423E+11	Jan 26 2023 02:17 PM	Most Multifamily projects have crowded parking as it is. Cars often double up or park in non-parking locations, or line the local streets which are often too narrow as it is for two direction traffic when cars are parked along the street	
1.1423E+11	Jan 26 2023 02:06 PM	As long as there is no maximum limit on parking 1.5 per dwelling unit should average out ok.	
1.1423E+11	Jan 26 2023 01:53 PM	If feasible, some parking spaces should be able to be multi-story parking structures; 2 or 3 level parking garages;	
1.1423E+11	Jan 26 2023 01:48 PM	If I’m reading this correctly a 4 bedroom unit will only need the 1.5 parking space in the new proposal? No way	
1.1423E+11	Jan 26 2023 01:46 PM	The new 45 unit complex on River Street has 75 parking spots but still at least 15 vehicles park on the streets every night from this development. I suggest 2x units for similar developments.	
1.1423E+11	Jan 26 2023 01:20 PM	I remember visiting my daughter in Seattle and walking 6 blocks from the first available place to park on the street to her apartment building because there is no parking for her at the building. The current requirement is not enough as it is. starting at 1.5 spaces per unit, we must increase the space requirement for 2 bedrooms on up. The complex at the corner of Villa and Park is a great example of how the current requirements are inadequate.	
1.1423E+11	Jan 26 2023 01:11 PM		
1.1423E+11	Jan 26 2023 01:03 PM	We do not have mass transit so how do you expect people to get to and from work and store?	
1.1423E+11	Jan 26 2023 12:52 PM	Newberg does not need the parking problems of cities like Portland where people cannot park in front of their own homes because dwellings have been crammed into city limits without sufficient parking provided for all these new residents As it currently stands, multifamily developments in Newberg (at least the one in which my wife and I live) barely have adequate parking. If these requirements are revised as described above, new developments will be almost guaranteed to have inadequate parking, creating issues both for residents of new developments and for those who live nearby.	
1.1423E+11	Jan 26 2023 12:52 PM	There’s already problems all over Newberg with side street parking. It’s hard to see if you’re a pedestrian without going halfway across the street because cars are blocking your entire view. And if you’re living in one of the houses or apartments, you have no place to park	
1.1423E+11	Jan 26 2023 12:47 PM		
1.1423E+11	Jan 26 2023 12:45 PM	The city is already screwing people on parking in neighborhood.	

1.1423E+11	Jan 26 2023 12:38 PM	It's fine the way it is
1.1423E+11	Jan 26 2023 12:37 PM	N/A
1.1423E+11	Jan 26 2023 11:04 AM	At least Two parking spots are needed. And that’s not enough
1.1423E+11	Jan 26 2023 10:27 AM	Multi family units 1 bedroom would have a minimum of 2 cars. 2 bedroom, 4 to 5 cars.
1.1423E+11	Jan 26 2023 08:10 AM	This would result in many multi-family units without adequate parking.
1.1423E+11	Jan 25 2023 10:33 PM	2 parking spaces for a 4-bedroom unit is not adequate.
1.1423E+11	Jan 25 2023 09:55 PM	I have been in neighborhoods where there is not parking provided and vehicles are everywhere along the streets preventing vehicles from passing each other, having to wait for one at a time passage. I have seen complexes where too little parking is provided. It quickly becomes an issue that overflows into surrounding neighborhoods, creating incohesiveness in the design and flow of the neighborhood. It also makes the neighborhood look cheap
1.1423E+11	Jan 25 2023 06:11 PM	and visibility difficult for traffic and pedestrians.
1.1423E+11	Jan 25 2023 04:55 PM	I think this needs to be considered holistically with respect to access to services, amenities, and public transit.
1.14229E+11	Jan 25 2023 02:13 PM	I support keeping the number of parking places the same Parking is essential otherwise your streets become more congested since there’s less availability. I believe this makes streets unsafe for others. It also restricts emergency response making for less room available to navigate through. Essentially this is a very Portland thing to do. No thanks.
1.14229E+11	Jan 25 2023 12:43 PM	
1.14229E+11	Jan 25 2023 11:34 AM	Do not decrease parking levels. The apt. complex on Lane and Villa Road is a dangerous NIGHTMARE. I have been in cities without adequate parking in neighborhoods
1.14229E+11	Jan 25 2023 10:35 AM	It becomes neighbor disputes, no place for visitors, tough for deliveries and eventually it becomes a pay to park. Let’s keep Newberg clean.
1.14229E+11	Jan 25 2023 10:27 AM	There is never enough parking provided for developments. Vehicles are forced to park on the street which decreases driver visibility and increases hazards for safety or pedestrians and drivers alike. It also clutters our town. The existing parking requirements are realistic based on typical actual household situations. The proposed flat-rate 1.5 spaces will result in more on-street parking. Any simplification of the review process would be minuscule. Supporting the city’s goal of providing an adequate level of housing for all income levels are nice sounding Equity style words but the result will be cramming a FEW more units onto smaller lots for the enrichment of the developer/landlord and as I previously stated, push more parking onto streets.
1.14229E+11	Jan 25 2023 10:06 AM	
1.14229E+11	Jan 24 2023 02:11 PM	Why use a .2 instead of solid number Wrong again and requirements just like renting OUR City streets to the Chamber of Commerce and GFU (that charges students for our street parking !
1.14226E+11	Jan 21 2023 10:38 AM	This would help offset the price of land, allowing more units.
1.14226E+11	Jan 20 2023 09:53 AM	Even at 1.5 spaces per unit, that could still be too high, since for a building that only had 1 bedroom units or mostly had 1 bedroom units, it would require more parking than the current code. Poorly worded question.
1.14226E+11	Jan 20 2023 07:09 AM	Our new buildings at Crest View crossing are a disgrace. The parking is beyond ridiculous. As a realtor I couldn’t even park nearby to show the unit.
1.14225E+11	Jan 19 2023 03:18 PM	If there's not enough parking provided, where will people park? It's not fair to have folks parking in front of other folks' properties so that they then have to park far from their home...
1.14225E+11	Jan 19 2023 11:15 AM	Could reduce them more than proposed.
1.14225E+11	Jan 19 2023 09:43 AM	As public transit options increase, parking requirements should decrease. Also, putting housing near services can also reduce the need for parking.
1.14224E+11	Jan 18 2023 09:34 AM	Parking is an issue in some residential areas
1.14221E+11	Jan 14 2023 12:06 PM	Keep the current parking requirements
1.14221E+11	Jan 13 2023 08:57 PM	We need vastly improved public transportation so people don't need cars. We should not be building new housing without adding bus routes, and we need a train to Portland and Salem. I want people to have adequate parking space. I also do not want the entire planet paved over for parking. If there are ways to make the parking compact, such as parking garages with multiple levels, or parking under residences, that would be better
1.14221E+11	Jan 13 2023 11:01 AM	than making parking lots everywhere. I also would rather there was increased public transit so not everyone needs a car.
1.1422E+11	Jan 12 2023 05:38 PM	I support the changes, but I’m also interested in a scenario where units close to public transit could have fewer. Hard to do right now though with the lack of enough bus stops.
1.14219E+11	Jan 11 2023 02:39 PM	None
1.14219E+11	Jan 11 2023 06:40 AM	Most 1 bedroom units have 2 drivers/vehicles. Lack of spaces put vehicles on the street for parking and potentially in front of other residents.
1.14218E+11	Jan 10 2023 07:31 PM	So you propose reducing the amount of parking? NO! There's not enough parking for any of the new developments as it is.
1.14218E+11	Jan 10 2023 04:45 PM	Many streets are overcrowded currently. Families need more parking spaces not less
1.14218E+11	Jan 10 2023 02:34 PM	I think each 1 bedroom unit or larger should have two spaces available per unit.
1.14218E+11	Jan 10 2023 02:11 PM	If you are going to reduce parking, you must improve bus transportation. The mess on E. Park Lane caused by the development of Chehalem Point Apartments should be a clear indication that more parking spaces need to be required per unit. That street isn’t wide enough to allow parking on both sides of the street, yet it’s
1.14218E+11	Jan 10 2023 02:08 PM	happening. I’ve been nearly hit on that street multiple times.
1.14218E+11	Jan 10 2023 12:32 PM	We need to be thinking about ways to create a more walkable Newberg, inflated parking requirements take up needless space and are counter productive to the kind of city infrastructure that promotes a healthy lifestyle and high quality of life.
1.14218E+11	Jan 10 2023 12:18 PM	We need to talk about this in conjunction with the proximity of these zones with amenities/grocery/public transit/communal spaces and parks. We need to ween away from car dependence. Also. We need to have better bike infrastructure.
1.14218E+11	Jan 10 2023 12:09 PM	It’s important to have enough parking for tenants, once the streets are crowded with parked cars the overall quality of the neighborhood goes downhill.
1.14218E+11	Jan 10 2023 11:44 AM	I’d rather see more visitor parking required, but I’d support it as written.

Please provide any additional comments you may have regarding Question 3

Respondent ID	Response Date	Responses	Tags
1.14233E+11	Jan 30 2023 08:36 AM	The yards of multi-family home are small enough. Reducing the yards even more you might as well just build apartments.	
1.14232E+11	Jan 29 2023 06:04 PM	Open spaces are important for quality of life. I like the requirement as it currently exists.	
1.14232E+11	Jan 28 2023 10:49 AM	We need more parks!! And open spaces. Not less!!	
1.14232E+11	Jan 28 2023 09:53 AM	The city already pays for the public space to be maintained, incentivizing the construction of denser multi-unit housing near parks will make community engagement more vibrant and organic. this proposal will benefit the community	
1.14232E+11	Jan 28 2023 08:25 AM	We need to keep open and green spaces around the city available for citizens to still enjoy a bit of nature without paving over everything.	
1.14231E+11	Jan 27 2023 03:09 PM	In my opinion, it is not healthy for us to live in the types of densities being advocated today. The reduction in open space is detrimental to the people living in the development and the areas around the development. Kids need more than parks to run, climb and be active for their physical development as well as their mental/emotional development. The tall, close together building that are being built in Newberg are NOT good for the people living in those tight quarters, nor are they good for the community.	
1.14231E+11	Jan 27 2023 12:15 PM	If the public park is accessible (walkable continuous sidewalks that are usable for those with disabilities)	
1.14231E+11	Jan 27 2023 11:09 AM		
1.14231E+11	Jan 27 2023 10:24 AM	People need open spaces conveniently located near their residence. As a parent living in the Pacific NW weather and safety are always a concern so being able to play close by so I can keep an eye on my children for safety reasons is paramount.	
1.14231E+11	Jan 27 2023 10:05 AM	We don't need to just cram everything together and everyone needs space outside their door with easy access.	
1.14231E+11	Jan 27 2023 08:54 AM		0
1.14231E+11	Jan 27 2023 07:58 AM	I do not want cars lining streets around parks. Parks should be inviting.	
1.14231E+11	Jan 27 2023 06:15 AM	none	
1.14231E+11	Jan 26 2023 07:41 PM	Crowded housing and lack of green space result in shortage of places to walk and play, and simply feel there is some privacy. More green space also improves mental health.	
1.14231E+11	Jan 26 2023 07:18 PM	This will take away available parking near parks, so that people will find it much more difficult to visit the parks.	
1.1423E+11	Jan 26 2023 05:17 PM	The developments should have to supply enough spots for 2 cars every unit.	
1.1423E+11	Jan 26 2023 04:31 PM	This code was originally put into place for a good reason and that reason hasn't changed.	
1.1423E+11	Jan 26 2023 04:15 PM	The current open space requirement helps to combat congestion. Any requirement to lessen the amount of open space required only hurts the neighborhoods.	
1.1423E+11	Jan 26 2023 03:05 PM	I think the further scrunching of people into ever smaller spaces will eventually lead to people demonstrating less and less respect for property maintenance and eventual slum zones.	
1.1423E+11	Jan 26 2023 03:01 PM	We need green spaces. We need trees to provide shade protection and provide oxygen. Kids need places to play outside safely and close to their dwellings. 1/4 mile is to far in some cases.	
1.1423E+11	Jan 26 2023 03:00 PM	You're going to take away parking for long time residents? No.	
1.1423E+11	Jan 26 2023 02:17 PM	The open space in multifamily projects is often not used, and creates more maintenance. With a park close by, it seems to meet the objectives and makes sense to reduce that requirement from the development	
1.1423E+11	Jan 26 2023 02:12 PM	I have mobility issues so walking 1/4 mile to a park is not an option. Currently there is only 1 park with access to a major arterial. All other parks are accessed through neighborhood streets. This proposal will increase traffic in neighborhoods an make it more likely that under school age children will not have close to home facilities.	
1.1423E+11	Jan 26 2023 02:06 PM	Kids need places to play & dogs & cats can run quite near their homes & not always at nearby parks or school District places;	
1.1423E+11	Jan 26 2023 01:53 PM	How is the 1/4 mile measured? It should be walking distance from the most distal part of the development to the childrens playground. If there is no children's playground in the park, then it shouldn't be counted.	
1.1423E+11	Jan 26 2023 01:46 PM	Why do we want to be so much like a big city and get rid of our open spaces for some companies gain in profit.	
1.1423E+11	Jan 26 2023 01:20 PM	Again Newberg does not need to transform into Portland where projects style housing is built	
1.1423E+11	Jan 26 2023 12:52 PM	That dip shit Brett with the city doesn't care,about public safety	
1.1423E+11	Jan 26 2023 12:45 PM	It's fine	
1.1423E+11	Jan 26 2023 12:38 PM	N/A	
1.1423E+11	Jan 26 2023 12:37 PM	Need close open space for dogs and kids. Healthy outdoor activities leads to healthy lifestyle	
1.1423E+11	Jan 26 2023 10:27 AM		
1.1423E+11	Jan 26 2023 08:41 AM	Gardens and open spaces make for better places to live. What if the apartments are within a qtr mile of Jaquith but on the east side of College. No cross walks. Poor access. A long way for a young mother. Let's keep our building grounds desirable	
1.1423E+11	Jan 26 2023 08:10 AM	1/4 mile from a park is too far to allow children to play unattended. Maintaining current public space requirements where children can be seen from a home's windows is much safer.	
1.1423E+11	Jan 25 2023 10:33 PM	There is no provision to ensure that the park size is adequate for the properties that would be eligible for the reduction. A tiny park could allow a 50% reduction in on-site open space for a multitude of properties within a 1/4 mile radius.	
1.1423E+11	Jan 25 2023 04:55 PM	Unless you are going to increase parks and trails and public green space preemptively, green space earmarked for development needs to be honored or even expanded upon.	
1.14229E+11	Jan 25 2023 02:13 PM	I am for keeping the amount of outdoor open space the same if not increasing it	
1.14229E+11	Jan 25 2023 12:43 PM	Let me rephrase the question you asked : Do we want to lower the livability by making less green space? Do we want families to walk farther in Oregon weather to have kids play? No.	
1.14229E+11	Jan 25 2023 11:34 AM	People need oen areas. Cramming them like sardines is bad for mental health and crime goes up when you cram people together.	
1.14229E+11	Jan 25 2023 10:27 AM	People need private space for their mental health and well being. The proposed revision would complicate the review process. It would also reduce the open spaces, garden, paths, and other beneficial aspects to the on-site location. It will create lower-tier living accommodations. And it will add more units onto smaller lots for the enrichment of the developer/landlord at the expense of livability for future residents. Sitting areas/tables may benefit young families/children	
1.14229E+11	Jan 25 2023 10:06 AM	Safety and recreation needs at home instead of having to transport or walk to the park area -they should be allowed the space at their home as well. You are just GIVING the developer more land	
1.14226E+11	Jan 20 2023 09:53 AM	With the reduced open space requirement, it is important that the city ensure adequately fund public parks. The city has parks set aside for public use. This is at a great cost to the property owners of the city. In order for a developer to profit from his/her development they need to maximize their cash generating decisions. Having more housing on site is a cost benefit to the person taking the financial risk to provide housing. Hobbling them with a requirement to provide something already provided in our city is a development deterrent.	
1.14226E+11	Jan 20 2023 07:09 AM	Open space is important to quality of neighborhoods. If we wanted to live in a dense urban atmosphere we would live in a dense urban atmosphere already.	
1.14225E+11	Jan 19 2023 03:18 PM	As the city grows, parks should be planned to be built near land zoned for higher density housing.	
1.14225E+11	Jan 19 2023 09:43 AM	apartments or town houses around a park is great	
1.14224E+11	Jan 18 2023 09:34 AM	Open space should be kept at the current required minimum. If more housing is desired for the same space, build up not out. Reduce urban sprawl.	
1.14221E+11	Jan 14 2023 12:06 PM	Apartment complexes should be required to offer vegetable garden space to tenants - perhaps 2 raised beds per dwelling unit, or a community garden type arrangement.	
1.14221E+11	Jan 13 2023 08:57 PM	Everyone needs open space. A public park is nice, but we already have those, and we're talking about developing more places. We need to make sure we're keeping enough open space, too--particularly keeping trees, which help the whole neighborhood to not be as hot in the summer.	
1.14221E+11	Jan 13 2023 11:01 AM	Should be within 1/2 mile not 1/4 mile.	
1.1422E+11	Jan 12 2023 06:39 PM	It makes sense, and I would vote for this, but as a parent of a toddler in an apartment complex, I'm always going to prefer a playground closer than further. 1/4 mile is fine for our family to go together but feels too far to send children unaccompanied. But if it encourages more housing per acre, it's a worthwhile sacrifice.	
1.1422E+11	Jan 12 2023 05:38 PM	The current open spaces make the properties look better and are easier on caregivers.	
1.14219E+11	Jan 11 2023 06:40 AM	Multi family dwellings surrounding parks will make the parks less accessible for everyone else. While affordable housing is a critical need, we cannot balance that against the benefits that come from greenspace. Greenspace allows for better drainage into our aquifers, allows for space for birds and other wildlife, and is important to children and many others.	
1.14219E+11	Jan 10 2023 10:01 PM	No! Current dwellings are already too crowded in too small of a lot. Stop this nonsense! Newberg has limited land and it's already impacted the quality of life not to mention the ridiculous traffic problems with little to no roadway improvements to existing overly traveled routes.	
1.14218E+11	Jan 10 2023 07:31 PM	We need more green space, but less, regardless of proximity to other parks. Trees which must be removed from property being developed should be replaced 1:1 by new trees.	
1.14218E+11	Jan 10 2023 02:34 PM	This reduction will only work if there are safe and easy-to-use sidewalks and bike paths with good pavement surfaces.	
1.14218E+11	Jan 10 2023 02:11 PM	As long as there is a park within 1/4 mile, this is a positive for housing development.	
1.14218E+11	Jan 10 2023 02:08 PM	This is a great ideal Public parks not only provide equal access to open space to all, but bring communities together in a way that spaces on private developments do not!	
1.14218E+11	Jan 10 2023 12:32 PM	Do not sacrifice green space. You greedy bastards.	
1.14218E+11	Jan 10 2023 12:18 PM	Let's not compress our neighborhoods more than they are, keep the present requirements in place but also enhance our public parks.	
1.14218E+11	Jan 10 2023 12:09 PM	1/4 mile is a long way with small children or a disability. Open space should be required for all, wether a park is nearby or not. It's what keeps the suburbs from looking like cities.	
1.14218E+11	Jan 10 2023 11:44 AM		

Please provide any additional comments you may have regarding Question 5

Respondent ID	Response Date	Responses	Tags
1.14232E+11	Jan 28 2023 10:49 AM	Developers only see money. They must be held accountable to provide for our citizens if they want to build here. Our infrastructure can’t handle more. Period!	0
1.14232E+11	Jan 28 2023 09:53 AM	these required amenities are rarely used by tenants, be it public housing or class A multi developments. outdoor amenities may look good and help an owner lease-up but the reality is they sit unused.	
1.14232E+11	Jan 28 2023 08:25 AM	Also great to have nice places to sit and rest and enjoy the outdoors. Let’s keep these spaces available to citizens so that we can encourage more outdoor time, and foster more community. Certain types of furnishings are appropriate depending on the target population of the housing (family, elderly). If left to the developer you will get the minimum support facilities and a t a cost that is of benefit to the developers bottom line.	
1.14231E+11	Jan 27 2023 03:09 PM		
1.14231E+11	Jan 27 2023 12:15 PM	The outdoor space needs to be usable. Not providing the equipment needed to enjoy the space is irresponsible at best.	
1.14231E+11	Jan 27 2023 10:24 AM	My concern is that this is not left up to the builder to decided whether of not to spend more money on they items and they most likely will decide not to in order to cut costs and increase profits resulting in less desirable open spaces	
1.14231E+11	Jan 27 2023 10:05 AM	None	
1.14231E+11	Jan 27 2023 08:54 AM		
1.14231E+11	Jan 27 2023 06:15 AM	none	
1.14231E+11	Jan 27 2023 03:23 AM	It just feels like you are trying to squeeze in more dwellings into a small space	
1.14231E+11	Jan 26 2023 07:41 PM	People can bring their own badminton racquets or soccer balls to their outdoor space.	
1.14231E+11	Jan 26 2023 07:18 PM	In dense housing, there should be areas where children can play and neighbors can visit.	
1.1423E+11	Jan 26 2023 04:15 PM	Not every open space needs outdoor furniture etc.	
1.1423E+11	Jan 26 2023 03:12 PM	personally i don't believe contractors will provide outdoor furnishings. it will cost them more to do so.	
1.1423E+11	Jan 26 2023 03:05 PM	R we concerned about developers bottom lines or the livability of the structures and amenities for residents?	
1.1423E+11	Jan 26 2023 03:01 PM	Kids need places to play safely outside. Outdoor places in multifamily dwellings give a place to build community and for people to gather.	
1.1423E+11	Jan 26 2023 03:00 PM	No. Leave it up to the neighborhood's discretion via space committee and developers.	
1.1423E+11	Jan 26 2023 02:48 PM	That many residence need additional area to spread out	
1.1423E+11	Jan 26 2023 02:17 PM	Let the developer decide what is appropriate for outdoor furnishings	
1.1423E+11	Jan 26 2023 02:06 PM	None	
1.1423E+11	Jan 26 2023 01:53 PM	We must continue to allow developer/owners the right to add special features to bring joy to their tenants; these features are also helpful marketing features;	
1.1423E+11	Jan 26 2023 01:20 PM	Why would a city depend on a developer who is a for profit company to decide whether they can build another building and not a place to let kids and pets play.	
1.1423E+11	Jan 26 2023 12:52 PM	Let's keep Newberg a place that has a pleasant atmosphere and isn't just rows and rows of project style housing like some type of dystopian nightmare sci-fi movie	
1.1423E+11	Jan 26 2023 12:47 PM	I’d like a picnic tables and benches. Would also really like it if more places had bathrooms that isn’t a bush or a porta potty. It’s hard for some people to do a lot of walking without needing to take a break, similar with the bathroom	
1.1423E+11	Jan 26 2023 12:45 PM	None	
1.1423E+11	Jan 26 2023 12:38 PM	Nope	
1.1423E+11	Jan 26 2023 12:37 PM	N/A	
1.1423E+11	Jan 26 2023 11:04 AM	It’s nice to have places to sit	
1.1423E+11	Jan 26 2023 10:27 AM	Again outdoor space is a top priority for healthy living	
1.1423E+11	Jan 26 2023 08:41 AM	When combined with #3 above which reduces open spaces, this zero requirement for outdoor furnishings takes us in the direction of building Barracks for workers. If newberg wants to compete for desirability, it needs to provide homeowners with nicely planned communities that provide adequate outdoor spaces for recreation, parking, leisure, shopping (shopping as a leisure, not as a necessity; like outside gathering places in and around retail).	
1.1423E+11	Jan 25 2023 06:11 PM		
1.1423E+11	Jan 25 2023 04:55 PM	Developer discretion is never in favor of community development. Minimum outdoor furnishings and accessibility must be met or exceeded.	
1.14229E+11	Jan 25 2023 02:13 PM	I think developers should provide outdoor furnishings	
1.14229E+11	Jan 25 2023 12:43 PM	A developer will choose to keep costs down by not adding these features.	
1.14229E+11	Jan 25 2023 11:34 AM	Requirements like this aren't cost effective and make rents higher with little benefit. Let the builder/owner decide.	
1.14229E+11	Jan 25 2023 10:35 AM	The nice park like feel is nice	
1.14229E+11	Jan 25 2023 10:06 AM	What is the meaning of "proposed clear and objective review path"? It's Not defined and sounds like word-smithing to evoke comfort and agreement with the proposed position.	
1.14226E+11	Jan 20 2023 07:09 AM	Developers should have the financial freedom to not have government decide on frivolous amenities requirements for their financial risk. Safety requirements of course but not design decisions.	
1.14225E+11	Jan 19 2023 11:15 AM	This is acceptable as long as it is demonstrated that it results in more-affordable housing.	
1.14224E+11	Jan 18 2023 09:34 AM	if reducing private outdoor space for apartments/townhomes then developers should provide nice common space for grills, playgrounds and walking paths for dog walks	
1.14221E+11	Jan 14 2023 12:06 PM	Minimum outdoor furnishings should be required in development plans	
1.14221E+11	Jan 13 2023 08:57 PM	Again, I think vegetable gardening should be promoted in the landscape design.	
1.14221E+11	Jan 13 2023 11:01 AM	I don't think there needs to be one set of rules governing all outdoor furnishings. I think there needs to be flexibility based on that particular location.	
1.1422E+11	Jan 12 2023 06:39 PM	Developers should not be required to install outdoor furnishing The lack of these features hinders the development of community relationships, which are already deficient in rental complexes. But developers generally don’t prioritize building spaces that foster neighbor-to-neighbor relationships. I	
1.1422E+11	Jan 12 2023 05:38 PM	don’t think the city is obligated to legislate this either, but I do wish our rental communities chose to offer such gathering spaces, especially for children.	
1.14219E+11	Jan 11 2023 02:39 PM	This helps facilitate usage. “Flexibility” sounds like cost savings for developers rather than providing what will be helpful to residents	
1.14218E+11	Jan 10 2023 02:34 PM	Developers should pay the CPRD a fee for each green space that needs to be furnished, and allow the people who specialize in park planning to determine what should be added. Developers will not chose to spend money on recreational components unless it is required, so how about a specific percentage based on projected gross sales be set aside for these recreational components to be decided by the	
1.14218E+11	Jan 10 2023 02:11 PM	neighborhood association within the first year of residency.	
1.14218E+11	Jan 10 2023 02:08 PM	N/A	
1.14218E+11	Jan 10 2023 12:18 PM	We need to encourage community building and that means interacting with neighbors even passively. Fewer cars and more neighborly interaction.	
1.14218E+11	Jan 10 2023 11:44 AM	Builders will do the least amount required. This just allows them to do less.	

Please provide any additional comments you may have regarding Question 7

Respondent ID	Response Date	Responses	Tags
1.14232E+11	Jan 29 2023 06:04 PM	These types of exterior cladding are a fire risk. Just look at what happened to Grendel Tower in London, UK.	
1.14232E+11	Jan 28 2023 06:21 PM	Supportive if D and E	
1.14232E+11	Jan 28 2023 10:49 AM	Should not use sub standard materials. These questions are like trick questions.	
1.14232E+11	Jan 28 2023 09:53 AM	I know that T-111 is ugly as, but what’s wrong with unpainted CMUs or corrugated metal?	
1.14232E+11	Jan 28 2023 08:25 AM	No opinions on this	
1.14231E+11	Jan 27 2023 12:15 PM	The real question is not whether they should not be on the street facade, but whether they should be visible within the whole project. Allowing low quality materials is questionable.	
1.14231E+11	Jan 27 2023 11:09 AM	Vinyl siding should be allowed. It is allowed on single homes lasts a very long time, requires less painting.	
1.14231E+11	Jan 27 2023 10:24 AM	I support this from a beautification standpoint but won't this increase building costs thus making housing less affordable?	
1.14231E+11	Jan 27 2023 10:05 AM	None 0	
1.14231E+11	Jan 27 2023 08:54 AM		
1.14231E+11	Jan 27 2023 06:35 AM	Not an advocate for vinyl siding. It damages easily and depreciates quickly.	
1.14231E+11	Jan 27 2023 06:15 AM	none	
1.14231E+11	Jan 27 2023 03:23 AM	So now we just let neighborhoods be densely packed and ugly?	
1.14231E+11	Jan 26 2023 07:18 PM	Such a prohibition is needed because these materials are not in any way attractive.	
1.1423E+11	Jan 26 2023 05:17 PM	Efis stucco are fine. Ban T-111	
1.1423E+11	Jan 26 2023 04:31 PM	I'm not clear on vinyl siding.... If the pvc type is problematic. Usually vinyl siding looks pretty good... At least when new!	
1.1423E+11	Jan 26 2023 03:00 PM	Absolutely not. Who are you to tell us what kind of siding we can or can't use? Rediculous... This is not a gated community run by a homeowners association.	
1.1423E+11	Jan 26 2023 02:48 PM	The type of material is less important then the design that is used	
1.1423E+11	Jan 26 2023 02:17 PM	Properly incorporated and installed, all of these alternative products can be very attractive and possibly require less maintenance	
1.1423E+11	Jan 26 2023 02:06 PM	Limiting the materials to be used serves no purpose other than to soothe the sensibilities of those who can afford better.	
1.1423E+11	Jan 26 2023 01:53 PM	The entire structure needs to be finished correctly not just the side facing the street!	
1.1423E+11	Jan 26 2023 01:46 PM	This is too much government control for appearances. Give some freedom.	
1.1423E+11	Jan 26 2023 01:20 PM	Why would you give up a street view of a community that cares over a concrete jungle.	
1.1423E+11	Jan 26 2023 01:11 PM	The is government overreach. If they are safe and effective material the city should not dictate this.	
1.1423E+11	Jan 26 2023 12:52 PM	Newberg does not need ugly industrial designs on homes	
1.1423E+11	Jan 26 2023 12:45 PM	If you let them build fast a cheap, Newberg will soon become the next portland	
1.1423E+11	Jan 26 2023 12:38 PM	Nope	
1.1423E+11	Jan 26 2023 12:37 PM	N/A	
1.1423E+11	Jan 26 2023 08:41 AM	What materials are considered best?	
1.1423E+11	Jan 26 2023 08:10 AM	We don't want unsightly facades throughout Newberg. It is probably a bit of a tradeoff with slightly higher construction costs, but a better tradeoff in the long run for maintaining home value and the city's appearance.	
1.1423E+11	Jan 25 2023 04:55 PM	Aesthetic is less important than sustainability and ecological impact.	
1.14229E+11	Jan 25 2023 02:54 PM	New construction is ugly enough already. I think there are modern cement facings that look good that should be considered not sure about t1-111 or others it's on a case-by-case basis because these materials change over time so perhaps	
1.14229E+11	Jan 25 2023 02:13 PM	they need to be considered on a product by product basis	
1.14229E+11	Jan 25 2023 12:43 PM	Those are garbage building materials. Short life span and don’t weather well. Cheap and ugly.	
1.14229E+11	Jan 25 2023 11:34 AM	Makes higher costs for little benefit.	
1.14229E+11	Jan 25 2023 10:35 AM	Keep Newberg looking nice Probably an unneeded requirement that unnecessarily limits building materials. We have plenty of attractive T-111 or vinyl sided structures in Newberg. What then, are the encouraged materials and finishes?	
1.14229E+11	Jan 25 2023 10:06 AM		
1.14226E+11	Jan 21 2023 10:38 AM	While i don't like the look of corrugated metal, it seems to be a popular siding. Not sure about the cost--if it could iave some money, then it's ok Government needs to stay out of design demands. Government can make sure their land and buildings are pretty but they should not over reach the public’s decision on esthetics. Exterior materials	
1.14226E+11	Jan 20 2023 07:09 AM	is a financial decision for the builder/developer. Require an HOA to maintain the esthetic if that’s a concern.	
1.14225E+11	Jan 19 2023 03:18 PM	Totally depends on what the materials look like - are they esthetically pleasing? Do they look like good quality construction or low-budget and cheap?	
1.14225E+11	Jan 19 2023 09:43 AM	Materials should be reviewed in context of the location of the development and the overall site plan.	
1.14225E+11	Jan 19 2023 07:19 AM	I’m not entirely sure what the materials mean for building code or structures, but aesthetics are subjective. I could see “industrial” materials like concrete and corrugated metal being used tastefully.	
1.14224E+11	Jan 18 2023 09:34 AM	new developments should keep with the existing neighborhoods architectural esthetic I don’t understand why they are prohibited. More information would be nice. Are they environmentally unsustainable? That would be the only acceptable reason. Otherwise you are legislating taste.	
1.14221E+11	Jan 13 2023 08:57 PM	I don't like vinyl siding, but I think corrugated metal looks really cool in a house.	
1.14221E+11	Jan 13 2023 11:01 AM	I don't feel like I have enough info to answer this question well.	
1.1422E+11	Jan 12 2023 06:39 PM	The city should not be in the business of deciding materials	
1.14219E+11	Jan 11 2023 02:39 PM	Neutral	
1.14218E+11	Jan 10 2023 07:31 PM	So you're only concerned with street appeal? How about all materials be long lasting The planning department needs to do a better job of communicating what is necessary for each project and to expedite simple material replacement projects. A similar recent project took nearly 4	
1.14218E+11	Jan 10 2023 02:34 PM	months to approve with poor or no communication from the planning department.	
1.14218E+11	Jan 10 2023 02:11 PM	Any facade that is visible from a public place (i.e, street) should be a preferred material.	
1.14218E+11	Jan 10 2023 02:08 PM	I’m fine with an ugly facade if it helps house people. Who really gives a shit? A place for people to stay warm and dry is more important. I don’t understand why vinyl/PVC siding and unfinished concrete would be prohibited from use on street-facing facades of buildings in the first place, much less why we should mandate that	
1.14218E+11	Jan 10 2023 01:08 PM	prohibition for all multi-family housing.	
1.14218E+11	Jan 10 2023 12:18 PM	Looks are secondary to sustainable practices and materials.	

Please provide any additional comments you may have regarding Question 9

Respondent ID	Response Date	Responses	Tags
1.14233E+11	Jan 30 2023 05:58 PM	There should always be hearing for zone changes	0
1.14232E+11	Jan 29 2023 11:37 PM	The public should always have a chance to give input if their surrounding community is going to be effected by construction.	
1.14232E+11	Jan 29 2023 06:04 PM	I support red tape around building and planning permission. Homeowners have the right to a say on what developments get added to our neighborhoods. The city must be open and honest	
1.14232E+11	Jan 28 2023 10:49 AM		
1.14232E+11	Jan 28 2023 08:25 AM	Don't really understand	
1.14231E+11	Jan 27 2023 03:09 PM	I don't think it is ever a good idae to eliminate the publics opportunity to know and comment on whaqt is going on in the neighborhood. Those living near and impacted by the project should be notified and have the right to either say they approve of the development or they do not and why. They have a right to know when a development is going in near them. Also, the city staff NEEDS to adhere to city code in reviewing the proposed requests. Their job is NOT to figure out how to get the approval of the project (which I have personally seen when the development did not meet city codes) but figure out if the project meets code and what changes need to be made so the project does meet code.	
1.14231E+11	Jan 27 2023 12:15 PM		
1.14231E+11	Jan 27 2023 11:09 AM	These descriptions are getting technical. Simplify use common terms and speech if you want us in the public to understand better.	
1.14231E+11	Jan 27 2023 10:24 AM	Need more information on the implication of this	
1.14231E+11	Jan 27 2023 10:05 AM	We need to be able to review what is going in and filling up our areas.	
1.14231E+11	Jan 27 2023 08:54 AM		
1.14231E+11	Jan 27 2023 07:58 AM	The community should be at least made aware as new projects to be able to provide input in any new building. I know it takes time to do that, but if we want to stay a "community", people voices should be heard. That said, it doesn't mean we vote on every little thing.	
1.14231E+11	Jan 27 2023 06:15 AM	none	
1.14231E+11	Jan 27 2023 03:23 AM	While Newberg makes things very hard with permits, I think there should be caution with building of this kind.	
1.14231E+11	Jan 26 2023 07:41 PM	Public notice allows input on any number of particular circumstances that individuals should have input on.	
1.14231E+11	Jan 26 2023 07:18 PM	If something is going to be built that is potentially ugly, and going to lower neighborhood property values, the public SHOULD have a say in these projects!	
1.1423E+11	Jan 26 2023 05:17 PM	All projects should go through the same scrutiny.	
1.1423E+11	Jan 26 2023 04:31 PM	There should always be a public review.	
1.1423E+11	Jan 26 2023 03:42 PM	A type 1 review is not acceptable for any development in any city there must be oversight.	
1.1423E+11	Jan 26 2023 03:12 PM	I think all proposed amendments should be public notice.	
1.1423E+11	Jan 26 2023 03:01 PM	Current residents close to the impacted property deserve to have a say in what happens to the land surrounding them. The decision should not be made by a few without input from those it will effect.	
1.1423E+11	Jan 26 2023 03:00 PM	Stop messing with things and fix the potholes. This is all unnecessary busy work brought to charge more money. No.	
1.1423E+11	Jan 26 2023 02:48 PM	Homes are purchased many time based in Zoning Codes, all existing R codes should stay as is	
1.1423E+11	Jan 26 2023 02:17 PM	Streamline the processes. Less blue tape. Needs community input if it falls into an area of a zone that does not allow multifamily outright. But if approved for it, why not allow to be design review and not require community input	
1.1423E+11	Jan 26 2023 02:06 PM	None	
1.1423E+11	Jan 26 2023 01:53 PM	As a former Planning Commission member I prefer Type 2 plans have Public Notice & PC approval as long as the process is extremely streamline & fast!	
1.1423E+11	Jan 26 2023 01:46 PM	I don't understand this as written and don't have time or motivation to dig into it. A more thorough explanation of what it really means should have been done here.	
1.1423E+11	Jan 26 2023 01:20 PM	I'm sure every developer would file a type 1	
1.1423E+11	Jan 26 2023 12:52 PM	There should be review of major projects that will impact the lives of all Newberg residents	
1.1423E+11	Jan 26 2023 12:52 PM	Since a multifamily development significantly changes a neighborhood, residents should be given the courtesy of at least a public notice if not a public hearing as well for any new development.	
1.1423E+11	Jan 26 2023 12:47 PM	No, I want to have an opinion about it	
1.1423E+11	Jan 26 2023 12:38 PM	It's the right of the people to decide not just staff...	
1.1423E+11	Jan 26 2023 12:37 PM	N/A	
1.1423E+11	Jan 26 2023 10:27 AM	All planning and building of single family neighborhoods, multi family or businesses should have notice and hearing from the public.	
1.1423E+11	Jan 26 2023 08:41 AM	The proposed change would reduce public awareness and transparency which is IMO unacceptable. Most people, including myself, don't understand R and C codes/numbering system. They should be fully explained before these survey questions are asked. In general, the more the public knows about proposed developments, the better, but it should not hamper or create barriers to construction completion. If one could count on "Clear and Objective" as actually meeting the dictionary definitions of those words, that part would be acceptable. History has shown that Newberg can't be counted on to follow that. Similarly, it is clear that "public notice" is generally nothing more than that. That is, the public is made aware of the pending decision, but little weight is given to their input.	
1.1423E+11	Jan 26 2023 08:10 AM	Let residents weigh in ALWAYS.	
1.1423E+11	Jan 25 2023 10:33 PM	None	
1.14229E+11	Jan 25 2023 02:54 PM	Public should get to decide, not politicians with special interests	
1.14229E+11	Jan 25 2023 02:13 PM	I eed more information	
1.14229E+11	Jan 25 2023 11:34 AM	Citizens should have input on these developments as they directly affect the livability and value of their neighborhood. City officials tend not to have a as much of vested interest in the livability of the specific neighborhoods.	
1.14229E+11	Jan 25 2023 10:06 AM	I can't support reducing the transparency that comes from the current land-use public notification processes. People need to be informed. In this way Newberg residents are allowed involvement. The proposed changes would give more decision authority to city staff. However, City staff may live in Sherwood or Lafayette and not have the same concern for a multi-family development as would the Newberg neighbors to the development.	
1.14229E+11	Jan 24 2023 02:11 PM	The Citizens need to have input on their backyards and what is going into them or next to .	
1.14226E+11	Jan 21 2023 10:38 AM	I would also strongly support a Type 1 proceeding for clear and objective path in R-2, C and I districts.	
1.14226E+11	Jan 20 2023 07:09 AM	Neutral because the city does not listen to the citizens during the public comment phase. It's a cursory event with no weight. Pretty much will be rubber stamped through regardless of how people feel.	
1.14225E+11	Jan 19 2023 03:18 PM	Neighbors who have invested in their home should have a say in what is built near them! Public notice and/or hearing is important!	
1.14225E+11	Jan 19 2023 11:15 AM	Not sure I understand. The law requires a clear & objective path, so this is correcting for an erroneous procedure? Type 1 should be available for C&O proposals regardless of what zone they are in.	
1.14224E+11	Jan 18 2023 09:34 AM	support this proposed change, current residents in the area should have a say on if a multifamily complex is to be build in their neighborhood as the quality of the complex will directly affect their housing value	
1.14221E+11	Jan 13 2023 08:57 PM	I didn't understand any of what you outlined above. Definitely multi family developments need to go through extensive review. Like how on earth did the hideous Crestview Crossing development ever get approved?????	
1.14221E+11	Jan 13 2023 11:01 AM	I don't have enough information to answer this question.	
1.1422E+11	Jan 12 2023 06:39 PM	Multifamily housing should have the fastest approval process.	
1.14219E+11	Jan 11 2023 02:39 PM	Need to improve efficiency Very confusing question.	
1.14219E+11	Jan 11 2023 06:40 AM	I want public input on proposed developments of multi family units. Absolutely no lessening of time for reviews. They already take so little time they spring up overnight.	
1.14218E+11	Jan 10 2023 07:31 PM	Furthermore, this is not a fair survey. The questions and very poor explanations are not enough. Far more info is necessary.	
1.14218E+11	Jan 10 2023 02:34 PM	I think there should be more community input to the type of housing being developed- not less.	
1.14218E+11	Jan 10 2023 02:11 PM	The public hearing process can raise a lot of concerns that may not become apparent to the commissioners because staff and the applicant may not present some for consideration.	
1.14218E+11	Jan 10 2023 02:08 PM	I don't feel that this has been fully explained with all the codes for me to make an informed decision. Do better with your explanations, including info on what the codes mean. I don't understand either of the review processes as described or what the changes would be, based on this question, explanation, and charts.... Is there a way to make this entire question clearer, with fewer undefined references and a more explicit explanation of the approval process?	
1.14218E+11	Jan 10 2023 01:08 PM	Just make everything transparent.	
1.14218E+11	Jan 10 2023 12:18 PM		

***PLANNING COMMISSION RESOLUTION 2023-386***

A RESOLUTION RECOMMENDING CITY COUNCIL AMEND THE NEWBERG COMPREHENSIVE PLAN AND NEWBERG MUNICIPAL CODE, TITLE 15 DEVELOPMENT CODE, 15.100.020, 15.100.030, 15.100.050, 15.220.020, 15.220.030, 15.220.050, 15.220.060, 15.302.032, 15.346.070, 15.405.040, 15.410.020, 15.410.030

RECITALS

1. The Newberg City Council authorized an application to the Department of Land Conservation and Development (DLCD) for a grant to comply needed housing Statutes ORS 197.286 – 197.314 for clear and objective standards by City Council Resolution No. 2021-3765.
2. DLCD awarded the City of Newberg a grant on January 11, 2022.
3. The City established a Citizens Advisory Committee consisting of the Newberg Planning Commission.
4. The Citizens Advisory Committee met six (3) times in developing code provisions for multifamily dwellings.
5. The Planning Commission was briefed two (2) times on the draft Comprehensive Plan and Development Code provisions.
6. The Affordable Housing Commission was briefed one time on the draft Comprehensive Plan and Development Code provisions.
7. The City Council and Planning Commission held a joint work session on the draft Comprehensive Plan and Development provisions on February 6, 2023.
8. The Affordable Housing Commission recommends the Comprehensive Plan and Development Code amendments be adopted.
9. After proper notice, the Newberg Planning Commission opened the hearing on March 9, 2023, considered public testimony and deliberated. They found that the proposed amendments were in the best interests of the City.

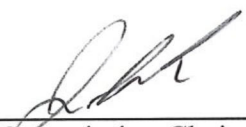
The Newberg Planning Commission resolves as follows:

1. The Planning Commission of the City of Newberg recommends the City Council adopt

the proposed Newberg Comprehensive Plan amendments, and Newberg Development Code amendments for NMC Title 15 Development Code.

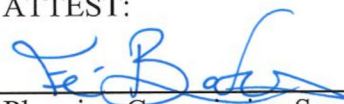
2. This recommendation is based on the staff report, Exhibit "A" Comprehensive Plan language, Exhibit "B" Development Code language, and the Findings in Exhibit "C".
3. Exhibits "A", "B" and "C" are incorporated by reference.

Adopted by the Newberg Planning Commission this 9th day of March, 2023.



Planning Commission Chair

ATTEST:



Planning Commission Secretary

List of Exhibits:

Exhibit "A". Comprehensive Plan Amendments
Exhibit "B": Development Code Amendment
Exhibit "C": Findings

**Exhibit “A” to Planning Commission Resolution No. 2023-386
Comprehensive Plan Amendment – File CPTA23-0001**

Note: Existing text is shown in regular font.
Added text is shown in double underline
Deleted text is shown in ~~strikethrough~~.

The Newberg Comprehensive Plan shall be amended as follows:

Section 1. The Newberg Comprehensive Plan, I. Housing, Policies: 1. Density Policies, subsection a. is amended to read:

- a. Needed housing, as identified in the Newberg Housing Needs Analysis, 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. (Ordinance~~
~~2023-2913, April 3, 2023)~~

Section 2. The Newberg Comprehensive Plan, J. Urban Design, Goal 1: 4. Residential Areas Policies, subsection d. is amended to read:

- d. Special development and design standards should be adopted in the Development Code to ensure that the opportunity exists for development of all varieties of
needed housing as identified in the City’s Housing Needs Analysis. Residential
design standards shall be required to support quality residential development in
the city. multi-family, attached single-family and manufactured home
~~park/subdivision projects are aesthetically pleasing and compatible with nearby~~
~~lower-density residential development. (Ordinance 2016-2810, December 19,~~
~~2016; Ordinance 2023-2913, April 3, 2023)~~

**Exhibit “B” to Planning Commission Resolution No. 2023-386
Development Code Amendment – File DCA23-0001**

Note: Existing text is shown in regular font.
Added text is shown in double underline
Deleted text is shown in ~~strikethrough~~.

The Newberg Development Code shall be amended as follows:

Section 1. Subsection B of Section 15.100.020 shall be amended to read:

B. Type I actions include, but are not limited to:

1. Design review permits for single-family dwellings, duplex dwellings, triplex dwellings, quadplex dwellings, townhouses, multifamily dwellings in the C-3 or I zone meeting the objective process requirements of NMC 15.220.060, cottage cluster projects, additions, accessory dwelling units, accessory structures, or other additions specifically listed in NMC 15.220.020(A)(1).
2. Home occupation permits.
3. Signs, not in conjunction with a new development or major remodel.
4. Adjustments.
5. Processing final land division maps and plats.
6. Determining compliance with the conditions of approval for a land use action processed under a Type II or Type III procedure.

Section 2. Subsection B of Section 15.100.030 shall be amended to read:

B. Type II actions include, but are not limited to:

1. Site design review.
2. Multifamily dwellings in the R-2, R-3, RP or AR zone meeting the objective process requirements of NMC 15.220.060.
3. Multifamily dwellings in the R-3, C-3 (except along Hancock Street), AR or I zone NOT meeting the objective process requirements of NMC 15.220.060.
4. Variances.
5. Manufactured dwelling parks and mobile home parks.

6. Partitions.

7. Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).

Section 3. Subsection B of Section 15.100.050 shall be amended to read:

B. Type III actions include, but are not limited to:

1. An appeal of a Type I or Type II decision: This action of the planning commission is a final decision unless appealed to the city council.
2. Conditional use permits: This action is a final decision unless appealed.
3. Planned unit developments: This action is a final decision unless appealed.
4. Substantial change to the exterior appearance of a historic landmark: This action is final unless appealed.
5. Establishment of a historic landmark: This is a final decision by the planning commission, unless appealed.
6. Establishment of a historic landmark subdistrict: This is a recommendation to the city council.
7. Comprehensive plan map amendments: This action is a recommendation to the city council.
8. Zoning map amendments and designation of subdistricts: This action is a recommendation to the city council.
9. Annexation: This action is a recommendation to the city council.
10. Subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).
11. Multifamily dwellings in the R-2 or RP zone NOT meeting the objective process requirements of NMC 15.220.060.
12. Multifamily dwellings in the R-1, R-4 or C-2 zone (conditional use permit also required).
13. Multifamily dwellings in the C-3 zone along Hancock Street (conditional use permit also required).

Section 4. Subsection A of Section 15.220.020 shall be amended to read:

A. Applicability of Requirements. Site design review shall be required prior to issuance of building permits or commencement of work for all improvements noted below. Site design review permits shall be processed as either Type I or Type II, as noted below.

1. Type I.

- a. Single-family dwellings;
- b. Duplex dwellings;
- c. Triplex dwellings;
- d. Quadplex dwellings;
- e. Townhouse dwellings;
- f. Cottage cluster projects;
- g. Multifamily dwellings in the C-3 (except along Hancock Street) or I zone meeting the objective process requirements of NMC 15.220.060;
- hg. Institutional, commercial or industrial additions which do not exceed 1,000 square feet in gross floor area;
- ih. Multifamily additions or remodels which do not exceed 1,000 square feet in gross floor area, do not exceed 25 percent of the assessed value of the existing structure, and do not add any new units, or new construction incidental to the main use on an existing developed site which does not exceed 1,000 square feet in gross floor area and does not add any new units;
- ji. Institutional, commercial or industrial interior remodels which do not exceed 25 percent of the assessed valuation of the existing structure;
- ~~j. Multifamily remodels which do not exceed 25 percent of the assessed valuation of the existing structure and do not add any new units;~~
- k. Signs which are not installed in conjunction with a new development or remodel;
- l. Modifications, paving, landscaping, restriping, or regrading of an existing multifamily, institutional, commercial or industrial parking lot;
- m. Fences and trash enclosures;
- n. Accessory dwelling units.

2. Type II.

a. Any new development or remodel which is not specifically identified within subsection (A)(1) or (A)(3) of this section.

b. Telecommunications facilities.

3. Type III.

a. Multifamily dwellings in the R-2 or RP zone NOT meeting the objective process requirements of NMC 15.220.060.

b. Multifamily dwellings in the R-1, R-4 or C-2 zone (conditional use permit also required).

c. Multifamily dwellings in the C-3 zone along Hancock Street (conditional use permit also required).

34. Exemptions to Type I and Type II Process. The following development activities are exempt from Type I or Type II standards:

a. Replacement of an existing item such as a roof, floor, door, window or siding.

b. Plumbing and/or mechanical alterations which are completely internal to an existing structure.

Section 5. Subsection B of Section 15.220.030 shall be amended to read:

B. Type II or III. The following information is required to be submitted with all Type II or III applications for site design review:

1. Site Development Plan. A site development plan shall be to scale and shall indicate the following as appropriate to the nature of the use:

a. Access to site from adjacent right-of-way, streets and arterials;

b. Parking and circulation areas;

c. Location and design of buildings and signs;

d. Orientation of windows and doors;

e. Entrances and exits;

f. Private and shared outdoor recreation spaces;

g. Pedestrian circulation;

h. Outdoor play areas;

i. Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;

- j. Areas to be landscaped;
- k. Exterior lighting;
- l. Special provisions for handicapped persons;
- m. Other site elements and spaces which will assist in the evaluation of site development;
- n. Proposed grading, slopes, and proposed drainage;
- o. Location and access to utilities including hydrant locations; and
- p. Streets, driveways, and sidewalks.

2. Site Analysis Diagram. A site analysis diagram shall be to scale and shall indicate the following characteristics on the site and within 100 feet of the site:

- a. Relationship of adjacent lands;
- b. Location of species of trees greater than four inches in diameter at four feet above ground level;
- c. Existing and proposed topography;
- d. Natural drainage and proposed drainage and grading;
- e. Natural features and structures having a visual, transportation-related or thematic (i.e. within the same design district) ~~or other significant~~ relationship with the site.

3. Architectural Drawings. Architectural drawings shall be prepared which identify floor plans and elevations.

4. Landscape Plan. The landscape plan shall indicate:

- a. The size, species and approximate locations of plant materials to be retained or placed on the site together with a statement which indicates the mature size and canopy shape of all plant materials;
- b. Proposed site contouring; and
- c. A calculation of the percentage of the site to be landscaped.

5. Special Needs for Handicapped. ~~Where appropriate, t~~ The design review plan shall indicate compliance with all handicapped accessibility requirements including, but not limited to, the location of handicapped parking spaces, the location of accessible routes from the entrance to the public way, and ramps for wheelchairs.

6. Existing Features and Natural Landscape. The plans shall indicate existing landscaping and existing grades. Existing trees or other features intended to be preserved or removed shall be indicated on the plans.

7. Drives, Parking and Circulation. Proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points shall be indicated on the plans. Dimensions shall be provided for all elements. ~~on the plans for parking aisles, back-up areas, and other items as appropriate.~~

8. Drainage. The direction and location of on- and off-site drainage shall be indicated on the plans. This shall include, but not be limited to, site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project as identified in the submitted preliminary stormwater report.

9. Buffering and Screening. Buffering and screening of areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking and similar accessory areas and structures shall be shown on the plans.

10. Signs and Graphics. The location, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features shall be shown on the plans.

11. Exterior Lighting. Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.

12. Trash and Refuse Storage. All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete block or material matching the material used on other proposed structures on the site. ~~other similar products as approved by the director.~~

13. Roadways and Utilities. The proposed plans shall indicate any public improvements that will be constructed as part of the project, including, but not limited to, roadway and utility improvements.

14. Traffic Study. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may shall be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to

the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]

Section 6. Section 15.220.050 shall be amended to read:

A. Type I. The following criteria are required to be met in order to approve a Type I design review request:

1. Parking. Parking areas shall meet the requirements of NMC 15.440.010.
2. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions, and public access, residential development standards and home occupations; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.
3. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.
4. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.
5. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020.
6. Sufficient Infrastructure. For all triplex dwellings, quadplex dwellings, townhouse dwellings, multifamily dwellings meeting the objective process requirements of NMC 15.220.060 and cottage cluster developments, the city shall work with the applicant to ensure that sufficient infrastructure will be provided, or can be provided, to include:
 - a. Connection to a public wastewater system capable of meeting established service levels.
 - b. Connection to a public water system capable of meeting established service levels.
 - c. Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
 - d. Storm drainage facilities capable of meeting established service levels for storm drainage.

B. Type II or III. The following criteria are required to be met in order to approve a Type II or III design review request:

1. Design Compatibility. The proposed design review request incorporates an architectural design which is ~~compatible with and/or superior to the same as~~ existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.
2. Parking and On-Site Circulation. Parking areas shall meet the requirements of NMC 15.440.010. Parking studies ~~may~~ shall be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide ~~efficient and adequate~~ on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.
3. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.
4. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.
5. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.
6. Manufactured Dwelling, Mobile Home and RV Parks. Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.
7. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.
8. Subdistrict Compliance. Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.
9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. ~~Where applicable, a~~ New developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or

private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director. [Ord. 2889 § 2 (Exh. B § 6), 12-6-21; Ord. 2763 § 1 (Exh. A § 7), 9-16-13; Ord. 2747 § 1 (Exh. A § 5), 9-6-11; Ord. 2451, 12-2-96. Code 2001 § 151.194.]

Section 7. Section 15.220.060 shall be amended to read:

The purpose of this section is to ensure that multifamily residential projects containing five or more units meet minimum standards for good design, provide a healthy and attractive environment for those who live there, and are compatible with surrounding development. As part of the site design review process, an applicant for a new multifamily residential project must demonstrate that some of the following site and building design elements, each of which has a point value, have been incorporated into the design of the project. At least 14 points are required for smaller multifamily projects with five to eight units and at least 20 points are required for multifamily projects with nine or more units. For more information and illustrations of each element, refer to the Newberg Residential Development Design Guidelines (July 1997).

A. Review Process

Two review processes are available for review of multi-family residential development: objective and discretionary. An applicant may choose which process to use. The objective process uses clear objective standards that do not require the use of discretionary decision-making. The discretionary process uses design guidelines that are more subjective in nature and are intended to provide the applicant with more design flexibility. Regardless of the review process, the applicant must demonstrate how the applicable standards or guidelines are being met.

As part of the discretionary site design review process, an applicant for a new multifamily residential project must demonstrate that some of the following site and building design elements, each of which has a point value, have been incorporated into the design of the project. At least 14 points are required for smaller multifamily projects with five to eight units and at least 20 points are required for multifamily projects with nine or more units. For more information and illustrations of each element, refer to the Newberg Residential Development Design Guidelines (July 1997).

A project may be reviewed using only one of the 2 review processes. For example, a project may not use some of the objective standards and some of the discretionary guidelines for one application. Pursuant to NMC 15.100 and 15.220:

1. A Type I review is required for projects in zones C-3, and I following the objective process.

2. A Type II review is required for:

a. Projects in zones R-2, R-3 and RP following the objective process.

b. Projects in zones R-3, C-3 and I following the discretionary process.

3. A Type III site design review is required for:

a. Projects in zones R-2 and RP following the discretionary process.

b. Projects in zones R-1, R-4 and C-2 (conditional use permit also required).

B. Design Guidelines and Standards

Applicable guidelines and standards for multi-unit and congregate housing are located in Table 15.220.060.B. These standards should not be interpreted as requiring a specific architectural style.

Table 15.220.060.B		
Multi-Family Residential Design Guidelines and Standards		
<u>Design Element</u>	<u>Design Guideline (Discretionary Process)</u>	<u>Design Standard (Objective Process)</u>
	<u>Projects with 5-8 dwelling units must obtain 14 points, projects with 9 or more dwelling units must obtain 20 points.</u>	<u>All standards must be met.</u>
<u>Site Design Elements</u>		
<u>1. Private and Shared Recreation Areas</u>	<u>Consolidate green space to increase visual impact and functional utility. This applies to larger projects which collectively have a significant amount of open space areas which can be consolidated into children's play areas, gardens, and/or dog-walking areas (three points).</u>	<u>a. Private Areas. Each ground-level living unit in a residential development subject to a design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.</u> <u>b. Individual and Shared Areas. In addition to the private open space</u>

		<u>identified above, usable outdoor recreation space shall be provided for the individual and/or shared use of residents and their guests in any multifamily residential development, as follows:</u> <u>i. One- or two-bedroom units: 200 square feet per unit.</u> <u>ii. Three- or more bedroom units: 300 square feet per unit.</u> <u>iii. Storage areas are required in residential developments. Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, and the like. These shall be entirely enclosed and shall be a minimum of 18 square feet per dwelling unit.</u>
<u>2. Site Vegetation</u>	<u>Preserve existing natural features, including topography, water features, and/or native vegetation (three points).</u>	<u>The proposal shall adhere to the landscaping standards in 15.420.</u>
<u>3. Building Setbacks</u>	<u>Use the front setback to build a street edge by orienting building(s) toward the street with a relatively shallow front yard (12 to 15 feet for two-story buildings) to create a more “pedestrian-friendly” environment (three points).</u>	<u>The proposal shall adhere to the base zone standard for building setbacks listed in 15.410.</u>
<u>4. Vehicle Parking</u>	<u>Place parking lots to the sides and/or back of projects so that front yard areas can be used for landscaping and other “pedestrian-friendly” amenities (three points).</u>	<u>Parking for the development shall comply with the following:</u> <u>a. On-site surface parking areas, garages, and vehicle maneuvering areas shall not be located directly between the façade of a primary building(s) and an abutting street right-of-way.</u>

		b. <u>Parking located to the side of a dwelling structure shall be limited to 50% of the linear frontage of the site. Drive aisles without adjacent parking spaces do not count as parking areas for purposes of this standard.</u>
<u>5. Multiple Building Groupings</u>	<u>Create “outdoor” rooms in larger projects by grouping buildings to create well-defined outdoor spaces (two points).</u>	<u>Adhere to the design standards in Private and Shared Recreation Areas, above.</u>
<u>6. Landscaping</u>	<u>Provide good-quality landscaping. Provide coordinated site landscaping sufficient to give the site its own distinctive character, including the preservation of existing landscaping and use of native species (two points).</u>	<u>The proposal shall adhere to the landscaping standards in 15.420.</u>
<u>7. Parking Vegetation Buffer</u>	<u>Landscape at the edges of parking lots to minimize visual impacts upon the street and surrounding properties (two points).</u>	<u>Parking design and landscape shall adhere to the standards in 15.440 and 15.420.</u>
<u>8. Street Trees</u>	<u>Use street trees and vegetative screens at the front property line to soften visual impacts from the street and provide shade (one point).</u>	<u>The proposal shall adhere to the street trees and landscaping amenities in public rights-of-ways standards in 15.420.020.</u> <u>On-site landscaping shall adhere to the standards in 15.420.</u>
<u>9. Outdoor Furnishings</u>	<u>Use site furnishings to enhance open space. Provide communal amenities such as benches, playground equipment, and fountains to enhance the outdoor environment (one point).</u>	<u>User amenities—such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pool—may be placed in outdoor shared recreation areas.</u>
<u>10. Fencing</u>	<u>Keep fences neighborly by keeping them low, placing them back from the sidewalk, and using compatible building materials (one point).</u>	<u>The proposal shall adhere to the fence height standards in 15.410.070.D.</u>
<u>11. Entrance Building Materials</u>	<u>Use entry accents such as distinctive building or paving materials to mark major entries to multifamily buildings or to individual units (one point).</u>	<u>Building entrances shall be emphasized through the use of recesses, projections, corner entries, or landscape treatments.</u>
<u>12. Outdoor Lighting</u>	<u>Use appropriate outdoor lighting which enhances the nighttime safety and security of pedestrians without causing glare in nearby buildings (one point).</u>	a. <u>Uses on the site shall be illuminated as follows:</u> <u>(1) Parking and loading areas: 0.5 footcandle minimum.</u>

		(2) <u>Walkways: 0.5 footcandle minimum and average of 1.5 footcandles.</u> (3) <u>Building entrances: 1 footcandle minimum with an average of 3.5 footcandles, except that secondary entrances may have an average of 2.0 footcandles.</u> b. <u>Maximum illumination at the property line shall not exceed 0.5 footcandles. However, where a site abuts a nonresidential district, maximum illumination at the property line shall not exceed 1 footcandle. This standard applies to adjacent properties across a public right-of-way.</u> c. <u>Developments shall use full cut-off lighting fixtures to avoid off-site lighting, night sky pollution, and shining lights into residential units.</u>
<u>Building Design Elements</u>		
<u>1. Building Orientation and Entrances</u>	<u>Orient buildings toward the street. For attached single-family and smaller multifamily projects, this means orienting individual entries and porches to the street. In larger projects with internal circulation and grounds, this means that at least 10 percent of the units should have main entries which face the street rather than be oriented toward the interior (three points).</u>	a. <u>The primary building entry, or entries, for ground-floor units shall face the street right-of-way or a central common open space. Secondary entries may face parking lots or other interior site areas.</u> b. <u>For sites not on an arterial street, at least 50% of a site's street frontage, excluding driveways, shall be occupied by buildings that are located no further than 10 feet from the required setback line.</u> c. <u>For sites on an arterial street, at least 50% of a site's street frontage, excluding driveways, shall be occupied by buildings that are located no further than 20 feet from the required setback line.</u>

<u>2. Building Height</u>	<u>Respect the scale and patterns of nearby buildings by reflecting the architectural styles, building details, materials, and scale of existing buildings (three points).</u>	<u>The proposal shall adhere to the base zone standard for building height listed in 15.415.020.</u>
<u>3. Building Articulation</u>	<u>Break up large buildings into bays by varying planes at least every 50 feet (three points).</u>	<u>a. Street-facing building façades shall be divided into wall planes. The wall plane on the exterior of each dwelling unit shall be articulated by doing one or more of the following:</u> <u>(1) Incorporating elements such as porches, balconies, or decks into the wall plane.</u> <u>(2) Recessing the building a minimum of 2 feet deep x 6 feet long.</u> <u>(3) Extending an architectural bay at least 2 feet from the primary street-facing façade.</u> <u>b. To avoid long, monotonous, uninterrupted walls, buildings shall incorporate exterior wall off-sets, projections and/or recesses. At least 1 foot of horizontal variation shall be used at intervals of 40 feet or less along the building's primary façade on the ground-floor level.</u>
<u>4. Building Façade Design</u>	<u>Provide variation in repeated units large multifamily projects so that these projects have recognizable identities. Elements such as color; porches, balconies, and windows; railings; and building materials and form, either alone or in combination, can be used to create this variety (three points).</u>	<u>a. Windows and the glass portion(s) of doors with glazing shall occupy a minimum of 25% of the total street-facing façade.</u> <u>b. Buildings shall have a distinct base and top. The base of the building (ground-floor level) shall be considered from grade to 12 feet above grade. The base shall be visually distinguished from the top of the building by any of the following physical transitions: a change in brick pattern, a change in surface or siding materials, a change in color, or a change in the size or orientation of window types.</u>

		c. <u>Blank, windowless walls in excess of 750 sq ft are prohibited when facing a public street, unless required by the Building Code. In instances where a blank wall exceeds 750 sq ft, it shall be articulated (see Building Articulation, above) or landscaping shall be planted in front of it that will grow to cover 50% of the wall withing 3 years of planting.</u> d. <u>Garage doors shall be painted to match the color or color palette used on the rest of the buildings.</u>
<u>5. Building Materials</u>	<u>Use some or all of the following materials in new buildings: wood or wood-like siding applied horizontally or vertically as board and batten; shingles, as roofing, or on upper portions of exterior walls and gable ends; brick at the base of walls and chimneys; wood or wood-like sash windows; and wood or wood-like trim (one point for each material described above).</u>	<u>The following building materials are prohibited on street-facing building façades and shall not collectively be used on more than 35% of any other building façade:</u> <u>(1) Vinyl PVC siding</u> <u>(2) T-111 Plywood</u> <u>(3) Exterior insulation finishing (EIFS)</u> <u>(4) Corrugated metal</u> <u>(5) Unfinished or untextured concrete or concrete block</u> <u>(6) Spandrel glass</u> <u>(7) Sheet pressboard</u>
<u>6. Architectural Elements</u>	<u>Incorporate architectural elements of one of the city's historical styles (Queen Anne, Dutch colonial revival, colonial revival, or bungalow style) into the design to reinforce the city's cultural identity. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, dormer windows, and decorative trim boards (two points).</u>	<u>The applicant is encouraged to incorporate elements of one of the city's historical styles (Queen Anne, Dutch colonial revival, colonial revival, or bungalow style) into the design to reinforce the city's cultural identity.</u>
<u>7. Carports and Garages</u>	<u>Keep garages and carports secondary to the building by placing them to the side or back of units and/or using architectural designs, materials, and landscaping to</u>	a. <u>On-site garages or carports shall not be located directly between the façade of a</u>

	<u>buffer visual impacts from the street (two points).</u>	<u>primary building(s) and an abutting street right-of-way.</u> b. <u>All garages or carports that are part of the same structure that contains dwelling units shall be located at least 4 feet behind the front building façade.</u>
<u>8. Front Porches</u>	<u>Provide a front porch at every main entry as this is both compatible with the city's historic building pattern and helps to create an attractive, "pedestrian-friendly" streetscape (two points).</u>	<u>Provide a front porch or patio for at least one main entry.</u>
<u>9. Roofs</u>	<u>Use sloped roofs at a pitch of 3:12 or steeper. Gable and hip roof forms are preferable (two points).</u>	<u>Where a sloped roof is proposed, the sloped roof shall be at a pitch of 3:12 or steeper.</u>

[Ord. 2889 § 2 (Exh. B § 7), 12-6-21; Ord. 2763 § 1 (Exh. A § 8), 9-16-13; Ord. 2505, 2-1-99, Code 2001 § 151.195.]

A. Site Design Elements:

1. Consolidate green space to increase visual impact and functional utility. This applies to larger projects which collectively have a significant amount of open space areas which can be consolidated into children's play areas, gardens, and/or dog walking areas (three points).
2. Preserve existing natural features, including topography, water features, and/or native vegetation (three points).
3. Use the front setback to build a street edge by orienting building(s) toward the street with a relatively shallow front yard (12 to 15 feet for two-story buildings) to create a more "pedestrian-friendly" environment (three points).
4. Place parking lots to the sides and/or back of projects so that front yard areas can be used for landscaping and other "pedestrian-friendly" amenities (three points).
5. Create "outdoor" rooms in larger projects by grouping buildings to create well-defined outdoor spaces (two points).
6. Provide good-quality landscaping. Provide coordinated site landscaping sufficient to give the site its own distinctive character, including the preservation of existing landscaping and use of native species (two points).
7. Landscape at the edges of parking lots to minimize visual impacts upon the street and surrounding properties (two points).
8. Use street trees and vegetative screens at the front property line to soften visual impacts from the street and provide shade (one point).

9. Use site furnishings to enhance open space. Provide communal amenities such as benches, playground equipment, and fountains to enhance the outdoor environment (one point).
10. Keep fences neighborly by keeping them low, placing them back from the sidewalk, and using compatible building materials (one point).
11. Use entry accents such as distinctive building or paving materials to mark major entries to multifamily buildings or to individual units (one point).
12. Use appropriate outdoor lighting which enhances the nighttime safety and security of pedestrians without causing glare in nearby buildings (one point).

B. Building Design Elements.

1. Orient buildings toward the street. For attached single-family and smaller multifamily projects, this means orienting individual entries and porches to the street. In larger projects with internal circulation and grounds, this means that at least 10 percent of the units should have main entries which face the street rather than be oriented toward the interior (three points).
2. Respect the scale and patterns of nearby buildings by reflecting the architectural styles, building details, materials, and scale of existing buildings (three points).
3. Break up large buildings into bays by varying planes at least every 50 feet (three points).
4. Provide variation in repeated units in both single-family attached and large multifamily projects so that these projects have recognizable identities. Elements such as color; porches, balconies, and windows; railings; and building materials and form, either alone or in combination, can be used to create this variety (three points).
5. Building Materials. Use some or all of the following materials in new buildings: wood or wood-like siding applied horizontally or vertically as board and batten; shingles, as roofing, or on upper portions of exterior walls and gable ends; brick at the base of walls and chimneys; wood or wood-like sash windows; and wood or wood-like trim (one point for each material described above).
6. Incorporate architectural elements of one of the city's historical styles (Queen Anne, Dutch colonial revival, colonial revival, or bungalow style) into the design to reinforce the city's cultural identity. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, dormer windows, and decorative trim boards (two points).
7. Keep car shelters secondary to the building by placing them to the side or back of units and/or using architectural designs, materials, and landscaping to buffer visual impacts from the street (two points).

8. Provide a front porch at every main entry as this is both compatible with the city's historic building pattern and helps to create an attractive, "pedestrian-friendly" streetscape (two points).

9. Use sloped roofs at a pitch of 3:12 or steeper. Gable and hip roof forms are preferable (two points). [Ord. 2889 § 2 (Exh. B § 7), 12-6-21; Ord. 2763 § 1 (Exh. A § 8), 9-16-13; Ord. 2505, 2-1-99. Code 2001 § 151.195.]

Section 8. Subsection A of Section 15.302.032 shall be amended to read:

A. R-1 Low Density Residential District.

1. The purpose of this land use designation is to provide a stable and healthful residential environment together with the full range of urban services. The R-1 zone is intended for low density urban residential uses at an average overall density of 4.4 units per gross buildable acre, and/or middle housing densities consistent with applicable minimum lot sizes, in the district.

2. Typical housing types will include single-family dwellings, duplex dwellings, triplex dwellings, quadplex dwellings, townhouse dwellings, cottage cluster projects, limited multifamily dwellings and planned unit developments. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-1 district is intended to be consistent with the low density residential (LDR) designation of the comprehensive plan.

Section 9. Subsection B Springbrook Oaks Specific Plan, Subsection 8 of Section 15.346.070 shall be amended to read:

8. Residential Density. Residential density is governed by the SP overlay subdistrict.

a. The following development standards shall be applied to Springbrook Oaks for single-family detached dwellings and duplex dwellings (please refer to Graphic VI for map of development areas A through H of the Springbrook Oaks specific plan). See Appendix A, Figure 20. These standards shall supersede any density or density transfer standards established in the development code.

Area	Zone	Minimum Lot Size (Square Feet)	Minimum Lot Area per Dwelling Unit (Square Feet)	Maximum Density (Dwelling Units per Acre)
A	C-2	5,000	NA	NA

Area	Zone	Minimum Lot Size (Square Feet)	Minimum Lot Area per Dwelling Unit (Square Feet)	Maximum Density (Dwelling Units per Acre)
B ^{4, 5}	RP	1,500*	1,500*	21.8* ¹
C ^{4, 5}	R-3	2,500*	2,500*	13.1*
D ^{4, 5}	R-2	3,750*	3,750	8.8
E ^{4, 5}	R-2	5,000	5,000*	6.6*
F-1 ^{4, 5}	RP	1,500*	1,500*	21.8*
F-2 ^{4, 5}	RP	1,500*	None* ²	None* ²
F-3 ^{4, 5}	RP	1,500*	1,500*	21.8*
G	M-1	20,000	NA	NA
H ^{4, 5}	R-1	5,000*	10,000* ³	3.3*

* Different than the standards established elsewhere in the development code. Residential land use only permitted on F-1 area for Yamhill County tax lot 3216-02026.

¹ Up to 100 percent of the land zoned RP within area B may be developed for residential use.

² There is no limit on the number of dwelling units allowed in area F-2.

³ Average lot area per dwelling in any one subdivision.

⁴ Duplex dwellings are exempt from minimum lot area per dwelling unit. Duplex dwellings count as a single dwelling for the purpose of calculating compliance with the maximum density.

⁵ Triplex dwellings, quadplex dwellings, townhouse dwellings, multifamily dwellings, and cottage cluster projects are permitted on lots meeting the applicable minimum lot areas for the dwelling type in the corresponding zone per NMC 15.405.010(A), and are exempt from the development standards in this table.

Section 10. Section 15.405.040 shall be amended to read:

A. Purpose. The lot coverage and parking coverage requirements below are intended to:

1. Limit the amount of impervious surface and storm drain runoff on residential lots.
2. Provide open space and recreational space on the same lot for occupants of that lot.
3. Limit the bulk of residential development to that appropriate in the applicable zone.

B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards; however, cottage cluster projects shall be exempt from the standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.

1. Maximum Lot Coverage.

a. R-1: 40 percent, except:

- i. Fifty percent if all structures on the lot are one story; and
- ii. Sixty percent for townhouse dwellings and multifamily dwellings.

b. R-2 and RP: 60 percent.

c. AR and R-3: 60 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

a. R-1: 60 percent.

b. R-2, R-3, RP and townhouse dwellings and multifamily dwellings in R-1: 70 percent.

C. All other districts and uses not listed in subsection (B) of this section shall not be limited as to lot coverage and parking coverage except as otherwise required by this code. [Ord. 2889 § 2 (Exh. B § 28), 12-6-21; Ord. 2880 § 2 (Exh. B § 39), 6-7-21; Ord. 2832 § 1 (Exh. A), 7-2-18; Ord. 2746 § 1 (Exh. A § 1), 8-15-11; Ord. 2730 § 1 (Exh. A (3)), 10-18-10; Ord. 2647, 6-5-06; Ord. 2451, 12-2-96. Code 2001 § 151.568.]

Section 11. Subsection A of Section 15.410.020 shall be amended to read:

A. Residential (see Appendix A, Figure 10).

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet, except that multifamily dwellings with parking to the side or rear shall have a front yard of not less than 10 feet. Said yard shall be landscaped and maintained.

2. R-3 and RP districts shall have a front yard of not less than 12 feet, except that multifamily dwellings with parking to the side or rear shall have a front yard of not less than 8 feet. Said yard shall be landscaped and maintained.

3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

4. Cottage cluster projects in any zone in which they are permitted shall have a front yard of not less than 10 feet. Any garage, carport, or parking areas that are part of a cottage cluster shall be set back at least 20 feet from the nearest property line of the street to which access will be provided; however, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

Section 12. Section 15.410.030 shall be amended to read:

A. Residential.

1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.

2. All lots or development sites in the RP district shall have interior yards of not less than eight feet.

3. All lots with townhouse dwellings shall have no minimum interior yard setback where units are attached.

4. All lots with new multifamily dwellings shall have interior yards of not less than eight feet adjacent to lot lines shared with existing single-family dwellings. All other multifamily dwellings shall meet the provisions of subsections (A)(1) of this section.

**Exhibit “C” to Resolution No. 2023-386
Findings – File CPTA23-0001/DCA23-0001**

APPROVAL CRITERIA

A. Statewide Planning Goals (the “Goals”)

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The City meets this requirement by having various citizen committees and/or commissions with opportunities for the public to testify on general or specific matters. The proposal went before the Newberg Planning Commission on March 9, 2023, and Newberg City Council on April 3, 2023, which provided the opportunity for public comment. In addition, there were three Citizen Advisory Committee meetings, one virtual community open houses, one community survey, social media posts, and a web page prepared to inform the public of the pending proposal. Finally, notice was published in the Newberg Graphic newspaper and posted in four public places.

The amendments are subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

The Goal is met.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The proposed land use action has an adequate factual base and is required by ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards and has been thoroughly described in this application.

The alternatives to amending the Comprehensive Plan and Municipal Code text would be to: 1)

deny the application, or 2) modify the application proposal.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations as noted in these findings.

The Goal is met.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Finding: Not applicable because the proposal does not propose any land use regulation changes to agricultural lands outside of the Newberg Urban Growth Boundary.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: Not applicable because the proposal does not propose any land use regulation changes to the Stream Corridor that protects wooded areas within the Newberg Urban Growth Boundary.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The proposed amendments will not negatively impact inventoried Goal 5 resources because the amendments do not change protections that already exist in the Newberg Municipal Code, Specific Plans and Master Plans to protect these resources. Newberg has an acknowledged Stream Corridor designation, inventoried historic resources, and identified open spaces in compliance with Goal 5.

This Goal is met.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. Protections are already in place for air, water, and land resource quality. This proposal does not modify the existing goals and policies. Complying with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards does not negatively impact Goal 6.

This Goal is met.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the City's natural hazards requirements such as flood plain or landslide areas. This proposal does not modify the existing goals and policies.

This Goal is met.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the City's recreational goals and policies.

This Goal is met.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The implementation of the Multifamily Code Audit to comply with ORS 197.286, ORS 197.296 – 197.314, and ORS 197.303 do not apply to lands that are zoned for employment uses on Commercial, Industrial or Public lots or parcels with the primary use intended for those activities. These lands are held for employment or public improvements to further Goal 9 activities pursuant to Newberg's Economic Opportunities Analysis. Newberg does allow for multifamily housing on lands zoned for commercial uses. Compliance with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards will provide additional housing opportunities within the City of Newberg to support workers on employment designated lands.

The Goal is met.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Finding: The City of Newberg is experiencing a variety of housing supply and costs issues. The City's Housing Needs Analysis dates to 2005. A new Housing Needs Analysis was accepted by the City Council on July 19, 2021. That report indicates a lack of Medium Density and High-density residential land, significant increase in the median home price between 2018 and 2020 of \$90,000 and that over 50% of the households are cost burdened related to housing. The intent is

that updating Newberg's design requirements for multifamily developments (5+ units) to establish a clear and objective path along with a discretionary path will address the requirements of ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards for Needed Housing in an efficient manner for current and future citizens.

Newberg's adopted HNA dates to 2005 as an attachment updating the Population and Land Needs Projections element of the Comprehensive Plan as part of Ordinance No. 2005-2626. This document is now 21 years old. An update was prepared in 2019 but that report was only accepted by the City Council (Resolution No. 2019-3582) and not adopted. Newberg further updated the HNA in 2021 (Resolution No. 2021-3718 and Resolution No. 2021-3752) and that report has only been accepted and not adopted or acknowledged by DLCD. The City Council has not set a date specific as to when they will adopt the 2021 HNA.

ORS 197.296 (6)(b) says the following:

Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region.

The Goal is met.

GOAL 11: PUBLIC FACILITIES AND SERVICES

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

Finding: The City applied for a grant from DLCD to amend its Development Code to create clear and objective stands for the development of multifamily housing (5+ units) and was awarded the grant. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing. The proposal does not affect public facilities or services.

The proposal meets the Goal.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Finding: The City of Newberg has an adopted Transportation System Plan from 2016 which includes the Addendum Riverfront Master Plan 2021 which have gone through the Post Acknowledgment Amendment process. The transportation system is planned to accommodate the population growth of the community for a 20-year planning period. The proposed Comprehensive Plan and Development Code changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing. The proposal does not change the City's Transportation System Plan.

The proposal meets the Goal.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

Finding: Not applicable as the proposed amendment does not affect energy conservation.

This Goal is met.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The proposed amendments do not include an expansion of the Urban Growth Boundary but ensures the efficient use of the land within the existing Urban Growth Boundary for the projected population and employment opportunities within the City and meets the goal. The proposal will maintain Newberg's identity and enhance the quality living and employment environment by balancing growth and providing cultural activities. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing.

This Goal is met.

GOAL 15: WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: The proposal does not modify the requirements for the Stream Corridor regulations within the Willamette River Greenway.

B. Newberg Comprehensive Plan

II. GOALS AND POLICIES

A. CITIZEN INVOLVEMENT

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

Finding: The City meets this requirement by having various citizen committees and/or commissions with opportunities for the public to testify on general or specific matters. The proposal went before the Newberg Planning Commission on March 9, 2023, and Newberg City Council on April 3, 2023, which provided the opportunity for public comment. In addition, there were three Citizen Advisory Committee meetings, one virtual community open houses, one community survey, social media posts, and a web page prepared to inform the public of the pending proposal. Finally, notice was published in the Newberg Graphic newspaper and posted in four public places.

The amendments are subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

The Goal is met.

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.

Finding: This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The proposed land use action has an adequate factual base and is required by ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards and has been thoroughly described in this application.

The alternatives to amending the Comprehensive Plan and Municipal Code text would be to: 1) deny the application, or 2) modify the application proposal.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations as noted in these findings.

The Goal is met.

C. AGRICULTURAL LANDS

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

Finding: Not applicable because the proposal does not propose any land use regulation changes to agricultural lands outside of the Newberg Urban Growth Boundary.

D. WOODED AREAS

GOAL: To retain and protect wooded areas.

Finding: Not applicable because the proposal does not propose any land use regulation changes to the Stream Corridor that protects wooded areas within the Newberg Urban Growth Boundary.

E. AIR, WATER, AND LAND RESOURCE QUALITY

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

POLICY: 1. Development shall not exceed the carrying capacity of the air, water or land resource base.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. Protections are already in place for air, water, and land resource quality. This proposal does not modify the existing goals and policies. Complying with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards does not negatively impact Goal 6.

This Goal is met.

F. AREAS SUBJECT TO NATURAL HAZARDS

GOAL: To protect life and property from flooding and other natural hazards.

Finding: Newberg has an acknowledged Comprehensive Plan that complies with this goal. This proposal does not modify the City's natural hazards requirements such as flood plain or landslide areas. This proposal does not modify the existing goals and policies.

This Goal is met.

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.

Finding: The proposed amendments will not negatively impact inventoried Goal 5 resources because the amendments do not change protections that already exist in the Newberg Municipal Code, Specific Plans and Master Plans to protect these resources. Newberg has an acknowledged Stream Corridor designation, inventoried historic resources, and identified open spaces in compliance with Goal 5.

This Goal is met.

H. THE ECONOMY

GOAL: To develop a diverse and stable economic base.

POLICY: 1. General Policies. b. The City shall encourage economic expansion consistent with local needs.

Finding: The implementation of the Multifamily Code Audit to comply with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards do not apply to lands that are zoned for employment uses on Commercial, Industrial or Public lots or parcels with the primary use intended for those activities. These lands are held for employment or public improvements to further Goal 9 activities pursuant to Newberg’s Economic Opportunities Analysis. Newberg does allow for multifamily housing on lands zoned for commercial uses. Compliance with ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards will provide additional housing opportunities within the City of Newberg to support workers on employment designated lands.

The Goal is met.

I. HOUSING

GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels. (Ordinance 2006-2634)

Finding: The City of Newberg is experiencing a variety of housing supply and costs issues. The City’s Housing Needs Analysis dates to 2005. A Housing Needs Analysis was accepted by the City Council on July 19, 2021. That report indicates a lack of Medium Density and High-density residential land, significant increase in the median home price between 2018 and 2020 of \$90,000 and that over 50% of the households are cost burdened related to housing. The intent is that updating Newberg’s design requirements for multifamily developments (5+ units) to establish a clear and objective path along with a discretionary path will address the requirements of ORS 197.286 – 197.314, specifically ORS 197.307(4) for clear and objective standards for Needed Housing in an efficient manner for current and future citizens.

Newberg’s adopted HNA dates to 2005 as an attachment updating the Population and Land Needs Projections element of the Comprehensive Plan as part of Ordinance No. 2005-2626. This

document is now 21 years old. An update was prepared in 2019 but that report was only accepted by the City Council (Resolution No. 2019-3582) and not adopted. Newberg further updated the HNA in 2021 (Resolution No. 2021-3718 and Resolution No. 2021-3752) and that report has only been accepted and not adopted or acknowledged by DLCD. The City Council has not set a date specific as to when they will adopt the 2021 HNA.

ORS 197.296 (6)(b) says the following:

Amend its comprehensive plan, regional framework plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall adopt findings regarding the density expectations assumed to result from measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data in subsection (5)(a) of this section. The density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures. For a local government located outside of a metropolitan service district, a quantifiable validation must demonstrate that the assumed housing capacity has been achieved in areas that are zoned to allow no greater than the same authorized density level within the local jurisdiction or a jurisdiction in the same region.

The Goal is met.

J. URBAN DESIGN

GOAL 1: To maintain and improve the natural beauty and visual character of the City.

GOAL 2: To develop and maintain the physical context needed to support the livability and unique character of Newberg.

Finding: The proposed amendments will provide a discretionary, and clear and objective pathways for development of multifamily housing related to design. This will assist in supporting the visual character of the community and support the livability and unique character of Newberg.

The Goal is met.

K. TRANSPORTATION

GOAL 1: Establish cooperative agreements to address transportation based planning, development, operation and maintenance.

GOAL 2: Establish consistent policies which require concurrent consideration of transportation/land use system impacts.

GOAL 3: Promote reliance on multiple modes of transportation and reduce reliance on the automobile.

GOAL 4: Minimize the impact of regional traffic on the local transportation system.

GOAL 5: Maximize pedestrian, bicycle and other non-motorized travel throughout the City.

GOAL 6: Provide effective levels of non-auto oriented support facilities (e.g. bus shelters, bicycle racks, etc.).

GOAL 8: Maintain and enhance the City's image, character and quality of life.

GOAL 9: Create effective circulation and access for the local transportation system.

GOAL 10: Maintain the viability of existing rail, water and air transportation systems.

GOAL 11: Establish fair and equitable distribution of transportation improvement costs.

GOAL 12: Minimize the negative impact of a Highway 99 bypass on the Newberg community.

GOAL 13: Utilize the Yamhill County Transit Authority (YCTA) Transit Development Plan (TDP) as a Guidance Document.

GOAL 14: Coordinate with Yamhill County Transit Area.

GOAL 15: Implement Transit-Supportive Improvements.

Finding: The City of Newberg has an adopted Transportation System Plan from 2016 which includes the Addendum Riverfront Master Plan 2021 which have gone through the Post Acknowledgment Amendment process. The transportation system is planned to accommodate the population growth of the community for a 20-year planning period. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing.

The Goals are met.

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.

Finding: The City applied for a grant from DLCD to amend its Development Code to create clear and objective stands for the development of multifamily housing (5+ units) and was awarded the grant. The proposed changes do not modify density requirements, but rather creates a clear and objective pathway and a discretionary pathway for development of multifamily housing. The proposal does not affect public facilities or services.

The Goal is met.

M. ENERGY

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

Finding: Not applicable as the proposed amendment does not affect energy conservation.

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.

Finding: The proposed amendment does not include an expansion of the Urban Growth Boundary but ensures the efficient use of the land within the existing Urban Growth Boundary for the projected population and employment opportunities within the City, and meets the goal. The proposal will maintain Newberg's identity and enhance the quality living and employment environment by balancing growth and providing cultural activities.

The Goals are met.

C. Oregon Revised Statutes and Oregon Administrative Rules

197.303 "Needed housing" defined.

(1) As used in ORS 197.286 to 197.314, "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last review under ORS 197.296 (2)(a)(B) and the projected future changes in these factors over a 20-year planning period:

(a) Household sizes;

(b) Household demographics;

(c) Household incomes;

(d) Vacancy rates; and

(e) Housing costs.

(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last review under ORS 197.296 (2)(a)(B) if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

(5) Subsection (1)(a) and (d) of this section does not apply to:

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

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

(6) A local government may take an exception under ORS 197.732 to the definition of “needed housing” in subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1; 2011 c.354 §2; 2017 c.745 §4; 2019 c.639 §6; 2019 c.640 §10a]

Finding: The City has a Housing Needs Analysis (HNA) dating back to 2005 and includes a buildable land inventory. Various housing types are included to be developed in Newberg. The HNA was acknowledged by the Department of Land Conservation and Development and incorporated into the Newberg Comprehensive Plan. The City prepared a new HNA in 2021 that updates the 2005 HNA. This document has been accepted by the City Council but not adopted or acknowledged by DLCD. The 2021 HNA shows a slower population growth and a need for additional land within the UGB to accommodate future growth out to 2041 for housing. The 2021 HNA can be accessed at:

https://www.newbergoregon.gov/sites/default/files/fileattachments/community_development/page/29851/res3752.pdf

197.307 Needed housing policy; clear and objective standards for housing; siting of manufactured dwellings. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

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

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

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

(8) In accordance with subsection (4) of this section and ORS 197.314, a jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

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

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

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

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

(e) The manufactured home 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 dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.

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

(g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may subject a manufactured home and the lot upon which it is sited to any

development standard, architectural requirement and minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject. [1981 c.884 §5; 1983 c.795 §3; 1989 c.380 §2; 1989 c.964 §6; 1993 c.184 §3; 1997 c.733 §2; 1999 c.357 §1; 2001 c.613 §2; 2011 c.354 §3; 2017 c.745 §5; 2019 c.401 §7]

Note: The amendments to 197.307 by section 14, chapter 401, Oregon Laws 2019, become operative January 2, 2026. See section 18, chapter 401, Oregon Laws 2019, as amended by section 1c, chapter 422, Oregon Laws 2019. The text that is operative on and after January 2, 2026, is set forth for the user's convenience.

197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.

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

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

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(5) The provisions of subsection (4) of this section do not apply to:

(a) An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.

(b) An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria

regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

(8) In accordance with subsection (4) of this section and ORS 197.314, a jurisdiction may adopt any or all of the following placement standards, or any less restrictive standard, for the approval of manufactured homes located outside mobile home parks:

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

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

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

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

(e) The manufactured home 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 dwellings constructed under the state building code as defined in ORS 455.010.

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

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

Finding: The City has a Housing Needs Analysis (HNA) dating back to 2005 and includes a buildable land inventory. Housing types listed above are included as housing to be developed in Newberg. The HNA was acknowledged by The Department of Land Conservation and Development and incorporated into the Newberg Comprehensive Plan. The City prepared a new HNA in 2021 that updates the 2005 HNA. This document has been accepted by the City Council but not adopted or acknowledged by DLCD. The 2021 HNA shows a slower population growth and a need for additional land within the UGB to accommodate future growth out to 2041 for housing. The 2021 HNA can be accessed at:

https://www.newbergoregon.gov/sites/default/files/fileattachments/community_development/page/29851/res3752.pdf

The City has clear and objective standards for detached single family, duplexes, triplexes, quadplexes, cottage clusters, townhouse and manufactured homes. The current multifamily standards (5+ units) are discretionary related to site design and building design. The City is proposing a two track system to have discretionary, and clear and objective standards to comply with ORS 197.307(4). Adoption of the proposed amendments will bring the City into compliance with ORS 197.307(4).

D. Newberg Municipal Code

Chapter 15.100 LAND USE PROCESSES AND PROCEDURES

15.100.060 Type IV procedure – Legislative.

A. Type IV Actions Are Legislative. The planning commission shall hold a public hearing and make a recommendation to the city council. The city council shall hold another public hearing and make a final decision.

B. Legislative actions include, but are not limited to:

1. Amendments to the Newberg comprehensive plan text;
2. Amendments to the Newberg development code;
3. The creation of any land use regulation.

C. The public hearing before the planning commission shall be held in accordance with the requirements of this code. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property (refer to NMC 15.100.200 et seq.).

D. Interested persons may present evidence and testimony relevant to the proposal. If criteria are involved, the planning commission shall make findings for each of the applicable criteria.

E. The city council shall conduct a new hearing pursuant to this code. At the public hearing, the staff shall present the report of the planning commission and may provide other pertinent information. Interested persons shall be given the opportunity to present new testimony and information relevant to the proposal that was not heard before the planning commission.

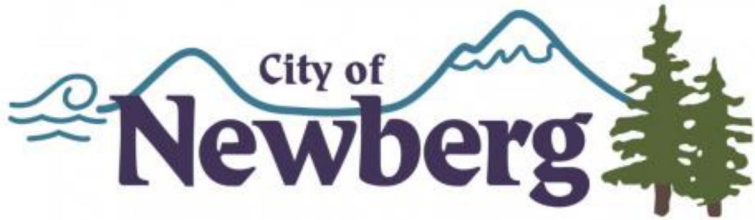
F. To the extent that a finding of fact is required, the city council shall make a finding for each of the applicable criteria and in doing so may sustain or reverse a finding of the planning commission. In granting an approval, the city council may delete, add, or modify any of the provisions in the proposal or attach certain conditions beyond those warranted for the compliance with standards if the city council determines that the conditions are necessary to fulfill the approval criteria.

G. The city council's decision shall become final upon the effective date of the ordinance or resolution.

Finding: Public hearings with the Planning Commission and the City Council are required to finalize a decision regarding the application for the amendment to the Comprehensive Plan and Development Code.

This requirement can be met.

Conclusion: Based on the above findings, the application meets the requirements of Oregon Revised Statutes 197.307(4) criteria to amend the Newberg Comprehensive Plan and Newberg Development Code as noted in this staff report.

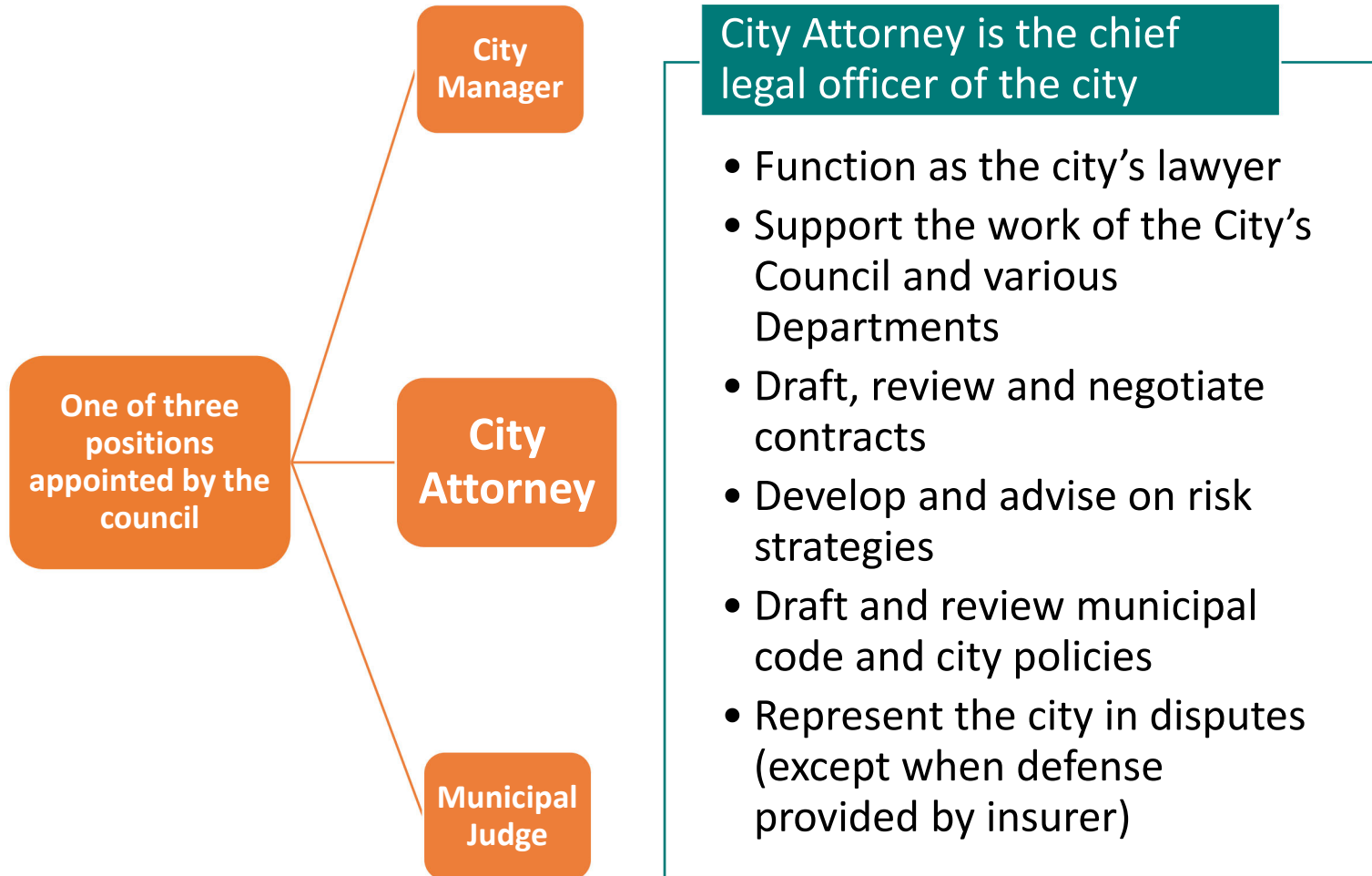


City Council Briefing – Legal Department Functions

*James Walker, Jeff Chicoine, Souvanny Miller,
Christine A. Slattery, and Christine Taylor*
Miller Nash LLP

*For Newberg City Council
April 17, 2023*

Background on City Attorney Role and Structure of Office



Miller Nash LLP hired to provide City Attorney services in 2020 (began in 2021)

- Historically Newberg had an in-house City Attorney, City Prosecutor, Paralegal and possibly other staff – also hired multiple outside firms for specialized areas / high volumes
- Miller Nash LLP functions as legal department by providing City Attorney, paralegal support and specialty counsel that historically went to a collection of outside firms. City Prosecutor remains a direct hire by City.

Access to and Communications with City Attorney's Office



Requests for attorney services are submitted in writing by staff, must be approved by City Manager



Per council rules, individual members of council can submit request for information or advice that will require less than two hours to satisfy



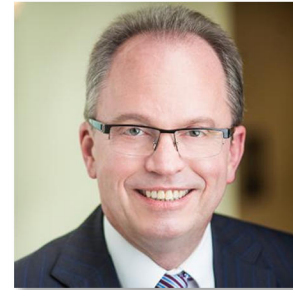
Requests from members of council for legal services that require two hours or more require concurrence from majority of Council

Governance Matters



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Eden Vasquez

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Public Meetings and Records



Attend work session and regular business meetings

- Assist with conduct of legislative and quasi-judicial hearings
- Resource on legal matters that may arise during meetings



Attend and participate in executive session deliberations



Advise on meetings and records law compliance



Review and perform redactions on public records prior to disclosure



Defend the city on public records appeals



Procurement & Public Works



Christine Taylor

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503.205.2417



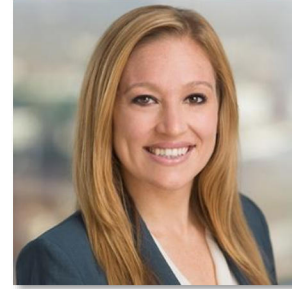
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Procurement & Public Works



Comprehensive updates to the city's purchasing policy and public contracting rules



Comprehensive updates to:

- (a) the city's construction solicitation documents and
- (b) the city's form of construction contract and general conditions



Groundwater Treatment Plant—solicitations and contracts for design and construction; work with EPA re financing



Day-to-day review of agreements with consultants and contractors with an eye toward promoting good relationships while managing risk to the city

Land Use



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Land Use



Advise staff and assist with negotiations when land use permit applicants have engaged legal counsel



Prepare and review performance agreements and other documents used in land use process



Develop intergovernmental agreements



Prepare ballot titles and summaries for elections packets



Newberg Urban Area Management operating documents including NUAMC Bylaws, Urban Area Growth Management Agreement

Labor & Employment



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Employment

Provide advice and counsel regarding:

- High-risk terminations
- Reductions-in-force
- Discrimination and harassment
- Retaliation
- FMLA, OFLA, and OSTL
- Wage & Hour issues
- Compliance with background check requirements
- Compliance with reference check obligations
- Other personnel issues

Employee complaint management, including:

- Advising on internal investigations
- Identifying and retaining external investigators
- Managing ongoing investigations, directing same, and advising on risk
- At conclusion of investigation, determine appropriate next steps

Draft and negotiate employment agreements

Draft and negotiate severance agreements

Prepare updated employee handbook

Handle Oregon Bureau of Labor & Industries charges

Labor Relations

Collective bargaining

- At-the table representation (AFSCME)
- Behind the scenes support (police)

Advice as to contract administration/legal obligations

- Interpreting and applying terms
- Responding to grievances
- Obligations under PECBA

Other services—Hearing representation

- Arbitration
- Oregon Employment Relations Board

Other Topics and Areas



**Litigation
Matters**



**Government
Ethics**



**Employee
Benefits**



Elections



Real Estate



**General
Contracting**

Thank You



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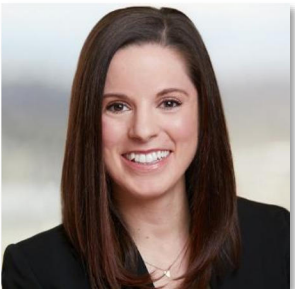
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2023 NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: 4/17/2023

Start: 6:00 p.m.

Stop: 8:00 p.m.

Councilors	Roll Call	Ordinance 2023-2913 Waiver 2 nd reading	Ord 2913 Multifamily design standards				
COUNCILOR MCBRIDE	☒	Yes	Yes				
COUNCILOR WHEATLEY	☒	Yes	Yes				
COUNCILOR YARNELL HOLLAMON	☒	Yes	Yes				
COUNCILOR KILBURG	☒	Yes	Yes				
MAYOR ROSACKER	☒	Yes	Yes				
COUNCILOR OLSON	☒	Yes	Yes				
COUNCILOR CARMON	☒	Yes	Yes				
ROLL CALL VOTES	X	Yes: 7 No: 0 Absent: 0	Yes: 7 No: 0 Absent: 0				
MOTION (1 st /2 nd):	X	Olson/ Wheatley	Kilburg/ Carmon				
Department/ Staff:		CDD	CDD				
Changes:							
Tabled:							