

# **COUNCIL MEETING MINUTES**

## **APRIL 12, 2021**

**DATE** COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, APRIL 12, 2021

**CONVENED** The meeting convened at 7:00 p.m. with Mayor Swenson presiding.

### **ROLL CALL**

Mayor Swenson	Present -via video conferencing
Councilor Carney	Present -via video conferencing
Councilor Cornwell	Present -via video conferencing
Councilor Schaub	Absent
Councilor Swanson	Present- via video conferencing
Councilor Puente	Present- via video conferencing
Councilor Cabrales	Present- via video conferencing

**Staff Present** (via video conferencing): City Administrator Derickson, City Attorney Shields, Economic Development Director Johnk, Acting Police Chief Pilcher, Community Development Director Kerr, Operations Director Stultz, Public Works Project and Engineering Director Liljequist, Finance Director Turley, Human Resources Director Gregg, Assistant City Attorney Granum, Senior Planner Cortes, City Recorder Pierson

### **APPOINTMENTS**

**Carney/Cornwell**...appoint Rebecca Lerback to the Woodburn Public Library Board. The motion passed unanimously.

### **PROCLAMATION**

Mayor Swenson read a proclamation declaring April Child Abuse Preventions Month.

### **CONSENT AGENDA**

- A. Woodburn City Council minutes of March 22, 2021,
- B. Zayo Group, LLC Franchise Settlement Agreement

**Carney/Cornwell**...adopt the Consent Agenda. The motion passed unanimously.

### **PUBLIC HEARINGS**

A Public Hearing to consider input on annexation of approximately 39.68 acres of territory known as the Oregon Golf Association Property with no street address along the east side of Boones Ferry Rd NE north of Hazelnut Dr (ANX 2020-01) and approval of related land use applications for development into the Trillium Reserve Planned Unit Development (PUD 2020-01). Mayor Swenson declared the hearing open at 7:06 p.m. for the purpose of hearing public input on annexation of approximately 39.68 acres of territory known as the Oregon Golf Association Property with no street address along the east side of Boones Ferry Rd NE north of Hazelnut Dr (ANX 2020-01) and approval of related land use applications for development into the Trillium Reserve Planned Unit Development (PUD 2020-01). Mayor Swenson asked if there were any declarations from the Council. City Recorder Pierson read the public hearing statement. Community Development Director Kerr and Senior Planner Cortes provided a staff report. Chris Goodell, with AKS Engineering provided testimony on behalf of the applicant. Kelly Hossaini,

# **COUNCIL MEETING MINUTES**

**APRIL 12, 2021**

with Miller Nash Graham and Dunn, provided testimony on the objection of the two proposed conditions of approval related to road frontage improvements. Todd Mobley, with Lancaster Mobley, provided testimony on the sight line at Trillium Place. Councilor Carney asked if a playground for children would be put in and Mr. Goodell answered no. Mayor Swenson asked if any member of the public wished to speak in support of the of the annexation of approximately 39.68 acres of territory known as the Oregon Golf Association Property with no street address along the east side of Boones Ferry Rd NE north of Hazelnut Dr (ANX 2020-01) and approval of related land use applications for development into the Trillium Reserve Planned Unit Development (PUD 2020-01). No members of the public wished to speak in support. Mayor Swenson asked if any member of the public wished to speak in opposition of the annexation of approximately 39.68 acres of territory known as the Oregon Golf Association Property with no street address along the east side of Boones Ferry Rd NE north of Hazelnut Dr (ANX 2020-01) and approval of related land use applications for development into the Trillium Reserve Planned Unit Development (PUD 2020-01). Jim Nicolarsen, 620 Troon Ave, Woodburn, stated that he believes there are issues with the open space in this application and asked if there were any questions on the letters they sent to Council. Mr. Goodell provided rebuttal testimony on the letters received and Councilor questions. City Attorney Shields stated that he has concerns with the applicant saying they are opposed to frontage improvements and Director Kerr stating that the annexation is not justified if the frontage improvements are not made. Ms. Hossaini stated that the applicant, while disagreeing that they should have to make the frontage improvements on Boones Ferry Rd. and Hazelnut, will make the frontage improvements if Council requires them for approval of the annexation. Mayor Swenson closed the hearing at 9:07 p.m. Councilors provided comments and discussion on the application. **Carney/Cabrales...** deny the annexation request for Trillium Reserve ANX 2020-1 PLA 2020 etcetera and direct staff to prepare an ordinance and final order to submit for consideration at a future meeting. On roll call vote the motion passed unanimously.

## **CITY COUNCIL GOAL**

The City Council reviewed the goals and no action was taken.

## **PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS**

- A. Call-Up Briefing: Planning Division staff approval of a Design Review and Exception to Street Right-of-Way and Improvement Requirements ("Street Exception") application package for the I-5 Pump Station at 598 Stacy Allison Way (DR 21-01 & EXCP 21-01)
- B. Call-Up Briefing: Planning Division staff approval of a Zoning Adjustment application for 622 Bishopick Way (ZA 21-01)
- C. Call-Up Briefing: Planning Division staff approval of a Zoning Adjustment application for 575 Ostrom Drive (ZA 21-02)

The Council declined to call-up any of the items.

## **CITY ADMINISTRATOR'S REPORT**

The City Administrator reported the following:

- The Woodburn Budget Committee Meeting will take place on April 21, 2021 at 3:00 p.m.



# COUNCIL MEETING MINUTES

**APRIL 12, 2021**

- Will keep the Council updated on projects that are underway.

## **MAYOR AND COUNCIL REPORTS**

Councilor Carney thanked his colleagues for maintaining their attention through a very difficult evening.

Councilor Puente gave kudos to Scott for his response to a constituent that had an issue.

Mayor Swenson stated that he met with our state rep about federal money that could be coming our way and spoke with Teresa Alonso Leon and Kurt Schrader about funding our community center.

## **ADJOURNMENT**

**Carney/Swanson...** meeting be adjourned. The motion passed unanimously.  
The meeting adjourned at 9:34 p.m.

APPROVED \_\_\_\_\_  
ERIC SWENSON, MAYOR

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

# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES

### 2021 Year to Date

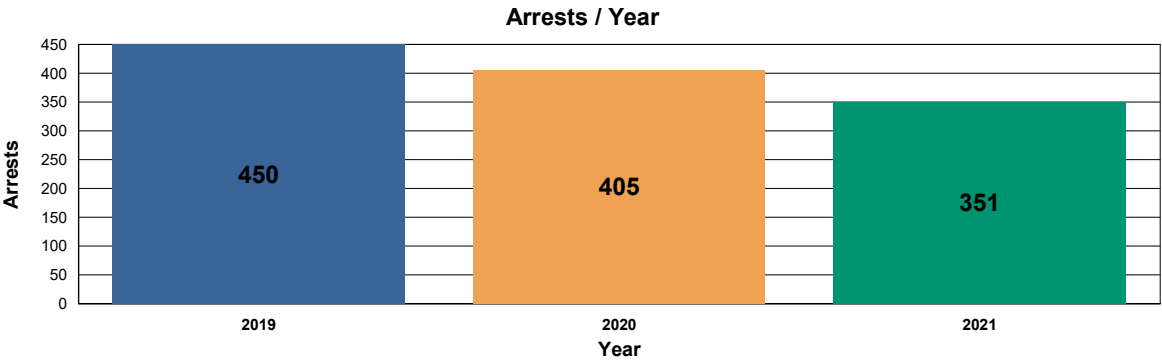
CHARGE DESCRIPTION	Jan	Feb	Mar	Total
AGGRAVATED ASSAULT	4	0	0	4
ANIMAL ORDINANCES	1	0	0	1
ARSON	1	0	0	1
ASSAULT SIMPLE	9	4	5	18
ATTEMPTED MURDER	0	1	0	1
BURGLARY - BUSINESS	0	1	0	1
BURGLARY - OTHER STRUCTURE	1	0	0	1
BURGLARY - RESIDENCE	0	1	0	1
CRIME DAMAGE-NO VANDALISM OR ARSON	3	1	0	4
CURFEW	4	0	0	4
CUSTODIAL INTERFERENCE	0	1	0	1
CUSTODY - MENTAL	8	3	3	14
DISORDERLY CONDUCT	6	3	2	11
DRIVING UNDER INFLUENCE	10	7	12	29
DRUG LAW VIOLATIONS	10	4	1	15
DWS/REVOKED - FELONY	0	0	1	1
DWS/REVOKED-MISDEMEANOR	3	4	7	14
ELUDE	1	2	0	3
EXTORTION/BLACKMAIL	1	0	0	1
FAIL TO DISPLAY OPERATORS LICENSE	0	1	0	1
FAILURE TO REGISTER AS SEX OFFENDER	1	0	1	2
FORCIBLE RAPE	3	0	0	3
FUGITIVE ARREST FOR ANOTHER AGENCY	48	33	26	107
HIT AND RUN-MISDEMEANOR	3	0	1	4
INTIMIDATION /OTHER CRIMINAL THREAT	7	1	1	9
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	1
MINOR IN POSSESSION	0	1	0	1
MOTOR VEHICLE THEFT	1	0	2	3
OTHER	5	2	2	9
PROVIDE FALSE INFORMATION TO LAW ENFORCEMENT	1	3	0	4
RECKLESS DRIVING	2	3	1	6
RECKLESSLY ENDANGERING	4	0	0	4
RESTRAINING ORDER VIOLATION	1	0	2	3
ROBBERY - BUSINESS	1	1	0	2
ROBBERY - RESIDENCE	1	0	0	1
RUNAWAY	1	1	1	3
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	0	1
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	1	0	0	1
THEFT - BUILDING	0	1	0	1
THEFT - FROM MOTOR VEHICLE	0	4	0	4
THEFT - OTHER	3	0	0	3
THEFT - SHOPLIFT	3	2	1	6
TRAFFIC VIOLATIONS	8	0	10	18
TRESPASS	1	3	0	4
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	1	2	0	3
VANDALISM	4	3	1	8
VEHICLE RECOVERD FOR OTHER AGENCY	2	2	0	4
WEAPON - EX FELON IN POSSESSION	1	1	1	3
WEAPON - POSSESS ILLEGAL	5	1	0	6
WEAPON - SHOOTING IN PROHIBITED AREA	1	0	0	1

	Jan	Feb	Mar	Total
2021 Total	173	97	81	351
2020 Total	161	139	105	405
2019 Total	178	115	157	450

# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES

### 2021 Year to Date



# Woodburn Police Department

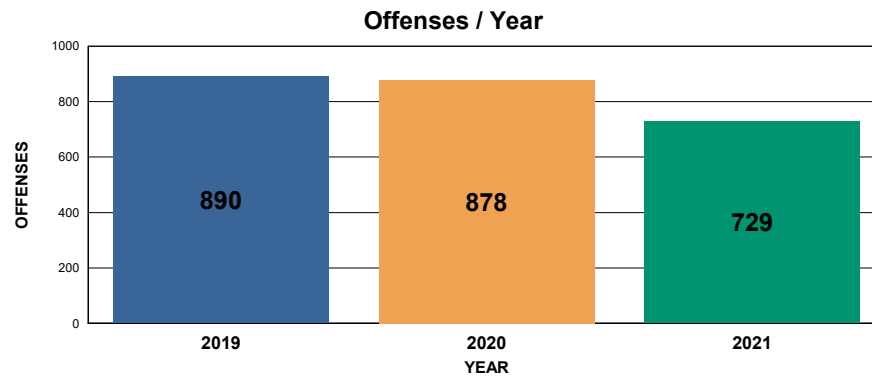
## MONTHLY CRIMINAL OFFENSES 2021 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Total
AGGRAVATED ASSAULT	2	3	1	6
ANIMAL CRUELTY	0	0	1	1
ANIMAL ORDINANCES	1	0	0	1
ARSON	1	0	0	1
ASSAULT SIMPLE	10	7	9	26
ATTEMPTED MURDER	0	1	0	1
BURGLARY - BUSINESS	1	4	3	8
BURGLARY - OTHER STRUCTURE	0	3	0	3
BURGLARY - RESIDENCE	2	4	1	7
CRIME DAMAGE-NO VANDALISM OR ARSON	5	10	12	27
CRIMINAL MISTREATMENT	1	0	0	1
CURFEW	1	0	1	2
CUSTODIAL INTERFERENCE	0	1	0	1
CUSTODY - MENTAL	8	3	3	14
DISORDERLY CONDUCT	5	4	4	13
DRIVING UNDER INFLUENCE	10	7	12	29
DRUG LAW VIOLATIONS	6	3	1	10
DWS/REVOKED - FELONY	0	0	1	1
DWS/REVOKED-MISDEMEANOR	3	4	7	14
ELUDE	2	2	3	7
ESCAPE FROM YOUR CUSTODY	0	0	1	1
EXTORTION/BLACKMAIL	1	1	0	2
FAIL TO DISPLAY OPERATORS LICENSE	0	1	1	2
FAILURE TO REGISTER AS SEX OFFENDER	1	0	1	2
FORCIBLE RAPE	2	2	3	7
FORGERY/COUNTERFEITING	2	0	3	5
FRAUD - BY DECEPTION/FALSE PRETENSES	2	1	4	7
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	1	4	1	6
FUGITIVE ARREST FOR ANOTHER AGENCY	33	26	27	86
HIT AND RUN FELONY	1	0	1	2
HIT AND RUN-MISDEMEANOR	15	13	14	42
IDENTITY THEFT	2	2	4	8
INTIMIDATION /OTHER CRIMINAL THREAT	3	1	1	5
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	2	0	0	2
MINOR IN POSSESSION	0	2	1	3
MISCELLANEOUS	10	19	22	51
MOTOR VEHICLE THEFT	9	6	14	29
NON CRIMINAL DOMESTIC DISTURBANCE	9	10	11	30
OTHER	5	4	3	12
PROPERTY - FOUND LOST MISLAID	4	3	2	9
PROPERTY RECOVER FOR OTHER AGENCY	2	1	1	4
RECKLESS DRIVING	1	3	3	7
RESTRAINING ORDER VIOLATION	1	0	2	3
ROBBERY - BUSINESS	1	1	0	2
ROBBERY - CONV.STORE	0	1	0	1
ROBBERY - OTHER	0	0	1	1
ROBBERY - RESIDENCE	1	0	0	1
RUNAWAY	2	1	1	4
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	1	0	1
SEX CRIME - FORCIBLE SODOMY	1	0	1	2
SEX CRIME - MOLEST (PHYSICAL)	1	1	1	3
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	1	0	0	1
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	1	2
STALKER	0	0	1	1
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	1	0	1	2
THEFT - BICYCLE	1	0	0	1
THEFT - BUILDING	2	0	1	3

# Woodburn Police Department

## MONTHLY CRIMINAL OFFENSES 2021 Year to Date

	Jan	Feb	Mar	Total
THEFT - FROM MOTOR VEHICLE	8	8	7	23
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	6	1	6	13
THEFT - OTHER	12	12	12	36
THEFT - SHOPLIFT	15	11	14	40
TRAFFIC VIOLATIONS	10	1	14	25
TRESPASS	3	6	2	11
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	2	0	1	3
VANDALISM	18	9	10	37
VEHICLE RECOVERD FOR OTHER AGENCY	6	3	2	11
WEAPON - EX FELON IN POSSESSION	0	1	1	2
WEAPON - POSSESS ILLEGAL	2	1	1	4
WEAPON - SHOOTING IN PROHIBITED AREA	1	0	0	1
	Jan	Feb	Mar	Total
<b>2021 Total</b>	<b>259</b>	<b>213</b>	<b>257</b>	<b>729</b>
<b>2020 Total</b>	<b>307</b>	<b>322</b>	<b>249</b>	<b>878</b>
<b>2019 Total</b>	<b>330</b>	<b>235</b>	<b>325</b>	<b>890</b>



# Woodburn Police Department

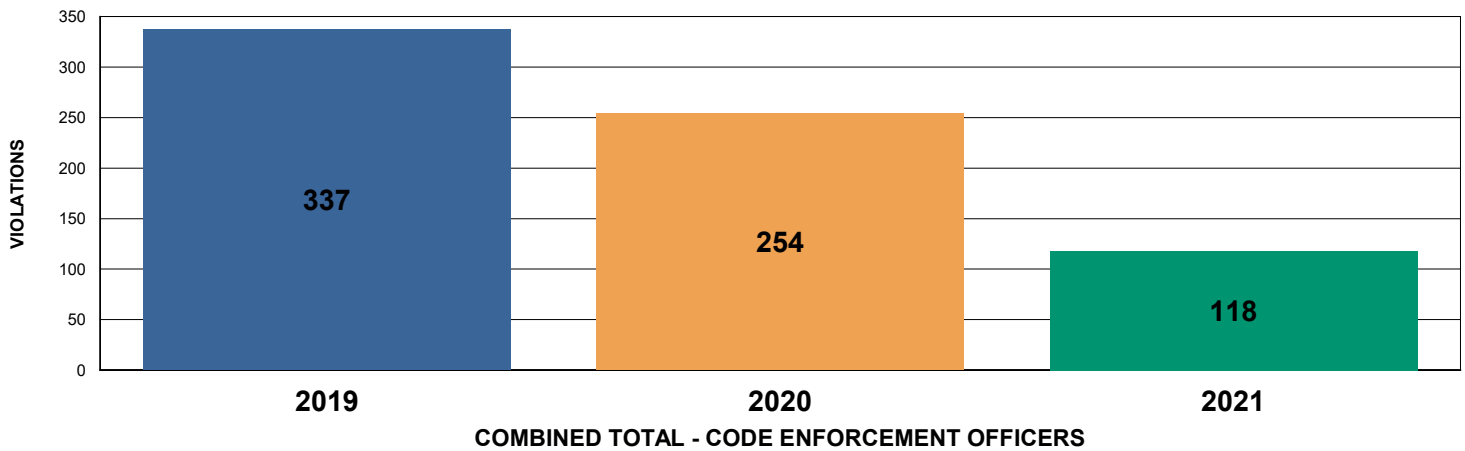
## ORDINANCE VIOLATIONS

### 2021 Year to Date

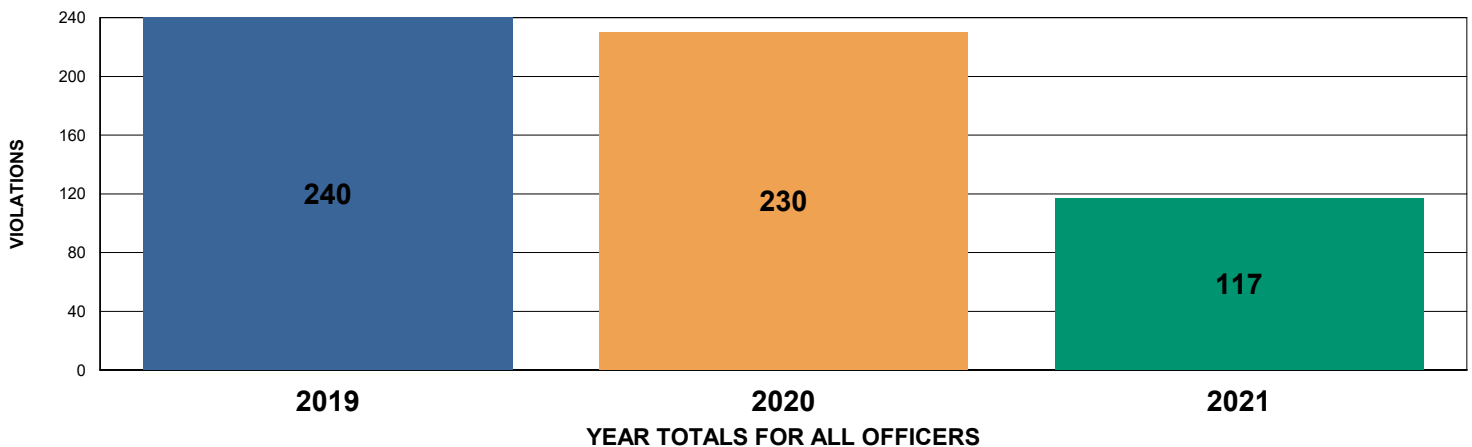
4/19/2021

Ordinance Discription	Jan	Feb	Mar	Total
Animal Complaint	18	32	41	<b>91</b>
Ordiinance - Abate/Nuisances	2	0	0	<b>2</b>
Ordinance - Abandoned Vehicles	16	22	26	<b>64</b>
Ordinance - Abate Graffiti	0	0	2	<b>2</b>
Ordinance - Land Use Violations	1	0	1	<b>2</b>
Ordinance - Oth Violation	14	12	13	<b>39</b>
<b>2021 Total</b>	<b>51</b>	<b>66</b>	<b>83</b>	<b>200</b>
<b>2019 Total</b>	<b>141</b>	<b>99</b>	<b>148</b>	<b>388</b>
<b>2020 Total</b>	<b>109</b>	<b>121</b>	<b>97</b>	<b>327</b>

### Ordinance Violations / Code Enforcement Officers



### Ordinance Violations / Year





## Agenda Item

April 26, 2021

TO: Honorable Mayor and City Council

THROUGH: Scott Derickson, City Administrator

FROM: Chris Kerr, Community Development Director  
Colin Cortes, AICP, CNU-A, Senior Planner

SUBJECT: **Annexation of approximately 31.13 acres of territory known as the Schultz Farm Property with no street address along the west side of Boones Ferry Rd NE north of Hazelnut Dr. and approval of related land use applications for development into the "Dove Landing" Planned Unit Development (ANX 2020-03 & PUD 2020-02)**

### **RECOMMENDATION:**

Conduct a public hearing and make a motion to tentatively approve the land use applications with the changes that this staff memo describes, directing staff to submit an ordinance for consideration at a City Council meeting.

### **BACKGROUND:**

The item before the Council is action on annexation application ANX 2020-03 by Pacific Community Design, Inc. on behalf of Ettro Capital Management Corp. for property totaling approximately 31.13 gross acres and located along the west side of Boones Ferry Road NE north of Hazelnut Drive.

The territory is eligible for annexation because it's within the City urban growth boundary (UGB).

Upon annexation, the City would need to designate the property with City zoning. The Comprehensive Plan land use map designates the territory Low Density Residential. Per Comprehensive Plan Policy Table 1, the default compatible base zoning district is Residential Single Family (RS).

The proposal dedicates to the City 8.31 acres of public parkland.

*Development Applications*

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

Because the applicant proposes also to develop the subject property with 171 houses, there are “child” or corollary development applications:

- Planned Unit Development PUD 2020-02: This relates to the site plans and the overall physical site development. PUD is a discretionary land use application type allowing developers to modify Woodburn Development Ordinance (WDO) provisions – such as getting smaller minimum lot areas and reduced setbacks – in exchange for a minimum area of open space, minimum common area improvements, and “enhanced public amenities”. More to the point, the conditions of approval and the related 200 series of attachments establish PUD development standards and common area improvements.
- Preliminary Subdivision SUB 2020-03: This subdivides the land into tracts and small lots per PUD standards – premised upon PUD approval.
- Zone Change ZC 2020-02: This designates zoning following annexation.

### *Project Summary*

The development is 171 detached houses on small lots and among both private common area open space tracts and public parkland tracts. The range of lot sizes is 2,700 square feet (sq ft) to 4,400 sq ft. (For comparison, the Smith Creek Development also had a range of lot sizes, the smallest for detached houses being 3,200 sq ft and for rowhouses 1,800 sq ft.)

The development extends the street network with two connections at Boones Ferry Road NE and includes stubs preserving allowance for future extension. Off-street bicycle/pedestrian paths serve as shortcuts through blocks.

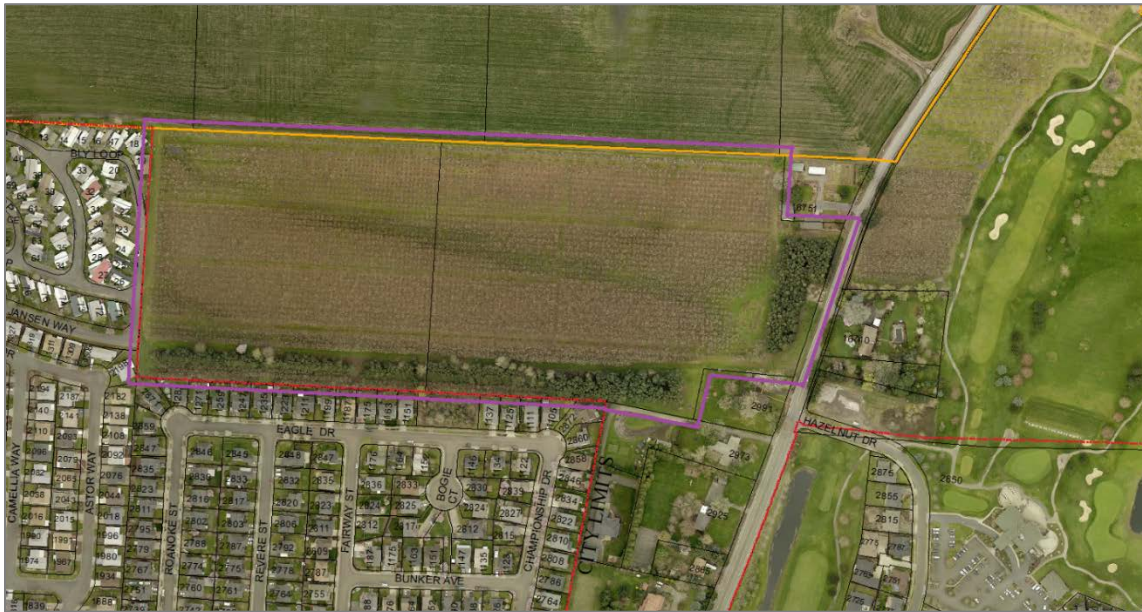
The central block has a private alley with public access. The alley allows for the four block faces, by not having driveways except two for the alley itself, to have uninterrupted on-street parallel parking and planter strip with many street trees.

The Planning Commission staff report (Attachment 3) recommended denial because the developer had refused to dedicate public parkland, and it included back-up conditions of approval were the Commission to recommend approval. Shortly before the hearing, the developer proposed changes meriting approval, particularly agreeing to dedicate public parkland. Staff drafted an addendum memo (Attachment 1) to the Commission summarizing the changes, listing strikethrough-and-underline revisions to some of the conditions of approval, and recommending approval. The Commission recommended approval with the revised conditions. Attachment 2 is a memo from the Assistant City Administrator



in support of project approval because of the developer agreeing to dedicate public parkland.

Of the images that follow, the paired citywide ones show just how large the public parkland dedication is relative to the subject project and existing City parks.



*Aerial map (2016) with site outlined in purple*



*Vicinity map: Subject property in purple, City parks in light green*



*Dove Landing parkland in dark green (Tracts I & K)*





Open space site plan (Apr. 6, 2021)

The open space site plan shows along the south the two large tracts that the developer is dedicating to the City as public parkland totaling 8.31 acres. Tract K is the largest at 7.2 acres.

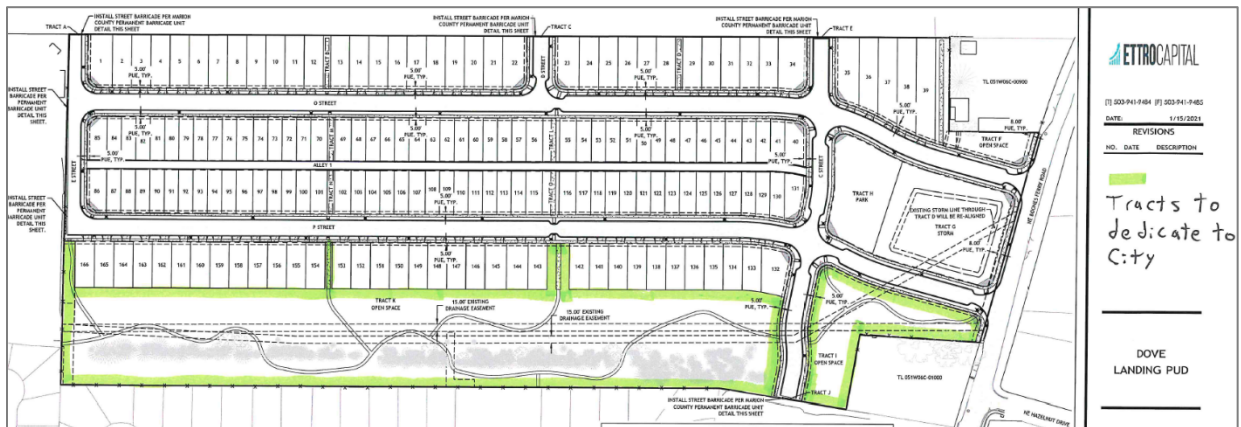


Exhibit PUD-6: Tracts to Dedicate to City (outlined in green)

The above image is copied from Condition PUD-6 that memorializes dedication of parkland.

### *Commission Recommendation*

The Planning Commission on March 25, 2021 heard and unanimously recommended approval of the consolidated applications package with conditions of approval that staff recommends through both the staff report (Attachment 1: Attachment 102, pages 44+) and with the strikethrough-and-underline revisions per the staff memo addendum to the Commission (Attachment 2, pages 1 & 2).

### *Testimony*

Besides the applicant, four individuals testified verbally at the hearing:

<i>Who</i>	<i>Topic</i>
Julie Nicolarsen, 620 Troon Ave, Woodburn, OR 97071-7691	Asked about the alley and if it would be one-way
Brenda Gonzalez, 1105 Eagle Dr, Woodburn, OR 97071-7711	Asked how many hazelnut trees would be removed, if any, and how many trees would be preserved in the south yard
Cindy Wurdinger-Kelly, 16751 Boones Ferry Rd NE, Woodburn, OR 97071-9631	Asked how wide would be the greenway tract behind / west of her house and if there would be a fence or wall
Jim Nicolarsen, 620 Troon Ave, Woodburn, OR 97071-7691	Asked if there are other recent developments with lots as small; wanted to know more about the conditioned enhanced pedestrian crossing near Woodburn High School

### **DISCUSSION:**

Annexation is both a policy and land use decision by the Council.

Decision-making criteria for annexation are in Woodburn Development Ordinance (WDO) 5.04.01C. The attached Planning Commission staff report of March 25, 2021, particularly its Attachment 102 Analyses & Findings, addresses the criteria. At the time of publication, the criteria wouldn't have been met because the developer had refused to dedicate public parkland. The developer and staff resolved the issue and came to agreement by the time of the Commission hearing. At the hearing, staff was able to find the criteria met and recommended approval with conditions. The developer agrees to dedicate parkland.

The Council reviews and decides upon the consolidated applications package for the development project because per WDO 4.01.07, the City reviews a package at the highest land use review type among the application types. (In this context, it's the annexation application type, which is Type IV – a Council decision.)

### **FINANCIAL IMPACT:**

Annexing the territory into city limits would subject it to City taxing authority, including property tax that generates the largest source of funding for general fund services such as the library, policing, and parks and recreation.

The City permanent tax rate is \$6.0534 per thousand dollars – equal to a millage rate of 6.0534 mils – as set by Oregon Ballot Measure 50 in 1997-98. The property had a rural dwelling, now demolished. The table below simplifies and grossly estimates tax revenue, not accounting for increase resulting from development:

<i>Address</i>	<i>Tax Lot</i>	<i>Marion County Assessed Value (AV)</i>	<i>Gross Estimate of City Property Tax (6.0534 mils)</i>
none	051W06C000800 (primary)	\$18,430	\$111.56
none	051W06C000400	\$16,630	\$100.67
Total:		\$35,060	\$212.23

The estimate neither accounts for how the City might assess property value differently than Marion County nor excludes the unknown cost of providing basic utility services to the properties that the City does not already provide. Crucially, site development would increase both the number of residences and assessed valuation (AV) while also increasing City utility and other service costs.

Attachments:

1. Staff memo addendum for Planning Commission (Apr. 8, 2021; 4 pages)
2. Memo "Dove Landing Public Park Dedication" from Assistant City Administrator (Apr. 26, 2021)
3. Planning Commission March 25, 2021 Staff Report and attachments:
  101. Marked Tax Map
  102. Analyses & Findings (56 pages)
  - 102A. Public Works comments (Mar. 16, 2021)
  103. Site plans (19 sheets)
  - 103A. Annexation Service Provider Letters (SPLs; 4 pages)
  - 104A. Parks and Recreation Master Plan excerpts pp. 76-77 (2009; 2 pages)
  - 104B. Parks map "Street Index with Park Buffer" (Aug. 13, 2020)
  - 105A. TSP Fig. 2 "Functional Roadway Classification"
  - 105B. TSP Fig. 6 "Local Street Connectivity Plan"
  - 201.\* ANX 2020-03 Dove Landing PUD: Dictionary & Glossary
  202. ANX 2020-03 Dove Landing PUD: Lot & Tract Development Standards
  203. ANX 2020-03 Dove Landing PUD: Common Area Improvements & Public Easements
  204. [Struck. Number kept to preserve order.]
  205. ANX 2020-03 Dove Landing PUD: Tree Protection & Environmental Remediation
  206. ANX 2020-03 Dove Landing PUD: Conditioned Fees

\*The 200 series of attachments are details for the conditions of approval.

April 8, 2021

To: Planning Commission (April 8, 2021)

From: Colin Cortes, AICP, CNU-A, Senior Planner

Cc: McKenzie Granum, Assistant City Attorney  
Jim Row, Assistant City Administrator  
Chris Kerr, Community Development Director *CK,*  
Stacy Connery, AICP, Planning Manager, Pacific Community Design, Inc.

Subject: Addendum to Agenda Item 6: Dove Landing PUD (ANX 2020-03)

## Summary:

After the applicant requested to continue the hearing from March 25 to April 8, the applicant and staff worked collaboratively to reach agreement on several items allowing staff to recommend approval. Based on this agreement, below are recommended revised and additional conditions compared with published March 25 staff report:

1. Parkland: The developer agrees to dedicate the parkland with a condition accommodating parks system development charge (SDC) credit for parkland improvements:

PUD-9.

- a. Common area and parkland improvements: Improvements shall be per Attachment 203.
- b. Open space: The City and the Developer agree that the WDO standard for PUD improved common area shall be satisfied by dedication and improvement of Tracts I & K.
- c. Parks SDC credits:
  - (1) All improvements with the exception of the paths as required by Attachment 203, Part C will be 100% SDC creditable.
  - (2) The maximum cost of the improvements to the developer, including soft costs such as surveying and engineering specific to the improvements, shall not exceed the total amount of parks SDCs assessed upon the development.
  - (3) The parks SDC credits shall be administered in a manner consistent with Ordinance 2250.

Jim Row, Assistant City Administrator, indicated he'd be at the meeting to talk about parks.

**April 26, 2021 Council staff memo  
Attachment 1**

2. The developer requests to add 5 lots, and staff drafted this condition:

**PUD-12. Five more lots: This condition acknowledges and accepts a plan revision of five more lots in place of some Tract H area, for a total of 171 lots, as the applicant submitted April 6 for Planning Commission April 8, 2021.**

The developer had proposed common area / open space more than the minimum. The change means that the development provides the PUD minimum equal to 30% of gross area.

3. Enhanced pedestrian crossing: The developer requests that this required improvement be SDC creditable:

T-BP1. Bicycle/pedestrian off-site improvements: The developer shall:

- a. TSP: Construct TSP project P45 (TSP p. 64 as Attachment 104A).
- b. Off-site sidewalk: BFR & Hazelnut:

...

(4) Details: What constitutes an “enhanced pedestrian crossing” per P45, “sidewalk” per (2), and a “marked crosswalk” per (3) and their corollary improvements is up to PW determination through CEP review; however, for P45 & (3) there shall result a physical change to existing pavement and/or striping serving as an obvious indication for most pedestrians, cyclists, and drivers. **TSP Project P45 is traffic SDC creditable consistent with SDC ordinances and resolutions.**

#### **Recommendation:**

With the addition of Condition PUD-9, staff changes its recommendation to approval with conditions.

#### **Attachment(s):**

- A. Testimony by Julie Nicolarsen, 620 Troon Ave, letter (received Apr. 6, 2021)
- B. Revised plan sheet 11 Open space site plan (submitted Apr. 6, 2021)



Woodburn Planning Commission

RE: Dove Landing PUD

I am writing to you about the proposed development to be called Dove Landing. When I first heard of the plan I wasn't surprised. With the housing market for lower income families and the economy as it is this made sense.

However on seeing the plan....

Is this some kind of joke?

My three and a half year old granddaughter could have designed this better, squiggling on a blank piece of paper. This developer actually paid someone for this sterile, unimaginative design?

The plots remind me of what the floor plan of a prison looks like.... one cell after the other. Every house will need to be painted a different color so homeowners will know which is theirs.

And where do you expect the multitudes of children to play and gather, to ride bikes, or throw a ball? With the drag strips you will have created, the streets will be too dangerous. And yes, children play on the streets in front of their homes. I'm assuming the yards will be at a bare minimum too. Even Senior Estates has curvy roads and Cul-de-Sacs.

This development has no place in Woodburn, or anywhere else for that matter. It is mass, cheap, housing at it's worse. The effects of it will spill over into neighboring areas because it does NOT remotely address the needs of its residents.

This needs to be sent back to the drawing board so these important issues can be addressed.

Regards,

*Julie Nicolarsen*

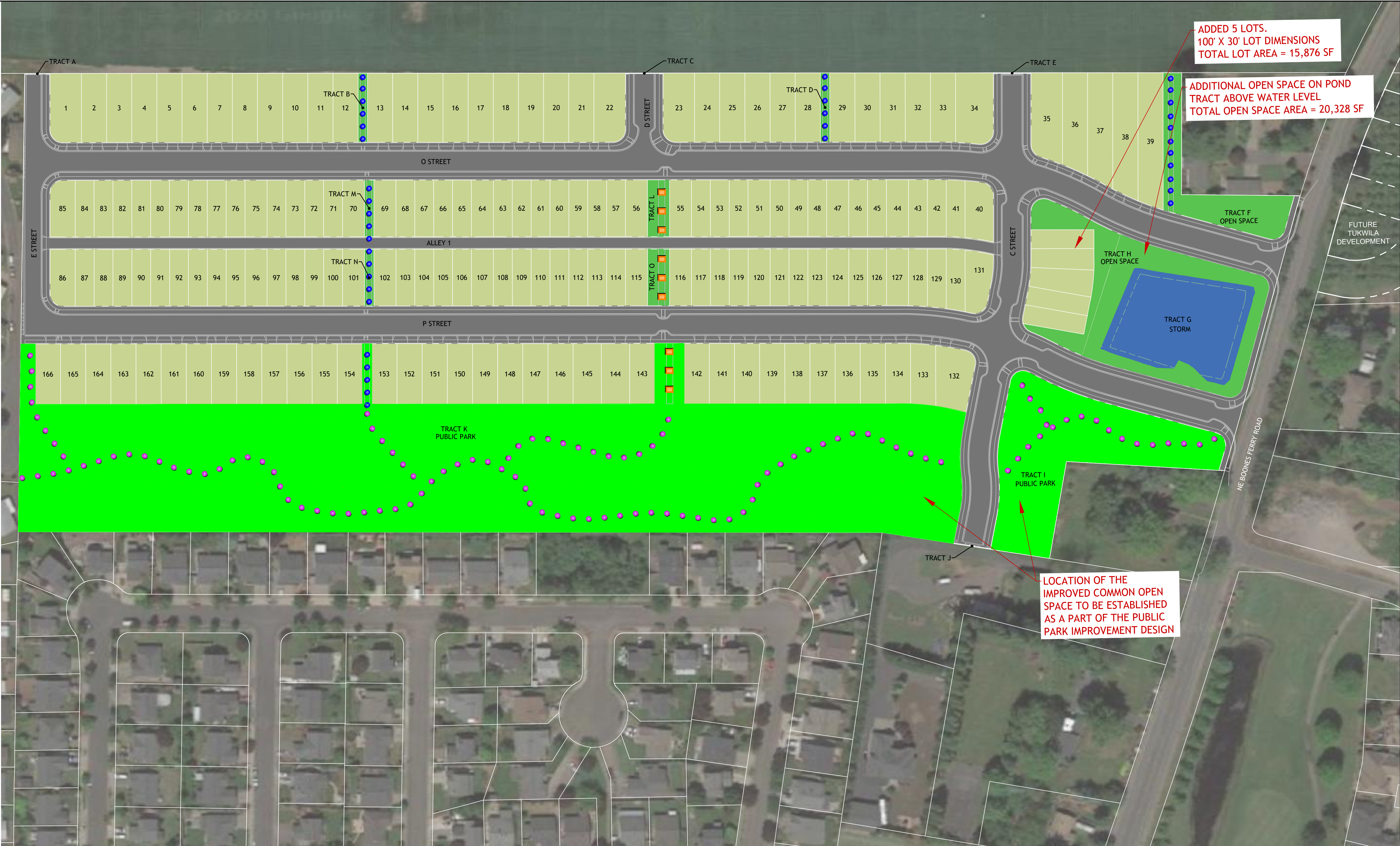
Julie Nicolarsen  
620 Troon Ave.  
Woodburn, OR. 97071

RECEIVED











APR 6 2021

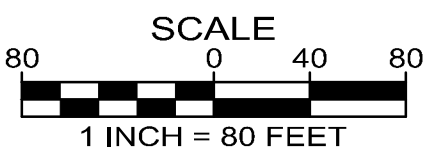
COMMUNITY DEVELOPMENT  
DEPARTMENT

N:\proj\142-001\09 Drawings\03 Planning\Sheets - Planning\Submittal\142001\_111 OPEN SPACE PLAN.dwg - SHEET: 11 - Apr 05, 2021 - 1:23pm.cll



**LEGEND - PROPOSED CONCEPT PLAN**

<u>OPEN SPACE</u>			<u>IMPROVED COMMON OPENSACE</u>		<u>PEDESTRIAN ELEMENTS</u>		<u>OPEN SPACE</u>		
	PUBLIC PARK (TRACT K & I)	8.32 AC	26%	 100 SF/LOT X 171 LOTS =	17,100 SF (0.39 AC) MINIMUM	  10' MAJOR TRAIL	 STORM FACILITY	1.17 AC	4%
	OPEN SPACE (ALL OTHER TRACTS)	1.35 AC	5%			  8' MAJOR TRAIL			
	OPEN SPACE TARGET	9.57 AC	30%			  6' WOOD CHIP TRAIL			
	OPEN SPACE PROVIDED	9.67 AC	30 %						
	GROSS SITE AREA	31.86 AC	100 %						



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

**REVISIONS**

NO. DATE DESCRIPTION

**DOVE  
LANDING PUD**

**OPEN SPACE  
SITE PLAN**



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484


PROJECT NO.: 142-001

TYPE: PLANNING

REVIEWED BY: PRE





To: Mayor Swenson & City Councilors  
From:  Jim Row, Assistant City Administrator  
Date: April 26, 2021  
RE: Dove Landing Public Park Dedication

I intended to provide some brief comments during this evening's Dove Landing annexation & development review public hearing, however, I am out of the office and unable to participate live. As such, I am submitting the following written comments, instead.

Initially, the applicant proposed that all of the open space tracts that they would be required to provide would remain under the ownership and control of the future homeowner's association. This private ownership arrangement would have precluded the public from utilizing these spaces and related improvements. Recognizing the need for public parkland in this area of town, staff engaged the applicant in discussions on the subject.

An agreement with the applicant was eventually reached, whereby they would dedicate a 7+ acre open space tract to the City for use as a public park. The applicant further agreed to construct a paved pathway on the parcel at their own expense and to construct other amenities, such as a restroom building, small plaza, picnic shelter and playground in exchange for Parks and Recreation System Development Charges (SDC) credits.

I am pleased that these negotiations were productive and resulted in a project that provides a significant benefit to the public. As such, I am happy to lend my support to this project.

270 Montgomery Street  
Woodburn, Oregon 97071  
(503) 982-5222 • Fax # (503) 982-5244  
[www.woodburn-or.gov](http://www.woodburn-or.gov)

**Attachment 2**



## Staff Report

**To:** Planning Commission

**Through:** Chris Kerr, AICP, Community Development Director *CK*

**From:** Colin Cortes, AICP, CNU-A, Senior Planner

**Meeting Date:** March 25, 2021 (Prepared March 18, 2021)

**Item:** “Dove Landing” Planned Unit Development (ANX 2020-03)

**Tax Lot(s):** 051W06C000800 (primary) & 400 (no address; Boones Ferry Rd NE west side north of Hazelnut Dr)

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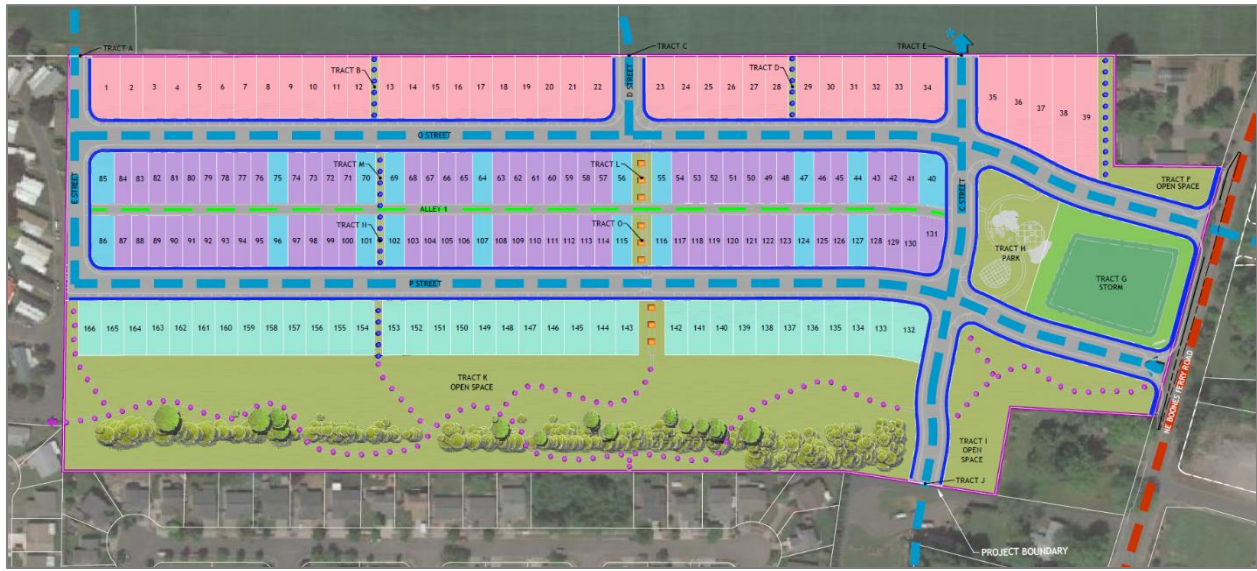
### Issue before the Planning Commission

Annexation ANX 2020-03 (Type IV) with proposed planned unit development PUD 2020-02  
Dove Landing: Commission is to hold a public hearing and make a recommendation to the City Council.

## Executive Summary

### Location

The proposed Dove Landing PUD of 166 houses on small lots is based on annexation of 31.13 acres from Marion County. The territory is a former orchard located at northeast city limits along the west side of Boones Ferry Road NE north of Hazelnut Drive.



Concept site plan from site plan Sheet 4



Exhibit PUD-6: Tracts to Dedicate to City (outlined in green)

### Annexation & Zoning Designation

Because the Comprehensive Plan land use map designates the territory Low Density Residential per Comprehensive Plan Policy Table 1, the default corresponding zoning district is Residential Single Family (RS). Along with an annexation ordinance, the Council would by separate ordinance designate the annexed territory as RS.

### *Development*

Staff and the developer worked diligently to produce a superior site development that includes features such as:

1. Frontage/street improvements including enhanced public amenities in form of wider sidewalks and more street trees;
2. Street stubs that allow a logical network for future development to extend;
3. Subdivision connection paths as shortcuts for people walking and cycling;
4. Common area improvements including a playground;
5. Public parkland totaling 8.32 acres and with improvements such as a paved path, benches, bicycle parking, dog waste stations, a shelter or two, and a pair of restrooms;
6. Remediation of common areas and public parkland through invasive groundcover removal (e.g. Himalaya blackberry) and restorative plantings; and
7. Walking and cycling wayfinding signage.

Site plans are within Attachment 103.

The Public Works Department, Woodburn Fire District, and Woodburn School District gave the applicant annexation service provider letters (SPLs; Attachment 103A) indicating that they can serve the development.

### *Parkland Dedication*

Staff finds that the proposal meets applicable Woodburn Development Ordinance (WDO) provisions per the analyses and findings (Attachment 102) – *except* for the fact that it does not include the dedication of public parkland. This is a development issue because the developer is indicating refusal to dedicate open space Tracts I & K as public parkland instead of private common area.

Here are the key WDO issues regarding the park dedication issue:

1. Commensurate public amenities are required for PUDs. A basic purpose of a PUD is to allow modifications to development standards (e.g. lot size and configuration) in exchange for enhanced public amenities and to obtain public amenities that are commensurate with and justify modifications to WDO provisions.
2. Annexations should meet unmet community needs. The Parks and Recreation Master Plan, as part of the Comprehensive Plan, identifies a lack of public parkland as an unmet community need, and were the developer to not dedicate parkland it would exacerbate the deficiency.

3. Annexations are required to benefit the City and each approval requires a review to assess impact on the community. Comprehensive Plan Goal G-2 states that the City incorporate territory that will be of “benefit to the City”, and Policy G-2.1 confirms that, “For each proposed expansion of the City, Woodburn shall assess the proposal’s conformance with the City’s plans, and facility capacity and assess its impact on the community.” Not dedicating the parkland would worsen current parks level of service and adversely impact (i.e. harm) the community.
4. Park acquisition/development should occur concurrently with development: Council adoption of the parks plan also reinforced Comprehensive Plan Policy L-1.2 as applied to developments including PUDs: “Where feasible, the City will acquire and develop neighborhood parks, trails, and open spaces through the development review process.”

Additional factors in support of about why parkland dedication is essential as part of this development are below:

- A. The developer already proposes the two tracts to be open space with park-like landscaping – a basic PUD standard is that 30% of the gross subject property area is to be common area, conventionally understood to be mostly open space.
- B. Tracts I & K can well serve as regional parks, and are commensurate with Dove Landing at least in terms of size – 8.32 out of 31.31 gross acres (26.7%) – and in relation to the proposal of 166 houses.
- C. To require dedication of two of the several open space tracts to the City as public land instead of to a private association as common area has no effect on providing the territory itself as open space – the developer wasn’t going to build housing on it anyway.
- D. The territory would remain just as open to residents of Dove Landing as parkland as it would were it to remain as private common area.
- E. An association would be spared maintenance responsibility with the territory as public parkland, and homeowners spared greater dues for such maintenance.
- F. If the City were to pass on obtaining the parkland now, the opportunity likely would disappear. In this case, though the tracts wouldn’t be developed with lots, it would become annexed private property having higher assessed value by being within city limits and surrounded by development, raising the implied purchase price – were an association ever a willing seller or the City were ever willing to exercise eminent domain.

## Recommendation

Denial: Staff would strongly support the project as conditioned and with the dedication of the improved parkland; however, because the developer is indicating refusal to dedicate to the City public parkland, staff recommends that the Planning Commission consider the staff report and attachments and recommend denial to the City Council.

Alternative: Were the Planning Commission to instead pursue approval with conditions, then staff would recommend the conditions per Attachment 102.

## Actions

The Planning Commission may instead act on the land use application to recommend to:

1. Approve with the conditions per Attachment 102, or
2. Approve with modified conditions.

If the Planning Commission were to act upon the recommendation, staff would proceed to a City Council hearing, tentatively scheduled for April 26, 2021, with the Commission recommendation.

## Attachment List

101. Marked Tax Map
102. Analyses & Findings
- 102A. Public Works comments (Mar. 16, 2021; 3 pages)
103. Site plans (dated Jan. 15, 2021 and submitted Feb. 9, 2021; 19 sheets)
- 103A. Annexation Service Provider Letters (SPLs; 4 pages)
- 104A. Parks and Recreation Master Plan excerpts pp. 76-77 (2009; 2 pages)
- 104B. Parks map "Street Index with Park Buffer" (Aug. 13, 2020)
- 105A. TSP Fig. 2 "Functional Roadway Classification"
- 105B. TSP Fig. 6 "Local Street Connectivity Plan"
- 201.\* ANX 2020-03 Dove Landing PUD: Dictionary & Glossary
202. ANX 2020-03 Dove Landing PUD: Lot & Tract Development Standards
203. ANX 2020-03 Dove Landing PUD: Common Area Improvements & Public Easements
204. [Struck. Number kept to preserve order.]
205. ANX 2020-03 Dove Landing PUD: Tree Protection & Environmental Remediation
206. ANX 2020-03 Dove Landing PUD: Conditioned Fees



\*The 200 series of attachments are details for the Attachment 102 conditions of approval.

05 1W 06C

05 1W 06C  
WOODBURN



MARION COUNTY, OREGON  
SW1/4 SEC6 T5S R1W W.M.  
SCALE 1" = 200'

LEGEND

- LINE TYPES
- |                          |                       |
|--------------------------|-----------------------|
| Taxlot Boundary          | Historical Boundary   |
| Road Right-of-Way        | Easement              |
| Railroad Right-of-Way    | Railroad Centerline   |
| Private Road ROW         | Taxcode Line          |
| Subdivision/Plat Bndry   | Map Boundary          |
| Waterline - Taxlot Bndry | Waterline - Non Bndry |

- CORNER TYPES
- |                       |                                    |
|-----------------------|------------------------------------|
| + 1/16TH Section Cor. | 1/4 Section Cor.                   |
| ⊙ DLC Corner          | 16, 15<br>21, 22<br>Section Corner |

NUMBERS

Tax Code Number  
**00 00 0**

Acreage  
**0.25 AC**

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

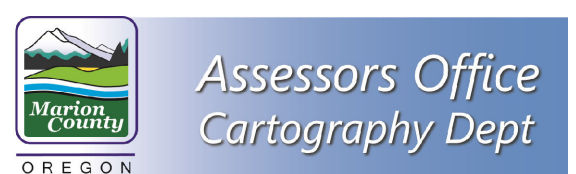
NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

200.00  
175.00

CANCELLED NUMBERS			
500			
600			
700			

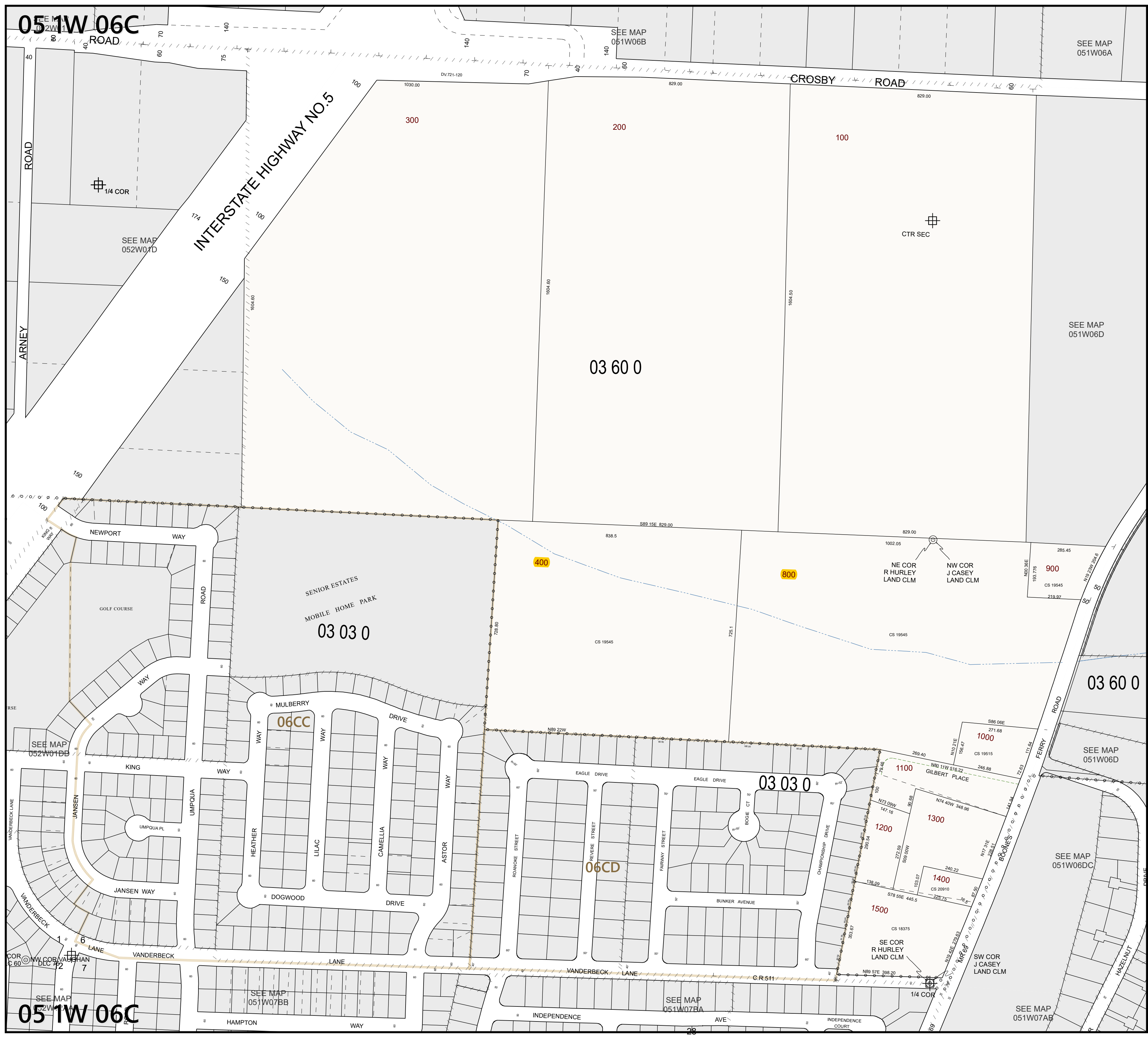
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us) **Attachment 101**

PLOT DATE: 10/16/2020

WOODBURN  
05 1W 06C



## ANX 2020-03: Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> <li>Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met</li> <li>Plan sheets and/or narrative inconsistent</li> <li>Other special circumstance benefitting from attention</li> </ul>	Revision needed for clear and consistent records
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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## Project Name & Case File Numbers

The applicant submitted the project name Schultz Farm, but through re-submittal renamed it to Dove Landing. The land use application master/parent case file number is Annexation ANX 2020-03, and the children/corollary case file numbers are Planned Unit Development PUD 2020-02, Preliminary Subdivision SUB 2020-03, & Zone Change 2020-02.

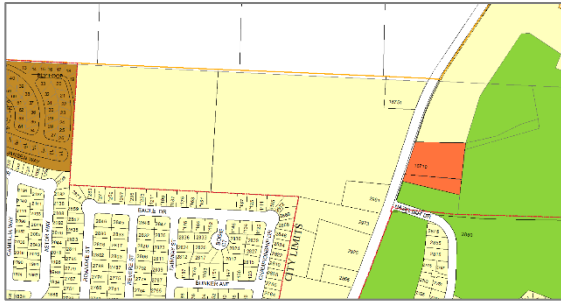
## Location

<i>Address(es)</i>	None (west side of N. Boones Ferry Rd north of Hazelnut Dr)
<i>Tax Lot(s)</i>	051W06C000800 (primary) & 400; respectively 17.13 & 14.00 acres, totaling 31.13 acres
<i>Nearest intersection</i>	N. Boones Ferry Rd & Hazelnut Dr

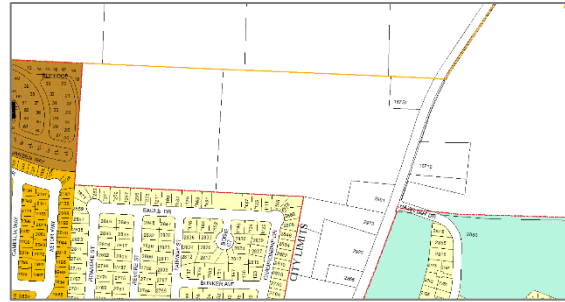
## Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Low Density Residential
<i>Zoning District</i>	Residential Single Family (RS)
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	Closed orchard

For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



*Comprehensive Plan land use map excerpt*



*Zoning map excerpt*

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	No City zoning because not annexed and outside the City urban growth boundary (UGB)
East	No City zoning because not annexed and outside the City urban growth boundary (UGB). ANX 2020-01 Trillium Reserve under review.
South	RS; from east to west: two rural homesteads and Miller Links subdivision
West	RM; Woodburn Senior Estates Manufactured Home Community

## Statutory Dates

<i>Application Completeness</i>	February 12, 2021
<i>120-Day Final Decision Deadline</i>	June 12, 2021 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date would be either May 10 or 24, 2021, depending on coronavirus.)*

\*However, the Assistant City Attorney had counseled staff on January 16, 2018 that an annexation request is not subject to the 120-day deadline for final action per 227.178(8).

## Annexation Provisions

Because the proposal is for annexation, per 5.04 it requires a Type IV review with City Council decision. The applicant submitted application materials on October 30, 2020 and revised and additional materials through February 11, 2021 (excerpted within Attachment 103).

### 5.04.01 Annexation

- A. Purpose:** The purpose of this Type IV review is to provide a procedure to incorporate contiguous territory into the City in compliance with state requirements, Woodburn Comprehensive Plan, and Woodburn Development Ordinance.
- B. Mandatory Pre-Application Conference:** Prior to requesting annexation to the City, a Pre-Application Conference (Section 4.01.04) is required. ...
- C. Criteria:**
  - 1. Compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation.
  - 2. Territory to be annexed shall be contiguous to the City and shall either:
    - a. Link to planned public facilities with adequate capacity to serve existing and future development of the property as indicated by the Woodburn Comprehensive Plan; or
    - b. Guarantee that public facilities have adequate capacity to serve existing and future development of the property.
  - 3. Annexations shall show a demonstrated community need for additional territory and development based on the following considerations:
    - a. Lands designated for residential and community uses should demonstrate substantial conformance to the following:
      - 1) The territory to be annexed should be contiguous to the City on two or more sides;
      - 2) The territory to be annexed should not increase the inventory of buildable land designated on the Comprehensive Plan as Low or Medium Density Residential within the City to more than a 5-year supply;
      - 3) The territory proposed for annexation should reflect the City's goals for directing growth by using public facility capacity that has been funded by the City's capital improvement program;
      - 4) The site is feasible for development and provides either:
        - a) Completion or extension of the arterial/collector street pattern as depicted on the Woodburn Transportation System Plan; or
        - b) Connects existing stub streets, or other discontinuous streets, with another public street.

- 5) Annexed [*sic*] fulfills a substantial unmet community need, that has been identified by the City Council after a public hearing. Examples of community needs include park space and conservation of significant natural or historic resources.
- b. Lands designated for commercial, industrial and other uses should demonstrate substantial conformance to the following criteria:
- 1) The proposed use of the territory to be annexed shall be for industrial or other uses providing employment opportunities;
  - 2) The proposed industrial or commercial use of the territory does not require the expansion of infrastructure, additional service capacity, or incentives that are in excess of the costs normally borne by the community for development;
  - 3) The proposed industrial or commercial use of the territory provides an economic opportunity for the City to diversify its economy.
- D. Procedures:
1. An annexation may be initiated by petition based on the written consent of:
    - a. The owners of more than half of the territory proposed for annexation and more than half of the resident electors within the territory proposed to be annexed; or
    - b. One hundred percent of the owners and fifty percent of the electors within the territory proposed to be annexed; or
    - c. A lesser number of property owners.
  2. If an annexation is initiated by property owners of less than half of property to be annexed, after holding a public hearing and if the City Council approves the proposed annexation, the City Council shall call for an election within the territory to be annexed. Otherwise no election on a proposed annexation is required.
- E. Zoning Designation for Annexed Property: All land annexed to the City shall be designated consistent with the Woodburn Comprehensive Plan, unless an application to re-designate the property is approved as part of the annexation process.
- F. The timing of public improvements is as follows:
1. Street dedication is required upon annexation.
  2. Dedication of public utility easements (PUE) is required upon annexation.
  3. Street improvements are required upon development.
  4. Connection to the sanitary sewer system is required upon development or septic failure.
  5. Connection to the public water system is required upon development or well failure.
  6. Connection to the public storm drain system is required upon development.

Regarding subsection B., staff hosted two pre-application conferences: Pre-App PRE 2019-03 on February 27, 2019 and PRE 2020-21 on September 3, 2020.

The applicant requests that the City designate the annexed territory with the Residential Single Family (RS) zoning district.

Regarding the criteria of subsection C.:

1. The City Comprehensive Plan, Section G. Growth Management and Annexation contains annexation policies on pp. 30-31. The annexation criteria in the WDO already reflect the goals, including efficient City services.

First, the territory to be annexed is within the Woodburn Urban Growth Boundary (UGB). The premise of a UGB is to define an area feasible for the City to provide services to greenfield development over approximately 20 years as described in the Comprehensive Plan. So, in this way the annexation of territory within the UGB is consistent with the comp plan.

Second, the territory also is adjacent to infrastructure that development can make use of or extend into the territory to develop it:

- Roads and street: N. Boones Ferry Road borders to the property to the east, providing a means of access. (The annexation legal description and map series excludes the right-of-way (ROW) adjacent to the site. ANX 2020-01 Trillium Reserve is annexing it.)
- Transit: Along N. Boones Ferry Road, the City and other agencies could run transit vehicles.
- Potable water, sanitary sewer, and stormwater sewer: These are adjacent or nearby, and as the Public Works Department Directs at the civil engineer plan (CEP) review and public works permit stage, the developer will upgrade and extend them as necessary to provide laterals to the site development and for these upgraded and extended utilities to accommodate the demands of the development.
- Other: Other franchise utility providers attend to such utilities as electric power, cable television and internet, natural gas, and cellular wireless telephony, often using existing or extended ROWs.

Regarding public parkland, the proposed development doesn't meet the criterion because it fails to meet certain Comprehensive Plan policies. Because the issue is best understood in the context of development, see the Planned Unit Development Provisions below for further analysis and findings.

2. The territory is contiguous to the City. Per the comp plan and with implementation through the WDO, upon development of the territory the City would require improvements that guarantee that public facilities have adequate capacity to serve such development.



The Public Works Department identified no impediments to serve the development that would not be resolved at the permitting stage, evidenced by the Public Works comments that are Attachment 102A.

Second, the Public Works Department, Woodburn Fire District (WFD), and Woodburn School District (WSD) submitted service provider letters (SPLs) as annexation applications require. They are in Attachment 103A. The Public Works one dated October 13, 2020 states:

“This letter is to certify that the City of Woodburn has no capacity issue with the public wastewater treatment facility or public water treatment facility. However, the subject property is not adjacent to an existing collection system for water, wastewater or a public storm sewer collection system. The requirements for these collection facilities would still need to be determined. The capacity analysis, design and installation would be the responsibility of the applicant/property owner.”

Along with the Public Works comments that are Attachment 102A, it appears to Planning Division staff that the Public Works Department has no objection to annexation and that public works can serve the development through typical public improvements by a developer of the territory to be annexed.

Additionally, the applicant’s narrative (October 29, 2020, p. 53) states:

“Although the proposed 154-unit PUD is not phased, it’s important to note that the homebuilding process will not occur at once upon annexation. Following planning approval, the proposed site construction documents must be reviewed and approved, and the site streets and utility infrastructure constructed prior to beginning home building. These stages can take 9 to 12+ months. Individual home construction can take 3 months and homes are typically constructed on a pace commensurate with home sales. Home sales within any one project can range from 3-10 per quarter, which would likely extend the process of home construction for several years.”

There’s no written objection by the Public Works Department to the applicant’s narrative.

Besides the usual three classes of basic public infrastructure – potable water, sanitary sewer, and stormwater management – there is however also the issue of public parkland. There isn’t enough public parkland in the north area of the city and UGB. Because parkland is a development issue, staff addresses parkland further under the Planned Unit Development Provisions section below.

Regarding public parkland, the proposed development doesn't meet the criterion because it fails to provide adequate capacity regarding City public parkland. Because the issue is best understood in the context of development, see the Planned Unit Development Provisions below for further analysis and findings.

3. a. Examining the considerations under subsection a. because the Comprehensive Plan land use map designates the territory Low Density Residential, and the territory is to be designated with Residential Single Family (RS) base zoning district consistent with both the applicant's request and Comprehensive Plan Policy Table 1:

- 1) The territory to be annexed at its south and west boundaries meets the guideline that it "should be contiguous to the City on two or more sides".

- 2) The applicant's narrative (p. 53) states:

"The territory is designated by the Comprehensive Plan as 'Low Density Residential' land included in the 'Buildable Lands Inventory.' According to the City of Woodburn's latest Housing Needs Analysis, the estimated housing need for single-family detached dwellings is 1,563 units. The proposed 154-lot PUD accounts for only 9.85 percent of the total need.

Although the proposed 154-unit PUD is not phased, it's important to note that the homebuilding process will not occur at once upon annexation. ... The careful process of bringing the proposed 154-units on-line, through construction documentation and final approval stages, will not adversely impact the City's a 5-year supply of Low Density Residential."

Staff concurs, with the exception that the proposal is 166 houses and so 10.6% of the estimated need of 1,563 houses.

- 3) The applicant's narrative (p. 53) states:

"The subject territory is located within the City's UGB and has been assigned the Low Density Residential designation in the Comprehensive Plan. As detailed in the previous sections of this report, the proposed PUD on the subject site includes its own water quality and detention facility that treats all stormwater associated with the site. ... The proposed street layout detailed with this PUD includes three future street connections extending north. These three street connections shrink superblocks while addressing Comprehensive Plan policies regarding street connectivity."

There's no written objection by the Public Works Department to the applicant's narrative.

4) Regarding (a) & (b), the applicant's narrative (p. 4) states:

"The proposed street layout detailed with this PUD includes three future street connections extending north. These three street connections shrink superblocks while addressing Comprehensive Plan policies regarding street connectivity."

Staff concurs and adds that the development proposes two street connections with N. Boones Ferry Road in conformance with Transportation System Plan (TSP) Figure 6 "Local Street Connectivity Plan". These also provides better access for emergency vehicles. (The proposed "O" Street would align with Trillium Place within ANX 2020-01 Trillium Reserve, Trillium Place itself being the outlet for the Olympic Street extension.)

5) The applicant asserts no unmet community need. Because these analyses and findings come before the first public hearing by the Planning Commission, it is yet unknown if annexation fulfills a substantial unmet community need because the City Council has not yet identified such a need. Examples of community needs include park space and conservation of significant natural or historic resources, and the corollary development includes Tracts I & K along the south that the developer is to improve and dedicate as City/public parkland.

Note: As of March 16, 2021, Administration relayed through the Community Development Director to staff that the City Council may choose to interpret the timing of criterion C.3a5) such that between the timing of this writing and whenever the Council hearing would be, the Council would take action to identify a substantial unmet community need in such a way that the annexation criterion would apply to Dove Landing by the time of the public hearing – namely that lack of public parkland is a substantial unmet community need that the Dove Landing PUD could meet were it to dedicate Tracts I & K to the City as public parkland.

Annexation of the subject territory demonstrates substantial conformance with the criteria.

Regarding D., the applicant obtained the requisite written consent and such that no election is needed.

Regarding E., the applicant confirms the proposal includes no request to amend the Comprehensive Plan land use designation or upon annexation to designate the territory with a City base zoning district other than RS. (Pursuant to Comprehensive Plan Policy Table 1, RS is the only zoning district that implements the Low Density Residential designation.)

Regarding F., the applicant need not address subsection 1. because the territory to be annexed includes adjacent ROW and because the public improvements including ROW and public utility easement (PUE) dedications that F. describes are addressed through development review, i.e. site plan review process, instead of annexation itself.

- ✗ The annexation fails to meet criteria C.1 & C2 because the applicant is indicating refusal to dedicate to the City public parkland from among the PUD common area open space tracts. (Staff applies conditions such that the development could fully meet the annexation criteria. See the Planned Unit Development Provisions section below for details.)

## Zoning Map Change Provisions

### Zoning Map Change Provisions

#### 5.04.04

**A. Purpose:** The purpose of an Owner Initiated Official Zoning Map Change is to provide a procedure to change the Official Zoning Map, in a manner consistent with the Woodburn Comprehensive Plan.

**B. Criteria:** The following criteria shall be considered in evaluating an Official Zoning Map Change;

- 1. Demonstrated need for the proposed use and the other permitted uses within the proposed zoning designation.**
- 2. Demonstrated need that the subject property best meets the need relative to other properties in the existing developable land inventory already designated with the same zone considering size, location, configuration, visibility and other significant attributes of the subject property.**
- 3. Demonstration that amendments which significantly affect transportation facilities ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:**
  - a. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or**
  - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,**
  - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.**

Staff interprets this section such that it applies only to rezoning – a change from one City zoning district to another. Because the zone change proposed through ZC 2020-02 comes with annexation in order to assign City zoning, and the proposed zoning districts comply with the Comprehensive Plan land use map designations, the criteria are not applicable.

➡ Not applicable.

## Riparian Corridor and Wetlands Overlay District (RCWOD) Provisions

### RCWOD Provisions

#### 2.05.05 Riparian Corridor and Wetlands Overlay District

##### A. Purpose

The Riparian Corridor and Wetlands Overlay District (RCWOD) is intended to conserve, protect and enhance significant riparian corridors, wetlands, and undeveloped floodplains in keeping with the goals and policies of the Comprehensive Plan. The RCWOD is further intended to protect and enhance water quality, prevent property damage during floods and storms, limit development activity in designated areas, protect native plant species, maintain and enhance fish and wildlife habitats, and conserve scenic and recreational values.

##### B. Boundaries of the RCWOD

###### 1. The RCWOD includes:

- a. Riparian corridors extending upland 50 feet from the top of the bank of the main stem of Senecal Creek and Mill Creek and those reaches of their tributaries identified as fish-bearing perennial streams on the Woodburn Wetlands Inventory Map; and
- b. Significant wetlands identified on the Woodburn Wetlands Inventory Map. Where significant wetlands are located fully or partially within a riparian corridor, the RCWOD shall extend 50 feet from the edge of the wetland; and
- c. The 100-year floodplain on properties identified as vacant or partly vacant on the 2005 Woodburn Buildable Lands Inventory.

###### 2. The approximate boundaries of the RCWOD are shown on the Zoning Map. The precise boundaries for any particular lot should be verified by the property owner when making a land use application. Map errors may be corrected as provided in this Ordinance (Section 1.02.04).

The subject property has a southerly east-west drainage way resulting from existing topography and that goes into a culvert under N. Boones Ferry Road. In response to the incompleteness letter of November 24, 2020 in which staff noted that the narrative omitted mention of RCWOD, the applicant submitted on January 15, 2021 as Exhibit K an RCWOD memo dated December 16, 2020 that concludes that RCWOD is not applicable. (Incidentally, no other overlay districts from 2.05 apply.)

➡ Not applicable.

## Subdivision Preliminary Approval Provisions

### Subdivision Preliminary Approval Provisions

#### 5.03.10 Subdivision Preliminary Approval

A. **Purpose:** The purpose of a Type III Subdivision decision is to ensure that the division of properties into 4 or more lots complies with the standards of this Ordinance (Sections 2 and 3). Subdivisions are allowed in all zones, provided the proposal meets applicable standards.

B. **Criteria:** Preliminary approval of a Subdivision shall require compliance with the following:

1. That approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and efficient development of the remainder of any adjoining land or access thereto.

2. That the proposed development shall be served with city streets, water, sewer and storm drainage facilities with adequate capacity.

3. That the plan for the development takes into account topography, vegetation and other natural features of the site.

4. That adequate measures have been planned to alleviate identified hazards and limitations to development:

a. For wetlands these shall be the measures required by the Division of State Lands for regulatory wetlands.

b. For unstable areas, demonstration that streets and building sites are on geologically stable soil considering the stress and loads.

5. The preliminary plat complies with all applicable provisions of this Ordinance (Sections 2 and 3), except where waived by variance.

Because the subdivision is for planned unit development (PUD), which can and does modify WDO provisions, the criteria are met through the PUD provisions, including modification by PUD to establish a smaller minimum lot area standard.

■ *PUD:* Staff further addresses WDO and modified subdivision standards below under the Planned Unit Development Provisions section.

## Planned Unit Development Provisions

### Planned Unit Development Provisions

#### 3.09

The purpose of this Section is to establish the requirements for Planned Unit Developments (PUDs). PUDs allow flexible development standards, unique street cross-sections, and more variety in permitted uses. They are especially appropriate when developing properties with unique topographic, geotechnical, or other constraints. They also encourage innovation and creative approaches for developing land. In exchange for the ability to modify development and use standards, PUDs must provide common open space and enhanced public amenities.

PUD is a discretionary land use application type allowing developers to modify WDO provisions – such as getting smaller minimum lot areas and higher residential density – in exchange for a minimum area of open space, minimum common area improvements, and what the City interprets to mean “enhanced public amenities”. More to the point, the conditions of approval and the related 200 series of attachments establish PUD development standards and common area improvements.

The developer is indicating refusal to dedicate to the City public parkland, namely Tracts I & K.

Regarding the issue of parkland along with annexation criterion C.1 (Comprehensive Plan) and the staff note regarding criterion C.3a5) (Council identification of substantial unmet community need), obtaining parkland would meet Comprehensive Plan policies below, where italics indicate staff emphasis:

<i>Policy No.</i>	<i>Page No.</i>	<i>Policy</i>
G-1.18	29	Conversion of land within the boundary to urban uses shall be based on a consideration of: (a) <i>Orderly, economic provision for public facilities and services.</i>
G-2.1	32	For each proposed expansion of the City, Woodburn shall <i>assess the proposal's conformance with the City's plans</i> , and facility capacity and <i>assess its impact on the community.</i>
G-2.2	32	Woodburn will achieve more efficient utilization of land within the City by: (a) Incorporating all of the territory within the City limits <i>that will be of benefit to the City.</i>
G-2.3	33	Woodburn will use annexation as a tool to guide: ... (c) The efficient use and extension of City facilities and services.



Below are four images, a vicinity map, a vicinity map showing the location a parks map (Attachment 104B) reproduced at a small scale, and a close-up with the parks map:



*Image 102A - Vicinity map: Subject property in purple, City parks in green*

The vicinity map shows the subject property in purple in relation to City parks in green.



Image 102B - Dove Landing parkland

The Dove Landing parkland map represents the City/pub parkland Tracts I & K, which total 8.32 acres, in dark green in relation to existing City parks in light green.

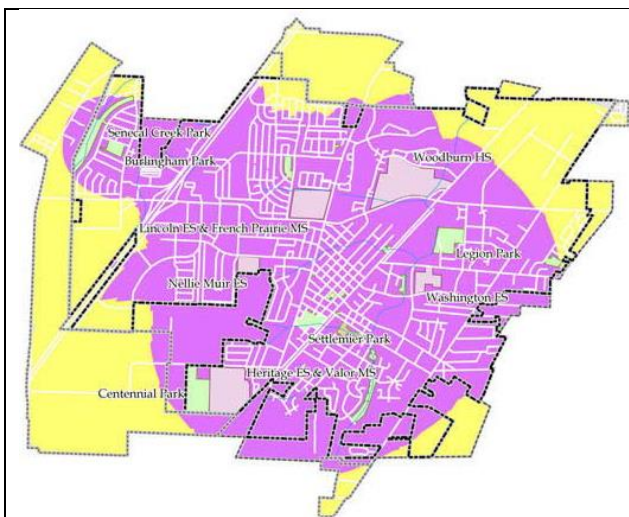


Image 76A: Neighborhood Access

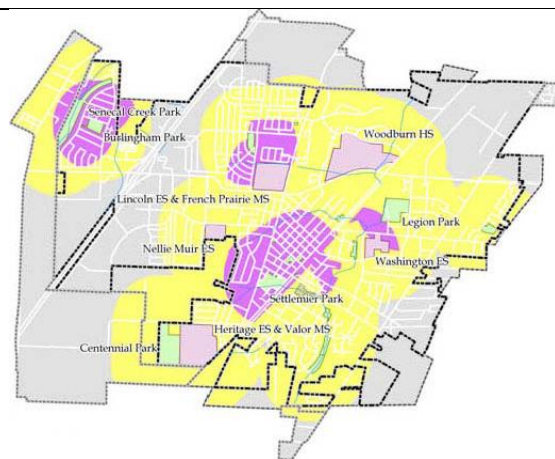
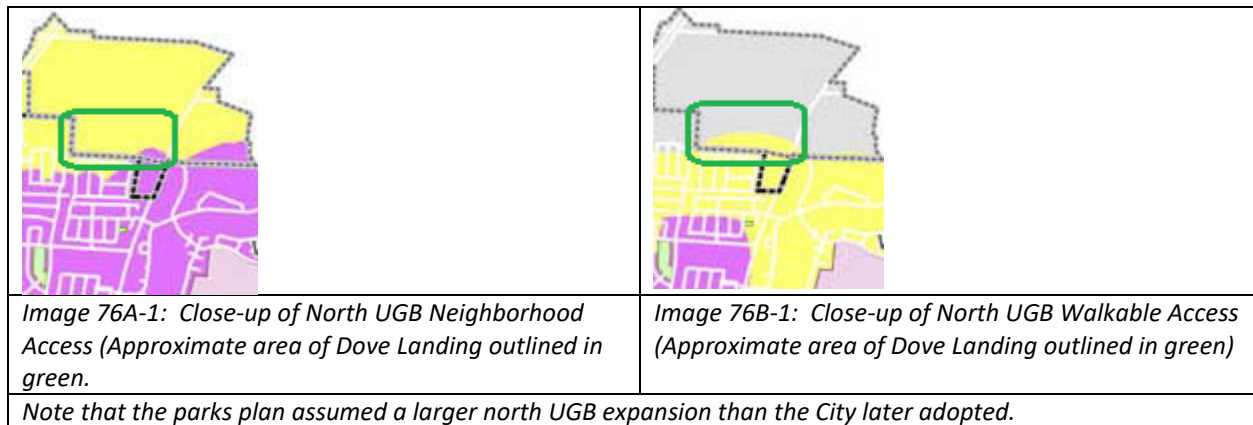


Image 76B: Walkable Access

Both excerpted from the Parks and Recreation Master Plan (2009), pp. 76-77



The Parks and Recreation Master Plan (2009), pp. 76-77, includes the above two purple and yellow figures. The two pages are included as Attachment 104A. P. 77 describes access to parks and improving level of service and in the third paragraph refers to an ideal of a park within 1/3-mile from each home.



Both maps show how remote Dove Landing would be from existing parks were it to fail to dedicate Tracts I & K as parkland.

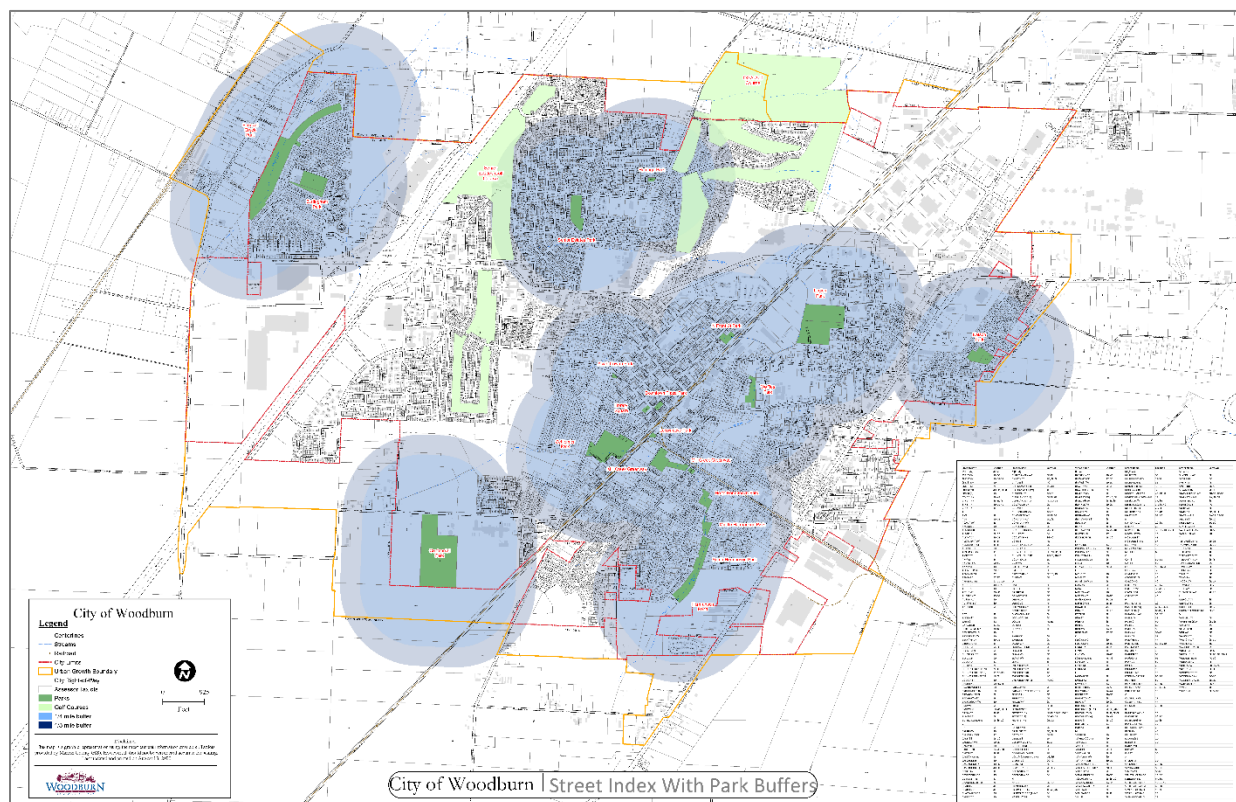


Image 102C - Parks map "Street Index with Park Buffer" (cropped view of Attachment 104B)

This map shows City parks in dark green and walking distance buffers of ¼ and 1/3 miles (blue and gray respectively).

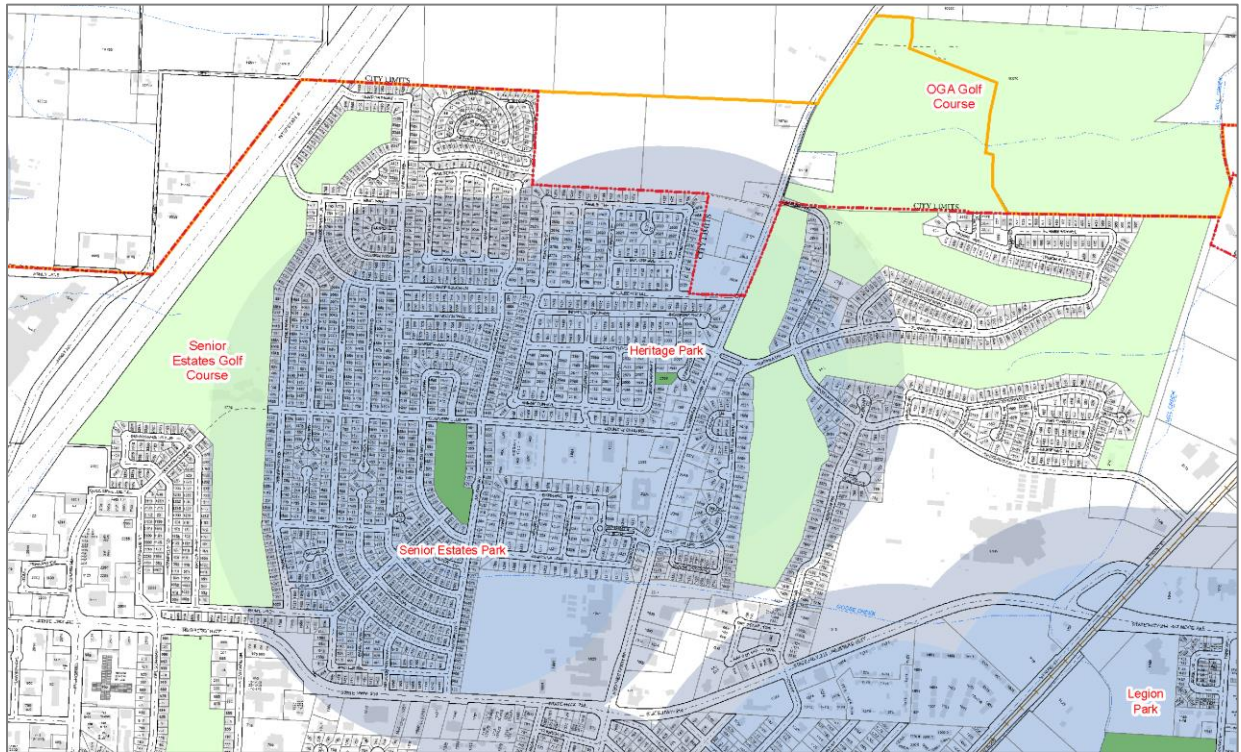


Image 102D - Parks map "Street Index with Park Buffer": North UGB close-up

This map shows City parks and walking distance buffers of ¼ and 1/3 miles (blue and gray respectively) in a close-up of the north urban growth boundary (UGB).

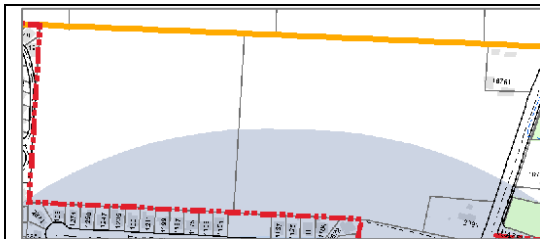


Image 102E-1 – Dove Landing close-up



Image 102E-2 – Site plan marked with tracts to dedicate (as parkland)

Compared with the Dove Landing site plan, the majority of lots would be beyond the outermost crow-fly buffer of the nearest park, which is Heritage Park. The walking distance of 0.7 miles more than twice exceeds the 0.33 mile buffer distance. Staff emphasizes that access to parks isn't merely about proximity of future residents of Dove Landing to public parks, but also providing adequate parks level of service for existing residents based on the desires and

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inadequacies that the Parks and Recreation Master Plan describes, in particular larger parks with regional facilities.

The area north of OR 214, which lies between I-5 and N. Front Street, has only two public parks:

	
<p><i>Image 102F-1 - Senior Estates Park</i></p>	<p><i>Image 102F-2 - Heritage Park</i></p>
<p><i>The Marion County Assessor aerals are at the same scale relative to each other.</i></p>	

The closest, Heritage Park at 2588 Jamestown Street, at 0.34 acres is the size of a house lot, contains a small playground and a small basketball court, and publicly visible only from a cul-de-sac and a side street. The walking distance from the SE corner of Dove Landing is 0.4 miles or 8 minutes at 3 miles per hour (mph).

The next closest, Senior Estates Park (no address), is 4.01 acres, and contains a few minor improvements: paths and at least one dog waste station. The walking distance from the SE corner of Dove Landing is 0.7 miles or 14 minutes at 3 mph.

Neither park is a regional park. The Parks and Recreation Master Plan (2009) indirectly defines such through description: “Multipurpose, large regional centers (65,000 to 125,000+ sq. ft.) for all ages/abilities with all amenities in one place” (p. 35). The closest is Legion Park. The largest regional park, Centennial Park, is in the opposite area of the UGB from Dove Landing.

As parks director, the Assistant City Administrator directed January 20, 2021 that Tracts I & K be public and conform to the general improvement concept of having a playground, paved recreational paths/trails, open grass play area, 1-2 picnic shelters, restrooms, benches, trash receptacles, and dog waste stations. Staff conditioned accordingly and vetted with him the details of Attachment 203.

The City Council adopted the Parks and Recreation Master Plan via Ordinance No. 2458 on July 13, 2009 as part of the Comprehensive Plan per ordinance Section 2. In regards to aforementioned annexation criterion C.3a5), the plan identified substantial unmet community need, a need that applies to Dove Landing and that the PUD can address by dedicating Tracts I & K as parkland.

Such parkland dedication and improvement furthers the Parks and Recreation Master Plan by:

- Providing amenities that are higher rated by Figures 17 “Importance of outdoor recreation facilities to be added, expanded, or improved” (p. 55) and 18 “Most important outdoor facilities to be added, expanded, or improved” (p. 56)
- Providing some of desired “improvements to parks and facilities” (pp. 5&6)
  - All parks: drinking fountains
  - General: additional trails, park benches
- Serving “underserved portions of Woodburn ... Geographic .... UGB expansion” (p. 6)
- Serving “Goal 5: Increase cost recovery and funding” (p. 14) by obtaining free dedication of parkland through development, especially development with any of deviations, modifications, and variances subject to discretionary review, including PUD
- Serving “Goal 8: Plan for community growth”, which includes the action steps of “considering requiring developers to develop dedicated parks” and “Look for park land in the areas of Woodburn that are anticipated to have rapid growth including east of I-5” (p. 22).

The total 8.32 acres of Tracts I & K, with Tract K being the larger one at 7.2 acres, appeals to the Assistant City Administrator as parks director in that the size can easily fit regional facilities were the City to later construct or install them. The two tracts are 26.7% of the gross site area in the context of PUD standard of 30% open space. The remaining tracts as common areas compose the total of 33% per land use review plan Sheet 4 that the developer proposes as open space.

Dove Landing has 166 houses, constituting what staff considers a larger development. In short, Tracts I & K as City public parkland are public benefits commensurate with the PUD.

Looking again to Comprehensive Plan policies, requiring public parkland meets:

Policy No.	Page No.	Policy
D-1.1	14	Residential areas should be designed around a neighborhood concept. Neighborhoods should be an identifiable unit bounded by arterials, non-residential uses, or natural features of the terrain. The neighborhood should provide a focus and identity within the community and should have a community facility, such as a school, park, or privately owned community facility to allow for interaction within the neighborhood.
L-1.2	48	Where feasible, the City will acquire and develop neighborhood parks, trails, and open spaces through the development review process.
L-1.4	48	To ensure walkability, the City will strive to provide parks, trails, and indoor facilities within one-third mile of Woodburn residents.

Having mentioned earlier that the Council adopted the Parks and Recreation Master Plan via Ordinance No. 2458 on July 13, 2009 as part of the Comprehensive Plan per ordinance Section 2, staff adds that the ordinance also amended Comprehensive Plan policies to implement the parks plan – including by amending the above parks policies as shown in the excerpt below from the ordinance Attachment A, pages 1-2:

<p><del>L-1.2 The City will ensure the most efficient and effective means of providing sufficient land for neighborhood parks by adopting a neighborhood/school park concept including joint land acquisition and development, thereby strengthening the existing partnership between the City and the Woodburn School District. <b><u>Where feasible, the City will acquire and develop neighborhood parks, trails, and open spaces through the development review process.</u></b></del></p>	
<p><del>Strikethrough</del> - Deleted Text Section  <b><u>Bold Underline</u></b> – Proposed Text Change</p>	<p>ATTACHMENT <u>4</u>  Page <u>2</u> of <u>3</u></p>
<p><del>L-1.4 As a supplement to the City's neighborhood parks, required nodal master plans shall include provision for adequate park and recreational facilities. <b><u>To ensure walkability, the City will strive to provide parks, trails, and indoor facilities within one-third mile of Woodburn residents.</u></b></del></p>	

This confirms beyond doubt that the policies serve to implement the parks plan. It also reinforces the application of Policy L-1.2 to developments including PUDs.

Here are the key WDO issues regarding the park dedication issue:

1. Commensurate public amenities are required for PUDs. A basic purpose of a PUD is to allow modifications to development standards (e.g. lot size and configuration) in exchange for enhanced public amenities and to obtain public amenities that are commensurate with and justify modifications to WDO provisions.
2. Annexations should meet unmet community needs. The Parks and Recreation Master Plan, as part of the Comprehensive Plan, identifies a lack of public parkland as an unmet community need, and were the developer to not dedicate parkland it would exacerbate the deficiency.
3. Annexations are required to benefit the City and each approval requires a review to assess impact on the community. Comprehensive Plan Goal G-2 states that the City incorporate territory that will be of “benefit to the City”, and Policy G-2.1 confirms that, “For each proposed expansion of the City, Woodburn shall assess the proposal’s conformance with the City’s plans, and facility capacity and assess its impact on the community.” Not dedicating the parkland would worsen current parks level of service and adversely impact (i.e. harm) the community.
4. Park acquisition/development should occur concurrently with development: Council adoption of the parks plan also reinforced Comprehensive Plan Policy L-1.2 as applied to developments including PUDs: “Where feasible, the City will acquire and develop neighborhood parks, trails, and open spaces through the development review process.”

Additional factors in support of about why parkland dedication is essential as part of this development are below:

- A. The developer already proposes the two tracts to be open space with park-like landscaping – a basic PUD standard is that 30% of the gross subject property area is to be common area, conventionally understood to be mostly open space.
- B. Tracts I & K can well serve as regional parks, and are commensurate with Dove Landing at least in terms of size – 8.32 out of 31.31 gross acres (26.7%) – and in relation to the proposal of 166 houses.
- C. To require dedication of two of the several open space tracts to the City as public land instead of to a private association as common area has no effect on providing the territory itself as open space – the developer wasn’t going to build housing on it anyway.
- D. The territory would remain just as open to residents of Dove Landing as parkland as it would were it to remain as private common area.
- E. An association would be spared maintenance responsibility with the territory as public parkland, and homeowners spared greater dues for such maintenance.
- F. If the City were to pass on obtaining the parkland now, the opportunity likely would disappear. In this case, though the tracts wouldn’t be developed with lots, it would become annexed private property having higher assessed value by being within city limits

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and surrounded by development, raising the implied purchase price – were an association ever a willing seller or the City were ever willing to exercise eminent domain.

### **3.09.01 Allowable Types and Minimum Area of PUDs**

#### **A. Transfer of Density PUD**

1. A Transfer of Density PUD shall consist entirely of property in any residential zone, or in more than one residential zone. A Transfer of Density PUD may only be used to transfer residential density from undevelopable areas of a site (riparian corridor, floodplain, wetlands, unstable soils or slopes) to developable areas of a site, but not to increase the overall number of dwelling units allowed on the site.

Note: This development option is often called cluster housing.

2. There is no minimum site area for a Transfer of Density PUD.

#### **B. Residential PUD**

1. A Residential PUD shall consist entirely of property zoned RS, RM, RSN, RMN, R1S, or P/SP, or in more than one such zone. A PUD is not allowed in the Neighborhood Conservation Overlay District (NCOD).

2. A Residential PUD shall contain a minimum of two acres.

#### **C. Mixed-Use PUD**

1. A Mixed-Use PUD may consist of property in any zone or zones. A Mixed- Use PUD is not allowed in the Neighborhood Conservation Overlay District (NCOD).

2. A Mixed-Use PUD shall contain a minimum of three acres.

The applicant's narrative (October 29, 2020, p. 42) states "This PUD does not propose any density transfer." Thus, the PUD of 166 houses appears to be a Residential PUD per subsection B. The PUD contains at least two acres and territory to be annexed and zoned RS.

✓ The provisions are met.

### **3.09.02 Allowed Uses**

#### **A. Transfer of Density PUD**

Single-family dwellings, manufactured dwellings, duplexes, row houses, and multiple-family dwellings shall be allowed in a Transfer of Density PUD.

#### **B. Residential PUD**

Any use allowed in any residential zone shall be allowed in a Residential PUD (see Table 2.02A). No separate Conditional Use process shall be required for any use that is described in the Detailed Development Plan and the project narrative.

#### **C. Mixed-Use PUD ...**

Because the proposal includes no density transfer, what would be a conditional use per the base zoning district, or more than one base zoning district, the provisions are not applicable.

⊖ Not applicable.

### **3.09.03 Density Transfer**

- A. Any PUD may be used to transfer residential density from undevelopable areas of a site (riparian corridor, floodplain, wetlands, unstable soils or slopes) to developable areas of a site. Up to 40 percent of the density may be transferred, except as provided in Sections B through G, below. No more than 100 percent of the density may be transferred.**
  - B. If the PUD dedicates to the City or provides an easement for a trail or bike path shown in any adopted City Plan, an additional 20 percent of the density may be transferred.**
  - C. If the PUD dedicates to the City property abutting a public park, the Commission may allow up to an additional 20 percent of the density to be transferred, commensurate with the amount and usability of the property dedicated.**
  - D. If the improved common area of the PUD is available for use by the public, the Commission may allow up to an additional 10 percent of the density to be transferred, commensurate with the amount and usability of the improved common area. The area must be permanently posted with a sign reading, "This common area is available for use by the public."**
  - E. If the PUD plan proposes landscaping or buffering that exceeds the WDO minimum standards by at least 25 percent, the Commission may allow up to an additional 20 percent of the density to be transferred, commensurate with the amount, quality, and variety of the enhanced landscaping or buffering.**
  - F. If the PUD plan proposes stormwater mitigation measures that exceed minimum City standards by at least 25 percent, the Commission may allow up to an additional 10 percent of the density to be transferred, upon a recommendation by the Public Works Department.**
  - G. If the PUD plan proposes other environmental, sustainability, or architectural enhancements, the Commission may allow up to an additional 10 percent of the density to be transferred, commensurate with the amount, quality, and community benefit of the enhancements. Such enhancements may include, but are not limited to, solar heating or electrical generation, community gardens, public art, mitigation of off-site stormwater, and greywater diversion.**
- Because the proposal includes no density transfer, the provisions are not applicable.

➡ Not applicable.

### **3.09.04 Conceptual Development Plan**

- A. PUDs require both a Conceptual Development Plan and a Detailed Development Plan. These reviews may be accomplished sequentially or as a consolidated review, at the applicant's discretion.**
- B. A Conceptual Development Plan shall include drawings and a narrative describing the surrounding neighborhood, existing site conditions, general development areas, phasing, land uses, building envelopes, architectural theme, landscaping and buffering, streets, bicycle and pedestrian circulation, common areas, utility locations, sign theme, and other information the Director may deem necessary to convey the concept plan.**

The application materials indicate that the applicant seeks Conceptual Development Plan approval.

✓ The provisions are met.

### **3.09.05 Detailed Development Plan**

**A. PUDs require both a Conceptual Development Plan and a Detailed Development Plan. These reviews may be accomplished sequentially or as a consolidated review, at the applicant's discretion.**

**B. No building, grading, access, or other development permit may be issued until a Detailed Development Plan has been approved for at least one phase of the project.**

**C. Buildings shown on a Detailed Development Plan are exempt from Design Review if they are in substantial conformity to the Detailed Development Plan (see Section 3.07.01.B).**

**D. A Detailed Development Plan shall include drawings and a narrative sufficient to demonstrate compliance with the Conceptual Development Plan and any conditions of approval previously imposed. A Detailed Development Plan shall provide specific information regarding the site layout, architecture, and proposed amenities. A Detailed Development Plan that proposes land uses not in the Conceptual Development Plan or that deviates by more than ten percent from any development standard in the Conceptual Development Plan for any phase, or that does not meet the standards of this Section shall not be approved. The applicant may request that the decision-maker approve such a plan as an amended Conceptual Development Plan.**

The application materials indicate that the applicant seeks both PUD Conceptual Development Plan and Detailed Development Plan (DDP) approvals.

Staff applies a PUD condition, similar to as was done for the Smith Creek PUD (ANX 2017-05) and is being done for Trillium Reserve PUD (ANX 2020-01), to conform to 5.01.07, the purpose of which is to ensure that the PUD is in substantial conformance with the conditions of the DDP approval.

▲ Staff applies a *PUD condition* for PUD Final Plan Approval process.

### 3.09.06 Development Standards

A PUD is intended to allow flexibility in the development standards of Sections 2.02 through 2.04 and 3.01 through 3.10. The Detailed Development Plan may propose modified standards without a separate Variance. Any standard that is not proposed for modification shall apply to the PUD. The development standards stated below shall not be modified through the PUD process.

**A. Common area and density shall comply with Table 3.09A.**

Common Area and Density Standards for Planned Unit Developments Table 3.09A				
		Transfer of Density	Residential	Mixed-Use
Common Area, Minimum	Four or fewer dwelling units	All undevelopable site area		
	Five or more dwelling units, or nonresidential uses	30 percent of gross site area, including all undevelopable site area <sup>1</sup>		
Improved Common Area, Minimum	Four or fewer dwelling units	None		
	Five or more dwelling units	100 square feet per dwelling unit		
	Nonresidential uses	None	None	None
Residential Density, Minimum (units per net acre)		Pursuant to the Comprehensive Plan <sup>2</sup>		
Residential Density, Maximum (units per net acre)		Not specified <sup>4</sup>		
<div>1. At least one common area shall be sized to accommodate a circle 25 feet in diameter.</div> <div>2. In residential zones only. There is no minimum for non-residential zones.</div> <div>3. Child care facility for 13 or more children, group home for six or more persons.</div> <div>4. The maximum density is determined by setbacks, off-street parking, open space, and other requirements. Pursuant to Comprehensive Plan Policy Table 1, Note (p. 7), allowable densities may be increased through PUD above the maximum(s) of the base zone(s).</div>				

First, before applying standards from the table, definitions from 1.02 are in order:

- “Common area”: Not defined.
- “Improved common area”: Not defined. However, the next section beyond Table 3.09A, which is 3.09.06B, states that, “Common areas are deemed improved if they are provided with benches, playground equipment, gazebos, picnic facilities, or similar amenities. Lawn area by itself does not constitute improvement. Trails or paths do not constitute improvement, unless they connect to the public trail system. Common meeting or recreation rooms are deemed to be improved common areas.”

- “Open space, common”: “An area, feature, building or other facility within a development which has been dedicated in common to the ownership within the development, or to the public, specifically for the purpose of providing places for recreation, conservation or landscaping, and which is intended for the use of the residents and property owners of the development.”
- “Open space, usable common”: “Common open space, the use of which conforms with use and development guidelines specified by the Woodburn Development Ordinance.”

It appears that through the table, “common area” describes the same as “open space, common”. “Improved common area” could mean the same as “open space, usable common”, except that the definition is vague and refers to WDO guidelines and specifications that simply don’t exist except for 3.09.06B, so the description in 3.09.06B stands. Staff concludes that the City through PUD can define the details of what “improved common area” and “similar amenities” mean as standards and require that they be met. Staff concluded the same and acted accordingly for the Smith Creek PUD (ANX 2017-05) and is acting accordingly for the Trillium Reserve PUD (ANX 2020-01), for example.

Second, looking at the applicable standards from the table, they are as follows:

Common Area, Minimum: Five or more dwelling units, or nonresidential uses	<p>30 percent of gross site area, including all undevelopable site area<sup>1</sup></p> <p><sup>1</sup>At least one common area shall be sized to accommodate a circle 25 feet in diameter.</p>	<p>30.0% of the subdivision gross area is <math>(31.13 \text{ acres} \times 0.3) = 9.34 \text{ acres}</math></p> <p>The applicant proposes 30% with common area tracts totaling 9.55 acres, excluding the stormwater detention pond. Including this pond equals 10.72 acres at 33%.</p>
Improved Common Area, Minimum: Five or more dwelling units	100 square feet per dwelling unit	<p>The next section beyond Table 3.09A, which is 3.09.06B, defines improved common area.</p> <p>At 166 dwellings, the improved common area min is <math>166 \times 100 \text{ sq ft} = 16,600 \text{ sq ft}</math>. It appears the playground (on Tract H) and the path pavement areas on several tracts together could meet the min in terms of area.</p> <p>However, see also the text past this table in "Table Supplement"</p>
Residential Density, Maximum (units per net acre)	<p>Pursuant to the Comprehensive Plan<sup>2</sup></p> <p><sup>2</sup>In residential zones only. There is no minimum for non-residential zones.</p>	<p>Through Policy Table 1 starting on plan p. 7, the table has a footnote stating, "Note: ... Allowable densities may be increased through the discretionary planned unit development review process." The proposal does so and proposes at least 6.8 dwelling units (DUs) per net acre. The conditioned development standards acknowledge such.</p>
Residential Density, Maximum (units per net acre)	<p>Not specified<sup>4</sup></p> <p><sup>4</sup>The maximum density is determined by setbacks, off-street parking, open space, and other requirements. Pursuant</p>	<p>The proposal is 166 houses on small lots equal to an average lot size of 6,406 sq ft and a density of 6.8 houses (dwelling units or DUs) per net acre.</p>

	<p>to Comprehensive Plan Policy Table 1, Note (p. 7), allowable densities may be increased through PUD above the maximum(s) of the base zone(s).</p>	<p>Additionally, Oregon House Bill (HB) 2001 (2019) and OAR 660-046 took effect that require most cities including Woodburn to allow “middle housing” – duplexes, triplexes, quadplexes, cottage clusters, and townhouses – as follows:</p> <p>(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and</p> <p>(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.</p> <p>The max density is as follows: 27.2 DUs per net acre for the 166 lots to allow a theoretical maximum of four dwellings per lot composed of a combination of houses and middle housing. Note: Accessory dwelling units (ADUs) don’t count against max density, and the bulleted maximums exclude the golf course territory.</p> <p>In service of substantial conformance, a PUD condition establishes as a development standard min density equal to what’s proposed.</p>
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### *Table Supplement*

However, per the purpose statement of 3.09, a PUD is to provide “enhanced public amenities”. 5.03.06B.6 is a Conceptual Development Plan approval criterion: “That the requested flexibility in development standards is justified by commensurate public benefits.”

First, staff applies Table 3.09A such that the PUD standards are a base and not exhaustive. Additionally, the table itself addresses common area, but doesn't address the distinction of private common versus City/public area. Based on the 3.09 purpose statement and the Conceptual Development Plan criterion of 5.03.06B.6, any PUD should have more than the bare minimum per Table 3.09A.

Besides off-street bicycle/pedestrian paths that are paved, the only proposed common area improvements are a playground on Tract H and a wood chip pedestrian path on Tracts I & K. The proposal provides no public access to the playground and provides public access to subdivision connection paths on Tracts B, D, & L-O (but not also F). It provides no access to the largest and park-like common area tracts, Tracts I & K. The proposal fails to provide enhanced *public* amenities.

Second, the size of the subject property at 31.13 gross acres and the number of proposed dwellings, 166, are much larger than the minimum size for a PUD that ranges from 2-3 acres. The proposal fails to provide public amenities that are *commensurate* with the PUD modifications that the applicant requests.

A PUD condition through Attachment 203 requires greater common area improvements, particularly for Tracts I & K, which the applicant proposes as common area, that the City is requiring through a PUD condition to be dedicated to the City as public parkland with some improvements.

### *Conclusion*

Lastly, here staff addresses development standards in lieu of addressing them in the Subdivision Preliminary Approval Provisions section: A PUD condition establishes development standards, each on either modified by PUD or as in the WDO. Because the standards accommodate the proposed subdivision, the proposed subdivision meets them.

✓ The provisions are met.

### **B. Improved Common Area**

- 1. Common areas are deemed improved if they are provided with benches, playground equipment, gazebos, picnic facilities, or similar amenities. Lawn area by itself does not constitute improvement. Trails or paths do not constitute improvement, unless they connect to the public trail system.**
- 2. Common meeting or recreation rooms are deemed to be improved common areas.**
- 3. Improved common areas are subject to the performance guarantee provisions of Section 4.02.08.**



Staff addressed this through 3.09.06A above.

**C. Streets**

1. A PUD shall conform to and, where possible, enhance existing or planned vehicle, pedestrian and bicycle networks, including connections and functionality. Note: See Figures 7-1 (Functional Classification Designations), 7-3 (Pedestrian Plan), and 7-4 (Bicycle Plan) of the Transportation System Plan.

2. All streets shall be public.

3. Boundary and connecting streets shall use the street sections of Section 3.01.04.

4. Internal streets may use the street sections of Section 3.01.04, or the PUD may propose other street sections, provided that the streets:

a. conform to the Oregon Fire Code (see Figures 3.04C and 3.04D)

b. include sidewalks, and

c. are constructed to the specifications of the Public Works Department.

**D. Parking**

If a front setback of less than 20 feet is proposed, the requirement of Section 3.05.03 for an improved parking pad for single-family and duplex dwellings may be satisfied by on-street parking or by a common off-street parking lot.

**E. Signs**

1. A PUD may include a sign plan to require a common architectural design and location.

2. The standards of the Mixed Use Village (MUV) zone shall apply to commercial uses in the residential zones of a Mixed-Use PUD.

The street improvements as proposed or conditioned meet or exceed 3.01, including Figures 3.01A, C, & G:

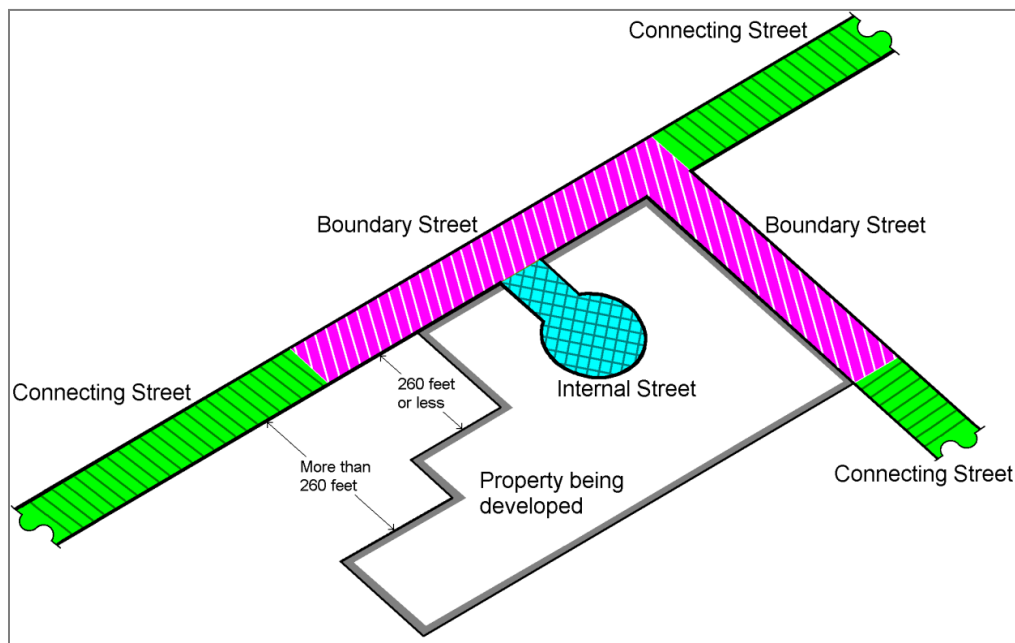
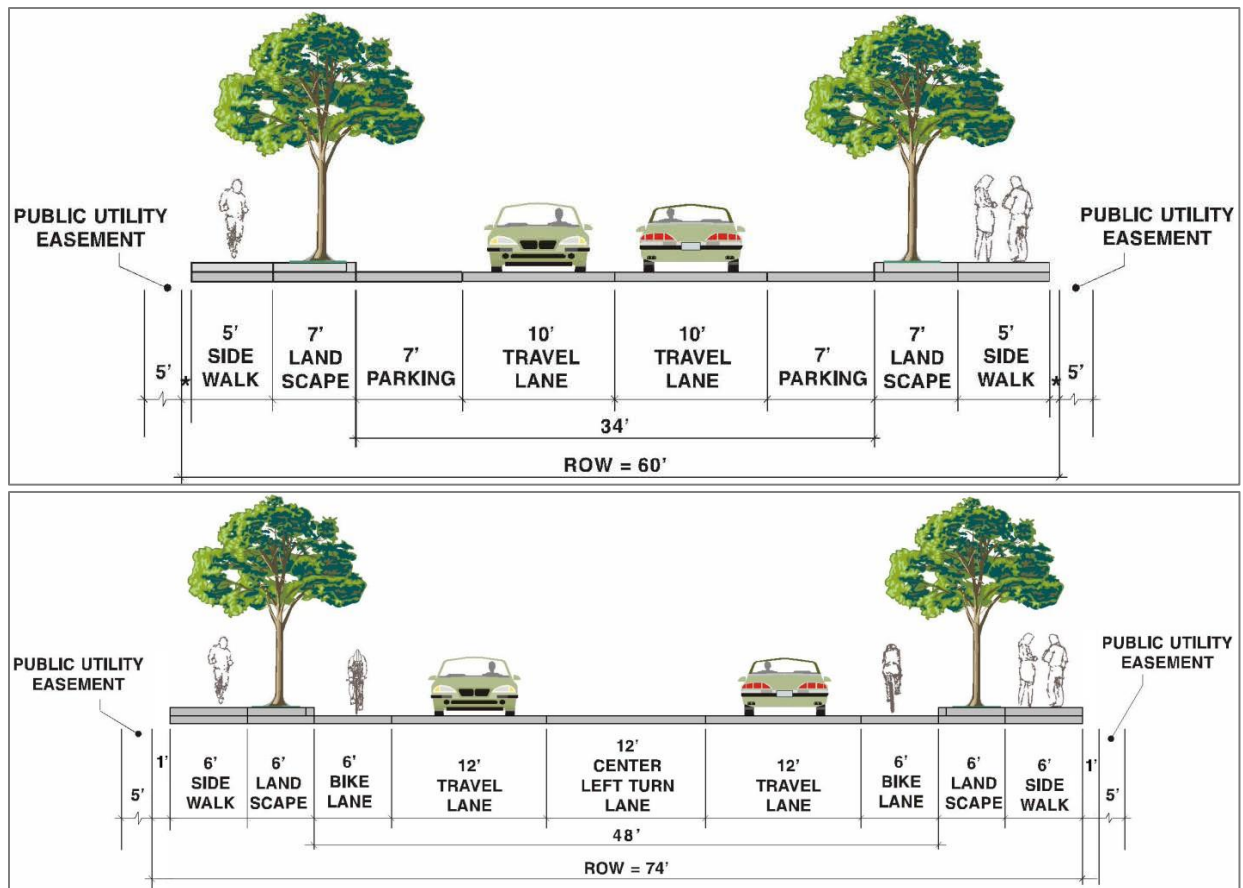


Figure 3.01A – Internal, Boundary, and Connecting Streets



Top: Figure 3.01C – Minor Arterial (This applies to N. Boones Ferry Road.)

Bottom: Figure 3.01G – Local Residential Street with Parking Both Sides, 60 Foot Right-of-Way (This applies to remaining streets.)

Street improvements include wider sidewalks to encouraging walking and accommodate cyclists who feel safer on sidewalk. Off-street public improvements include in place of additional streets a few subdivision connection paths, bicycle/pedestrian paths through Tracts B, D, F, & L-O as shortcuts within the street network.

▲ Staff applies a *PUD condition* to specify street improvements.

### 3.09.09 Owners/Tenants Association

Any land and structures not dedicated to the public, but reserved for the common use of the owners or tenants, shall be subject to control by an association of owners or tenants.

▲ Staff applies a *PUD condition* to ensure conformance.

### 3.09.10 Phasing

- A. A PUD may be developed in phases, pursuant to Section 5.03.05.
- B. Phases shall be functionally self-contained with regard to access, parking, utilities, open spaces, and similar physical features, and capable of occupancy, operation, and maintenance upon completion.
- C. The phased provision of common areas and improvements shall be roughly proportional to the development of housing and other elements intended for private ownership.
- D. At least one improved common area sized to accommodate a circle 25 feet in diameter shall be provided with the first phase.

There's no phasing.

— Not applicable.

### [Other]

ORS 92.040(3) sets a 10-year expiration on development approvals in order to help with the issue of entitlement “vesting”. It also local governments to set shorter periods, and staff opts to do so in case the project begins to manifest during the 3-year land use approval window but slows down or stops afterwards. Condition SUB-1 sets an ultimate deadline. As an example, were another recession like the Great Recession to occur and lead to a “zombie” project, it would be clear when an apparently dormant project was dead.

▲ Staff applies a *SUB condition* to clarify the issue of “vesting”.

A geotechnical or “geotech” report is necessary for subdivision improvements. It became necessary for Smith Creek Development building permits, and the master developer happened to have prepared one in keeping with private agreements with homebuilders and so was able to submit it on short notice. Thankfully, the report document no field conditions that needed correction. The Building Official thought Public Works handled Geotech reports, and this item isn't a WDO requirement or a Planning Division policy item. So, staff established a condition that gets the developer to submit a copy prior to the City accepting subdivision improvements.

▲ Staff applies a *SUB condition* regarding a geotech report.

PUD per the opening purpose statement of 3.09 refers to “enhanced public amenities”, which along with annexation as interpreted by staff includes upgrades to public works. The Public Works Department asked for what became Conditions PUD-PW1 & 2 to reinforce related items with the Public Works comments that are Attachment 102A. Staff mentions annexation again because public facilities, a.k.a. public works, with adequate capacity are an annexation criterion.

- ▲ Staff applies *Conditions PUD-PW1 & PUD-PW2* supporting Public Works Department desires regarding sanitary sewerage/sewer and stormwater management.

PUD per the opening purpose statement of 3.09 refers to both “enhanced public amenities” and “unique street cross-sections”, which staff interprets to include what it considers “upgrades” such as wider sidewalk segments, more street trees, and traffic calming in the form of patterned poured concrete crosswalks as subtle visual reinforcement for drivers.

Staff also accommodates some of the developer’s desires, such as to have bulb-outs or curb extensions at most of the proposed locations (all except the 4 along N. Boones Ferry Road, per Public Works Dept. request).

There are also conditions clarifying vagueness or omissions in the WDO, such as that planter strips need to have grass and groundcover among the trees, not gravel or pebbles. Another two examples are to preserve trees and specifying how to implement dead-end street provisions of WDO 3.01.05A.2.

Staff also notes for the developer, PUD is a tool for getting more lots and more houses than a standard subdivision in order to get greater profit. In exchange, the City gets enhanced public amenities. For example, staff interprets enhanced public amenities to include through easement public access to common area off-street bicycle/pedestrian paths where paths would not already be on City/public parkland.

- ▲ Staff applies *PUD conditions* requiring street improvements that meet or exceed the WDO or provide an enhanced public amenity in exchange for meeting a street standard.

“Enhanced public amenities” includes common area and “off-street” improvements. Examples are to preserve trees outside ROW, specifying how to apply and remediate the RCWOD, and specifying common area improvements.

Staff accommodates some of the developer’s desires by requiring common area improvements that are basically the same as what the developer proposed after many discussions with staff, the purpose being to have standards that remain clear to all heading into the final plat stage.

Conditions also gain variety in trees, getting more evergreens, establishes a table of standards for off-street bicycle/pedestrian paths, and establishes a table of standards for public easements to secure public access to off-street bicycle/pedestrian paths and allow for future mid-block public utility corridors where and as needed.

Because proposed common areas are just that – private, not any City/public parkland to be dedicated – there is a condition reiterating that there needs to be maintenance association per WDO 3.09.09.

Lastly, there is a condition reiterating that there needs to be PUD “Final Plan Approval” per WDO 5.01.07 so that outstanding details are deferred after land use approval, allowing the developer to proceed, but also securing between the developer and the City resolution of details before final plat approval by the City.

▲ Staff applies *PUD conditions* requiring common area improvements and public access to some improvements.

Relating to annexation and more so PUD, a number of transportation (T) conditions call out modest transportation improvements (or fees in-lieu where conditions of approval allow), all from the [Transportation System Plan \(TSP\)](#):

- Wayfinding signage for people walking and cycling.

The basic objective is that if people perceive they can walk and cycle more easily and safely, they’ll do so and drive less. This includes perceiving and getting to and from public parkland just off N. Boones Ferry Road.

Based on input from the Assistant City Administrator as parks director about what a wayfinding installation would cost, staff discussions about conditioning of ANX 2019-01 Woodburn Eastside Apartments through Condition T-BP4, as well as ANX 2020-01 Trillium Reserve Condition T-BP2, staff applies the set figure of \$1,500 per installation location.

- School bus shelter.

To further transportation demand management (TDM) through school bus service, the developer is to build or install a small school bus shelter on a common area tract closest to wherever the Woodburn School District bus would stop within or next to the development, the idea being that if there is a public visible and known waiting area sheltered from the elements, children and those parents who choose to accompany them are more likely to ride the school bus instead of parents driving them.

Staff concludes by noting that together Trillium Reserve and Dove Landing all but constitute the north area within the UGB, and it is necessary with development to obtain infrastructure concurrent with development of the north UGB.

- ▲ Staff applies *transportation (T) conditions* requiring the construction or funding of transportation improvements.

## Remaining Provisions

These are applicable provisions not already addressed in the application type provisions sections above.

### 4.01.07 Consolidated Applications

An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

The proposal is consolidated.

### 2.07 Special Uses

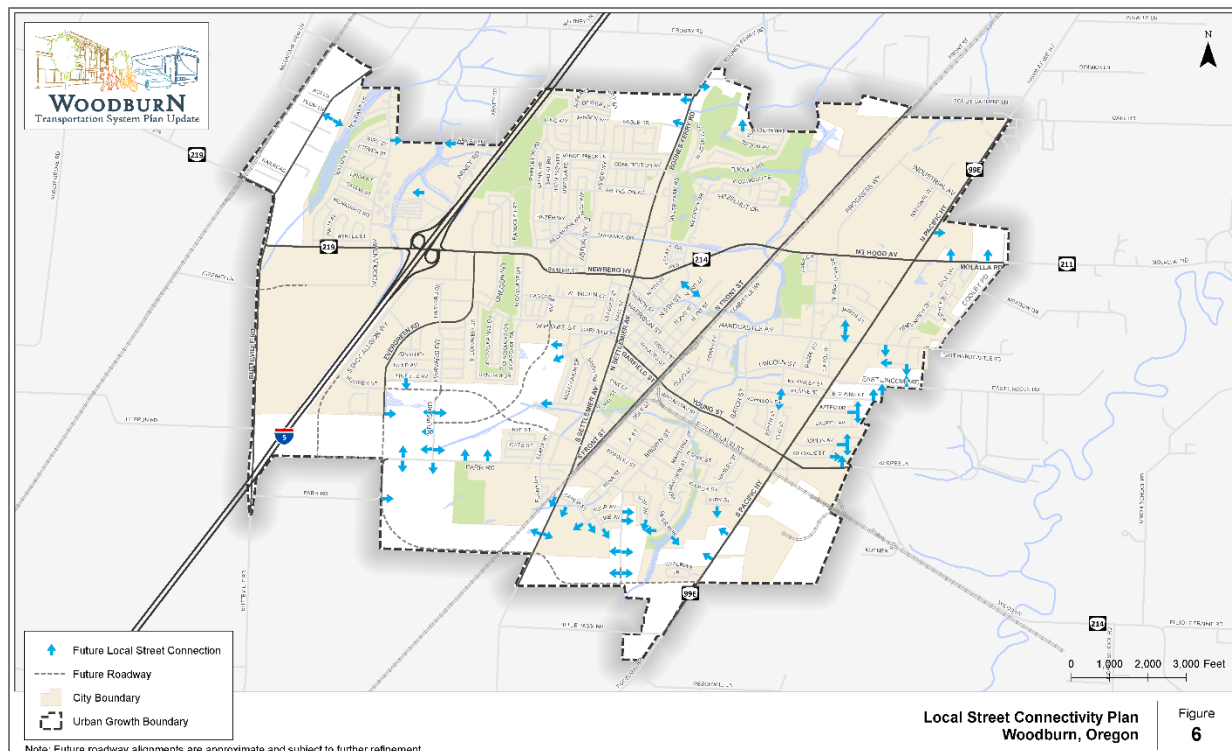
There is no “community club building” (clubhouse).

– None apply.

### 3.01 Streets

#### *Long-range Planning*

TSP Figure 6 “Local Street Connectivity Plan” shows street connections into the north area of the urban growth boundary (UGB) that includes the subject property:



TSP Figure 6

There are two blue arrows, one each to N. Boones Ferry Road. The proposal conforms to Figure 6.

## 3.02 Utilities & Easements

### 3.02.01

**A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.**

**B. A five-foot wide public utility easement shall be dedicated along each lot line abutting a public street.**

**C. As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, or Planned Unit Developments (PUDs), the Director may require dedication of public utility easements.**

Planning staff expects the Public Works Department during the final plat stage to ensure that the developer dedicates the minimum streetside PUEs, and the preliminary subdivision drawings indicate conformance with 3.02.01B.

▲ Regarding 3.02.01A & C, staff applies a *PUD condition* for additional public easements for public bicycle/pedestrian access and potential mid-block utility corridors.



## **3.04 Vehicular Access**

### **3.04.03 Driveway Guidelines and Standards**

#### **B. Joint Access**

- 3. Every joint driveway or access between separate lots shall be established by an access easement and maintenance agreement to the satisfaction of the Director and revocable only with the concurrence of the Director.**

Staff declined to apply this to large and deep Lots 36-39.

### **3.04.05 Traffic Impact Analysis**

**A. A Traffic Impact Analysis (TIA) may be required by the Director prior to the approval of a City access permit when the Director estimates a development proposal may generate either 100 or more additional, peak hour trips, or 1,000 or more additional daily trips, within ten years of a development application.**

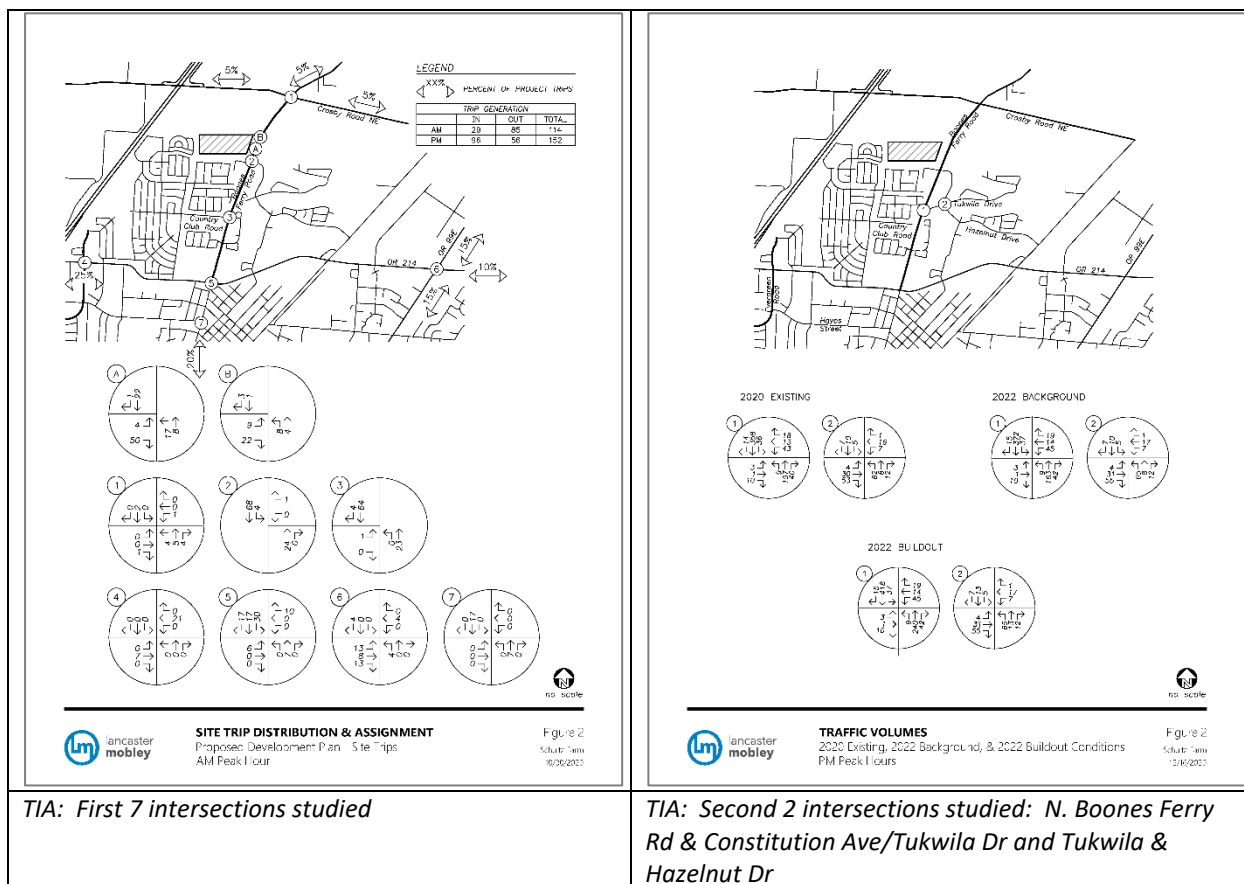
The applicant submitted two exhibits as a TIA: the original TIA (Exhibit G, October 30, 2020) and an addendum (January 15, 2021).

The TIA, limiting its conventional analysis to vehicle traffic only, assumed citywide growth in background vehicle traffic through 2022, specifically a compounded rate of 2.0% yearly (Exhibit G, p. 12, Table 6).

The TIA studied 9 intersections, the northernmost being N. Boones Ferry Road at Crosby Road and the southernmost N. Settlemier Avenue at Hayes Street. The traffic modeling distributed 20% of trips generated by development to north of the development (to and past Crosby Road) and 80% to the south.

The TIA identified no vehicle trip reduction or transportation demand management (TDM) measures.

Below are two images serving as vicinity maps of the intersections:



TIA: First 7 intersections studied

TIA: Second 2 intersections studied: N. Boones Ferry Rd & Constitution Ave/Tukwila Dr and Tukwila & Hazelnut Dr

TIA intersection locations map adapted from exhibits

As of March 16, 2021, no agency including ODOT responded to notice of hearing with any written comment.

The City contracted with a transportation consultant (from a company other than the one that prepared the applicant's TIA) to review the TIA, rebut or affirm its conclusions, and advise staff. The consultant might participate in one or more of the public hearings.

#### Boones Ferry Road & OR 214

- The one studied intersection north of the project is outside the urban growth boundary (UGB).
- South of the project, BFR & OR 214 is heavily trafficked at peak hours.
- Of the studied intersections, the trips that the project would add show that BFR & OR 214 is the most trafficked.
- Staff supposes that most of the generated trips are to and from I-5 (Portland and Salem), the back way to Salem along S. Settlemier Avenue and S. Boones Ferry Road and outer rural roads southwest of Woodburn, and central Woodburn.

- The intersection includes a state highway under ODOT control (OR 214).
- There are no specific plans in any foreseeable time horizon by ODOT to make major physical changes to the intersection or highway.

### *Bicycle/Pedestrian & Transit*

In the interest of PUD per the purpose statement that opens 3.09 of providing enhanced public amenities, below are comprehensive plan policies that relate to infrastructure upgrades, enhanced public amenities, and improved traveling for those who walk, cycle, and ride transit.

<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
G-1.1	27	Expansion areas of the City are served by adequate public facilities and services.
H-1.3	34	Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes – specifically duly requiring frontage/street improvements and also conditioning wide sidewalk segments as a public bicycle/pedestrian path and planter strip segments that are wider and/or have more street trees than standard. The subdivision connection paths also serve.
H-1.4	34	Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks. Specifically, to do so by duly requiring frontage/street improvements, conditioning wide sidewalk segments as a public bicycle/pedestrian path and planter strip segments that are wider and/or have more street trees than standard, having the proposed subdivision connection paths, and having some bike parking. These are all to raise the attractiveness, ease, safety, and potential cyclists’ perception of safety of cycling.
H-5.1	35	Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models and reducing automobile reliance at times of peak traffic volumes – specifically through Conditions T-BP1 & T-T1.

Regarding off-site sidewalk, the Parks and Recreation Master Plan (2009) on p. 20 identifies the action steps of:

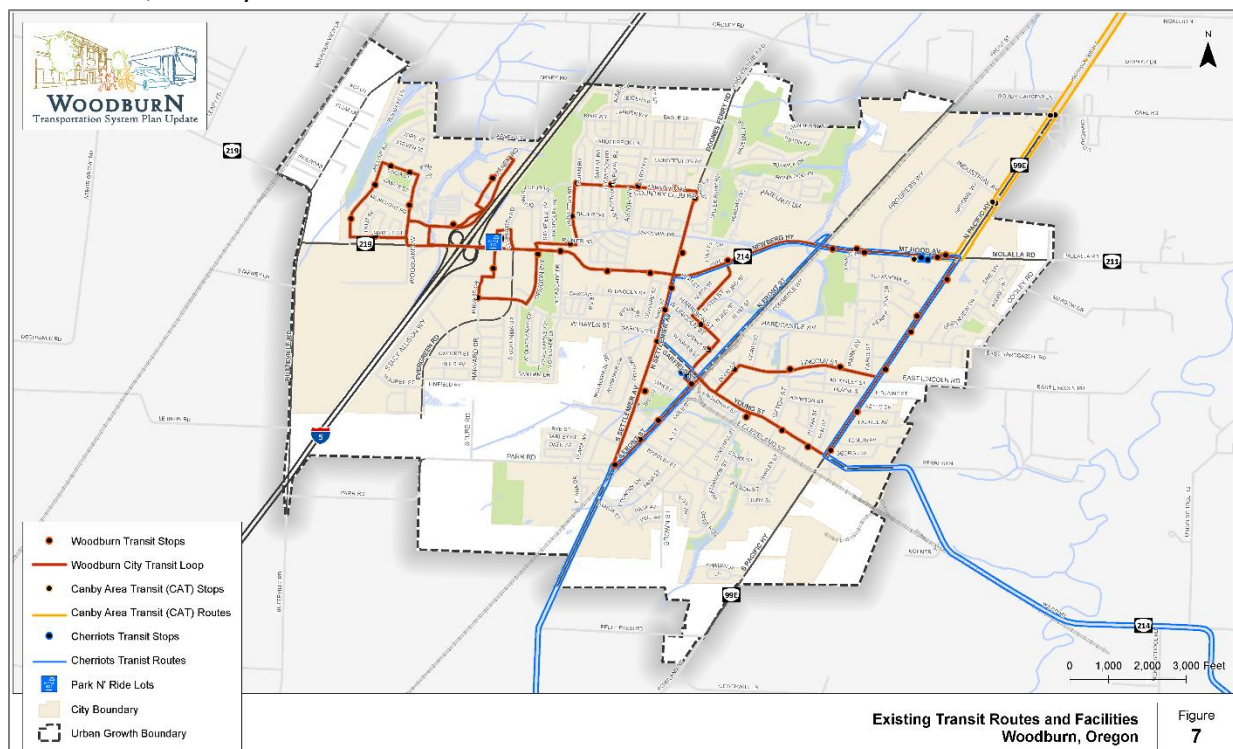
- “Work with other City departments and community groups to ensure safe pedestrian access across physical barriers to parks and recreation facilities. Incorporate traffic calming strategies at access points to parks, open space, and trailheads. Incorporate traffic calming design techniques into design guidelines, as appropriate.”
- “Work with the other City departments to provide safe and enjoyable sidewalks or sidepaths as routes to parks.”

Additionally, the Assistant City Administrator as parks and recreation director on December 3, 2021 asked staff about and indicate interest in an improved route connecting the public parkland to be dedicated with the City sidewalk network. For these reasons, staff applies a condition that requires off-site sidewalk south to Hazelnut Drive.

For these transportation reasons and based on the PUD, staff applies *bicycle/pedestrian (T-B/P) and transit (T-T) conditions*.

#### *Additional Issues: Transit*

Presently, the Woodburn Transit System (WTS) bus loops through east, central, and west Woodburn, but is yet to reach into the north UGB area:



TSP Figure 7 (2019)

Neither do Salem-Keizer Cherriots nor Canby Area Transit (CAT) serve it.

Staff discussed conditioning fees towards local and regional bus service and vanpooling, similar as for DR 2019-05 Allison Way Apartments (Condition T-T) and ANX 2019-01 Woodburn Eastside Apartments (recommended Condition T-T1). The Assistant City Administrator declined to support such for Dove Landing. Staff discussed potential T-T conditions that would have required a bus shelter or fee in-lieu and bicycle parking at two bus stops or fee(s) in-lieu and declined to apply them.

As a concluding summary, a City objective for the development is to contribute towards increasing walking and cycling appeal and safety.

▲ To address transportation problems, staff applies *transportation (T) conditions*.

### **3.06 Landscaping**

#### **3.06.02 General Requirements**

Staff expects the development to meet this section except where otherwise conditioned and will confirm such during PUD Final Plan Approval process.

✓ The requirement is met.

#### **3.06.03 Landscaping Standards**

##### **A. Street Trees**

The applicant proposes street trees that appear to meet the provisions.

▲ To secure a higher minimum amount of street trees, staff applies a *PUD condition*.

Staff expects the development to meet the remainder of 3.06 except where otherwise conditioned.

#### **3.06.05 Significant Trees on Private Property**

There might or might not be Significant Trees that are healthy and structurally sound enough and appear feasible to save within the tracts along the road.

▲ To secure tree preservation or fee in-lieu, staff applies a *PUD condition*.

## **Recommendation: Denial**

In short, because the developer is indicating refusal to dedicate to the City public parkland, staff recommends that the Planning Commission consider the staff report and attachments and recommend denial to the City Council.

Were the Planning Commission or City Council to instead pursue approval with conditions, then staff would recommend the specific conditions in the “Alternative: Approval with Conditions of Approval” section below.

## **Alternative: Approval with Conditions of Approval**

Staff recommends approval of the consolidated applications based on the findings in the staff report and attachments, which are incorporated by this reference, as well as applying the following conditions of approval:

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. By application: Unless a condition specifies otherwise, conditions inc. those relating to any of final subdivision, final partition, property line adjustment or lot consolidation recordation are due by building permit application. Prior to both any recordation of any final subdivision, final partition, or property line adjustment and building permit

application, the applicant shall submit and obtain approval of an [Address Assignment Request](#).

- b. By issuance: Unless a condition specifies otherwise, ROW and easement dedications and recordation(s), construction of frontage/street improvements, and construction of off-site, park, and other public improvements are due by building permit issuance. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located.

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than six (6) months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than three years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Fees: The developer shall pay fees per Attachment 206.

#### *Preliminary Subdivision 2020-01*

SUB-1. Expiration: Based on ORS 92.040(3), development per the Council land use final decision may continue 3 years past the decision date, the 3-year approval period being established by WDO 4.02.04, as follows:

- a. Subdivision Final Plat: WDO 4.02.04B.2 shall mean that application to the City for final plat per WDO 5.01.06 occurs prior to 3 years past the final decision date. The developer shall name C-E streets beginning with those letters respectively, and shall apply to the City for final plat prior to applying to the County for recordation.
- b. Recordation with Marion County: Same as WDO 5.01.06C.1. (within 30 calendar days of the Director’s signature on the plat Mylar).
- c. Vesting: The decision is vested unless:
  - (1) The developer fails to meet subdivision and PUD requirements, resulting in the City being unable to authorize staff to sign a final plat Mylar by July 1, 2026; or
  - (2) There is no substantial construction (as defined through Condition G3) by July 1, 2026.

SUB-2. Documents:

- a. Geotech report: Prior to final plat approval by the City, the developer shall submit to the Director a geotechnical report documenting that, whether or not the developer spreads any fill or spoil dirt across lots and tracts, soil is compacted and ready to accommodate the construction of buildings on lots and tracts proposed for development.

- b. Plat: Upon recordation, the developer shall submit to PW and cc the Director Adobe PDFs of the subdivision plat and any and all ancillary documents necessary to conform to conditions of approval and not addressed on the face of the plat.

*Planned Unit Development 2020-01*

PUD-PW1. Sanitary sewerage/sewer:

- a. Were PW to identify in writing a sewer deficiency at the Vanderbeck Lift Station and/or force main and downstream sanitary sewer collection system at the applicable pump station to which sewage would flow from the subject property, to meet WDO 1.01.01B.2 the developer shall either:
  - (1) Construct improvements that remedy the reduction in sewer level of service that the subject project would cause; or
  - (2) Pay a sewer fee, if the Assistant City Administrator allows in writing, equal to one of the following as the City chooses:
    - (a) Two hundred percent (200%) of a licensed civil engineer's cost estimate for a capital improvement project that would remedy the reduction in sewer level of service that the subject project would cause; or
    - (b) An amount equal to 50% of the sewer system development charge (SDC) in addition to, and not as a discount of, the SDC full rate that PW ordinarily assesses.
- b. Construction or payment shall be due prior to building permit issuance, and if payment, it shall be through fee assessment on and collection through the in-review building permit. Where (2)(b) applies, PW shall have established the SDC amount.

PUD-PW2. Stormwater management: Prior to civil engineering plan approval through CEP review, the applicant shall provide to PW an Engineer Stamped Storm Drainage Hydraulic Analysis Report that existing downstream private storm drainage systems have capacity to handle the additional flow from the Dove Landing Development, have the culvert pipe under each of BFR and Olympic have capacity to handle a 100 year base flood event, and to provide a final 100 year floodway, floodplain, and wetland delineation for this development. The applicant is responsible for correcting any capacity and/or deficiencies, including installing new or additional drainage systems, and/or attaining the right to increase stormwater flows into neighboring private stormwater systems. The applicant shall submit to PW an engineered stamped condition report of the existing downstream storm collection system.

PUD-PW3. Final Civil Plan Approval: Civil plans shall comply with current City standards, specifications and details, current Oregon Standard Specifications for Construction, current *MUTCD* and ADA requirements and Marion County requirements, as applicable.



PUD-1. Mods: The City approves PUD modifications only as written in conditions of approval and the 200 series of attachments, particularly Attachment 202. Other modifications that site plans imply are subject to later administrative approval or denial by the Director.

PUD-2. ROWs: For BFR and the proposed local class streets, the developer shall dedicate ROWs that meet or exceed the min widths necessary to conform to WDO Figures 3.01C & G.

PUD-3. Frontage/street improvements: These shall be as follows:

- a. BFR: Per WDO Fig. 3.01C except that planter strip shall be min 6½ ft wide inc. curb width.
- b. Planter strip remainder: Remaining ground not occupied by trees shall be planted with lawn grass.
- c. Sidewalks: Min 6 ft wide except wider as Exhibit PUD-3c supersedes. The BFR sidewalk dead-end(s) and “P” Street west dead-end shall have ADA-compliant transitions spanning between sidewalk and road shoulder. If PW were to direct during CEP review that the road crossing of the culvert have curb-tight sidewalk, min width shall be 8 ft.

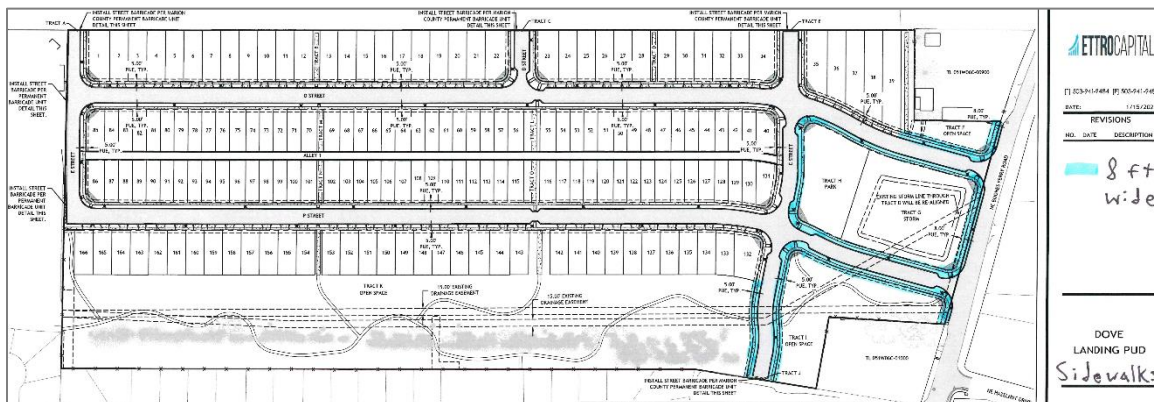


Exhibit PUD-3c: Sidewalks (blue: min 8 ft wide)

- d. Overlap: The extra width of planter strip and sidewalk shall either (1) overlap outside ROW into streetside PUE and where applicable Tracts I & K or (2) come with additional ROW to accommodate them. Wider sidewalks shall not narrow planter strips.
- e. Street trees: Min numbers equal to block frontage ratios per Exhibit PUD-3e.

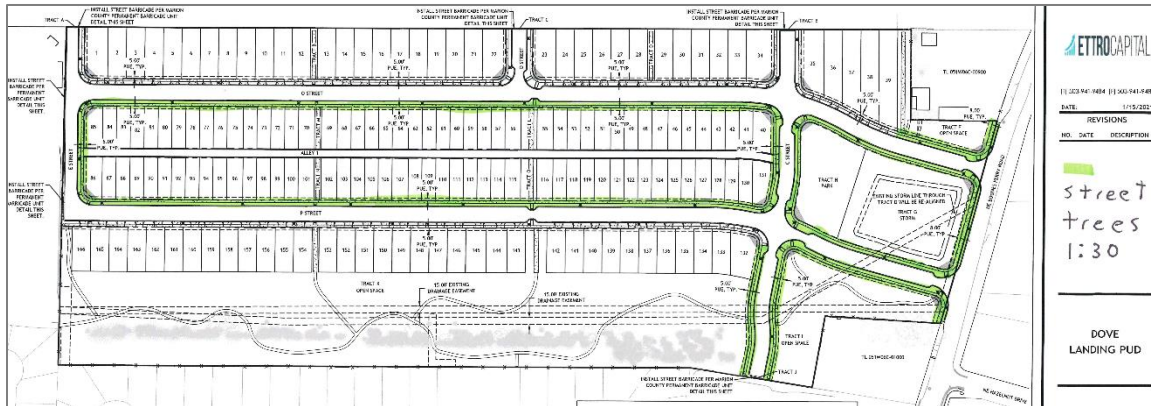


Exhibit PUD-3e: Street Tree Min No. (green: equal to 1 tree per 30 ft of block frontage)

f. Electric power lines: Electric power lines, whether in or beyond ROW, shall be buried, including those that exist along the BFR frontage.

g. Traffic calming:

(1) Bulb-outs / curb extensions: This condition approves them as land use review Sheet 5 illustrates, except the four along BFR. PW is prohibited post-approval from later eliminating or shrinking the remaining ones as to virtually eliminate them during CEP review and construction. The developer shall submit a fire truck turn radius plan confirming that the extensions are already designed for such if and when PW requests during CEP review.

(2) Crosswalks / pedestrian crossings along intersection legs per Exhibit PUD-3g shall be patterned poured concrete each min 8 ft wide.

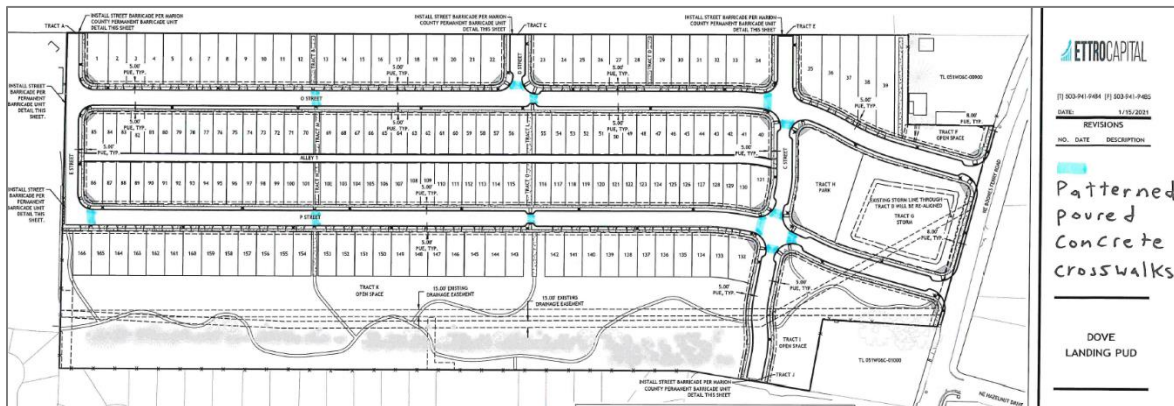


Exhibit PUD-3g: Patterned Poured Concrete Crosswalks (symbolized in blue)

PUD-4. Streets, dead-end: Barricades/Signage: Based on WDO 3.01.05A.2b & c, the developer shall place:

- A barricade with sign at the south end of "C" Street and each of the west end of "O" & "P" Streets; and
- A barricade at each of the north end of "C", "D", & "E" Streets.

Consult PW for a barricade detail, and no later than CEP show both it and a modified version with a sign in conformance with 3.01.05A.2c.

PUD-5. Tree preservation: The developer shall preserve trees per Attachment 205.

PUD-6. Public parkland: The developer shall dedicate Tracts I & K to the City. Refer to Attachment 203 for required improvements.



Exhibit PUD-6: Tracts to Dedicate to City (outlined in green)

PUD-7. Environmental remediation: The developer shall remediate per Attachment 205, Part C.

PUD-8. Lot and tract development standards: The standards shall be per Attachment 202.

PUD-9. Common area improvements: Improvements shall be per Attachment 203.

PUD-10. Association: The developer shall establish a maintenance association per Attachment 203, Part E.

PUD-11. PUD Final Plan Approval Process:

- The developer shall conform to WDO 5.01.07, the purpose of which is to ensure that the PUD is in substantial conformance with the conditions of the PUD Detailed Development Plan (DDP) approval, including regarding street improvements, public improvements outside ROW if any, and common area improvements. The developer shall apply to the Director for PUD Final Plan Approval no later than when applying to PW for CEP review.
- Scope: The scope of DDP includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or

situation for which no standard exists through previous adoption by PW. The Final Plan Approval process is to establish any and all design details deferred from land use review.

- c. CEP: The developer shall incorporate a PUD Final Plan Approval by the Director into CEP review by PW and the civil engineering plan set that PW would approve through CEP.

*Planned Unit Development 2020-01: Transportation*

T-BP1. Bicycle/pedestrian off-site improvements: The developer shall:

- a. TSP: Construct TSP project P45 (TSP p. 64 as Attachment 104A).
- b. Off-site sidewalk: BFR & Hazelnut:
  - (1) Objective: Manifest an improved ADA-compliant route linking BFR frontage west sidewalk through off-site sidewalk extension south to the intersection.
  - (2) Sidewalk: Construct a BFR sidewalk extension south from the frontage to either the north or south leg of the intersection, as PW directs, to the degree of conformance with WDO Fig. 3.01C sidewalk placement that west side ROW allows and in compliance with current ADA requirements and pedestrian safety requirements as PW determines.
  - (3) Crosswalk(s): Construct a marked crosswalk or crosswalks across BFR at the north, south, or both legs of the intersection, as PW directs, and one or more ADA-compliant ramps or transitions at the west landing(s).
  - (4) Details: What constitutes an “enhanced pedestrian crossing” per P45, “sidewalk” per (2), and a “marked crosswalk” per (3) and their corollary improvements is up to PW determination through CEP review; however, for P45 & (3) there shall result a physical change to existing pavement and/or striping serving as an obvious indication for most pedestrians, cyclists, and drivers.
- c. Wayfinding: To further TDM, the developer shall do one of the following:
  - (1) install 3 min devices, such as signage, that provide wayfinding to bicycle routes, multi-use paths, parks, schools, and other essential destinations. If the developer were to opt for signage and assuming pole signage, sign face min dimensions shall be 2 ft by 1 ft and the placements shall be min:
    - (a) 1 sign face at or near the junction of a BFR sidewalk & an “O” Street sidewalk;
    - (b) 1 face at or near the junction of a BFR sidewalk & a “P” Street sidewalk;
    - (c) 1 face at or near the junction of a BFR sidewalk & a Hazelnut sidewalk;Note: The developer may mimic the typical wayfinding signage the City approved for the Mill Creek Greenway as Smith Creek Development (ANX 2017-05) adapted from the Regional Trails Signage Guidelines of The Intertwine Alliance, a trails coalition in the Portland metro area.
  - (2) Pay a fee in-lieu per Attachment 206. [TSP B40 “wayfinding”/P62]

T-T1. School bus shelter: To further TDM through bus transit, the developer shall build or install a school bus shelter on a common area tract closest to wherever the Woodburn School District bus would stop within or next to the development. Follow the direction of the school district, or absent that default to min 48 sq ft, 6 ft narrowest dimension, and 8 ft min height clearance. Affix a min 1½ by 1 ft sign face with text min 4-inch high indicating that the shelter is a school bus stop. The shelter may be on a public tract if the Assistant City Administrator allows and may be within a PUE if PW allows. One of the shelters otherwise conditioned can do double duty as the school bus top shelter if it continues to meet all the other conditioned requirements for that shelter.

## Applicant Identity

<i>Applicant</i>	Peter Ettro, Ettro Capital Management
<i>Applicant's Representative</i>	Stacy Connery, AICP, VP/Planning Manager, Pacific Community Design
<i>Landowner(s)</i>	Christy Schultz, Manager, Schultz Farm LLC

## Notes to the Applicant

The following are not planning / land use / zoning conditions of approval, but are notes for the applicant to be aware of and follow:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, "A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.

5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
  - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least three (3) City business days prior to a desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.



11. Public Works Review: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department.
12. ROW:
  - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.

ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
  - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.
13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of

Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

17. SDCs: The developer pays System Development Charges prior to building permit issuance. Staff will determine the water, sewer, storm and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet.
18. Public Improvements Civil Plan Review: The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by the Engineering Division. If opting for CEP, the applicant shall not only follow the direction of the Engineer Division, but also take some actions to facilitate tracking by Planning staff and coordination with Engineering:
  - a. Cover letter: Upon submitting application to the Engineering Division, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, project phase, tax lot number(s), street address(es), and the land use / planning / zoning final decision conditions of approval that require the public improvement that is the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each subpart of a condition is met.
  - b. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter may include these.
  - c. Plan copies: Submit to the attention of the Planning Division at least two plan size copies of plan sets (24 by 36 inches). Within the cover sheet title block(s), include the phrase "civil engineering plans" or "public improvements civil plans". Submit also Adobe PDFs using a fileshare service.
  - d. Re-submittal fee: If there are multiple re-submittals, beginning with a third submittal / second revised submittal and continuing with each subsequent submittal, the applicant must pay through the Planning Division into City general revenue a fee of \$100.

Where public improvements involve the jurisdiction of an outside agency such as the Oregon Department of Transportation (ODOT), the developer must account for that when interacting with the City Engineer and City Public Works Department process.

19. PUD Final Plan (FP) Approval Process:

- A. Context and project management:
  1. The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval



may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by PW.

2. CEP remains the means for implementing final decision conditions of approval affecting street improvements, both surface and underground, and extending into PUEs.
  3. The developer is project manager. Because PW establishes that CEP applicants have a single point of contact termed the “Engineer of Record”, the developer manages the engineer of record who handles the CEP and also interacts with the Planning Division regarding FP review. For Planning Division staff, the developer is the point of contact, namely whoever on the developer’s team the developer tasks with being the project manager.
  4. The developer shall be completely responsible for integrating staff directions found in FP documents issued by Planning Division staff into civil engineering plans that the engineering of record submits to PW.
  5. If, when, and where conflicting directions arise between FP directions and CEP directions, the developer shall be responsible for communicating with formal cover or transmittal letters messages from the conflicting division to the other division, and shall communicate such.
  6. The Planning Division observes the CEP for other projects has come after land use final decision and before the building permit stage. Except where otherwise conditioned, it’s up to the developer to determine when to submit for CEP and PUD Final Plan relative to each other to best meet this “context and project management” condition.
- B. PUD Final Plan review scope and result:
1. The scope of FP review includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or situation for which no standard exists through previous adoption by PW or, where applicable, parks and recreation staff. It includes, as examples, pavement, game and sports courts and fields, buildings including pre-fabricated ones, playgrounds and other structures including pre-fabricated ones, exterior lights, landscaping, signage, and appurtenances such as benches, bicycle parking, dog waste stations, ornamental fountains, and water fountains, as well as materials, textures, colors, and model specifications. (Although in or partially in ROW, a bus shelter or shelters are to be subject to FP instead of CEP based on PW preference, unless PW were to direct the engineer of record to include such in CEP scope.)
  2. There shall result an official version of a civil engineering plan set marked approved by PW that shows all common area improvements and all public improvements, including off-street public improvements, resulting from both FP review and CEP. It

shall come to be prior to building permit application; however, PW is prohibited from approving any time prior to the developer paying conditioned fees related to CEP Planning Division review.

C. Submittal directions FP review:

1. Due date: For CEP, none other than what PW might specify. For FP, original / 1<sup>st</sup> submittal is due whichever occurs earlier: When the developer applies for either CEP or final plat application to the City.
2. Cover letter: Upon submitting CEP application to PW, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, tax lot number(s), street address(es), and the land use final decision conditions of approval that require the public improvements that are the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each part of a condition is met.
3. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter to the Planning Division may include these. The developer may submit to the Planning Division a copy of the stamped CEP application form submitted to PW if the form includes the required information.

D. Site Plans: For CEP Planning Division review and FP:

1. CEP: Submit to the attention of the Planning Division at least 2 plan size copies of plan sets, one plotted at native scale (min 22 by 34 inches, max 24 by 36) and one at ledger (11 by 17). Within the cover sheet title block(s), include the anticipated date of submittal and the phrase "civil engineering plans", "civil plans for CEP", or "public improvements civil plans".
2. FP: Submit to the attention of the Planning Division at least 6 plan size copies of plan sets, 3 plotted at native scale (min 22 by 34 inches, max 24 by 36) and 3 at ledger (11 by 17). Within the cover sheet title block(s), include the anticipated date of submittal.
3. Both: Fold the plan size sets if thin enough to do so. Submit also Adobe PDFs using a fileshare service.



**Public Works Comments**  
**ANX 2020-03, PUD 2020-02, SUB 2020-03, ZC 2020-02**  
**Schultz Farm \_ Dove Landing PUD \_ Land Use Application**

**March 16, 2021**

**A. CONDITIONS OF LAND USE APPROVAL:**

1. The Applicant, not the City, is responsible for obtaining any necessary permits from the State, Marion County, Oregon Division of State Lands, US Army Corps of Engineering and/or federal agencies that may require such permit or approval for the construction of this development.
2. Applicant to provide a final Engineer stamped storm drainage hydraulic analysis report for the detention and conveyance system. The storm drainage hydraulic analysis shall comply with Marion County, Oregon Division of State Lands, US Army Corps of Engineering and City's requirements, as applicable.
3. Prior to land use approval, Applicant to provide an Engineering Certification that the proposed storm conveyance from the Dove Landing development will not increase the historical storm flows to the downstream drainage system and will not increase the 100-year floodplain/floodway elevations or inundation boundaries on any downstream properties.

**B. CONDITIONS TO BE COMPLETED PRIOR TO CIVIL PLANS APPROVAL:**

1. If applicable, applicant to provide a copy of approved permit(s) from the Oregon Division of State Lands and US Army Corps of Engineering and Marion County, as applicable, if a permit shall be obtained for discharging storm drainage into state lands. This permit(s) shall be obtained prior to City approval of the Dove Landing PUD Civil Plans.
2. Applicant to provide a Flood Study Analysis (Hydraulic Model) for the future 100 year floodplain and floodway boundaries and inundation boundaries on the adjacent properties east of N Boones Ferry Road. The analysis shall reflect full-buildout conditions for the Dove Landing PUD development.
3. Applicant is responsible for correcting/upgrading any storm drainage capacity deficiencies, including upgrading private storm drainage systems or installing a new drainage system as per City's requirements and per approved Storm Drainage Hydraulic Analysis Report.



4. Applicant is responsible for correcting/upgrading the storm drainage pipes under N Boones Ferry Road if structural or capacity deficiencies are encountered during the Civil Plans review.
5. The applicant is responsible for potential improvements to the existing gravity main, located between the proposed connection to the existing main and the Vanderbeck Pump Station, due to the proposed development. Applicant is also responsible for upgrades to the Vanderbeck Pump Station and force main due to the applicant's development.

The City is collecting flow data on the existing gravity main by Vanderbeck Pump Station and information is expected to be provided to the applicant by late spring of 2021.

6. Applicant to provide a flexible pavement structured designed, for all new public streets, by a registered professional engineer using subgrade reaction appropriate for the site, traffic index, and a 20-year design life for pavement system. Structure thicknesses shall not be less than values form table on City of Woodburn Standard Detail No. 42001 ( Typical Pavement Structure).
7. Applicant is require to upgrade the existing cross-section of N Boones Ferry Road to the City's minimum cross-section standards for a minor arterial, as applicable.
8. Applicant to provide for the installation of all franchise utilities and shall provide any required easements for these facilities. All permanent utility services to the development shall be underground.
9. A Department of Environmental Quality Erosion Control 1200C permit is required for this development prior to City issuance of approval civil plans.
10. All sewer mains are a gravity system and the termini of sewer lines locations and depths shall be such that it is suited for future extensions to adjoining areas.
11. On-site existing water wells and subsurface sewage disposal systems shall be abandoned by the applicant in accordance with all state regulations and requirements.



12. Final review of the Civil Plans will be done during the Subdivision Application for Construction. Public infrastructure will be constructed in accordance with plans approved by Public Works and Marion County (where applicable).



# DOVE LANDING PUD

TL 400 & 800 TOWNSHIP 5 SOUTH, RANGE 1 WEST, SEC. 6 W.M.  
MARION COUNTY, OREGON

GROSS ACREAGE: 31.86 AC

BENCHMARK:

ELEVATIONS ARE BASED OFF OF MARION COUNTY CONTROL POINT NO. 9214, BEING A MARION COUNTY STAMPED (MR 6 CR 513) BRASS CAP IN MONUMENT BOX SET IN PAVEMENT.

ELEVATION DATUM: NGVD 29, ELEVATION = 181.174

UTILITIES & SERVICES:

WATER:	CITY OF WOODBURN
STORM:	CITY OF WOODBURN
SEWER:	CITY OF WOODBURN
POWER:	PORTLAND GENERAL ELECTRIC
GAS:	NORTHWEST NATURAL
FIRE:	WOODBURN FIRE DISTRICT
POLICE:	WOODBURN POLICE DEPARTMENT
SCHOOL:	WOODBURN SCHOOL DISTRICT
PHONE:	FRONTIER
WASTE DISPOSAL:	REPUBLIC SERVICES
CABLE:	CENTURYLINK

APPLICANT:

ETTRO CAPITAL MANAGEMENT LLC  
340 OSWEGO POINTE DRIVE  
LAKE OSWEGO, OREGON, 97034  
[P] 503-568-1907  
CONTACT: PETER ETTRO

OWNER:

SCHULTZ FARM, LLC  
16710 NE BOONES FERRY ROAD  
WOODBURN, OREGON, 97071  
CONTACT: CHRISTY SCHULTZ

PLANNER:

PACIFIC COMMUNITY DESIGN, INC  
12564 SW MAIN ST.  
TIGARD, OR 97223  
[P] 503-941-9484  
CONTACT: STACY CONNERY, AICP  
ERIC HAWKINSON

CIVIL ENGINEER:

PACIFIC COMMUNITY DESIGN, INC  
12564 SW MAIN ST.  
TIGARD, OR 97223  
[P] 503-941-9484  
CONTACT: CRAIG LARSON, PE

SURVEYOR:

PACIFIC COMMUNITY DESIGN, INC  
12564 SW MAIN ST.  
TIGARD, OR 97223  
[P] 503-941-9484  
CONTACT: TRAVIS JANSEN, PLS, PE

GEOTECHNICAL ENGINEER:

GEO CONSULTANTS NORTHWEST, INC.  
2839 SE MILWAUKIE AVENUE  
PORTLAND, OREGON 97202  
[P] 503-616-9425  
CONTACT: BRAD HUPY

LANDSCAPE ARCHITECT:

PACIFIC COMMUNITY DESIGN, INC  
12564 SW MAIN ST.  
TIGARD, OR 97223  
[P] 503-941-9484  
CONTACT: KERRY LANKFORD, RLA, CLARB

NATURAL RESOURCE CONSULTANT:

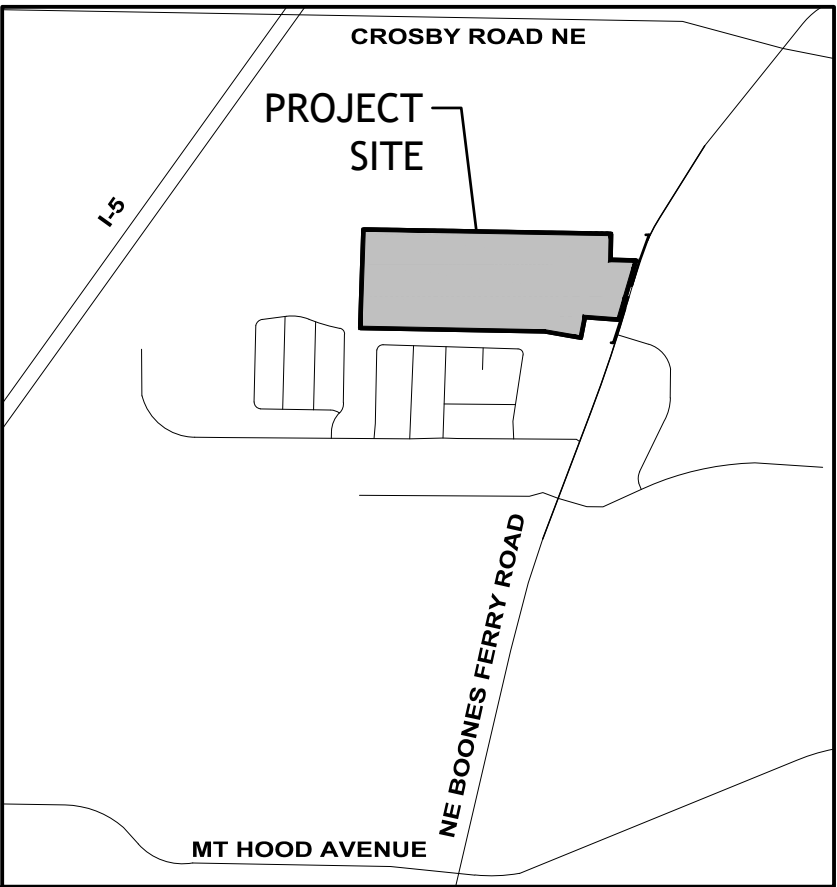
PACIFIC HABITAT SERVICES, INC.  
9450 SW COMMERCE CIRCLE, SUITE 180  
WILSONVILLE, OR 97070  
[P] 503-570-0800  
CONTACT: JOHN VAN STAVEREN

TRAFFIC ENGINEER:

LANCASTER MOBLEY  
321 SW 4TH AVENUE, SUITE 400  
PORTLAND, OR 97204  
[P] 503-248-0313  
CONTACT: JESSICA HIJAR

LEGEND:

—	PROPERTY LINES
—	ROW LINES
—	PROJECT BOUNDARY



VICINITY MAP

SHEET INDEX:

- 1 COVER SHEET
- 2.1 EXISTING CONDITIONS
- 2.2 EXISTING CONDITIONS BOONES FERRY
- 3 SITE AERIAL
- 4 CONCEPTUAL DEVELOPMENT PLAN
- 5 SPECIFIC DEVELOPMENT SITE PLAN
- 6.1 PRELIMINARY PLAT
- 6.2 PRELIMINARY PLAT
- 7 GRADING PLAN
- 8 PRELIMINARY SANITARY PLAN
- 9 PRELIMINARY WATER PLAN
- 10.1 PRELIMINARY STORM PLAN
- 10.2 PRELIMINARY STORM PLAN
- 11 COMMON AREA AND OPEN SPACE PLAN
- 12.1 STREETS, PATHS, & CROSS SECTIONS
- 12.2 STREETS, PATHS, & CROSS SECTIONS BOONES FERRY
- 13.1 TREE PROTECTION PLAN
- 13.2 TREE PROTECTION PLAN
- 13.3 TREE PROTECTION PLAN
- 13.4 TREE PROTECTION PLAN
- 13.5 TREE PROTECTION PLAN
- 13.6 TREE PROTECTION PLAN
- 13.7 TREE PROTECTION PLAN
- 14.1 TREE INVENTORY
- 14.2 TREE INVENTORY
- 14.3 TREE INVENTORY
- 14.4 TREE INVENTORY
- 14.5 TREE INVENTORY
- 14.6 TREE INVENTORY
- 14.7 TREE INVENTORY
- L1 STREET TREE PLANTING & OPEN SPACE LOCATION PLAN
- L2 STREET TREE DETAILS AND NOTES
- L3 OPEN SPACE PLANTING PLAN
- L4 OPEN SPACE PLANTING PLAN
- L5 OPEN SPACE PLANTING PLAN
- L6 PARK PLANTING PLAN
- L7 PARK DETAILS
- L8 POND PLANTING PLAN



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

REVISIONS

NO.	DATE	DESCRIPTION
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DOVE  
LANDING PUD

COVER



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001

TYPE: PLANNING

REVIEWED BY: PRE

1

Attachment 103  
Sheet 1 of 19



REVISIONS		
NO.	DATE	DESCRIPTION

DOVE  
LANDING PUD

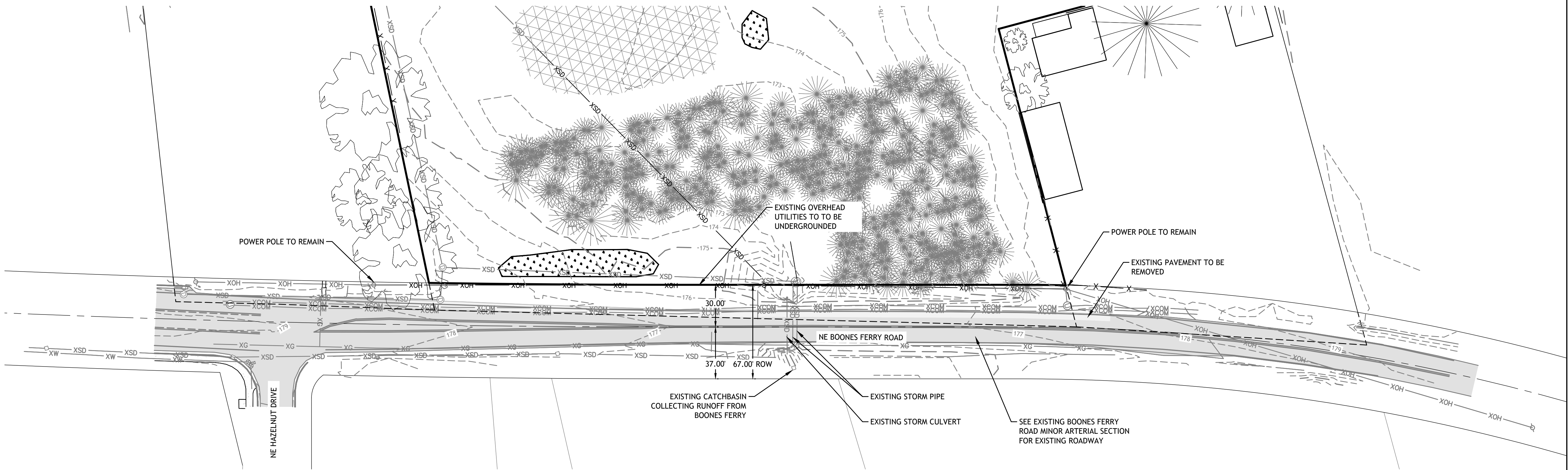
EXISTING  
CONDITIONS  
BOONES FERRY



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.:	142-001
TYPE:	PLANNING
REVIEWED BY:	PRE

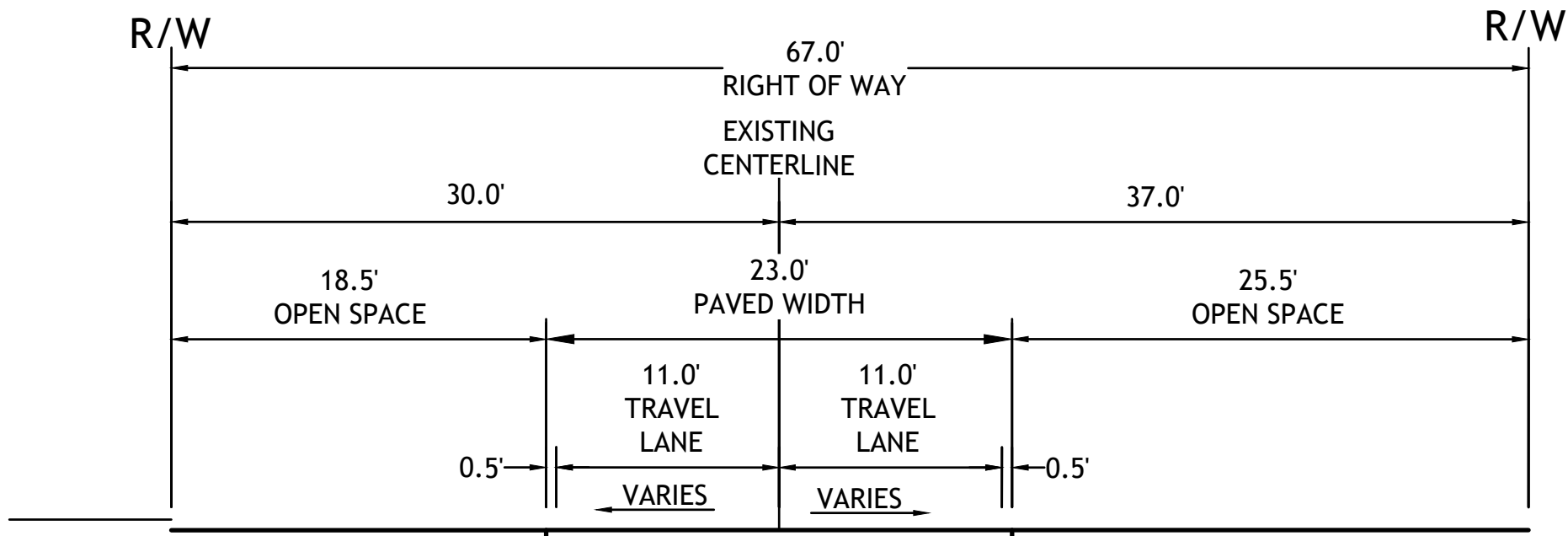
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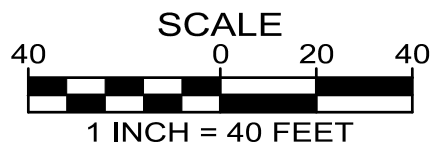
LEGEND

	EXISTING SIDEWALK		EASEMENT LINES		EX SANITARY SEWER		EX SANITARY MANHOLE		EX BLOW-OFF
	EXISTING PAVEMENT		EXISTING RIGHT-OF-WAY		EX STORM DRAIN		EX SANITARY CLEANOUT		EX AIR RELEASE VALVE
	EXISTING GRAVEL		EXISTING CENTERLINE		EX WATER LINE		EX STORM MANHOLE		EX GAS VALVE
	EXISTING BUILDING		EXISTING PROPERTY LINE		EX GAS LINE		EX AREA DRAIN		EX CABLE RISER
	EXISTING NON-JURISDICTIONAL WETLAND TO BE FILLED		EXISTING BOUNDARY LINE		EX BURIED POWER LINE		EX CURB INLET		EX TELEPHONE RISER
	FILLED WETLANDS		EX 2-FOOT CONTOURS		EX OVERHEAD POWER LINE		EX STORM CLEANOUT		EX LIGHT POLE
			EX 10-FOOT CONTOURS		EX CABLE TV LINE		EX FIRE HYDRANT		EX TREES
			EXISTING WETLAND BUFFER		EX TELEPHONE LINE		EX WATER METER		EX TREES TO BE REMOVED
			EXISTING WATERS		EXISTING FENCE		EX WATER VALVE		

- NOTES:
- ALL EXISTING FILBERT TREES TO BE REMOVED.
  - FOR TREE PRESERVATION PLAN SEE SHEET 13.1-13.7.

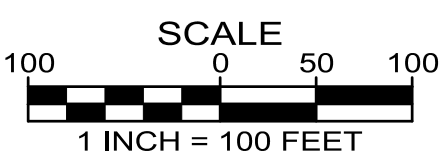
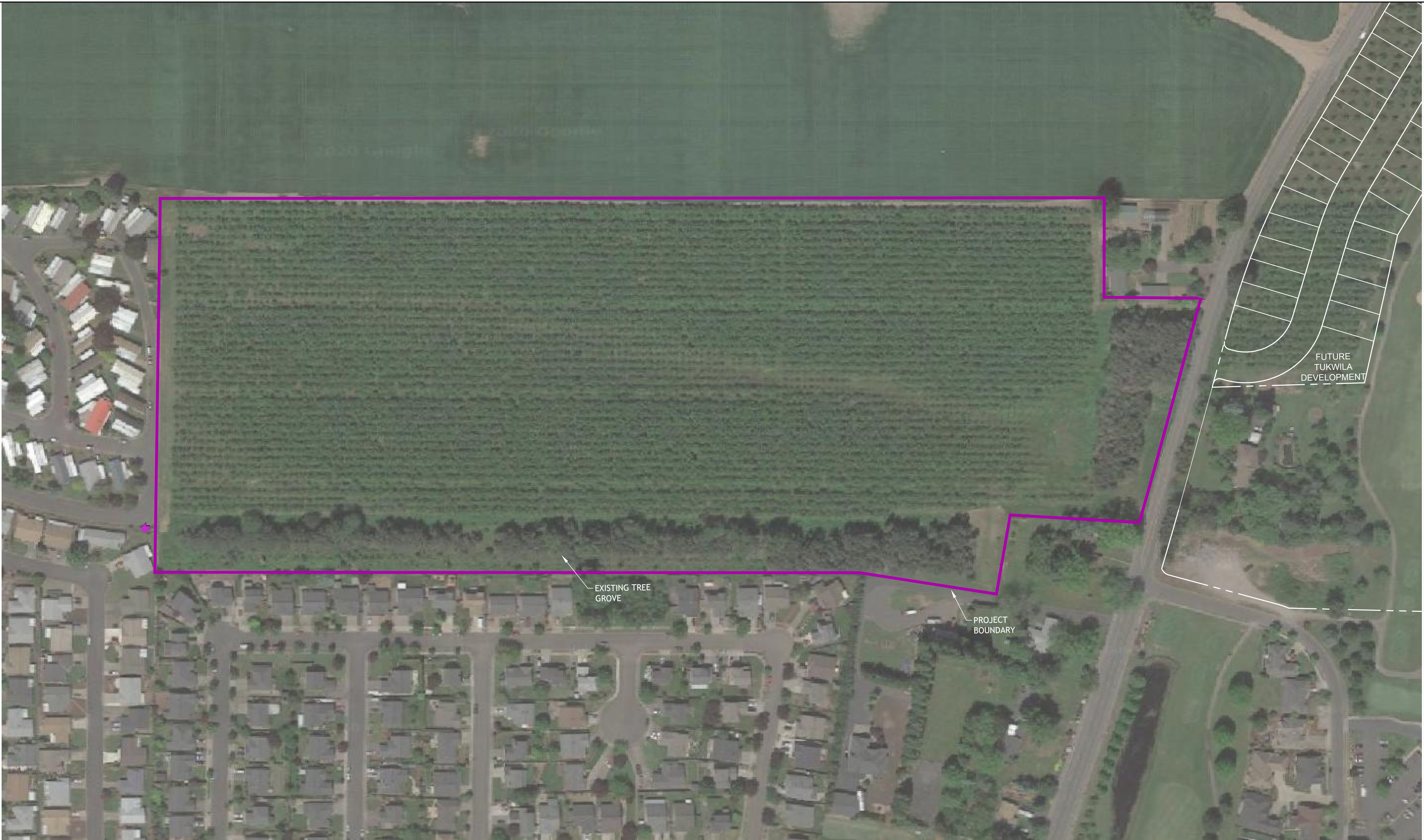


B1 EXISTING BOONES FERRY ROAD  
MINOR ARTERIAL  
NOT TO SCALE





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[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

REVISIONS

NO.	DATE	DESCRIPTION
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DOVE  
LANDING PUD

SITE  
AERIAL



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.:	142-001
TYPE:	PLANNING
REVIEWED BY:	PRE



REVISIONS

NO.	DATE	DESCRIPTION
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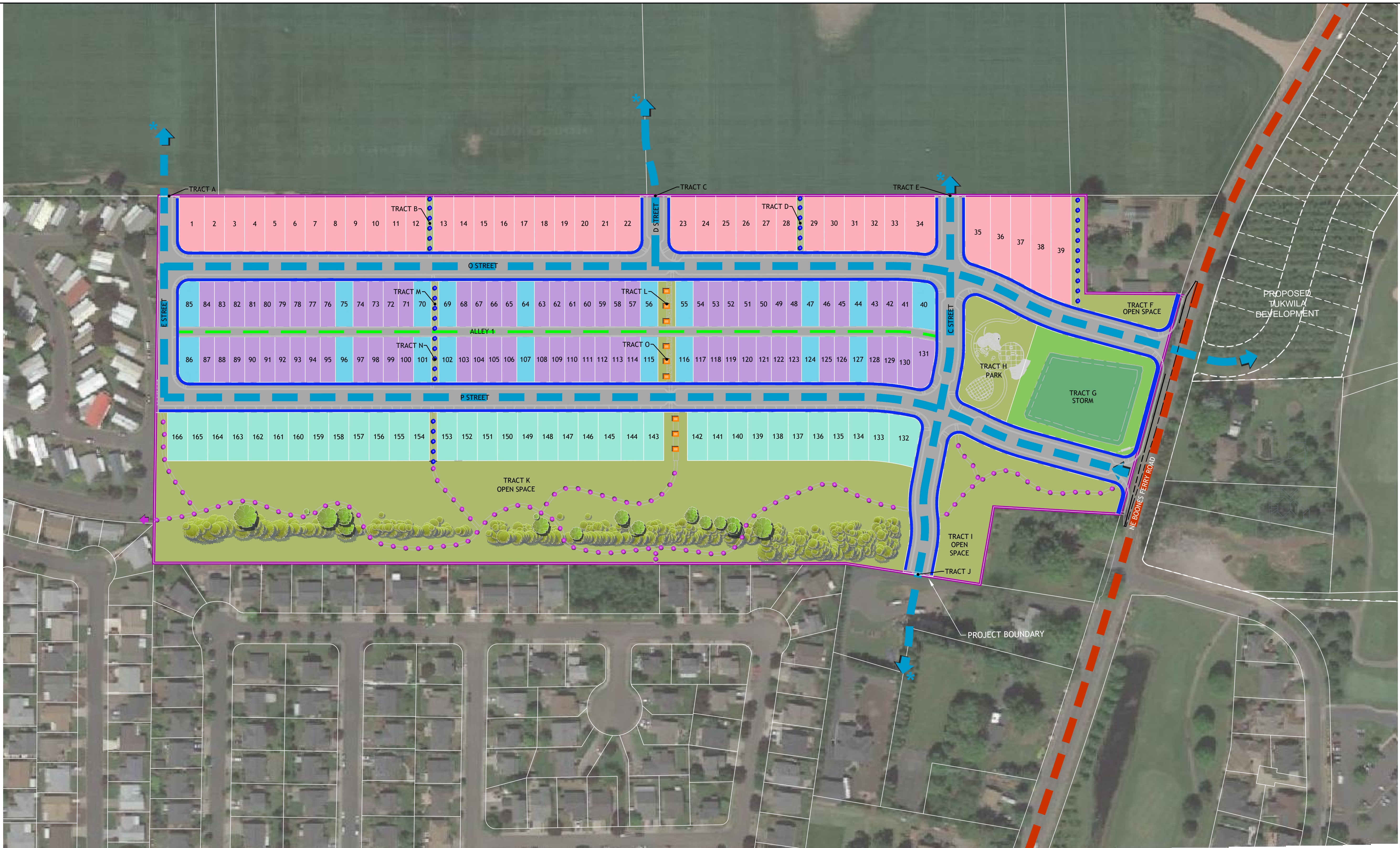
DOVE  
LANDING PUD

CONCEPT  
SITE PLAN  
ALTERNATIVE 2



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.:	142-001
TYPE:	PLANNING
REVIEWED BY:	PRE



LEGEND - PROPOSED CONCEPT PLAN

OPEN SPACE

	AREA	% SITE
GROSS SITE AREA	31.86 AC	100 %
PARKS/TRAILS, LANDSCAPE TRACTS	9.55 AC	30%
STORMWATER FACILITY	1.17 AC	3%

DENSITY

GROSS AREA	31.86 AC
- ROW	7.62 AC
NET AREA	24.24 AC
MIN. DENSITY	-5.2 UNITS/AC X 24.24 AC = 126 UNITS
MAX. DENSITY	-7.26 UNITS/AC X 24.24 AC = 176 UNITS

LAND USE - RESIDENTIAL

FRONT LOADED - 40' X 110' LOT	39
FRONT LOADED - 40' X 96' LOT	35
REAR LOADED - 30' X 90' LOT	73
REAR LOADED - 35' X 90' LOT	19
TOTAL	166

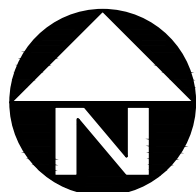
PEDESTRIAN ELEMENTS

10' MAJOR TRAIL	
8' MINOR TRAIL	
6' WOOD CHIP TRAIL	
SIDEWALKS AND PATHWAYS	

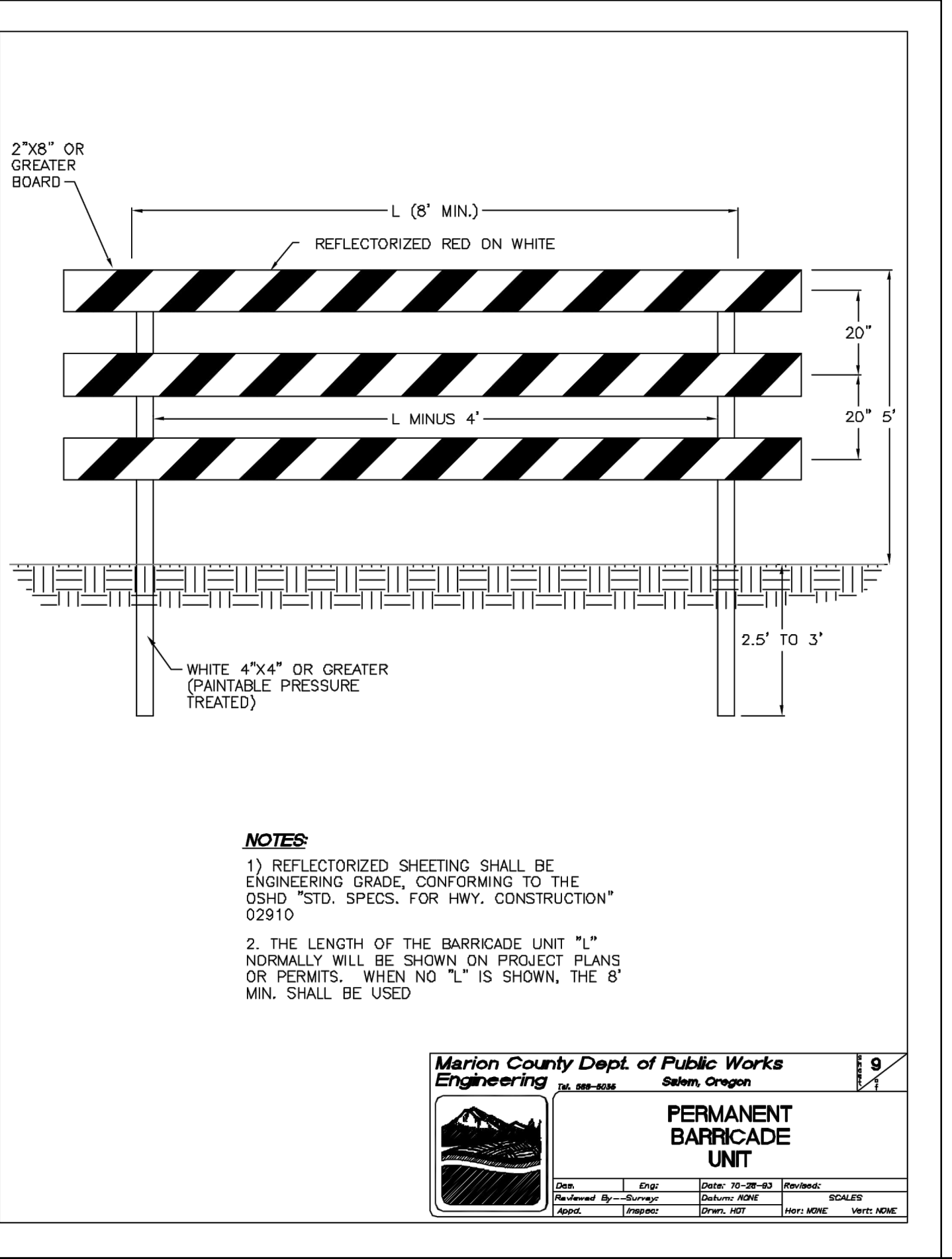
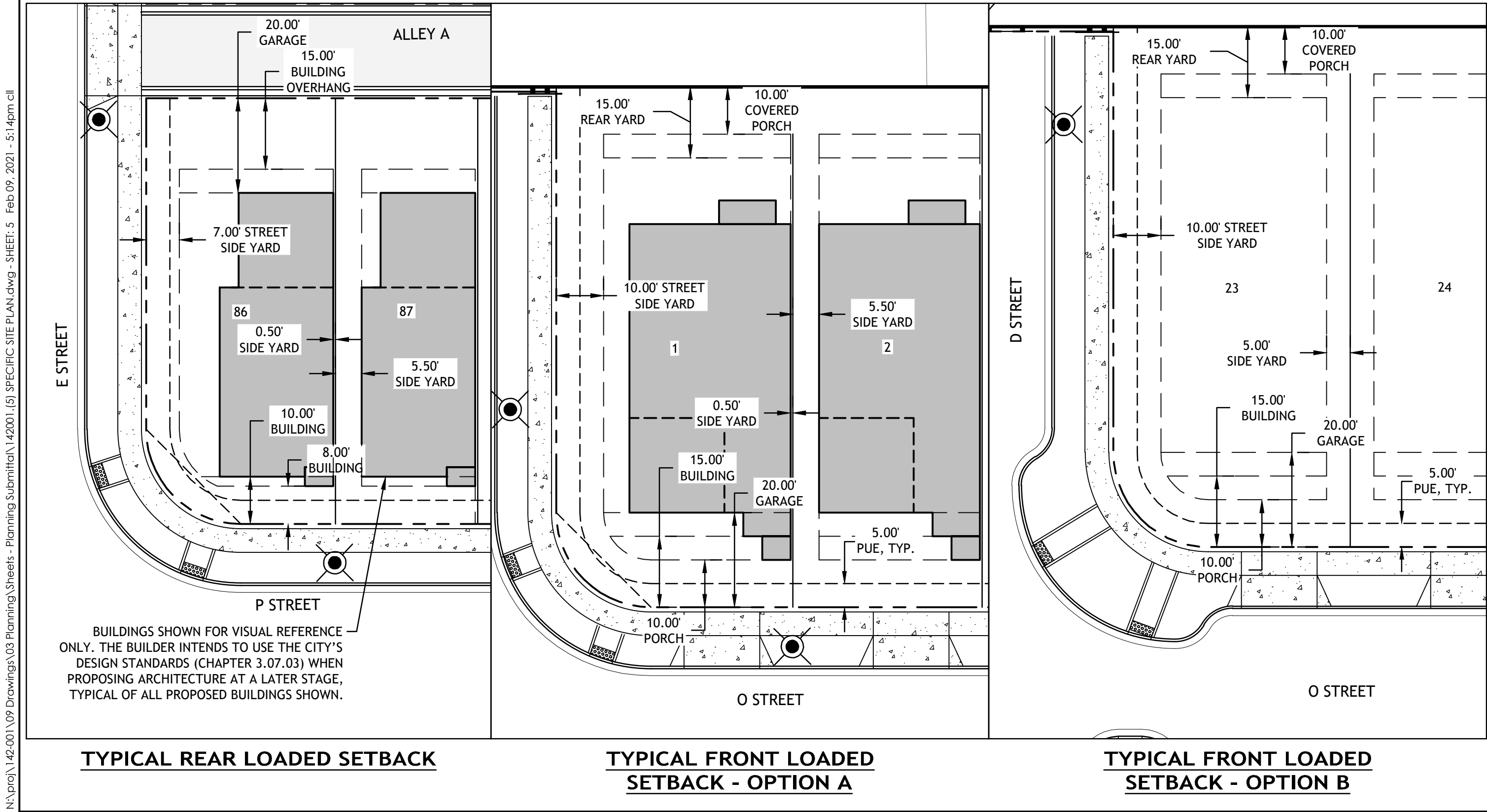
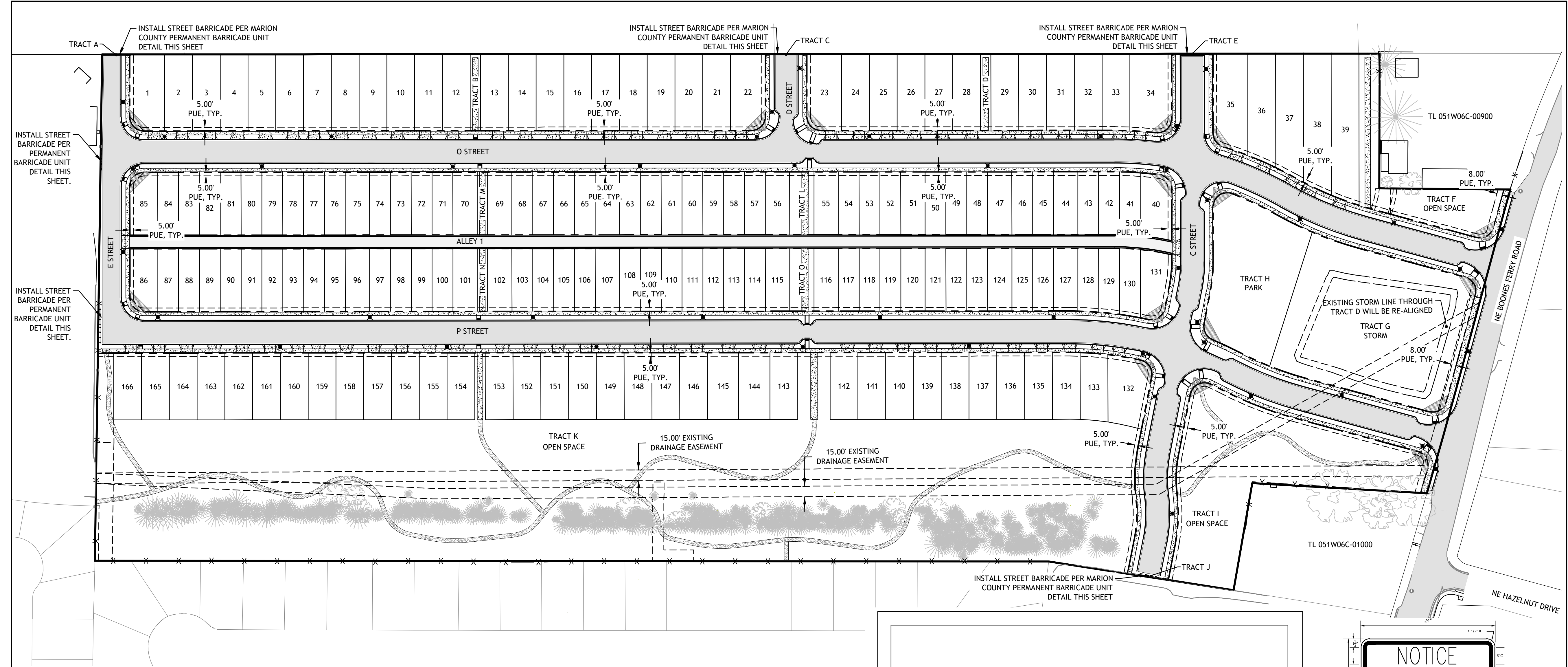
VEHICLE ELEMENTS

PROPOSED ROAD CONNECTION	
PROPOSED PUBLIC ALLEY	
EXISTING COLLECTOR	
CONNECTIVITY	
FUTURE ROAD CONNECTION	

SCALE  
0 50 100  
1 INCH = 100 FEET







[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

REVISIONS		
NO.	DATE	DESCRIPTION

DOVE  
LANDING PUD

SPECIFIC  
SITE PLAN

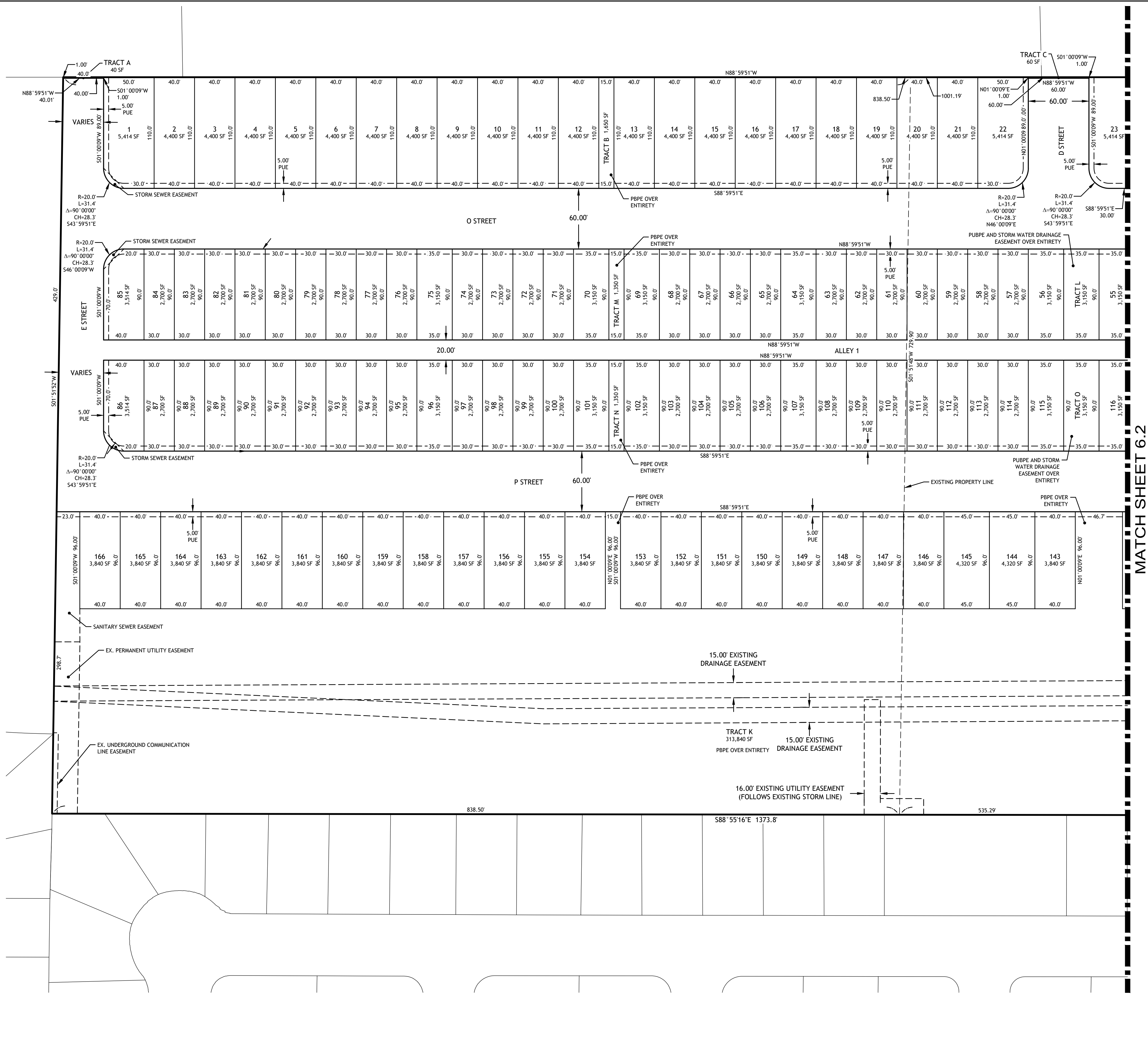


12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

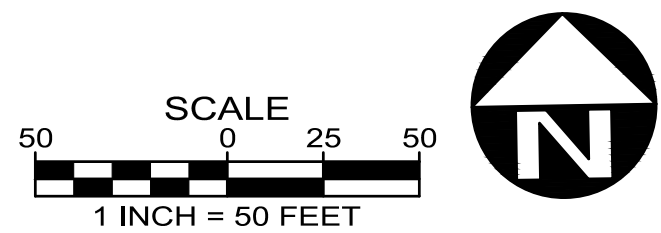
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TYPE: PLANNING  
REVIEWED BY: PRE



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LEGEND	
PUE	PUBLIC UTILITY EASEMENT
PBPE	PUBLIC BICYCLE/ PEDESTRIAN ACCESS EASEMENT
PUBPE	PUBLIC UTILITY EASEMENT AND PUBLIC BICYCLE/ PEDESTRIAN ACCESS EASEMENT
CAE	CROSS ACCESS EASEMENT TO BENEFIT TAX LOT 051W06C000900
TCE	TEMPORARY CONSTRUCTION EASEMENT TO BENEFIT TAX LOT 051W06C000900



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

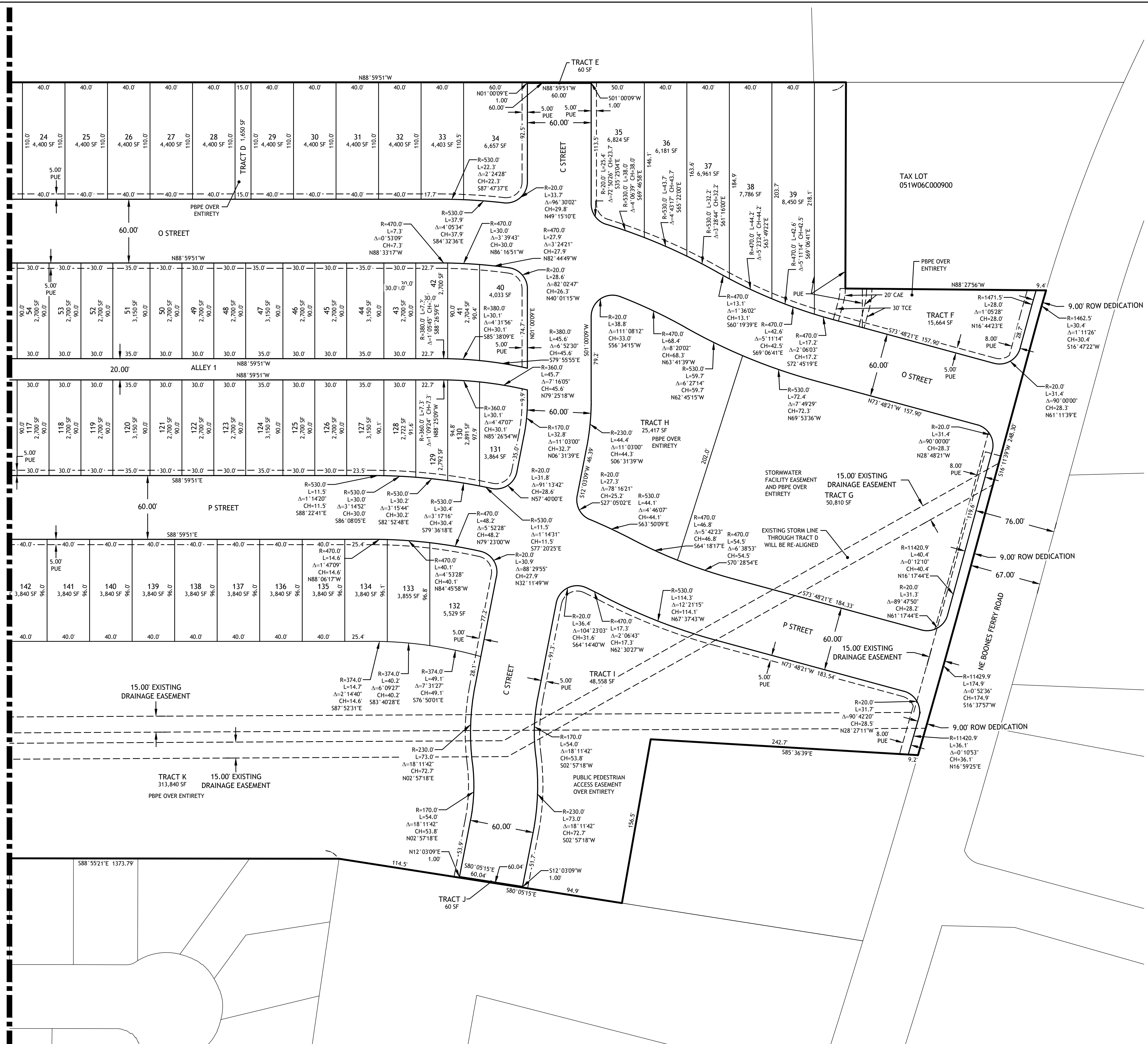
## REVISIONS

NO.	DATE	DESCRIPTION
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LEGEND

PUE	PUBLIC UTILITY EASEMENT
PBPE	PUBLIC BICYCLE/ PEDESTRIAN ACCESS EASEMENT
PUBPE	PUBLIC UTILITY EASEMENT AND PUBLIC BICYCLE/ PEDESTRIAN ACCESS EASEMENT
CAE	CROSS ACCESS EASEMENT TO BENEFIT TAX LOT 051W06C000900
TCE	TEMPORARY CONSTRUCTION EASEMENT TO BENEFIT TAX LOT 051W06C000900

MATCH SHEET 6.1





REVISIONS

NO.	DATE	DESCRIPTION
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DOVE  
LANDING PUD

PRELIMINARY  
STORM SEWER  
PLAN



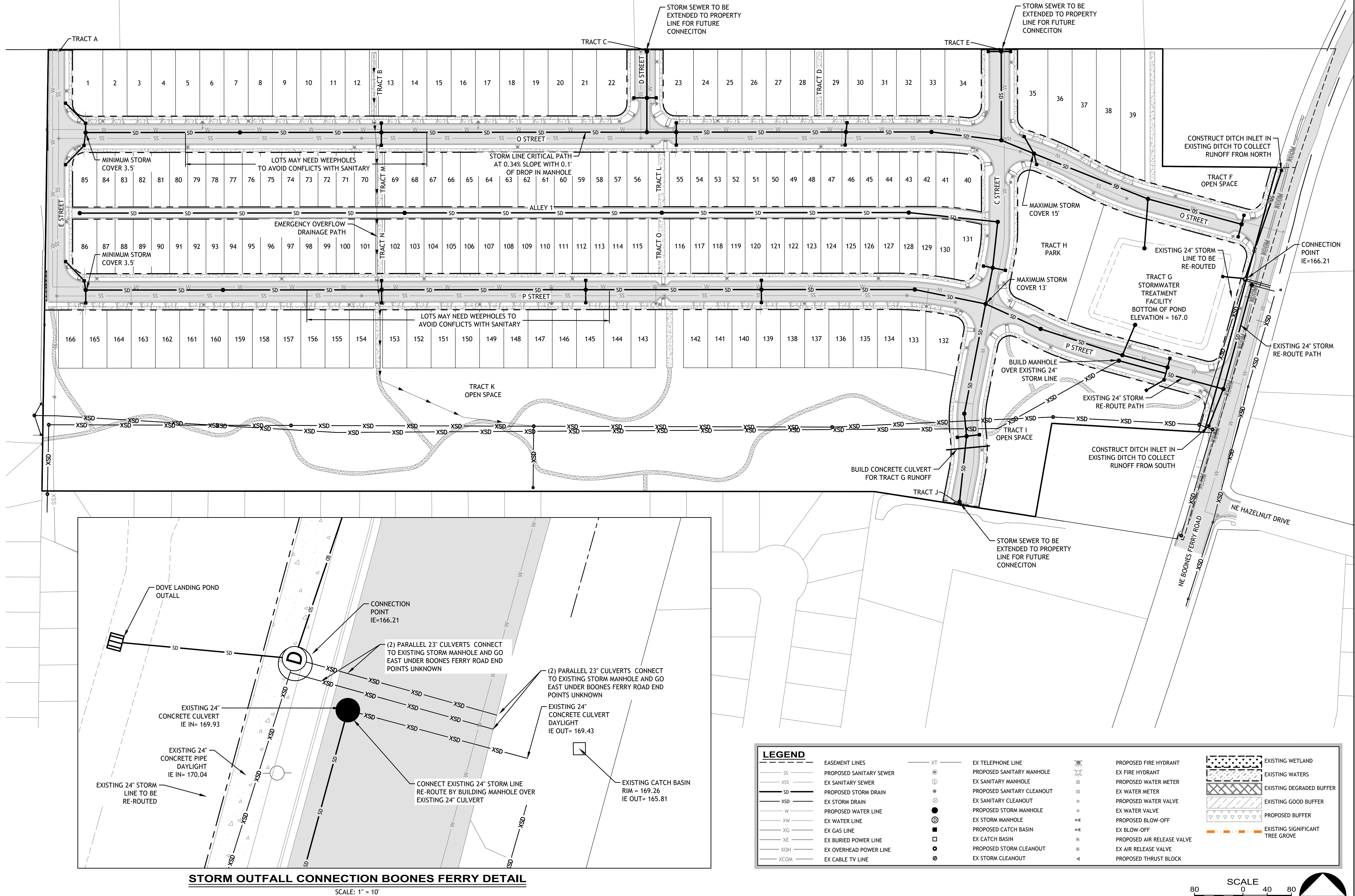
12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001

TYPE: PLANNING

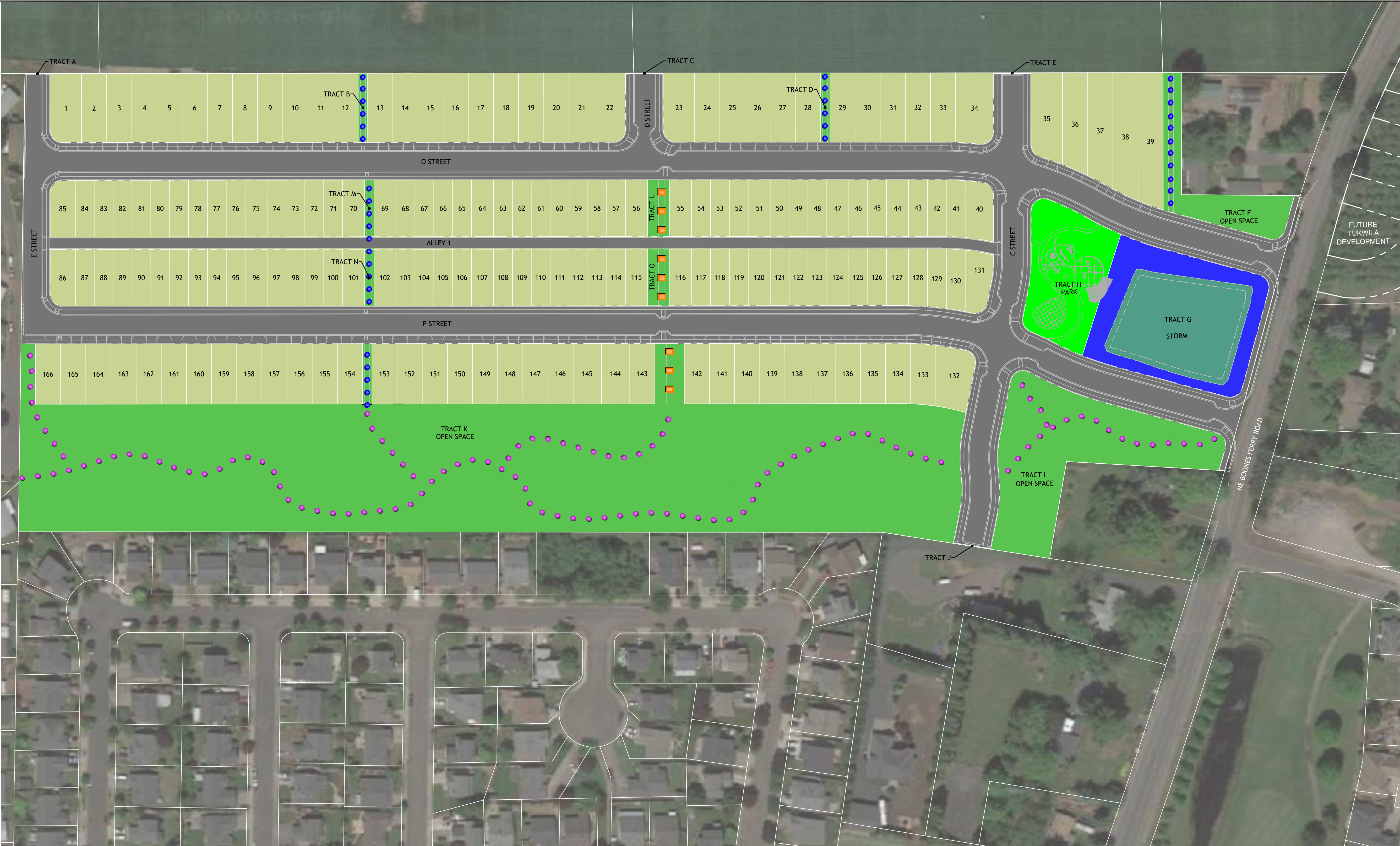
REVIEWED BY: PRE

10.1








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**LEGEND - PROPOSED CONCEPT PLAN**

**OPEN SPACE**

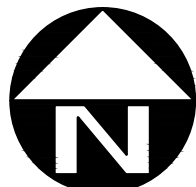
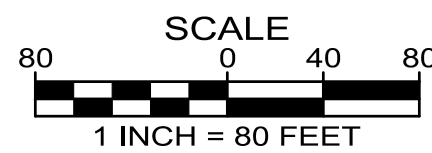
	PRIVATE PARK (TRACT H)	0.58 AC	2%
	OPEN SPACE (TRACT K)	7.20 AC	23%
	OPEN SPACE (ALL OTHER TRACTS)	1.79 AC	5%
OPEN SPACE TARGET		9.57 AC	30%
GROSS SITE AREA		31.86 AC	100 %

**PEDESTRIAN ELEMENTS**

-    10' MAJOR TRAIL
-    8' MAJOR TRAIL
-    6' WOOD CHIP TRAIL

**OPEN SPACE**

	STORM FACILITY	1.17 AC	4%
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**REVISIONS**

NO.	DATE	DESCRIPTION
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**DOVE  
LANDING PUD**

**OPEN SPACE  
SITE PLAN**



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

## REVISIONS

NO.	DATE	DESCRIPTION
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DOVE  
LANDING PUD

## STREETS, PATHS, & CROSS SECTIONS



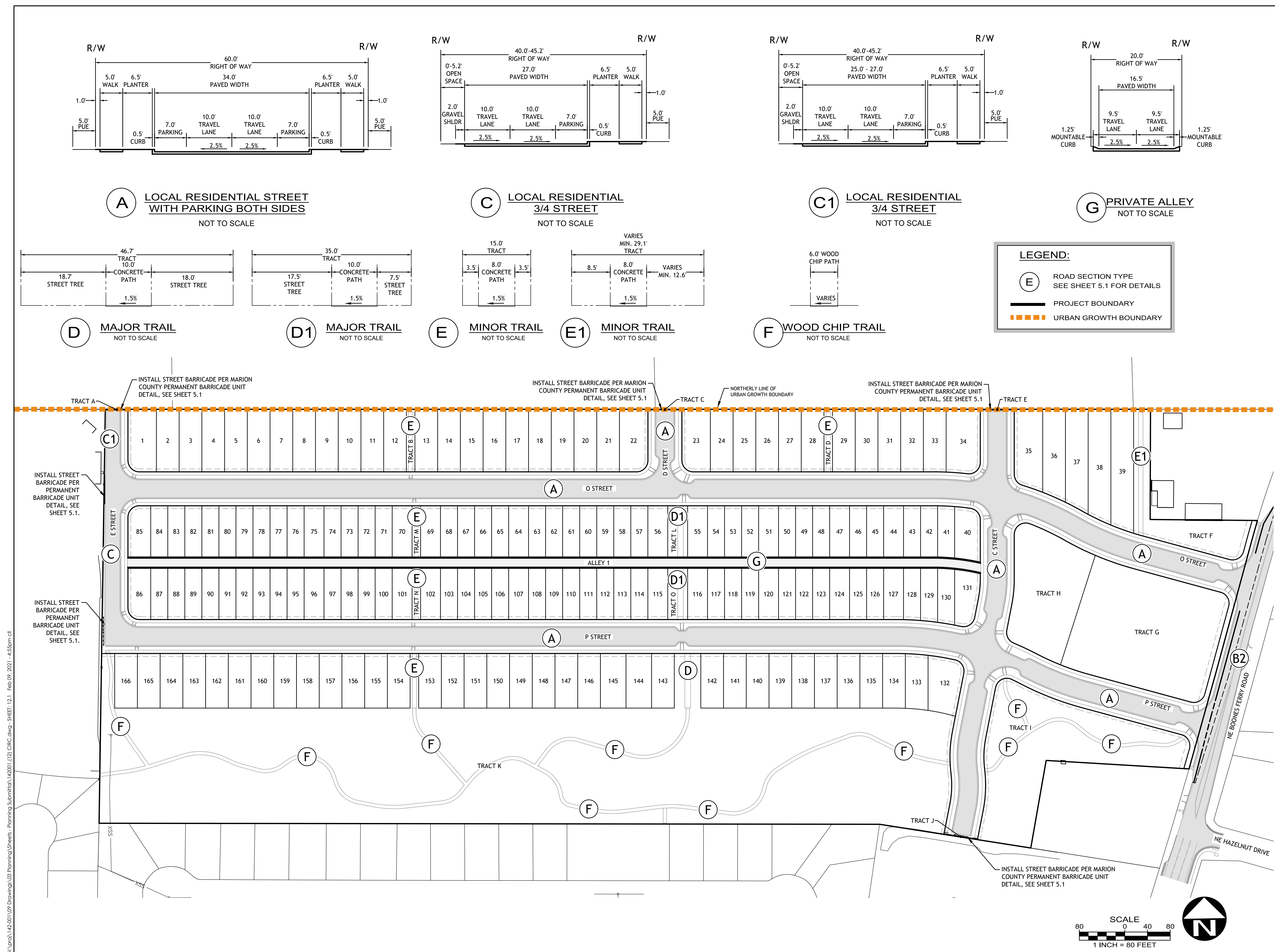
12564 SW Main Street  
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PROJECT NO.: 142-001

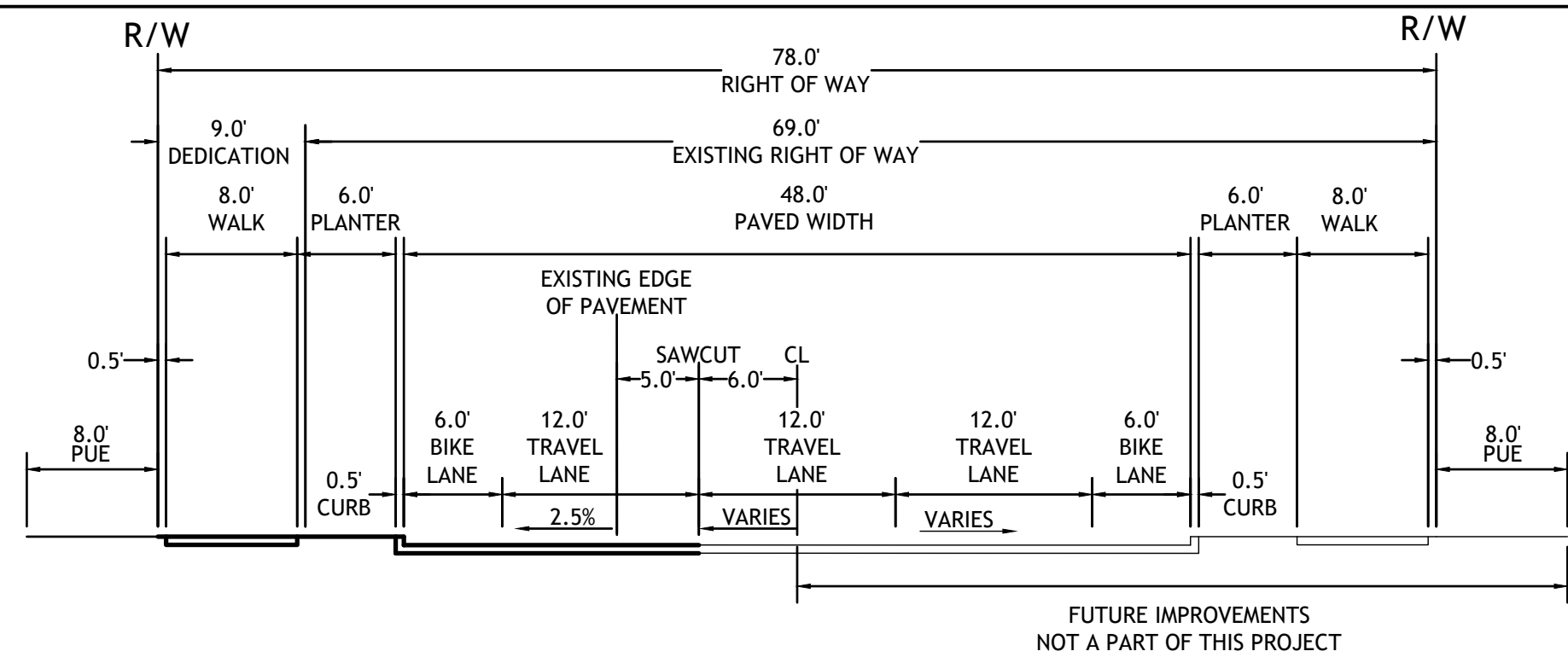
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REVIEWED BY: PRE




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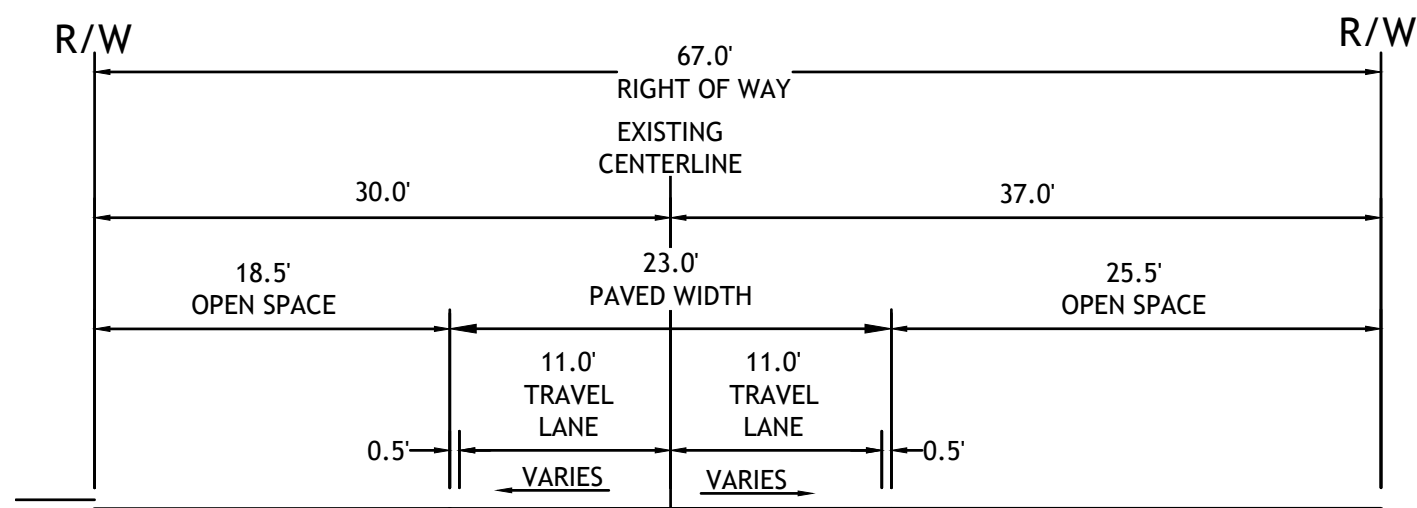
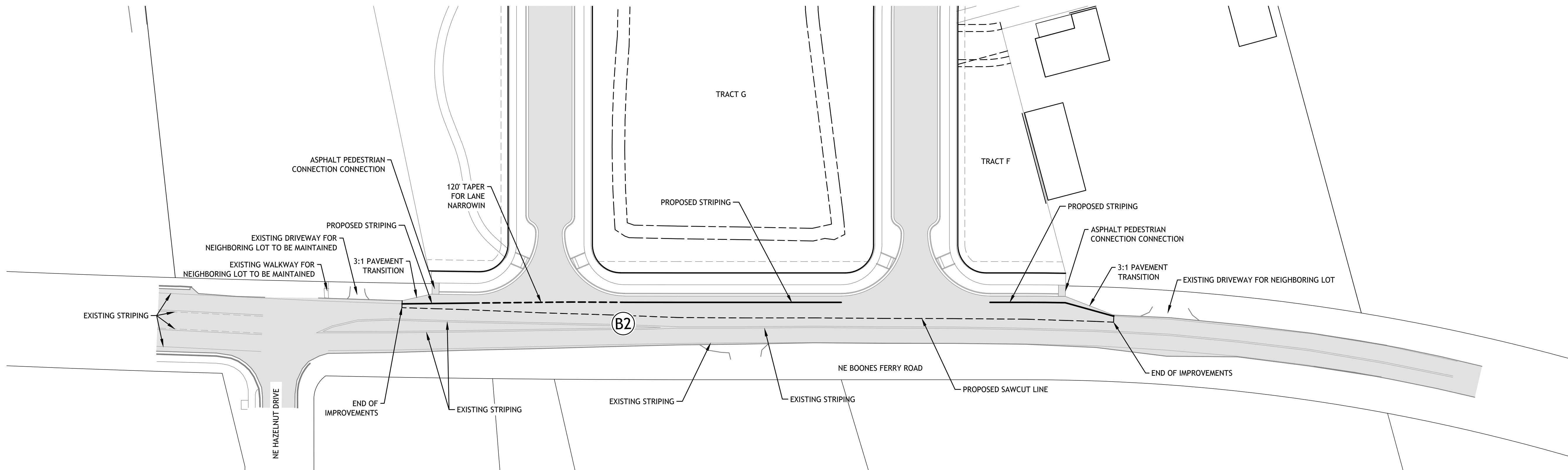
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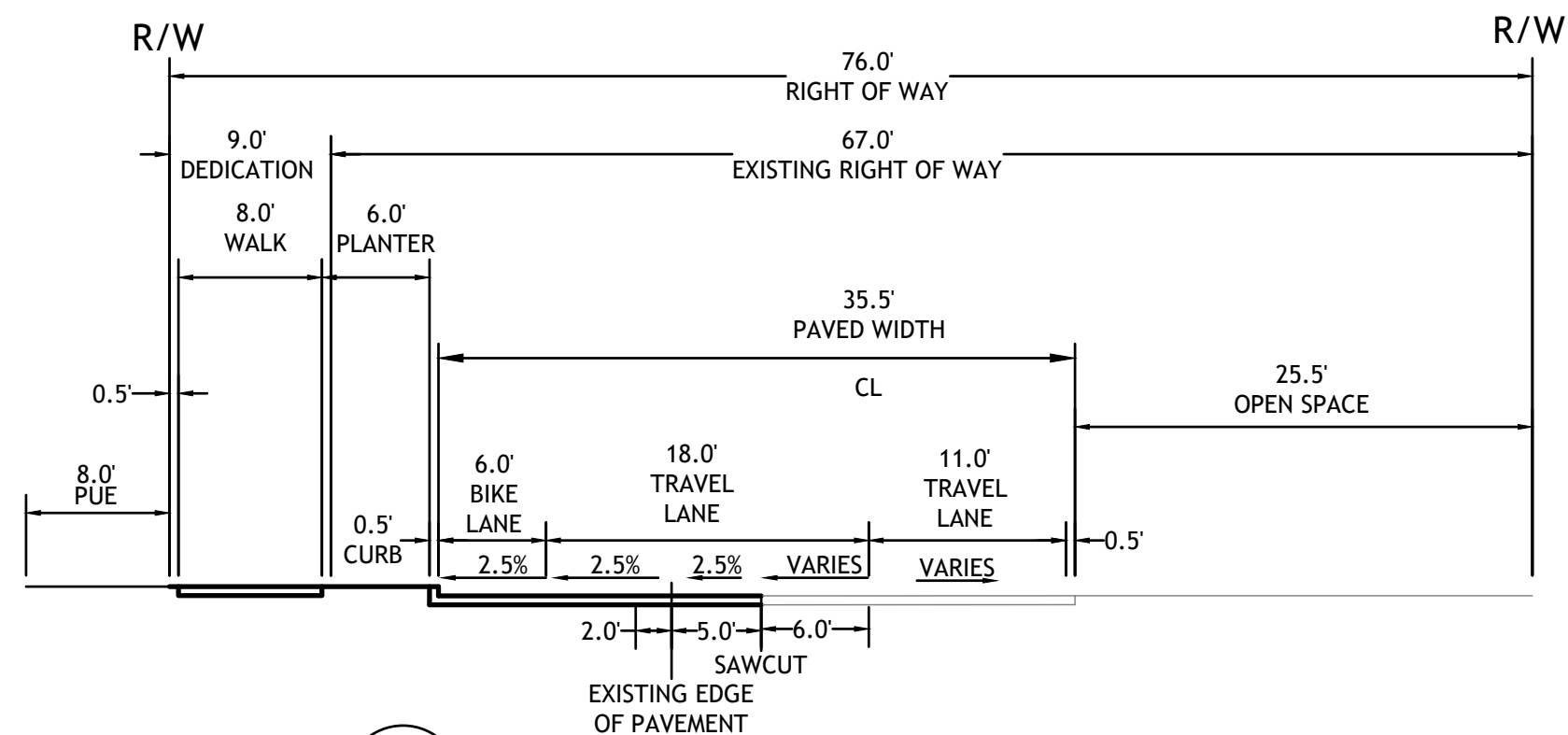
**LEGEND:**

-  ROAD SECTION TYPE SEE SHEET 5.1 FOR DETAILS
-  PROJECT BOUNDARY
-  URBAN GROWTH BOUNDARY

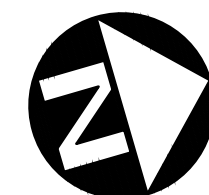
**B** BOONES FERRY ROAD  
MINOR ARTERIAL (FULL BUILDOUT)  
NOT TO SCALE



**B1** EXISTING BOONES FERRY ROAD  
MINOR ARTERIAL  
NOT TO SCALE



**B2** BOONES FERRY ROAD  
MINOR ARTERIAL (HALF STREET)  
NOT TO SCALE



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DATE: 1/15/2021

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NO.	DATE	DESCRIPTION
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DOVE  
LANDING PUD

STREETS, PATHS,  
& CROSS SECTIONS  
BOONERS FERRY



12564 SW Main Street  
Tigard, OR 97223  
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PROJECT NO.: 142-001

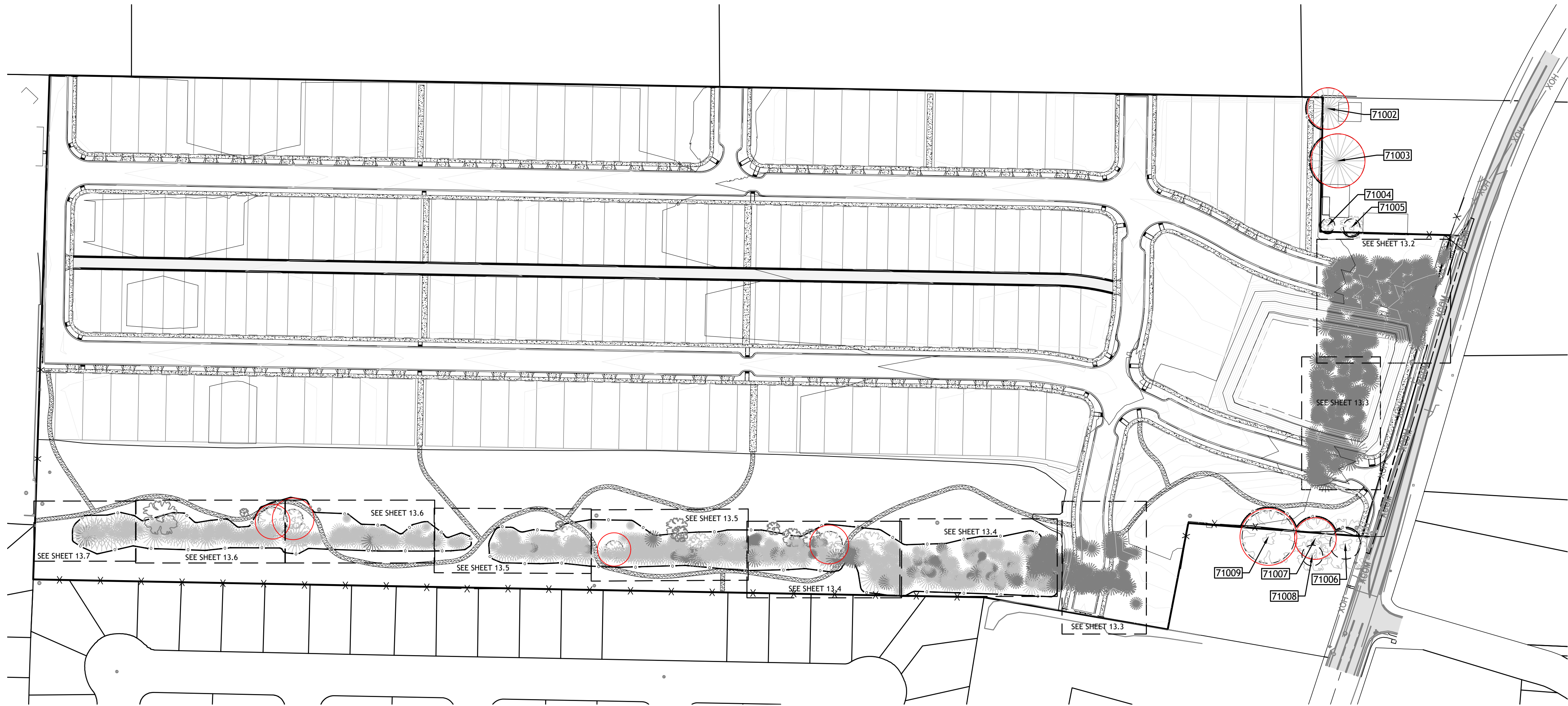
TYPE: PLANNING

REVIEWED BY: PRE

12.2



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**LEGEND**

DECIDUOUS

CONIFEROUS

EXISTING TREE TO BE REMOVED

EXISTING TREE TO BE RETAINED WITH ROOT PROTECTION ZONE CIRCLE. TREES CLASSIFIED AS SIGNIFICANT ARE SHOWN WITH RED ROOT PROTECTION ZONE CIRCLES. SEE TREE INVENTORY FOR ADDITIONAL INFORMATION

TREE PROTECTION FENCING PER DTL 1, SHEET 13.1

70824

TREE NUMBER

TREE PROTECTION SPECIFICATIONS:

- PRECONSTRUCTION CONFERENCE. THE PROJECT ARBORIST SHALL BE ON SITE TO DISCUSS METHODS OF TREE REMOVAL AND TREE PROTECTION PRIOR TO ANY CONSTRUCTION.
- ROOT PROTECTION ZONE. THE ROOT PROTECTION ZONE IS DEFINED BY A CIRCLE OF PROTECTION EQUAL TO ONE FOOT PER INCH OF TRUNK DIAMETER FOR ON-SITE TREES AND EQUAL TO THE DRIPLINE OF TREE CANOPIES FOR OFF-SITE TREES. WHERE FEASIBLE, TREE PROTECTION FENCING SHALL BE INSTALLED AT THE EDGE OF THE RPZ AS A MINIMUM. IF WORK MUST ENCROACH INTO THE RPZ, PROTECTION FENCING MAY BE OPENED OR ADJUSTED IF THE PROJECT ARBORIST DETERMINES THAT THE TREES WILL NOT BE UNDULY DAMAGED. THE LOCATION OF THE RPZ IS SHOWN ON THE TREE PRESERVATION PLAN.
- PROTECTION FENCING. IN ACCORDANCE WITH THE TREE PRESERVATION PLAN, ALL TREES TO BE RETAINED SHALL BE PROTECTED BY 5-FOOT TALL 2-INCH MESH CHAIN LINK FENCING SECURED TO 1.5-INCH DIAMETER STEEL OR ALUMINUM POSTS PLACED NO FURTHER THAN 8-FEET ON CENTER.

THE RPZ MAY BE ENTERED FOR TASKS LIKE SURVEYING, MEASURING AND SAMPLING. FENCES MUST BE CLOSED UPON COMPLETION OF THESE TASKS. CONSTRUCTION THAT IS NECESSARY WITHIN THE RPZ SHALL BE PERFORMED UNDER ARBORIST SUPERVISION.
- EROSION CONTROL. WHERE NEEDED, EROSION CONTROL MEASURES SHALL ONLY BE INSTALLED OUTSIDE OF THE RPZ OF PROTECTED TREES.
- ROOT PROTECTION ZONE MAINTENANCE AND PROHIBITIONS. TREE PROTECTION FENCING SHALL NOT BE MOVED, REMOVED OR ENTERED BY EQUIPMENT EXCEPT UNDER DIRECTION OF THE PROJECT ARBORIST. NO SOIL COMPACTION, MATERIALS OR SPOILS STORAGE SHALL BE ALLOWED WITHIN THE RPZ. WITHOUT AUTHORIZATION FROM THE PROJECT ARBORIST, NONE OF THE FOLLOWING SHALL OCCUR WITHIN THE RPZ OF ANY PROTECTED TREE:
  - GRADE CHANGE OR CUT AND FILL;
  - NEW IMPERVIOUS SURFACES;
  - UTILITY OR DRAINAGE FIELD PLACEMENT; OR
  - VEHICLE MANEUVERING.
- DEBRIS PILE REMOVAL. EXISTING PILES OF EXCESS DIRT AND DEBRIS WITHIN THE RPZ SHALL BE CAREFULLY REMOVED BY HAND AND WITH HAND TOOLS OR WITH A SMALL RUBBER-TRACKED MACHINE OPERATING UNDER ARBORIST SUPERVISION. COORDINATE WITH THE PROJECT ARBORIST PRIOR TO OPENING TREE PROTECTION FENCING TO RESTORE NATIVE GRADE IN THESE AREAS. THE APPROXIMATE LOCATION OF THE DEBRIS PILES IS SHOWN ON THE TREE PRESERVATION PLAN.
- TREE REMOVAL. WITHIN THE RPZ OF TREES TO REMAIN, CLEARLY MARK TREES APPROVED FOR REMOVAL WITH PAINT OR FLAGGING. DIRECTIONALLY FELL OR SURGICALLY REMOVE TREES TO AVOID CONTACT OR OTHERWISE PREVENT DAMAGE TO THE TRUNKS AND BRANCHES OF TREES TO BE RETAINED. NO VEHICLES OR HEAVY EQUIPMENT SHALL BE PERMITTED WITHIN THE RPZ DURING TREE REMOVAL OPERATIONS. TREE REMOVAL SHALL BE PERFORMED BY A QUALIFIED TREE SERVICE.
- STUMP REMOVAL. WITHIN THE RPZ OF TREES TO REMAIN, STUMPS OF TREES PLANNED FOR REMOVAL SHALL REMAIN IN THE GROUND WHERE FEASIBLE. OTHERWISE, STUMPS MAY BE REMOVED BY STUMP GRINDING UP TO SIX INCHES BELOW THE GROUND SURFACE OR EXTRACTED FROM THE GROUND UNDER PROJECT ARBORIST SUPERVISION.

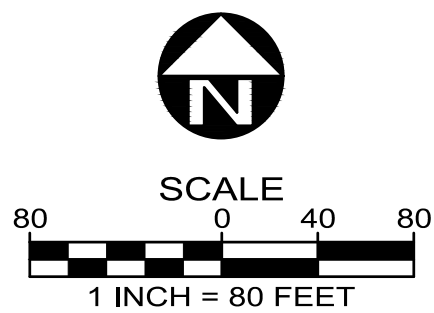
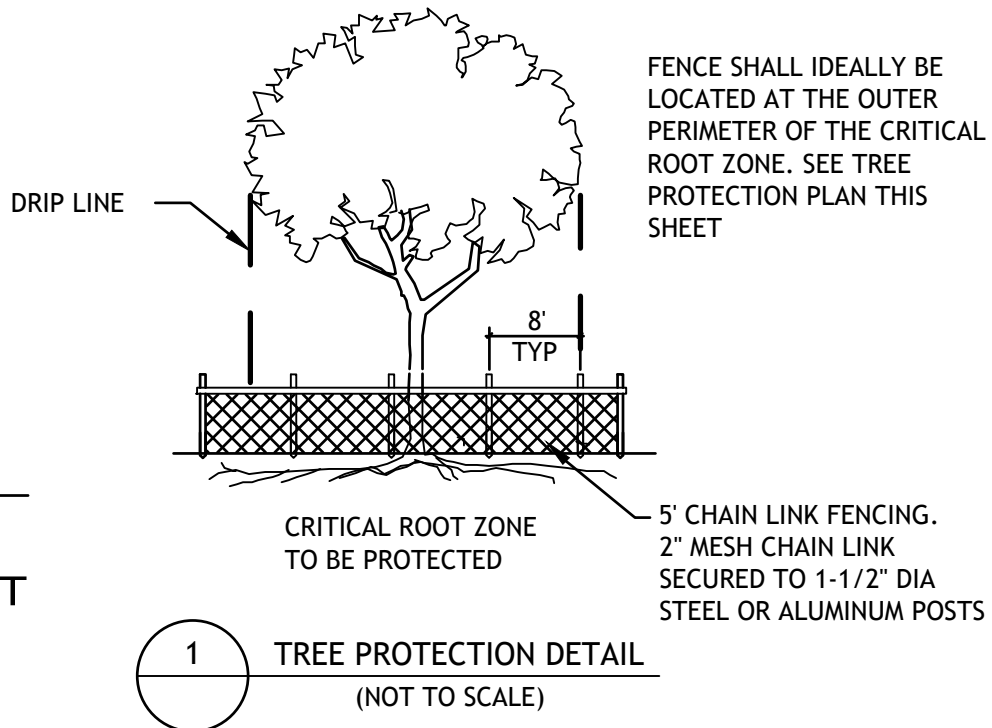
- POST-CLEARING TREE ASSESSMENT. ONCE THE TREES APPROVED FOR REMOVAL HAVE BEEN REMOVED AND THE SITE IS STAKED AND PREPARED FOR CONSTRUCTION, COORDINATE WITH THE PROJECT ARBORIST TO REASSESS THE REMAINING TREES IN TERMS OF EXPOSURE FROM ADJACENT TREE REMOVAL AND SUITABILITY FOR PRESERVATION. IF ADDITIONAL TREES ARE DETERMINED TO BE STRUCTURALLY UNSOUND OR HAZARDOUS, THE ARBORIST SHALL DOCUMENT RECOMMENDATIONS AND ADDITIONAL NON-SIGNIFICANT TREES MAY BE REMOVED IF AUTHORIZED BY CITY STAFF.
- PRUNING. PRUNING MAY BE NEEDED TO PROVIDE CLEARANCE TO AVOID CROWN DAMAGE DURING CONSTRUCTION OR TO REMOVE DEAD AND DEFECTIVE BRANCHES FOR SAFETY. THE PROJECT ARBORIST CAN HELP IDENTIFY IF AND WHERE PRUNING IS RECOMMENDED ONCE TREES RECOMMENDED FOR REMOVAL HAVE BEEN REMOVED AND THE SITE IS STAKED AND PREPARED FOR CONSTRUCTION. PRUNING SHALL BE PERFORMED BY A QUALIFIED TREE SERVICE.
- EXCAVATION. EXCAVATION WITHIN THE RPZ SHALL BE AVOIDED IF ALTERNATIVES ARE AVAILABLE. IF EXCAVATION WITHIN THE RPZ IS UNAVOIDABLE, THE PROJECT ARBORIST SHALL EVALUATE THE PROPOSED EXCAVATION TO DETERMINE METHODS TO MINIMIZE IMPACTS TO TREES. ALL CONSTRUCTION WITHIN THE RPZ SHALL BE UNDER THE ON-SITE TECHNICAL SUPERVISION OF THE PROJECT ARBORIST.
- WOODCHIP PATH. CHAIN LINK TREE PROTECTION FENCING MAY BE OPENED WHERE THE WOOD CHIP PATH IS PROPOSED TO MEANDER THROUGH THE RPZ. COORDINATE WITH THE PROJECT ARBORIST TO FIELD-FIT AND STAKE THE FINAL ALIGNMENT. ONCE THE ALIGNMENT IS DETERMINED, WORK MAY PROCEED WITH A SMALL RUBBER-TRACKED MACHINE USING A FLAT BLADE BUCKET IF TEMPORARY ORANGE PLASTIC MESH FENCING IS FIRST INSTALLED ALONG BOTH SIDES OF THE PROPOSED PATH WITHIN THE RPZ ALLOWING UP TO TWO FEET OF ROOM TO WORK ON EITHER SIDE. IN ORDER TO CREATE A PHYSICAL BARRIER LIMITING THE MACHINE'S ACTIVITY TO THE PATH ALIGNMENT. IF NO TEMPORARY ORANGE PLASTIC MESH FENCING WILL BE INSTALLED, PATH CONSTRUCTION SHALL PROCEED BY HAND AND WITH HAND TOOLS AND WHEEL BARROWS ONLY. EITHER WAY, CAREFULLY REMOVE THE UPPERMOST ORGANIC MATTER ALONG THE PATH ALIGNMENT (NO EXCAVATION). THE EXCESS MATERIAL SHALL BE HAULED OUTSIDE OF THE RPZ. ONCE THE PATH IS CLEARED, PLACE A LAYER OF PERMEABLE GEOTEXTILE FABRIC ON THE GROUND SURFACE AND TOP THE FABRIC WITH 4-INCHES OF WOOD CHIPS, BUILDING UP FROM NATIVE GRADE.
- LANDSCAPING. FOLLOWING CONSTRUCTION AND PRIOR TO LANDSCAPING, THE PROTECTION FENCING MAY BE REMOVED. IVY SHOULD BE REMOVED FROM TREE TRUNKS BY HAND AND WITH HAND TOOLS ONLY. WHERE LANDSCAPING IS DESIRED, APPLY APPROXIMATELY 3-INCHES OF MULCH BENEATH THE DRIPLINE OF PROTECTED TREES, BUT NOT DIRECTLY AGAINST TREE TRUNKS. SHRUBS AND GROUND COVER PLANTS MAY BE PLANTED WITHIN TREE PROTECTION AREAS BY HAND AND FIELD-FITTED TO AVOID TREE ROOT IMPACTS. IF IRRIGATION IS USED, USE DRIP IRRIGATION ONLY BENEATH THE DRIPLINES OF PROTECTED TREES; INSTALL DRIP IRRIGATION LINES ON THE GROUND SURFACE AND COVER WITH MULCH (NO TRENCHING TO INSTALL IRRIGATION LINES BENEATH PROTECTED TREE DRIPLINES).

GENERAL NOTES:

- REFER TO "ATTACHMENT A: EXISTING TREE INVENTORY DATA" PREPARED BY MORGAN HOLLEN & ASSOCIATES FOR ROOT PROTECTION ZONE DIMENSIONS.
- SEE SHEET 2 FOR EXISTING CONDITIONS AND TAX MAP INFORMATION.
- SEE SHEET 7 FOR THE PROPOSED GRADING PLAN AND RETAINING WALL LOCATIONS.
- SEE SHEETS 8-10 FOR THE PRELIMINARY UTILITY PLAN.
- SEE SHEETS L1 -L8 FOR LANDSCAPE PLAN.

PROJECT ARBORIST:

MORGAN HOLLEN & ASSOCIATES, LLC.  
MORGAN HOLLEN, CONSULTING ARBORIST  
[P] 971-409-9354  
[E] MORGAN@MHOLEN.COM



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

REVISIONS

NO.	DATE	DESCRIPTION
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DOVE  
LANDING PUD

TREE  
PRESERVATION  
PLAN



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001

TYPE: PLANNING

REVIEWED BY: PRE

13.1


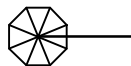
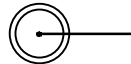
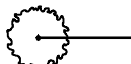
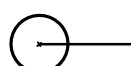
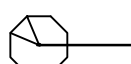
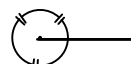



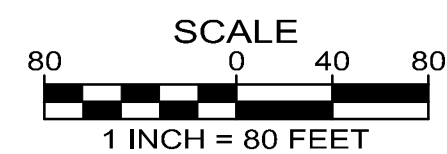
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**1 STREET TREE - PLANTING & OPEN SPACE LOCATION PLAN**

**STREET TREE LEGEND**

SYMBOL	QTY	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION	MATURE HEIGHT
<u>SMALL TREES</u>			
	64	GERLING RED MAPLE / ACER RUBRUM 'GERLING': 2" CAL., B&B	35' HT
	64	TILFORD RED MAPLE / ACER RUBRUM 'TILFORD': 2" CAL., B&B	35' HT
	24	KWANZAN CHERRY / PRUNUS SERRULATA 'KWANZAN': 2" CAL., B&B	30' HT
	39	GOLDENRAIN TREE / KOELREUTERIA PANICULATA: 2" CAL., B&B	30' HT
	23	CHANTICLEER PEAR / PYRUSN CALLERYANA 'GLEN'S FORM': 2" CAL., B&B	40' HT
	17	HEDGE MAPLE / ACER CAMPESTRE: 2" CAL., B&B	30' HT
<u>LARGE TREES</u>			
	9	RIVERS PURPLE BEECH / FAGUS SYLVATICA 'RIVERSII': 2" CAL., B&B	50' HT
	42,454 SF	LAWN- SEED WITH GRASS SEED: SUPREME MIX PRO-TIME 309 (SUPREME MIX) GRASS SEED BY HOBBS AND HOPKINS, LTD. AT A RATE OF 8LBS/1000 SQUARE FEET.	



**REVISIONS**

NO.	DATE	DESCRIPTION
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**DOVE LANDING  
PUD**

**STREET TREE  
PLANTING  
& OPEN SPACE  
LOCATION  
PLAN**



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001

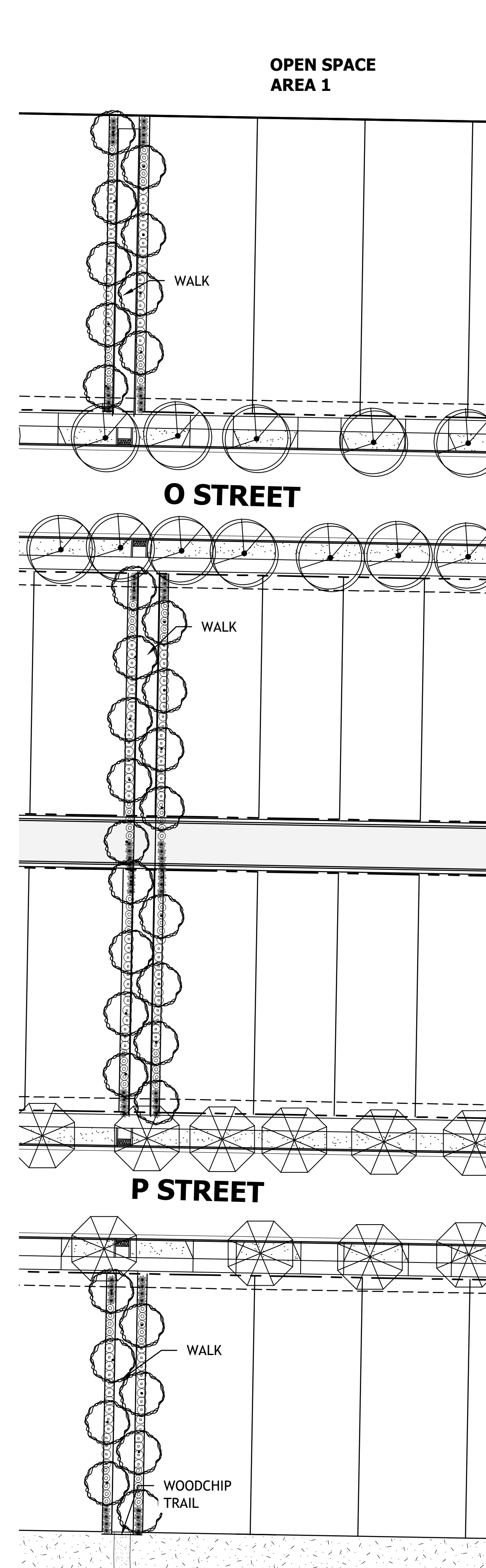
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REVIEWED BY: PRE

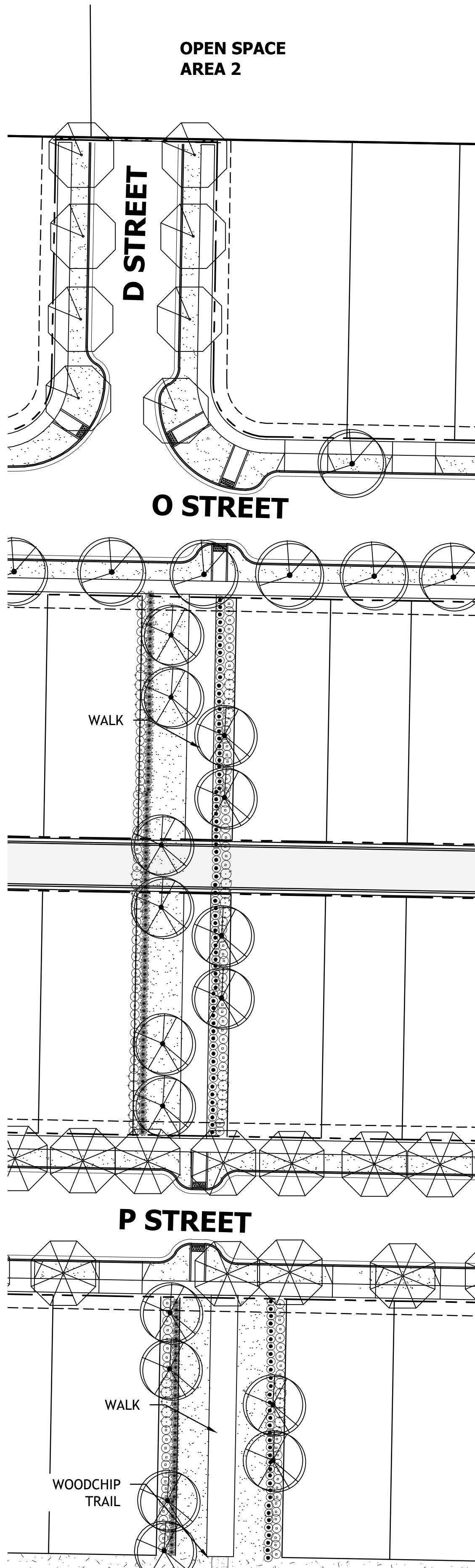
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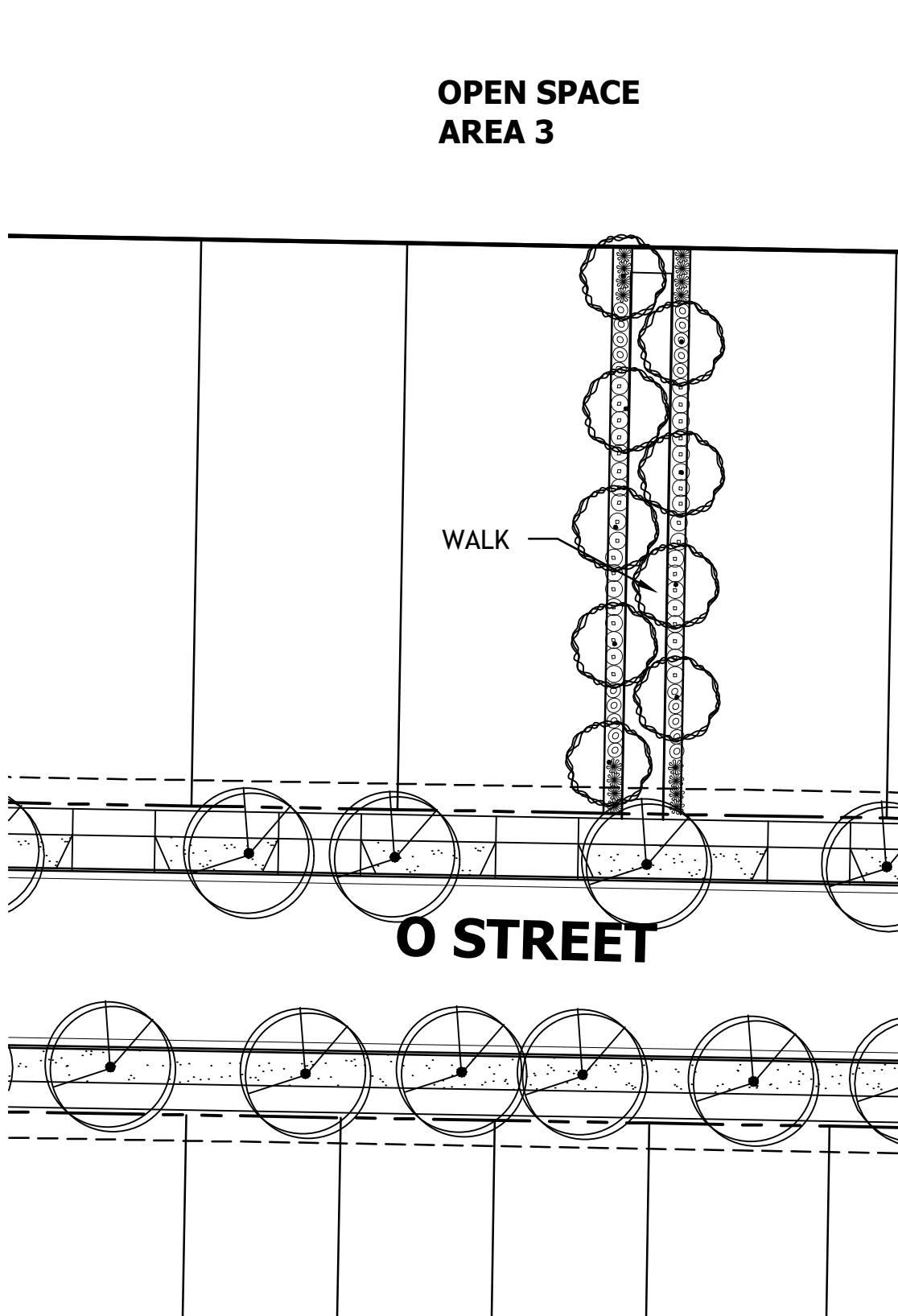
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1 OPEN SPACE PLANTING PLAN- AREA 1



2 OPEN SPACE PLANTING PLAN- AREA 2



3 OPEN SPACE PLANTING PLAN- AREA 3

### GENERAL NOTES: OPEN SPACE PLAN

1. THE CONTRACTOR SHALL VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE IN THE FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ODR.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A BARK MULCH BED, UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUND ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) & EXTRANEEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER LABELED ON THE PLANT TAG AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GRAPHIC SYMBOL QUANTITY SHALL GOVERN.
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. WITH THE EXCEPTION OF THOSE TREES INDICATED ON THE TREE REMOVAL PLAN, CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ODR. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE ODR.
11. WHERE PROPOSED TREE LOCATIONS OCCUR UNDER EXISTING OVERHEAD UTILITIES OR CROWD EXISTING TREES, NOTIFY ODR TO ADJUST TREE LOCATIONS.
12. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE ODR. MAINTAIN TREES, SHRUBS, LAWNS AND OTHER PLANTS UNTIL FINAL ACCEPTANCE OR 90 DAYS AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF ORGANIC AMENDMENTS AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER PER THE RECOMMENDATIONS OF THE SOIL ANALYSIS FROM THE SITE.
14. BACK FILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURE'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. GROUND COVERS AND PERENNIALS SHALL BE PLANTED WITH A MAXIMUM 2 INCH COVER OF BARK MULCH WITH NO FOLIAGE COVERED.
16. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
17. ALL PLANT MATERIALS SHALL BE NURSERY GROWN WITH HEALTHY ROOT SYSTEMS AND FULL BRANCHING, DISEASE AND INSECT FREE AND WITHOUT DEFECTS SUCH AS SUN SCALD, ABRASIONS, INJURIES AND DISFIGUREMENT.
18. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE SIZE AND QUANTITY SPECIFIED. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR SUB-STANDARD RESULTS CAUSED BY REDUCTION IN SIZE AND/OR QUANTITY OF PLANT MATERIALS.
19. LANDSCAPE AREAS WILL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY CONTRACTOR. CONTRACTOR WILL PROVIDE MATERIALS AND INSTALL ALL IRRIGATION DOWNSTREAM OF THE WATER METER.

### AREAS 1,2 AND 3 OPEN SPACE PLANTING LEGEND:

TREES		
SYMBOL	COMMON NAME / BOTANICAL NAME:	SIZE & DESCRIPTION
	EDDIE'S WHITE WONDER DOGWOOD / CORNUS 'EDDIE'S WHITE WONDER:	2" CAL., B&B
	PAPERBARK MAPLE / ACER GRISEUM :	2" CAL., B&B
SHRUBS		
SYMBOL	COMMON NAME / BOTANICAL NAME:	SIZE & DESCRIPTION
	COMPACT HEAVENLY BAMBOO / NANDINA DOMESTICA 'GULF STREAM':	2 GAL.
	NORTHERN LIGHTS HAIR GRASS / DESCHAMPSIA CESPITOSA 'NORTHER LIGHTS':	1 GAL.
	KELSEY'S DWARF RED-OSIER DOGWOOD / CORNUS SERICEA 'KELSEY':	2 GAL.
	MAY NIGHT SAGE / SALVIA SYLVESTRIS 'MAY NIGHT':	1 GAL., 18"- O.C.
	DWARF FOUNTAIN GRASS / PENNISETUM ALOPECUROIDES 'HAMELN':	2 GAL., 24" O.C.



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

### REVISIONS

NO.	DATE	DESCRIPTION
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DOVE LANDING  
PUD

OPEN SPACE  
PLANTING  
PLAN



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001

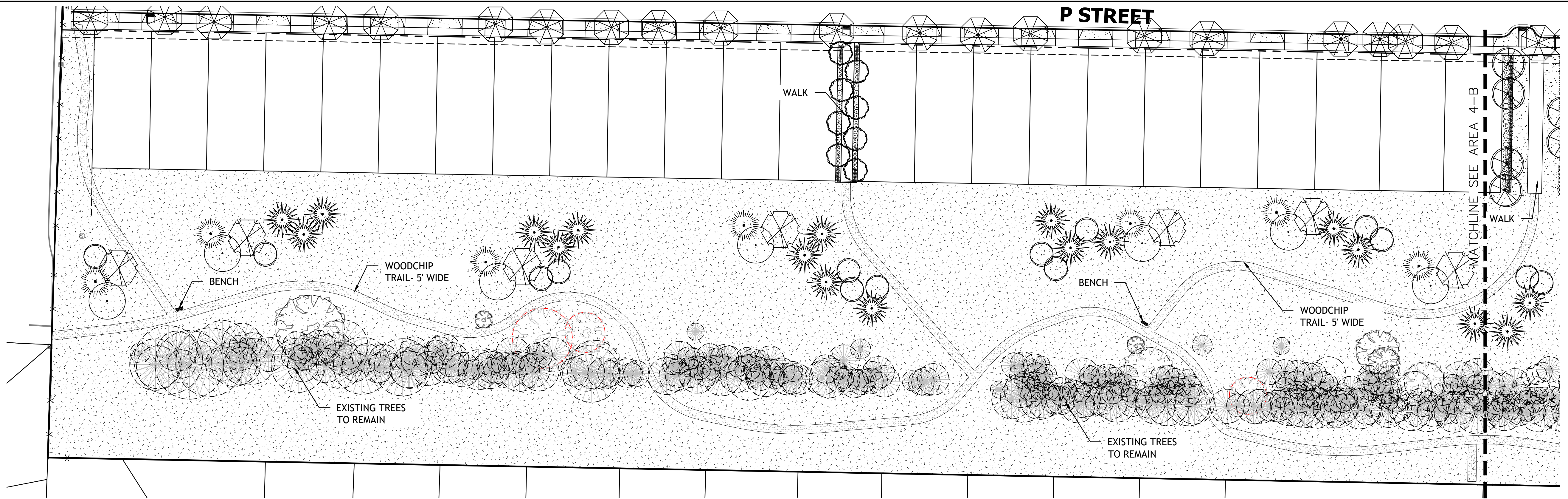
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REVIEWED BY: PRE

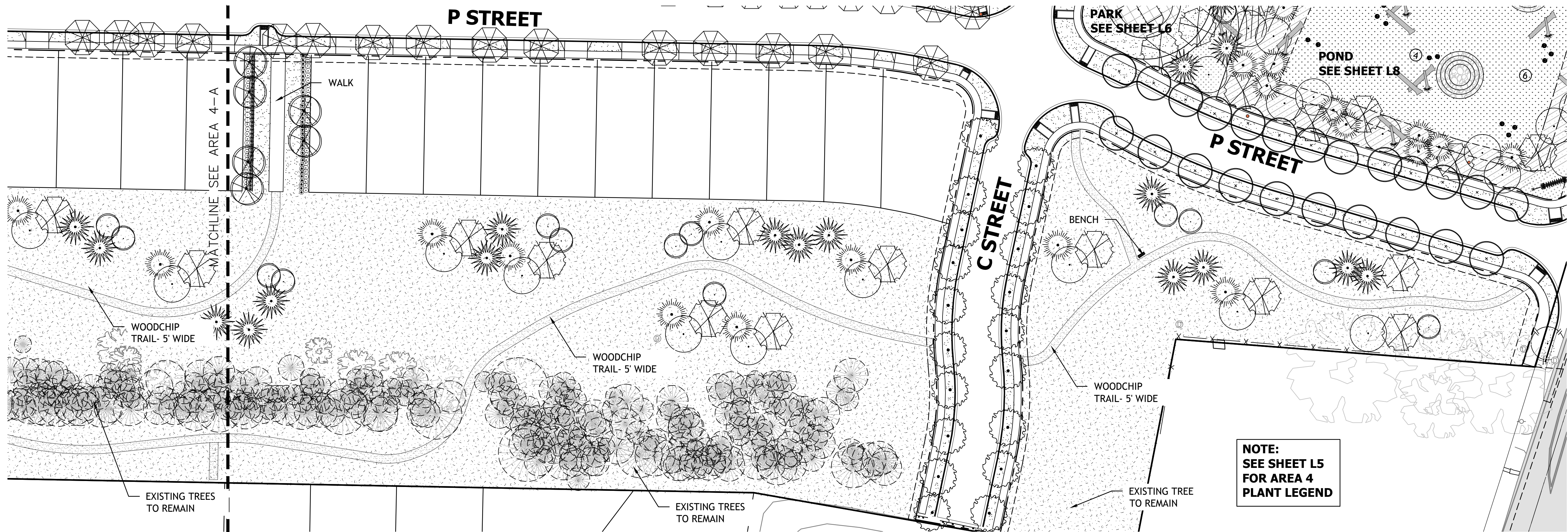
L3



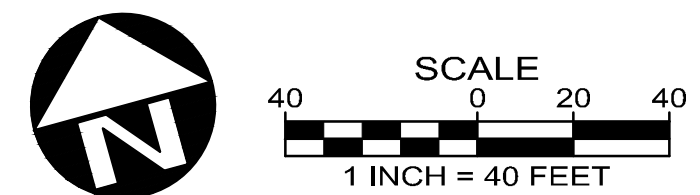
N:\proj\142001\09 Drawings\03 Planning Sheets - Planning Submittal\Landscapes\142001 OPENSACE PLANTING.dwg, SHEET: L4, Feb 02, 2021, 3:40pm kel



1 OPEN SPACE PLANTING PLAN- AREA 4- A



2 OPEN SPACE PLANTING PLAN- AREA 4- B



REVISIONS		
NO.	DATE	DESCRIPTION

DOVE LANDING  
PUD

OPEN SPACE  
PLANTING  
PLAN



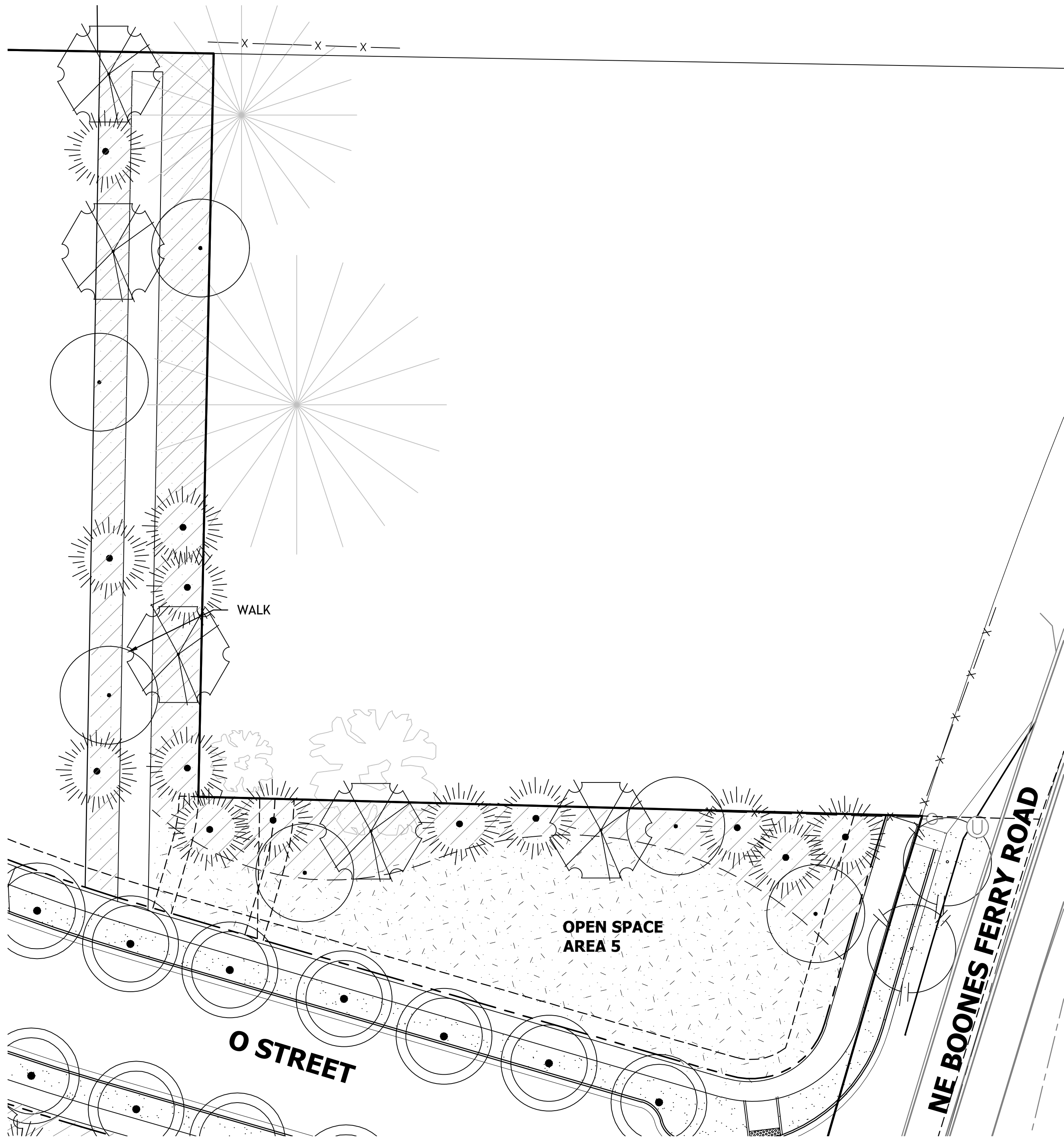
12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001  
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REVIEWED BY: PRE

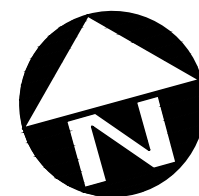
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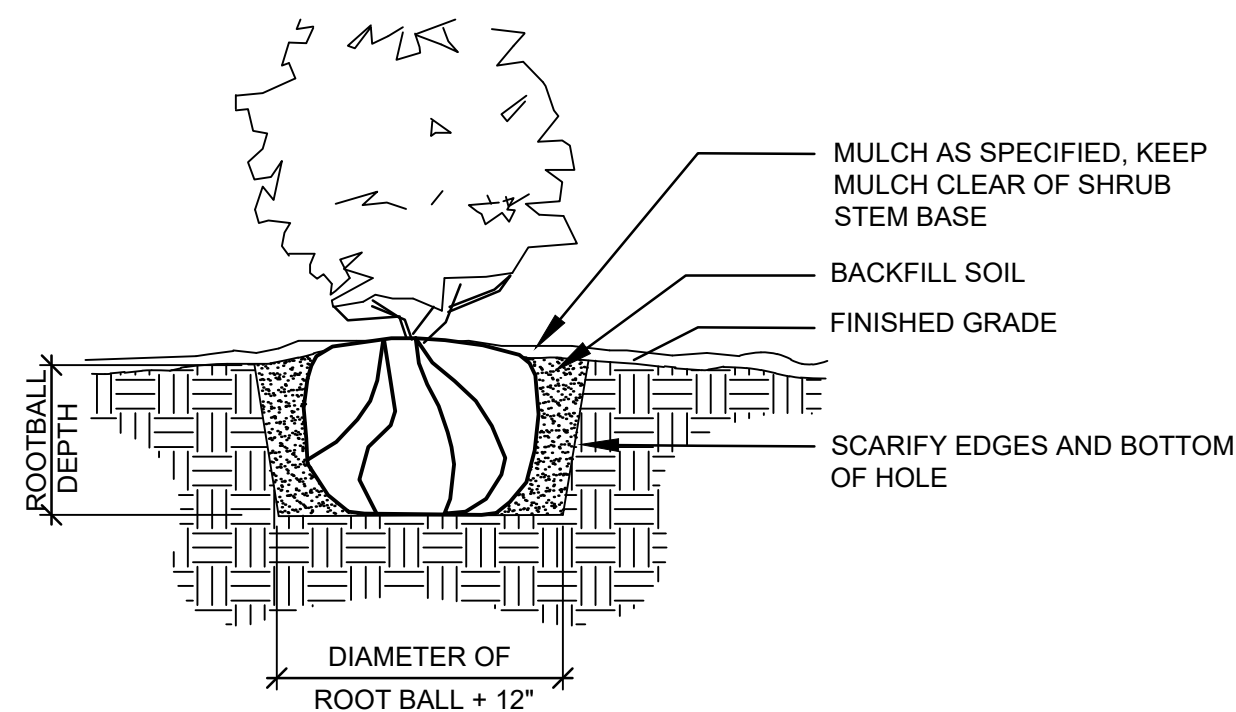
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1 OPEN SPACE PLANTING PLAN- AREA 5



SCALE  
20 0 10 20  
1 INCH = 20 FEET

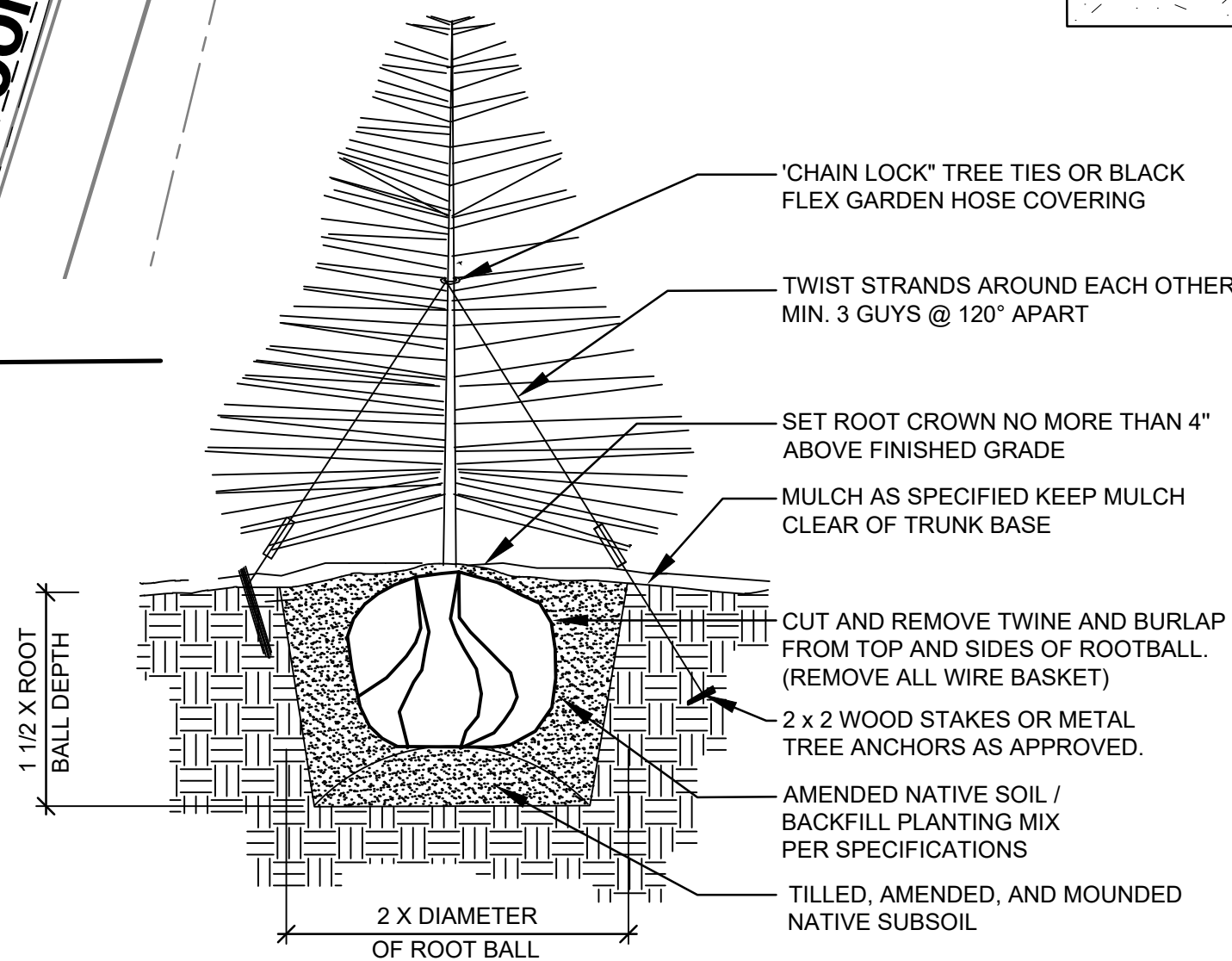


SHRUB PLANTING DETAIL

SCALE: N.T.S

1

L5



1. TIE BRASS COLORED P.V.C. RIBBON ON WIRE GUYS. (MIN. 1 PER GUY.)
2. IN LAWN AREAS CUT TREE CIRCLE AT 12' RADIUS FROM TRUNK.

CONIFER TREE GUYING DETAIL

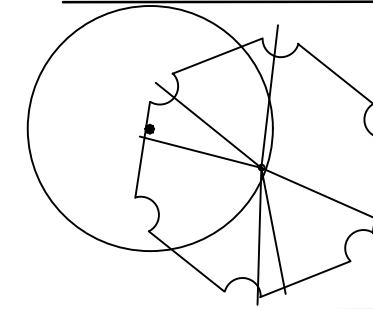
SCALE: N.T.S

2

L5

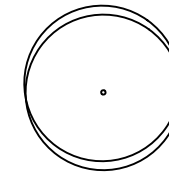
## AREAS 4 AND 5 OPEN SPACE PLANTING LEGEND:

### SHADE TREES - 2" CAL. / SPACING VARIES



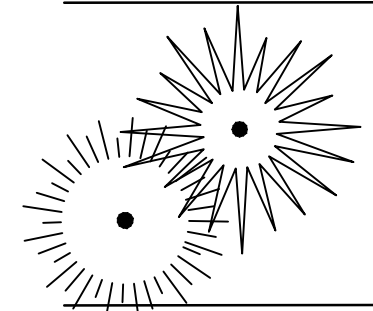
RED SUNSET MAPLE / ACER RUBRUM 'FRANKSRED'  
EMERALD VASE LACEBARK ELM / ULMUS PARVIFOLIA 'EMERALD VASE'  
ENGLISH OAK / QUERCUS ROBUR  
WHITE OAK / QUERCUS ALBA  
RED OAK / QUERCUS RUBRA  
AMERICAN HOPHORNBEAM / Ostrya virginiana  
BLOODGOOD LONDON PLANETREE - PLATANUS ACERIFOLIA 'BLOODGOOD'

### SMALL ORNAMENTAL TREES- 2" CAL. SPACING VARIES



CHINESE REDBUD / CERCIS CHINENSIS  
CAPITAL SELECT FLOWERING PEAR / PYRUS CALLERYANA 'CAPITAL'  
CHINESE KOUSA DOGWOOD / CORNUS KOUSA 'CHINENSIS'  
JAPANESE MAPLE / ACER PALMATUM  
YOSHINO FLOWERING CHERRY / PRUNUS X YEDOENSIS  
VINE MAPLE / ACER CIRCINATUM

### EVERGREEN TREES - 6' HGT.



DOUGLAS FIR / PSEUDOTSUGA MENZIESII:  
WESTERN WHITE PINE / PINUS MONTICOLA:  
WESTERN RED CEDAR / THUJA PLICATA  
LEYLAND CYPRESS / CUPRESSOCYPARIS LEYLANDII  
PYRAMIDAL ATLAS CEDAR / CEDRUS ATLANTICA 'FASTIGIATA'  
INCENSE CEDAR / CALOCEDRUS DECURRENS  
COLUMNAR EASTERN WHITE PINE / PINUS STROBUS FASTIGIATA

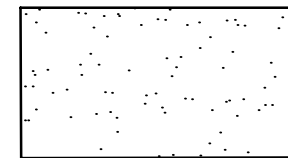
### GRASSES, GROUNDCOVERS AND SHRUBS- 2 GAL.



DWARF FOUNTAIN GRASS / PENNISETUM ALOPECUROIDES 'HAMLEN'  
BLUE OAT GRASS / HELICTOTRICHON SEMPERVIRENS  
PURPLE FOUNTAIN GRASS / PENNISETUM SETACEUM 'RUBRUM'  
"MASSACHUSETTS KINNIKINICK" / ARCTOSTAPHYLOS UVA-URSI 'MASS.'  
BEARBERRY COTONEASTER / COTONEASTER DAMMERI  
SCARLET MEIDLAND ROSE / ROSA MEIDLAND 'MEIKROTAL'

DAVID VIBURNUM / VIBURNUM DAVIDII  
ISANTI REDOSER DOGWOOD / CORNUS SERICEA 'ISANTI'  
ANTHONY WATERER SPIREA / SPIREA BUMALDA 'ANTHONY WATERER'  
COMPACT JAPANESE HOLLY / ILEX CRENATA 'COMPACTA'  
"CRIMSON PYGMY" BARBERRY / BERBERIS THUNBERGII 'CRIMSON PYGMY'  
AZALEA / VARIES  
RED FLOWERING CURRENT / RIBES SANGUINEUM  
OREGON GRAPE / MAHONIA NERVOSA  
PACIFIC NINEBARK / PHYSOCARPUS CAPITATUS  
SNOWBERRY / SYMPHOROCARPUS ALBA  
RED TWIG DOGWOOD / CORNUS SERICEA  
SHINY LEAF SPIRAEA / SPIRAEA BETULIFOLIA  
SALAL / GAULTHERIA SHALLOON  
INDIAN HAWTHORNE / RHAPHIOLEPIS UMBELLATA "MINOR"  
OTTO LUYKEN LAUREL / PRUNUS LAUROCERASUS "OTTO LUYKEN"

### LAWN

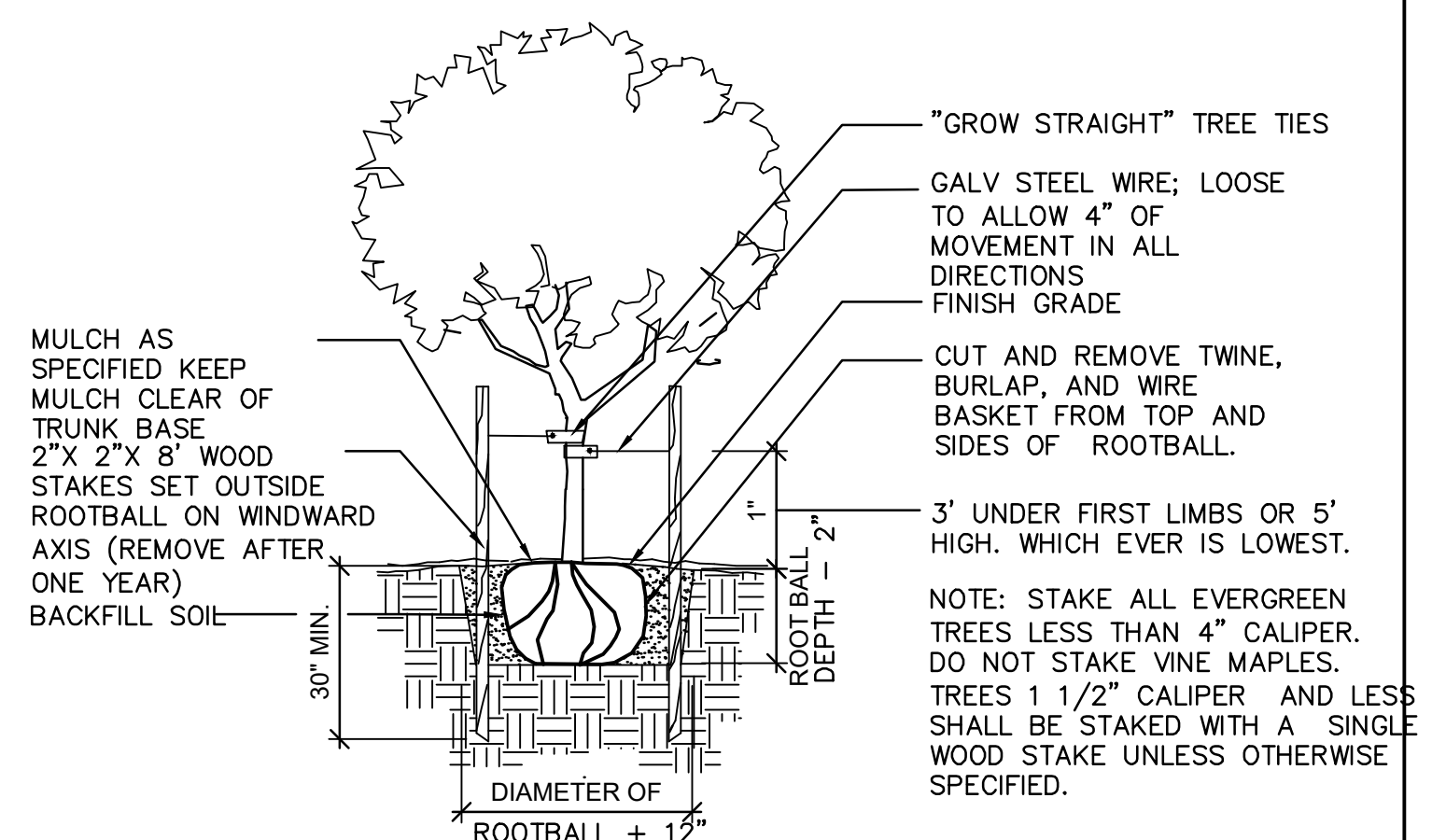


FINE LAWN, SEED

### LOW GROW NATIVE SEED MIX



LOW GROW MEADOW MIX  
SUNMARK SEEDS / NATIVE RIPARIAN MIX: 1-LB PER 1,000 S.F. - OR APPROVED EQUAL  
SUNMARK SEEDS / NATIVE POLLINATOR SEED MIX: 1-LB PER 1,000 S.F.



TREE STAKING DETAIL

SCALE: N.T.S

3

L5

## REVISIONS

NO.	DATE	DESCRIPTION
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## DOVE LANDING PUD

## OPEN SPACE PLANTING PLAN



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.: 142-001

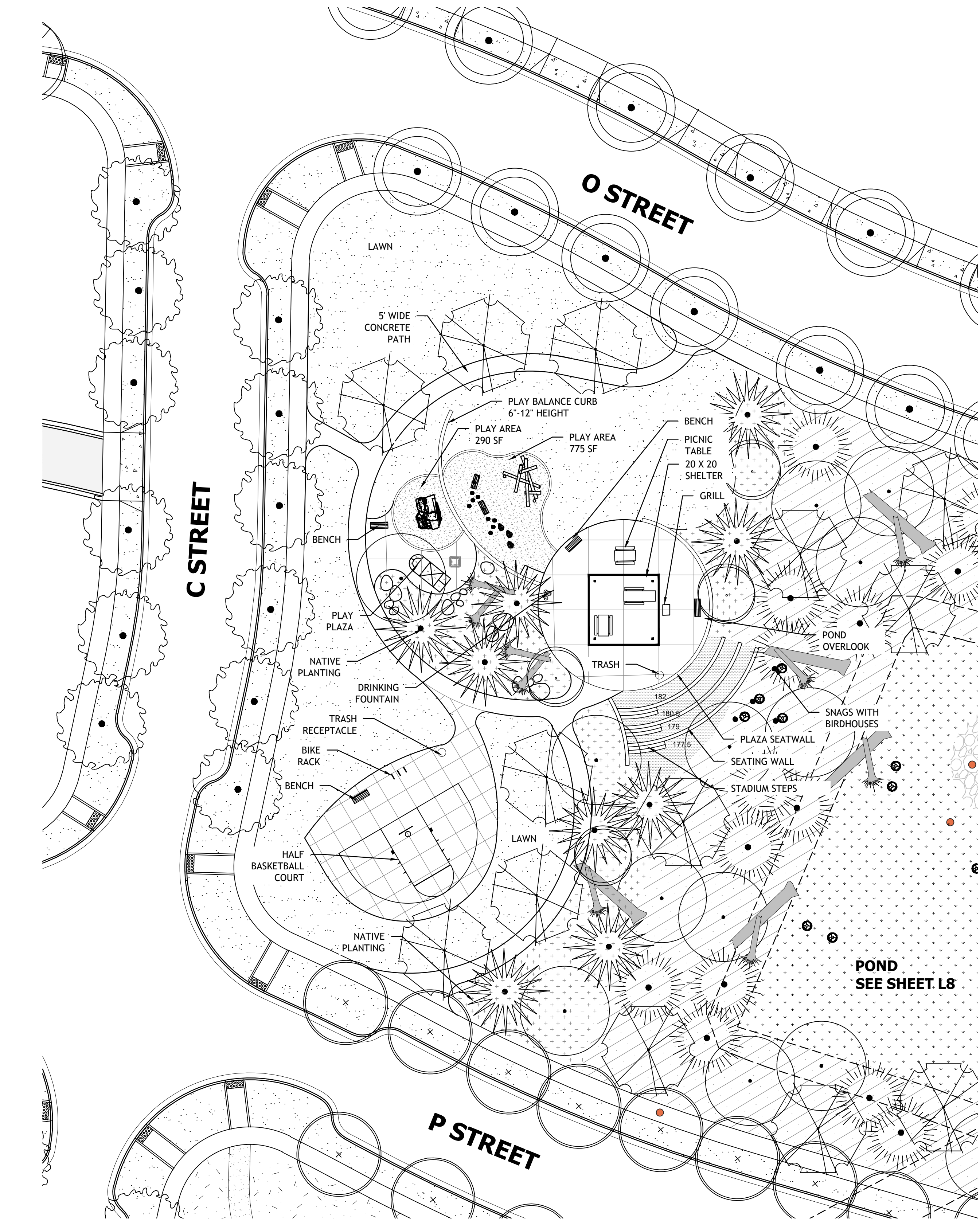
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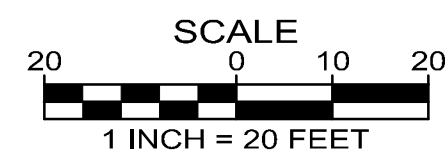
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1 PARK PLANTING PLAN

PARK PLANT LEGEND:

SHADE TREES - 2' CAL. / SPACING VARIES	
	RED SUNSET MAPLE / ACER RUBRUM 'FRANKSRED' EMERALD VASE LACEBARK ELM / ULMUS PARVIFOLIA 'EMERALD VASE' ENGLISH OAK / QUERCUS ROBUR WHITE OAK / QUERCUS ALBA RED OAK / QUERCUS RUBRA AMERICAN HOPHORNBEAM / OSTRYA VIRGINIANA BLOODGOOD LONDON PLANETREE - PLATANUS ACERIFOLIA 'BLOODGOOD'
SMALL ORNAMENTAL TREES- 2" CAL. SPACING VARIES	
	CHINESE REDBUD / CERCIS CHINENSIS CAPITAL SELECT FLOWERING PEAR / PYRUS CALLERYANA 'CAPITAL' CHINESE KOUSA DOGWOOD / CORNUS KOUSA 'CHINENSIS' JAPANESE MAPLE / ACER PALMATUM YOSHINO FLOWERING CHERRY / PRUNUS X YEDOENSIS VINE MAPLE / ACER CIRCINATUM
EVERGREEN TREES - 6' HGT.	
	DOUGLAS FIR / PSEUDOTSUGA MENZIESII: WESTERN WHITE PINE / PINUS MONTICOLA: WESTERN RED CEDAR / THUJA PLICATA LEYLAND CYPRESS / CUPRESSOCYPARIS LEYLANDII PYRAMIDAL ATLAS CEDAR / CEDRUS ATLANTICA 'FASTIGIATA' INCENSE CEDAR / CALOCEDRUS DECURRENS COLUMNAR EASTERN WHITE PINE / PINUS STROBUS FASTIGIATA
ORNAMENTAL GRASSES AND GROUNDCOVERS - 2 GAL.	
	DWARF FOUNTAIN GRASS / PENNISETUM ALOPECUROIDES 'HAMLEN' BLUE OAT GRASS / HELICTOTRICHON SEMPERVIRENS PURPLE FOUNTAIN GRASS / PENNISETUM SETACEUM 'RUBRUM' 'MASSACHUSETT'S KINNIKINICK' / ARCTOSTAPHYLOS UVA-URSI 'MASS.' BEARBERRY COTONEASTER / COTONEASTER DAMMERI SCARLET MEIDLAND ROSE / ROSA MEIDLAND 'MEIKROTAL'
SHRUBS - 2 GAL.	
LAWN	
	FINE LAWN, SEED



[T] 503-941-9484 [F] 503-941-9485

DATE: 1/15/2021

REVISIONS

NO.	DATE	DESCRIPTION
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DOVE LANDING  
PUD

PARK  
PLANTING  
PLAN



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.:	142-001
TYPE:	PLANNING
REVIEWED BY:	PRE

L6



REVISIONS

DOVE LANDING  
PUD

PARK  
DETAILS



BENCH

SCALE: N.T.S



BIKE RACK

SCALE: N.T.S



TRASH RECEPTACLE

SCALE: N.T.S



PICNIC TABLE

SCALE: N.T.S



SQR 20

20' X 20' SHELTER

SCALE: N.T.S



DRINKING FOUNTAIN

SCALE: N.T.S

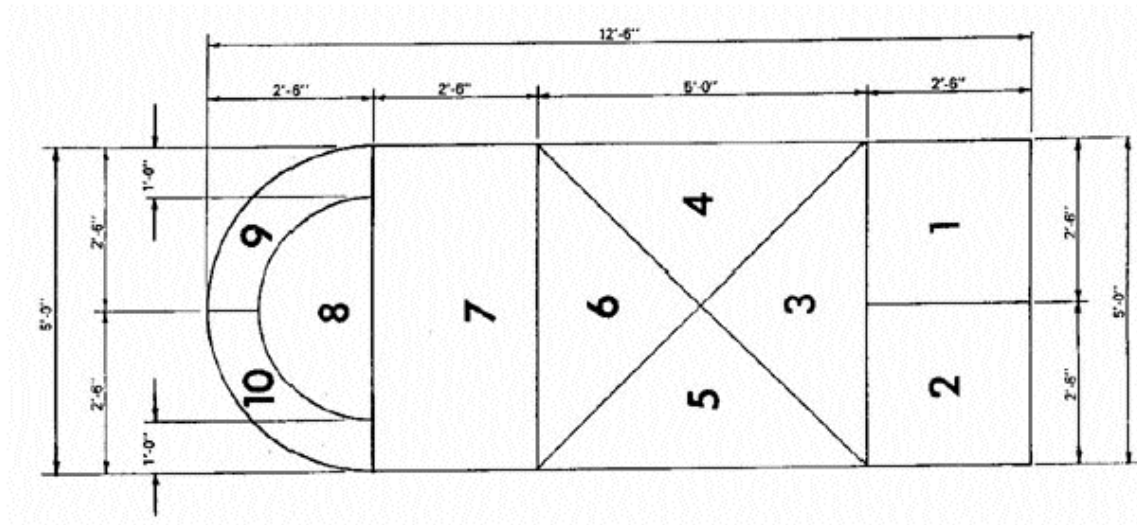


GRILL

SCALE: N.T.S



BALL TOSS



HOPSCOTCH



LADY BUG STEPPERS



PLAY BOULDER

PLAY EQUIPMENT

SCALE: N.T.S



LOG CRAWL



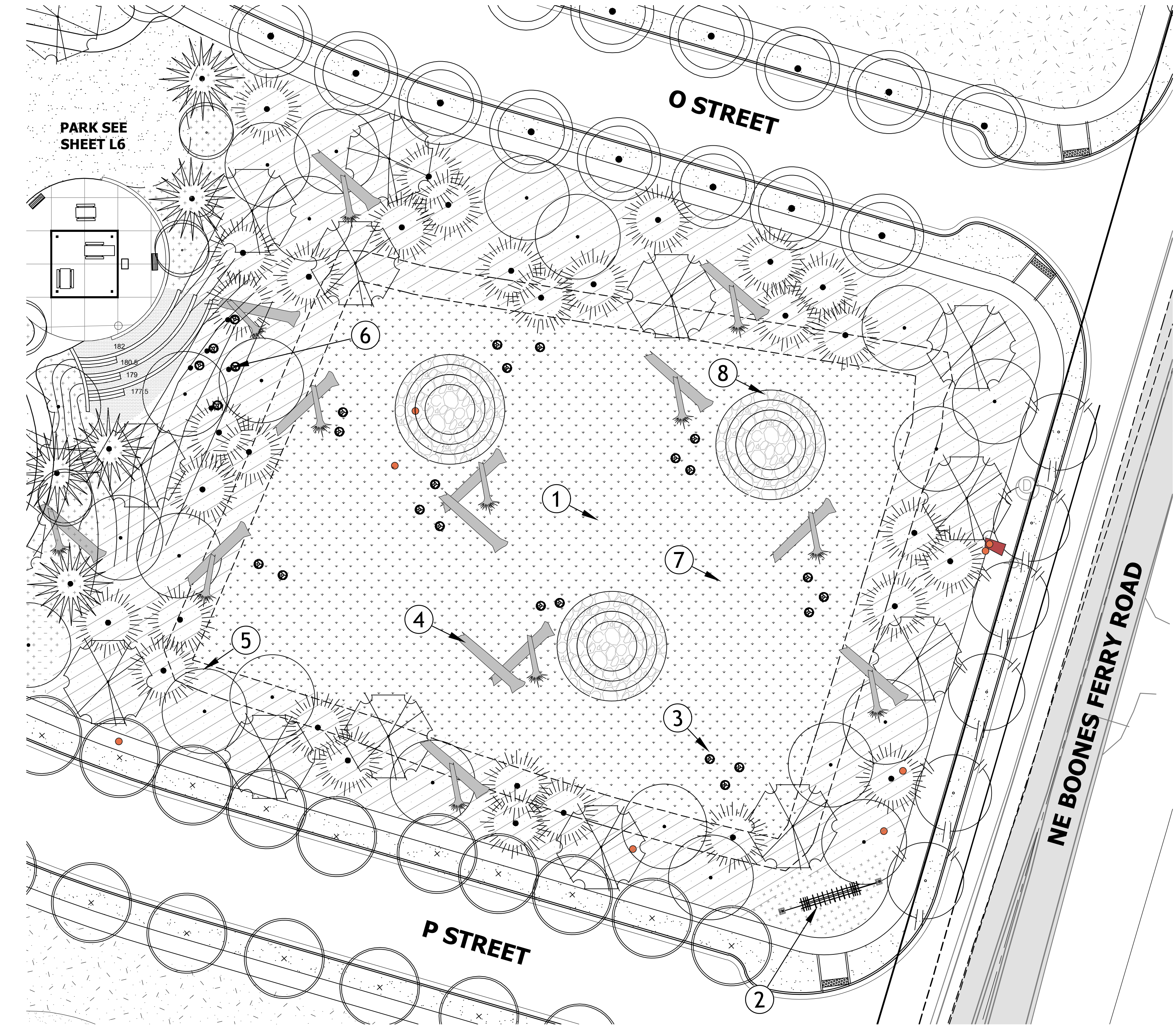
LOG STEPPERS



CLIMBING LOGS



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1 POND PLANTING PLAN



8 ROCK MOUND



3 SNAGS



6 BIRD AND BAT HOUSES ON SELECTED SNAGS



4 DOWN WOODY DEBRIS

## LEGEND

- 1 STORM WATER POND
- 2 ENTRY MONUMENT
- 3 VERTICAL SNAGS AT VARYING HEIGHTS (3'-9' HIGH)
- 4 DOWN WOODY DEBRIS AND ROOT WADS
- 5 NATIVE PLANTING
- 6 VERTICAL SNAGS WITH BIRD & BAT HOUSES
- 7 POND BOTTOM GRASS PLANTING
- 8 ROCK MOUNDS (3'-4' HIGH)

## POND PLANTING LEGEND

### TREES

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	MALUS FUSCA / OREGON CRABAPPLE: 3 GAL. / 4' HT.
	BIGLEAF MAPLE / ACER MACROPHYLLUM: 3 GAL. / 4' HT.
	OREGON ASH / FRAXINUS LATIFOLIA: 3 GAL. / 4' HT.
	RED ALDER / ALNUS RUBRA: 2" CALIPER, B&B
	BLACK HAWTHORNE / CRATAEGUS DOUGLASII: 3 GAL. / 4' HT.
	WESTERN RED CEDAR / THUJA PLICATA: 3 GAL. / 4' HT.
	WESTERN WHITE PINE / PINUS MONTICOLA: 3 GAL. / 4' HT.
	ALASKAN YELLOW CEDAR / CUPRESSUS NOOTKATENSIS: 8' HT.

### SHRUBS

SYMBOL	QUANTITY	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	#2 CONTAINER	REDTWIG DOGWOOD / CORNUS STOLONIFERA: #2 CONTAINER
	#2 CONTAINER	SNOWBERRY / SYMPHORICARPUS ALBUS: #2 CONTAINER
	#2 CONTAINER	COSTAL WILLOW / SALIX CAROLINIANA: #2 CONTAINER
	#2 CONTAINER	PACIFIC WILLOW / SALIX LSIANDRA: #2 CONTAINER
	#2 CONTAINER	DOUGLAS SPIREA / SPIREA DOUGLASII: #2 CONTAINER
	#2 CONTAINER	MOCK-ORANGE / PHILADELPHUS LEWISII: #2 CONTAINER
	#2 CONTAINER	CLUSTERED ROSE / ROSA PISOCARPA: #2 CONTAINER
	#2 CONTAINER	ISANTI REDOSIER DOGWOOD / CORNUS SERICEA 'ISANTI': #2 CONTAINER
	#2 CONTAINER	SITKA WILLOW / SALIX SITCHENSIS: #2 CONTAINER
	#2 CONTAINER	PACIFIC NINEBARK / PYSOCARPUS CAPITATUS: #2 CONTAINER

## POND NATIVE GRASS MIX

### POND BOTTOM PLANTINGS

SYMBOL	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	SUNMARK SEEDS / NATIVE SWALE MIX: 1-LB PER 1,000 S.F.
	SUNMARK SEEDS / SHRUB SWAMP MIX: 1-LB PER 1,000 S.F. OR APPROVED EQUAL

## REVISIONS

NO.	DATE	DESCRIPTION
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## DOVE LANDING PUD

## POND PLANTING PLAN



12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

PROJECT NO.:	142-001
TYPE:	PLANNING
REVIEWED BY:	PRE





**PUBLIC WORKS DEPARTMENT**  
**190 GARFIELD STREET**  
**WOODBURN, OR 97071**

October 13, 2020

Attn: Eric Hawkinson, Planner  
Pacific Community Design  
12564 SW Main Street  
Tigard, OR 97223

Re: Annexation Certification  
Subject Property: N/A  
Marion County Tax Map: Tax Lot 051W06C000400 &  
Tax Lot 051W06C000800

This letter is to certify that the City of Woodburn has no capacity issue with the public wastewater treatment facility or public water treatment facility. However, the subject property is not adjacent to an existing collection system for water, wastewater or a public storm sewer collection system. The requirements for these collection facilities would still need to be determined. The capacity analysis, design and installation would be the responsibility of the applicant/property owner.

If you have any questions, please contact me at 503.982.5248.

Sincerely,

*Dago Garcia*

Dago Garcia, P.E.  
City Engineer  
City of Woodburn

**Attachment 103A**



## Woodburn School District

1390 Meridian Drive, Woodburn, OR 97071

Phone: 503-981-9555

Fax: 971-983-3611

---

October 5, 2020

**Erik Hawkinson**  
**Pacific Community Design**  
**12564 SW Main Street**  
**Tigard, Oregon 97223**

Re: Annexation for tax lots 051W06C000400 and 800 (154 single-family units) located adjacent to 16710 Boones Ferry Road NE

Mr. Hawkinson:

In response to your request, Woodburn School District has determined that your planned annexation located adjacent to 16710 Boones Ferry Road, will impact our schools in our district. However, we believe we will be able to accommodate the growth.

Thank you,

Casey Woolley

Director of Safety and Operations  
Woodburn School District

## Colin Cortes

---

**From:** James Gibbs <gibbsj@woodburnfire.com>  
**Sent:** Monday, October 5, 2020 10:37 AM  
**To:** Eric Hawkinson  
**Subject:** RE: Woodburn Annexation SPL: Tax Lots 051W06C000400 and 800

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Eric,

This tax lot for single family housing addition/expansion development is acceptable and will be supported by Woodburn Fire District. We would just need to ensure that all fire lane/access and water supply requirements are met along with any building official and fire code construction permit requirements are met.

James Gibbs  
Fire Marshal  
Woodburn Fire District  
1776 Newberg Hwy  
Woodburn, OR 97071  
(503) 982-2360  
[gibbsj@woodburnfire.com](mailto:gibbsj@woodburnfire.com)



---

**From:** Eric Hawkinson [mailto:eric@pacific-community.com]  
**Sent:** Friday, October 02, 2020 1:38 PM  
**To:** James Gibbs  
**Subject:** RE: Woodburn Annexation SPL: Tax Lots 051W06C000400 and 800

\*\*\*\* This email is from an EXTERNAL sender. Exercise caution when opening attachments or click links from unknown senders or unexpected email. \*\*\*\*

Thanks James,

The City of Woodburn has specifically asked us to obtain a Service Provider Letter from the Woodburn Fire Department. So perhaps that's an email or written approval you can issue as well? Please let me know what else you would need to see in order to make that determination.

Regards,  
Eric

---

**From:** James Gibbs <gibbsj@woodburnfire.com>  
**Sent:** Friday, October 02, 2020 12:26 PM

**To:** Eric Hawkinson <eric@pacific-community.com>

**Subject:** RE: Woodburn Annexation SPL: Tax Lots 051W06C000400 and 800

Woodburn Public Works is the department you would need to coordinate with to ensure you have all the information for your annexation application and SPL.

---

**From:** Eric Hawkinson [<mailto:eric@pacific-community.com>]

**Sent:** Thursday, October 01, 2020 4:04 PM

**To:** James Gibbs

**Subject:** Woodburn Annexation SPL: Tax Lots 051W06C000400 and 800

\*\*\*\* This email is from an EXTERNAL sender. Exercise caution when opening attachments or click links from unknown senders or unexpected email. \*\*\*\*

Good afternoon Jim,

I'm emailing regarding an City of Woodburn annexation application our client is pursuing for Tax Lots Tax Lots 051W06C000400 and 800 (see attached Tax Map), approximately 31.13 acres. As part of that process, we need to coordinate with Woodburn Public Works to obtain an SPL. The property would become proposed for RS single-family zoning.

Can you please let me know what additional materials you need in order to issue an SPL?

Thank you,

Eric Hawkinson

Planner

Phone: (503) 941-9484



12564 SW Main Street

Tigard, OR 97223

[www.pacific-community.com](http://www.pacific-community.com)



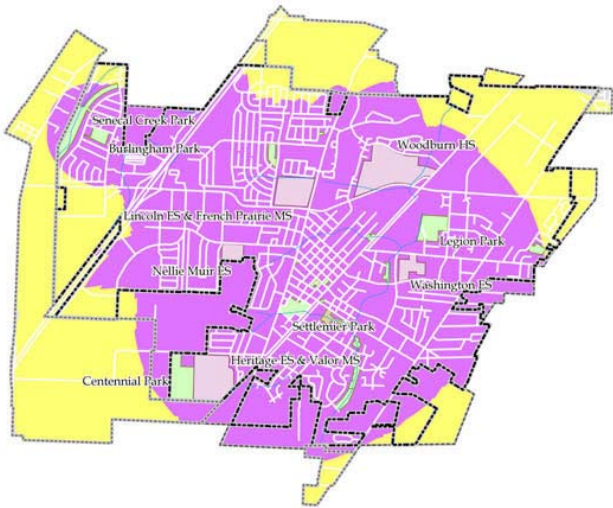
Please consider the environment before printing this e-mail



## Maps and Perspectives for the City of Woodburn

Thumbnails of the target scores inset and excerpts from some of the maps and perspectives are shown here for convenience only – the reader should refer to the full maps in **Appendix IV** for complete information and clarity.

### Perspective A: Neighborhood Access to All Components



This perspective show how the City is providing service at a neighborhood level. This is defined by having services within one mile radius from your home with a higher value placed on the services that are available within walking distance, or one-third mile.

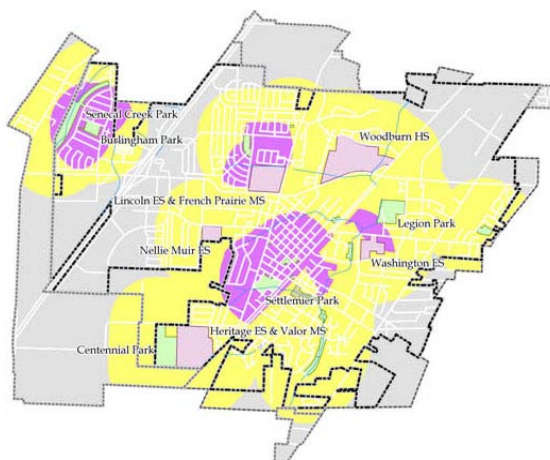
A majority of residents have neighborhood access to some services. Woodburn has concentrations of service in the core of the downtown of Woodburn. Large contributors to this concentration of service include Settlemier Park, the Woodburn Memorial Aquatic Center, and the numerous small parks in this area. Service decreases further from downtown which generally corresponds to a decreased population density and development pattern.

**Table 12** provides a numeric summary of the GRASP® Perspective showing percentages of area that either have no service, service that is below the target level or service that meets or exceeds targets that correspond to residential service models. In this analysis, residents that have access to the equivalent of a park with four components and a trail within a one-third mile from their home are receiving service at residential target levels.

Within the corporate limit the City of Woodburn provides some service at a neighborhood level to 99.9% of its residents. Of those that have access to some service 81.9% of those have access to service that meets or exceeds target residential levels, and 18.1% have access to service, but not service that is meeting residential targets. Compared to the corporate limit service levels for the existing Urban Growth Boundary (UGB) and proposed UGB decline around the edges of the city where residential properties are just beginning to develop.

**Table 12: Perspective A - Neighborhood Access to All Components, Overall Statistics**

	Total Acres	Percent of Area With LOS	Average LOS Per Acre Served	Percent Total Area Below Target Minimum Score	Percent Total Area Above Target Minimum Score
Boundary - Corporate Woodburn	3416	99.9%	153.1	18.1%	81.8%
Boundary - Existing UGB Woodburn	634	100.0%	119.6	27.8%	72.2%
Boundary - Planned UGB Woodburn	1016	98.8%	41.2	88.7%	10.1%
<b>Entire Area</b>	<b>5066</b>	<b>99.7%</b>	<b>126.6</b>	<b>33.5%</b>	<b>66.2%</b>



### Perspective B: Walkable Access to all Components

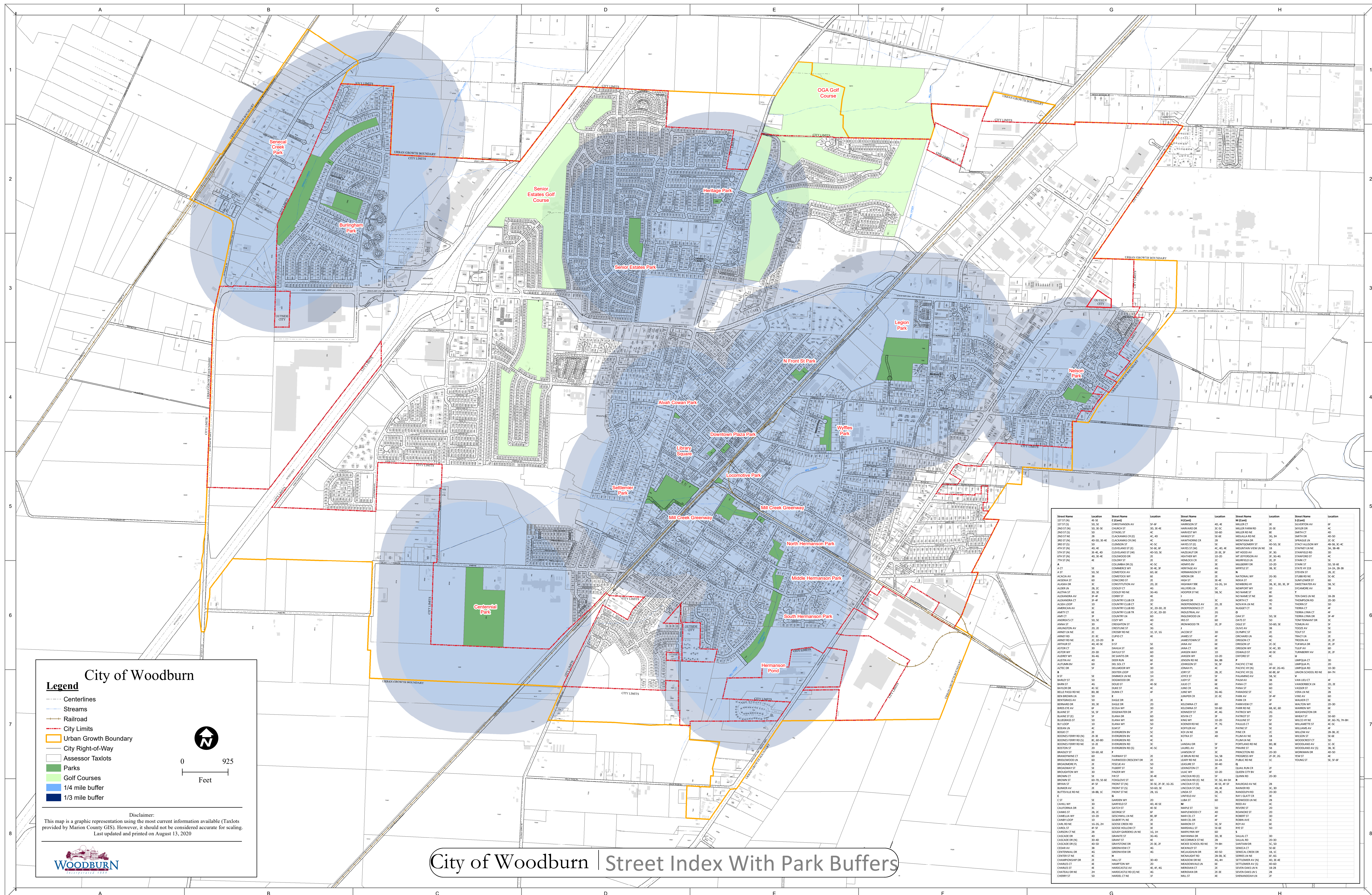
This Perspective shows the level of service provided to the community at a walkable level. All components are shown and each has only a one-third mile buffer which equates to about a 10 minute walk. These buffers have been truncated at the primary barriers. Scores within the buffers are equal to the base score for the components, calculated as described in **Appendix V**, and doubled to reflect the walkable access, as was done on Perspective A. In a sense, this is Perspective A with the one-mile buffers removed.

In this Perspective, more gaps in service appear, including the downtown area that was well covered in first perspective. Like Perspective A, concentrations in service are located around Settlemier, Senior Estates, and Burlingham Parks. In addition the affect of the barriers is highlighted in this perspective. The presence of safe and comfortable routes to parks can increase recreation opportunities dramatically. Walkability is especially important to consider as the City looks to providing service to the youth and elderly as these are the parts of the community that often do not have access to cars.

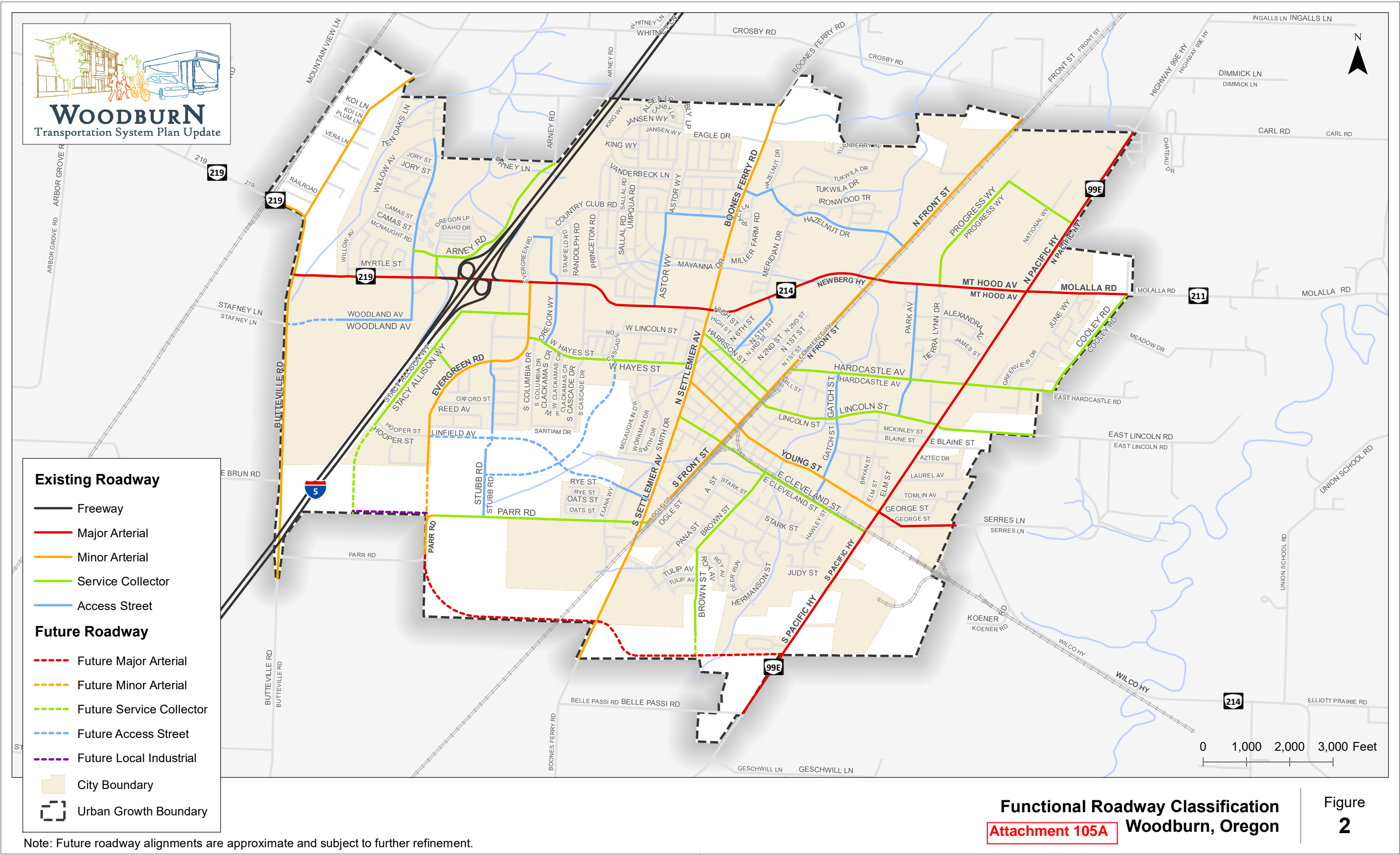
Although gaps in walkable service do appear, **Table 13** shows that 72% of the corporate boundary has access to parks and recreation facilities within a one-third mile of their homes. However only 15% of that area has service that meets or exceeds the target minimum score. This indicates that, while the City's number and distribution of parks come close to meeting needs, improvements need to be made to the parks to provide the target LOS. Like Perspective A target scores for residential areas reflect the equivalent of a park with four components and a trail within a one-third mile from each home. Improvements can be made to these areas with low LOS by removing barriers to pedestrian access, improving existing facilities, and adding components within parks.

In addition to improving LOS by improving and adding parks, Woodburn can increase the overall walkable LOS by adding multi-use trails. Although currently there are no multi-use trails within the community, the City of Woodburn does have one trail project that is in the planning and construction phase along the Mill Creek drainage. Aside from being a popular facility, trails also increase LOS, bridge pedestrian barriers, and thus increasing the overall walkability of the community.



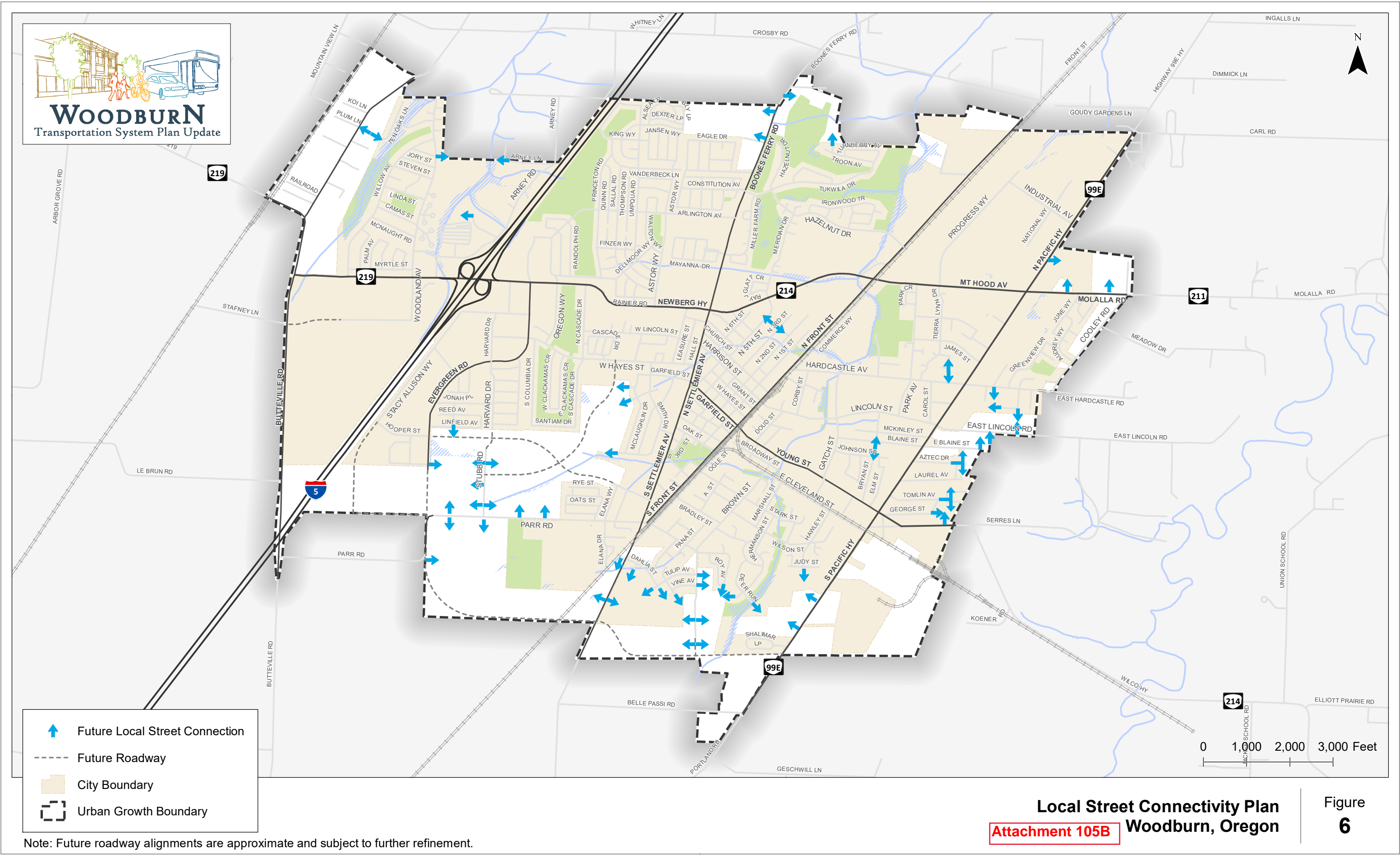






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Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl  
Data Source: City of Woodburn, Oregon Department of Transportation



H:\212\1071 - Woodburn TSP Update\GIS\TSP06 Local Street Connectivity Plan.mxd - mmccormick - 5:46 PM 9/16/2019

## ANX 2020-03 Dove Landing PUD:

### Attachment 201: Dictionary & Glossary

This document defines and explains abbreviations, acronyms, phrases, and words particularly in the context of conditions of approval.

- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “Alley” means the same as in WDO 1.02. See also “Shared rear lane” below.
- “BFR” refers to N. Boones Ferry Road.
- “CAE” refers to cross access easement.
- “CC&Rs” refers to covenants, conditions, and restrictions in the context of private contract among an association of owners and/or tenants within a PUD or a conventional subdivision with common area improvements.
- “Central block” refers to the block bound by “O”, “C”, “P”, & “E” Streets.
- “CEP” refers to civil engineering plan review, which is a review process independent of land use review led by the Community Development Department Planning Division and that is led by the Public Works Department Engineering Division through any application forms, fees, and review criteria as the Division might establish. A staff expectation is that CEP follows land use review and approval, that is, a final decision, and precedes building permit application.
- “County” refers to Marion County.
- “Director” refers to the Community Development Director.
- “exc.” means excluding.
- “ft” refers to feet.
- “Hazelnut” refers to Hazelnut Drive.
- “max” means maximum.
- “min” means minimum.
- “Modal share” means the percentage of travelers using a particular type of transportation or number of trips using a type, as examples walking, cycling, riding transit, and driving.
- “Modal shift” means a change in modal share.
- “MUTCD” refers to *Manual on Uniform Traffic Control Devices* of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- “NE” means northeast.
- “NW” means northwest.
- “OAR” refers to Oregon Administrative Rules.
- “o.c.” refers to on-center spacing, such as of trees or shrubs.
- “ODOT” refers to the Oregon Department of Transportation.
- “ORS” refers to Oregon Revised Statutes.



- “PBPE” refers to a public bicycle/pedestrian easement that grants pedestrian and cyclist access along sidewalk that overlaps private property or along an off-street bicycle/pedestrian path on private property. It substitutes for a PUBPE. “PLA” refers to property line adjustment.
- “PU” refers to plant unit as WDO Table 3.06B describes.
- “PUBPE” refers to a PUE adapted to grant pedestrian and cyclist access along sidewalk that overlaps private property (“roadside” or “streetside” PUBPE) or along an off-street bicycle/pedestrian path on private property (“off-street” PUBPE). A PBPE may substitute.
- “PUD” refers to planned unit development.
- “PUE” refers to public utility easement, whether along and abutting public ROW (“roadside” or “streetside” PUE) or extending into or across the interior of private property (“off-street” PUE). In the context of property line adjustment, partition, or subdivision, the developer records through the plat with drawings and notes on the face of the plat. Absent this context, recordation is separate from land use review pursuant to a document template or templates established by PW. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording public easement materials that a developer submits.
- “PW” refers to Public Works (the department) or on rare occasion public works (civil infrastructure) depending on context.
- “RCWOD”, pronounced by City staff as “R quad”, refers to the Riparian Corridor and Wetlands Overlay District that WDO 2.05.05 describes.
- “Root barrier” refers to that illustrated by PW SS&Ds, [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “ROW” refers to right-of-way.
- “RPZ” refers to root protection zone in the context of tree preservation.
- “SDCs” refers to system development charges, also known as impact fees.
- “SE” means southeast.
- “SDA” refers to site development area, the entire territory that is the subject of the land use application package.
- “Shared rear lane” refers to what resembles and functions like an alley, but isn’t public ROW.
- “sq ft” refers to square feet.
- “SS&Ds” refers to PW [standard specifications and drawings](#).
- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Tables 3.06B & C, and that have root barriers where applicable per PW [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “Substantial construction” means that all grading necessary to accommodate full construction of both public improvements and common area improvements is complete, the developer constructed and dedicated all required public improvements, and the developer improved and dedicated all required common area tracts.

- “SW” means southwest.
- “TCE” refers to temporary construction easement.
- “Tot.” means total.
- “TPU” means the [Transit Plan Update](#) Approved Final Report dated November 8, 2010.
- “TDM” refers to transportation demand management, which means according to the TSP (p. 82), “a policy tool as well as a general term used to describe any action that removes single occupant vehicle trips from the roadway during peak travel demand periods”, and according to Wikipedia as of October 13, 2020, “the application of strategies and policies to reduce travel demand, or to redistribute this demand in space or in time.”
- “TSP” means the [Woodburn Transportation System Plan \(TSP\)](#).
- “UGB” means urban growth boundary.
- “Walkway” refers to what would otherwise be called sidewalk except the paved walking surface is on private property outside of any of ROW or an easement granting public access.
- “WDO” refers to the [Woodburn Development Ordinance](#).
- “WFD” refers to the Woodburn Fire District.
- “WTS” refers to the Woodburn Transit System.
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes.

## ANX 2020-03 Dove Landing PUD:

### Attachment 202: Lot & Tract Development Standards

#### Introduction

This attachment establishes PUD lot and tract development standards and could serve as a standalone document for both homebuilders and Planning Division review of building permits assuming the developer will have constructed all public and common area improvements and/or paid fees in-lieu, obtained final plat approval by the City, have had the Director sign the Mylar, and recorded the plat.

“WDO” refers to the Woodburn Development Ordinance, last amended via Ordinance No. 2579 adopted April 13, 2020. Refer to Attachment 201 for a dictionary/glossary, including other acronyms and abbreviations.

For improvements that the City requires of common area and City/public tracts, see Attachment 203.

#### Part A. Lot Development Standards Tables

PUD 2020-02 Dove Landing PUD			
Development Standards for Lots Abutting Alley or Shared Rear Lane			
Table 202A-1			
Lot Area, Min (sq ft)	Interior, flag or cul-de-sac lot		2,700
	Corner lot	Single-family dwelling	3,500
		Child care facility or group home <sup>2</sup>	Per WDO
		Middle housing: duplex, triplex, quadplex, townhouse, or cottage cluster	Same as required for single-family dwelling
		Any other use	Per WDO
Lot Width, Min (ft)	Interior, flag or cul-de-sac lot		27
	Corner lot		35
Lot Depth, Average (ft)			90
	Interior or cul-de-sac lot		25
		Single-family dwelling	25



Street Frontage Min (ft)	Corner lot	Middle housing: duplex, triplex, quadplex, townhouse, or cottage cluster	Same as required for single-family dwelling
		Any other use	Per WDO
Front Setback and Setback Abutting a Street, Min (ft) – exc. streetside porch or roofed patio			7 <sup>11</sup>
Side Setback, Min (ft) – exc. garage	Primary structure		5 <sup>11</sup> , except that each lot may have zero lot line development along one side lot line
	Accessory structure		
Rear Setback	See “Setback Abutting an Alley or Shared Rear Lane ...” below.		
Setback Abutting an Alley or Shared Rear Lane for Both Primary & Accessory Structures, Min (ft) – exc. garage and carport			Either 1 <sup>11</sup> or where there is a required PUE on the lot alongside shared rear lane then equal to PUE
Garage and Carport Setback, Min (ft)	Either 1 or a full 15 ft. Also, in lieu of a two-car wide garage, two one-car wide garages – or a one-car wide garage and a carport – may be paired with one garage or carport at 1 ft and the other garage at 15 ft.		
Setback to a Streetside Porch, Roofed Patio, Balcony, or Open-Air Veranda, Min (ft)			5
Setback to a Private Access Easement, Min (ft)			1
Lot Coverage, Max (%)	65		
Streetside Porch or Roofed Patio, Min	Per Table 202A-3.		
Building Height, Max (ft)	Per WDO		
11. Encroachments and projections into setback minimums remain permissible per WDO 3.03.03A, D & F; 3.03.04A; and 3.03.05A.			

**PUD 2020-02 Dove Landing PUD**  
**Development Standards for Lots with Conventional Access**  
**Table 202A-2**

Lot Area, Min (sq ft)	Interior, flag or cul-de-sac lot		3,500 <sup>1</sup>
	Corner lot	Single-family dwelling	4,300 <sup>1</sup>
		Child care facility or group home <sup>2</sup>	Per WDO
		Middle housing: duplex, triplex, quadplex, townhouse, or cottage cluster	Same as required for single-family dwelling
		Any other use	Per WDO
Lot Width, Min (ft)	Interior, flag or cul-de-sac lot		35
	Corner lot		43
Lot Depth, Average (ft)			96
Street Frontage Min (ft)	Interior or cul-de-sac lot		25
	Corner lot	Single-family dwelling	25
		Middle housing: duplex, triplex, quadplex, townhouse, or cottage cluster	Same as required for single-family dwelling
		Any other use	Per WDO
	Flag lot		Per each pole if poles of adjacent flag lots are paired: 7½; Per independent pole: 11
Front Setback and Setback Abutting a Street, Min (ft) – exc. garage and carport and streetside porch or roofed patio			11 <sup>11</sup>
Side Setback, Min (ft) – exc. garage	Primary structure		5 <sup>11</sup> , except that each lot may have zero lot line development along one side lot line
	Accessory structure		
Rear Setback, Average (ft)	Primary structure		15 <sup>7, 11</sup>
	Accessory structure		Per WDO
Garage and Carport Setback, Min (ft)	Garage		19
	Carport		2

Setback to a Streetside Porch or Roofed Patio, Min (ft)	5
Setback to a Private Access Easement, Min (ft)	1
Lot Coverage, Max (%)	65
Building Height, Max (ft)	Per WDO
1. Per WDO Table 2.02B Footnote 1 5. A front setback applies to only to the pole. A flag is considered to have three sides and a rear. 7. Per WDO Table 2.02B Footnote 7 11. Encroachments and projections into setback minimums remain permissible per WDO 3.03.03A, D & F; 3.03.04A & C, and 3.03.05A-D.	



**PUD 2020-02 Dove Landing PUD**  
**Related Development Standards Table 202A-3**

Residential Density, Min (units per net acre)		6.8	
Walkways	Each dwelling shall have a paved walkway connecting front door landing and sidewalk distinct from driveway and parking pad. Paved w/ bricks, concrete pavers, patterned poured concrete, or combination.		Min 4 ft wide. Min width may narrow to 3½ where walkway is flush w/ driveway.
Driveway widths (For parking space/stall dimensions, see Parking spaces/stalls below.)	Access management	A lot that abuts both any of an alley, shared rear lane, or flag lot pole, and one or more streets is prohibited from a driveway approach / apron / curb cut along the street or streets.	
	Min (ft)	8	
	Max (ft)	Alley/shared rear lane	Equal to lot width
		Street	16
Parking spaces/stalls	Ratio	Per WDO Table 3.05A	
	Parking pads (WDO 3.05.03F.1b)	Number, Min	Alley/shared rear lane: none Street: 1
		Dimensions, Min (ft)	Alley/shared rear lane: 8 by 15 Street: 8 by 18
	Stalls within a garage and/or carport	Number, Min	2, either both garaged or as both a carport and garage on the same lot.
		Dimensions, Min (ft)	8 by 18, exc. fixed encroachments such as door swings and water heaters
	The 5-ft parking setback of WDO 3.05.02E does not apply.		
Streetside porches and roofed patios	Applies to lots abutting an alley, shared rear lane, or flag lot pole; corner lots; and specific lots per Footnote 3.		
	Number, Min	1 per lot	
	Dimensions, Min	Floor area*: 106 sq ft Narrowest*: 8½ ft Street exposure: 8½ ft length/width Height clearance: 8 ft *Measured to edges of porch flooring or patio slab.	
	Flooring	Brick, concrete pavers, poured concrete slab, linoleum, or fiber cement or wood plank.	
	Columns/posts	Per Footnote 1.	
	Delineation	Per Footnote 2.	

1. Ornamental columns. If the streetside porch or roofed patio provides one or more columns as corner supports, the columns must be ornamental by meeting one of the following standards. Wrought iron style porch supports do not meet this standard:
  - a. Large columns that are divided visually into clear areas of capital, shaft, and base. Large rectilinear columns are min 8 by 8 inches, and large rounded columns have a diameter min 8 inches; or
  - b. Groupings of 2, 3, or 4 small columns divided visually into clear areas of capital, shaft, and base. Small rectilinear columns are min 4 by 4 inches, and small rounded columns have a diameter min 4 inches.
2. Delineation includes any of balustrade, fall protection, wood fencing, and metal or wood railings and is required. 3½ ft high max. 4 ft wide max passage allowed. Fencing or railing with top member flat and min 3 inches wide. A second horizontal member below the top member (to allow affixing, hanging, or threading items below the top member).

**Part B. Architecture:**

This section shall apply to lots and supersede any conflict w/ WDO 3.07.03.

1. Both Lots Abutting Alley or Shared Rear Lane & Lots with Conventional Access:
  - a. Roof pitch of site-built dwellings min 6:12; eaves not required to project from zero lot line.
  - b. Masonry cladding, if any, in a horizontal band or bands, not as multi-story vertical bands.
  - c. On a corner lot along the second frontage, windows min 10% of facade wall surface.
  - d. Windows square or vertically proportioned; may be grouped into horizontal bands. Horizontal proportion allowed if having grilles or muntins dividing lights or panes to be vertical proportion.
2. Lots Abutting Alley or Shared Rear Lane
  - a. House having an entrance on a street-facing façade and that is within or next to the required streetside porch or roofed patio.
  - b. Applies to any houses that are two or more stories or one story w/ attic story: House front having a bay or box window min 2 ft deep, 5 ft wide, and with ceiling height min 7 ft. Dimensions assume box; bay may have angled sides and a sloped roof if exceeding min dimensions. House fronts facing south or west may substitute the window for balcony or open-air veranda. Balcony min 6½ ft deep and 81 sq ft and either w/ recess min 2 ft or house roof overhang or balcony roof min 2 ft deep and 10 ft wide. Veranda min 81 sq ft, extending to min two of outer edges of porch or patio, and roofed. Fall protection having top member flat and min 3 inches wide.
  - c. Applies to all corner lot houses: The second lot frontage façade shall have a bay or box window per the dimensions of b. above.

3. Lots with Conventional Access: The facade containing the vehicular entrance for an attached garage shall be one of the following:
  - a. Face away from street min 90°; or
  - b. Max 20 ft wide along ground floor total facade width facing a street, and max a percentage of the total facade of the structure facing the street, including second stories, dormers, eyebrows, and gable ends. Percentage is 66.7% for a one-story structure and 50% for a structure of two or more stories.

### **Part C. Tract Development Standards**

1. Driveway approaches / aprons / curb cuts: min. 8 ft wide, and max. 10 ft wide.
2. Fencing: Stormwater facilities: max. 3½ ft high, if any fencing proposed for such facilities.
3. Tract G is limited to one driveway apron serving the stormwater facility and, if proposed, shall be on a frontage other than BFR. A Tract H driveway that serves access across that tract to the Tract G storm water facility may substitute for a Tract G driveway.
4. City/public tracts: The City may apply development standards relating to the P/SP zoning district instead of the RS zoning district assuming a given WDO standard doesn't conflict with a PUD standard.

### **Part D. Lighting:**

- a. Applicability:
  - (1) Permanent exterior lighting outside of ROW.
  - (2) Lots: For fixtures located facing any of ROW, streets, alleys, shared rear lanes, flag lot pole shared driveways, and common area tracts, whether on buildings or structures or in yards.
  - (3) Tracts: For fixtures located facing any of ROW, streets, alleys, shared rear lanes, flag lot pole shared driveways, and common area tracts, whether on buildings or structures or in yards, and including floodlights and lighting of permanent signage. Sports field lighting must be full cut-off from emitting light both above a horizontal plane parallel with the ground and beyond vertical planes flush with the field boundaries. The City may require separate review and approval of sports field lighting.
- b. Standards: If proposed, exterior light fixtures shall be full cut-off or fully shielded and shall not be visible beyond a line 3½ ft above the applicable lot line or tract boundary. They shall be limited in height – as measured to the underside of a fixture – as follows:



- (1) Wall: Exterior wall-mounted fixtures shall be 8 ft max above finished grade. (This height limit is not applicable to emergency egress lighting and permanent wall signs allowed through WDO 3.10 were they to have interior illumination.)
  - (2) Parking pole: On tracts, exterior pole-mounted fixtures within 4 ft of or in parking, loading, and vehicular circulation areas shall be 14½ ft high max above vehicular finished grade.
  - (3) Other pole: On lots and tracts, other exterior pole-mounted fixtures, if any, shall be 8 ft high max above grade.
- c. Conformance: Demonstrate through building permit review. The Planning Division may require inspection to be scheduled evening or night.

#### **Part E. VCA**

WDO 3.03.06 is hereby modified such that:

1. The alley part of Fig 3.03A shall apply to also any shared rear lane, except that VCA triangles shall measure min 5 by 5 ft for any of alleys and shared rear lanes.
2. Regarding the street corner part of Fig. 3.03A, VCA triangles shall measure min 15 by 15 ft, except that for the four corner lots within the central block (Lots 40, 85, 86, & 131), Fig. 3.03B shall apply instead.

#### **Part F. Signage**

WDO 3.10 is hereby modified such that for City/public tracts, the City may apply sign regulations relating to the P/SP zoning district instead of the RS zoning district.

## ANX 2020-03 Dove Landing PUD:

### Attachment 203: Common Area Improvements & Public Easements

#### Introduction

This attachment establishes PUD common area tract improvements and types and placements of public easements.

Refer to Attachment 201 for a dictionary/glossary, including other acronyms and abbreviations.

For lot and tract development standards, see Attachment 202.

#### Part A. Common area improvements: Amenities / appurtenances / street furniture / support facilities

Common area and off-street public improvements are per the table below:

<i>Table 203A. Common Area Improvements</i>			
<i>Improvement Type</i>	<i>Min Number</i>	<i>Placements</i>	<i>Details</i>
Benches	9	Tract K: 4, all along paths and one each at east, middle east, middle west, and west.	Place along paths and sidewalks, set back 2 ft min, and on at least 6 by 4 ft of asphalt, brick, concrete pavers, or poured concrete. If brick or pavers, pour concrete for bench post footings. 6 ft width min; 75% min of them having backs.  For public parkland, the City spec model (with back) is <a href="#">Dumor Bench 88-60PL</a> in “cedar” color and with support posts in black; for Tract C and Trillium Way ROW, this model is the standard.
		Other: 1 each Tracts F, H, I, L, & O	
Picnic benches	3	Tract I: 1.	Place in shelters. Min 1 shall be ADA-accessible from a sidewalk or path.  For public parkland, the City spec is Tree Top Products <a href="#">46” SuperSaver Commercial Square Picnic Table</a> in black (SKU 1WG5685-KB), and the
		Tract K: 2.	

Table 203A. Common Area Improvements			
Improvement Type	Min Number	Placements	Details
			standard <a href="#">ADA model</a> is SKU #1WG5686-BK.
Bicycle parking	16 stalls	Tract H: 4	Each facility with at least 6 by 2 ft per stall paved with asphalt, bricks, concrete pavers, or poured concrete pad. If bricks or pavers, pour concrete for the rack footings. Place all along paths and sidewalks. If along sidewalk, set back the stalls 2 ft and pave a 4-ft wide walkway between sidewalk and edge of stalls.  Cover/sheltering: At least 2 (1 U-rack) shall be covered from precipitation. Min height clearance 7 ft. The roof shall extend min 2 ft past stall edges.  For public parkland, the City spec is Oregon Corrections Enterprises [OCE] “single bike rack” powder coated black, either model #718-013-006 or #718-012-006 depending on mounting. See OCE parks and recreation catalog <a href="#">p. 15</a> . For Tract C and Trillium Way ROW, this model is the standard.
		Tract I: 2	
		Tract K: 10	
Dog waste stations	2	Tract I: 1	For public parkland, the City spec model is Mutt-Mitt Mini Dog Waste Station <a href="#">1000/1002</a> in green; for Tract C, this model is the standard.
		Tract K: 1	
Paths	Within this Attachment 203, see Part C.		
Playground	1	Either option:	
		Option A: Tract K	As the Assistant City Administrator directs.
		Option B: Tract H	As proposed and with public access easement across the tract.
Plaza	1	Tract I: 1, flush with sidewalk at SE corner of “C” & “P” Streets.	Paved min 300 sq ft, 12 ft narrowest dimension.
Restrooms	1 pair	Tract K	For public parkland, the City recommended model is Public



Table 203A. Common Area Improvements			
Improvement Type	Min Number	Placements	Details
			<p>Restroom co. model <a href="#">PS-022-CE-ST</a> with “CMU combo finish” and “standing seam metal” roof.</p> <p>Colors:</p> <ul style="list-style-type: none"> <li>• Roof: green;</li> <li>• Walls: green on bottom split-face CMU, either cream or grayish white elsewhere;</li> <li>• Doors: green.</li> </ul> <p>Drinking fountains: On the front of the building, wall mount a pair of fountains, one fountain being ADA-compliant. The recommended model is Haws <a href="#">1011</a> Barrier-Free Dual Wall Mount Fountain.</p>
Trash receptacles	3	Tract I: 1	For public parkland, the City spec model for the trash receptacle is <a href="#">Dumor 41</a> -40PL-RC 40-gallon in “cedar” color and with support post in black; for Tract C, this model is the standard.
		Tract K: 2	
Seat walls (optional)	No min; max per notes.	n/a	For any tract with 2 or more benches, the developer may substitute a bench with a seat wall 6 ft wide minimum by 1½ ft deep and high, the height including a cap or lip of smoother concrete.
Shelters	1 or 2	Tract K: Choice of either 1 large or a combo of 1 medium and 1 small.	<p>Gazebos, pavilions, or shelters each with min 10 ft height clearance. Large equals min 900 sq ft, medium equals 600, and small equals 300. Narrowest dimension is 30 ft for large, 24 for medium, and 14 for small.</p> <p>Any post base with protruding bolts/screws must be guarded or housed for trip and cut safety.</p> <p>If a shelter floor level is at grade, place an ADA-compliant picnic bench. Provide a walkway min 4 ft</p>

<i>Table 203A. Common Area Improvements</i>			
<i>Improvement Type</i>	<i>Min Number</i>	<i>Placements</i>	<i>Details</i>
			<p>wide between each shelter and any of a sidewalk or path.</p> <p>Include weatherized flip cap electric outlets, min 4 for large shelter or min 2 for the medium shelter.</p> <p>There is no City spec. The applicant may duplicate or mimic either the shelter model proposed on land use review Sheet L7, Detail 5 or the model in the Smith Creek Development Phase 1A plaza at Ben Brown Lane &amp; Kirksey Street (Western Wood Structures, Inc., building permit 971-20-000134-STR), which is 600 sq ft at 24 narrowest dimension.</p>
Signage	1	A park identification monument sign as the Assistant City Administrator directs or fee in-lieu per Attachment 206.	

Administrative minor adjustment by the Director to common area improvement location or placement is permissible.

**Part B. Common area improvements: landscaping:**

1. Bark dust: Excepting Class F paths, 5.0% max of landscaped area may be bark dust or wood chip.
2. Tree species: WDO Table 3.06C is hereby modified by PUD to allow anywhere within the development (outside of ROW) any tree species that isn't invasive and within ROW any tree species that isn't invasive and is a cultivar barren of fruit, nuts, and seed pods.
3. Evergreen: 15 min of trees new to the site and outside of ROW. The 15 shall be min 1 of the following coniferous or evergreen species:

Cedar, Western Red	Madrone, Pacific
Douglas-Fir	Oak, Oregon White
Fir, Grand	Pine, Ponderosa; and
Hemlock, Western	Yew, Pacific

4. Tracts: Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment along their sides, excepting the side intended for technician access.
5. Complementary trees: On Tracts F, G, H, I, & K, every yard abutting a street shall have a loose row of trees that complements the row of street trees. Along each frontage, a min number equal to and placed at an approximate average o.c. spacing of 1 per 30 ft of frontage, and with trees new to the site placed at least 4 ft from edge of sidewalk and 16 ft max from ROW. For Tract I, if and where a plaza is required the developer may site trees farther away along the plaza edge.
6. Other plants: On any tract, also plant 80 PUs of any min 3 non-invasive species of shrubbery most likely to attract honeybees, having identified such species on a landscape plan.
7. Path furniture zone trees:

<i>Table 203B. Path Furniture Zone Trees</i>		
<i>Tract</i>	<i>Trees Min. No.</i>	<i>Details</i>
K	Equal to 1 per 15 ft of path	Approximate o.c. placements of 1 per 30 ft along path.
All other tracts	Equal to 1 per 30 ft of path	Mostly west side placements.



## Part C. Bicycle/Pedestrian Paths

### 1. Classes:

<i>Table 203C-1. Path Classes</i>			
<i>Class</i>	<i>Width (ft)</i>	<i>Pavement</i>	<i>Furniture Zones (ft)</i>
B	10	Asphalt or concrete	6 inc 2-ft shoulder
C	8		6 inc 2-ft shoulder; in constrained mid-block tracts, 5 ft one side inc 1-ft shoulder
F	5	None; bark dust or wood chip	None

### 2. Placements:

<i>Table 203C-2. Path Placements</i>				
<i>Tract</i>	<i>Min.</i>	<i>Class</i>	<i>Placement</i>	<i>Reference</i>
B	1	C	W/ west furniture zone.	"Path B"
D	1			"Path D"
F	1		Min 8 ft from west tract boundary.	"Path F"
I	1	F	Per Assistant City Administrator.	"Path I"
K	1 w/ 4 spurs	B; spurs C	Generally straight between east sidewalk and west tract boundary. Site as far north as 8 ft south of the south lot lines and as far south as to have its south furniture zone flush with the north boundary of the northernmost existing drainage easement.  Site north middle east segment 8 ft from Lot 142 west line. A spur from north middle east segment to south tract boundary adjacent to NE corner of Tax Lot 051W06CD01700.	"Path K" or "main path"
L	1	B	Min 6 ft from east tract boundary.	"Path L"
O	1			"Path O"
M	1	C	W/ a west furniture zone.	"Path M"
N	1			"Path N"

### 3. Basic standards:

#### a. Pavement:

(1) Asphalt: min 4 inches of hot mix asphalt (Level 3) atop min 8 inches of 1-inch minus crushed aggregate base course. ADA-compliant.

(2) Concrete: Same as PW construction standards for sidewalk.

#### b. Shoulders: Gravel, if any, within shoulders shall be placed so that the finished grade of the gravel shall be shallow sloped such that, at the path, the gravel is min. 1 inch below the path finished grade and, at 2 ft from path edge, it's min 2 inches below path finished grade.

## Part D. Public Easements

In addition to standard streetside PUEs per WDO 3.02.01B, based on WDO 3.02.01C the developer shall dedicate public easements as follows:

1. Granting bicycle/pedestrian access:
  - a. Wherever sidewalk overlaps any streetside PUE and Tracts I & K;
  - b. Tracts B, D, F, L, M, N, O;
  - c. Tract H, required at all only for Table 203A, Playground Option B; and
  - d. Tract "P" (central block alley/shared rear lane).
2. Off-street PUEs:
  - a. Tract F, arrange so that PUE min width 16 ft abuts Tax Lot 051W06C000900 west lot line;
  - b. Tract L, arrange so that PUE min width 16 ft allows tract path to have trees both sides.
  - c. Tract O, arrange same as for L.
  - d. Tract "P" (central block alley/shared rear lane). Applies if PW declines to accept as ROW:
    - (1) Both tract and PUE min width 16 ft; if tract wider, easements(s) flush one side min;
    - (2) Travel way pavement min width 14 ft. Asphalt, bricks, concrete pavers, poured concrete, or combination. Depths per WDO 3.04.04;
    - (3) 1 ft shoulders each side. May be grass, grass w/ "grasscrete", brick, concrete pavers, or poured concrete as long as any pavement doesn't duplicate that of the travel way. Gravel prohibited; and
    - (4) The two end driveway curb cuts limited to max width 14 ft.
3. Bus: On Tract F as follows: Along BFR, allowing for a bus shelter pad extending beyond ROW and a shelter. Per Assistant City Administrator direction or default easement min 20 ft wide along BFR.
4. CAE: On Tract F as follows: Min width 21 ft w/ TCE extending 5 ft sides that expires upon driveway/drive aisle construction. Place between Tax Lot 900 and "O" Street w/ west side aligned with a point 5 ft east of Tax Lot 900 west lot line. New trees prohibited.

## **Part E. Association / HOA**

To meet WDO 3.09.09, there shall be an association of owners and/or tenants as follows:

1. Prior to conveying land ownership of any tract, the developer shall establish an association, such as homeowners association (HOA), pursuant to ORS 94 and other applicable statutes.
2. The association shall assume maintenance of improvements on common area tracts, inc. stormwater facilities; repair, replace, and restore improvements; identify and make clear to owners association duties; and levy assessments to owners in a fair, transparent, and written way. (If the association ceases to exist resulting in a tract or tracts no longer having an existing owner for a year or more based on the Oregon Secretary of State Corporation Division business registry, and where this provision does not conflict with ORS or OAR, the City shall have right of first refusal to acquire the property in coordination with the Marion County Assessor's Office.)
3. Documents: The developer shall provide copies of articles of incorporation, bylaws, and CC&Rs for the association to the Assistant City Attorney and Director for review upon final plat application to the City or earlier if ORS 94.565(2) requires. Bylaws and/or CC&Rs shall describe the responsibilities of the association to maintain common area improvements, and bylaws and CC&Rs shall reiterate that because of ORS 94.626, any dissolution would not also dissolve obligations. To this end, the corporation shall comply with applicable statutes and the administrative rules of the Oregon Secretary of State Corporation Division. Documents shall also conform to Oregon House Bill (HB) 2001 (2019), Section 13 (p. 10), regarding "middle housing".

The above would continue to apply were the developer to either (1) establish multiple associations or (2) make use of an existing association related to adjacent existing development. The developer shall provide copies of articles of incorporation, bylaws, and CC&Rs for the multiple associations or these documents amended to conform to conditions of approval.



## ANX 2020-03 Dove Landing PUD:

### Attachment 205: Tree Protection & Environmental Remediation

#### Part A. Tree preservation

1. East:

- (a) Objective: To preserve most of the trees within the small forest across BFR, "O", & "P" ROWs and Tracts F, G, & I, with focus on Tracts F & G.



*Exhibit 205A1 Marion County Assessor's Office aerial view of subject property east area at BFR*



*Exhibit 205A1 Google Street View NW to small forest*

- (b) Street improvements, inc. both frontage and off-site improvements, shall preserve to the max extent feasible trees that lie within future planter strips and along the other side of sidewalks. The developer shall provide more detail, including the trees identified for preservation and removal, through a tree preservation plan specific to street improvements through CEP.
  - (c) Exception: The developer may be able to except from preservation one or more trees from an approved CEP tree preservation plan if (a) providing for arborist examination during street improvements construction, (b) the arborist documents why and how preservation is not physically feasible, (c) the developer submits such documentation simultaneously to the Director and PW, (d) and the Director approves such documentation prior to removal.
2. SW: Development shall preserve the trees that land use review Sheet 13.1 illustrates to be retained and shall partially retain those that the supplemental arborist memo of January 6, 2021 submitted January 15 summarizes to retain by creating snags out of trees 70522 and 70523 by reducing their heights to max 15 ft and girdling the trunks. Any removal would trigger a tree removal fee / preservation fee in-lieu per Attachment 206.
  3. Protection during construction: The developer shall follow this Attachment 205, Part B.

## **Part B. Tree preservation During Construction**

Tree preservation: Protection during construction:

The applicant shall protect the preserved trees pursuant similar to City of Portland Title [11.60.030](#), specifically either the subsections set of C.1.a.(1), (3) and C.1.b., e., & f. (clear and objective) and D.; or, the subsections set of C.2.a., b., & d.-f. (arborist's discretion) and D. as modified below and shall do so between Design Review approval and issuance of certificate of occupancy (C of O):

C. Protection methods. The Tree Plan shall show that the contractor adequately protects trees to be preserved during construction using one of the methods described below:

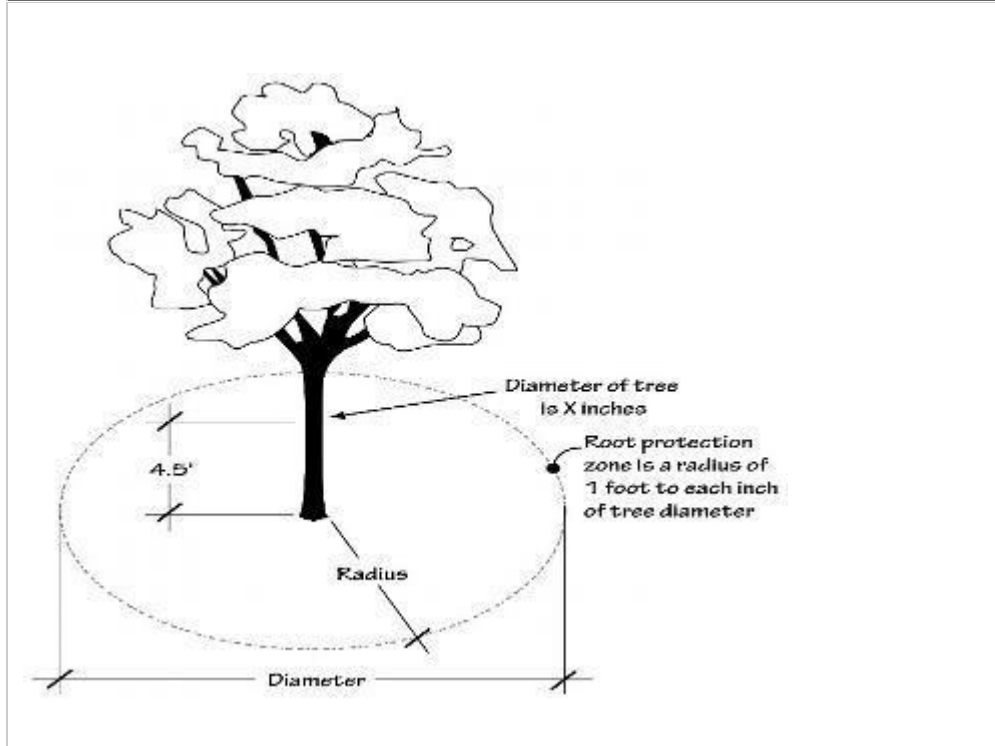
1. Clear & Objective Path.

- a. A root protection zone is established as follows:

- (1) For trees on the development site - a minimum of 1 foot radius (measured horizontally away from the face of the tree trunk) for each inch of tree diameter (see Figure 80-2)

**Figure 80-2**

**Root Protection Zone**



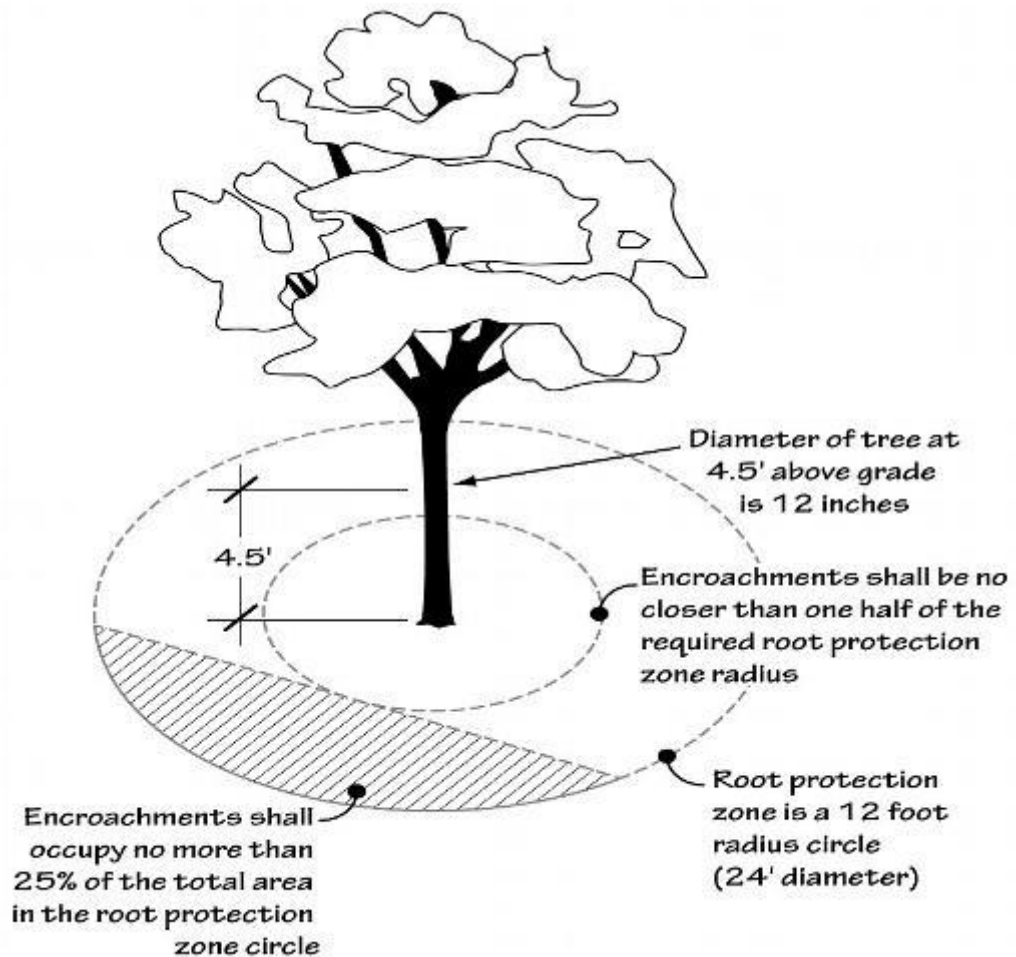
(3) Existing encroachments into the root protection zone, including structures, paved surfaces and utilities, may remain. New encroachments into the root protection zone are allowed provided:

- (a) the area of all new encroachments is less than 25 percent of the remaining root protection zone area when existing encroachments are subtracted; and
- (b) no new encroachment is closer than  $\frac{1}{2}$  the required radius distance (see Figure 60-1);



Figure 60-1

Permissible RPZ Encroachments



b. Protection fencing

(1) Protection fencing consisting of a minimum 6-foot high metal chain link construction fence, secured with 2-foot metal posts shall be established at the edge of the root protection zone and permissible encroachment area on the development site. Existing structures and/or existing secured fencing at least 3½ feet tall can serve as the required protective fencing.



(2) When a root protection zone extends beyond the development site, protection fencing is not required to extend beyond the development site. Existing structures and/or existing secured fencing at least 3½ feet tall can serve as the required protective fencing.

e. The following is prohibited within the root protection zone of each tree or outside the limits of the development impact area: ground disturbance or construction activity including vehicle or equipment access (but excluding access on existing streets or driveways), storage of equipment or materials including soil, temporary or permanent stockpiling, proposed buildings, impervious surfaces, underground utilities, excavation or fill, trenching or other work activities; and

f. The fence shall be installed before any ground disturbing activities including clearing and grading, or construction starts; and shall remain in place until final inspection by Planning Division staff.

2. Arborist's Discretion. When the prescriptive path is not practicable, the applicant may propose alternative measures to modify the clear and objective root protection zone (RPZ), provided the following standards are met:

a. The alternative RPZ is prepared by an arborist who has visited the site and examined the specific tree's size, location, and extent of root cover, evaluated the tree's tolerance to construction impact based on its species and health, identified any past impacts that have occurred within the root zone, and forwarded a report through the developer to Planning Division staff;

b. The arborist has prepared a plan providing the rationale used to demonstrate that the alternate method provides an adequate level of protection based on the findings from the site visit described above;

- d. If the alternative methods require the arborist be on site during construction activity, the applicant shall submit a copy of the contract for those services prior to permit issuance and a final report from the arborist documenting the inspections and verifying the viability of the tree(s) prior to final inspection by the Planning Division;
- e. If the alternative tree protection method involves alternative construction techniques, an explanation of the techniques and materials used shall be submitted;
- f. The arborist shall sign the tree preservation and protection plan and include contact information.

D. Changes to tree protection. Changes to the tree protection measures during the course of the development may be approved as a revision to a permit provided that the change is not the result of an unauthorized encroachment into a root protection zone (RPZ), and the applicant demonstrates that the tree protection standards of this Section continue to be met. When an unauthorized encroachment has occurred, the City may pursue an enforcement action or other remedy.

### **Part C. Environmental Remediation**

This applies to all tracts, unless otherwise specified. The developer shall:

1. Invasive plant removal: Eradicate invasive creepers, groundcover, shrubbery, vines, and weeds that might exist, at min any of the following species:
  - (a) Himalaya blackberry (*Rubus armeniacus*)
  - (b) English ivy (*Hedera helix*)
  - (c) Common reed (*Phragmites australis*)
  - (d) Giant hogweed (*Heracleum mantegazzianum*)
  - (e) Gorse (*Ulex europaeus*)
  - (f) Kudzu (*Pueraria lobata*)
  - (g) Old man's beard (*Clematis vitalba*)
  - (h) Ribbongrass (*Phalaris arundinacea var. Picta*)
  - (i) Water primrose (*Ludwigia hexapetala, peploides*)
  - (j) Yellow flag or yellow water iris (*Iris pseudacorus*)
2. Grass: Where removal of invasive plants or the unintended effect of nearby construction results in bare ground, plant lawn grass, wild grass, or a combination.



ANX 2020-03 Dove Landing PUD:  
Attachment 206: Conditioned Fees

All of the following conditioned fees are due as applicable, whether or not mentioned directly by a condition of approval.

Refer to Condition G3 for a dictionary/glossary, including acronyms and shorthand text.

**Part A. Fee Provisions**

1. Any and all conditioned fees are in addition to, and not in place or as discounts of, any existing charge or fee however termed ordinarily assessed based on any existing ordinance, resolution, or administrative policy, inc. adopted fee schedules. If and when the City amends any ordinance, resolution, or administrative policy, inc. a fee schedule, to increase a charge or fee that is both (1) the same kind of charge or fee that is conditioned, (2) the amended charge or fee amount would exceed the amount conditioned, and (3) the increase takes effect before the conditioned fee is due, then the developer shall pay the greater amount.
2. Payments of conditioned fees shall reference a final decision case file number and the condition of approval letter/number designation, be it in a check memo field or through a cover or transmittal letter. For administrative and logistical details of such fee payments, the developer is to contact an administrative assistant or similar position in either PW or the Community Development Dept. as applicable.

For all administrative and logistical questions about fee payment, the developer is to contact the permit/planning technician at (503) 982-5246 and refer to this attachment within the ANX 2020-03 Dove Landing final decision.

For payment method policy details, the developer is to contact the Finance Department at (503) 982-5222, option zero, for payment method policy details.

## Part B. Fee Table

<i>Table 206B. Conditioned Fees</i>							
<i>Condition Reference</i>	<i>Fee Type</i>			<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
PUD-5	Tree removal	Preservation fee in-lieu	Trees 70522 & 70523	\$500 per tree	If not reduced to “snags” per Attachment 205, Part A.	Final plat approval by the City	
G6 through this Attachment 206	CEP: Review by Planning Division; and PUD Final Plan Approval review			\$250; \$327	Original/1 <sup>st</sup> submittal; each subsequent inc. deferral/piecemeal	Before final plat approval by the City	
	Inspections by Planning Division			\$75; \$327	1st inspection or “walkthrough”; each subsequent	Subdivision improvements and building permit	
T-BP1	c. Wayfinding signage fee in-lieu			\$1,500 per location	Regardless of number of sign faces that would’ve been at a location	Final plat approval by the City	
Attachment 203	Park identification monument sign fee in-lieu			\$5,000	Assistant City Administrator discretion	Final plat approval by the City	
G6 through this Attachment 206	Bond / bonding / performance guarantee: construction			\$250 per request	Covers submittal of written request and draft materials. Applies also to deferred/piecemeal submittals.	Were the developer to request and if City is willing to consider a request	

April 26, 2021

TO: Honorable Mayor and City Council, through City Administrator

FROM: Anthony Turley, Finance Director

SUBJECT: **Establishment of the American Rescue Plan Fund**

## **RECOMMENDATION:**

Approve the attached resolution authorizing the City Administrator to establish the American Rescue Plan Fund.

## **BACKGROUND:**

On March 11, 2021 President Biden signed into law the American Rescue Plan (ARP). The ARP allocates \$1.9 trillion to COVID-19 relief and economic recovery. The City of Woodburn has been allocated \$5.36 million. The distribution of the funds will occur over the next two fiscal years, \$2.7 million this year and the balance in next fiscal year. The grant money will be distributed to the City through the State, however, the State cannot place any additional restrictions on the use of the funds nor keep any portion of the distribution.

Oregon budget law, ORS 294.480 provides that a supplemental budget is required when a change to the adopted budget is necessary due to "unforeseen circumstances". Budget law provides for exceptions to the requirements of a supplemental budget under ORS 294.326(3) when the unforeseen circumstance is due to certain conditions including "specific purpose grants and gifts." When those conditions occur, the City Council can approve the appropriation of the funds and establish the required fund via a resolution.

The Grant to the City by the Federal Government (Grantor) is a specific purpose grant and is subject to the exception noted above.

## **DISCUSSION:**

As required by budget law, upon acceptance of the grant the City will establish a separate fund. For accounting purposes, it is designated as a "special

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



revenue fund" to ensure the proper use of the proceeds as designated by the grantor.

The fund's name will be the American Rescue Plan Fund (Fund 136) and the purpose of the fund is to account for the revenue and approved expenditures of the grant as designated by the grantor

The grant proceeds will be deposited within the City's interest bearing account (Local Government Investment Pool). Any interest earnings from the donation proceeds will be allocated and credited monthly to the American Rescue Plan fund.

**FINANCIAL IMPACT:**

The establishment of a new fund in the City's current fund structure should have no direct impact on current operations nor will the management of the ongoing special revenue fund have a significant impact on Finance staff.

For the 2020-2021 Fiscal Year the American Rescue Plan Fund will appropriate revenues in the amount of \$2,700,000. Because the distribution of money will happen in May or June the entire appropriation will be held in contingency.

**COUNCIL BILL NO. 3148**

**RESOLUTION NO. 2168**

**A RESOLUTION ESTABLISHING THE AMERICAN RESCUE PLAN FUND AND APPROVING APPROPRIATIONS FOR THE FUND FOR FISCAL YEAR 2020-2021**

**WHEREAS**, the City desires to accept a grant from the Federal Government to fund the City's recovery from the COVID-19 pandemic; and

**WHEREAS**, the City is willing and able to comply with the requirements of uses of the proceeds as designated by the grantor; and

**WHEREAS**, the City will establish a special revenue fund to account for the proceeds and uses of the grant; and

**WHEREAS**, ORS 294.480(1) (a) permits supplemental budgets when "an occurrence of condition which had not been ascertained at the time of the preparation of a budget for the current year or current budget period which requires a change in financial planning"; and

**WHEREAS**, ORS 294.326(3) provides exceptions to supplemental budget requirements when specific circumstances are met, including the receipt of specific purpose grants and gifts that have been designated by the grantor or donor; and

**WHEREAS**, the establishment of the American Rescue Plan Fund and appropriations for the fund comply with ORS 294.326(3); **NOW, THEREFORE**,

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

**Section 1.** That pursuant to the applicable ORS provisions cited above, the City Council hereby authorizes the establishment of the American Rescue Plan Fund and approves the appropriations for FY 2020-2021 in amounts listed in Exhibit A.

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

APPROVED: \_\_\_\_\_  
Eric Swenson, 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, City Recorder  
City of Woodburn, Oregon



**Exhibit A**

City of Woodburn  
American Rescue Plan Fund  
FY 2020-2021

<b>Category</b>	<b>Original</b>	<b>Supplemental</b>	<b>Revised</b>
Federal Grants	-	(2,700,000)	(2,700,000)
Contingency	-	2,700,000	2,700,000

April 26, 2021

TO: Mayor, City Council (acting as the Local Contract review Board)  
through City Administrator

THROUGH: Marty Pilcher, Chief of Police

FROM: Andy Shadrin, Lieutenant

SUBJECT: **Surplus Vehicle Disposal**

## **RECOMMENDATION:**

Authorize the City Administrator to dispose of surplus vehicles that are currently in the inventory of the Woodburn Police Department.

## **BACKGROUND:**

The Police Department currently has two canine patrol vehicles, 3 Kawasaki motorcycles, and one Ford F150 pickup in our inventory that are now surplus vehicles. The three motorcycles and the two K9 vehicles have been replaced with new equipment. The pickup is no longer able to support the department's needs and will eventually be replaced.

## **DISCUSSION:**

Pursuant to the City's Public Contracting Ordinance (Ord. 2381) Section 8, The City Administrator shall have the authority to dispose of surplus property and abandoned personal property not owned by the City by any means determined to be in the best interests of the City, including but not limited to, transfer to other departments, government agencies, non- profit organizations, sale, trade, auction, or destruction; provided however, that disposal of personal property having residual value of more than \$10,000 shall be subject to authorization by the Local Contract Review Board.

All of the information regarding our surplus fleet was provided to Gresham Ford for a trade in evaluation. In total, Gresham Ford has offered to take all of the vehicle in on trade and hold the value as a trade credit for \$25,600. Due to the

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

fact, Gresham Ford is part of the Oregon Cooperate Purchasing Program; the Police Department will use the trade credit towards the next vehicle purchase. Gresham Ford is currently searching for a vehicle in order for the Police Department to purchase. However, given the pandemic, current inventory is limited. Gresham Ford will hold onto the trade credit until a suitable vehicle can be found.

**FINANCIAL IMPACT:**

At this time, there is no financial impact to the City. Once a suitable vehicle is located, the Police Department will be able to use the trade credit and if necessary use current funds within the budget to purchase a vehicle. The expected purchase should be completed by June 30, 2021.



## WOODBURN POLICE DEPARTMENT

1060 Mt. Hood Avenue, Woodburn, Oregon 97071  
Phone: (503) 982-2345 FAX: (503) 982-2370

### **MEMORANDUM**

April 6, 2021

**To:** Scott Derickson

**Subject:** Elimination of Surplus Vehicles

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Over the years, the Woodburn Police Department has continued to update its vehicle inventory. The six (6) vehicles listed were purchased with general funds. Due to the age and condition of the vehicles, they are no longer able to remain in service for the Woodburn Police Department or the City of Woodburn. Below is a list of vehicles I am recommending be removed from our inventory.

#### **Vehicles**

2009 Kawasaki Concourse 14 motorcycles X3.

2015 Ford Explorer patrol vehicle (K9) X2

2004 Ford F150

Once approved for release, Gresham Ford has offered to take the vehicles in trade for the agreed upon price of \$25,600 for all six vehicles. The trade credit will be applied to a future purchase from Gresham Ford.

X\_\_\_\_\_

Marty Pilcher  
Chief of Police



## **TRANSFER OF VEHICLE TITLE**

<b>TRANSFEROR:</b> City of Woodburn 270 Montgomery Street Woodburn, Oregon 97071	<b>TRANSFeree:</b> Gresham Ford 1999 East Powell Blvd Gresham, Oregon 97080
-------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------

<u><b>Vehicle Description</b></u>	<u><b>Estimated Value</b></u>	<u><b>Status</b></u>
2009 Kawasaki Concourse 14 (X3)	\$6600	City Owned
2004 Black F150	\$6000	City Owned
2015 Ford Explorer K9 (X2)	\$13,000	City Owned

**TRANSFEROR**, as owner of the above-described vehicles, transfers ownership of the vehicle to TRANSFeree for the total sum of \$25,600.

**TRANSFEROR** hereby releases all ownership rights in the above-described vehicle upon signing the back of the vehicle's title, making the necessary odometer disclosure, and delivering the vehicle's title to the TRANSFeree.

**TRANSFEROR** agrees to notify the Oregon State DMV of this transfer within ten (10) days, per the requirements of ORS 803.112.

**TRANSFEROR** declares that the statements contained herein are true and correct to the best of its knowledge and belief.

---

Scott Derickson, Woodburn City Administrator

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Date

**TRANSFeree** hereby accepts full liability for the above-described vehicle and any third-party liability incurred from the vehicle's use from the date of transfer.

**TRANSFeree** agrees to apply for transfer the vehicle's title with the Oregon State DMV within thirty (30) days of this transfer, per the requirements of ORS 803.090.

**TRANSFeree** acknowledges receipt of this Transfer of Vehicle Title and understands that there is no guarantee or warranty, expressed or implied, with respect to the above-described vehicle. The Transferee also understands this vehicle does not have an engine installed. It is also understood that the above-described vehicle is transferred in “AS-IS” condition.

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Gresham Ford Representative

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Date