



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

September 1, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Newberg Plan Amendment
DLCD File Number 005-06



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: September 19, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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.

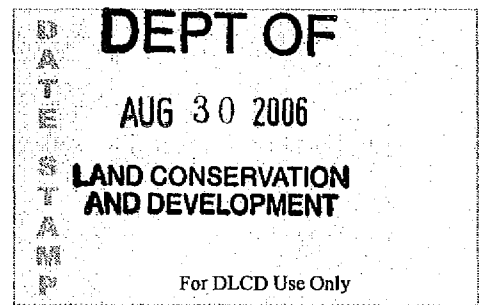
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Jason Locke, DLCD Regional Representative
Steve Olson, City of Newberg

<paa> ya/

2 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



Jurisdiction: City of Newburg Local file number: CPA-06-04/ZMA-06-04
Date of Adoption: 8/21/06 Date Mailed: 8/29/06
Date original Notice of Proposed Amendment was mailed to DLCD: 4/18/2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: also annexation

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

The 3.2 acre parcel was entirely Low Density Residential. This decision approved changing the western third of the site to Medium Density Residential. The ordinance also approved annexation of the entire 3.2 acre parcel.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Same.

Plan Map Changed from: LDR to: MDR
Zone Map Changed from: ~~R-1~~ VLDR-1 (county) to: R-2
Location: Tax lot 3218AB-1800, Lynn Dr. & Catalone Lane Acres Involved: approx. 1 acre
Specify Density: Previous: 1 du/acre New: 8.8 du/acre
Applicable Statewide Planning Goals: 1-14

Was an Exception Adopted? YES NO

DLCD File No.: 005-06(15162)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (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

Affected State or Federal Agencies, Local Governments or Special Districts:

Yamhill County, City of Newberg

Local Contact: Steve Olson Phone: (503) 293-8324 Extension: _____

Address: City of Newberg, 414 E. First St. City: Newberg OR

Zip Code + 4: 97132 Email Address: Steve.Olson@ci.newberg.or.us

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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

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.

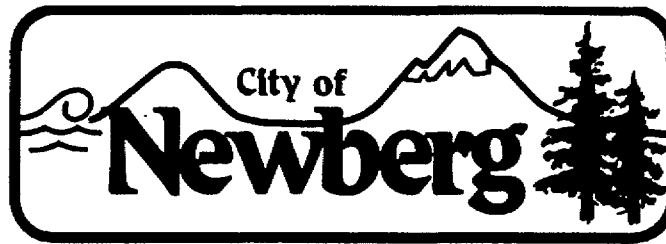
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

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 copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

Planning & Building.
(503) 537-1240

City Attorney
(503) 537-1206



414 East First St.
PO Box 970
Newberg, OR 97132

August 29, 2006

Roger Nelson
23541 Butte Lane NE
Aurora, OR 97002

Subject: File ANX-06-02/CPA-06-04/ZMA-06-04
Annexation of 3.2 acres at Lynn Drive & Crater Lane, Comprehensive Plan and Zoning Map Amendment to Medium Density Residential/R-2 for a portion of the property

Dear Mr. Nelson,

On August 21, 2006 the Newberg City Council adopted Ordinance 2006-2654, approving annexation of approximately 3.2 acres at Lynn Drive and Crater Lane, Yamhill County tax lot 3218AB-1800. The ordinance also approved a comprehensive plan map amendment/zoning map amendment to Medium Density Residential/R-2 for a portion of the site. The annexation is subject to a public vote. The Council also approved Resolution 2006-2673, setting this item for a November 7, 2006 election.

Any party aggrieved by this decision may appeal the decision to the Land Use Board of Appeals (LUBA) by first filing a "Notice of Intent to Appeal" within 21 days after the land use decision became final (OAR-661-010-0010(3)). For details on filing an appeal, contact the Land Use Board of Appeals at 503-373-1265 (550 Capitol Street NE Suite 235, Salem, OR 97301).

If you have any questions please call me at 503-537-1215.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Olson".

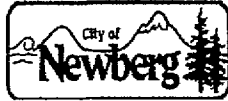
Steve Olson
Assistant Planner
City of Newberg
503-537-1215

enclosure

CC: File ANX-06-02, owners and parties commenting

● **Planning & Building** : e-mail: steve.olson@ci.newberg.or.us Fax: 503-537-1272 ●
Admin: 537-1261 ● Building: 537-1240 ● Public Works: 537-1273 ● Finance: 538-9421 ● Fire: 537-1230
Library: 538-7323 ● Municipal Court: 537-1203 ● Police: 538-8321 ● Maintenance: 537-1234 ● Utilities: 537-1205
Municipal Court Fax: 538-5393 ● Public Works Fax: 537-1277 ● Library Fax: 538-9720

"Working Together For A Better Community-Serious About Service"



ORDINANCE No. 2006-2654

AN ORDINANCE DECLARING PROPERTY LOCATED AT LYNN DRIVE AND CRATER LANE, YAMHILL COUNTY TAX LOT 3218AB-1800, BE ANNEXED INTO THE CITY OF NEWBERG, WITHDRAWN FROM THE NEWBERG RURAL FIRE PROTECTION DISTRICT, AND THAT THE COMPREHENSIVE PLAN MAP BE CHANGED TO MDR FOR A PORTION OF THE PROPERTY, AND THE ZONE CHANGED TO R-2 AND R-1/SC, SUBJECT TO A PUBLIC VOTE

RECITALS:

1. On March 22, 2006, an application for annexation and consent to annex was submitted by Roger Nelson for property located at Lynn Drive and Crater Lane, Yamhill County Tax Lot 3218AB-1800, consisting of 3.2 acres. The applicant submitted a concurrent comprehensive plan map amendment/zoning map amendment to change the designation for a portion of the property to MDR/R-2. The applicant submitted a signed Measure 37 waiver.
2. After proper notice, on August 21, 2006 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third, the City Council held a public hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
3. The Council finds that the requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding annexations have been met.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

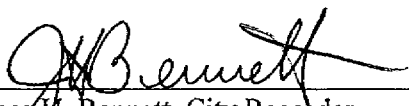
1. The City Council adopts the findings, which are attached hereto as Exhibit A and incorporated herein by reference.
2. Owners understand that annexation in to the city must be approved by the voters of the City. The City may place the matter before the voters of the City at a Primary or biennial General Election (an election held in May and November of each even-numbered year), unless otherwise approved by resolution of the City Council.
3. At this time, the City does not have to pay any election costs to place a matter on the ballot before the voters at a Primary or biennial General Election. The State of Oregon, which conducts

the election, has the authority and may change the rules to require the City to pay some costs. In which case, the applicant/owners will be required to pay their proportionate share of such costs. The City Council directs that all costs associated with placing the item on the ballot be paid for by the applicant/owners. This includes but is not limited to noticing, signage, advertising, and costs assessed by the Yamhill County Clerk to place the item on the ballot. Owners may be required to place monies in escrow to cover such costs of election(s).

4. Should this annexation request be approved by a majority of the electorate of the City of Newberg at the election date as identified by resolution of the City Council, the property shall be annexed and the following events shall occur:
 - A. It is hereby ordered and declared that the property shown in Exhibit B and described in Exhibit C, is annexed and withdrawn from the Newberg Rural Fire Protection District.
 - B. The territory shown in Exhibit B and described in Exhibit C, shall be zoned R-2 (Medium Density Residential) and R-1/SC (Low Density Residential/Stream Corridor Sub-district), as shown on the map. The "Newberg, Oregon Zoning Map" shall be amended to indicate this change.
 - C. The Recorder of the City of Newberg is hereby authorized and directed to make and submit to the Secretary of State, the Department of Revenue, the Yamhill County Elections Officer, and the Assessor of Yamhill County, a certified copy of the following documents:
 1. A copy of this ordinance.
 2. A map identifying the location of said territory.
5. The owner shall be responsible for the cost of street and utility improvements to serve the property.

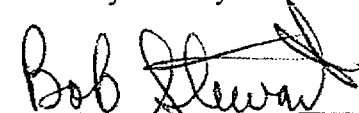
➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: September 20th, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of August, 2006, by the following votes: **AYE: 7** **NAY: 0** **ABSENT: 0** **ABSTAIN: 0**



James H. Bennett, City Recorder

ATTEST by the Mayor this 24th day of August, 2006.



Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission Committee at 7/13/2006 meeting.

**EXHIBIT A: ANNEXATION/COMPREHENSIVE PLAN MAP AMENDMENT/ZONE MAP
AMENDMENT - FINDINGS
ANX-06-002/CPA-06-004/ZMA-06-004**

§ 151.262 - TYPE III ANNEXATION CRITERIA

A. The following conditions must be met prior to or concurrent with City processing of any annexation request:

1. *The subject site must be located within the Newberg Urban Growth Boundary or Newberg Urban Reserve Areas.*

Finding: The subject site is within Newberg's urban growth boundary.

2. *The subject site must be contiguous to the existing City limits.*

Finding: The site is bordered on the north by the City limits boundary.

B. An application for an annexation may be granted through a Type III procedure only if the proposal conforms to the annexation criteria found in NDC § 151.262, as follows:

1. *The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.*

Finding: The site has a LDR comprehensive plan designation. The applicant has requested a concurrent comprehensive plan map amendment change to MDR for the western portion of the site. The proposed zoning designation of the site is R-1 and R-2, which is consistent with Newberg comprehensive plan.

2. *An adequate level of urban services must be available, or made available, within three years time of annexation. An adequate level of urban services shall be defined as:*

(a) *Municipal sanitary sewer and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.*

(b) *Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.*

Finding: As indicated below, upon development, public utilities will have adequate capacity to accommodate the future demands of the area.

Water: Water service is available in Lynn Drive to serve the site.

Sanitary sewer: Sanitary sewer service is available in Lynn Drive to serve the site.

Stormwater: Upon development, stormwater will outfall to the creek at the southeast corner of the site via an existing easement over the adjacent property.

Roads: Upon development, improvements to Lynn Drive and extension of Crater Lane, at local street standards, will be required.

3. *Findings documenting the availability of police, fire, parks, and school facilities and services shall be made to allow for conclusionary Findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.*

Finding: Police services are currently provided to the area outside the City by Yamhill County Sheriff's Office. Newberg Rural Fire District currently provides fire service. The proposed annexation will shift police and fire services to the City. The fiscal analysis calculation estimated that the annual revenues from the annexation will improve the level of public safety provided in the City. The current level of public safety service for the city is 3.1 FTE (full time employees) per 1000 people. The annexed properties, when developed, would generate revenue at a rate of 3.9 FTE per 1000, which will help improve the overall level of public safety provided within the city. The residential development on the site would create additional demand for parks and school services, which will be offset by the system development charge for parks and State per pupil funding for schools. The development of the site will not have adverse affects on the availability of police, fire, parks, and school facilities and services for the community as a whole.

4. *The burden for providing the Findings for divisions (A), (B) and (C) of this section is placed upon the applicant.*

Finding: The applicant has provided written Findings for this section.

5. *The City Council may annex properties where urban services are not and cannot practically be made available within the three year time frame noted in division (B) above, but where annexation is needed to address a health hazard, to annex an island, to address sewer or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the Council shall apply an interim zone, such as a limited use overlay, that would limit development of the property until such time as the services become available.*

Finding: Urban services can be made available within the three year time frame.

§ 151.122 – TYPE III COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT CRITERIA.

A. The proposed change is consistent with and promotes the objectives of the Newberg Comprehensive Plan and this Code.

1. Comprehensive Plan Description

MEDIUM DENSITY RESIDENTIAL (MDR)
The objective of this designation is to provide a wide range of housing types and styles while maintaining an overall density of up to 8.8 units per acre. Typical housing types include single-family housing on small lots, attached or detached single-family or duplex units or tri- or four-plexes where adequate opens areas exist and where the overall density is within the limits of this classification. Services shall include improved streets, underground utilities (except electrical transmission lines), street lighting, sidewalks and, in some cases, bikeways.

Finding: The request is to designate the western portion of the site as medium density residential. The concept development plan shows single-family houses on approximately 6,000 sq. ft. lots (equivalent to 5.5 dwelling units per acre). This meets the development standards for the MDR designation, however, is below the maximum density of 9 units/acre. In order to reach the planned density, future requirements may include duplex or multi-family only in the MDR designation, excluding detached single-family homes. Services will be required at the time of development. This meets the objective of the MDR designation.

2. Development Code - Description and Purpose

R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
(A) The purpose of this land use designation is to provide a wide range of housing types and styles, while maintaining a maximum overall density of 8.8 units per gross residential acre.
(B) Typical housing types will include single-family dwellings on small lots, attached and detached single family, duplex or multi-family housing, cluster developments and townhouses. The R-2 District is intended to be consistent with the "Medium Density Residential" designation of the comprehensive plan.

Finding: The proposed R-2 district would be consistent with the proposed MDR comprehensive plan district. The proposed use is for single-family homes, which is consistent with the R-2 zone

requirements. The proposal is for 5.5 units per acre which will not exceed the maximum 8.8 dwelling units per acre as allowed in the R-2 zone. In order for actual build out to better meet the planned density zone requirements, future development regulations such as excluding detached single-family homes, minimum density requirements or incentives, or so forth may take place. Thus, it is possible that the applicant's concept development plan (detached single-family units at 5.5 dwelling units per acre) may not ultimately be the plan that is approved for this site.

3. Comprehensive Plan Goals and Policies

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 process of holding a public hearing before the Planning Commission and City Council for approval of this request is consistent with providing citizens an opportunity to have involvement in the land use process.

HOUSING GOAL: To provide for a diversity in the type, density and location of housing within the City to ensure that there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

HOUSING DENSITY POLICY (a): Density rather than housing type shall be the most important development criteria and shall be used to classify different types of residential areas on the plan.

HOUSING DENSITY POLICY (b): Target densities should be as follows: Urban Medium Density: 9 units per gross acre (includes a 25 percent allowance for streets). The City shall encourage development to occur at or near these planned densities by providing positive incentives, such as lot size averaging while maintaining and improving livability.

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

HOUSING MIX POLICY (j): The City shall encourage innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs.

HOUSING MIX POLICY (m): Within the urban area, land use policies will attempt to provide a broad range of residential uses and encourage innovative development techniques.

HOUSING MIX POLICY (o): The City shall encourage incentive-based affordable housing for low and very low income housings in the R-2 and R-3 zones.

Finding: The request is for a MDR comprehensive plan designation for the western portion of the site. This meets the comprehensive plan housing policies as it provides for houses on smaller lots, reducing overall housing costs compared with LDR.

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

TRANSPORTATION POLICY: Transportation improvements shall be used to guide urban development and shall be designed to serve anticipated future needs.

TRANSPORTATION GOAL 9: Create effective circulation and access for the local transportation system. Promote reliance on multiple modes of transportation and reduce reliance on the automobile.

TRANSPORTATION POLICIES:

c. Develop a system of roads which provide for efficient movement of traffic, considering the general design guidelines below.

5) Local Streets. Local streets provide direct access to adjoining properties and connect to collector streets.

Finding: The site will be served by the extension of Crater Lane, a local street. The requested MDR designation will increase the number of lots served by the street extension, there by creating an efficient use of transportation infrastructure.

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

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

Finding: The requested MDR designation will result in more compact urban development, which will result in a more energy-efficient development pattern.

B. Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.

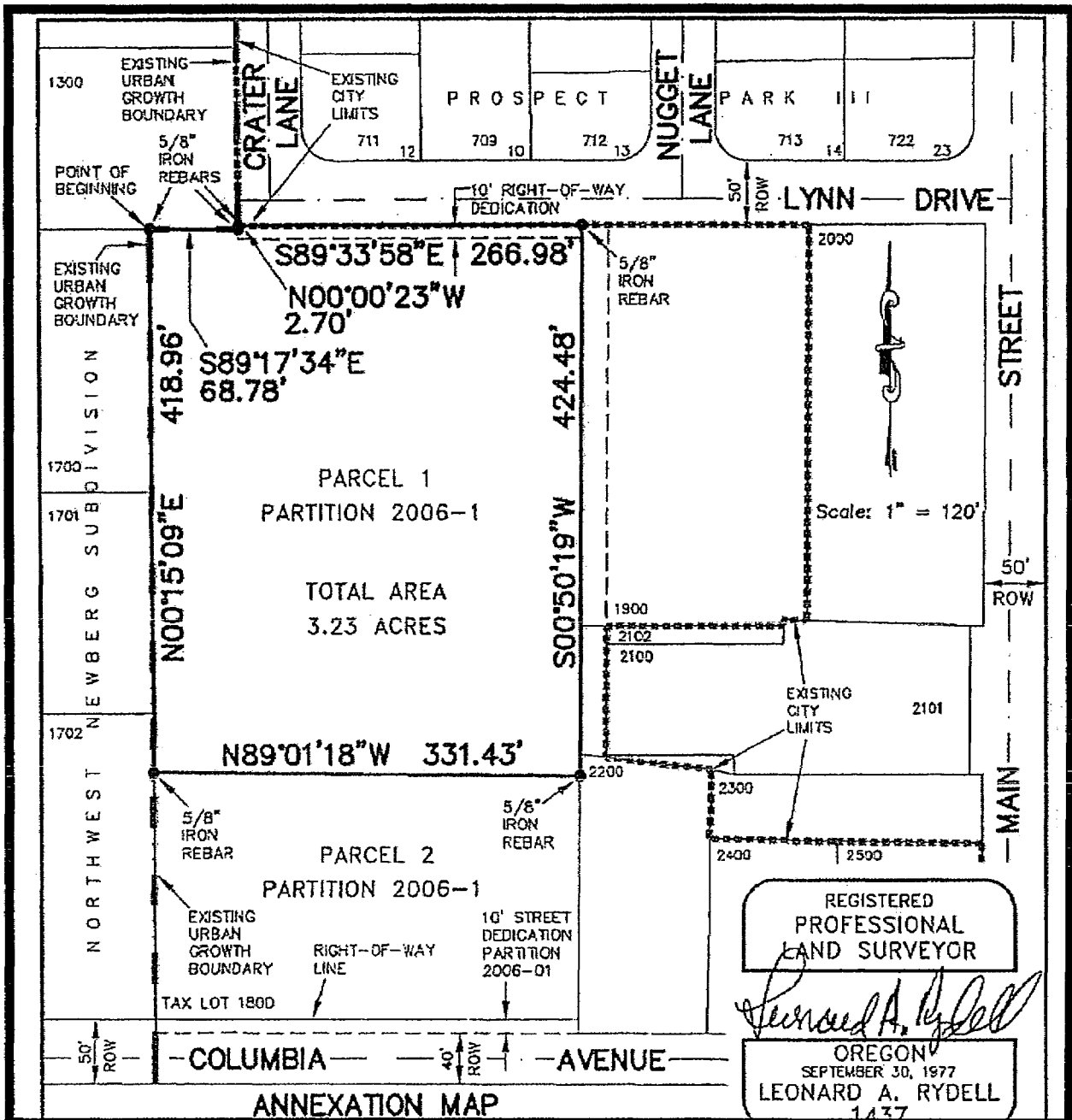
Finding: Water and sanitary sewer are available in Lynn Drive. Stormwater drainage is available in the creek that is southeast of the site via an existing easement.

CONCLUSION FOR THE COMPREHENSIVE PLAN MAP AMENDMENT /ZONING MAP AMENDMENT:

The request to change the designation to Medium Density Residential for the western portion of the site meets the comprehensive plan policies.

DEVELOPMENT NOTES:

1. **Division of State Lands:** Prior to development a removal-fill permit may be required, a permit may be required by the Corps of Engineers (503-808-4373), and a wetland determination/delineation report will be needed.



Description: Annexation & Comprehensive Plan Amendment/ Zoning Map Amendment
File: ANX-06-002/CPA-06-004/ ZMA-06-004
Date: August 21, 2006

EXHIBIT "B"
ANNEXATION MAP

Tax Lot: Tax lot 3218AB-1800
Location: Crater Lane and Lynn Drive
Application By: Roger Nelson

EXHIBIT "C" - LEGAL DESCRIPTION

Parcel 1 and a ten foot right-of-way dedication along Lynn Drive platted by Partition 2006-01, a partition recorded 26 January 2006 by Instrument No. 200601772, Yamhill County Deed Records, and located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West of the Willamette Meridian, City of Newberg, Yamhill County, Oregon, being more particularly described based said Partition 2006-01 by Norman D. Springer, PLS 1102, as follows:

Beginning at a 5/8-inch iron rebar at the Northwest corner of said Parcel 1; thence South 89° 17' 34" East 68.78 feet along the North line of said Parcel 1 to a 5/8-inch iron rebar at an angle point of said Parcel 1; thence North 00° 00' 23" West 2.70 feet along the boundary of said right-of-way dedication to a 5/8-inch iron rebar at the Northwest corner of said right-of-way dedication; thence South 89° 33' 58" East 266.98 feet along the North line of said right-of-way dedication to a 5/8-inch iron rebar at the Northeast corner of said right-of-way dedication; thence South 00° 50' 19" West 424.48 feet along the East line of said right-of-way dedication and the East line of said Parcel 1 to a 5/8-inch iron rebar at the Southeast corner of said Parcel 1; thence North 89° 01' 18" West 331.43 feet along the South line of said Parcel 1 to a 5/8" iron rebar at the Southwest corner of said Parcel 1; thence North 00° 15' 09" East 418.96 feet along the West line of said Parcel 1 to the Point of Beginning.

Said tract containing 3.23 acres more or less.



RESOLUTION No. 2006-2673

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ELECTIONS OFFICER TO CERTIFY TO THE YAMHILL COUNTY CLERK A BALLOT TITLE FOR THE MEASURE TO BE SUBMITTED TO THE ELECTORATE OF THE CITY OF NEWBERG FOR THEIR APPROVAL OF AN ANNEXATION FOR PROPERTY LOCATED AT LYNN DRIVE AND CRATER LANE, YAMHILL COUNTY TAX LOT 3218AB-1800

RECITALS:

1. On August 21, 2006 the City Council adopted Ordinance No. 2006-2654, annexing the property located at Lynn Drive and Crater Lane, Yamhill County Tax Lot 3218AB-1800, subject to a public vote.
2. The City of Newberg Charter requires that territory may be annexed into the City of Newberg only upon approval by a majority vote among the electorate of the City.
3. The City Council has requested that this matter be placed before the voters at the general election in November, 2006.

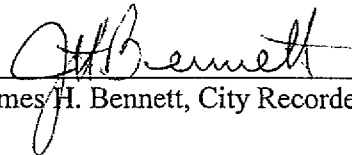
THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Attorney of the City of Newberg is hereby authorized and directed to prepare in proper form a ballot title placing before the voters the question of the annexation of the property located at Lynn Drive and Crater Lane, Yamhill County Tax Lot 3218AB-1800, as described in Ordinance No. 2006-2654, and file such ballot title with the City Elections Officer.
2. The City Elections Officer of the City of Newberg is hereby authorized and directed to certify to the Yamhill County Clerk the ballot title for the annexation measure to be placed before the voters at the next general election in November, 2006. Further, the City Elections Officer is directed to give all necessary notices of the ballot title and do all other necessary acts and deeds which may be required to place the matter before the voters of the City of Newberg at said election.
3. The City Council directs that all costs associated with placing the item on the ballot be paid for by the applicant/owner. This includes but is not limited to noticing, signage, advertising, and costs assessed by the Yamhill County Clerk to place the item on the ballot.

4. The City Attorney is directed to have prepared and review the explanatory statement which shall be submitted to the Yamhill County Clerk with the ballot title. Such explanatory statement shall be filed with the City Elections Officer and the City Elections Officer is further directed to certify this explanatory statement to the Yamhill County Clerk.
5. The City Elections Officer is authorized to do all other necessary acts and deeds which may be required to conduct the election concerning this measure.


➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 20th, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of August, 2006.



James H. Bennett, City Recorder

ATTEST by the Mayor this 24th day of August, 2006.



Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission Committee at 7/13/06 meeting.
(committee name) (date)



Description: Annexation &
Comprehensive Plan Amendment/
Zoning Map Amendment
File: ANX-06-002/CPA-06-004/ ZMA-
06-004
Date: July 13, 2006

EXHIBIT D
AERIAL MAP
Tax lot 3218AB-1800

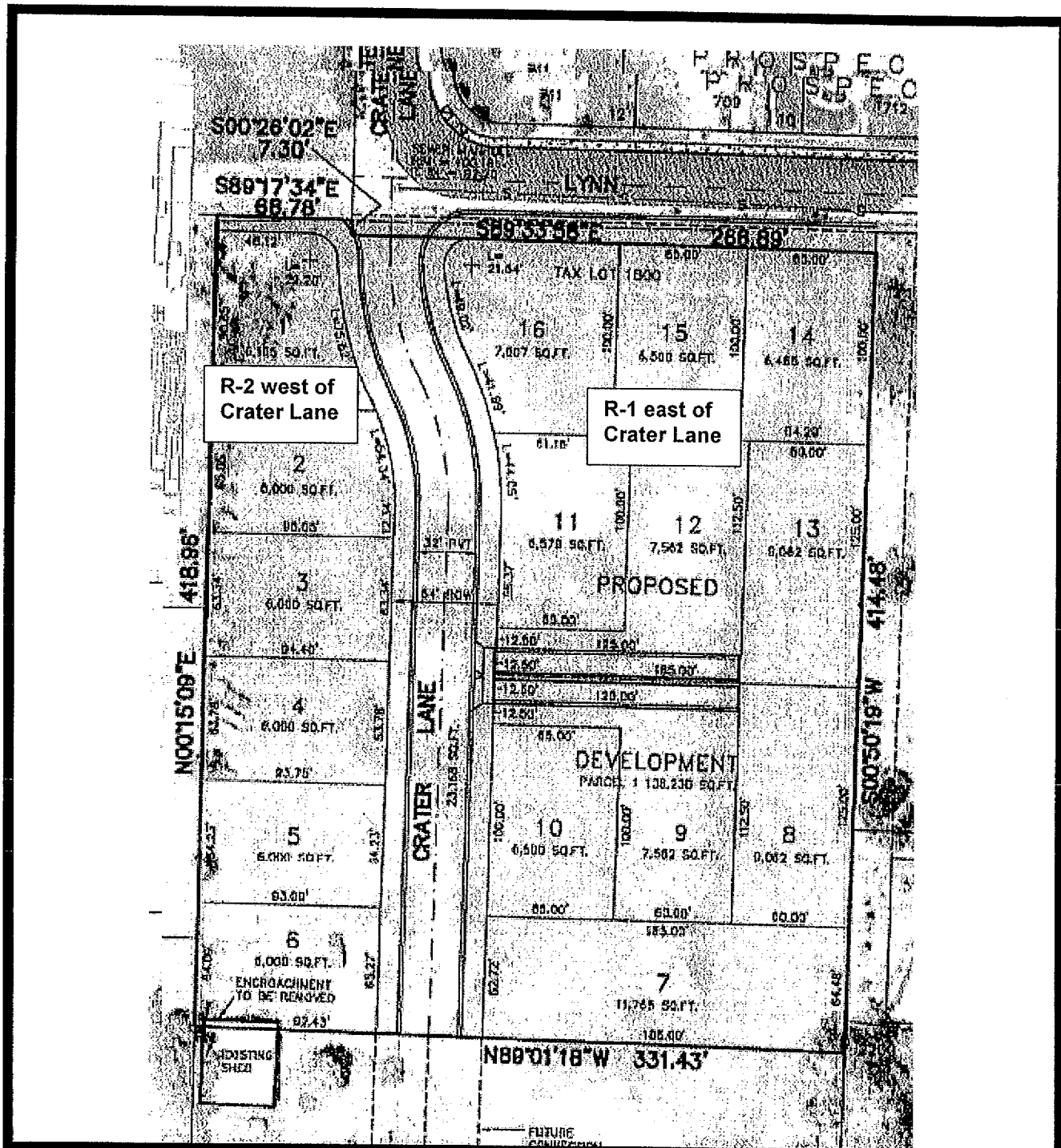
Location: Crater Lane and Lynn
Drive
Application By: Roger Nelson



Description: Annexation &
 Comprehensive Plan Amendment/
 Zoning Map Amendment
File: ANX-06-002/CPA-06-004/ ZMA-
 06-004
Date: July 13, 2006

EXHIBIT E
LOCATION MAP
Tax lot 3218AB-1800

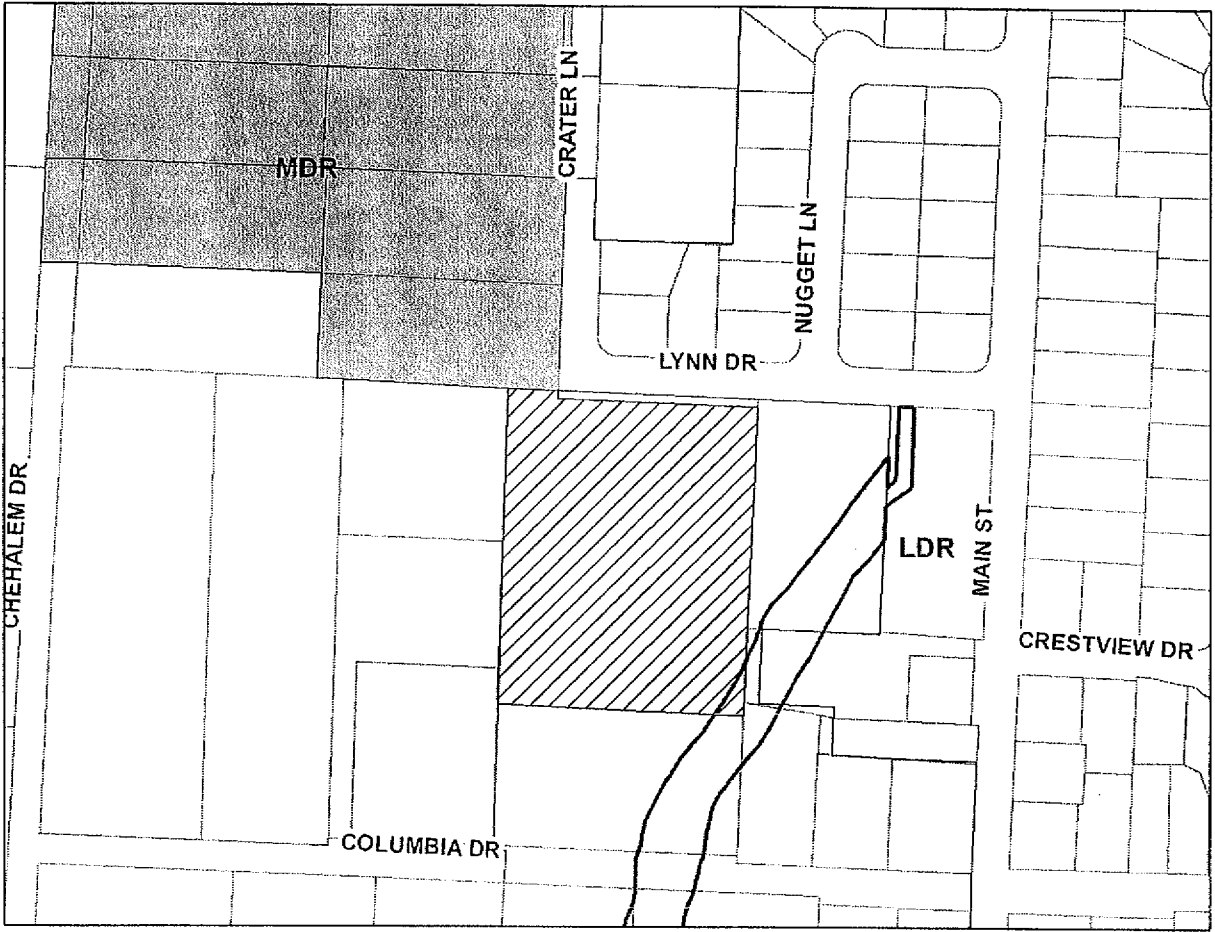
Location: Crater Lane and Lynn
 Drive
Application By: Roger Nelson



Description: Annexation &
 Comprehensive Plan Amendment/
 Zoning Map Amendment
File: ANX-06-002/CPA-06-004/
 ZMA-06-004
Date: July 13, 2006

EXHIBIT F
CONCEPTUAL
DEVELOPMENT PLAN
 Tax lot 3218AB-1800

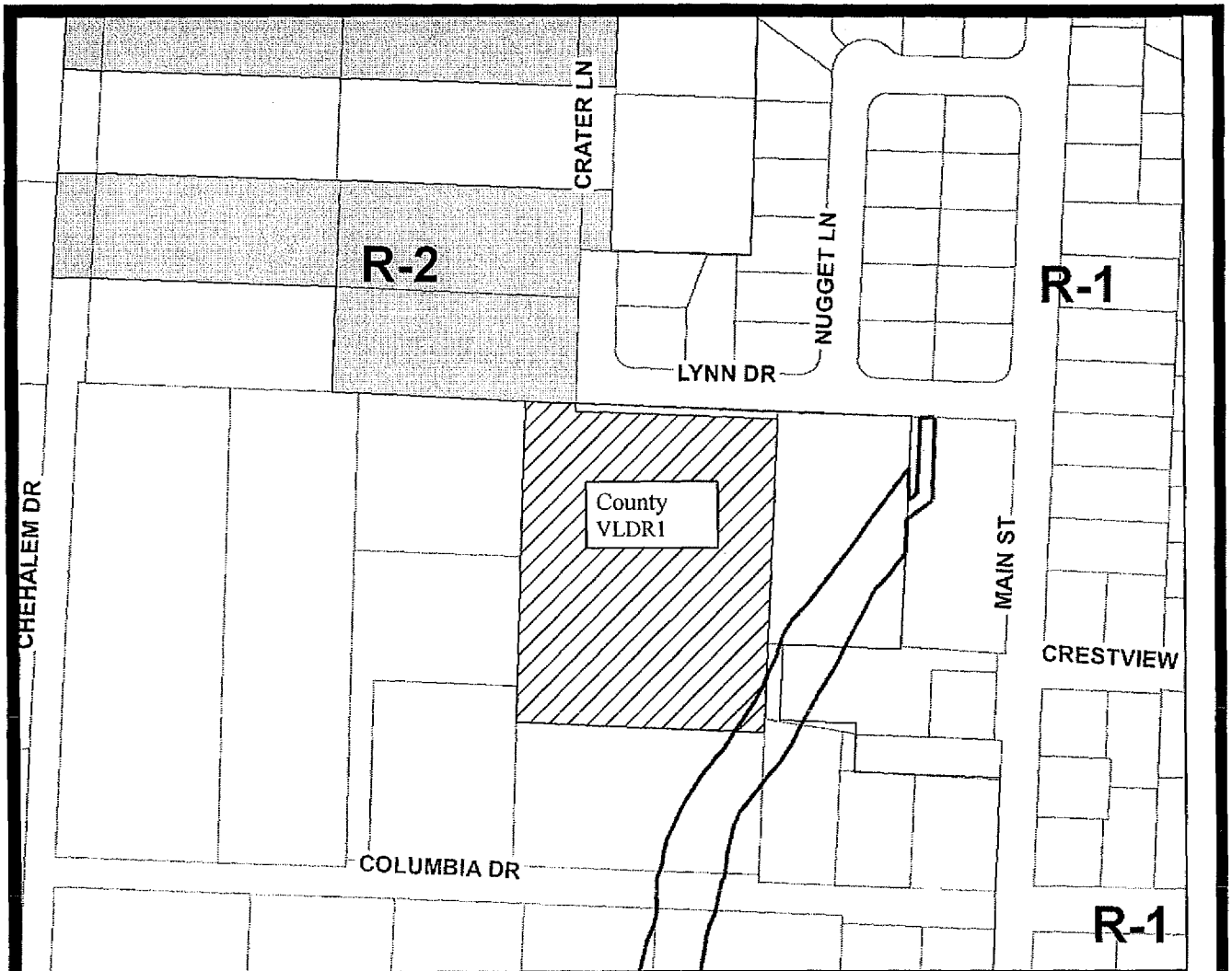
Location: Crater Lane and Lynn
 Drive
Application By: Roger Nelson



Description: Annexation &
Comprehensive Plan Amendment/
Zoning Map Amendment
File: ANX-06-002/CPA-06-004/
ZMA-06-004
Date: July 13, 2006

EXHIBIT G
COMPREHENSIVE PLAN MAP
Tax lot 3218AB-1800

Location: Crater Lane and Lynn
Drive
Application By: Roger Nelson



Description: Annexation &
Comprehensive Plan Amendment/
Zoning Map Amendment
File: ANX-06-002/CPA-06-004/
ZMA-06-004
Date: July 13, 2006

EXHIBIT H
ZONING MAP
Tax lot 3218AB-1800

Location: Crater Lane and Lynn
Drive
Application By: Roger Nelson