



PLANNING COMMISSION REGULAR SESSION AGENDA
Monday, August 09, 2021 - 7:00 PM
City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

The meeting location is accessible to persons with disabilities. A request for an interpreter for the DEAF AND HARD OF HEARING, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613, or p.hawker@newportoregon.gov.

The meeting will be live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190.

Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. The e-mail must be received at least four hours prior to the scheduled meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER AND ROLL CALL

Jim Patrick, Bill Branigan, Lee Hardy, Bob Berman, Jim Hanselman, Gary East, and Braulio Escobar.

2. APPROVAL OF MINUTES

2.A Approval of the Planning Commission Work Session Meeting Minutes of July 26, 2021.

[Draft PC Work Session Minutes 07-26-2021](#)

2.B Approval of the Planning Commission Regular Session Meeting Minutes of

July 26, 2021.

[Draft PC Reg Session Minutes 07-26-2021](#)

3. CITIZENS/PUBLIC COMMENT

A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Planning Commission on any matter not on the agenda will be given the opportunity after signing the Roster. Each speaker should limit comments to three minutes. The normal disposition of these items will be at the next scheduled Planning Commission meeting.

4. ACTION ITEMS

5. PUBLIC HEARINGS

5.A File 1-PD-21/1-SUB-21: Wilder Planned Development Amendment and Tentative Subdivision Plan.

[Staff Report](#)

[Attachment A1](#)

[Attachment A2](#)

[Attachment A3](#)

[Attachment A4](#)

[Attachment A5](#)

[Attachment B](#)

[Attachment C](#)

6. NEW BUSINESS

7. UNFINISHED BUSINESS

8. DIRECTOR COMMENTS

8.A Updates.

[TSP Online Open House and Workshop Flyer](#)

[Resolution No. 3928 - Nye Neighborhood Association](#)

9. ADJOURNMENT

Draft MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers
July 26, 2021
6:00 p.m.

Planning Commissioners Present: Jim Patrick, Bob Berman, Lee Hardy, Braulio Escobar, Gary East, and Bill Branigan.

Planning Commissioners Absent: Jim Hanselman (*excused*).

PC Citizens Advisory Committee Members Absent: Dustin Capri (*excused*) and Greg Sutton.

City Staff Present: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
2. **New Business.**
 - A. **South Beach Commercial/Industrial Land Use Code Audit.** Tokos reported that he would be rearranging the agenda items to discuss the Food Cart discussion second. He introduced Elizabeth Decker with Jet Planning who was on the planning team that was working on the South Beach Refinement Plan. Tokos reviewed the key concepts that had been discussed for the refinement plan that included (a) should commercial zoning be extended south through the new 35th Street intersection, (b) should the City look to narrow the range of outright permitted uses in the I-i zone to provide greater certainty as to potential future uses, (c) is a 50-ft highway setback still appropriate in the industrial zones; (d) might there be an opportunity to frame zoning on the Investors XII site to complement OMSP's camp gray, (e) should the city look to more aggressively phase out non-conforming uses, (f) could there be an opportunity for the URA to pay SDCs for water/sewer connections as a way to incentivize annexations.

Branigan didn't think they needed the #4 improvement opportunities for the Aquarium crossing for the RV lot on Ferry Slip Rd because there were very few RVs there. He questioned the value on the lot.

Berman asked for more information on extending the zoning. Tokos explained that there was light industrial next to the SW 35th Street and US 101 intersection. The question was, as they saw more commercial development in the area, would this be something they might want to do. Tokos explained that anything he included on the memo wasn't a given but was a question on if it was worth looking at if they wanted to extend the commercial going south. Berman thought it was worth looking at. He felt that in order to a good discussion on this there needed to be a good zoning map to look at, and they needed to find out how the owners of the properties to find out how they felt about it. Escobar asked if the people in South Beach would have an opportunity to comment on this. Tokos reported they would, and the outreach that was happening currently was to ask what kinds of additional services they would like to see there.

Patrick had a problem with the fact that the "I" zones were what the city had the least of. If they were to turn properties into commercial, they needed to consider where they would get the industrial land to make up for it. Tokos didn't know that they were looking at too much land that would need to be converted to commercial. What they were referring to was the light industrial, which they had a fair amount of. Tokos reported that all properties that weren't zoned and in the unincorporated Urban Growth Boundary would come in as I-2 or I-3 zones. Patrick thought they should look at what was allowed in a I-1 zone. Tokos thought it was good to look to see if anything was permitted outright without review by a policy making body, or if there were certain uses that needed to be routed through a conditional use to insure compatibility.

Branigan noted the South Beach Church was in the I-1 zone and thought it should fall under commercial. Tokos reported the Urban Renewal Agency purchased this property to help facilitate the signal relocation project and traffic improvements. Part of the purchase agreement allowed the church to stay there for a couple of years. The Church has known they need to find another location but there was nothing to say they wouldn't make a pitch to policy makers to allow them to stay there in some capacity. One of the challenges for the Urban Renewal Agency was that it was there to help improve the economic vitality of the area which included the tax base, which a church didn't pay. It would be a tough sell to say this was the best use for the property. Branigan thought this area would be a good location to bring in things that South Beach was lacking, such as a grocery store. Tokos explained that one of the pieces on the plan was for EcoNW to provide a recommendation for how the Urban Renewal Agency would make that property available for private development that would enhance the area and meet the needs of the area that people were looking for.

Patrick asked about the 50 foot highway setback in the industrial zone and if the existing businesses were grandfathered in for this. Tokos confirmed a lot of them were grandfathered in. Patrick questioned why they had the 50 feet setback for industrial and not commercial. Tokos thought they could look at this. The question was if this was of value, how realistic it was to add lanes given the constraints of the area, and how to impose this type of setback. Berman thought the areas where there were on and off industrial and commercial needed to be the same and consistent.

Patrick thought they needed to consider the opportunity for the Urban Renewal Agency to pay for SDCs in certain areas to incentivized annexations. Tokos explained that they could have a short-term program where you would calculate what the connection costs would be across the properties and provide a window in which they City would cover the costs of SDCs in a specific amount of time. This had been done in Gresham to incentivize redevelopment in their city center.

Patrick asked for thoughts on the graceful phase out of nonconforming uses. Tokos thought this was about looking at how other jurisdiction were addressing nonconforming uses and how they were approaching phase outs. The question was if it was worth looking at. Berman asked if it could be done in a limited geographical area. Tokos reported it could potentially. Patrick was interested in looking at it.

Patrick asked how they would frame the zoning on the C-2 to make it more compatible. Tokos didn't have an answer but was putting the thought out there to find a complimentary use.

Berman asked how they could decide what the SDC credits were if they didn't know what was going to be developed. Tokos explained it would be a credit on the connection of the existing use.

Berman thought it would be nice to have a high resolution zoning map to reference. Patrick asked to have the map be on available on the city's website as well.

3. **Unfinished Business.**

- A. **File No. 1-Z-21, Policy Options for Food Truck/Food Cart Amendments.** Patrick reminded the Commission that this discussion was only for clarification on the text and there should be no deliberations.

Tokos covered the changes to Chapter 4 first. Patrick asked if the education zones included Pre-K schools. Tokos reported it was K-12 grades. Patrick noted that that the Montessori School was another school to consider. Berman asked if they needed a definition for elementary schools. Tokos noted this could be made with the recommendation at the hearing.

Tokos reviewed Chapter 14 to prevent vending in the Nye Beach and Bayfront parking district within the ROW. He then reviewed the policy option that applied to the size of stands in Public ROWs. Berman wanted the City Council to designate the areas for stands, instead of determining the size of the stands in the given areas. Tokos explained this would leave it up to the Council to decide how they wanted to use it. They would be using size limitations to accommodate different types of vending. Berman worried that the Council wouldn't be on top

of some of the subtleties and would have to rely on staff to point out some of the implications. Tokos reminded that one of the values of a resolution was that if it wasn't working they could adjust it without a full code amendment.

Branigan asked if signage should be added to the vending stands section. Tokos reminded that signs were managed under the sign code.

Berman asked if Chapter 14.09.050 Option A was about private property. Tokos confirmed it was. Berman asked if they included Option B, did it mean neither a truck nor a full pod would be allowed on a lot. Tokos confirmed this was correct. Patrick asked if this meant they couldn't do anything at the fairgrounds. Tokos explained this was a public zoned property and had its own set of rules under fair operations. Berman asked if Janet Webster could build a restaurant on her property. Tokos confirmed she could because it was a C-3 zone.

Tokos covered the 14.09.050(D) policy options. Berman asked who was responsible for verifying written permission. Tokos reported the city would verify this by the application. Berman asked what would happen if the property was sold. Tokos reported this would already be designated as a specific use and they wouldn't have to revisit it.

Tokos pointed out that because pods were a quasi-semi-permanent use, he changed the text from having to renew every two years to a type one decision making procedure. Once the decision was done, they wouldn't revisit the decision for pods.

Branigan asked if they needed to spell out that food trucks needed to abide by the OHA rules. Patrick reminded that food trucks would need to get the Health Authority approval before they could operate.

Escobar asked if the cart at Bier One was a food truck. Tokos confirmed it would be considered a cart. Both a stand and a food truck were considered the same under the Health Authority because they both fit under the vehicle parameters. East asked how the rules would apply when a business invited one or two food trucks/carts to operate on their property for a promotion. Tokos explained there were a few ways to do this. It could be a special event if it was in the context of street closures. If the food truck had a mobile vending license they could operate out of the adjoining ROW. They could also get authorized to operate off the private property.

Berman asked why they went from \$550,000 to \$2 million for the liability insurance. Escobar reported that \$500,000 didn't cover many things. Tokos reminded this was for public properties where the city had potential liability, not private properties.

4. New Business (Continued).

TGM Grant Application to Further Efforts to Revitalize the City Center Area. Tokos explained he included the discussion to see if there was anything the Commission would like to see picked up in it. Tokos reported that he had letters in support from the Bike and Pedestrian Committee, Lincoln County School District, Chamber of Commerce, JC Market, Centro de Ayuda, Bier One, and others.

Berman noted the area on the map was extensive, and asked if they made it broad intentionally. Tokos reported it was intentional to pick up US 20 as well, in part because they had some significant improvements there to facilitate more multi-family and maybe possibly down the C-3 area a little bit. They might want to tighten this up to add a targeted area boundary to show a focus in the City Center area where a lot of the interest was because there were a lot of vacancies.

5. Unfinished Business (Continued).

- A. Transportation System Plan Update - Outreach Plan for Event #2.** Tokos included the outline for outreach for the TSP which included a workshop on August 11th, and an online open house from August 2nd through August 31st. He asked the Commission to let him know if there was anything they wanted to include in the outreach. Berman asked if an entire project list would be included. Tokos was pushing to do this graphically

with maps that had an index on projects. Then when they did the in person meeting they would print the maps and provide post it notes so people could jot down what was important to them.

6. **Adjourn.** The meeting adjourned at 7:56 p.m.

Respectfully submitted,

Sherri Marineau,
Executive Assistant

Draft MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
July 26, 2021

Planning Commissioners Present: Jim Patrick, Bob Berman, Lee Hardy, Braulio Escobar, Gary East, and Bill Branigan.

Planning Commissioners Absent: Jim Hanselman (*excused*).

City Staff Present: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:00 p.m. On roll call, Commissioners Patrick, Branigan, Berman, Hardy, Escobar, and East were present.

2. **Approval of Minutes.**

A. **Approval of the Planning Commission Work Session Meeting Minutes of July 12, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Work Session Meeting Minutes of July 12, 2021 with minor corrections. The motion carried unanimously in a voice vote.

B. **Approval of the Planning Commission Regular Session Meeting Minutes of July 12, 2021.**

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session Meeting Minutes of July 12, 2021 with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Public Hearings.** At 7:02 p.m. Chair Patrick opened the public hearing portion of the meeting. He confirmed that he had listened to the testimony of the July 12, 2021 public hearing and was prepared to participate in the hearing continuation.

Chair Patrick read the statement of rights and relevance. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Patrick and East reported possible ex parte conflict due to a conversation they had in public with one another concerning the public hearing. Patrick called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. **File 1-Z-21 (Continued).**

Tokos acknowledged the testimony received after the Commission package had been posted from Janet Webster, Attorney Benedict Linsenmeyer representing the Lincoln County School District (LCSD), Mark Horton, Debbie Gehlken, Lacey Horton, and Tiffany Pankey.

Tokos reviewed the policy options for Chapters 4 and 14. He noted that there was one change to the document that was different from what had been presented at the last hearing. This had to do with the process a pod would have to be reviewed and approved as opposed to one to three food trucks on a property.

Because a pod was a more permanent form of development, the review process was set up that once reviewed, approved and permitted, they wouldn't have to come in every couple of years to get a renewal because it was less of a temporary use.

Berman asked if an adjacent property referred to any parcel that shared the boundary, including a parcel across a street. Tokos explained that adjacent was a shared boundary. Typically a ROW across the street was a boundary because it was considered an easement. Therefore, anything across the street would need consent. Berman asked if this applied to properties that fell across the street on US 101. Tokos confirmed that it did, unless the Commission did clarifying language otherwise. Patrick asked how this applied to properties on corners. Tokos explained that it typically wasn't based on both corners, but if there was a contiguous property boundary it would trigger this. Patrick asked how it applied to city properties or the National Guard property. Tokos explained were public properties. Patrick wanted a definition on what an "elementary school" was. Tokos reported that this was typically K-12 grades and the Commission could ask for clarification on this through a motion.

Proponents: Brett Montague addressed the Commission. He stated he supported food trucks in Newport. Montague reported that the recent News Times feedback from the public showed that 26 out of 28 people were in favor of food carts. He thought food trucks would buy from local fishermen and would provide a sustainable product for Newport.

Ethan Hult addressed the Commission. He was in favor of food trucks and thought they were a great opportunity for young entrepreneurs to start a business.

Juan Hernandez addressed the Commission. He thought that having to ask permission to operate wasn't something other businesses had to ask for. Hernandez thought it was hard to tell what the 500 feet was, and thought it didn't make sense. He wanted to see more food trucks around town. They would be a good opportunity for people who didn't have enough money to open a restaurant.

Suzanne Montague addressed the Commission. She requested the Commission consider Policy Option D1 of the consent requirements as it was the only option that would apply to any other business. Branigan asked where she wanted to locate her food truck. Montague reported she was interested in the Deco District.

Opponents: Benedict Linsenmeyer, attorney for the LCSD addressed the Commission. He explained that the District wasn't against food carts so long as they were 500 feet from schools. The report he prepared did a good job of reviewing the reason for this. The scope of 500 feet wasn't a big deal. Linsenmeyer reported that they were passionate about this because of the District's food program which was participatory for their students. The District was asking the Commission and the Council to help protect kids as much as possible, and wanted them to consider why the original 500 feet was in place. Linsenmeyer didn't see how they could prioritize limited economic interest over the health, safety and welfare of the children.

Escobar noted that during the last hearing, staff from the District reported that if the participation dropped below 61 percent it could adversely affect the food program and the ability to feed the students. He asked the District to report on what the participation was currently. Jamie Mickelson, the Child Nutrition Food Manager for the LCSD addressed the Commission. She reported that for the last school year before COVID, the High School was participating at 28 percent and was up from 13 percent due to a new breakfast program. 28 percent was a low participation and most of the high schools in the district were around 50 percent across the district. When they went into COVID and the students weren't allowed to leave campus the participation went up to 40 percent. Escobar asked if any of the other high schools were open campuses. Mickelson reported they were open campuses but the difference was they weren't located near places that were easily accessible like Newport. Branigan asked if Toledo, Waldport and Lincoln City were addressing mobile food units like Newport. Mickelson wasn't aware that they were.

Berman noted the District's memo didn't give the exact number for the participation rate for the District. Mickelson reported the full District was 41 percent. Berman asked at what point would those funds be cut off. Mickelson reported that as a district they qualified as 41 percent, and they grouped all of their schools together. Newport High School on its own did not qualify for the program. The qualifier for the program was the poverty rate, and participation was how they funded it. If the participation was high enough they could bring in the income from the other schools and offset the schools that weren't making their percentage up. Berman asked if they could give a solid number on the percentage that it would take to lose participation. Mickelson explained that they couldn't give a specific number because it was a determination on the District as a whole. If Newport High School as an individual school was already short by 100 meals every day and the other schools were already picking up the deficit. If they lost the participation, it would be even more that the other schools would have to pick up. They had to serve 15 meals per labor hour to make it balanced and when they couldn't fund the staff they would have to get creative on how to keep staff. Kids that were homeless or were on food stamps qualified for free meals. In addition to this, the CEP program offered working families the opportunity to participate in the program and put everyone on the same level for free meals. Branigan asked if the entire program would go away if they went under a certain level. Mickelson reported it would mean that the District would change to a different food program with applications.

Escobar asked if the 27 percent participation was because of COVID. Mickelson reported that it was before COVID, and they took into account poverty rates and participation. Branigan asked about the participation rate for Waldport and Toledo. Mickelson reported that Waldport was 60 percent, Toledo was 72 percent, and Taft was 50 percent. East asked if the elementary schools came into this same program. Mickelson reported that every school participated in the program but the report was for the high school numbers. In general, the elementary schools were 80 percent participation.

Hardy asked if they could link truancy to food carts versus other social environment events. Linsenmeyer explained they could do this a little bit. Food carts were a more attractive environment than brick and mortar restaurants. They were attractive environments where students could go to quick and get delicious food if they were next to a school. Hardy asked if they had data from other municipalities who had food carts near schools, and what their affect was. Linsenmeyer didn't find any data for this. He offered to research this more and get back to the Commission about it.

Karen Graham, Superintendent for LCSD addressed the Commission. She reported that the Newport High School already had problems with students leaving campus and causing truancy. They were just asking that there not be one more attractive nuisance. Graham explained they would be making a decision on closing the campus for 9th and 10th graders. She asked that the Commission not allow food trucks to open across the street during school hours, and to think about the bigger picture for the kids.

Patrick asked why they had the 500 feet restriction for elementary schools when they already had closed campuses. Linsenmeyer explained that it would be more dangerous for elementary students to try to get into the behavior to leave school. He thought this would be the primary reason for the restriction because it was a safety concern.

Rebuttal: Hernandez reported that kids walked further to get to other businesses on US 101. He thought the schools should be making better food so they would stay and eat at school. If the trucks had to be more than 500 feet from school, the kids would still walk further to get to them. Hernandez reported that his own kids don't like the food at school.

Rebuttal: Linsenmeyer explained that one of the big issues with traffic for food carts was that they didn't only attract kids, but people from other parts of the region. He didn't think the traffic issues were solely based on where kids went, rather it was a mix of where kids went and the traffic in those areas. Linsenmeyer pointed out that he didn't know of any students who crossed US 101 to get food. The blockage of traffic during school caused an increase in traffic and decreased safety. Linsenmeyer invited Mr. Hernandez to eat lunch at the school to see firsthand the quality of their meals and how healthy they were. The mission of

the school district was to educate the students to keep them safe and healthy. Linsenmeyer thought there were plenty of spaces around town to operate food trucks at.

Chair Patrick closed the hearing at 8:05pm.

Tokos reviewed each option for the Commissioner's thoughts. For the discussion on Chapter 4.10.035(A), Policy Options 1A or 1B concerning the 500 foot buffer requirement from elementary or secondary schools when they were in session: The Commission was in general agreement to recommend Option 1A to retain the existing buffer requirement.

For the discussion on Chapter 4.10.035(A), Policy Option 2: Berman only wanted to see this just be Nye Beach and not the Bayfront. Branigan wanted to eliminate this in Nye Beach. East asked if there was a way to allow businesses to invite a food trucks. Tokos suggested they go with this language and request that the City Council establish a designated vending area that would accommodate that. Escobar noted they could also choose to eliminate the Bayfront as part of this ordinance. A discussion ensued regarding how the City Council could designate vending areas by resolution. The Commission was in general consensus to go with Option 2 and would recommend that the Council establish one or more vending areas on the Bayfront to accommodate vending in the ROW or on public properties in the Bayfront.

For the discussion on Chapter 4.10.040(A) Policy Options 1, 2 and 3 concerning the sizing of vending stands: The Commission was in general consensus to go with Option 3 which allowed the Council to set size limitations on a case by case basis depending on the circumstances inherent to a particular vending area, and to retain the size limitation in the Nye Beach turnaround as is.

For the discussion on Chapter 14.09.050 Policy Options A and B: Patrick thought that they should be consistent between public and private properties. If they were going to do allow them on the street they should be able to do them on private properties. Escobar thought they should be more restrictive on public as opposed to private. East didn't think there was any other properties to establish a pod. Escobar thought there was something to say about being consistent with other policy options. A discussion ensued regarding the system development fees that pods would pay. The Commission was in general consensus to go with Option B which imposed a 500 feet buffer from elementary and secondary schools.

For the discussion on Chapter 14.09.050 Policy Option C concerning the limiting of food carts and trucks to food pods only on private properties: The Commission was in general consensus to move forward with this option.

For the discussion on Chapter 14.09.050(D) Policy Options 1, 2 and 3 concerning consent at time of application: The Commission was in general consensus to go with Option 1, which only required the consent of the property owner where the food unit was to be place.

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to give a positive recommendation to the City Council for File 1-Z-21 with the additional stipulations verbalized at the hearing. The motion carried unanimously in a voice vote.

Patrick asked that the "elementary schools" definition be covered to say it meant school district schools. Tokos would take a look at this and make sure it was addressed.

5. **New Business.** None were heard.

6. **Unfinished Business.** None were heard.

7. **Action Items.** None were heard.

8. **Director Comments.** None were heard.

9. **Adjournment.** Having no further business, the meeting adjourned at 8:34 p.m.

Respectfully submitted,

Sherri Marineau
Executive Assistant

PLANNING STAFF REPORT

(Note: Applicant has requested hearing be continued to 7:00 pm on August 23, 2021)

1. **APPLICANT:** Landwaves, Inc., (Bonnie Serkin, authorized representative).
2. **REQUEST:** File No. 1-PD-21: Amendment to the Preliminary and Final Development Plans for the "Phase 1 of Wilder" Development. The previous approval mandated 24-foot wide travel lanes and clear widths of 24 feet. The applicant proposes 20-foot widths, excluding parking, swales, and sidewalks, for the streets known as 45th Street, Fleming Street, Geneva Street, and 42nd Street. The applicant also requests approval to add three new types of street sections to the "Kit of Parts": a "20-foot Neighborhood Local Road" for 42nd Street in Lot 49, a "20-foot Utility Alley" for 45th Street in Lot 42 and Geneva Street in Lot 43, and a "20-foot Hillside Street" for future use in other phases. Fleming Street in Lots 42 and 43 will be constructed in accordance with the existing "Woonerf" street section in the "Kit of Parts", which provides for a flexible range of widths. All other aspects of the Planned Development remain as previously approved.

File No. 1-SUB-21: Approval of a tentative subdivision plan for the portions of "Phase 1 of Wilder" to allow 20-foot widths for travel lanes, excluding parking, swales, and sidewalks, for the streets in Lots 42, 43, and 49. In addition, five parallel parking spaces are proposed to be added along the east side of Fleming Street in Lot 43. The dimensions of some of the future residential lots will change slightly as pavement is eliminated: in Lot 42 four lots will increase in depth by four feet and in width by one foot; in Lot 43 seven lots will increase in depth by two feet, and in Lot 49 all nine lots will increase in depth by one or two feet. The number of lots and the type of homes to be built on them will remain the same as previously approved.

3. **LOCATION:** The subject property is located in the South Beach neighborhood directly east and northeast of Mike Miller Park and is accessed from US 101 at SE 40th Street.
4. **LOT SIZE:** Planned Development is approximately 62 acres in size, and while revisions to the Preliminary and Final Development Plans apply to the entire site, they are most pertinent to undeveloped properties, including approved Phases 2C/2D and subsequent phases. Undeveloped properties owned by the applicant include those identified as Tax Lots 3200, 3300, and 3900 of Tax Map 11-11-20-AD, Tax Lots 2000 and 2100 of Tax Map 11-11-20-AA, and Tax Lot 100 of Tax Map 11-11-20.

5. **STAFF REPORT:**

- A. **REPORT OF FACTS**

- i. **Plan Designation:** Commercial, High Density Residential, and Low Density Residential.
- ii. **Zone Designation:** R-2/"Medium Density Single-Family Residential," R-3/"Medium Density Multi-Family Residential," and C-1/"Retail and Service Commercial."
- iii. **Surrounding Land Uses:** The South Beach neighborhood contains a mix of public, commercial, water-dependent and water-related, industrial and residential

uses. Land uses in the area near the subject property include a mix of developed and undeveloped industrial land, residential zoning that allows for single-family and multi-family uses, a trailer park, a mix of commercial uses, the old Central Lincoln PUD warehousing and substation facility, and public uses such as the Oregon Coast Community College (OCCC) Campus, Mike Miller Park and the Newport Waste Water Treatment facility.

- iv. **Topography and Vegetation:** The subject property contains a mix of level and moderately steep sloped property. The site is forested except where land has been cleared for development.
- v. **Existing Structures:** The initial subdivision plat of 40 lots is substantially developed with a range of residential housing types and the public park and playground area included with that phase has been completed. 28 apartment units have been constructed in the vicinity of the commercial corner, which contains a single tenant (presently a restaurant and pub).
- vi. **Utilities:** Water, sewer, transportation, natural gas, electrical power, and communications infrastructure is in place to serve the development.
- vii. **Development Constraints:** Portions of the property contain moderately steep slopes. There are also isolated pockets of wetlands, the locations of which have been delineated by the property owner.
- viii. **Notice:** Public notice of the application and public hearing was mailed to surrounding property owners within 200 feet of the subject property and public entities and agencies on July 19, 2021. Notice of the public hearing was also published in the Newport News-Times on July 30, 2021. No comments were received in response to the notice.
- ix. **Planning Staff Report Attachments:**
 - Attachment "A1" – Applicant’s Continuance Request
 - Attachment "A2" – Land use application for Wilder Planned Development amendments, with Appendices
 - Attachment "A3" – Phase 2C/2D Fire Truck Turn Radius
 - Attachment "A4" – Phase 2C/2D Vacuum Truck Turning Radius
 - Attachment "A5" – 2010 Vacuum Truck Specifications
 - Attachment "B" – Existing Wilder Subdivision Approval Sheets C100 – C240
 - Attachment "C" – Notice of Public Hearing and Map

- B. **Explanation of the Request:** As noted by the applicant, they are seeking to reduce the travel lane clear widths for local streets within the planned development from 24 feet to 20-feet, excluding parking, swales, and sidewalks. This will be accomplished by adding three new types of street sections to the “Kit of Parts” identified as a “20-foot Neighborhood Local Road,” a “20-foot Utility Alley,” and a “20-foot Hillside Street.”

If approved, the applicant will modify their subdivision layout for Phases 2C/2D to utilize the new street sections, and they hope to begin installing the infrastructure in early September. The changes impact SE 45th Street, SE Geneva Street and SE Fleming Street. The existing approved street design is shown in Attachment "B" and the new street layout is depicted in Appendix "A" of Attachment "A2." Narrowing the travel lanes will allow five parallel parking spaces to be added along the north side of Fleming Street. Several future lots will increase in size as a result of the reduced paved footprint, although such changes are modest with individual lots increasing one to four feet in depth or width. All other aspects of the Planned Development remain as previously approved.

The applicant is taking care to address concerns from the Public Works and Fire Department's to ensure that public safety and maintenance needs are being addressed. To that end, they have performed turn radius analysis for a typical fire truck and the type of vacuum truck that the City uses to maintain utility lines (ref: Attachment "A3" and "A4"). The Fire Department has asked that additional analysis be performed on one or two additional vehicles and this continuance has been requested by the applicant so that they can perform the analysis.

- C. **Applicable Criteria.** Major changes to approved preliminary and final development plans must satisfy the same standards that would apply to a new application (NMC 14.35.110(D)). Criteria for approval of a Preliminary Development Plan are listed in NMC Sections 14.35.020, 14.35.030, and 14.35.070 and criteria for Final Development Plans are listed in Section 14.35.100. Additionally, the criteria for tentative subdivision plat approval must be satisfied. Those standards are listed in Chapter 13.05 of the Newport Municipal Code.
- D. **Evaluation of the Request:** Applicant's draft findings of compliance with the above listed criteria are included with their application (ref: Attachment "A2" including Appendix "B"). Staff will supplement this report and prepare a final order and findings for potential adoption for the August 23, 2021 Planning Commission meeting.
6. **CONCLUSION/RECOMMENDATION:** No action should be taken on the application at this time. The hearing will need to be opened and a motion made to continue the proceedings to 7:00 pm Monday August 23, 2021.



Derrick I. Tokos, AICP
Community Development Director
City of Newport

August 6, 2021

Derrick Tokos

From: Bonnie Serkin <Bonnie@eenw.com>
Sent: Thursday, August 5, 2021 5:17 PM
To: Derrick Tokos
Subject: Landwaves Master Plan and Subdivision applications

[WARNING] This message comes from an external organization. Be careful of embedded links.

Derrick-

Please reschedule the Planning Commission hearing on the above matter from August 9 to August 23. Thank you.

Bonnie Serkin
Chief Operating Officer
Landwaves, Inc.



City of Newport Land Use Application

Applicant Name(s):	Property Owner Name(s) <i>if other than applicant</i>
Landwaves, Inc.	
Applicant Mailing Address:	Property Owner Mailing Address:
2712 SE 20th Ave. Portland, OR 97202	
Applicant Phone No.	Property Owner Phone No.
503-221-0167	
Applicant Email	Property Owner Email
bonnie@eenw.com	
Authorized Representative(s): <i>Person authorized to submit and act on this application on applicant's behalf</i>	
Bonnie Serkin	
Authorized Representative Mailing Address:	
2712 SE 20th Ave. Portland, OR 97202	
Authorized Representative Telephone No.	
503-221-0167	
Authorized Representative Email. bonnie@eenw.com	

Project Information

Property Location: <i>Street name if address # not assigned</i>	
SE Harborton Street north of 46th Street	
Tax Assessor's Map No.:	Tax Lot(s):
see attached Addendum	see attached Addendum
Zone Designation:	Legal Description:
see attached Addendum	<i>Add additional sheets if necessary</i>
Comp. Plan Designation: see attached Addendum	
Brief description of Land Use Request(s):	
<i>Examples:</i>	
1. Move north property line 5 feet south	see attached Addendum
2. Variance of 2 feet from the required 15-foot front yard setback	
Existing Structures: if any	
None	

Topography and Vegetation:
Gently sloping, forested with trees and undergrowth, cleared in portions

Application Type (please check all that apply)		
<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> Comp Plan/Map Amendment <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> PC <input type="checkbox"/> Staff <input type="checkbox"/> Design Review <input type="checkbox"/> Geologic Permit	<input type="checkbox"/> Interpretation <input type="checkbox"/> Minor Replat <input type="checkbox"/> Partition <input checked="" type="checkbox"/> Planned Development <input type="checkbox"/> Property Line Adjustment <input type="checkbox"/> Shoreland Impact <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> UGB Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Variance/Adjustment <input type="checkbox"/> PC <input type="checkbox"/> Staff <input type="checkbox"/> Zone Ord/Map <input type="checkbox"/> Amendment <input type="checkbox"/> Other

FOR OFFICE USE ONLY

File No. Assigned:		
Date Received:	Fee Amount:	Date Accepted as Complete:
Received By:	Receipt No.	Accepted By:

City Hall
 169, SW Coast Hwy
 Newport, OR 97365
 541.574.0629



City of Newport Land Use Application

I understand that I am responsible for addressing the legal criteria relevant to my application and that the burden of proof justifying an approval of my application is with me. I also understand that this responsibility is independent of any opinions expressed in the Community Development and Planning Department Staff Report concerning the applicable criteria.

I certify that, to the best of my knowledge, all information provided in this application is accurate.

Landwaves, Inc.
 by [Signature] ^{COO} June 21, 2021
 Applicant Signature(s) Date
 Bonnie Serkin, Chief Operating Officer

Property Owner Signature(s) (if other than applicant) _____ Date _____

Authorized representative Signature(s) (if other than applicant) _____ Date _____

Please note application will not be accepted without all applicable signatures.

Please ask staff for a list of application submittal requirements for your specific type of request.

**ADDENDUM TO LAND USE APPLICATION
WILDER PLANNED DEVELOPMENT**

June 22, 202

Applicant: Landwaves, Inc.
2712 SE 20th Ave
Portland, OR 97202

Property Owner : Landwaves, Inc.
2712 SE 20th Ave
Portland, OR 97202

Preparer: Landwaves, Inc. DOWL Engineers
2712 SE 20th Ave. 720 SW Washington St., Suite 750
Portland, OR 97202. Portland, Oregon 97205

Request: Modification of Tentative Subdivision Plan; Final Development Plan
Major Modification for "Phase 1 of Wilder"

Previous Case File: 1-SUB-15, Tentative Subdivision Plan; 2-PD-15, Preliminary
Development Plan Major Modification for Phase 1 of Wilder; 3-PD-
15, Final Development Plan Major Modification for "Phase 1 of
Wilder"; approved in combined Final Order dated June 24, 2015

General Location: South Beach - Wilder Master Plan Area

Assessor's Numbers R531274, R531275, R531285

Map & Tax Lots: 11-11-20-AD-03200
11-11-20-AD-03300
11-11-20-AA-02000

Legal Description: Lot 49, WILDER PHASE 4,
in Lincoln County, Oregon, according to the official plat thereof
recorded May 19, 2017 in Plat Book 19, pages 16, 16A, Plat
Records.

Lots 42 and 43, WILDER PHASE 3,
in Lincoln County, Oregon, according to the official plat thereof,
recorded May 30, 2017 in Plat Book 19, pages 15, 15A, 15B, Plat
Records.

Zoning Designations: R-2 (Medium-Density Single Family)
R-3 (Medium-Density Multifamily)

**Comprehensive Plan
Designations:** Low-Density Residential
High-Density Residential

NEWPORT MUNICIPAL CODE FINDINGS

Wilder Background

As Wilder has developed and various phases have been platted, the phase designations in land use submittals have changed. This key identifies the phases by their original conceptual designations and by their official plat designation assigned by the County Surveyor:

Concept # Plat #

Phase 1 - Phase 1. The first 40 homes

Phase 2A - Phase 3, Lots 45-47; Village Center, including the Wilder Corner Building

Phase 2B - Phase 6, a re-plat of Phase 3, Lot 44; Apartments on Harborton Street

*Phase 2C - Phase 3, Lot 43; 20 future micro-cottages

*Phase 2D - Phase 3, Lot 42; six future homes on the south side of 44th Street

*Phase 3 - Phase 4, Lot 49; nine future homes north of the playground

Phase 4 - Phase 2; Oregon State University future student housing

Phase 5 - Not platted. Referred to as "Remainder"; former disc golf course

Phase 6 - Phase 5, across Harborton Street from the OSU parcel; future apartments

*Parcels that are the subject of this application. They and all other parcels will be referred to by their current recorded plat designations

The applicant, Landwaves, Inc., has received multiple previous approvals for "Phase 1 of Wilder"¹, a Planned Development in the South Beach neighborhood designed to be a sustainable, vibrant, mixed-use development – a walkable "front-porch" community. (See Appendix I.) As previously approved, Wilder is being constructed in several phases and micro-phases to allow phasing of needed improvements to each portion of the Master Plan site as it develops. Wilder is located in the South Beach neighborhood directly east of Mike Miller Park and south of 40th Street on land zoned R-2, R-3, and C-1.

¹As used throughout this submittal, "Phase 1 of Wilder" refers to the entire 62-acre Wilder site that has been annexed into the City of Newport, roughly the northwest quadrant of Wilder at full buildout of the 150+ acres that are in the Urban Growth Boundary. "Phase 1 of Wilder" includes multiple sub-phases which are referred to as "Wilder Phase 1, 2, 3", etc. Phase 1 (a sub-phase of "Phase 1 of Wilder") has been final platted, and is referred to as "Phase 1", the designation assigned by the Lincoln County Surveyor.

Summary of Proposed Modifications

A. Tentative Subdivision Plan Modification for Lots 42, 43, and 49:

The applicant proposes to modify the tentative subdivision plan for the portions of “Phase 1 of Wilder” currently platted as Phase 3, Lots 42 and 43; and Phase 4, Lot 49. The previous approval in #1-SUB-15 (see the Findings and Order in [Appendix H](#)) required streets with 24-foot wide travel lanes or clear width. The applicant proposes 20-foot widths, excluding parking, swales, and sidewalks, for the streets in Lots 42, 43, and 49. In addition, five parallel parking spaces are proposed to be added along the east side of Fleming Street in Lot 43. The dimensions of some of the future residential lots will change slightly as pavement is eliminated: in Lot 42 four lots will increase in depth by four feet and in width by one foot; in Lot 43 seven lots will increase in depth by two feet, and in Lot 49 all nine lots will increase in depth by one or two feet. The number of lots and the type of homes to be built on them will remain the same as previously approved.

B. Final Development Plan Major Modification for “Phase 1 of Wilder”:

The applicant proposes to modify the portion of the approved Final Development Plan for “Phase 1 of Wilder” specific to Lots 42, 43, and 49. The previous approval in file #3-PD-15 (See the Findings and Order in [Appendix H](#)) mandated 24-foot wide travel lanes and clear widths of 24 feet. The applicant proposes 20-foot widths, excluding parking, swales, and sidewalks, for the streets known as 45th Street, Fleming Street, Geneva Street, and 42nd Street. Reasons for narrower streets include reducing quantities of asphalt, which is consistent with the sustainable ethos of Wilder; preserving the character of the Wilder neighborhood, which is based on principles of Traditional Neighborhood Design; harmonizing with the scale of the “not-so-big” houses on compact lots; and enhancing safety for seniors and children by calming traffic and minimizing the distance from curb to curb, making street crossing easier. The street pattern and the layout of the future residential lots in Lots 42, 43, and 49 will remain the same as previously approved.

Consistent with the narrower widths, the applicant requests approval to delete street sections calling for 24-foot wide streets from the Wilder “Kit of Parts” (see the appendix to [Appendix E](#)). Those four types – “Hillside Street, Variation”; “Neighborhood Local Road, Variation”; “Utility Alley”; and “Fleming St. (44th-46th)” - were mandated under the Development Plan Modification approval in #3-PD-15. No streets of those types currently exist in Wilder. Instead the applicant requests approval to add three new types of street section to the “Kit of Parts”: a “20-foot Neighborhood Local Road” for 42nd Street in Lot 49, a “20-foot Utility Alley” for 45th Street in Lot 42 and Geneva Street in Lot 43, and a “20-foot Hillside Street” for future use in other phases. (See [Appendix F](#).) Fleming Street in Lots 42 and 43 will be constructed in accordance with the existing “Woonerf” street section in the “Kit of Parts”, which provides for a flexible range of widths.

All other aspects of the Planned Development remain as previously approved.

Required Findings

The Development Plan ([Appendix A](#)), graphically addresses compliance with development criteria in (a) to (e) below:

- (a) Proposed land uses, building locations and housing unit densities;
- (b) Proposed circulation patterns indicating the status of street ownership;
- (c) Proposed open space locations and uses;
- (d) Proposed grading and drainage patterns; and
- (e) Proposed methods of water supply and sewage disposal.

The Master Plan Narrative ([Appendix B](#)) provides supplemental details. Additional information is provided in the attached Appendices.

A. Tentative Subdivision Plan

The applicant seeks to modify the tentative subdivision plan for Phase 1 of Wilder approved in #1-SUB-15 for Lots 42, 43, and 49 to reflect reduced street widths, increased lot sizes in lieu of paved areas, and the addition of parking spaces. (See [Appendix A](#).) All other provisions of the tentative subdivision plan remain unchanged. The proposed modified plan satisfies the criteria for Tentative Subdivision Plan established in Chapter 13.05 of the Newport Municipal Code as demonstrated below:

13.05.015 Streets.

13.05.015.A. Criteria for Consideration of Modifications to Street Design. *As identified throughout the street standard requirements, modifications may be allowed to the standards by the approving authority. In allowing for modifications, the approving authority shall consider modifications of location, width, and grade of streets in relation to existing and planned streets, to topographical or other geological/environmental conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system as modified shall assure an adequate traffic circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried considering the terrain. Where location is not shown in the Transportation System Plan, the arrangement of streets shall either:*

- (a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or*
- (b) Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.*

RESPONSE: An updated street circulation plan that calls for streets with 20-foot wide travel lanes or clear width, showing grading, utilities, and site layout for Lots 42, 43 and 49 is provided as part of the concurrent Final Planned Development Modification application in this document. See [Appendix A.](#))

13.05.015.B. Minimum Right-of-Way and Roadway Width. *Unless otherwise indicated on the development plan, the street right-of-way and roadway widths shall not be less than the minimum width in feet shown in the following table:*

<i>Type of Street</i>	<i>Minimum Right-of-Way Width</i>	<i>Minimum Roadway Width</i>
<i>Arterial, Commercial and Industrial</i>	<i>80 feet</i>	<i>44 feet</i>
<i>Collector</i>	<i>60 feet</i>	<i>44 feet</i>
<i>Minor Street</i>	<i>50 feet</i>	<i>36 feet</i>
<i>Radius for turn-around at end of cul-de-sac</i>	<i>50 feet</i>	<i>45 feet</i>
<i>Alleys</i>	<i>25 feet</i>	<i>20 feet</i>

Modifications to this requirement may be made by the approving authority where conditions, particularly topography, geology, and/or environmental constraints, or the size and shape of the area of the subdivision or partition, make it impractical to otherwise provide buildable sites, narrower right-of-way and roadway width may be accepted. If necessary, slope easements may be required.

RESPONSE: The previously approved Planned Development applications for the site included a “Kit of Parts” that identified typical neo-traditional street sections, including roadway and right-of-way widths, for each unique street type that could be located within the Master Plan site. The proposed modified streets will be built to standards in the “Kit of Parts” for road sections: the existing Woonerf, the new 20-foot Utility Alley, and the new 20-foot Hillside Street types for which Applicant is seeking approval. (See Appendix E and Appendix F.)

13.05.015.C. Reserve Strips. *Reserve strips giving a private property owner control of access to streets are not allowed.*

RESPONSE: This criterion is not applicable. There are no reserve strips proposed for the subdivision.

13.05.015.D. Alignment. *Streets other than minor streets shall be in alignment with existing streets by continuations of their center lines. Staggered street alignment resulting in "T" intersections shall leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 100 feet. If not practical to do so because of topography or other conditions, this requirement may be modified by the approving authority.*

RESPONSE: The alignment of Fleming Street in Lot 42 with the portion of the Fleming Street woonerf already constructed in Phase 1 was previously approved. Except for the narrowing of the new portion of Fleming Street in Lot 42 by four feet, the alignment will not change with this application. This criterion is not applicable to other streets in Lots 42, 43, or 49.

13.05.015.E. Future Extensions of Streets. *Proposed streets within a land division shall be extended to the boundary of the land division. A turnaround if required by the Uniform*

Fire Code will be required to be provided. If the approval authority determines that it is not necessary to extend the streets to allow the future division of adjoining land in accordance with this chapter, then this requirement may be modified such that a proposed street does not have to be extended to the boundary of the land division. [L] [SEP]

RESPONSE: As described above, the collector roadway that serves the site, identified as Harborton Street, has already been constructed through Phase 1 of the Wilder Master Plan site south to College Way and will be extended south to the boundary of the Planned Development. Harborton Street transitions to 40th Street in the north of the Planned Development, which extends across the development’s western boundary running east-west to intersect with Highway 101. No new streets are proposed that would require additional extensions.

3-2-2.030. Intersection Angles.

1. *Streets shall be laid out to intersect at right angles.* [L] [SEP]
2. *An arterial intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection.* [L] [SEP]
3. *Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection.* [L] [SEP]
4. *Intersections which contain an acute angle of less than 80 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line.* [L] [SEP]
5. *No more than two streets may intersect at any one point.* [L] [SEP]
6. *If it is impractical due to topography or other conditions that require a lesser angle, the requirements of this section may be modified by the approval authority. In no case shall the acute angle in Subsection F.1. be less than 80 degrees unless there is a special intersection design.* [L] [SEP]

RESPONSE: The street layout, including intersection angles, was previously approved. There are no changes in this proposal that affect intersection angles.

13.05.015.G. Half Street. *Half streets are not allowed. Modifications to this requirement may be made by the approving authority to allow half streets only where essential to the reasonable development of the land division, when in conformity with the other requirements of these regulations and when the city finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract property to be divided, the other half of the street shall be provided.* [L] [SEP]

RESPONSE: This criterion is not applicable. The proposed subdivision plan modification does not include any half-street improvements.

13.05.015.H Sidewalks. *Sidewalks in conformance with the city’s adopted sidewalk design standards are required on both sides of all streets within the proposed land division and are required along any street that abuts the land division that does not have sidewalk abutting*

the property within the land division. The city may exempt or modify the requirement for sidewalks only upon the issuance of a variance as defined in the Zoning Ordinance.

RESPONSE: Fleming Street is the continuation of a woonerf through Phase 1, and as such does not require a separate sidewalk. Geneva Street and 45th Streets are alleys, and as such do not require sidewalks. 42nd Street will have a sidewalk on the south side. A sidewalk to serve Lot 42 will be added to the south side of 44th Street, which was constructed with Phase 1. These were all previously approved.

13.05.015.I. Cul-de-Sac. *A cul-de-sac shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a circular turn-around meeting minimum Uniform Fire Code requirements. Modifications to this requirement may be made by the approving authority. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to connect from a cul-de-sac to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.* ^[L¹] _[SEP]

RESPONSE: 42nd Street in Lot 49 is a cul de sac. It meets these requirements, at less than 1000 feet in length and serving only nine future dwelling units. It will be connected to Wilder twin Park in Phase 1 by a bicycle/pedestrian path. (See Tract I in Appendix A.) There are no cul-de-sacs in Lots 42 and 43.

13.05.015.J. Street Names. *Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the city, as evident in the physical landscape and described in City of Newport Ordinance No. 665, as amended.* ^[L¹] _[SEP]

RESPONSE: Street names in Phase 1 of Wilder have been previously approved by the Planning Commission and no changes are proposed. Fleming and Geneva Streets, names that were approved with Phase 1, will continue through Lots 42 and 43; 45th and 42nd Streets are consistent with the established pattern in the city. The street names are identified on the plat. (See Appendix A.)

13.05.015.K. Marginal Access Streets. *Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting constrained in a nonaccess reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.*

RESPONSE: This criterion is not applicable. The proposed land division does not abut or contain an existing or proposed arterial street.

3-2-2.060. Alleys. *Alleys shall be provided in commercial and industrial districts. If other permanent provisions for access to off-street parking and loading facilities are provided, the approving authority is authorized to modify this provision if a determination is made that the other permanent provisions for access to off-street parking and loading facilities are*

adequate to assure such access. ^[1]_{SEP} The corners of alley intersections shall have a radius of not less than 12 feet.

RESPONSE Although the subject property is not in a commercial or industrial district, off-street parking for Lot 42 will take access from the 45th Street alley. Off-street parking for the two easternmost tiers of Micro-cottages on Lot 43 will take access from the Geneva Street alley. The corners of alley intersections will have a radius of not less than 12 feet. (See Appendix A.)

13.05.020 Blocks.

13.05.020.A. General. *The length, width, and shape of blocks for non-residential subdivisions shall take into account the need for adequate building site size and street width, and shall recognize the limitations of the topography.*

RESPONSE: This criterion is not applicable; no non-residential development is proposed with these phases.

13.05.020.B. Size. *No block shall be more than 1,000 feet in length between street corners. Modifications to this requirement may be made by the approving authority if the street is adjacent to an arterial street or the topography or the location of adjoining streets justifies the modification. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to allow connectivity to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a block of greater than 1,000 feet if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division. ^[1]_{SEP}*

RESPONSE: Block lengths in excess of 1,000 feet are not proposed.

13.05.025 Easements.

13.05.025.A. Utility Lines. *Easements for sewers and water mains shall be dedicated to the city wherever a utility is proposed outside of a public right-of-way. Such easements must be in a form acceptable to the city. Easements for electrical lines, or other public utilities outside of the public right-of-way shall be dedicated when requested by the utility provider. The easements shall be at least 12 feet wide and centered on lot or parcel lines, except for utility pole tieback easements, which may be reduced to six (6) feet in width.*

RESPONSE: Easements for sewer and water mains, public utilities and electrical lines outside of the public right-of-way will be provided within the subdivision plat per the above requirements. Public sewer, water and drainage easements will be provided based on location of utilities and fire hydrants as needed; easements will be in a form acceptable to the city.

13.05.025.B. Utility Infrastructure. *Utilities may not be placed within one foot of a survey monument location noted on a subdivision or partition plat.*

RESPONSE: Utilities will not be placed within one foot of a survey monument location. Final utility locations will be provided in future construction plan submittals to the City.

13.05.025.C. Water Course. *If a tract is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to the major water courses may be required.*

RESPONSE: Stormwater drains through the site in existing stormwater systems, roadside swales, and natural low spots in undeveloped areas. There are no significant water bodies or water courses identified within the site.

13.05.030 Lots and Parcels.

13.05.030.A. Size. *The size (including minimum area and width) of lots and parcels shall be consistent with the applicable lot size provisions of the Zoning Ordinance, with the following exception:*

(a) Where property is zoned and planned for business and industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provided for the off-street service and parking facilities required by the type of use and development contemplated.

RESPONSE: The lot sizes are consistent with both City ordinances and the Wilder Master Plan.

13.05.030.B. Street Frontage. *Each lot and parcel shall possess at least 25 feet of frontage along a street other than an alley.*

RESPONSE: Each lot has at least 25 feet of frontage along a street other than an alley.

13.05.030.C. Through Lots and Parcels. *Through lots and parcels are not allowed. Modifications may be made by the approving authority where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome specific disadvantages of topography and orientation. The approving authority may require a planting screen easement at least 10 feet wide and across which there shall be no right of access. Such easement may be required along the line of building sites abutting a traffic artery or other incompatible use.*

RESPONSE: No through lots or parcels are proposed with these phases.

13.05.030.D. Lot and Parcel Side Lines. *The side lines of lots and parcels shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve. Modifications to this requirement may be made by the approving authority where it is impractical to do so due to topography or other conditions or when the efficient layout of the land division has the lines running as close to right angles (or radial) as practical.*

RESPONSE: The side lines of all proposed lots in Lot 42 and 43 run at right angles to the streets upon which they face. The side lines of the proposed lots on the Lot 49 cul de sac are radial to the curved portion of the street and at right angles to the portion of the street that is straight.

13.05.030.E. Special Setback Lines. *All special building setback lines, such as those proposed by the applicant or that are required by a geological report, which are to be established in a land division, shall be shown on the plat, or if temporary in nature, shall be included in the deed restrictions.*

RESPONSE: No special setback lines are proposed.

13.05.030.F. Maximum Lot and Parcel Size. *Proposed lots and parcels shall not contain square footage of more than 175% of the required minimum lot size for the applicable zone. Modifications to this requirement may be made by the approving authority to allow greater square footage where topography or other conditions restrict further development potential or where the layout of the land division is designed and includes restrictions to provide for extension and opening of streets at intervals which will permit a subsequent division into lots or parcels of appropriate size for the applicable zone designation.*

RESPONSE. No proposed lot contains square footage of more than 175% of the required minimum lot size for the applicable zone.

13.05.030.G. Development Constraints. *No lot or parcel shall be created with more than 50% of its land area containing wetlands or lands where the city restricts development to protect significant Statewide Land Use Planning Goal 5 or Goal 17 resources, except that areas designated as open space within a land division may contain up to 100% of a protected resource. (...)*

RESPONSE: No proposed lot or parcel has more than 50% of its land area in wetlands or other protected resources.

13.05.030.H. Lots and Parcels within Geological Hazard Areas. *Each new undeveloped lot of parcel shall include a minimum 1,000 square foot building footprint within which a structure could be constructed and which is located outside of active and high hazard zones and active landslide areas (See Section 2-4-7 of the Zoning Ordinance for an explanation of hazard zones). New public infrastructure serving a lot or parcel shall similarly be located outside of active and high hazard zones and active landslide areas.*

RESPONSE: All of Phase 1 of Wilder is located outside of Geologic Hazard Areas as mapped by the City of Newport (see Map C2 of City's Geologic Hazards Map prepared June 17, 2011); this criterion does not apply.

13.05.035 Public Improvements.

Public Improvement Procedures. In addition to other requirements, public improvements installed by a developer that is dividing land, whether required or voluntarily provided, shall

comply with this chapter, and with any public improvement standards or specifications adopted by the city. The following procedure shall be followed:

13.05.035.A. *Improvement work, including excavation in the excess of 100 cubic yards, shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the proposal, the plans shall be required before approval of the tentative plan of a subdivision or partition.*

RESPONSE: Engineering plans will be submitted to the city prior to construction of any public improvements.

13.05.035.B. *Improvement work shall not commence until after the city is notified, and, if work is discontinued for any reason, it shall not be resumed until after the city is notified.* [SEP]

RESPONSE: The applicant will notify the city before commencing improvement work.

13.05.035.C. *Public improvements shall be constructed under the inspection and to the satisfaction of the city engineer. The city may require change in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.* [SEP]

RESPONSE: The applicant will construct the improvements under the inspection and to the satisfaction of the city engineer.

13.05.035.D. *Underground utilities, sanitary sewers, and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connection for underground utilities and sanitary sewers shall be placed to allow future connections without disturbing the street improvements.* [SEP]

RESPONSE: Utilities in Lot 49 will connect to stubs already placed in Harborton Street. Utilities in Lot 42 will connect to stubs already placed in 44th Street. Utilities Lot 42 will connect to stubs already placed in 44th Street or 46th Street. Connections to existing utility stubs will be coordinated to minimize re-surfacing of those streets. (See [Appendix A.](#))

13.05.035.E. *A map showing public improvements as built shall be filed with the city upon completion of the improvements.* [SEP]

RESPONSE: The applicant will file as-built plans with the city.

13.05.035.F. *Public improvements shall not be commenced until any appeals of the subdivision approval are resolved.*

RESPONSE: The applicant will abide by this requirement.

13.05.040 Public Improvement Requirements.

13.05.040.A. *The following public improvements are required for all land divisions, except where a subdivision plat is reconfiguring or establishing rights-of-way for future public streets:*

1. Streets. *All streets, including alleys, within the land division, streets adjacent but only partially within the land divisions, and the extension of land division streets to the intersecting paving line of existing streets with which the land division streets intersect, shall be graded for the full right-of-way width. The roadway shall be improved to a width of 36 feet or other width as approved by the approval authority by excavating to the street grade, construction of concrete curbs and drainage structures, placing a minimum of six inches of compacted gravel base, placement of asphaltic pavement 36 feet in width or other width as approved by the approval authority and approximately two inches in depth, and doing such other improvements as may be necessary to make an appropriate and completed improvement. Street width standards may be adjusted as part of the tentative plan approval to protect natural features and to take into account topographic constraints and geologic risks.*

RESPONSE: Except for the sidewalk on the south side, which will be completed with Lot 42, 44th Street has already been constructed to serve Lot 42. With development of Lots 42 and 43, Fleming Street, Geneva Street and 45th Street will be constructed to serve Lot 43 and access to parking for Lot 42. 42nd Street will be constructed in the future to serve Lot 49. All construction will be in accordance with the approved Village Center cross-sections in the "Kit of Parts". (Appendix E, as modified by the proposed street sections in Appendix F.)

2. Surface Drainage and Storm Sewer System. *Drainage facilities shall be provided within the land division and to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage within the land division shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the land division and to allow extension of the system to serve such areas.*

RESPONSE: As illustrated in the utility plan, drainage facilities are proposed within the subdivision to connect the subdivision to drainage ways outside the subdivision in accordance with City standards. (See Appendix A.)

3. Sanitary Sewers. *Sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City, and sewer mains shall be installed in streets as necessary to connect each lot or parcel to the city's sewer system.*

RESPONSE: A sewer main is already installed in Harborton Street and will provide service to the development on Lot 49. Sewer mains have been constructed along 44th and 46th Streets which will provide service to Lots 42 and 43. As illustrated in the utility plan, sanitary sewers will be installed to serve each lot in accordance with standards adopted by the City. (See Appendix A.)

4. Water. *Water mains shall be installed to allow service to each lot or parcel and to allow for connection to the city system, and service lines or stubs to each lot shall be provided. Fire hydrants shall be installed as required by the Uniform Fire Code. The city may require that*

mains be extended to the boundary of the land division to provide for future extension or looping.

RESPONSE: A water main is already installed in Harborton Street and will provide service to the development in Lot 49. Water mains already constructed along 44th and 46th Streets will provide service to Lots 42 and 43. As illustrated in the utility plan, water mains and fire hydrants will be installed to serve each lot in accordance with standards adopted by the City. (See Appendix A.)

5. Sidewalks. *Required sidewalks shall be constructed in conjunction with the street improvements except as specified below:*

a. Delayed Sidewalk Construction. *If sidewalks are designed contiguous with the curb, the subdivider may delay the placement of concrete for the sidewalks by depositing with the city a cash bond equal to 115 percent of the estimated cost of the sidewalk. In such areas, sections of sidewalk shall be constructed by the owner of each lot as building permits are issued. Upon installation and acceptance by the city engineer, the land owner shall be reimbursed for the construction of the sidewalk from the bond. The amount of the reimbursement shall be in proportion to the footage of sidewalks installed compared with the cash bond deposited and any interest earned on the deposit.* ^[1]_[SEP]

b. Commencing three (3) years after filing of the final plat, or a date otherwise specified by the city, the city engineer shall cause all remaining sections of sidewalk to be constructed, using the remaining funds from the aforementioned cash bond. Any surplus funds shall be deposited in the city's general fund to cover administrative costs. Any shortfall will be paid from the general fund.

c. Notwithstanding the above, a developer may guarantee installation of required sidewalks in an Improvement Agreement as provided in Section 13.05.090(C).

RESPONSE: SE Harborton Street has been constructed consistent with approved construction drawings including a 12-foot-wide multi-use path along the south/west side of Harborton Street which will serve Lots 42, 43, and 49. Sidewalks have been constructed along 46th Street to serve Lot 43. A sidewalk will be constructed along the south side of 44th Street to serve Lots 42 and 43. A sidewalk will be constructed on the south side of 42nd Street to serve Lot 49. It will connect to a bicycle/pedestrian path leading to the park in Phase 1. (See Appendix A.)

13.05.040.B. *All public improvements shall be designed and built to standards adopted by the city. Until such time as a formal set of public works standards is adopted, public works shall be built to standards in any existing published set of standards designated by the city engineer for the type of improvement. The city engineer may approve designs that differ from the applicable standard if the city engineer determines that the design is adequate.* ^[1]_[SEP]

RESPONSE: Public improvements will be designed and built to city standards or approved standards in the "Kit of Parts", (Appendix E.)

13.05.040.C. *Public improvements are subject to inspection and acceptance by the city. The city may condition building or occupancy within the land division on completion and acceptance of required public improvements.* ^[17] _[SEP]

RESPONSE: The applicant will abide by this requirement.

13.05.045 Adequacy of Public Facilities and Utilities (Electric and Phone)

13.05.045.A. *Tentative plans for land divisions shall be approved only if public facilities and utilities (electric and phone) can be provided to adequately service the land division as demonstrated by a written letter from the public facility provider or utility provider stating the requirements for the provision of public facilities or utilities (electric and phone) to the proposed land division.*

^[17] _[SEP] **RESPONSE:** With the previous approval for the subject property, Pioneer Telephone Cooperative and Central Lincoln PUD and the confirmed that they can provide service for the proposed subdivision. (See Appendix G.)

13.04.045.B. *For public facilities of sewer, water, storm water, and streets, the letter must identify the:*

- 1.** *Water main sizes and locations, and pumps needed, if any, to serve the land division.* ^[17] _[SEP]
- 2.** *Sewer mains sizes and locations, and pumping facilities needed, if any, to serve the land division.* ^[17] _[SEP]
- 3.** *Storm drainage facilities needed, if any, to handle any increased flow or concentration of surface drainage from the land division, or detention or retention facilities that could be used to eliminate need for additional conveyance capacity, without increasing erosion or flooding.*
- 4.** *Street improvements outside of the proposed development that may be needed to adequately handle traffic generated from the proposed development.*

^[17] _[SEP] **RESPONSE:** The City provided an email on September 18, 2015, identifying the utilities serving Wilder generally and their adequacy for the Planned Development as proposed in #1-PD-15 and #3-PD-15. (See Appendix G.) The modifications proposed with this application do not change the total amount and intensity of proposed development, which remains consistent with the previously approved Planned Development, and can be served by public facilities as verified in the 2015 email.

13.05.050 Underground Utilities and Service Facilities.

13.05.050.A. Undergrounding. *All utility lines within the boundary of the proposed land divisions, including, but not limited to, those required for electric, telephone, lighting, and cable television services and related facilities shall be placed underground, except surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above. The subdivider shall make all necessary arrangements with the serving utility to provide the underground service.*

RESPONSE: All utility facilities within the subdivision will be designed in accordance with this standard. The main Central Lincoln PUD transmission lines through South Beach are located above ground within a 75-foot right-of-way along the north/east side of Harborton Street.

13.05.050.B. Non-City-Owned Utilities. *As part of the application for tentative land division approval, the applicant shall submit a copy of the preliminary plat to all non-city-owned utilities that will serve the proposed subdivision. The subdivider shall secure from the non-city-owned utilities, including but not limited to electrical, telephone, cable television, and natural gas utilities, a written statement that will set forth their extension policy to serve the proposed land division with underground facilities. The written statements from each utility shall be submitted to the city prior to the final approval of the plat for recording.* ⁽¹⁷⁾ _(SEP)

⁽¹⁷⁾ _(SEP) **RESPONSE:** With the previous approval for the subject property, Pioneer Telephone Cooperative and Central Lincoln PUD have confirmed that they can provide service for the proposed subdivision. (See Appendix G.)

13.05.055 Street Lights.

Street lights are required in all land divisions where a street is proposed. The city may adopt street light standards. In the absence of adopted standards, street lights shall be placed in new land divisions to assure adequate lighting of streets and sidewalks within and adjacent to the land division.

RESPONSE: All street lights will be designed and installed in accordance with city requirements, and consistent with the sustainable ethos of Wilder.

13.05.060 Street Signs

Street name signs, traffic control signs and parking control signs shall be furnished and installed by the city.

RESPONSE: As required, street signs, traffic control signs and parking control signs will be furnished and installed by the City Street Department.

13.05.065 Monuments

Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.

RESPONSE: The applicant shall reestablish and protect monuments as required.

13.05.090 Final Plat Requirements for Land Divisions Other than Minor Replats or Partitions.

13.05.090.A. Submission of Final Plat. *Within two years after tentative plan approval, such other time established at the time of tentative plan approval, or extensions*

granted under this chapter, the owner and/or applicant (collectively referred to as the "developer") shall cause the land division to be surveyed and a final plat prepared. If the developer elects to develop the land division in phases, final plats for each phase shall be completed within the time required (e.g. Phase I completed within two years, Phase II completed within the next two years, etc.). The final plat shall be in conformance with the approved tentative plan, this chapter, ORS Chapter 92, and standards of the Lincoln County Surveyor. ^[17] _[SEP]

RESPONSE: As previously conditioned in #1-SUB-09, the developer shall have up to four years to submit the final plat for the initial phase of development and an additional four years for each subsequent phase of development included in the tentative subdivision plan.

B. Final Development Plan Major Modification

This application proposes modifications only to certain specific provisions of the Final Development Plan of Wilder pursuant to the order in file #3-PD-15 affecting the portions of "Phase 1 of Wilder" known as Phase 3, Lot 42; Phase 3, Lot 43; and Phase 4, Lot 49. No other elements of the Final Development Plan are affected by this application.

14.35.100 Criteria for Approval of a Final Development Plan. *The approval authority may approve an application for a Final Development Plan when it finds that the application complies with the following criteria:*

A. The Final Development Plan must substantially conform to the land use and arterial street pattern as approved in the Preliminary Development Plan.

RESPONSE: The Final Development Plan conforms to the. previously approved land uses and arterial street patterns for Phase 1 of Wilder.

B. The proposed uses shall be compatible in terms of density and demand for public services with uses that would otherwise be allowed by the Comprehensive Plan.

RESPONSE: The Proposed Final Development Plan does not propose changes to uses that have already been approved.

C. Adequate services normally rendered by the city to its citizens must be available to the proposed development at the time of approval of the Final Development Plan. The developer may be required to provide special or oversize facilities to serve the planned development.

RESPONSE: Adequate services are in place or will be made available at time of development of Wilder as outlined within the infrastructure report that was prepared for previous approvals.

The major Collector roadway facilities that serve the development, 40th Street and Harborton Street, have already been constructed through the site from Highway 101 to College Way.

Major utility facilities, including water and sewer lines, have also already been constructed within 40th Street, Harborton Street, and College Way to serve Phase 1 of Wilder and the

Oregon Coast Community College campus. Stormwater facilities have been constructed to collect and treat run-off from impervious surfaces prior to being discharged to on-site drainage ways. These have previously been approved.

D. Access shall be designed to cause minimum interference with traffic movement on abutting streets.

RESPONSE: The planned access systems have been designed to efficiently and safely access the site while minimizing impacts on local abutting streets.

Primary traffic access are provided by two-lane Collector roadways, 40th Street and Harborton Street, and College Way. The Collector roadways have been constructed from US 101 east and south to College Way pursuant to prior approvals for the Planned Development. These streets constitute the northern part of a loop road system that will ultimately connect to 50th Street on the south and then west to US 101. The remaining portion of the loop connecting to 50th Street will be constructed at full build-out of the Master Plan providing secondary access to the site. In the meantime, the southern part of the loop system has been constructed as a gravel access road for emergency vehicles and construction vehicles only. The City has been granted an access easement to the southern part of the loop system.

Lot 42 will front 44th Street. Alley-loaded parking from 45th Street will have access from 44th Street and a portion of Fleming Street on the north end and from 46th Street and Geneva Street on the south end. Lot 43 will front Harborton Street, and take access from 46th Street on the south end and 44th Street and a portion of Fleming Street on the north end.

E. The plan shall provide for adequate landscaping and effective screening for off-street parking areas and for areas where nonresidential use or high-density residential use could be detrimental to residential areas.

RESPONSE: A revised landscaping plan will be approved by the Wilder Homeowner's Association for each lot as homes are built on the subject properties. These will be consistent with the plan previously approved as part of Case file #2-PD-09. Sustainable native plantings have been used where appropriate throughout the site to blend with the natural landscape. Street trees and landscaped curb extensions are provided along all local streets. Landscaped curb-extensions double as stormwater planter swales that provide for a natural means to collect and treat run-off from the development. A landscaped stormwater swale runs along the length of Harborton Street from the western edge of Wilder to the Village Center.

F. The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property.

RESPONSE: The buildings and parking areas in Lots 42, 43, and 49 will be located to screen adjacent properties from noise and glare.

G. Artificial lighting, including illuminated signs and parking area lights, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.

RESPONSE: Artificial lighting used on site will be arranged and constructed to minimize direct glare on adjacent property.

H. The area around the development can be developed in substantial harmony with the proposed plan.

RESPONSE: The areas proposed within the Final Development Plan are designed to be compatible with the overall Master Plan for the greater Wilder site, which extends beyond the limits of the current Preliminary Development Plan for Phase 1 of Wilder and the city limits, and includes off-site properties. The design elements have been previously approved and are not changed by this application.

I. The plan can be completed within a reasonable period of time.

RESPONSE: As shown in the proposed development schedule (Page 19), the plan can be completed within a reasonable period with steady development planned over the next 10 years. The major public infrastructure necessary to serve the development, including 40th Street and Harborton Street to College Way, have already been constructed per the prior development approvals for the site.

J. The streets are adequate to serve the anticipated traffic.

RESPONSE: As part of the prior annexation of the site to the City, the City adopted Ordinance 1931 to address potential transportation impacts of Phase 1 by adopting a trip cap. A traffic analysis was prepared in conjunction with the annexation of the Wilder site to the City demonstrates how the proposed development within Phase 1 can be accommodated within the limitations of the trip cap.

Subsequently, the City, Lincoln County, and ODOT worked to establish an alternative mobility standard for US 101 south of the Yaquina Bay Bridge which resulted in the creation of increased transportation system capacity, replacing the trip cap. The City reserved 403 trips from the Trip Budget for properties in the annexation area, including 257 weekday PM peak hour trips allocated to Wilder. Under the City's trip vesting standards, Phase 1 of Wilder will have tentatively vested 313 trips total for development proposed within this Final Development Plan, superseding the Trip Budget limit. (See the discussion of trips in [Appendix B, pages 18 and 19.](#)) The streets have previously been shown to be adequate for proposed development in the previously-approved Final Development Plan.

K. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

RESPONSE: The planned utilities that will serve the development are adequate and appropriate for the land use. Utilities, including water and sewer, have already been constructed through the Wilder site along 40th Street and Harborton Street from Highway 101 to the Oregon Coast Community College campus. As shown in the proposed utility plans, water and sewer will be extended from existing stubs to serve development in Lots 42, 43, and 49. (See [Appendix A](#)). Stormwater facilities have already been built to collect and treat run-off from impervious surfaces within the development before being discharged to on-site drainage ways.

L. Land shown on the Final Development Plan as common open space shall be conveyed under one of the following options:

- 1. To a public agency that agrees to maintain the common open space and any buildings, structures, or other improvements that have been placed on it.*
- 2. To an association of owners or tenants, created as a non-profit corporation under the laws of the State, which shall adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.*

RESPONSE: There is no common open space on the subject properties. Wilder has no common areas in an effort to keep Homeowner Association fees modest.

M. The Final Development Plan complies with the requirements and standards of the Preliminary Development Plan.

RESPONSE: Final Development Plan Approval was previously granted for Lots 42, 43, and 49. The proposed Modification to the Final Development Plan complies with the requirements and standards of previous Preliminary Development Plans.

14.35.110 Procedure for Modification of a Planned Development.

C. A major change in a Preliminary or Final Development Plan that includes any change in the character of the development or any increase in the intensity or density of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities but will not materially affect future street or utility plans of the City may be approved by the Commission after public hearing.

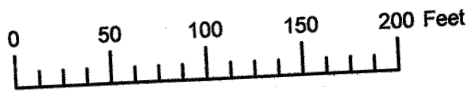
D. In considering any request for a change in a Preliminary or Final Development Plan, the Planning Commission shall apply the same standards as are provided in this Article for the approval of Preliminary or Final Development Plans. The Planning Commission may approve, reject, modify, or attach special conditions to a request for modification of a Preliminary or Final Development Plan. The Community Development Director in his reasonable discretion shall determine whether each request for modification of a Preliminary or Final Development Plan is a minor or major change within the remaining of subparts of A, B, or C of this Section and shall determine or refer each request appropriately.

RESPONSE: This proposed modification meets the criteria for a Major Modification with review and approval by the Planning Commission.

Appendix

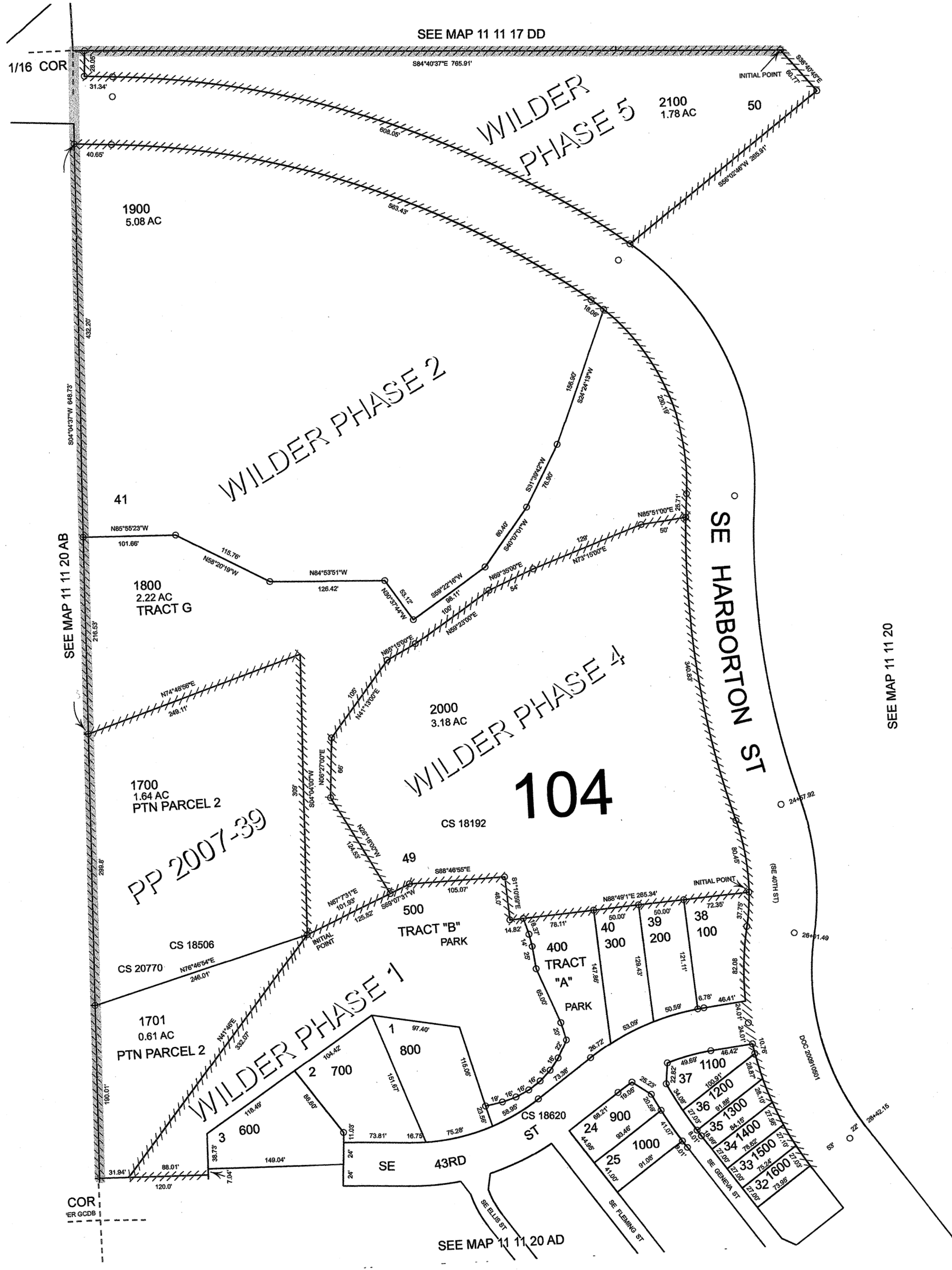
- A. Reduced Proposed Final Development Plan Set for Lots 42, 43, and 49
- B. Wilder Master Plan Narrative
- C. Preliminary Development Plan for "Phase 1 of Wilder"
- D. Street Circulation Plan for "Phase 1 of Wilder"
- E. Wilder "Kit of Parts"
- F. Cross Sections of Proposed Modified Street Types
- G. Written letters from utility providers (Pioneer Telephone Co-op and Central Lincoln PUD); email from City of Newport)
- H. Findings and Order in file #1-SUB-15 and #3-PD-15
- I. Previous Case Files and Goals Achieved by Previous development Plan Modifications

N.E. 1/4 N.E. 1/4 SEC. 20 T. 11S. R. 11W. W.M.
LINCOLN COUNTY
1" = 100'



THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

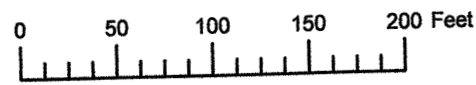
17	16
CS 2326	CS 2401
	CS 12868
	CS 17334
CS 19617	
20	21



1/16 COR

Revised: SEB
04/09/2019

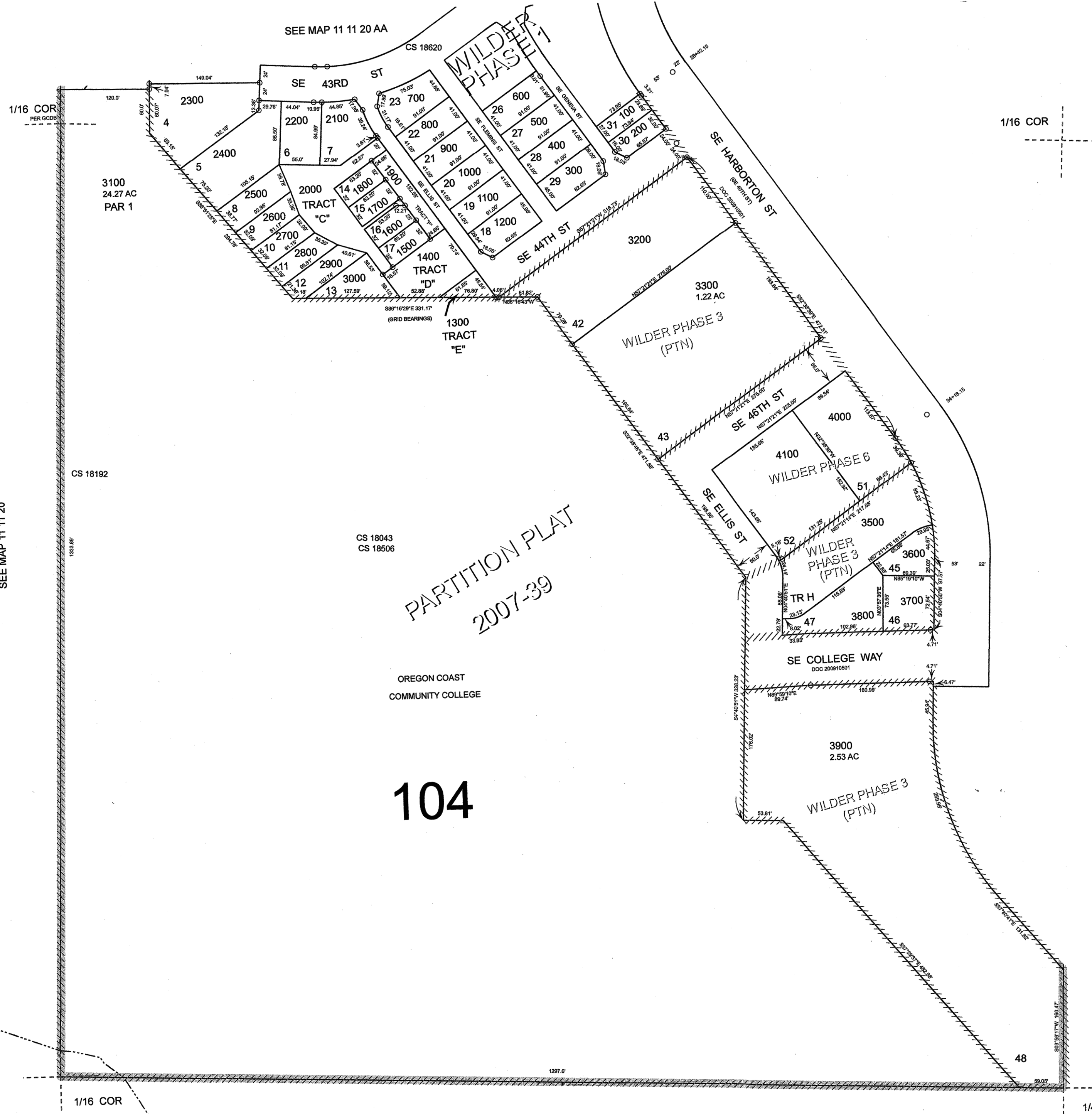
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.E. 1/4 N.E. 1/4 SEC. 20 T. 11S. R. 11W. W.M.
LINCOLN COUNTY
1" = 100'

11 11 20 AD
NEWPORT

Cancelled
3400



1/16 COR PER GCDP

1/16 COR

SEE MAP 11 11 20

PARTITION PLAT
2007-39

104

OREGON COAST
COMMUNITY COLLEGE

1/16 COR

1/4 COR

SEE MAP 11 11 20

Revised: SEB
04/09/2019

NEWPORT
11 11 20 AD

ParcelId	OwnerNmFirst	OwnerNmLast	OwnerAddr	OwnerCityNm	OwnerState	OwnerZIP	SiteAddr
R526343	Dan	McLaughlin	725 SE 43rd St	South Beach	OR	97366	725 SE 43rd St
R526344	Samuel	Hice	715 SE 43rd St	South Beach	OR	97366	715 SE 43rd St
R526345	Alan William	Obright	705 SE 43rd St	South Beach	OR	97366	705 SE 43rd St
R526346		City Of Newport	169 SW Coast Hwy	Newport	OR	97365	625 SE 43rd St
R526349	Thomas	Solin	319 Camrin Lp	Creswell	OR	97426	415 SE 43rd St
R526350		Landwaves Inc	2712 SE 20th Ave	Portland	OR	97202	425 SE 43rd St
R526351	Susan	Decker	1344 SE Umatilla St	Portland	OR	97202	4315 SE Fleming St
R526353		Equity Trust Co Custodian	4600 Hornet Dr	Prescott	AZ	86301	4310 SE Harborton St
R528441	Karol	Kutz	PO Box 1630	Newport	OR	97365	
R531085		State Of Oregon	3015 SW Western Blvd	Corvallis	OR	97333	4030 SE Harborton St
R531872	Donna Patricia	Selah	PO Box 288	South Beach	OR	97366	

ParcelId	OwnerNmFirst	OwnerNmLast	OwnerAddr	OwnerCityNm	OwnerState	OwnerZIP	SiteAddr
R523682		Oregon Coast Community College	400 SE College Way	Newport	OR	97366	400 SE College Way
R526355		F & S Newport LLC	PO Box 449	Lincoln City	OR	97367	4330 SE Harborton St
R526361	Dylan	Kosten	4365 SE Fleming St	South Beach	OR	97366	4365 SE Fleming St
R526362	Katherine J	Pierson	4355 SE Fleming St	South Beach	OR	97366	4355 SE Fleming St
R526363	Leonard	Bynum	4345 SE Fleming St	South Beach	OR	97366	4345 SE Fleming St
R526364	Diedre	Conkling	4335 SE Fleming St	Newport	OR	97365	4335 SE Fleming St
R526367	Adlai	Sudborough	4330 SE Fleming St	South Beach	OR	97366	4330 SE Fleming St
R526368	Virginia	Gibbs	4340 SE Fleming St	Newport	OR	97366	4340 SE Fleming St
R526369	Jeffrey	Fleming	4350 SE Fleming St	South Beach	OR	97366	4350 SE Fleming St
R526370	Ryan	Parker	4360 SE Fleming St	South Beach	OR	97366	4360 SE Fleming St
R526371		Wilder Homeowners Assoc	2712 SE 20th Ave	Portland	OR	97202	4370 SE Ellis St
R526373	Karen M Tstee	Bloomquist	4350 SE Ellis St	South Beach	OR	97366	4350 SE Ellis St
R526374	Sue P Tstee	Hitselberger	199 N Wolkau Rd	Seal Rock	OR	97376	4340 SE Ellis St
R526375	Perilla Julio Cesar	Jimenez	4330 SE Ellis St	Newport	OR	97365	4330 SE Ellis St
R526387		Equity Trust Co Custodian	4600 Hornet Dr	Prescott	AZ	86301	4346 SE Ellis St
R526388	Morgan	Bancroft	4356 SE Ellis St	Newport	OR	97365	4356 SE Ellis St

ParcelId	OwnerNm	OwnerNmLast	OwnerAddr	OwnerCityNm	OwnerStat	OwnerZIP	SiteAddr	SiteCity
R523682		Oregon Coast Community College	400 SE College Way	Newport	OR	97366	400 SE College Way	Newport
R526359		F & S Newport LLC	PO Box 449	Lincoln City	OR	97367	4370 SE Harborton St	Newport
R526361	Dylan	Kosten	4365 SE Fleming St	South Beach	OR	97366	4365 SE Fleming St	Newport
R526370	Ryan	Parker	4360 SE Fleming St	South Beach	OR	97366	4360 SE Fleming St	Newport
R526371		Wilder Homeowners Assoc	2712 SE 20th Ave	Portland	OR	97202	4370 SE Ellis St	Newport



255 SW Coast Highway, Suite 100
(541)265-2288

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Landwaves Inc
2712 SE 20th Ave
Portland, OR 97202

Customer Ref.: _____
Order No.: WT0219562
Effective Date: June 8, 2021 at 05:00 PM
Charge: \$900.00

The information contained in this report is furnished by Western Title & Escrow Company (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

Landwaves, Inc., an Oregon corporation

Premises. The Property is:

(a) Street Address:

APN/Parcel ID(s) R531285, R531274 and R531275 as well as Tax/Map ID(s) 11-11-20-AA-02000, 11-11-20-AD-03200 and 11-11-20-AD-03300

(b) Legal Description:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. City Liens, if any, in favor of the City of Newport.
2. Rights of the public to any portion of the Land lying within the area commonly known as roads and highways.
3. Right of Way Agreement, including the terms and provisions thereof,
Dated: May 19, 1992
Recorded: August 21, 1992
Document No.: Book 249, Page 605, Lincoln County Records
Between: Boise Cascade Corporation
And: Georgia-Pacific Corporation

Assignment and Assumption Agreement, including the terms and provisions thereof,
Recorded: February 23, 2010
Document No.: 2010-02039, Lincoln County Records

4. Timber Easement, including the terms and provisions thereof,
Recorded: August 16, 2007
Document No.: 200711878, Lincoln County Records
Between: Landwaves, Inc., an Oregon Corporation
And: Emery Investments, Inc., an Oregon Corporation

Partial Termination of Easement,
Recorded: February 22, 2010
Document No.: 2010-01992, Lincoln County Records

Partial Termination of Easement,
Recorded: November 4, 2016
Document No.: 2016-10547, Lincoln County Records

Amended to Timber Easement Agreement, including the terms and provisions thereof,
Recorded: July 28, 2017
Document No: 2017-07208

Partial Termination of Easement,
Recorded: November 16, 2017
Document No: 2017-11259

5. Land Partition Deferred Improvement Agreement/Waiver of Remonstrance, including the terms and provisions thereof,
Dated: September 10, 2007
Recorded: October 1, 2007
Document No.: 200713970, Lincoln County Records
Between: City of Newport
And: Landwaves, Inc.
6. Easements, conditions, restrictions and notes as delineated on the official Partition Plat 2007-39.

7. Restrictive Covenant Agreement, including the terms and provisions thereof,
Dated: December 13, 2007
Recorded: January 3, 2008
Document No.: 200800027, Lincoln County Records

8. Restrictive covenants, including the terms and provisions thereof, to waive right of remonstrance,
Recorded: January 3, 2008
Document No.: 200800028, Lincoln County Records
For: future use of adjacent properties

9. Reciprocal Easement Agreement, including the terms and provisions thereof,
Dated: December 13, 2007
Recorded: January 3, 2008
Document No.: 200800030, Lincoln County Records

Amended by instrument,
Recorded: February 28, 2011
Document No.: 2011-02149, Lincoln County Records

10. Declaration of Restrictive Covenant (Waiver of Remonstrance), including the terms and provisions thereof,
Recorded: October 26, 2010
Document No.: 2010-10802, Lincoln County Records

11. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: July 30, 2010
Recording No: 2010-07750

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: May 22, 2014
Recording No: 2014-04270

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: October 29, 2015
Recording No: 2015-10894

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: July 28, 2017
Recording No: 2017-07209

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: October 11, 2017
Recording No: 2017-09922

Liens and assessments, if any, by the Wilder Homeowners' Association.

12. By-laws of Wilder Homeowners' Association, Inc., including the terms and provisions thereof,

Recording Date: May 22, 2014
Recording No.: 2014-04271

Amendment(s)/Modification(s) of said by-laws,

Recording Date: October 11, 2017
Recording No: 2017-09922

13. Easements, conditions, restrictions and notes as delineated on the official Partition Plat 2015-1, 1A, 1B, 1C.

14. Restrictive Covenant for Remainder Parcel, including the terms and provisions thereof,

Recorded: December 5, 2016
Document No.: 2016-11480, Lincoln County Records
Between: Landwaves, Inc.
And: The City of Newport
Re-Recorded: December 13, 2016
Document No.: 2016-11831, Lincoln County Records

15. Easements, conditions, restrictions and notes as delineated on the official Plat of Wilder Phase 3.

16. Easements, conditions, restrictions and notes as delineated on the official Plat of Wilder Phase 4.

17. Declaration of Reciprocal Access and Utility Easement and Maintenance Agreement, including the terms and provisions thereof,

Recording Date: November 16, 2017
Recording No.: 2017-11260

18. City of Newport, Oregon Public Utility Easement, including the terms and provisions thereof,

In Favor Of: City of Newport
Recording Date: November 16, 2017
Recording No.: 2017-11261

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2020-2021
Amount: \$7,695.43
Levy Code: 104
Account No.: R531285
Map No.: 11-11-20-AA-02000
Parcel I

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2020-2021
Amount: \$4,491.47
Levy Code: 104
Account No.: R531274
Map No.: 11-11-20-AD-03200
Portion of Parcel II

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2020-2021
Amount: \$13,088.60
Levy Code: 104
Account No.: R531275
Map No.: 11-11-20-AD-03300
Portion of Parcel II

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Anya Kirkes
541-574-1525
titleofficersupport@westerntitle.com

Western Title & Escrow Company
255 SW Coast Highway, Suite 100
Newport, OR 97365

EXHIBIT "A"
Legal Description

PARCEL I:

Lot 49, WILDER PHASE 4, in Lincoln County, Oregon, according to the official plat thereof recorded May 19, 2017 in Plat Book 19, pages 16, 16A, Plat Records.

PARCEL II:

Lots 42 and 43, WILDER PHASE 3, in Lincoln County, Oregon, according to the official plat thereof, recorded May 30, 2017 in Plat Book 19, pages 15, 15A, 15B, Plat Records.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

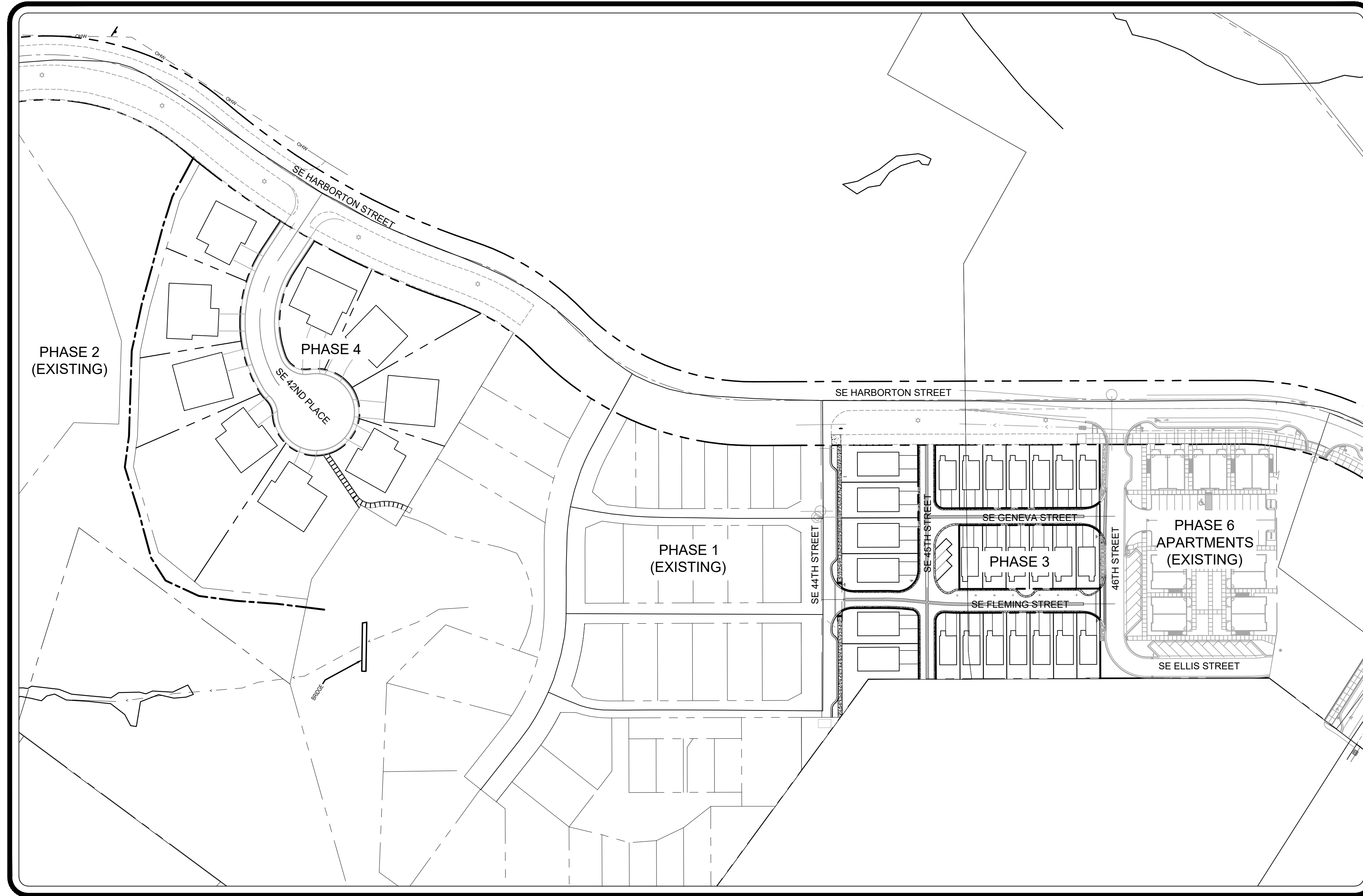
Wilder Community Master Plan Development Applications

APPENDIX A.

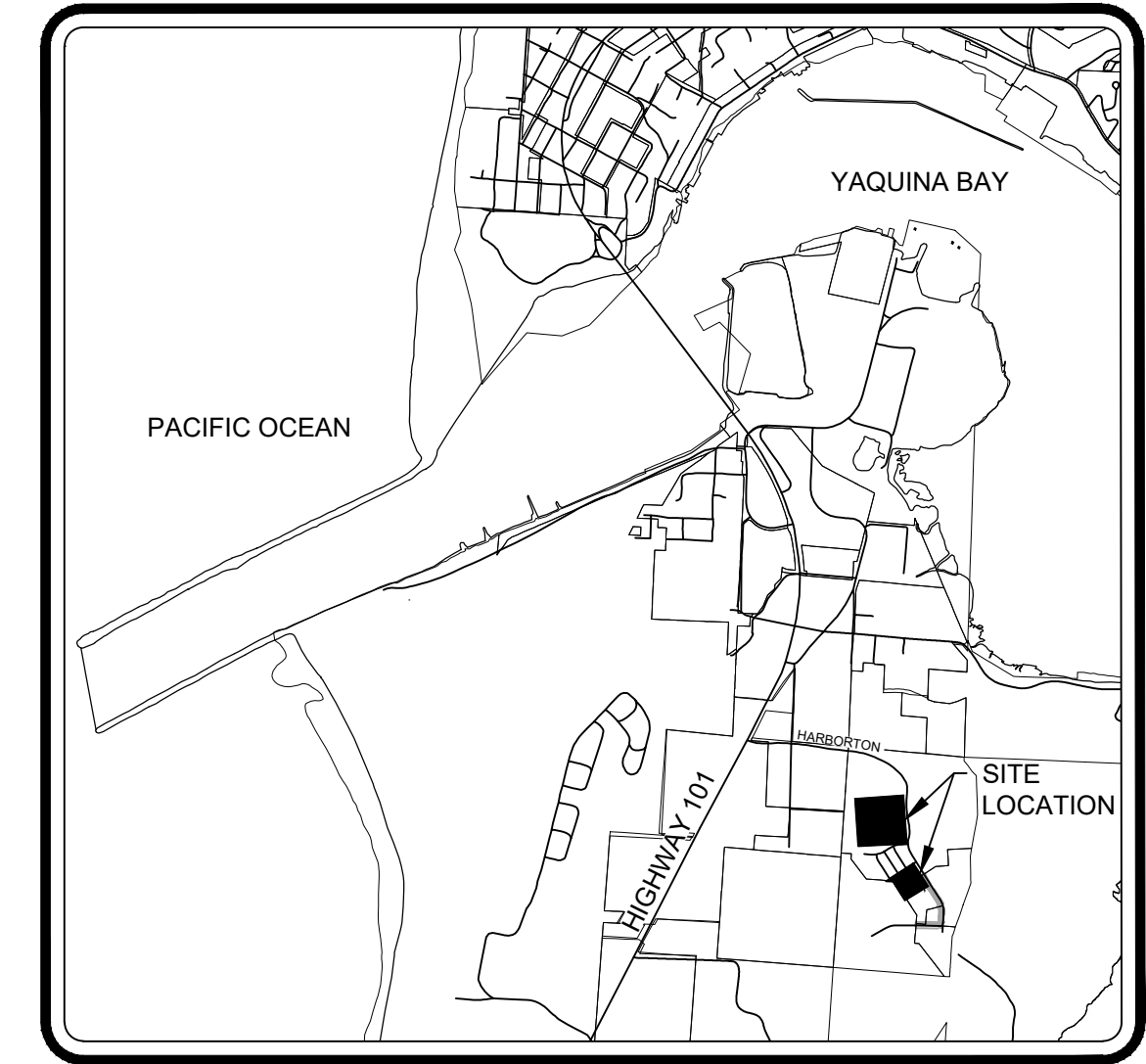
Reduced Proposed Final Development Plan Set for Lots 42, 43 and 49

WILDER COMMUNITY MASTER DEVELOPMENT PLAN

NORTH CORNER OF SE HARBORTON STREET AND 44TH STREET
NEWPORT, OREGON, 97366



SITE MAP
1" = 80'



VICINITY MAP
NTS

SHEET INDEX

- 01 COVER SHEET
- 02 FINAL DEVELOPMENT PLAN PHASE 4, LOT 49
- 03 FINAL DEVELOPMENT PLAN PHASE 3, LOT 42 & 43
- 04 TENTATIVE SUBDIVISION PLAT PHASE 4, LOT 49
- 05 TENTATIVE SUBDIVISION PLAT PHASE 3, LOT 42 & 43
- 06 GRADING PLAN PHASE 4, LOT 49
- 07 GRADING PLAN PHASE 3, LOT 42 & 43
- 08 UTILITY PLAN PHASE 4, LOT 49
- 09 UTILITY PLAN PHASE 3, LOT 42 & 43

PROJECT TEAM

OWNER

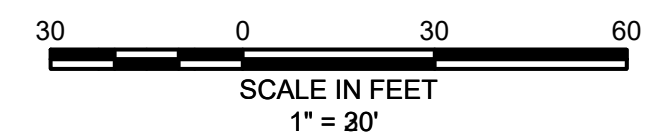
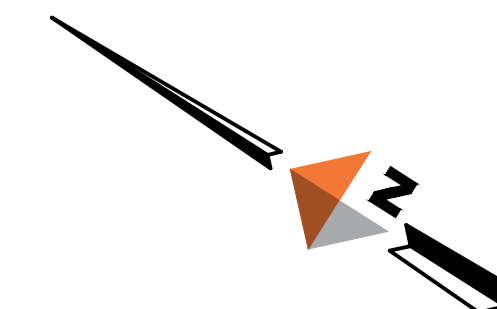
LANDWAVES, INC.
2712 SE 20TH AVE
PORTLAND, OR 97202
503-720-0899
CONTACT: BONNIE SERKIN

CIVIL ENGINEER

DOWL
720 SW WASHINGTON STREET, SUITE 750
PORTLAND, OREGON, 97205
(971) 280-8641
CONTACT: RYAN HALVORSON, PE

PLANNER

DOWL
720 SW WASHINGTON STREET, SUITE 750
PORTLAND, OREGON, 97205
(971) 280-8641
CONTACT: READ STAPLETON, AICP



REV	DATE	DESCRIPTION	BY

DOWL
WWW.DOWL.COM
720 SW WASHINGTON STREET, #750
PORTLAND, OREGON 97205
971-280-8641

WILDER MASTER PLAN
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
COVER SHEET
NEWPORT, OREGON - 97366

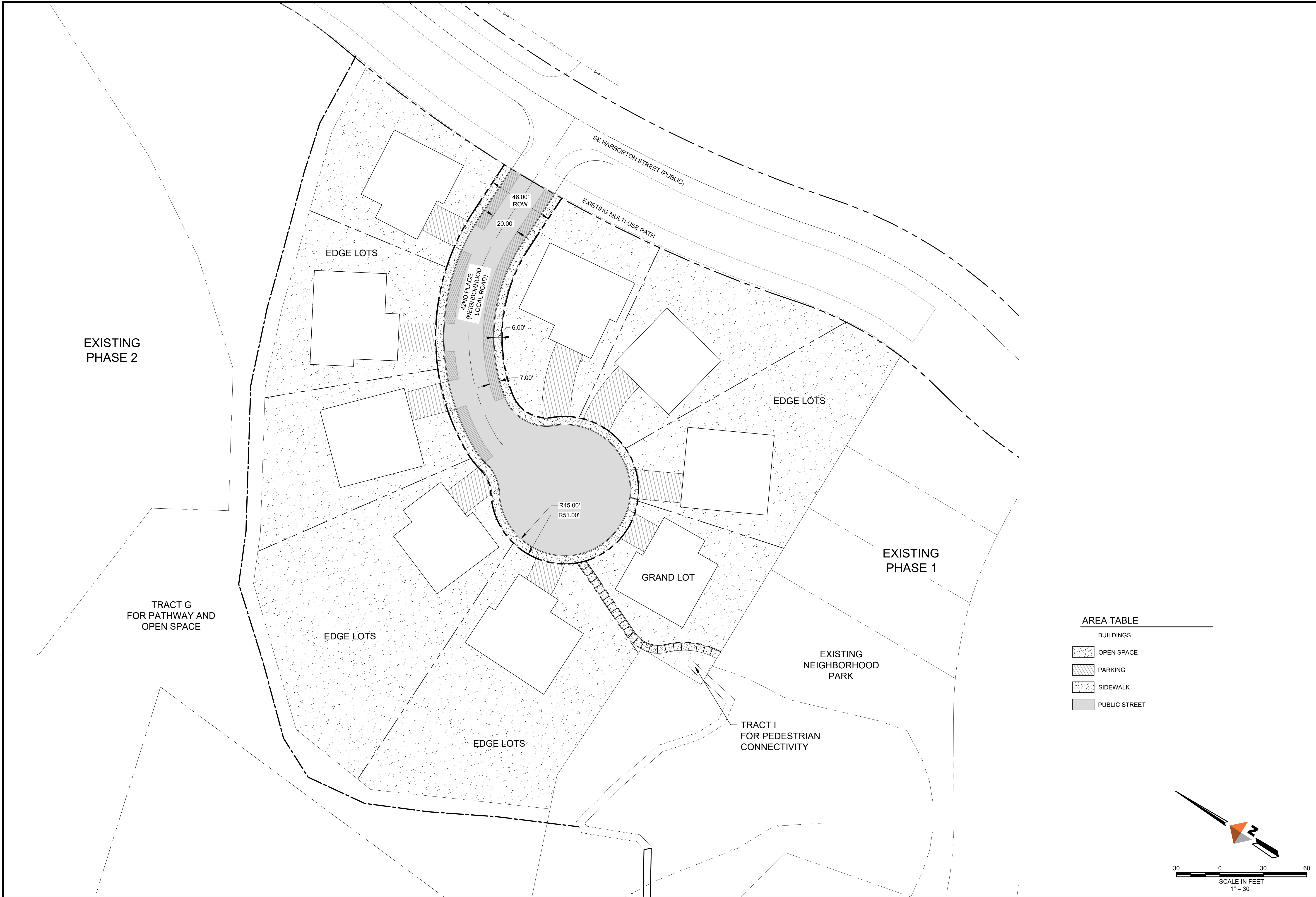
PROJECT	2322.14369
DATE	06/17/2021

©DOWL 2017
SHEET

01

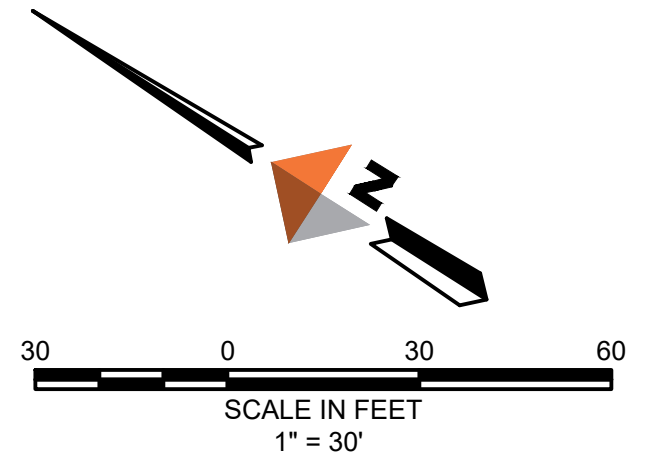
\\BIL-FS\BIL-projects\22114366-01\6SCAD\EXHIBITS\2021-06-18 - Grading Plan\MC14-CV-WILD.dwg PLOT DATE 2021-06-21 16:13 SAVED DATE 2021-06-21 15:16 USER: mhalvorson

Q:\2214369-01\65CAD\EXHIBITS\2021-06-18-4 - Preliminary Plat\MC14-CS-SH-WILD.dwg PLOT DATE 2021-06-21 16:11 SAVED DATE 2021-06-21 16:06 USER: wiazett



AREA TABLE

	BUILDINGS
	OPEN SPACE
	PARKING
	SIDEWALK
	PUBLIC STREET



REV	DATE	DESCRIPTION	BY

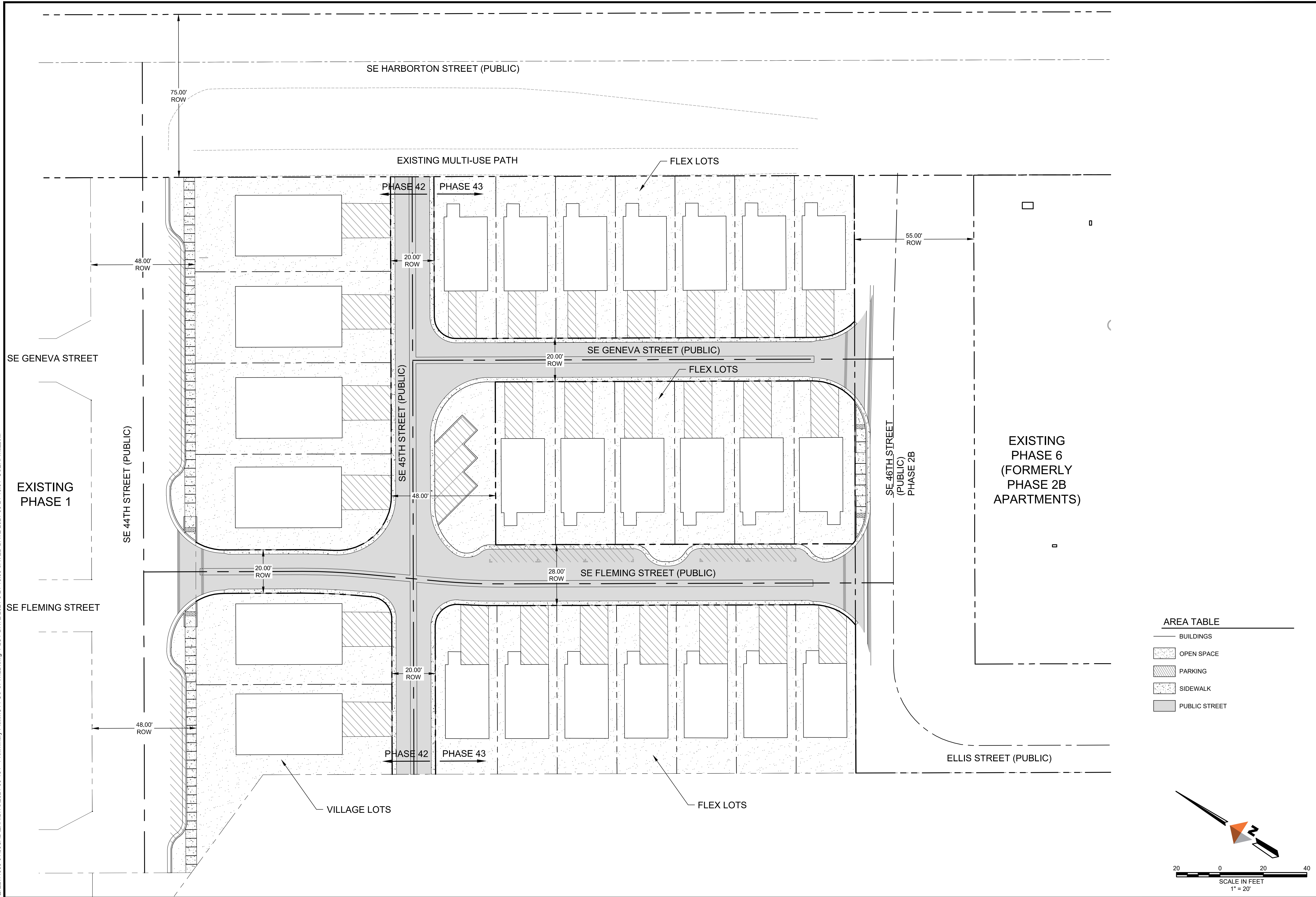
DOWL
www.dowl.com
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

WILDER MASTER PLAN
 SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
**FINAL DEVELOPMENT PLAN PHASE 4,
 LOT 49 (FORMERLY PHASE 3)**

PROJECT	2322.14369
DATE	06/17/2021

©DOWL 2017
 SHEET
02

Q:\2214389-01\65CAD\EXHIBITS\2021-06-184 - Preliminary Plat\MC14-CS-SH-WLD.dwg PLOT DATE 2021-6-21 16:06 SAVED DATE 2021-06-21 16:01 USER: wiazetti



REV	DATE	DESCRIPTION	BY

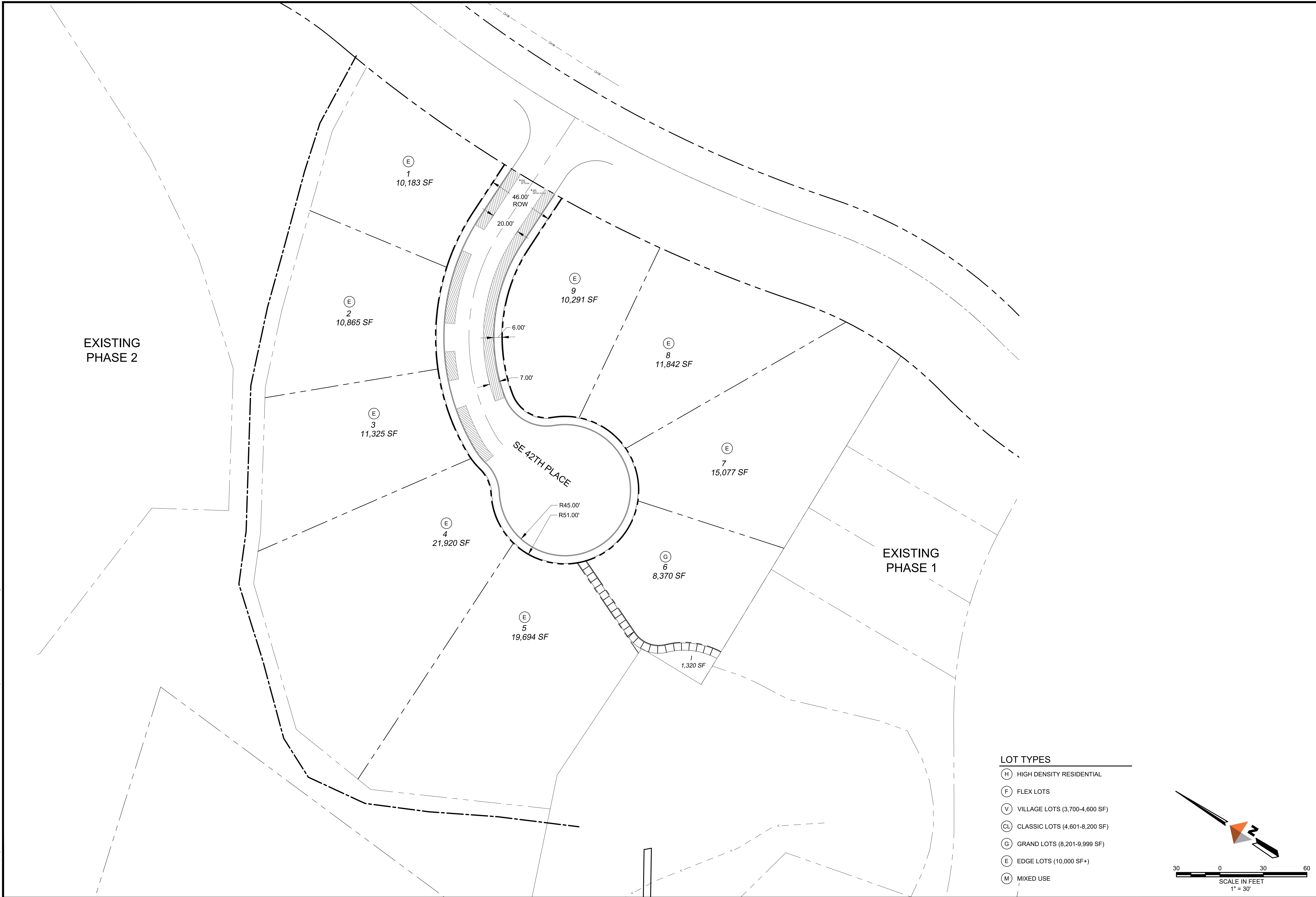
WILDER MASTER PLAN
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR

DOWL
WWW.DOWL.COM
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

**FINAL DEVELOPMENT PLAN PHASE 3,
LOT 42 & 43 (FORMERLY PHASE 2C & 2D)**

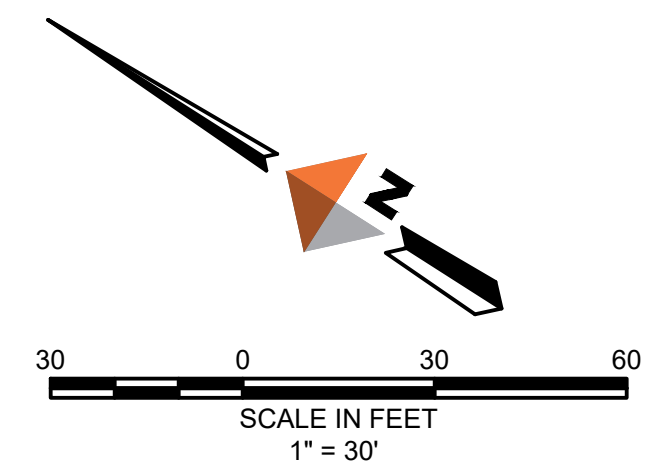
PROJECT	2322.14389
DATE	06/17/2021
©DOWL 2017	
SHEET	
03	

\\BL-FS\BL-projects\22114366-01\65CAD\EXHIBITS\2021-06-184 - Preliminary Plan\MCMC14-CS-PL-WILD-WRI.dwg PLOT DATE 2021-06-21 16:05 SAVED DATE 2021-06-21 12:04 USER: mahovson



LOT TYPES

- (H) HIGH DENSITY RESIDENTIAL
- (F) FLEX LOTS
- (V) VILLAGE LOTS (3,700-4,600 SF)
- (CL) CLASSIC LOTS (4,601-8,200 SF)
- (G) GRAND LOTS (8,201-9,999 SF)
- (E) EDGE LOTS (10,000 SF+)
- (M) MIXED USE



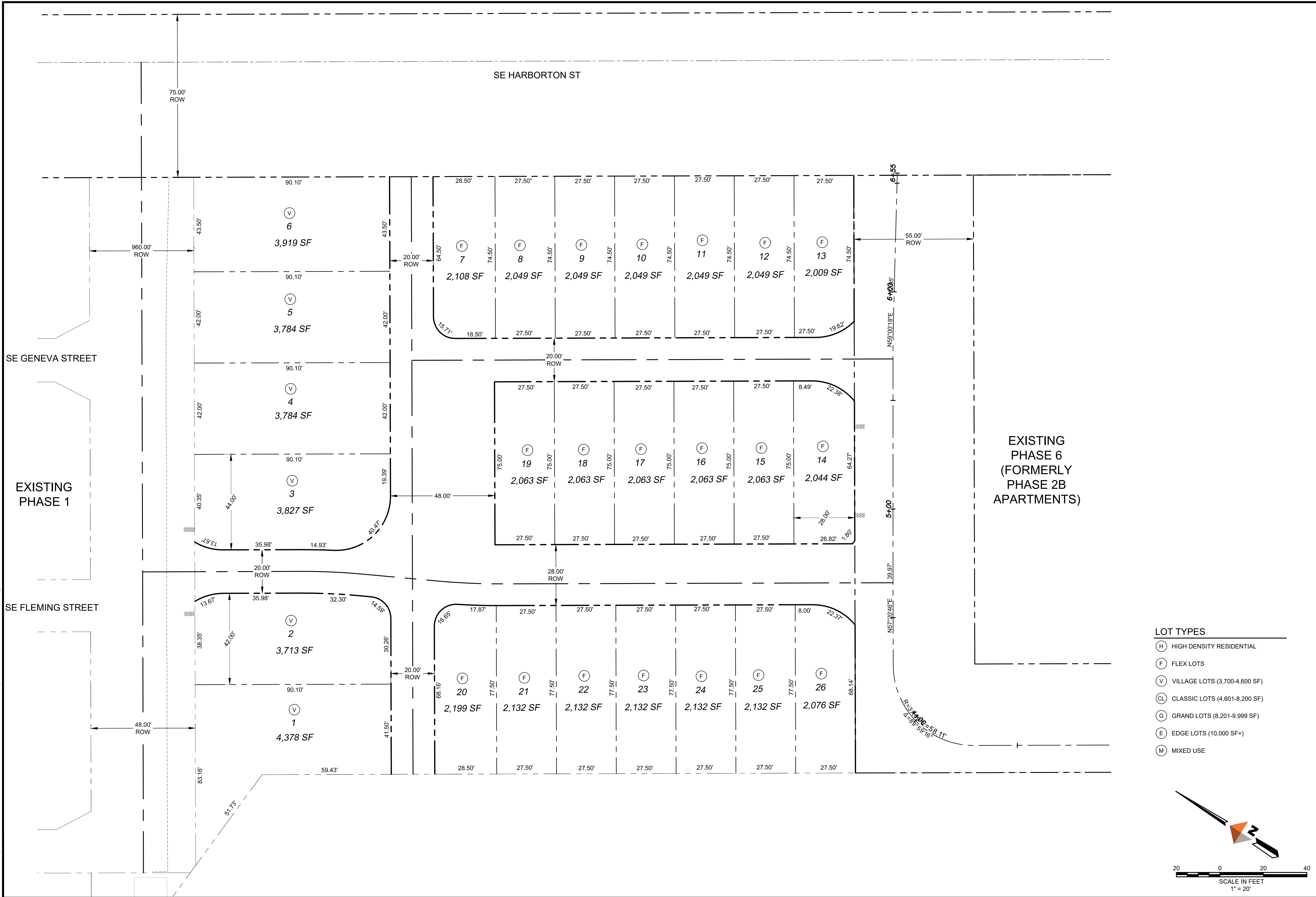
REV	DATE	DESCRIPTION	BY

DOWL
WWW.DOWL.COM
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

WILDER MASTER PLAN
 SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
 TENTATIVE SUBDIVISION PLAT PHASE 4,
 LOT 49 (FORMERLY PHASE 3)
 NEWPORT, OREGON - 97366

PROJECT	2322.14369
DATE	06/17/2021
©DOWL 2017	
SHEET	
04	

\\BL-FS\BL-projects\22114369-01\65CAD\EXHIBITS\2021-06-184 - Preliminary Plat\MC14-CS-PL-WILD-VRI.dwg PLOT DATE 2021-06-21 15:48 SAVED DATE 2021-06-21 12:04 USER: mahorson



- LOT TYPES**
- (H) HIGH DENSITY RESIDENTIAL
 - (F) FLEX LOTS
 - (V) VILLAGE LOTS (3,700-4,600 SF)
 - (CL) CLASSIC LOTS (4,601-8,200 SF)
 - (G) GRAND LOTS (8,201-9,999 SF)
 - (E) EDGE LOTS (10,000 SF+)
 - (M) MIXED USE

REV	DATE	DESCRIPTION	BY

WILDER MASTER PLAN
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR

DOWL
WWW.DOWL.COM
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

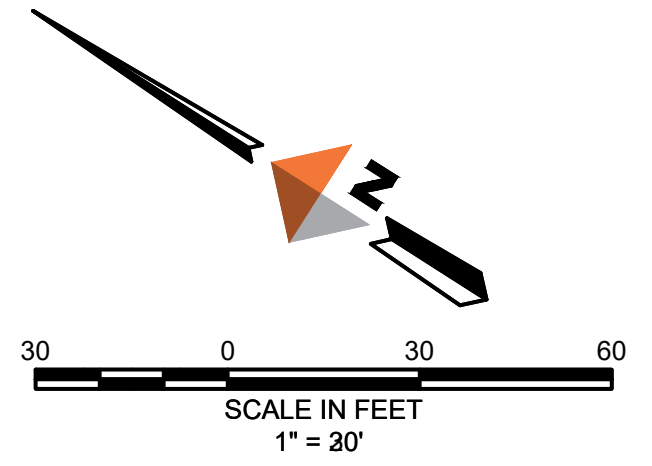
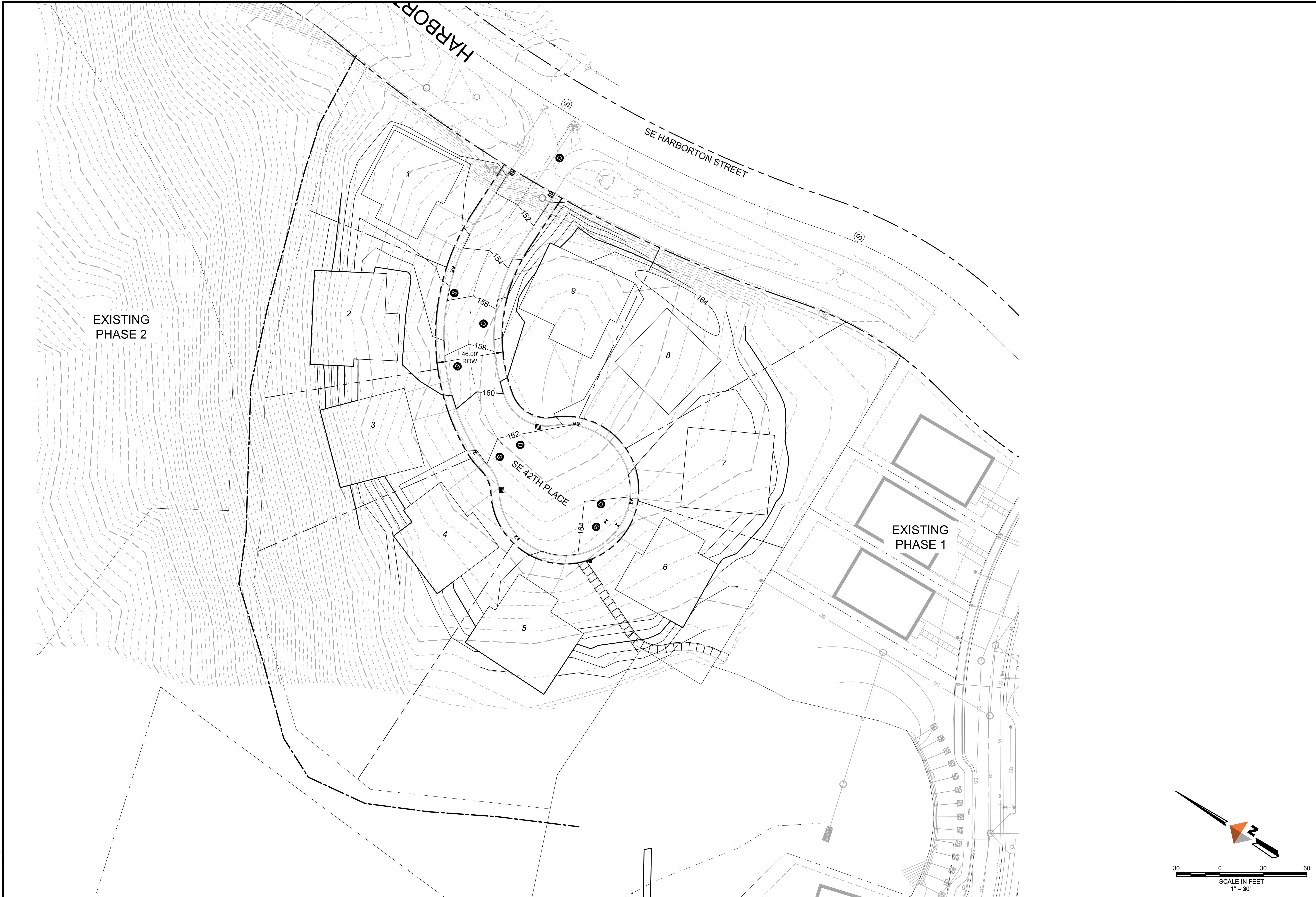
TENTATIVE SUBDIVISION PLAT PHASE 3,
 LOT 42 & 43 (FORMERLY PHASE 2C & 2D)

PROJECT	2322.14369
DATE	06/17/2021

©DOWL 2017
SHEET

05

\\BIL-FS\BIL-projects\22114369-01\65CAD\EXHIBITS\2021-06-18 - Grading Plan\MC14-CS-CR-WILD.dwg PLOT DATE 2021-06-21 15:56 SAVED DATE 2021-06-21 14:12 USER: malvorson



REVISIONS		BY
REV	DATE	DESCRIPTION

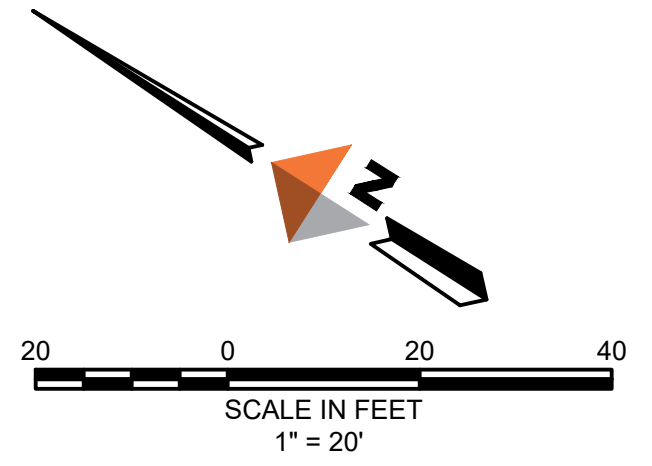
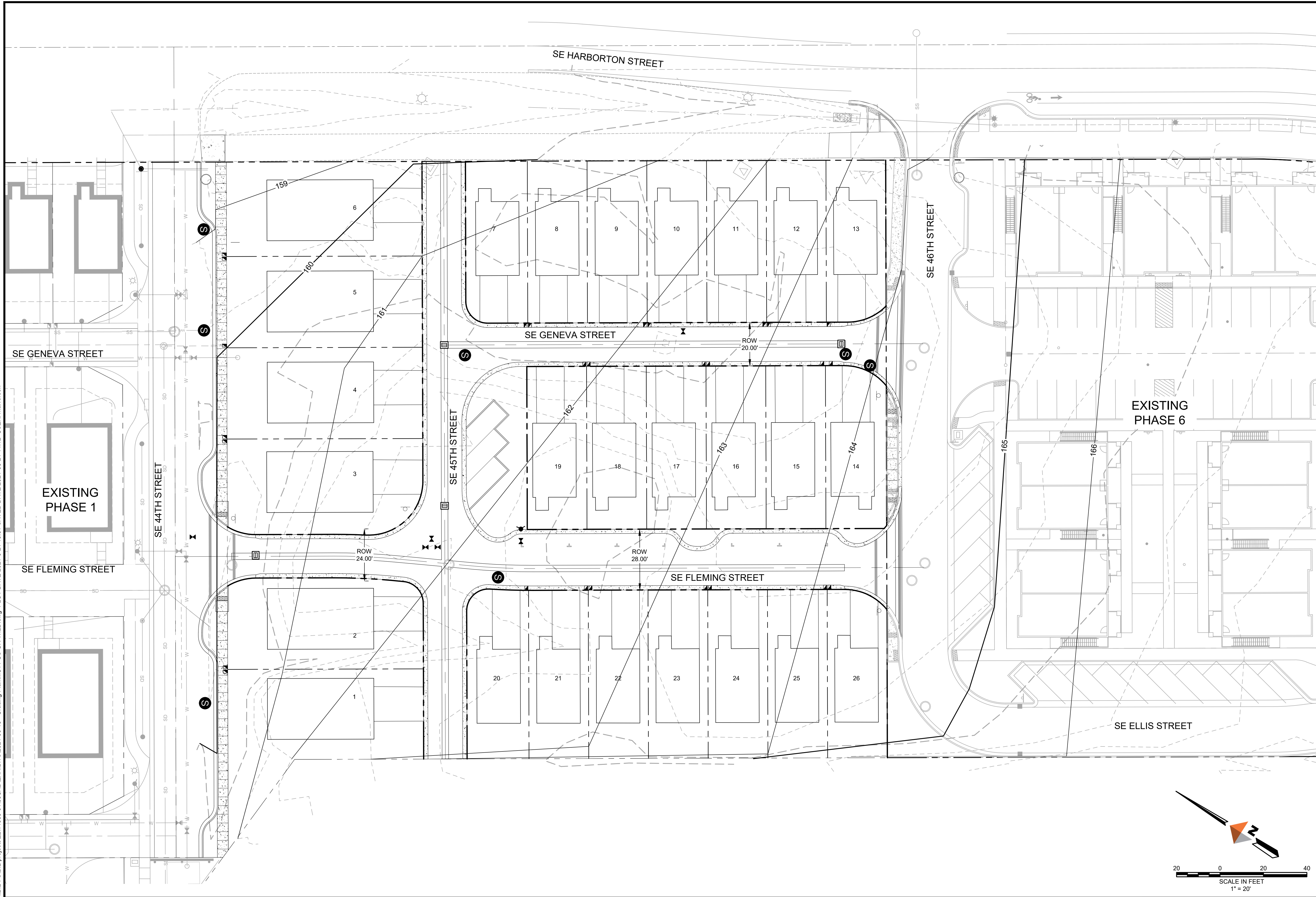
PROJECT 2322.14369
DATE 06/17/2021

DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

WILDER MASTER PLAN
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
GRADING PLAN PHASE 4, LOT 49
(FORMERLY PHASE 3)
NEWPORT, OREGON - 97366

PROJECT 2322.14369
DATE 06/17/2021
©DOWL 2017
SHEET
06

\\BL-FS\BL-projects\2114369-01\6SCAD\EXHIBITS\2021-06-18 - Grading Plan\MC14-CS-CR-WILD.dwg PLOT DATE 2021-06-21 15:51 SAVED DATE 2021-06-21 14:12 USER: mhaverson



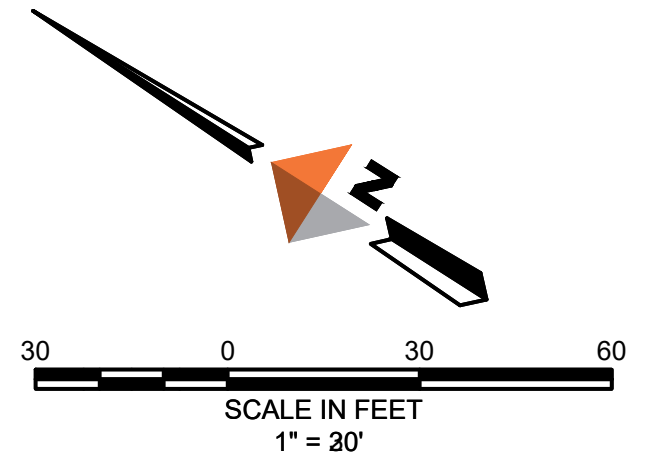
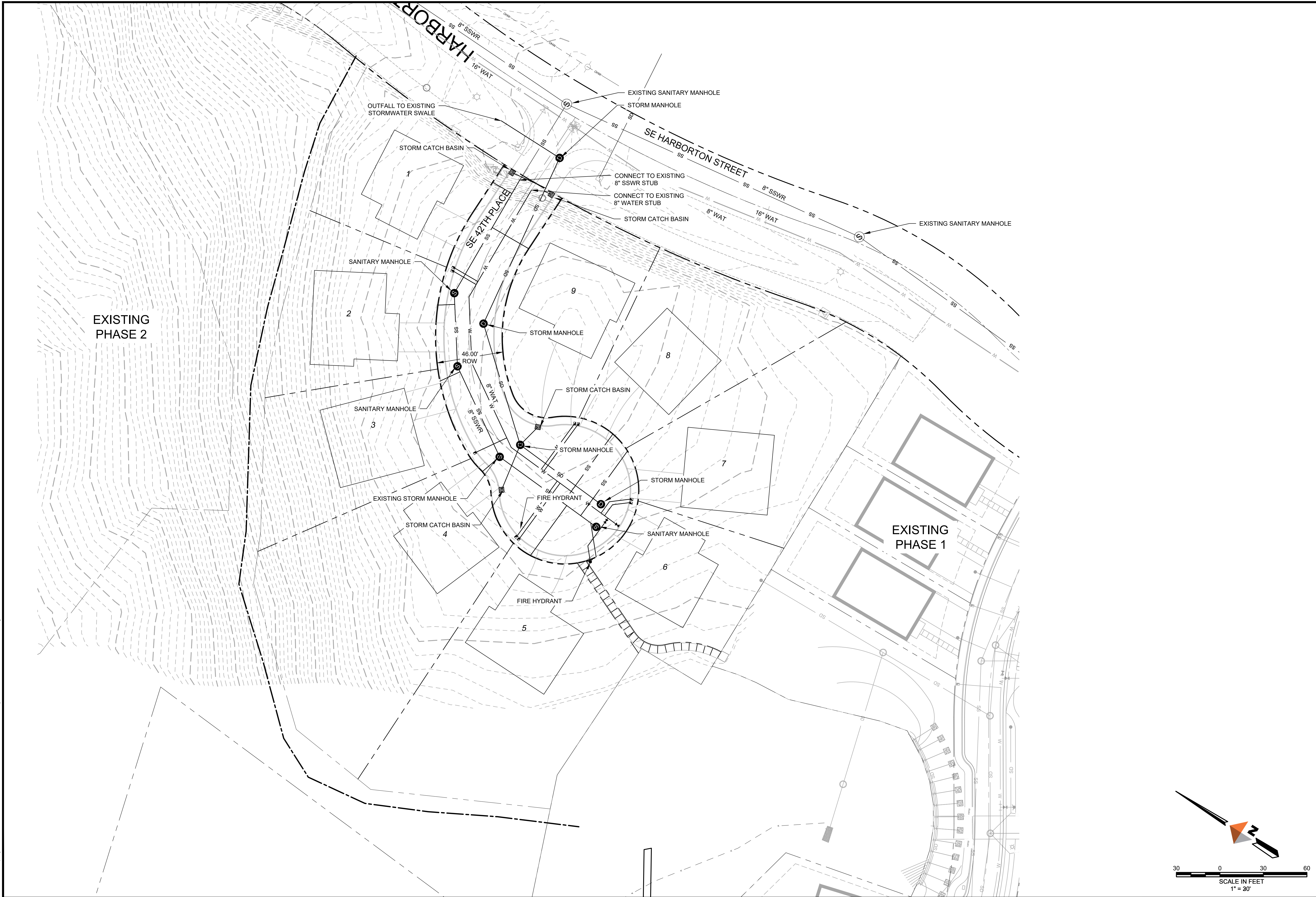
REV	DATE	DESCRIPTION	BY

DOWL
www.dowl.com
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

WILDER MASTER PLAN
 SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
 GRADING PLAN PHASE 3, LOT 42 & 43
 (FORMERLY PHASE 2C & 2D)
 NEWPORT, OREGON - 97366

PROJECT	2322.14369
DATE	06/17/2021
©DOWL 2017	
SHEET	07

\\BL-FS\BL-projects\2214369-01\6SCAD\EXHIBITS\2021-06-18 - Utility Plan\MC14-CS-UT-WILD.dwg PLOT DATE 2021-06-21 15:54 SAVED DATE 2021-06-21 12:58 USER: rhalverson



REV	DATE	DESCRIPTION	BY

DOWL
www.dowl.com
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

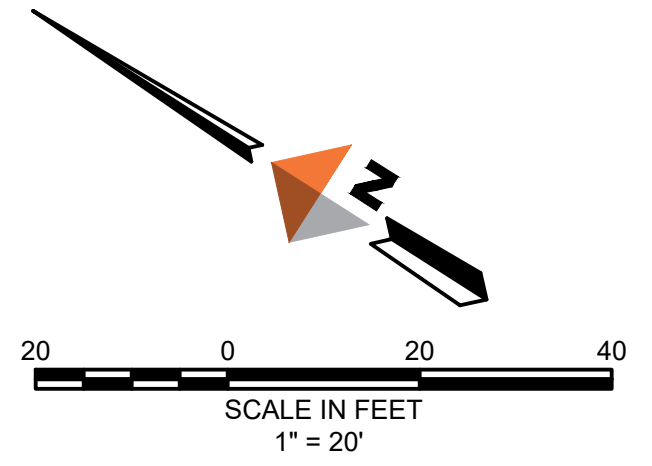
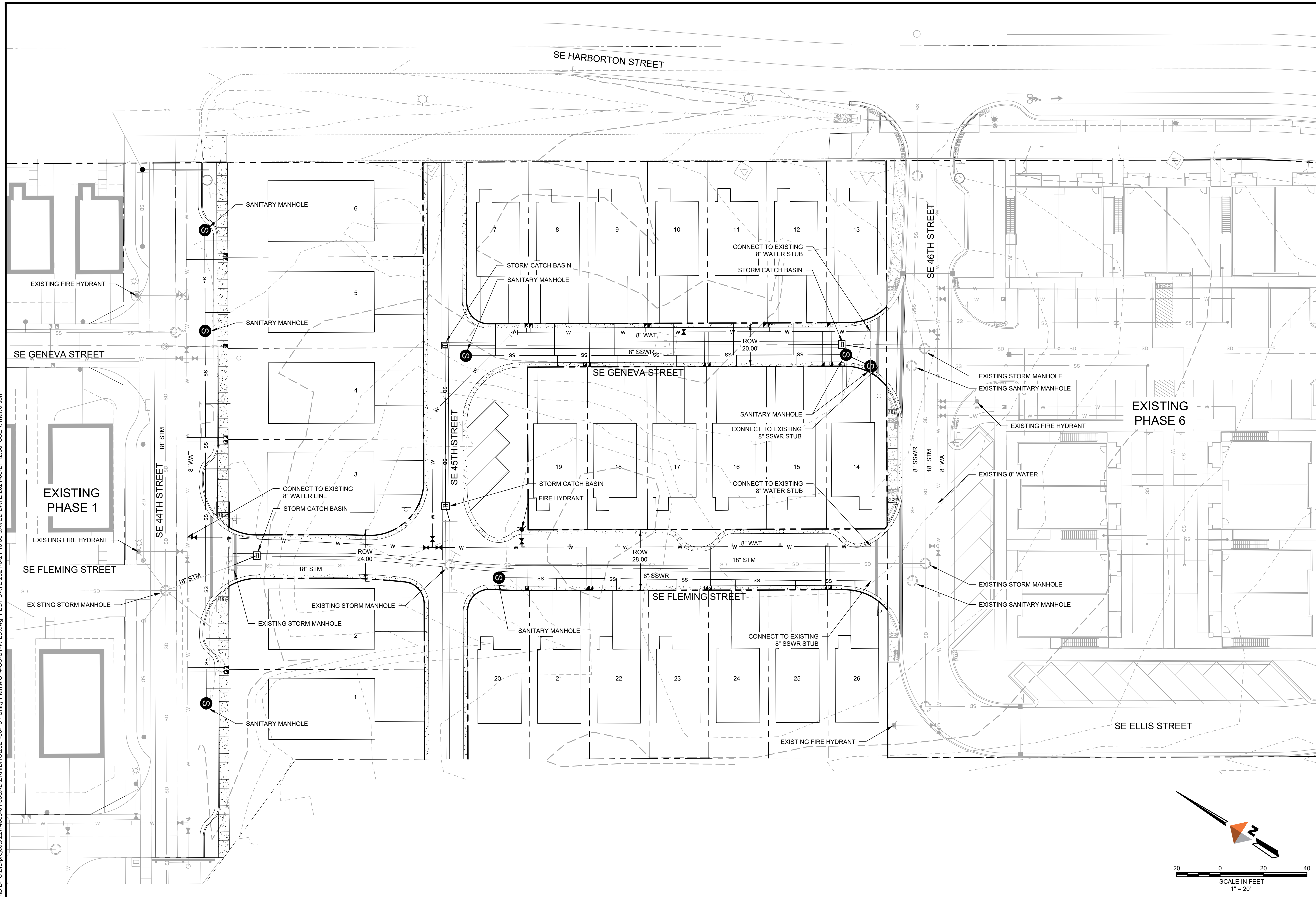
WILDER MASTER PLAN
 SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
 UTILITY PLAN PHASE 4, LOT 49
 (FORMERLY PHASE 3)

PROJECT	2322.14369
DATE	06/17/2021

©DOWL 2017
 SHEET
08

NEWPORT, OREGON - 97366

\\BL-FS\BL-projects\2214369-01\6SCAD\EXHIBITS\2021-06-18 - Utility Plan\MC14-CS-UT-WILD.dwg PLOT DATE 2021-06-21 15:53 SAVED DATE 2021-06-21 12:58 USER: mahorson



REV	DATE	DESCRIPTION	BY

DOWL
 WWW.DOWL.COM
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

WILDER MASTER PLAN
 SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
 UTILITY PLAN PHASE 3, LOT 42 & 43
 (FORMERLY PHASE 2C & 2D)
 NEWPORT, OREGON - 97366

PROJECT	2322.14369
DATE	06/17/2021
©DOWL 2017	
SHEET	09

Wilder Community Master Plan Development Applications

APPENDIX B.

Wilder Master Plan Narrative

APPENDIX B. WILDER MASTER PLAN NARRATIVE.

Note: As additional background about Wilder, this Narrative combines approvals from all previous final development plans, with proposed new provisions in the 2021 Application for Major Development Plan Modification underlined and changes from the 1-SUB-15 and 2-PD-15 approvals ~~approvals struck-out~~. The goal is to provide a single, central reference point for the continued build-out of Wilder. Where standards are not specified in the Development Plan, the Newport Municipal Code provisions for zoning and subdivision apply. Appendix references refer to appendices to the 2021 land use application proposing modifications to the Tentative Subdivision Plan and the Final Planned Development Plan for Phase 3, Lots 42 and 43 and Phase 4, Lot 49.

Geographic Extent:

Phase 1 of Wilder is located in the South Beach neighborhood and is bounded by Mike Miller Park and the Oregon Coast Community College (OCCC) on the west, 40th Street along the north, the City limits on the east and the south. The site is approximately 62 acres in size, including infrastructure and lots that have already been final platted. The Preliminary Development Plan has been approved for the full Phase 1 of Wilder, and the Final Development Plan has been approved for the portion of Phase 1 of Wilder on the west side of Harborton Street, which includes Wilder Phase 1 (already constructed); Phase 2 (formerly 4 - approved for Oregon State University student housing); Phase 3 (comprising former 2A which is partially completed as the Wilder Corner commercial building, former 2B which has been re-platted as Phase 6 with completed apartments, former 2C which is platted as Lot 42 - the subject of the application, former 2D which is platted as Lot 43 - the subject of this application), and former 2E and 2F which are platted as Lot 48 - future commercial); Lot 49 (formerly Phase 3 - the subject of this application), and Phase 5 (formerly 6 - future multifamily). The remainder parcel on the east side of Harborton Street is not platted and does not yet have preliminary plan approval. (See Appendix F showing the full extent of "Phase 1 of Wilder".)

Design Intent:

The design intent of the Planned Development is to create a livable, viable mixed-use community built on the principles of environmental sustainability. It will be well-suited to the Oregon Coast in scale, design, and economics. The proposal achieves the following design objectives:

- *Create a vibrant Village Center that will provide commercial, office, community service, lodging, day care, and higher density residential uses to serve the residential population, support the OCCC campus, and create jobs for local residents.*

The proposed plan concentrates commercial services and residential density around a pedestrian-scale Village Center that is adjacent to the OCCC campus. This enables residents of the community and students to obtain services, attend school, and work within walking distance of where they live. This design accommodates increasing population density, while

promoting a reduction in energy use. The objective is to create a convenient and livable environment for residents and visitors of the community.

- *Graduate residential density outward from the Village Center to create an appropriate transition to the lower density areas of the site.*

The proposed graduated density design ensures that development will be compatible and in harmony with the area. The location of the various proposed uses and development intensity is appropriate to site-specific conditions, such as adjacent uses and topography.

The Village Center is the heart of activity within the development located next to the college campus. It features housing over commercial such as live-work arrangements, offices, cafes, small retail shops, services, and entertainment uses, community services, educational institutions, day care, lodging, and apartments. To the north, micro-cottages, row houses, garden apartments and urban flats will provide a transition to the lower density development areas within the site outside of the Village Center. The central portion of the site features single-family detached homes, including cottage cluster housing, and homes on Village, Classic, Grand, and Edge lots.

The plan also includes a node of multifamily residential units in the northwest corner of the site to accommodate student housing for OSU and affordable housing. The student housing node will be buffered from the single-family development in Phase 4 by open space and vegetation, and its location on Harborton Street near 40th Street will provide convenient access to multimodal connections to the OSU Hatfield Marine Science Center to the north. The multifamily housing cluster on the northeast side of Harborton Street will transition to medium-density residential in the Remainder portion, the former disc golf course, and be buffered from single-family development to the east by open space, changes in topography, and vegetation.

- *Provide for a variety of housing types to accommodate different needs, incomes, and a sense of place and community.*

The design of buildings within the proposed development is outlined in the "Kit of Parts". (See [Appendix E to the Application Narrative](#).) It includes a variety of housing types and sizes at varying densities that cannot be achieved within the strict limits of the underlying zoning such as, multifamily apartments, multifamily clustered apartments, cottage cluster housing, micro-cottages, and single family homes on four different general lot sizes. This design will accommodate different needs and incomes resulting in a more diverse, attractive, and sustainable community, including affordable housing. Some of the housing types are suitable for the use of high quality pre-fabricated materials, such as panelized construction, which will reduce construction costs and result in a more affordable product for the community.

The buildings also accommodate design features that help create a unique sense of place and community. This includes such things as classic front porches, cottage cluster housing centered on a green space that allows sharing of resources between neighbors, and locating parking areas and garages/carpools behind buildings accessible through alleys.

- *Design and construct to sustainable standards to lessen the impact to the natural environment and to reduce long-term operational costs.*

As outlined in the previously approved "Kit of Parts", this objective of promoting energy efficiency is incorporated into all aspects of site design. This includes such things as, designing buildings to achieve green building certification; designing streets to incorporate sustainable design features such as stormwater bio-swales, incorporating native vegetation for landscape plantings throughout the development; and generally using energy efficient and recycled materials whenever possible.

- *Develop a transportation system that accommodates multiple modes of transportation to encourage walking, bike riding, etc., and reduce energy use.*

As outlined in the previously approved "Kit of Parts", the proposed development includes neo-traditional street designs to accommodate multiple modes of transportation and create a sense of place and promote traffic calming. These streets include such features as curb extensions, wider sidewalks within the Village Center, and on-street parking. The multimodal transportation network within Wilder will also connect to the City's broader transportation network, such as routes north of Wilder to provide multimodal connections for OSU students to access Hatfield Marine Science Center.

- *Provide for an extensive network of open space and parks, including walking and biking trails, throughout the site.*

Preserved natural areas, trails, and parks are fully integrated into the site design. Neighborhood parks are planned that will provide active and passive recreational uses such as, playgrounds, sport courts, lawn areas, and trails. Parks will be centrally located within or near the single-family residential neighborhoods on both sides of Harborton Street. Wilder Twin Park has been built adjacent to Wilder Phase 1 and dedicated to the City for public use, and Wilder has provided a temporary dog park and disc golf course for the past five years. Trails have been constructed to connect Wilder Twin Park to Mike Miller Park, and additional open space dedications and trail connections will connect to other areas within the development and the planned regional trail system off-site. A public trail will be constructed and dedicated with Phase 2 to extend the trail north from Mike Miller Park. Private open space will also be provided within multifamily developments in Phases 2 and 5 to serve residents.

- *Protect and provide for management of significant natural resource areas on site, including wetlands, streams, and natural vegetation.*

Trees and other natural vegetation will be preserved when possible, and landscaping will be planted to enhance the environment and provide habitat for wildlife.

Compatibility with Surrounding Development:

The proposed uses within the Master Plan for Phase 1 of Wilder complies with the City's Comprehensive Plan and zoning, or will comply with proposed plan and zoning changes if approved, and is consistent with the adopted South Beach Plan Neighborhood Plan, as well as other approved development applications for the site. The Phase 1 site is compatible with the surrounding area in that it is consistent with these previously approved plans and is it reasonable to assume that the surrounding area will continue to develop according to these plans.

The location and level of public services necessary to serve the site, including utilities and streets, were also estimated and planned for in the South Beach Neighborhood Plan and a detailed infrastructure analysis and traffic study was prepared for the initial Phase 1 Development Plan approval.

Types of Development:

Approved types of residential development include:

- Village Lots (<4,600 square feet) for single-family homes.
- Classic Lots (4,601- 6,200 square feet) for single-family homes.
- Grand Lots (6,201-9,999 square feet) for single-family homes.
- Edge Lots (10,000+ square feet) for single-family homes.
- Cottage units.
- Flex Lots for row houses, duplexes, and micro-cottage units.
- Multifamily units including multifamily clustered apartments.

As previously approved, the project includes a housing product known as cottage cluster housing (see "Kit of Parts," [Appendix D](#)). Ten cottage units have been built in Wilder Phase 1 and an additional cluster may be included in future Phase 7, the site of the. Former disc golf course. This is a unique type of development that includes the following special characteristics:

- Homes are smaller, typically 1,300 square feet or less.
- Common access to homes provided from either a shared pedestrian way/green (within a tract or an access easement) or a street.
- Open space provides front door access and commons.
- Parking is typically clustered in one area at periphery.

As previously approved, the project also includes micro-cottages, functionally similar to row house, townhouse, and duplex housing types. Six micro-cottages have built in Wilder Phase 1 and 20 micro-cottages will be constructed on Lot 43. Characteristics include:

- Homes are smaller in the 450 to 1,000-square-foot range, typically 800 square feet or less.
- Parking is accessed from rear alley.
- Homes open onto main street, providing a “front porch” feel.

The project will also include clustered apartments as an additional type of multifamily units, intended primarily for student housing. Characteristics include:

- Units are smaller, in the 300 to 800-square foot range to include studios through two or three-bedroom units.
- Density is similar to multifamily apartments at 12 to 34 units per acre, to allow a functional concentration of student housing.
- Private outdoor space is provided in shared commons, green spaces, balconies, and patios.

Site Design:

Village Center Area (C-1 and R-3 Zoning) (Phase 3, Lots 45-48, and Phase 6)

- *Village Center Retail, Services, Entertainment, Offices, Lodging, Educational Institutions, Community Services, Day Care*
- *Housing over Commercial, including live-work units*
- *Multifamily Residential*

The Village Center is located at the heart of the development site adjacent to College Way and Harborton Street. This area will include mixed-use development at the corner of Harborton Street and College Way, as well as several apartment buildings.

Transition Area (R-2 and R-3 Zoning) (Phase 3, Lot 43)

- *Flex Lots for Row Houses, Duplexes or Micro-Cottages*

The transition area located adjacent to Harborton Street between 46th and 44th Streets will feature medium-density residential options including row houses, duplexes or micro-cottages.

Detached Single-Family Housing Area (R-2 Zoning) (Phase 1; Phase 3, Lot 42; and Phase 4)

- *Cottage Cluster Housing*
- *Village, Classic, Grand or Edge Lot Homes*
- *Flex Lots for Row Houses, Duplexes or Micro-Cottages*

The detached single-family housing area within the site is primarily located along and north of 44th Street, extending farther north to include homes along 42nd Street.

At the western terminus of 44th Street a small, there is a walk-in cottage cluster housing area. Each single-family cottage takes access from a shared pedestrian way located within a common tract rather than a traditional street.

Village, Classic, Grand and Edge lots are proposed in the lower density residential portion of the site, which accommodate a variety of housing sizes. Many of these homes take access from alleys allowing front doors, rather than garages/carports, to be oriented toward the adjacent public streets.

Student Housing Area (R-3 Zoning) (Phase 2)

- *Multifamily Residential*
- *Multifamily Clustered Apartments*

The student housing area is located south of Harborton Street in the northwest corner of the site, and will feature multifamily residential development including clustered apartments.

Graduated Single and Multifamily Area (R-2 and R-3 Zoning) (Remainder parcel)

- *Multifamily Residential*
- *Cottage Cluster Housing*
- *Village, Classic, Grand or Edge Lot Homes*
- *Flex Lots for Row Houses, Duplexes or Micro-Cottages*

The east side of Harborton Street will include a mix of housing types gradually decreasing in density as they transition from the Village Center to the northern limits of the project. Multifamily housing is envisioned to the northeast of College Way, with a mix of single-family housing types to the north transitioning to larger lots on hillier topography at the northern edge.

Community Housing Area (R-3 Zoning) (Phase 5)

- *Multifamily Residential*
- *Community Services, Day Care*

The community housing area is located northeast of Harborton Street along the northern edge of the site, and will feature multifamily residential development developed to meet affordability goals, and supporting community service uses such as education and day care, primarily aimed at residents.

~~*Medium-Density Transition Area (R-2 Zoning) (Phase 7)*~~

- ~~*Cottage Cluster Housing*~~
- ~~*Flex Lots for Row Houses, Duplexes or Micro-Cottages*~~

~~This area on the northeast side of Harborton Street will provide a transition between the multifamily residential in Phase 6 to the immediate west and the single family residential in the northern limits of Phase 5, and will incorporate open space.~~

Dimensional and Bulk Standards:

Approved development standards for each development type within any of the zones that permit the use have been established as follows.

Setbacks:

Single Family Residential:

- Front*: 5 feet (Village and Classic Lots)
 - Front*: 10 feet (Grand and Edge Lots)
 - 2nd Front*: 5 feet (Village and Classic Lots)
 - 2nd Front*: 10 feet (Grand and Edge Lots)
 - Side: 0 feet (Village Lots)
 - Side: 5 feet (Classic, Grand and Edge Lots)
 - Rear: 5 feet
 - Rear Abutting Alley: 5 feet
 - Garage/carport: 0-5 feet or 20 feet
 - Garage/carport (alley served): 0 feet
- *Front setback applies to a public street only.

Residential Cottage Cluster Housing:

- Front*: 5 feet
 - 2nd Front*: 5 feet
 - Side: 0 feet
 - Rear: 5 feet
 - Garage/carports: 0 feet
- *Front setback applies to a public street only.

Flex Lots for Residential Row Houses, Duplexes, and Micro-Cottages:

- Front*: 0 feet
 - 2nd Front*: 3 feet
 - Side (interior): 0 feet
 - Rear: 5 feet
 - Rear Abutting Alley: 0 feet
 - Garage/carport: 0-5 feet or 20 feet
 - Garage/carport (alley served): 0 feet
- *Front setback applies to a public street only.

Multifamily Residential, including Clustered Apartments:

- Front: 0 feet
- 2nd Front: 0 feet
- Side: 0 feet
- Rear: 5 feet
- Rear: 10 feet (when abutting single-family residential)

Commercial or Mixed-Use:

- Front: 0 feet *same as standard*
- Side: 0 feet *same as standard*
- Rear: 0 feet *same as standard*

Minimum Lot Area:

- Single-Family Residential: 3,500 square feet.
- Residential Cottage Cluster Housing: 1,000 square feet.
- Flex Lots: 1,000 square feet.
- Multifamily Units: 5,000 square feet. *same as standard*
- Commercial or Mixed-Use: No minimum lot area.

Maximum Lot Coverage:

- Single-family and flex lots in any zone over 10,000 square feet shall not have building coverage over 3,500 square feet.
- Single-family and flex lots in any zone between 5,000 and 9,999 square feet shall not have building coverage over 3,000 square feet.
- Single-family and flex lots in any zone under 5,000 square feet shall not have building coverage over 2,600 square feet.
- Cottage Cluster Housing on individual lots: 80%
- ADUs on Village, Classic, Grand and Edge lots will be exempt from the maximum square foot standards listed above, however, in no case will the total combined lot coverage for the primary and accessory dwelling unit exceed the city standard of 57% in the R-2 zone and 60% in the R-3 zone.
- Multifamily residential and clustered apartment lots of any size in the R-3 zone shall not have building coverage over 60%. *same as standard*
- Commercial development in C-1 zone: 85% to 90% *same as standard*

Minimum Lot Width (Residential): 15 feet

Minimum Lot Width (Commercial/Mixed-Use): 0 feet *same as standard*

Minimum Lot Frontage

Modifications have been approved for the requirement contained in NMC Section 13.05.030.B that "each lot or parcel shall possess at least 25 feet of frontage along a street other than an alley" in order to accommodate cottage cluster development. The subject Planned Development includes walk-in cluster cottage homes, which are modeled after the Cluster Development type identified in the previously approved "Kit of Parts". In order to accommodate this unique type of development, these lots will front onto and take access from a pedestrian access tract, rather than a traditional street right-of-way. Parking for these units is clustered within common tracts and garages rather than being located on the individual lots.

Height:

The applicant has previously received approval for 3-story buildings that are up to 45 feet in height in the R-3 District. The proposed 3-story buildings will be located in the Village Center area, which is internal to the Master Plan site and will not have any adverse impacts on neighboring properties both within and outside of Wilder, and in Phase 2, where they will be screened by vegetation and natural topographic changes from surrounding phases and adjacent properties outside of Wilder.

Density:

Allowed density in the R-2 zone is 5,000 SF per unit for houses, 3,750 SF per unit for duplexes on interior lots, and 2,500 SF per unit for duplexes on corner lots, and 1,250 SF per unit in the R-3 zone, averaged across the site.

Uses:

The Village Center is a mixed-use area with C-1 and R-3 zoning, accommodating Village Center retail, restaurants, offices, housing over commercial including live-work units, and multifamily residential at the heart of Wilder adjacent to SE College Way and Harborton Street.

Additional uses for the Village Center area with C-1 zoning include retail sales and services, excluding bulk retail; community service, including churches; lodging such as hotels; educational institutions; and daycare facilities, as defined in the Newport Municipal Code.

The primary use in R-2 and R-3 is residential, as well as parks. Additional uses in the R-3 zone include community services, including day care and family-focused support services like personal development education, counseling, and distribution of donations to clients.

Zoning:

Phase 1 of Wilder is zoned a mix of R-2 Medium-Density Single-Family Residential, R-3 Medium-Density Multifamily Residential, and C-1 Retail and Service Commercial.

Comprehensive Plan:

Phase 1 of Wilder is designated a mix of Low-Density Residential, High-Density Residential, and Retail Commercial.

Estimated Range of Development:

The following table shows the estimated range of development anticipated for the different types of residential and commercial development planned for Phase 1 of Wilder as part of the Preliminary Development Plan for the full extent of Phase 1. The range is intended to provide flexibility with development of the full build-out of the site to accommodate changing market conditions.

Estimated Range of Development Phase 1 (Prelim. Dev. Plan, Existing)	
Village Lots (<4,600 sq. ft.)	17-25 units
Classic Lots (4,601-6,200 sq. ft.)	27-40 units
Grand Lots (6,201-9,999 sq. ft.)	22-42 units
Edge Lots (10,000+ sq. ft.)	14-28 units
Cottage Units	10-20 units
Flex Lots	26-40 units
Multifamily Units	56-150 units
Commercial Floor Area	25,000-36,000 square feet
Total Dwelling Units	172 -345 units

Estimated Range of Development Phase 1 (Prelim. Dev. Plan, Proposed)	
--	--

Village Lots (<4,600 sq. ft.)	18-25 units, <i>minimal change</i>
Classic Lots (4,601-6,200 sq. ft.)	10-34 units, <i>decrease</i>
Grand Lots (6,201-9,999 sq. ft.)	4-10 units, <i>decrease</i>
Edge Lots (10,000+ sq. ft.)	18-26 units, <i>minimal change</i>
Cottage Units	10-20 units, <i>same</i>
Flex Lots	28-40 units, <i>minimal change</i>
Multifamily Units	170-190 units, <i>increase</i>
Commercial Floor Area	25,000-36,000 square feet, <i>same</i>
Total Dwelling Units	258-345 units, increase to minimum, same for maximum

The Final Development Plan includes Phases 1 through 4 and Phase 6, encompassing all area west of Harborton Street, and Phase 5 to the north of Harborton Street near 40th Street. The portion of the Final Development Plan in Phase 1 of Wilder has been completed, as reflected in the following table.

Estimated Range of Development (Final Dev. Plan, Existing)	
Village Lots (<4,600 sq. ft.)	16 units (12 complete)
Classic Lots (4,601-6,200 sq. ft.)	6 units (2 complete)
Grand Lots (6,201-9,999 sq. ft.)	10 units (3 complete)
Edge (10,000+ sq. ft.)	17 units (5 complete)
Cottage Units	20 units (10 complete)
Flex Lots	28 units (8 complete)
Multifamily Units	28 units
Commercial Floor Area	36,000 square feet (____ square ?? feet constructed)
Total Dwelling Units	125 units

Estimated Range of Development (Final Dev. Plan, Proposed)	
Village Lots (<4,600 sq. ft.)	16 units (12 complete), <i>same</i>
Classic Lots (4,601-6,200 sq. ft.)	4 units (2 complete), <i>decrease</i>
Grand Lots (6,201-9,999 sq. ft.)	4 units (3 complete), <i>decrease</i>
Edge (10,000+ sq. ft.)	13 units (5 complete), <i>decrease</i>
Cottage Units	10 units (10 complete), <i>decrease</i>
Flex Lots	28 units (8 complete), <i>same</i>
Multifamily Units	170 units, <i>increase</i>
Commercial Floor Area	36,000 square feet (____ square ??? feet under construction), <i>same</i>
Total Dwelling Units	245 units, increase within approved Prelim Dev. Plan range

Accessory Structures and Uses:

Accessory Dwelling Units (ADUs) are dwellings that will be permitted to accompany or share lots and utilities with primary homes and can be a portion of the primary house; a separate free-standing unit; or as a unit over a free-standing or attached garage.

The addition of ADUs provides for more versatile living choices. ADUs are included in the "Kit of Parts" (see Appendix H) and will provide a broader mix of housing options to accommodate extended families, care givers, and smaller family sizes. They may also create intergenerational living opportunities by providing a means for seniors, relatives, or post-college children to live with their families in separate living quarters on the same lot.

ADUs have been approved for all Village, Classic, Grand and Estate lots in Wilder Phase 1 (final platted as lots 1-7, 18-29, and 38-47), Lot 42, and Lot 49. Approval criteria were established per the City Planning Commission's File #3-PD-10 Final Order for Accessory Dwelling Units (ADUs) in Phase 1 of Wilder and Final Order for File #2-PD-15 / 3-PD-15 / 1-SUB-15 for Lots 42 and 49:

- Phases: ADUs are limited to Wilder Phase 1 and Lots 42 and 49, and no more than one ADU is permitted per lot.
- Three types of ADUs are to be permitted: as a portion of the primary house, as a separate free-standing unit, or as a unit over a free-standing or attached garage.
- Size: ADUs are not to exceed 600 square feet or 50% of the area of the primary house, whichever is less.
- Building Height: The height standards and limitations for ADUs will be that of the zoning district in which they are located.
- Architecture: ADUs will be constructed with architecture that is compatible with that of the primary structure.
- Density: ADUs do not count against the density limitations of the planned development.
- Utility hook-ups: ADUs will share utility hook-ups with primary homes.
- Parking: An additional off-street parking space will be provided for each ADU located on Edge lots. Not more than 10 ADUs are permitted for all other lots within Wilder Phase 1 based upon the number of on-street parking spaces currently available. In all future phases, additional ADUs will be permitted at a rate of one unit for every two on-street parking spaces the applicant provides within or immediately adjacent to the phase of development in which the ADU is to be constructed.

ADUs are allowed as accessory uses throughout the Final Development Plan for Phase 1, Lot 42, and Lot 49 on all Village, Classic, Grand and Edge lots, at a ratio of no more than one ADU for every two on-street parking spaces provided within or immediately adjacent to the phase of development in which the ADU is constructed. The proposed maximum ADUs per phase based on the available on-street parking spaces is as follows:

	On-Street Parking Spaces Available*	Maximum ADUs Allowed
Phase 1	n/a	10
Lot 42	11	6
Lot 49	15	8

Development Schedule and Phasing:

Phase 1 of Wilder has previously been approved as a multiphase development. The applicant proposes four phases of development, broken into micro-phases, to complete build-out of the portion of Phase 1 of Wilder west of Harborton, with three additional phases for the portion of Phase 1 of Wilder north and east of Harborton. Necessary infrastructure will be completed with each phase.

- Phase 1: 40 lots, combination of single-family, flex lots, and cottage cluster residential development. (Work begun 2009, and build-out substantially complete. Remaining lot anticipated to be completed 2022.)
- Phase 1, Lots 45-47: Village Center commercial north. (Anchor building completed.)
- Phase 6: Village Center apartments completed on two lots; 46th Street and Ellis Street completed.
- Phase 3, Lot 43: Medium-density residential transition, 20 flex lots for row houses, duplexes or micro-cottages. Extensions of Fleming and Geneva Streets will be constructed with this phase, and will connect to 46th Street, which was completed with Phase 6 and 45th Street, which will be constructed with this phase. Utilities have been or will be extended from Phase 6 and Lot 42. Any necessary easements will be recorded with this phase. (Work to begin 2021, anticipated completion 2024.)
- Phase 3, Lot 42: Six lots, single-family residential development on Village Lots. Lot 42 will follow similar timing to Lot 43 to provide moderately priced single-family homes in Wilder. The homes will front on 44th Street; access to alley-loaded off-street parking will be via the section of Fleming Street connecting 44th and 45th Streets and 45th Street, both to be constructed with this phase. Utilities will connect to the existing lines in 44th Street. Any necessary easements for utility connections for the benefit of Lot 42 will be put of record by the applicant. The sidewalk along the south side of 44th Street will be completed with this phase. (Work to begin 2021, anticipated completion 2024.)
- Phase 3, Lot 48: Village Center commercial south. Work will include extension of Harborton Street to the edge of Phase 1 of Wilder. (Timing is not yet determined.)
- Phase 4, Lot 49: Nine lots, single-family residential development. The pedestrian connection in Tract "H" will be constructed and dedicated to the City with this phase, as well as construction of 42nd Street and utility extensions to serve lots in this phase. (Work estimated to begin 2024, anticipated completion 2026.)

- Phase 2: Multifamily clustered apartment development of 130 units on a single parcel for OSU student housing. The pedestrian path in Tract "G" will be constructed and dedicated to the City with this phase. (Work anticipated to begin 2021, anticipated completion 2023.)
- Remainder: A mix of single-family and multifamily development will be developed on the former disc golf course in this phase, to be further detailed and broken into micro-phases in future applications (timing is not yet determined.)
- Phase 5: Multifamily development on a single parcel. The phase will be served by existing utilities in Harborton Street. (Work anticipated to begin 2021, anticipated completion 2022.)

Parking:

Required parking is authorized to extend across zoning boundaries when provided on the same lot or parcel as the proposed use. On-street spaces are allowed to count against off-street parking requirements provided the spaces provided are within 200 feet of the lot of parcel upon which the use is located. Parking ratios for all residential and commercial uses will follow those established in the Newport Municipal Code.

As part of the Village Center commercial development, the applicant has constructed a private parking lot served by a private drive along the northern edge of commercial lots 45-47 in Phase 3 to provide shared parking to serve the commercial development, supplementing on-street parking provided along SE Harborton Street and College Way. The private parking lot is located in Tract "I" and managed by adjacent commercial property owners. The private drive provides two-way, east-west circulation with primary access from SE Harborton Street to access 90-degree perpendicular parking on both sides. The private drive connects to a two-way public street (Ellis Street) that provides secondary access to SE College Way and extends north to provide access to multifamily units in Phase 6 and the future Micro-cottages in Lot 43.

Future Village Center commercial development in Phase 3, Lot 48 south of College Way will also be served by private off-street parking lots combined with on-street parking. Tract "J" will be a shared private parking lot to be managed by commercial property owners.

Parking for the Village Center apartments are a mix of off-street and on-street parking. Parking facilities include a private off-street parking area accessible from a public road looping around the north and west sides of the apartment lot. The parking area is divided down the middle to provide off-street parking to the two individual apartment lots, with reciprocal access easements. The public road is built to modified Village Center roadway cross-sections which includes two-way circulation with angled parking on the apartment side of the street.

Parking for the Phase 2 clustered apartments will be provided in a private off-street parking area accessible from Harborton Street. Similarly, a private off-street parking area accessible from the opposite side of Harborton Street will provide parking for the multifamily residential in Phase 5.

Shared parking for the cottage cluster in Phase 1 is provided on Tracts "D" and "F."

The applicant may use the Oregon Coast Community College (OCCC) parking areas as shared, satellite parking for uses in the Village Center in Phase 3, particularly uses with concentrated use patterns outside of peak hours, such as a church with a large Sunday morning parking demand. The OCCC parking lots are vacant at certain times and days, particularly weekends. This arrangement will allow future uses in the Village Center area to provide adequate parking for visitors, minimize construction of new parking lots while maximizing use of existing lots, and take advantage of the unique colocation of the Village Center and OCCC. Individual users will comply with the requirements of NMC 14.14.080 and 14.14.090.E.3 to provide written permission from the property owner (OCCC) and all other parking standards in NMC 14.14.

Parking lot design in all phases will follow the standards in NMC 14.14, with consideration of additional low-impact development techniques such as pervious pavement and stormwater planter swales.

Landscaping:

A landscape plan has been previously approved that demonstrates how the site will be landscaped in accordance with City standards. An updated plan for Phases 2 and 5 shows how landscaping will buffer and enhance the multifamily developments. Sustainable native plantings have been used where appropriate throughout the site to blend with the natural landscape. Street trees and landscaped curb extensions are provided along all local streets. Landscape curb-extensions will double as stormwater planter swales that provide for a natural means to collect and treat run-off from the development.

Enhanced entry landscaping is proposed along both sides of Harborton at the northwest corner of the site to screen parking areas in Phases 2 and 5 and to create a gateway to Wilder.

An enhanced forest edge planting is also proposed along the east side of Harborton Street. Grass and shrubs will be planted under the power lines and trees will be planted beyond 75 feet. This will create a forested buffer or transition between the street and the single-family residential areas to the east. The buffer will also help to screen off-street parking located within the power line easement in Phase 6.

Lighting:

Artificial lighting used on site will be arranged and constructed to minimize direct glare on adjoining property. Low-impact pedestrian scale lighting will be used throughout the development and will be shielded where necessary. Surface parking areas and associated parking lot lighting within the Village Center area is oriented behind and to the side of buildings. This minimizes the amount of artificial lighting that will glare onto adjoining properties. Retail and monument signs will be pedestrian scale with limited lighting. Parking lot and building lighting in Phase 2 associated with student housing development will be screened by vegetation buffers to prevent glare on Harborton, adjacent single-family development to the south in Phase 4, or the adjacent property to the west.

Parks, Trails and Open Space:

Open space and recreation facilities include a neighborhood park, natural areas, and nature and access trails.

A neighborhood park has been built within Tract "A" north of 43rd Street, and dedicated to the City of Newport as Wilder Twin Park. The specific improvements within the park have been finalized, approved through the City's Park Department, and built. A pedestrian connection through this park will link 42nd Street and 43rd Street, using Tract "H." The connection will be built to neighborhood sidewalk standards with a 6-foot paved width. The pedestrian connection will be constructed and dedicated to the City with Phase 4 of the development.

An open green space with a trail connecting to Mike Miller Park has been created on Tract "B". An open green space designated Tract "G," adjacent to Tract "B," will accommodate an extension of the trail north from Tract "B" to Harborton Street. The trail within Tract "G" will be constructed and dedicated to the City with Phase 4 of the development. The trail will continue the 56-foot-wide, soft-surface cross-section used for natural trails in Tract "B." A connector trail from Phase 4 ~~will also be constructed across~~ to connect to the trail across Tract "G" is being explored ~~to allow residents a direct connection to the trail.~~

Tract "C" in Phase 1 has been built as a common open space owned in common by cottage owners and provides a common "front lawn" for the cottage cluster.

Multifamily development in Phases 2 and 5 will incorporate open space such as patios, balconies, play areas, green spaces, and potential trail connections for the enjoyment of their respective residents.

Wilder has also created a temporary dog park and disc golf course for public use.

Street Design & Names:

Traffic accesses the site via several proposed local streets and driveways connecting from 40th Street and Harborton Street (two-lane Collector roadways) and College Way. The Collector roadways, 40th Street and Harborton Street, have been constructed from US 101 east and south to College Way pursuant to prior approvals for the Planned Development site. These streets constitute the northern part of a loop road system that will ultimately connect to 50th Street on the south and then west to US 101. The remaining portion of the loop connecting to 50th Street will be constructed at full build-out of the Master Plan providing secondary access to the site. In the meantime, the southern part of the loop system has been constructed as a gravel access road for emergency vehicles and construction vehicles only. The City has been granted access easements to the southern part of the loop system.

The proposed development includes neo-traditional street designs that accommodate multiple modes of transportation and create a "sense of place." The

streets are generally narrower than streets found in conventional suburban neighborhoods and feature integrated stormwater management systems, such as water quality swales within planter areas, though they accommodate a 24-foot clear travel space in Phases 2C, 2D and 4 in compliance with recent City requirements. (See Decision for #2 PD 15 and #3 PD 15.) A variety of street types that have been approved include:

- Harborton Street will be extended south to the southeast boundary of Phase 1 of Wilder with development of Phase 3, Lot 48 using the Main Street cross-section from the "Kit of Parts," identical to the cross-section used along Harborton for one block north of College Way.
- Two modified Village Center Road types are used along 46th Street, transitioning to Ellis Street to connect with College Way, which provides two-way travel, angle-in parking and sidewalks within the cross-section to connect between the commercial, high-density residential, and medium-density residential uses in the community core.
- ~~The City Mandated Neighborhood Local Road type with a travel width of 24 feet will be used for 42nd Place, terminating in an Auto Court. (See page 67 of Appendix H.).~~ The applicant proposes that a new road type ("20-foot Neighborhood Road") with a travel width of 20 feet that will be used for 42nd Street, which is a cul de sac that will terminate in an Auto Court. (See Appendix F.)
- A woonerf – which integrates the pedestrian environment, urban-scale storm water planters, and vehicular parking – has been constructed within Fleming Street between 43rd Street and 44th Street, and will be extended south to 46th Street. The "Kit of Parts" section allows flexible width for the woonerf section along Fleming Street from 18 to 30 feet wide to accommodate on-street parking and bio-swale plantings without compromising fire access. The applicant proposes that the section of Fleming Street in Lots 42 and 43 between 44th and 46th Streets will be 20 feet wide, with five parallel parking spaces on the east side of the street between 45th and 46th Streets. The section of Fleming between 44th and 46th Streets will be 24 feet wide with no on-street parking.
- Dead-end streets terminate in Auto Courts featuring decorative pavement.
- Residential alleys are used along Geneva Street and Ellis Street in Phase 1; Geneva Street is proposed to extend south from 45th to 46th Street in Lot 43. An alley is also proposed along 45th Street. Applicant proposes that the Geneva Street and 45th Street alleys in Lot 42 and Lot 43 will be constructed in accordance with a new "20-foot Utility Alley" standard under the Kit of Parts, featuring a hard surfacing and a 20-foot clear width. (See Appendix F.) Alleys will be built to the Utility Alley standard added to the "Kit of Parts," which features hard surfacing and a 24-foot clear width. (See page 68 of Appendix H.)

The previously approved "Kit of Parts" essentially creates an alternate set of street and utility standards that replace the standards in NMC Chapter 13. As noted in NMC 13.05.105.A, the subdivision standards may be modified for a planned development. The first version of the "Kit of Parts," which illustrates these street

components used throughout the development, was introduced and approved as a concept for the development throughout Wilder with #1-PD-07, including streets with narrower widths. There have been several revisions to the Kit with subsequent approvals.

Several of the major streets identified on the plan have already been constructed. 40th Street, Harborton Street, and College Way have been constructed consistent with previous approvals. 43rd Street, most of 44th Street, Ellis Street, Fleming Street and Geneva Street have been constructed through Phase 1 per approvals. In Phase 6 46th Street has been built, and Ellis Street has been extended from 46th Street to College Way. With this approval the curb and sidewalk sections between Geneva and Fleming Streets on the north side of 46th Street will be reconstructed so that the curb returns and ADA ramps align with the revised widths of Geneva and Fleming Streets.

~~Changes to the "Kit of Parts" including additional street sections with a minimum 24-foot clear width were approved with #2-PD-15 and #3-PD-15 and required in Phases 2B, 2C, 2D and 3. The applicant proposes that the four City Mandated street types that were added as an Appendix to the "Kit of Parts" pursuant to the order in #1-SUB-15, #2-PD-15 and #3 PD 15: Hillside Street, Variation; Neighborhood Local Road, Variation; Utility Alley; and Fleming St. (44th-46th) be deleted from the "Kit of Parts" and the new 20-foot Neighborhood Road section, the new 20-foot Utility Alley section, and the new 20-foot Hillside Street Section be added as an Appendix to the "Kit of Parts".~~

Street names within the development have been previously approved. Harborton Street is the existing street that is part of the loop road system to the east of Hwy 101 that begins with 40th Street on the north and ends with 50th Street on the south (and eventually 62nd Street). Harborton Street is the longest stretch of the loop, running generally north-south through the Village. Harborton Street is for the former name of South Beach.

The streets that run perpendicular to Harborton Street are in numerical order, keeping with the general system of street names in South Beach. Streets included in Phases 1 and 6 (completed) and Lots 42, 43, and 49 (to be constructed):

- 42nd Street in Lot 49 as necessary to accommodate the City's Street Grid. It will terminate in an auto court, and connect to a pedestrian access through the park in Phase 1 to 43rd Street.
- 43rd Street in Phase 1 as necessary to accommodate the City's Street Grid. It terminates in an auto court.
- 44th Street in Phase 1 as necessary to accommodate the City's Street Grid. It terminates at the cottage cluster, where it intersects with Ellis Street.
- 45th Street in Lot 42 as necessary to accommodate the City's Street Grid. It provides a connection between Fleming and Geneva Street.
- 46th Street in Phase 6 as necessary to accommodate the City's Street Grid. It terminates where it intersects with a continuation of Ellis Street.

The following streets do not intersect with Harborton Street: Ellis Street, Fleming Street, and Geneva Street. All are completed in Phase 1, as is Ellis Street in Phase 6 and at the southern end of Phase 3 at College Way. Fleming Street between 44th and 46th Streets and Geneva Street between 45th and 46th Streets will be constructed on Lots 42 and 43.

- Ellis Street is for Ellis Island and for Ellis Bell, the pen name of Emily Bronte, author of *Wuthering Heights*.
- Fleming Street is for Alexander Fleming who discovered penicillin, and epidemiologist Dr. David Fleming who served as State Epidemiologist of Oregon as part of a regional and international career.
- Geneva Street is for Lake Geneva, Wisconsin and its namesake Geneva, Switzerland, as well as the old telephone exchange in the Dorchester area of Boston.

Traffic:

As part of the prior annexation of the site to the City, the City adopted Ordinance 1931 to address potential transportation impacts of Phase 1. Ordinance 1931 states that the City will not issue building permits for land uses in the annexation territory, which includes both the subject site and property abutting 40th Street owned by GVR Investments, if they generate more than 180 peak hour trips (based on Saturday mid-day peak hour in August). This "trip cap" limits the number of dwellings or commercial floor area that can be constructed within Phase 1 of Wilder and the GVR Investment Property based on the transportation improvements that are currently in place. When additional traffic improvements are made pursuant to the Transportation Systems Plan that is currently being updated, including the paving of Ash Street and the construction of a traffic signal at 40th Street and Highway 101, the trip cap may be lifted allowing the full range of development to occur within the site consistent with the Traffic Study Transportation Planning Rule.

A traffic analysis was prepared in conjunction with the annexation of the Wilder site in 2007 demonstrates how the proposed development within "Phase 1 of Wilder" can be accommodated within the limitations of the trip cap.

Subsequently, the City, Lincoln County, and ODOT worked to establish an alternative mobility standard for US 101 south of the Yaquina Bay Bridge which resulted in the creation of increased transportation system capacity. The City reserved 403 trips from the Trip Budget for properties in the annexation area, including 257 weekday PM peak hour trips allocated to Wilder. The applicant will apply these reserved trips to development in "Phase 1 of Wilder" covered by the Preliminary Development Plan, less trips that have been used by approved development in Wilder Phase 1 and the coffee shop in the Village Center. The total trip budget is 1,237 weekday PM peak hour trips for the TAZ A in which Wilder is located; Wilder may use some of these trips for future development, including Phase 1 of Wilder, in addition to the reserved trips.

Separate from the trips reserved for Wilder through the Trip Budget, Wilder has vested 232 weekday PM peak hour trips for forecasted development with previous approvals based on the trip vesting standards in NMC 14.43.090(D). A portion of the vested trips have already been allocated to development completed in Wilder Phase 1. When vested trips are used, they are also counted against the Trip Budget reserved for Wilder. With

approval of this application, Wilder will tentatively have vested 313298 weekday PM peak hour trips for development within the Final Development Plan. Tentative weekday PM peak hour vested trips break down by phase as follows:

Phase 1	40 (40 SFD)
Phase 2A	49 (33 for retail/restaurant bldg, 16 for 6,025 SF specialty retail on 2 pads)
Phase 2B	17 (28 apartments)
Phase 2C	20 (20 SFD)
Phase 2D	6 (SFD)
Phase 2E	28 (assumes 10,150 SF specialty retail on 4 pads)
Phase 2F	41 (assumes 15,000 SF specialty retail)
Phase 3	9 (9 SFD)
Phase 4	22 (22 SFD) vested, to be increased to 81 (130 apartments) (<i>proposed</i>)
Phase 6	22 (7 for 12 apartments, 15 for 1,200 SF daycare center) (<i>proposed</i>)
Total	232 existing, 313298 proposed

The vesting term previously approved for Wilder is 10 years, meaning these trips will be vested through 2026. Additional trips for future phases of Wilder development will be vested through amended planned development plans and tentative subdivision plan; additional PM peak hour trip capacity within TAZ Area "A" in which Wilder is located (prior to approval of these modifications) is available first come, first served.

Utilities:

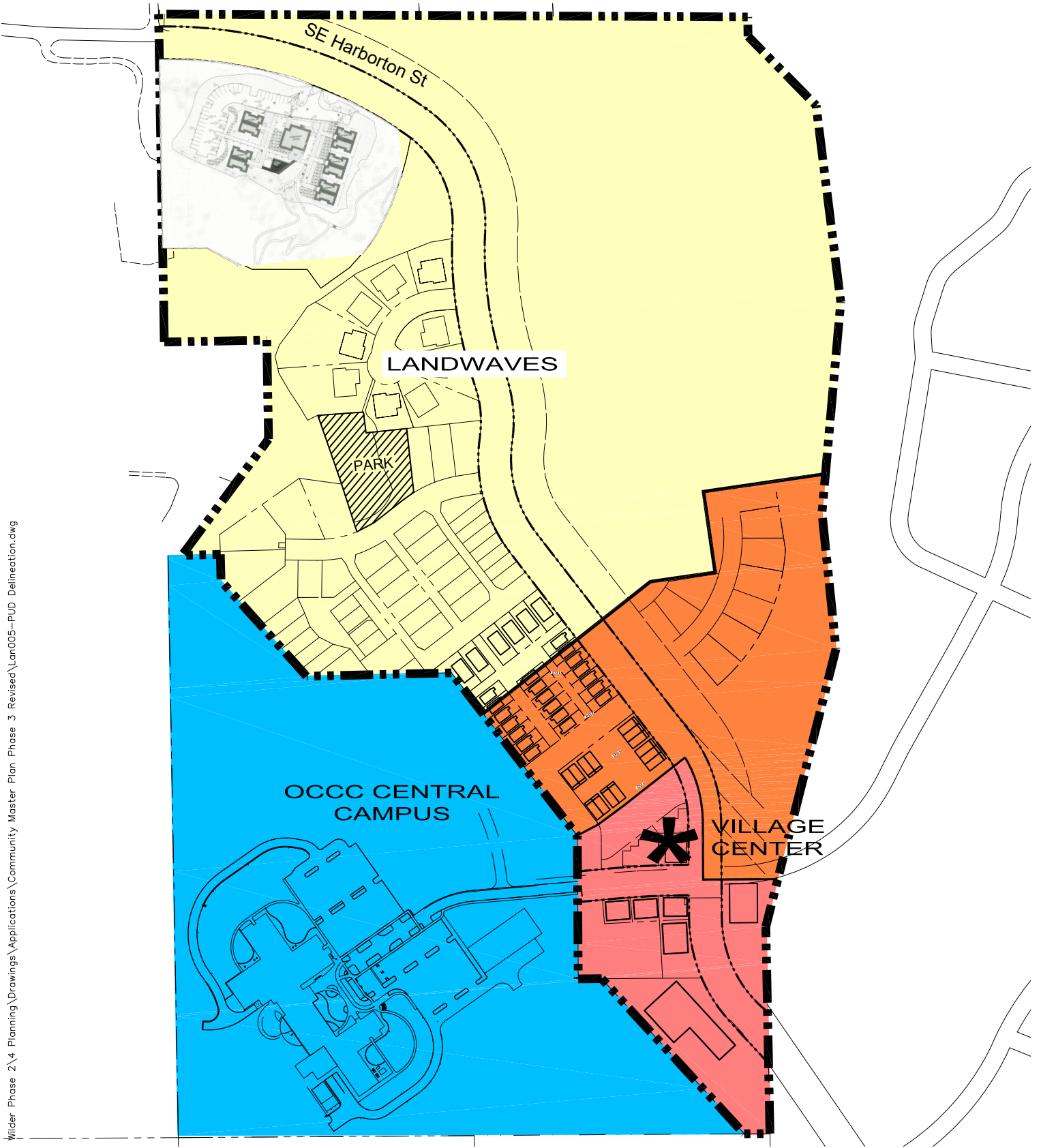
Adequate services are in place or will be made available at time of development of Wilder as outlined within the infrastructure report that was prepared for the original Preliminary Development Plan approval and as approved in file #3-PD-15. The major Collector roadway facilities that serve the development, 40th Street and Harborton Street, have already been constructed through the site from Highway 101 to College Way. A sidewalk on the north/east side of Harborton will be completed as those phases are built out to serve Phase 5. As shown in the updated Final Development Plan, various new public local streets will be either extended from the Collector or from existing neighborhood streets to serve the neighborhoods within the site consistent with the proposed circulation plan. (See Appendix A.)

Major utility facilities, including water and sewer lines, have also already been constructed within 40th Street, Harborton Street, and College Way to serve Phase 1 of Wilder and the Oregon Coast Community College campus. Utility plans illustrate how these facilities will be further extended to serve development within the site, including additional connections in Lots 42, 43, and 49 to serve those lots, as previously approved in #3-PD-15. Stormwater facilities will also be constructed on site to collect and treat run-off from impervious surfaces prior to being discharged to on-site drainage ways.

Wilder Community Master Plan Development Applications

APPENDIX C.

Preliminary Development Plan for Phase 1 of Wilder



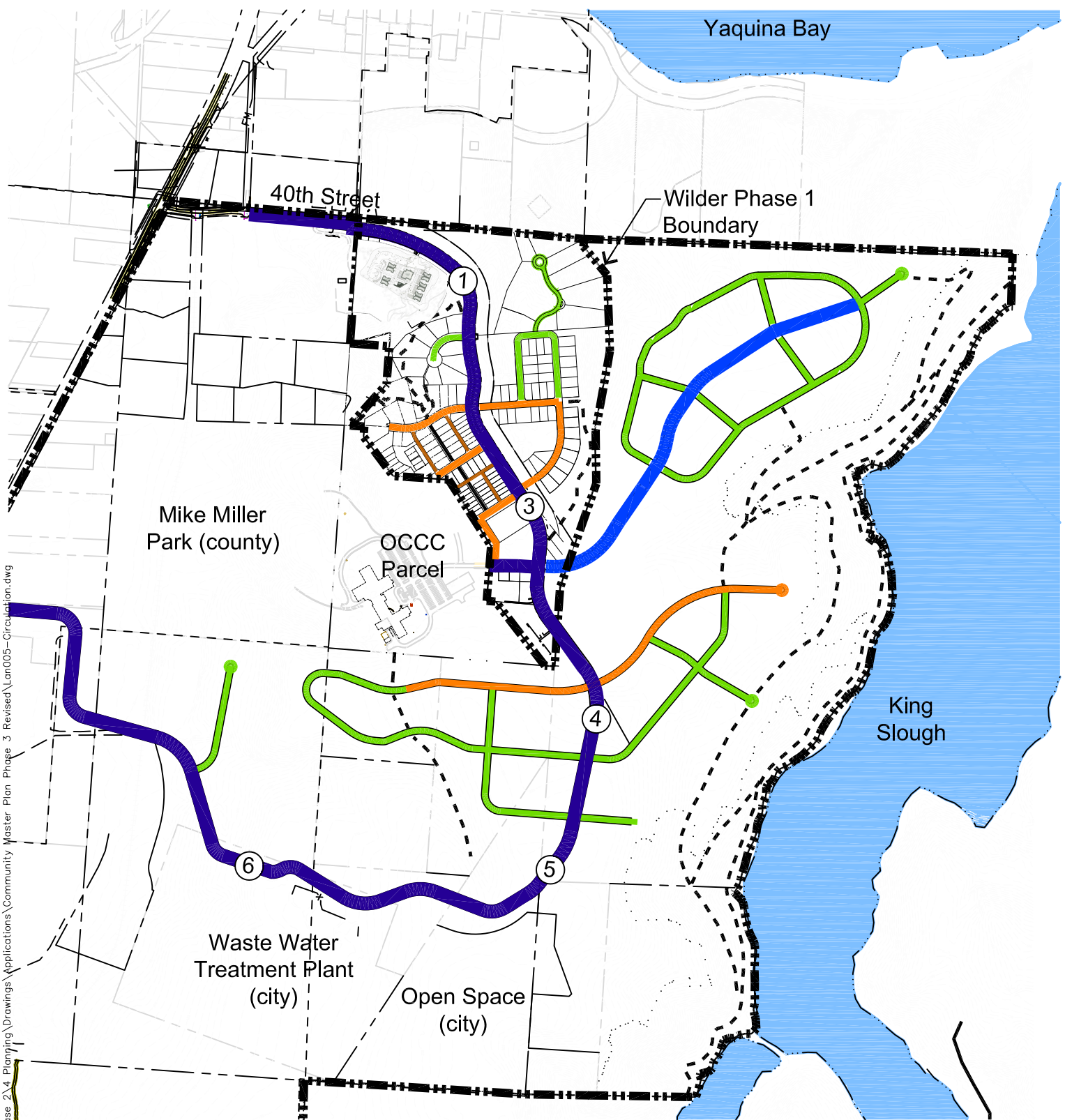
Preliminary Development Plan (Updated)








Wilder Community Master Plan Development Applications

APPENDIX D.

Street Circulation Plan for Phase 1 of Wilder

Mar 19, 2015 - 2:49pm
 X:\Common Data\Projects - Active\LAN005 - Wilder Phase 2\4 Planning\Drawings\Applications\Community Master Plan Phase 3 Revised\LAN005-Circulation.dwg



- | | | | |
|---|--------------------|---|-------------|
|  | MAIN LOOP ROAD |  | URBAN ALLEY |
|  | NEIGHBORHOOD SPINE |  | WOONERF |
|  | NEIGHBORHOOD LOCAL |  | TRAILS |
|  | HILLSIDE STREET | | |

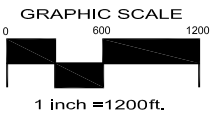
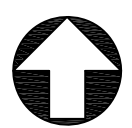
PREPARED FOR: DATE: 3.19.2015
landwaves inc J.N.: LAN005
 1733 NE 7th Ave.
 Portland, Oregon 97212
 TEL: (503) 221-0167
 FAX: (503) 221-0741

PREPARED BY:
 400 COLUMBIA STREET
 SUITE 160
 PO BOX 1340
 VANCOUVER, WA 98666
 PHONE: 503-939-8750

JET Planning, LLC
 215 W. 4th Street ste. 215
 Vancouver, WA 98660

WILDER

CIRCULATION DIAGRAM



Wilder Community Master Plan Development Applications

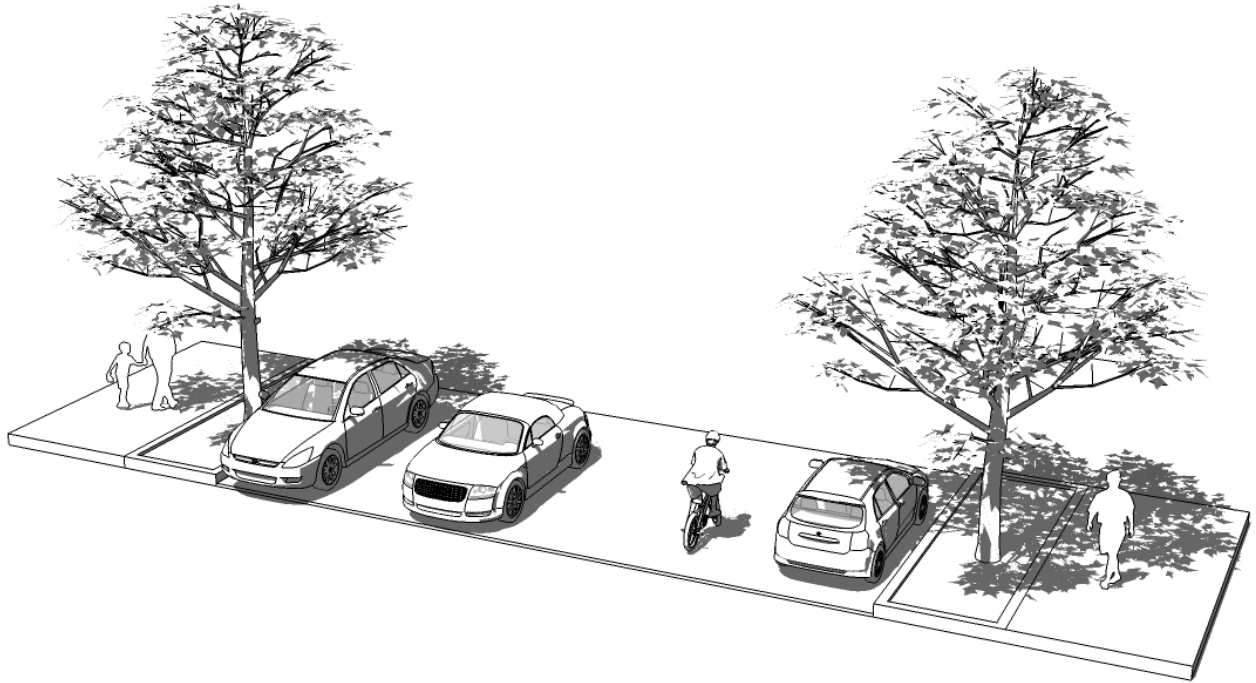
APPENDIX E.

Wilder Kit of Parts

Wilder

Community Master Plan

Kit of Parts



prepared for
LandWaves
2712 SE 20th Ave.
Portland, OR 97202

landwaves inc

prepared by
SERA Architects
338 NW Fifth Avenue
Portland, Oregon 97209



SERA

[4.2]
may 2016

Table of Contents

Roadway Types

Main Loop Road - Section 1	7
Main Loop Road - Section 2	8
Main Street	9
Boulevard	10
Main Loop Road - Section 5	11
Main Loop Road - Section 6	12
Village Center Road - Section 1	13
Village Center Road - Section 2	14
Village Center Road - Section 3	15
Neighborhood Spine Road	16
Neighborhood Local Road	17
Hillside Street	18
Woonerf - "Street for Living"	19
Green Alley	20
Urban Alley	21

Roadway Strategies

Bioswales	24
Permeable or Porous Pavement	25
Smaller Roads	26

Pedestrian Connection Types

Access Trails	28
Natural Trails	29

Commercial / Village Center Types

Village Center: Retail	33
Village Center: Small Retail Shops	34
Village Center: Housing Over Commercial	35
Village Center: Hospitality	36

Residential Types

Single-Family: Hill Homes	39
Single-Family: Medium Density Homes	40
Single-Family: Urban Lot Houses	41
Single-Family: Urban Micro Cottages	42
Townhouse	43
Cluster Development: Walk-In	44
Cluster Development: Cottage Clusters	45
Multi-Family Housing	46
Multi-Family: Clustered Apartments	47
Accessory Dwelling Unit	48

Residential Strategies

Green Building Certification	50
Design Standards	51
Panelized Construction	52
Modular Construction	53

(continued, next page)

Table of Contents, continued

Open Space

Developed Open Space: Commons	56
Developed Open Space: Neighborhood Park	57
Developed Open Space: Play Fields	58
Undeveloped Areas	59

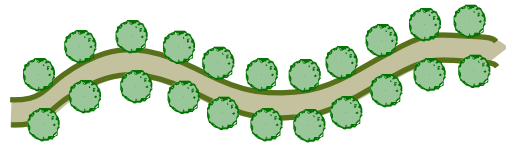
Open Space: Conservation Strategies

Riparian Corridors	62
Tree Preservation	63

Appendix: Additional City-Mandated Types

Neighborhood Local Road	66
Hillside Street	67
Fleming Street	68
Utility Alley	69

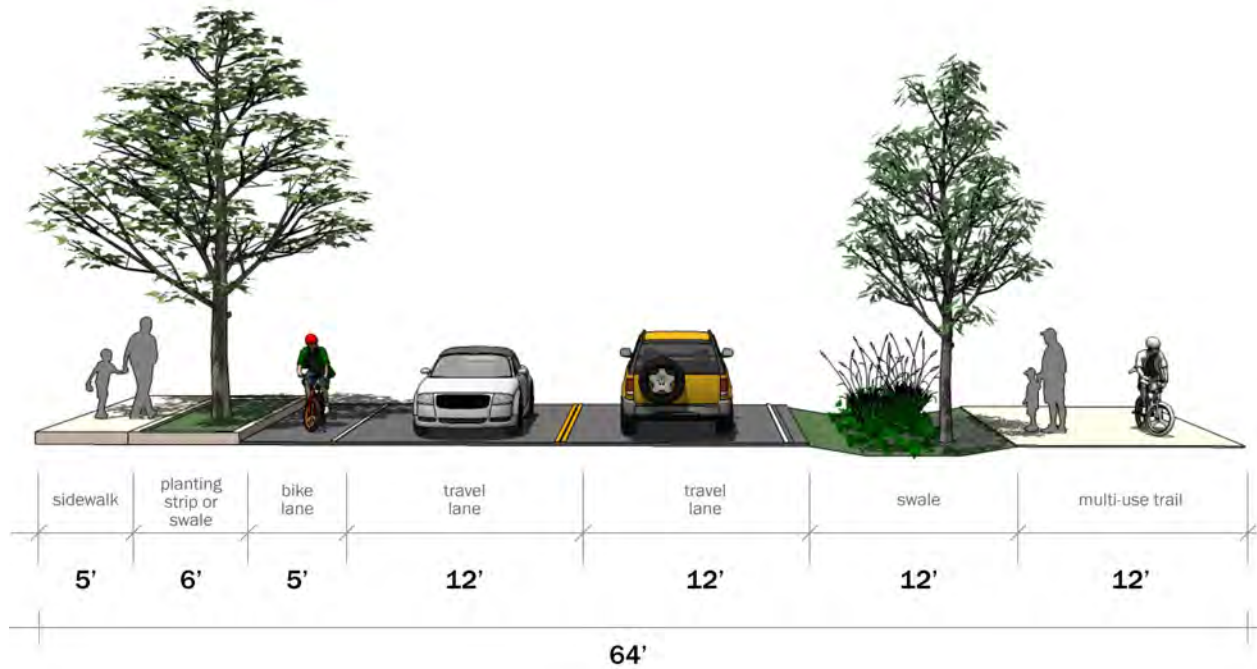
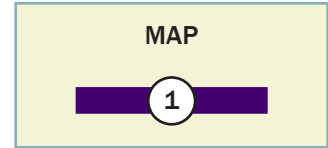
Transportation



Roadway Types



Main Loop Road - Section 1



Section Summary

travel lanes	12-feet
on-street parking	none
bicycle lanes	5-feet, one direction
sidewalk / trail	5-feet, 12-feet
planting strip / swale	6-feet, 12-feet
intended speed	35 mph
adjacent land uses	undeveloped / low density residential
primary grade	moderate to steep

Considerations

- A stormwater swale on the down-slope side of the roadway will capture and pre-treat some stormwater run-off, as well as provide a buffer for multi-use trail users.
- Bicyclists are accommodated in two ways. A striped 5-foot bicycle lane accommodates skilled bicyclists for uphill travel. Skilled bicyclists traveling downhill are expected to use the entire travel lane, as these bicyclists tend to prefer more room to maneuver when their speed increases.
- An 8-foot multi-use trail provides accommodation for less skilled bicyclists, like children and families. While this trail is intended to “meander” along the roadway, it will be important to provide clear lines of sight and adequate turning radii for both bicyclist and pedestrian safety.

Sustainability Options

- use a variety of sedges and rushes in the swale that can withstand both inundation and drought
- augment swales and landscape buffer with native plant species

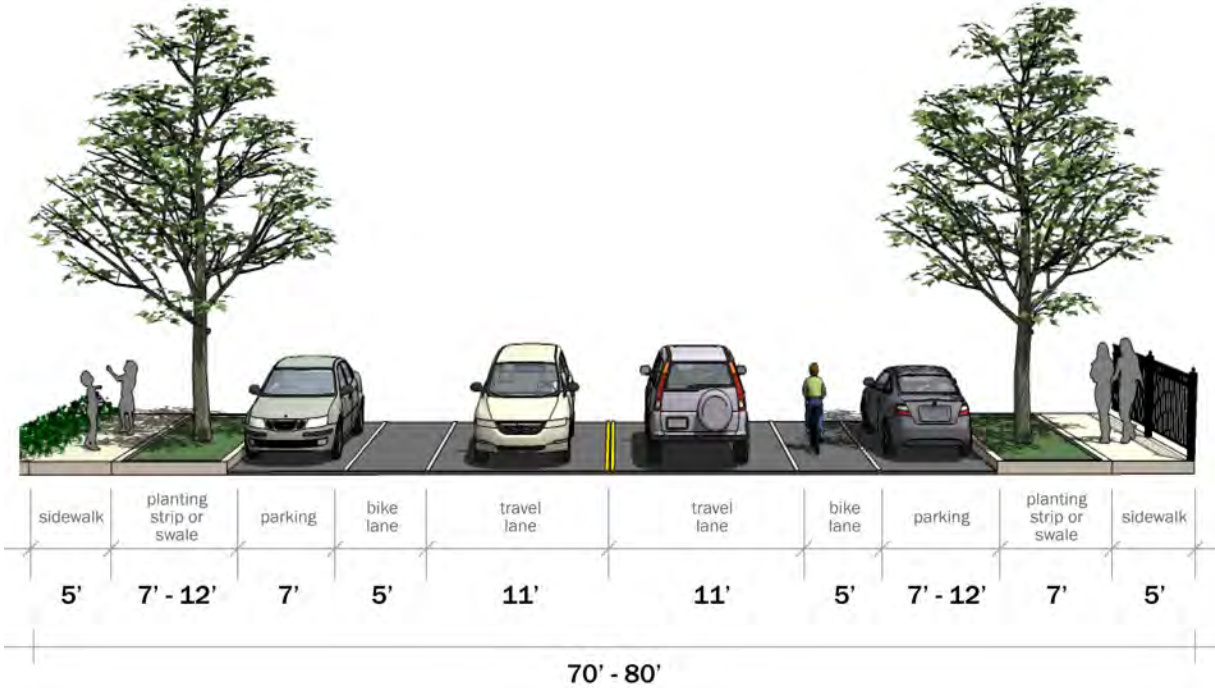
Transportation

MAP KEY

2

Main Loop Road - Section 2

This section of the Main Loop Road passes through adjacent residential areas, and acts as a traffic collector, as well as a central spine for the community.



Sustainability Factors

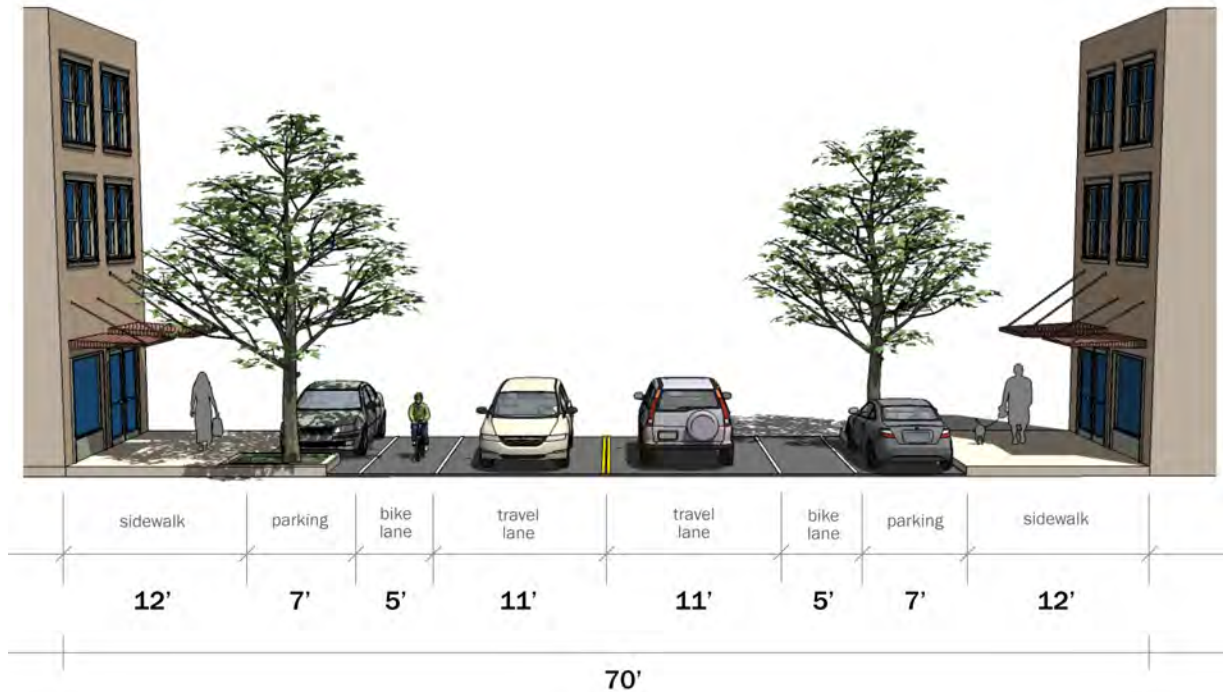
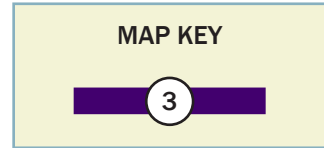
- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees
- ↳ integrated stormwater management systems

Section Summary

travel lanes	11-feet
on-street parking	7-feet
bicycle lanes	5-feet
sidewalk / trail	5-feet
planting strip / swale	7 - 12-feet
intended speed	30 mph
adjacent land uses	medium density residential
primary grade	moderate

Main Street

Main Street travels through the village center and has the most urban character. Wide sidewalks, planters, and street furniture (i.e., street lights, flower baskets, benches, etc) contribute to a very pedestrian-friendly commercial environment.



Section Summary

travel lanes	11-feet
on-street parking	7-feet
bicycle lanes	5-feet
sidewalk / trail	12-feet
planting strip / swale	tree wells at sidewalk edge with trees periodically in parking
intended speed	20 mph
adjacent land uses	village commercial / mixed use
primary grade	flat

Sustainability Factors

- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees

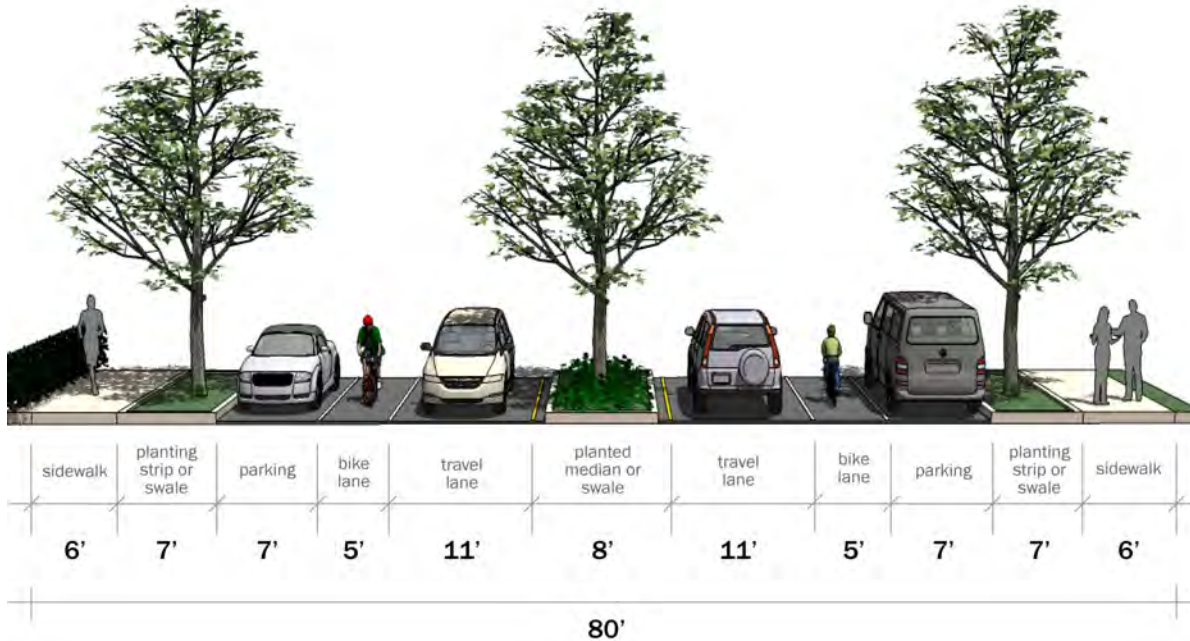
Transportation

MAP KEY

4

Boulevard

This section of the Main Loop Road is a full boulevard with a median and planting strips or bioswales. It will be the centerline of neighborhoods for the south of the village center.



Sustainability Factors

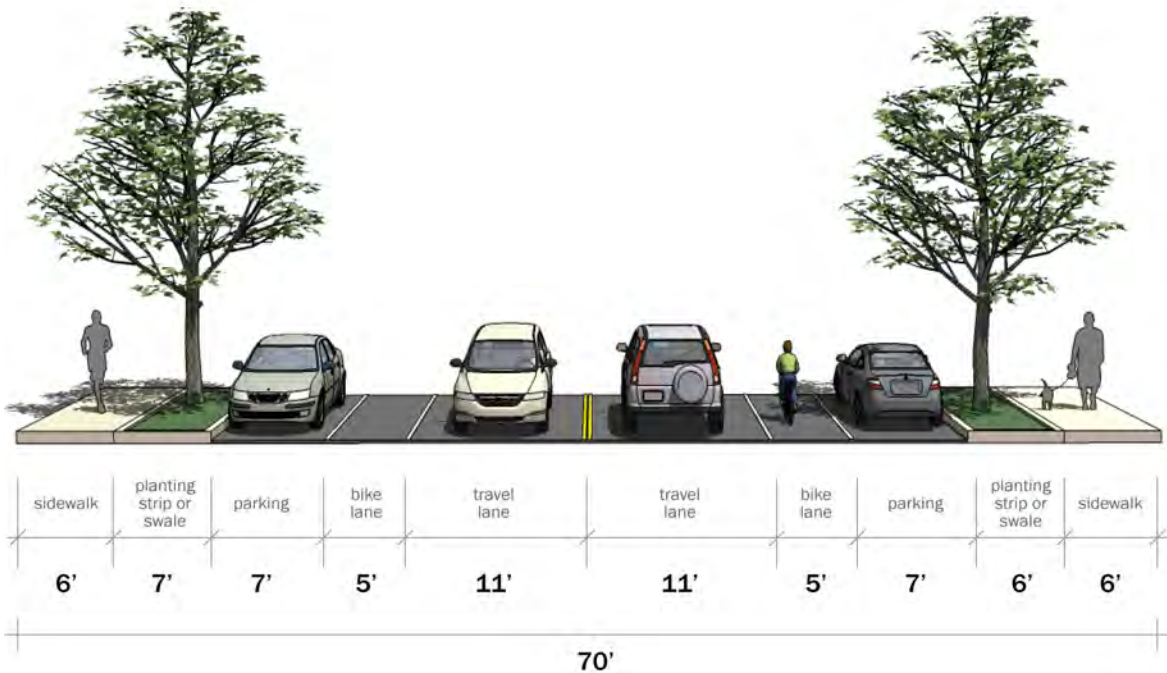
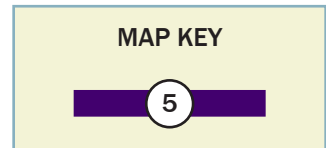
- ♻️ narrow street width
- ♻️ recycled-content in asphalt & concrete
- 🌳 shading from trees
- ♻️ integrated stormwater management systems

Section Summary

travel lanes	11-feet
on-street parking	7-feet
bicycle lanes	5-feet
sidewalk / trail	6-feet
planting strip / swale	7-feet
intended speed	25 mph
adjacent land uses	medium to low density residential
primary grade	moderate

Main Loop Road - Section 5

This section of the Main Loop Road serves as a transition zone between the residential outskirts of the Village and the wastewater treatment plant.

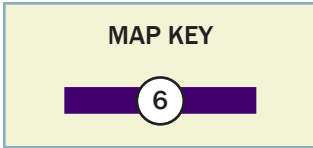


Section Summary

travel lanes	11-feet
on-street parking	7-feet
bicycle lanes	5-feet
sidewalk / trail	12-feet
planting strip / swale	7-feet
intended speed	35 mph
adjacent land uses	low density residential
primary grade	moderate

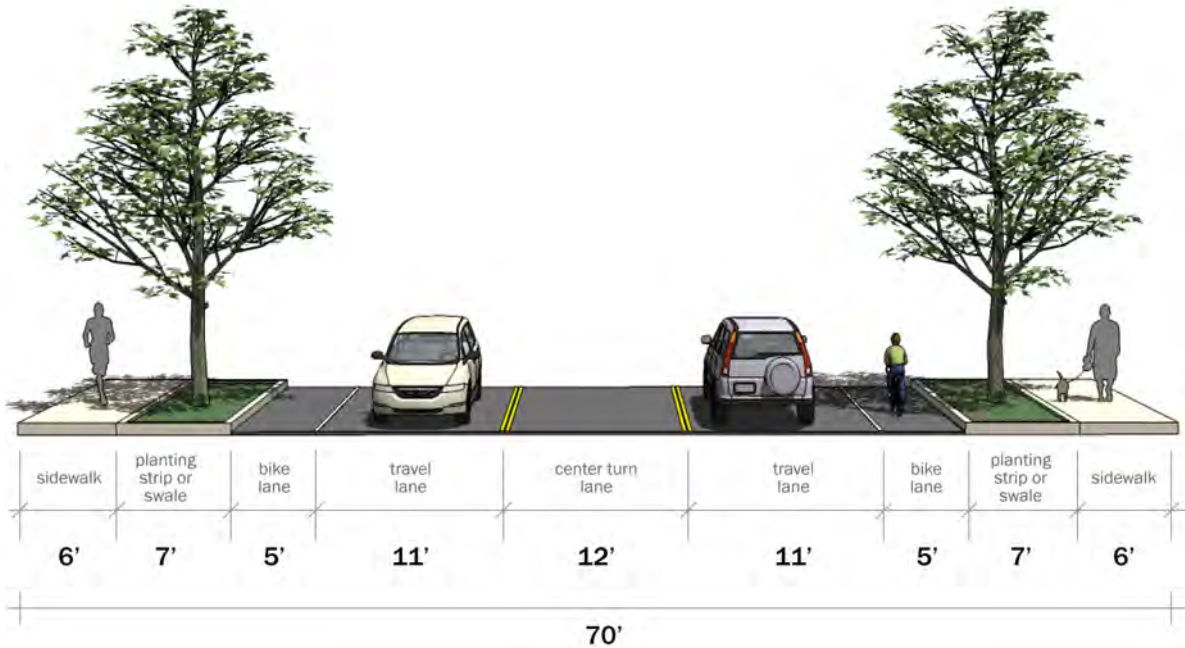
Sustainability Factors

- ◊ narrow street width
- ◊ recycled-content in asphalt & concrete
- ◊ shading from trees
- ◊ integrated stormwater management systems



Main Loop Road - Section 6

This section of the Main Loop Road connects Highway 101 to Wilder. A center turn lane provides access to residential areas at the south end of the Village and to areas adjacent to the property, like the wastewater treatment plant.



Sustainability Options

- ⌚ Stormwater swales may be able to be used in place of the planting strip.
- ⌚ A planted median or stormwater swale may be used in place of the center turn lane as long as it provides opportunities for vehicles to turn left into driveways and/or streets.
- ⌚ Integrate existing mature vegetation where possible along the alignment, even if the vegetation is along the roadway centerline.



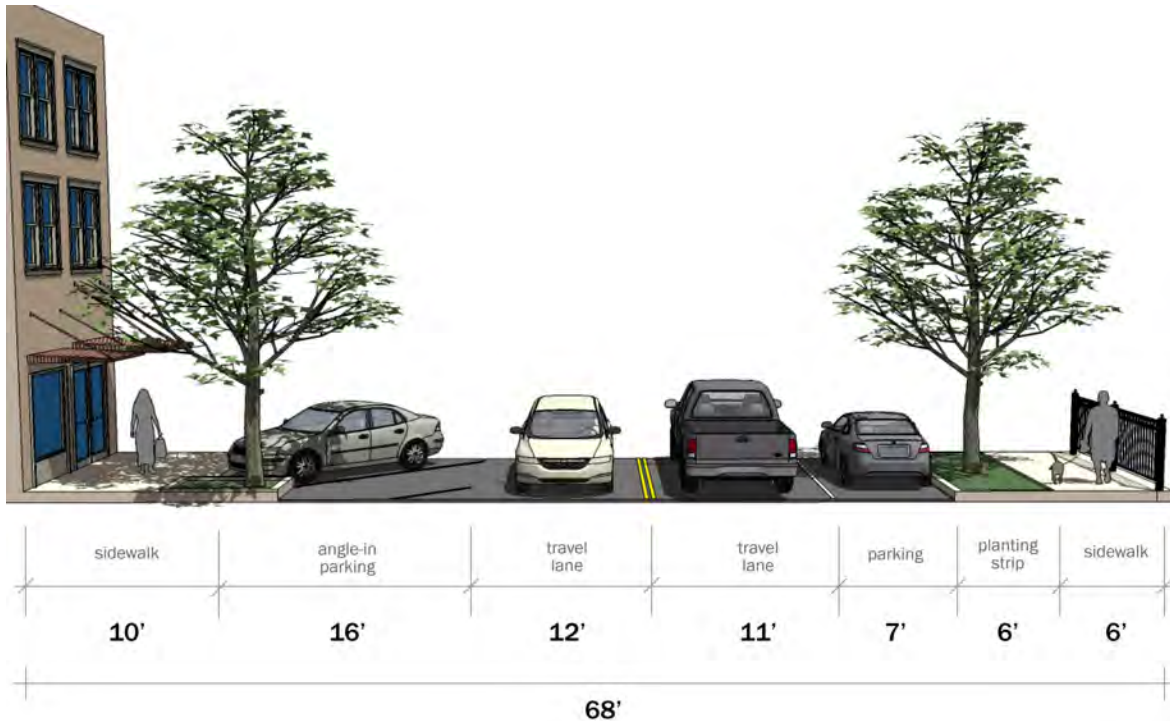
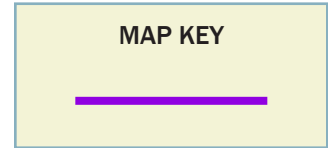
Section Summary

travel lanes	11-feet
on-street parking	none
bicycle lanes	5-feet
sidewalk / trail	6-feet
planting strip / swale	7-feet
intended speed	35 - 40 mph
adjacent land uses	undeveloped, low density residential
primary grade	moderate



Village Center Road - Section 1

The village center road travels around the village center to provide access to commercial and residential uses in the center of the community.



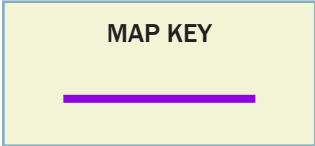
Section Summary

travel lanes	11- and 12-feet
on-street parking	16-feet, angle-in
bicycle lanes	none
sidewalk / trail	10-feet (urban edge), 6-feet (residential edge)
intended speed	20 mph
adjacent land uses	village commercial, high density residential
primary grade	flat

Sustainability Options

Sustainability Factors

- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees



Village Center Road - Section 2

This section of the Village Center Road provides access to high- and medium-density residential areas, and provides a transition between them. The angled parking serves residents and visitors.



Section Summary

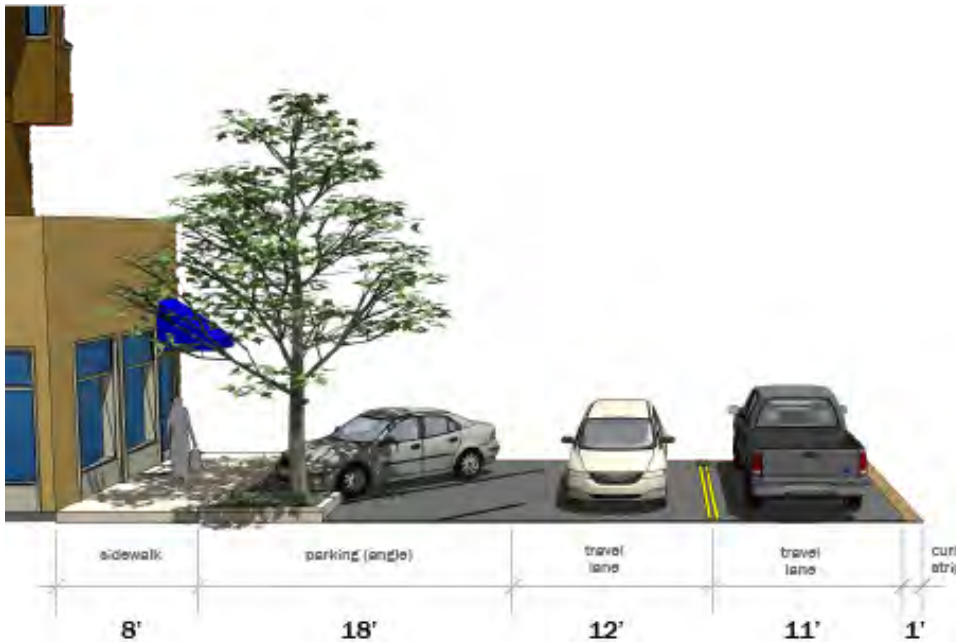
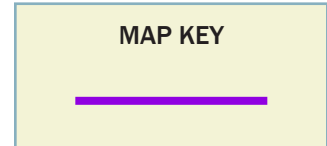
travel lanes	11- and 12-feet
on-street parking	18-feet, 45° angle-in (urban edge)
bicycle lanes	none
sidewalk / trail	8 feet (urban edge), 6-feet (residential edge)
intended speed	20 mph
adjacent land uses	village commercial, high and medium density density residential
primary grade	flat



Village Center Road - Section 3

This section of the Village Center Road connects high density residential areas to the Village Center. This section includes a transition to connect Ellis Street to College Way, where parking is eliminated to reduce intersection conflicts.

Because this section borders the community college property, the college edge is proposed to be finished with a simply curb. If the college chooses to develop on their side of the property, the roadway would be finished to the full Village Center Road cross-section.



Section Summary

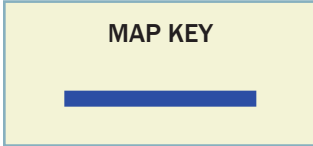
travel lanes	11- and 12-feet
on-street parking	18-feet, 45° angle-in (urban edge), none on site edge
bicycle lanes	none
sidewalk / trail	8 feet (urban edge)
intended speed	20 mph
adjacent land uses	village commercial, high density residential, open space or future development
primary grade	flat

Sustainability Options

Sustainability Factors

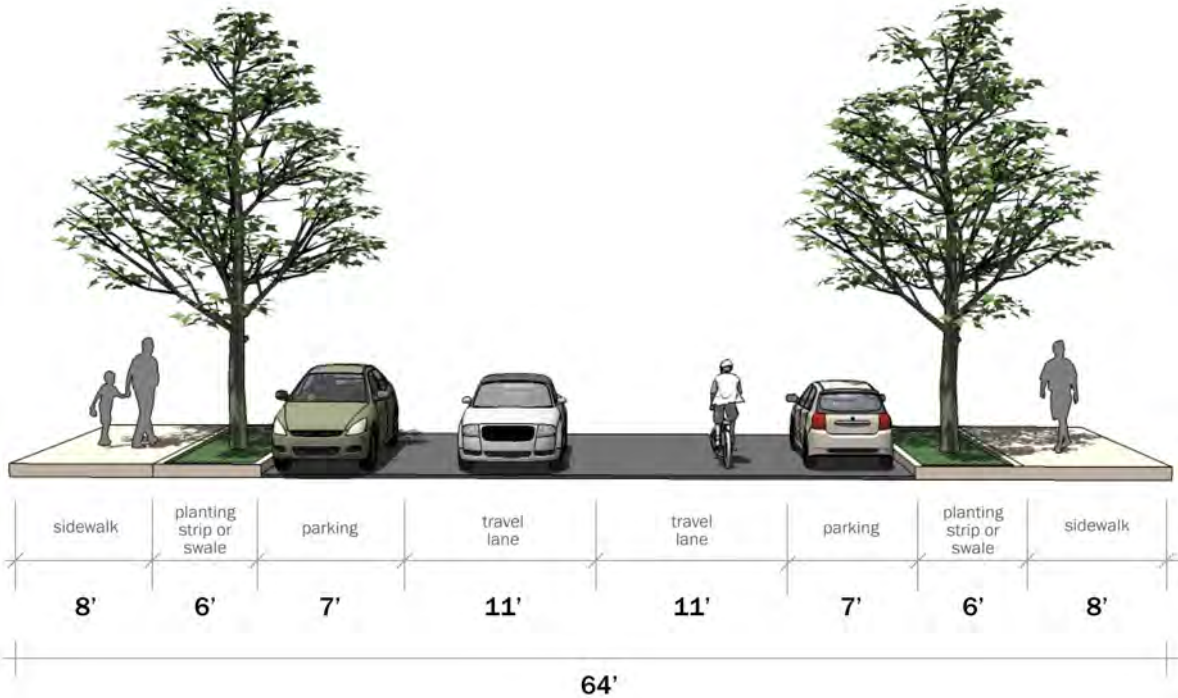
- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees

Transportation



Neighborhood Spine Road

These roads provide primary access to the neighborhoods throughout the Village.



Sustainability Factors

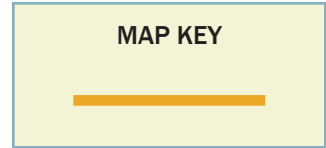
- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees
- ↳ integrated stormwater management systems

Section Summary

travel lanes	11-feet
on-street parking	7-feet
bicycle lanes	none
sidewalk / trail	8-feet
planting strip / swale	6-feet
intended speed	25 mph
adjacent land uses	medium density residential
primary grade	flat to moderate

Neighborhood Local Road

These roads provide local access to neighborhoods.



Queuing Design:
Periodic areas without parking allow larger vehicles to pass.



Section Summary

travel lanes	16-feet, courtesy lane
on-street parking	7-feet
bicycle lanes	none
sidewalk / trail	6-feet
planting strip / swale	no
intended speed	15 - 20 mph
adjacent land uses	medium to low density residential
primary grade	low to moderate

Sustainability Factors

- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees
- ↳ integrated stormwater management systems

Transportation

MAP KEY



Queuing Design:

Periodic areas without parking allow vehicles to pass.

Hillside Street

Hillside Streets provide a bioswale on the downhill side of the roadway to capture and pre-treat stormwater runoff.



sidewalk	parking	courtesy two-way travel lane	swale
5'	7'	16'	7' - 12'
35' - 40'			

Section Summary

travel lanes	16-feet, courtesy lane
on-street parking	7-feet, one side
bicycle lanes	none
sidewalk / trail	5-feet
planting strip / swale	7-feet, on downhill side
intended speed	15 mph
adjacent land uses	low density residential
primary grade	moderate to steep

Sustainability Factors

- ↳ There are a number of variations for the edge conditions of residential streets with little traffic that can integrate green street treatments. Some examples include:
- ↳ integrated large-capacity bioswales
- ↳ less impervious surface area (narrower streets)
- ↳ permeable paving in parking areas
- ↳ variety and diversity of plants and trees in the right-of-way



photo: on-street parking is handled in a non-traditional way to accommodate wide bioswales, walkways, and other green street treatments (Seattle, WA)

Woonerf - “Street for Living”

Woonerf” (“Street for living”) is a Dutch term for a common space created to be shared by pedestrians, bicyclists, and low-speed motor vehicles. They are typically narrow streets without curbs and sidewalks, and vehicles are slowed by placing trees, planters, parking areas, and other obstacles in the street.



Above: NW Cliff St. in Newport’s Nye Beach area allows for an informal mix of pedestrians, vehicles and cyclists. The unique paving pattern communicates that it is a special type of street.

Left: A private drive through the Fremont Lofts development in Seattle creates an enclosed special precinct for residents, whether coming and going by foot or vehicle.

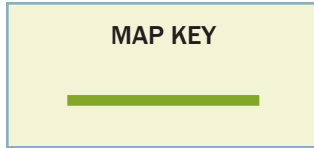
Section Summary

travel lanes	18-30 foot shared corridor
on-street parking	not designated, but permitted
bicycle lanes	none
sidewalk / trail	none
planting strip / swale	none
intended speed	less than 10 mph
adjacent land uses	high- and medium-density residential
primary grade	flat to moderate

Sustainability Factors

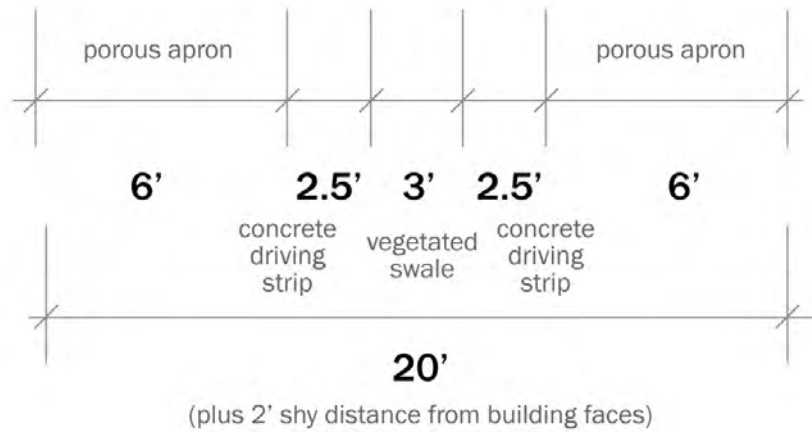
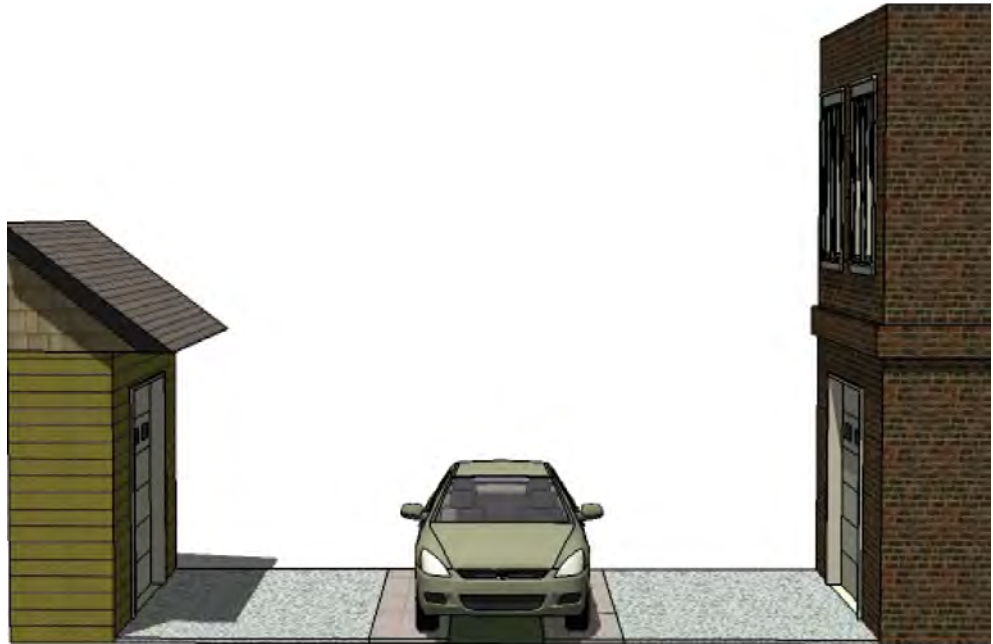
- ↳ multi-use street encourages strong community linkages
- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees
- ↳ integrated stormwater management systems





Green Alley

A green alley functions as a normal alley from a transportation perspective but is treated with green features to facilitate stormwater absorption and reduce impervious pavement area.



Sustainability Factors

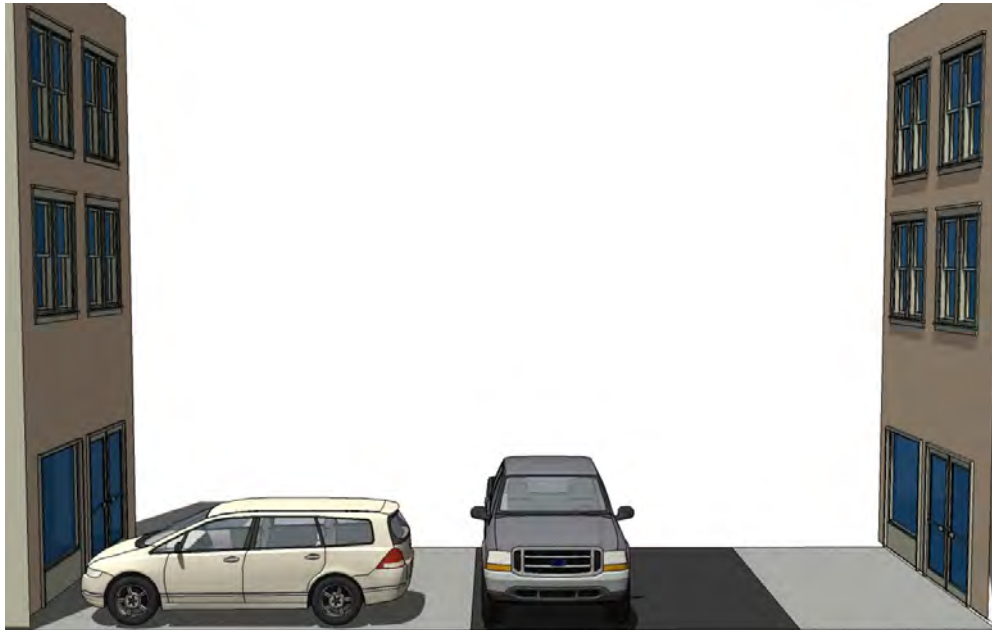
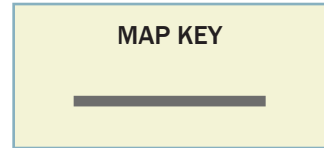
- Explore a variety of materials for the porous apron and driving strips. Because the aprons will not experience the use of a normal roadway, porous asphalt or other hardscapes may work well without continual maintenance.
- Consider a variety of hearty low-growing plants that are adaptive to the coast climate in lieu of grass for the central vegetated swale.

Section Summary

travel lanes	20-foot total right-of-way
on-street parking	none
bicycle lanes	none
sidewalk / trail	none
planting strip / swale	none
intended speed	10 mph
adjacent land uses	residential
primary grade	flat to moderate

Urban Alley

Common in most traditional and neo-traditional neighborhoods, the alley provides access to the rear of buildings. In addition to improving overall connectivity, the alley also provides a place for services and storage (i.e., garbage cans and collection) and allows street frontage to be uninterrupted by driveways.



Section Summary

travel lanes	15-foot travel corridor
bicycle lanes	none
sidewalk / trail	none
planting strip / swale	none
intended speed	10 - 15 mph
adjacent land uses	village commercial
primary grade	flat

Sustainability Factors

- ↳ Supports reduced street widths elsewhere
- ↳ Improves overall walkability
- ↳ Recycled-content materials

Transportation



Green Street Strategies



Bioswales

Bioswales are a vegetated swale system with an infiltration trench designed to retain and temporarily store stormwater. They are planted with native grasses, sedges and rushes that enhance filtration, cooling, and cleansing of water in order to improve water quality and prevent sealing of subsoils.

Photo at right: sidewalk is separated from the roadway by a bioswale; on-street parking is provided with 90-degree parking intermittently along the roadway.

Photo below: a common traffic calming element can also serve to slow and pre-treat stormwater runoff.



Sustainability Options

- 👉 Use plants that are most adaptable to the climate and conditions where feasible to reduce irrigation needs
- 👉 Avoid invasive plants



The bioswale above is set back from the roadway to accommodate people getting into and out of their vehicles.

Photo top: deep bioswale between a parking lot and the roadway; Photo bottom: a bioswale integrated with traffic calming

(Images shown are conceptual and do not represent final specific designs for Wilder)

Permeable or Porous Pavement

Permeable or perforated paving materials or pavers with spaces that allow transmission of water to aggregate base and subsoils. Runoff is temporarily stored in the base for infiltration into the subsoils and/or slow release to storm drain system.



Porous pavement will need to be tested on the Wilder site before the treatment is used for full applications.



Photos clockwise from top left: parking lot with several permeable pavement types including pavers and porous asphalt (Jean Vellum Natural Capital Center - Portland, OR); walkway of porous pavers (Portland State University - Portland, OR); parking lot of porous pavers (North Carolina); parking strip of porous pavers.

Sustainability Options

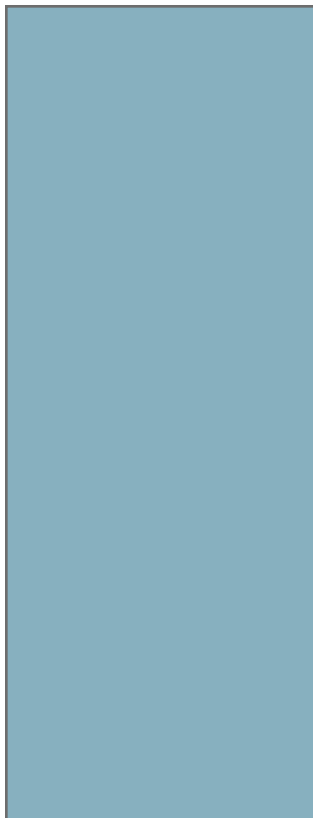
- ↳ Seek local source materials
- ↳ Recycled-content materials

Smaller Roads

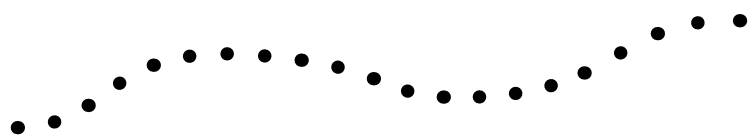
Designing and constructing smaller roads is one way to reduce the volume of stormwater run off simply because there is less impervious surface. More of the roadway right-of-way can then be dedicated to greenery (shade, CO2 absorption, aesthetics, etc.) and bioswales (to collect and treat localized stormwater runoff). Additionally, smaller roads use fewer materials during their construction, particularly petroleum-based materials like asphalt.

photo at left: rural application of the small road concept

photos below: Seattle's Street Edge Alternatives (SEA) program redesigned a series of neighborhood roads to accommodate stormwater runoff. The roadway was narrowed, on-street parking was consolidated to a few locations along the block face, bioswales were installed on both sides of the roadway to treat stormwater runoff, and a sidewalk was provided on one side of the road for pedestrians.



Transportation



Pedestrian Circulation Types



Pedestrian Circulation

MAP KEY

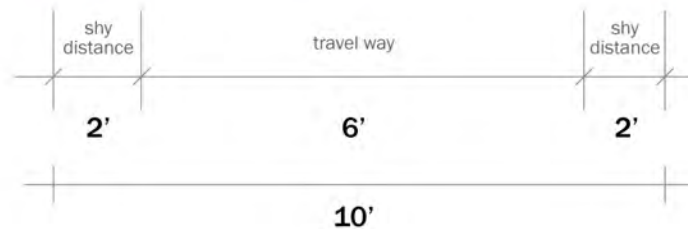


Access Trails

Access trails provide short paved trail or stair connections between streets. These trails improve pedestrian and bicycle connectivity and encourage more walking in the community. If terrain allows, these trails should be ADA accessible.



access trails



Sustainability Options

- ↻ evaluate porous concrete or asphalt for trail surfaces
- ↻ use small bioswales to treat stormwater on site
- ↻ use materials found on site for stair structures and minor retaining walls
- ↻ use solar panels for lighting

Guidelines

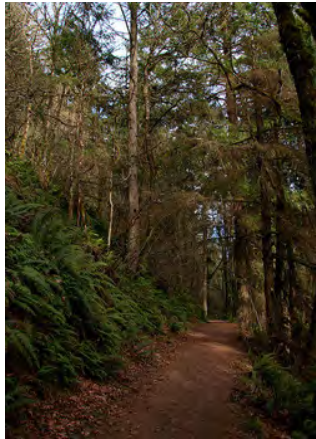
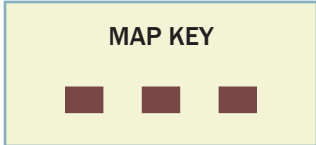
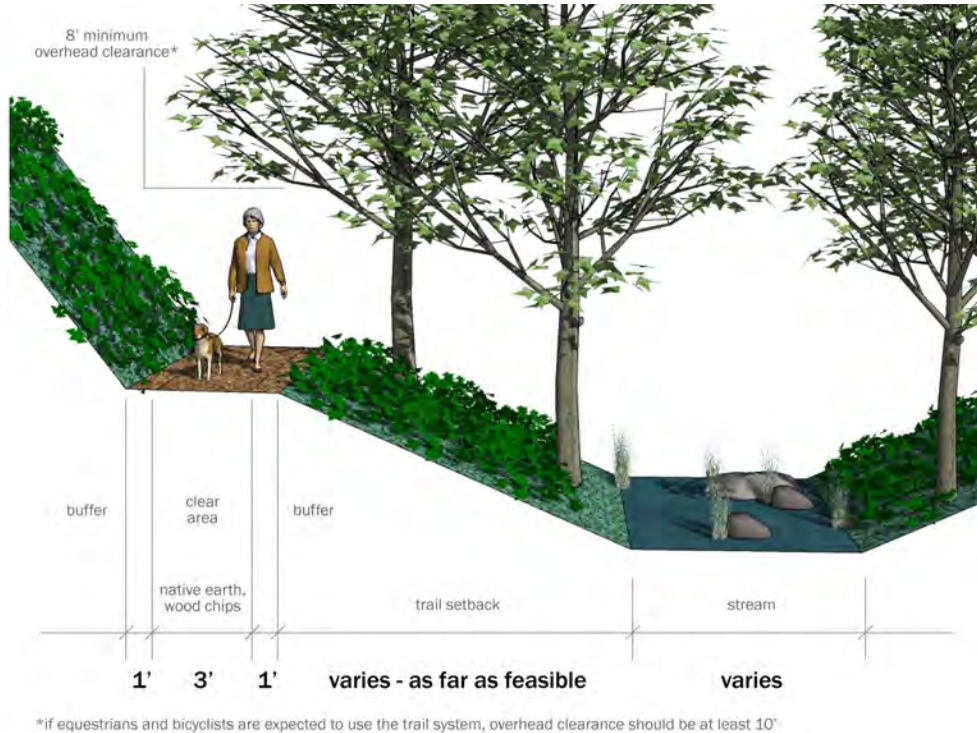
surface	asphalt, concrete, wood (stairs)
width	10-feet
cross-slope	maximum 2%
vertical clearance	10-foot minimum

Considerations

- Access trails and stairways should be sensitively designed and constructed to minimize impact on the terrain and neighboring homes.
- Consider constructing stair systems from concrete and local stone, instead of chemically-treated lumber. These materials are not as slippery as wood, are more durable, and have greater longevity. In addition to providing access, a rock and concrete stair system can also provide hillside stabilization and attractive rock gardens.
- Fences on both sides of access trails should be limited to improve pedestrian safety and encourage “eyes on the street.” If screening is desired, consider using vegetation or fences that provide some privacy but retain the ability to see and hear the trail (i.e., “good neighbor” fencing, wrought iron, etc.).
- Access trails should be lighted so that they can be used safely year-round. Lights should minimize deflection into the sky and neighboring homes.

Natural Trails

Natural trails are soft-surface walking/hiking trails that provide recreation opportunities and access to nature in the community. Natural trails can support bicycling and equestrian use if designed properly, but are generally intended to serve pedestrians.



natural trails



Guidelines

surface	earth, wood chip, gravel
width	5-feet
cross-slope	2%, down slope
horizontal slope	15% maximum
vertical clearance - pedestrians only	8-foot minimum
vertical clearance - bikes and horses	10-foot minimum
trail setback from waterways	as much as feasible

Considerations

- Trail systems significantly contribute to the marketability of the community and increase property values.
- A natural soft-surface trail system is the best way to access some of the best parts of Wilder and its surrounding areas. By contouring along the steep eastern slopes of the property, residents can walk with relative ease to Idaho Point, King Slough, and other parts of the community in a completely natural environment.
- This type of trail system is relatively easy to construct and maintain when done properly. It also provides an opportunity to improve some existing land conditions by improving drainage, stabilizing slopes with native vegetation, and removing invasive plants like Himalayan blackberry and Scotch Broom.

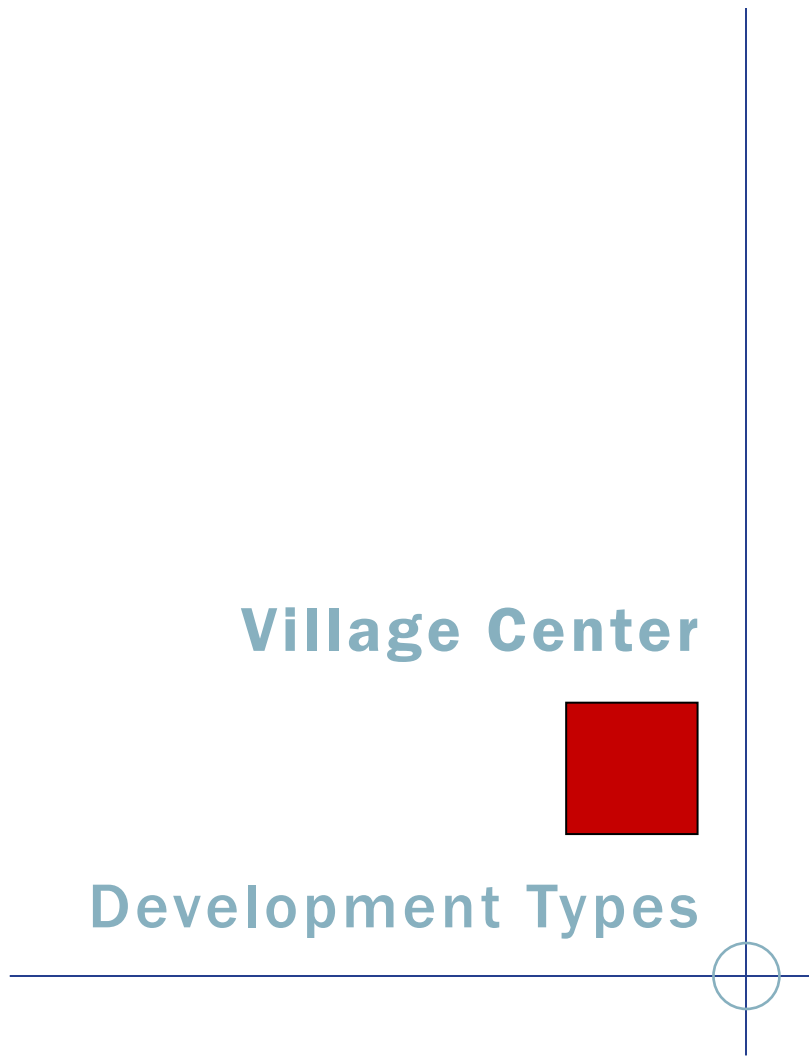
Sustainability Options

- employ “green” trail construction techniques
- use native earth as much as possible
- utilize local lumber for small bridges, retaining walls, railings and fences
- minimize switchbacks (to cut down on trail cutting and erosion)
- use low-impact boardwalks through wetlands and other wet areas
- avoid long sustained grades or utilize water bars to control drainage and erosion

Village Center



Development Types



Village Center: Retail

A range of sizes should include very small “incubator” spaces to encourage small businesses and create interest. Buildings should make a strong connection to the street through glazing, roll-up openings, outside display or seating. Awnings and street furniture provide important functions.



IN ZONE...

COM



photos clockwise from left:
Downtown Cannon Beach, OR;
Coffee shop, Forest Heights
(Portland, OR); College Avenue
(Berkeley, CA); shops in Sis-
ters, OR



Sustainability Factors

- ✧ Provide neighborhood amenities to reduce need for vehicular travel
- ✧ Density makes community more supportive of transit
- ✧ Build durable and flexible buildings to ensure that can provide for different uses as the community matures
- ✧ Seek energy efficiencies between building uses and at a district scale

General Specifications

Unit Size:	no larger than 20,000 sf
Unit Height:	up to 3 stories
Parking:	on street and shared parking lots
Private Outdoor Space:	n/a
Density range / typ. lot size:	
Target price range:	

Development Types

IN ZONE...

COM



Arcades and market halls have several benefits: reduced overhead, a high degree of visual activity, and pass-through spaces that can front to a street and rear parking.

above: Granville Island market (Vancouver, BC); right: City Market (Portland, OR); below, Swan's Market (Oakland, CA)



Village Center: Small Retail Shops

Important to the success of any new retail is the ability of small businesses to start up with minimal risk. Providing interesting small retail spaces is one way to do this. Portable carts, small kiosks arcades and market hall type retail are all proven ways of doing this.



Sustainability Options

- ☞ Daylighting of retail has been shown to increase sales, as well as energy savings
- ☞ New LED lighting is emerging for retail uses



Food carts and portable kiosks can evolve with a retail area, moving to the most successful locations and duplicating as demand grows. Photo above: portable food cart (Portland, OR)

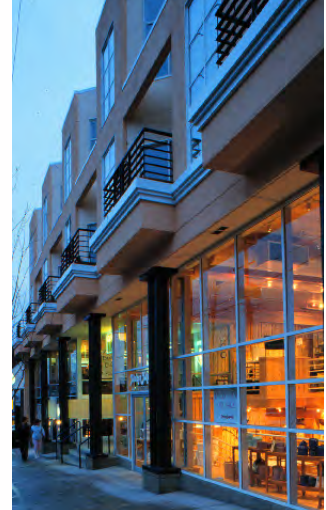
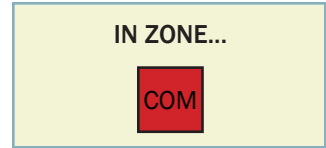


Tiny stand-alone shops can take advantage of unusual building or site geometry, and can energize areas that would be otherwise empty.



Village Center: Housing Over Commercial

Mixing residential and commercial activities contributes to “eyes on the street” and focuses human activity in core areas at all times of the day. Commercial can be retail, office or civic uses, depending on demand. Housing can be elevator-served or walk up townhouses stacked above.



Mixed use buildings are a time-honored type, and occur at many scales and types of construction. Clockwise from above: NE Portland, NW 23rd Av., Portland; Orenco Station; SE Portland; Pacific City, OR



Sustainability Options

- ☞ More supportive of transit
- ☞ Improves overall balance of jobs and housing
- ☞ Potential for shared parking
- ☞ Potential for ‘waste heat’ from commercial uses to serve residences
- ☞ Green building certification



Development Types

IN ZONE...



Village Center: Hospitality

Hotels and Bed and Breakfasts near the commercial core will provide more activity and help energize the area in the evening. These establishments often include restaurants and other uses on the ground floor.



Bed & Breakfast lodging in Seattle and the San Juan Islands



Right: The Sylvia Beach Hotel, with its author themed rooms, provides a compelling and highly-desirable lodging opportunity on the Oregon Coast, where the hospitality industry is always looking for new and innovative ways to attract visitors.



Sustainability Options

- ↳ Green building strategies
- ↳ Zone mechanical systems for room-by-room control to reduce impact of unoccupied rooms.
- ↳ Incorporate green management practices for cleaning, laundry, etc.

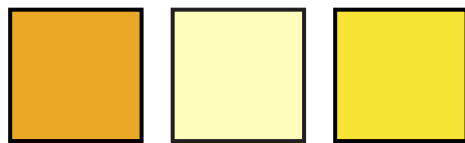


Above: Coast Cabins, a cluster of short-stay cabins in Manzanita, OR

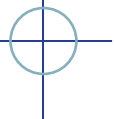
Right: This “tree-sort” is a destination place to stay in the woods of Southern Oregon, pulling travelers well out of their way to stay in a creative building type: treehouses! (Takilma, OR)



Residential



Development Types



Single-Family: Hill Homes

The areas near the perimeter will generally have larger view lots, with somewhat larger houses. Thoughtful landscape standards and stormwater management can contribute to homes that blend into the landscape and to the stability of adjacent slopes.



IN ZONE...

R1



photos clockwise from left: traditional architecture (Portland, OR); modern hill house, (Berkeley, CA); craftsman houses (Berkeley, CA)

Sustainability Options

- ↪ Certification
- ↪ High Energy Efficiency
- ↪ Stormwater managed on site
- ↪ FSC-certified framing
- ↪ Recycled content materials
- ↪ Green building program with incentives to avoid excessively large homes, and higher burden for efficiencies, relative to smaller homes
- ↪ Renewable energy production
- ↪ Minimize alterations to existing landscape
- ↪ Detached garages improve indoor air quality by keeping garage fumes out of the living spaces

General Specifications

Unit Size:	1200 - 2000+ sf
Unit Height:	2 story
Parking:	off street
Private Outdoor Space:	Backyard / front yard
Density range / typ. lot size:	3 - 7 du/acre
Target price range:	\$\$\$ TBD

- Larger lots
- Typically located at slope edges
- Design standards can steer construction toward a cohesive style for the community (i.e. neo-traditional – or a particular material set and/or form, like wood siding, sloped roofs)
- Landscape standards can help to blend homes into landscape

Development Types

IN ZONE...

R3

R2



photos: various medium-density housing styles and configurations

Single-Family: Medium Density Homes

These homes will be the dominant housing type at Wilder. They allow open space for each home and remain affordable for many families. Porches and limitations on garage locations help to link this type to the street for improved neighboring opportunities.



Sustainability Options

- ↳ Certifications
- ↳ High Energy Efficiency
- ↳ Stormwater drywells
- ↳ FSC-certified framing
- ↳ Recycled content materials
- ↳ Reduce ecological footprint through energy savings, preferred materials, good siting, etc.
- ↳ Improve indoor air quality
- ↳ Support potential industrial tenants within overall project, as well as regional economy
- ↳ Provide market differentiation
- ↳ Detached garages improve indoor air quality by keeping garage fumes out of the living spaces

General Specifications

Unit Size:	1200 - 2000 sf
Unit Height:	2 story
Parking:	off street
Private Outdoor Space:	Backyard / front yard
Density range / typ. lot size:	8 - 10 du/acre
Target price range:	\$\$

- Basic lot size is 5000 sf
- Affordable construction type
- Design and landscape standards, intended to support project quality without over-inflating housing costs
- Accessory units allowed (see page x)

Single-Family: Urban Lot Houses

Urban lot houses are freestanding homes, but offer a more compact neighborhood as well as more affordable housing.

IN ZONE...

R3 R2



photos: urban lot houses (Portland, OR, & Newport, OR)

Sustainability Options

- ↳ Certifications
- ↳ High Energy Efficiency
- ↳ Stormwater drywells
- ↳ FSC-certified framing
- ↳ Recycled content materials

General Specifications

Unit Size:	800 - 1,100 sf
Unit Height:	1-2 story
Parking:	off street
Private Outdoor Space:	Backyard / front yard
Density range / typ. lot size:	9 - 15 du/acre
Target price range:	\$\$-\$

Development Types

IN ZONE...

R3

R2



photos: Micro-Cottages at Wilder

Single-Family: Urban Micro Cottages

Very small homes have become a demonstrated success for some parts of the population, including single-occupant households and new home-owners. Small, independently sited cottages serve these populations well, and are an attractive way to attain a home in an area with many regional outdoor attractions.



Sustainability Options

- ↳ Certification
- ↳ High Energy Efficiency
- ↳ Stormwater drywells
- ↳ FSC-certified framing
- ↳ Recycled content materials
- ↳ Increasing density can in itself improved sustainability by making walking and transit more viable for more trips.

General Specifications

Unit Size:	450 - 1,000 sf
Unit Height:	1-2 story
Parking:	off street
Private Outdoor Space:	Backyard / front yard
Density range / typ. lot size:	10 - 18 du/acre
Target price range:	\$-\$-\$

Townhouse

Townhouses provide the benefits of direct simple ownership (without the potential risks of condominiums) while contributing to higher densities than free-standing homes. They are a long-standing traditional type in many cultures, from the Victorians of San Francisco to cutting edge modernist designs throughout the industrial world.

While townhouses are often built with garages below and directly off the street, the preferred pattern is to have garages at the rear, either in a separate outbuilding (a 'mews' pattern typical in England) or tucked under the unit with open space provided in front yards. Eliminating the garage door on the front improves the qualities of the street, by providing more visual contact between the street and the homes.

When garages must be located at the front, they can be set 1/3 to half a story down to increase the connection between street and house.



IN ZONE...

R3 COM



photos: Belmont Dairy (Portland, OR); Sullivan's Gulch townhouses (Portland, OR)

General Specifications

Unit Size:	1,100 sf - 1,600 sf (18' - 20' wide)
Unit Height:	2-3 story
Parking:	garage, off street
Private Outdoor Space:	Backyard
Density range:	10-20 d.u./gross acre
Target price range:	\$\$-\$

Sustainability Options

- ☺ Certification
- ☺ High Energy Efficiency
- ☺ Stormwater drywells
- ☺ FSC-certified framing
- ☺ Recycled content materials
- ☺ Increasing density can in itself improved sustainability by making walking and transit more viable for more trips.
- ☺ Shared walls typically lead to increased energy efficiency for each unit.

Development Types

IN ZONE...

R3

R2

R1

Cluster Development: Walk-In

Clustered developments offer a sense of scale among neighbors, who typically share a small common open space. In truly successful designs, these spaces become very desirable amenities.



photos, clockwise from above: Cluster on common green, Stapleton (Denver, CO); Rose Walk (Berkeley, CA); bungalow court walk-in (Portland, OR)

General Specifications

Unit Size:	800 - 1800 sf
Unit Height:	1 - 2 story
Parking:	off street, shared, and/or ganged garages
Private Outdoor Space:	shared commons
Density range / typ. lot size:	8 - 12 du/acre
Target price range:	\$\$

Sustainability Options

- 🔗 Certification of homes
- 🔗 Coordinated management of stormwater, landscape etc.: use green standards
- 🔗 Higher potential for sharing of resources among neighbors



Cluster Development: Cottage Clusters

Cottage clusters are a type of walk-in cluster where homes are smaller than typical single family, increasing affordability and density within a single family neighborhood. They are being used in existing neighborhoods to create housing variety and affordability.



IN ZONE...

R3

R2

R1



Examples, counterclockwise from above: Co-Housing cluster, Denver, CO; short-stay cabins at Manzanita, OR; Bella Beach, Gleneden, OR; Edward's aDDition, Monmouth, OR

Sustainability Options

- ↳ Certification of homes
- ↳ Landscape standards
- ↳ Smaller house sizes
- ↳ Higher potential for sharing of resources among neighbors

General Specifications

Unit Size:	800 sf or less
Unit Height:	1 - 2 story
Parking:	shared
Private Outdoor Space:	shared commons
Density range / typ. lot size:	12-24 du/acre
Target price range:	\$

- Typically an allowed use within single family neighborhoods, with 6 - 8 cottages in lieu of 3 - 5 standard size homes
- Shared parking at periphery
- Open space provides front door access and commons

Development Types

IN ZONE...

R3



Apartment building (Denver, CO)



Apartment building in a single family neighborhood context

Sustainability Factors

- ↻ Green building certification
- ↻ Potential for building scale mechanical systems
- ↻ Higher land efficiencies
- ↻ More supportive of transit
- ↻ Green landscape standards

Multi-Family

Multi-family housing is a long-established housing type in cities and towns of all sizes, and in all cultures. In modern construction, several types are common:

Apartments are owned by one party with tenants renting their individual units

Condominiums ('condos') are owned by the individual tenant, who also typically owns an interest in the common areas of the property. A homeowners association manages the joint ownership areas.

Flats are units on one floor of a multi-story building with conventional floor-to-floor heights.

Lofts are units that have a higher floor-to-floor height and typically have a mezzanine loft within, often over the kitchen/bath areas.

Multi-family units can be arranged in numerous configurations (e.g. along corridors, around courtyards, off of circulation balconies, etc.). Each of these layouts lead to different building types. Smaller buildings oriented off of a common stair landing at each level can often fit in well with single family building massing.

Multi-family housing also can be located with other uses on the ground floor, especially retail and commercial uses. This helps increase the level of activity in central areas, with benefits for retailers and the public space.



Apartments near University of Portland

General Specifications

Unit Size:	500 - 1100 sf
Unit Height:	1 - 2 story
Parking:	off street, shared, and/or ganged garages
Private Outdoor Space:	shared commons, balconies, patios
Density range / typ. lot size:	8 - 12 du/acre
Target price range:	\$

Multi-Family: Clustered

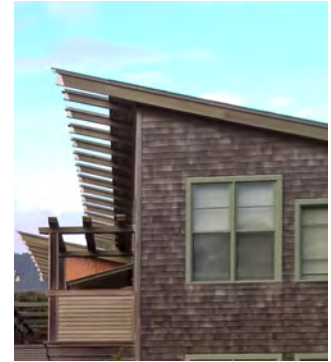
Clustered Apartments could serve nearby institutions of higher education, such as OCCC and OSU, as well as others in the community. The units can vary in size, and can be shared among multiple residents.

IN ZONE...

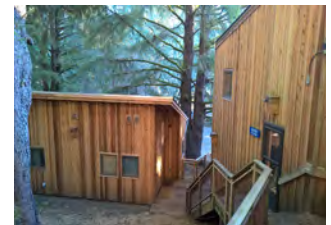
R3



Student Apartments, Lewis & Clark University, Portland, OR - use of bays, trims, and massing to break down the scale of multi-family structures



Finding the appropriate scale and level of detail is key to integrating multi-family housing into Wilder.



Student Apartments: Bastyr University; Kenmore, Washington

Sustainability Opportunities

- 👉 Green building certification
- 👉 Pre-fabricated construction
- 👉 Potential for building or district scale mechanical systems
- 👉 Higher land efficiencies
- 👉 More supportive of transit
- 👉 Green landscape standards

General Specifications

Unit Size:	300-800 sf
Unit Height:	2-3 story
Parking:	off street, shared, and/or ganged garages
Private Outdoor Space:	shared commons, balconies, patios
Density range / typ. lot size:	12-34 du/acre
Target price range:	\$

Auxilliary Dwelling Unit (ADU), A.K.A. “Granny Flat”

An ADU is a second self-contained dwelling unit created on a lot with a house, attached house or manufactured home. These dwellings are typically small (no larger than 800 sf) and are intended to provide housing options for a variety of single occupant tenants. Units can be joined to/over garages or stand alone on the property.

IN ZONE...

R3	R2	R1
----	----	----

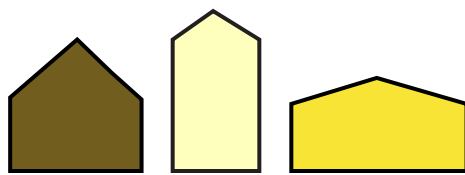


...e House (Portland, OR - SIP roof panels, Net Zero Energy Design), ...ver, CO); ADU infill , Portland, OR

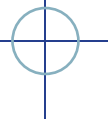
General Specifications	
Unit Size:	250 - 800 sf
Unit Height:	1 story
Parking:	off street / on street
Private Outdoor Space:	patio / deck
Density range / typ. lot size:	n/a
Target price range:	\$-\$\$

Sustainability Issues

- ⦿ Increase density without changing basic single family land use type
- ⦿ Green building strategies as applied to other home types



Building and Development Strategies



Green Building Certification

Certification programs provide the builder with explicit standards to achieve best environmental practices and provide building owners with the assurance that their project is built to those standards. There are several home certification approaches available, with different emphases; the most effective of these are described below. Around the U.S., local and state jurisdictions have also adopted custom green building programs.

The most comprehensive programs, such as LEED, look beyond energy impacts to reward use of recycled content or sustainably produced materials, healthy indoor environments, and water conservation. However, no certification level will guarantee sustainability. True sustainability in the built environment requires an on-going process of improvement and innovation, and requires an underlying vision to guide decisions.



LEED Silver Residence Hall at Lewis & Clark College



The LEED-H Silver Home at Parkdale, Oregon, Built by Neil Kelly homes

LEED certified projects receive a plaque to display their commitment



Certification Programs and Approaches

LEED:	A voluntary certification program, based on a checklist of prerequisites and credits, awarding certification at increasing levels, up to platinum. Credits are awarded in six areas: Sustainable Sites, Water Efficiency, Energy & Atmosphere, Indoor Environmental Quality, Materials and Resources, and Design Process.
LEED-Homes	A specific LEED version re-tooled for single-family homes, which gives additional credits for proximity to community services
Energy Star	Certified by U.S. Dept. of Energy (DOE) to be 15% more efficient than code requirements.
U.S. DOE's Building America Program	Technical and design assistance with project-tailored energy strategies for regional climate
EarthAdvantage	Certifies and tests for energy savings of 15% better than code, low-VOC materials, fresh air ventilation, environmentally preferred materials. Also technical assistance.

Design Standards

Design standards are a strategy for ensuring a level of quality for a neighborhood. They can take many forms, ranging from basic site layout issues to detailed standards aimed at creating a unified look for a development.

Basic standards to address location of garages, entries and porches are widely accepted in many communities. They help support the pedestrian nature of streets by creating a level of interconnection between the street and the living areas of adjacent homes. Other communities impose standards geared toward a particular look, style or materials palette.

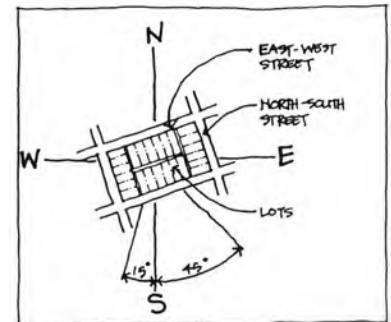
Imposition of a narrow set of standards can affect both the cost of housing and its rate of sales. In some cases, however, a strong discernible look to a neighborhood can improve sales and identity.



A “new urbanist” neighborhood in Monmouth, Oregon shows the benefit of standards to engage the house with the street. The neighboring house, outside the development, is dominated by a garage, and is less welcoming to the street.



The Sea Ranch in California uses design standards to tightly control building materials, siting, landscape and such details as reflective surfaces and trash enclosures.



Above: Design standards are often used to provide for good solar access to home lots.

Left: Graphical design standards used to improve the look of an overall community.



(Images shown are conceptual and do not represent final specific designs for Wilder)

13-May-2016

51

Panelized Construction

Panelized construction can help reduce costs in housing construction and – if done correctly - contribute to a more-resource efficient approach. Some building elements, such as roof trusses are commonly pre-manufactured and brought to the site ready to install in production housing. Roof panels are another building component that has shown strong potential for use in the housing industry, because of their efficiencies.

Wall panels can also be pre-manufactured, but do not always capture the same benefits in terms of resource efficiency, due to wastage from window cut-outs and other irregularities. Nevertheless, an innovative manufacturer committed to waste reduction and sustainable practices could be a strong partner in construction of the project.



Pre-manufactured trusses are a common form of panelized construction.



The Rose house was built with SIPs for the roof. (Portland, OR)

- Improves affordability
- Requires across-the-board attention to waste reduction in design and production processes
- Potential for single-family and multi-family building types
- Potential industrial use within project area



The NowHouse uses SIPs technology for the entire construction.

Modular Construction

Modular housing is undergoing somewhat of a renaissance, and can offer affordable construction at a higher design quality than in past generations. Both aesthetics and sustainability have been improved.



*photos clockwise from left:
“LivingHome” (Santa Monica, CA);
GlideHouse (Menlo Park, CA);
Epoch Modular Home,
New England*

- Offers a balance of high design and affordability
- Factory-built and moved once to home site
- Somewhat more affordable than comparable homes built from scratch
- GlideHouse factory in Portland
- Potential industrial applications within project area

Building and Development Strategies

Co-Housing

Co-housing is a specific housing type where residents arrange to share many amenities, usually including a common house with kitchen. Residents often share meals, though they have individual kitchens as well. Co-housing communities often act as an anchor to a larger neighborhood community.



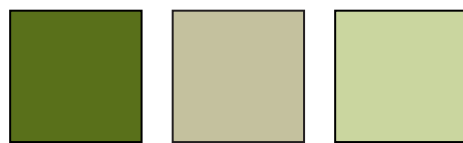
photos clockwise from top left: Trillium Hollow (Portland, OR);
Hearthstone Co-Housing (Denver, CO); CoHo Co-Housing (Corvallis,
OR - 2); Cascadia Commons (Washington County, OR)



General Specifications

Unit Size:	varies
Unit Height:	varies
Parking:	off street
Private Outdoor Space:	patio
Density range / typ. lot size:	8 - 12 du/acre
Target price range:	\$-\$\$

Open Space



Development Types

Open Space Types



Developed Open Space: Commons

A Village Center Plaza or Commons provides a mix of soft and hardscapes for a variety of community uses, like farmers' markets, bazaars, concerts, and festivals. The urban design of the space creates a sense of enclosure but also permeability, with access from multiple points.



photos above: farmers market (Portland, OR); Prairie Crossing (Greyslake, IL)

right: Grey Friars' Square is dominated by an overarching shade tree (Copenhagen, Denmark)



Above: village plaza integrates existing vegetation; photo below: central plaza accentuates the natural surroundings with soft surface walkways and grass instead of concrete.

Below left: Performance spaces can anchor a plaza. (Coffee Crekk Development, Chesterton, IN)

Below right: Building form can help shape the public space and create a dramatic contrast with surrounding streets, whether it is urban or green. (Slavonice, Czech Republic)

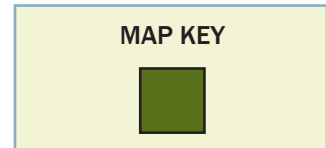


Developed Open Space: Neighborhood Park

This type of open space is intended to provide public gathering and recreation space for community residents. A neighborhood park should be within 1/2 mile of each home in Wilder so that residents can easily walk or bicycle to them. Ideally, the parks should be connected through the trail system.

Park amenities could include:

- * children's play equipment
- * open lawn areas
- * shelters / focused gathering areas
- * trails / paths



photos counter-clockwise from top: Berkeley, CA; Shelton, WA; Portland, OR; Clinton Community Garden (New York, NY); Highlands Garden Village (Denver, CO)



Sustainability Options

- 🔗 Retain as much existing vegetation as possible, particularly large trees
- 🔗 Creatively integrate play equipment and trails into the landscape
- 🔗 Protect steep slopes by concentrating use on flatter areas and establishing native vegetation on the slope for stabilization

Open Space Types

MAP KEY



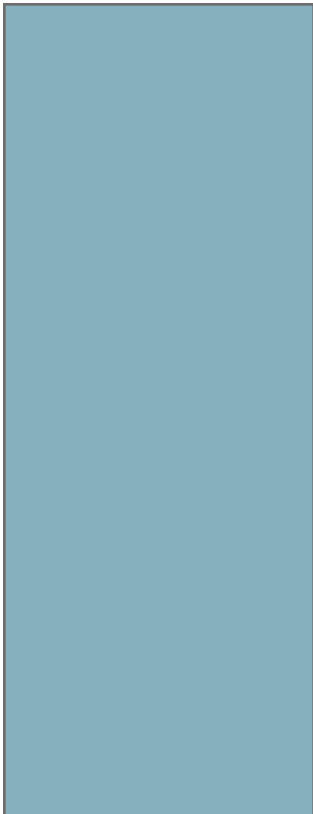
Above: City-owned lands within the project site

Developed Open Space: Play Fields

Play fields are typically engineered open spaces that accommodate a variety of field sports that require large areas for play (i.e., soccer, football, baseball, etc.) Successful play fields are engineered to address drainage, grade change, lighting, and spectator seating and usually require a higher level of maintenance.



Active play fields could serve the college and the larger community



Undeveloped Areas

Undeveloped natural areas are typically steep slopes, wetlands, and other sensitive natural areas

MAP KEY



photos: existing undeveloped open space locations on the Wilder property



Sustainability Options

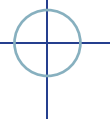
- ↳ Retain as much existing vegetation as possible, particularly large trees
- ↳ Design trails to reduce erosion
- ↳ Collaborate with other property owners to reduce invasive species and maintain habitat potential

- Link Wilder trail network with OCCC and Mike Miller Park
- Maintenance strategy to be determined
 - * Conservation overlay?
 - * Conservation group management?
 - * HOA management?

Open Space

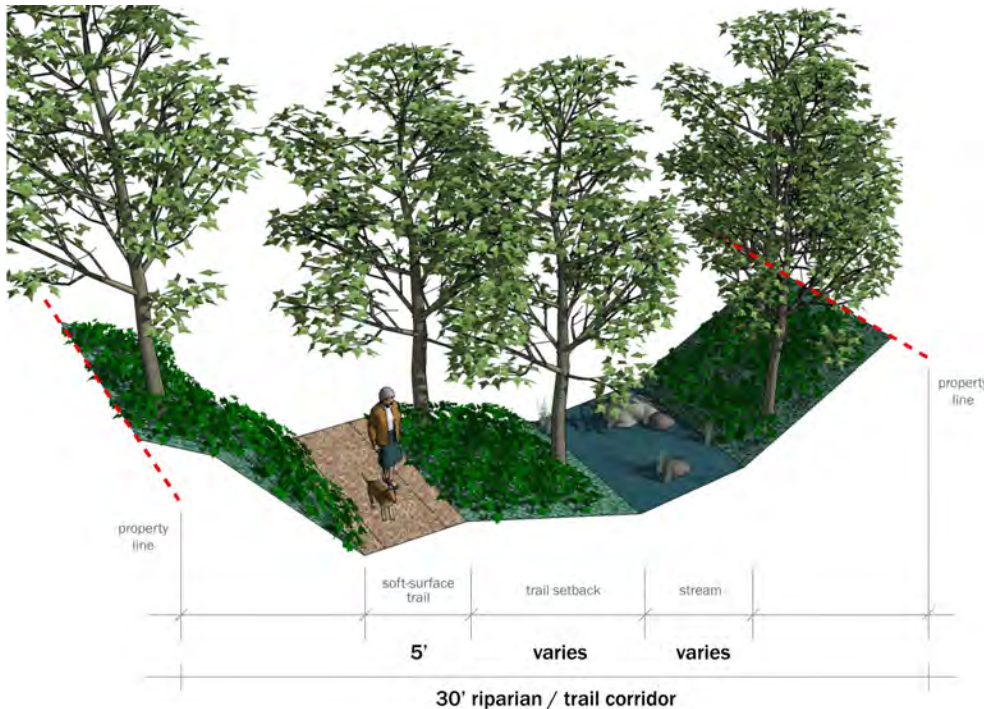


Conservation Strategies



Riparian Corridors

The steep terrain and perennial waterways throughout Wilder offer an opportunity to integrate riparian corridor protection and a comprehensive soft-surface trail system.



Guidelines

surface	earth, wood chip, gravel
width	5-feet
cross-slope	2%, down slope
horizontal slope	15% maximum
vertical clearance - pedestrians only	8-feet minimum
vertical clearance - bikes and horses	10-feet minimum
trail setback from waterways	as much as feasible

Considerations

- Identify and enhance important habitat areas and travel corridors. Try to keep these areas intact so that wildlife is not completely displaced.
- Integrate education into the trail system and stream / habitat corridor protection system.

Sustainability Options

- use native earth as much as possible
- use existing disturbance corridors (utility easements, old roads, etc.)
- keep trails out of core habitat areas
- avoid endangered or threatened habitat areas
- minimize stream crossings
- establish native plant species along the trail and along waterways
- remove invasive plant species
- control stormwater run-off from the trail
- design trails for expected users

Tree Preservation

The steep terrain and perennial waterways throughout Wilder offer an opportunity to integrate riparian corridor protection and a comprehensive soft-surface trail system.



Removal of trees will require care to ensure that the trees left standing are not overly exposed to winds, soil compaction and other factors that will reduce their chances of survival.

Below: Roads at Black Butte Ranch are designed to leave important trees intact.



Appendix

Additional Types, Variations

Variations on some of the preferred development types are included here.

Site Diagrams

These site diagrams show the conceptual layout of the proposed project, including zoning, open space and circulation systems. Detailed planning will be submitted in phase-by-phase submittals.

Transportation

MAP KEY

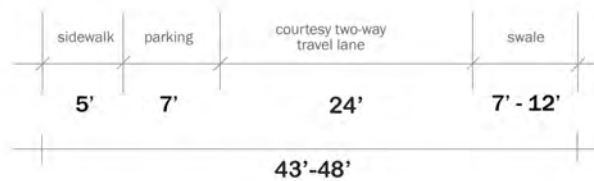
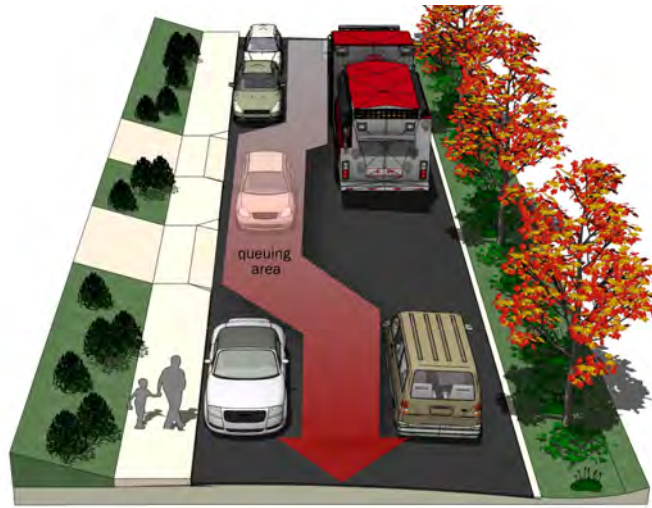


Queuing Design:

Periodic areas without parking allow vehicles to pass.

Hillside Street, Variation (City-Mandated)

Hillside Streets provide a bioswale on the downhill side of the roadway to capture and pre-treat stormwater runoff.



Section Summary

travel lanes	16-feet, courtesy lane
on-street parking	7-feet, one side
bicycle lanes	none
sidewalk / trail	5-feet
planting strip / swale	7-feet, on downhill side
intended speed	15 mph
adjacent land uses	low density residential
primary grade	moderate to steep

Sustainability Factors

- ⌚ There are a number of variations for the edge conditions of residential streets with little traffic that can integrate green street treatments. Some examples include:
- ⌚ integrated large-capacity bioswales
- ⌚ less impervious surface area (narrower streets)
- ⌚ permeable paving in parking areas
- ⌚ variety and diversity of plants and trees in the right-of-way



photo: on-street parking is handled in a non-traditional way to accommodate wide bioswales, walkways, and other green street treatments (Seattle, WA)

Neighborhood Local Road, Variation (City-Mandated)

These roads provide local access to neighborhoods.



Section Summary

travel lanes	16-feet, courtesy lane
on-street parking	7-feet
bicycle lanes	none
sidewalk / trail	6-feet
planting strip / swale	no
intended speed	15 - 20 mph
adjacent land uses	medium to low density residential
primary grade	low to moderate

MAP KEY

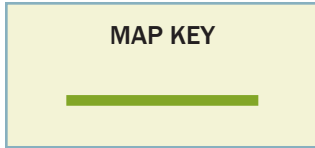


Queuing Design:

Periodic areas without parking allow larger vehicles to pass.

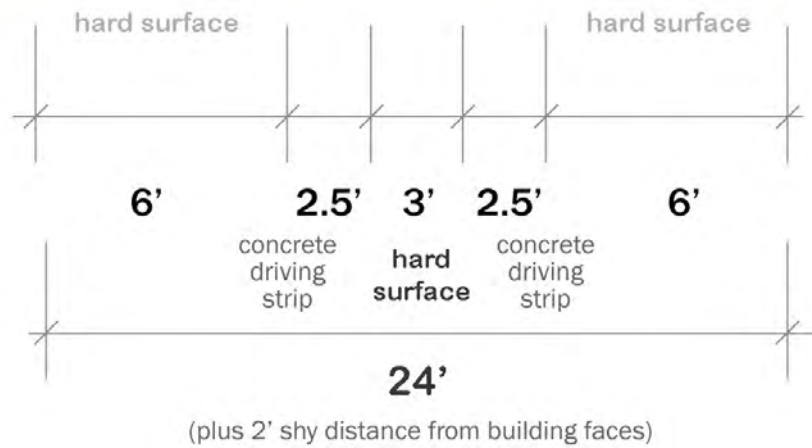
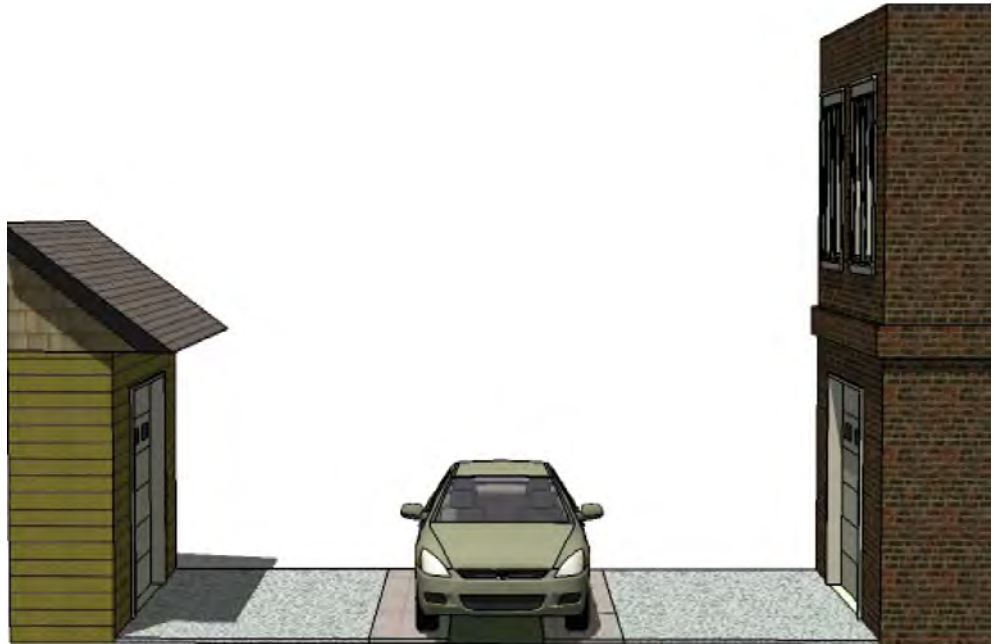
Sustainability Factors

- ♻ narrow street width
- ♻ recycled-content in asphalt & concrete
- ♻ shading from trees
- ♻ integrated stormwater management systems



Utility Alley (City-Mandated)

A green alley functions as a normal alley from a transportation perspective but is treated with green features to facilitate stormwater absorption and reduce impervious pavement area.



Sustainability Factors

- ⌘ Explore a variety of materials for the porous apron and driving strips. Because the aprons will not experience the use of a normal roadway, porous asphalt or other hardscapes may work well without continual maintenance.
- ⌘ Consider a variety of hearty low-growing plants that are adaptive to the coast climate in lieu of grass for the central vegetated swale.

Section Summary

travel lanes	20-foot total right-of-way
on-street parking	none
bicycle lanes	none
sidewalk / trail	none
planting strip / swale	none
intended speed	10 mph
adjacent land uses	residential
primary grade	flat to moderate

Fleming St. (44th-46th, City-Mandated)

Woonerf” (“Street for living”) is a Dutch term for a common space created to be shared by pedestrians, bicyclists, and low-speed motor vehicles. They are typically narrow streets without curbs and sidewalks, and vehicles are slowed by placing trees, planters, parking areas, and other obstacles in the street.



Above: NW Cliff St. in Newport’s Nye Beach area allows for an informal mix of pedestrians, vehicles and cyclists. The unique paving pattern communicates that it is a special type of street.

Left: A private drive through the Fremont Lofts development in Seattle creates an enclosed special precinct for residents, whether coming and going by foot or vehicle.

Section Summary

travel lanes	24 foot shared corridor
on-street parking	not designated, not permitted
bicycle lanes	none
sidewalk / trail	none
planting strip / swale	none
intended speed	less than 10 mph
adjacent land uses	high- and medium-density residential
primary grade	flat to moderate

Sustainability Factors

- ↳ multi-use street encourages strong community linkages
- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees
- ↳ integrated stormwater management systems



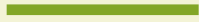
Wilder Community Master Plan Development Applications

APPENDIX F.

Cross Sections of Proposed Modified Street Types

Transportation

MAP KEY

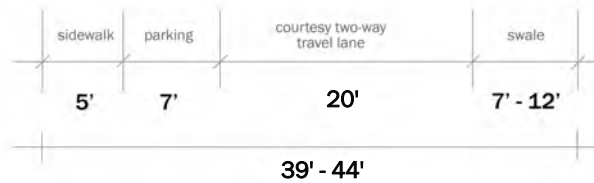
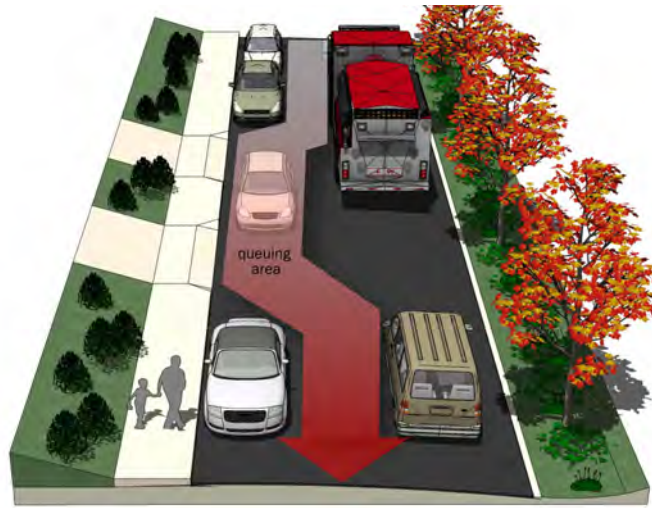


Queuing Design:

Periodic areas without parking allow vehicles to pass.

20-foot Hillside Street, Variation

Hillside Streets provide a bioswale on the downhill side of the roadway to capture and pre-treat stormwater runoff.



Sustainability Factors

- ⌚ There are a number of variations for the edge conditions of residential streets with little traffic that can integrate green street treatments. Some examples include:
- ⌚ integrated large-capacity bioswales
- ⌚ less impervious surface area (narrower streets)
- ⌚ permeable paving in parking areas
- ⌚ variety and diversity of plants and trees in the right-of-way

Section Summary

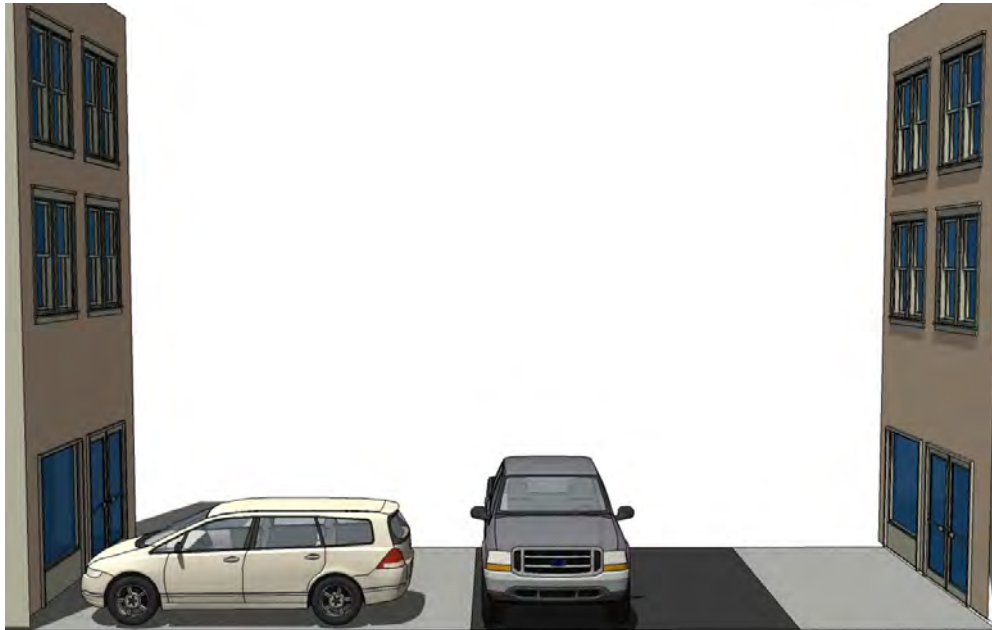
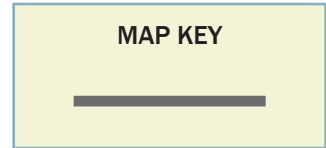
travel lanes	16-feet, courtesy lane
on-street parking	7-feet, one side
bicycle lanes	none
sidewalk / trail	5-feet
planting strip / swale	7-feet, on downhill side
intended speed	15 mph
adjacent land uses	low density residential
primary grade	moderate to steep



photo: on-street parking is handled in a non-traditional way to accommodate wide bioswales, walkways, and other green street treatments (Seattle, WA)

20-foot Utility Alley

Common in most traditional and neo-traditional neighborhoods, the alley provides access to the rear of buildings. In addition to improving overall connectivity, the alley also provides a place for services and storage (i.e., garbage cans and collection) and allows street frontage to be uninterrupted by driveways.



Section Summary

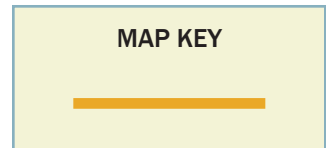
travel lanes	20-foot travel corridor
bicycle lanes	none
sidewalk / trail	none
planting strip / swale	none
intended speed	10 - 15 mph
adjacent land uses	village commercial
primary grade	flat

Sustainability Factors

- ↳ Supports reduced street widths elsewhere
- ↳ Improves overall walkability
- ↳ Recycled-content materials

Neighborhood Local Road

These roads provide local access to neighborhoods.



Queuing Design:
Periodic areas without parking allow larger vehicles to pass.



Section Summary

travel lanes	20-feet, courtesy lane
on-street parking	7-feet
bicycle lanes	none
sidewalk / trail	6-feet
planting strip / swale	no
intended speed	15 - 20 mph
adjacent land uses	medium to low density residential
primary grade	low to moderate

Sustainability Factors

- ↳ narrow street width
- ↳ recycled-content in asphalt & concrete
- ↳ shading from trees
- ↳ integrated stormwater management systems

Wilder Community Master Plan Development Applications

APPENDIX G.

Written Letters from Utility Providers



2129 North Coast Highway • P.O. Box 1126 • Newport, Oregon 97365-0090 • 541-265-3211 • fax: 541-265-5208

March 3, 2015

Elizabeth Decker
215 W 4th St.
Suite 209
Vancouver, WA 98660

Elizabeth,

Central Lincoln PUD has adequate electric power to service the Wilder Project, located at 755 SE College Way, Newport, Oregon. Please call me if you require further information.

Thanks,

A handwritten signature in blue ink that reads "Barry Anderson". The signature is fluid and cursive, with a long horizontal line extending to the right.

Barry Anderson
Senior Distribution Engineering Tech
541-574-3643 - office
541-574-2632 - fax
541-270-2379
banderson@cencoast.com

Utility Sufficiency Letter for City of Newport:

The City provided a letter on September 18, 2015, identifying the utilities serving Wilder generally and their adequacy for the Planned Development as proposed in #2-PD-15 and #3-PD-15, provided here. The modifications proposed with this application do not change the total amount and intensity of proposed development, which remains consistent with the previously approved Planned Development, and can be served by public facilities as verified in the 2015 letter.

Memo

To: Derrick Tokos, Community Development Director

From: Timothy Gross, Director of Public Works/City Engineer



Date: 9/18/2015

RE: Adequacy of Public Facilities and Utilities – Wilder Development Phase 2

The Wilder Development Phase 2 is currently served by a 12" PVC C900 water main, and an 8" 3034 PVC gravity sanitary sewer, both located in Harborton Street. Storm drainage is provided via an 18" 3034 PVC storm sewer in Flemming Street that discharges in a canyon north of the proposed development. Transportation facilities are provided via Harborton Street, which has a 75' wide right-of-way, two 12' travel lanes, and an 8' wide multiuse path on the west side. Adequate water, sewer, storm sewer, and transportation facilities exist through these described facilities to serve the proposed development.



PIONEER

Broadband and Voice Applications

PHILOMATH
T: 541.929.3135
F: 541.929.1221
1304 Main St
Philomath, OR 97370

WALDPOR
T: 541.563.3135
F: 541.563.1211
575 W. Willow St
Waldport, OR 97394

COPY

March 2, 2015

Derrick Tokos
City Hall
169 SW Coast Hwy
Newport, OR 97365

Re: Telecommunications service

To whom it may concern,

Pioneer Telephone Cooperative has facilities adjacent to the future Wilder Development in South Beach. At such time service to these properties is needed, voice and broadband lines will be provided. If further information is needed, please call me at 541-929-8237.

Sincerely,

Bruce Tompkins
PTC OSP Engineer

c: Elizabeth Decker



Wilder Community Master Plan Development Applications

APPENDIX H.

***Findings and Order in file
#1-SUB-15 and #3-PD-15***

EXHIBIT "A"

File No. 2-PD-15/3-PD-15/1-SUB-15

FINDINGS OF FACT

I. The applicant, Landwaves, Inc., requests approval of modifications to the development applications approved by the City of Newport Planning Commission (case file #1-PD-07, modified in #1-PD-09, #5-PD-09, #1-PD-10, #3-PD-10, #1-PD-14, #2-PD-14) in order to adjust the anticipated range of development and relative numbers of various residential density types, expand the range of allowed uses in the Village Center commercial area, rezone a portion of the Village Center from R-3 Multifamily to C-1 Commercial, and adjust lot patterns and circulation for residential phases. Major modifications are proposed to the Preliminary Development Plan for Phase 1 of Wilder and the Final Development Plan for portions of Phase 1 of Wilder, as well as modification of the Tentative Subdivision Plat for Phase 1 of Wilder (case file #3-SUB-09, modified in #1-SUB-10). The nature of the proposed changes is more specifically described as follows:

- A. Adjust the zoning district boundary between R-3 Multi-Family Residential and C-1 Commercial zones to expand commercial area along the full length of College Way.
- B. Expand the range of allowed uses in the C-1 zoned Village Center area to include retail sales and services, offices, lodging, community services like churches, educational institutions, and day care.
- C. Allow a variance to the Zoning Ordinance satellite and shared parking regulations to permit future shared parking arrangements between Village Center users and the Oregon Coast Community College.
- D. Adjust range of development anticipated in the preliminary and final development plans to reflect completed build-out, current market conditions, and revised predictions.
- E. Allow for Accessory Dwelling Units (ADUs) in Phases 2-4 subject to conditions approved by Newport Planning Commission.
- F. Expand the Final Development Plan to include Phases 2-4.
- G. Update street names and cross-sections to serve planned development in Phases 2-4.
- H. Establish new street cross-sections by amending the "Kit of Parts."
- I. Create a new residential development type, micro-cottages, as part of the "Kit of Parts."

II. The subject property includes Tax Lots 100 & 103 of Assessor's Map 11-11-20 (Parcels 1 and 2, Partition Plat 2015-01) and the Plat for Wilder Phase 1, Book 18 Page 46. In sum, the application encompasses approximately 62 acres of land. The property is located in the South Beach neighborhood directly east and northeast of Mike Miller Park and is accessed from US 101 at SE 40th Street.

III. Staff reports the following facts in connection with the application:

- A. Plan Designation: Commercial, High Density Residential, and Low Density Residential.
- B. Zone Designation: R-2/"Medium Density Single-Family Residential," R-3/"Medium Density Multi-Family Residential," and C-1/"Retail and Service Commercial."
- C. Surrounding Land Uses: The South Beach neighborhood contains a mix of public, commercial, water-dependent and water-related, industrial and residential uses. Land uses in the area near the subject property include a mix of developed and undeveloped industrial land, residential zoning that allows for single-family and multi-family uses, a trailer park, a mix of commercial uses, the Central Lincoln PUD warehousing and substation facility, and public uses such as the Oregon Coast Community College (OCCC) Campus, Mike Miller Park and the Newport Waste Water Treatment facility.
- D. Topography and Vegetation: The subject property contains a mix of level and moderately steep sloped property. The site is forested except where land has been cleared for development.
- E. Existing Structures: The initial subdivision plat of 40 lots is substantially developed with a range of residential housing types and the public park and playground area included with that phase has been completed.
- F. Utilities: Infrastructure to serve the 40 unit residential development is complete, including SE 40th Street/SE Harborton Street (a collector roadway that provides access to the Wilder planned development) and associated local street, water, and sewer infrastructure from Highway 101 to the Village Center and the OCCC campus site. Street lights have also been installed along SE 40th Street/Harborton Street.
- G. Development Constraints: Portions of the property contain moderately steep slopes. There are also isolated pockets of wetlands, the locations of which have been delineated by the property owner.
- H. Past Land Use Actions:

File No. 1-PD-14/2-PD-14. A minor amendment to the Preliminary Development Plan and Final Development Plan for Phase 1 of Wilder. Changes to the Preliminary Development Plan were limited to the Village Center commercial area, including authorization for required parking to extend across zoning boundaries when provided on the same lot or parcel as the proposed use and an allowance that on-street spaces count against off-street parking requirements provided the spaces are located within 200-feet of the lot or parcel upon which the use is located. The Final Development Plan included a layout for three commercial buildings in the Village Center. Amendments were adopted by final order on February 11, 2015.

File No. 2-PAR-14. Partitioned property identified as Tax Lot 100 of Lincoln County Assessor's Tax Map 11-11-20 into two separate parcels. Additional right-of-way was also dedicated along College Way and adjacent to Harborton Street. The partition was approved by final order on September 15, 2014.

File No. 1-PD-10/2-PD-10/1-SUB-10. Modified the plans approved in File No. 5-PD-09/6-PD-09/3-SUB-09 by (1) modifying setbacks, (2) revising lot coverage standards, (3) adjusting lot size and densities for commercial and residential uses, (4) updating street, tract and housing category names, and (5) updating the subdivision lot configurations. The number of multi-family units was increased from a maximum of 120 to 150, bringing the total for all Phase 1 dwelling units to 383. The maximum commercial square footage was increased from 25,000 square feet to 36,000 square feet. Amendments were adopted by final order on June 28, 2010.

File No. 5-PD-09/6-PD-09/3-SUB-09. Modified the preliminary planned development plan to refine proposed residential areas, local street and pedestrian circulation patterns, open space and other tracts within sub phases 1A, 1B, and 1C; modified the final planned development plan illustrating the changes requested in File 5-PD-09; modified the tentative subdivision plat showing lots for mixed use and single and multi-family development, as well as various tracts for common open space and other common elements, and dedication of right-of-way and easements for public streets, pathways, and utilities. Amendments were adopted by final order on July 27, 2009.

File No. 1-PD-09/2-PD-09/3-PD-09/1-SUB-09. Modified the preliminary planned development plan to adjust land use designations consistent with Comprehensive Plan and Zoning Map amendments, revised the preliminary plan due to site conditions, and removed a portion of property that was being transferred to an abutting residential property owner; modified the final planned development plan to reflect Comprehensive Plan and Zoning Map amendments and adjusted the boundary and size of the OCCC site; approved the final planned development plan for a portion of Phase 1; and tentative subdivision plan for a portion of Phase 1. Amendments were adopted by Final Order on March 30, 2009.

File No. 4-CP-08/2-Z-08. Modified the zoning designations of the approximate 86 acres annexed in 2007 to allow more flexibility and to reflect the OCCC parcel by Ordinance No. 1968 adopted December 1, 2008.

File No. 5-PAR-07. Partitioned the annexed property so that a portion could be conveyed to OCCC for construction of their central campus by final order adopted September 11, 2007.

File No. 1-AX-07/2-Z-07. Annexed property, which included the subject property, into the City and established zoning to allow the implementation of the South Beach Plan by Ordinance No. 1922 adopted June 18, 2007, and amended by Ordinance No. 1931 adopted August 6, 2007.

File No. 2-PD-07. Approved final development plan for OCCC central campus by final order adopted May 29, 2007.

File No. 1-PD-07. Approved tentative Plan for “South Beach Village” Phase 1 mixed use development and OCCC central campus by final order adopted May 29, 2007.

File No. 1-CP-06/1-UGB-06/2-CP-06/2-Z-06 (South Beach Neighborhood Plan as adopted in December 2006 by Newport Ordinance No. 1899) (concurrence with Urban Growth Boundary adjustment by Lincoln County Ordinance No. 447 adopted April 18, 2007).

IV. Upon submission and acceptance of the application, the Community Development (Planning) Department mailed notice of the proposed actions on April 30, 2015, to property owners within 200 feet required to receive such notice by the Newport Zoning Ordinance, to various City departments, and to public/private utilities and agencies within Lincoln County. The notice referenced the criteria by which the application was to be assessed. The notice required that written comments on the application be submitted by 5:00 p.m., May 26, 2015. Comments could also be submitted during the course of the public hearing. The notice was also published in the Newport News-Times on May 15, 2015. No comments were received from any of the affected parties.

V. A public hearing was held on May 26, 2015. At the public hearing, the statement of rights and relevance and applicable criteria were read. The Planning Commission disclosed any ex parte contact, conflicts of interest, and/or bias. No objections were made to any of the Planning Commissioners hearing the matter. The Planning Commission received the staff report and heard testimony in support of the request from the applicant. No other testimony was offered. After taking testimony from the applicant, the Commission elected to continue the hearing to June 8, 2015 to provide the applicant and staff time to work through and adjust the May 20, 2015 plan set to ensure that proposed utilities are adequate and that emergency vehicles have sufficient access to proposed lots. The Planning Staff Report with Attachments is hereby incorporated by reference into the findings. The Planning Staff Report Attachments included the following:

- A. Attachment "A" – Applicant's Narrative, prepared by JET Planning, revised May 20, 2015 with Appendices A through J, summarized as follows:
 - 1. Appendix A – Application Form
 - 2. Appendix B – Assessor's Tax Map
 - 3. Appendix C – List of Property Owners within Notification Area
 - 4. Appendix D – Preliminary Title Report
 - 5. Appendix E – Written Letters from Utility Providers
 - 6. Appendix F – Preliminary Development Plan
 - 7. Appendix G – Final Development Plan (reduced set)
 - 8. Appendix H – Kit of Parts
 - 9. Appendix I – Wilder Conditions/Covenants/Restrictions (excerpted)
 - 10. Appendix J – Reciprocal Easement Agreement between Landwaves and the Oregon Coast Community College
- B. Attachment "B" – Wilder Community Master Development Plan Set, prepared by 2G Associates and JET Planning, revised May 20, 2015 (19 sheets, scaled drawings).
- C. Attachment "C" – Notice of Public Hearing and Map
- D. Attachment "D" – Staff Completeness Review Letter, dated April 20, 2015
- E. Attachment "E" – Email Exchange between Community Development Director Derrick Tokos and Elizabeth Decker with JET Planning Regarding the Revised Application Materials (dated May 19th and May 20th)

VI. On June 3, 2015, City Engineer Tim Gross issued a memo listing concerns he has with emergency vehicle access, the proposed street cross-sections, access, and the proposed utility layout (Attachment "F"). The Planning Commission received the memo in its June 8, 2015 meeting packet and elected to continue the hearing to June 22, 2015 to provide the applicant time to prepare a response. Prior to granting the continuance, the Commission opened the hearing to allow Fire Chief Rob Murphy an opportunity to provide testimony. Chief Murphy commented that he was in agreement with the points raised in Mr. Gross's memo.

VII. At the June 22, 2015 hearing, the Commission reopened the hearing to consider testimony from city staff and the applicant regarding outstanding issues related to the adequacy of proposed utilities and public roads. The applicant put together a revised plan set, dated June 15, 2015 (Attachment "G"), and submitted two letters by JET Planning and 2G Associates that summarized the changes and responded to points raised in City Engineer, Tim Gross's memo (Attachments "H" and "I"). Mr. Gross prepared a follow-up memo, dated June 19, 2015 that was distributed to the Commission at the meeting (Attachment "J"). Minutes from the June 22, 2015 hearing, and minutes from the prior hearings are incorporated by reference into these findings.

VIII. Pursuant to Newport Municipal Code (NMC) Section 14.35.110/"Procedure for Modification of a Planned Development," any change that results in a broader range of uses being permitted, materially affects future street or utility plans, or changes the character of the development is considered a major change requiring approval by the Planning Commission following a public hearing.

IX. The applicant's proposal to adjust the R-3/"Medium-Density Multi-Family Residential" and C-1/"Retail and Service Commercial" zoning district boundaries, add new permitted uses, create new street cross-sections, and establish a lotting pattern and street network for future phases constitutes such a major change (NMC Section 14.35.110(C)).

X. Major changes to approved preliminary and final development plans must satisfy the same standards that would apply to a new application (NMC 14.35.110(D)). Criteria for approval of a Preliminary Development Plan are listed in NMC Sections 14.35.020, 14.35.030, and 14.35.070 and criteria for Final Development Plans are listed in Section 14.35.100. Additionally, the criteria for tentative subdivision plat approval must be satisfied. Those standards are listed in Chapter 13.05 of the Newport Municipal Code.

XI. NMC Section 14.35.110(D), sets forth that the Planning Commission may approve, disapprove, modify or attach reasonable conditions it finds are necessary to satisfy the approval criteria for a Planned Development. If the Commission elects to deny an application, it may only do so if it finds that the proposal cannot be made to comply with the applicable approval criteria through the imposition of reasonable conditions. This approach is consistent with ORS 197.522, which states:

"A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land that is consistent with the comprehensive plan and applicable land use regulations or shall impose reasonable conditions on the application to make the proposed activity consistent with the plan and applicable regulations. A local government may deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through the imposition of reasonable conditions of approval."

CONCLUSIONS

Modifications to planned development approvals must be consistent with the approval criteria contained in the Newport Municipal Code (NMC). In order to approve this request, the Planning Commission must find that the applicant has addressed and met all standards.

After consideration of the application materials, the Planning Staff Report and Attachments, and the testimony in the record, the Planning Commission concludes as follows in regard to the criteria established in Newport's Municipal Code for approving the modification requested to the Preliminary Development Plan, Final Development Plan and Tentative Subdivision Plat for Phase 1 of Wilder:

I. Compliance with NMC Section 14.35.020, Permitted Uses. *An approved Planned Development Permit may only include those uses permitted outright or conditionally in the underlying district...*

The applicant proposes uses permitted both outright and conditionally. In the C-1 zoning district, the applicant proposes the following uses, as defined by the Newport Municipal Code:

- Retail sales and services, excluding bulk retail
- Community services, including churches
- Hotels
- Offices
- Educational institutions
- Day care facilities
- Housing over commercial including live-work units

The applicant proposes single-family and two-family residential uses in the R-2 zone, and single-family, two-family and multifamily uses in the R-3 zone.

Parks and trails are proposed in all zones of the Planned Development.

All of these uses are permitted outright or conditionally in the listed zoning districts.

II. Compliance with NMC 14.35.030, Accessory Uses in Planned Development. *In addition to the accessory uses typical for the primary or conditional uses authorized, accessory uses approved as part of a planned development may include the following uses:*

- A. *Golf courses.*
- B. *Private parks, lakes or waterways.*
- C. *Recreation areas.*
- D. *Recreation buildings, clubhouses or social halls.*
- E. *Other accessory structures that the Planning Commission finds are designed to serve primarily the residents of the planned development and are compatible to the design of the planned development.*

Accessory Dwelling Units (ADUs) on Village, Classic, Grand, and Edge lots were previously approved in #3-PD-10 for Wilder Phase 1, and the applicant proposes ADUs on Village, Classic, Grand and Edge lots in Phases 2D, 3 and 4 consistent with the earlier conditions of approval established in #3-PD-10. No other accessory uses are proposed other than those customary for the primary and conditional uses.

III. Compliance with NMC Section 14.35.070, Criteria for Approval of a Preliminary Development Plan. The criteria for modifying a preliminary development plan have been addressed as follows:

- A. *NMC Section 14.35.070(A) Except as set forth in sub-section (A)(2) of this section, a planned development shall be on a tract of land at least two acres in low-density residential areas.*

Wilder Phase 1 is 62 acres in size, exceeding the 2 acre minimum site size for a planned development.

- B. *NMC Section 14.35.070(B)(1) The minimum lot area, width, frontage, and yard requirements otherwise applying to individual buildings in the zone in which a planned development is proposed do not apply within a planned development.*

The applicant previously received approval for modifications to the minimum lot area, minimum lot widths, and setbacks required for lots within the R-2, R-3, and C-1 zoning districts for each development type. See pages 10-12 (Attachment "A") for approved dimensional standards. No further modifications are requested with this application.

- C. *NMC Section 14.35.070(B)(2) If the spacing between main buildings is not equivalent to the spacing that would be required between buildings similarly developed under this Code on separate parcels, other design features shall provide light, ventilation, and other characteristics equivalent to that obtained from the spacing standards.*

The applicant notes that, as previously proposed, design features will be incorporated into the development that provide light, ventilation, and other characteristics equivalent to that obtained from the spacing standards. The design features of the development are identified in the "Kit of Parts" (Appendix H, Attachment "A") and include such things as buildings with multi-planed sloped roofs, porches, balconies, variations in materials and colors, use of natural materials to blend with the surroundings, large shared common green spaces, etc.

- D. *NMC Section 14.35.070(B)(3) Buildings, off-street parking and loading facilities, open space, landscaping, and screening shall provide protection outside the boundary lines of the development comparable to that otherwise required of development in the zone.*

The applicant points out in their narrative that buildings, off-street parking and loading facilities, open space, landscaping, and screening will provide protection outside the boundary lines of the development comparable to that otherwise required of the development in the zone.

The proposed residential areas of the site are shielded/buffered from adjacent property to the north, west, and east by steep ravines and dense existing vegetation. Additional plantings are proposed along the forest edge. Each lot will be fully landscaped, and street trees are provided along all streets, which will provide another level of buffering.

The Village Center area abuts the Oregon Community College (OCCC) campus, a non-residential use, to the south and west. Proposed buildings, proposed landscaping, and existing vegetation will provide a level of screening from the College OCCC campus.

Furthermore, the surface parking areas within the Village Center area, which will serve apartments, commercial and mixed-use buildings, are located behind or to the side of buildings rather than between buildings and adjacent streets and off-site properties. This greatly limits noise and glare from vehicles and parking lot lighting relative to adjoining properties. Furthermore, there will not be any bright or noisy loading docks for large trucks, given the small-scale operation of the retail being proposed.

- E. *NMC Section 14.35.070(B)(4) The maximum building height shall, in no event, exceed those building heights prescribed in the zone in which the planned development is proposed, except that a greater height may be approved if surrounding open space within the planned development, building setbacks, and other design features are used to avoid any adverse impact due to the greater height.*

The applicant has previously received approval for three-story buildings that are up to 45-feet in height in the R-3 District. No other building height modifications are proposed.

- F. *NMC Section 14.35.070(B)(5) The building coverage for any planned development shall not exceed that which is permitted for other construction in the zone exclusive of public and private streets.*

The building coverage in the Preliminary Planned Development shall not exceed the maximum allowed in the zones and will be significantly less than the maximum allowed coverage, as follows:

Zone	Percentage Building Coverage Maximum Allowed	Estimated Percentage Building Coverage Proposed
R-2	57%	15-20%
R-3	60%	15-20%
C-1	85-90%	25-30%

- G. *NMC Section 14.35.070(C)(1) The planned development may result in a density in excess of the density otherwise permitted within the zone in which the planned development is to be constructed not to exceed 5%...*

In their narrative, the applicant notes that they are not seeking to increase the density above what is permitted in the zone. The total units proposed for Phase 1 of Wilder in the preliminary development plan is 172-345 units on 54.6 gross acres of land zoned R2 and R3, or an average density of 3.2 to 6.3 units per acre.

- H. *NMC Section 14.35.070(D)(1) No open areas may be accepted as common open space within a planned development unless it meets the following requirements: (1) The location, shape, size, and character of the common open space is suitable for the planned development; (2) The common open space is for amenity or recreational purposes, and the uses authorized are appropriate to the scale and character of the planned development, considering its size, density, expected population, topography, and the number and type of dwellings provided; (3) Common*

open space will be suitably improved for its intended use, except that common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements to be permitted in the common open space are appropriate to the uses which are authorized for the common open space; (4) The development schedule that is part of the development plan coordinates the improvement of the common open space and the construction of buildings and other structures in the common open space with the construction of residential dwellings in the planned development; and (5) If buildings, structures, or other improvements are to be made in the common open space, the developer shall provide a bond or other adequate assurance that the buildings, structures, and improvements will be completed. The City Manager shall release the bond or other assurances when the buildings, structures, and other improvements have been completed according to the development plan.

The applicant points out that they completed recreation improvements in Tract “A” and Tract “B” of Wilder Phase 1 to create Wilder Twin Park and trail connections to Mike Miller Park, both dedicated to the public. With this application, the applicant will create Tract “G” which is an open space parcel that extends the existing trails from Mike Miller Park Tract “B” and Wilder Twin Park north to Harborton Street, and Tract “H” which provides a pedestrian and bicycle connection between Phase 3 and Wilder Twin Park. Both tracts will be dedicated to the City; Tract “H” will be dedicated with Phase 3 and Tract “G” will be dedicated with Phase 4.

These tracts are designed and configured to accommodate the trail connections shown on the plans. The trails create a pedestrian amenity that enhances the development and establish connectivity between residential areas that would not otherwise exist given the layout of the residential phases. This criterion calls for construction of the trails to be coordinated with the residential development that they will serve and the Planning Commission concludes that it is reasonable to impose a condition requiring the developer to construct the improvements in accordance with the phasing schedule that they have outlined.

- I. NMC Section 14.35.070(E) *The planned development is an effective and unified treatment of the development possibilities on the project site while remaining consistent with the Comprehensive Plan and making appropriate provisions for the preservation of natural features such as streams and shorelines, wooded cover, and rough terrain.*

The proposed Planned Development Modification is an effective and unified treatment of the development possibilities on the site and makes appropriate provisions for preservation of natural features. The proposal also meets the purpose statement of the Planned Development pursuant to NMC 14.35.010, which is “to encourage variety in the development pattern of the community and the use of a creative approach to land development.”

The applicant points out that the design intent of the Planned Development is to create a livable, viable mixed-use community built on the principles of environmental sustainability. It will feel indigenous to the Oregon Coast in scale, design, and economics. The proposal achieves the purpose statements of the Planned Development by meeting the following design objectives:

- Create a vibrant Village Center that will provide commercial, office, and higher density residential uses to serve the residential population, support the OCCC campus, and create jobs for local residents.

- Graduate residential density outward from the Village Center to create an appropriate transition to the lower density areas of the site.
- Provide for a variety of housing types to accommodate different needs, incomes, and a sense of place and community.
- Design and construct to sustainable standards to lessen the impact to the natural environment and to reduce long term operational costs.
- Develop a transportation system that accommodates multiple-modes of transportation to encourage walking, bike riding, etc., and reduce energy use.
- Provide for an extensive network of open space and parks, including walking and biking trails, throughout the site.
- Protect and provide for management of significant natural resource areas on site, including wetlands, streams, and natural vegetation, by clustering development on buildable portions of the site.

The initial concept for Phase 4, placed an existing wetland in the backyards of Lots 15-22. It is possible that the wetland will be filled and mitigated consistent with all applicable City and state regulations. If that does not occur, then the wetland will be placed in a tract that will be dedicated to the City for maintenance purposes. The tract is conceptually depicted on the applicant's June 15, 2015 plan set (See Sheet 8, Attachment "G"). As noted in a, June 11, 2015 letter the specific dimensions of the tract will be determined when Phase 4 is platted (Attachment "H").

- J. *NMC Section 14.35.070(F) The planned development will be compatible with the area surrounding the project site and with no greater demand on public facilities and services than other authorized uses for the land.*

The proposed uses within the Master Plan for Phase 1 of Wilder comply with the City's Comprehensive Plan and zoning and are consistent with the adopted South Beach Neighborhood Plan, as well as other approved development applications for the site. The Phase 1 site is compatible with the surrounding area in that it is consistent with these previously approved plans and it is reasonable to assume that the surrounding area will continue to develop according to these plans.

The location and level of public services needed to support this planned development, including utilities and streets, are identified at a planning level in the South Beach Neighborhood Plan and a detailed infrastructure analysis and traffic study was prepared for the prior Phase 1 Planned Development approval. The applicant has also obtained service letters from the various utility providers that serve the site indicating that services are available and can be further extended to serve the site (Appendix E, Attachment "A").

The major infrastructure necessary to serve the overall Phase 1 site, identified in the previously approved plans, has already been constructed. This includes the Collector roadway facilities, 40th Street and Harborton Street, from Highway 101 to College Way. College Way has also

been constructed between Harborton Street and the College's main campus building. Major utility facilities, including water and sewer lines, have also been constructed within 40th Street, Harborton Street, and College Way to serve Phase 1 of Wilder.

As identified in the tentative subdivision plan, the infrastructure needs for the smaller neighborhood development areas within Phases 2-4 will be developed through a series of phases and micro-phases. These phases are also designed to insure that necessary public improvements are in place to serve each phase as it is developed. This includes construction of local streets and utilities to serve each lot within the phase. This phasing is necessary to allow flexibility to accommodate changing market conditions.

The June 19, 2015 memo (Attachment "J") from City Engineer Tim Gross, indicates that street sections narrower than 24-feet in width, excluding parking, are problematic because they do not provide sufficient access for emergency and maintenance vehicles. He notes that the Public Works Department does not object to alley cross-sections being narrower than 24-feet provided emergency service providers can access at least one side of a lot from an alternative location and the alleys do not contain utilities. This impacts SE 41st Circle, SE 42nd Place, and Fleming Street (Attachment "G"). To support his point, Mr. Gross included photographs with his letter illustrating turn movements and setup options for the City's ladder truck.

The question before the Planning Commission is whether or not this application will place a greater demand on public facilities and services than other authorized uses for the land. To this end, the Commission accepts the City Engineer's testimony as evidence that the listed street sections are too narrow and must be increased to a minimum 24-feet of width (edge of curb to edge of curb), exclusive of parking. The City of Newport subdivision regulations do not, as a matter of right, allow public street sections narrower than 24-feet in width and allowing narrower streets will create an undue burden on emergency and utility service providers because they cannot adequately access them with their equipment. Further, the Commission agrees with the City Engineer that alley cross-sections may be narrower than 24-feet provided at least one side of the abutting lots can be accessed from a larger street and that utilities not be placed in streets that are less than 24-feet in width due to the difficulty in accessing them for maintenance purposes. This will require that the applicant prepare revised plans; however, given the large size of the planned development and its flexible development standards, the Commission concludes that it is feasible for the applicant to make these changes without substantially impacting the design as presented.

The Commission recognizes that this may lead to a street or alley section that does not adhere to the "Kit of Parts." If that is the case, the applicant will need to either provide a new street or alley section or amend an existing street or alley section so that the travel ways being constructed adhere to the "Kit of Parts."

- K. *NMC Section 14.35.070(G) Financial assurance or bonding may be required to assure completion of the streets and utilities in the planned development prior to final approval.*

The applicant agrees to either complete construction of streets and utilities or provide the necessary financial assurances or bonding to ensure completion of the streets and development within each phase or micro-phase prior to recordation of a final subdivision plat for such phases.

IV. Compliance with NMC Section 14.35.100, Criteria for Approval of the Final Development Plan.

The criteria for modifying a final development plan have been addressed as follows:

- A. *NMC Section 14.35.100(A) The Final Development Plan must substantially conform to the land use and arterial street pattern as approved in the Preliminary Development Plan.*

As shown in the attached Final Development Plan/Tentative Subdivision Plan, the Final Development Plan (Attachment "G") land uses and street pattern match the approved Preliminary Development Plan for the overall Phase 1 of Wilder as modified by the accompanying Preliminary Development Plan Major Modification. (Appendix F, Attachment "A"). A change in the zoning district boundary between the R-3 and C-1 zone is proposed in the southwest corner of the Development Plan area. The proposed street system within the Final Development Plan area includes several local public streets and alleys that provide access from Harborton Street to the proposed residential and mixed-use development areas.

- B. *NMC Section 14.35.100(B) The proposed uses shall be compatible in terms of density and demand for public services with uses that would otherwise be allowed by the Comprehensive Plan.*

The Proposed Final Development Plan includes uses that are allowed in the Comprehensive Plan and is compatible with the adopted South Beach Neighborhood Plan. The location and level of public services necessary to serve the site were estimated and planned for in the South Beach Neighborhood Plan. Therefore, the proposal will not result in any additional demand on public services beyond what was planned for this site.

- C. *NMC Section 14.35.100(C) Adequate services normally rendered by the city to its citizens must be available to the proposed development at the time of approval of the Final Development Plan. The developer may be required to provide special or oversize facilities to serve the planned development.*

The applicant states that they intend to ensure that adequate services are in place or will be made available at time of development of Wilder as outlined within the infrastructure report that was prepared for the original Preliminary Development Plan approval.

The major Collector roadway facilities that serve the development, 40th Street and Harborton Street, have already been constructed through the site from Highway 101 to College Way. Harborton Street will be extended south to serve Phase 2E and 2F with this development. As shown in the Final Development Plan/Tentative Subdivision Plan, various new public local streets will be extended from the Collector to serve the neighborhoods within the site consistent with the proposed circulation plan (Attachment "G").

Major utility facilities, including water and sewer lines, have also already been constructed within 40th Street, Harborton Street, and College Way to serve Phase 1 of Wilder and the College campus. The applicant has prepared detailed utility plans that illustrate how these facilities will be further extended to serve development within the site (Sheets 16-19, Attachment "G"). Stormwater facilities will also be constructed on site to collect and treat run-off from impervious

surfaces prior to being discharged to on-site drainage ways, with two alternatives proposed for Phase 4 to accommodate preservation or mitigation of an existing wetland.

The applicant's June 15, 2015 plan set adjusts the phasing plan to ensure that adequate services will be available with each sub-phase (See Sheet 2, Attachment "G"). This addressed concerns raised by staff in its review of the May 20th plan set.

If the wetland in Phase 4 is not drained and is instead incorporated into the storm water management system then it should be placed into a tract under City ownership. This will ensure that the City can reasonably access and maintain the storm drainage utilities. The applicant has agreed to this approach and modified the plan to illustrate how a tract could be configured. City Engineer Tim Gross points out in his June 19, 2015 letter that the tract should be linear. The Commission concludes that the illustration is sufficient to establish that it is feasible for a tract to be located on that property that will afford the City adequate access to maintain the storm drainage system, and that the final configuration be approved by the City Engineer prior to a final plat being approved.

The applicant proposes to construct SE 45th Street and SE Geneva Street as "green alleys" and the streets will serve as a primary access to flex lots in Phases 2C and 2D. The Public Works Department has requested that the street section be changed to an urban alley or other section from the "Kit of Parts" that does not include a vegetated swale that the city would have to maintain. The applicant testified that they agree to make that adjustment. SE 45th Street and SE Geneva Street may remain as alleys with a width less than 24-feet, since the adjoining lots also front larger streets that provide at least 24-feet of unobstructed travel area for utility and emergency service providers. However, if the applicant elects to take this approach then proposed utilities will need to be relocated out of these rights-of-way to larger streets so that the Newport Public Works Department can reasonably access them for maintenance purposes (See Sheet 18, Attachment "G").

- D. NMC Section 14.35.100(D) *Access shall be designed to cause minimum interference with traffic movement on abutting streets.*

The planned access systems have been designed to efficiently and safely access the site while minimizing impacts on local abutting streets.

Primary traffic access will be provided by two-lane Collector roadways, 40th Street and Harborton Street, and College Way. The Collector roadways have been constructed from US 101 east and south to College Way pursuant to prior approvals for the Planned Development, and Harborton will be extended south from College Way to serve Phase 2E and 2F. These streets constitute the northern part of a loop road system that will ultimately connect to 50th Street on the south and then west to US 101. The remaining portion of the loop connecting to 50th Street will be constructed at full build-out of the Master Plan providing secondary access to the site. In the meantime, the southern part of the loop system has been constructed as a gravel access road for emergency vehicles and construction vehicles only.

Internal access will be provided along various residential roadways, woonerfs, and alleys. These local streets have been designed to ensure north-south connectivity along Ellis and Fleming Streets to provide a parallel alternative to Harborton Street. Local street access onto Harborton has been minimized, and occurs at 41st Circle to serve Phase 4, 42nd Place to serve Phase 3, and 46th Street to serve Phases 2B and 2C; access at 45th Street has been eliminated because it was unnecessary for the proposed residential alley serving Phases 2C and 2D.

- E. NMC Section 14.35.100(E) *The plan shall provide for adequate landscaping and effective screening for off-street parking areas and for areas where nonresidential use or high-density residential use could be detrimental to residential uses.*

The applicant points out in their narrative that the previously approved landscape plan demonstrates how the site will be landscaped in accordance with City standards. Sustainable native plantings have been used where appropriate throughout the site to blend with the natural landscape. Street trees and landscaped curb extensions are provided along all local streets. Landscape curb-extensions will double as stormwater planter swales that provide for a natural means to collect and treat run-off from the development.

The surface parking areas for commercial and apartment uses including Tracts “P” and “J” within the higher density Village Center area continue to be located behind or to the side of buildings, so that they are screened from adjacent public streets to the north, south, and east. The Village Center area abuts the Oregon Coast Community College campus, a non-residential use, to the west. The proposed buildings, proposed landscaping, and existing vegetation will provide a level of screening from the College campus.

An enhanced forest edge planting is also proposed along the east side of Harborton Street. Grass and shrubs will be planted under the power lines and trees will be planted beyond 75-feet. This will create a forested buffer or transition between the street and the single-family residential areas to the east.

- F. NMC Section 14.35.100(F) *The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property.*

The applicant points out that the surface parking areas within the Village Center area, which serve the apartments and mixed-use development, will be located behind or to the side of buildings rather than between buildings and adjacent streets and off-site properties. This greatly limits noise and glare from vehicles and parking lot lighting relative to adjoining properties. Furthermore, there will not be any bright or noisy loading docks for large trucks, given the small-scale operation of the retail being proposed.

Since the commercial services provided within the Village Center will be neighborhood-oriented retail and services, signs will be limited to a pedestrian scale with minimal lighting. An attractive monument sign is also proposed at the site’s entry at 40th Street and Harborton Street that will include enhanced landscaping and small walls.

The lower density residential areas within the northern end of the site are shielded from adjacent property to the west by a ravine and dense existing vegetation. Additionally, each lot will be fully landscaped, and street trees are provided along all streets, which reduce noise and glare throughout this area.

- G. *NMC Section 14.35.100(G) Artificial lighting, including illuminated signs and parking areas lights, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.*

Artificial lighting used on site will be arranged and constructed to minimize direct glare on adjoining property. Low-impact pedestrian scale lighting will be used throughout the development and will be shielded where necessary. As noted above, surface parking areas and associated parking lot lighting within the Village Center area is oriented behind and to the side of buildings. This minimizes the amount of artificial lighting that will glare onto adjoining properties. Retail and monument signs will be pedestrian scale with limited lighting. The low-density northern portion of the development is buffered from adjacent property to the west by significant vegetation, which will reduce glare from lights within homes and along streets.

- H. *NMC Section 14.35.100(H) The area around the development can be developed in substantial harmony with the proposed plan.*

The applicant notes that the areas proposed within Final Development Plan are designed to be compatible with the overall Master Plan for the greater Wilder site, which extends beyond the limits of the current Preliminary Development Plan for Phase 1 of Wilder and the city limits, and includes off-site properties. The design features a pedestrian-oriented Village Center adjacent to the College that will be the hub of activity within the site. The lower density residential portions of the site are located farther from the Village Center and abut off-site low-density residentially zoned properties to the west. This graduated density provides an appropriate transition of land use intensities. Enhanced pedestrian connections link all uses within the Final Development Plan area.

- I. *NMC Section 14.35.100(I) The plan can be completed within a reasonable period of time.*

As shown in the proposed development schedule (Page 15, Attachment "A"), the plan can be completed within a reasonable period with steady development planned over the next 10 years. The major public infrastructure necessary to serve the development, including 40th Street and Harborton Street to College Way, have already been constructed per the prior development approvals for the site.

- J. *NMC Section 14.35.100(J) The streets are adequate to serve the anticipated traffic.*

As part of the prior annexation of the site to the City, the City adopted Ordinance 1931 to address potential transportation impacts of Phase 1 by adopting a trip cap. A traffic analysis was prepared in conjunction with the annexation of the Wilder site to the City demonstrates how the proposed development within Phase 1 can be accommodated within the limitations of the trip cap.

Subsequently, the City, Lincoln County, and ODOT worked to establish an alternative mobility standard for US 101 south of the Yaquina Bay Bridge which resulted in the creation of increased transportation system capacity, replacing the trip cap. The City reserved 403 trips from the Trip Budget for properties in the annexation area, including 257 weekday PM peak hour trips allocated to Wilder. The applicant will apply these reserved trips to development in Phase 1 of Wilder covered by the preliminary development plan, less trips that have been used by approved development in Wilder Phase 1 and the coffee shop in the Village Center. The total trip budget is 1,237 weekday PM peak hour trips for the TAZ A in which Wilder is located; Wilder may use some of these for future development, including Phase 1 of Wilder, in addition to the reserved trips.

As noted in Finding III(J), the proposed street sections are adequately sized for emergency and utility vehicles or can be widened such that they will be adequate.

- K. *NMC Section 14.35.100(K) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

The planned utilities that will serve the development are adequate and appropriate for the land use. Utilities, including water and sewer, have already been constructed through the Wilder site along 40th Street and Harborton Street from Highway 101 to the OCCC campus. As shown in the proposed utility plans, water and sewer will be extended to serve the lots within the development (Attachment "G"). Stormwater facilities are also proposed that will collect and treat run-off from impervious surfaces within the development before being discharged to on-site drainage ways.

The applicant has modified their plans to show that a tract can be dedicated as part of Phase 4 to ensure that the City will be able to reasonably access and maintain the storm drainage infrastructure at that location. The applicant has also shown that they can, through the dedication of right-of-way, or right-of-way and easements, provide 24-feet of clear area so that the Public Works Department can maintain and repair proposed utilities.

- L. *NMC Section 14.35.100(L) Land shown on the Final Development Plan as common open space shall be conveyed under one of the following options: 1) To a public agency that agrees to maintain the common open space and any buildings, structures, or other improvements that have been placed on it; 2) To an association of owners of tenants, created as a non-profit corporation under the laws of the State, which shall adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.*

The applicant notes that Tracts "G" and "H" are intended to be conveyed to the City for trail and open space uses, which is one of the listed options.

- M. *NMC Section 14.35.100(M) The Final Development Plan complies with the requirements and standards of the Preliminary Development Plan.*

The Final Development Plan will comply with the provisions of the modified Preliminary Development Plan proposed concurrently with this application.

- N. NMC Section 14.35.100(N) *No building shall be erected in a planned development district except within an area contained in an approved Final Development Plan, and no construction shall be undertaken in that area except in compliance with the provisions of said plan. All features required in the Final Development Plan shall be installed and retained indefinitely or until approval has been received from the Planning Commission or Community Development Director for modification.*

In their narrative, the applicant acknowledges that no construction will be completed outside of the area or out of compliance with the approved by the Final Development Plan.

- IV. Compliance with NMC Chapter 13.05, Criteria for Approval of the Tentative Subdivision Plat. The criteria for modifying a tentative subdivision plat have been addressed as follows:

- A. NMC Section 13.05.015(A), Criteria for Consideration of Modification to Street Design. *As identified throughout the street standard requirements, modifications may be allowed to the standards by the approving authority. In allowing for modifications, the approving authority shall consider modifications of location, width, and grade of streets in relation to existing and planned streets, to topographical or other geological/environmental conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system as modified shall assure an adequate traffic circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried considering the terrain. Where location is not shown in the Transportation System Plan, the arrangement of streets shall either:*

- (a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or*
- (b) Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.*

An updated street circulation plan for Phase 1 of the Wilder Master Plan is provided as part of the concurrent Preliminary Planned Development Modification application. (See Attachment "G") The proposed circulation plan has been refined to accommodate grading, utilities, etc., as well as provide for enhanced pedestrian circulation.

The existing paved Harborton Street currently terminates south of College Way providing for the ultimate extension of that roadway with development of future phases. Harborton will be extended to the edge of Phase 1 of Wilder with development of Wilder Phases 2E and 2F proposed with this application.

College Way connects to the Oregon Coast Community College (OCCC) parcel to the west of Wilder and serves as the primary OCCC entrance. No additional OCCC development is forecast at this time, however, if OCCC were to propose additional campus development the necessitated

a secondary access, the applicant would work with them to provide a connection from 44th Street, 46th Street, or other access, per the Reciprocal Easement Agreement signed by both parties. (See Appendix J, Attachment "A").

Natural features such as, steep topography, creeks, and wetlands, prevent any additional local street connections to surrounding parcels adjacent to the subdivision. SE 41st Court in Phase 4 is not proposed to connect to the west because of steep topography.

- B. NMC Section 13.05.015(B), Minimum Right-of-Way and Roadway Width. *Unless otherwise indicated on the development plan, the street right-of-way and roadway widths shall not be less than the minimum width in feet shown in the following table:*

<i>Type of Street</i>	<i>Minimum Right-of-Way Width</i>	<i>Minimum Roadway Width</i>
<i>Arterial, Commercial and Industrial</i>	<i>80 feet</i>	<i>44 feet</i>
<i>Collector</i>	<i>60 feet</i>	<i>44 feet</i>
<i>Minor Street</i>	<i>50 feet</i>	<i>36 feet</i>
<i>Radius for turn-around at end of cul-de-sac</i>	<i>50 feet</i>	<i>45 feet</i>
<i>Alleys</i>	<i>25 feet</i>	<i>20 feet</i>

Modifications to this requirement may be made by the approving authority where conditions, particularly topography, geology, and/or environmental constraints, or the size and shape of the area of the subdivision or partition, make it impractical to otherwise provide buildable sites, narrower right-of-way and roadway width may be accepted. If necessary, slope easements may be required.

The applicant notes that the previously approved Planned Development application for the site included a “Kit of Parts” that identified typical neo-traditional street sections, including roadway and right-of-way widths, for each unique street type that could be located within the Master Plan site. The applicant is proposing to use the street sections from the approved and modified “Kit of Parts” within the proposed Subdivision. Minor changes to the Kit of Parts are proposed with this application to introduce variations to the existing Village Center Street and modify the Woonerf cross-section. (See Appendix H, Attachment "A".)

- Village Center Road – Section 2 is designed as a transition between single-family residential uses and the more intense uses of the Village Center. The cross-section includes traditional 6-foot-wide sidewalks for single-family residential, and an 8-foot-wide sidewalk for high-density residential on the other side of the street. Because no commercial uses with accompanying street activating uses like seating or sidewalk sales are proposed, the 10-foot sidewalks used elsewhere in the Village Center are not appropriate here. The cross-section also includes angled parking to increase the number of on-street spaces available for residents and visitors. Landscaping will be incorporated into triangular islands between parking spaces.
- Village Center Road – Section 3 is designed to connect single-family residential uses through high-density residential use to the commercial Village Center uses along the development’s perimeter shared with OCCC. The cross-section includes the same 8-foot-wide sidewalk and angled parking on the apartment side of the street for continuity, but is finished with a simple

curb along the property line. If OCCC were to develop on the western side of the street, the street could be finished with parallel parking and a sidewalk consistent with the full Village Center Road cross-section.

- The Woonerf cross-section modification introduces a variable width from 18 feet to 30 feet. The existing woonerf sections in Phase 1 are 22 feet wide. A wider width could be used to provide for on-street parallel parking and bio-swales, while preserving two-way traffic and fire access. The wider width would still retain a feeling of shared space that would tame the street for non-motorized traffic.

A circulation plan has also been provided that identifies where each street section occurs within the subdivision.

- C. *NMC Section 13.05.015(C), Reserve Strips.* Reserve strips giving a private property owner control of access to streets are not allowed.

This criterion is not applicable. There are no reserve strips proposed for the subdivision.

- D. *NMC Section 13.05.015 (D), Alignment.* Streets other than minor streets shall be in alignment with existing streets by continuations of their center lines. Staggered street alignment resulting in "T" intersections shall leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 100 feet. If not practical to do so because of topography or other conditions, this requirement may be modified by the approving authority.

The applicant indicates that they are not proposing to extend any existing streets outside of Wilder through the development. Streets other than minor streets internal to Wilder will be extended in alignment with existing sections of roadway. The collector roadway that serves the development, identified as Harborton Street, has already been constructed through Phase 1 of Wilder south to College Way and will be extended in alignment to the property line of Phase 1 with development proposed with this application.

A slight offset is proposed for Fleming Street at the intersection with SE 44th Street to accommodate lot patterns, however, it is a minor street and thus this criterion does not apply. NMC 13.05.005.J.5 defines a minor street as "A street intended primarily for access to abutting properties," and NMC 13.05.015.B requires a 50-foot right-of-way and 36-foot paved width for a minor street. Fleming Street is proposed as a woonerf with a 30-foot cross-section, less than the minor street width, and only provides access to abutting residential properties, so it meets the definition of a minor street and is exempt from this standard.

- E. *NMC Section 13.05.015(E), Future Extensions of Streets.* Proposed streets within a land division shall be extended to the boundary of the land division. A turnaround if required by the Uniform Fire Code will be required to be provided. If the approval authority determines that it is not necessary to extend the streets to allow the future division of adjoining land in accordance with this chapter, then this requirement may be modified such that a proposed street does not have to be extended to the boundary of the land division.

As described above, the collector roadway that serves the site, identified as Harborton Street, has already been constructed through Phase 1 of the Wilder Master Plan site south to College Way and will be extended south to the boundary of the land division proposed in this application. The portion of the roadway south of the Phase 1 of Wilder boundary will be extended with future development to provide access and circulation to adjoining properties to the south when those properties are annexed to the City.

F. NMC Section 13.05.015(F), Intersection Angles.

1. *Streets shall be laid out to intersect at right angles.*
2. *An arterial intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection.*
3. *Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection.*
4. *Intersections which contain an acute angle of less than 80 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line.*
5. *No more than two streets may intersect at any one point.*
6. *If it is impractical due to topography or other conditions that require a lesser angle, the requirements of this section may be modified by the approval authority. In no case shall the acute angle in Subsection F.1. be less than 80 degrees unless there is a special intersection design.*

In conformance with this criterion, all proposed streets within the subdivision are designed to intersect at or near right angles.

G. NMC Section 13.05.015(G), Half Street. *Half streets are not allowed. Modifications to this requirement may be made by the approving authority to allow half streets only where essential to the reasonable development of the land division, when in conformity with the other requirements of these regulations and when the city finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract property to be divided, the other half of the street shall be provided.*

This criterion is not applicable. The proposed subdivision does not include any half-street improvements. Harborton Street will be extended south of College Way to the edge of the property, and will be built in phases. The full travel lanes and western parking, landscaping and sidewalk will be built to serve Phases 2E and 2F, and the eastern parking, landscaping and sidewalk will be finished when the eastern portion of Wilder is developed. The Village Center Road – Section 3 cross-section proposed for Ellis Street between 46th Street and College Way likewise proposes to delay sidewalk construction on the OCCC side of the property line until future development plans for the college are resolved.

H. NMC Section 13.05.015(H), Sidewalks. *Sidewalks in conformance with the city's adopted sidewalk design standards are required on both sides of all streets within the proposed land division and are required along any street that abuts the land division that does not have sidewalk abutting the property within the land division. The city may exempt or modify the*

requirement for sidewalks only upon the issuance of a variance as defined in the Zoning Ordinance.

Pedestrian connectivity is provided throughout Wilder. Streets within Wilder are designed according to the previously approved “Kit of Parts” which includes a variety of pedestrian treatments including sidewalks, shared space along woonerfs, and off-street multiuse pathways and trails.

- I. *NMC Section 13.05.015(I), Cul-de-sac.* *A cul-de-sac shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a circular turn-around meeting minimum Uniform Fire Code requirements. Modifications to this requirement may be made by the approving authority. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to connect from a cul-de-sac to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.*

One cul-de-sac is proposed for SE 42nd Street Place in Phase 3 that will serve nine dwelling units and will be less than 400 feet long. It will terminate in an Auto Court that will meet the turn-around standards established in the Uniform Fire Code. A pedestrian connection is provided in Tract “H” to connect the cul-de-sac south to Wilder Twin Park. The residential alley proposed for 45th Street will dead end at the western edge of Wilder, but the street length will be less than 100 feet and thus not require a fire turn-around.

- J. *NMC Section 13.05.015(J), Street Names.* *Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the city, as evident in the physical landscape and described in City of Newport Ordinance No. 665, as amended.*

Street names in Wilder Phase 1 have been previously approved by the Planning Commission. Ellis, Fleming, and Geneva and Harborton Streets will continue through the development, and numbered streets will be named consistent with the established pattern in the city. A new street name is proposed in Phase 4, Dylan Circle, which is not used elsewhere in the city. The street names are identified on the plat. (Attachment "G").

- K. *NMC Section 13.05.015(K), Marginal Access Street.* *Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting constrained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.*

This criterion is not applicable. The proposed land division does not abut or contain an existing or proposed arterial street.

- L. *NMC Section 13.05.015(L), Alleys.* *Alleys shall be provided in commercial and industrial districts. If other permanent provisions for access to off-street parking and loading facilities are*

provided, the approving authority is authorized to modify this provision if a determination is made that the other permanent provisions for access to off-street parking and loading facilities are adequate to assure such access. The corners of alley intersections shall have a radius of not less than 12 feet.

Consistent with the neo-traditional “urban village” design of the Wilder Master Plan, the applicant has proposed a number of alleys within the subdivision. In accordance with this standard, the corners of all alley intersections have a minimum radius of 12 feet.

- M. *NMC Section 13.05.020(A), Blocks General.* *The length, width, and shape of blocks for non-residential subdivisions shall take into account the need for adequate building site size and street width, and shall recognize the limitations of the topography.*

Within the non-residential portion of the subdivision in the Village Center, the proposed blocks are designed to provide adequate building area sites for the variety of building types included in the Master Plan within the framework of the steep topography found on the site.

- N. *NMC Section 13.05.020(B), Block Size.* *No block shall be more than 1,000 feet in length between street corners. Modifications to this requirement may be made by the approving authority if the street is adjacent to an arterial street or the topography or the location of adjoining streets justifies the modification. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to allow connectivity to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a block of greater than 1,000 feet if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.*

Block lengths in excess of 1,000 feet are not proposed.

- O. *NMC Section 13.05.025(A), Utility lines.* *Easements for sewers and water mains shall be dedicated to the city wherever a utility is proposed outside of a public right-of-way. Such easements must be in a form acceptable to the city. Easements for electrical lines, or other public utilities outside of the public right-of-way shall be dedicated when requested by the utility provider. The easements shall be at least 12 feet wide and centered on lot or parcel lines, except for utility pole tieback easements, which may be reduced to six (6) feet in width.*

Easements for public and private utilities outside of the public right-of-way will be provided within the subdivision plat per the above requirements. Temporary public easements will be provided as necessary during construction for access to public facilities constructed through private property, for example, utilities installed across future phases that have not yet been dedicated.

- P. *NMC Section 13.05.025(B), Utility Infrastructure.* *Utilities may not be placed within one foot of a survey monument location noted on a subdivision or partition plat.*

The applicant notes that utilities will not be placed within one foot of a survey monument location. Final utility locations will be provided in future construction plan submittals to the City.

- Q. *NMC Section 13.05.025(C), Water Course. If a tract is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to the major water courses may be required.*

Stormwater drains through the site in existing stormwater systems, roadside swales, and natural low spots in undeveloped areas. There are no significant water bodies or water courses identified within the Wilder site except for a small wetland in Phase 4. Where stormwater is conveyed through a tract or private property, an easement or drainage right-of-way will be provided as required by this section. If the applicant elects to convey stormwater through the wetland on proposed Lots 15-22 in Phase 4, they have indicated that they are willing to dedicate a right-of-way (i.e. tract) of land to the City so that it can maintain the drainageway. The applicant may elect to mitigate the wetland and route the stormwater through right-of-way for proposed 41st Circle, in which case a tract will not be needed.

- R. *NMC Section 13.05.030(A) The size (including minimum area and width) of lots and parcels shall be consistent with the applicable lot size provisions of the Zoning Ordinance, with the following exception:*

Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

The Planned Development includes a variety of lot sizes that have been previously approved, which in some cases vary from the standard lot size provisions. No further modifications to lot sizes are proposed with this application. The lot sizes are appropriate for the anticipated range of residential and commercial uses as necessary to create the desired neo-traditional “village” design including a spectrum of residential development that contributes to sustainability and affordability within Wilder.

- S. *NMC Section 13.05.030(B) Each lot and parcel shall possess at least 25 feet of frontage along a street other than an alley.*

The proposed lots within the subdivision abut a street other than an alley for a width of at least 25 feet, with the exception of the previously approved and platted cottage cluster in Phase 1.

- T. *NMC Section 13.05.030(C) Through lots and parcels are not allowed. Modifications may be made by the approving authority where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome*

specific disadvantages of topography and orientation. The approving authority may require a planting screen easement at least 10 feet wide and across which there shall be no right of access. Such easement may be required along the line of building sites abutting such a traffic artery or other incompatible use.

One through lot is proposed in Phase 2B for an apartment complex, which will front Harborton and also be served by Ellis Street along its western edge. The secondary frontage on Ellis Street is required because of the large lot size and to ensure north-south connectivity for vehicle and pedestrian circulation through the development. Additionally, there are four lots in Phase 4 (Lots 1, 2, 3, 14) that will have frontage along both Harborton Street and 41st Circle, however, there is a significant slope along the Harborton side of these lots that will effectively separate them from Harborton. These lots will face 41st Circle, be screened along Harborton with landscaping, and have no right of access to Harborton. There are lots in Phases 2C and 2D which have secondary access onto an alley, which do not qualify as through lots.

- U. *NMC Section 13.05.030(D)* *The side lines of lots and parcels shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve. Modifications to this requirement may be made by the approving authority where it is impractical to do so due to topography or other conditions or when the efficient layout of the land division has the lines running as close to right angles (or radial) as practical.*

All of the proposed lot lines run at right angles to the street that they face or radial to the curve.

- V. *NMC Section 13.05.030(E), Special Setback Lines.* *All special building setback lines, such as those proposed by the applicant or that are required by a geological report, which are to be established in a land division, shall be shown on the plat, or if temporary in nature, shall be included in the deed restrictions.*

As noted earlier, the “green alley” cross-section proposed by the applicant imposes a 2-foot special setback or “shy area” to either side of the right-of-way. This special setback requirement will need to be illustrated on the plat.

- W. *NMC Section 13.05.030(F), Maximum Lot and Parcel Size.* *Proposed lots and parcels shall not contain square footage of more than 175% of the required minimum lot size for the applicable zone. Modifications to this requirement may be made by the approving authority to allow greater square footage where topography or other conditions restrict further development potential or where the layout of the land division is designed and includes restrictions to provide for extension and opening of streets at intervals which will permit a subsequent division into lots or parcels of appropriate size for the applicable zone designation.*

The area to the east of Harborton is proposed as an oversized remainder lot. This lot will ultimately be re-platted as part of full build-out of Phase 1 of Wilder. As part of the Preliminary Planned Development Application, the applicant has prepared a land use concept plan that demonstrates how these lots could be re-platted in the future consistent with City standards as permitted through a Planned Development.

- X. NMC Section 13.05.030(G), Development Constraints. *No lot of parcel shall be created with more than 50% of its land area containing wetlands or lands where the city restricts development to protect significant Statewide Land Use Planning Goal 5 or Goal 17 resources, except that areas designated as open space within a land division may contain up to 100% of a protected resource.*

No parcels contain than 50% steep ravines, streams, and wetlands, which will be incorporated into parks and open space tracts to allow for preservation and to create site amenities for the residents. Lots 15-22 in Phase 4 may include portions of a wetland under the wetland alternative drainage plan, but no more than 50% of any single lot will be designated wetland. (See Sheet 8, Attachment "G").

- Y. NMC Section 13.05.030(H), Lots and Parcels within Geological Hazard Areas. *Each new undeveloped lot of parcel shall include a minimum 1,000 square foot building footprint within which a structure could be constructed and which is located outside of active and high hazard zones and active landslide areas (See Section 2-4-7 of the Zoning Ordinance for an explanation of hazard zones). New public infrastructure serving a lot or parcel shall similarly be located outside of active and high hazard zones and active landslide areas.*

All of Phase 1 of Wilder is located outside of Geologic Hazard Areas as mapped by the City of Newport; this criterion does not apply.

- Z. NMC Section 13.05.035(A), Improvement work, including excavation in the excess of 100 cubic yards, shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the proposal, the plans shall be required before approval of the tentative plan of a subdivision or partition.

The applicant acknowledges that engineering plans must be submitted to the city prior to construction of any public improvements.

- AA. NMC Section 13.05.035(B), Improvement work shall not commence until after the city is notified, and, if work is discontinued for any reason, it shall not be resumed until after the city is notified.

The applicant agrees to notify the city before commencing improvement work.

- BB. NMC Section 13.05.035(C), Public improvements shall be constructed under the inspection and to the satisfaction of the city engineer. The city may require change in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

The applicant agrees to construct the improvements under the inspection and to the satisfaction of the city engineer.

- CC. NMC Section 13.05.035(D), Underground utilities, sanitary sewers, and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connection

for underground utilities and sanitary sewers shall be placed to allow future connections without disturbing the street improvements.

The applicant acknowledges that all underground work for utilities and stormwater must be completed prior to street surfacing, including stubs for future connections.

DD. NMC Section 13.05.035(E). *A map showing public improvements as built shall be filed with the city upon completion of the improvements.*

The applicant agrees to file as-built plans with the city.

EE. NMC Section 13.05.035(F). *Public improvements shall not be commenced until any appeals of the subdivision approval are resolved.*

The applicant has indicated that they will abide by this requirement.

FF. NMC Section 13.05.040(A)(1), Streets. *All streets, including alleys, within the land division, streets adjacent but only partially within the land divisions, and the extension of land division streets to the intersecting paving line of existing streets with which the land division streets intersect, shall be graded for the full right-of-way width. The roadway shall be improved to a width of 36 feet or other width as approved by the approval authority by excavating to the street grade, construction of concrete curbs and drainage structures, placing a minimum of six inches of compacted gravel base, placement of asphaltic pavement 36 feet in width or other width as approved by the approval authority and approximately two inches in depth, and doing such other improvements as may be necessary to make an appropriate and completed improvement. Street width standards may be adjusted as part of the tentative plan approval to protect natural features and to take into account topographic constraints and geologic risks.*

All streets within the subdivision will be improved to meet City standards for street construction.

Street widths and pavement widths that vary from the 36-foot standard width have been previously approved in the “Kit of Parts” and will be used as appropriate throughout the subdivision. Minor amendments to the “Kit of Parts” are proposed with this application to meet the sustainability goals of the Planned Development without compromising circulation.

GG. NMC Section 13.05.040(A)(2) Surface Drainage and Storm Sewer System. *Drainage facilities shall be provided within the land division and to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage within the land division shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the land division and to allow extension of the system to serve such areas.*

As illustrated in the utility plan, drainage facilities are proposed within the subdivision to connect the subdivision to drainage ways outside the subdivision in accordance with City standards. (Sheets 16-19, Attachment "G"). The applicant proposes two drainage alternatives for Phase 4, the wetland and mitigation alternatives. (See Sheet 8, Attachment "G"). It is the applicant's view that both alternatives would provide adequate drainage.

The City Engineer notes that if the wetland is to be a part of the drainage system then a linear tract of land containing the wetland will need to be dedicated to the City of Newport so that it can maintain the drainage. The tract of land must be wide enough for the City to access the area with its equipment. There is sufficient land area in Phase 4 for a tract to be dedicated in a manner that meets the Public Works Department's needs should the developer elect to use the wetland to manage storm run-off.

HH. NMC Section 13.05.040(A)(3), Sanitary Sewers. *Sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City, and sewer mains shall be installed in streets as necessary to connect each lot or parcel to the city's sewer system.*

As illustrated in the utility plan, sanitary sewers will be installed to serve each lot in accordance with standards adopted by the City. (See Sheets 16-19, Attachment "G").

II. NMC Section 13.05.040(A)(4), Water. *Water mains shall be installed to allow service to each lot or parcel and to allow for connection to the city system, and service lines or stubs to each lot shall be provided. Fire hydrants shall be installed as required by the Uniform Fire Code. The city may require that mains be extended to the boundary of the land division to provide for future extension or looping.*

As illustrated in the utility plan, water mains and fire hydrants will be installed to serve each lot in accordance with standards adopted by the City. (See Sheets 16-19, Attachment "G").

JJ. NMC Section 13.05.040(A)(5), Sidewalks. *Required sidewalks shall be constructed in conjunction with the street improvements except as specified below:*

a. *Delayed Sidewalk Construction. If sidewalks are designed contiguous with the curb, the subdivider may delay the placement of concrete for the sidewalks by depositing with the city a cash bond equal to 115 percent of the estimated cost of the sidewalk. In such areas, sections of sidewalk shall be constructed by the owner of each lot as building permits are issued. Upon installation and acceptance by the city engineer, the land owner shall be reimbursed for the construction of the sidewalk from the bond. The amount of the reimbursement shall be in proportion to the footage of sidewalks installed compared with the cash bond deposited and any interest earned on the deposit.*

b. *Commencing three (3) years after filing of the final plat, or a date otherwise specified by the city, the city engineer shall cause all remaining sections of sidewalk to be constructed, using the remaining funds from the aforementioned cash bond. Any surplus funds shall be deposited in the city's general fund to cover administrative costs. Any shortfall will be paid from the general fund.*

c. *Notwithstanding the above, a developer may guarantee installation of required sidewalks in an Improvement Agreement as provided in Section 13.05.090(C).*

The applicant is proposing to construct sidewalks on public streets, excluding alleys and woonerfs, within the subdivision. If delayed sidewalk construction is necessary, it will be done in accordance with these standards.

KK. NMC Section 13.05.040(B). All public improvements shall be designed and built to standards adopted by the city. Until such time as a formal set of public works standards is adopted, public works shall be built to standards in any existing published set of standards designated by the city engineer for the type of improvement. The city engineer may approve designs that differ from the applicable standard if the city engineer determines that the design is adequate.

Public improvements will be designed and built to city standards or approved standards in the “Kit of Parts.”

LL. NMC Section 13.05.040(C). Public improvements are subject to inspection and acceptance by the city. The city may condition building or occupancy within the land division on completion and acceptance of required public improvements.

The applicant understands that they must abide by this requirement.

MM. NMC Section 13.05.045(A). Tentative plans for land divisions shall be approved only if public facilities and utilities (electric and phone) can be provided to adequately service the land division as demonstrated by a written letter from the public facility provider or utility provider stating the requirements for the provision of public facilities or utilities (electric and phone) to the proposed land division.

The Pioneer Telephone Cooperative and Central Lincoln PUD have confirmed that they can provide service for the proposed subdivision. (See Appendix E, Attachment "A"). The Newport Public Works Department is responsible for preparing a letter that addresses the ability of the City to provide sewer, water, storm water, and street service to the planned development. This criterion is directed toward the adequacy services that a development will rely upon that are outside of the project boundaries. The City Engineer has not raised any concerns related to the capacity of off-site storm drainage, street, water or sewer services to serve these additional Planned Development phases, so it is reasonable for the Commission to conclude that the City Engineer can provide such a letter.

NN. NMC Section 13.05.045(B). For public facilities of sewer, water, storm water, and streets, the letter must identify the:

- 1. Water main sizes and locations, and pumps needed, if any, to serve the land division.*
- 2. Sewer mains sizes and locations, and pumping facilities needed, if any, to serve the land division.*
- 3. Storm drainage facilities needed, if any, to handle any increased flow or concentration of surface drainage from the land division, or detention or retention facilities that could be used to eliminate need for additional conveyance capacity, without increasing erosion or flooding.*
- 4. Street improvements outside of the proposed development that may be needed to adequately handle traffic generated from the proposed development.*

The letter from the Public Works Department will address these items.

OO. NMC Section 13.05.050(A), Underground Utilities and Service Facilities, Undergrounding. All utility lines within the boundary of the proposed land divisions, including, but not limited to, those required for electric, telephone, lighting, and cable television services and related facilities shall be placed underground, except surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above. The subdivider shall make all necessary arrangements with the serving utility to provide the underground service.

All utility facilities within the subdivision will be designed in accordance with this standard. The main Central Lincoln PUD transmission lines through South Beach will continue to be located above ground within a 75-foot right-of-way along the north and east side of Harborton Street.

PP. NMC Section 13.05.050(B), Underground Utilities and Service Facilities, Non-City-Owned Utilities. As part of the application for tentative land division approval, the applicant shall submit a copy of the preliminary plat to all non-city-owned utilities that will serve the proposed subdivision. The subdivider shall secure from the non-city-owned utilities, including but not limited to electrical, telephone, cable television, and natural gas utilities, a written statement that will set forth their extension policy to serve the proposed land division with underground facilities. The written statements from each utility shall be submitted to the city prior to the final approval of the plat for recording.

The Pioneer Telephone Cooperative and Central Lincoln PUD have confirmed that they can provide service for the proposed subdivision. (See Appendix E, Attachment "A").

QQ. NMC Section 13.05.055, Street Lights. Street lights are required in all land divisions where a street is proposed. The city may adopt street light standards. In the absence of adopted standards, street lights shall be placed in new land divisions to assure adequate lighting of streets and sidewalks within and adjacent to the land division.

Street lights will be placed throughout the subdivision to provide adequate lighting. Street lights are generally proposed at all intersections as is typical for residential development. (See Sheets 16-19, Attachment "G").

RR. NMC Section 13.05.060, Street Signs. Street name signs, traffic control signs and parking control signs shall be furnished and installed by the city.

As required, street signs, traffic control signs and parking control signs will be furnished and installed by the City Street Department.

SS. NMC Section 13.05.065, Monuments. Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.

The applicant acknowledges that they must reestablish and protect monuments, as required.

TT. NMC Section 13.05.090(A), Final Plat Requirements for Land Divisions Other than Minor Replats or Partitions, Submission of Final Plat. Within two years after tentative plan approval, such other time established at the time of tentative plan approval, or extensions granted under this chapter, the owner and/or applicant (collectively referred to as the “developer”) shall cause the land division to be surveyed and a final plat prepared. If the developer elects to develop the land division in phases, final plats for each phase shall be completed within the time required (e.g. Phase I completed within two years, Phase II completed within the next two years, etc.). The final plat shall be in conformance with the approved tentative plan, this chapter, ORS Chapter 92, and standards of the Lincoln County Surveyor.

The applicant notes that, as previously conditioned in #1-SUB-09, the developer will have up to four years to submit the final plat for the initial phase of development and an additional four years for each subsequent phase of development included in the tentative subdivision plan.

OVERALL CONCLUSION

Based on the staff report, the application material, and other evidence and testimony in the record, the Planning Commission concludes that the request as presented in the application materials complies with the criteria established in the Zoning Ordinance for granting modifications to the preliminary development plan and the final development plan; and the request is hereby **APPROVED** with the conditions listed below.

1. Conditions from prior City approvals of the Wilder planned development remain in effect, except as modified herein.
2. The developer shall construct trail improvements on Tracts "G" and "H" in a manner acceptable to the Newport Parks and Recreation Department. Installation of the improvements shall occur prior to the approval of a final plat within which the particular tract of land is located.
3. Accessory Dwelling Units (ADUs) in the Wilder Planned Development shall adhere to the following:
 - a. The criteria listed are mandatory (not simply guidelines) and must be satisfied in order for an ADU to be permitted; and
 - b. The ADUs are limited to Wilder Phases 1B, 1C, 2D, 3 and 4 and no more than one ADU is allowed per lot; and
 - c. The three types of ADUs permitted will be as a portion of the primary house, as a separate free-standing unit, or as a unit over a free-standing or attached garage; and
 - d. ADUs will not exceed 600 square feet or 50% of the area of the primary house whichever is less; and

- e. The height standards and limitations for ADUs will be that of the zoning district in which they are located; and
 - f. ADUs will be constructed with architecture that is compatible with that of the primary structure; and
 - g. ADUs do not count against the density limitations of the planned development; and
 - h. ADUs will share utility hook-ups with primary houses; and
 - i. An additional off-street parking space shall be provided for each ADU located on Edge lots. Not more than 10 ADUs are permitted for all other lots within Phase 1B based upon the number of on-street parking spaces currently available. Otherwise, additional ADUs will be permitted at a rate of one unit for every two on-street parking spaces the applicant provides within or immediately adjacent to the phase of development in which the ADU is to be constructed.
4. In the event the wetland in Phase 4 is retained for the purpose of managing storm drainage, it shall be dedicated to the City for maintenance purposes. Such dedication is to be a tract of land and included on the final plat for Phase 4, the configuration of which is to be approved by the City Engineer prior to the plat being recorded.
 5. SE 45th Street and SE Geneva Streets shall be constructed as urban alleys or another street section from the “Kit of Parts” that does not incorporate a vegetated swale into its design.
 6. Developer shall obtain a letter from the City Engineer confirming that off-site water, sewer, storm drainage and street services are adequate to serve the planned development as outlined in NMC 13.05.045(B).
 7. Prior to final subdivision plat approval of any phase, necessary utilities as applicable (including sewer, water, and/or storm drainage/sewer and over which the City of Newport has jurisdiction) to serve each lot shall be extended or provided to each lot in conformance with the applicable City of Newport standards and as approved by the City of Newport Public Works Department.
 8. The applicant shall comply with the applicable improvement procedure requirements of NMC 13.05.035 (Public Improvements) and 13.05.040, except as modified with this approval. The developer may utilize an improvement agreement pursuant to NMC 13.05.040(5)(a) or NMC 13.05.090(C) to defer completion of required improvements after final plat approval.
 9. Three story buildings in the R-3 zone within the Village Center may exceed the height of 35 feet only for the sloped roof portion of a building, which may extend to a height of up to 45 feet.

10. As requested by the applicant, and consistent with NMC 13.05.090(A), a final plat for at least one phase of the proposed development must be submitted within four years of the date of this approval and a four year time limit applies to each subsequent phase of development. The final plats for all phases must conform to the approved tentative subdivision plat and adhere to the requirements for preparation of a final plat contained in the Newport Municipal Code.
11. SE 41st Circle, SE 42nd Place, and Fleming Street shall be widened to provide at least 24-feet of unobstructed travel area (edge of curb to edge of curb). Alleys may be less than 24-feet in width if they abut lots with frontage along streets that are not alleys. If the resulting streets or alleys do not adhere to the design options contained in the “Kit of Parts,” then the applicant shall provide new “Kit of Parts” section drawings for the streets or alleys that are to be constructed or they may amend existing street or alley “Kit of Parts” illustrations so that they align with the planned improvements.
12. The applicant may adjust the size and configuration of lots abutting SE 41st Circle, SE 42nd Place, Fleming Street, SE 45th Street and SE Geneva Street when satisfying Condition #5 and #11 provided the changes to the lotting arrangement fall within the approved Preliminary Development Plan “Range of Development” listed in the Wilder Community Master Plan Development Application, dated March 20, 2015.
13. Utilities shall not be located in any street or alley that does not provide 24-feet of unobstructed travel area (edge of curb to edge of curb) for vehicle movement.
14. The applicant shall submit revised Final Development Plan and Preliminary Subdivision Plat drawings satisfying Conditions #5, #11, #12, and #13 prior to approval of a final plat for the phases within which the affected streets or alleys are located.

Wilder Community Master Plan Development Applications

APPENDIX I.

Previous Case Files and Goals Achieved by Previous Development Plan Modifications

Previous Land Use Approvals

The City of Newport has granted multiple land use approvals for “Phase 1 of Wilder”. This application seeks to obtain approval for a revised tentative subdivision plan and modify one of those previous planned development approvals (#1-SUB-15 and #3-PD15.)

The Tentative Subdivision Plan for “Phase 1 of Wilder” was approved as case file #1-SUB-09 and modified through case file #3-SUB-09, #1-SUB-10, #1-SUB-15, #2-CP1611-Z-1611-SUB-1611, and #2 PD-16.

Final Subdivision Plat for Wilder Phase 1 was recorded June 21, 2010;; Final Subdivision Plat for Wilder Phase 2 was recorded December 5, 2016; Final Subdivision Plat for Wilder Phases 3, 4, and 5 was recorded May 19, 2017. A re-plat of Wilder Phase 3, Lot 44 as Wilder Phase 6 was recorded January 2, 2020.

The original Preliminary Development Plan for “South Beach Village Phase I,” which included the area referred to as “Phase 1 of Wilder”, was approved on May 29, 2007. (Case file #1-PD-07) Subsequent modifications to the Preliminary Development Plan for “Phase 1 of Wilder” were approved as case file #1-PD-09, #5-PD-09, #1-PD-10, #3-PD10, #1-PD-14, #2-PD-15, and #2 PD-16.

The Final Development Plan for portions of “Phase 1 of Wilder” was initially approved March 30, 2009 (Case file #2-PD-09) and subsequently modified in case file #6-PD-09, #2-PD-10, #2-PD-14, 3-PD-15, #2 PD-16, #1-PD-18, and #1-PD-20.

The parent lot for “Phase 1 of Wilder” was initially partitioned in 2007 as two parcels, Map & Tax Lot 11-11-20-AD-03100-00 and 11-11-20-00-00100-00. (Case file #5-PAR07, recorded November 29, 2007.) A second partition in 2014 divided Map & Tax Lot 11-11-20-00-00100-00 into two parcels, creating Map & Tax Lot 11-11-20-00103-00 of approximately 0.89 acres. (Case file #2-PAR-14, recorded in December 2014.)

Modifications Approved in Previous Approvals

2009

- Minimized grading in Tract “A” Park associated with street improvements.
- Responded to market conditions.
- Eliminated need for a Variance for street length.
- Maximize usable park area in Tract “A”.
- Improved access to Lots 38 thru 40 of Wilder Phase 1.
- Increased number of homes that are alley-loaded with fewer garage doors facing on to local streets.
- Provided a continuous pedestrian connection through all phases.
- Created repeating patterns of decorative pavement throughout the site, including a “woonerf” and auto courts.
- Modified phasing plan to address construction practicalities.
- Created orderly self-orienting blocks.

- Incorporated flexibility into the plan to accommodate market conditions.
- **2010**
 - Reflected changes that have occurred through the Final Plat for Wilder Phase 1.
 - Modified setbacks to provide flexibility to accommodate homes as proposed by builders.
 - Updated street and tract names.
 - Revised lot coverage standards to be consistent with Codes, Covenants and Restrictions.
 - Revised housing category names to be consistent with marketing names.
 - Prepared updated exhibit depicting platting of Phase 6 (formerly 1B) in conjunction with Lot 43 (formerly Phase 1C).
 - Allowed Accessory Dwelling Units (ADUs) in Phase 1.
 - Modifications Achieved through the 2014 Approvals:
 - Partitioned Tax Lot 100 of Assessor’s Tax Map 11-11-20 into two parcels, including one parcel to be developed for commercial use in the Village Center.
 - Revised parking plan to include on-street and off-street parking to serve the Village Center area, modifying circulation plan.
- **2015**
 - Adjusted zoning district border between R-3 Multifamily Residential and C-1 Commercial zones to expand commercial area along the full length of College Way.
 - Expanded range of allowed uses in the C-1 zoned Village Center area to include retail sales and services, offices, lodging, community services like churches, educational institutions, and day care.
 - Allowed variance to satellite and shared parking regulations to allow future shared parking arrangements between Village Center users and the Oregon Coast Community College.
 - Adjusted range of development anticipated in the preliminary and final development plans to reflect completed build-out, current market conditions, and revised predictions.
 - ☐ Allowed for ADUs beyond Phase 1 in Lot 42 (formerly Phase 2D), Lot 49 (formerly Phase 3), and Phase 2 (formerly Phase 4), subject to conditions approved by Newport Planning Commission.
 - Expanded Final Development Plan to include Lot 42; Lot 43; Phase 3, Lots 45-48 (formerly Phases 1A, E, and F); Lot 49; Phase 6 (formerly Phase 2B); and Phase 2.
 - Updated street names and cross-sections to serve proposed development in Lots 42, 43, and 49 and Phase 2, including modifications to street widths in response to conditions of approval. (Note: The current application proposes to modify this element.)
 - Adopted variations of existing cross-sections to amend the “Kit of Parts,” including modifications to street widths shown in “Kit of Parts” to match street cross-sections to be constructed. New street sections were added in and Appendix. (Note: The current application proposes to modify this element.)

- Adopted new residential development type, micro-cottages, as part of the “Kit of Parts.”
- Parts.”

2016

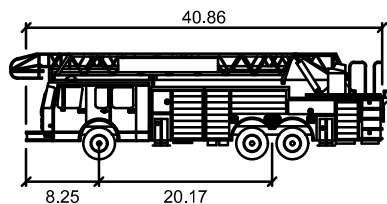
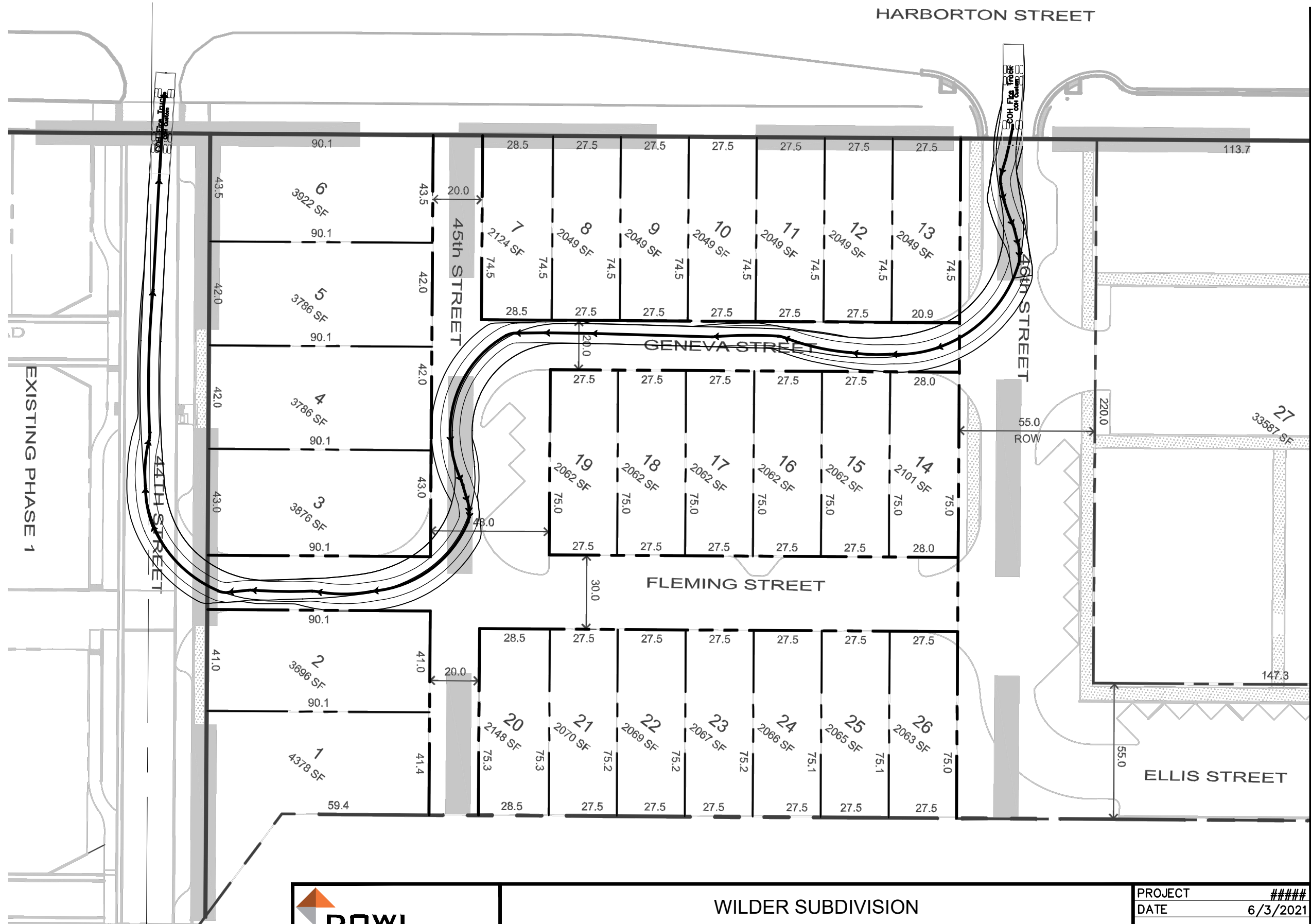
- Revise zoning and comprehensive plan designation for Phase 2 (formerly 4) and Phase 6 (formerly 2B) to R-3 Medium-Density Multifamily zoning and High-Density Residential designation from R-2 Medium-Density Single Family zoning and Low-Density Residential designation, with corresponding change to single family zoning and designation from multifamily zoning and designation on the east side of Harborton Street north of the Village Center, with no net impacts to total maximum allowed dwelling units and related, traffic or utility needs.
- Adjust range of development in preliminary and final development plan to reflect inclusion of additional multifamily units for student housing in Phase 2 and Phase 6 with corresponding decrease in single-family units, consistent with total maximum dwelling units previously approved for Phase 1 of Wilder.
- Add “Multi-Family: Clustered” as an additional multifamily residential development type in the “Kit of Parts” to describe intended building form and design for student housing in Phase 2.
- Allow variance to parking standard for clustered multifamily residential uses to decrease required spaces by approximately 13% relative to City code standard, to reflect increased access to multimodal transportation options within Wilder and multimodal connections to primary destinations, specifically the OSU Hatfield Marine Science Center.
- Modify preliminary development plan to show revised mix of single-family and multifamily development in future phases east of Harborton Street.
- Introduce ‘Day Care’ and additional supporting Community Service uses as allowed uses in the R-3 Medium-Density Multifamily zone to facilitate colocation of support services for affordable housing residents in Phase 5 (formerly Phase 6).
- Expand Final Development Plan to include Phase 5, formerly Phase 6.
- Amend Preliminary Development Plan, Final Development Plan and Tentative Plat to divide Phase 6, planned for apartment development, into two separate lots

- **2018**

- Allow construction of a single multi-family building for Oregon State University dorms on Phase 2, with two additional buildings in future phases, rather than a cluster of eleven multi-family buildings.

- **2020**

- Allow construction of five two-story duplex buildings and a community center with a manager’s apartment for Oregon State University dorms on Phase 2.
- Allow stormwater runoff to be managed on-site.



COH Fire Truck

	feet
Width	: 8.00
Track	: 8.00
Lock to Lock Time	: 6.0
Steering Angle	: 27.0

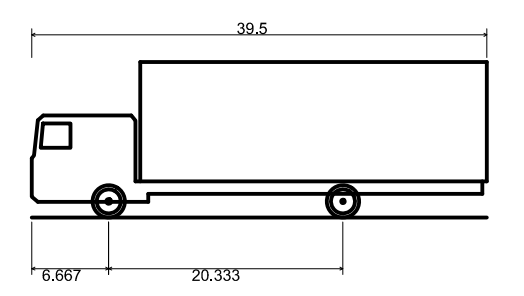
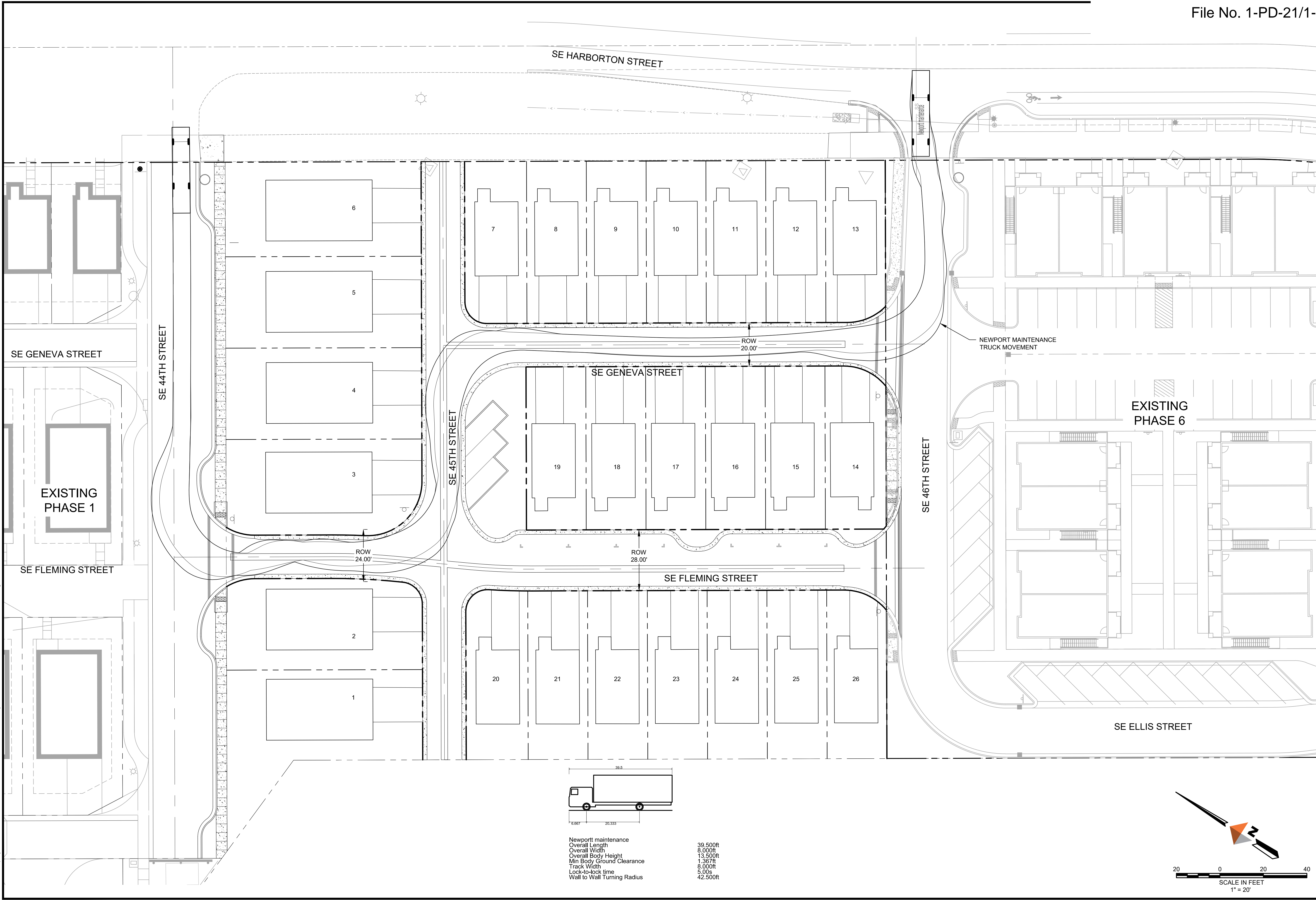
DOWL
WWW.DOWL.COM
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

WILDER SUBDIVISION
FIRE TRUCK TURNING MOVEMENTS

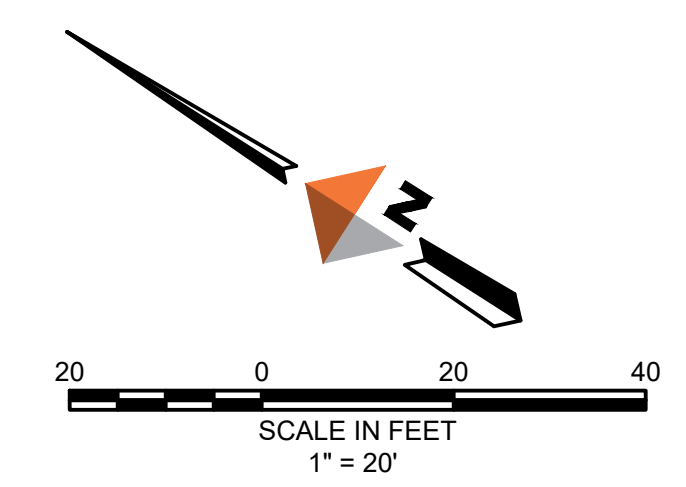
PROJECT	####
DATE	6/3/2021

FIGURE 1

\\BL-FS\BL-projects\22114366-016\SCAD\EXHIBITS\2021-08-04 - City Maintenance Truck\MC14-CS-UT-WILD.dwg PLOT DATE 2021-8-4 18:21 SAVED DATE 2021-08-04 16:57 USER: rhalvorson



Newport maintenance
Overall Length 39.500ft
Overall Width 8.000ft
Overall Body Height 13.500ft
Min Body Ground Clearance 1.367ft
Track Width 8.000ft
Lock-to-lock time 5.00s
Wall to Wall Turning Radius 42.500ft



REV	DATE	DESCRIPTION

DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

WILDER MASTER PLAN
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
CITY MAINTENANCE TRUCK TURNING
MOVEMENTS PHASE 3, LOT 42 & 43
NEWPORT, OREGON - 97366

PROJECT 2322.14369
DATE 8/3/2021

©DOWL 2021
SHEET

EX-1

INTERNATIONAL®

August 24, 2016

Prepared For:

VAC-CON
Ray Moffat
969 Hall Park Rd.
Green Cove Springs, FL 32043-4940
(904)284 - 4200
Reference ID: N/A

Presented By:

Maudlin International Trucks, Inc.
Mark McElmurry
1881 Pickettville Road
Jacksonville FL 32220 -
(904)783-9822

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.

Model Profile
2010 7500 SFA 4X2 (SA537)

APPLICATION:

Sewer Vac

MISSION:

Requested GVWR: 60000. Calc. GVWR: 43000
Calc. Start / Grade Ability: 19.21% / 2.04% @ 55 MPH
Calc. Geared Speed: 73.5 MPH

DIMENSION:

Wheelbase: 244.00, CA: 169.00, Axle to Frame: 75.00

ENGINE, DIESEL:

{International MaxxForce 10} EPA 07, 350 HP 1150 lb-ft Torque @ 1200 RPM, 2200 RPM
Governed Speed, # 2 Bell Housing

TRANSMISSION, AUTOMATIC:

{Allison 3000_RDS_P} 4th Generation Controls; Close Ratio, 6-Speed, With Double Overdrive;
On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW
& GCW Max.

CLUTCH:

Omit Item (Clutch & Control)

AXLE, FRONT NON-DRIVING:

{Dana Spicer I-200W} Wide Track, I-Beam Type, 20,000-lb Capacity

AXLE, REAR, SINGLE:

{Dana Spicer S23-170} Single Reduction, 23,000-lb Capacity, R Wheel Ends Gear Ratio: 5.57

CAB:

Conventional

TIRE, FRONT:

(2) 425/65R22.5 UNISTEEL G286A (GOODYEAR) 470 rev/mile, load range L, 20 ply

TIRE, REAR:

(4) 11R22.5 Load Range G G182 RSD (GOODYEAR), 496 rev/mile, 75 MPH, Drive

SUSPENSION, RR, SPRING, SINGLE:

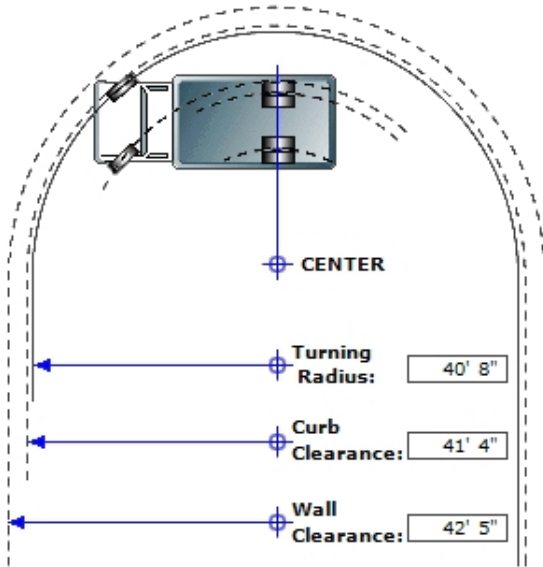
Vari-Rate; 31,000-lb Capacity, Includes 4500-lb Capacity Multileaf Auxiliary

PAINT:

Cab schematic 100GM

Location 1: 9219, Winter White (Std)

Chassis schematic N/A



Series: 7000
 Model: SA537
 Description: 7500 SFA 4X2
 Model Year: 2010

Calculation Factors

Wheelbase: 244
 Front Axle: 0002AEW
 Description: AXLE, FRONT NON-DRIVING, {Dana Spicer I-200W} Wide Track, I-Beam Type, 20,000-lb Capacity
 Front Wheel: 0027DNP
 Description: WHEELS, FRONT, DISC; 22.5x12.25 Rims, Painted Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs, Offset 5.375"
 Front Tire: 07752660164
 Description: TIRES, 425/65R22.5 UNISTEEL G286A (GOODYEAR) 470 rev/mile, load range L, 20 ply
 Steering Gear: 0005PTB
 Description: STEERING GEAR, (2) {Sheppard M100/M80} Dual Power

Turning Radius Statistics

General Information

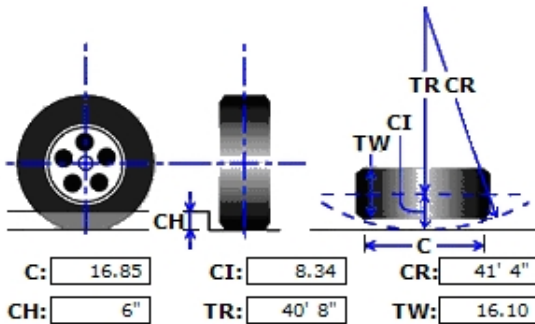
Inside Turn Angle: 36 Degrees
 Radial Overhang: 21

Axle Information

KingPin Inclination: 5.875 Degrees
 KingPin Center: 71

Turning Radius - Curb View

C - Curb Contact Length: 16.85
 CI - Curb Clearance Increment: 8.34
 CR - Curb Clearance Radius: 41'4"
 CH - Curb Height: 6"
 TR - Turning Radius: 40'8"
 TW - Tire Width: 16.10

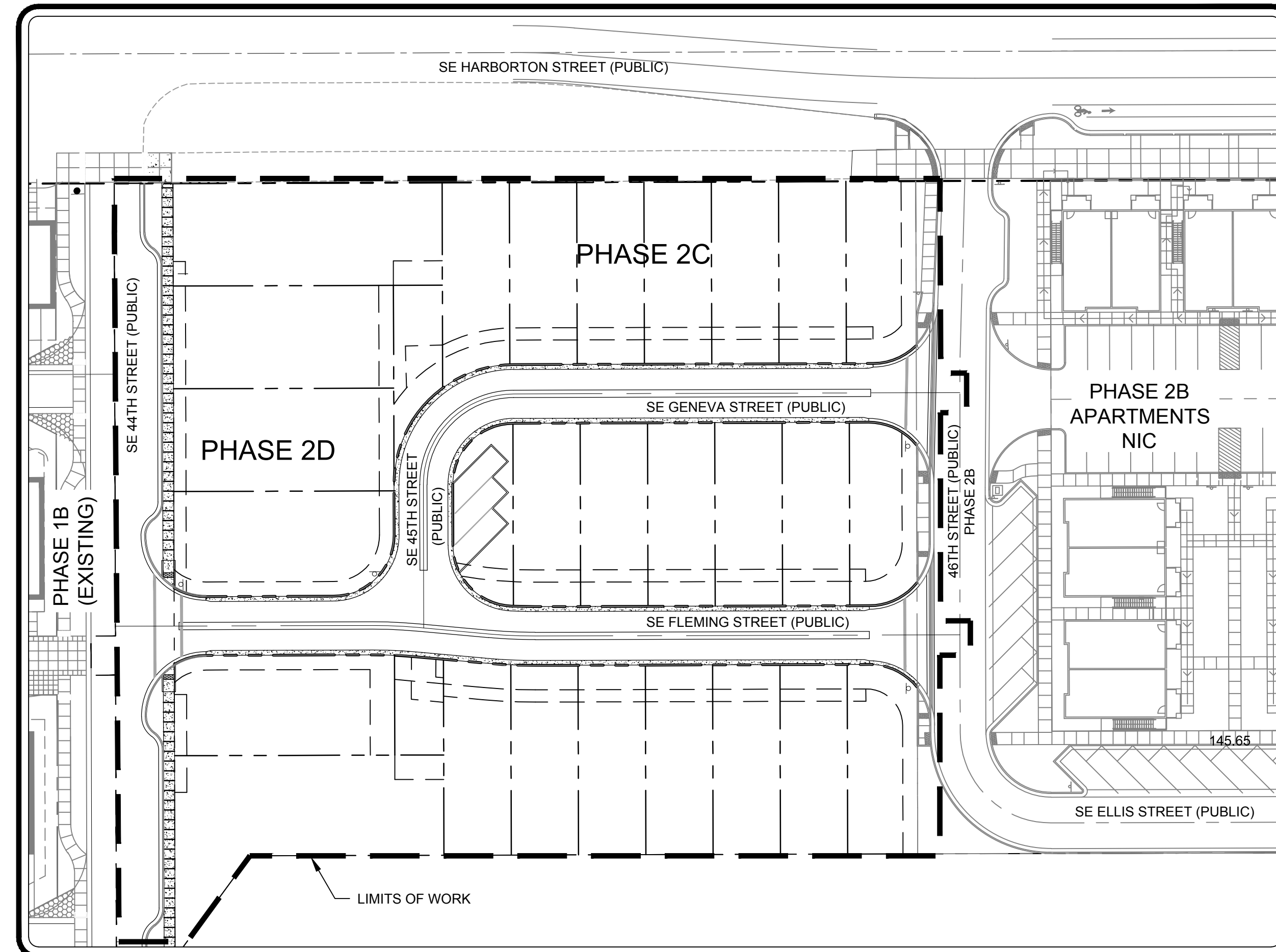
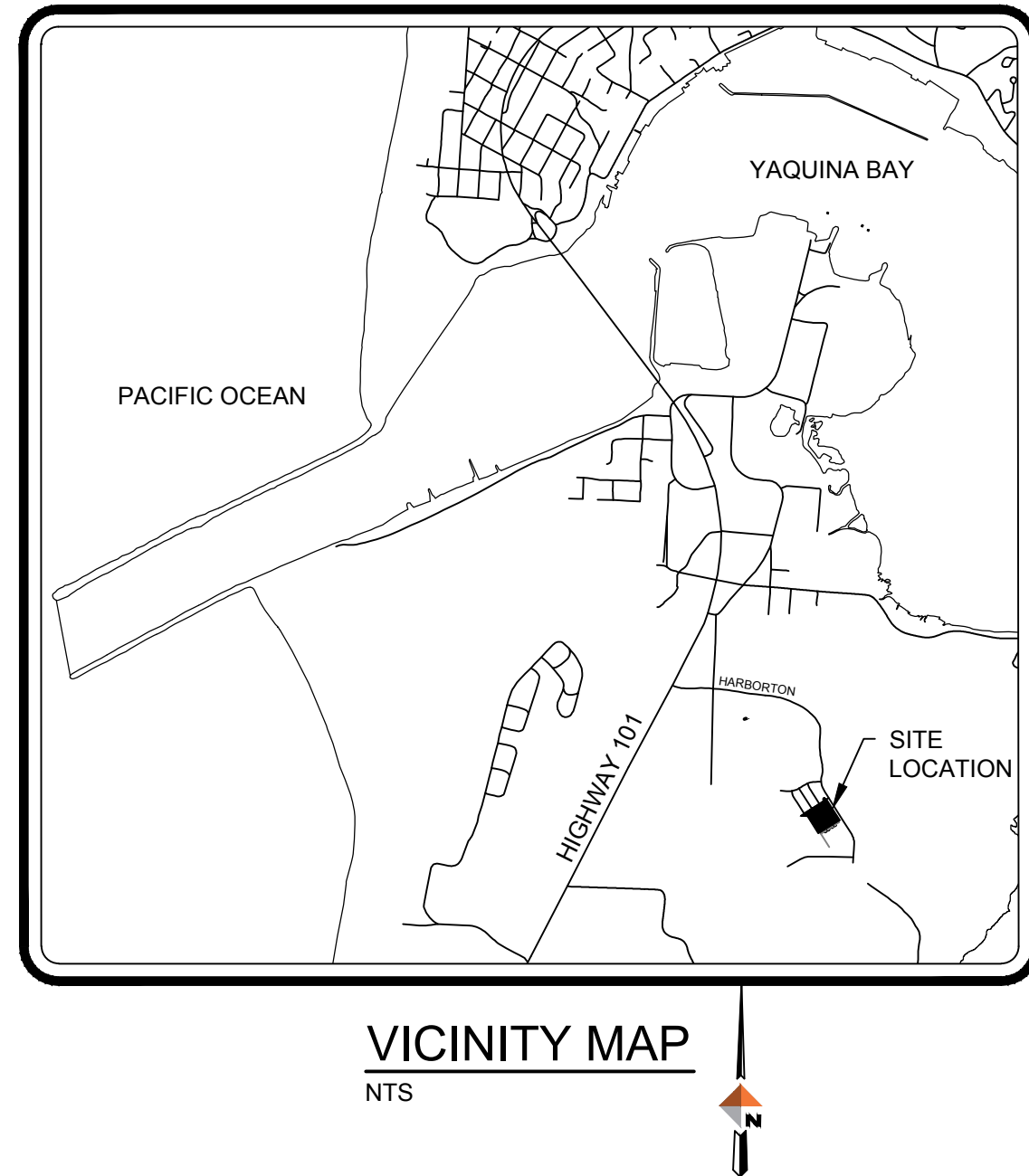


* All Measurements are in inches, unless otherwise specified.

This information is based on engineering information available at this time. Actual figures may vary. Navistar, Inc. cannot accept liability for consequences due to this variance.

WILDER RESIDENTIAL DEVELOPMENT PHASE 2C AND 2D

NORTH CORNER OF SE HARBORTON STREET AND 44TH STREET
NEWPORT, OREGON, 97366



SITE MAP
1" = 40'

OTHER AGENCIES

UTILITY NOTIFICATION
UTILITY NOTIFICATION CENTER
ADMINISTRATIVE OFFICE: 503-232-1987
CALL BEFORE YOU DIG: 1-800-332-2344

SANITARY SEWER
CITY OF NEWPORT PUBLIC WORKS:
541-574-3366

WATER
CITY OF NEWPORT PUBLIC WORKS:
541-574-3366

TELEPHONE
PIONEER TELEPHONE
CONTACT: GARY VICK
PHONE: 541-929-3135
GARYVICK@PIONEER.NET

CABLE/INTERNET
SPECTRUM/CHARTER
CONTACT: JOSHUA LIGHTNER
PHONE: 541-921-9189
JOSHUA.LIGHTNER@CHARTER.COM

ELECTRIC
CENTRAL LINCOLN PUD
CONTACT: BERNIE SCHUETTE
PHONE: 541-265-3211
BSCHUETTE@CENCOAST.COM

GAS
NORTHWEST NATURAL
CONTACT: BRIAN KELLEY
PHONE: 503-220-2427
BRIAN.KELLY@NWNATURAL.COM

DATUM

ELEVATIONS ARE BASED ON NATIONAL GEODETIC SURVEY BENCHMARK HAMILTON (PID: QE2663), BEING A 4" BRASS DISK IN CONCRETE LOCATED AT THE NORTH END OF THE WESTERNMOST PARKING ISLAND OF THE SOUTH BEACH STATE PARK DAY USE AREA APPROXIMATELY 1 MILE SOUTHWEST OF PROJECT SITE, ELEVATION = 21.02 (NAVD88)

OTHER REPORTS

FOR ADDITIONAL INFORMATION SEE THE "REPORT OF GEOTECHNICAL ENGINEERS SERVICES" BY GEODESIGN, DATED APRIL 22, 2009.

PROJECT TEAM

OWNER

LANDWAVES, INC.
2712 SE 20TH AVE
PORTLAND, OR 97202
503-720-0899
CONTACT: BONNIE SERKIN

CIVIL ENGINEER

DOWL
720 SW WASHINGTON STREET, SUITE 750
PORTLAND, OREGON, 97205
(971) 280-8641
CONTACT: JEFF SHOEMAKER, PE
RYAN HALVORSON, PE

SURVEYOR

AKS ENGINEERING AND FORESTRY, LLC
9600 NE 126TH AVE, SUITE 2520
VANCOUVER, WASHINGTON, 98682
(360) 882-0419
CONTACT: ADAM BESEDA, PLS

SHEET INDEX

C000	COVER SHEET
C001	GENERAL NOTES
C050	EXISTING CONDITIONS & DEMOLITION PLAN
C100	PRELIMINARY PLAT PLAN
C200	OVERALL STREET PLAN
C201	TYPICAL SECTIONS
C202	TYPICAL SECTIONS
C210	FLEMING STREET PLAN AND PROFILE
C220	GENEVA STREET PLAN AND PROFILE
C230	SE 45TH STREET PLAN AND PROFILE
C240	SE 44TH STREET PLAN AND PROFILE
C300	OVERALL GRADING AND EROSION CONTROL
C310	GRADING ENLARGEMENTS
C400	STORM DRAINAGE PLAN
C410	FLEMING STREET STORM PLAN AND PROFILE
C420	GENEVA STREET STORM PLAN AND PROFILE
C430	SE 45TH STREET STORM PLAN AND PROFILE
C440	SE 44TH STREET STORM PLAN AND PROFILE
C500	UTILITY PLAN
C510	FLEMING STREET UTILITY PLAN AND PROFILE
C520	GENEVA STREET UTILITY PLAN AND PROFILE
C530	SE 45TH STREET UTILITY PLAN AND PROFILE
C540	SE 44TH STREET UTILITY PLAN AND PROFILE
C600	DETAILS
C610	DETAILS
C620	DETAILS
C630	DETAILS
C640	DETAILS
C700	SIGNING & STRIPING PLAN
C710	SIGNING & STRIPING PLAN
C800	FRANCHISE UTILITY PLAN
C900	SE 40TH STREET STORM IMPROVEMENTS

LEGEND

---	- PROPERTY LINE
---	- LOT LINE
---	- EXISTING MAJOR CONTOUR
---	- EXISTING MINOR CONTOUR
---	- PROPOSED MAJOR CONTOUR
---	- PROPOSED MINOR CONTOUR
---	- EXISTING GRAVEL ROAD
---	- EXISTING STORM LINE
---	- EXISTING SANITARY LINE
---	- EXISTING WATER LINE
---	- EXISTING STORM CATCH BASIN
---	- EXISTING MANHOLE
---	- EXISTING WATER VALVE
---	- SAWCUT LINE
---	- PROPOSED WATER LINE
---	- PROPOSED SANITARY SEWER LINE
---	- PROPOSED STORM DRAIN PIPE
---	- PROPOSED BINDING SITE PLAN LINE
---	- PROPOSED EASEMENT LINE
---	- PROPOSED CURB
---	- PROPOSED CURB AND GUTTER
---	- PROPOSED CONCRETE SURFACE
---	- PROPOSED CATCH BASIN
---	- PROPOSED CLEANOUT
---	- PROPOSED MANHOLE
---	- PROPOSED WATER VALVE
---	- PROPOSED STREET SIGN
---	- FIRE HYDRANT

OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344



REV	DATE	DESCRIPTION
1	10-31-17	CITY COMMENTS
2	01-25-19	CITY COMMENTS
3	03-13-19	CITY COMMENTS
4	05-07-19	CITY COMMENTS



DOWL
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641
WWW.DOWL.COM

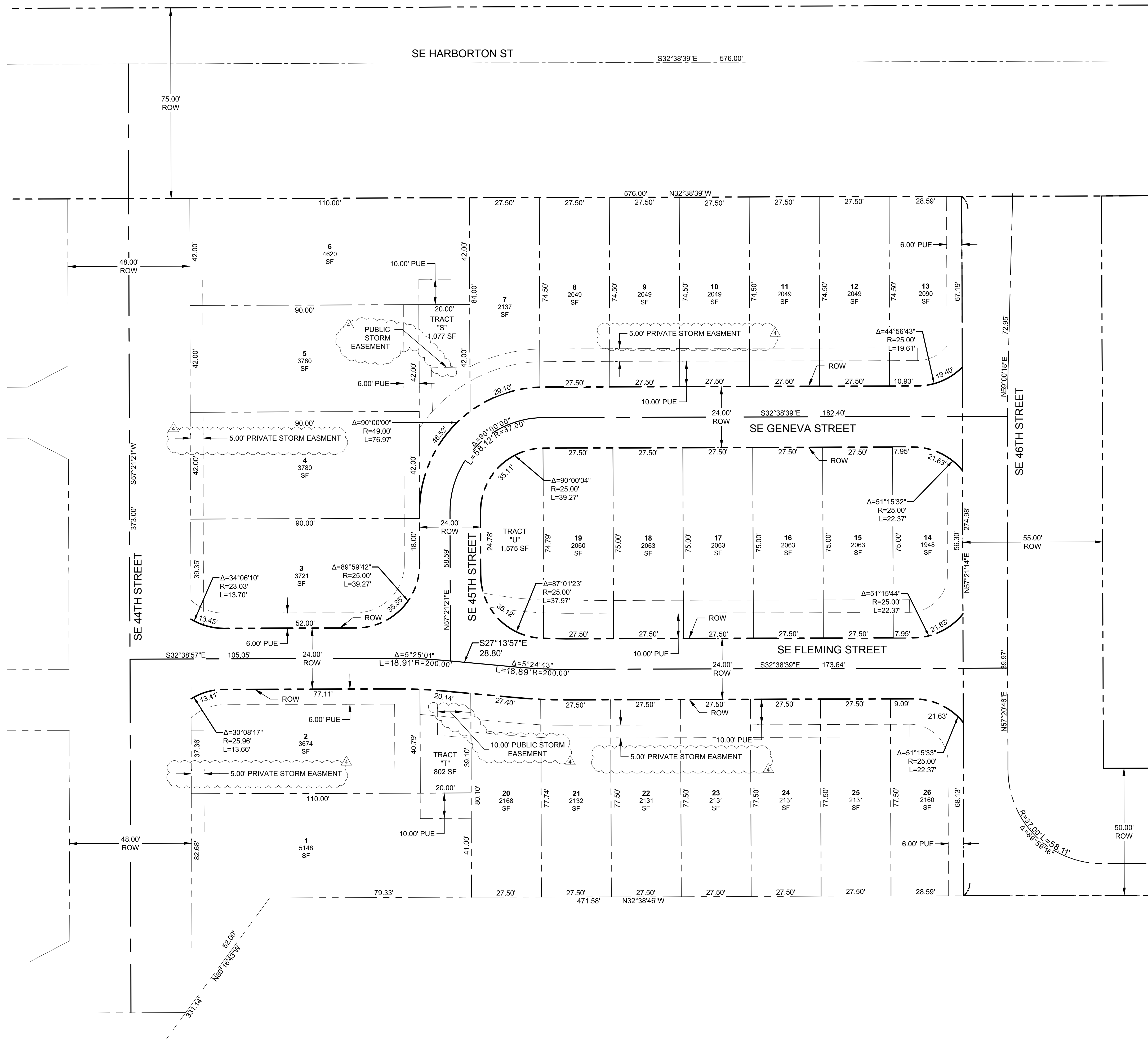
WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
COVER SHEET
NEWPORT, OREGON - 97366

PROJECT	2322.14369
DATE	08-01-2017

©DOWL 2017
SHEET

C000

\\BIL-FS\BIL-Projects\22114369-01\65CAD_CDMIC14-CS-PL-WILD.dwg PLOT DATE 2019-07-31 15:43 SAVED DATE 2019-07-31 11:13 USER: istroud



TRACT TABLE

TRACT	AREA SF	USE
S	1077	OPEN SPACE
T	802	OPEN SPACE
U	1575	PARKING

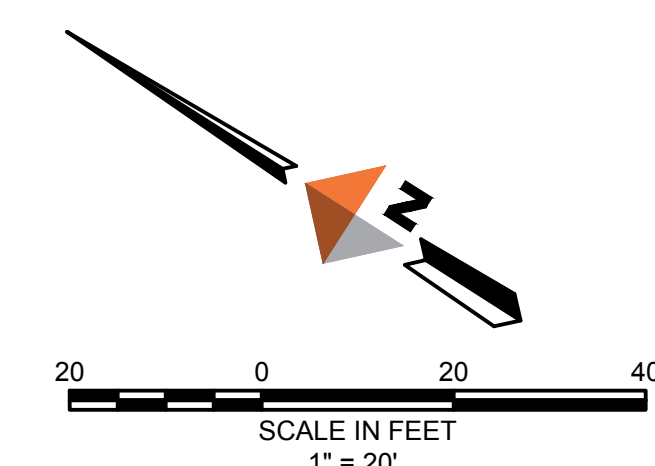
REVISIONS		DESCRIPTION	BY
REV	DATE		
1	10-31-17	CITY COMMENTS	KDL
2	01-25-19	CITY COMMENTS	RHH
3	03-13-19	CITY COMMENTS	CAG
4	05-07-19	CITY COMMENTS	RFS



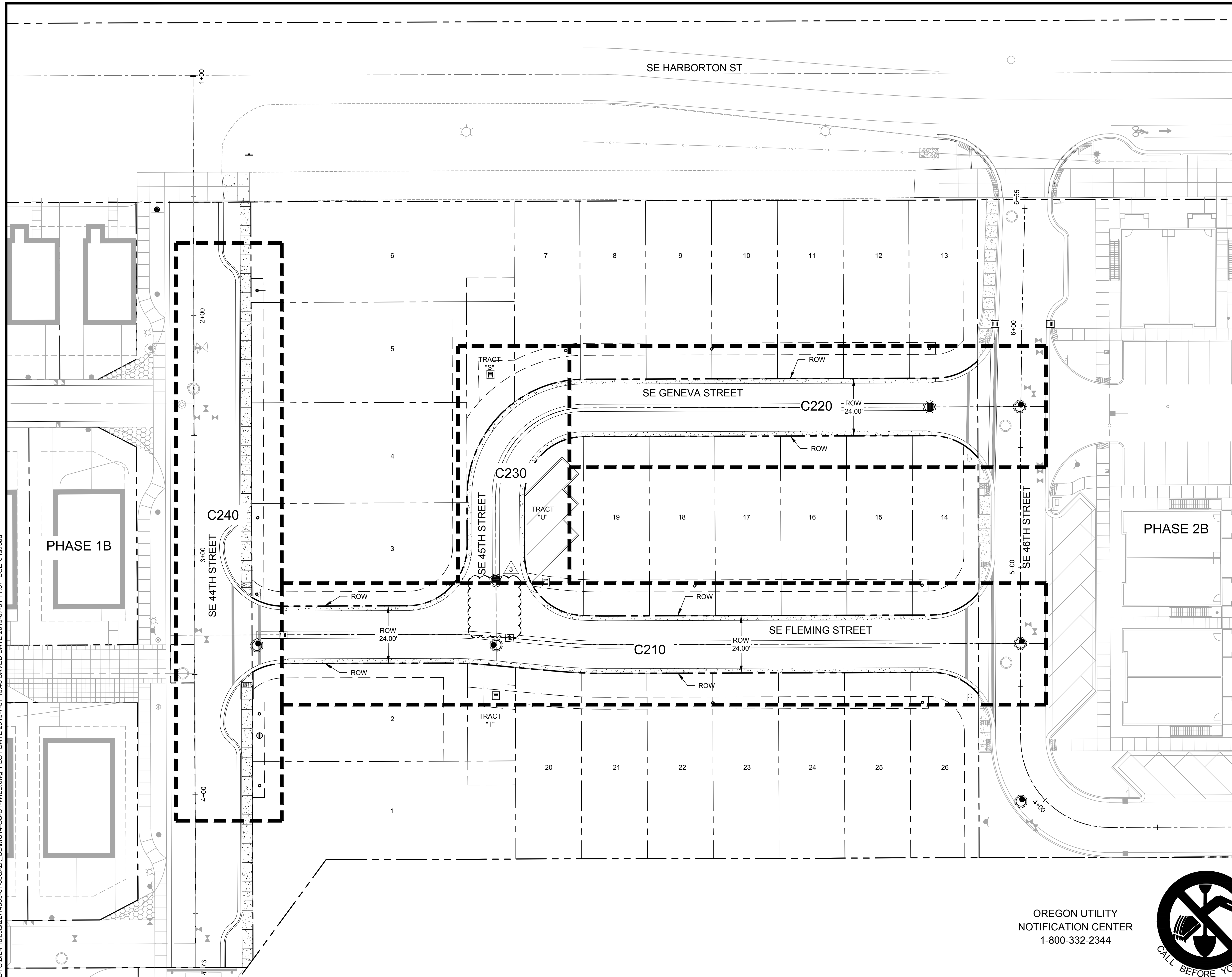
DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
PRELIMINARY PLAT PLAN

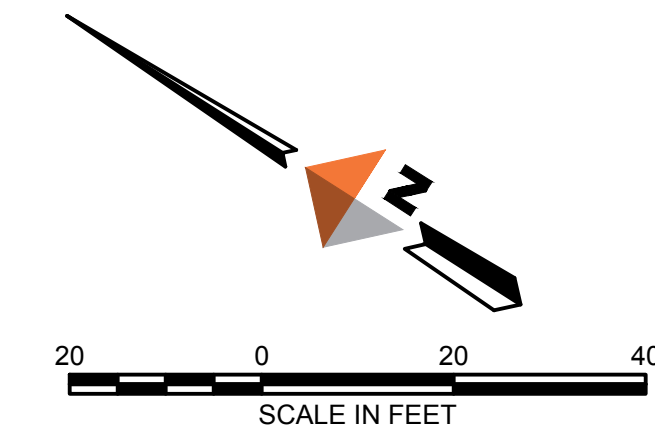
PROJECT	2322.14369
DATE	08-01-2017
©DOWL 2017	
SHEET	
C100	



\\BIL-FS\BIL-Projects\22114369-01\65CAD_CDM\14-CS-ST-WILD.dwg PLOT DATE 2019-7-31 15:43 SAVED DATE 2019-07-31 11:37 USER: rstroud



OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344



REVISIONS				
REV	DATE	DESCRIPTION	BY	RFS
1	10-31-17	CITY COMMENTS	KDL	
2	01-25-19	CITY COMMENTS	RHH	
3	03-13-19	CITY COMMENTS	OAG	
4	05-07-19	CITY COMMENTS	RFS	



DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

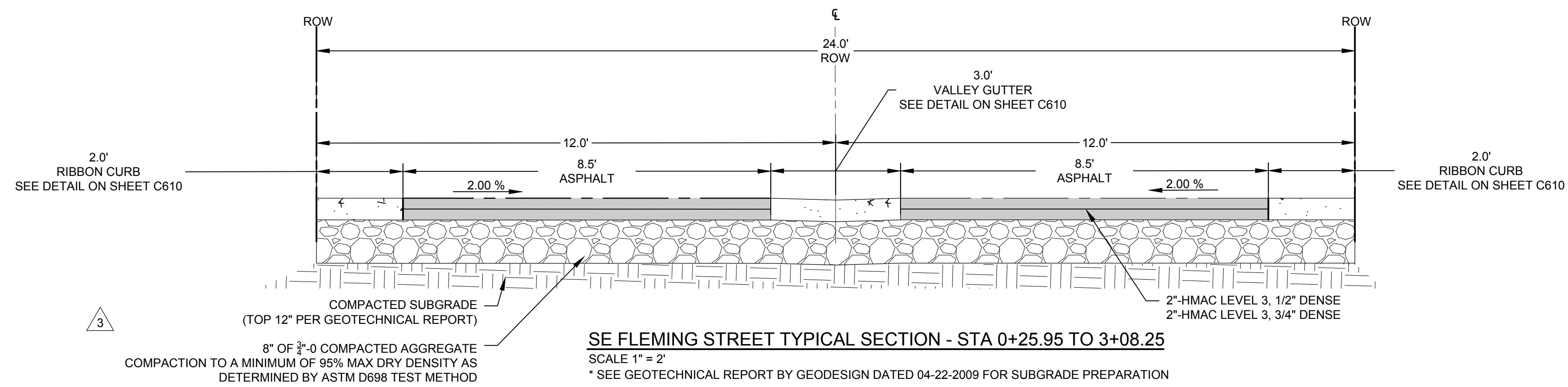
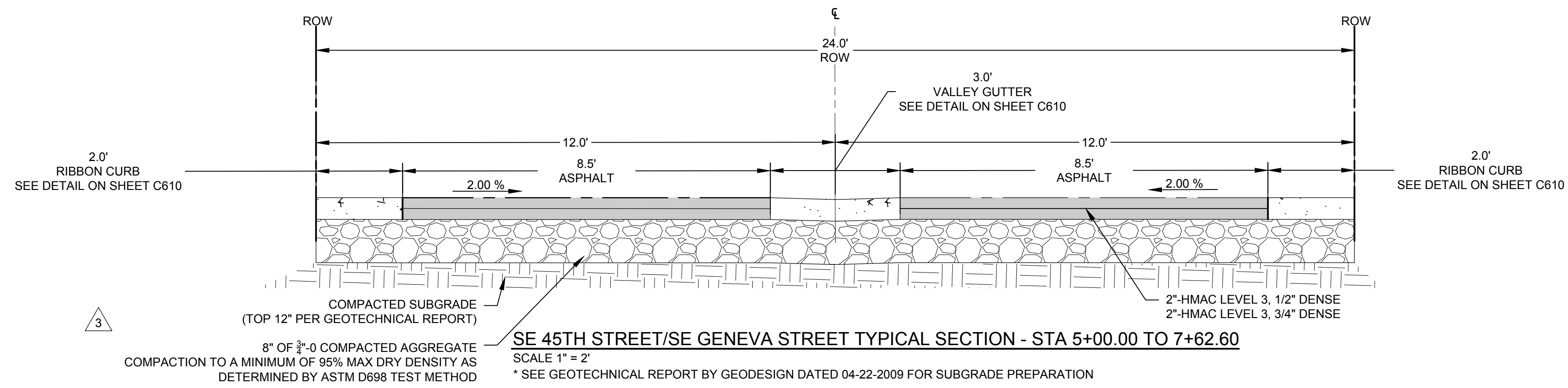
WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
OVERALL STREET PLAN

PROJECT	2322.14369
DATE	08-01-2017

©DOWL 2017
SHEET

C200

\\BL-FS\BL-Projects\2214369-0165CAD_CDMIC\4-CS-TYPSEC-WILD.dwg PLOT DATE 2019-05-07 15:43 SAVED DATE 2019-05-07 16:24 USER: rstroud



REV	DATE	DESCRIPTION
1	10-31-17	CITY COMMENTS
2	01-25-19	CITY COMMENTS
3	03-13-19	CITY COMMENTS
4	05-07-19	CITY COMMENTS



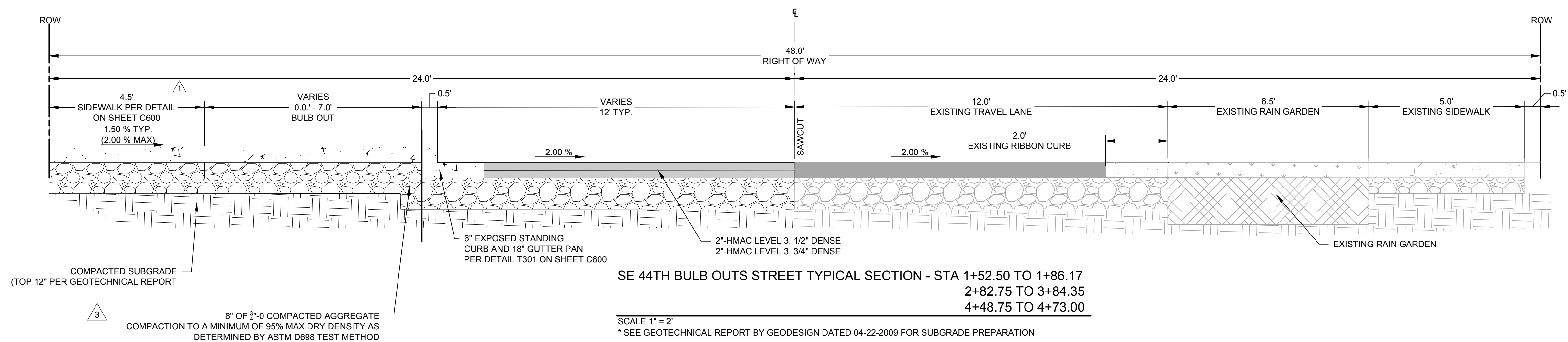
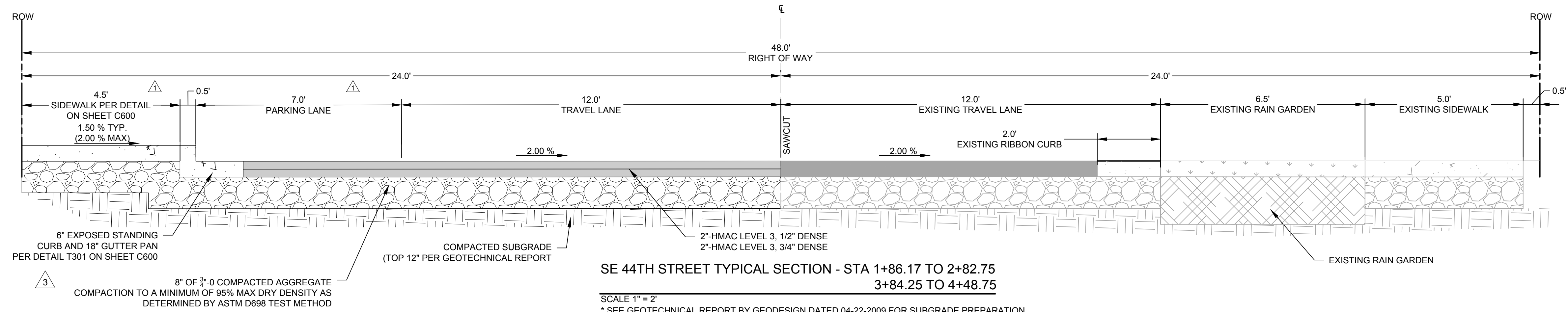
DOWL
 WWW.DOWL.COM
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

WILDER PHASE 2C AND 2D
 SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
TYPICAL SECTIONS

PROJECT	2322.14369
DATE	08-01-2017

©DOWL 2017
 SHEET
C201

\\BL-FS\BL-Projects\2214369-01\65CAD_CDMC\14-CS-TYPSEC-WLD.dwg PLOT DATE 2019-07-31 15:43 SAVED DATE 2019-05-07 16:24 USER: rstroud



REV	DATE	DESCRIPTION
1	10-31-17	CITY COMMENTS
2	01-25-19	CITY COMMENTS
3	03-13-19	CITY COMMENTS
4	05-07-19	CITY COMMENTS



DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

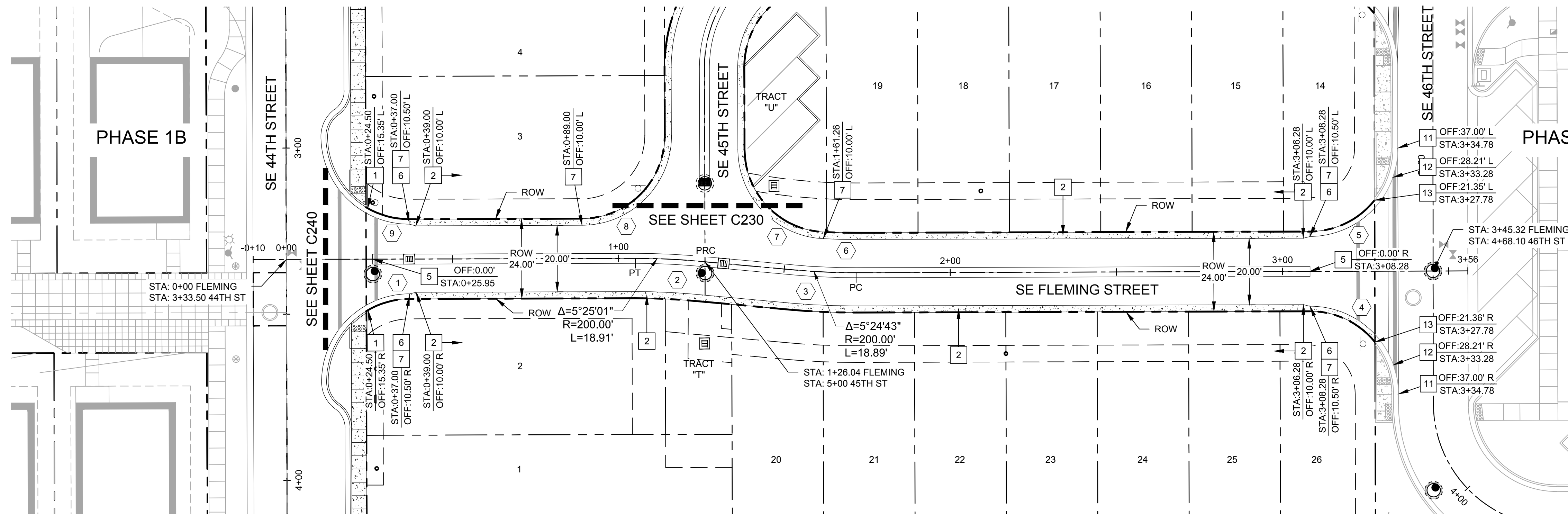
WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
TYPICAL SECTIONS

PROJECT 2322.14369
DATE 08-01-2017

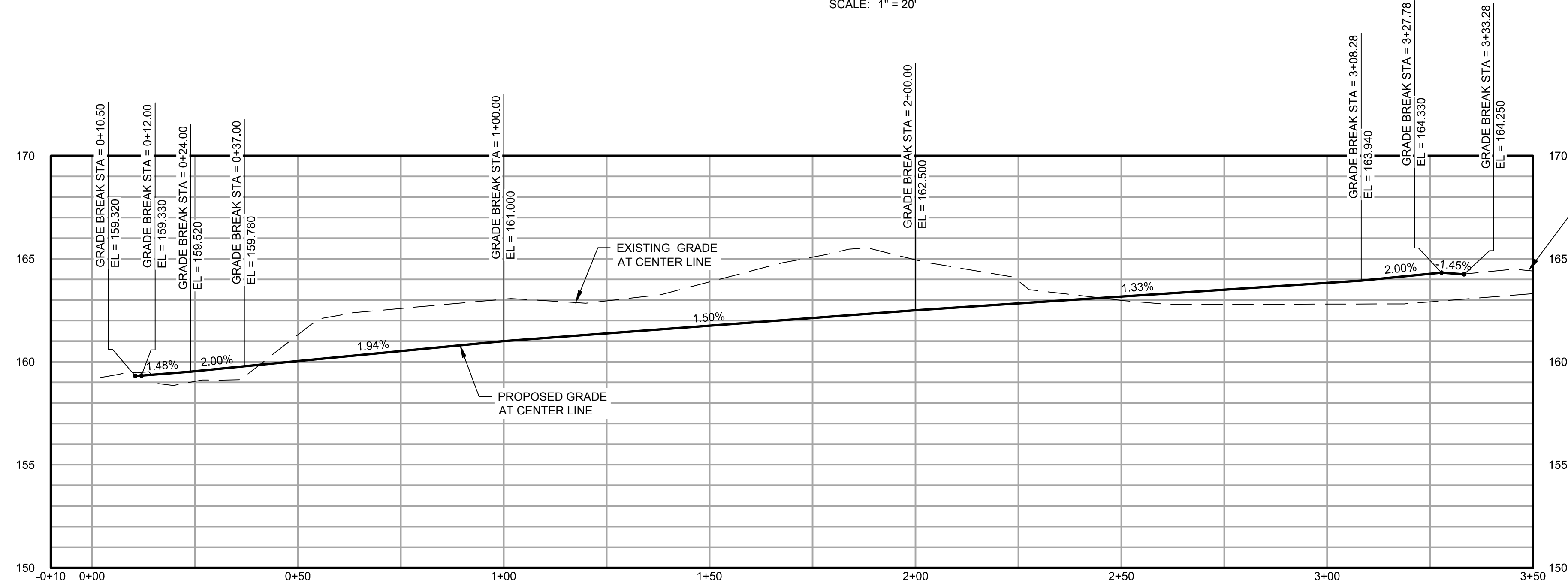
©DOWL 2017
SHEET

C202

\\BIL-FS\BIL-Projects\22114369-0165CAD_CDMC\14-CS-ST-WILD.dwg PLOT DATE 2019-07-31 15:43 SAVED DATE 2019-07-31 11:37 USER: rstroud



FLEMING STREET PLAN
SCALE: 1" = 20'



FLEMING STREET PROFILE - STA: 0+00 TO 3+56
SCALE: 1" = 20'

FLEMING STREET CURVE TABLE

(#) CURVE	LENGTH	RADIUS	DELTA	PC STA	MID STA	PT STA
1	41.62'	26.50'	89°59'42"	0+10.50, 37.00 R	0+18.26, 18.26 R	0+37.00, 10.50 R
2	17.96'	190.00'	05°25'01"	1+05.05, 10.00 R	1+14.51, 10.00 R	1+23.96, 10.00 R
3	17.95'	212.36'	04°50'30"	1+53.66, 10.00 R	1+62.20, 10.00 R	1+70.64, 10.00 R
4	21.91'	26.50'	47°22'38"	3+08.28, 10.50 R	3+19.74, 13.11 R	3+27.78, 19.05 R*
5	21.91'	26.50'	47°22'50"	3+08.28, 10.50 L	3+19.74, 13.11 L	3+27.78, 19.05 L*
6	9.87'	190.00'	02°58'37"	1+61.26, 10.00 L	1+66.45, 10.00 L	1+71.65, 10.00 L
7	41.01'	27.00'	87°01'23"	1+32.80, 34.60 L	1+41.94, 16.79 L	1+61.26, 10.00 L
8	42.41'	27.00'	89°59'42"	0+89.00, 10.00 L	1+07.84, 17.93 L	1+14.29, 37.25 L
9	41.62'	26.50'	89°59'28"	0+10.50, 37.00 L	0+18.26, 18.26 L	0+37.00, 10.50 L

*STATIONING ASSUMES CURVE TIES INTO EXISTING AT ROW LINE

- STREET CONSTRUCTION NOTES**
- CONSTRUCT STANDARD CURB AND GUTTER PER STANDARD DETAIL T-301 ON SHEET C600.
 - CONSTRUCT STANDARD 24" CONCRETE RIBBON CURB PER DETAIL ON SHEET C610.
 - CONSTRUCT CONCRETE VALLEY PER DETAIL ON SHEET C610.
 - TRANSITION 18" GUTTER PAN TO 24" RIBBON CURB OVER 2 LF.
 - SEE CURVE TABLE THIS SHEET FOR MORE INFORMATION.
 - SAWCUT EXISTING ASPHALT.
 - CONSTRUCT CONCRETE VALLEY PER CITY DETAIL ON SHEET C600.
 - MATCH INTO EXISTING 18" GUTTER PAN.

REVISIONS

REV	DATE	DESCRIPTION
1	10-31-17	CITY COMMENTS
2	01-25-19	CITY COMMENTS
3	03-13-19	CITY COMMENTS
4	05-07-19	CITY COMMENTS



DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

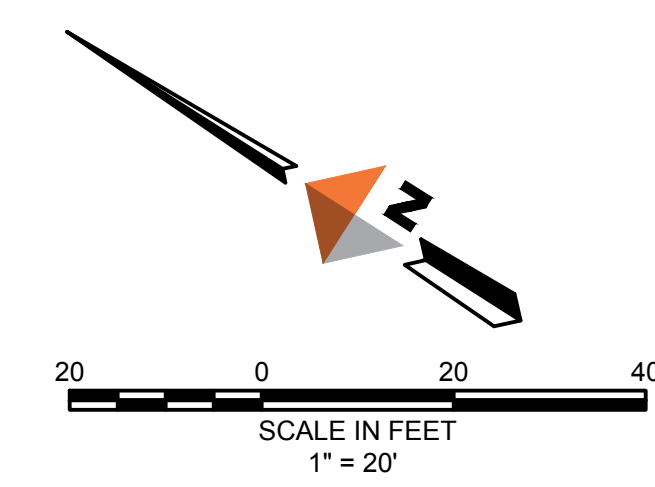
WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
**FLEMING STREET PLAN
AND PROFILE**

PROJECT 2322.14369
DATE 08-01-2017

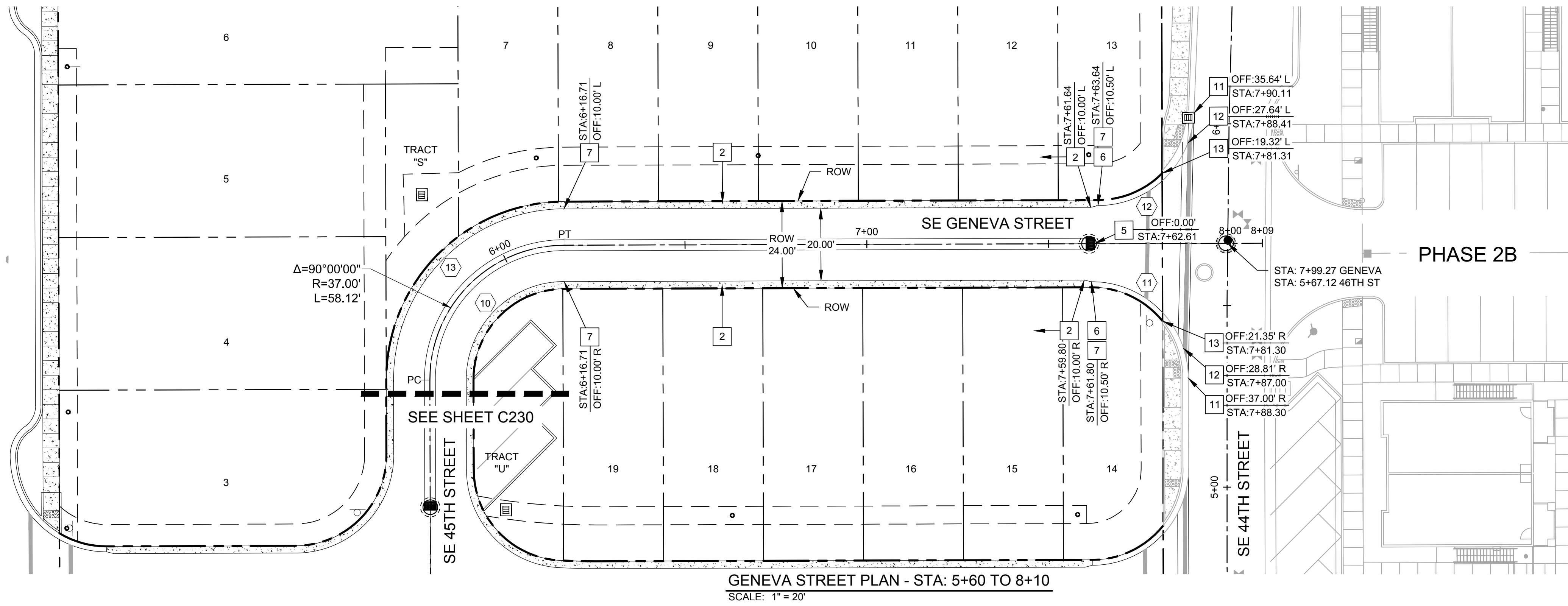
©DOWL 2017
SHEET

C210

OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344



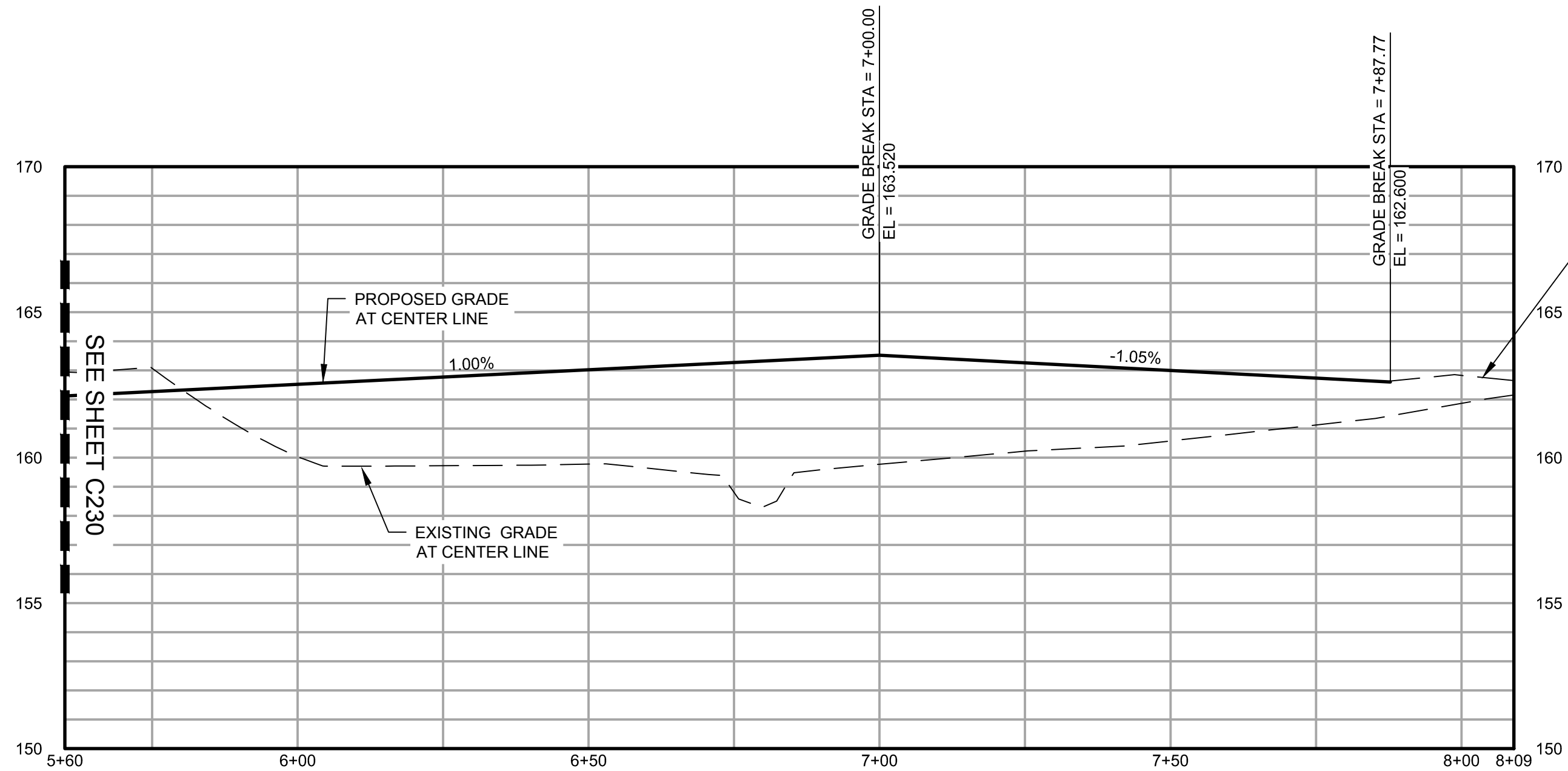
\\BIL-FS\BIL-Projects\2214366-0165CAD_CDMMC14-CS-ST-WILD.dwg PLOT DATE 2019-8-1 13:16 SAVED DATE 2019-07-31 11:37 USER: retrou



GENEVA STREET PLAN - STA: 5+60 TO 8+10
SCALE: 1" = 20'

STREET CONSTRUCTION NOTES

- 2 CONSTRUCT STANDARD 24" CONCRETE RIBBON CURB PER STANDARD DETAIL ON SHEET C610.
- 5 CONSTRUCT CONCRETE VALLEY GUTTER PER DETAIL ON SHEET C610.
- 6 TRANSITION 18" GUTTER PAN TO 24" RIBBON CURB OVER 2 LF.
- 7 SEE CURVE TABLE THIS SHEET FOR MORE INFORMATION.
- 11 SAWCUT EXISTING ASPHALT.
- 12 CONSTRUCT CONCRETE VALLEY PER CITY DETAIL T302 ON SHEET C600.
- 13 MATCH INTO EXISTING 18" GUTTER PAN.



GENEVA STREET PROFILE
SCALE: 1" = 20'

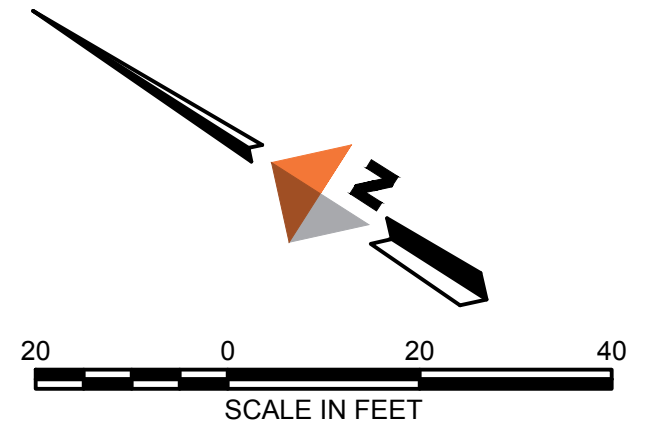
GENEVA STREET CURVE TABLE

(#)	CURVE	LENGTH	RADIUS	DELTA	PC STA	MID STA	PT STA
10	42.41'	27.00'	90°00'04"	5+58.59, 10.50 R	5+87.65, 10.00 R	6+16.71, 10.00 R	
11	21.90'	26.50'	47°22'38"	7+61.80, 10.50 R	7+73.26, 13.11 R	7+81.30, 19.06 R	
12	19.33'	26.50'	41°47'41"	7+63.64, 10.50 L	7+73.09, 12.24 L	7+81.30, 17.24 L	
13	73.83'	47.00'	90°00'00"	5+58.59, 10.00 L	5+87.65, 12.52 L	6+16.71, 10.00 L	

*STATIONING ASSUMES CURVE TIES INTO EXISTING AT ROW LINE

46TH GRADE FROM AB DRAWINGS. CONTRACTOR TO CONFIRM ELEVATIONS PRIOR TO CONSTRUCTION. NOTIFY ENGINEER IMMEDIATELY IF DISCREPANCIES OCCUR.

OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344



REV	DATE	DESCRIPTION
1	10-31-17	CITY COMMENTS
2	01-25-19	CITY COMMENTS
3	03-13-19	CITY COMMENTS
4	05-07-19	CITY COMMENTS



DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

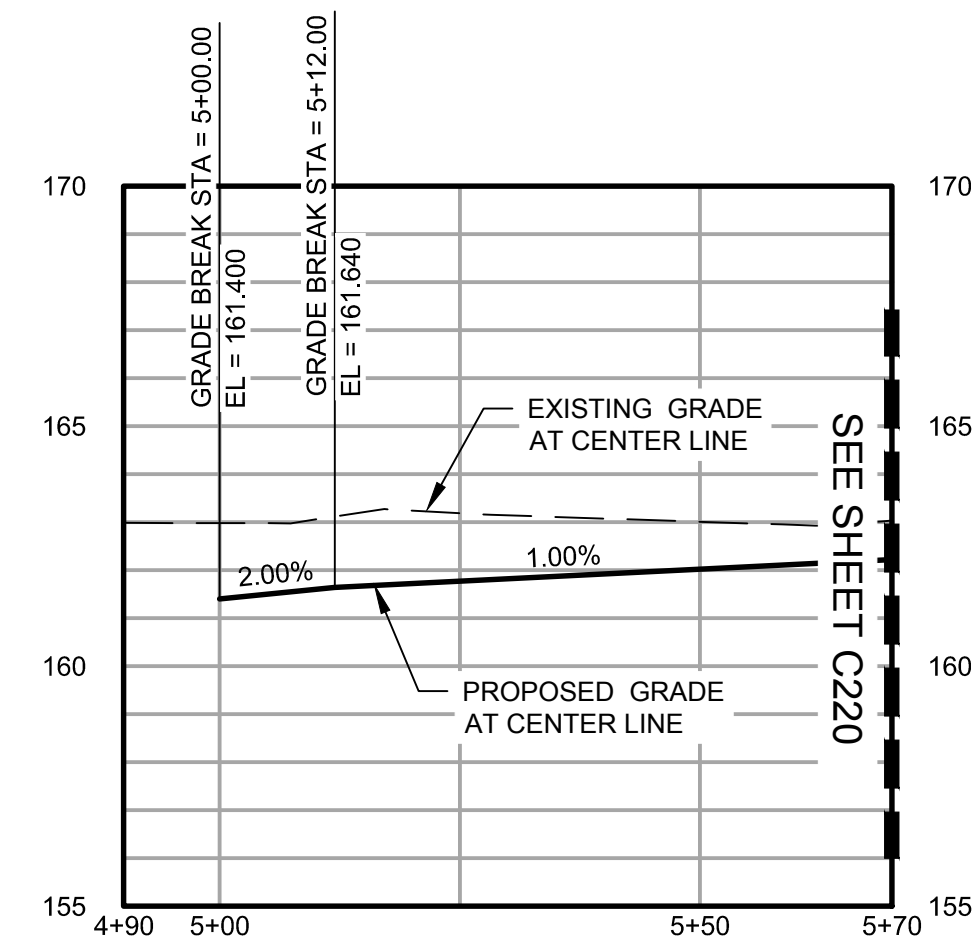
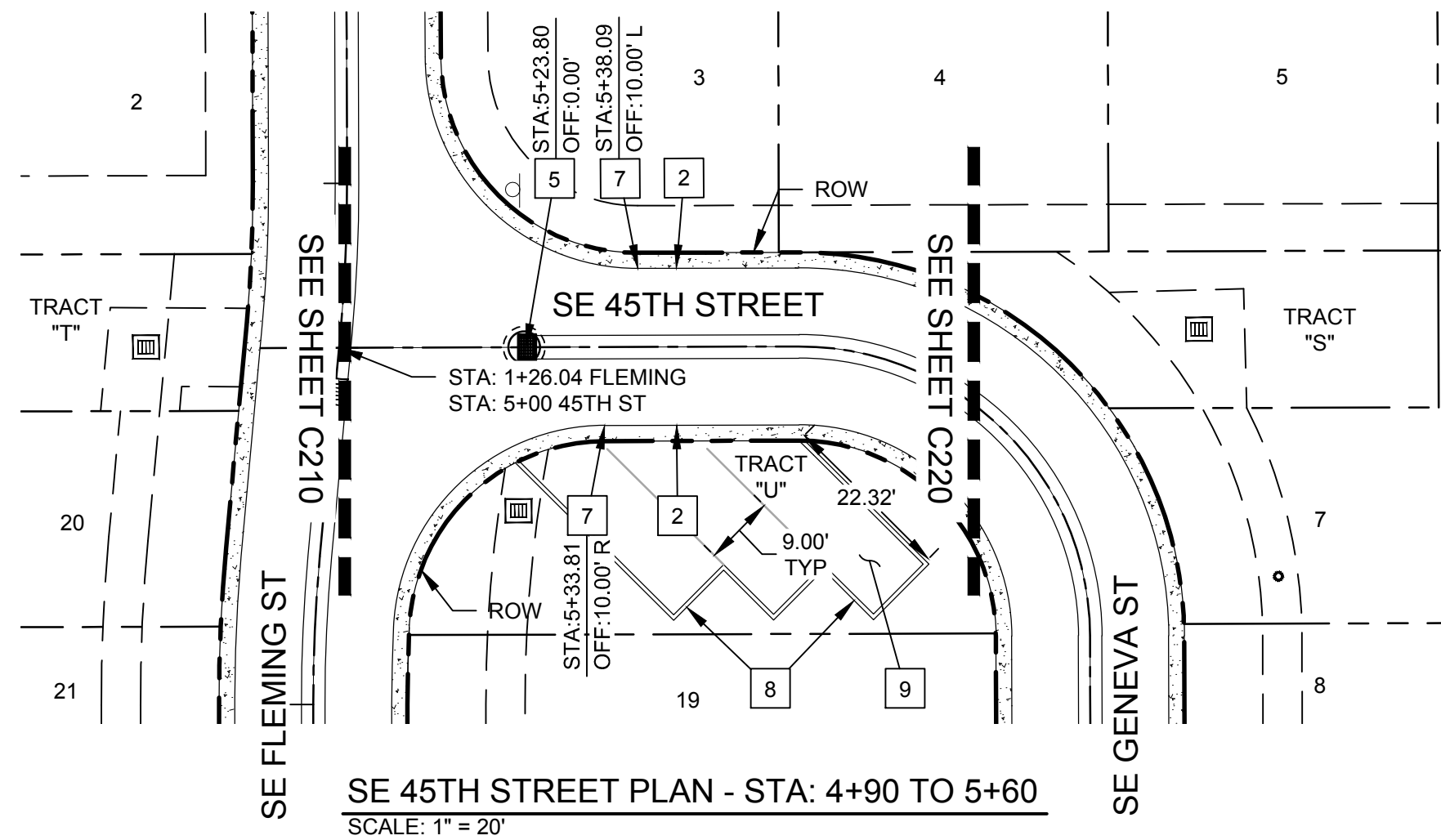
WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
**GENEVA STREET PLAN
AND PROFILE**

PROJECT 2322.14369
DATE 08-01-2017

©DOWL 2017
SHEET

C220

\\BIL-FS\BIL-Projects\22114369-01\65CAD_CDM\C14-CS-ST-WILD.dwg PLOT DATE 2019-07-31 15:43 SAVED DATE 2019-07-31 11:37 USER: rstroud



SE 44TH STREET PROFILE
SCALE: 1" = 20'

SEE CURVE DATA ON SHEET C210 AND C220

STREET CONSTRUCTION NOTES

- 2 CONSTRUCT STANDARD 24" CONCRETE RIBBON CURB PER DETAIL ON SHEET C610.
- 5 CONSTRUCT CONCRETE VALLEY GUTTER PER DETAIL ON SHEET C610.
- 7 SEE CURVE TABLE ON SHEET C210 FOR MORE INFORMATION.
- 8 INSTALL STANDARD CURB PER STANDARD DETAIL T-301 ON SHEET C600.
- 9 CONSTRUCT PARKING AC PAVEMENT SECTION PER DETAIL ON SHEET C610.

REVISIONS	
REV	DATE
1	10-31-17
2	04-25-19
3	03-13-19
4	05-07-19



DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

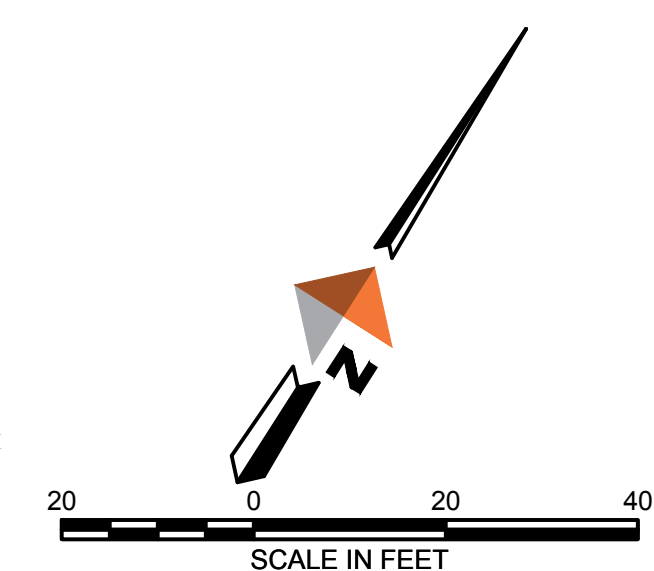
WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
SE 45TH STREET PLAN
AND PROFILE

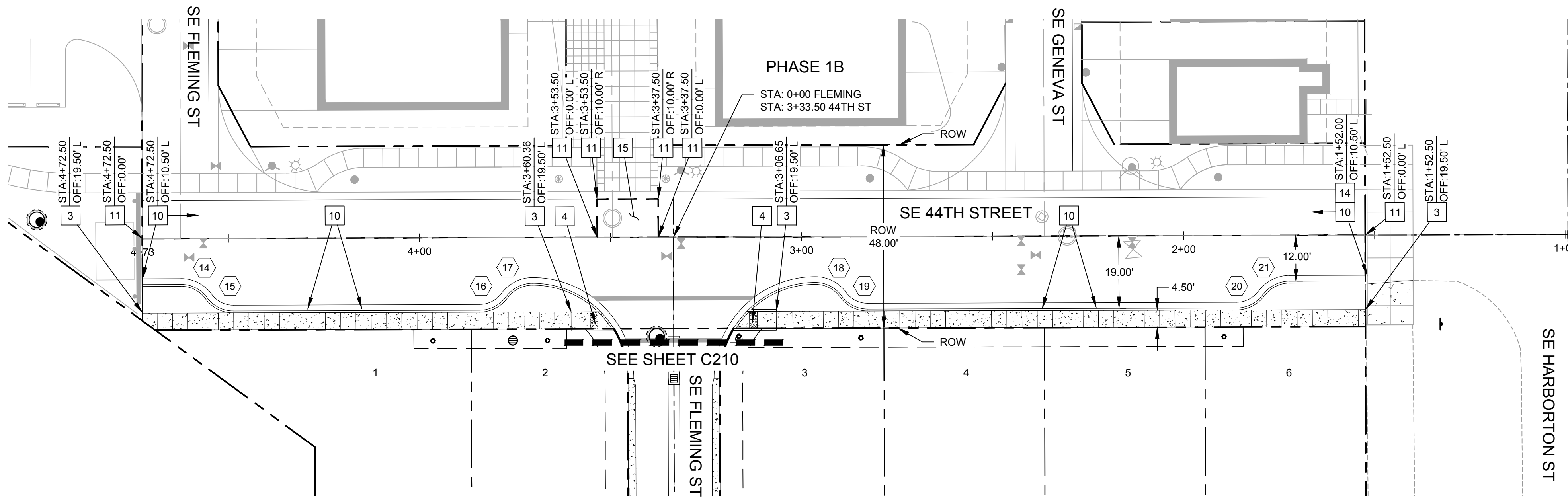
PROJECT 2322.14369
DATE 08-01-2017

©DOWL 2017
SHEET

C230

OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344





SE 44TH STREET PLAN - STA: 1+00 TO 4+73
SCALE: 1" = 20'

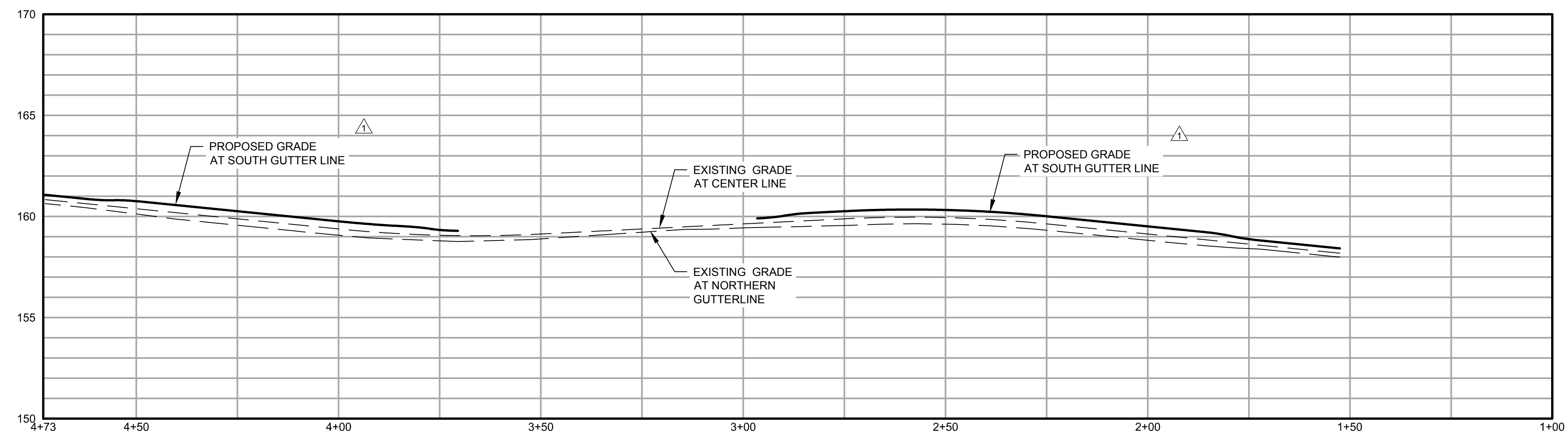
STREET CONSTRUCTION NOTES

- 3 CONSTRUCT STANDARD CONCRETE SIDEWALK PER STANDARD DETAIL T-210 ON SHEET C600.
- 4 CONSTRUCT STANDARD ADA RAMP WITH TRUNCATED DOMES AND CURB RETURN PER DETAIL ON SHEET C600.
- 10 CONSTRUCT STANDARD CURB AND GUTTER WITH REVERSE GUTTER PAN PER STANDARD DETAIL T-301 ON SHEET C600.
- 11 SAWCUT EXISTING ASPHALT.
- 14 TRANSITION FROM 6" EXPOSURE CURB & GUTTER TO 0" OVER 0.5'. TIE INTO EXISTING CONCRETE CROSSWALK.
- 15 PAVE ROAD FOR EXISTING CONCRETE REMOVED. PROTECT EXISTING STORM MANHOLE.

REV	DATE	DESCRIPTION
1	10-31-17	CITY COMMENTS
2	01-25-19	CITY COMMENTS
3	03-13-19	CITY COMMENTS
4	05-07-19	CITY COMMENTS



DOWL
www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

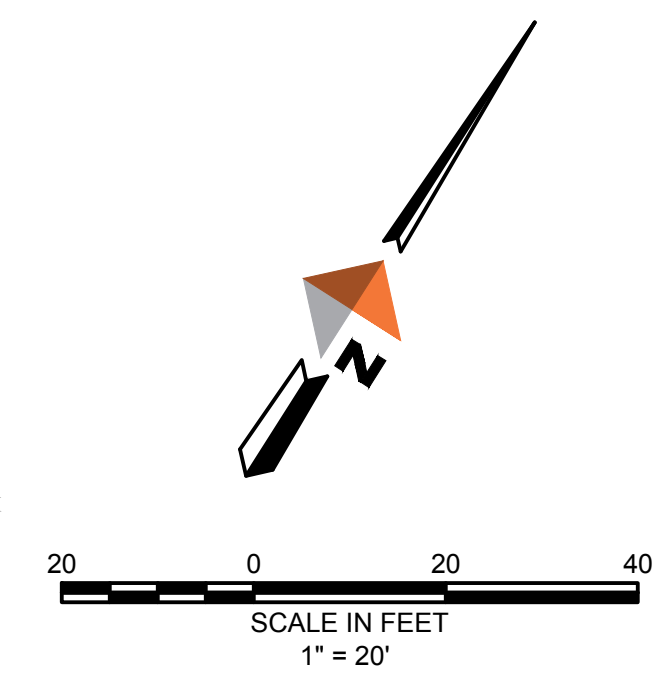


SE 44TH STREET PROFILE
SCALE: 1" = 20'

SE 44TH STREET CURVE TABLE

(#) CURVE	LENGTH	RADIUS	DELTA	PC STA	MID STA	PT STA
14	9.42'	10.00'	53°58'05"	4+54.41, 14.62 L	4+57.96, 11.59 L	4+62.50, 10.50 L
15	6.59'	7.00'	53°58'05"	4+48.75, 17.50 L	4+51.93, 16.74 L	4+54.41, 14.62 L
16	6.59'	7.00'	53°58'05"	3+78.59, 14.62 L	3+81.08, 16.74 L	3+84.25, 17.50 L
17	9.42'	10.00'	53°58'05"	3+70.51, 10.50 L	3+75.04, 11.59 L	3+78.59, 14.62 L
18	9.42'	10.00'	53°58'05"	2+88.42, 14.62 L	2+91.97, 11.59 L	2+96.51, 10.50 L
19	6.59'	7.00'	53°58'05"	2+82.76, 17.50 L	2+85.94, 16.74 L	2+88.42, 14.62 L
20	6.59'	7.00'	53°58'05"	1+80.51, 14.62 L	1+83.00, 16.74 L	1+86.17, 17.50 L
21	9.42'	10.00'	53°58'18"	1+72.42, 10.50 L	1+76.96, 11.59 L	1+80.51, 14.62 L

OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344



WILDER PHASE 2C AND 2D
SE 44TH ST & SE HARBORTON ST - NEWPORT, OR
SE 44TH STREET PLAN
AND PROFILE

PROJECT 2322.14369
DATE 08-01-2017

©DOWL 2017
SHEET

C240

\\BIL-FS\BIL-Projects\22114369-0165CAD_CDMIC\4-CS-ST-WILD.dwg PLOT DATE 2019-7-31 15:43 SAVED DATE 2019-07-31 11:37 USER: rstroud

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING¹**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing on Monday, August 9, 2021, to consider the following request:

File No. 1-PD-21 / 1-SUB-21.

Applicant & Owner: Landwaves, Inc. (Bonnie Serkin, representative)

Requests:

1-PD-21: Amendment to the Preliminary and Final Development Plans for the “Phase 1 of Wilder” Development. The previous approval mandated 24-foot wide travel lanes and clear widths of 24 feet. The applicant proposes 20-foot widths, excluding parking, swales, and sidewalks, for the streets known as 45th Street, Fleming Street, Geneva Street, and 42nd Street. The applicant also requests approval to add three new types of street sections to the “Kit of Parts”: a “20-foot Neighborhood Local Road” for 42nd Street in Lot 49, a “20-foot Utility Alley” for 45th Street in Lot 42 and Geneva Street in Lot 43, and a “20-foot Hillside Street” for future use in other phases. Fleming Street in Lots 42 and 43 will be constructed in accordance with the existing “Woonerf” street section in the “Kit of Parts”, which provides for a flexible range of widths. All other aspects of the Planned Development remain as previously approved.

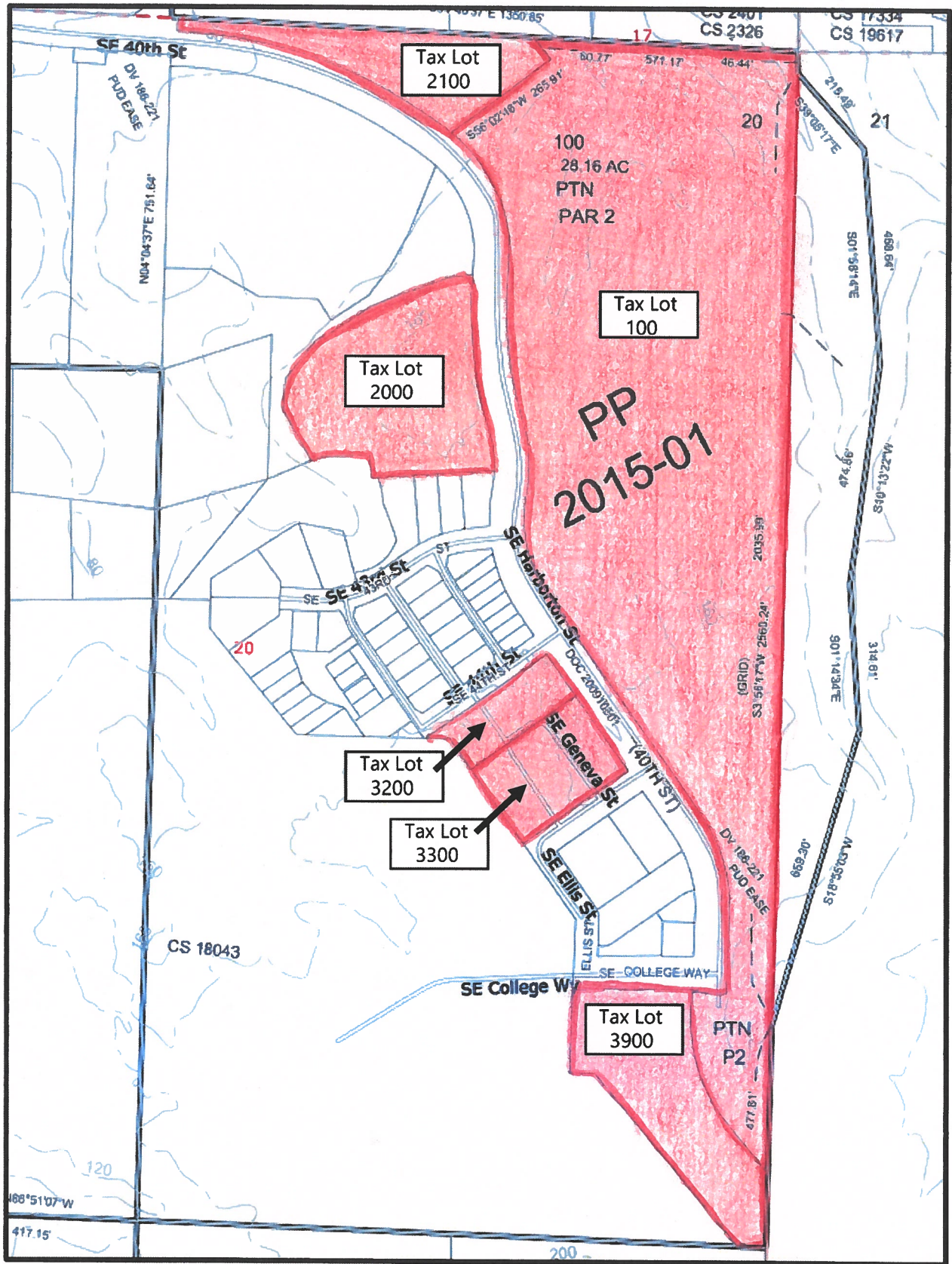
1-SUB-21: Approval of a tentative subdivision plan for the portions of “Phase 1 of Wilder” to allow 20-foot widths for travel lanes, excluding parking, swales, and sidewalks, for the streets in Lots 42, 43, and 49. In addition, five parallel parking spaces are proposed to be added along the east side of Fleming Street in Lot 43. The dimensions of some of the future residential lots will change slightly as pavement is eliminated: in Lot 42 four lots will increase in depth by four feet and in width by one foot; in Lot 43 seven lots will increase in depth by two feet, and in Lot 49 all nine lots will increase in depth by one or two feet. The number of lots and the type of homes to be built on them will remain the same as previously approved.

Location: Tax Map 11-11-20-AD, Tax Lots 3200, 3300 & 3900; Tax Map 11-11-20-AA, Tax Lots 2000 & 2100; and Tax Map 11-11-20-00, Tax Lot 100.

Applicable Criteria: Must be consistent with those approval criteria as set forth in Section 13.05.015 (for tentative subdivision plan approval) of the City of Newport’s Municipal Code (NMC); and NMC Section 14.35.100 (for final development plan approval). Pursuant to NMC 14.35.110 (C), major changes to approved preliminary and final development plans, such as changes in character of the development or any increase in the intensity or density of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities but will not materially affect future street or utility plans of the City may be approved by the Planning Commission after public hearing and must satisfy the original approval criteria. Pursuant to NMC Section 13.05.105 (A) (Exceptions for Planned Developments), the standards and requirements otherwise applicable to standard subdivisions under Chapter 13 of the Municipal Code may be modified without a variance for planned developments.

Testimony: Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that a person believes applies to the decision. Failure to raise an issue with sufficient specificity to afford the City and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 5:00 p.m. the day of the hearing or submitted to the

¹ This notice is being sent to affected property owners within 200 feet of the subject property (according to Lincoln County tax records), affected public/private utilities/agencies within Lincoln County, and affected city departments.



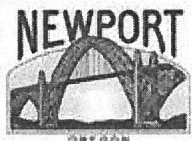
Subject Properties
 File 1-PD-21 & 1-SUB-21

Sherri Marineau

From: Sherri Marineau
Sent: Monday, July 19, 2021 11:57 AM
To: Derrick Tokos; Spencer Nebel; Robert Murphy; Michael Murzynsky; Joseph Lease; Jason Malloy; Laura Kimberly; Michael Cavanaugh; Beth Young; Clare Paul; Chris Janigo; David Powell
Subject: Planned Development and Subdivision Amendments - 1-PD-21 / 1-SUB-21
Attachments: File 1-PD-21 -- 1-SUB-21 - Notice - PC.pdf; 14369-WILDER FIRE TRUCK TURNING.pdf

Attached is a notice concerning a land use request. The notice contains an explanation of the request, a property description and map, and a date for the public hearing. Please review this information to see if you would like to make any comments. We must have your comments at least 10 days prior to the hearing period in order for them to be considered. **Should no response be received, a "no comment" will be assumed.**

Sherri Marineau
City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0629, option 2
fax: 541.574.0644
s.marineau@newportoregon.gov



PUBLIC RECORDS LAW DISCLOSURE. This e-mail is a public record of the City of Newport, and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This e-mail is subject to the State Records Retention Schedule for Cities.

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING**

The City of Newport Planning Commission will hold a public hearing on Monday, Monday, August 9, 2021, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 1-PD-21 / 1-SUB-21, a request submitted by Landwaves, Inc. (Bonnie Serkin, representative) for the following amendments: 1-PD-21: Amendment to the Preliminary and Final Development Plans for the "Phase 1 of Wilder" Development. The previous approval mandated 24-foot wide travel lanes and clear widths of 24 feet. The applicant proposes 20-foot widths, excluding parking, swales, and sidewalks, for the streets known as 45th Street, Fleming Street, Geneva Street, and 42nd Street. The applicant also requests approval to add three new types of street sections to the "Kit of Parts": a "20-foot Neighborhood Local Road" for 42nd Street in Lot 49, a "20-foot Utility Alley" for 45th Street in Lot 42 and Geneva Street in Lot 43, and a "20-foot Hillside Street" for future use in other phases. Fleming Street in Lots 42 and 43 will be constructed in accordance with the existing "Woonerf" street section in the "Kit of Parts", which provides for a flexible range of widths. All other aspects of the Planned Development remain as previously approved. 1-SUB-21: Approval of a tentative subdivision plan for the portions of "Phase 1 of Wilder" to allow 20-foot widths for travel lanes, excluding parking, swales, and sidewalks, for the streets in Lots 42, 43, and 49. In addition, five parallel parking spaces are proposed to be added along the east side of Fleming Street in Lot 43. The dimensions of some of the future residential lots will change slightly as pavement is eliminated: in Lot 42 four lots will increase in depth by four feet and in width by one foot; in Lot 43 seven lots will increase in depth by two feet, and in Lot 49 all nine lots will increase in depth by one or two feet. The number of lots and the type of homes to be built on them will remain the same as previously approved. The location of the subject property includes Tax Map 11-11-20-AD, Tax Lots 3200, 3300 & 3900; Tax Map 11-11-20-AA, Tax Lots 2000 & 2100; and Tax Map 11-11-20-00, Tax Lot 100. The application must be consistent with those approval criteria as set forth in Section 13.05.015 (for tentative subdivision plan approval) of the City of Newport's Municipal Code (NMC); and NMC Section 14.35.100 (for final development plan approval). Pursuant to NMC 14.35.110 (C), major changes to approved preliminary and final development plans, such as changes in character of the development or any increase in the intensity or density of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities but will not materially affect future street or utility plans of the City may be approved by the Planning Commission after public hearing and must satisfy the original approval criteria. Pursuant to NMC Section 13.05.105 (A) (Exceptions for Planned Developments), the standards and requirements otherwise applicable to standard subdivisions under Chapter 13 of the Municipal Code may be modified without a variance for planned developments. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. the day of the hearing or submitted to the Planning Commission during the hearing. The hearing will include a report by staff, testimony (both oral and written) from those in favor (including the applicant) or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department (address above) seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost or copies may be purchased for reasonable cost at this address. Contact Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above).

(FOR PUBLICATION ONCE ON FRIDAY, July 30, 2021)

BANCROFT MORGAN &
HORTON CHERYL
4356 SE ELLIS ST
NEWPORT, OR 97365

BENNETT ROBERT C &
BENNETT TESSARA D
4355 SE FLEMING ST
SOUTH BEACH, OR 97366

BLOOMQUIST KAREN M TSTEE
4350 SE ELLIS ST
SOUTH BEACH, OR 97366

BYNUM LEONARD J &
BYNUM SUSAN E
4345 SE FLEMING ST
SOUTH BEACH, OR 97366

CITY OF NEWPORT
CITY MANAGER
169 SW COAST HWY
NEWPORT, OR 97365

CONKLING DIEDRE
4335 SE FLEMING ST
NEWPORT, OR 97365

DECKER SUSAN E &
DECKER DAVID W
1344 SE UMATILLA ST
PORTLAND, OR 97202

DUCKLES JASON &
KRESTON ANTHEA
2288 NW MASER DR
CORVALLIS, OR 97330

EMERY INVESTMENTS INC
ATTN EMERY WILLIAM H
2712 SE 20TH AVE
PORTLAND, OR 97202

EQUITY TRUST CO CUSTODIAN &
YEOMANS MICHAEL IRA FBO
ATTN MICHAEL YEOMANS
4600 HORNET DR
PRESCOTT, AZ 86301

F&S NEWPORT LLC
PO BOX 449
LINCOLN CITY, OR 97367

FLEMING JEFFREY S &
FLEMING JENNIFER D
4350 SE FLEMING ST
SOUTH BEACH, OR 97366

GIBBS VIRGINIA G
4340 SE FLEMING ST
NEWPORT, OR 97366

GUILD DENISE E TRUSTEE
420 SE 43RD ST
SOUTH BEACH, OR 97366

HARBORTON AT WILDER LLC
PO BOX 449
LINCOLN CITY, OR 97367

HICE SAMUEL V &
HICE DENISE M
715 SE 43RD ST
SOUTH BEACH, OR 97366

HITSELBERGER SUE P TSTEE
199 N WOLKAU RD
SEAL ROCK, OR 97376

HUNTER SHIRLEY J TRUSTEE
410 SE 43RD ST
SOUTH BEACH, OR 97366

JIMENEZ PERILLA JULIO CESAR &
MACCHIA OSIO MARGARITA D J
PMB 8
4330 SE ELLIS ST
NEWPORT, OR 97365

KUTZ KAROL M
PO BOX 1630
NEWPORT, OR 97365

LANDWAVES INC
ATTN: BONNIE SERKIN
2712 SE 20TH AVE
PORTLAND, OR 97202

MAES KENNETH &
MAES CARI
3513 SW WILLAMETTE AVE
CORVALLIS, OR 97333

MCLAUGHLIN DAN &
ELMEN EVENDA L
725 SE 43RD ST
SOUTH BEACH, OR 97366

MCLEOD CONSTANCE M
4365 SE FLEMING ST
NEWPORT, OR 97365

MORIN WILLIAM D &
MERNITZ LAURA
4320 SE FLEMING ST
SOUTH BEACH, OR 97366

NELSON DONALD G &
STRAUSS VICTORIA M
4310 SE FLEMING ST
NEWPORT, OR 97365

OBRIGHT ALAN WILLIAM &
OBRIGHT JILL MICHELLE
705 SE 43RD ST
SOUTH BEACH, OR 97366

OREGON COAST COMMUNITY
COLLEGE
DISTRICT
ATTN BIRGITTE RYSLINGE
400 SE COLLEGE WAY
NEWPORT, OR 97366

OWNERS OF THE NORTHWEST
VILLAGE CENTER LOTS
2712 SE 20TH AVE
PORTLAND, OR 97202

PARKER RYAN M &
OTSUKI SACHIKO
4360 SE FLEMING ST
SOUTH BEACH, OR 97366

**RYSLINGE BIRGITTE &
MATTOX KEITH DOUGLAS
4306 SE ELLIS ST
NEWPORT, OR 97365**

**SALVAGE MARK B &
SALVAGE CAROL S
405 SE 43RD ST
SOUTH BEACH, OR 97366**

**SCHELL HOLLY
4320 SE ELLIS ST
NEWPORT, OR 97365**

**SCHREIBER SARA BARTON TSTEE
4336 SE ELLIS ST
SOUTH BEACH, OR 97366**

**SELAH DONNA PATRICIA &
SELAH JOSEPH PATRICK
PO BOX 288
SOUTH BEACH, OR 97366**

**STATE OF OREGON
% OREGON STATE UNIVERSITY
REAL ESTATE
3015 SW WESTERN BLVD
CORVALLIS, OR 97333**

**STOCKER MARION E ESTATE
9566 LOGSDEN RD
SILETZ, OR 97380**

**SUDBOROUGH ADLAI &
SUDBOROUGH MEREDITH LYNN
4330 SE FLEMING ST
SOUTH BEACH, OR 97366**

**TEA E KATHERINE TSTEE
4325 SE FLEMING ST
SOUTH BEACH, OR 97366**

**TRYON GARY E &
TRYON VERNON &
TRYON ROBERT & TRYON LOREN
PO BOX 975
WALDPORT, OR 97394**

**WALES ANN
4316 SE ELLIS ST
SOUTH BEACH, OR 97366**

**WILDER CORNER LLC
2712 SE 20TH AVE
PORTLAND, OR 97202**

**WILDER HOMEOWNERS ASSOC
2712 SE 20TH AVE
PORTLAND, OR 97202**

**YECK FRED ARTHUR TRUSTEE
PO BOX 352
NEWPORT, OR 97365**

Adjacent Property Owners Within 200 Ft

File No. 1-PD-21 / 1-SUB-21

NW Natural
 ATTN: Dave Sanders
 1405 SW Hwy 101
 Lincoln City, OR 97367

Email: Lisa Phipps
 DLCD Coastal Services Center
 lisa.phipps@state.or.us

CenturyLink
 ATTN: Corky Fallin
 740 State St
 Salem OR 97301

Lincoln County Assessor
 Lincoln County Courthouse
 225 W Olive St
 Newport OR 97365

Lincoln County Surveyor
 880 NE 7th St
 Newport OR 97365

WVCC
 911 Dispatch
 555 Liberty St SE Rm P-107
 Salem OR 97301-3513

Lincoln County Clerk
 Lincoln County Courthouse
 225 W Olive St
 Newport OR 97365

Central Lincoln PUD
 ATTN: Jack Perkins
 PO Box 1126
 Newport OR 97365

Charter Communications
 355 NE 1st St
 Newport OR 97365

Lincoln County School District
 ATTN: Superintendent
 PO Box 1110
 Newport OR 97365

Lincoln County Commissioners
 Lincoln County Courthouse
 225 W Olive St
 Newport OR 97365

Lincoln County Library District
 PO Box 2027
 Newport OR 97365

US Post Office
 ATTN: Postmaster
 310 SW 2nd St
 Newport OR 97365

OR Parks & Recreation Dept.
 5580 S Coast Hwy
 South Beach OR 97366

Pioneer Telephone Co-Op
 PO Box 631
 Philomath OR 97370

Lincoln County Planning Dept
 210 SW 2nd St
 Newport OR 97365

Joseph Lease
 Building Official

Jason Malloy
 Police Chief

Secretary of State
 136 State St Capitol
 Salem OR 97310

Derrick Tokos
 Community Development Director

David Powell
 Public Works

Laura Kimberly
 Library

Chris Janigo
 Public Works

Spencer Nebel
 City Manager

Michael Cavanaugh
 Parks & Rec

Beth Young
 Associate Planner

Mike Murzynsky
 Finance Director

Rob Murphy
 Fire Chief

Clare Paul
 Public Works

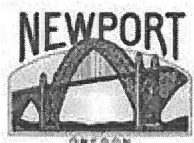
EXHIBIT 'A'
 (Affected Agencies)
File No.
File 1-PD-21 / 1-SUB-21

Sherri Marineau

From: Sherri Marineau
Sent: Monday, July 19, 2021 12:08 PM
To: 'odotr2planmgr@odot.state.or.us'; 'lisa.phipps@state.or.us'
Subject: Planned Development and Subdivision Amendments - 1-PD-21 / 1-SUB-21
Attachments: File 1-PD-21 -- 1-SUB-21 - Notice - PC.pdf

Attached is a notice concerning a land use request. The notice contains an explanation of the request, a property description and map, and a date for the public hearing. Please review this information to see if you would like to make any comments. We must receive comments prior to the last day of the comment period in order for them to be considered. **Should no response be received, a "no comment" will be assumed.**

Sherri Marineau
City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0629, option 2
fax: 541.574.0644
s.marineau@newportoregon.gov



PUBLIC RECORDS LAW DISCLOSURE. This e-mail is a public record of the City of Newport, and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This e-mail is subject to the State Records Retention Schedule for Cities.

and most people buy their books over the Internet. It's a frustrating situation, Roguey said. In a 2017 interview with the News-Times, Roguey said "the advent of Internet shopping and the Kindle devastated bookstores. Our book sales dropped 30 percent" the year after the Kindle appeared, and fell another 30 percent the next year. So they created Club 1216 in the front of the bookstore, to provide a home for live music and bring in more customers. Ed agreed that their idea was to open a book-

"Two guys had bought the building and asked if we wanted to lease all of it and turn it into a mini-mall," Ed recalled. "They gave us a load of cedar and we went ahead with it." Ed and Roguey bought the entire building in the late 1970s. Among the small shops tucked away in the nooks and crannies of the buildings was the Beach Plum Bakery, run by the brother of long-time Canyon Way employee Kate Scannell. "When he left after a couple of years, we ended

we got going, we had no intention of doing anything else. Ed always wanted to do more and more, and I would say no, but it worked out quite well. It was a good compromise for us. But now we're too old to keep it going."

For the first few years, the Doyles' bookstore just sold books. Then cards were added, and kitchen goods, and clothing and gifts. Live music followed, and at one point, a small stage was built for a Eugene company's dinner theater production

As if it knew what was ahead, the store's cash register system stopped working July 1, after having problems for the past few years — about the time the Doyles began looking in earnest to sell the building. Their half-price sale of all merchandise has left the shop's shelves mostly bare, much more quickly than they expected, with predominantly locals stopping by to make a last purchase and to say goodbye. The Doyles' last official day at work is Aug. 31.

PUBLIC NOTICES

7/30/21

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

ings may obtain additional information from the records of the Court, the personal representative, or the attorney for the personal representative. Dated and first published on July 30, 2021. **JANICE CARTER**, Personal Representative, David A. Bearman, OSB# 170854, Attorney for Personal Representative 388 State Street, Suite 470, Salem, Oregon 97301 david@bearmanlawoffices.com Tel (503) 363-4459 Published July 30, August 6 and 13, 2021. **JY30 A6 A13 (60-13)**

NOTICE TO INTERESTED PERSONS OF THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LINCOLN Probate Department Case No. 21PB04976 in the Matter of the Estate of Patti Irene Carter, Deceased. **NOTICE IS HEREBY GIVEN** that Janice Carter has been appointed as the personal representative of the above estate. All persons having claims against the estate are required to present them to the undersigned attorney for the personal representative at 388 State Street, Suite 470, Salem, Oregon 97301, within four months after the date of first publication of this notice, or the claims may be barred. All persons whose rights may be affected by the proceed-

and Final Development Plans for the "Phase 1 of Wilder" Development. The previous approval mandated 24-foot wide travel lanes and clear widths of 24 feet. The applicant proposes 20-foot widths, excluding parking, swales, and sidewalks, for the streets known as 45th Street, Fleming Street, Geneva Street, and 42nd Street. The applicant also requests approval to add three new types of street sections to the "Kit of Parts": a "20-foot Neighborhood Local Road" for 42nd Street in Lot 49, a "20-foot Utility Alley" for 45th Street in Lot 42 and Geneva Street in Lot 43, and a "20-foot Hillside Street" for future use in other phases. Fleming Street in Lots 42 and 43 will be constructed in accordance with the existing "woonerf" street section in the "Kit of Parts", which provides for a flexible range of widths. All other aspects of the Planned Development remain as previously approved. 1-SUB-21: Approval of a tentative subdivision plan for the

portions of "Phase 1 of Wilder" to allow 20-foot widths for travel lanes, excluding parking, swales, and sidewalks, for the streets in Lots 42, 43, and 49. In addition, five parallel parking spaces are proposed to be added along the east side of Fleming Street in Lot 43. The dimensions of some of the future residential lots will change slightly as pavement is eliminated: in Lot 42 four lots will increase in depth by four feet and 43 seven lots will increase in depth by one foot; in Lot 49 all nine lots will increase in depth by one or two feet. The number of lots and the type of homes to be built on them will remain the same as previously approved. The location of the subject property includes Tax Map 11-11-20-AD, Tax Lots 3200, 3300 & 3900; Tax Map 11-11-20-AA, Tax Lots 2000 & 2100; and Tax Map 11-11-20-00, Tax Lot 100. The application must be consistent with those approval criteria as set forth in Section 13.05.015 (for tentative subdivision

plan approval) of the City of Newport's Municipal Code (MNC); and MNC Section 14.35.100 (for final development plan approval). Pursuant to MNC 14.35.110 (C), major changes to approved preliminary and final development plans, such as changes in character of the development or any increase in the intensity or density of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities but will not materially affect future street or utility plans of the City may be approved by the Planning Commission after public hearing and must satisfy the original approval criteria. 13.05.105 (A) (Exceptions for Planned Development), the standards and requirements otherwise applicable to standard subdivisions under Chapter 13 of the Municipal Code may be modified

without a variance for planned developments. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 5:00 p.m. the day of the hearing or submitted to the Planning Commission during the hearing. The hearing will include a report by staff testimony (both oral and written) from those in favor (including the applicant) or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed

or a copy purchased at the Newport Community Development (Planning) Department (address above) seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost or copies may be purchased for reason. Contact Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above). **JY30 (57-30)**

estate. All persons having claims against the estate are required to present them, with vouchers attached, to the personal representative at P.O. Box 1144, Newport, OR 97365, within four months after the date of first publication of this notice, or the claims may be barred. All persons whose rights may be affected by the proceedings may obtain additional information from the records of the court, the representative, Jeff Waarnick, P.O. Box 1144, Newport, OR 97365. **JY30, A6, A13 (70-13)**

CITY OF NEWPORT NOTICE OF A PUBLIC HEARING
 The City of Newport Planning Commission will hold a public hearing on Monday, August 9, 2021, at 7:00 p.m. in the City Hall Council Chambers, to consider File No. 1-PD-21 / 1-SUB-21, a request submitted by Sandwaves, Inc. (Bonnie Serkin, representative) for the following amendments: 1-PD-21: Amendment to the Preliminary

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
PRIOR
FRIDAY EDITION:
2:00pm Tuesday
PRIOR

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
PRIOR
FRIDAY EDITION:
2:00pm Tuesday
PRIOR

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
PRIOR
FRIDAY EDITION:
2:00pm Tuesday
PRIOR

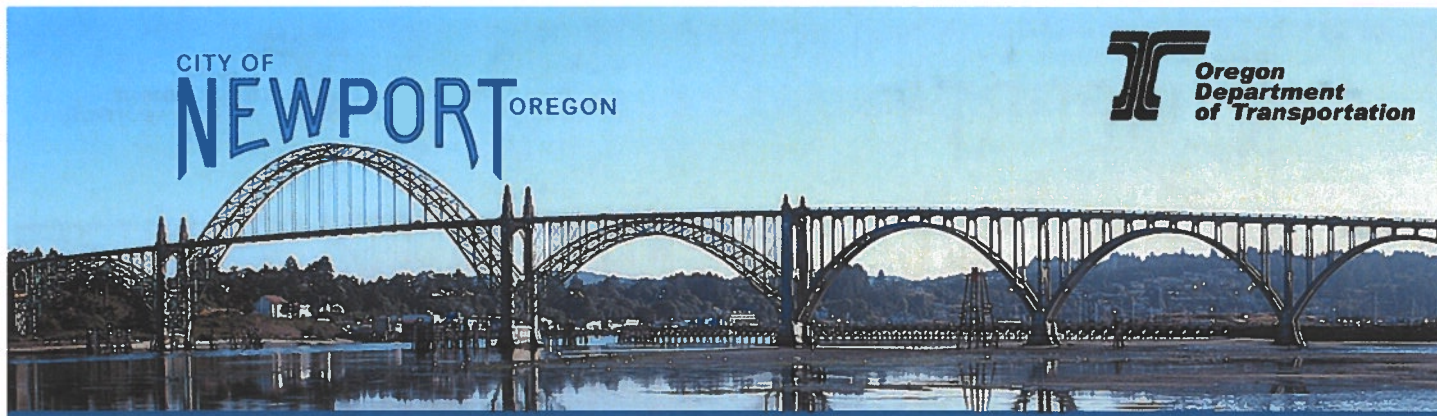
LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday

LEGAL DEADLINES:
WEDNESDAY EDITION:
2:00pm Friday
FRIDAY EDITION:
2:00pm Tuesday



Transportation System Plan Online Open House and Workshop

Summer 2021

The City of Newport and the Oregon Department of Transportation are updating the Transportation System Plan (TSP). This is a long-range plan that all future transportation improvements in the city are based on. The plan will guide how we develop and invest in our transportation system to meet the current and future needs of Newport and surrounding areas. It helps determine which projects, policies and programs may receive funding.

Learn more and tell us what you think about the draft solutions for Newport's future transportation system at these two opportunities.

Online Open House
08/02-08/29

www.NewportTSP.org

Workshop
Wed., 08/11 from 6-8 pm
City Hall, Council Chambers
(169 SW Coast Hwy)

**How your input
will help**

We heard from hundreds of community members in the fall and have drafted solutions to reflect the growing needs of the community.

Your input will help us decide how to spend future dollars!

For more information, please visit: www.NewportTSP.org

For ADA Title II or Civil Rights Title VI accommodations, translation/interpretation services or for additional information call TTY (800) 735-2900 or use the statewide Oregon Relay Service: 7-1-1.

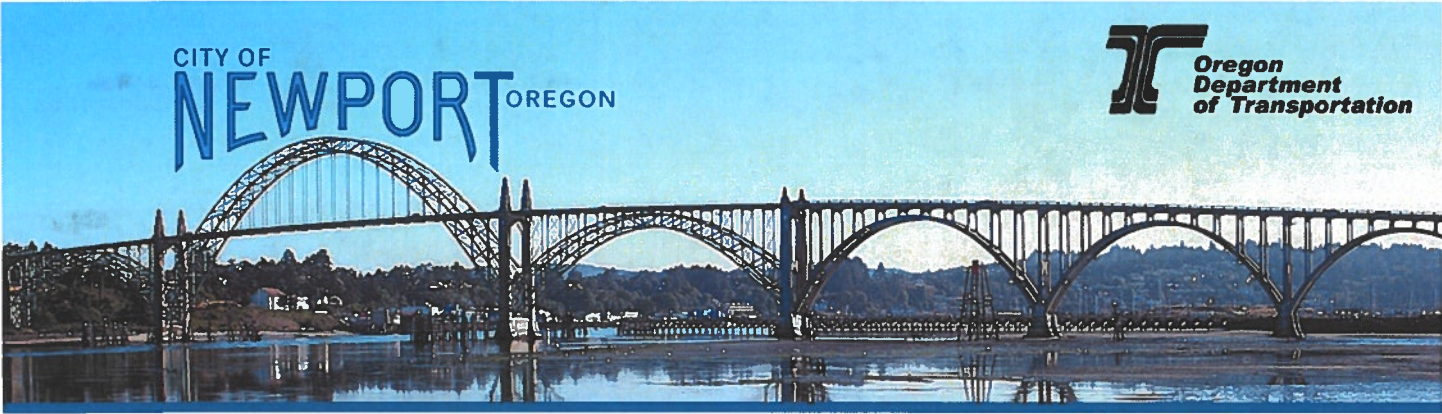


CONTACT

Derrick Tokos AICP, City of Newport
Community Development Director

541-574-0626 | d.tokos@newportoregon.gov





Actualización del Plan de Transporte Casa Abierta en línea y Taller de eventos

Verano 2021

La ciudad de Newport y el Departamento de Transporte de Oregon están actualizando el Plan del Sistema de Transporte (TSP). Este es un plan de largo alcance en el que se basan todas las mejoras futuras en el transporte de la ciudad. El plan guiará cómo desarrollamos e invertimos en nuestro Sistema de transporte para satisfacer las necesidades actuales y futuras de Newport y sus alrededores. También ayuda a determinar qué proyectos, políticas y programas pueden recibir financiamiento.

Obtenga más información y díganos lo que piensa sobre las soluciones preliminares para el futuro sistema de transporte de Newport en estas dos oportunidades.

Casa Abierta en línea sin cita previa
02/08 - 29/08

www.NewportTSP.org

Taller de eventos
08/11 de 6 a 8 pm

Ayuntamiento, Cámaras del Consejo (169 SW Coast Hwy)

Cómo ayudará su opinión

Escuchamos a cientos de miembros de la comunidad en el otoño y hemos redactado soluciones para reflejar las crecientes necesidades de la comunidad.

¡Su opinión nos ayudará a decidir cómo gastar los dólares futuros!

Para más información, visite: www.NewportTSP.org

Para adaptaciones de ADA Title II o Civil Rights Title VI, servicios de traducción/interpretación o información adicional llame a TTY (800) 735-2900 o utilice el Servicio de Retransmisión de Oregon en todo el estado: 7-1-1.



CONTACTO

Derrick Tokos AICP, Ciudad de Newport
Director de Desarrollo Comunitario

541-574-0626 | d.tokos@newportoregon.gov



RESOLUTION NO. 3928

**A RESOLUTION PROVIDING FORMAL RECOGNITION
OF THE NYE NEIGHBORHOOD ASSOCIATION,
AND APPROVING THE GOVERNING DOCUMENT (BYLAWS)
OF THE NYE NEIGHBORHOOD ASSOCIATION**

WHEREAS, the City Council understands the importance of citizen participation, and recognizes that it is necessary and desirable to maintain and improve the quality of life for all Newport residents; and

WHEREAS, the City Council wishes to foster a sense of civic pride and responsibility in and for the community; and

WHEREAS, the City Council recognizes that participation of the greatest number of citizens with a wide diversity of viewpoints leads to a better understanding of mutual concerns and encourages independent voices within the city; and

WHEREAS, it is essential for citizens to provide information to aid the City Council, Planning Commission, and officials, in decisions on matters affecting the city's neighborhoods and quality of life, including land use, housing, the annual budget, community facilities and infrastructure, human resources, social and recreational programs, traffic and transportation, environment quality, public safety, and other matters; and

WHEREAS, an independent group that is not part of the city organization will help to encourage a diversity of views and suggestions, and result in a better understanding and acceptance of those decisions by the citizens of Newport; and

WHEREAS, Resolution No. 3827 creates a neighborhood association recognition policy, which outlines the requirements and processes for neighborhood associations to be formerly recognized by the City Council; and

WHEREAS, representatives of the Neighborhood Association have met with city staff in continued efforts to seek formal recognition of this neighborhood association.

THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

The City Council of the City of Newport, Oregon hereby recognizes the Nye Neighborhood Association as an official neighborhood association of the City of Newport, Oregon, subject to compliance with the Nye Neighborhood Association Bylaws attached to this Resolution as Exhibit A and made a part hereof.

Adopted by the Newport City Council on August 2, 2021.



Dean H. Sawyer, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

EXHIBIT A

Nye Neighborhood Association Bylaws

ARTICLE I: NAME

The name of the organization shall be Nye Neighborhood Association (NNA).

ARTICLE II: PURPOSE

The purposes for which this Association is organized are:

- a) To consider and act on issues that affect the livability and quality of the neighborhood.
- b) To provide an open process by which all potential members may involve themselves in the affairs of the neighborhood.
- c) For such other purposes as are approved by the board of Directors.

ARTICLE III: BOUNDARIES

The boundaries of the Neighborhood Association shall be based on the Historic Nye Beach Design Review Zoning Overlay boundaries as set forth in City of Newport Ordinance 2084.

ARTICLE IV: MEMBERSHIP

Section 1 Eligibility: Membership shall be open to any resident, property owner, business owner, and/or tenant over the age of 18 within the boundaries as defined above in Article III.

Section 2 Becoming a Member: An eligible individual or business entity shall become a member of the Association by providing a written request that shall include name, address, telephone number and/or email address.

Section 3 Dues or Fees: Dues or fees shall not be required.

Section 4 Voting: Each member (individual or business entity) shall be entitled to one vote for election of board directors, bylaw amendments, present or future meeting agenda items, and other items presented by the board.

- a) **Votes:** Voting at meetings may be done orally, by a show of hands, electronically, or by a written ballot that contains the name of the member voting and the vote of that member.
- b) Upon the request of any voting member, a show of hands shall follow an oral vote.
- c) Anyone wishing to see written ballots may do so at the meeting or anytime thereafter before the ballots are discarded.
- d) Written ballots must be retained for a period of 30 days after the vote and then may be discarded.

ARTICLE V: BOARD OF DIRECTORS

Section 1 Number and Composition of Board Members: The NNA shall be governed by a Board of Directors (BOD), which may act as an Executive Committee to take action in the name of the Association. The number of Directors shall vary between a minimum of three and a maximum of nine with an initial BOD of five members filling five seats divided into three groups labeled "A" (seats 1&2), "B" (seats 3&4), and "C" (seat 5).

Section 2 Eligibility for Board Service: Only members as set forth in Article IV above shall be qualified to hold an elected position.

- e) The Secretary shall make available to the City or members of the public any public records maintained by the organization.
 - a. Public records shall consist of all records maintained by the organization except for records pertaining to:
 - a.i. Personnel matters such as hiring, performance review, firing, discipline, and compensation;
 - a.ii. Mediation of personal disputes among members or employees, but not including grievances (However, the findings and documents of a grievance shall be a matter of public record);
 - a.iii. Consultation with legal counsel;
 - a.iv. Preparation for presentation of testimony in appeals of land use review decisions.
 - b. **Reasonable Fees:** The Secretary may charge reasonable fees for making records available, including fees for reproduction of records and for employee time.

ARTICLE VII: MEETINGS

Section 1 Quorum: A simple majority of the Board shall constitute a quorum for all meetings. Absent a quorum the only business that may be conducted is filling empty BOD seats.

Section 2 Meetings:

- a) All meetings shall be open to the general public.
 - a. Meetings may be held in a physical location or by electronic communications, or by both.
- b) **Association Decisions:** All Association decisions as well as deliberations towards those decisions shall only be made by the Board at open public meetings.
- c) The Board shall meet at minimum once each quarter. Public notice of meetings must be at least 10 business days in advance. A proposed agenda shall be published at the same time notice is given.
- d) An annual meeting shall be held in the quarter that these bylaws are adopted. Public notice of the annual meeting of the board must be set at least 10 business days in advance. A proposed agenda shall be published at the same time notice is given. Any Directors seats that are open for election shall be listed in public notices along with any nominations for those positions.
- e) Emergency Board Meetings: When there is insufficient time to address timely business matters within the notice requirements of a regular meeting, an emergency meeting may be called. Notice of an emergency meeting to all interested parties may not be less than 24 hours in advance. Only items on an announced agenda may be decided at an emergency meeting.

Section 3 Parliamentary Procedure: Any question concerning parliamentary procedure at meetings shall be determined by the President by reference to Robert's Rules of Order.

Section 2: Adoption and amendment of these bylaws requires a majority vote by the general members present at the meeting.

Adoption:

Date Adopted: July 14, 2021

Signature of President: