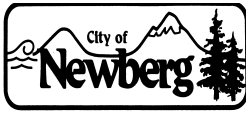


ORDINANCE FAILED TO PASS ON OCTOBER 18, 2010



ORDINANCE No. 2010-2732

AN ORDINANCE AMENDING THE NEWBERG DEVELOPMENT CODE TO CREATE RESIDENTIAL DESIGN STANDARDS

RECITALS:

1. In 2005, the Ad Hoc Committee on Newberg's Future recommended that the City adopt standards to maintain the City's livability and quality of life.
2. In 2009, the City Council accepted the *Newberg Affordable Housing Action Plan*, which recommended, among other things, certain amendments to the Newberg Development Code that would maintain livability and quality of life.
3. The Newberg Planning Commission held seven hearings to consider the changes, and recommended that the City Council adopt the amendments.
4. The Newberg City Council held a hearing on September 7, 2010 to consider the amendments. At that meeting, the City Council felt it best to consider separately the proposed adoption of the residential design standards from the proposed affordable housing amendments.
5. The residential design standards amendments would help the development of attractive, livable and functional neighborhoods at a relatively low cost to homeowners.
6. The Code of Newberg is amended and shown in Exhibit "A", which is attached.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

The Code of Newberg is amended and shown in Exhibit "A" is hereby adopted and by this reference is incorporated.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: November 17, 2010.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of October 18, 2010, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Norma I. Alley, City Recorder

ATTEST by the Mayor this 21st day of October, 2010.

Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through Newberg Planning Commission at 3 /11/2010 meeting. Or, None.

Exhibit “A” to Newberg Ordinance 2010-2732

Proposed Newberg Development Code Amendments

The following shall be added as Newberg Development Code Section 151.195.1:

151.195.1 SINGLE FAMILY RESIDENTIAL DESIGN STANDARDS

The purpose of this section is to ensure that residential developments provide good design, provide a healthy and attractive environment for those who live there, and are compatible with surrounding development. As part of the review process, an applicant for a residential subdivision 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. For more information and illustrations of the following design elements, refer to *Newberg Residential Development Design Guidelines (July 1997)*.

Developers of attached single family projects, projects with multiple single family dwelling on one lot, or projects with combinations of single family attached, single family detached, and multi-unit developments may elect to use either the standards in § 151.195 or § 151.195.1.

Projects subject to these design standards shall achieve at least the minimum number of design points describe below. Each project shall achieve at least 20% of its required minimum total project design points through the use of subdivision design elements and/or site design elements listed below. Each individual dwelling unit in a project shall achieve at least 3 design points from the building design elements listed below. Any development of 10 units or more must obtain at least 5% of the required project point total from each of the 3 design element categories.

Projects of 20 dwelling units or more must achieve at total number of design points equal to 10 design points multiplied by the number of dwelling units (10 points x # of dwelling units).

Projects of 19 dwelling units or fewer must achieve at total number of design points equal to 7 design points multiplied by the number of dwelling units (7 points x # of dwelling units).

Where the applicant is using design elements that will be achieved when future building permits are issued, the applicant shall submit a design sheet with the subdivision preliminary plat that explains which design elements must be incorporated into the dwellings when they are constructed.

The applicant shall develop appropriate Covenants, Codes and Restrictions which include design requirements that meet the standards of this section of the Code to be recorded at the time of final plat.

(A) Subdivision design elements

(1) The project achieves over 80 percent of the target density for the zone. (5 design points for each dwelling above 80% of target density using the following formula: (Proposed # of dwellings – (Target # of dwellings x 80%)) x 5 points = # points, rounded to nearest whole number.)

(2) Use public walkways or multi-use paths not adjacent to streets in side yards or common areas connecting to a park or collector or arterial street (1 design point per 100 linear feet of walkway or path)

(3) Provide additional on-street parking (1 design point per on-street parking space provided beyond 1 per unit)

(4) Use antique street lighting styles as approved by City (1 design point per lighting fixture used.)

(5) Use site furnishings to enhance open space. Communal amenities such as benches, gazebos, playground equipment, fountains, and/or common patios enhance the outdoor environment and comprise

not less than one-half percent of the estimated construction cost of all building(s). Estimated costs are subject to city review and approval. (1 design point per \$1,000 in furnishings)

(6) Provide usable common recreational area, including but not limited to play fields, walking trails, exercise circuit, playgrounds, common patios, gardens, and/or similar functional and age-appropriate common facilities, a central green or pocket park(s) in a subdivision. (1 design point per 500 square feet of area)

(7) Provide a natural feature and tree preservation/replacement plan, including provisions for its future maintenance. (1 point per 1,000 square feet of natural area, up to 20% of the required design point total.)

(B) Site design elements

(1) Bring dwelling close to street by keeping dwelling at most 25 feet from the front property line. (1 design point per dwelling)

(2) Use a single narrow (10 to 14 feet width) driveway per unit, or single shared driveway (20 feet to 24 feet width) for two units (1 design points per dwelling)

(3) Provide increased setbacks between buildings. Increase side yard setbacks (perpendicular to street) so that there is minimum 15-foot separation between buildings on at least one side. (1 design points per separation)

(4) Provide a useable interior yard or courtyard of at least 1000 square feet. (1 design point per dwelling)

(5) Use a uniform front yard fence design for the development. (1 design point per lot with fence design)

(C) Building design elements

(1) Use entry features and accents such as distinctive building or paving materials and detailing (e.g., unenclosed and covered porch (minimum depth of 6 feet and minimum width of 8 feet), roof overhang or, recessed entry with distinctive arch or gable, pergola, arbor, pathway pavers, or similar feature) to mark major entries to multi-unit buildings or individual units. (1 design point per dwelling)

(2) De-emphasize the garage on the front façade

(a) If on front façade, limit garage to single car entrance (16 feet entrance width or less) (2 design points per dwelling)

(b) If on front façade, limit garage to two car entrance (28 feet entrance width or less) (1 design points per dwelling)

(c) Garage even with or setback up to 10 feet from front façade of dwelling. (1 design point per dwelling)

(d) Garage setback 10-19 feet from front façade of dwelling (2 design point per dwelling)

(e) Garage setback 20 or more feet from front façade. (3 design point per dwelling)

(f) Garage entrance not facing street. If side of garage faces the street, then windows, doors, shutters, or similar architectural features are placed that comprise at least 20 percent of the side wall, or landscaping that will upon maturity obscure at least 30 percent of the side wall (2 design point per dwelling)

(3) Orient buildings toward the street. This means orienting individual entries and porches to the street, with front entry not more than 25 feet from the street. In cluster cottage developments with internal circulation and grounds, this means that at least 50% of the units have main entries facing a street or common private drive, rather than be oriented toward a parking lot or the interior. (1 design point per dwelling)

(4) Incorporate architectural elements of one of the city's historical styles (Queen Anne, Dutch 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 window, roof eave brackets, dormer windows, and decorative trim boards. (1 design point per dwelling)

(5) Use roof pitches 5:12 to 6:12 (1 design point per dwelling)

(6) Use at least two (2) different types of contrasting siding materials on the front street-facing elevation. Siding materials may including, but are not limited to wood, wood composite (wood-appearance siding), board and batten (not more than 24 inches between batts), brick masonry, stone masonry, shake (cedar or concrete-fiber shake applied on upper portions of exterior walls and gable ends), stucco, and similar materials at the discretion of the review body. Each material or pattern used to meet this standard shall comprise at least 20 percent of the subject elevation (1 design point per dwelling).

(7) Use architectural features to create interest in the façade such exterior wood or wood-appearance shutters or false shutters, pergolas or trellis work, curved windows or windows with divided or simulated divided lights. (1 design point per dwelling).

(8) On boundaries with lots outside the development that have existing dwellings, limit the height of new dwellings to not more than 5 feet higher than the existing dwelling, unless new dwelling or portion of the new dwelling would be separated from the existing dwelling by 15 feet or more (2 design points per dwelling on the boundary).

(9) To promote privacy, on upper floors facing and within 10 feet of an interior property line outside the development, any windows must be either placed above the sight line from interior, or must be of a frosted or opaque type (1 design point per dwelling).

(10) Use multiple, non-repetitive dwelling designs. Where substantially similar dwelling designs are repeated within a subdivision, they are separated by at least two dwellings of different designs on the same side of any street frontage. Dwellings designs that vary at least three dominant façade features (such as façade materials, roof orientation, reversed orientation, porch or garage features) are not considered substantially similar (1 design point per dwelling).