

**COUNCIL MEETING MINUTES  
AUGUST 13, 2012**

0:00 **DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, AUGUST 13, 2012**

**CONVENED** The meeting convened at 7:00 p.m. with Council President McCallum presiding.

0:00 **ROLL CALL**

|                    |         |
|--------------------|---------|
| Mayor Figley       | Absent  |
| Councilor Cox      | Present |
| Councilor Lonergan | Present |
| Councilor McCallum | Present |
| Councilor Morris   | Present |
| Councilor Pugh     | Present |
| Councilor Schmidt  | Present |

**Staff Present:** City Administrator Derickson, City Attorney Shields, Public Works Director Brown, Economic & Community Development Director Hendryx, Police Captain Garrett, Human Resources Director Hereford, Assistant City Attorney Stuart, Assistant Recorder Pierson, Water Resources Manager Scott, Sr. Management Analyst Moore

0:01 **ANNOUNCEMENTS**

- A. Please join us for an evening of fun at the Woodburn Proud Community BBQ at 5:30 PM on Thursday, August 23 at Centennial Park. The event features a delicious BBQ, games, & a great time spent with friends. Help us recognize and support the local Police, Fire and Ambulance community. Dinner is only \$3 per person. To volunteer or donate to the event, contact Kelly Howard 503-951-0321 or [woodburnproud@gmail.com](mailto:woodburnproud@gmail.com).
- B. The City Council meeting scheduled for August 27, 2012 has been cancelled. The next Council meeting will take place September 10, 2012.

0:03 **COMMUNITY/GOVERNMENT REPORTS**

- A. Woodburn Chamber of Commerce- City Administrator Derickson stated that he is on the Chamber Board of Directors and commented that the Fiesta Mexicana went very smoothly and thinks everybody had a good time. Councilor Morris stated that the Fiesta was a good neighbor and kept the noise down at night. Councilor McCallum stated that the parade was fun and he thanked the Woodburn Fire District for letting them use their ancient fire engine.
- B. Woodburn School District – Superintendent Bautista provided information on the beginning of classes at the high school and a brief update on the fire restoration timeline. He also provided a phone number (503-981-9555) so that people can get the most current information. Councilor McCallum also wanted to remind people that they need to drive carefully in the school zones.

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0:09 **PROCLAMATIONS**

A. Fill-the Boot – Joseph Jacobucci, with the Woodburn Fire District, thanked the City Council for their support.

0:12 **PRESENTATIONS**

B. 2012 Mary Tennant Award For Excellence in Public Service: Presented to City Attorney N. Robert Shields and Randy Scott, Water Resources Division Manager.

0:20 **CONSENT AGENDA**

A. Woodburn City Council minutes of July 9, 2012  
B. Woodburn City Council Executive Session minutes of July 9, 2012  
C. Woodburn Planning Commission minutes of June 21, 2012  
D. Woodburn Planning Commission minutes of July 12, 2012  
E. Woodburn Library Board minutes of July 11, 2012  
F. Crime Statistics through June 2012  
**Schmidt/Cox...** approve the consent agenda as presented. Motion passed unanimously.

0:22 **COUNCIL BILL NO. 2893 (COUNCIL CHANGED TO COUNCIL BILL NO. 2900) - AN ORDINANCE ESTABLISHING A PUBLIC ART MURAL PROGRAM; CREATING THE WOODBURN PUBLIC ART MURAL COMMITTEE AND PROVIDING FOR A PROCESS FOR THE CITY'S CONSIDERATION OF PUBLIC ART MURALS**

**Lonergan** introduced Council Bill 2893. Recorder Pierson read the two readings of the bill by title only since there were no objections from the Council. Economic & Community Development Director Hendryx provided a staff report. As a point of order City Attorney Shields reminded the Council that they already read the Ordinance twice at its last meeting and after discussion and input from the public, Council asked that staff make the requested changes. He advised the Council that this should be treated as a newly introduced ordinance before the Council. City Attorney Shields asked Assistant City Recorder Pierson if a new number could be used and was told yes. Councilor McCallum asked if they could use Council Bill 2900 and was told yes. Aldo Solano, 1274 5<sup>th</sup> St., Woodburn, turned signatures in support of the ordinance over to the Recorder. Veronica Bautiste, 1735 Tomlin Ave, Woodburn, read a letter from a parent in support of murals. Dalila Ortiz, 1051 Wilson St., Woodburn, thanked the Council for considering murals and stated that she supports the ordinance. She also invited the Council to the opening of the Capaces Leadership Institute on August 25<sup>th</sup>, at 5:00 pm. Larry Kleinman, 1790 Landau Dr, Woodburn, thanked City Attorney Shields, Director Hendryx, City Administrator Derickson, City Council and Mayor Figley for their work on this ordinance. He mentioned that the PCUN board met on this ordinance and suggested that a companion action of having a fund that would be available for small projects, through the Urban Renewal Agency, that are deemed worthy and the applicant can't afford the fee. Councilor Lonergan thanked City Attorney Shields and Director Hendryx for their work on this ordinance. Councilor Cox stated that he is in favor of the ordinance. Councilor Morris thanked the public for their involvement and encouraged them

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to stay involved. On roll call vote for final passage, the bill passed unanimously. Council President McCallum declared Council Bill No. 2900 duly passed. Councilor McCallum thanked everyone who worked on this ordinance.

0:39 **COUNCIL BILL NO. 2897 -AN ORDINANCE APPROVING COMPREHENSIVE PLAN MAP AMENDMENT 2012-01, ZONE CHANGE 2012-01, AND CONDITIONAL USE 2012-01 FOR PROPERTY LOCATED AT 2285 AND 2333 N. PACIFIC HIGHWAY; IMPOSING CONDITIONS OF APPROVAL; APPROVING FINDINGS AND CONCLUSIONS; AND DECLARING AN EMERGENCY**

**Loneragan** introduced Council Bill No. 2897. Assistant Recorder Pierson read the two readings of the bill by title only since there were no objections from the Council. Director Hendryx provided a staff report. On roll call vote for final passage, the bill passed unanimously. Council President McCallum declared Council Bill No. 2897 duly passed.

0:42 **COUNCIL BILL NO. 2898 - A RESOLUTION GRANTING CONSENT OF THE CITY OF WOODBURN TO A CHANGE OF CONTROL TRANSACTION INVOLVING WAVE DIVISION VII, LLC**

**Loneragan** introduced Council Bill 2898. Assistant Recorder Pierson read the bill by title only since there were no objections from the Council. On vote for final passage, the bill passed unanimously. Council President McCallum declared Council Bill No. 2898 duly passed.

0:43 **COUNCIL BILL NO. 2899- A RESOLUTION DESIGNATING THE DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES AS THE CDBG PROJECT CERTIFYING OFFICER AND ENVIRONMENTAL CERTIFYING OFFICER**

**Loneragan** introduced Council Bill 2899. Assistant Recorder Pierson read the bill by title only since there were no objections from the Council. On vote for final passage, the bill passed unanimously. Council President McCallum declared Council Bill No. 2899 duly passed. City Attorney Shields pointed out to the Council that they passed the Council Bill but motions are still needed for items A and B as recommended in the staff report.

**Loneragan/Schmidt...** authorize the Mayor to execute the Community Development Block Grant contract with the State of Oregon through the Business Oregon-Infrastructure Finance Authority, Award #H12004, in the amount of \$400,000 for the Woodburn Housing Rehabilitation Program and authorize the Mayor to sign the Signature Card, designating authorized individuals to request and receive grant payments. The motion passed unanimously.

0:46 **ACCEPTANCE OF A PUBLIC UTILITY EASEMENT ALONG THE FRONTAGE OF 1542 MOUNT HOOD AVENUE (TAX LOT 051W08DB01400)**

**Loneragan/Schmidt...** accepts a 10 foot Public Utility Easement Granted by Woodburn Associates, Property Owners of 1542 Mount Hood Avenue in Woodburn, Oregon. The motion passed unanimously.

0:47 **ACCEPTANCE OF A PUBLIC RIGHT-OF-WAY DEDICATION ALONG**

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**FRONTAGE OF 1542 MOUNT HOOD AVENUE (TAX LOT 051W08DB01400)**

**Cox/Lonergan...** accepts a 5 foot Public Right-of-Way dedication granted by Woodburn Associates, property owners of 1542 Mount Hood Avenue in Woodburn, Oregon. The motion passed unanimously.

0:49 **ACCEPTANCE OF A PUBLIC UTILITY EASEMENT WITHIN PROPERTY OF THE JEHOVAH WITNESS ASSEMBLY HALL (TAX LOT 051W08DB00300)**

**Morris/Schmidt...** accepts a 10 foot Public Utility Easement for City water facilities granted by Woodburn Oregon Jehovah Witness Assembly Hall, property owner of 1510 N. Pacific Hwy, Woodburn, OR 97071 (Tax Lot 051W08DB00300). The motion passed unanimously.

0:49 **ACCEPTANCE OF A PUBLIC UTILITY EASEMENT WITHIN ST. LUKE CATHOLIC CHURCH PROPERTY LOCATED AT 417 HARRISON STREET**

**Morris/Pugh...** accepts a 16 foot Public Utility Easement (PUE) for City storm sewer facilities granted by St. Luke Catholic Church, property owner of Parcel 1 as described in recorded Partition Plat No. 2012-24, Woodburn, OR 97071. The motion passed unanimously.

0:50 **CITY ADMINISTRATOR'S REPORT**

The City Administrator had nothing to report

0:51 **MAYOR AND COUNCIL REPORTS**

Councilor Lonergan stated that he appreciates the improvements to North Front Street. Councilor Morris thanked the people who turned out for the downtown clean up. He also gave thanks to the people who hosted National Night Out. He also thanked the staff for their help with the Fiesta.

Councilor Schmidt stated that he has heard good comments about North Front Street and thanked Director Brown and the Public Works Department and would like to see this done on other streets around town.

Councilor McCallum stated that he appreciates North Front Street. He also received several thank you's for the work done on Young Street and Mt. Angel Highway. He also noticed that ODOT cleaned up the transit center. He mentioned that the National Night Out was a success.

0:55 **ADJOURNMENT**

**Lonergan/Morris** meeting be adjourned. The motion passed unanimously. The meeting adjourned at 8:07 p.m.

APPROVED \_\_\_\_\_  
KATHRYN FIGLEY, MAYOR

ATTEST \_\_\_\_\_  
Heather Pierson, Assistant City Recorder  
City of Woodburn, Oregon

**WOODBURN PLANNING COMMISSION WORKSHOP/MEETING  
MINUTES  
July 26, 2012**

**CONVENED:** The Planning Commission met in a public session at 7 p.m. in the City Hall Council Chambers, with Vice-Chair Ellen Bandelow presiding.

**ROLL CALL:**

| Chair               | Vacant         |
|---------------------|----------------|
| <b>Vice-Chair</b>   | <b>Present</b> |
| <b>Commissioner</b> | <b>Absent</b>  |

**Staff Present:** Jim Hendryx, Economic & Development Services Director  
 Don Dolenc, Associate Planner  
 Vicki Musser, Recording Secretary

Vice-Chair Bandelow opened the meeting at 7 pm, and then led the Commissioners in the flag salute.

**Minutes**

The July 12, 2012 minutes were unanimously approved.

**Business from the Audience**

There was none.

**Communication**

There was none.

**Items for Action**

There were none.

**Public Hearing**

SUB 2012-01; VAR 2012-02; EXCP 2012-01, Kalugin Estates subdivision, was presented to the Planning Commission. The proposal is a 14 lot subdivision, with variances for lot standards, setbacks, lot coverage, and street cross-sections, located south of Hardcastle Avenue, between Dunn Court and Orchard Lane. The property is zoned Residential Single Family (RS), with abutting properties being zoned Residential Single Family (RS) and Medium Density Residential (RM). This proposal was submitted to the Commission and approved as a 9-lot subdivision in 2010. The applicant requested that the present 14-lot submittal be considered as a package, rather than a series of individual

actions, since each variance is a necessary element of the entire project. All of the lots are less than the standard 6,000 square feet. The owner's only option for a small-lot development, since it has less than the 5 acres required for a Planned Unit Development (PUD) and is not located in a nodal zone that would allow attached dwellings at a higher density than in the RS zone, is to apply for multiple variances. The main street in the subdivision, Kalugin Lane, was submitted as having parking on both sides, and an intersection which would align with the current Hardcastle Avenue. At the opposite end of Kalugin Lane, a temporary dead-end street (Centennial Drive) would form a "T" and contain an all-weather sign stating, "This Street is Planned for Future Extension".

Engineer Troy Plum, P.E, PO Box 374, Corvallis, OR 97337, spoke to the Planning Commission. He said that smaller lot sizes are gaining in popularity. Smaller lots make homes more affordable, and are easier to care for when there's less to maintain. Fifty to sixty percent of the median will be able to afford the houses being proposed.

Landscaping questions were raised by the Commission, and Mr. Plum assured them an architect will draw up the final landscaping plan, which will be faithfully followed. Small trees are planned between the sidewalks and the houses, with medium trees being planted where there are greater setback areas. A large tree will be planted on the northeast corner.

A teardrop area of the property was created when the drawings of Kalugin Lane was redesigned to more correctly align with Kennedy Street, located on the opposite side of Hardcastle Avenue. Mr. Plum said that the teardrop area would be donated to the City if requested.

Applicant Lazar Kalugin, 11220 Portland Road NE, Salem OR 97305, stated that these 1,300-1,450 square foot, 3 bedroom, 2 bath houses would be sold for \$169,000-\$189,000. He resubmitted the present larger number of lots in the subdivision for financial reasons, since the original 9-lot proposal would not allow him to cover the cost of building them.

Commissioner Grigorieff was concerned about the small lot sizes, and wondered where children would be able to play safely. She also voiced concern about appearing to set a precedent for homes on small lots, if this subdivision was approved.

Commissioner Piper noted that the dead-end street would help make the area safer for children. He felt that the subdivision would fit in with the surrounding area. He said that a variance is an *exception* to the Woodburn Development Ordinance (WDO) rules, and therefore would not be setting a precedent.

Vice-Chair Bandelow agreed that small, affordable housing would be consistent with the neighborhood. She felt that children playing should be reasonably safe, even once the temporary dead-end street is extended to connect with Centennial Street. This submittal reflects the exceptional need for this type of housing and use of otherwise unusable land.

Commissioner Corning felt the submittal did a good job of copying what is in the nodal zone.

Commissioner Ellsworth stated that she is not a fan of tiny lots like these, some of which are less than half of the 6,000 square foot standard. That said, this proposed subdivision would develop the land and keep it consistent with the neighborhood.

Since several Commissioners voiced concern over not setting a small lot size precedent, Vice Chair Bandelow suggested that if they were voting to approve, they might want to do so with an emphasis on not setting any precedent.

Commissioner Piper moved that SUB 2012-01; VAR 2012-02; EXCP 2012-01 be approved with the following conditions:

- That ownership of the teardrop-shaped piece of land at the northeast corner of Kalugin Lane and Hardcastle Avenue be resolved prior to final plat approval
- That this approval is given strictly on the variances in this submittal and is not promoting small lot sizes
- That the approval is subject to the conditions of approval listed in the Staff Report

The motion was unanimously approved.

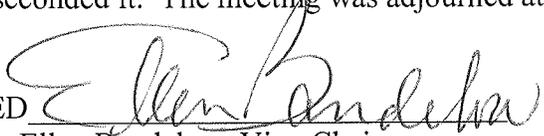
Economic & Development Services Director Jim Hendryx told the Commission that with the passing of Chair Dick Jennings, elections needed to be held at the next available meeting to appoint a new Chair and Vice Chair. Commissioner Piper proposed that they vote immediately. Vice Chair Bandelow was nominated and approved as Planning Commission Chair, and Commissioner Piper was nominated and approved as Vice Chair. These changes in office will be reflected in the "Roll Call" area of the minutes as of the next meeting.

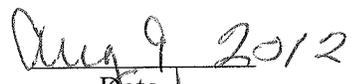
**Workshop**

It was decided to continue discussing the commercial and industrial sections of the WDO at the next meeting, which is scheduled for Thursday, August 9<sup>th</sup>.

**Adjournment**

Commissioner Piper made a motion that the meeting be adjourned, and Commissioner Ellsworth seconded it. The meeting was adjourned at 8:03pm.

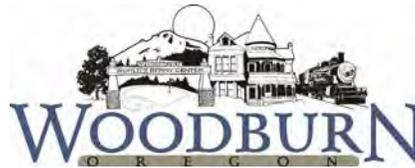
APPROVED   
Ellen Bandelow, Vice-Chair

  
Date

ATTEST   
James N.P. Hendryx  
Economic & Development Services Director  
City of Woodburn, Oregon

  
Date

**City of Woodburn**  
**Recreation and Park Board Minutes**  
July 17, 2012 • 5:30 p.m.



**1. CALL TO ORDER**

The meeting and was called to order at 5:30 p.m.

**2. ROLL CALL**

|  |         |
|--|---------|
| Position I Brent Glogau, Member (12/13)                | Present |
| Position II (Student) Sofie Velasquez (12/12)          | Present |
| Position III Joseph Nicoletti, Board Secretary (12/13) | Present |
| Position IV Rosetta Wangerin, Board Chair (12/13)      | Present |
| Position V Bruce Thomas, Member (12/13)                | Absent  |
| Position VI Member (12/12)                             | Vacant  |
| Position VII Tony Waite (12/12)                        | Absent  |

**3. APPROVAL OF MINUTES**

**Joseph Nicoletti/ Brent Glogau-** Motion to hold the May 8, 2012 minutes over to the next meeting. The motion passed unanimously.

**4. BUSINESS FROM AUDIENCE**

None.

**5. OLD BUSINESS**

**6. NEW BUSINESS**

**June 12 Park Tour Recap**

The Board discussed their thoughts regarding the annual park tour, which took place on June 12. They agreed to submit their completed comment forms to Jim so they could be compiled and discussed at the next meeting.

**Aquatics Financial Review**

Jim and Kristin discussed the financial performance of the Aquatic Center in 2011-2012 and reviewed the preliminary fiscal year numbers.

**7. DIVISION REPORTS**

**Aquatics – Kristin Graybeal**

Kristin updated the Board on the following items:

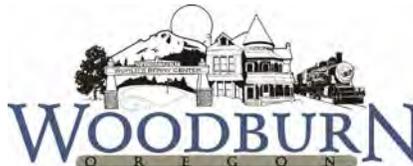
**News**

- Spa Jets Pump Motor is being repaired
- Water slide pump is also being repaired
- Teen swim has been really popular
- Junior lifeguard program (1 week done was awesome; 6 kids in attendance)

# City of Woodburn

## Recreation and Park Board Minutes

July 17, 2012 • 5:30 p.m.



- Swim strokes not as popular; first time doing
- New merchandise in store (new caps for kids, new rash guards, swim shoes, etc.)
- Updated website is done

### Summer kick off week

- So far this summer, we're up 10% from last year.
- \$5 swim lesson week: This year we had 228 students take lessons that week with 25% of them registering for another lesson this summer (using coupon) and 36% of them being brand new and never having taken lessons at the Aquatic Center before.
- Had a swimsuit sale that was popular (will do next year) 25% off

### Upcoming Events

- Grandparents weekend July 28-29: \$1 off admission

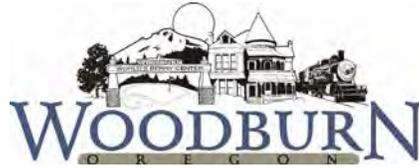
### Recreation – Stu Spence

Stu updated the Board on the following items:

- Youth Sports -** New program – Kidz Love Soccer has been ongoing since May. Over 30 kids have participated in the program this spring and summer.
- Adult Sports -** WSMSL Soccer League has 6 teams this year (down 1 from last year). Our challenge is that fields in Woodburn are not playable until late in the spring due to weather and maintenance needs. Other area leagues begin much earlier in the year. The Outdoor Summer Basketball League was cancelled due to lack of interest.
- 1785 Locomotive-** Over 30 books have been distributed and another order of 30 has been received. Book/DVD's are sold at cost for \$18.00 or \$20.00 (w/postage)
- WSN -** Woodburn Summer Nights kicked off with the annual 4<sup>th</sup> of July Celebration in Centennial Park. The event was well attended and included live bands, kids games and activities, vendors, and fireworks. Over \$9,000 was raised in sponsorship revenue for Woodburn Summer Nights that includes not only the 4<sup>th</sup> of July, but Music and Movies in the park. Thank you to our sponsors.
- ASC Prices -** The Woodburn School District has agreed to set next year's after school program prices. They will increase to \$350 per year from \$300 this year (if paid in full) or \$95 per quarter (\$380) from \$100 per trimester (\$300) this year. There will also be two other options to help sustain the program. This year, we are asking parents to pay extra if they are able. Separate

**City of Woodburn**  
**Recreation and Park Board Minutes**

July 17, 2012 • 5:30 p.m.



fees are \$500/yr (sustainability support) or \$800/yr (true cost of the program).

**Tennis -** We offer tennis camp, lessons, and sponsor the annual Woodburn Tennis Open? Tom Lonergan is our instructor and tournament director and has over 30 kids participating in tennis lessons and camp this year.

**Day Camp -** Summer Day Camp is slow, but successful this year. We are averaging about 35 kids/week for the program that runs M-F 7:30am – 5:30pm. We offer kinder, 1-5<sup>th</sup> grade, and teen activities at Heritage/Valor.

**Parks and Facilities – Jim Row**

Jim had no further update.

**8. FUTURE BOARD BUSINESS**

Compiled Park Tour Forms

**9. BOARD COMMENTS**

Joseph discussed a park he recently visited in Lodi, Ca. He would like to see Burlingham Park enhanced to offer similar features.

**10. ADJOURNMENT**

The meeting was adjourned at 6:22 PM

\_\_\_\_\_  
Joseph Nicoletti, Board Secretary  
Date\_\_\_\_\_

\_\_\_\_\_  
Jim Row, Community Services Director  
Date\_\_\_\_\_

# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES JANUARY THRU DECEMBER 2012

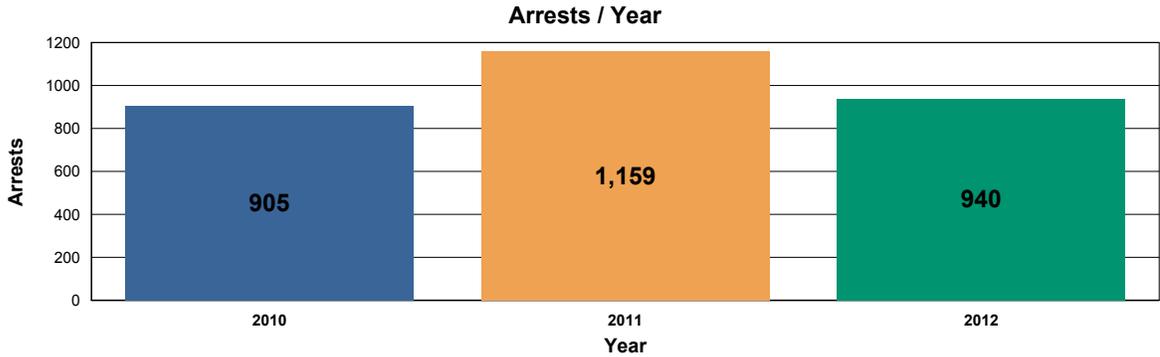
| CHARGE DESCRIPTION                            | Total | Jan | Feb | Mar | Apr | May | Jun | Jul |
|---|-------|-----|-----|-----|-----|-----|-----|-----|
| AGGRAVATED ASSAULT                            | 22    | 5   | 8   | 1   | 1   | 2   | 1   | 4   |
| ANIMAL CRUELTY                                | 2     | 0   | 0   | 1   | 0   | 0   | 1   | 0   |
| ANIMAL ORDINANCES                             | 8     | 0   | 0   | 3   | 1   | 2   | 2   | 0   |
| ARSON   | 6     | 0   | 0   | 0   | 0   | 6   | 0   | 0   |
| ASSAULT SIMPLE                                | 81    | 7   | 17  | 10  | 10  | 11  | 13  | 13  |
| BOMB THREAT                                   | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| BURGLARY - BUSINESS                           | 4     | 1   | 1   | 0   | 0   | 0   | 1   | 1   |
| BURGLARY - OTHER STRUCTURE                    | 4     | 2   | 0   | 0   | 1   | 0   | 0   | 1   |
| BURGLARY - RESIDENCE                          | 10    | 5   | 3   | 1   | 0   | 1   | 0   | 0   |
| CHILD NEGLECT                                 | 4     | 0   | 0   | 1   | 1   | 0   | 0   | 2   |
| CRIME DAMAGE-NO VANDALISM OR ARSON            | 12    | 4   | 4   | 0   | 1   | 1   | 2   | 0   |
| CURFEW  | 3     | 0   | 2   | 0   | 0   | 0   | 0   | 1   |
| CUSTODY - DETOX                               | 3     | 0   | 1   | 1   | 0   | 0   | 1   | 0   |
| CUSTODY - MENTAL                              | 16    | 2   | 1   | 2   | 2   | 2   | 4   | 3   |
| DISORDERLY CONDUCT                            | 24    | 4   | 5   | 1   | 7   | 2   | 2   | 3   |
| DRIVING UNDER INFLUENCE                       | 68    | 7   | 13  | 14  | 8   | 7   | 7   | 12  |
| DRUG LAW VIOLATIONS                           | 86    | 23  | 7   | 8   | 6   | 14  | 16  | 12  |
| DWS/REVOKED-MISDEMEANOR                       | 12    | 1   | 0   | 1   | 4   | 4   | 2   | 0   |
| ELUDE   | 6     | 0   | 3   | 0   | 0   | 0   | 0   | 3   |
| ESCAPE FROM YOUR CUSTODY                      | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| FAIL TO DISPLAY OPERATORS LICENSE             | 7     | 3   | 0   | 1   | 2   | 1   | 0   | 0   |
| FORCIBLE RAPE                                 | 2     | 1   | 0   | 0   | 0   | 0   | 1   | 0   |
| FORGERY/COUNTERFEITING                        | 12    | 2   | 2   | 1   | 0   | 2   | 1   | 4   |
| FUGITIVE ARREST FOR ANOTHER AGENCY            | 89    | 21  | 19  | 10  | 9   | 7   | 12  | 11  |
| FURNISHING                                    | 3     | 1   | 0   | 2   | 0   | 0   | 0   | 0   |
| HIT AND RUN FELONY                            | 4     | 3   | 0   | 0   | 0   | 1   | 0   | 0   |
| HIT AND RUN-MISDEMEANOR                       | 13    | 1   | 2   | 1   | 1   | 4   | 3   | 1   |
| IDENTITY THEFT                                | 2     | 0   | 1   | 0   | 0   | 1   | 0   | 0   |
| INTIMIDATION /OTHER CRIMINAL THREAT           | 25    | 3   | 6   | 2   | 3   | 4   | 4   | 3   |
| KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE      | 2     | 0   | 1   | 0   | 0   | 0   | 0   | 1   |
| LICENSING ORDINANCES                          | 1     | 1   | 0   | 0   | 0   | 0   | 0   | 0   |
| MINOR IN POSSESSION                           | 25    | 13  | 1   | 1   | 3   | 2   | 4   | 1   |
| MINOR IN POSSESSION - TOBACCO                 | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| MISCELLANEOUS                                 | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| MOTOR VEHICLE THEFT                           | 2     | 1   | 1   | 0   | 0   | 0   | 0   | 0   |
| OTHER   | 34    | 5   | 10  | 3   | 3   | 8   | 0   | 5   |
| PROPERTY RECOVER FOR OTHER AGENCY             | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| PROSTITUTION - ENGAGE IN                      | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| PUBLIC HEALTH AND SAFETY ORDINANCES           | 1     | 1   | 0   | 0   | 0   | 0   | 0   | 0   |
| RECKLESS DRIVING                              | 10    | 1   | 2   | 0   | 0   | 1   | 2   | 4   |
| RESTRAINING ORDER VIOLATION                   | 2     | 1   | 0   | 0   | 0   | 0   | 0   | 1   |
| ROBBERY - BUSINESS                            | 8     | 0   | 4   | 0   | 2   | 1   | 1   | 0   |
| ROBBERY - CONV.STORE                          | 1     | 0   | 1   | 0   | 0   | 0   | 0   | 0   |
| ROBBERY - OTHER                               | 2     | 2   | 0   | 0   | 0   | 0   | 0   | 0   |
| RUNAWAY                                       | 9     | 0   | 2   | 1   | 2   | 1   | 0   | 3   |
| SEX CRIME - EXPOSER                           | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| SEX CRIME - FORCIBLE SODOMY                   | 2     | 0   | 0   | 0   | 0   | 0   | 2   | 0   |
| SEX CRIME - MOLEST (PHYSICAL)                 | 4     | 0   | 2   | 0   | 0   | 1   | 0   | 1   |
| SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT     | 1     | 0   | 0   | 0   | 0   | 0   | 1   | 0   |
| STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| THEFT - BUILDING                              | 12    | 4   | 2   | 0   | 1   | 4   | 0   | 1   |
| THEFT - FROM MOTOR VEHICLE                    | 3     | 0   | 0   | 0   | 1   | 1   | 0   | 1   |
| THEFT - OTHER                                 | 25    | 6   | 4   | 0   | 6   | 1   | 7   | 1   |
| THEFT - SHOPLIFT                              | 83    | 6   | 9   | 6   | 13  | 17  | 16  | 16  |

# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES JANUARY THRU DECEMBER 2012

|                                       | Total | Jan | Feb | Mar | Apr | May | Jun | Jul |
|---------------------------------------|-------|-----|-----|-----|-----|-----|-----|-----|
| TRAFFIC VIOLATIONS                    | 64    | 7   | 17  | 9   | 6   | 11  | 3   | 11  |
| TRESPASS                              | 26    | 3   | 5   | 1   | 8   | 3   | 2   | 4   |
| UNAUTHORIZED ENTRY INTO MOTOR VEHICLE | 4     | 0   | 0   | 0   | 2   | 0   | 1   | 1   |
| VANDALISM                             | 22    | 4   | 0   | 9   | 2   | 3   | 2   | 2   |
| WARRANT ARREST FOR OUR AGENCY         | 45    | 6   | 1   | 4   | 6   | 9   | 10  | 9   |
| WEAPON - CARRY CONCEALED              | 5     | 0   | 0   | 0   | 1   | 1   | 0   | 3   |
| WEAPON - EX FELON IN POSSESSION       | 3     | 3   | 0   | 0   | 0   | 0   | 0   | 0   |
| WEAPON - POSSESS ILLEGAL              | 7     | 4   | 1   | 0   | 1   | 0   | 0   | 1   |
| WILLFUL MURDER                        | 1     | 1   | 0   | 0   | 0   | 0   | 0   | 0   |

|                   | Jan         | Feb        | Mar        | Apr        | May        | Jun        | Jul        |            |
|-------------------|-------------|------------|------------|------------|------------|------------|------------|------------|
| <b>2012 Total</b> | <b>940</b>  | <b>165</b> | <b>158</b> | <b>95</b>  | <b>117</b> | <b>141</b> | <b>124</b> | <b>140</b> |
| <b>2011 Total</b> | <b>1159</b> | <b>156</b> | <b>95</b>  | <b>185</b> | <b>207</b> | <b>209</b> | <b>172</b> | <b>135</b> |
| <b>2010 Total</b> | <b>905</b>  | <b>142</b> | <b>127</b> | <b>127</b> | <b>120</b> | <b>138</b> | <b>136</b> | <b>115</b> |



# Woodburn Police Department

## MONTHLY CRIMINAL OFFENSES JANUARY THRU DECEMBER 2012

| CHARGE DESCRIPTION                           | Total | Jan | Feb | Mar | Apr | May | Jun | Jul |
|--|-------|-----|-----|-----|-----|-----|-----|-----|
| AGGRAVATED ASSAULT                           | 25    | 4   | 6   | 1   | 2   | 7   | 2   | 3   |
| ANIMAL CRUELTY                               | 3     | 0   | 0   | 1   | 0   | 0   | 0   | 2   |
| ANIMAL ORDINANCES                            | 20    | 0   | 0   | 5   | 5   | 2   | 7   | 1   |
| ARSON  | 4     | 0   | 0   | 0   | 0   | 2   | 1   | 1   |
| ASSAULT SIMPLE                               | 102   | 8   | 13  | 13  | 16  | 19  | 19  | 14  |
| BOMB THREAT                                  | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| BURGLARY - BUSINESS                          | 13    | 8   | 0   | 0   | 2   | 0   | 0   | 3   |
| BURGLARY - OTHER STRUCTURE                   | 13    | 0   | 2   | 2   | 1   | 1   | 3   | 4   |
| BURGLARY - RESIDENCE                         | 65    | 20  | 6   | 4   | 7   | 11  | 11  | 6   |
| CHILD NEGLECT                                | 5     | 0   | 1   | 1   | 1   | 0   | 0   | 2   |
| CRIME DAMAGE-NO VANDALISM OR ARSON           | 77    | 23  | 9   | 6   | 13  | 6   | 10  | 10  |
| CURFEW                                       | 3     | 0   | 2   | 0   | 0   | 0   | 0   | 1   |
| CUSTODY - DETOX                              | 5     | 0   | 1   | 2   | 0   | 0   | 1   | 1   |
| CUSTODY - MENTAL                             | 15    | 2   | 1   | 2   | 2   | 2   | 3   | 3   |
| DISORDERLY CONDUCT                           | 33    | 3   | 4   | 7   | 10  | 1   | 2   | 6   |
| DRIVING UNDER INFLUENCE                      | 72    | 7   | 13  | 18  | 8   | 7   | 7   | 12  |
| DRUG LAW VIOLATIONS                          | 63    | 6   | 6   | 6   | 7   | 12  | 13  | 13  |
| DWS/REVOKED-MISDEMEANOR                      | 12    | 1   | 0   | 1   | 4   | 4   | 2   | 0   |
| ELUDE  | 6     | 0   | 2   | 1   | 0   | 0   | 0   | 3   |
| EMBEZZLEMENT                                 | 2     | 1   | 1   | 0   | 0   | 0   | 0   | 0   |
| ESCAPE FROM YOUR CUSTODY                     | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| FAIL TO DISPLAY OPERATORS LICENSE            | 9     | 3   | 0   | 2   | 2   | 1   | 1   | 0   |
| FORCIBLE RAPE                                | 5     | 2   | 0   | 0   | 1   | 0   | 1   | 1   |
| FORGERY/COUNTERFEITING                       | 41    | 5   | 8   | 4   | 5   | 5   | 6   | 8   |
| FRAUD - BY DECEPTION/FALSE PRETENSES         | 9     | 1   | 1   | 3   | 0   | 0   | 2   | 2   |
| FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE | 8     | 2   | 1   | 0   | 1   | 1   | 1   | 2   |
| FRAUD - IMPERSONATION                        | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| FRAUD - NO ACCOUNT - CHECK                   | 1     | 0   | 0   | 0   | 0   | 0   | 0   | 1   |
| FRAUD - OF SERVICES/FALSE PRETENSES          | 2     | 0   | 0   | 0   | 0   | 0   | 0   | 2   |
| FRAUD - WIRE                                 | 2     | 0   | 1   | 1   | 0   | 0   | 0   | 0   |
| FRAUD-OTHER                                  | 1     | 0   | 0   | 0   | 0   | 0   | 1   | 0   |
| FUGITIVE ARREST FOR ANOTHER AGENCY           | 98    | 21  | 19  | 13  | 13  | 10  | 11  | 11  |
| FURNISHING                                   | 3     | 1   | 0   | 2   | 0   | 0   | 0   | 0   |
| GARBAGE LITTERING                            | 1     | 0   | 0   | 0   | 0   | 0   | 1   | 0   |
| HIT AND RUN FELONY                           | 6     | 3   | 2   | 0   | 0   | 1   | 0   | 0   |
| HIT AND RUN-MISDEMEANOR                      | 53    | 3   | 11  | 7   | 6   | 9   | 8   | 9   |
| IDENTITY THEFT                               | 17    | 0   | 3   | 4   | 4   | 2   | 2   | 2   |
| INTIMIDATION /OTHER CRIMINAL THREAT          | 31    | 4   | 5   | 6   | 5   | 6   | 3   | 2   |
| KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE     | 1     | 0   | 0   | 0   | 0   | 0   | 0   | 1   |
| MINOR IN POSSESSION                          | 17    | 5   | 1   | 3   | 1   | 2   | 3   | 2   |
| MINOR IN POSSESSION - TOBACCO                | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| MISCELLANEOUS                                | 27    | 6   | 3   | 8   | 4   | 4   | 2   | 0   |
| MOTOR VEHICLE THEFT                          | 28    | 5   | 4   | 4   | 7   | 3   | 3   | 2   |
| NON CRIMINAL DOMESTIC DISTURBANCE            | 1     | 0   | 0   | 1   | 0   | 0   | 0   | 0   |
| OTHER  | 45    | 7   | 7   | 5   | 8   | 7   | 4   | 7   |
| PROPERTY - FOUND LOST MISLAID                | 11    | 5   | 0   | 0   | 2   | 2   | 1   | 1   |
| PROPERTY RECOVER FOR OTHER AGENCY            | 2     | 0   | 0   | 0   | 0   | 2   | 0   | 0   |
| PROSTITUTION - ENGAGE IN                     | 1     | 0   | 0   | 0   | 0   | 1   | 0   | 0   |
| RECKLESS DRIVING                             | 11    | 1   | 1   | 2   | 1   | 1   | 2   | 3   |
| RESTRAINING ORDER VIOLATION                  | 7     | 1   | 3   | 0   | 2   | 0   | 0   | 1   |
| ROBBERY - BUSINESS                           | 11    | 1   | 4   | 0   | 2   | 3   | 1   | 0   |
| ROBBERY - CONV.STORE                         | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| ROBBERY - OTHER                              | 5     | 0   | 0   | 0   | 1   | 1   | 3   | 0   |
| RUNAWAY                                      | 24    | 1   | 4   | 6   | 3   | 2   | 4   | 4   |
| SEX CRIME - EXPOSER                          | 1     | 0   | 0   | 0   | 1   | 0   | 0   | 0   |
| SEX CRIME - FORCIBLE SODOMY                  | 3     | 0   | 0   | 1   | 0   | 0   | 2   | 0   |
| SEX CRIME - MOLEST (PHYSICAL)                | 14    | 0   | 2   | 4   | 3   | 3   | 0   | 2   |

# Woodburn Police Department

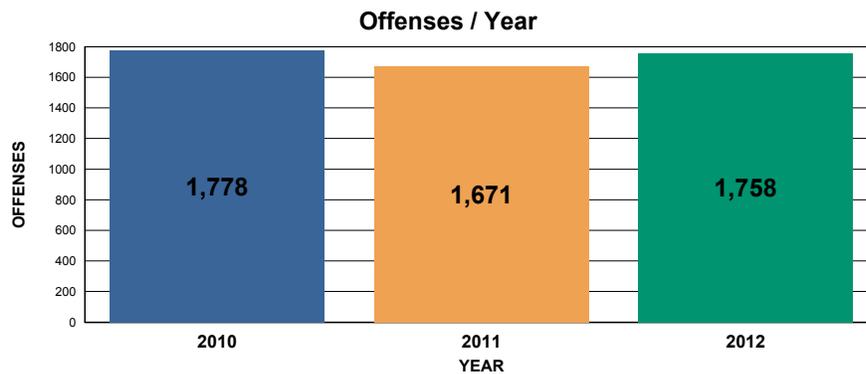
## MONTHLY CRIMINAL OFFENSES JANUARY THRU DECEMBER 2012

|   | Total | Jan | Feb | Mar | Apr | May | Jun | Jul |
|---|-------|-----|-----|-----|-----|-----|-----|-----|
| SEX CRIME - NON-FORCE RAPE                    | 1     | 0   | 0   | 1   | 0   | 0   | 0   | 0   |
| SEX CRIME - OTHER                             | 1     | 0   | 0   | 1   | 0   | 0   | 0   | 0   |
| SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL      | 2     | 0   | 0   | 0   | 1   | 0   | 0   | 1   |
| SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT     | 2     | 0   | 1   | 0   | 0   | 0   | 1   | 0   |
| STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING | 8     | 0   | 1   | 1   | 2   | 1   | 2   | 1   |
| SUICIDE                                       | 5     | 0   | 1   | 1   | 1   | 0   | 2   | 0   |
| THEFT - BICYCLE                               | 15    | 2   | 4   | 2   | 1   | 0   | 4   | 2   |
| THEFT - BUILDING                              | 23    | 0   | 2   | 1   | 6   | 4   | 5   | 5   |
| THEFT - COIN OP MACHINE                       | 5     | 1   | 1   | 1   | 0   | 1   | 0   | 1   |
| THEFT - FROM MOTOR VEHICLE                    | 54    | 9   | 8   | 0   | 11  | 9   | 4   | 13  |
| THEFT - MOTOR VEHICLE PARTS/ACCESSORIES       | 13    | 1   | 5   | 2   | 2   | 1   | 0   | 2   |
| THEFT - OTHER                                 | 123   | 7   | 16  | 14  | 20  | 16  | 23  | 27  |
| THEFT - PICKPOCKET                            | 4     | 2   | 0   | 1   | 0   | 0   | 1   | 0   |
| THEFT - PURSE SNATCH                          | 1     | 1   | 0   | 0   | 0   | 0   | 0   | 0   |
| THEFT - SHOPLIFT                              | 94    | 8   | 10  | 12  | 15  | 20  | 12  | 17  |
| TRAFFIC VIOLATIONS                            | 82    | 6   | 18  | 21  | 10  | 12  | 4   | 11  |
| TRESPASS                                      | 42    | 7   | 7   | 3   | 8   | 7   | 6   | 4   |
| UNAUTHORIZED ENTRY INTO MOTOR VEHICLE         | 13    | 1   | 1   | 1   | 5   | 2   | 2   | 1   |
| VANDALISM                                     | 166   | 32  | 24  | 19  | 14  | 19  | 42  | 16  |
| VEHICLE RECOVERD FOR OTHER AGENCY             | 5     | 1   | 1   | 0   | 1   | 0   | 1   | 1   |
| WARRANT ARREST FOR OUR AGENCY                 | 47    | 5   | 1   | 4   | 8   | 10  | 12  | 7   |
| WEAPON - CARRY CONCEALED                      | 5     | 0   | 0   | 0   | 1   | 1   | 0   | 3   |
| WEAPON - EX FELON IN POSSESSION               | 1     | 0   | 0   | 1   | 0   | 0   | 0   | 0   |
| WEAPON - POSSESS ILLEGAL                      | 6     | 3   | 0   | 1   | 1   | 0   | 0   | 1   |
| WILLFUL MURDER                                | 1     | 0   | 1   | 0   | 0   | 0   | 0   | 0   |

|                   | Total        | Jan        | Feb        | Mar        | Apr        | May        | Jun        | Jul        |
|-------------------|--------------|------------|------------|------------|------------|------------|------------|------------|
| <b>2012 Total</b> | <b>1,758</b> | <b>246</b> | <b>249</b> | <b>233</b> | <b>261</b> | <b>244</b> | <b>264</b> | <b>261</b> |

|                   |              |            |            |            |            |            |            |            |
|-------------------|--------------|------------|------------|------------|------------|------------|------------|------------|
| <b>2011 Total</b> | <b>1,671</b> | <b>202</b> | <b>184</b> | <b>227</b> | <b>253</b> | <b>297</b> | <b>279</b> | <b>229</b> |
|-------------------|--------------|------------|------------|------------|------------|------------|------------|------------|

|                   |              |            |            |            |            |            |            |            |
|-------------------|--------------|------------|------------|------------|------------|------------|------------|------------|
| <b>2010 Total</b> | <b>1,778</b> | <b>321</b> | <b>223</b> | <b>282</b> | <b>219</b> | <b>283</b> | <b>253</b> | <b>197</b> |
|-------------------|--------------|------------|------------|------------|------------|------------|------------|------------|





# Agenda Item

September 10, 2012

TO: Honorable Mayor and City Council through City Administrator  
THRU: Scott Russell, Chief of Police  
FROM: Jason R. Alexander, Captain  
SUBJECT: **Additional Privilege- Winery**

## **RECOMMENDATION:**

The Woodburn City Council recommends that the OLCC approve the **Additional Privilege- Winery** application for Harry and David, LLC.

## **BACKGROUND:**

Applicant: Barbara McDonald  
19862 Vintage Street  
Chatsworth, CA 91911  
818.470.5932

Business: Harry and David  
1001 Arney Road  
Woodburn, OR 97071  
503.981.7021

Owners: Same as Above

Current License Type: **Off-Premise Sales** – which permits beer, wine, cider sales for off-premise consumption only.

On August 6, 2012, the Woodburn Police Department received an application, requesting approval for an **Additional Privilege-Winery** for Harry and David LLC located at 1001 Arney Rd. Woodburn, Oregon.

The business will be open Monday thru Saturday from 10:00am to 9:00pm and on Sunday from 10:00am until 7:00pm. Harry and David is building a winery at their

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Agenda Item Review: City Administrator  City Attorney  Finance

Medford, Oregon establishment and are requesting the **Additional Privilege-Winery** for their business in Woodburn, Oregon, in order to host a tasting room of their homemade wines. There will not be live music, karaoke, video lottery games, or pool tables. The Police Department has received no communication from the public or surrounding businesses in support of or against the new outlet.

**DISCUSSION:**

The Police Department has completed a background investigation, in connection with the OLCC, on the applicant and found nothing of a questionable nature, which would preclude the issuance of this license.

**FINANCIAL IMPACT:**

None.



# Agenda Item

September 10, 2012

TO: Honorable Mayor and City Council through City Administrator

FROM: Christina Shearer, Acting Finance Director

SUBJECT: **Woodburn Ambulance Franchise**

**RECOMMENDATION:**

Conduct a public hearing on the renewal of the franchise with Woodburn Ambulance Service, Inc, and direct staff to submit the final version of franchise ordinance for adoption at the September 24, 2012 City Council meeting.

**BACKGROUND:**

In 2002 the City and Woodburn Ambulance Service, Inc. (WAS) entered into a 10 year nonexclusive franchise agreement to provide emergency ambulance services within the city limits. During the course of the agreement, WAS has complied with all provisions of the franchise and remains in good standing in respect to the franchise and county plan. The franchise agreement is set to expire October 1, 2012.

**DISCUSSION:**

Staff has met with WAS and negotiated a renewal of the franchise, a draft copy of which is attached. Like the prior franchise, the draft Franchise would grant to the operator the right to use the public rights of way to provide emergency transportation of persons suffering from illness, injury or disability. This Franchise would not be exclusive, and the City reserves the right to grant a similar use of public rights of way to any other person at any time during the period of the Franchise, provided said person complies with the regulations of the ASA Plan and with Oregon state law.

Other highlights of the draft franchise include:

- The Franchise would be valid for a period of ten (10) years following the effective date.
- The Grantee would furnish ambulance service within the corporate limits of the City of Woodburn in a prompt, efficient and effective manner; and

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Agenda Item Review: City Administrator  City Attorney  Finance

in accordance with rates approved by the City Council by separate resolution. The Grantee would make available ambulance services within the City 24 hours per day, seven days per week, and would maintain a business office with reasonable office hours, within the corporate limits of the City of Woodburn.

- For the privilege of the Franchise, the Grantee would pay to the City a Franchise Fee calculated as one percent (1%) of the Franchise's gross revenue derived from calls for service within the City of Woodburn's city limits for the calendar year ended the previous December 31. The fee will be paid on a quarterly basis.
- All ambulances in the City of Woodburn would be required to conform to the State of Oregon requirements of ORS Chapter 682 and be licensed for an Advanced Life Support (ALS) unit as EMT-Paramedic and one EMT-Basic. Grantee would equip all vehicles with emergency radio communications.
- Grantee would maintain Comprehensive General Liability Insurance in the amount of \$1,000,000 combined with a single limit for bodily injury, and property damage. Grantee would provide a Certificate of Insurance designating the City of Woodburn as an additional insured.
- This Franchise may be canceled or revoked by the City in the event that Grantee failed to abide by the terms, conditions and obligations.

**FINANCIAL IMPACT:**

The fees collected under this franchise agreement will be dependent on the number of service calls within city limits for any given fiscal year. The fees collected during the 2010/11 fiscal year totaled \$11,483.40.

COUNCIL BILL NO.

ORDINANCE NO.

**AN ORDINANCE GRANTING WOODBURN AMBULANCE SERVICE, INC., A NON-EXCLUSIVE FRANCHISE TO OPERATE AN AMBULANCE SERVICE IN THE CITY OF WOODBURN; DEFINING TERMS AND CONDITIONS OF SAID FRANCHISE; REPEALING ORDINANCE 2324; DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE**

**WHEREAS**, the City of Woodburn has previously granted to Woodburn Ambulance Service, Inc. a Franchise to operate an ambulance service within the corporate boundaries of the City; and

**WHEREAS**, ORS 682.031 acknowledges that a city may regulate ambulance services by ordinance; and

**WHEREAS**, a city is authorized to franchise and charge carriers providing vehicles for hire, including the services of an ambulance, provided said carriers meet the standards of the Marion County Ambulance Service Area Plan; and

**WHEREAS**, the City Council determines it to be in the public interest to provide for and regulate the use of ambulance services; **NOW, THEREFORE**,

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1. Title.** This ordinance shall be known as the "Ambulance Service Franchise Ordinance".

**Section 2. Policy and Purpose.** The Council declares it to be in the public's interest of health, safety and welfare to provide for and regulate ambulance services within the City of Woodburn to:

(1) Ensure effective and efficient emergency ambulance service to the residents of Woodburn; and

(2) Comply with the provisions of the Marion County Ambulance Service Area (ASA) Plan.

Pursuant to ORS 682.031, this ordinance shall not be interpreted to require less than is required of Grantee by the applicable Oregon Revised Statutes and administrative rules. Any inconsistency between the provisions of this ordinance and Oregon state law shall be governed by Oregon state law.

**Section 3. Definitions.** The words and phrases used in this ordinance shall have the meaning provided in ORS Chapter 682 unless specifically defined herein to have a different meaning. Other specific definitions include:

- (1) "ASA Plan" - The Marion County Ambulance Service Area Plan.
- (2) "City" - The City of Woodburn
- (3) "Franchise" - A privilege granted by the City pursuant to this ordinance.
- (4) "Grantee" - The person granted a franchise pursuant to this ordinance.

**Section 4. Franchise Granted.** The City hereby grants unto Woodburn Ambulance Service, Inc. the franchise, right and privilege, subject to such modifications as are hereinafter set forth, to operate an ambulance service within the corporate limits of the City of Woodburn, as such limits now exist or may hereafter be expanded.

For the purpose of the franchise, Grantee shall have the right to use the public streets, alleys, public ways and places of the City to provide emergency transportation of persons suffering from illness, injury or disability. This Franchise is not exclusive, and the City reserves the right to grant a similar use of public streets, alleys, public ways and places to any other person at any time during the period of this Franchise, provided said person complies with the regulations of the ASA Plan and with Oregon state law.

**Section 5. Franchise Term.** The rights, privilege and Franchise herein granted shall be valid for a period of ten (10) years following the effective date, or until expiration of any franchise or designation of service area granted pursuant to the ASA Plan, whichever occurs first. If the ten year period described herein occurs first, the term of this franchise may be extended, by ordinance, to a subsequent date coinciding with the expiration of any franchise granted pursuant to the ASA Plan, provided that a finding is made by the City that Grantee has fully complied with the terms and provisions of this Franchise and remains in good standing in respect to any such franchise granted pursuant to the ASA Plan.

**Section 6. Rates and Charges.** Grantee shall furnish ambulance service within the corporate limits of the City of Woodburn as requested and required in a prompt, efficient and effective manner; and in accordance with rates and

charges made to persons receiving ambulance service as set forth by Council Resolution 1985. In determining the appropriate rates to be charged by Grantee, the City Council shall consider, but not be limited to:

- (1) The current and projected cost of providing such service;
- (2) The impacts of operating and capital needs, regulatory compliance, and technological change;
- (3) The investment and rate of return required of, or earned by, the Grantee;
- (4) The rates charged in other cities for similar service;
- (5) The public interest in assuring reasonable rates to enable the Grantee to provide effective and efficient services.

**Section 7. Compliance with Laws, Rules and Regulations.** Grantee shall at all times comply with all applicable laws, rules and regulations of the United States of America, the State of Oregon, including all agencies and subdivisions thereof, and the City of Woodburn, having jurisdiction over the operation of ambulance services.

**Section 8. Performance Bond.** Upon the effective date of this Franchise, Grantee shall furnish proof of the posting of a performance bond running to City, with good and sufficient surety approved by City, in the penal sum of \$50,000, conditioned that Grantee shall well and truly observe, fulfill, and perform each term and condition of this Franchise. Grantee shall pay all premiums charged for the bond, and shall keep the bond in full force and effect at all times throughout the term of this Franchise. The bond shall contain a provision that it shall not be terminated or otherwise allowed to expire without 30 days prior written notice first being given to City. The bond shall be reviewed and approved as to form by the City Attorney.

**Section 9. Revision of Rates and Fees.** The rates provided in Section 6 hereof, may be changed and revised, either upward or downward, after public notice and hearing before the City Council. Grantee is permitted to request a rate review and possible increases in rates annually, but the decision to grant or deny any changes in rates shall be made by the City Council only after all other provisions of this Ordinance pertaining to rates and charges have been met.

**Section 10. Franchise Fee.** For the privilege of the Franchise herein granted, and as compensation for use of the City's streets and rights of way, the

Grantee shall pay to the City, through its Finance Director, a quarterly Franchise Fee based on the Franchisee's gross revenue derived from calls for service within the City of Woodburn's city limits for the calendar year ended the previous December 31. The quarterly Franchise Fee will be calculated as one percent (1.0%) of the Franchisee's gross revenue earned in Woodburn divided by four (4).

The Franchise Fee shall be due and payable no later than thirty (30) days following the end of each calendar quarter. The first such payment, for the fourth calendar quarter of 2012, shall be due and payable no later than January 30, 2013, with subsequent payments under this section due and payable no later than thirty (30) days following the end of each succeeding calendar quarter.

To facilitate the City's ability to properly monitor this Franchise, Grantee shall furnish to the City's Finance Director, no later than May 31st of each year, a detailed annual statement, signed by a Certified Public Accountant, outlining the nature of Grantee's revenues and expenditures during the preceding calendar year. If requested in writing by the City, the Grantee shall, upon provision of reasonable advance notice, permit the City's Finance Director, or designee, to examine the books of the Grantee. The City shall further have the right to audit Grantee's records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

**Section 11. Ambulance and Equipment Required.** All patient transporting vehicles in the City of Woodburn shall conform to the State of Oregon requirements of ORS Chapter 682 and be licensed for an Advanced Life Support (ALS) unit as defined by The Oregon Administrative Rules. All ALS and BLS vehicles shall maintain the minimum equipment prescribed by state law, and as may be further required under the ASA Plan. Grantee shall provide a minimum of two (2) operable and properly equipped ALS Units at all times.

**Section 12. Emergency Radio Communications.** Grantee shall equip all vehicles and comply with all emergency radio communications requirements of the ASA Plan or of the Intergovernmental Agreement creating the NORCOM emergency communications agency.

**Section 13. Levels of Care.** All ambulances answering 9-1-1 emergency calls originating in the City of Woodburn shall be ALS Level, with minimum staffing of one EMT-Paramedic and one EMT-Basic. Staffing shall further conform to the requirements of state law.

**Section 14. Insurance.** Grantee shall maintain in full force and effect at its own cost and expense, during the term of the Franchise, Comprehensive

General Liability Insurance in the amount of \$1,000,000 combined with a single limit for bodily injury, and property damage. Grantee shall provide to the Finance Director a Certificate of Insurance designating the City of Woodburn as an additional insured. Such insurance shall be noncancellable except upon thirty (30) days prior written notice to the City.

**Section 15. Business Hours.** Grantee shall make available said ambulance services within the City 24 hours per day, seven days per week; and shall maintain a business office with reasonable office hours, open to the public at least five days per week, excluding holidays, within the corporate limits of the City of Woodburn.

**Section 16. Record of Transport Calls.** Grantee shall keep for five years a written record of all transport calls received or made, setting forth the date, time, destination, nature of call, name and address of the patient so far as can be ascertained, the hospital or place to which the patient was taken, the names of all ambulance attendants for that particular call, along with the amounts of charges billed or collected from any such transport or service.

**Section 17. Alternative Ambulance Service.** The Woodburn Fire District, NORCOM, or any other public safety officer may call an ambulance service other than the Grantee if Grantee's ambulances are otherwise in use and unavailable.

**Section 18. Transfer of Franchise.** Grantee shall not sell, assign, dispose of or transfer in any manner whatsoever any interest in this Franchise, nor the controlling company of Grantee, without prior approval by the City expressed by resolution of its City Council.

**Section 19. Indemnity and Hold Harmless.** Grantee shall defend, indemnify, and hold the City of Woodburn, its officers, agents and employees, harmless against all liability, loss or expenses, including attorney's fees, and against all claims, actions or judgments based upon or arising out of damage or injury (including death) to persons or property caused by any act or omission or an act sustained in connection with the performance of Grantee under its Franchise.

**Section 20. Interruption of Service.** Notwithstanding any requirements contained in the ASA Plan, in the event the City finds that failure or threatened failure of ambulance service would adversely impact the health, safety or welfare of the residents of this city, the City Council may, after a minimum of 24 hours notice to the Grantee, hold a public hearing and authorize another Franchisee or other person to provide ambulance service, whether it be on an

interim emergency or longer term basis. As a condition to this Franchise, the Grantee agrees that any real property, facilities or equipment, which is the property of Grantee, may be used by the City to provide ambulance services during said situation, as determined by the findings of the City Council at the above-mentioned public hearing. The City shall return any such property of the Grantee upon abatement of the situation which prompted City use of such property.

In the event the City's power and authority under this section is exercised, the usual charges for service shall prevail and Grantee shall be entitled to collect for such usual services, but shall reimburse the provider of such ambulance services for its actual costs, as determined by the City. In no event shall the City collect more in reimbursement than could have been charged by Grantee for the provision of such services. In the event that the City and Grantee are unable to agree to reasonable and proper compensation for reimbursement for such services to the City in such situation, then each party shall name an arbitrator within ten (10) days of notice thereof, and such arbitrators shall, within five (5) days thereafter, name a third arbitrator, and the award or decision of such arbitrators as to the aforesaid matters shall be deemed conclusive upon the parties hereto as to any such matters in dispute. In the event that either party hereto, or the arbitrators chosen, shall fail or neglect to comply with the terms of this arbitration agreement, then the same shall be carried into effect in the manner and as provided by ORS 36.600 through 36.740.

**Section 21. Termination of Franchise.** This Franchise may be canceled or revoked by the City in the event that Grantee shall fail to abide by the terms, conditions, and obligations set forth and imposed upon it herein, but such cancellation or revocation shall not be made until after thirty (30) days' written notice is given to Grantee. Grantee shall be afforded a hearing, before the City Council, provided such hearing is requested in writing before the expiration of the 30 days. Grantee shall also have the privilege of terminating this Franchise in case the City of Woodburn shall not abide by its terms, on the same terms and conditions described above, upon satisfactory demonstration to the City Council that the City has not so abided.

**Section 22. Remedies Not Exclusive.** All remedies under this Ordinance, including termination of the Franchise, are cumulative, and recovery or enforcement of one is not a bar to the recovery or enforcement of any other remedy. Remedies contained in this ordinance, including termination of the Franchise, are not exclusive and the City reserves the right to enforce penal provision of any ordinance and also use any remedy available at law or in equity. Failure to enforce any provision of this ordinance shall not be construed

as a waiver or a breach of any other term, condition or obligation of this ordinance.

**Section 23. Evaluation of Service.** Grantee shall meet with the City Administrator and other City officials and staff annually or semi-annually, as requested by the City Administrator, to evaluate the service rendered under this Franchise or review any concern as may be existing with the ambulance service.

**Section 24. Severability.** The provisions of this ordinance are severable. If a portion of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

**Section 25. Repeal of Existing Ordinances.** Ordinance 2324 is hereby repealed on the effective date of this ordinance.

**Section 26. Acceptance.** Grantee shall, within thirty (30) days from the date this ordinance takes effect, file with the City its written unconditional acceptance of this franchise in the form attached hereto as Exhibit "A", and if Grantee fails to do so, this ordinance shall be void.

**Section 27. Emergency Clause and Effective Date.** This Ordinance being necessary for the immediate preservation of the public peace, health and safety, so that franchised ambulance service can continue, an emergency is declared to exist and this Ordinance shall take effect on October 1, 2012 and shall remain in effect until modified or rescinded by ordinance of the City Council.

Approved as to form: \_\_\_\_\_  
City Attorney Date

Approved: \_\_\_\_\_  
Kathryn Figley, Mayor

Passed by the Council \_\_\_\_\_  
Submitted to the Mayor \_\_\_\_\_  
Approved by the Mayor \_\_\_\_\_  
Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Heather Pierson, Assistant City Recorder  
City of Woodburn, Oregon

DRAFT

**EXHIBIT "A"**

**ACCEPTANCE OF FRANCHISE**

**WHEREAS**, the City of Woodburn, Oregon under date of \_\_\_\_\_ passed Ordinance No. \_\_\_\_ entitled as follows:

**AN ORDINANCE GRANTING WOODBURN AMBULANCE SERVICE, INC., A NON-EXCLUSIVE FRANCHISE TO OPERATE AN AMBULANCE SERVICE IN THE CITY OF WOODBURN; DEFINING TERMS AND CONDITIONS OF SAID FRANCHISE; AND REPEALING ORDINANCE 2324; DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE**

**NOW, THEREFORE**, the undersigned, Woodburn Ambulance Service, Inc., the Grantee named in said Ordinance does for itself and its successors and assigns unconditionally accept the terms, conditions and provisions of Ordinance No. \_\_\_\_ and agree to be bound thereby and comply therewith.

**IN WITNESS WHEREOF**, the Woodburn Ambulance Service, Inc. has caused this instrument to be executed by its officer as below subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

WOODBURN AMBULANCE SERVICE, INC.

By: \_\_\_\_\_  
Printed Name:  
Title:

Received by the City of Woodburn, this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

CITY OF WOODBURN

By: \_\_\_\_\_  
Printed Name:  
Title:



# Agenda Item

September 10, 2012

TO: Honorable Mayor and City Council through City Administrator

FROM: Jim Hendryx, Director of Economic & Development Services

SUBJECT: **Highway 99E Corridor Plan (CPA 2012-02 and LA 2012-01)**

**RECOMMENDATION:**

Adopt Ordinance 2492, the Highway 99E Corridor Plan (CPA 2012-02 and LA 2012-01)

**BACKGROUND:**

The City applied for a Transportation and Growth Management (TGM) grant in 2009 to develop a corridor plan for Highway 99E. This has been a cooperative effort between the Oregon Department of Transportation (ODOT), Marion County, the City, consultants, residents and business owners. Over the past two years, concepts have been developed and refined in a series of public workshops. The Corridor Plan has gone through the public hearing process, holding 3 open houses, 5 Citizen Advisory Committee meetings, and hearings before the Planning Commission and City Council. The Planning Commission conducted an additional public hearing on June 14, recommending three modifications to the proposed plan. They forwarded it to the Council, with a unanimous recommendation of approval.

On July 9, 2012 the City Council considered the Planning Commission's recommendations at a public hearing and tentatively approved Comprehensive Plan Amendment CPA 2012-02 and Legislative Amendment LA 2012-01, the Highway 99E Corridor Plan, as recommended by the Commission.

At the conclusion of the public hearing, staff was directed to prepare and submit to the City Council the documents necessary to formally adopt the Highway 99E Corridor Plan.

**DISCUSSION:**

Ordinance 2492 adopts the 99E Corridor Plan, makes text amendments to the Woodburn Comprehensive Plan, amends the Woodburn Comprehensive Plan

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

Map, amends the Transportation System Plan, makes text amendments to the Woodburn Development Ordinance and amends the Official Zoning Map. Also, the Economic and Development Services Director is directed to administratively incorporate and implement all of these City Council actions.

**FINANCIAL IMPACT:**

This decision is anticipated to have no financial impact to the City at this time. Implementation of the Corridor Plan will be funded primarily by ODOT as Highway 99E is improved. The City will be implementing local improvements through the Capital Improvement Plan, which is considered to be part of the budget process.

**ATTACHMENT:**

Ordinance 2492

**COUNCIL BILL NO. 2901**

**ORDINANCE NO. 2492**

**AN ORDINANCE ADOPTING THE HIGHWAY 99E CORRIDOR PLAN; MAKING TEXT AMENDMENTS TO THE WOODBURN COMPREHENSIVE PLAN; AMENDING THE WOODBURN COMPREHENSIVE PLAN MAP; AMENDING THE WOODBURN TRANSPORTATION SYSTEM PLAN; MAKING TEXT AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE; AMENDING THE OFFICIAL ZONING MAP; AND DIRECTING THE ECONOMIC AND DEVELOPMENT SERVICES DIRECTOR TO ADMINISTRATIVELY INCORPORATE AND IMPLEMENT THESE ACTIONS**

**WHEREAS**, the City received a grant from the Oregon Transportation and Growth Management Program to help fund the Highway 99E Corridor Plan ("the Plan"); and

**WHEREAS**, on September 27, 2010, the City Council appointed a Citizens Advisory Committee (CAC) consisting of 14 members to make recommendations to the City Council as to the development of the Plan; and

**WHEREAS**, there was an extensive public outreach in the development of the Plan, including five CAC meetings, two business and property owner meetings, three open houses and one joint Planning Commission/City Council Work Session; and

**WHEREAS**, on June 14, 2012, the Planning Commission conducted a public hearing on the Plan and recommended City Council approval; and

**WHEREAS**, on July 9, 2012, the City Council conducted a public hearing on the Plan, approved the Plan in concept and directed staff to return with the documents necessary to formally adopt the Plan as a legislative land use action;  
**NOW, THEREFORE,**

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1.** The Highway 99E Corridor Plan, affixed to this Ordinance as Attachment A, is adopted.

**Section 2.** The text of the Woodburn Comprehensive Plan is amended as provided in Attachment B, which is affixed hereto.

**Section 3.** The Woodburn Comprehensive Plan Map is amended to designate as Commercial all properties within the Mixed Use Village Zone, as provided in Attachment C, which is affixed hereto.

**Section 4.** The Woodburn Transportation System Plan is amended as provided in Attachment D, which is affixed hereto.

**Section 5.** The text of the Woodburn Development Ordinance (“the WDO”) is amended as provided in Attachment E, which is affixed hereto.

**Section 6.** The Official Zoning Map is amended as provided in Attachment F, which is affixed hereto.

**Section 7.** Consistent with Figure 12 of the Plan, affixed to this Ordinance as Attachment G, the Director of Economic and Development Services (“the Director”) shall initiate a future legislative zone change of the corridor properties shown in Figure 12 to the Mixed Use Village Zone after the improvement of Highway 99E has been completed.

**Section 8.** The Director is further directed to administratively implement and incorporate all modifications to the land use regulations specified in this Ordinance.

Approved as to form: \_\_\_\_\_  
N. Robert Shields, City Attorney      \_\_\_\_\_  
Date

Approved: \_\_\_\_\_  
Kathy Figley, Mayor

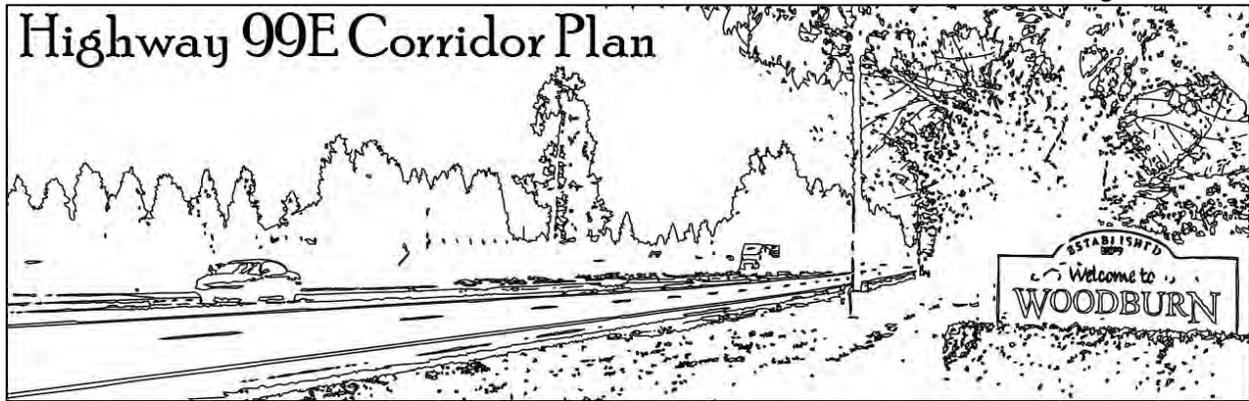
Passed by the Council \_\_\_\_\_

Submitted to the Mayor \_\_\_\_\_

Approved by the Mayor \_\_\_\_\_

Filed with the Office of the Recorder \_\_\_\_\_

Attested: \_\_\_\_\_  
Heather Pierson, Assistant City Recorder  
City of Woodburn, Oregon



# Highway 99E Corridor Plan

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*Adopted September 10, 2012*



The Highway 99E Corridor Plan was prepared by Angelo Planning Group, DKS Associates, SERA Architects, and Cogan Owens Cogan in partnership with the City of Woodburn and the Oregon Department of Transportation.



This project is partially funded by a grant from the Transportation and Growth Management (“TGM”) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and the State of Oregon funds.

The contents of this document do not necessarily reflect views or policies of the State of Oregon.

### ***Acknowledgements***

Special thanks to members of the Citizens Advisory Committee, Technical Advisory Committee, Project Management Team, Planning Commission, City Council, and the public who participated in the review and shaping of the Corridor Plan.

#### ***Citizens Advisory Committee***

Arnoldo Benavidez, Benavidez Tire & Wheel

Eric Morris, Woodburn City Councilor

Rob Carney, Woodburn resident

Alfredo Paniagua, Los Paniaguas Produce

Bruce Crane, Historic Woodburn  
Neighborhoods Association

David Paradis, Easy Storage

Gerald Curtis, Shalimar Estates property owner

Scott Roske, Food Service of America

Dick Jennings, Woodburn Planning Commission

Darcy Ruef, Al’s Garden Center

Kelly Long, Long Brothers Building Supply

Janice Webb, Webb Chiropractic

Mindy Mayer, McDonald’s

Ruby Wolfer, West Coast Bank



*Technical Advisory Committee*

Dan Brown, P.E., City of Woodburn Public Works Director

Ann M. Batten, PE, ODOT Region 2 Traffic Analyst

Dan Fricke, ODOT Senior Region 2 Planner

Rodger Gutierrez, ODOT Pedestrian & Bicycle Facility Specialist

Michael "Swede" Hays, ODOT Rail Division Railroad Compliance Specialist

Angela Kargel, ODOT Region Traffic Engineer

Chris Bailey, PE, ODOT Region 2 Senior Preliminary

Dorothy Upton, ODOT Senior Transportation Analyst

Michael Morales, ODOT Region 2 Senior Environmental Project Manager

Michael Bufalino, ODOT Freight Mobility Planner

Steven M. Oulman, AICP, Mid-Willamette Valley Council of Governments Regional Representative, and Oregon Department of Land Conservation and Development

Jamie Hollenbeak, P.E., Access Management Project Delivery Coordinator

Karen G. Odenthal, Marion County Civil Engineering Associate

Melissa Mallott, ODOT Senior Right of Way Agent

Lester Sasaki, Marion County Principal Planner

Dave Sutkowski, ODOT Region 2 Assistant District Manager

Brandon Reich, Marion County Associate Planner

*Project Management Team*

Jim Hendryx, City of Woodburn Economic & Development Services Director

Naomi Zwerdling, ODOT Senior Region 2 Planner

*Planning Commission*

Ellen Bandelow

*City Council*

Kathy Figley, Mayor

Sharon Corning

Dick Pugh, Councilor - Ward 1

Lisa Ellsworth

Mel Schmidt, Councilor - Ward 2

Patty Grigorieff

Pete McCallum, Councilor - Ward 3

Richard Jennings

Jim Cox, Councilor - Ward 4

Claudio Lima

Frank Lonergan, Councilor - Ward 5

Charles Piper

Eric Morris, Councilor - Ward 6



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**Supporting Documents**

The following documents were created during the course of the project. Supporting documents summarize input obtained during public meetings, document background conditions, and describe in detail alternatives considered but not ultimately adopted. They are currently available on the project website and will be archived at the City’s Planning Division where they can be viewed upon request.

Technical Memoranda

- Technical Memorandum #1: Plan and Policy Review*
- Technical Memorandum #2: Existing Access Conditions*
- Technical Memorandum #3: Existing and Future No Build Traffic Conditions*
- Technical Memorandum #4: Land Use and Urban Design Analysis*
- Technical Memorandum #5: Opportunity Design Toolbox*



Alternatives Development and Evaluation Reports and Early Corridor Plan Documents

*Draft Corridor Plan Design Concepts*

*Final Corridor Plan Design and Land Use Options Evaluation Report and Traffic Technical Appendix*

*Corridor Plan Implementation Report*

Meeting Summaries

*November 17, 2010 CAC Meeting Summary*

*February 9, 2011 CAC Meeting Summary*

*May 10, 2011 CAC Meeting Summary*

*September 7, 2011 CAC Meeting Summary*

*September 8, 2011 Planning Commission Workshop Summary*

*December 14, 2011 CAC Meeting Summary*



## I. Introduction

Highway 99E is a state highway that runs through the eastern edge of the City of Woodburn. The highway serves as a major north and south transportation route between Wilsonville and Salem, is one of the city's main transportation corridors, and provides access to numerous businesses. The City of Woodburn obtained a grant from the state's Transportation and Growth Management (TGM) program to develop a plan for the corridor in order to facilitate the revitalization of the corridor as a viable, safe and sustainable business district. To this end, the planning process addressed the following issues:

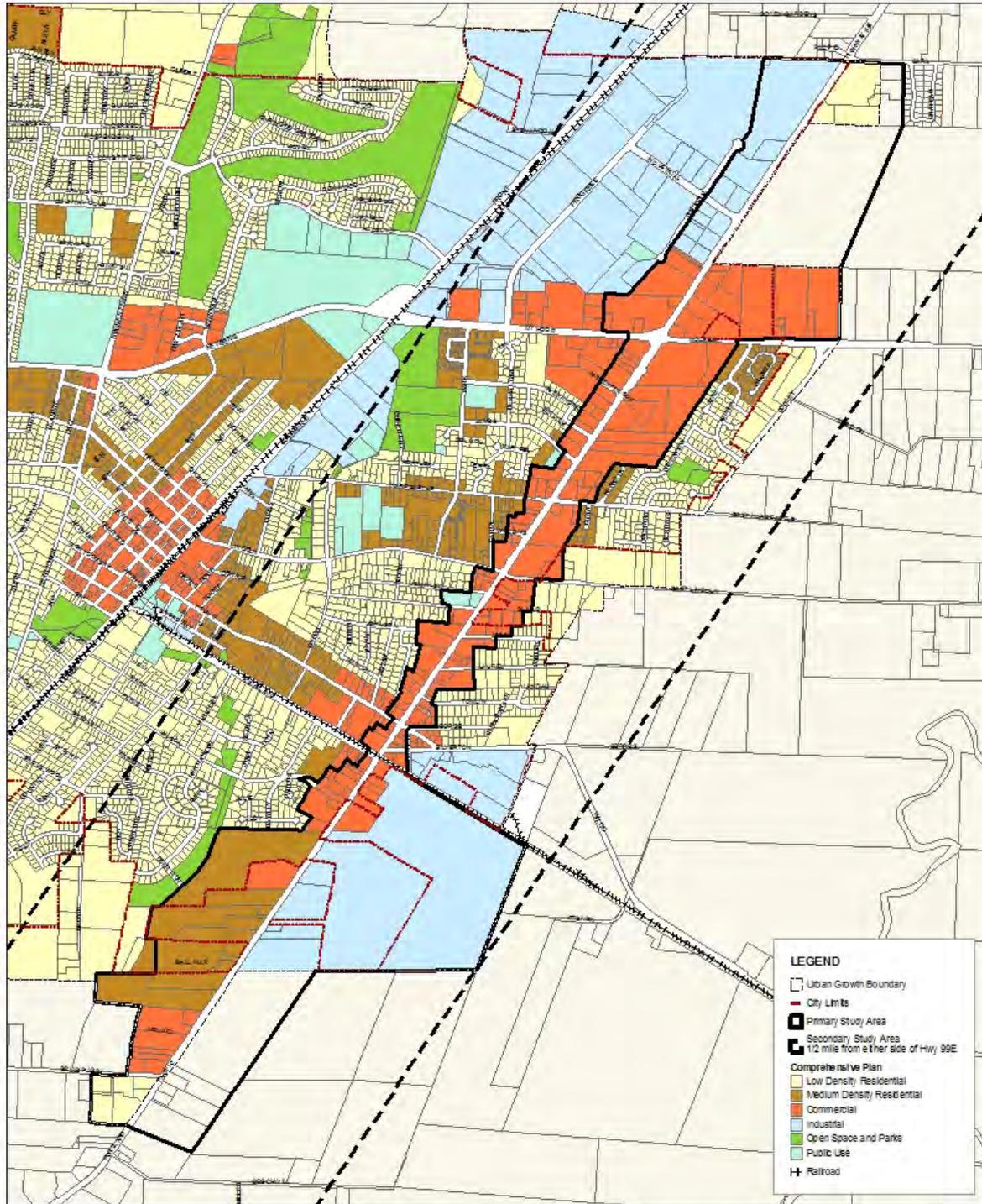
- Economic Development;
- Motor Vehicle Mobility & Safety;
- Pedestrian / Bicycle Access & Safety;
- Property Access;
- Corridor Aesthetics; and
- Neighborhood Connections.

The primary Study Area for the Corridor Plan follows the Highway 99E corridor from the proposed southern Woodburn Urban Growth Boundary (just south of Belle Passi Road) to the northern Urban Growth Boundary (near the intersection of Highway 99E and Carl Road, north of Industrial Way), as shown in Figure 1 on the following page. The primary Study Area focuses on commercial properties directly adjacent to Highway 99E. A broader secondary Study Area, extending a half-mile on either side of the highway, was also established in order to include adjacent neighborhoods and explore possible local street connections.

The Highway 99E Corridor Plan identifies needed transportation improvements, recommends appropriate land uses, and illustrates the urban design vision for the section of Highway 99E running through the City of Woodburn. The Corridor Plan also identifies the policies, regulations, and actions necessary to implement this vision. Implementation measures include amending the City's Transportation System Plan (TSP), Comprehensive Plan, and Development Code to implement the land use, urban design, access management, and transportation improvements associated with the Corridor Plan. The details of the proposed policy and regulatory amendments are included in a series of appendices at the end of this report.



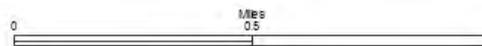
Figure 1: Highway 99E Corridor Plan Primary and Secondary Study Areas



City of Woodburn  
Highway 99E Corridor Plan

NOV 1 2010

**Primary & Secondary Study Areas**





## II. Planning Process, Public and Agency Involvement

### Overview

This section summarizes the development of the Highway 99E Corridor Plan and the public and agency involvement that shaped it. The planning process was steered by a “Project Team” made up of City staff and a team of consultants, which had responsibility for the project schedule and developing materials for public review and comment.<sup>1</sup> A Technical Advisory Committee (TAC), which included County and ODOT staff, served as technical reviewers and provided specialized expertise to the project. A Citizen’s Advisory Committee (CAC) was established to provide business, neighborhood and property owner input into the planning process. The membership of both the TAC and CAC are listed in the *Acknowledgements* section.

### Project Kick Off and Vision

At the outset of the Highway 99E Corridor Plan project, the City recruited participation in the project’s Citizens’ Advisory Committee (CAC) from business and property owners along the full length of the corridor. At the project kick off meeting on November 17, 2010, the Project Team presented the CAC an overview of corridor planning, solicited input from CAC members on their vision for the corridor and their goals for the project, and toured the study area with City staff and members of the CAC. The City Council also provided input on the vision and guiding principles for the project at their meeting on December 20, 2010.

### Background and Existing Conditions

The Project Team next examined the existing policy and regulatory environment that guides planning in the corridor, documented existing and future land use and transportation conditions, and introduced land use and design concepts that exist or could be implemented along the corridor. This information was shared with the public through the project website and was presented and discussed over the course of two meetings with the CAC and two meetings with property owners in the corridor and representatives of the business community. A Planning Commission briefing on the project, which was open to the public, was held March 24, 2011 to review the goals and principles guiding the project, to present background information pertinent to planning the future of the corridor, and to explore transportation and design elements applicable to Highway 99E.

### Developing and Refining Corridor Concepts

Input obtained during the first phase of the project from citizens, the business community, and City staff about issues of concern and desired outcomes regarding corridor aesthetics, traffic and pedestrian mobility, and safety led to the development of five corridor design concepts. The *Highway 99E Draft Corridor Plan Design Concepts Report* (May 3, 2011) presented these five distinct corridor design concepts, each of which took a different approach to addressing transportation, land use, and urban

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<sup>1</sup> During the development of the Corridor Plan, project materials developed for all meetings and summaries of the proceedings were made available through a project website (<http://www.woodburn99e.com>). These materials are currently available on the project website and will be archived at the City’s Planning Division at the conclusion of the project where they can be viewed upon request.



design elements. The corridor design concepts illustrated how roadway design and an associated package of land use and urban design measures can influence how the corridor could look and feel to those who use it in the future. The CAC, the TAC, Planning Commission, and members of the business community met in four separate meetings during May 2011 to consider the options presented in the Design Concepts Report and provide guidance on which options to study further.

Input obtained during the May meetings regarding desired design elements in the corridor helped the Project Team reduce the number of concepts from five to two and to refine the remaining concepts, entitled Concept 1: "Limited Improvements" and Concept 2: "Mixed Use Village." These two concepts were evaluated in greater detail in the *Highway 99E Corridor Plan Design and Land Use Options Evaluation Report* (October 5, 2011).

### **Selecting a Preferred Alternative**

The CAC, TAC, and the Planning Commission had the opportunity to discuss the merits of the two concepts presented in the Evaluation Report during three separate meetings in early September 2011. The two concepts and their strengths and weaknesses were also presented to the public through displays in the library and local businesses and during an open house on September 8<sup>th</sup>, 2011. Comment cards were made available at these venues and members of the public were asked to share their questions, ideas, and concerns about the two concepts. The concepts were also presented to the City Council on September 24<sup>th</sup> for their input and recommendations for a preferred alternative.

Feedback received through this public outreach regarding the two concepts is summarized below:

- The TAC did not identify any fatal flaws with either concept, and concluded that the Oregon Department of Transportation (ODOT) could most likely support either alternative.
- The CAC was unable to reach consensus on a preferred alternative. Some members preferred the roadway design of Concept 2 but were unsure whether the land use pattern identified was appropriate for the community. Others felt that Concept 1, being less costly and having fewer impacts on existing businesses, was preferable. Most were open to either concept.
- Input from comment forms associated with the displays set up in the community in advance of the open house favored Concept 2, with seven of nine in favor of Concept 2, and the remaining two not liking either alternative.
- Most open house attendees expressed a preference for Concept 2.
- Of the Planning Commissioners, three preferred Concept 2; one was in favor of Concept 1.
- The City Council, including the four city councilors and mayor, identified Concept 2 as the preferred alternative that should move forward.

Based on this input, Concept 2 was identified as the Highway 99E Corridor Plan Preferred Alternative.

### **Refining the Preferred Alternative**

Based on public input from the alternatives evaluation stage, the Project Team refined the preferred alternative and identified specific implementation actions and implementing plan and code amendments in the *Highway 99E Corridor Plan Draft Implementation Report* (December 6, 2011). The Draft Implementation Report was presented to the TAC and CAC in meetings on December 14, 2011.



Feedback from those meetings led to additional refinements to the implementation measures, which are reflected in the Corridor Plan.

### ***Adoption of the Corridor Plan***

The Corridor Plan was reviewed at a joint Planning Commission and City Council Work Session on March 26, 2012 in preparation for adoption and public hearings. The Planning Commission recommended approval at a June 14, 2012 public hearing, with some slight modifications. The Planning Commission recommended: 1) a new policy supporting ODOT coordination with property owners during project development to consider minimizing impacts to existing development; 2) restricting residential development on parcels adjacent to industrially zoned land; and 3) a revised graphic for the interim Young / Cleveland intersection showing right-in/out on Highway 99E (Figure 4). The City Council adopted the plan, including the Planning Commission's recommended modifications, on September 10, 2012.

## **III. Plan Vision, Goals and Guiding Principles**

The following vision and guiding principles for the project were developed by the CAC and City Council, as described in Section II.

### ***Vision Statement***

Highway 99E is a vibrant, safe and sustainable business district easily accessible to shoppers traveling by car, bike or on foot. The corridor is aesthetically pleasing and provides opportunities for business interaction with adjacent neighborhoods, the greater Woodburn community, and those travelling on Highway 99E. All traffic moves efficiently, safely, and at reasonable speeds both within and through the corridor.

### ***Guiding Principles for the Highway 99E Corridor Plan***

#### **Economic Development**

The physical environment and viability of businesses along the Highway 99E Corridor is supported and enhanced by the Corridor Plan recommendations. The project recommendations facilitate the revitalization of the corridor as a viable, safe, and sustainable business district

#### **Motor Vehicle Mobility & Safety**

Highway 99E is a designated State Regional Highway and Truck Route. Improvement strategies in the corridor will recognize and support this function for through and freight traffic using the corridor.

Competing Highway 99E transportation needs are balanced through land use and transportation strategies that guide future development, property access, and improvements within the corridor.

#### **Corridor Aesthetics**

The Corridor Plan provides guidance and recommendations on how the visual appearance of the Highway 99E Corridor can be improved overtime through land use, design and streetscape strategies and enhancements.



## Neighborhood Connections

Key east-west connections to adjacent residential neighborhoods are identified and methods to improve access and connectivity between neighborhoods and the Highway 99E Business District are identified.

## Pedestrian / Bicycle Access & Safety

Recommended improvements in the Highway 99E Corridor include pedestrian / bicycle enhancements that improve safety, reduce potential conflicts, and provide an improved physical environment for these activities.

## Corridor Improvements / Implementation

Key corridor project improvements and implementation steps clearly describe:

- Prioritization
- Timing / Phasing
- Roles and Responsibilities
- Funding Opportunities

## Stakeholder / Business Owner Participation

The Corridor Plan planning process provided property and business owners along Highway 99E, as well as other community Stakeholders, the ability to be engaged throughout the process, contribute to the recommendations, and understand the reasons behind and consequences of the recommendations of the Highway 99E Corridor Plan.

# IV. Existing Conditions and Opportunities

## Regulatory Framework

Highway 99E is a state highway under the jurisdiction of the ODOT. As such, it is subject to a variety of state transportation policies and regulations governing access, design, acceptable congestion levels, vehicle carrying capacity, safety, and other issues.

Land use along Highway 99E is regulated by the City of Woodburn and, in unincorporated areas, Marion County. The City's Comprehensive Plan provides policy-level guidance about land use, while the Woodburn Development Ordinance (WDO) is the regulatory document that implements the goals, policies, and objectives expressed in the City's Comprehensive Plan. The City's Transportation System Plan (TSP) identifies the transportation facilities and services needed to support the planned land uses for the next 20 years. The TSP contains goals and policies as well as plans for streets, transit, pedestrian, bicycle, and rail facilities.<sup>2</sup>

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<sup>2</sup> The relevant documents, policies, and regulations affecting the Highway 99E corridor are summarized in *Technical Memorandum #1: Plan and Policy Review* (April 7, 2011). This document is currently available on the project website, and will be archived at the City's Planning Division where it can be viewed upon request.



### Existing Access Conditions

There are frequent access points (driveways) along the length of Highway 99E within the study corridor. In certain areas, the location and number of the accesses exceed what ODOT's access spacing standards would allow. This situation is particularly pronounced between Industrial Avenue and Cleveland Street. When access points are too closely spaced, more vehicles entering and exiting the road translates to more slow-downs and more opportunities for crashes. Also, pedestrians and cyclists are exposed to traffic as they cross driveways; the more driveways, the greater chance of conflict between motor vehicle traffic and pedestrians and cyclists.

The high number of access points on Highway 99E is largely a result of the small commercial parcels that front on Highway 99E and development patterns that limit connections between adjacent properties. Many of the driveways are also very wide and poorly defined (i.e. no curb), increasing safety concerns, especially for pedestrians. While significant improvement can be made, it is not reasonable to expect that the spacing standards can be achieved given the constraints present. Furthermore, the need for access to existing development must be carefully weighed when considering the nature and timing of access improvements.<sup>3</sup>

For more information on access management, see Section VII, beginning on page 23.

### Transportation Conditions

A review of existing transportation conditions and an evaluation of future traffic in the corridor based on the current zoning and planned transportation improvements identified the following deficiencies:<sup>4</sup>

- There is substantial pedestrian activity along Highway 99E; however, pedestrian facilities are missing or inadequate in some places. Specifically, sidewalk infill is needed to fill gaps along Highway 99E between Lincoln Street and a point just south of Cleveland Street, and sidewalk construction is needed along Highway 99E from a point just south of Cleveland Street to the proposed southern Urban Growth Boundary. In addition, there are frequent obstructions in the existing sidewalks from objects such as mailboxes and utility poles.
- Bicycle facilities are needed along Highway 99E between Lincoln Street and a point just south of Cleveland Street.
- Bicycle and pedestrian crossing enhancements are needed along the Highway 99E corridor to supplement the existing signalized crossings.
- Existing bus stops have no amenities such as shelters and benches.
- The segment of Highway 99E surrounding Young Street through Cleveland Street has a history of frequent crashes.
- As a result of the projected increase in traffic on the corridor (from an average of 21,500 vehicles per day in 2009 at the busiest part of the corridor to an average of 23,550 vehicles per

<sup>3</sup> Existing access points are documented in *Technical Memorandum #2: Existing Access Conditions* (March 9, 2011). This document is currently available on the project website and will be archived at the City's Planning Division where it can be viewed upon request.

<sup>4</sup> The full analysis of existing and future "No Build" transportation conditions is documented in *Technical Memorandum #3: Existing and Future No Build Traffic Conditions* (April 5, 2011). This document is currently available on the project website and will be archived at the City's Planning Division where it can be viewed upon request.



day at the same point, just south of Lincoln, in 2035), a few intersections are projected to have congestion above the acceptable level in 2035. Even with future planned improvements in place, the intersections along Highway 99E at Lincoln Street, the Food Services of America driveway, and Belle Passi Road will fail to meet Oregon Department of Transportation (ODOT) mobility standards by the year 2035.

In addition to these, other deficiencies and concerns within the corridor were raised by citizens. These include:

- Illumination is needed to improve visibility at night.
- The speed limit in the south end of the corridor is too high.
- Geometric improvements are needed at the intersection with Young Street / Highway 214 to improve truck accessibility.
- Significant improvements are needed around the Cleveland Street intersection to enhance safety.
- Congestion in the corridor is significantly worse when there are incidents on I-5 or regional events occurring.
- Pedestrian crossing opportunities are needed – it is unsafe as it is.
- The highway should be widened to include two through lanes in each direction further south, at least beyond the Texaco station.
- The median island in the south approach of the Highway 214 / 211 / Highway 99E intersection has caused safety and operational problems for adjacent properties. The need for this island should be revisited. It is also difficult to see in the dark.

### **Existing Land Use and Urban Design**

Existing land uses along the corridor range from densely developed commercial to undeveloped farmland.<sup>5</sup> The presence and quality of features such as landscaping, lighting, sidewalks, and signage varies widely throughout the corridor. The newer developments tend to have better site amenities, while older developments did not have to provide the same site amenities, in large part because these sites were developed under older, less exacting regulations.

The northern portion of the corridor, north of OR 214 / OR 211 (Mt. Hood / Molalla), includes an industrial park, a manufactured housing development, and the MacLaren Juvenile Correctional Facility. The portion of this area that is within city limits is zoned Industrial Park (IP).

Existing land uses in the central core of the study area (from just north of Mt. Hood / Molalla to just south of Cleveland) include all scales of retail (from big box to strip malls to small shops), small offices, restaurants (both dine-in and drive-through), and houses of worship. There are many automobile-serving businesses including auto repair and service shops, tire sales, and car washes. The overwhelming majority of the parcels in the central core of the study area are zoned General Commercial (CG). The dominant site development pattern of commercial properties in the corridor

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<sup>5</sup> A detailed description of the existing land use and design patterns along the corridor is provided in *Technical Memorandum #4: Land Use and Urban Design Analysis* (April 7, 2011). This document is currently available on the project website and will be archived at the City's Planning Division where it can be viewed upon request.



consists of a single-story building with a surface parking lot in front of it; however, the size and configuration of the building and the parking lot vary by site.

Large-scale redevelopment opportunities in the central part of the corridor are limited to the area around the Mt. Hood / Molalla / Highway 99E intersection. There are a number of small to medium-scale or infill redevelopment opportunities between Mt. Hood / Molalla and Lincoln. Redevelopment south of Lincoln will face greater challenges due to the number of smaller and shallow parcels in this area.

South of Cleveland there is substantial vacant and redevelopable land. Comprehensive Plan designations in this area include Industrial, Commercial, Low-Density Residential, and Medium-Density Residential. Existing land uses include a variety of commercial/industrial uses such as self-storage, manufactured home sales, a bank, automobile repair and salvage, and food processing businesses; a small apartment complex; a manufactured housing development; and farms.

### **Corridor Design Tools**

A variety of tools and strategies can be used throughout the Highway 99E corridor to improve pedestrian and bicyclist access, comfort and mobility, corridor aesthetics, and safety for all users in the corridor. These tools and strategies were identified and described in *Technical Memorandum #5: Opportunity Design Toolbox* (April 7, 2011). The Toolbox includes Bicycle and Pedestrian Facilities such as Crossing Treatments, Sidewalks and Bike Lanes, and Connectivity; Streetscape Elements; Gateways; Signage; Site Development; Access Management; and Redevelopment Opportunities. The tools described formed the building blocks of the initial corridor design options developed by the Project Team, and the most suitable tools have been incorporated into the recommendations in the Corridor Plan.

## **V. Corridor Plan Overview**

The corridor was divided into four segments for the purposes of developing land use and transportation recommendations.<sup>6</sup> The boundaries of the corridor segments are shown on Figure 2. This section summarizes the key land use and transportation changes associated with the Corridor Plan. These are also illustrated graphically in Figure 2: Key Corridor Enhancements on page 12.

### **Transportation**

#### **Highway 99E Cross-Sections**

The Corridor Plan proposes no physical streetscape changes to Highway 99E north of Lincoln (Segments 1 and 2). South of Lincoln (in Segments 3 and 4), the highway would be widened to accommodate bike lanes, sidewalks, street trees, and room for amenities such as street lights and enhanced transit stops, bringing the highway up to the City's adopted Major Arterial standards. While motor vehicle and freight mobility remains the highway's primary purpose, the landscaping and wider sidewalks would help make

<sup>6</sup> See *Draft Corridor Plan Design Concepts* (May 2011) for further explanation of how the corridor was divided into segments. Fundamentally, the four segments reflect differences in existing land use and transportation conditions and, as anticipated in earlier stages of this project, now reflect different land use, urban design, and transportation solutions.



the highway safer and more attractive for pedestrians. The existing 80-foot right-of-way would need to expand to approximately 100 feet in Segment 3 (from Lincoln to south of Cleveland) to accommodate these physical streetscape improvements. South of Cleveland (in Segment 4), the roadway would be widened from the existing two-lane highway to add a continuous two-way left turn lane, wider shoulders (also serving as buffered bike lanes), and sidewalks (separated from the travel lanes by a landscaped buffer or vegetated stormwater swale). Here, these improvements would likely fit within the existing right-of-way. The proposed cross-sections for each segment of the highway are shown in Figure 3: Roadway Cross-sections for Highway 99E on page 13.<sup>7</sup>

### Intersection Modifications

The other key modification proposed for the roadway system is a recommended change to street connections and circulation surrounding the Young Street and Cleveland Street intersections. Currently, the intersections of Birds Eye and Highway 214 and of Silverton and Highway 99E are located very close to other intersections and intersect at odd angles, creating a dangerous situation for drivers. This area has a history of crashes due to these issues.

The Plan proposes to restrict turn movements at these intersections in the short-term, and close them completely and vacating the public street right-of-way in the long term<sup>8</sup> (conceptual illustrations of the short-term modifications are shown in Figure 4 on page 14; long term conceptual alignments are shown on Figure 5 on page 15). Consistent with the City's adopted TSP, a new traffic signal is planned at Cleveland Street and Highway 99E (this is shown on Figure 5).<sup>9</sup> No changes are proposed to the existing Bird's Eye Avenue railroad crossing. The intersection of George Street and OR 214 is also recommended for closure in the long term, once a suitable connection is made at the eastern end of George Street. It is important to note that the solutions illustrated on pages 14 and 15 are conceptual in nature and are intended to express a short and long term way forward to improve conditions at this intersection. Further refinement will take place in close consultation with the business and property owners affected as engineering designs are produced, prior to any changes being made. The specific needs of the businesses in the area for vehicle access (including trucks) will be taken into consideration during the engineering design stage.

The proposed turn restrictions and eventual street closures would enhance safety in the area by reducing vehicle turning conflicts. In addition, vacation of the street right-of-way that would no longer be needed after closure of the streets would create an opportunity for lot consolidation (i.e. the opportunity for a single property owner or developer to acquire a group of properties and bring them under common ownership), adding approximately 27,000 square feet of developable commercial land at this highly visible corner location.

<sup>7</sup> ODOT Rail Division has advised that a two-way center turn lane on Highway 99E should not approach any closer than 325 feet to the existing railroad track on either side of the crossing. This is because it is important for drivers to focus on the crossing and be alert for signals without the added distraction of turn movements, jockeying for position, and potential sideswipe collisions in the immediate approaches to a crossing. Two-way turn lane traffic is difficult to control and presents a temptation to motorists to drive around lowered crossing gates.

<sup>8</sup> Note that vacation of right-of-way may require action by both the City and ODOT.

<sup>9</sup> Prior to installation in this location, a new signal must meet ODOT traffic warrants, have Region 2 Traffic Manager support, and obtain State Traffic Engineer Office approval.



## Other Transportation Improvements

Additional transportation improvements are identified in Appendix B and summarized briefly below:

- Measures to improve safety and convenience for pedestrians crossing Highway 99E, such as enhancements at signalized intersections and mid-block protected crossings.
- Signal timing and intersection improvements to accommodate the expected changes in traffic flow due to closing the Silverton Avenue intersection and the increased traffic generation potential from the new Mixed Use area.
- Improvements to connectivity through new street connections and bicycle / pedestrian accessways.
- Adoption of access management policies for the corridor to improve safety for vehicles, bicycles, and pedestrians. (Recommendations related to access management are addressed in Section VII beginning on page 23.)

## Land Use and Urban Design

The centerpiece of the land use and design features of the Corridor Plan is a new “Mixed Use Village” centered at the intersection of Young Street and Highway 99E. The mixed use area is intended to provide an activity node on Highway 99E and a sense of connection to Downtown Woodburn. The new Mixed Use Village will be implemented through a new zoning designation with a slightly different mix of uses and different set of site design standards than exists today under the existing General Commercial zoning. Over time, through new development and redevelopment, the new zone will create a more pedestrian-oriented, walkable streetscape with buildings close to the sidewalk and parking lots situated to the rear or side of buildings. The proposed new zone is described in more detail in Section VIII beginning on page 30.

The proposed new zone will be implemented in phases, beginning with an area near the Young Street intersection (“Phase 1”), where a gateway treatment and other public investments could help spur redevelopment. The new zone will be applied throughout the remainder of Segment 3 when improvements to Highway 99E are programmed.<sup>10</sup> The exception is for properties currently outside city limits, where the new zone will be applied upon annexation into the city. This phasing approach is illustrated on Figure 2.

Conceptual illustrations of potential redevelopment in the Mixed Use Village are provided in Section IV. These illustrations are intended to show what future development *could* look like within the Mixed Use Village; they are aspirational rather than regulatory.

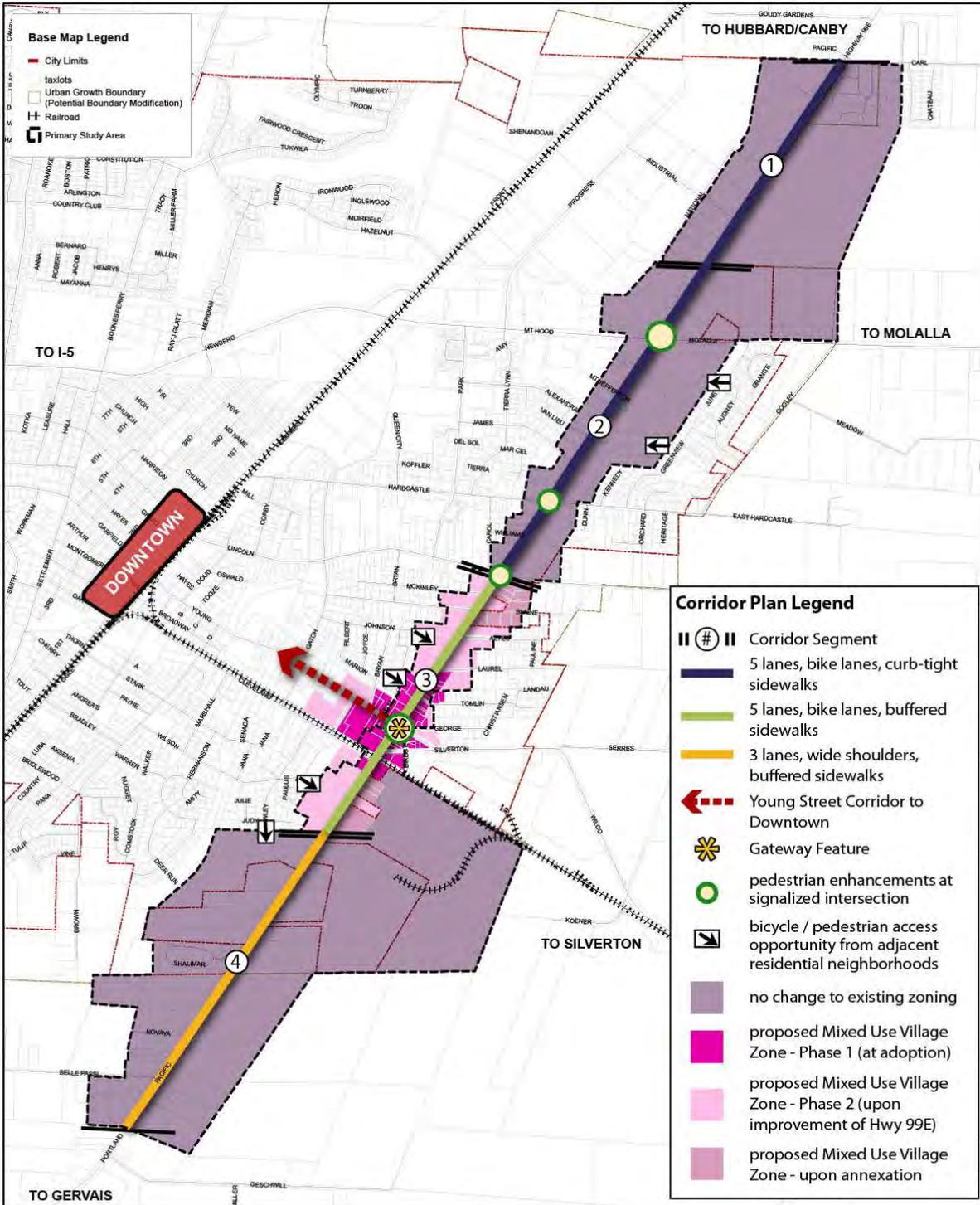
Outside of the Mixed Use Village, the land use regulations would remain largely unchanged, although modifications related to access management, special street setbacks, and frontage improvements would apply throughout the corridor. These recommendations are summarized in Section VI.

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<sup>10</sup> Rezoning is recommended to occur for Phase 2 through a legislative action by the City once funding for the detailed engineering design of the improvements to Highway 99E in Segment 3 is committed.



Figure 2: Key Corridor Enhancements



City of Woodburn  
Highway 99E Corridor Plan

JANUARY 2012

**Key Corridor Enhancements**

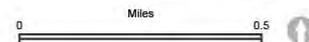
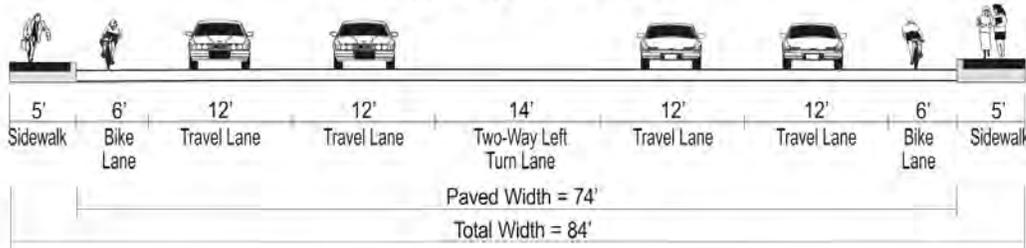


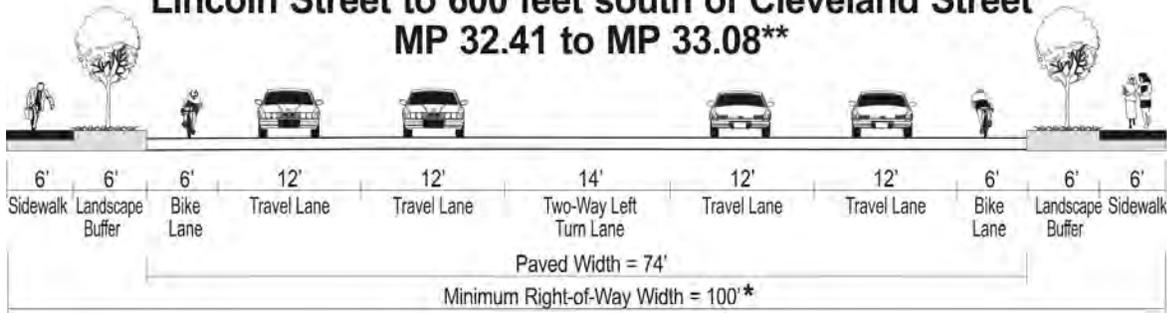


Figure 3: Roadway Cross-sections for Highway 99E

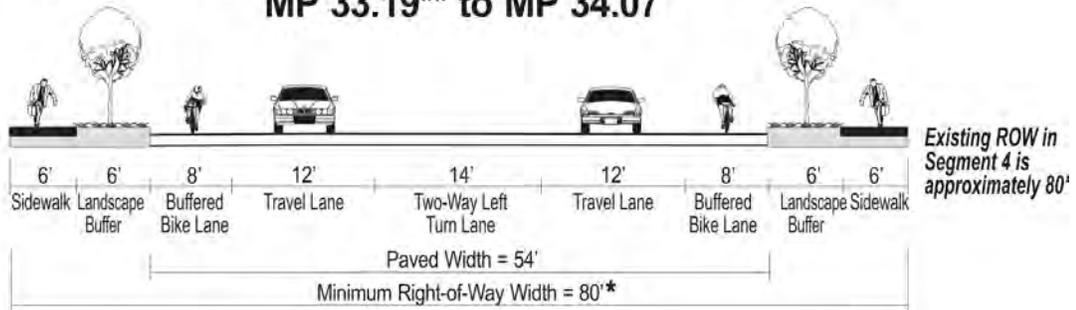
**Carl Road to Lincoln Street  
MP 30.85 to MP 32.41**



**Lincoln Street to 600 feet south of Cleveland Street  
MP 32.41 to MP 33.08\*\***



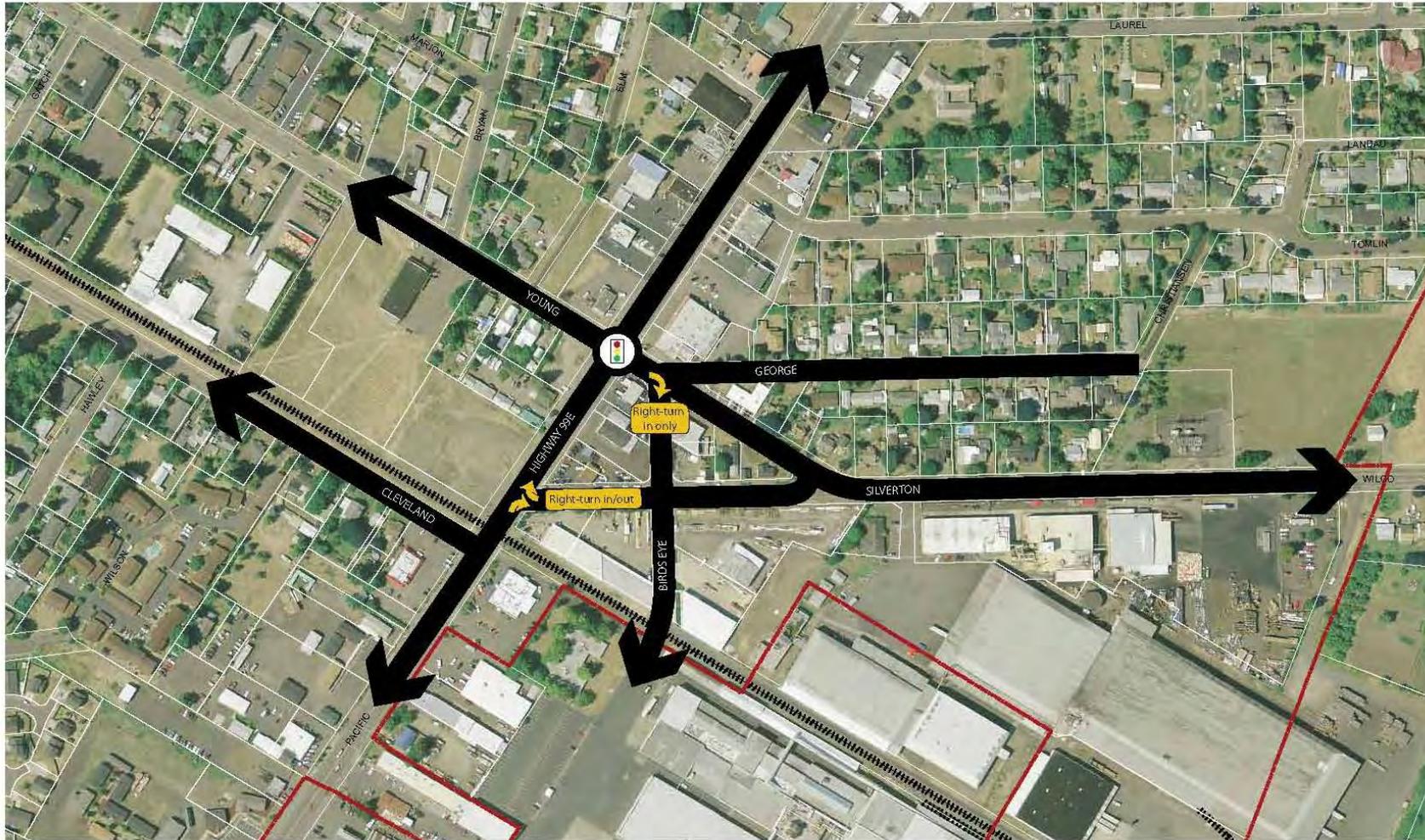
**1,150 feet south of Cleveland Street to South UGB  
MP 33.19\*\* to MP 34.07**



\* One foot of right-of-way outside each sidewalk is needed for operational purposes.  
\*\* Transition between five-lane and three-lane roadways to occur between MP 33.08 and MP 33.19.



Figure 4: Highway 99E / Young Street Intersection Short-Term Modification Concept: Turn Restrictions



City of Woodburn  
Highway 99E Corridor Plan

Note: Diagram is conceptual in nature. Alignment and access will be determined in consultation with property owners at time of design.

CLEVELAND / YOUNG INTERSECTION SHORT-TERM MODIFICATION CONCEPT - TURN RESTRICTIONS

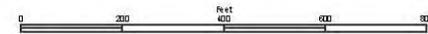
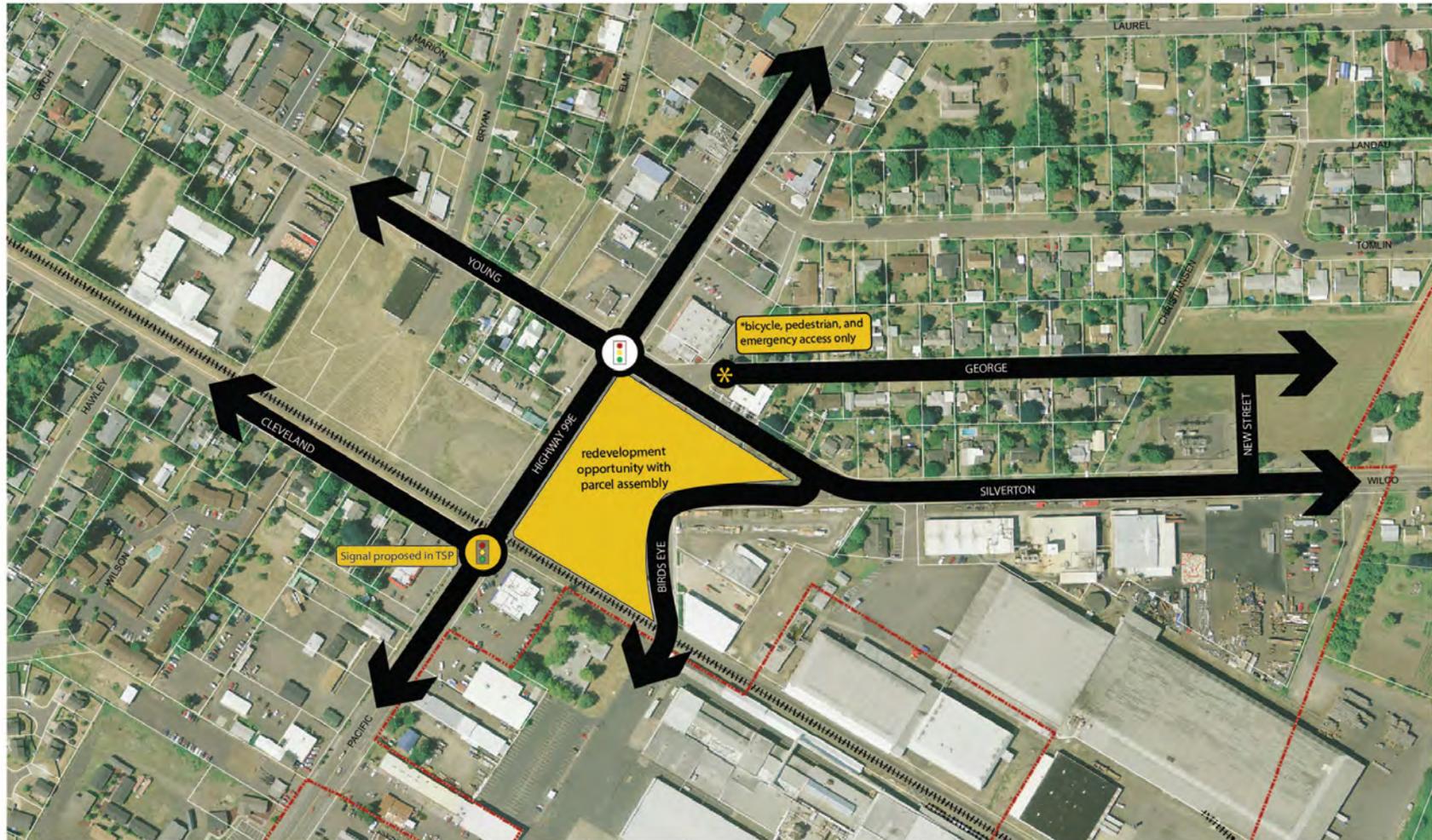




Figure 5: Highway 99E / Young Street Intersection Long-Term Modification Concept: Street Closures with Street Vacation



City of Woodburn  
Highway 99E Corridor Plan

Note: Diagram is conceptual in nature. Alignment and access will be determined in consultation with property owners at time of design.

**CLEVELAND / YOUNG INTERSECTION LONG-TERM MODIFICATION CONCEPT - STREET CLOSURES WITH STREET VACATION**





## VI. Mixed Use Village: Urban Design Vision and Redevelopment Potential

The area in the vicinity of the Young Street and Highway 99E intersection was identified early in the process as having the most potential for achieving the land use vision for future development and redevelopment in the corridor, as articulated by this Plan. Young Street is a main corridor leading into downtown and its intersection with 99E includes vacant and underutilized land where urban renewal funding could potentially provide public investment to help spur redevelopment. Parcels in the vicinity of this key intersection have the potential to support a commercial environment that is inviting to pedestrians and bicyclists. The proposed Mixed Use Village, proposed for transitioning in phases (see Figure 2), is intended to create a more pedestrian-friendly commercial area with opportunities for mixed use and multi-family residential development. Successful pedestrian-oriented shopping districts are optimized when they are no longer than a quarter-mile long (1,200'), which is the equivalent of about three to four linear city blocks. This is the distance that people are generally willing to walk if there are compelling things to draw them along the street, like interesting shops, comfortable sidewalks and landscaping, and a landmark destination. Using the Young Street / Highway 99E intersection as the hub of the mixed use district, the future land use and transportation investments should be strategically phased to radiate out from this location. The district can grow to the north and south over time when the roadway is improved to help provide an enhanced pedestrian environment and streetscape.

The appropriate width of the commercial zoning in the Highway 99E corridor was discussed at length during the planning process. Commercially zoned properties fronting Highway 99E are relatively shallow in some parts of the corridor, particularly around Young Street. While a conceptual site analysis, described below, showed that even properties with depths of less than 250 feet have the potential to redevelop under existing (and proposed) commercial standards, some concerns remain that shallow commercial zoning could inhibit redevelopment.<sup>11</sup> To address these concerns, three areas with particularly shallow zoning have been identified for limited expansion of commercial zoning. The properties that abut these areas are currently zoned for residential use. The change will affect four tax lots, with a total area of 1.3 acres. (See Section VIII, Summary of Proposed Implementation Measures.)

Figure 6 shows the potential for new mixed use development in the area identified as the first phase of the Mixed Use Village.<sup>12</sup> Figure 7 does the same for the area just south of Lincoln where the mixed use zoning would be applied in Phase 2. The intent of these diagrams is to illustrate how the area could

<sup>11</sup> Note that in evaluating the type and scale of commercial development that would be appropriate to this area, the project team considered existing Woodburn Comprehensive Plan policy language that does not support “big box” retail development on Highway 99E, discourages strip commercial development and supports efficient use of commercial land.

<sup>12</sup> Figure 6 illustrates street trees on both approaches to the rail crossing. As roadside trees mature, they may obscure motorists' view of all flashing light signals at rail crossings. For greater safety, a motorist needs a full, unobstructed view of all flashing light signal - both front lights and back lights, within the safe stopping distance approach to the crossing. For this reason, ODOT Rail Division opposes tree landscaping on both sides of Highway 99E out to a minimum distance of 250 feet on both approaches to the rail crossing. Any street vegetation within 250 feet of the crossing should be ground cover only, standing no higher than 3 feet at maturity. Figure 6 also shows a crosswalk on Highway 99E at Cleveland Street. ODOT Rail Division opposes a crosswalk at Cleveland Street because of concerns about vehicle queuing on the railroad tracks while waiting for a pedestrian to cross, unless the intersection is fully signalized for vehicles and pedestrians and those signals are interconnected with the crossing signals. If a crosswalk were to be installed preceding the installation of the planned traffic signal at that intersection, the crosswalk should be a minimum of 150 feet from the crossing.



redevelop over time using a variety of tools from the Toolbox (i.e., lot consolidation, driveway consolidation, and shared parking)<sup>13</sup> and under the new development standards. The building footprints illustrated in the diagram represent typical configurations for ground-floor retail and office buildings that could also include residential or office above, if supported by the market (for example, the 28,000 square foot development in Figure 7 illustrates a two-story building). Potential locations for multi-family residential have been identified in Figure 6 where they can best support the new commercial development and help knit the district into the existing residential neighborhoods to the west. The red squares in Figure 7 indicate the potential location of a “gateway feature” to announce the transition from the existing cross-section to the new cross-section (this could be a piece of public art, a sign, or some other marker; see *Technical Memorandum #5: Opportunity Design Toolbox*, dated April 7, 2011 for examples). It should be noted that these diagrams only illustrate one possible way to redevelop the district and that the configuration of buildings and parking on private property will only change when property owners decide to redevelop their property. Appendix D provides a table with examples of various businesses and their typical size ranges, parking needs, and estimated site sizes. This table helps illustrate the types of businesses that could be accommodated within the building footprints shown on Figure 6 and Figure 7 and on other sites within the corridor.

Figure 6 also shows potential secondary vehicle connections and pedestrian and bicycle connections to existing streets and rights-of-way. This secondary level of connectivity would allow more people to visit the mixed use district without having to drive; it would also allow for better vehicle circulation and reduce conflicts along Highway 99E. The connections shown in the diagram are for illustrative purposes and are not intended to show specific locations for new driveways, access ways, and paths; they simply show how connectivity could be improved with redevelopment.

Figure 8 through Figure 10 provide additional illustrations of what new development in the Mixed Use Village could look like under the proposed new zone development standards. Figure 8 illustrates desirable site configurations with parking located to the side or rear of the buildings and shared parking and/or shared driveway access between abutting parcels. Figure 9 illustrates desirable building façades that incorporate storefront windows and/or architectural features to create visual interest for passing pedestrians, with buildings set close to the street and entrances facing the front or side of the lot. Finally, Figure 10 is a visual simulation that illustrates potential mixed use redevelopment and streetscape enhancements at the Young Street intersection based on the proposed development standards and incorporating the proposed gateway treatment at Young Street.

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<sup>13</sup> These tools are described in *Technical Memorandum #5: Opportunity Design Toolbox*, dated April 7, 2011.



Figure 6: Redevelopment Potential in Young Street Mixed Use District



**LEGEND**

- existing building
- potential new building
- potential location for multi-family residential
- redevelopment area
- potential parking area and estimated # of spaces
- street tree
- gateway arch
- railroad

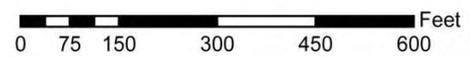
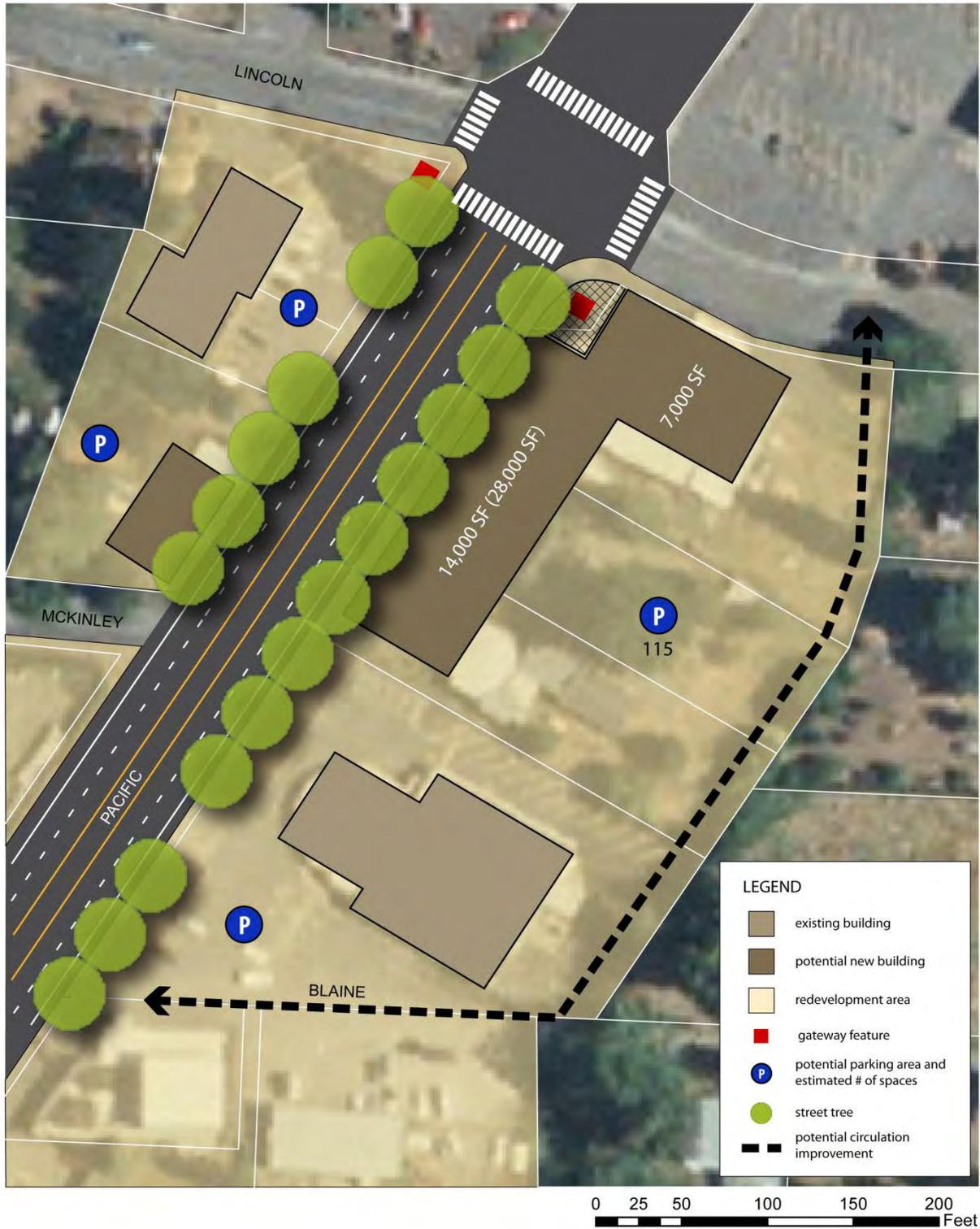




Figure 7: Redevelopment Potential South of Lincoln Street in Segment 3





**Figure 8: Desirable Site Configurations for Redevelopment in Young Street Mixed Use District**





Figure 9: Desirable Building Façade Treatments in Young Street Mixed Use District

Building fronts and entrances shall be oriented toward the street, toward a side yard, or any angle in between

Street-facing building facades within 50 feet of the street must include ground-floor windows and/or facade variations to create visual interest for pedestrians.





Figure 10: Visual Simulation of Highway 99E and Young Intersection Before and After Mixed Use Redevelopment and Streetscape Enhancements



Young / Highway 99E Intersection (looking west): Before



Young / Highway 99E Intersection (looking west): Mixed use redevelopment with streetscape enhancements and gateway feature



## VII. Access Management Strategies

The application of access management strategies within the corridor can be a key contributor to providing improved safety, efficiency, and comfort of travel – extending the functional life of existing roadways. This section describes how the improved management of access could benefit Highway 99E users and provides an Access Management Plan for the corridor to be used as a guide during future development plans and street improvement projects. The Access Management Plan described in this section is intended to help implement, rather than replace, existing rules and regulations pertaining to property access in the study corridor.

### *Access Management Overview and Benefits*

Access management is the term used to describe a broad set of techniques that balance the priorities of safe, efficient, and timely travel with the need to allow access to individual properties. For facilities such as freeways and arterials, there is generally an emphasis on facilitating the through movement of traffic, with direct property access being a secondary objective. The emphasis shifts to prioritizing direct property access for streets of lower functional classification such as collectors and local streets.

At the same time, the need for convenient access to a roadway can vary with the adjacent land use. Commercial development generally demands more direct and convenient access to better serve customers, while industrial, civic, and residential uses can often be adequately served with indirect access from lower classified streets (i.e., from a collector rather than from an arterial). This underscores the importance of considering the needs of adjacent land uses when establishing expectations for how access will be managed in a roadway corridor.

The benefits of access management for through traffic have been well documented and are generally well understood: fewer vehicles entering and exiting the traveled way translates to fewer slow-downs and fewer opportunities for crashes, leading to improvements in travel times and safety. While this is often thought to occur at the expense of highway-adjacent properties, a well-planned access management strategy can have many benefits to area businesses and local users of the corridor.

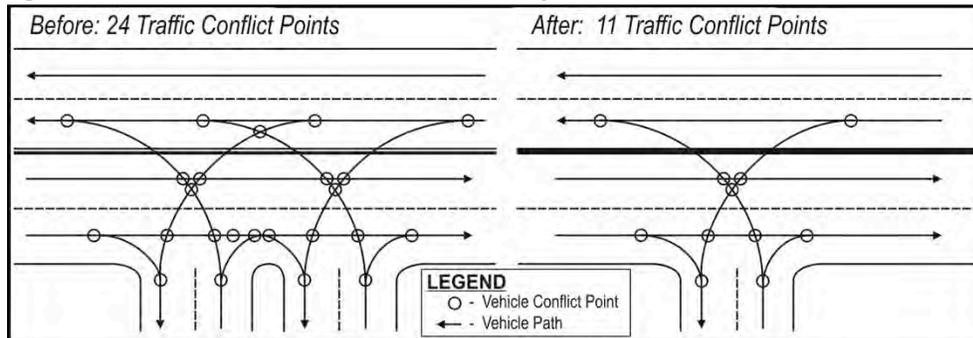
### **Safety**

An uncoordinated pattern of frequent property access along a highway introduces a number of potential conflicts for drivers where vehicle paths could cross and where collisions could occur. These areas are often the causes of slowing or stopping vehicles, and can significantly degrade the flow of traffic and reduce the efficiency of the transportation system. Drivers can be overwhelmed by conflict points in close proximity to one another, increasing the potential for crashes.

Good access management minimizes the number of vehicle conflict points by reducing the overall number of access points and providing greater separation between them. Figure 11 illustrates this concept, where consolidation of two closely spaced driveways results in a reduction of potential conflict points of more than 50%.



**Figure 11: Conflict Point Reduction with Driveway Consolidation**



### Pedestrian and Bicycle

Roadways with well-managed access provide a safer and more comfortable walking and cycling environment. With fewer access points along the highway, pedestrians and cyclists will be exposed to traffic less frequently, resulting in fewer conflict points between motor vehicles, pedestrians, and cyclists. Also, a strategic use of traffic islands can sometimes restrict turning movements in hazardous areas while doubling as refuges to facilitate bicycle and pedestrian highway crossings between traffic signals.

### Business

Streets that are viewed as being frequently congested or unsafe to travel can be a deterrent to potential customers and can create a negative image for a commercial district. In contrast, the improved level of safety and traffic flow on streets with well-managed access to abutting businesses creates a better experience for customers and can even increase the potential market area.

From the business-owner’s perspective, access points are “customer entrances” and should be easy and intuitive to find, well-maintained, and provide safe and comfortable passage. And while adequate accessibility is necessary, the use of fewer access points provides for more property frontage, which could be used for merchandise displays, landscaping to improve the appearance of the corridor, or additional parking stalls.

### Existing Access Management Requirements

The Oregon Department of Transportation maintains access management requirements through Oregon Administrative Rule 734-051 (Division 51) and in the Oregon Highway Plan (OHP). Division 51 rules govern all aspects of establishing and maintaining access to a state highway including approval for new access, permitting for construction, mitigation measures, and use of medians.<sup>14</sup>

ODOT’s access management spacing standards are based on roadway classification, area type, posted speed limits, and annual average daily traffic volumes. Highway 99E is classified as a Regional Highway with posted speed limits ranging from 35 to 55 miles per hour in the study corridor. Table 1 breaks the study area into different zones characterized by changes in access management spacing standards, with

<sup>14</sup> These regulations were amended by Senate Bill 264, with changes effective on January 1, 2012. ODOT Access Management Website <http://www.oregon.gov/ODOT/HWY/ACCESSMGT/SB264.shtml>



the applicable spacing standard for each zone provided. Note that these zones have different boundaries than the corridor segments described previously because they are based on posted speed limits rather than on land uses and roadway design.

**Table 1: Study Area Access Management Spacing Standards**

| Zone | Highway Segment  | Classification | Posted Speed | Access Spacing Standard (feet) <sup>1</sup> |
|------|--|----------------|--------------|---|
| 1    | MP 30.85 to MP 31.40<br><i>Northern UGB to 265' south of Industrial Avenue (roughly corresponds to Segment 1)</i>                                  | Regional Hwy   | 45 mph       | 500   |
| 2    | MP 31.40 to MP 33.04<br><i>265' south of Industrial Avenue to 320' south of Cleveland Street (includes all of Segment 2 and most of Segment 3)</i> | Regional Hwy   | 35 mph       | 350   |
| 3    | MP 33.04 to MP 33.35<br><i>320' south of Cleveland Street to 160' north of Auction Yard (includes part of Segment 3 and part of Segment 4)</i>     | Regional Hwy   | 45 mph       | 500   |
| 4    | MP 33.35 to MP 33.92<br><i>160' north of Auction Yard to proposed southern UGB (includes the southern portion of Segment 4)</i>                    | Regional Hwy   | 55 mph       | 990   |

<sup>1</sup> Revised access spacing standards effective January 1, 2012.

The city of Woodburn’s adopted access management standards are outlined in the Woodburn Development Ordinance, Section 3.104. For a major arterial street, the minimum separation of a driveway from another intersection (street or driveway) is 300 feet. However, access to a transportation facility under ODOT jurisdiction is subject to the requirements of OAR 734-051 (described previously), and is not regulated by the city.

Marion County also has adopted access management standards in the Marion County Rural Transportation System Plan, Chapter 10, that apply outside of the UGB; however, within the UGB, the County defers to the City’s adopted spacing standards.

### **Access Management Plan Objectives**

The purpose of the Access Management Plan is to provide a long-range, comprehensive and coordinated strategy for accommodating access as property develops or as public improvement projects are constructed. It is anticipated that most improvements will occur incrementally over time. The goal of the plan is to provide clear direction and ensure progress is made toward improving the management of access in the corridor, while allowing sufficient flexibility to accommodate future development plans.



Successful implementation will require continued collaboration between neighboring property owners, the City of Woodburn, Marion County, and ODOT staff.

To guide future access decisions for the study area, a set of access management objectives was developed. These objectives reflect the Highway 99E corridor Vision and Guiding Principles, as well as best practices and current policies and regulations pertaining to the management of access to Highway 99E. The objectives themselves are not regulatory in nature, but provide a basis for future decision-making. These objectives guided the development of the policy and development code amendments associated with the Corridor Plan (Appendix A and Appendix C, respectively). Given the constraints in the study area, one or more of the following may not be applicable in all situations.

- Ensure that all properties are provided reasonable access to the public street network, including consideration of the economic development needs of each property.
- Driveways to commercial businesses on Highway 99E should be designed to allow for safe and comfortable passage, improving existing driveways to comply with ODOT design standards as opportunities arise.
- Consider locating business signage immediately adjacent to driveways to improve the ability of drivers to locate them.<sup>15</sup>
- Provide convenient accessways for pedestrians and bicycles between the Highway 99E commercial corridor and neighboring residential areas.
- Safe and convenient pedestrian walkways should be provided between business entrances and sidewalks along Highway 99E, minimizing conflicts between pedestrians and motor vehicles in parking lots.
- Consider prohibiting driveways or restricting turning movements to driveways adjacent to turning pockets at intersections where necessary to maintain safe highway operations.
- Seek opportunities to align driveways on opposite sides of roadways to avoid turning conflicts.
- Driveways to Highway 99E should maintain adequate intersection sight distance and at a minimum shall maintain safe stopping sight distance along the highway.<sup>16</sup>
- Reduce access points over time to move in the direction of meeting ODOT's adopted access management spacing standards for Regional Highways. Applicable spacing standards for each Highway 99E access management zone are shown in Table 1 on page 25.
- Create shared access points to reduce the overall number of driveways along the Highway 99E corridor. Shared driveways must be supported through the establishment of easements allowing for travel between adjacent properties.

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<sup>15</sup> The preferred location for business signage would be on the downstream side of the driveway, i.e. just past the driveway from the point of view of an approaching vehicle.

<sup>16</sup> Intersection sight distance and stopping sight distance as defined in "A Policy on Geometric Design of Highways and Streets", American Association of State Highway and Transportation Officials, Washington, D.C., 2004.



- Provide inter-parcel circulation through cross-over easements, frontage or backage roads, or shared parking lots where feasible.
- Utilize easements, frontage/backage roads, and lower classified city streets to allow for secondary access to facilitate large truck and emergency service vehicle circulation.
- Seek opportunities to enhance the connectivity of the local street system surrounding Highway 99E.

### **Recommended Actions**

The Access Management Plan is anticipated to come to fruition incrementally over a long period of time through property development/redevelopment or public construction projects. A key outcome of this plan is a reduction in direct Highway 99E access, while maintaining the accessibility of abutting businesses. Accomplishing this will require a combination of improvements to the public street infrastructure as well as cooperation among neighboring properties to establish effective connections between businesses. This could include creating agreements to establish shared driveways or parking lots or set aside corridors for inter-parcel circulation.

Without a known source of funding or a specific public improvement project planned to follow adoption of the Access Management Plan, the timing of any actions will be uncertain. This section provides a general phasing structure for recommended Access Management Plan actions, broken into short, medium, and long range time periods. This is provided to guide the implementation of the Corridor Plan and is not intended to be strictly adhered to (i.e., a long range action may precede a short range action if the opportunity arises).

### **Short Range Actions**

- Adopt amendments to the Woodburn Development Code needed to implement the Access Management Plan objectives and recommended actions. (See Section VII for a summary of the proposed changes and Appendix C for details of the proposed code language.)
- Restrict turning movements at Silverton Avenue intersection with Highway 99E to right-in / right-out only and at the Birds Eye Avenue intersection on Highway 214 to right-turn-in only.<sup>17</sup>

### **Medium Range Actions**

- Close the Silverton Avenue intersection on Highway 99E and the Birds Eye Avenue intersection on Highway 214.<sup>18</sup>
- Establish cross-over easements to support shared driveways and inter-parcel circulation as part of property development.
- Construct pedestrian and bicycle accessways between the Highway 99E commercial corridor and neighboring residential areas.

<sup>17</sup> As noted previously, details of turning movement restrictions would be refined in close consultation with the business and property owners affected prior to any changes being made.

<sup>18</sup> As noted previously, the specific needs of the businesses in the area for vehicle access (including trucks) will be taken into consideration during the engineering design stage prior to any roadway closures or modifications.



## Long Range Actions

- Modify the George Street intersection on Highway 214 to allow only pedestrian, bicycle, and emergency vehicle access. Prior to making this modification, a new street connection to Highway 214 at the east end of George Street must be constructed to restore lost motor vehicle connectivity.
- Improve north-south connectivity of local streets east of Highway 99E as part of property development or subdivision and/or by extending Cooley Road to the south, providing a continuous route from Highway 211 to Highway 214 (Silverton Road).<sup>19</sup>

## Access Management Tools

To help implement the access management objectives and actions described, a collection of potential mitigation tools and measures has been provided in Appendix E. While not all applications will be appropriate for various portions of the study area, this list will provide a menu of options for consideration.

## VIII. Summary of Proposed Implementation Measures

### Overview

The Corridor Plan will ultimately be implemented – in the sense of on-the-ground, physical changes – through public and private investments in roadways, redevelopment, and other improvements. However, to ensure that as investments occur incrementally over time they are consistent with the vision for the corridor, the city should adopt policies and regulations that reflect the community’s intentions for the Highway 99E corridor. The policy and regulatory changes recommended to implement the Corridor Plan are summarized in this section. The details of the proposed amendments are provided in Appendices A through C.

### City of Woodburn Comprehensive Plan

The City’s Comprehensive Plan is a long-range planning document that establishes the goals and policies to guide land use in Woodburn. The recommendations of the Corridor Plan are largely consistent with existing Comprehensive Plan policies related to commercial lands and transportation-related policies regarding Highway 99E.

Proposed text amendments to the Comprehensive Plan to implement the Corridor Plan include references to the Highway 99E Corridor Plan and the new Mixed Use Village zone, policy language regarding enhancing connectivity in keeping with the recommendations of the Corridor Plan, and the Access Management Strategies listed in Section VII. In addition, a Mixed Use Village Overlay (MUVO) will be added to the Comprehensive Plan map, the boundaries of which indicate the ultimate extent of

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<sup>19</sup> Because an extension of Cooley Road as described would run outside of the city’s UGB, it is included as a conceptual project to be considered at a later date if the land in question is eventually added to the UGB. The incremental improvement of north-south connectivity through new street connections east of Highway 99E may accomplish the same objective and eliminate the need for Cooley Road itself to be extended.



the Mixed Use Village zone. Proposed text describes the purpose of this area, the phasing of the rezoning, and the highway improvement trigger for the city to implement rezoning for Phase 2 properties. The proposed amendments to the Comprehensive Plan are identified in Appendix A.

Not all the parcels identified in the MUVO have a commercial Comprehensive Plan designation. In order to widen the commercial corridor in key areas and to spur redevelopment, four parcels currently designated Low Density Residential are recommended for re-designation to Commercial. In addition, one parcel currently designated Public / Semi-Public will need to have a Commercial designation. (For Comprehensive Plan land use designations within the MUVO, see Figure A1: Comprehensive Plan Map Mixed Use Village Overlay in Appendix A.) The City will initiate a Comprehensive Plan land use designation and map amendment for the two parcels north of Tomlin Avenue that are in Phase 1 of the Mixed Use Village zone implementation as part of the process of adopting and applying the new zone. (See Figure 11: Mixed Use Village Boundaries and Phasing). The remaining Residential and Industrial parcels will have the Commercial designation and the Mixed Use Village Zoning applied as part of a later, Phase 2 legislative action.

### ***Woodburn Transportation System Plan***

The City of Woodburn's TSP (adopted in 2005) identifies the transportation facilities and services needed to support the planned land uses over a 20 year planning horizon. The TSP is the transportation element of the Comprehensive Plan. The TSP contains goals and policies (Chapter 1) and street, transit, pedestrian, bicycle, and rail plans (Chapter 7) that guide future transportation planning in the city.

The Highway 99E Corridor Plan is a refinement plan to the City's adopted TSP. Specific areas of the TSP will be amended, by reference, when the Corridor Plan is adopted. Areas of the TSP that will be amended include street cross-section standards for Highway 99E and the City's transportation improvement project list, which needs to be updated to reflect recommended locally-funded transportation improvements in the corridor. A list of these improvements is included Table B1 in Appendix B. Cost estimates (in 2011 dollars) for transportation improvement projects associated with the Corridor Plan are also provided in Table B1 of Appendix B. Each project is numbered and its location is shown on Figure B2. Projects have been organized to match the existing structure of the Woodburn TSP; upon adoption of the Corridor Plan the projects listed in Appendix B will be included as projects for the 2010-2020 time period.<sup>20</sup> While all proposed projects are categorized in the same time frame according to the TSP, some are likely to occur sooner than others, as reflected in Table B1.

Potential transportation project funding sources are already identified in the city's TSP. These include Federal, State or Marion County funds, Local Improvement Districts, Urban Renewal Districts, Transportation Impact Fees, and General Obligation Bonds.

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<sup>20</sup> Because the TSP was adopted in 2005, it does not identify projects further into the future than 2020. In order to maintain consistency with the structure of the existing TSP, all the projects identified in this Plan have been listed in the 2010-2020 time frame; however, the Highway 99E Corridor Plan is a 20-year plan and projects identified in this Plan are not all be likely to occur before 2020. Appendix B includes an indication of the likely timing of the projects identified in this Plan.



Appendix B includes a complete list of expected TSP revisions.<sup>21</sup>

### ***City of Woodburn Development Ordinance***

The City of Woodburn’s Development Ordinance (WDO) implements the goals, policies, and objectives expressed in the City’s Comprehensive Plan by regulating land use and land development. Several changes to the WDO are needed to implement the Corridor Plan. These proposed amendments are summarized below, and the proposed changes to the existing code are included in Appendix C.

- Adoption of a new zone intended to create a more pedestrian-friendly mixed use environment. The key changes that would impact existing businesses and future (re)development within this area are summarized below. The text of the new zone is included as Appendix C. The areas where the new zone would be applied are shown on Figure 12 on page 33.
- Adoption of amendments to section 3.101 (Street Standards) to require frontage improvements (sidewalks and street trees only) along Highway 99E at time of development. These changes would apply throughout the corridor, but would primarily impact property in Segments 3 and 4 where street frontages are not improved to the adopted standards.
- Adoption of amendments to section 3.103 to update the “Special Setback” requirements on Highway 99E to reflect the adopted cross-section widths (this will reduce the Special Setback in Segments 1, 2, and 4).
- Adoption of amendments to section 3.104 (Access) to apply access management standards to development on Highway 99E through the local land use process. These standards supplement, but do not replace, ODOT access spacing standards. The purpose of these standards is to establish requirements for inter-parcel connectivity and connections to side streets beyond what is required under current ODOT access policy.
- Amendments to Section 3.107.06 to strengthen requirements for pedestrian walkways accessing building entrances and to Section 3.106.03 to enhance requirements for parking lot landscaping. Because these amendments would affect property city-wide, and therefore go beyond the scope of this project, these changes should be considered as part of the comprehensive WDO update currently being undertaken by the City. While the proposed changes are not recommended for adoption as part of this planning effort, the recommended amendments are included in Appendix C for reference.<sup>22</sup>

### **New Mixed Use Village Zone**

One of the key recommendations of the Corridor Plan is to create a new set of land use regulations for Segment 3 of the corridor to complement proposed roadway and streetscape improvements. The new

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<sup>21</sup> The recommendations in Appendix B specifically reference areas in the adopted TSP that will be amended through the adoption of the Highway 99E Corridor Plan. The city may elect, upon completion of the Corridor Plan, to adopt the Corridor Plan as a refinement plan and amend the adopted TSP by reference, but not physically amend the TSP document at this time.

<sup>22</sup> Similar standards are included in the proposed new zone so that even if the city-wide amendments do not occur as recommended, new development within the new zone will be subject to these standards.



zone will apply in the area shown in Figure 12: Mixed Use Village Boundaries and Phasing on page 33.<sup>23</sup> Note that initially, the new zone will be applied only to a smaller area centered around the Young Street intersection where urban renewal funding could potentially provide public investment to help spur redevelopment. When a roadway improvement for Highway 99E is programmed, the remainder of Segment 3 will be rezoned (with the exception of property remaining outside city limits, which would only be rezoned upon annexation). Nearly all of the land in Segment 3 within the city limits is currently zoned General Commercial (CG). The key differences between the existing CG zone and the proposed zone are highlighted below.

**Changes to allowed uses and impacts to existing businesses**

The new zone will allow for a shift in the mix of land uses over time by prohibiting certain types of businesses from establishing in the area. Existing businesses already established in the corridor will be “grandfathered” and will continue to be regulated the same way they are today. No existing business will become a non-conforming use. This approach allows existing businesses to continue to operate and expand as they would under the existing zoning (provided that they meet or move towards meeting site development standards required in the Mixed Use Village Zone), but ensures that new businesses that move into the area are fully supportive of a walkable, dense commercial node, by the type of use and the way in which new buildings are sited. The land uses that are currently permitted, but that will be restricted from moving into the new zone in the future are identified by the words “lawfully existing as of [adoption date of new zone]” after the use (see Appendix C, *Section 2.117.02* and *2.117.03* in the new zone). This language effectively restricts the listed use to only those that already exist. If a change in use (as defined in the WDO) occurs on a particular property, the new use will no longer be “grandfathered”.

Another important change to the allowed uses in the proposed new zone is that multi-family residential development will be allowed outright, either on its own or above commercial uses as part of a mixed use development. This change is intended to help increase density in Segment 3 and provide additional customers within walking distance of new pedestrian-oriented businesses. Details on the types and density of residential uses allowed are in Appendix C in *Section 2.117.02.A* in the new zone. Note that residential uses will not be permitted on parcels adjacent to industrially zoned land. This restriction applies to parcels south of Cleveland Street, east of Highway 99E (see Figure 12).

**Changes to development standards for new development, redevelopment, and expansions / remodels**

The new zone includes site development standards that are different from those of the existing CG zoning. These new standards will apply to all new non-residential development in the new zone. New multi-family residential that is not part of a mixed use development will be subject to the same standards as multi-family development in many other areas of the city. Expansions and remodels for existing development will generally be required to comply with the standards only for the new portion

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<sup>23</sup> Two of the parcels north of Tomlin Ave that are included in the Phase 1 rezoning to the MUV zone are currently zoned for residential use; the remainder are zoned General Commercial. The rationale for including the residential properties is explained on page 24.



of the development, including any required new parking or landscaping.<sup>24</sup> Key differences between existing and proposed standards include:

- **Setbacks:** Instead of a minimum setback of 15 feet with no maximum, new buildings will have no minimum setback, and a recommended (but not required) maximum setback of 15 feet abutting Highway 99E.
- **Parking location:** Parking will not be allowed between the building and the street – it must be located to the side or the rear of the building. In addition, parking must be set back from the street as far as the building is set back (this is intended to encourage buildings to be located close to the street), and may only take up 50% of the street frontage on Highway 99E. Parking must always be set back at least 5 feet from a sidewalk.
- **Architectural design:** Building façades along a street must either have façade variations or significant window coverage to provide a visually interesting pedestrian environment. Windows providing views of the street are also encouraged (but not required) for all buildings that will be regularly occupied.
- **Outdoor storage and display:** Outdoor storage and display will continue to be allowed; however, these must be screened behind walls that meet the architectural design standards for façade variations if located within 50 feet of a street. Display and storage areas on other parts of the property will continue to be subject to existing screening standards.
- **Drive-through:** Drive through / drive up facilities will be allowed in the new zone; however, drive up windows may not be located facing Highway 99E, and drive through aisles must be screened in the same manner as parking areas.

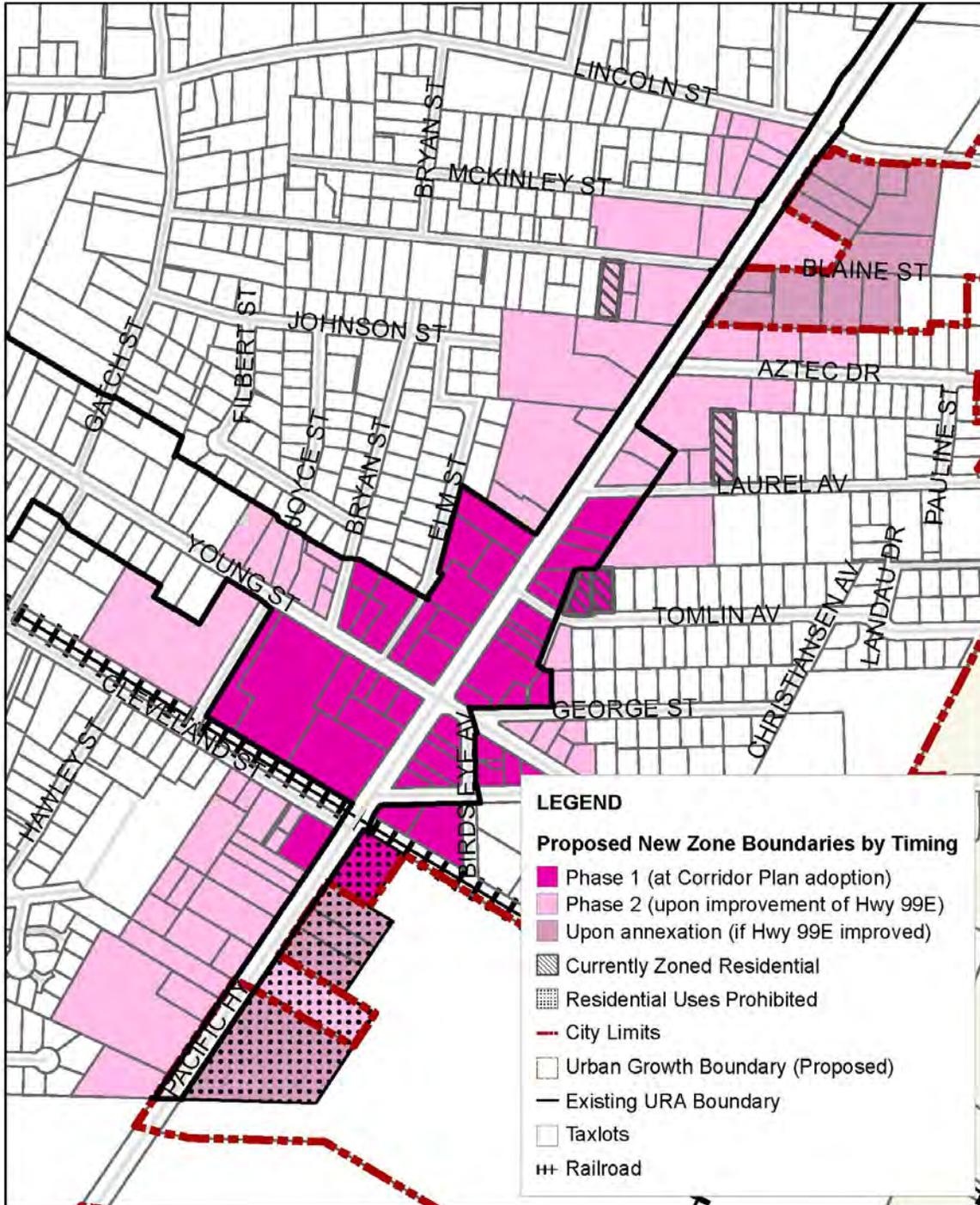
The details of these standards can be found in the draft proposed code language in Appendix C, in *Section 2.117.07* of the new zone.

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<sup>24</sup> There are exceptions. For example, where the area required for parking, landscaping, or loading increases by more than 25%, all parking, landscaping, loading, screening, etc. on site must comply with the standards. However, the proposed new zone would allow expansions or changes of use that can't meet the new parking location standards as long as the new parking would not increase the non-conformity.



Figure 12: Mixed Use Village Boundaries and Phasing



City of Woodburn  
Highway 99E Corridor Plan

Feet  
500 1,000

JAN 2012

Corridor Plan Map Amendments - Mixed Use Village Zone Boundaries and Timing



### **Urban Renewal Plan**

The 2001 Woodburn Urban Renewal Plan is the primary policy document governing the City's Downtown Urban Renewal District. The Urban Renewal Plan lays out goals and objectives for the urban renewal area, outlines the activities and projects that may be undertaken through urban renewal, and identifies procedures for amending the plan. Corridor Plan recommendations include that the City consider using urban renewal funding for certain projects and programs that would help implement the Highway 99E Corridor Plan, focusing on the area around the Young Street / Highway 99E intersection. The projects and programs identified in the Corridor Plan are consistent with the Urban Renewal Plan, but shift the focus to another part of the URA, outside of the downtown. Any investments in this area would need to be considered in light of overall urban renewal area goals and priorities. The following minor amendments to the Urban Renewal Plan could be adopted by resolution and would help spur redevelopment in the vicinity of the Young Street intersection:

- Modify the boundaries slightly in the vicinity of the Young Street intersection to best capture opportunities for a catalyst redevelopment project.<sup>25</sup>
- Open up the storefront improvement program to properties within the area proposed for Phase 1 of the new zone application. Target businesses whose existing buildings are located close to the street, but not within the area that will be needed for expanded right-of-way.
- Consider using urban renewal funding to invest in streetscape improvements on Highway 99E and/or Young Street, such as sidewalk improvements or lighting, in the vicinity of the Young Street / Highway 99E intersection. Improvements on Highway 99E would require approval from and coordination with ODOT.

In addition to the Urban Renewal Plan, the Downtown Development Plan, updated in 2010, identifies potential projects for the downtown urban renewal area. The 2010 update includes a proposed Gateway project at the Young Street intersection, where several adjacent properties are part of the existing Downtown Urban Renewal District, to be undertaken by the city in the 3-5 year timeframe. Elements of this Gateway project are detailed in the Downtown Development Plan and include land assembly and acquisition in preparation for a mixed-use project that is at least 5 acres in size. The Corridor Plan is consistent with this proposed project.

### **Marion County**

The Highway 99E Corridor Plan guides future development along the length of Highway 99E through the City of Woodburn. Not all land within this area is within the city limits; in the northern and southern portions of the corridor there are parcels that are under the jurisdiction of Marion County. As discussed in the previous section and shown in Figure 10, some of the parcels currently outside of the city limits are within the area proposed for new Mixed Use Village zoning. Marion County is the land use authority for development approval on parcels outside city limits. Because the new zone is not proposed to be applied until these County parcels annex to the City of Woodburn, there is the possibility that these

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<sup>25</sup> Increases in the Urban Renewal Area boundary of less than 1% of the total area can be approved by the City Council as a Minor Amendment.



parcels will (re)develop prior to annexation, consistent with their existing zoning and in conformance with the County's Urban Zone Code.

While staff from the County participated in the Technical Advisory Committee for the Corridor Plan, they have indicated that there are few County facilities that would be impacted by the Corridor. Therefore, following adoption of the Plan by the City of Woodburn, Marion County is expected to acknowledge the Corridor Plan rather than adopting the Plan into the County TSP. Regardless of County action on the Plan, however, the adoption of the Highway 99E Corridor Plan by the City of Woodburn and the amendments to the City's TSP described previously will apply to the full length of the corridor that lies within Woodburn's Urban Growth Boundary, even to those areas outside City limits. The County's relationship with the cities that lie within the County is summarized under the Transportation System Planning Policies in the Transportation Element of the County's Comprehensive Plan: *"Within the urban growth boundary of an incorporated city, Marion County Public Works will apply roadway design standards and criteria in the Transportation System Plan (TSP) adopted by that city, except in cases where in the engineering judgment of the County Public Works Department, it would not be appropriate to do so."* The "Rural and Urban transportation Planning" heading in the RTSP provides similar guidance: *"City transportation plans start where the RTSP ends, at the urban growth boundaries. Since many of the main city streets are maintained by Marion County, the County has a vested interest in the transportation planning process for each community. The County also recognizes that the needs, goals and visions vary from city to city. For these reasons, the County works with each city individually to determine the transportation plan most appropriate for that community, rather than developing one countywide urban plan to encompass all urban areas."*

## **ODOT**

The Highway 99E Corridor Plan does not recommend any highway design exceptions or alternate mobility standards for the corridor- the Plan meets existing ODOT policies and standards. ODOT considers the Highway 99E Corridor Plan as a refinement plan of the City's Transportation System Plan. Because of this, no formal action by ODOT is required to approve the Plan. It is important to note, however, that ODOT staff has participated in the development and analysis of corridor alternatives and the identification of the Preferred Highway 99E Corridor alternative through staff participation on the Technical Advisory Committee.



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**Appendix A:  
Comprehensive Plan  
Amendments**





## Comprehensive Plan Text Amendments

The following proposed Comprehensive Plan amendments acknowledge and reference the Highway 99E Corridor Plan as the guiding policy document for this important facility. These modifications update city policies to reflect the intent and outcomes of the planning process that will result in an adopted Highway 99E Corridor Plan. Language recommended for addition to the Comprehensive Plan is double underlined and language recommended for removal is ~~struck through~~.

## A. Comprehensive Plan Designations and Implementation The Land Use Plan

The Comprehensive Plan is based on the recent land use inventories, updated land needs analyses, and the revised goals and policies in this Comprehensive Plan. The Comprehensive Plan represents the most practical arrangement of land uses, considering existing development patterns and the future vision for Woodburn, as embodied in the revised goals and policies.

### Comprehensive Plan Designations

Woodburn has six principal comprehensive plan map designations, and ~~two~~ three overlay designations, with corresponding zoning districts:

**Policy Table 1: Comprehensive Plan Designations and Implementing Zoning Districts**

| Comprehensive Plan Designation   | Implementing Zoning District(s)                  | Density Range (Units Per Net Buildable Acre) | Minimum Lot Sizes or Unit Area in Square Feet  |
|--|--|--|--|
| <b>Low Density Residential</b>   | <b>RS</b> Single Family Residential              | 5.2-7.26                                     | 6,000 Interior Lot<br>8,000 Corner Lot   |
| <b>Nodal Development Overlay</b>   | <b>R1S</b> Retirement Community SFR              | Not Applicable                               | 10,000 Duplex Lot<br>3,600 Interior Lot<br>3,600 Corner Lot                                |
|  | <b>RSN</b> Nodal Development SFR                 | 7.9-10.89                                    | 4,000 Interior Lot<br>4,500 Corner Lot   |
| <b>Medium Density Residential</b>  | <b>RM</b> Medium Density Residential             | 10-16  | 2,720 Per M-F Unit<br>10,000 Duplex Lot  |
| <b>Nodal Development Overlay (NDO)</b>   | <b>RMN</b> Nodal Residential                     | 10-22  | 1,980 Per M-F Unit<br>8,000 Duplex Lot<br>3,000 Interior Rowhouse<br>3,600 Corner Rowhouse |
| <b>Commercial</b>  | <b>CG</b> General Commercial                     | Not applicable                               |  |
| <b>Nodal Development Overlay (NDO)</b><br><u><b>Mixed Use Village Overlay (MUVO)</b></u> | <b>DDC</b> Downtown Development and Conservation |  |  |
|  | <b>CO</b> Commercial Office                      |  |  |
|  | <b>NCN</b> Nodal Neighborhood Commercial         |  |  |
|  | <u><b>MUV</b> Mixed Use Village</u>              |  |  |
| <b>Industrial</b>  | <b>IP</b> Industrial Park                        | Not applicable                               |  |
| <b>Southwest Industrial</b>  | <b>LI</b> Light Industrial                       |  |  |
|  | <b>SWIR</b> Southwest Industrial Reserve         |  |  |



|   |  |                |
|---|--|----------------|
| <b>Reserve Overlay (SWIR)</b>   |  |                |
| <b>Open Space and Parks</b>   | <b>RCWOD</b> Riparian Corridor and Wetlands Overlay District<br><b>P/SP</b> Public Semi-Public | Not applicable |
| <b>Public Use</b>   | <b>P/SP</b> Public Semi-Public   | Not applicable |
| <p>Note: The net buildable area of a parcel excludes land dedicated for public rights-of-way or stormwater easements, common open space, and unbuildable natural areas. For example, if a parcel has 10 acres, and 2 acres are removed for streets and 2 acres are within the floodplain / riparian area, then 6 net buildable acres would remain. The range of allowable densities is calculated based on net buildable acres. An acre has 43,560 square feet. Allowable densities may be increased through the discretionary planned unit development review process.</p> |  |                |

### **Plan Implementation**

Any comprehensive plan depends on implementation to accomplish the goals and policies established in the plan. Cities have amassed a battery of ordinances to accomplish this purpose. Some ordinances have been more successful than others and in time, no doubt, new methods and techniques will be developed. Implementation should be a continual review of existing ordinances to ensure that they are accomplishing the purposes for which they were originally designed. The City recognizes that over time many of the ordinances which are suggested in this plan will be amended and perhaps entirely replaced by new concepts. As long as the ordinance which is developed implements the goals and policies of the plan, a change should not be necessary. However, at a minimum, the City should have basically the following ordinances to implement the plan.

### **Zoning**

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### **Subdivision and Planned Unit Development Ordinances**

...

### **Site Plan Review**

...

### **Sign Ordinance**

...

### **Transportation Plan**

The Transportation System Plan (TSP) (2005) was revised to reflect changes in population, employment and land use adopted in the Woodburn Comprehensive Plan (2005). The 2005 TSP includes goals and objectives, forecasts traffic growth in the City, and identifies transportation improvements needed to satisfy the forecasted growth. The plan:

- Establishes the functional classification of roads and streets
- Establishes street standard for each functional classification



- Evaluates interchange alternatives
- Establishes alternative modes of transportation
- Meets the Oregon Transportation Planning Rule

The Highway 99E Corridor Plan was adopted in 2012 to provide more detailed guidance about needed transportation improvements, appropriate land uses, and the urban design vision for the section of Highway 99E running through the City of Woodburn. The Corridor Plan amends and supplements the 2005 TSP and provides more specific guidance related to transportation improvements and design in the Highway 99E corridor.

### **Capital Improvement Plans**

...

### **Downtown and Urban Renewal**

One of the main problems with land use and economy in the City has been the stagnated downtown area. In response, the City adopted a downtown development plan and on Urban Renewal Agency and Plan. The Urban Renewal Plan is a primary vehicle for revitalizing the Downtown area, including goals and policies addressing financial assistance programs, citizen involvement, and physical improvements. The downtown Development Plan was adopted as an element of the Comprehensive Plan.

### **Housing Codes**

...

### **Flood Hazard Zone**

...

### **Historical Site Zone**

...

## ***Housing Goals and Policies***

...

### **Policies**

...

D-2.2 It is the policy of the City to encourage a variety of housing types to accommodate the demands of the local housing market. In Woodburn, the following needed housing types shall be allowed, subject to clear and objective design standards, in the following zoning districts:



**Policy Table 2: Needed Housing Types and Implementing Zoning Districts**

| Needed Housing Type   | Implementing Zoning District(s)  |
|---|--|
| Single Family Detached Residential                                      | <b>RS</b> Single Family Residential<br><b>RS1</b> Retirement Community SFR<br><b>RSN</b> Nodal Development SFR   |
| Manufactured Dwellings<br>On Individual Lots<br>In Parks                | <b>RS</b> Single Family Residential<br><b>RS1</b> Retirement Community SFR<br><b>RM</b> Medium Density Residential   |
| Attached Single Family Residential<br>(Row Houses)                      | <b>RMN</b> Nodal Residential<br><b>MUV</b> <u>Mixed Use Village</u>  |
| Duplexes On Corner Lots<br>Generally                                    | <b>RS</b> Single Family Residential<br><b>RM</b> Medium Density Residential  |
| Multi -Family<br>Generally<br>Above<br>Commercial                       | <b>RM</b> Medium Density Residential<br><b>RMN</b> Nodal Residential<br><b>DDC</b> Downtown Development and Conservation<br><b>NNC</b> Nodal Neighborhood Commercial<br><b>MUV</b> <u>Mixed Use Village</u>  |
| Government Assisted Housing*<br>Farm Worker Housing*<br>Rental Housing* | These “housing types” are based on financing or tenure, and are not regulated by the City. If the housing type (e.g., single family, manufactured dwelling, attached single family, duplex, or multi-family) is allowed in the underlying zoning district, these “housing types” are allowed subject to applicable design standards. |

## F. Commercial Land Development and Employment *Commercial Land Designations*

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The second large commercial area that developed in the City is the commercial strip along Highway 99E. ~~The~~ A history of commercial strip zoning along 99E has caused many problems in the City of Woodburn. This is because this type of development is the least efficient use of commercial land and highway frontage. To improve the efficiency of the commercial land and enhance the appearance and vitality of this important commercial area, the City undertook the development of a plan for the corridor. The resulting Highway 99E Corridor Plan, adopted in 2012, will guide future development and redevelopment in the 99E corridor. Woodburn The City will work with property owners towards redeveloping this area in the future in line with the vision established in the Corridor Plan. By limiting the supply of vacant “green field” commercial land within the UGB, redevelopment of underutilized strip commercial lands is more likely to occur. Access control policies shall be observed when street improvements occur.

...

The fourth commercial area is the Highway 214/211/99E "Four Corners" intersection. This area has become an important commercial district within the City. This "Four Corners" area serves as a more local retail service center. This commercial district could realize more development in the future. In this area development should be intensified so as to not create another commercial strip development.



## **Commercial Lands Goals and Policies**

### Goal

**F-1. Encourage infill and redevelopment of existing commercial areas within the community, as well as nodal neighborhood centers, to meet future commercial development needs.**

### Policies

...

F-1.4 Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. Nodal and mixed use village commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.

...

F-1.10 The Highway 99E commercial corridor south of Lincoln should be redeveloped over time with more intense mixed use development. The Mixed Use Village Overlay (MUVO) designates an area that is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; restrict land extensive commercial, storage, and industrial uses; and encourage pedestrian-oriented development.

F-1.11 In order to spur desired development and redevelopment within the MUVO, and consistent with the recommendations of the Highway 99E Corridor Plan, the City will apply the Mixed Use Village zone in a strategic area in the vicinity of the Young Street intersection.

F-1.12 The city shall initiate a legislative zone change to designate remaining land within the area designated MUVO and within the City limits as MUV at such time as ODOT includes a project to improve Highway 99E south of Lincoln in the Development Statewide Transportation Improvement Program (DSTIP).

F-1.13 Property owners within the MUVO and within the City limits may petition the City to initiate a legislative zone change to MUV for their property at any time. Land outside City limits within the MUVO shall be zoned MUV upon annexation.

F-1.14 The City intends to beautify the Highway 99E commercial corridor through measures such as replacement of overhead power and telephone lines with underground utilities, enhancing street lighting in the corridor, providing for non-conforming sign amortization, providing enhanced streetscape furnishings in key pedestrian areas, and establishing a storefront improvement program. The City will explore options to fund such improvements, including its Capital Improvement Program, formation of a Local Improvement District, and Urban Renewal funds.



## H. Transportation

### ***Transportation Goals and Policies***

Woodburn amended its Transportation System Plan (TSP) in coordination with Marion County, the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) as part of its 2005 Periodic review package. The goals and policies listed below have been amended consistent with the 2005 TSP. A new “Marion County Coordination” subsection is added to ensure coordination with the Goals and Policies of the Marion County Growth Management Framework Plan.

#### Goal

**H-2. Develop a street system that will handle projected year 2020 traffic demands in the Woodburn area, and interconnects residential areas with employment centers, schools, parks, churches, and regional transportation facilities.**

#### Policies

...

H-2.2 Work with ODOT to develop and implement strategies for improving state facilities within the City. Develop a strategy for improving Oregon 219/214, and 211, and 99E through Woodburn, including added travel lanes, signalization, and access management. Work with ODOT to implement the Highway 99E Corridor Plan to improve Highway 99E.

H-2.3 Identify new east-west and north-south collector/minor arterial streets within the City to relieve traffic demands on Oregon 219/214, 211, and 99E and coordinate with Marion County to construct the street connections needed outside of the urban growth boundary (UGB). Where development of new collector/minor arterial streets is not possible within the near future, such as when an alignment runs outside of the UGB, work with property owners during subdivision to provide local street connections to improve connectivity in the interim.

...

#### Goal

**H-3. Develop transportation improvements that address overall traffic safety in the Woodburn area.**

#### Policies

H-3.1 Work with ODOT to improve safety on state facilities within the City. Develop access management strategies for Oregon 219/214, and 211, and 99E through Woodburn, particularly focusing on the section of Oregon 214 between Interstate 5 (I-5) and Cascade Drive, and Oregon 99E south of Lincoln Avenue. Work with ODOT and property owners through the redevelopment process to improve access management on Highway 99E in accordance with the access management strategies identified in the Highway 99E Corridor Plan.

...

#### Goal



**H-6. Coordinate with Marion County in planning for a safe and efficient county-wide transportation system by:**

- (a) Encouraging use of alternative modes of transportation including mass transit, bicycling, walking and carpooling; and**
- (b) Addressing transportation needs appropriate to both urban and rural areas throughout the county.**

**Policies**

...

H-6.4 Woodburn should provide for a complementary mix of land uses and transportation systems by providing for mixed use development in the Downtown Development and Conservation (DDC), the Mixed Use Village (MUV), and the Nodal Development Overlay (NDO) districts.

...

**Goal**

**H-7. Coordinate with the Oregon Department of Transportation (ODOT) to maintain highway and intersection capacity, safety and functionality by:**

- (a) Developing and adopting performance standards; and**
- (b) Prohibiting comprehensive plan amendments that do not meet adopted performance standards.**

**Policies**

...

H-7.3 To ensure safety and long-range mobility on Highway 99E, the City shall be guided by the following access management objectives:

- (a) Ensure that all properties are provided reasonable access to the public street network, including consideration of the economic development needs of each property.
- (b) Driveways to commercial businesses on Highway 99E should be designed to allow for safe and comfortable passage, improving existing driveways to comply with ODOT design standards as opportunities arise.
- (c) Consider locating business signage immediately adjacent to the downstream side of driveways to improve the ability of drivers to locate them.
- (d) Provide convenient accessways for pedestrians and bicycles between the Highway 99E commercial corridor and neighboring residential areas.
- (e) Safe and convenient pedestrian walkways should be provided between business entrances and sidewalks along Highway 99E, minimizing conflicts between pedestrians and motor vehicles in parking lots.



- (f) Consider prohibiting driveways or restricting turning movements to driveways adjacent to turning pockets at intersections where necessary to maintain safe highway operations.
- (g) Seek opportunities to align driveways on opposite sides of roadways to avoid turning conflicts.
- (h) Driveways to Highway 99E should maintain adequate intersection sight distance and at a minimum shall maintain safe stopping sight distance along the highway.
- (i) Reduce access points over time to move in the direction of meeting, ODOT's adopted access management spacing standards for Regional Highways.
- (j) Create shared access points to reduce the overall number of driveways along the Highway 99E corridor. Shared driveways must be supported through the establishment of easements allowing for travel between adjacent properties.
- (k) Provide inter-parcel circulation through cross-over easements, frontage or backage roads, or shared parking lots where feasible.
- (l) Utilize easements, frontage/backage roads, and lower classified city streets to allow for secondary access to facilitate large truck and emergency service vehicle circulation.
- (m) Seek opportunities to enhance the connectivity of the local street system surrounding Highway 99E.

H-7.4 The City will actively participate in developing strategies and solutions to mitigate impacts to property owners that may result from implementing future highway design and planned built improvements.

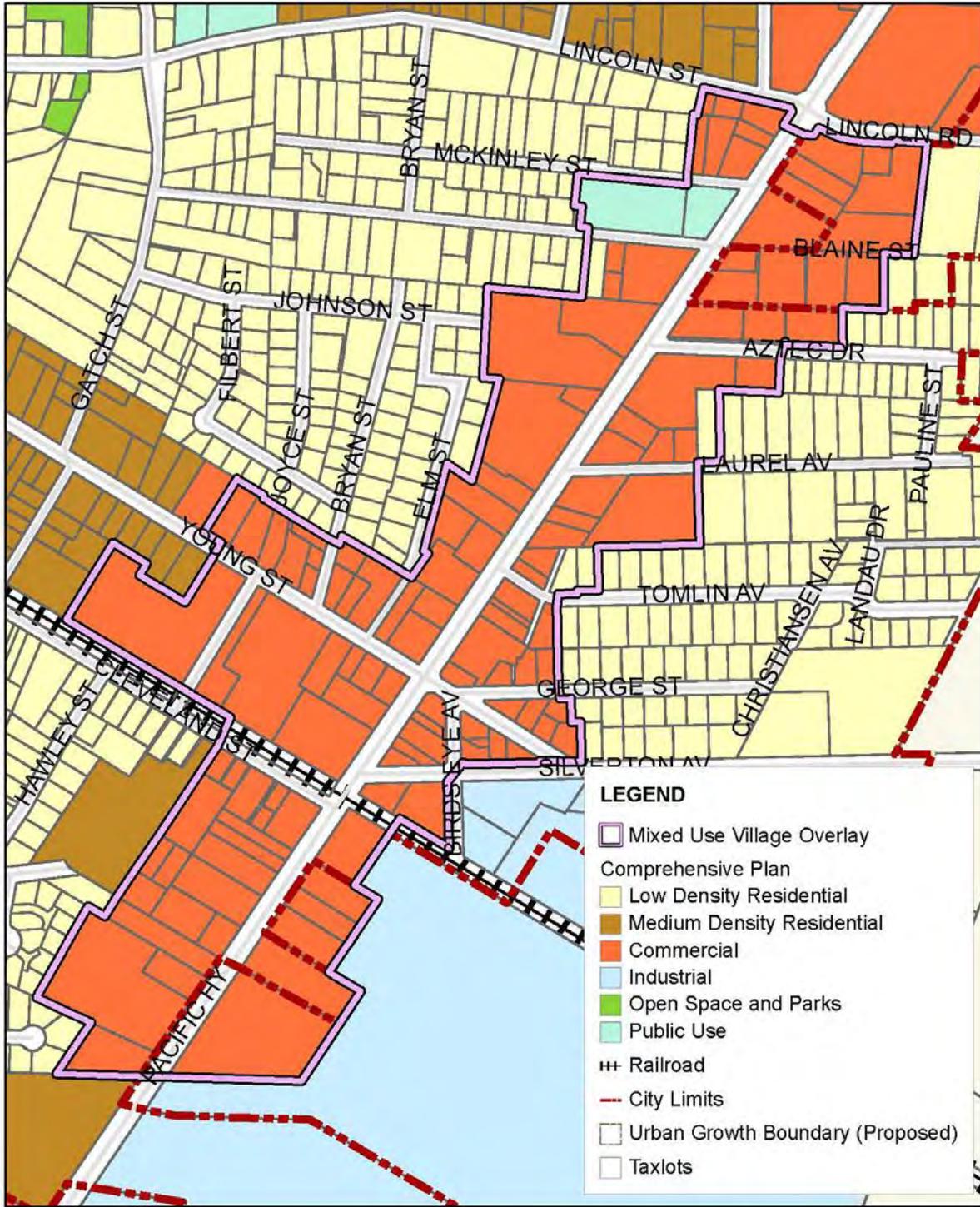


### ***Comprehensive Plan Map Amendments***

The Comprehensive Plan map will be amended to include the Mixed Use Village Overlay (MUVO), which indicates the ultimate extent of the planned Mixed Use Village. The area that will be designated with the MUVO is shown in Figure A1. In addition, the Comprehensive Plan designation for parcels currently Industrial or Low Density Residential within the MUVO, will need to be amended to Commercial.



Figure A1: Comprehensive Plan Map Mixed Use Village Overlay



City of Woodburn  
Highway 99E Corridor Plan



JAN 2012

**Corridor Plan Map Amendments - Comprehensive Plan Mixed Use Village Overlay**



**Appendix B:  
Transportation System Plan  
Amendments**





To facilitate the implementation of improvements identified through the Woodburn Highway 99E Corridor Plan, the following amendments are recommended to the Woodburn Transportation System Plan (TSP).<sup>26</sup>

### ***Street Design Standards***

Street design standards are shown in Figure 7-2 and discussed on page 7-3 of the TSP. However, these standards are only applicable to city streets. Therefore, the street design standards shown in Figure B1 are to be applied to Highway 99E.

### ***Needed Street Upgrades***

The intermediate to long-term (approximately 2010-2020) project identified for Oregon 99E on page 7-5 of the TSP is replaced with the following project:

- Highway 99E: As redevelopment occurs in the corridor, upgrade to be compliant with the design standards for Highway 99E provided in Figure B1. This would ensure continuous pedestrian and bicycle facilities along the corridor as well as the implementation of access management strategies.<sup>27</sup>

The following projects are added to the 2010-2020 project list on page 7-5 of the TSP:

- Restrict turn movements and eventually close the Silverton Avenue intersection on Highway 99E and vacate the segment of Silverton Avenue between Highway 99E and Bird's Eye Avenue.
- Restrict turn movements and eventually close the Birds Eye Avenue intersection on Highway 214 and vacate the segment of Birds Eye Avenue between Highway 214 and Silverton Avenue.
- Work with ODOT to develop and implement a Traffic Management Plan for the Highway 99E corridor that responds to increased congestion resulting from incidents on I-5 and regional events.
- Update roadway lighting to meet ODOT roadway lighting standards.
- Coordinate the traffic signals on Highway 99E from Hardcastle Avenue through Cleveland Street. Signals should be interconnected and signal timings should be optimized.
- Construct an additional westbound lane on Young Street at the intersection with Highway 99E to accommodate separate left, through, and right turn lanes (additional right-of-way will likely be required).
- Implement protected-permissive left turn phasing on the eastbound and westbound approaches of Young Street at the intersection with Highway 99E.

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<sup>26</sup> Woodburn Transportation System Plan, Volume 1 Text, October 2005.

<sup>27</sup> In the stretch of highway between MP 33.08 and 33.19, where the roadway will transition from a five-lane cross-section to a three-lane cross-section, dedication of the full 100 feet of right-of-way is recommended to allow for engineering of the transition as needed; however, installing sidewalks and other improvements at their final locations will likely not be feasible if engineering drawings for the highway improvement have not been completed.



- Close the intersection of George Street at Highway 214 to through motor vehicle travel, leaving it accessible by pedestrians, bicycles, and emergency vehicles only. This project shall not be constructed prior to the project that would construct a new local street connecting George Street to Highway 214 just west of the urban growth boundary (see New Streets, project (a)).

### ***New Streets***

The following projects are added to the intermediate to long-term (next 10-15 years) project list on page 7-6 of the TSP:

- Construct a new local street connecting George Street to Highway 214 just west of the eastern urban growth boundary.
- Enhance north-south connectivity of local streets paralleling the Highway 99E corridor as part of property development or subdivision and/or by extending Cooley Road from Hardcastle Avenue to Highway 214.<sup>28</sup>

### ***Pedestrian Plan***

The pedestrian plan described on pages 7-9 and 7-10, as well as Figure 7-3, of the TSP is amended to include the following projects:

- Install countdown pedestrian timers and construct ADA enhancements at signalized intersections along Highway 99E.
- Construct curb extensions to shorten pedestrian crossing distances on approaches to Highway 99E where appropriate (no curb extensions are to be constructed that would narrow the width of Highway 99E itself). Street approaches where curb extensions should be considered include: Alexandria Avenue, James Street, Williams Street, Blaine Street, Aztec Drive, Laurel Avenue, and Tomlin Avenue.
- Provide pedestrian and bicycle access to Highway 99E from adjacent residential neighborhoods. This will require development of accessways and obtaining easements. Pedestrian/bicycle accessways must include a paved surface of at least 10 feet wide with a minimum vertical clearance of 10 feet. Potential locations for pedestrian/bicycle accessways connecting to Highway 99E include: from June Way (near the Audrey Way intersection), from Johnson Street, from Elm Street, from Wilson Street, and from Hawley Street (possibly part of future street extension).
- Construct enhanced pedestrian crossings of Highway 99E. Identification of crossing locations should occur through collaborative efforts with the community and the Oregon Department of Transportation. The maximum potential for enhanced pedestrian crossing locations is estimated to include: three crossings between Mt Hood Avenue and Hardcastle Avenue, one crossing between Hardcastle Avenue and Lincoln Street, and three crossings between Lincoln Street and

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<sup>28</sup> Because an extension of Cooley Road as described would run outside of the city's UGB, it is included as a purely conceptual project to be considered at a later date if the land in question is eventually added to the UGB. The incremental improvement of north-south connectivity through new street connections east of Highway 99E may accomplish the same objective and eliminate the need for Cooley Road itself to be extended.



Young Street. Recommended crossing treatments include, but are not limited to: installing pedestrian-actuated rectangular rapid flashing beacons (lights and signs that warn, but do not stop traffic when a pedestrian is trying to cross), median refuge islands (raised islands in the center of the roadway that provide a sheltered area where pedestrians can wait for gaps in traffic), and improved street lighting.<sup>29</sup>

### ***Cost Estimates for Transportation System Improvements***

Cost estimates (in 2011 dollars) for recommended transportation improvement projects included in this amendment to the Woodburn TSP are provided in Table B1, and can be seen in Figure B2. Projects have been organized to match the existing structure of the Woodburn TSP; as such, the projects listed in Table B1 would be included as projects for the 2010-2020 time period.<sup>30</sup>

While all projects are categorized in the same time frame according to the TSP, there may be opportunities to advance some projects earlier. Potential phasing could include:

Short Term (0-5 years):                      Project No. 1, 2, 3, 4, 5, and 6

Medium Term (5-10 years):                Project No. 7, 8, 9, 10, 11 and 12

Long Term (10-20 years):                 Project No. 13, 14, 15, 16

Potential funding sources have been identified in the City's TSP. These sources could include Federal, State or Marion County funds, Local Improvement Districts, Urban Renewal Districts, Transportation Impact Fees, and General Obligation Bonds.

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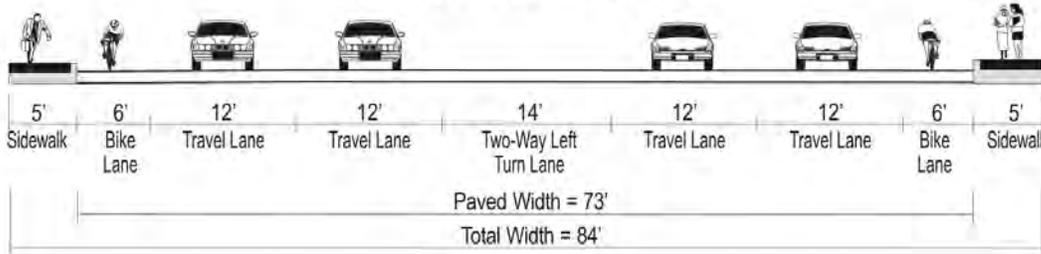
<sup>29</sup> Note that Oregon law requires a motorist to stop for an extended period while pedestrians are crossing a street. Oregon law also prohibits vehicles from standing or parking on railroad tracks. The placement of a marked crosswalk across Highway 99E, a facility with high traffic volumes, must be executed in such a way that avoids queuing over the existing railroad track just north of Cleveland Street. ODOT Rail Division opposes a crosswalk at Cleveland Street because of queuing concerns, unless the intersection is fully signalized for vehicles and pedestrians and those signals are interconnected with the crossing signals. If a crosswalk precedes the installation of the planned signalized intersection, the crosswalk should be a minimum of 150 feet from the crossing.

<sup>30</sup> Because the TSP was adopted in 2005, it does not identify projects further into the future than 2020. In order to maintain consistency with the structure of the existing TSP, all the projects identified in this Plan have been listed in the 2010-2020 time frame; however, the Highway 99E Corridor Plan is a 20-year plan and projects identified in this Plan are not all be likely to occur before 2020. Appendix B includes an indication of the likely timing of the projects identified in this Plan.

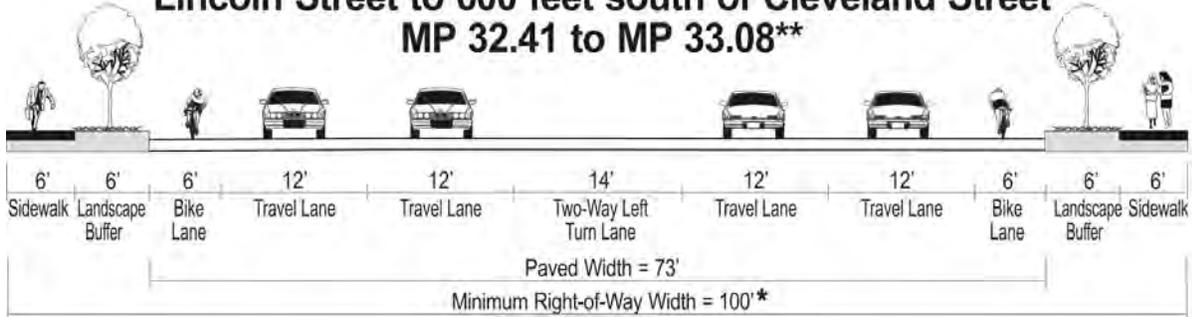


Figure B1: Street Design Standards for Highway 99E

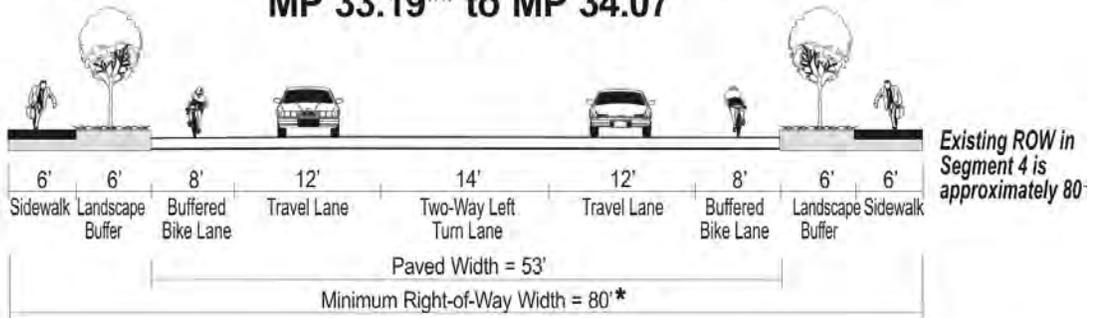
**Carl Road to Lincoln Street  
MP 30.85 to MP 32.41**



**Lincoln Street to 600 feet south of Cleveland Street  
MP 32.41 to MP 33.08\*\***



**1,150 feet south of Cleveland Street to South UGB  
MP 33.19\*\* to MP 34.07**



\* One foot of right-of-way outside each sidewalk is needed for operational purposes.

\*\* Transition between five-lane and three-lane roadways to occur between MP 33.08 and MP 33.19.



**Table B1: Cost Estimates for Proposed Transportation Improvements**

| Project No.                             | Project Title   | Estimated Capital Cost* | Owning Jurisdiction** |
|---|---|-------------------------|-----------------------|
| <b>Ten to Fifteen Years (2010-2020)</b> |   |                         |                       |
| <b>Tier 1: Short Term Projects</b>      |   |                         |                       |
| 1                                       | Restrict turning movements and eventually close Silverton Avenue intersection with Highway 99E  | \$16,000                | State/City            |
| 2                                       | Restrict turning movements and eventually close Birds Eye Avenue intersection with Highway 214  | \$23,000                | State/City            |
| 3                                       | Implement Traffic Management Plan for Highway 99E corridor  | \$45,000                | State                 |
| 4                                       | Install pedestrian countdown timers and construct ADA ramps at signalized intersections on Highway 99E (3 intersections)  | \$110,000               | State                 |
| 5                                       | Construct curb extensions on select approaches to Highway 99E - parallel to highway, not narrowing highway (8 intersections)  | \$60,000                | State/City            |
| 6                                       | Construct enhanced pedestrian crossings along Highway 99E (7 total)   | \$280,000               | State                 |
| <b>Tier 2: Medium Term Projects</b>     |   |                         |                       |
| 7                                       | Coordinate Highway 99E traffic signals from Hardcastle Avenue to Young Street (and future Cleveland Street signal)  | \$55,000                | State                 |
| 8                                       | Improve Highway 99E/Young Street intersection to add a westbound lane (providing separate left, through, and right lanes) and protective-permissive left turn phasing on eastbound and westbound approaches | \$550,000               | State                 |
| 9                                       | Close George Street intersection with Highway 214, maintaining passage for pedestrians, bicycles, and emergency vehicles  | \$60,000                | State/City            |
| 10                                      | Construct new local street connecting George Street to Highway 214 just west of the eastern UGB   | \$425,000               | City                  |
| 11                                      | Extend Mill Creek corridor off-street pathway to Belle Passi Road   | \$840,000               | County/City           |
| 12                                      | Construct pedestrian/bicycle accessways between Highway 99E and residential areas (total of 5 locations – highly variable costs)  | \$675,000               | City                  |
| <b>Tier 3: Long Term Projects</b>       |   |                         |                       |
| 13                                      | Highway 99E widening from Lincoln Street to 1,150 feet south of Cleveland Street  | \$7,150,000             | State                 |
| 14                                      | Highway 99E widening from 1,150 feet south of Cleveland Street to proposed southern UGB   | \$5,130,000             | State                 |
| 15                                      | Improve roadway lighting along Highway 99E corridor (assumed 60% of corridor)   | \$2,110,000             | State                 |
| 16                                      | Enhance north-south connectivity of local streets paralleling the Highway 99E corridor as part of property development or subdivision   | \$8,270,000             | County/City           |



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and/or by extending Cooley Road from Hardcastle Avenue to Highway  
214 \*\*\*

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**Grand Total**

**\$25,799,000**

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Notes:

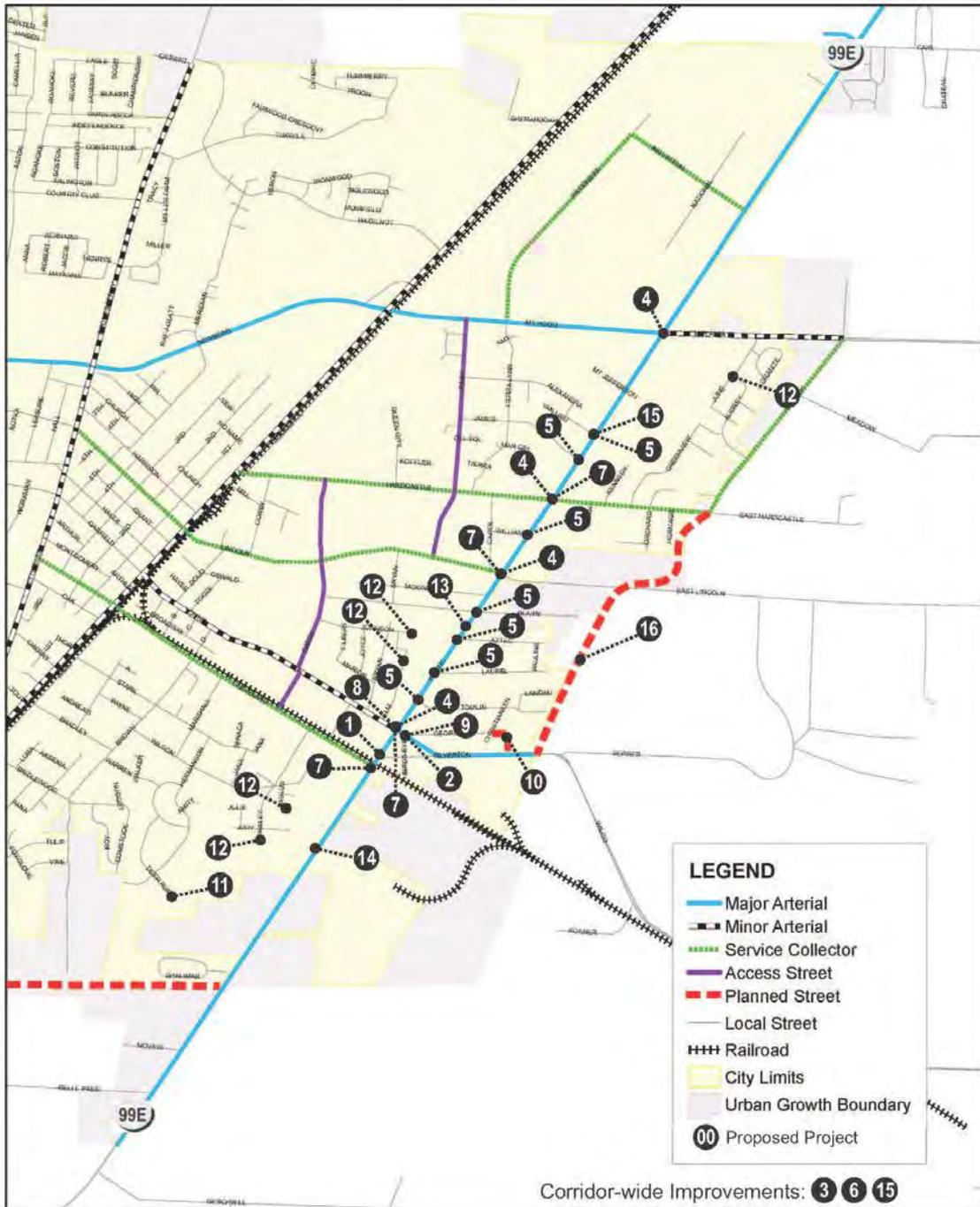
\* Cost estimates are in 2011 dollars.

\*\* Owning Jurisdiction does not necessarily indicate the likely funding source for the improvement. In some cases, private development or other funding sources may contribute part or all of the cost of the improvement.

\*\*\* Because an extension of Cooley Road would run outside of the city's UGB, it is included as a conceptual project to be considered at a later date if the land in question is eventually added to the UGB. The incremental improvement of north-south connectivity through new street connections east of Highway 99E may accomplish the same objective and eliminate the need for Cooley Road itself to be extended.



Figure B2: Proposed Transportation Improvements



City of Woodburn  
Highway 99E Corridor Plan

December 2011

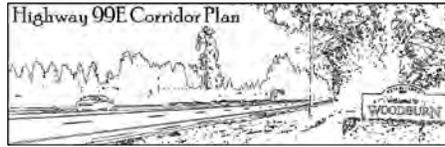
Exhibit B: Proposed Transportation Improvements



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**Appendix C:  
Amendments to Woodburn  
Development Ordinance**





**Proposed New Zone Language**

The table below presents proposed draft code language for the new Mixed Use Village zone to implement the land use changes associated with the preferred alternative. The proposed code language is shown in the left-hand column; additional information about the background and rationale for the proposed language is shown in the right-hand column.

| <b>Proposed Language</b>  | <b>Commentary</b>   |
|---|---|
| <p><b>2.117 Mixed Use Village (MUV)</b></p>   | <p>The new zone would become its own chapter in the WDO. For convenience, it has been numbered with the next available section number; however, the city may prefer to incorporate it after the other commercial / mixed use zones (e.g. 2.109) and renumber the subsequent chapters.</p>   |
| <p><b>2.117.01 Purpose</b><br/>The Mixed Use Village zone is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; restrict land extensive commercial, storage, and industrial uses; and encourage pedestrian-oriented development. This zone is intended to be accessible to pedestrians and bicyclists, as well as automobiles.</p> | <p>Purpose language borrows from existing language in CG, DDC, and NNC as appropriate.</p>  |
| <p><b>2.117.02 Permitted Uses</b><br/>The following uses, when developed under the applicable development standards of the WDO, are permitted in the MUV zone.</p>  | <p>The city is in the process of updating the development code, and is likely to make changes to the way permitted uses are organized and defined (such as moving away from the use of NAICS codes to define land uses). Those changes are not reflected in the sections below because the new zone must be able fit into the existing code when it is adopted. However, it is anticipated that the organization of the permitted / conditional uses may be modified along with the other zones as part of the comprehensive code overhaul project.</p> |
| <p>A. <u>Residential</u><br/>The following residential uses are permitted in the MUV zone:<sup>1</sup></p> <ol style="list-style-type: none"> <li>1. One dwelling unit in conjunction with a commercial use.</li> <li>2. Multiple-family dwelling units at a net density of between 12 and 32 dwelling units per acre.</li> <li>3. Multiple-family dwellings built as part of a vertical</li> </ol>   | <p>Allows the following residential uses not currently allowed in CG:</p> <ul style="list-style-type: none"> <li>• Stand-alone multi-family at 12-32 DU/acre</li> <li>• Residential as part of vertical mixed use at up to 32 DU/acre (no minimum)</li> <li>• Single-family attached at 12-24 DU/acre</li> <li>• Nursing and assisted care facilities</li> </ul> <p>A footnote restricting residential uses next to</p>   |



| <b>Proposed Language</b>  | <b>Commentary</b>  |
|---|--|
| <p>mixed use development at a maximum net density of 32 dwelling units per acre.</p> <p>4. Attached single-family residences at a net density of 12 to 24 dwelling units per acre</p> <p>5. Nursing care facilities.</p> <p>6. Assisted care facilities.</p> <p><sup>1</sup> Residential uses are not permitted on parcels adjacent to industrially zoned land. This restriction applies to parcels south of Cleveland Street, east of Highway 99E.</p>   | <p>employment uses south of Cleveland will need to be included in Section 2.117.02 Permitted Uses.</p>   |
| <p><b>B. <u>Special Trade Contractors</u></b></p> <p>1. Plumbing, heating and air-conditioning contractors lawfully existing as of [adoption date of new zone].</p> <p>2. Paper and wall coving contractors lawfully existing as of [adoption date of new zone].</p> <p>3. Masonry, drywall, insulation and tile contractors lawfully existing as of [adoption date of new zone].</p> <p>4. Floor laying contractors lawfully existing as of [adoption date of new zone].</p> <p>5. Roofing, siding, and sheet metal construction contractors lawfully existing as of [adoption date of new zone].</p> <p>6. Glass and glazing contractors lawfully existing as of [adoption date of new zone].</p> <p>7. Building equipment and other machinery installation contractors lawfully existing as of [adoption date of new zone].</p> <p>8. Ornamental ironwork contractors lawfully existing as of [adoption date of new zone].</p> | <p>Allows existing special trade contractors to continue as permitted uses. Differs from the CG in that new special trade contractors are not permitted to locate in the zone. Outdoor storage and display are regulated through development standards.</p>  |
| <p><b>C. <u>Manufacturing</u></b></p> <p>1. Fabricated metal product manufacturing when located entirely within a building and lawfully existing as of [adoption date of new zone].</p> <p>2. Household and institutional furniture and kitchen cabinet manufacturing when located entirely within a building and lawfully existing as of [adoption date of new zone].</p>  | <p>Allows existing manufacturers of fabricated metal products and furniture to continue as permitted uses provided that they are located entirely within a building. Differs from the CG in that new manufacturers of fabricated metal products and furniture are not permitted to locate in the zone.</p> |



| <b>Proposed Language</b>  | <b>Commentary</b>  |
|---|--|
| <p><b>D. <u>Retail Trade</u></b></p> <ol style="list-style-type: none"> <li>1. Bakeries.</li> <li>2. Printing and related support activities</li> <li>3. Automotive parts without installation.</li> <li>4. Furniture and home furnishings.</li> <li>5. Electronics and appliance stores.</li> <li>6. Building materials and garden equipment and supplies.</li> <li>7. Food and beverage stores.</li> <li>8. Health and personal care stores.</li> <li>9. Clothing and accessory stores.</li> <li>10. Sporting goods, hobby, book and music stores.</li> <li>11. General merchandise stores.</li> <li>12. Misc. retail EXCEPT manufactured (mobile) home dealers.</li> </ol> | <p>Modifications from the CG zone include:</p> <ul style="list-style-type: none"> <li>• Allowing bakeries and printing and related support activities, as in DDC and NNC</li> <li>• Outdoor display and storage is regulated through development standards rather than for particular uses</li> <li>• Allows used merchandise stores outright rather than conditionally</li> </ul> |
| <p><b>C <u>Transportation &amp; Warehousing</u></b></p> <ol style="list-style-type: none"> <li>1. Postal service.</li> <li>2. Transit stops, stations, and related facilities.</li> </ol>   | <p>Makes customer-oriented transit facilities permitted outright (other facilities associated with transit were conditional uses and are no longer permitted). Note that none of the terms used in sub-section 2 are currently defined in the code.</p>  |
| <p><b>D. <u>Information</u></b></p> <ol style="list-style-type: none"> <li>1. Publishing.</li> <li>2. Motion picture theaters EXCEPT drive-ins.</li> <li>3. Radio and TV.</li> <li>4. Cable networks.</li> <li>5. Telecommunications. EXCEPT telecommunication facilities subject to <i>Section 2.204.03</i>.</li> <li>6. Information and data processing.</li> </ol>   | <p>Same as in CG</p>   |
| <p><b>E. <u>Finance and Insurance</u></b></p> <ol style="list-style-type: none"> <li>1. Finance and insurance EXCEPT check cashing, pay day loan and cash transfer establishments [other than banks] as</li> </ol>  | <p>Allows pawn shops (same language as DDC)</p>  |



| <b>Proposed Language</b>   | <b>Commentary</b>  |
|--|--|
| a predominant, ancillary, or required supporting use.  |  |
| <b>F. <u>Real Estate and Rental and Leasing</u></b><br>1. Real estate.<br>2. Rental and leasing.   | Allows a slightly wider range of rental and leasing uses than the CG zone. Regulates outdoor display and storage through development standards.  |
| <b>G. <u>Professional, Scientific &amp; Technical Services</u></b><br>1. Professional, Scientific, and Technical Services EXCEPT veterinary service not located entirely within a building.  | Allows all the same uses as CG, but allows indoor vet services and Scientific Research and Development Services (5417) outright rather than conditionally.   |
| <b>H. <u>Administrative &amp; Support Services</u></b><br>1. Administrative and support services INCLUDING employment, travel and investigation.<br>2. Management and corporate offices  | Same as CG   |
| <b>I. <u>Educational Service</u></b><br>1. Educational services both public and private, EXCEPT Flight Training and Automobile Driving Schools.  | Somewhat more permissive than CG - allows colleges & universities and most other educational services except flight training or automobile driving schools.  |
| <b>J. <u>Health Care &amp; Social Services</u></b><br>1. Ambulatory health care EXCEPT Ambulance service.<br>2. Social services INCLUDING child day care services.   | Same as CG   |
| <b>K. <u>Arts, Entertainment &amp; Recreation</u></b><br>1. Performing arts, EXCEPT spectator sports.<br>2. Museums and historic sites EXCEPT zoos.<br>3. Amusement arcades.<br>4. Fitness and recreational sports.<br>5. Bowling centers.<br>6. Other amusements INCLUDING ballrooms.<br>7. Community center. | Similar to CG, but slightly different (allows amusement arcades, does not allow spectator sports).   |
| <b>L. <u>Accommodation &amp; Food Service</u></b><br>1. Traveler accommodation, EXCEPT casino hotels<br>2. Food service and drinking places EXCEPT food contractors and mobile food service.   | Similar to CG, but slightly more permissive on accommodations (allows hostels and cabins and cottages for tourist accommodation), and slightly more restrictive on food service (does not allow food contractors).   |
| <b>M. <u>Other Services</u></b><br>1. Consumer Electronics Repair and Maintenance<br>2. Electronic and precision equipment repair, EXCEPT consumer electronics repair and maintenance, lawfully  | Similar to CG, with the following differences: <ul style="list-style-type: none"> <li>• Allows existing electronic and precision equipment repair (8112) to continue as a permitted use, but doesn't allow new electronic and precision equipment repair uses except for consumer electronics repair.</li> </ul> |



| <b>Proposed Language</b>   | <b>Commentary</b>  |
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| <p>existing as of [adoption date of new zone].</p> <p>3. Electric motor repair entirely within a building and lawfully existing as of [adoption date of new zone].</p> <p>4. Home goods repair EXCEPT upholstery and leather repair.</p> <p>5. Personal care services INCLUDING barber shops and beauty salons.</p> <p>6. Personal and Household Goods Repair and Maintenance</p> <p>7. Funeral home.</p> <p>8. Dry cleaning and laundry service EXCEPT linen supply.</p> <p>9. Photo finishing.</p> <p>10. Parking lots and garages EXCEPT extended vehicle storage.</p> <p>11. All Other Personal Services INCLUDING bail bonding and consumer buying services.</p> <p>12. Religious, civic, professional and similar organizations.</p> | <ul style="list-style-type: none"> <li>• Prohibits new electric motor repair, but allows existing uses to continue as permitted uses.</li> <li>• Allows Home goods repair (8114) EXCEPT upholstery (81142) and leather repair (81143) outright rather than conditionally.</li> </ul> |
| <p><b>N. <u>Public Administration</u></b></p> <p>1. Public administration INCLUDING government offices, courts, and police and fire stations.</p>  | <p>Same regulation as CG, but using same language as DDC</p>   |
| <p><b>O. <u>Streets and Utilities</u></b></p> <p>1. Rights of way and easements and the improvements therein for streets, water, sanitary sewer, gas, oil, electric and communication lines and for storm water facilities and for pump stations.</p>  | <p>Same as in CG</p>   |
| <p><b><u>2.117.03 Special Permitted Uses</u></b></p> <p>The following uses, when developed under the applicable development standards of the <i>WDO</i> including the special development standards of <i>Section 2.203</i>, are permitted in the MUV zone:</p>  | <p>Same language as CG</p>   |
| <p>A. Craft industries subject to <i>Section 2.203.07</i>.</p> <p>B. Delivery services subject to <i>Section 2.203.08</i>.</p> <p>C. Facilities during construction subject to <i>Section 2.203.10</i>.</p> <p>D. Temporary outdoor marketing and special events subject to <i>Section 2.203.19</i>.</p>   | <p>Differences from CG zone:</p> <ul style="list-style-type: none"> <li>• Allows Craft industries as a special use (like DDC)</li> <li>• Leaves out complementary residential use since it is unnecessary with residential uses allowed outright</li> </ul>                          |
| <p><b><u>2.117.04 Conditional Uses</u></b></p> <p>The following uses may be permitted in the MUV zone</p>  | <p>Same language as CG</p>   |



| Proposed Language  | Commentary  |
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| subject to the applicable development standards of the WDO and the conditions of conditional use approval:   |   |
| <p><b>A. Retail Trade</b></p> <p>1. Motor vehicle and parts dealers, EXCEPT automotive parts without installation, lawfully existing as of [adoption date of new zone].</p> <p>2. Tractor and heavy equipment dealers lawfully existing as of [adoption date of new zone].</p> <p>3. Gasoline stations lawfully existing as of [adoption date of new zone].</p> <p>4. Manufactured (mobile) home dealers lawfully existing as of [adoption date of new zone].</p>  | <p>The uses under this heading are all land extensive retail uses. Existing uses are allowed to remain as conditional uses (as they are in the CG zone), but no new uses in these categories may be established in the zone.</p> <p>Used merchandise stores, which were conditional in CG, are permitted outright in the new zone.</p>  |
| <p><b>B. Transportation &amp; Warehousing</b></p> <p>1. Taxi service lawfully existing as of [adoption date of new zone].</p> <p>2. Limousine service lawfully existing as of [adoption date of new zone].</p> <p>3. School transportation lawfully existing as of [adoption date of new zone].</p> <p>4. Charter bus service lawfully existing as of [adoption date of new zone].</p> <p>5. Special needs transportation lawfully existing as of [adoption date of new zone].</p> <p>6. Motor vehicle towing lawfully existing as of [adoption date of new zone].</p> <p>7. Self- and mini-storage lawfully existing as of [adoption date of new zone].</p> | <p>The uses under this heading are all land extensive and not pedestrian-friendly. Existing uses are allowed to remain as conditional uses (as they are in the CG zone), but no new uses in these categories may be established in the zone.</p> <p>Urban transit system (48511) and Interurban and rural transit (4852) are no longer conditional uses – facilities serving passengers (transit stops and stations) are permitted outright, but maintenance and other non-customer facilities for transit are not permitted in the new zone.</p> |
| <p><b>C. Finance and Insurance</b></p> <p>1. Check cashing, pay day loans and cash transfer establishments, other than banks.</p>  | <p>Check cashing, etc. treated the same as in CG; pawn shops permitted outright rather than conditionally.</p>  |
| <p><b>E. Health Care and Social Services</b></p> <p>1. Ambulance service lawfully existing as of [adoption date of new zone].</p>  | <p>Prohibits new ambulance services (land intensive and not pedestrian-friendly).</p>   |
| <p><b>F. Accommodations and Food Service</b></p> <p>1. Recreational vehicle parks lawfully existing as of [adoption date of new zone].</p>   | <p>Prohibits new RV parks (land intensive and not pedestrian-friendly).</p>   |
| <p><b>G. Other Services</b></p> <p>1. Automotive maintenance lawfully existing as of [adoption date of new zone]. This use is allowed only when located entirely within an enclosed building, except for short-term outdoor parking of vehicles waiting for service.</p> <p>2. Commercial and industrial equipment repair lawfully existing as of [adoption date of new zone].</p> <p>3. Linen supply lawfully existing as of [adoption date of new zone].</p>   | <p>Home goods repair (8114) EXCEPT upholstery (81142) and leather repair (81143) is a permitted use rather than a conditional use.</p> <p>Uses under this heading are allowed to continue as conditional uses if already legally established, but new uses in these categories are not permitted.</p>   |
| <p><b>H. Government and public utility buildings and structures EXCEPT uses permitted in Section 2.117.01 and</b></p>  | <p>Same as CG</p>   |



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| telecommunications facilities subject to <i>Section 2.204.03</i> .   |  |   |                  |
| <p><b>2.117.05 Accessory Uses</b><br/>The following uses are permitted as accessory uses subject to <i>Sections 2.202 and 2.203</i>.</p> <p>A. Fence or free standing wall.<br/>B. Accessory building.</p>   | Same language as CG  |   |                  |
| <p><b>2.117.06 Dimensional Standards</b><br/>The following dimensional standards shall be the minimum requirements for all development in the MUV zone.</p>  |  |   |                  |
| <p>A. Lot Standards.<br/>In the MUV zone the lot area shall be adequate to contain all structures within the required setbacks. There shall be no minimum width or depth.</p>  | Same standard as the CG zone, but wording is slightly different.                             |   |                  |
| <p>B. Building Height.<br/>The maximum height of buildings shall not exceed 70 feet, EXCEPT chimneys, spires, domes, flag poles and other features not used for human habitation (EXCEPT telecommunication facilities), shall not exceed 100 feet.</p> | Same standard as in CG outside the Gateway subdistrict                                       |   |                  |
| <p>C. Setback and Buffer Standards.</p>  |  |   |                  |
| <p>1. Minimum Front Setback and Setback Abutting a Street.<br/>There shall be no minimum building setback abutting a street in excess of any Special Setback, <i>Section 3.103.05</i>.</p>   | Reduces minimum front setbacks from 15' to 0'.   |   |                  |
| <p>2. Maximum Front Setback and Setback Abutting a Street.<br/>The maximum setback abutting a Major Arterial street should be 15 feet plus any Special Setback, <i>Section 3.103.05</i>.</p>   | Establishes a recommended (not required) maximum front setback of 15'.                       |   |                  |
| <p>3. Minimum Interior Side and Rear Setbacks:<br/>a. Development in the MUV zone shall be subject to the setback and buffer requirements of Table 2.1.XX.</p>   | Same as CG zone.   |   |                  |
| TABLE 2.1.XX.  |  |   |                  |
| Abutting Property  | Landscaping  | Wall  | Interior Setback |
| RS, RIS, or RM zone  | There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall. | Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height. | 10 ft.           |
| MUV, CO, CG, DDC,  | There is no buffer yard landscaping  | Alternative A:  | Alternative A:   |



| Proposed Language   |  |  |   | Commentary  |
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| NNC, P/SP, IP, SWIR or IL zone  | requirement for an interior yard abutting a buffer wall. | Wall requirements shall be determined in conjunction with the applicable Design Review process.<br><br>Alternative B:<br><br>No wall required. | 5 ft.<br><br>Alternative B:<br><br>Zero setback abutting a building wall. |   |
| b. The minimum building setback from a private access easement shall be 5 feet.   |  |  |   | Same language as in the CG zone.  |
| 3. In addition to subsections 1 and 2 above, setbacks and buffers are subject to the design guidelines of <i>Section 3.107.06</i> .   |  |  |   | Sub-section 3 would apply existing guidelines for maximum setbacks to yards abutting side streets where sub-section 2 does not apply.   |
| <b>2.117.07 Development Standards</b>   |  |  |   |   |
| A. Applicability  |  |  |   |   |
| 1. Multiple-family dwellings shall be subject to the design standards or guidelines of <i>Section 3.107.05</i> unless the multiple-family dwellings are built as part of a vertical mixed use development.  |  |  |   | This is generally consistent with how medium density / multi-family residential is treated in other zones, including DDC and the downtown Gateway subdistrict of CG.<br>Stand-alone residential uses in the new zone would not have to meet the same site development or building design standards as non-residential uses, which may be appropriate for the residential uses, but could disrupt the pattern of development along the corridor. |
| 2. All development EXCEPT that described in <i>Section 2.117.07.A.1</i> shall be subject to the architectural design standards or guidelines of <i>Section 3.107.10</i> .   |  |  |   | References a new set of design guidelines and standards applicable to the new zone.   |
| 3. The change or expansion of an existing use on a non-conforming site shall be subject to <i>Section 1.104.02</i> EXCEPT that any change or expansion of an existing use that cannot meet the Design Guidelines and Standards of <i>Section 3.107.10.B</i> , subsections 3 through 5, may be approved provided that it does not make the development more nonconforming with respect to these standards. |  |  |   | This section is intended to allow proposals for partial redevelopment of an existing non-conforming site to move towards compliance with these standards rather than having to bring the full site into compliance, which could require tearing down an existing building.  |
| B. Off Street Parking.<br>All parking and access standards of <i>Sections 3.104</i> and <i>3.105</i> shall apply.   |  |  |   | Applies parking and access standards (same as in CG zone).  |
| C. Signs.<br>Signs shall be subject to <i>Section 3.110.10D</i> .   |  |  |   | Makes new zone subject to same sign regulations as DDC and NNC (Table 3.110.10D)  |



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|   | rather than CG standards (Table 3.110.10B). This effectively prohibits pole signs.  |
| D. Street and sidewalk improvements.  |   |
| <p>1. The street frontage abutting a city street of a subject property shall be improved with sidewalks and street trees as required by <i>Section 3.101</i>. Sidewalks and trees shall be installed by the property owner to the standards of <i>Section 3.101</i> and <i>3.106</i>. The improvement shall be determined at the time of subdivision, PUD or design review as applicable.</p>   | <p>Similar to existing regulations in the CG, property owners are required install sidewalks and street trees on city streets unless they obtain an exception under <i>Section 5.103.12</i>. They can also file a Performance Guarantee with the City Administrator as a commitment to construct the require improvements in the future under <i>Section 4.102.07</i>.</p> <p>Note that frontage improvements are now included in a separate section – See Additional Proposed Code Amendments in the next section.</p> |
| <p>E. Property Disposition. All uses shall be established and conducted on lots of record, as defined by <i>Section 1.102</i> and developed to the public facility and access standards of <i>Sections 3.101, 3.102 and 3.104</i>.</p> <p>1. New lots of record shall be subject to the following standards and procedures:</p> <ul style="list-style-type: none"> <li>a. Partitions, <i>Section 3.108</i>;</li> <li>b. Subdivisions, <i>Section 3.108</i>; or</li> <li>c. Planned Unit Development <i>Section 3.109</i>.</li> </ul> <p>2. Alteration of the property lines of existing lots of record shall be subject to the applicable following standards and procedures:</p> <ul style="list-style-type: none"> <li>a. Property Line Adjustment, <i>Section 5.101.07</i>.</li> <li>b. Replatting, <i>Section 3.108</i>.</li> <li>c. Vacation, applicable Oregon Revised Statutes.</li> </ul> | Standard language (same as CG).   |

**Proposed New Zone Design Standards**

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| <p>3.107.10 Guidelines and Standards for Non-Residential and Mixed Use Structures in the MUV zone</p>  | <p>Design standards for the new zone will be located in Section 3.107. The City is moving towards consolidating all design standards in this section rather than including them in the individual zones. As part of the on-going comprehensive code update, the City may wish to reorder the sections of 3.107 so that this section follows 3.107.07.</p> |
| <p>A. Applicability.<br/>The following design guidelines and standards shall be applicable to all buildings in the Mixed Use Village (MUV) zone that include a non-residential use, whether or not residential uses are included in the structure.</p> | <p>Buildings that are exclusively residential are subject to Section 3.107.05, but mixed use buildings with a residential component are subject to this section.</p>  |



| B. Site Development Standards.  |   |
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| 1. The primary building entrance <b>shall</b> be oriented toward the street, toward a side yard, or any angle in between. For the purposes of this section, the “primary building entrance” is the main public entrance to the building. In the case where no public entrance exists, the “primary building entrance” is the main employee entrance. Where there are multiple buildings on a lot, all buildings <b>shall</b> comply with this standard. | <p>Requires the primary entrance to face the street or to the side – allows flexibility for development to put parking beside the building.</p> <p>There are currently no requirements or guidelines related to building entrance orientation in the CG zone or applicable design guidelines.</p>   |
| 2. Buildings <b>should</b> occupy a minimum of 50 percent of all street frontages along public streets. Buildings <b>should</b> be located at public street intersections.  | <p>Suggests (but does not require) that buildings occupy a majority of the street frontage and locate near the intersection for corner lots. (Same language as 3.107.07.B.1.a., which applies in DDC and NNC.)</p> <p>Existing building location guidelines applicable to the CG zone (3.107.07.D) recommend (but do not require) a maximum setback of 150 feet from a street and building location and orientation that complements abutting development.</p>  |
| 3. Parking areas <b>shall</b> be limited to 50 percent of the street frontage abutting a Major Arterial.  | <p>Language is similar to guideline from 3.107.07.B.1.e (which applies to DDC and NNC), but is stated as a standard (required) and applied along Major Arterials (i.e. 99E).</p> <p>Existing parking location guidelines applicable in the CG zone (3.107.06.E) recommend (but do not require) parking between the front of a building and the street be limited to a maximum of 130 feet.</p>  |
| 4. Parking areas <b>shall not</b> be located within a front yard or within a side yard abutting a Major Arterial.   | <p>Prohibits parking within the space between the front of the building and the street (regardless whether the “front” faces 99E or a side street). If the “front” is on a side street, parking is also prohibited between the building and 99E. Also requires parking to be set back from the street as far as the building is. This creates an incentive to pull buildings up to the sidewalk, and for development on corner lots to locate buildings at the corner.</p> <p>Currently, in the CG zone, parking is prohibited within a required yard or special setback unless it is adjacent to a wall.</p> |
| 5. All front yards and all side yards abutting a street either <b>shall</b> be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft., per Table 3.1.5., or <b>shall</b> be occupied by pedestrian amenities (e.g., plaza, outdoor seating, outdoor  | <p>Where buildings are set back from a street, the yard must either be landscaped or provide outdoor seating or other hardscape amenities. Note that there will be no yard if the building is</p>   |



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| eating areas).   | set at the property line.<br><br>Existing landscaping standards applicable to the CG zone (3.106.03.A.2.b) require landscaping at the same density for all yards abutting a street (including in parking areas), but do not allow for pedestrian amenities as an alternative.   |
| 6. On-site pedestrian circulation.   |   |
| a. Walkways shall connect all building entrances with adjacent sidewalks and on-site parking areas, and shall connect off-site adjacent uses to the site unless topographic or existing development constraints preclude making certain walkway connections.   | This language is stronger than what is currently required for the CG zone.  |
| b. Where walkways cross a parking area or driveway they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.   | This language is stronger than what is currently required for the CG zone.  |
| 7. Drive through businesses. In addition to the requirements of Section 3.104.02, the following standards shall apply to drive through businesses:<br>a. Drive through windows are prohibited on a building façade that faces Highway 99E.<br>b. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street.<br>c. A maximum of two drive through service lanes shall be permitted between a building façade and a public street right-of-way. | Drive through lanes are treated the same way as parking lots in terms of required screening and landscaping in Section 4.a and 4.b above.   |
| C. Architectural Design Guidelines and Standards.  |   |
| 1. Street-facing building façades. All street-facing building elevations that are set back 50 feet or less from a public street <b>shall</b> provide visual interest and avoid blank walls by meeting one or both of subsections a and/or b, below.  | Provides two options for buildings to provide visual interest and avoid blank walls.<br><br>There are existing guidelines applicable to the CG zone related to building façades, described below.   |
| a. A minimum of 40 percent of the ground floor wall area <b>shall</b> contain windows, display areas, or doorway openings. Windows, display areas, or doorway openings used to meet this standard <b>shall</b> comply with the following provisions:   | Requires a certain ground floor window coverage to create a storefront environment as one option to create visual interest. The provisions 1 through 4 below are intended to ensure that if the storefront environment option is selected, the windows provide views of something interesting from the street.<br><br>Existing design guidelines applicable in the CG zone recommend (but do not require) that at |



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|   | least 30% of the wall surface abutting a street should be glass (3.107.06.B.2.b.1).  |
| 1) Required window areas <i>shall</i> be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.   | Similar language to 2.107.06.D.8.b.1 (DDC zone).   |
| 2) Darkly tinted windows and mirrored windows that block two-way visibility <i>shall not</i> be used to meet this standard.   | Similar language to 2.107.06.D.8.b.4 (DDC zone).   |
| 3) The sill or lower edge of a window, display area, or doorway used to meet this standard <i>shall</i> be no more than four feet above grade. Where interior floor levels prohibit such placement, the sill or lower edge must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum height of six feet above grade. | Similar language to 2.107.06.D.8.b.2 (DDC zone)  |
| 4) Windows and doorways used to meet this standard <i>shall not</i> be covered over with paper, boards, or cardboard except during times of construction or remodeling and shall be limited to a period of 120 days unless an extension is otherwise granted by the city manager.   | Similar language to 2.107.06.D.6.f (DDC zone)  |
| 5) Ground floor wall area shall be measured from three feet above grade to nine feet above grade the entire width of the street-facing elevation.   | Definition of ground floor wall area matches that used in 3.107.07.B.2.b.1.  |
| b. Building façades that exceed forty (40) feet in length <i>shall</i> incorporate features to vary the look of the façade at intervals not to exceed forty (40) feet. Such features may include variable planes; projections; bays; dormers; setbacks; canopies; awnings; parapets; and/or changes in the roof line, materials, color, or textures.              | Requires architectural features that provide visual interest for façades that do not meet the window coverage standard above.<br><br>Existing design guidelines applicable in the CG zone (3.107.07.B.1) recommend (but do not require) articulation of building façades visible from streets and incorporation of three dimensional design features.                      |
| 2. All building façades visible from streets and public parking areas that are not subject to subsection 3.107.10.C.1. <i>should</i> provide façade variations as specified in subsection 3.107.10.C.1.b.   | A similar guideline currently exists in the design guidelines applicable to the CG zone. Suggests, but does not require, façade variations for building walls visible from the street if not already required. Applies to building walls visible from a street or parking area but more than 50 feet away from the street.   |
| 3. Crime Prevention Through Environmental Design. In order to enhance public safety and provide for “eyes on the street”, all buildings that will regularly be occupied <i>should</i> provide windows that allow a view of the street in all street-facing building elevations.   | Encourages (but does not require) windows allowing views of the street from buildings intended for regular human occupancy. This helps create a sense of safety for pedestrians. Windows meeting this guideline would not have to provide views into the building from the street.<br><br>There is no similar existing guideline or requirement applicable in the CG zone. |
| 4. Weather protection. Weather protection for pedestrians, such as awnings, canopies and arcades <i>should</i> be provided at building entrances. Weather protection is encouraged  | These guidelines and standards are taken from the design guidelines that apply in the DDC and NNC zones. Similar provisions are included in  |



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| <p>along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or access way. Awnings and canopies <b>should not</b> be back lit.</p> <p>5. Building materials. Corrugated metal, plywood, sheet press board or vinyl siding <b>should</b> be used as exterior finish material. Plain concrete block and plain concrete <b>should not</b> be used as exterior finish material EXCEPT as a foundation material where the foundation material <b>should not</b> be revealed for more than 2 feet.</p> <p>6. Roofs and roof lines. EXCEPT in the case of a building entrance feature, roofs <b>should</b> be designed as an extension of the primary materials used for the building and should respect the building’s structural system and architectural style. False fronts and false roofs <b>should not</b> be used.</p> <p>7. Roof-mounted equipment. All roof-mounted equipment <b>shall</b> be screened from view from adjacent public streets. Satellite dishes and other communication equipment <b>shall</b> be set back or positioned on a roof so that exposure from adjacent public streets is minimized. Solar heating panels <b>shall</b> be exempt from this guideline.</p> | <p>the design guidelines that apply in the CG and other zones. They are included here for consistency.</p>   |
| <p>D. Parking lot landscaping and screening.</p>   |  |
| <p>1. A minimum five-foot landscaped strip <b>shall</b> be provided between a parking lot or drive through lane and a public sidewalk. This area <b>shall</b> be landscaped at a minimum planting density of one (1) plant unit (PU) per 20 sq. ft., per Table 3.1.5.</p>  | <p>Requires a 5 foot landscaped strip between parking areas, drive through lanes, and sidewalks to buffer the sidewalk somewhat.</p> <p>Existing guidelines and standards applicable in the CG zone prohibit parking within a required setback (15 feet) unless adjacent to a wall, and require screening, but not necessarily from landscaping. A low wall would satisfy both of these existing requirements. This proposed section would require a 5-foot setback with landscaping in all cases.</p> |
| <p>2. All parking areas and drive through lanes abutting a street <b>shall</b> provide within the required 5 foot landscaped strip either a 42-inch vertical visual screen from the abutting street grade or a landscaped swale for stormwater management. Acceptable design techniques to provide screening include plant materials; berms; and freestanding, architectural walls with an anti-graffiti finish. All screening <b>shall</b> comply with clear vision standards, <i>Section 3.103.10</i>.</p>   | <p>Similar to existing parking lot landscaping standards for CO and CG (3.106.03.A.2.b.2), but allows a bioswale in place of screening.</p>  |
| <p>3. Parking areas with more than 10 spaces <b>shall</b> be divided by landscaped areas or walkways, or by a building or group</p>  | <p>Requires medium and large parking areas to be broken up into groups of parking spaces. Same language as 2.107.06.D.13.c (DDC zone).</p>   |



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| of buildings.   | There are no existing requirements or guidelines applicable to the CG zone that address layout of the parking lot.  |
| 4. Parking lot landscaping shall be subject to the standards of <i>Section 3.106.03.C</i> .   | Same standards as CG.<br>The referenced section (3.106.03.C.1.a) will need to be updated to include the mixed use zone in the list of zones.  |
| <b>E. Screening Standards.</b>  |   |
| <b>1. Outdoor storage and display.</b>  |   |
| a. Outdoor storage and display located within 50 feet of a front lot line or a lot line abutting a Major Arterial <i>shall</i> be screened from view from the adjacent streets by a wall that complies with the standards of sub-section 2.b above, EXCEPT for outdoor displays of merchandise during business hours only that do exceed ten percent of the total retail sales area. Displays of merchandise on public sidewalks may not reduce usable walking area widths to less than six feet. | Requires that any outdoor storage and display within 50 feet of a street be screened with a wall that provides visual interest through architectural features. Exception allows for outdoor retail display during business hours (exception language mirrors 2.107.06.H). |
| b. Outdoor display and storage located more than 50 feet from a front lot line or a lot line abutting a Major Arterial shall be subject to <i>Section 3.107.06.F.1</i> .  | References and reiterates existing screening standards for outdoor storage where more than 50 feet from a street  |
| 2. Common refuse collection facilities <i>shall</i> be screened on all sides by an architectural block wall and solid gate, both with an anti-graffiti surface, a minimum of six feet and a maximum of seven feet in height.  | Same language as CG.  |
| <b>F. Outdoor Lighting Standards.</b> All outdoor lighting <i>shall</i> be designed so that:<br>1. Parking areas are evenly illuminated at ground level at one foot candle;<br>2. Entrance and loading areas are illuminated at ground level of two foot candles;<br>3. Illumination does not shine or reflect into any adjacent residentially zoned or used property; and<br>4. Lighting does not cast a glare onto moving vehicles on any public street.  | Same language as in the design guidelines and standards applicable in the CG and other zones.   |



***Additional Proposed and Recommended Code Amendments***

The tables below provide proposed Development Code amendments that implement the preferred Highway 99E concept. Proposed amendments are shown in the applicable code section; language recommended for addition to the code is double underlined and language recommended for removal is ~~struck through~~. The tables in which the amendments are presented include a commentary column explaining the background and rationale for the proposed amendment. Not all recommended amendments are proposed for adoption as part of the Corridor Plan; some proposed amendments are applicable city-wide and are recommended for adoption as part of a later, more comprehensive Development Code update.

***Frontage Improvements on Highway 99E***

The modifications shown in this section would require developers to construct frontage improvements on Highway 99E (this requirement currently applies only to city streets). These changes are recommended as part of the package of code amendments to implement the Plan at time of adoption. They primarily impact property in Segments 3 and 4 where street frontages are not improved to the adopted standards.

| <b>Proposed Amendment</b>   | <b>Commentary</b>   |
|---|---|
| <p>3.101.02 General Provisions<br/>A. The access or driveway, for each lot shall be connected to the existing public street system in compliance with Section 3.104.</p>  | <p>No changes proposed to this section. Included for reference.</p> |
| <p>B. No access permit shall be issued unless the internal street(s), boundary street(s) and connecting street(s) are constructed pursuant to Section 3.101.02.C, UNLESS or until the applicant has obtained an exception as provided in this section.</p>  | <p>No changes proposed to this section. Included for reference.</p> |
| <p>C. Design and Construction Standards.<br/>1. All public streets under the jurisdiction of the City of Woodburn shall comply with the applicable cross section design standards noted in Section 3.101.03 and construction specifications of the Public Works Department.<br/>2. All private streets in manufactured dwelling parks shall comply with applicable City design standards and specifications and state design standards and specifications where state standards and specifications preempt City standards and specifications.</p>   | <p>No changes proposed to this section. Included for reference.</p> |
| <p>D. Street Right of Way and Improvement Standards for Development.<br/>Any development subject to an access permit, Section 3.104, shall be responsible for adequate street rights of way and improvements. The standards of Section 3.101.02.D may only be modified subject to the approval of an exception, Section 5.103.12. In no instance may standards be reduced below specified minimum, non-variable standards.<br/>1. Connecting Street Standards. (Figure 6.12)<br/>a. Right of Way Standard. The full right of way for the subject street classification, Section 3.101.03, shall be required for a</p> | <p>No changes proposed to this section. Included for reference.</p> |



| Proposed Amendment   | Commentary |
|--|------------|
| <p>connecting street segment without an approved exception or variance.</p> <p>The minimum connecting street right of way shall be sufficient to accommodate the connecting street improvement standard in Section 3.102.D.1.b. below.</p> <p>b. Street Improvement Standard. The full street improvement for the subject street classification, Section 3.101.03, shall be provided for a connecting street segment without an approved exception.</p> <p>The minimum connecting street improvement standard shall be equivalent to:</p> <ol style="list-style-type: none"> <li>1) One, 10 foot wide travel lane in each direction, in addition to the required curbs, where the classification specifies a maximum standard of two travel lanes;</li> <li>2) Required drainage facilities;</li> <li>3) The pedestrian and bikeway facilities located on one side of the street that comply with the standards for the subject street classification. In locations where the street classification specifies a maximum standard of two travel lanes, the connecting segment on the side with the pedestrian/bikeway facilities shall be completed to standards, including the landscaped parkway strip.</li> </ol> <p>2. Boundary Street Standard. (Figure 6.12)</p> <p>a. Right of Way Standard. The full right of way for the subject street classification, Section 3.101.03, shall be required for a boundary street without an approved exception.</p> <p>The minimum standard for a boundary street right of way shall be no less than the width necessary to accommodate the boundary street improvement standard.</p> <p>b. Street Improvement Standard. The full street improvement for the subject street classification, Section 3.101.03, shall be provided for a boundary street without an approved exception.</p> <p>The minimum boundary street improvement standard shall be equivalent to:</p> <ol style="list-style-type: none"> <li>1) One, 10 foot wide travel lane in each direction, in addition to the required curbs in each direction where the classification specifies a maximum standard of two travel lanes;</li> <li>2) Required drainage facilities; and</li> <li>3) In addition to the improvements cited in 1) above, the full improvement of the street from the center line to the boundary of the subject property plus any center turn lane as described for the street classification.</li> </ol> <p>3. Internal Street Standards. (Figure 6.12)</p> <p>a. All public streets within a development shall comply with the full right of way and improvement standards of Section 3.101.03 without an approved variance.</p> <p>b. All private park streets permitted in manufactured dwelling</p> |            |



| Proposed Amendment  | Commentary  |
|---|---|
| <p>parks shall comply with the full requirements of Section 2.203.15, as set by statute.</p>  |   |
| <p><u>E. Highway 99E Frontage Improvements.</u><br/> <u>1. Street frontage on Highway 99E shall be improved with sidewalks and street trees as specified in the Highway 99E Corridor Plan.</u><br/> <u>2. Highway 99E frontage improvements shall be coordinated with and approved by the City Engineer and ODOT.</u><br/> <u>3. Street Trees on Highway 99E:</u><br/> <u>a. Must be of a species and variety acceptable to ODOT.</u><br/> <u>b. Are prohibited within 250 feet of a rail crossing. Any street vegetation within 250 feet of a crossing is limited to ground cover only, standing no higher than 3 feet at maturity.</u><br/> <u>4. Right of way consistent with the Highway 99E Corridor Plan shall be dedicated to ODOT at time of development.</u></p> | <p>Requires sidewalks and street trees for development along 99E. Also requires dedication of right of way at time of development. Existing regulations do not require full street improvements or right-of-way dedication for streets that are not under city jurisdiction (e.g. 99E).</p> <p>Note: subsequent subsections will need to be renumbered.</p> |



*Special Setbacks on Highway 99E*

The changes shown in this section reflect the cross-section widths for Highway 99E adopted as part of the Highway 99E Corridor Plan to avoid requiring a greater undevelopable setback area on private property than is needed based on the planned highway cross-sections.

| Proposed Amendment  | Commentary  |  |                        |                             |  |  |   |
|---|---|--|------------------------|-----------------------------|--|--|---|
| <p><b>3.103 Setback, Open Space and Lot Standards, Generally</b><br/><b>3.103.05 Special Street Setbacks</b></p> <p>A. Purpose.</p> <p>The special setbacks in this <i>Section</i> are based upon the functional classification of streets and roads described in the Woodburn Transportation System Plan (WTSP). The purpose of these special setbacks is to provide for adequate air movement, solar access, visibility, aesthetics and compliance with the development standards of the <i>WDO</i> when a major street is improved.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p> |  |                        |                             |  |  |   |
| <p>B. Setback Requirements.</p> <p>Required setbacks adjacent to a street shall be in addition to the special setbacks required in this Section. The special setback distances shall be measured at right angles to the center line of the original street right of way.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p> |  |                        |                             |  |  |   |
| <p>C. Special Provisions.</p> <p>Buildings, structures and paved surfaces shall not be located within the special setbacks EXCEPT as specifically provided for in the <i>WDO</i>. Any portion of a building or structure lawfully established within a special street setback prior to date of the <i>WDO</i> shall be considered a nonconforming structure.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p> |  |                        |                             |  |  |   |
| <p>D. Special Setback Standards.</p> <p>Special setback standards by street classification are established in <i>Table 3.1.1</i>. The special setback standards shall be applied to streets within the City of Woodburn as functionally classified in the Woodburn Transportation System Plan.</p> <table border="1" data-bbox="191 1745 919 1869"> <thead> <tr> <th colspan="2" data-bbox="191 1745 919 1835"><b>TABLE 3.1.1 Special Setback Standards by Street Classification</b></th> </tr> <tr> <th data-bbox="191 1835 553 1869"><b>WTSP Functional</b></th> <th data-bbox="553 1835 919 1869"><b>Special Setback from</b></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table> | <b>TABLE 3.1.1 Special Setback Standards by Street Classification</b>               |  | <b>WTSP Functional</b> | <b>Special Setback from</b> |  |  | <p>Special standards specific to the various segments of Highway 99E are incorporated rather than the default 50 feet required for other Major Arterials. This reduces the special setback in Segments 1 and 2 to match the existing right-of-way and in Segment 4 to match the proposed cross-section. Segment 3 remains at 50 feet because the adopted cross-section in that area matches the Major Arterial design standard.</p> |
| <b>TABLE 3.1.1 Special Setback Standards by Street Classification</b>   |   |  |                        |                             |  |  |   |
| <b>WTSP Functional</b>  | <b>Special Setback from</b>   |  |                        |                             |  |  |   |
|   |   |  |                        |                             |  |  |   |



| Proposed Amendment  |  | Center Line    | Commentary |
|---|--|----------------|------------|
| Classification  |  |                |            |
| Major Arterial (other than Highway 99E)   |  | 50 feet        |            |
| <u>Highway 99E:</u>   |  |                |            |
| <u>MP 30.85 to MP 32.41 (Carl Road to Lincoln Street)</u>                           |  | <u>45 feet</u> |            |
| <u>MP 32.41 to MP 33.19 (Lincoln Street to 1,150 ft south of Cleveland Street)</u>  |  | <u>50 feet</u> |            |
| <u>MP 33.19 to 34.07 (1,150 ft south of Cleveland Street to proposed South UGB)</u> |  | <u>40 feet</u> |            |
| Minor Arterial  |  | 37 feet        |            |
| Service Collector   |  | 36 feet        |            |
| Access Street/Commercial Street   |  | 33 feet        |            |



*Access Management on Highway 99E*

The changes to this section apply special local access management standards to development on Highway 99E through the land use permitting process. These standards supplement, but do not replace, ODOT access spacing standards.

| Proposed Amendment   | Commentary  |
|--|---|
| <p><b>3.104 Access</b><br/> <b>3.104.01 Applicability</b><br/> A. Street Access Required.</p> <p>1. Every lot shall have direct access to an abutting public street or to a public street by an irrevocable access easement.</p> <p>2. Every joint driveway or cross connection between separate lots shall be established by an irrevocable access easement.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p>                                       |
| <p>B. Access to City Streets, Permit Required.</p> <p>1. A City permit shall be required for any new or modified vehicular access to a street that is under City jurisdiction. The following types of access shall be subject to such a permit:</p> <ul style="list-style-type: none"> <li>a. Site access to and/or from a City street;</li> <li>b. An extension of an existing City street; or</li> <li>c. A new public or private street connecting to a City street.</li> </ul> <p>2. A Traffic Impact Analysis (TIA) may be required by the Public Works Director [...]</p> <p>3. Administration of City access permit standards and guidelines.</p> <ul style="list-style-type: none"> <li>a. Type I Applications. Development subject to one of the following Type I applications: <ul style="list-style-type: none"> <li>1) Design Standards for Single Family and Duplex Residential Dwellings , Section 5.101.01; or [Section 3.104.01.B.3(1) as amended by Ordinance No. 2383, '40, passed March 16, 2005.]</li> <li>2) Access to a City Street, EXCLUDING Major and Minor Arterial Streets, Section 5.101.12 shall be subject to the access standards of this Section and street improvement standards in Section 3.101 EXCEPT when the subject property is bound by the requirements of a precedent land use decision that has not been modified by a subsequent land use decision.</li> </ul> </li> <li>b. Type II and III Applications. Development subject to one of the following Type II and III applications: <ul style="list-style-type: none"> <li>1) Type II Design Review, Section 5.102.02;</li> <li>2) Type III Design Review, Section 5.103.02;</li> <li>3) Access to a City Major or Minor Arterial Street, Section 5.102.04;</li> </ul> </li> </ul> | <p>Existing language applicable to access to city streets, included for reference (no changes to this part proposed).</p> |



| Proposed Amendment   | Commentary  |
|--|---|
| <p>4) Preliminary Partition Approval, Section 5.102.01;<br/>5) Preliminary PUD Plan Approval, Section 5.103.07; or<br/>6) Preliminary Subdivision Approval, Section 5.103.09 shall be subject to the access standards and guidelines specified in this Section and street improvement standards in Section 3.101 EXCEPT when the subject property is bound by the requirements of a precedent land use decision that has not been modified by a subsequent land use decision.</p> <p>4. A City access permit shall be subject to the requirements of the WDO and Public Works Department standards.</p>  |   |
| <p>C. Access to State Streets, Highways, and Interchanges.</p> <p>1. Access to a transportation facility under the jurisdiction of the Oregon Department of Transportation (ODOT) shall be subject to the requirements of OAR 734-051.</p> <p><u>2. In addition, for development on property abutting Oregon 99E the City shall review the following types of applications for compliance with the requirements of Section 3.104.03.B:</u></p> <p><u>1) Type II Design Review, Section 5.102.02;</u><br/><u>2) Type III Design Review, Section 5.103.02;</u><br/><u>3) Preliminary Partition Approval, Section 5.102.01;</u><br/><u>4) Preliminary PUD Plan Approval, Section 5.103.07;</u><br/><u>5) Preliminary Subdivision Approval, Section 5.103.09.</u></p>  | <p>New text would require the City to review Type II and III applications abutting 99E for compliance with new local access standards during site plan review or the regular local land use permitting process.</p> |
| <p><b><u>3.104.03 Driveway Access Guidelines, Type II and III Applications</u></b></p> <p>A. Guidelines for the Number and Location of Driveways, Type II and Type III Applications.</p> <p>1. The number of driveway accesses should be minimized based on overall site design, including consideration of:</p> <ul style="list-style-type: none"> <li>a. The function classification of abutting streets;</li> <li>b. The on-site access pattern, including cross connected parking and circulation, joint access, turnarounds and building orientation;</li> <li>c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.</li> </ul> <p>2. Joint/Shared Access.</p> <ul style="list-style-type: none"> <li>a. Partition lots. All lots created by a partition that access a Major or Minor Arterial street should be accessed via a single, shared driveway with an on-site turnaround, UNLESS otherwise required by <b>Section 3.104.05.</b></li> <li>b. The lot and street layout in a subdivision or PUD should be</li> </ul> | <p>Existing language applicable to access to city streets, included for reference (no changes to this part proposed).</p>   |



| Proposed Amendment   | Commentary  |
|--|---|
| <p>configured so that lots abutting a major street have access to a local street. Where the layout necessitates access to a major street, access for abutting lots should be shared and provided with an on-site turnaround, UNLESS otherwise required by <b>Section 3.104.05</b>.</p> <p>c. Medium density residential, commercial, industrial uses and other development subject to Type II or III Design Review located on the same lot, or on abutting lots, that abut a Major Arterial, Minor Arterial, or Service Collector should be designed to share access to those major streets. A minimum of two vehicular accesses shall be provided in developments with eleven (11) or more medium density residential dwelling or living units.</p> <p>d. Shared/Joint Access Agreements. Shared and/or joint access agreements serving properties under separate ownership shall be subject to legal documentation, to the satisfaction of the City Attorney, establishing permanent use of the access. The agreement shall be recorded with the County Recorder and filed with the Community Development Director.</p> <p>3. Cross Connections.</p> <p>a. All uses sited on one lot should have common, and/or interconnected, off street parking and circulation facilities.</p> <p>b. Similar, and/or compatible, uses on abutting lots should have interconnected on-site access and parking facilities. Such shared facilities serving properties under separate ownership shall be subject to legal documentation, to the satisfaction of the City Attorney, establishing permanent use of the access and parking facilities. The agreement shall be recorded with the County Recorder and filed with the Community Development Director.</p> <p>4. Access to lots with multiple street frontages should be from the abutting street(s) with the lowest functional classification.</p> <p>5. Dysfunctional or unused driveways should be closed.</p> |   |
| <p><u>B. Access requirements for property abutting Oregon 99E.</u></p> <p><u>1. The number of driveways to Oregon 99E shall be minimized, consistent with OAR 734-051.</u></p> <p><u>2. All uses sited on one lot shall have common and/or interconnected off street parking and circulation facilities.</u></p> <p><u>3. Similar and/or compatible uses on abutting lots shall have interconnected and/or shared on-site access and parking facilities where feasible. Such shared facilities serving properties under</u></p>  | <p>Establishes local requirements related to access applicable to property abutting 99E. As described above, the city will review Type II and III land use applications for property abutting 99E for compliance with the standards. An ODOT access permit is still required.</p> |



| Proposed Amendment  | Commentary   |
|---|--|
| <p><u>separate ownership shall be subject to legal documentation, to the satisfaction of the City Attorney, establishing permanent use of the access and parking facilities. The agreement shall be recorded with the County Recorder and filed with the Community Development Director.</u></p> <p><u>4. Access to lots with multiple street frontages shall include access from the abutting street(s) with the lowest functional classification.</u></p> <p><u>5. Access driveways shall be located to avoid or minimize conflicts between entering and exiting vehicles from opposing driveways.</u></p> <p><u>6. Prior to issuance of building permits, an access permit shall be obtained from ODOT for access to Oregon 99E.</u></p> |  |
| <p><u>B.C. Driveway Spacing Guidelines, Type II and III Applications.</u><br/>The minimum separation of a driveway from: a) the special setback of a parallel major street, b) the right of way of a parallel local street, or c) from another driveway should be as follows.</p> <ol style="list-style-type: none"> <li>1. Major Arterial Street: 300 feet;</li> <li>2. Minor Arterial Street: 245 feet; and</li> <li>3. Service Collector, Access or Local Street: 50 feet<br/>EXCEPT where pre-existing conditions preclude such separation the separation should be maximized.</li> </ol>   | <p>No change to this section except for numbering. Applies only to city streets.</p> |



*Enhanced Walkway Standards for all Non-Residential Structures*

These modifications are recommended, but are not proposed for adoption as part of the Highway 99E Corridor Plan because they would affect property throughout the city. It is recommended that the City consider adopting these or similar amendments through the citywide code update that is taking place concurrently with the development of the Corridor Plan.

|  |  |
|--|--|
| <p><b><u>3.107.06 Guidelines and Standards for Non-Residential Structures in RS, R1S, RM, CO, CG and P/SP Zones</u></b><br/>[...]</p> <p>C. Site and Building Access Guidelines.</p> <p>1. Access to and from the site and circulation within the site <del>should separate facilities for cars, trucks and transit from those for</del> <u>shall accommodate</u> bicycles and pedestrians.</p> <p>a. <u>Walkways shall connect all building entrances and on-site parking areas, and shall connect off-site adjacent uses to the site unless topographic or existing development constraints preclude making certain walkway connections.</u></p> <p>b. <u>Where walkways cross a parking area or driveway they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.</u></p> <p>c. <u>On-site bicycle parking shall meet the requirements of Section 3.105.02.H.10</u></p> <p>d. <u>Where bicycle and pedestrian facilities cannot be provided as part of required street improvements, due to existing development, environmental constraints, or where streets have been stubbed or cul-de-saced, pedestrian and bicycle connections may still be required.</u></p> | <p>Existing text is ambiguous on how pedestrian and bicycle facilities should be separated from other modes of transportation. Recommended modifications address pedestrian circulation, requiring on-site pedestrian connections to and from building entrances and walkways that are marked or distinguished by contrasting paving materials where pedestrians may come into conflict with motorists. Recommended text is loosely based on the Model Code, 3.1 Access and Circulation.</p> <p><i>NOTE: Need to add the following to the Definitions:</i></p> <p><u>Sidewalk. A paved walkway within a street right-of-way improved to city standards, or to other roadway authority standards, as applicable.</u></p> <p><u>Walkway. A facility that provides pedestrian connectivity within the site and to destinations adjacent to the site and that may or may not be part of the street right-of-way.</u></p> <p>Specific opportunity locations have been identified for bicycle and pedestrian access.</p> |
|--|--|



### *Enhanced Parking Lot Buffering Standards for All Properties in CO and CG Zones*

These modifications are recommended, but are not proposed for adoption as part of the Highway 99E Corridor Plan because they would affect property throughout the city. However, it is recommended that the city consider adopting these or similar amendments through the citywide code update that is taking place concurrently with the development of the Corridor Plan.

#### **3.106.03 Landscaping Standards**

##### A. Streetscape.

1. Street Trees. Within the public street right of way abutting a development, or within an alley right of way in the DDC zone, street trees shall be planted to City standards prior to final occupancy.

a. Acceptable Types of Trees. See **Section 6.103** for a description of acceptable and unacceptable trees for this purpose, classified by size and species.

b. Tree Density. Trees shall be planted at the following intervals within the right of way, subject to Clear Vision Area standards, **Section 3.103.10 and Section 6.103**:

- 1) Four (4) small trees per 100 feet of street frontage;
- 2) Three (3) medium trees per 100 feet of street frontage; or
- 3) Two (2) large trees per 100 feet of street frontage.

##### 2. Front Yard and Yard Abutting a Street.

a. Landscaping Density for non-residential uses in the RS and RIS zone and all uses in the RM, P/SP, IL, IP, and SWIR zones. All front yards and yards abutting a street shall be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft.

b. Landscaping Design and Density in CO and CG zones.

1) All yards abutting a street, including off street parking and circulation areas shall be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft.

2) All parking areas abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials; berms; freestanding, architectural walls with an anti-graffiti finish, depressed grade for the parking area. All



|   |  |
|---|--|
| <p>screening shall comply with the clear vision standards, <b><i>Section 3.103.10.</i></b></p> <p><u>3) All parking areas abutting a street where street trees meeting the standards of subsection 1 above have not been provided within the public street right of way shall provide trees between the street and the parking area. Such trees shall conform to the street tree standards of subsection 1, above.</u></p> <p>[...]</p> | <p>Require trees between areas used for parking and sidewalk where there are no street trees</p> |
|---|--|



**Appendix D:  
Typical Development  
Footprints and Parking  
Requirements**





The table below illustrates the typical building size and parking requirements for a variety of commercial uses that could locate within the proposed new zone or along the Highway 99E corridor. This information is provided to illustrate what types of businesses could potentially locate along the corridor and what size sites might be needed to accommodate such businesses.

| Business                                       | Typical building size in square feet (low/average) | Parking spaces required (approx) | Estimated minimum site size needed (acres) | Typical building size in square feet (high) | Parking spaces required (approx) | Estimated minimum site size needed (acres) |
|--|--|----------------------------------|--|---|----------------------------------|--|
| Walmart  | 108,000  | 432                              | 6.93                                       |   |                                  |  |
| Fred Meyer                                     | 76,600   | 306                              | 4.91                                       | 145,000                                     | 580                              | 9.30                                       |
| Kohl's   | 60,000   | 240                              | 3.85                                       | 90,000                                      | 360                              | 5.77                                       |
| Large supermarket                              | 40,000   | 160                              | 2.57                                       | 60,000                                      | 240                              | 3.85                                       |
| Whole Foods                                    | 38,000   | 152                              | 2.44                                       |   |                                  |  |
| 8-screen movie theater                         | 18,000   | 200                              | 2.40                                       |   |                                  |  |
| Home centers (home improvement stores)         | 14,000   | 16                               | 0.51                                       | 100,000                                     | 111                              | 3.60                                       |
| Office Depot                                   | 14,000   | 56                               | 0.90                                       | 26,000                                      | 104                              | 1.67                                       |
| Best Buy                                       | 14,000   | 56                               | 0.90                                       |   |                                  |  |
| Drugstore (Rite Aid, CVS, Walgreens)           | 11,000   | 44                               | 0.71                                       | 13,000                                      | 52                               | 0.83                                       |
| Neighborhood grocery store                     | 10,000   | 40                               | 0.64                                       |   |                                  |  |
| Retail hardware store                          | 8,500  | 9                                | 0.30                                       |   |                                  |  |
| Chili's Restaurant                             | 6,000  | 40                               | 0.54                                       |   |                                  |  |
| Napa Auto Parts store or similar retail        | 5,000  | 20                               | 0.32                                       | 7,000                                       | 28                               | 0.45                                       |
| Bank branch                                    | 4,000  | 11                               | 0.21                                       |   |                                  |  |
| Panera Bread Café and Bakery (Paradise Bakery) | 3,300  | 27                               | 0.35                                       | 6,000                                       | 40                               | 0.54                                       |
| Payless Shoes                                  | 3,200  | 13                               | 0.21                                       | 4,200                                       | 17                               | 0.27                                       |
| McDonald's                                     | 3,000  | 25                               | 0.32                                       | 4,000                                       | 30                               | 0.39                                       |
| Single-brand clothing stores                   | 2,800  | 11                               | 0.18                                       | 9,000                                       | 36                               | 0.58                                       |



| <b>Business</b>                 | <b>Typical building size in square feet (low/average)</b> | <b>Parking spaces required (approx)</b> | <b>Estimated minimum site size needed (acres)</b> | <b>Typical building size in square feet (high)</b> | <b>Parking spaces required (approx)</b> | <b>Estimated minimum site size needed (acres)</b> |
|---------------------------------|---|---|---|--|---|---|
| Convenience store (7-11, AM/PM) | 2,400   | 10                                      | 0.16  | 3,000  | 12                                      | 0.19  |
| "Main Street" retail (shops)    | 2,000   | 8                                       | 0.13  |  |   |   |
| Jewelers                        | 1,700   | 7                                       | 0.11  | 4,400  | 18                                      | 0.29  |
| Restaurants and cafes           | 1,500   | 18                                      | 0.21  | 5,000  | 35                                      | 0.47  |
| GameStop                        | 1,400   | 6                                       | 0.09  |  |   |   |
| Professional offices            | 1,000   | 3                                       | 0.05  | 10,000   | 29                                      | 0.53  |
| Nail / hair / beauty salon      | 1,000   | 4                                       | 0.06  | 2,000  | 6                                       | 0.11  |
| Bakery                          | 600   | 1                                       | 0.02  | 2,120  | 3                                       | 0.08  |
| Coffee shop                     | 600   | 13                                      | 0.14  | 1,600  | 18                                      | 0.22  |



**Appendix E:  
Access Management Tools**





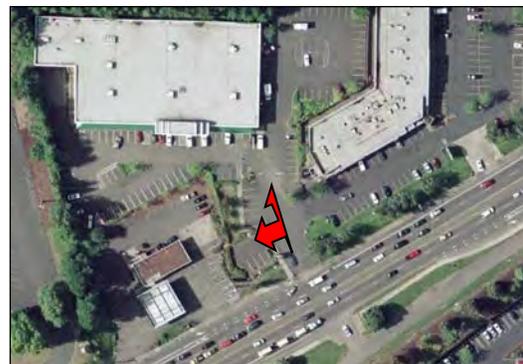
To help implement the access management objectives and actions described, a collection of potential mitigation tools and measures has been provided below. While not all applications will be appropriate for various portions of the study area, this list will provide a menu of options for consideration.

### ***Shared/Consolidated Access Points***

A common method of reducing approach density is to eliminate multiple approaches to a single property where feasible. This can be done where it has been determined that the property can adequately be served with fewer approaches than it currently maintains. However, where existing site circulation or building locations create a dependency for the pre-existing highway access, the ability to change site access may require total or partial site redevelopment.



Sharing an approach to the highway is a means of consolidating approaches while providing direct access to properties that might not otherwise have it. This tool is most advantageous when applied between two “landlocked” properties that have no other means of reasonable access than to the highway. Such properties would typically be provided their own approach. However, when a shared approach can be arranged, the end result is only one approach to the highway rather than two.



Because such arrangements require the establishment of access easements, which represent an encumbrance on the property, this can be a difficult tool to apply. Also, because easements can be voided later by the property owners, the long-term success of these arrangements is uncertain. Because of this, it is often easiest to establish shared approaches where the local development code enables that requirement and it can be made a condition of approval. However, care should be taken to ensure adjacent land uses are compatible and that safe vehicular circulation can be provided.

### ***Inter-parcel Circulation***

When access is provided to allow vehicles to pass between adjacent properties without using the highway, unnecessary conflicts are removed. Vehicles using the highway for cross-circulation between adjacent properties can be particularly hazardous as such drivers often drive the wrong way in travel lanes and utilize very small gaps in traffic because they perceive that they will only be on the highway for a short time.





Similar to the establishment of shared approaches, the provision of cross-circulation requires the establishment of access easements between properties and can therefore be difficult to achieve. Because such arrangements affect site circulation, the requirement for cross-circulation is best applied during design review for new developments.

When locating and designing inter-parcel roadways, consistent treatments should be applied across adjacent properties to facilitate passage over multiple lots. This should include using a consistent roadway width and providing a common alignment where feasible (near the rear of the property away from the highway approaches is generally preferred).

### ***Public Street Connectivity***

As a Regional Highway and city arterial, the primary function of Highway 99E is for safe and efficient passage for through traffic. Therefore, where feasible, direct property access should be taken from facilities of a lower classification, such as collectors or local streets. This, in turn, lessens the number of potential conflict points on the highway and moves them to a lower speed, lower volume roadway where they can be more easily accommodated.



This treatment is often a good option for properties that have frontage along an alternate roadway of a lower functional classification. However, where existing site circulation or building locations create a dependency for the pre-existing highway access, the ability to change site access may require total or partial site redevelopment. Also, before access is reestablished to a side street, it should be confirmed that there would be adequate separation between the new driveway and the intersection with the highway to avoid turning conflicts or frequent obstruction by vehicle queues. It should also be verified that the side street intersection with the highway has sufficient capacity to accommodate the added site traffic.

### ***Turning Restrictions***

The number of conflict points on the highway introduced by a particular approach can be significantly reduced by restricting turn movements, such as allowing only right-in and right-out movements, allowing only right-in movements, or prohibiting only left-out movements (as shown in graphic).



Such restrictions are commonly applied through the construction of non-traversable median barriers and “pork chop” islands in the approach throat. Due to high violation rates, “pork chop” treatments should only be used in conjunction with median barriers (as



shown in the graphic). Also, the use of pork chop islands to compliment median barriers may allow for smaller median barrier designs – potentially avoiding blockage of nearby approaches.

### ***Frontage and Backage Roads***

A frontage road or backage road is a type of service road that runs parallel to a major roadway and provides alternative access to properties. Where the service road runs between the major roadway and the abutting development, it is commonly referred to as a frontage road. However, when the service road runs behind the abutting development, it is referred to as a backage road. These roads may be either under public or private ownership. When under private ownership, care should be taken to ensure the road will be adequately maintained and available for public use at all times.



Direct property access is provided along the frontage or backage road, rather than from the major roadway. This allows the major roadway to better serve through traffic with fewer disruptions, while the ingress and egress for abutting properties can occur from a lower-speed, lower-volume facility. A key element in frontage/ backage road planning is the design and location of connections to and from the major roadway or side streets.

Frontage and backage roads must be designed to accommodate emergency vehicles and large trucks. The location of the frontage or backage road with respect to other public roadways and individual site development features may impact whether or not sidewalks are needed on both sides of the roadway or just on one side and may alter the buffer requirements. Decisions regarding the final required cross section for frontage and backage roads can be made through development review. Given the constrained nature of the commercial corridor along Highway 99E, the application of frontage and backage roads may be more applicable at the north and south ends of the corridor.

## Comprehensive Plan Text Amendments

The following proposed Comprehensive Plan amendments acknowledge and reference the Highway 99E Corridor Plan as the guiding policy document for this important facility. These modifications update city policies to reflect the intent and outcomes of the planning process that will result in an adopted Highway 99E Corridor Plan. Language recommended for addition to the Comprehensive Plan is double underlined and language recommended for removal is ~~struck through~~.

## A. Comprehensive Plan Designations and Implementation

### The Land Use Plan

The Comprehensive Plan is based on the recent land use inventories, updated land needs analyses, and the revised goals and policies in this Comprehensive Plan. The Comprehensive Plan represents the most practical arrangement of land uses, considering existing development patterns and the future vision for Woodburn, as embodied in the revised goals and policies.

### Comprehensive Plan Designations

Woodburn has six principal comprehensive plan map designations, and ~~two~~ three overlay designations, with corresponding zoning districts:

**Policy Table 1: Comprehensive Plan Designations and Implementing Zoning Districts**

| Comprehensive Plan Designation   | Implementing Zoning District(s)  | Density Range (Units Per Net Buildable Acre) | Minimum Lot Sizes or Unit Area in Square Feet   |
|--|--|--|---|
| <b>Low Density Residential</b>   | <b>RS</b> Single Family Residential  | 5.2-7.26                                     | 6,000 Interior Lot<br>8,000 Corner Lot  |
| <b>Nodal Development Overlay</b>   | <b>R1S</b> Retirement Community SFR<br><b>RSN</b> Nodal Development SFR  | Not Applicable<br>7.9-10.89                  | 10,000 Duplex Lot<br>3,600 Interior Lot<br>3,600 Corner Lot<br>4,000 Interior Lot<br>4,500 Corner Lot |
| <b>Medium Density Residential</b>  | <b>RM</b> Medium Density Residential   | 10-16  | 2,720 Per M-F Unit<br>10,000 Duplex Lot   |
| <b>Nodal Development Overlay (NDO)</b>   | <b>RMN</b> Nodal Residential   | 10-22  | 1,980 Per M-F Unit<br>8,000 Duplex Lot<br>3,000 Interior Rowhouse<br>3,600 Corner Rowhouse            |
| <b>Commercial</b>  | <b>CG</b> General Commercial<br><b>DDC</b> Downtown Development and Conservation<br><b>CO</b> Commercial Office<br><b>NCN</b> Nodal Neighborhood Commercial<br><u><b>MUV</b> Mixed Use Village</u> | Not applicable                               |   |
| <b>Nodal Development Overlay (NDO)</b><br><u><b>Mixed Use Village Overlay (MUVO)</b></u> |  |  |   |
| <b>Industrial</b>  | <b>IP</b> Industrial Park<br><b>LI</b> Light Industrial  | Not applicable                               |   |
| <b>Southwest Industrial</b>  | <b>SWIR</b> Southwest Industrial Reserve   |  |   |

|   |  |                |
|---|--|----------------|
| <b>Reserve Overlay (SWIR)</b>   |  |                |
| <b>Open Space and Parks</b>   | <b>RCWOD</b> Riparian Corridor and Wetlands Overlay District<br><b>P/SP</b> Public Semi-Public | Not applicable |
| <b>Public Use</b>   | <b>P/SP</b> Public Semi-Public   | Not applicable |
| <p>Note: The net buildable area of a parcel excludes land dedicated for public rights-of-way or stormwater easements, common open space, and unbuildable natural areas. For example, if a parcel has 10 acres, and 2 acres are removed for streets and 2 acres are within the floodplain / riparian area, then 6 net buildable acres would remain. The range of allowable densities is calculated based on net buildable acres. An acre has 43,560 square feet. Allowable densities may be increased through the discretionary planned unit development review process.</p> |  |                |

***Plan Implementation***

Any comprehensive plan depends on implementation to accomplish the goals and policies established in the plan. Cities have amassed a battery of ordinances to accomplish this purpose. Some ordinances have been more successful than others and in time, no doubt, new methods and techniques will be developed. Implementation should be a continual review of existing ordinances to ensure that they are accomplishing the purposes for which they were originally designed. The City recognizes that over time many of the ordinances which are suggested in this plan will be amended and perhaps entirely replaced by new concepts. As long as the ordinance which is developed implements the goals and policies of the plan, a change should not be necessary. However, at a minimum, the City should have basically the following ordinances to implement the plan.

**Zoning**

...

**Subdivision and Planned Unit Development Ordinances**

...

**Site Plan Review**

...

**Sign Ordinance**

...

**Transportation Plan**

The Transportation System Plan (TSP) (2005) was revised to reflect changes in population, employment and land use adopted in the Woodburn Comprehensive Plan (2005). The 2005 TSP includes goals and objectives, forecasts traffic growth in the City, and identifies transportation improvements needed to satisfy the forecasted growth. The plan:

- Establishes the functional classification of roads and streets
- Establishes street standard for each functional classification

- Evaluates interchange alternatives
- Establishes alternative modes of transportation
- Meets the Oregon Transportation Planning Rule

The Highway 99E Corridor Plan was adopted in 2012 to provide more detailed guidance about needed transportation improvements, appropriate land uses, and the urban design vision for the section of Highway 99E running through the City of Woodburn. The Corridor Plan amends and supplements the 2005 TSP and provides more specific guidance related to transportation improvements and design in the Highway 99E corridor.

### **Capital Improvement Plans**

...

### **Downtown and Urban Renewal**

One of the main problems with land use and economy in the City has been the stagnated downtown area. In response, the City adopted a downtown development plan and on Urban Renewal Agency and Plan. The Urban Renewal Plan is a primary vehicle for revitalizing the Downtown area, including goals and policies addressing financial assistance programs, citizen involvement, and physical improvements. The downtown Development Plan was adopted as an element of the Comprehensive Plan.

### **Housing Codes**

...

### **Flood Hazard Zone**

...

### **Historical Site Zone**

...

## ***Housing Goals and Policies***

...

### **Policies**

...

D-2.2 It is the policy of the City to encourage a variety of housing types to accommodate the demands of the local housing market. In Woodburn, the following needed housing types shall be allowed, subject to clear and objective design standards, in the following zoning districts:

**Policy Table 2: Needed Housing Types and Implementing Zoning Districts**

| Needed Housing Type   | Implementing Zoning District(s)  |
|---|--|
| Single Family Detached Residential                                      | <b>RS</b> Single Family Residential<br><b>RS1</b> Retirement Community SFR<br><b>RSN</b> Nodal Development SFR   |
| Manufactured Dwellings<br>On Individual Lots<br>In Parks                | <b>RS</b> Single Family Residential<br><b>RS1</b> Retirement Community SFR<br><b>RM</b> Medium Density Residential   |
| Attached Single Family Residential<br>(Row Houses)                      | <b>RMN</b> Nodal Residential<br><b>MUV</b> <u>Mixed Use Village</u>  |
| Duplexes On Corner Lots<br>Generally                                    | <b>RS</b> Single Family Residential<br><b>RM</b> Medium Density Residential  |
| Multi -Family<br>Generally<br>Above<br>Commercial                       | <b>RM</b> Medium Density Residential<br><b>RMN</b> Nodal Residential<br><b>DDC</b> Downtown Development and Conservation<br><b>NNC</b> Nodal Neighborhood Commercial<br><b>MUV</b> <u>Mixed Use Village</u>  |
| Government Assisted Housing*<br>Farm Worker Housing*<br>Rental Housing* | These “housing types” are based on financing or tenure, and are not regulated by the City. If the housing type (e.g., single family, manufactured dwelling, attached single family, duplex, or multi-family) is allowed in the underlying zoning district, these “housing types” are allowed subject to applicable design standards. |

## F. Commercial Land Development and Employment *Commercial Land Designations*

...

The second large commercial area that developed in the City is the commercial strip along Highway 99E. ~~The~~ A history of commercial strip zoning along 99E has caused many problems in the City of Woodburn. This is because this type of development is the least efficient use of commercial land and highway frontage. To improve the efficiency of the commercial land and enhance the appearance and vitality of this important commercial area, the City undertook the development of a plan for the corridor. The resulting Highway 99E Corridor Plan, adopted in 2012, will guide future development and redevelopment in the 99E corridor. Woodburn The City will work with property owners towards redeveloping this area in the future in line with the vision established in the Corridor Plan. By limiting the supply of vacant “green field” commercial land within the UGB, redevelopment of underutilized strip commercial lands is more likely to occur. Access control policies shall be observed when street improvements occur.

...

The fourth commercial area is the Highway 214/211/99E "Four Corners" intersection. This area has become an important commercial district within the City. This "Four Corners" area serves as a more local retail service center. This commercial district could realize more development in the future. In this area development should be intensified so as to not create another commercial strip development.

## ***Commercial Lands Goals and Policies***

### Goal

**F-1. Encourage infill and redevelopment of existing commercial areas within the community, as well as nodal neighborhood centers, to meet future commercial development needs.**

### Policies

...

F-1.4 Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. Nodal and mixed use village commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.

...

F-1.10 The Highway 99E commercial corridor south of Lincoln should be redeveloped over time with more intense mixed use development. The Mixed Use Village Overlay (MUVO) designates an area that is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; restrict land extensive commercial, storage, and industrial uses; and encourage pedestrian-oriented development.

F-1.11 In order to spur desired development and redevelopment within the MUVO, and consistent with the recommendations of the Highway 99E Corridor Plan, the City will apply the Mixed Use Village zone in a strategic area in the vicinity of the Young Street intersection.

F-1.12 The city shall initiate a legislative zone change to designate remaining land within the area designated MUVO and within the City limits as MUV at such time as ODOT includes a project to improve Highway 99E south of Lincoln in the Development Statewide Transportation Improvement Program (DSTIP).

F-1.13 Property owners within the MUVO and within the City limits may petition the City to initiate a legislative zone change to MUV for their property at any time. Land outside City limits within the MUVO shall be zoned MUV upon annexation.

F-1.14 The City intends to beautify the Highway 99E commercial corridor through measures such as replacement of overhead power and telephone lines with underground utilities, enhancing street lighting in the corridor, providing for non-conforming sign amortization, providing enhanced streetscape furnishings in key pedestrian areas, and establishing a storefront improvement program. The City will explore options to fund such improvements, including its Capital Improvement Program, formation of a Local Improvement District, and Urban Renewal funds.

## H. Transportation

### ***Transportation Goals and Policies***

Woodburn amended its Transportation System Plan (TSP) in coordination with Marion County, the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) as part of its 2005 Periodic review package. The goals and policies listed below have been amended consistent with the 2005 TSP. A new “Marion County Coordination” subsection is added to ensure coordination with the Goals and Policies of the Marion County Growth Management Framework Plan.

#### Goal

**H-2. Develop a street system that will handle projected year 2020 traffic demands in the Woodburn area, and interconnects residential areas with employment centers, schools, parks, churches, and regional transportation facilities.**

#### Policies

...

H-2.2 Work with ODOT to develop and implement strategies for improving state facilities within the City. Develop a strategy for improving Oregon 219/214, and 211, and 99E through Woodburn, including added travel lanes, signalization, and access management. Work with ODOT to implement the Highway 99E Corridor Plan to improve Highway 99E.

H-2.3 Identify new east-west and north-south collector/minor arterial streets within the City to relieve traffic demands on Oregon 219/214, 211, and 99E and coordinate with Marion County to construct the street connections needed outside of the urban growth boundary (UGB). Where development of new collector/minor arterial streets is not possible within the near future, such as when an alignment runs outside of the UGB, work with property owners during subdivision to provide local street connections to improve connectivity in the interim.

...

#### Goal

**H-3. Develop transportation improvements that address overall traffic safety in the Woodburn area.**

#### Policies

H-3.1 Work with ODOT to improve safety on state facilities within the City. Develop access management strategies for Oregon 219/214, and 211, and 99E through Woodburn, particularly focusing on the section of Oregon 214 between Interstate 5 (I-5) and Cascade Drive, and Oregon 99E south of Lincoln Avenue. Work with ODOT and property owners through the redevelopment process to improve access management on Highway 99E in accordance with the access management strategies identified in the Highway 99E Corridor Plan.

...

#### Goal

**H-6. Coordinate with Marion County in planning for a safe and efficient county-wide transportation system by:**

- (a) Encouraging use of alternative modes of transportation including mass transit, bicycling, walking and carpooling; and**
- (b) Addressing transportation needs appropriate to both urban and rural areas throughout the county.**

Policies

...

H-6.4 Woodburn should provide for a complementary mix of land uses and transportation systems by providing for mixed use development in the Downtown Development and Conservation (DDC), the Mixed Use Village (MUV), and the Nodal Development Overlay (NDO) districts.

...

Goal

**H-7. Coordinate with the Oregon Department of Transportation (ODOT) to maintain highway and intersection capacity, safety and functionality by:**

- (a) Developing and adopting performance standards; and**
- (b) Prohibiting comprehensive plan amendments that do not meet adopted performance standards.**

Policies

...

H-7.3 To ensure safety and long-range mobility on Highway 99E, the City shall be guided by the following access management objectives:

- (a) Ensure that all properties are provided reasonable access to the public street network, including consideration of the economic development needs of each property.
- (b) Driveways to commercial businesses on Highway 99E should be designed to allow for safe and comfortable passage, improving existing driveways to comply with ODOT design standards as opportunities arise.
- (c) Consider locating business signage immediately adjacent to the downstream side of driveways to improve the ability of drivers to locate them.
- (d) Provide convenient accessways for pedestrians and bicycles between the Highway 99E commercial corridor and neighboring residential areas.
- (e) Safe and convenient pedestrian walkways should be provided between business entrances and sidewalks along Highway 99E, minimizing conflicts between pedestrians and motor vehicles in parking lots.

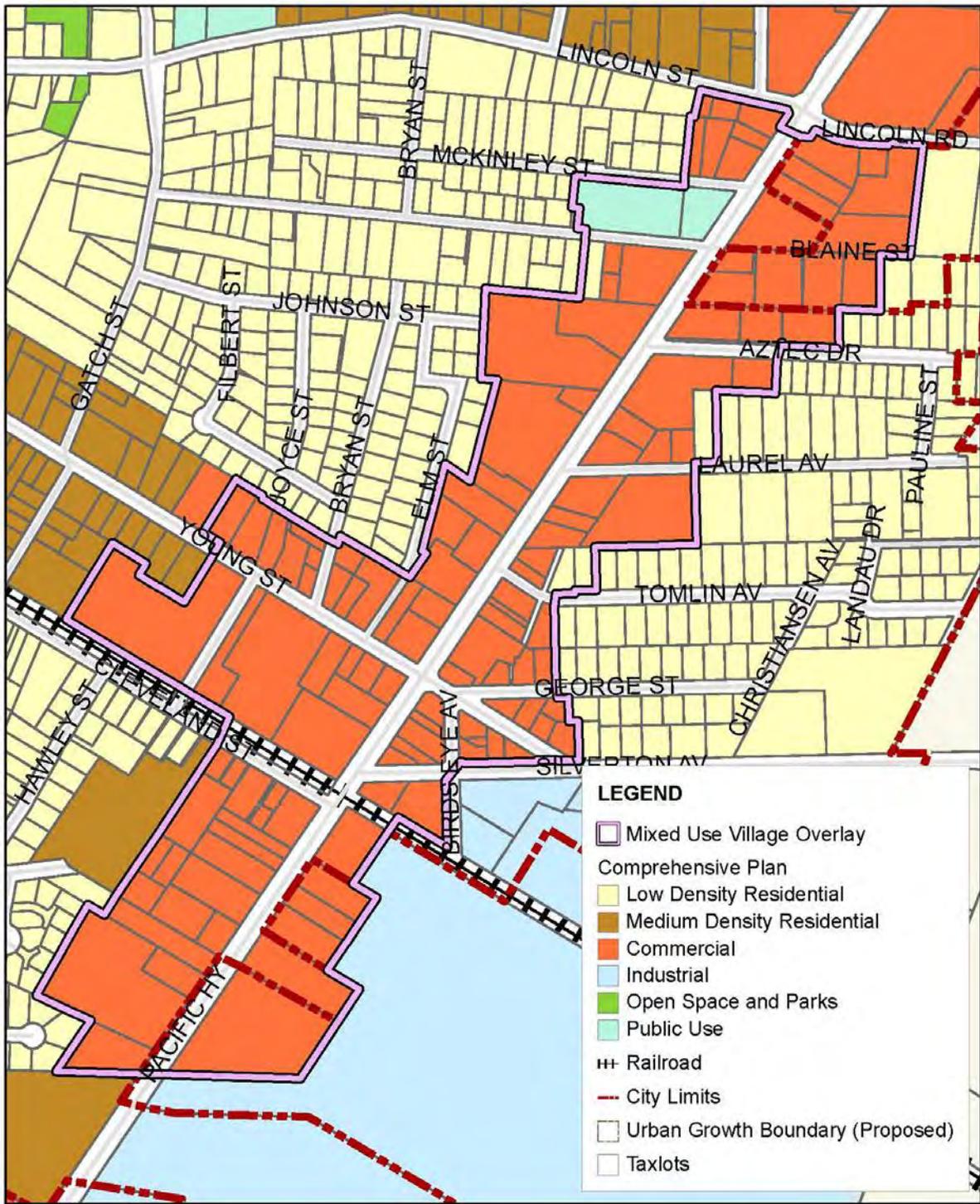
- (f) Consider prohibiting driveways or restricting turning movements to driveways adjacent to turning pockets at intersections where necessary to maintain safe highway operations.
- (g) Seek opportunities to align driveways on opposite sides of roadways to avoid turning conflicts.
- (h) Driveways to Highway 99E should maintain adequate intersection sight distance and at a minimum shall maintain safe stopping sight distance along the highway.
- (i) Reduce access points over time to move in the direction of meeting, ODOT's adopted access management spacing standards for Regional Highways.
- (j) Create shared access points to reduce the overall number of driveways along the Highway 99E corridor. Shared driveways must be supported through the establishment of easements allowing for travel between adjacent properties.
- (k) Provide inter-parcel circulation through cross-over easements, frontage or backage roads, or shared parking lots where feasible.
- (l) Utilize easements, frontage/backage roads, and lower classified city streets to allow for secondary access to facilitate large truck and emergency service vehicle circulation.
- (m) Seek opportunities to enhance the connectivity of the local street system surrounding Highway 99E.

H-7.4 The City will actively participate in developing strategies and solutions to mitigate impacts to property owners that may result from implementing future highway design and planned built improvements.

***Comprehensive Plan Map Amendments***

The Comprehensive Plan map will be amended to include the Mixed Use Village Overlay (MUVO), which indicates the ultimate extent of the planned Mixed Use Village. The area that will be designated with the MUVO is shown in Figure A1. In addition, the Comprehensive Plan designation for parcels currently Industrial or Low Density Residential within the MUVO, will need to be amended to Commercial.

Figure A1: Comprehensive Plan Map Mixed Use Village Overlay

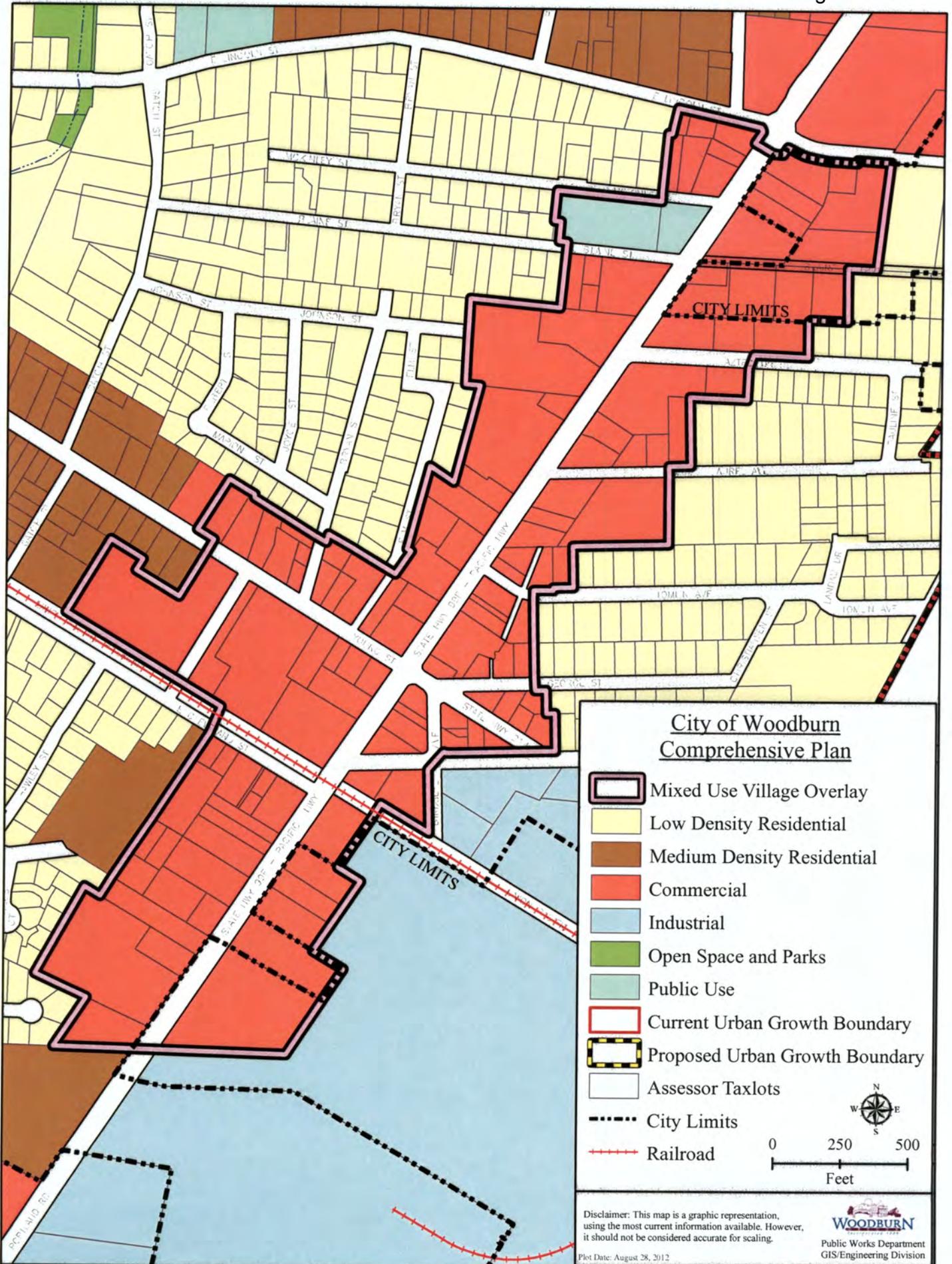


City of Woodburn  
Highway 99E Corridor Plan



JAN 2012

Corridor Plan Map Amendments - Comprehensive Plan Mixed Use Village Overlay





To facilitate the implementation of improvements identified through the Woodburn Highway 99E Corridor Plan, the following amendments are recommended to the Woodburn Transportation System Plan (TSP).<sup>26</sup>

### ***Street Design Standards***

Street design standards are shown in Figure 7-2 and discussed on page 7-3 of the TSP. However, these standards are only applicable to city streets. Therefore, the street design standards shown in Figure B1 are to be applied to Highway 99E.

### ***Needed Street Upgrades***

The intermediate to long-term (approximately 2010-2020) project identified for Oregon 99E on page 7-5 of the TSP is replaced with the following project:

- Highway 99E: As redevelopment occurs in the corridor, upgrade to be compliant with the design standards for Highway 99E provided in Figure B1. This would ensure continuous pedestrian and bicycle facilities along the corridor as well as the implementation of access management strategies.<sup>27</sup>

The following projects are added to the 2010-2020 project list on page 7-5 of the TSP:

- Restrict turn movements and eventually close the Silverton Avenue intersection on Highway 99E and vacate the segment of Silverton Avenue between Highway 99E and Bird's Eye Avenue.
- Restrict turn movements and eventually close the Birds Eye Avenue intersection on Highway 214 and vacate the segment of Birds Eye Avenue between Highway 214 and Silverton Avenue.
- Work with ODOT to develop and implement a Traffic Management Plan for the Highway 99E corridor that responds to increased congestion resulting from incidents on I-5 and regional events.
- Update roadway lighting to meet ODOT roadway lighting standards.
- Coordinate the traffic signals on Highway 99E from Hardcastle Avenue through Cleveland Street. Signals should be interconnected and signal timings should be optimized.
- Construct an additional westbound lane on Young Street at the intersection with Highway 99E to accommodate separate left, through, and right turn lanes (additional right-of-way will likely be required).
- Implement protected-permissive left turn phasing on the eastbound and westbound approaches of Young Street at the intersection with Highway 99E.

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<sup>26</sup> Woodburn Transportation System Plan, Volume 1 Text, October 2005.

<sup>27</sup> In the stretch of highway between MP 33.08 and 33.19, where the roadway will transition from a five-lane cross-section to a three-lane cross-section, dedication of the full 100 feet of right-of-way is recommended to allow for engineering of the transition as needed; however, installing sidewalks and other improvements at their final locations will likely not be feasible if engineering drawings for the highway improvement have not been completed.



- Close the intersection of George Street at Highway 214 to through motor vehicle travel, leaving it accessible by pedestrians, bicycles, and emergency vehicles only. This project shall not be constructed prior to the project that would construct a new local street connecting George Street to Highway 214 just west of the urban growth boundary (see New Streets, project (a)).

### ***New Streets***

The following projects are added to the intermediate to long-term (next 10-15 years) project list on page 7-6 of the TSP:

- Construct a new local street connecting George Street to Highway 214 just west of the eastern urban growth boundary.
- Enhance north-south connectivity of local streets paralleling the Highway 99E corridor as part of property development or subdivision and/or by extending Cooley Road from Hardcastle Avenue to Highway 214.<sup>28</sup>

### ***Pedestrian Plan***

The pedestrian plan described on pages 7-9 and 7-10, as well as Figure 7-3, of the TSP is amended to include the following projects:

- Install countdown pedestrian timers and construct ADA enhancements at signalized intersections along Highway 99E.
- Construct curb extensions to shorten pedestrian crossing distances on approaches to Highway 99E where appropriate (no curb extensions are to be constructed that would narrow the width of Highway 99E itself). Street approaches where curb extensions should be considered include: Alexandria Avenue, James Street, Williams Street, Blaine Street, Aztec Drive, Laurel Avenue, and Tomlin Avenue.
- Provide pedestrian and bicycle access to Highway 99E from adjacent residential neighborhoods. This will require development of accessways and obtaining easements. Pedestrian/bicycle accessways must include a paved surface of at least 10 feet wide with a minimum vertical clearance of 10 feet. Potential locations for pedestrian/bicycle accessways connecting to Highway 99E include: from June Way (near the Audrey Way intersection), from Johnson Street, from Elm Street, from Wilson Street, and from Hawley Street (possibly part of future street extension).
- Construct enhanced pedestrian crossings of Highway 99E. Identification of crossing locations should occur through collaborative efforts with the community and the Oregon Department of Transportation. The maximum potential for enhanced pedestrian crossing locations is estimated to include: three crossings between Mt Hood Avenue and Hardcastle Avenue, one crossing between Hardcastle Avenue and Lincoln Street, and three crossings between Lincoln Street and

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<sup>28</sup> Because an extension of Cooley Road as described would run outside of the city's UGB, it is included as a purely conceptual project to be considered at a later date if the land in question is eventually added to the UGB. The incremental improvement of north-south connectivity through new street connections east of Highway 99E may accomplish the same objective and eliminate the need for Cooley Road itself to be extended.



Young Street. Recommended crossing treatments include, but are not limited to: installing pedestrian-actuated rectangular rapid flashing beacons (lights and signs that warn, but do not stop traffic when a pedestrian is trying to cross), median refuge islands (raised islands in the center of the roadway that provide a sheltered area where pedestrians can wait for gaps in traffic), and improved street lighting.<sup>29</sup>

### ***Cost Estimates for Transportation System Improvements***

Cost estimates (in 2011 dollars) for recommended transportation improvement projects included in this amendment to the Woodburn TSP are provided in Table B1, and can be seen in Figure B2. Projects have been organized to match the existing structure of the Woodburn TSP; as such, the projects listed in Table B1 would be included as projects for the 2010-2020 time period.<sup>30</sup>

While all projects are categorized in the same time frame according to the TSP, there may be opportunities to advance some projects earlier. Potential phasing could include:

Short Term (0-5 years):                      Project No. 1, 2, 3, 4, 5, and 6

Medium Term (5-10 years):                Project No. 7, 8, 9, 10, 11 and 12

Long Term (10-20 years):                 Project No. 13, 14, 15, 16

Potential funding sources have been identified in the City's TSP. These sources could include Federal, State or Marion County funds, Local Improvement Districts, Urban Renewal Districts, Transportation Impact Fees, and General Obligation Bonds.

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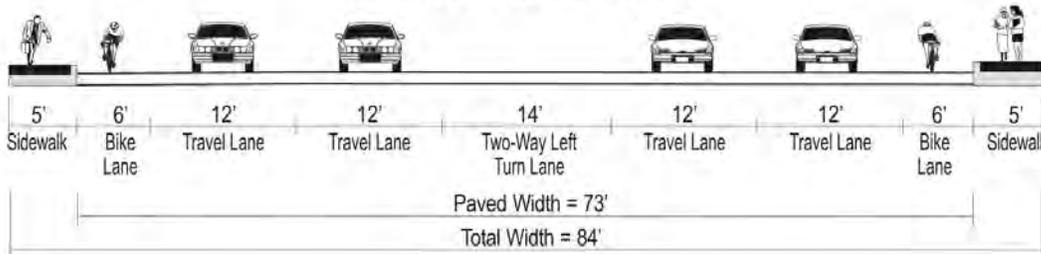
<sup>29</sup> Note that Oregon law requires a motorist to stop for an extended period while pedestrians are crossing a street. Oregon law also prohibits vehicles from standing or parking on railroad tracks. The placement of a marked crosswalk across Highway 99E, a facility with high traffic volumes, must be executed in such a way that avoids queuing over the existing railroad track just north of Cleveland Street. ODOT Rail Division opposes a crosswalk at Cleveland Street because of queuing concerns, unless the intersection is fully signalized for vehicles and pedestrians and those signals are interconnected with the crossing signals. If a crosswalk precedes the installation of the planned signalized intersection, the crosswalk should be a minimum of 150 feet from the crossing.

<sup>30</sup> Because the TSP was adopted in 2005, it does not identify projects further into the future than 2020. In order to maintain consistency with the structure of the existing TSP, all the projects identified in this Plan have been listed in the 2010-2020 time frame; however, the Highway 99E Corridor Plan is a 20-year plan and projects identified in this Plan are not all be likely to occur before 2020. Appendix B includes an indication of the likely timing of the projects identified in this Plan.

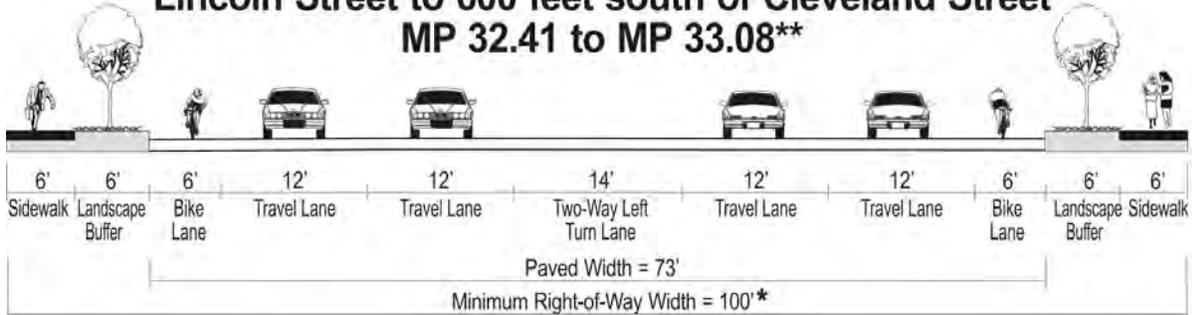


Figure B1: Street Design Standards for Highway 99E

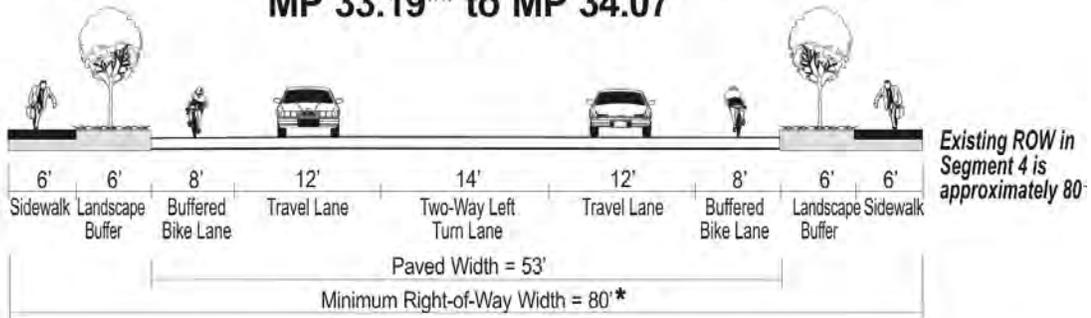
**Carl Road to Lincoln Street  
MP 30.85 to MP 32.41**



**Lincoln Street to 600 feet south of Cleveland Street  
MP 32.41 to MP 33.08\*\***



**1,150 feet south of Cleveland Street to South UGB  
MP 33.19\*\* to MP 34.07**



\* One foot of right-of-way outside each sidewalk is needed for operational purposes.  
\*\* Transition between five-lane and three-lane roadways to occur between MP 33.08 and MP 33.19.



**Table B1: Cost Estimates for Proposed Transportation Improvements**

| Project No.                             | Project Title   | Estimated Capital Cost* | Owning Jurisdiction** |
|---|---|-------------------------|-----------------------|
| <b>Ten to Fifteen Years (2010-2020)</b> |   |                         |                       |
| <b>Tier 1: Short Term Projects</b>      |   |                         |                       |
| 1                                       | Restrict turning movements and eventually close Silverton Avenue intersection with Highway 99E  | \$16,000                | State/City            |
| 2                                       | Restrict turning movements and eventually close Birds Eye Avenue intersection with Highway 214  | \$23,000                | State/City            |
| 3                                       | Implement Traffic Management Plan for Highway 99E corridor  | \$45,000                | State                 |
| 4                                       | Install pedestrian countdown timers and construct ADA ramps at signalized intersections on Highway 99E (3 intersections)  | \$110,000               | State                 |
| 5                                       | Construct curb extensions on select approaches to Highway 99E - parallel to highway, not narrowing highway (8 intersections)  | \$60,000                | State/City            |
| 6                                       | Construct enhanced pedestrian crossings along Highway 99E (7 total)   | \$280,000               | State                 |
| <b>Tier 2: Medium Term Projects</b>     |   |                         |                       |
| 7                                       | Coordinate Highway 99E traffic signals from Hardcastle Avenue to Young Street (and future Cleveland Street signal)  | \$55,000                | State                 |
| 8                                       | Improve Highway 99E/Young Street intersection to add a westbound lane (providing separate left, through, and right lanes) and protective-permissive left turn phasing on eastbound and westbound approaches | \$550,000               | State                 |
| 9                                       | Close George Street intersection with Highway 214, maintaining passage for pedestrians, bicycles, and emergency vehicles  | \$60,000                | State/City            |
| 10                                      | Construct new local street connecting George Street to Highway 214 just west of the eastern UGB   | \$425,000               | City                  |
| 11                                      | Extend Mill Creek corridor off-street pathway to Belle Passi Road   | \$840,000               | County/City           |
| 12                                      | Construct pedestrian/bicycle accessways between Highway 99E and residential areas (total of 5 locations – highly variable costs)  | \$675,000               | City                  |
| <b>Tier 3: Long Term Projects</b>       |   |                         |                       |
| 13                                      | Highway 99E widening from Lincoln Street to 1,150 feet south of Cleveland Street  | \$7,150,000             | State                 |
| 14                                      | Highway 99E widening from 1,150 feet south of Cleveland Street to proposed southern UGB   | \$5,130,000             | State                 |
| 15                                      | Improve roadway lighting along Highway 99E corridor (assumed 60% of corridor)   | \$2,110,000             | State                 |
| 16                                      | Enhance north-south connectivity of local streets paralleling the Highway 99E corridor as part of property development or subdivision   | \$8,270,000             | County/City           |



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and/or by extending Cooley Road from Hardcastle Avenue to Highway  
214 \*\*\*

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**Grand Total**

**\$25,799,000**

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Notes:

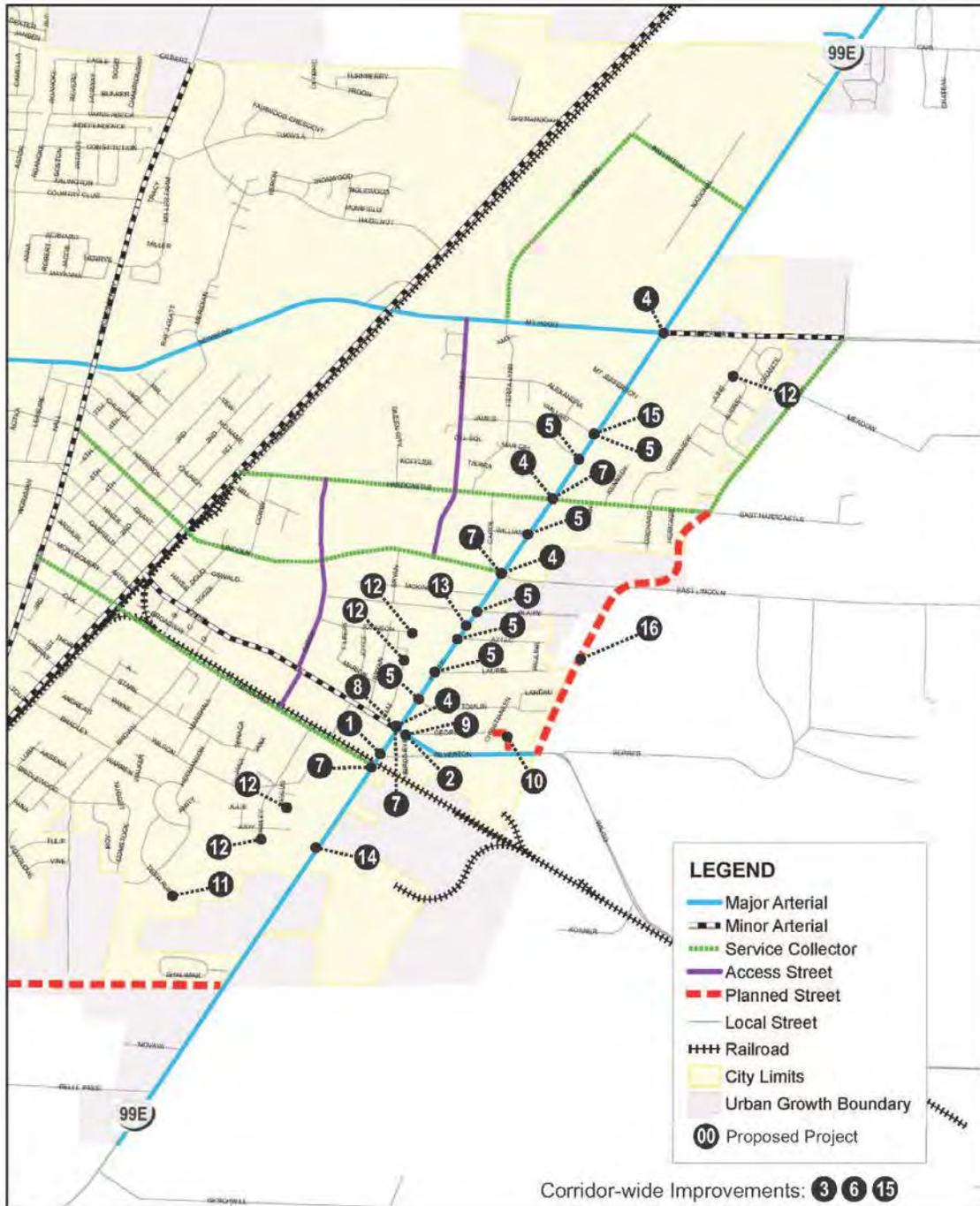
\* Cost estimates are in 2011 dollars.

\*\* Owning Jurisdiction does not necessarily indicate the likely funding source for the improvement. In some cases, private development or other funding sources may contribute part or all of the cost of the improvement.

\*\*\* Because an extension of Cooley Road would run outside of the city's UGB, it is included as a conceptual project to be considered at a later date if the land in question is eventually added to the UGB. The incremental improvement of north-south connectivity through new street connections east of Highway 99E may accomplish the same objective and eliminate the need for Cooley Road itself to be extended.



Figure B2: Proposed Transportation Improvements



City of Woodburn  
Highway 99E Corridor Plan

December 2011

Exhibit B: Proposed Transportation Improvements



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**Proposed New Zone Language**

The table below presents proposed draft code language for the new Mixed Use Village zone to implement the land use changes associated with the preferred alternative. The proposed code language is shown in the left-hand column; additional information about the background and rationale for the proposed language is shown in the right-hand column.

| <b>Proposed Language</b>  | <b>Commentary</b>   |
|---|---|
| <p><b>2.117 Mixed Use Village (MUV)</b></p>   | <p>The new zone would become its own chapter in the WDO. For convenience, it has been numbered with the next available section number; however, the city may prefer to incorporate it after the other commercial / mixed use zones (e.g. 2.109) and renumber the subsequent chapters.</p>   |
| <p><b>2.117.01 Purpose</b><br/>The Mixed Use Village zone is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; restrict land extensive commercial, storage, and industrial uses; and encourage pedestrian-oriented development. This zone is intended to be accessible to pedestrians and bicyclists, as well as automobiles.</p> | <p>Purpose language borrows from existing language in CG, DDC, and NNC as appropriate.</p>  |
| <p><b>2.117.02 Permitted Uses</b><br/>The following uses, when developed under the applicable development standards of the WDO, are permitted in the MUV zone.</p>  | <p>The city is in the process of updating the development code, and is likely to make changes to the way permitted uses are organized and defined (such as moving away from the use of NAICS codes to define land uses). Those changes are not reflected in the sections below because the new zone must be able fit into the existing code when it is adopted. However, it is anticipated that the organization of the permitted / conditional uses may be modified along with the other zones as part of the comprehensive code overhaul project.</p> |
| <p>A. <u>Residential</u><br/><br/>The following residential uses are permitted in the MUV zone:<sup>1</sup></p> <ol style="list-style-type: none"> <li>1. One dwelling unit in conjunction with a commercial use.</li> <li>2. Multiple-family dwelling units at a net density of between 12 and 32 dwelling units per acre.</li> <li>3. Multiple-family dwellings built as part of a vertical</li> </ol>  | <p>Allows the following residential uses not currently allowed in CG:</p> <ul style="list-style-type: none"> <li>• Stand-alone multi-family at 12-32 DU/acre</li> <li>• Residential as part of vertical mixed use at up to 32 DU/acre (no minimum)</li> <li>• Single-family attached at 12-24 DU/acre</li> <li>• Nursing and assisted care facilities</li> </ul> <p>A footnote restricting residential uses next to</p>   |



| <b>Proposed Language</b>  | <b>Commentary</b>  |
|---|--|
| <p>mixed use development at a maximum net density of 32 dwelling units per acre.</p> <p>4. Attached single-family residences at a net density of 12 to 24 dwelling units per acre</p> <p>5. Nursing care facilities.</p> <p>6. Assisted care facilities.</p> <p><sup>1</sup> Residential uses are not permitted on parcels adjacent to industrially zoned land. This restriction applies to parcels south of Cleveland Street, east of Highway 99E.</p>   | <p>employment uses south of Cleveland will need to be included in Section 2.117.02 Permitted Uses.</p>   |
| <p><b>B. <u>Special Trade Contractors</u></b></p> <p>1. Plumbing, heating and air-conditioning contractors lawfully existing as of [adoption date of new zone].</p> <p>2. Paper and wall coving contractors lawfully existing as of [adoption date of new zone].</p> <p>3. Masonry, drywall, insulation and tile contractors lawfully existing as of [adoption date of new zone].</p> <p>4. Floor laying contractors lawfully existing as of [adoption date of new zone].</p> <p>5. Roofing, siding, and sheet metal construction contractors lawfully existing as of [adoption date of new zone].</p> <p>6. Glass and glazing contractors lawfully existing as of [adoption date of new zone].</p> <p>7. Building equipment and other machinery installation contractors lawfully existing as of [adoption date of new zone].</p> <p>8. Ornamental ironwork contractors lawfully existing as of [adoption date of new zone].</p> | <p>Allows existing special trade contractors to continue as permitted uses. Differs from the CG in that new special trade contractors are not permitted to locate in the zone. Outdoor storage and display are regulated through development standards.</p>  |
| <p><b>C. <u>Manufacturing</u></b></p> <p>1. Fabricated metal product manufacturing when located entirely within a building and lawfully existing as of [adoption date of new zone].</p> <p>2. Household and institutional furniture and kitchen cabinet manufacturing when located entirely within a building and lawfully existing as of [adoption date of new zone].</p>  | <p>Allows existing manufacturers of fabricated metal products and furniture to continue as permitted uses provided that they are located entirely within a building. Differs from the CG in that new manufacturers of fabricated metal products and furniture are not permitted to locate in the zone.</p> |



| <b>Proposed Language</b>  | <b>Commentary</b>  |
|---|--|
| <p><b>D. <u>Retail Trade</u></b></p> <ol style="list-style-type: none"> <li>1. Bakeries.</li> <li>2. Printing and related support activities</li> <li>3. Automotive parts without installation.</li> <li>4. Furniture and home furnishings.</li> <li>5. Electronics and appliance stores.</li> <li>6. Building materials and garden equipment and supplies.</li> <li>7. Food and beverage stores.</li> <li>8. Health and personal care stores.</li> <li>9. Clothing and accessory stores.</li> <li>10. Sporting goods, hobby, book and music stores.</li> <li>11. General merchandise stores.</li> <li>12. Misc. retail EXCEPT manufactured (mobile) home dealers.</li> </ol> | <p>Modifications from the CG zone include:</p> <ul style="list-style-type: none"> <li>• Allowing bakeries and printing and related support activities, as in DDC and NNC</li> <li>• Outdoor display and storage is regulated through development standards rather than for particular uses</li> <li>• Allows used merchandise stores outright rather than conditionally</li> </ul> |
| <p><b>C <u>Transportation &amp; Warehousing</u></b></p> <ol style="list-style-type: none"> <li>1. Postal service.</li> <li>2. Transit stops, stations, and related facilities.</li> </ol>   | <p>Makes customer-oriented transit facilities permitted outright (other facilities associated with transit were conditional uses and are no longer permitted). Note that none of the terms used in sub-section 2 are currently defined in the code.</p>  |
| <p><b>D. <u>Information</u></b></p> <ol style="list-style-type: none"> <li>1. Publishing.</li> <li>2. Motion picture theaters EXCEPT drive-ins.</li> <li>3. Radio and TV.</li> <li>4. Cable networks.</li> <li>5. Telecommunications. EXCEPT telecommunication facilities subject to <i>Section 2.204.03</i>.</li> <li>6. Information and data processing.</li> </ol>   | <p>Same as in CG</p>   |
| <p><b>E. <u>Finance and Insurance</u></b></p> <ol style="list-style-type: none"> <li>1. Finance and insurance EXCEPT check cashing, pay day loan and cash transfer establishments [other than banks] as</li> </ol>  | <p>Allows pawn shops (same language as DDC)</p>  |



| <b>Proposed Language</b>   | <b>Commentary</b>  |
|--|--|
| a predominant, ancillary, or required supporting use.  |  |
| <b>F. <u>Real Estate and Rental and Leasing</u></b><br>1. Real estate.<br>2. Rental and leasing.   | Allows a slightly wider range of rental and leasing uses than the CG zone. Regulates outdoor display and storage through development standards.  |
| <b>G. <u>Professional, Scientific &amp; Technical Services</u></b><br>1. Professional, Scientific, and Technical Services EXCEPT veterinary service not located entirely within a building.  | Allows all the same uses as CG, but allows indoor vet services and Scientific Research and Development Services (5417) outright rather than conditionally.   |
| <b>H. <u>Administrative &amp; Support Services</u></b><br>1. Administrative and support services INCLUDING employment, travel and investigation.<br>2. Management and corporate offices  | Same as CG   |
| <b>I. <u>Educational Service</u></b><br>1. Educational services both public and private, EXCEPT Flight Training and Automobile Driving Schools.  | Somewhat more permissive than CG - allows colleges & universities and most other educational services except flight training or automobile driving schools.  |
| <b>J. <u>Health Care &amp; Social Services</u></b><br>1. Ambulatory health care EXCEPT Ambulance service.<br>2. Social services INCLUDING child day care services.   | Same as CG   |
| <b>K. <u>Arts, Entertainment &amp; Recreation</u></b><br>1. Performing arts, EXCEPT spectator sports.<br>2. Museums and historic sites EXCEPT zoos.<br>3. Amusement arcades.<br>4. Fitness and recreational sports.<br>5. Bowling centers.<br>6. Other amusements INCLUDING ballrooms.<br>7. Community center. | Similar to CG, but slightly different (allows amusement arcades, does not allow spectator sports).   |
| <b>L. <u>Accommodation &amp; Food Service</u></b><br>1. Traveler accommodation, EXCEPT casino hotels<br>2. Food service and drinking places EXCEPT food contractors and mobile food service.   | Similar to CG, but slightly more permissive on accommodations (allows hostels and cabins and cottages for tourist accommodation), and slightly more restrictive on food service (does not allow food contractors).   |
| <b>M. <u>Other Services</u></b><br>1. Consumer Electronics Repair and Maintenance<br>2. Electronic and precision equipment repair, EXCEPT consumer electronics repair and maintenance, lawfully  | Similar to CG, with the following differences: <ul style="list-style-type: none"> <li>• Allows existing electronic and precision equipment repair (8112) to continue as a permitted use, but doesn't allow new electronic and precision equipment repair uses except for consumer electronics repair.</li> </ul> |



| <b>Proposed Language</b>   | <b>Commentary</b>  |
|--|--|
| <p>existing as of [adoption date of new zone].</p> <p>3. Electric motor repair entirely within a building and lawfully existing as of [adoption date of new zone].</p> <p>4. Home goods repair EXCEPT upholstery and leather repair.</p> <p>5. Personal care services INCLUDING barber shops and beauty salons.</p> <p>6. Personal and Household Goods Repair and Maintenance</p> <p>7. Funeral home.</p> <p>8. Dry cleaning and laundry service EXCEPT linen supply.</p> <p>9. Photo finishing.</p> <p>10. Parking lots and garages EXCEPT extended vehicle storage.</p> <p>11. All Other Personal Services INCLUDING bail bonding and consumer buying services.</p> <p>12. Religious, civic, professional and similar organizations.</p> | <ul style="list-style-type: none"> <li>• Prohibits new electric motor repair, but allows existing uses to continue as permitted uses.</li> <li>• Allows Home goods repair (8114) EXCEPT upholstery (81142) and leather repair (81143) outright rather than conditionally.</li> </ul> |
| <p><b>N. <u>Public Administration</u></b></p> <p>1. Public administration INCLUDING government offices, courts, and police and fire stations.</p>  | <p>Same regulation as CG, but using same language as DDC</p>   |
| <p><b>O. <u>Streets and Utilities</u></b></p> <p>1. Rights of way and easements and the improvements therein for streets, water, sanitary sewer, gas, oil, electric and communication lines and for storm water facilities and for pump stations.</p>  | <p>Same as in CG</p>   |
| <p><b><u>2.117.03 Special Permitted Uses</u></b></p> <p>The following uses, when developed under the applicable development standards of the <i>WDO</i> including the special development standards of <i>Section 2.203</i>, are permitted in the MUV zone:</p>  | <p>Same language as CG</p>   |
| <p>A. Craft industries subject to <i>Section 2.203.07</i>.</p> <p>B. Delivery services subject to <i>Section 2.203.08</i>.</p> <p>C. Facilities during construction subject to <i>Section 2.203.10</i>.</p> <p>D. Temporary outdoor marketing and special events subject to <i>Section 2.203.19</i>.</p>   | <p>Differences from CG zone:</p> <ul style="list-style-type: none"> <li>• Allows Craft industries as a special use (like DDC)</li> <li>• Leaves out complementary residential use since it is unnecessary with residential uses allowed outright</li> </ul>                          |
| <p><b><u>2.117.04 Conditional Uses</u></b></p> <p>The following uses may be permitted in the MUV zone</p>  | <p>Same language as CG</p>   |



| Proposed Language  | Commentary  |
|--|---|
| subject to the applicable development standards of the WDO and the conditions of conditional use approval:   |   |
| <p><b>A. Retail Trade</b></p> <p>1. Motor vehicle and parts dealers, EXCEPT automotive parts without installation, lawfully existing as of [adoption date of new zone].</p> <p>2. Tractor and heavy equipment dealers lawfully existing as of [adoption date of new zone].</p> <p>3. Gasoline stations lawfully existing as of [adoption date of new zone].</p> <p>4. Manufactured (mobile) home dealers lawfully existing as of [adoption date of new zone].</p>  | <p>The uses under this heading are all land extensive retail uses. Existing uses are allowed to remain as conditional uses (as they are in the CG zone), but no new uses in these categories may be established in the zone.</p> <p>Used merchandise stores, which were conditional in CG, are permitted outright in the new zone.</p>  |
| <p><b>B. Transportation &amp; Warehousing</b></p> <p>1. Taxi service lawfully existing as of [adoption date of new zone].</p> <p>2. Limousine service lawfully existing as of [adoption date of new zone].</p> <p>3. School transportation lawfully existing as of [adoption date of new zone].</p> <p>4. Charter bus service lawfully existing as of [adoption date of new zone].</p> <p>5. Special needs transportation lawfully existing as of [adoption date of new zone].</p> <p>6. Motor vehicle towing lawfully existing as of [adoption date of new zone].</p> <p>7. Self- and mini-storage lawfully existing as of [adoption date of new zone].</p> | <p>The uses under this heading are all land extensive and not pedestrian-friendly. Existing uses are allowed to remain as conditional uses (as they are in the CG zone), but no new uses in these categories may be established in the zone.</p> <p>Urban transit system (48511) and Interurban and rural transit (4852) are no longer conditional uses – facilities serving passengers (transit stops and stations) are permitted outright, but maintenance and other non-customer facilities for transit are not permitted in the new zone.</p> |
| <p><b>C. Finance and Insurance</b></p> <p>1. Check cashing, pay day loans and cash transfer establishments, other than banks.</p>  | <p>Check cashing, etc. treated the same as in CG; pawn shops permitted outright rather than conditionally.</p>  |
| <p><b>E. Health Care and Social Services</b></p> <p>1. Ambulance service lawfully existing as of [adoption date of new zone].</p>  | <p>Prohibits new ambulance services (land intensive and not pedestrian-friendly).</p>   |
| <p><b>F. Accommodations and Food Service</b></p> <p>1. Recreational vehicle parks lawfully existing as of [adoption date of new zone].</p>   | <p>Prohibits new RV parks (land intensive and not pedestrian-friendly).</p>   |
| <p><b>G. Other Services</b></p> <p>1. Automotive maintenance lawfully existing as of [adoption date of new zone]. This use is allowed only when located entirely within an enclosed building, except for short-term outdoor parking of vehicles waiting for service.</p> <p>2. Commercial and industrial equipment repair lawfully existing as of [adoption date of new zone].</p> <p>3. Linen supply lawfully existing as of [adoption date of new zone].</p>   | <p>Home goods repair (8114) EXCEPT upholstery (81142) and leather repair (81143) is a permitted use rather than a conditional use.</p> <p>Uses under this heading are allowed to continue as conditional uses if already legally established, but new uses in these categories are not permitted.</p>   |
| <p><b>H. Government and public utility buildings and structures EXCEPT uses permitted in Section 2.117.01 and</b></p>  | <p>Same as CG</p>   |



| Proposed Language  | Commentary   |   |                  |
|--|--|---|------------------|
| telecommunications facilities subject to <i>Section 2.204.03</i> .   |  |   |                  |
| <p><b>2.117.05 Accessory Uses</b><br/>The following uses are permitted as accessory uses subject to <i>Sections 2.202 and 2.203</i>.</p> <p>A. Fence or free standing wall.<br/>B. Accessory building.</p>   | Same language as CG  |   |                  |
| <p><b>2.117.06 Dimensional Standards</b><br/>The following dimensional standards shall be the minimum requirements for all development in the MUV zone.</p>  |  |   |                  |
| <p>A. Lot Standards.<br/>In the MUV zone the lot area shall be adequate to contain all structures within the required setbacks. There shall be no minimum width or depth.</p>  | Same standard as the CG zone, but wording is slightly different.                             |   |                  |
| <p>B. Building Height.<br/>The maximum height of buildings shall not exceed 70 feet, EXCEPT chimneys, spires, domes, flag poles and other features not used for human habitation (EXCEPT telecommunication facilities), shall not exceed 100 feet.</p> | Same standard as in CG outside the Gateway subdistrict                                       |   |                  |
| <p>C. Setback and Buffer Standards.<br/>1. Minimum Front Setback and Setback Abutting a Street.<br/>There shall be no minimum building setback abutting a street in excess of any Special Setback, <i>Section 3.103.05</i>.</p>                        | Reduces minimum front setbacks from 15' to 0'.   |   |                  |
| <p>2. Maximum Front Setback and Setback Abutting a Street.<br/>The maximum setback abutting a Major Arterial street should be 15 feet plus any Special Setback, <i>Section 3.103.05</i>.</p>   | Establishes a recommended (not required) maximum front setback of 15'.                       |   |                  |
| <p>3. Minimum Interior Side and Rear Setbacks:<br/>a. Development in the MUV zone shall be subject to the setback and buffer requirements of Table 2.1.XX.</p>   | Same as CG zone.   |   |                  |
| TABLE 2.1.XX.  |  |   |                  |
| Abutting Property  | Landscaping  | Wall  | Interior Setback |
| RS, RIS, or RM zone  | There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall. | Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height. | 10 ft.           |
| MUV, CO, CG, DDC,  | There is no buffer yard landscaping  | Alternative A:  | Alternative A:   |



| Proposed Language   |  |  |   | Commentary  |
|---|--|--|---|---|
| NNC, P/SP, IP, SWIR or IL zone  | requirement for an interior yard abutting a buffer wall. | Wall requirements shall be determined in conjunction with the applicable Design Review process.<br><br>Alternative B:<br><br>No wall required. | 5 ft.<br><br>Alternative B:<br><br>Zero setback abutting a building wall. |   |
| b. The minimum building setback from a private access easement shall be 5 feet.   |  |  |   | Same language as in the CG zone.  |
| 3. In addition to subsections 1 and 2 above, setbacks and buffers are subject to the design guidelines of <i>Section 3.107.06</i> .   |  |  |   | Sub-section 3 would apply existing guidelines for maximum setbacks to yards abutting side streets where sub-section 2 does not apply.   |
| <b>2.117.07 Development Standards</b>   |  |  |   |   |
| A. Applicability  |  |  |   |   |
| 1. Multiple-family dwellings shall be subject to the design standards or guidelines of <i>Section 3.107.05</i> unless the multiple-family dwellings are built as part of a vertical mixed use development.  |  |  |   | This is generally consistent with how medium density / multi-family residential is treated in other zones, including DDC and the downtown Gateway subdistrict of CG.<br>Stand-alone residential uses in the new zone would not have to meet the same site development or building design standards as non-residential uses, which may be appropriate for the residential uses, but could disrupt the pattern of development along the corridor. |
| 2. All development EXCEPT that described in <i>Section 2.117.07.A.1</i> shall be subject to the architectural design standards or guidelines of <i>Section 3.107.10</i> .   |  |  |   | References a new set of design guidelines and standards applicable to the new zone.   |
| 3. The change or expansion of an existing use on a non-conforming site shall be subject to <i>Section 1.104.02</i> EXCEPT that any change or expansion of an existing use that cannot meet the Design Guidelines and Standards of <i>Section 3.107.10.B</i> , subsections 3 through 5, may be approved provided that it does not make the development more nonconforming with respect to these standards. |  |  |   | This section is intended to allow proposals for partial redevelopment of an existing non-conforming site to move towards compliance with these standards rather than having to bring the full site into compliance, which could require tearing down an existing building.  |
| B. Off Street Parking.<br>All parking and access standards of <i>Sections 3.104</i> and <i>3.105</i> shall apply.   |  |  |   | Applies parking and access standards (same as in CG zone).  |
| C. Signs.<br>Signs shall be subject to <i>Section 3.110.10D</i> .   |  |  |   | Makes new zone subject to same sign regulations as DDC and NNC (Table 3.110.10D)  |



| Proposed Language   | Commentary  |
|---|---|
|   | rather than CG standards (Table 3.110.10B). This effectively prohibits pole signs.  |
| D. Street and sidewalk improvements.  |   |
| <p>1. The street frontage abutting a city street of a subject property shall be improved with sidewalks and street trees as required by <i>Section 3.101</i>. Sidewalks and trees shall be installed by the property owner to the standards of <i>Section 3.101</i> and <i>3.106</i>. The improvement shall be determined at the time of subdivision, PUD or design review as applicable.</p>   | <p>Similar to existing regulations in the CG, property owners are required install sidewalks and street trees on city streets unless they obtain an exception under <i>Section 5.103.12</i>. They can also file a Performance Guarantee with the City Administrator as a commitment to construct the require improvements in the future under <i>Section 4.102.07</i>.</p> <p>Note that frontage improvements are now included in a separate section – See Additional Proposed Code Amendments in the next section.</p> |
| <p>E. Property Disposition. All uses shall be established and conducted on lots of record, as defined by <i>Section 1.102</i> and developed to the public facility and access standards of <i>Sections 3.101, 3.102 and 3.104</i>.</p> <p>1. New lots of record shall be subject to the following standards and procedures:</p> <ul style="list-style-type: none"> <li>a. Partitions, <i>Section 3.108</i>;</li> <li>b. Subdivisions, <i>Section 3.108</i>; or</li> <li>c. Planned Unit Development <i>Section 3.109</i>.</li> </ul> <p>2. Alteration of the property lines of existing lots of record shall be subject to the applicable following standards and procedures:</p> <ul style="list-style-type: none"> <li>a. Property Line Adjustment, <i>Section 5.101.07</i>.</li> <li>b. Replatting, <i>Section 3.108</i>.</li> <li>c. Vacation, applicable Oregon Revised Statutes.</li> </ul> | Standard language (same as CG).   |

**Proposed New Zone Design Standards**

|  |   |
|--|---|
| <p>3.107.10 Guidelines and Standards for Non-Residential and Mixed Use Structures in the MUV zone</p>  | <p>Design standards for the new zone will be located in Section 3.107. The City is moving towards consolidating all design standards in this section rather than including them in the individual zones. As part of the on-going comprehensive code update, the City may wish to reorder the sections of 3.107 so that this section follows 3.107.07.</p> |
| <p>A. Applicability.<br/>The following design guidelines and standards shall be applicable to all buildings in the Mixed Use Village (MUV) zone that include a non-residential use, whether or not residential uses are included in the structure.</p> | <p>Buildings that are exclusively residential are subject to Section 3.107.05, but mixed use buildings with a residential component are subject to this section.</p>  |



|  |   |
|--|---|
| <p><b>B. Site Development Standards.</b></p>   |   |
| <p>1. The primary building entrance <i>shall</i> be oriented toward the street, toward a side yard, or any angle in between. For the purposes of this section, the “primary building entrance” is the main public entrance to the building. In the case where no public entrance exists, the “primary building entrance” is the main employee entrance. Where there are multiple buildings on a lot, all buildings <i>shall</i> comply with this standard.</p> | <p>Requires the primary entrance to face the street or to the side – allows flexibility for development to put parking beside the building.</p> <p>There are currently no requirements or guidelines related to building entrance orientation in the CG zone or applicable design guidelines.</p>   |
| <p>2. Buildings <i>should</i> occupy a minimum of 50 percent of all street frontages along public streets. Buildings <i>should</i> be located at public street intersections.</p>  | <p>Suggests (but does not require) that buildings occupy a majority of the street frontage and locate near the intersection for corner lots. (Same language as 3.107.07.B.1.a., which applies in DDC and NNC.)</p> <p>Existing building location guidelines applicable to the CG zone (3.107.07.D) recommend (but do not require) a maximum setback of 150 feet from a street and building location and orientation that complements abutting development.</p>  |
| <p>3. Parking areas <i>shall</i> be limited to 50 percent of the street frontage abutting a Major Arterial.</p>  | <p>Language is similar to guideline from 3.107.07.B.1.e (which applies to DDC and NNC), but is stated as a standard (required) and applied along Major Arterials (i.e. 99E).</p> <p>Existing parking location guidelines applicable in the CG zone (3.107.06.E) recommend (but do not require) parking between the front of a building and the street be limited to a maximum of 130 feet.</p>  |
| <p>4. Parking areas <i>shall not</i> be located within a front yard or within a side yard abutting a Major Arterial.</p>   | <p>Prohibits parking within the space between the front of the building and the street (regardless whether the “front” faces 99E or a side street). If the “front” is on a side street, parking is also prohibited between the building and 99E. Also requires parking to be set back from the street as far as the building is. This creates an incentive to pull buildings up to the sidewalk, and for development on corner lots to locate buildings at the corner.</p> <p>Currently, in the CG zone, parking is prohibited within a required yard or special setback unless it is adjacent to a wall.</p> |
| <p>5. All front yards and all side yards abutting a street either <i>shall</i> be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft., per Table 3.1.5., or <i>shall</i> be occupied by pedestrian amenities (e.g., plaza, outdoor seating, outdoor</p>  | <p>Where buildings are set back from a street, the yard must either be landscaped or provide outdoor seating or other hardscape amenities. Note that there will be no yard if the building is</p>   |



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| eating areas).   | set at the property line.<br><br>Existing landscaping standards applicable to the CG zone (3.106.03.A.2.b) require landscaping at the same density for all yards abutting a street (including in parking areas), but do not allow for pedestrian amenities as an alternative.   |
| 6. On-site pedestrian circulation.   |   |
| a. Walkways shall connect all building entrances with adjacent sidewalks and on-site parking areas, and shall connect off-site adjacent uses to the site unless topographic or existing development constraints preclude making certain walkway connections.   | This language is stronger than what is currently required for the CG zone.  |
| b. Where walkways cross a parking area or driveway they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.   | This language is stronger than what is currently required for the CG zone.  |
| 7. Drive through businesses. In addition to the requirements of Section 3.104.02, the following standards shall apply to drive through businesses:<br>a. Drive through windows are prohibited on a building façade that faces Highway 99E.<br>b. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street.<br>c. A maximum of two drive through service lanes shall be permitted between a building façade and a public street right-of-way. | Drive through lanes are treated the same way as parking lots in terms of required screening and landscaping in Section 4.a and 4.b above.   |
| C. Architectural Design Guidelines and Standards.  |   |
| 1. Street-facing building façades. All street-facing building elevations that are set back 50 feet or less from a public street <b>shall</b> provide visual interest and avoid blank walls by meeting one or both of subsections a and/or b, below.  | Provides two options for buildings to provide visual interest and avoid blank walls.<br><br>There are existing guidelines applicable to the CG zone related to building façades, described below.   |
| a. A minimum of 40 percent of the ground floor wall area <b>shall</b> contain windows, display areas, or doorway openings. Windows, display areas, or doorway openings used to meet this standard <b>shall</b> comply with the following provisions:   | Requires a certain ground floor window coverage to create a storefront environment as one option to create visual interest. The provisions 1 through 4 below are intended to ensure that if the storefront environment option is selected, the windows provide views of something interesting from the street.<br><br>Existing design guidelines applicable in the CG zone recommend (but do not require) that at |



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|   | least 30% of the wall surface abutting a street should be glass (3.107.06.B.2.b.1).  |
| 1) Required window areas <i>shall</i> be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.   | Similar language to 2.107.06.D.8.b.1 (DDC zone).   |
| 2) Darkly tinted windows and mirrored windows that block two-way visibility <i>shall not</i> be used to meet this standard.   | Similar language to 2.107.06.D.8.b.4 (DDC zone).   |
| 3) The sill or lower edge of a window, display area, or doorway used to meet this standard <i>shall</i> be no more than four feet above grade. Where interior floor levels prohibit such placement, the sill or lower edge must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum height of six feet above grade. | Similar language to 2.107.06.D.8.b.2 (DDC zone)  |
| 4) Windows and doorways used to meet this standard <i>shall not</i> be covered over with paper, boards, or cardboard except during times of construction or remodeling and shall be limited to a period of 120 days unless an extension is otherwise granted by the city manager.   | Similar language to 2.107.06.D.6.f (DDC zone)  |
| 5) Ground floor wall area shall be measured from three feet above grade to nine feet above grade the entire width of the street-facing elevation.   | Definition of ground floor wall area matches that used in 3.107.07.B.2.b.1.  |
| b. Building façades that exceed forty (40) feet in length <i>shall</i> incorporate features to vary the look of the façade at intervals not to exceed forty (40) feet. Such features may include variable planes; projections; bays; dormers; setbacks; canopies; awnings; parapets; and/or changes in the roof line, materials, color, or textures.              | Requires architectural features that provide visual interest for façades that do not meet the window coverage standard above.<br><br>Existing design guidelines applicable in the CG zone (3.107.07.B.1) recommend (but do not require) articulation of building façades visible from streets and incorporation of three dimensional design features.                      |
| 2. All building façades visible from streets and public parking areas that are not subject to subsection 3.107.10.C.1. <i>should</i> provide façade variations as specified in subsection 3.107.10.C.1.b.   | A similar guideline currently exists in the design guidelines applicable to the CG zone. Suggests, but does not require, façade variations for building walls visible from the street if not already required. Applies to building walls visible from a street or parking area but more than 50 feet away from the street.   |
| 3. Crime Prevention Through Environmental Design. In order to enhance public safety and provide for “eyes on the street”, all buildings that will regularly be occupied <i>should</i> provide windows that allow a view of the street in all street-facing building elevations.   | Encourages (but does not require) windows allowing views of the street from buildings intended for regular human occupancy. This helps create a sense of safety for pedestrians. Windows meeting this guideline would not have to provide views into the building from the street.<br><br>There is no similar existing guideline or requirement applicable in the CG zone. |
| 4. Weather protection. Weather protection for pedestrians, such as awnings, canopies and arcades <i>should</i> be provided at building entrances. Weather protection is encouraged  | These guidelines and standards are taken from the design guidelines that apply in the DDC and NNC zones. Similar provisions are included in  |



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| <p>along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or access way. Awnings and canopies <b>should not</b> be back lit.</p> <p>5. Building materials. Corrugated metal, plywood, sheet press board or vinyl siding <b>should</b> be used as exterior finish material. Plain concrete block and plain concrete <b>should not</b> be used as exterior finish material EXCEPT as a foundation material where the foundation material <b>should not</b> be revealed for more than 2 feet.</p> <p>6. Roofs and roof lines. EXCEPT in the case of a building entrance feature, roofs <b>should</b> be designed as an extension of the primary materials used for the building and should respect the building’s structural system and architectural style. False fronts and false roofs <b>should not</b> be used.</p> <p>7. Roof-mounted equipment. All roof-mounted equipment <b>shall</b> be screened from view from adjacent public streets. Satellite dishes and other communication equipment <b>shall</b> be set back or positioned on a roof so that exposure from adjacent public streets is minimized. Solar heating panels <b>shall</b> be exempt from this guideline.</p> | <p>the design guidelines that apply in the CG and other zones. They are included here for consistency.</p>   |
| <p>D. Parking lot landscaping and screening.</p>   |  |
| <p>1. A minimum five-foot landscaped strip <b>shall</b> be provided between a parking lot or drive through lane and a public sidewalk. This area <b>shall</b> be landscaped at a minimum planting density of one (1) plant unit (PU) per 20 sq. ft., per Table 3.1.5.</p>  | <p>Requires a 5 foot landscaped strip between parking areas, drive through lanes, and sidewalks to buffer the sidewalk somewhat.</p> <p>Existing guidelines and standards applicable in the CG zone prohibit parking within a required setback (15 feet) unless adjacent to a wall, and require screening, but not necessarily from landscaping. A low wall would satisfy both of these existing requirements. This proposed section would require a 5-foot setback with landscaping in all cases.</p> |
| <p>2. All parking areas and drive through lanes abutting a street <b>shall</b> provide within the required 5 foot landscaped strip either a 42-inch vertical visual screen from the abutting street grade or a landscaped swale for stormwater management. Acceptable design techniques to provide screening include plant materials; berms; and freestanding, architectural walls with an anti-graffiti finish. All screening <b>shall</b> comply with clear vision standards, <i>Section 3.103.10</i>.</p>   | <p>Similar to existing parking lot landscaping standards for CO and CG (3.106.03.A.2.b.2), but allows a bioswale in place of screening.</p>  |
| <p>3. Parking areas with more than 10 spaces <b>shall</b> be divided by landscaped areas or walkways, or by a building or group</p>  | <p>Requires medium and large parking areas to be broken up into groups of parking spaces. Same language as 2.107.06.D.13.c (DDC zone).</p>   |



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| of buildings.   | There are no existing requirements or guidelines applicable to the CG zone that address layout of the parking lot.  |
| 4. Parking lot landscaping shall be subject to the standards of <i>Section 3.106.03.C</i> .   | Same standards as CG.<br>The referenced section (3.106.03.C.1.a) will need to be updated to include the mixed use zone in the list of zones.  |
| <b>E. Screening Standards.</b>  |   |
| <b>1. Outdoor storage and display.</b>  |   |
| a. Outdoor storage and display located within 50 feet of a front lot line or a lot line abutting a Major Arterial <i>shall</i> be screened from view from the adjacent streets by a wall that complies with the standards of sub-section 2.b above, EXCEPT for outdoor displays of merchandise during business hours only that do exceed ten percent of the total retail sales area. Displays of merchandise on public sidewalks may not reduce usable walking area widths to less than six feet. | Requires that any outdoor storage and display within 50 feet of a street be screened with a wall that provides visual interest through architectural features. Exception allows for outdoor retail display during business hours (exception language mirrors 2.107.06.H). |
| b. Outdoor display and storage located more than 50 feet from a front lot line or a lot line abutting a Major Arterial shall be subject to <i>Section 3.107.06.F.1</i> .  | References and reiterates existing screening standards for outdoor storage where more than 50 feet from a street  |
| 2. Common refuse collection facilities <i>shall</i> be screened on all sides by an architectural block wall and solid gate, both with an anti-graffiti surface, a minimum of six feet and a maximum of seven feet in height.  | Same language as CG.  |
| <b>F. Outdoor Lighting Standards.</b> All outdoor lighting <i>shall</i> be designed so that:<br>1. Parking areas are evenly illuminated at ground level at one foot candle;<br>2. Entrance and loading areas are illuminated at ground level of two foot candles;<br>3. Illumination does not shine or reflect into any adjacent residentially zoned or used property; and<br>4. Lighting does not cast a glare onto moving vehicles on any public street.  | Same language as in the design guidelines and standards applicable in the CG and other zones.   |



**Additional Proposed and Recommended Code Amendments**

The tables below provide proposed Development Code amendments that implement the preferred Highway 99E concept. Proposed amendments are shown in the applicable code section; language recommended for addition to the code is double underlined and language recommended for removal is ~~struck through~~. The tables in which the amendments are presented include a commentary column explaining the background and rationale for the proposed amendment. Not all recommended amendments are proposed for adoption as part of the Corridor Plan; some proposed amendments are applicable city-wide and are recommended for adoption as part of a later, more comprehensive Development Code update.

*Frontage Improvements on Highway 99E*

The modifications shown in this section would require developers to construct frontage improvements on Highway 99E (this requirement currently applies only to city streets). These changes are recommended as part of the package of code amendments to implement the Plan at time of adoption. They primarily impact property in Segments 3 and 4 where street frontages are not improved to the adopted standards.

| <b>Proposed Amendment</b>   | <b>Commentary</b>   |
|---|---|
| <p>3.101.02 General Provisions<br/>A. The access or driveway, for each lot shall be connected to the existing public street system in compliance with Section 3.104.</p>  | <p>No changes proposed to this section. Included for reference.</p> |
| <p>B. No access permit shall be issued unless the internal street(s), boundary street(s) and connecting street(s) are constructed pursuant to Section 3.101.02.C, UNLESS or until the applicant has obtained an exception as provided in this section.</p>  | <p>No changes proposed to this section. Included for reference.</p> |
| <p>C. Design and Construction Standards.<br/>1. All public streets under the jurisdiction of the City of Woodburn shall comply with the applicable cross section design standards noted in Section 3.101.03 and construction specifications of the Public Works Department.<br/>2. All private streets in manufactured dwelling parks shall comply with applicable City design standards and specifications and state design standards and specifications where state standards and specifications preempt City standards and specifications.</p>   | <p>No changes proposed to this section. Included for reference.</p> |
| <p>D. Street Right of Way and Improvement Standards for Development.<br/>Any development subject to an access permit, Section 3.104, shall be responsible for adequate street rights of way and improvements. The standards of Section 3.101.02.D may only be modified subject to the approval of an exception, Section 5.103.12. In no instance may standards be reduced below specified minimum, non-variable standards.<br/>1. Connecting Street Standards. (Figure 6.12)<br/>a. Right of Way Standard. The full right of way for the subject street classification, Section 3.101.03, shall be required for a</p> | <p>No changes proposed to this section. Included for reference.</p> |



| Proposed Amendment   | Commentary |
|--|------------|
| <p>connecting street segment without an approved exception or variance.</p> <p>The minimum connecting street right of way shall be sufficient to accommodate the connecting street improvement standard in Section 3.102.D.1.b. below.</p> <p>b. Street Improvement Standard. The full street improvement for the subject street classification, Section 3.101.03, shall be provided for a connecting street segment without an approved exception.</p> <p>The minimum connecting street improvement standard shall be equivalent to:</p> <ol style="list-style-type: none"> <li>1) One, 10 foot wide travel lane in each direction, in addition to the required curbs, where the classification specifies a maximum standard of two travel lanes;</li> <li>2) Required drainage facilities;</li> <li>3) The pedestrian and bikeway facilities located on one side of the street that comply with the standards for the subject street classification. In locations where the street classification specifies a maximum standard of two travel lanes, the connecting segment on the side with the pedestrian/bikeway facilities shall be completed to standards, including the landscaped parkway strip.</li> </ol> <p>2. Boundary Street Standard. (Figure 6.12)</p> <p>a. Right of Way Standard. The full right of way for the subject street classification, Section 3.101.03, shall be required for a boundary street without an approved exception.</p> <p>The minimum standard for a boundary street right of way shall be no less than the width necessary to accommodate the boundary street improvement standard.</p> <p>b. Street Improvement Standard. The full street improvement for the subject street classification, Section 3.101.03, shall be provided for a boundary street without an approved exception.</p> <p>The minimum boundary street improvement standard shall be equivalent to:</p> <ol style="list-style-type: none"> <li>1) One, 10 foot wide travel lane in each direction, in addition to the required curbs in each direction where the classification specifies a maximum standard of two travel lanes;</li> <li>2) Required drainage facilities; and</li> <li>3) In addition to the improvements cited in 1) above, the full improvement of the street from the center line to the boundary of the subject property plus any center turn lane as described for the street classification.</li> </ol> <p>3. Internal Street Standards. (Figure 6.12)</p> <p>a. All public streets within a development shall comply with the full right of way and improvement standards of Section 3.101.03 without an approved variance.</p> <p>b. All private park streets permitted in manufactured dwelling</p> |            |



| Proposed Amendment  | Commentary  |
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| <p>parcs shall comply with the full requirements of Section 2.203.15, as set by statute.</p>  |   |
| <p><u>E. Highway 99E Frontage Improvements.</u><br/> <u>1. Street frontage on Highway 99E shall be improved with sidewalks and street trees as specified in the Highway 99E Corridor Plan.</u><br/> <u>2. Highway 99E frontage improvements shall be coordinated with and approved by the City Engineer and ODOT.</u><br/> <u>3. Street Trees on Highway 99E:</u><br/> <u>a. Must be of a species and variety acceptable to ODOT.</u><br/> <u>b. Are prohibited within 250 feet of a rail crossing. Any street vegetation within 250 feet of a crossing is limited to ground cover only, standing no higher than 3 feet at maturity.</u><br/> <u>4. Right of way consistent with the Highway 99E Corridor Plan shall be dedicated to ODOT at time of development.</u></p> | <p>Requires sidewalks and street trees for development along 99E. Also requires dedication of right of way at time of development. Existing regulations do not require full street improvements or right-of-way dedication for streets that are not under city jurisdiction (e.g. 99E).</p> <p>Note: subsequent subsections will need to be renumbered.</p> |



*Special Setbacks on Highway 99E*

The changes shown in this section reflect the cross-section widths for Highway 99E adopted as part of the Highway 99E Corridor Plan to avoid requiring a greater undevelopable setback area on private property than is needed based on the planned highway cross-sections.

| Proposed Amendment  | Commentary  |  |                        |                             |  |  |   |
|---|---|--|------------------------|-----------------------------|--|--|---|
| <p><b>3.103 Setback, Open Space and Lot Standards, Generally</b><br/><b>3.103.05 Special Street Setbacks</b></p> <p>A. Purpose.</p> <p>The special setbacks in this <i>Section</i> are based upon the functional classification of streets and roads described in the Woodburn Transportation System Plan (WTSP). The purpose of these special setbacks is to provide for adequate air movement, solar access, visibility, aesthetics and compliance with the development standards of the <i>WDO</i> when a major street is improved.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p> |  |                        |                             |  |  |   |
| <p>B. Setback Requirements.</p> <p>Required setbacks adjacent to a street shall be in addition to the special setbacks required in this Section. The special setback distances shall be measured at right angles to the center line of the original street right of way.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p> |  |                        |                             |  |  |   |
| <p>C. Special Provisions.</p> <p>Buildings, structures and paved surfaces shall not be located within the special setbacks EXCEPT as specifically provided for in the <i>WDO</i>. Any portion of a building or structure lawfully established within a special street setback prior to date of the <i>WDO</i> shall be considered a nonconforming structure.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p> |  |                        |                             |  |  |   |
| <p>D. Special Setback Standards.</p> <p>Special setback standards by street classification are established in <i>Table 3.1.1</i>. The special setback standards shall be applied to streets within the City of Woodburn as functionally classified in the Woodburn Transportation System Plan.</p> <table border="1" data-bbox="191 1745 922 1871"> <thead> <tr> <th colspan="2" data-bbox="191 1745 922 1835"><b>TABLE 3.1.1 Special Setback Standards by Street Classification</b></th> </tr> <tr> <th data-bbox="191 1835 553 1871"><b>WTSP Functional</b></th> <th data-bbox="553 1835 922 1871"><b>Special Setback from</b></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table> | <b>TABLE 3.1.1 Special Setback Standards by Street Classification</b>               |  | <b>WTSP Functional</b> | <b>Special Setback from</b> |  |  | <p>Special standards specific to the various segments of Highway 99E are incorporated rather than the default 50 feet required for other Major Arterials. This reduces the special setback in Segments 1 and 2 to match the existing right-of-way and in Segment 4 to match the proposed cross-section. Segment 3 remains at 50 feet because the adopted cross-section in that area matches the Major Arterial design standard.</p> |
| <b>TABLE 3.1.1 Special Setback Standards by Street Classification</b>   |   |  |                        |                             |  |  |   |
| <b>WTSP Functional</b>  | <b>Special Setback from</b>   |  |                        |                             |  |  |   |
|   |   |  |                        |                             |  |  |   |



| Proposed Amendment  |  | Center Line    | Commentary |
|---|--|----------------|------------|
| Classification  |  |                |            |
| Major Arterial (other than Highway 99E)   |  | 50 feet        |            |
| <u>Highway 99E:</u>   |  |                |            |
| <u>MP 30.85 to MP 32.41 (Carl Road to Lincoln Street)</u>                           |  | <u>45 feet</u> |            |
| <u>MP 32.41 to MP 33.19 (Lincoln Street to 1,150 ft south of Cleveland Street)</u>  |  | <u>50 feet</u> |            |
| <u>MP 33.19 to 34.07 (1,150 ft south of Cleveland Street to proposed South UGB)</u> |  | <u>40 feet</u> |            |
| Minor Arterial  |  | 37 feet        |            |
| Service Collector   |  | 36 feet        |            |
| Access Street/Commercial Street   |  | 33 feet        |            |



*Access Management on Highway 99E*

The changes to this section apply special local access management standards to development on Highway 99E through the land use permitting process. These standards supplement, but do not replace, ODOT access spacing standards.

| Proposed Amendment   | Commentary  |
|--|---|
| <p><b>3.104 Access</b><br/> <b>3.104.01 Applicability</b><br/> A. Street Access Required.</p> <p>1. Every lot shall have direct access to an abutting public street or to a public street by an irrevocable access easement.</p> <p>2. Every joint driveway or cross connection between separate lots shall be established by an irrevocable access easement.</p>  | <p>Existing language included for reference (no changes to this part proposed).</p>                                       |
| <p>B. Access to City Streets, Permit Required.</p> <p>1. A City permit shall be required for any new or modified vehicular access to a street that is under City jurisdiction. The following types of access shall be subject to such a permit:</p> <ul style="list-style-type: none"> <li>a. Site access to and/or from a City street;</li> <li>b. An extension of an existing City street; or</li> <li>c. A new public or private street connecting to a City street.</li> </ul> <p>2. A Traffic Impact Analysis (TIA) may be required by the Public Works Director [...]</p> <p>3. Administration of City access permit standards and guidelines.</p> <ul style="list-style-type: none"> <li>a. Type I Applications. Development subject to one of the following Type I applications: <ul style="list-style-type: none"> <li>1) Design Standards for Single Family and Duplex Residential Dwellings , Section 5.101.01; or [Section 3.104.01.B.3(1) as amended by Ordinance No. 2383, '40, passed March 16, 2005.]</li> <li>2) Access to a City Street, EXCLUDING Major and Minor Arterial Streets, Section 5.101.12 shall be subject to the access standards of this Section and street improvement standards in Section 3.101 EXCEPT when the subject property is bound by the requirements of a precedent land use decision that has not been modified by a subsequent land use decision.</li> </ul> </li> <li>b. Type II and III Applications. Development subject to one of the following Type II and III applications: <ul style="list-style-type: none"> <li>1) Type II Design Review, Section 5.102.02;</li> <li>2) Type III Design Review, Section 5.103.02;</li> <li>3) Access to a City Major or Minor Arterial Street, Section 5.102.04;</li> </ul> </li> </ul> | <p>Existing language applicable to access to city streets, included for reference (no changes to this part proposed).</p> |



| Proposed Amendment   | Commentary  |
|--|---|
| <p>4) Preliminary Partition Approval, Section 5.102.01;<br/>5) Preliminary PUD Plan Approval, Section 5.103.07; or<br/>6) Preliminary Subdivision Approval, Section 5.103.09 shall be subject to the access standards and guidelines specified in this Section and street improvement standards in Section 3.101 EXCEPT when the subject property is bound by the requirements of a precedent land use decision that has not been modified by a subsequent land use decision.</p> <p>4. A City access permit shall be subject to the requirements of the WDO and Public Works Department standards.</p>  |   |
| <p>C. Access to State Streets, Highways, and Interchanges.</p> <p>1. Access to a transportation facility under the jurisdiction of the Oregon Department of Transportation (ODOT) shall be subject to the requirements of OAR 734-051.</p> <p><u>2. In addition, for development on property abutting Oregon 99E the City shall review the following types of applications for compliance with the requirements of Section 3.104.03.B:</u></p> <p><u>1) Type II Design Review, Section 5.102.02;</u><br/><u>2) Type III Design Review, Section 5.103.02;</u><br/><u>3) Preliminary Partition Approval, Section 5.102.01;</u><br/><u>4) Preliminary PUD Plan Approval, Section 5.103.07;</u><br/><u>5) Preliminary Subdivision Approval, Section 5.103.09.</u></p>  | <p>New text would require the City to review Type II and III applications abutting 99E for compliance with new local access standards during site plan review or the regular local land use permitting process.</p> |
| <p><b><u>3.104.03 Driveway Access Guidelines, Type II and III Applications</u></b></p> <p>A. Guidelines for the Number and Location of Driveways, Type II and Type III Applications.</p> <p>1. The number of driveway accesses should be minimized based on overall site design, including consideration of:</p> <ul style="list-style-type: none"> <li>a. The function classification of abutting streets;</li> <li>b. The on-site access pattern, including cross connected parking and circulation, joint access, turnarounds and building orientation;</li> <li>c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.</li> </ul> <p>2. Joint/Shared Access.</p> <ul style="list-style-type: none"> <li>a. Partition lots. All lots created by a partition that access a Major or Minor Arterial street should be accessed via a single, shared driveway with an on-site turnaround, UNLESS otherwise required by <b>Section 3.104.05.</b></li> <li>b. The lot and street layout in a subdivision or PUD should be</li> </ul> | <p>Existing language applicable to access to city streets, included for reference (no changes to this part proposed).</p>   |



| Proposed Amendment   | Commentary  |
|--|---|
| <p>configured so that lots abutting a major street have access to a local street. Where the layout necessitates access to a major street, access for abutting lots should be shared and provided with an on-site turnaround, UNLESS otherwise required by <b>Section 3.104.05</b>.</p> <p>c. Medium density residential, commercial, industrial uses and other development subject to Type II or III Design Review located on the same lot, or on abutting lots, that abut a Major Arterial, Minor Arterial, or Service Collector should be designed to share access to those major streets. A minimum of two vehicular accesses shall be provided in developments with eleven (11) or more medium density residential dwelling or living units.</p> <p>d. Shared/Joint Access Agreements. Shared and/or joint access agreements serving properties under separate ownership shall be subject to legal documentation, to the satisfaction of the City Attorney, establishing permanent use of the access. The agreement shall be recorded with the County Recorder and filed with the Community Development Director.</p> <p>3. Cross Connections.</p> <p>a. All uses sited on one lot should have common, and/or interconnected, off street parking and circulation facilities.</p> <p>b. Similar, and/or compatible, uses on abutting lots should have interconnected on-site access and parking facilities. Such shared facilities serving properties under separate ownership shall be subject to legal documentation, to the satisfaction of the City Attorney, establishing permanent use of the access and parking facilities. The agreement shall be recorded with the County Recorder and filed with the Community Development Director.</p> <p>4. Access to lots with multiple street frontages should be from the abutting street(s) with the lowest functional classification.</p> <p>5. Dysfunctional or unused driveways should be closed.</p> |   |
| <p><u>B. Access requirements for property abutting Oregon 99E.</u></p> <p><u>1. The number of driveways to Oregon 99E shall be minimized, consistent with OAR 734-051.</u></p> <p><u>2. All uses sited on one lot shall have common and/or interconnected off street parking and circulation facilities.</u></p> <p><u>3. Similar and/or compatible uses on abutting lots shall have interconnected and/or shared on-site access and parking facilities where feasible. Such shared facilities serving properties under</u></p>  | <p>Establishes local requirements related to access applicable to property abutting 99E. As described above, the city will review Type II and III land use applications for property abutting 99E for compliance with the standards. An ODOT access permit is still required.</p> |



| Proposed Amendment  | Commentary   |
|---|--|
| <p><u>separate ownership shall be subject to legal documentation, to the satisfaction of the City Attorney, establishing permanent use of the access and parking facilities. The agreement shall be recorded with the County Recorder and filed with the Community Development Director.</u></p> <p><u>4. Access to lots with multiple street frontages shall include access from the abutting street(s) with the lowest functional classification.</u></p> <p><u>5. Access driveways shall be located to avoid or minimize conflicts between entering and exiting vehicles from opposing driveways.</u></p> <p><u>6. Prior to issuance of building permits, an access permit shall be obtained from ODOT for access to Oregon 99E.</u></p> |  |
| <p><u>B.C. Driveway Spacing Guidelines, Type II and III Applications.</u><br/>The minimum separation of a driveway from: a) the special setback of a parallel major street, b) the right of way of a parallel local street, or c) from another driveway should be as follows.</p> <ol style="list-style-type: none"> <li>1. Major Arterial Street: 300 feet;</li> <li>2. Minor Arterial Street: 245 feet; and</li> <li>3. Service Collector, Access or Local Street: 50 feet<br/>EXCEPT where pre-existing conditions preclude such separation the separation should be maximized.</li> </ol>   | <p>No change to this section except for numbering. Applies only to city streets.</p> |



*Enhanced Walkway Standards for all Non-Residential Structures*

These modifications are recommended, but are not proposed for adoption as part of the Highway 99E Corridor Plan because they would affect property throughout the city. It is recommended that the City consider adopting these or similar amendments through the citywide code update that is taking place concurrently with the development of the Corridor Plan.

|  |   |
|--|---|
| <p><b><u>3.107.06 Guidelines and Standards for Non-Residential Structures in RS, R1S, RM, CO, CG and P/SP Zones</u></b><br/>[...]</p> <p>C. Site and Building Access Guidelines.</p> <p>1. Access to and from the site and circulation within the site <del>should separate facilities for cars, trucks and transit from those for</del> <u>shall accommodate</u> bicycles and pedestrians.</p> <p>a. <u>Walkways shall connect all building entrances and on-site parking areas, and shall connect off-site adjacent uses to the site unless topographic or existing development constraints preclude making certain walkway connections.</u></p> <p>b. <u>Where walkways cross a parking area or driveway they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.</u></p> <p>c. <u>On-site bicycle parking shall meet the requirements of Section 3.105.02.H.10</u></p> <p>d. <u>Where bicycle and pedestrian facilities cannot be provided as part of required street improvements, due to existing development, environmental constraints, or where streets have been stubbed or cul-de-saced, pedestrian and bicycle connections may still be required.</u></p> | <p>Existing text is ambiguous on how pedestrian and bicycle facilities should be separated from other modes of transportation. Recommended modifications address pedestrian circulation, requiring on-site pedestrian connections to and from building entrances and walkways that are marked or distinguished by contrasting paving materials where pedestrians may come into conflict with motorists. Recommended text is loosely based on the Model Code, 3.1 Access and Circulation.</p> <p><i>NOTE: Need to add the following to the Definitions:</i><br/><u>Sidewalk. A paved walkway within a street right-of-way improved to city standards, or to other roadway authority standards, as applicable.</u></p> <p><u>Walkway. A facility that provides pedestrian connectivity within the site and to destinations adjacent to the site and that may or may not be part of the street right-of-way.</u></p> <p>Specific opportunity locations have been identified for bicycle and pedestrian access.</p> |
|--|---|



### *Enhanced Parking Lot Buffering Standards for All Properties in CO and CG Zones*

These modifications are recommended, but are not proposed for adoption as part of the Highway 99E Corridor Plan because they would affect property throughout the city. However, it is recommended that the city consider adopting these or similar amendments through the citywide code update that is taking place concurrently with the development of the Corridor Plan.

#### **3.106.03 Landscaping Standards**

##### A. Streetscape.

1. Street Trees. Within the public street right of way abutting a development, or within an alley right of way in the DDC zone, street trees shall be planted to City standards prior to final occupancy.

a. Acceptable Types of Trees. See **Section 6.103** for a description of acceptable and unacceptable trees for this purpose, classified by size and species.

b. Tree Density. Trees shall be planted at the following intervals within the right of way, subject to Clear Vision Area standards, **Section 3.103.10 and Section 6.103**:

- 1) Four (4) small trees per 100 feet of street frontage;
- 2) Three (3) medium trees per 100 feet of street frontage; or
- 3) Two (2) large trees per 100 feet of street frontage.

##### 2. Front Yard and Yard Abutting a Street.

a. Landscaping Density for non-residential uses in the RS and RIS zone and all uses in the RM, P/SP, IL, IP, and SWIR zones. All front yards and yards abutting a street shall be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft.

b. Landscaping Design and Density in CO and CG zones.

1) All yards abutting a street, including off street parking and circulation areas shall be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft.

2) All parking areas abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials; berms; freestanding, architectural walls with an anti-graffiti finish, depressed grade for the parking area. All



|  |  |
|--|--|
| <p>screening shall comply with the clear vision standards,<br/><b><i>Section 3.103.10.</i></b></p> <p><u>3) All parking areas abutting a street where street trees meeting the standards of subsection 1 above have not been provided within the public street right of way shall provide trees between the street and the parking area. Such trees shall conform to the street tree standards of subsection 1, above.</u><br/>[...]</p> | <p>Require trees between areas used for parking and sidewalk where there are no street trees</p> |
|--|--|

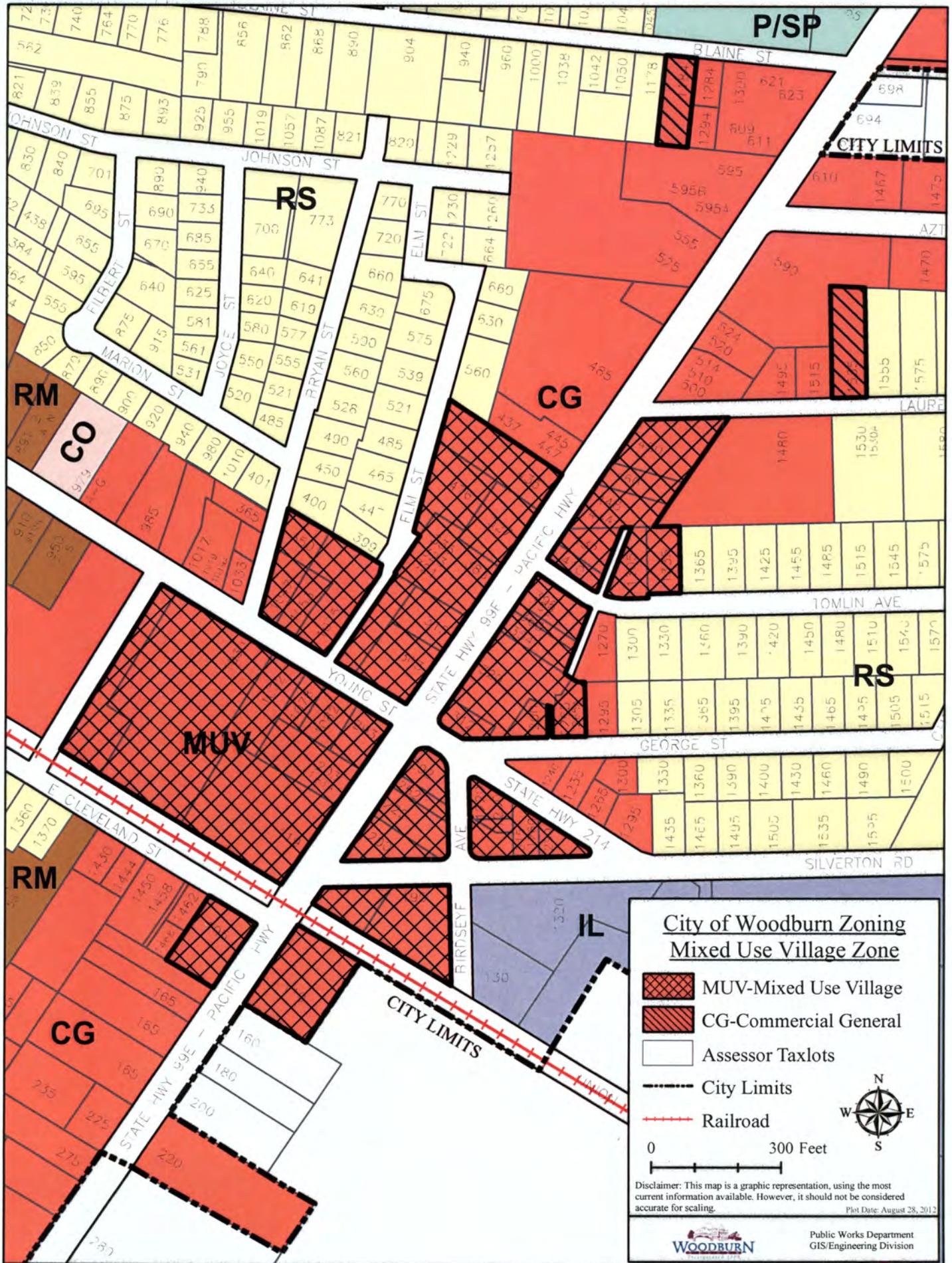
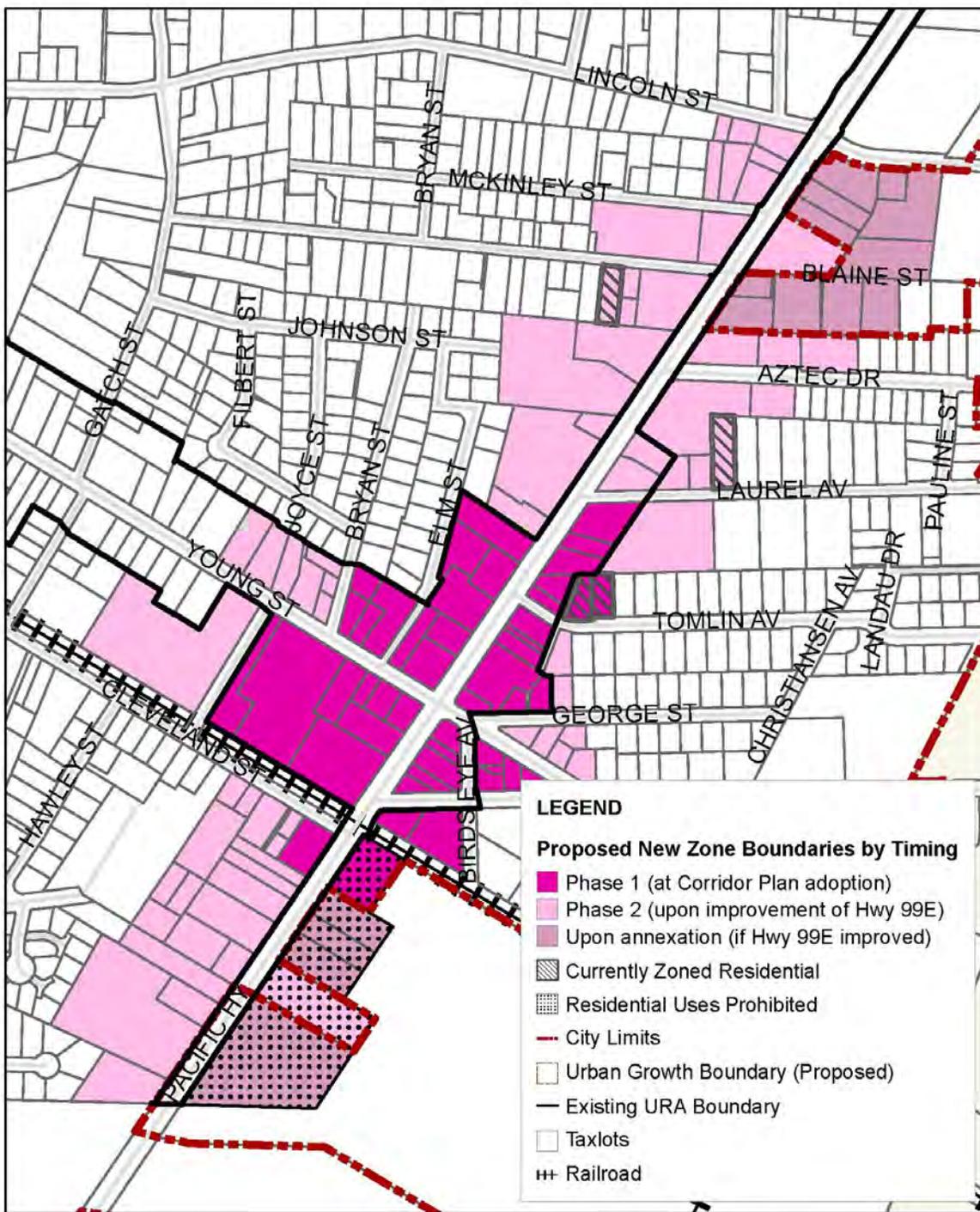




Figure 12: Mixed Use Village Boundaries and Phasing



City of Woodburn  
Highway 99E Corridor Plan

0 Feet 500 1,000

JAN 2012

Corridor Plan Map Amendments - Mixed Use Village Zone Boundaries and Timing



# Agenda Item

September 10, 2012

TO: Honorable Mayor and City Council  
FROM: Scott C. Derickson, City Administrator  
SUBJECT: **PGE Franchise Extension**

**RECOMMENDATION:**

Adopt the Ordinance Extending the PGE Franchise

**BACKGROUND/ DISCUSSION:**

The City Council is aware that staff has been busy working on several expiring city franchises. We anticipate that you will take action on these during your next several meetings.

More specifically, we recently met with Woodburn Ambulance, whose franchise expires on October 1, 2012, and have reached agreement on a proposed Franchise Ordinance, which is before you tonight for a public hearing. The City Attorney has been actively negotiating with WAVE's corporate attorney over their cable television franchise, which is complicated and lengthy. The expiring telecommunications franchise of Data Vision Communications is also being negotiated. Finally, the PGE franchise expires at the end of this calendar year.

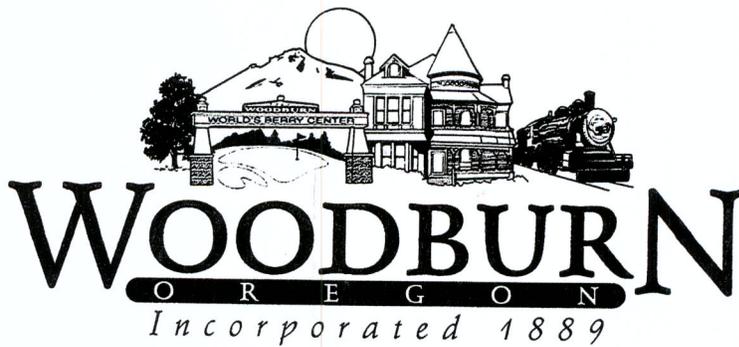
Because of these other ongoing franchise negotiations, we approached PGE about an extension continuing its franchise for an additional six months until June 30, 2013. Wendy Buck of PGE has informed me that PGE has agreed to this extension.

**FINANCIAL IMPACT:**

None.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_



August 13, 2012

Wendy Buck  
Portland General Electric  
121 SW Salmon St.  
Portland, OR 97204

Re: Extension of PGE Franchise

Dear Wendy:

As we discussed earlier, PGE's franchise with the City of Woodburn will expire at the end of this calendar year. This year has been challenging for the City in that we have lost our Finance Director and are in the process of negotiating three franchises in addition to the one with PGE. We are also bargaining with both employee unions and all of this work is being done in house.

Given the City's current situation, I requested the City Attorney draft a short extension to the PGE franchise. (enclosed). I am hopeful that you will agree to this. As you know, the City has had a long and good relationship with PGE and is looking forward to another renewal.

Please let me know your position at your earliest convenience.

Sincerely,

Scott Derickson  
City Administrator

cc: N. Robert Shields, City Attorney  
Christina Shearer, Interim Finance Director

Office of the City Administrator

270 Montgomery Street • Woodburn, Oregon 97071

Ph. 503-982-5228 • Fax 503-982-5243

**COUNCIL BILL NO. 2902**

**ORDINANCE NO. 2493**

**AN ORDINANCE AMENDING ORDINANCE 2328, THE PORTLAND GENERAL ELECTRIC COMPANY FRANCHISE, TO EXTEND SAID ORDINANCE UNTIL JUNE 30, 2013.**

**WHEREAS**, Ordinance 2328 grants a franchise (the "Franchise") to the Portland General Electric Company (PGE) to operate an electric light and power system within the corporate limits of the City of Woodburn; and

**WHEREAS**, the Franchise expires on December 31, 2012; and

**WHEREAS**, negotiations between the City and PGE have begun and a renewal of the Franchise is anticipated in the near future; and

**WHEREAS**, other than negotiations with PGE, City staff is currently involved in negotiations with three other franchisees and is in collective bargaining with two employee unions; and

**WHEREAS**, because of these circumstances it is desirable to extend the terms of the Franchise until June 30, 2013 so that negotiations can be completed; and

**WHEREAS**, pursuant to Oregon state law, the City also has imposed a one and one-half percent privilege tax on the gross revenues of PGE, which will continue to be collected by the City in addition to the franchise fee; and

**WHEREAS**, PGE has consented to the extension of the Franchise and it is in the best interest of the City to amend said Ordinance 2328 to allow for said extension; **NOW, THEREFORE**,

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1.** The City Council finds that PGE has consented to this amendment.

**Section 2.** Section 2 of Ordinance 2328 is amended to read as follows:

**Section 2 – Term of Franchise and Effective Date**

This ordinance shall become effective March 1, 2003, and shall terminate on June 30, 2013

Approved as to form: \_\_\_\_\_  
City Attorney Date

Approved: \_\_\_\_\_  
Kathryn Figley, Mayor

Passed by the Council \_\_\_\_\_

Submitted to the Mayor \_\_\_\_\_

Approved by the Mayor \_\_\_\_\_

Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Heather Pierson, Assistant City Recorder  
City of Woodburn, Oregon



## Agenda Item

September 10, 2012

TO: Honorable Mayor and City Council through City Administrator  
FROM: Dan Brown, Public Works Director  
SUBJECT: **RESOLUTION WAIVING APPLICATION OF THE NOISE ORDINANCE -  
WOODBURN INTERCHANGE AND TRANSIT FACILITY IMPROVEMENT  
PROJECT CONSTRUCTION**

### **RECOMMENDATION:**

That the City Council adopt the attached resolution waiving the City Noise Ordinance for construction activities associated with the Woodburn Interchange and Transit Facility Improvement Project.

### **BACKGROUND:**

The Oregon Department of Transportation (ODOT) will begin construction of planned improvements to the Woodburn Interchange and Transit Facility beginning in summer of 2013 and completed the winter of 2015. The estimated cost of the planned improvements is \$79 million. Full funding for the project has not been identified by ODOT at this time, but preliminary design documents are being finalized and must be approved in the fall of 2012 to meet project delivery schedule. A key component of the preliminary design package is defining noise control constraints imposed on the contractor. The noise control constraints required as a condition for construction will impact the project delivery schedule and cost.

### **DISCUSSION:**

Ordinance 2312, the Woodburn Noise Ordinance, was enacted to protect, preserve, and promote the health, safety, and welfare of the residents of the City of Woodburn through the reduction, control, and prevention of loud raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity. Ordinance 2312 does recognize that the need for flexibility in noise restrictions is essential to allow for the construction and the maintenance of structures, infrastructure, and other elements necessary for the physical and

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

commercial well-being of the City of Woodburn. Construction activity is generally not permitted between the hours of 9:00 pm and 7:00 am. The City Administrator may administratively, however, authorize construction activity within these hours for a period to not exceed 10 days. Since ODOT is requesting that construction activity be authorized for a period exceeding 10 days, staff drafted a resolution for City Council consideration.

The Interchange and Transit Facility Improvement Project will entail high noise levels throughout the duration of the project, scheduled to be three years. The nature of the work will be very loud and very disruptive to both residents and businesses in the vicinity of the construction activity. ODOT has identified the need for extensive amounts of nighttime work to be performed due to congestion control. Vehicular congestion within the construction zone will be extensive and can present a considerable public safety concern should traffic be backed onto I-5. Providing the ability for the contractor to perform work at night allows construction activities that contribute to vehicular congestion to be accomplished when traffic is lighter. Additionally, performing night work also allows the project schedule duration to be shortened, providing relief to the community on the overall duration of construction activity, congestion, and the related difficulties associated with restricted access to the freeway.

The attached recommended resolution, upon Council approval, will waive application of the Woodburn Noise Ordinance, with conditions. Those conditions have been negotiated with ODOT and were identified in its letter requesting waiver. The conditions identified in the ODOT request will eliminate the most prevalent noise sources that cause quality of life deterioration problems for adjoining neighborhoods to a major construction project. The conditions agreed upon do not eliminate all noise, but significantly reduce problematic annoying noise. Management of community expectations and mitigating complaints can be best addressed by a clear policy statement that acknowledges that this is not a perfect answer, but provides the broadest benefit to overall community.

Provided in the attached resolution are specific conditions to be performed by ODOT and their contractor in exchange for waiving application of the Noise Ordinance. These conditions are intended to preserve as much as possible the elimination of nuisance noise and sustain an acceptable quality of life for residents in the vicinity of this major construction project.

**FINANCIAL IMPACT:**

Approval of the attached resolution for waiving application of the Noise Ordinance will not impact the City's budget. Should the Council elect to not approve the attached resolution, the Woodburn Interchange Improvement Project construction duration and cost will be increased. Additionally, local businesses will be adversely impacted due to a longer construction schedule and access limitations during the business day.



# Oregon

John A. Kitzhaber, Governor

## Department of Transportation

Region 2, Mid-Willamette Valley Area  
885 Airport Road SE  
Building P  
Salem, OR 97301  
(503) 986-2900  
Fax (503) 986-2881

August 22, 2012

Mr. Scott Derickson, City Administrator  
City of Woodburn  
270 Montgomery St.  
Woodburn, OR 97071

**SUBJECT: Request for Waiver to the Woodburn Noise Ordinance 2312, for construction activity associated with the Woodburn Interchange & Transit Facility Project**

Dear Mr. Derickson,

The Woodburn Interchange and Transit Facility Project (Project) limits extend on OR 219 from Willow Ave. west of I-5 and to N. Settlemier Ave./N Boones Ferry Rd. east of I-5 on OR 214. The Project includes widening and reconstructing the state highway within the Project limits, widening the highway bridge over I-5, adding new loop entry and exit ramps on I-5 and turning lanes on various adjoining local city streets. In addition, the Project includes constructing a new transit facility and an extending Evergreen Rd. north of OR 214 to Country Club Court. Total Project cost is currently estimated at \$79 Million. Project construction is expected to occur from approximately June 1, 2013 to December 31, 2015.

As stated above, construction will include reconstructing and resurfacing the state highway and associated local city streets and sidewalks. Soil borings in the highway and local street rights of way have shown sub-base conditions to be highly unstable. In order to stabilize the roadway base, extensive over-excavation of the road sub-grade is required the length of the state highway within the Project limits. This over-excavation will approximately double the number of trucks normally required to haul away excavated material and import fill material.

ODOT is always reluctant to authorize night work due to construction noise; however, in this case, the nighttime noise is offset by significant advantages. By permitting night work, the amount and duration of daytime traffic congestion that would otherwise occur due to the over-excavation is significantly decreased over the construction period. Another advantage of permitting night work, is that driveway connections to businesses

can be constructed at night, thus eliminating costly and frustrating daytime driveway closures.

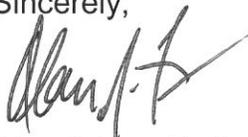
If permitted, night-time construction work will generally consist of existing pavement removal, roadway sub-base material removal, sub-base and base construction, resurfacing the reconstructed highway roadway and local streets and driveways. Accordingly, ODOT requests a noise waiver for this night-time work for seven (7) days a week for the duration of the project.

In consideration of the waiver, ODOT agrees to the following specific noise reduction measures:

- a. Pile driving operations that involve actual hammer driving will not be performed between the hours of 9:00 pm and 7:00 am; pile driving operations other than those involving actual hammer driving are considered construction activity permitted by the waiver of Ordinance No. 2312;
- b. Contractor shall provide at least 14 days advance notice to the City of scheduled nighttime construction activity. A single notification may cover a multi-month period. Notification shall include a description of the type of construction activity planned and the nature of noise residences and businesses should plan to expect during those nighttime operations;
- c. Use of an "observer" or "spotter" during nighttime work in lieu of equipment back-up alarms will be utilized in the following areas of work on OR214/219: Willow Ave. to Woodland Ave. on OR 219 and Country Club Rd./ Oregon Way to Broughton Way on OR 214. This measure is permitted by OSHA regulations cited in Exhibit A. These areas referred to coincide with the areas of highway construction on OR214, shown in Exhibit B as Noise Wall Numbers 1 and 3,
- d. ODOT will endeavor to construct the sound walls in Exhibit B as early in the construction schedule as possible.
- e. Post the scheduled nighttime work and the type of noise residents should anticipate on the ODOT Project website weekly as modified. Also publish the work schedule in local media weekly or bi-weekly.

Your consideration of this waiver request is greatly appreciated. Please call me if you have any additional questions regarding this application.

Sincerely,



Alan J. Fox, Project Leader  
ODOT Northwest Region, Mid-Willamette Valley Area

Cc: Dan Brown, Woodburn Public Works Director  
Donna Hinze, ODOT Region 2 Environmental Coordinator  
Carole Newvine, ODOT Acoustical Specialist  
Shane Ottosen, ODOT Project Manager

## EXHIBIT A

### OR-OSHA

#### **437-002-2225 Vehicles for Highway and Road Operation Characteristics and Maintenance (Division 2/N, General Industry)**

#### **437-003-3225 Vehicles for Highway and Road Operation Characteristics and Maintenance (Division 3/O, Construction)**

##### **(9) Warning Devices.**

(a) All vehicles must have a working horn that can be heard above surrounding area noise.

Paragraph (b) does not apply when the vehicle backs up with an observer or when the operator verifies that there is nobody behind the vehicle or when nobody may enter the danger area without the operator's knowledge.

(b) Vehicles with an obstructed view to the rear must have a backup alarm that can be heard over the surrounding noise. If surrounding noise prevents this or if there are so many vehicles using backup alarms that they cannot be distinguished from each other, flashing or strobe lights are acceptable.



**COUNCIL BILL NO. 2903**

**RESOLUTION NO. 2017**

**A RESOLUTION WAIVING APPLICATION OF ORDINANCE 2312 (THE NOISE ORDINANCE) FOR CONSTRUCTION ACTIVITY ASSOCIATED WITH THE WOODBURN INTERCHANGE AND TRANSIT FACILITY IMPROVEMENT PROJECT AND PROVIDING FOR CERTAIN CONDITIONS.**

**WHEREAS**, Ordinance 2312 (“the Noise Ordinance”) was enacted to protect, preserve, and promote the health, safety, and welfare of the residents of the City of Woodburn through the reduction, control, and prevention of loud raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity; and

**WHEREAS**, the Oregon Department of Transportation (ODOT) intends to construct major improvements to the Woodburn Interchange during the period of the summer 2013 to the end of 2015 for a sum estimated at \$79 million for enhancement of the statewide transportation system; and

**WHEREAS**, ODOT has submitted a letter to the City requesting that the application of the Noise Ordinance be waived during the Woodburn Interchange Improvement and Transit Facility Project and agreeing to certain specified conditions; and

**WHEREAS**, the Woodburn Interchange Improvement and Transit Facility Project is a major transportation infrastructure capital improvement project involving construction activities that generate high levels of noise that will be highly disruptive to the normal environment of residences and businesses in the vicinity of the construction site; and

**WHEREAS**, compliance with the Noise Ordinance would prohibit nighttime construction activities of the Woodburn Interchange Improvement and Transit Facility Project and adversely impact the project delivery schedule and increase costs; and

**WHEREAS**, prohibition of nighttime work would contribute to higher levels of daily traffic congestion that would pose a public safety risk with traffic backing out onto a major interstate freeway and restricting vehicular movement within the City and ability to provide timely emergency response; and

**WHEREAS**, the Woodburn City Council has the authority in these circumstances to waive application of the Noise Ordinance and has

determined that such action is necessary to facilitate the needed construction activities; **NOW, THEREFORE,**

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1.** That conditioned upon ODOT's inclusion of project specific noise reduction measures into the contract documents for the Woodburn Interchange Improvement and Transit Facility Project, the City Council waives the application of Ordinance 2312 (the Noise Ordinance) for the Woodburn Interchange Improvement and Transit Facility Project.

**Section 2.** That the Woodburn Interchange Improvement Project specific noise reduction measures shall include the following:

- a. Pile driving operations that involve actual hammer driving not be performed between the hours of 9:00 pm and 7:00 am;
- b. Pile driving operations other than those involving actual hammer driving are considered construction activity permitted by the waiver of Ordinance 2312;
- c. Contractor shall provide 14 days advance notice to the City of scheduled nighttime construction activity. A single notification may cover a multi-month period. Notification shall include a description of the type of construction activity planned and the nature of noise residences and businesses should plan to expect during those nighttime operations;
- d. Use of an "observer" or "spotter" during nighttime work in lieu of back-up alarms will be utilized in the following areas of work on OR 219/214:
  - Willow Avenue to Woodland Avenue on OR 219
  - Country Club Road/Oregon Way to Brought Way on OR 214
- e. ODOT will endeavor to construct sound walls as early in the construction schedule as possible to assist with construction noise mitigation;
- f. Post the scheduled nighttime work and type of noise residents should anticipate on the ODOT Project website weekly or as modified. Also, publish the work schedule in the local newspaper weekly.

Approved as to Form: \_\_\_\_\_  
City Attorney Date

APPROVED: \_\_\_\_\_  
Kathryn Figley, Mayor

Passed by the Council  
Submitted to the Mayor  
Approved by the Mayor  
Filed in the Office of the Recorder

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ATTEST: \_\_\_\_\_  
Heather Pierson, Assistant City Recorder  
City of Woodburn, Oregon



# Agenda Item

Sept 10, 2012

TO: Honorable Mayor and City Council through City Administrator  
FROM: Steve Krieg, Building Official  
SUBJECT: **Intergovernmental Agreement with the City of Newberg**

**RECOMMENDATION:**

Authorize the City Administrator to sign an Intergovernmental Agreement (IGA) with the City of Newberg for structural/mechanical inspections and plan reviews.

**BACKGROUND\DISCUSSION:**

The City of Woodburn has an IGA with Marion County for mutual inspection and plan review assistance. Workload demands for the County fluctuate, and in some instances, the County is unable to assist Woodburn when needed. An IGA with Newberg provides additional resources when outside assistance is needed. The IGA with Newberg addresses both structural/mechanical inspections and plan reviews, and would allow Woodburn and Newberg to assist each other on an as-needed basis.

**FINANCIAL IMPACT:**

The Structural/Mechanical Inspections and Plan Review IGA involves budgeted money to the extent that Woodburn uses Newberg's resources. To the extent that Newberg uses Woodburn's resources, some revenue will be received by the City.

Attachments: IGA for Structural/Mechanical Inspections and Plan Reviews

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE CITY OF NEWBERG  
AND  
THE CITY OF WOODBURN  
FOR  
STRUCTURAL/MECHANICAL INSPECTIONS AND PLAN REVIEWS**

This Agreement is made pursuant to ORS 190.010 between the City of Newberg a municipal corporation of the State of Oregon, hereinafter called "Newberg", and the City of Woodburn, a municipal corporation of the State of Oregon, hereinafter called "Woodburn".

**I. RECITALS:**

1. Newberg and Woodburn have determined that they have a need for qualified personnel to perform structural/mechanical inspections and plan reviews in lieu of their own employees who may be ill, on vacation, or otherwise temporarily unable to perform their duties, and;
2. Newberg and Woodburn employ inspectors who are qualified and licensed to perform such inspection and plan review duties, and;
3. It is the mutual desire of Newberg and Woodburn that each agency provide personnel to provide these backup services to the other agency as needed, therefore;
4. This Agreement is being brought forth to allow Newberg, by and through its Planning and Building Departments' Building Inspection Division, to provide structural/mechanical inspections and plan reviews on an as-needed basis to cover the Woodburn's inspection staff, and for Woodburn to provide the same services upon request for Newberg.

**II NEWBERG OBLIGATIONS**

Newberg Shall:

1. Perform structural/mechanical inspections and plan reviews on behalf of Woodburn, as requested by Woodburn.
2. Comply with all ORS and OAR requirements and regulations pertaining to the structural/mechanical and plan review programs.
3. Provide State of Oregon certified/licensed inspectors to perform all inspections.

4. Complete Inspection Report Form provided by Woodburn.
5. Provide identification upon entering a job site and the state the reason for the site visit.
6. Fax a copy of the completed inspection report to Woodburn within 48 hours of completion of the inspection.
7. Comply with the inspection notification requirements of applicable ORS and OAR.
8. Provide Woodburn a monthly request for payment to be submitted with a list of the inspection requests and plan reviews completed listing the date, location and type of inspection, and time spent performing inspections each day and number of hours performing plan reviews.
9. Send (via facsimile) a request for inspection to Woodburn the morning of the requested date of inspection after first verifying with the Woodburn Building Official that adequate staffing exists to provide Newberg with backup services. (Inspection request form shall include the site location, type of inspection needed, and permit number and information).
10. Remit payment to Woodburn within 30 days of receipt of monthly request for payment by Woodburn. Woodburn shall submit final invoice for work completed under this agreement not later than 30 days after expiration date of this agreement.

### **III WOODBRUN OBLIGATIONS**

Woodburn shall:

- 1 Send (via facsimile) a request for inspection to Newberg the morning of the requested date of inspection after first verifying with the Newberg Building Official that adequate staffing exists to provide Woodburn with backup services. (Inspection request form shall include the site location, type of inspection needed, and permit number and information).
- 2 Remit payment to Newberg within 30 days of receipt of monthly request for payment by Newberg. Newberg shall submit final invoice for work completed under this agreement not later than 30 days after expiration date of this agreement.
- 3 Perform structural/mechanical inspections and plan reviews on behalf of Newberg, as requested by Newberg.

- 4 Comply with all ORS and OAR requirements and regulations pertaining to the structural/mechanical and plan review programs.
- 5 Provide State of Oregon certified/licensed inspectors to perform all inspections.
- 6 Complete Inspection Report Form provided by Newberg.
- 7 Provide identification upon entering a job site and the state the reason for the visit.
- 8 Fax a copy of the completed inspection report to Newberg within 48 hours of completion of the inspection.
- 9 Comply with the inspection notification requirements of applicable ORS and OAR.
- 10 Provide Newberg a monthly request for payment to be submitted with a list of the inspection requests completed listing the date, location and type of inspection, and time spent performing inspections each day and number of hours performing plan reviews.

#### **IV MUTUAL FINANCIAL OBLIGATIONS**

1. Newberg and Woodburn agree to pay each other for services provided under this agreement at the rate of \$100.00 per hour. These rates may be adjusted annually (in writing) to the mutual satisfaction of both parties.
2. Payment under the terms of this agreement is separate from and in addition to the payments made under any other existing agreements between Newberg and Woodburn.
3. All requests for payment shall be submitted to:

City of Woodburn  
Steve Krieg, Building Official  
270 Montgomery Street  
Woodburn, OR 97071

City of Newberg Building Inspection  
Brooks Bateman, Building Official  
P.O. Box 970  
414 E. First Street  
Newberg, OR 97132

4. All requests for payment shall include documentation described in Section II (8) to justify payment under this agreement.
5. Newberg and Woodburn certify that at the time the agreement is written, sufficient funds are available and authorized for expenditure to finance costs of this agreement.

## **V. TRAVEL AND OTHER EXPENSES**

No additional fees are part of this agreement.

## **VI. RESPONSIBLE PARTIES FOR ADMINISTRATION**

The primary organizations and officials responsible for conducting the administrative requirements of this agreement are:

City of Woodburn: Steve Krieg, Building Official

City of Newberg: Brooks Bateman, Building Official

## **VII. NON-PERFORMANCE**

Neither party shall be held responsible for delay or failure to perform when such delay or failure is due to fire, flood, epidemic, strikes, acts of God or the public enemy, unusually severe weather, legal acts of public authorities, or delays or defaults caused by public carriers, which cannot be reasonably foreseen or provided against. Either party may terminate the agreement, effective with the giving of written notice, after determining such delays or failure will reasonably prevent successful performance in accordance with the terms of this agreement.

## **VIII. INSURANCE AND INDEMNIFICATION**

Woodburn shall, to the extent permitted by the Oregon Constitution and by the Oregon Tort Claims Act, indemnify, defend, save, and hold harmless the City of Newberg and its officers and employees from any and all claims, suits, and liabilities which may occur in the performance of this agreement.

Likewise, Newberg shall, to the extent permitted by the Oregon Constitution and by the Oregon Tort Claims Act, indemnify, defend, save, and hold harmless the City of Woodburn and its officers and employees from any and all claims, suits, and liabilities which may occur in the performance of this agreement.

Each party shall insure or self-insure and be independently responsible for the risk of its own liability for claims within the scope of the Oregon Tort Claims Act (ORS 30.260 to 30.300).

## **IX. NONDISCRIMINATION**

The parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations in the performance of this agreement.

## **X. COMPLIANCE WITH APPLICABLE LAWS**

The parties agree that both shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done under this agreement. The parties agree that this agreement shall be administered and construed under the laws of the State of Oregon.

## **XI. AMENDMENTS**

The terms of this agreement shall not be waived, altered, modified, supplemented or amended except by written instrument signed by both parties, with the exception of the annual review and modification of rates. This agreement may be extended upon written amendment for a period not to exceed two years from original expiration date.

## **XII. TERMINATION**

This agreement may be terminated by mutual consent by both parties or by either party upon 30 days' notice, in writing, and delivered by certified mail or in person.

## **XIII. TERM OF AGREEMENT**

This Agreement shall become effective on the date on which every party has signed this Agreement. This Agreement shall expire unless otherwise terminated, or extended by amendment, on January 1, 2015.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below.

THE CITY OF NEWBERG

CITY OF WOODBURN

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date



# Agenda Item

September 10, 2012

TO: Honorable Mayor and City Council  
FROM: Scott C. Derickson, City Administrator  
SUBJECT: **FY 2012/13 Amended Financial Plan**

## **RECOMMENDATION:**

Adopt the attached FY 2012/13 amended Financial Plan (Budget Policies & Reduction Strategy) via a motion to include Section 15 – Annual Financial Audit. Staff considers the addition of this language to be a “house-keeping” type item intended to strengthen the City’s overall budget policy.

## **BACKGROUND:**

The purpose of the financial plan is intended to help the City better predict cost and revenue trends from year to year, make better budget decisions via the memorializing of sound financial practices, budget administration and if necessary, reducing the City’s budget so that it is consistent with the overall goals of the City Council and the needs of the community.

Per Section 1 (A) of the City’s *Budget Policies & Reduction Strategy*, the Council reviews, updates and approves the plan on an annual basis or as needed. It seems prudent to amend the policies from time-to-time and as needed. In August of 2011, the City Council first adopted a comprehensive set of budget polices intended to provide a policy framework for compiling the annual budget, including approaches for reducing budget expenditures if needed. The policies were then updated and approved in 2012 prior to the compilation of the FY 2012/13 Budget.

In FY 2012, the City Administrator used the City Council’s adopted polices as a guideline for implementing mid-year corrective actions, designed to bring projected cost in line with expected revenue shortfalls. This action led to a mid-year reduction of about \$1.1 million overall, which was then carried forward into the current year budget as approved by the Budget Committee. The City has also recently fulfilled all audit filing requirements.

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Agenda Item Review: City Administrator  City Attorney  Finance

**DISCUSSION:**

After working with the policies this past year, and consulting with the City's auditing firm on a host of issues related to the City's annual audit, I am recommending that the City Council amend the Budget Policies & Reduction Strategy to include language related to the City's annual audit.

The proposed language is included in the attached draft Budget Policies & Reduction Strategy and can be found as the newly added Section 15 - Annual Financial Audit. Much of the proposed Section 15 - Annual Financial Audit memorializes the City's current and standard audit practices, ensuring sound audit principals are reflected in the Council's policies.

**FINANCIAL IMPACT:**

Although there is no immediate monetary impact on the City, the draft *Budget Policies & Reduction Strategy* will help make stronger financial decisions that are in the best interests of the community and the City organization.

**City of Woodburn**  
**Budget Policies & Reduction Strategy**  
**FY 2012/13- Revised**

• **SECTION 1. ANNUAL REVIEW & POLICY**

- A. **Fiscal Responsibility.** Per the City Council's biannual 2011 - 2013 Adopted Goals, it will be the policy of the City of Woodburn to return the highest level (or sustain the current levels) of service with the least amount of taxpayer investment; and to plan accordingly.
- B. **Balanced Budget.** The City's Budget shall be balanced. For each fund, ongoing costs are not to exceed ongoing revenues plus available fund balances used in accordance with reserve policies.
- C. **Budget Process.** The annual budget process is intended to weigh all competing requests for City resources within expected fiscal constraints. Levels of service will increase or decrease based on the availability of resources. Requests for new programs made outside the annual budget process are discouraged. New initiatives will be financed by reallocating existing City resources to the services with the highest priorities.
- D. **Fiscal Recommendations.** Consistent with the administrative responsibilities outlined in the Charter, the City Administrator will make fiscal recommendations to the City Council on all measures necessary to sustain current levels of service and avoid reductions in City programs, including the consideration by the City Council of new revenue sources if this is determined to be in the best interest of the community.
- E. **Budget Policies Updated Annually.** The City Council will review and adopt Fiscal Year Budget Policies on an annual basis.
- F. **Yearly 5-Year Forecast.** The City Council will review and approve the 5-Year Forecast (see attached Exhibit A) on an annual basis. The forecast is an estimate of future revenues and expenses and is intended to serve as an estimate and a guideline for making sound financial decisions in the current fiscal year and budget preparation. The 5-Year Forecast and the annual Budget Policies together will constitute the City's Annual Financial Plan.
- G. **Policy Direction.** Consistent with their policy making role outlined in the Woodburn City Charter, the City Council is responsible for providing policy direction to determine the City's overall fiscal policy. In response to the fiscal recommendations made by the City Administrator, the City Council shall consider all measures necessary to sustain current levels of service and avoid reductions in City programs, including consideration by the City Council of new revenue sources if this is determined to be in the best interest of the community.
- H. **Budget.** Under the Woodburn City Charter, the City Administrator serves as Woodburn's Budget Officer. The Finance Director assists the City Administrator with preparation and presentation of the annual budget, budget administration and the day-to-day finance operations. The Budget Officer is responsible for the administration of the annual budget and may approve

or disapprove the expenditures contained in the adopted budget if deemed in the best financial interest of the City.

- I. **Budget Administration.** As authorized by the City Charter, the City Administrator is responsible for taking actions necessary to keep expenditures within anticipated revenues, including initiating layoffs, re-organizations, downsizing, program reductions and adjustments to service levels. The City Administrator will keep inform the City Council informed as to any steps taken to reduce expenditures and, whenever possible, the Council will review the decisions and consider options during a mid-year budget review.

• **SECTION 2. DISCRETIONARY & DEDICATED RESOURCES**

- A. **Recognizing Financial Limits.** Woodburn will make a distinction between two different types of services; 1) those that are funded primarily from City discretionary resources and; 2) and those that are funded primarily from dedicated resources.
- B. **Discretionary Resources.** The General Fund is the fund that collects discretionary resources to provide discretionary programs and services as recommended by the Budget Officer and approved as part of the City's cycle. The City will continue to fund these programs primarily from General Fund discretionary resources. These include police, park and recreation, economic development, land use financial services and other programs.
- C. **Dedicated Resources.** Dedicated services (e.g., fees, grants, utility revenues, etc.) are traditional City services that are provided primarily with dedicated funds. Dedicated resources are subject to restrictions via state and federal law, grant agreements and contracts, City policy and ordinances. Frequently, these resources will be state or federal programs that the City administers locally, such as public safety programs or transportation grants. The City will fund these programs (i.e. speed and safety belt enforcement, etc.) primarily from dedicated resources.

• **SECTION 3. GENERAL FUND BUDGET (DISCRETIONARY)**

- A. **Annual Budget Goal.** The goal shall be to prepare a budget that maintains existing high priority programs supported by the General Fund while at the same time seeking savings wherever possible. Funding for lower priority programs will be reduced or eliminated to ensure that expenditures remain in balance with resources.
- B. **General Fund Emphasis.** The highest priority shall be to conserve General Fund discretionary resources to fund high priority programs as defined by the City Council and City Administrator.
- C. **Maximize City Council's Discretion.** Wherever legally possible, revenues are to be treated as discretionary resources, rather than as dedicated to a particular program or service. The goal is to give the City Council as much flexibility as possible in allocating resources to local priorities.
- D. **New Revenues.** In order to sustain current levels of service, avoid reductions in public safety programs or increase services needed to meet community demands, the City Council may consider new discretionary revenues if it is determined to be in the best interest of the community.
- E. **Use of Dedicated Funding Sources.** Whenever legally possible, funding responsibility for existing programs or activities should be transferred to appropriate dedicated funding sources, freeing up scarce discretionary resources to fund City Council priorities.

- F. **Cost Efficiency.** Staff will prepare fiscally conservative budgets and will seek savings wherever a balance between cost efficiency and the quality of public service can be achieved.
- G. **Materials & Services.** Departments are to prepare “base budgets” with a goal of holding General Fund or other discretionary resources for materials and services expenditures to no more than FY 2011/2012 budget levels.
- H. **No General Fund Street Maintenance Support.** No discretionary General Fund revenues will be used to support street maintenance activities. General Fund street lighting transfers are exempted from this policy. The current transfer from the General Fund for street lighting will be maintained as long as it is fiscally viable. The transfer will be reviewed as approved each fiscal year as part of the budget process.
- I. **Revenue Estimates.** Departments should budget for revenues based on the best information available during the budget process. If additional information becomes available during the budget process, it should be provided to the Finance Director’s Office. Accuracy in revenue/expenditure estimates is critical. New revenue estimates should be based on the best information available. Subsequent annual estimates should also take into consideration the actual receipts from the previous year.
- J. **Pursuit of New Departmental Revenues.** Departments shall pursue revenue sources to the fullest extent possible for all services as well as total cost identification (including indirect costs) for fee setting purposes, grants or other funding opportunities. Any new revenue sources should be used to offset the cost of existing staff and programs, rather than funding new staff or programs. Fee schedules will be reviewed annually to ensure costs are recovered. Fee schedules will be updated as part of the annual budget process.
- K. **Expenditure Reductions.** Reductions in revenues may require expenditure reductions from the “base budget” level. If reductions are required, the City Administrator will be guided by the City Council’s adopted Resource Reduction Strategy.
- L. **Discretionary Programs.** New discretionary programs may be included in the Proposed Budget with the prior approval by the City Administrator and if the new program is deemed a high priority activity. The impact of new or expanded programs on overhead services (information system services, financial services, building / grounds maintenance, human resource services, budget services, etc.) shall be evaluated to determine if overhead services need to be increased due to the addition of new programs.

The costs of increases in overhead services attributed to additional programs shall be included in the analysis of the total cost of new programs. Should outside funding for a program expire, the program may be terminated by the City Administrator or the City Council.

- M. **Full Cost Recovery.** City staff shall make every effort to assign costs where they occur through the use of interdepartmental / interfund charges and indirect cost percentage assignments. The intent is to clearly define the actual cost of each direct service the City provides internally or externally. The first priority is the recovery of overhead costs from all funds and grant programs and through the use of the City’s Indirect Cost Program/Methodology.
- N. **Annual Budget Savings.** To the extent General Fund supported departments experience savings during the year (due to position vacancies, etc.) that money should not be spent. Instead it should

be saved to augment the beginning fund balance for the next fiscal year except as approved by the City Administrator.

• **SECTION 4. NON-GENERAL FUND / UTILITY BUDGETS (DEDICATED)**

- A. **Bottom-Line Emphasis.** For activities or programs funded primarily from non- General Fund sources, Departments are to prepare “base budgets” with a goal of holding any General Fund contribution to no more than the amount provided in the current fiscal year, subject to the availability of funds. Whenever possible, reductions in General Fund contributions should be achieved.
- B. **No Backfilling.** General Fund discretionary dollars will not be used to back-fill any loss in water and/or sewer City utility revenue, state-shared or federal revenues, grants or dedicated funding programs (for further information, see the Resource Reduction Strategy).
- C. **Revenue Estimates.** Departments should budget for revenues based on the best information available at the time the budgets are prepared. If additional information becomes available during the budget process, it shall be provided to the Finance Department. New revenues should be estimated based on available information the first year. Subsequent annual estimates should also take into consideration actual receipts from the previous year.
- D. **Overhead Cost Allocation Charges.** All non-General Fund departments should budget the amount allocated to that department in the City’s Indirect Program /Methodology.
- E. **Cost Efficiency.** As with the General Fund, staff responsible for non-General Fund budgets will prepare fiscally conservative budgets and will seek savings wherever a balance between cost efficiency and the quality of public service can be achieved.
- F. **Utility Revenue allocations.** It is the policy of the City of Woodburn that revenue generated by City owned utilities will be split between capital funds and operating expenses in a manner consistent with Woodburn’s Capital improvement plans and operating requirements. The allocation, or split, of these revenues will be approved annually as part of the budget processes.
- G. **General Fund Transfer Savings.** With the exception of required “hard-dollar” grant matches, any unused or unneeded portions of budgeted General Fund transfers to non-General Fund budgets will be returned to the General Fund at the end of the fiscal year in order to increase the General Fund ending balance.
- H. **Utility Rates.** The City will maintain utility rates at a level that ensures that all debt service, operating and capital costs are adequately recovered. Capital costs identified in approved capital improvement plan will be used as the basis for forming the capital costs recovery portion of utility rates.
- I. **System Development Charges.** As permissible under state law, the City will pursue the recovery of infrastructure related development cost relating to water, sewer, street, storm and parks. These costs will be delineated via a defensible methodology, which will be revised from time to time to ensure accuracy.
- J. **Street SDC Minimum Reserve.** The Street SDC Fund will not be depleted below \$5.26 million until after the City’s contribution to the Woodburn Interchange Project has been satisfied. A

Street SDC Fund balance of \$4 million will be held in reserve and dedicated towards any balance outstanding on the City's contribution to the I-5 Interchange Project.

- **SECTION 5. FUND RESERVES & CONTINGENCIES**

- A. **General Fund Contingencies.** At least 10% of the General Fund's operating appropriation shall be placed into the operating contingency to meet cash flow needs and with the expectation that most will not be spent and will become part of the 2012/2013 Beginning Fund Balance. The General Fund operating contingency for 2012/2013 shall be increased if carryover resources are available in accordance with recommendations provided in the City's long-term financial plan.
- B. **General Fund Contingency Proportionality.** Where contingency is expended; overall reductions will be made to the General Fund to ensure the remaining contingency remains at 10% of the General Funds operating costs.
- C. **Water & Sewer Fund Contingencies.** The Water and Sewer Funds will maintain annual contingencies of not less than 5%.

- **SECTION 6. GRANT APPLICATIONS (ALL FUNDS)**

- A. **Approval to Pursue.** The City Administrator's approval is necessary before any employee pursues lobbying efforts on matters having budget implications, and before grant applications are submitted to the granting agency. Department Heads should advise the City Administrator before official positions are taken on matters that might have budget implications.
- B. **General Fund Matching Funds.** Upon approval by the City Administrator, matching fund requirements will be presented to the City Council for final approval.

- **SECTION 7. NEW POSITIONS, PROGRAMS AND OVERTIME (ALL FUNDS)**

- A. **Base Budget & New Positions.** Departments are to prepare "base budgets" with no new regular positions unless specifically authorized by the City Administrator in advance of Budget preparations. Reorganizations of departments or programs resulting in changes in staffing or positions may be considered if the change is cost neutral or a cost savings from the current costs. No position compensation or increase will be provided beyond amounts budgeted for the position.
- B. **Considerations of New Positions/Programs.** Consideration of new programs and positions will occur only if the cost of the position or program is offset by non-General Fund sources legally tied to the new position or if the cost of the position is offset by new external revenues, reductions within existing funds and/or the position is required to generate those revenues. Cost estimates for new positions will include office facility space, equipment, rent, utilities, supplies, related increases in overhead services, etc.

Additional personnel or programs shall be requested only after service needs have been thoroughly documented or after it is substantiated that the new employees will result in increased revenue or enhanced operating efficiencies.

- C. **Annual Overtime Budgets.** Departments will anticipate their annual overtime costs to be included the Proposed Budget. Once the Budget is adopted, overtime costs are to be managed within adopted levels. No overtime costs can exceed budgeted levels without first obtaining the authorization of the City Administrator.

- **SECTION 8. MID-YEAR BUDGET REDUCTIONS**

- A. **Revised Revenue or Expense Estimates.** If additional information concerning revenue reductions or significant expense increases becomes available after the start of 2012/13 fiscal year, it may be necessary to make budget adjustments. These adjustments will be made in accordance with the City Council’s adopted Resource Reduction Strategy.

- **SECTION 9. MID-YEAR REQUESTS, GENERAL FUND CONTINGENCY (ALL FUNDS)**

- A. **Non-Emergency Requests.** In those cases where a department is required to absorb an unanticipated cost beyond its control of a non-emergency nature, departmental resources must first be exhausted prior to a transfer from General Fund contingencies. Upon conducting a final financial review of departmental budgets towards the end of the year, a transfer from contingency will be made to cover unanticipated costs that could not be absorbed throughout the year.
- B. **Emergency Requests.** Emergency requests during the fiscal year will be submitted to the City Administrator for recommendation and forwarded to the City Council for consideration.

- **SECTION 10. COMPENSATION & BENEFITS (ALL FUNDS)**

- A. **Wage Policy.** Historically, the biggest factors forcing budget growth are increases in employee compensation and increased benefit costs. The City will have a compensation and benefit program that: 1) reflects the value of work performed by our employees, 2) compares favorably with the compensation and benefits paid for similar work in both the private and public sectors, and 3); considers the community’s ability to pay. Both our employees and the public must understand the mutual respect that such a policy warrants.
- B. **Health Care & PERS Costs.** Continue the City’s policy on wages and salary increases which evaluates the increased cost of health insurance and PERS contributions as part of the total compensation package. It is the goal of the City to reduce annual escalations of health insurance, and other benefit costs by getting the employees to bear an equitable portion of the annual premium increases and/or selecting lower cost benefit programs.
- C. **Cost of Living Adjustments (COLA).** The City Administrator will make a recommendation either to include, or not include, a COLA for non-represented employees in the Proposed Budget. All cost of living adjustments will be approved by the Budget Committee and adopted by the City Council. COLAs or other compensation provided for in collective bargaining agreements will be provided for in the annual Proposed Budget.
- D. **Step Adjustments.** Budgeted personnel services expenditures will include an amount to account for annual step adjustments for all employees who are not currently at the top of their range. Annual employee step adjustments will not exceed 5% without the expressed permission of the City Administrator.

- **SECTION 11. BUDGET CONTROLS**

- A. **Legal Compliance.** The City Administrator and Finance Director will continue to review and control departmental budgets at the “expenditure category level” (such as personnel services,

materials and supplies). As such, City Administrator’s approval is necessary before actual or projected year-end expenditures are allowed to exceed total expenditure appropriations for each “expenditure category.”

- B. **Personnel Services & Benefits.** With the exception of overtime pay and temporary help accounts, which shall be developed by Department Heads with the advice of the Finance Director and the approval of the City Administrator, personnel services and benefits cost calculations will be provided by the City Administrator and the Finance Director and will be used as provided. The City Administrator and the Finance Director will also provide estimates for insurance and internal services costs. These amounts will not be altered by Department Heads.
- C. **Wages & Benefit Control.** Positions not entitled to receive benefits will be managed in a manner that keeps them below mandatory benefit thresholds (such as PERS, health insurance, etc.). Positions will only be eligible for benefits if approved by the City Administrator and/or designated in Job Descriptions. All benefit costs must be anticipated and included in the annual Budget.
- D. **One Time Revenues.** One-time revenues will be used only for one-time expenses.

- **SECTION 12. UN-APPROPRIATED ENDING FUND BALANCES (ALL FUNDS)**

- A. **Limit Unappropriated Ending Fund Balances.** To provide the most budget flexibility during the year, limit the use of unappropriated ending fund balances to circumstances where they are required by law. Rather than use unappropriated fund balances, the goal should be to place any monies not needed for current expenditures in the relevant funds’ operating contingencies.

- **SECTION 13. CAPITAL IMPROVEMENT GUIDELINES**

- A. **Capital Improvement Program.** A six-year Capital improvement Program will be adopted as part of the annual budget process. It will include all projects anticipated to be initiated and/or delivered in the six-year planning period. The Capital Improvement Program will be consistent with the City’s adopted Capital Improvement Master Plans. Funding availability will determine the rate at which Capital Improvement program projects are initiated or completed.
- B. **Exceptions.** The City will fund dedicated programs and services with dedicated funding sources. Exceptions may be made, on a case-by-case basis, by the Budget Committee, City Council or by the City Administrator if appropriate. One criterion will be whether the City would incur more costs elsewhere as a result of the reduction.
- C. **Capital Planning Consideration.** Recognizing that it does not necessarily make sense to fund current operations at the expense of long-term capital or planning programs, every effort will be made to continue capital and planning programs geared to the City’s long term needs.

- **SECTION 14. DEBT ISSUANCE (ALL FUNDS)**

- A. **Debt Issuance.** The City will only issue debt in accordance with adopted Master Debt Resolutions for Sewer and Water. General Obligation debt will only be issued in compliance with state statutes. Debt will only be issued (for all fund types) when a dedicated resource is available to meet the required debt service and reserve.

- B. **Interfund Transfers.** Interfund transfers are allowed if the City Council determines the transfer to be in the best interest of the City. All interfund transfers will be managed consistent with state budget law. No debt will be issued without the approval of the City Administrator and authorization of the City Council.

• **SECTION 15. ANNUAL FINANCIAL AUDIT**

- A. **Annual Audit Required.** The Oregon Municipal Audit Law (ORS 297.405 – 297.555) requires a financial audit and examination be made of the accounts and financial affairs of the City at least once a year. Consistent with State law, the City of Woodburn will conduct an annual independent audit of the preceding fiscal year.

- B. **Audit Standards.** Woodburn’s annual financial audits will be conducted in accordance with auditing standards generally accepted in the United States. Those standards require that an independent auditor plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement.

The audit will examine, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. The audit will also assess accounting principles used and significant estimates made by management, as well as evaluating the overall basic financial statement presentation. The audit will contain an assessment of the City’s internal financial controls and procedures and make any necessary recommendations for improvement.

- C. **City Administrator & Finance Director Oversight.** The City Administrator will work with the Finance Director in designating the appropriate staff needed to prepare all needed audit work products and serve as primary staff contacts with the audit firm. The City Administrator will serve as the direct audit firm contact should the audit firm encounter any difficulty in obtaining needed information, work products, timely reports or develop concerns regarding any aspect of the audit process.

The Finance Director is responsible for ensuring that timely and accurate work products are delivered for the purposes of completing the annual audit within designated timelines. At a minimum, the City Administrator will meet with the audit firm at the beginning and conclusion of the audit process to identify issues and review any findings identified by the audit firm.

- D. **Preparation of Financial Statements.** On a year-to-year basis, the City Administrator may elect to have annual financial statements prepared by City staff for the purposes of completing the annual audit. However, the City Administrator may also elect to have the audit firm prepare financial statements if deemed appropriate.

- E. **Audit Deadlines & Extensions.** Per Section 15 (F), the annual audit will be presented to the City Council no later than December 31. Consistent with State law, the annual Audit will also be filed with the Oregon Secretary of State’s Audit Division no later than December 31.

The presentation of the audit to the City Council and filing with the Secretary of State’s Office may occur later than December 31 if an audit filing extension is granted by the Secretary of State’s Office. Any and all requests for audit filing extensions must be approved in writing by both the City Administrator and the Auditor. In the event that an audit filing extension is requested and/or granted, the City Administrator will inform the City Council of the reasons for the extension request and estimated time line for completing, presenting and filing the annual audit report.

F. **Audit Presentation to City Council.** The annual audit findings will be presented to the Woodburn City Council during the first available regularly scheduled City Council meeting after the audit has been filed with the Secretary of State. The audit presentation will be conducted by a representative of the auditor or audit firm. All audits presented to the City Council must be complete and signed by a representative of the audit firm.

G. **Budget Committee Review.** A copy of the filed annual Audit will be provided to the Woodburn Budget Committee for their review and information.

• **SECTION 16. PROGRAMS**

A. **Discretionary Programs.** To the extent additional discretionary resources are available, high priority services areas will be slated for growth in discretionary support. Lower priority service areas will receive constant or decreasing discretionary support. Discretionary programs are as follows:

**Discretionary Programs**

- ✓ Police Patrol & Public Safety
- ✓ Police Support Services
- ✓ Financial Services
- ✓ Legal Services
- ✓ Land Use Planning
- ✓ Economic Development
- ✓ Code Enforcement
- ✓ General Administration
- ✓ Library
- ✓ Aquatic Center
- ✓ Recreation Programming
- ✓ Parks and Park/Tree Maintenance
- ✓ Other General Fund Supported Non-Essential Program & Services
- ✓ Computer/Network transfers (capital replacements of desktop pc's and associated servers)
- ✓ Discretionary Transfers (i.e. Transit, Streets, RSVP, etc.)
- ✓ Community Services (i.e. flower baskets, TOT Grants – where permissible, etc.)
- ✓ Intergovernmental Agreements that provide no direct offsetting revenues

• **SECTION 17. RESOURCE REDUCTION STRATEGY (ALL FUNDS)**

A. **Goal & Reduction Approach.** When faced with a potential reduction in resources, the City's goal is to continue to provide services in a professional, effective and efficient manner. Consequently, to the extent possible, across-the-board reductions in expenditures will be avoided.

B. **Case-by-Case Consideration.** Reductions will be made on a case-by-case basis, focusing on each individual program or service. If possible, reduction will be made proportional to the programs and services identified by the City Council.

C. **Moderation When Possible.** If, as a result of loss of a significant amount of discretionary resources, expenditure reductions become necessary, those reductions will be made in moderate case-by-case reductions in discretionary supported programs and services. These reductions will

focus first on programs funded by dedicated resources and then services funded by discretionary resources.

- D. **Discretionary Contributions.** If further reductions are required, any discretionary funding that supplements or supports services mostly supported with dedicated resources will be reduced or eliminated. This may apply to programs or activities expanded or started with discretionary resources within the last few years. Exceptions may be made on a case-by-case basis by the City Council.
- E. **Furlough Days.** If personnel budget/salary saving are required, the City will consider a reduced work week or furlough days prior to laying off staff.
- F. **Consideration List.** Discretionary funding for programs funded by discretionary resources will be reduced or eliminated as needed. Legal restrictions or the City's ability to maintain minimal service levels will be considered. City service area priorities are:

**Consideration List**

- ✓ Intergovernmental Agreements that provide no direct offsetting revenues
  - ✓ Community Services (i.e. flower baskets, TOT Grants – where permissible, etc.)
  - ✓ Discretionary Transfers (i.e. Transit, Streets, RSVP, etc.)
  - ✓ Computer/Network transfers (capital replacements of desktop pc's and associated servers)
  - ✓ Other General Fund Supported Non-Essential Program & Services
  - ✓ Parks and Park/Tree Maintenance
  - ✓ Recreation Programming
  - ✓ Aquatic Center
  - ✓ Library
  - ✓ General Administration
  - ✓ Code Enforcement
  - ✓ Economic Development
  - ✓ Land Use Planning
  - ✓ Legal Services
  - ✓ Financial Services
  - ✓ Police Support Services
  - ✓ Police Patrol & Public Safety
- G. **Indirect Costs.** The City's overhead programs will not be prioritized, but will be sized to the need and size of the overall organization. Generally, wherever possible, the City's goal is to make fee-supported programs self-sufficient. This includes recovering those programs' appropriate share of the City's overhead costs. If reductions occur, then indirect costs will be sized to the needs and size of the rest of the organization.
  - H. **Dedicated Funding for Programs.** Where legally possible, the City will consider using dedicated resources to fund high priority programs related to the purpose for which the dedicated funds are received.



## *Agenda Item*

September 10, 2012

TO: Honorable Mayor and City Council through City Administrator  
FROM: Jim Hendryx, Director of Economic & Development Services  
SUBJECT: **Planning Commission approval of cases SUB 2012-01, VAR 2012-02, and EXCP 2012-01 for Kalugin Estates subdivision, located south of Hardcastle Avenue, between Dunn Court and Orchard Lane**

### **RECOMMENDATION:**

No action is recommended. This item is placed before the Council for information purposes in compliance with the Woodburn Development Ordinance. The Council may call up this item for review if it desires.

### **BACKGROUND:**

The property owner requested approval of a 14 lot subdivision, with variances for lot area, width, depth, street frontage, front, side and rear setbacks, lot coverage, and street cross-section (for Kalugin Lane and Centennial Drive), and an exception for improvements to Hardcastle Avenue.

### **DISCUSSION:**

The Planning Commission found that the proposal was similar to a Planned Unit Development. Because the site does not have the 5 acres required for a Planned Unit Development, the owner's only option to develop a small-lot subdivision was to obtain multiple variances. A small-lot subdivision was justified by the narrowness of the parcel and the existing alignment of Centennial Drive. The Planning Commission found that the proposed development was consistent with existing development in the area (duplex lots to the west and north). The Commission emphasized that its approval is for a unique development and is not intended as a precedent for reduced lot sizes. The Commission's decision was unanimous.

### **FINANCIAL IMPACT:**

This decision is anticipated to have no public sector financial impact.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

