



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/20/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Newberg Plan Amendment
DLCD File Number 007-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, December 11, 2009

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Barton Brierley, City of Newberg
Gloria Gardiner, DLCD Urban Planning Specialist

<paa>

PROF 2

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

☐ In person	☐ electronic	☐ mailed
DEPT OF		
NOV 13 2009		
LAND CONSERVATION AND DEVELOPMENT		
For DLCD Use Only		

Jurisdiction: **City of Newberg**

Local file number: **G-09-014**

Date of Adoption: **11/2/2009**

Date Mailed: **11/9/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? No Date:

☒ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amended the Newberg Transportation System Plan to include a signal at the OR 219/Everest Street intersection

Does the Adoption differ from proposal? NA

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☒	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☐ Yes ☒ No

If no, do the statewide planning goals apply?

☒ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☒ Yes ☐ No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Yamhill County, ODOT

Local Contact: **Barton Brierley**

Phone: **(503) 537-1212** Extension:

Address: **P.O. Box 970**

Fax Number: **503-537-1272**

City: **Newberg**

Zip: **97132**

E-mail Address:

barton.brierley@newbergoregon.gov

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**

per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **larry.french@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.



ORDINANCE NO. 2009-2721

AN ORDINANCE ADDING A TRAFFIC SIGNAL AT THE ORE 219/EVEREST INTERSECTION TO THE TRANSPORTATION SYSTEM PLAN, MODIFYING THE COST OF THE ORE 219/2ND STREET IMPROVEMENT, AND MODIFYING THE TRANSPORTATION SYSTEM DEVELOPMENT CHARGE

RECITALS:

1. The Transportation System Plan was adopted on May 16, 2005.
2. Engineering studies have concluded that a traffic signal will be needed at the Ore 219/Everest Road intersection to increase system capacity and to meet ODOT and City operational standards.
3. Cost estimates for the channelization of the Ore 219/2nd Street intersection improvement have been updated.
4. The Transportation System Plan is amended to reflect these changes.
5. The Transportation System Development charge also is amended to reflect these projects.
6. Inclusion of these projects in the Transportation System Plan will render them eligible for developer credits for installation of these improvements.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. City of Newberg Transportation System Plan Capacity Project 5, Ore 219, shall be amended as follows [Note: Added text is shown in double underline]:

5. *Ore 219*: Rerouting of Ore 219 through Newberg. The objective of this reroute is to minimize through traffic, including truck traffic, in downtown Newberg. The recommended route is to re-route Ore 219 to Mountainview Drive and Springbrook Road. A special study should be conducted to evaluate this re-route. The special study should analyze the traffic impacts, neighborhood impacts and costs of the re-route. The study should also plan for portions of the current Ore 219 including (1) where it would change into Springbrook, (2) the intersection of Wilsonville Road and the new Ore 219, (3) what the improvements would be at the intersection of 2nd Street with the current Ore 219 *and* the new Ore 219 and (4) the impact on businesses and services along the new Ore 219 as well as the old Ore 219.

Consideration was also given to reconstructing Ore 219 to minor arterial street standards between First Street and the Urban Growth Boundary (UGB) to include sidewalks and bicycle lanes on each side of Ore 219. Total length of this improvement is approximately 1.77 miles and is estimated to cost \$5.9 million. This would reconstruct the intersection of Ore 219/2nd Street to a right-in/right-out only for the east and west sides of 2nd Street (by

installation of a center median channelization). The median channelization will be designed in consultation with the Newberg Fire Department to allow the southbound left-turn movement for emergency vehicles. Estimated cost of channelization improvements is \$10,000 \$65,000.

A traffic signal is to be installed at the Ore 219/Everest intersection to allow better cross street access at Everest Street to meet ODOT and City operational standards and to provide a safe pedestrian crossing. The estimated cost is \$0.45 million.

2. Table 7-2, Newberg Transportation System Cost Breakdown: Capacity Projects, Project 5 shall be amended as follows:

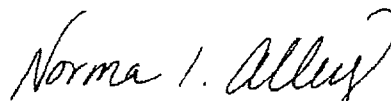
TABLE 7-2
NEWBERG TRANSPORTATION SYSTEM COST BREAKDOWN: CAPACITY PROJECTS
(\$ MILLIONS)

Project	Improvement	Cost	Jurisdiction						Anticipated Timing
			City of Newberg				Yamhill County	ODOT	
			Abutting Properties	New development	SDC	City			
5	Ore 219 (1 st to URA)	5.9	-	-	-	-	-	5.9	M
	Ore 219/2 nd Street	0.01 <u>0.065</u>	-	<u>0.05</u>	<u>0.015</u>	-	-	0.01	S
	<u>Ore 219/Everest</u>	<u>0.45</u>	-	<u>0.135</u>	<u>0.315</u>				<u>S</u>

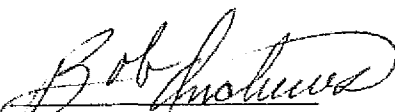
3. The cost per trip for Transportation System Development Charge shall be \$281 per Equivalent Length New Daily Trip (ELNDT).
4. This new Transportation System Development Charge applies to any building permit application submitted after 5:00 p.m. on December 31, 2009. In addition, this fee schedule applies to any building permit issued after 5:00 p.m. on March 31, 2010.
5. This Transportation System Development Charge may be amended as provided in Resolution 2006-2667.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: December 2, 2009.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of November 2009, by the following votes: **AYE: 7 NAY: 0 ABSENT: 0 ABSTAIN: 0**


Norma I. Alley, City Recorder

ATTEST by the Mayor this 5th day of November 2009.


Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ____ / ____ /200x meeting. Or, X None.
(committee name) (date) (check if applicable)



Planning Division

PO Box 970 ■ Newberg, OR 97132

neopost[®]

11/12/2009

US POSTAGE

FIRST-CLASS MAIL

\$01.56⁰



ZIP 97132

041111212617

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