

COUNCIL MEETING MINUTES

APRIL 10, 2023

DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, APRIL 10, 2023

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

ROLL CALL

Mayor Lonergan	Present
Councilor Carney	Present
Councilor Cornwell	Present
Councilor Schaub	Present
Councilor Swanson	Present – via video conferencing
Councilor Morris	Present
Councilor Cabrales	Present

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Police Chief Pilcher, Public Works Director Stultz, Community Development Director Kerr, Economic Development Director Johnk, Special Projects Director Wakeley, Human Resources Director Gregg, Community Services Director Cuomo, Planner Handel, Public Affairs and Communications Coordinator Moore, Community Relations Manager Herrera, City Recorder Pierson

APPOINTMENTS

Schaub/Cornwell...appoint Luis Molina to the Woodburn Budget Committee. The motion passed unanimously.

COMMUNITY/GOVERNMENT REPORTS

Mayor Lonergan noted that he received an invitation from Marion County to attend the open house and ribbon cutting for His Place on April 12, 2023 from 11:00 a.m. – 2:00 p.m.

PROCLAMATIONS

Mayor Lonergan read a proclamation declaring April as Child Abuse Prevention Month. Alison Kelley, Chief Executive Officer at Liberty House and Kyle Tarr, Prevention Program Director at Liberty House provided information about Liberty House and free virtual trainings they are providing this month.

COMMUNICATIONS

Mayor Lonergan stated that two letters were received. One was from Ruth Wells regarding serious noise issues in her neighborhood and the other is from a downtown business owner, Russell Peterson, that is having a problem with trespassing.

BUSINESS FROM THE PUBLIC

Dan Haun, Executive Director of North Willamette Valley's Habitat for Humanity introduced himself to the City Council.

CONSENT AGENDA

COUNCIL MEETING MINUTES

APRIL 10, 2023

- A. Woodburn City Council minutes of March 13, 2023,
 - B. Woodburn City Council Executive Session minutes of March 13, 2023,
 - C. Woodburn City Council Retreat minutes of March 24 and March 25, 2023,
 - D. Liquor License Application for Jaimex's Restaurant,
 - E. Liquor License Application for Casa Marquez Mexican Grill,
 - F. Acceptance of a Right-of-Way Dedication and Public Utility Easement at 960 Young Street, Woodburn, OR 97071 (Tax Lot 051W18AD08300),
 - G. Acceptance of Easements and Right-of-Way at the Woodland Crossing Development from Multiple Parties,
 - H. Crime Statistics through February 2023,
 - I. Building Activity for March 2023.
- Schaub/Cornwell...** adopt the Consent Agenda. The motion passed unanimously.

PUBLIC HEARINGS

Mayor Lonergan declared the hearing open at 7:15 p.m. for the purpose of hearing public input on annexation of approximately 40.93 acres of territory at 8708 Parr Road NE (ANX 22-03) and approval of related land use applications for development into the Brighton Pointe Subdivision. Mayor Lonergan asked if there were any declarations from the Council and Councilors Cabrales, Morris, Schaub, and Mayor Lonergan noted they have all driven by the property before. City Recorder Pierson read the public hearing statement. Planner Handel provided a staff report. Dana Krawczuk, Attorney with Stoel Rives and Roseann Johnson with Lennar, provided testimony on behalf of the applicant. Mayor Lonergan asked if any member of the public wished to speak in support of the annexation of approximately 40.93 acres of territory at 8708 Parr Road NE (ANX 22-03) and approval of related land use applications for development into the Brighton Pointe Subdivision. No members of the public wished to speak in support. Mayor Lonergan asked if any member of the public wished to speak in opposition of the annexation of approximately 40.93 acres of territory at 8708 Parr Road NE (ANX 22-03) and approval of related land use applications for development into the Brighton Pointe Subdivision. No members of the public wished to speak in opposition. Mayor Lonergan closed the hearing at 9:03 p.m. City Councilors provided comments on the annexation and land use applications for development for the Brighton Pointe Subdivision. **Cornwell/Schaub...** tentatively approve the land use applications, directing staff to prepare and submit ordinances and a final land use decision for consideration at the next City Council meeting. The motion passed 4-2 with Councilors Cabrales and Swanson voting no. (During the initial vote on the motion Mayor Lonergan stated that the vote was 5-1 with Councilor Cabrales voting no. At 9:11 p.m. an email was received by the City Recorder from Councilor Swanson, who was participating virtually, stating that her vote was a no vote. The City Recorder informed the Mayor, and the Mayor announced the change and that the motion passed 4-2 with Councilors Cabrales and Swanson voting no.)

Mayor Lonergan declared the hearing open at 9:10 p.m. for the purpose of hearing public input on annexation of approximately 0.93 acres of territory at 2115 Molalla Road NE (ANX 22-04) and assignment of City zoning (ZMC 22-04). Mayor Lonergan asked if there were any declarations from the Council and there were none. City Recorder Pierson read the public hearing statement. Planner Handel provided a staff report. Zach Pelz with AKS Engineering and Forestry provided testimony on behalf of the applicant. Mayor Lonergan asked if any member of the public wished to speak in support of the annexation of approximately 0.93 acres of territory at 2115 Molalla Road NE (ANX 22-04) and assignment of City zoning (ZMC 22-04). No members of the public wished

COUNCIL MEETING MINUTES

APRIL 10, 2023

to speak in support. Mayor Lonergan asked if any member of the public wished to speak in opposition of the annexation of approximately 0.93 acres of territory at 2115 Molalla Road NE (ANX 22-04) and assignment of City zoning (ZMC 22-04). No members of the public wished to speak in opposition. Mayor Lonergan closed the hearing at 9:19 p.m. City Councilors provided comments on the annexation and assignment of City zoning. **Carney/Cornwell**... to tentatively approve the land use application directing staff to prepare and submit ordinances for consideration at the next City Council meeting. On roll call vote the motion passed unanimously.

NOMINATION OF A CITY COUNCIL REPRESENTATIVE TO SERVE ON THE UGB TECHNICAL ADVISORY GROUP (TAG)

Special Projects Director Wakeley provided a staff report. **Morris/Schaub**... appoint Mayor Lonergan to serve on the Buildable Land Inventory (BLI) and Economic Opportunities Analysis (EOA) work related to the potential Urban Growth Boundary (UGB) for needed employment land. The motion passed unanimously.

SPECIAL PUBLIC WORKS FUND LOAN APPLICATION

Assistant City Administrator Row provided a staff report. **Carney/Schaub**... authorize the City Administrator to sign and submit the enclosed application for a Special Public Works Fund (SPWF) loan application to the Oregon Business Development Department (Business Oregon) to continue design work on the community center project. The motion passed unanimously.

LEASING SPECIALISTS, LLC. CONTRACT AWARD

Police Chief Pilcher provided a staff report. **Swanson/Schaub**... award a police vehicle lease contract in the amount of \$260,450 (Total contract price over the next four years) to Leasing Specialists, LLC., with an additional contingency of \$50,000 authorized to account for increases in the final outfitting costs and financing of the vehicles, and authorize the City Administrator to sign the lease agreement. The motion passed unanimously.

AWARD OF CONSTRUCTION CONTRACT FOR 2022-23 SPRING PAVING, PART 2 PROJECT (MAINTENANCE PROJECT, BID # 2023-01)

Public Works Director Stultz provided a staff report. **Schaub/Cornwell**... Award the construction contract for the 2022-23 Spring Paving, Part 2 Project to the lowest responsible and responsive bidder, Knife River Corporation, in the amount of \$392,109.75. Staff is requesting approval of an additional \$25,000 for this project as a contingency for potential change orders that may arise during the construction process. The motion passed unanimously.

ANNUAL REVIEW PROCESS

Schaub/Carney... move that we accept option number three, annual review and to continue the use of a form. The motion passed unanimously.

CALL-UP BRIEFING: PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT & DESIGN REVIEW APPLICATION PACKAGE FOR THE HARDCASTLE APARTMENTS AT 1755 HARDCASTLE AVE (CU 22-04 & DR 22-15)

The Council declined to call this item up.

COUNCIL MEETING MINUTES

APRIL 10, 2023

CALL-UP BRIEFING: PLANNING COMMISSION APPROVAL OF A MODIFICATION OF CONDITIONS TO PUD 22-01 MILL CREEK MEADOWS AT 1490, 1550, & 1636

BROWN ST (MOC 23-01)

The Council declined to call this item up.

COUNCIL BRIEFING OF PLANNING COMMISSION APPROVAL OF A VARIANCE APPLICATION FOR AMAZON AT 450 S. BUTTEVILLE ROAD (VAR 23-01)

The Council declined to call this item up.

COUNCIL BRIEFING OF PLANNING COMMISSION APPROVAL OF A MODIFICATION OF CONDITIONS APPLICATION FOR 2385 SPRAGUE LANE (MOC 22-03)

The Council declined to call this item up.

CALL-UP BRIEFING: PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT & DESIGN REVIEW APPLICATION PACKAGE FOR U-HAUL TRUCK RENTAL AND MINI-STORAGE AT 0 [ZERO] STACY ALLISON WAY NE (CU 22-03, DR 22-14, & SA 23-01)

Carney/Schaub... call up the application package for U-Haul Truck Rental and Mini-Storage at 0 [Zero] Stacy Allison Way NE. The motion passed unanimously.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

- Budget meeting will take place April 29, 2023;
- Represented OCCMA at the Alaska Conference in Fairbanks.

MAYOR AND COUNCIL REPORTS

Councilor Schaub had a great time at the dedication ceremony of the tulip blossom stamp.

Councilor Morris commended the City Council for the good work done tonight.

Councilor Cornwell stated that she attended the stamp dedication as well.

Councilor Cabrales asked when Butteville Rd. will be smoothed. Public Works Director Stultz stated that the road will be cleaned up shortly. Director Stultz also commented that the City is pushing ODOT to repair potholes on 214. Councilor Cabrales also stated that she stands in solidarity with Woodburn teachers.

Mayor Lonergan stated that he attended the Woodburn DSA Ceremony put on by the Chamber and that he also attended the Fire District recognition dinner. He had a roundtable discussion with Representative Salinas in Donald, where 15 mayors and city administrators got together to talk about possible grants and rural opportunities. Mayor Lonergan reported that he also participated in the following: Mid-Willamette Valley Area Commission on transportation, went to the Estates to view art on display by Dago Benavidez, tulip stamp dedication at the Wooden Shoe, Chamber's Greeters at the Wooden Shoe and the sunrise Easter Service at the Wooden Shoe. He thanked those that attended the state of the City address and added that a Spanish version is coming out this week. He thanked Councilor Carney for filling in for him while he was out of town and that he will be

COUNCIL MEETING MINUTES
APRIL 10, 2023

out of town for the next meeting as well.

Councilor Swanson stated that she also attended the tulip stamp dedication at the Wooden Shoe.

ADJOURNMENT

Morris/Cabrales...move to adjourn. The motion passed unanimously. Council President Carney adjourned the meeting at 10:03 p.m.

APPROVED _____
FRANK LONERGAN, MAYOR

ATTEST _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



Agenda Item

April 24, 2023

TO: Honorable Mayor and City Council through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Acceptance of three (3) Public Utility Easements and a Public Waterline Easement at 2045 Molalla Road NE, Woodburn, OR 97071 (Tax Lot 051W08A005200)**

RECOMMENDATION:

Accept three (3) public utility easements and a public waterline easement granted by Woodburn West LLC, owner of the property located at 2045 Molalla Road NE, Woodburn, OR 97071 (Tax Lot 051W08A005200).

BACKGROUND:

The property owner is required to provide to the City of Woodburn, public utility easements and a public waterline easement in order to satisfy the conditions of approval of Design Review (DR 2022-08, & CU 2022-01).

DISCUSSION:

The first easement is a 10-foot wide public utility easement located along the southerly boundary of the property as shown in the attached exhibit. This public utility easement provides a perpetual and permanent easement and right-of-way to construct, reconstruct, operate, and maintain public utilities within the easement.

The second easement is an 82-foot wide public utility easement located along the northerly boundary of the property as shown in the attached exhibit. This public utility easement provides a perpetual and permanent easement and right-of-way to construct, reconstruct, operate, and maintain public access and utilities within the easement.

The third easement is a 70-foot wide public utility easement located primarily along the westerly boundary of the property as shown in the attached exhibit. This public utility easement provides a perpetual and permanent easement and right-

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

of-way to construct, reconstruct, operate, and maintain public access and utilities within the easement.

The fourth easement is a 16-foot wide public waterline easement located within the property as shown in the attached exhibit. This public utility easement provides a perpetual and permanent easement and right-of-way to construct, reconstruct, operate, and maintain water mains and appurtenances.

FINANCIAL IMPACT:

There is no cost to the City for the Easement being granted.

Attachments

Copies of the aforementioned easement documents are included as Exhibits "A" and Exhibits "B" for each dedication.

AFTER RECORDING RETURN TO:

City of Woodburn
Woodburn City Recorder
270 Montgomery Street
Woodburn, OR 97071

CITY OF WOODBURN, OREGON

**PUBLIC UTILITY EASEMENT
(Permanent)**

Woodburn West, LLC ("GRANTOR"), grants to the CITY OF WOODBURN, OREGON ("CITY") a permanent easement and right-of-way, including a grant of public access and unrestricted ingress and egress over and across GRANTOR's property on the following described land:

See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement, which are by this reference incorporated herein.

The true and actual consideration of this conveyance is (ZERO DOLLARS) \$ 0.00 and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged by GRANTOR.

The Easement and all rights granted herein shall perpetually encumber the property.

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by the CITY. No building, permanent structures, or fences shall be placed upon, under or within the property subject to the foregoing easement during the term thereof without the written permission of the CITY.

The CITY has no maintenance responsibilities for the easement granted herein, however, should it complete any maintenance or repair work that may result in disturbance to the surface of the easement area and any associated landscaping and vegetation, the CITY shall promptly restore the surface of the property and any associated landscaping and vegetation to its original condition.

CITY hereby agrees to indemnify, defend and hold harmless GRANTOR from and against any liens, claims, liability and costs (including court costs and reasonable attorney and witness fees) arising from or in connection with entry onto or activities on the property pursuant to this easement by CITY or any party affiliated with CITY.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, subject only to those encumbrances of public record, and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under GRANTOR.

PUBLIC ACCESS EASEMENT
PAGE 1 OF 5

DATED THIS 7 DAY OF April, 2023

WOODBURN WEST, an LLC

By: _____

Name: Kiril Ivanov

Title: Sole Member

CORPORATE ACKNOWLEDGEMENT

State of Oregon)
County of Clackamas) ss.

This instrument was acknowledged before me on this 7 day of April, 2023,
by KIRIL IVANOV, as Member
(Signer's Name) (day) (month) (year)
of Woodburn West, LLC
(Title; write N/A if not applicable)
(Name of Entity of whose behalf record is executed; write N/A if not applicable)



[Signature]
Notary Public for Oregon

My Commission Expires March 22, 2026

EXHIBIT A

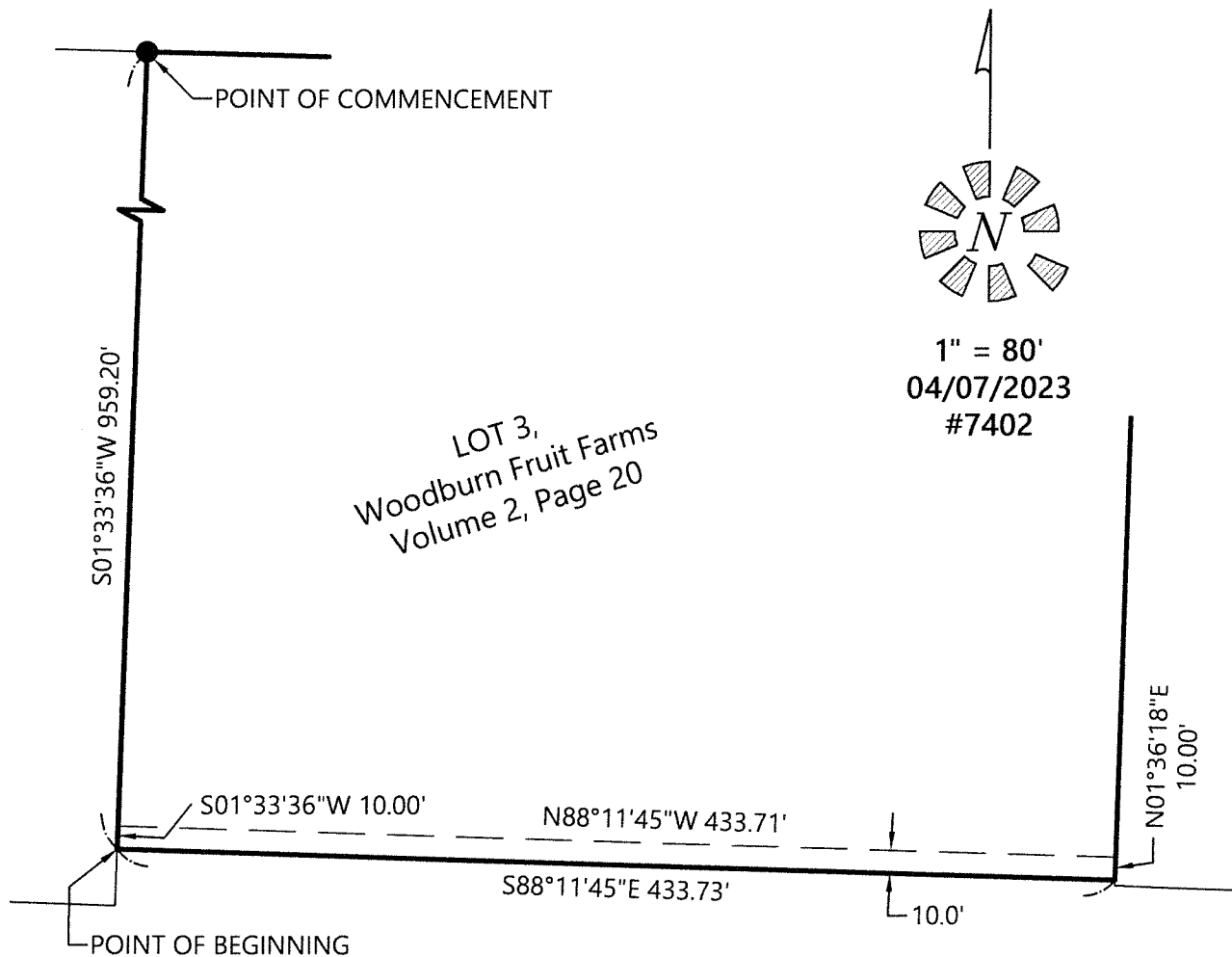
10' PUE

Commencing at a 5/8" iron rod at the Northwestern corner of Lot 3, Woodburn Fruit Farms, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northeast Quarter of Section 8, and the Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon; thence along the Westerly line of said Lot 3, South 01°33'36" West 959.20 feet to a point along the Northerly right-of-way line of Molalla Road, being also the True Point of Beginning of a 10 foot-wide public utility easement to the City of Woodburn; thence along said right-of-way line South 88°11'45" East 433.73 feet to a point along the East line of said Lot 3; thence along the Easterly line of said Lot 3, North 01°36'18" East 10.00 feet; thence North 88°11'45" West 433.71 feet to a point on the Westerly line of said Lot 3; thence South 01°33'36" West 10.00 feet to the Point of Beginning and containing 4,337 square feet of land, more or less.



EXHIBIT B

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



MOLALLA ROAD (WIDTH VARIES)
WOODBURN - ESTACADA HWY. NE - OR. HWY. 211

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2023

AFTER RECORDING RETURN TO:

City of Woodburn
Woodburn City Recorder
270 Montgomery Street
Woodburn, OR 97071

CITY OF WOODBURN, OREGON

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The Easement and all rights granted herein shall perpetually encumber the property.

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by the CITY. No building, permanent structures, or fences shall be placed upon, under or within the property subject to the foregoing easement during the term thereof without the written permission of the CITY.

The CITY has no maintenance responsibilities for the easement granted herein, however, should it complete any maintenance or repair work that may result in disturbance to the surface of the easement area and any associated landscaping and vegetation, the CITY shall promptly restore the surface of the property and any associated landscaping and vegetation to its original condition.

CITY hereby agrees to indemnify, defend and hold harmless GRANTOR from and against any liens, claims, liability and costs (including court costs and reasonable attorney and witness fees) arising from or in connection with entry onto or activities on the property pursuant to this easement by CITY or any party affiliated with CITY.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, subject only to those encumbrances of public record, and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, though, or under GRANTOR.

PUBLIC ACCESS EASEMENT
PAGE 1 OF 5

DATED THIS 7 DAY OF April, 2023.

WOODBURN WEST, an LLC

By: _____

Name: Kiril Ivanov

Title: Sole Member

CORPORATE ACKNOWLEDGEMENT

State of Oregon)
County of Clackamas) ss.

This instrument was acknowledged before me on this 7 day of April, 2023,
by KIRIL IVANOV, as Member
(Signer's Name) (Title; write N/A if not applicable)
of Woodburn West LLC
(Name of Entity of whose behalf record is executed; write N/A if not applicable)



[Signature]
Notary Public for Oregon
My Commission Expires March 22, 2026

EXHIBIT A

82' PUE

The Northerly 82.00 feet of Lot 3, Woodburn Fruit Farms, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northeast Quarter of Section 8 and the Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon, and containing 35,624 square feet of land, more or less.

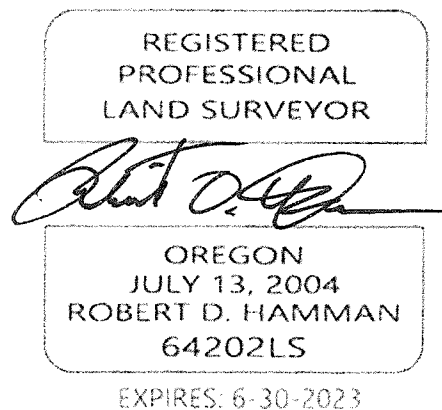
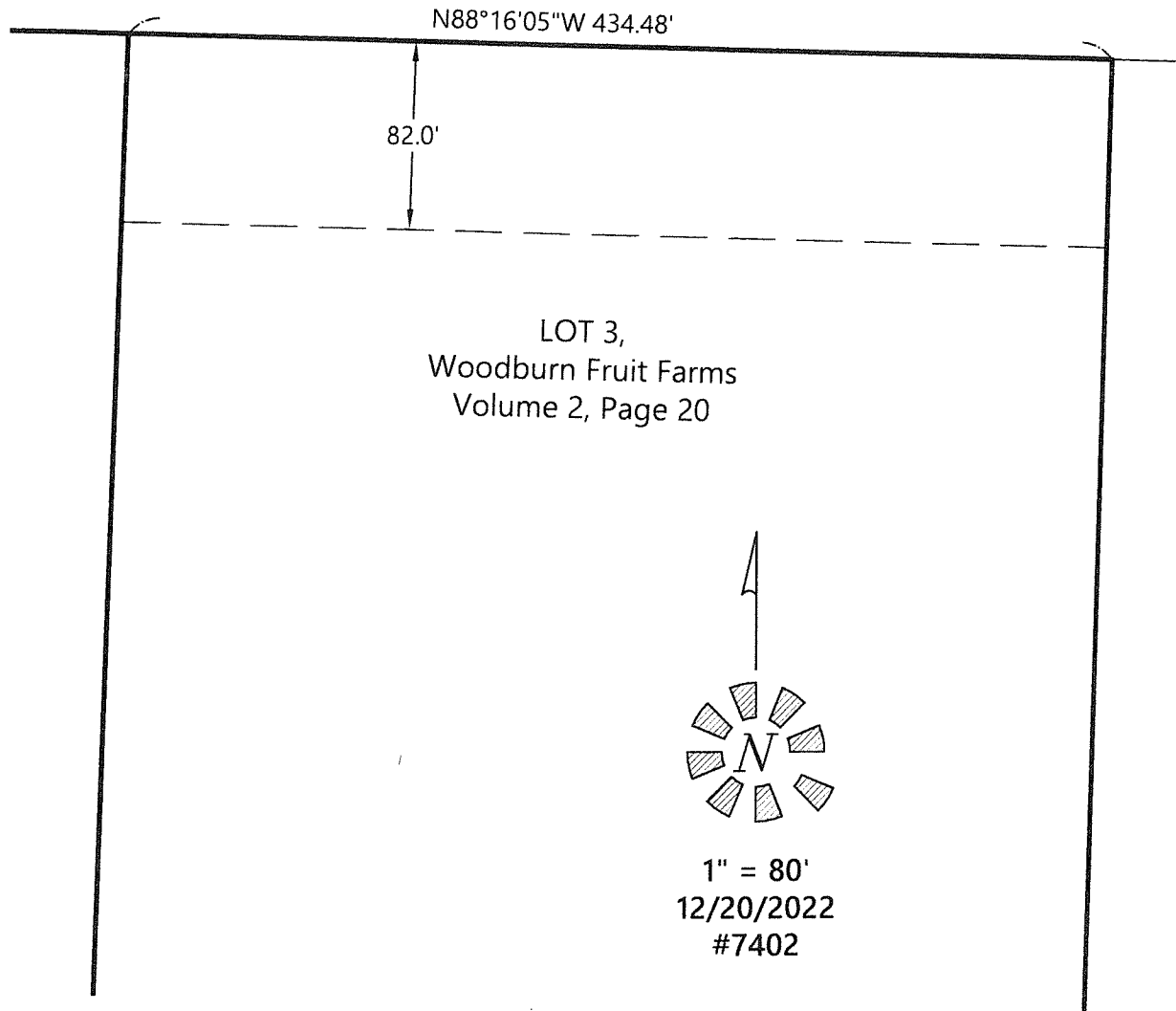


EXHIBIT B



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2023

1" = 80'
12/20/2022
#7402

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

AFTER RECORDING RETURN TO:

City of Woodburn
Woodburn City Recorder
270 Montgomery Street
Woodburn, OR 97071

CITY OF WOODBURN, OREGON

**PUBLIC UTILITY EASEMENT
(Permanent)**

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The Easement and all rights granted herein shall perpetually encumber the property.

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by the CITY. No building, permanent structures, or fences shall be placed upon, under or within the property subject to the foregoing easement during the term thereof without the written permission of the CITY.

The CITY has no maintenance responsibilities for the easement granted herein, however, should it complete any maintenance or repair work that may result in disturbance to the surface of the easement area and any associated landscaping and vegetation, the CITY shall promptly restore the surface of the property and any associated landscaping and vegetation to its original condition.

CITY hereby agrees to indemnify, defend and hold harmless GRANTOR from and against any liens, claims, liability and costs (including court costs and reasonable attorney and witness fees) arising from or in connection with entry onto or activities on the property pursuant to this easement by CITY or any party affiliated with CITY.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, subject only to those encumbrances of public record, and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, though, or under GRANTOR.

DATED THIS 7 DAY OF April, 2023.

WOODBURN WEST, an LLC

By: _____

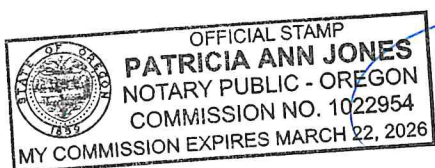
Name: Kiril Ivanov

Title: Sole Member

CORPORATE ACKNOWLEDGEMENT

State of Oregon)
County of Clackamas) ss.

This instrument was acknowledged before me on this 7 day of April, 2023,
by KIRIL IVANOV, as Member
(Signer's Name) (Title; write N/A if not applicable)
of Woodburn West LLC.
(Name of Entity of whose behalf record is executed; write N/A if not applicable)



Notary Public for Oregon

My Commission Expires March 22, 2026

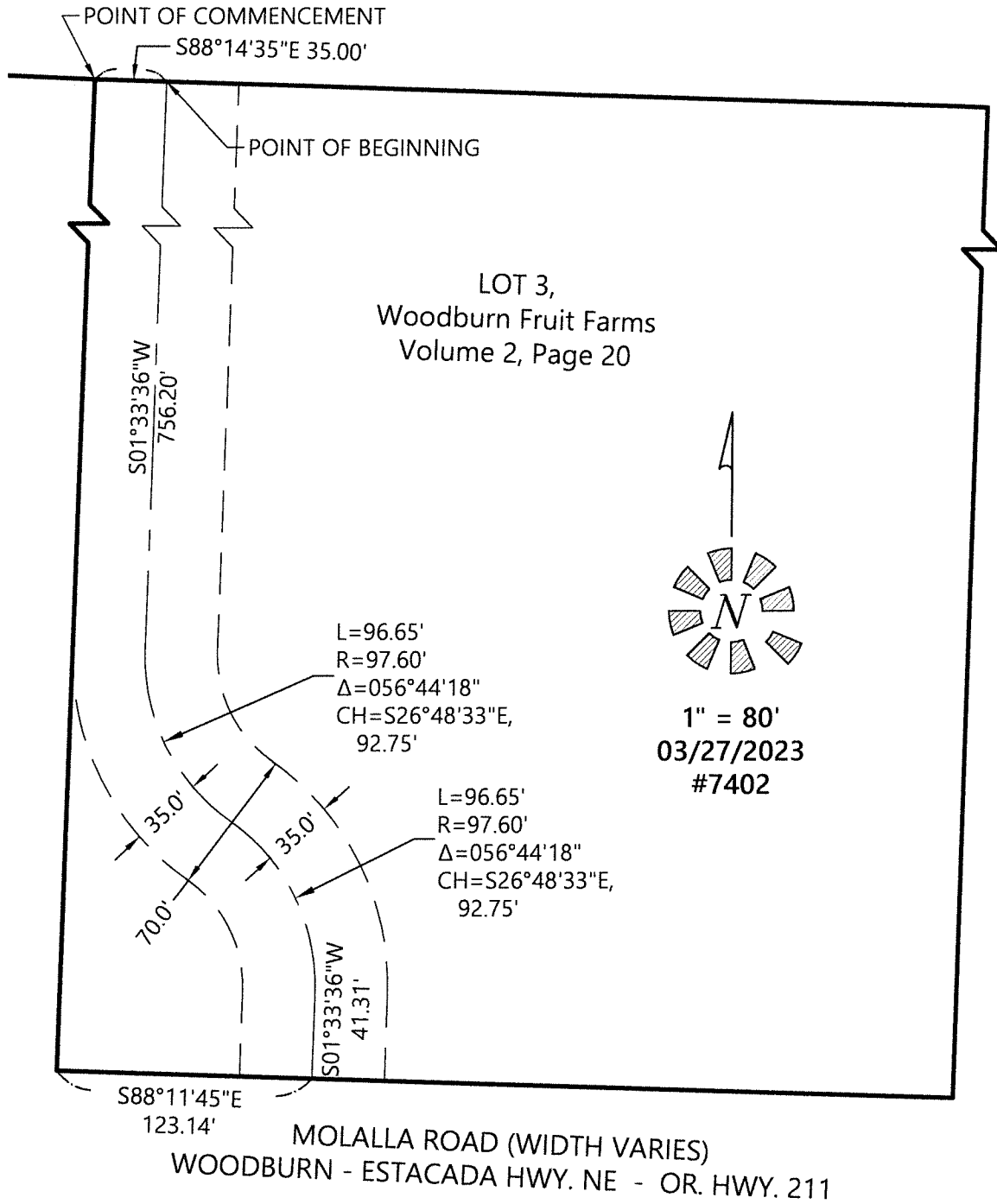
EXHIBIT A

70' PUE

Commencing at a 5/8" iron rod, at the Northwest corner of Lot 3, Woodburn Fruit Farms, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northeast Quarter of Section 8, and Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon; thence along the North line of Said Lot 3, South 88°14'35" East 35.00 feet to the True Point of Beginning of a 70.00 foot wide Right-of-Way easement being 35.00 feet on each side of the following described centerline; thence South 01°33'36" West 756.20 feet; thence 96.65 feet along a 97.60 foot radius curve to the left (the chord of which bears South 26°48'33" East 92.75 feet); thence 96.65 feet along a 97.60 foot radius curve to the right (the chord of which bears South 26°48'33" East 92.75 feet); thence South 01°33'36" West 41.31 feet to the point of terminus on the Northerly Right-of-Way line of Woodburn-Estacada Highway Northeast, with the side lines extending or shortening as-needed to terminate at said Right-of-Way line, and containing 69,294 square feet, more or less.



EXHIBIT B



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2023

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

AFTER RECORDING RETURN TO:

City of Woodburn
Woodburn City Recorder
270 Montgomery Street
Woodburn, OR 97071

CITY OF WOODBURN, OREGON

**16' PUBLIC WATER LINE EASEMENT
(Permanent)**

Woodburn West, LLC ("GRANTOR"), grants to the CITY OF WOODBURN, OREGON ("CITY") a permanent easement and right-of-way, including a grant of public access and unrestricted ingress and egress over and across GRANTOR's property on the following described land:

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GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by the CITY. No building, permanent structures, or fences shall be placed upon, under or within the property subject to the foregoing easement during the term thereof without the written permission of the CITY.

The CITY has no maintenance responsibilities for the easement granted herein, however, should it complete any maintenance or repair work that may result in disturbance to the surface of the easement area and any associated landscaping and vegetation, the CITY shall promptly restore the surface of the property and any associated landscaping and vegetation to its original condition.

CITY hereby agrees to indemnify, defend and hold harmless GRANTOR from and against any liens, claims, liability and costs (including court costs and reasonable attorney and witness fees) arising from or in connection with entry onto or activities on the property pursuant to this easement by CITY or any party affiliated with CITY.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, subject only to those encumbrances of public record, and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under GRANTOR.

PUBLIC ACCESS EASEMENT
PAGE 1 OF 5

DATED THIS 7 DAY OF April, 20 23

WOODBURN WEST, an LLC

By: _____

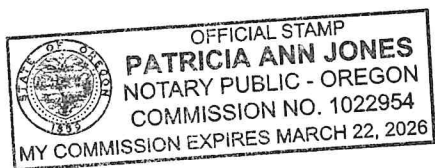
Name: Kiril Ivanov

Title: Sole Member

CORPORATE ACKNOWLEDGEMENT

State of Oregon)
County of Clackamas) ss.

This instrument was acknowledged before me on this 7 day of April, 2023,
by Kiril Ivanov, as Member
(Signer's Name) (Title; write N/A if not applicable)
of Woodburn West LLC
(Name of Entity of whose behalf record is executed; write N/A if not applicable)



[Signature]
Notary Public for Oregon

My Commission Expires March 22, 2026

EXHIBIT A

16' WATER LINE EASEMENT

EASEMENT 1: Commencing at a 1/2" iron rod at the Northeast corner of Lot 3, Woodburn Fruit Farms, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northeast Quarter of Section 8, and the Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon; thence along the East line of Said Lot 3 South 01°36'31" West 8.01 feet to the True Point of Beginning of a 16.00 foot-wide Water easement, being 8.00 feet on each side of the following described centerline; thence North 88°12'43" West 416.70 feet; thence South 01°30'43" West 923.63 feet; thence South 88°02'21" East 48.37 feet; thence South 01°57'18" West 27.87 feet to the Northerly right-of-way line of Molalla Road, Woodburn-Estacada Highway Northeast, being the point of terminus of the easement with the side lines to be extended or shortened so sides terminate at the Northerly right-of-way line of Molalla Road, Woodburn-Estacada Highway Northeast.

TOGETHER WITH: Beginning at Centerline Station 2+29.09 a 16.00 foot-wide Water easement, being 8.00 feet on each side of the following described centerline; South 01°49'15" West 17.99 feet to the terminus of the easement with the side lines to be extended or shortened so sides terminate at right angles to the centerline of said easement.

TOGETHER WITH: Beginning at Centerline Station 7+16.20 a 16.00 foot-wide Water easement, being 8.00 feet on each side of the following described centerline; South 88°27'01" East 47.49 feet; thence South 01°48'08" West 17.44 feet to the terminus of the easement with the side lines to be extended or shortened so sides terminate at right angles to the centerline of said easement.

TOGETHER WITH: Beginning at Centerline Station 12+14.06 a 16.00 foot-wide Water easement, being 8.00 feet on each side of the following described centerline; South 88°02'06" East 71.27 feet to the terminus of the easement with the side lines to be extended or shortened so sides terminate at right angles to the centerline of said easement.

PLUS EASEMENT 2: Commencing at a 1/2" iron rod at the Northeast corner of Lot 3, Woodburn Fruit Farm, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northeast Quarter of Section 8, and the Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon; thence along the East line of Said Lot 3 South 01°36'31" West 576.28 feet to the True Point of Beginning of a 16.00 foot-wide Water easement, being 8.00 feet on each side of the following described centerline; thence North 88°26'59" West 415.74 feet to the Centerline of Easement 1, centerline Station 9+86.70 being the terminus of the easement with the side lines to be extended or shortened so sides terminate at the easterly line of said Lot 3 and the easterly line of aforementioned easement 1.

TOGETHER WITH: Beginning at Easement 2 Centerline Station 0+67.21 a 16.00 foot-wide Water easement, being 8.00 feet on each side of the following described centerline; South 01°49'15" West 20.84 feet and the terminus of the easement with the side lines to be extended or shortened so sides terminate at right angles to the centerline of said easement.

TOGETHER WITH: Beginning at Easement 2 Centerline Station 3+69.45 a 16.00 foot wide Water easement, being 8.00 feet on each sides of the following described centerline; South 01°55'58" West 20.85 feet to the terminus of the easement with the side line to be extended or shortened so sides terminate at right angles to the centerline of said easement.

The total combined area of the aforementioned easements is 31681 square feet of land, more or less. Easement 1 contains 24743 square feet, and Easement 2 contains 6938 square feet.

#7402
March 30, 2023

REGISTERED
PROFESSIONAL
LAND SURVEYOR

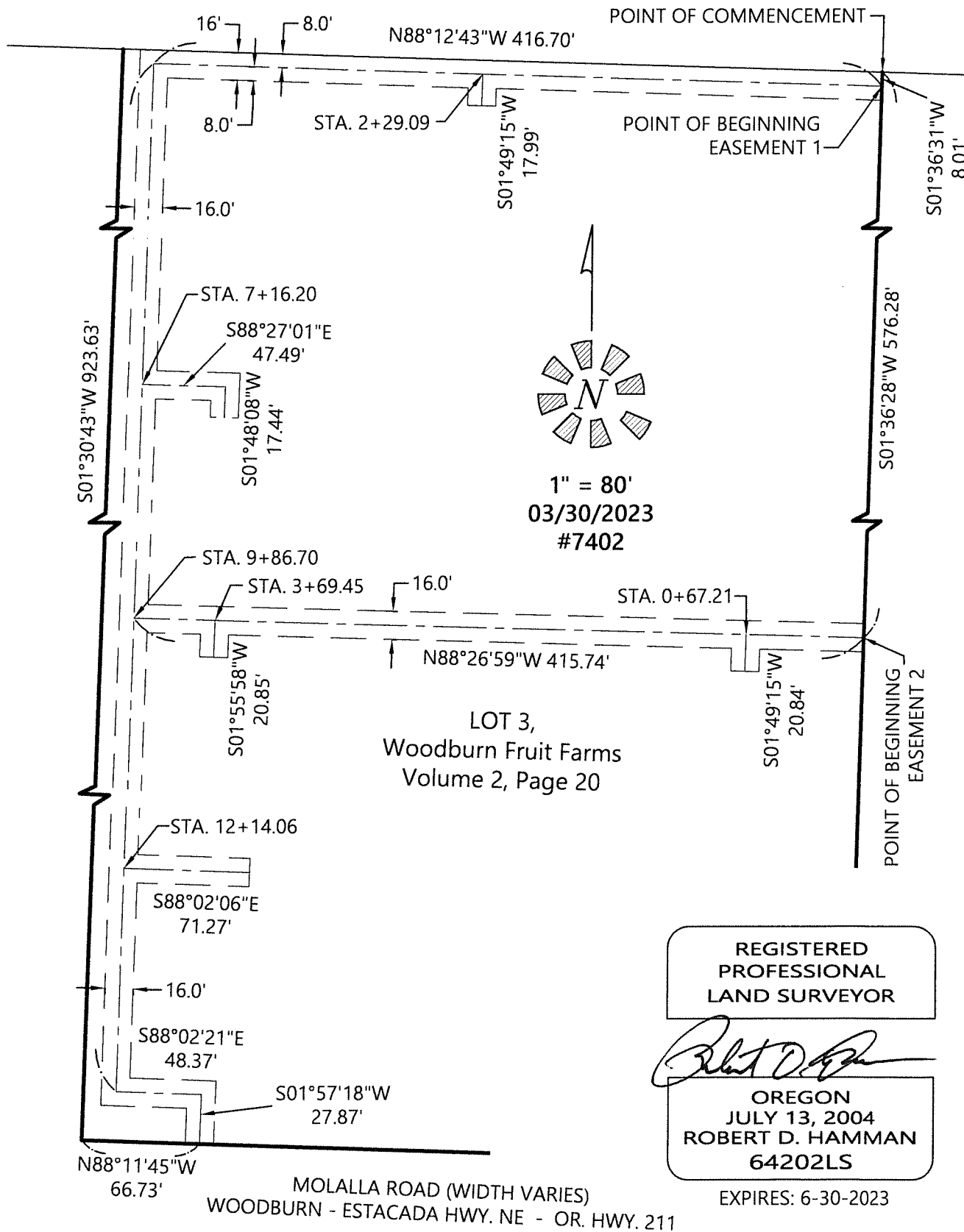


OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2023

EXHIBIT B

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Hamman
OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2023



Agenda Item

April 24, 2023

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director
Dan Handel, Planner

SUBJECT: **Annexation of Approximately 0.93 Acres of Territory at 2115 Molalla Road NE (ANX 22-04 & ZMC 22-04)**

RECOMMENDATION:

Adopt the ordinances annexing the subject property at 2115 Molalla Road NE and assigning City zoning.

BACKGROUND:

On April 10, 2023, the City Council held a public hearing for the annexation application package (ANX 22-04 and ZMC 22-04) submitted by AKS Engineering & Forestry, LLC on behalf of Matveev Development, LLC for property totaling approximately 0.93 gross acres at 2115 Molalla Road NE.

After opening the public hearing, the staff report was presented and was followed by a presentation from the applicant. No testimony was received in favor or in opposition to the project. After closing the public hearing, the City Council deliberated and unanimously voted to grant tentative approval of the annexation and zoning assignment and directed staff to submit ordinances for consideration to that effect.

DISCUSSION:

Annexation is a policy decision by the Council. Decision-making hinges upon the annexation criteria in Woodburn Development Ordinance (WDO) 5.04.01C. The attached Analyses & Findings document from the staff report addressed the applicable criteria and found them met.

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

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 most recent assessed value is based on the rural dwelling that used to be there. The table below simplifies and grossly estimates tax revenue, not accounting for increase resulting from any future 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	051W09B001000	\$45,580	\$275.91
none	051W09B001100	\$40,650	\$246.07
none	051W09B001200	\$176,070	\$1,065.82
Total:		\$262,300	\$1,587.80

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, future site development would increase both the assessed valuation (AV) while also increasing City utility and other service costs.

Attachments:

1. Ordinance to annex
 - Exhibit A: Legal Descriptions & Maps
 - Exhibit B: Analyses & Findings
2. Ordinance to designate City zoning
 - Exhibit A: Legal Descriptions & Maps

COUNCIL BILL NO. 3206

ORDINANCE NO. 2607

AN ORDINANCE ANNEXING APPROXIMATELY 0.93 ACRES OF TERRITORY GENERALLY LOCATED AT 2115 MOLALLA ROAD NE, MARION COUNTY, OREGON, INTO THE CITY OF WOODBURN

WHEREAS, the subject properties are owned by Matveev Development LLC, and are legally described and mapped in Exhibit "A", which is affixed hereto and by this reference incorporated herein; and

WHEREAS, the subject properties are Marion County Tax Lots 051W09B001000, 051W09B001100, and 051W09B001200; and

WHEREAS, consistent with Oregon Revised Statutes (ORS) 222.111(2) the owner of real property in the territory to be annexed initiated by petition a proposal for annexation, a copy of the petition being on file with the City Recorder (ANX 22-04); and

WHEREAS, the applicant, AKS Engineering & Forestry, LLC, obtained written consent from the owners of the territory and has requested annexation of the subject properties; and

WHEREAS, the properties to be annexed are within the City Urban Growth Boundary (UGB); and

WHEREAS, the properties to be annexed are contiguous to the City and can be served with City services; and

WHEREAS, on February 9, 2023, the Woodburn Planning Commission considered the annexation application and, after a duly advertised public hearing, recommended approval of the annexation; and

WHEREAS, on April 10, 2023, the Woodburn City Council held a public hearing, reviewed the record, heard all public testimony presented on said application, and upon deliberation concluded that the proposed annexation meets the applicable approval criteria under City of Woodburn Development Ordinance (WDO) 5.04.01C; **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. That the subject properties, legally described and mapped in Exhibit "A", are annexed to the City of Woodburn.

Section 2. That the City Council adopts the Analysis & Findings, affixed hereto as Exhibit "B" and by this reference incorporated herein.

Approved as to form: _____
City Attorney Date

Approved: _____
Frank Lonergan, Mayor

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

ATTEST: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 | www.aks-eng.com

AKS Job #9438

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Legal Description

A portion of Lot 4 of the plat "Woodburn Fruit Farms", recorded as Volume 2, Page 20, Book of Town Plats, located in the Northeast One-Quarter of Section 9, Township 5 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

Commencing at the northwest corner of said Lot 4, also being on the City of Woodburn city limits line; thence along the west line of said Lot 4 and said city limits line, South $01^{\circ}35'17''$ West 695.84 feet to the Point of Beginning; thence continuing on said west line and said city limits lines South $01^{\circ}35'17''$ West 272.32 feet to the northerly right-of-way line of Woodburn-Estacada Highway (State Highway 211)(50.00 feet from centerline); thence along said right-of-way line and said city limits line South $87^{\circ}36'21''$ East 149.45 feet; thence leaving said right-of-way line and said city limits line, North $01^{\circ}47'24''$ East 274.36 feet; thence North $88^{\circ}23'15''$ West 150.40 feet to the Point of Beginning.

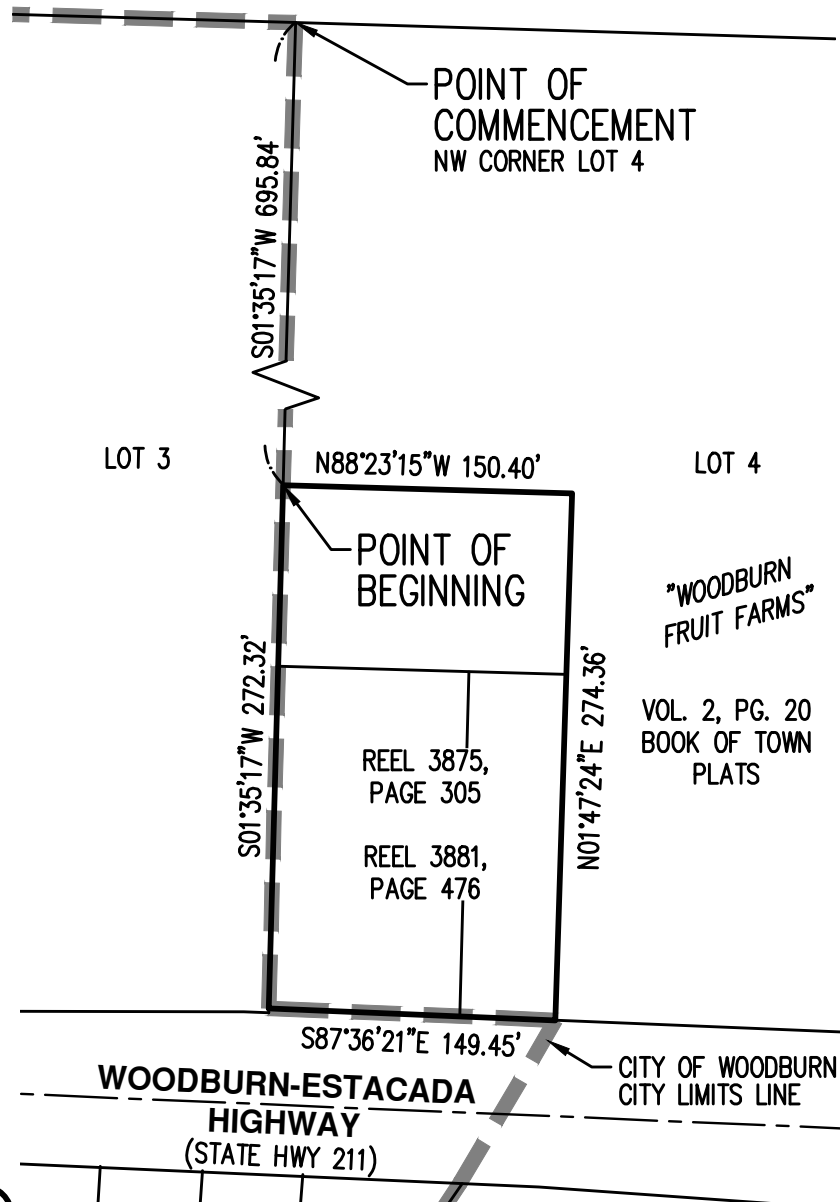
The above described tract of land contains 0.94 acres, more or less.

11/18/2022



EXHIBIT A

A PORTION OF LOT 4 OF THE PLAT OF "WOODBURN FRUIT FARMS",
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 9,
 TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MARION COUNTY, OREGON



11/18/2022

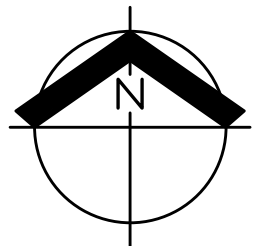
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

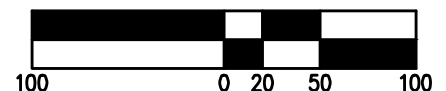
RENEWS: 12/31/24

PREPARED FOR

MATVEEV DEVELOPMENT, LLC
 31696 S ONA WAY
 MOLALLA, OR 97038



SCALE: 1"=100 FEET



AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM

**ANNEXATION MAP**

DATE: 11/18/2022

DRWN: MEB CHKD: RDR

AKS JOB: EXHIBIT

9438

A

Exhibit B

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">Requirement (or guideline) met with condition of approvalOther special circumstance benefitting from attention	Modification or condition of approval required

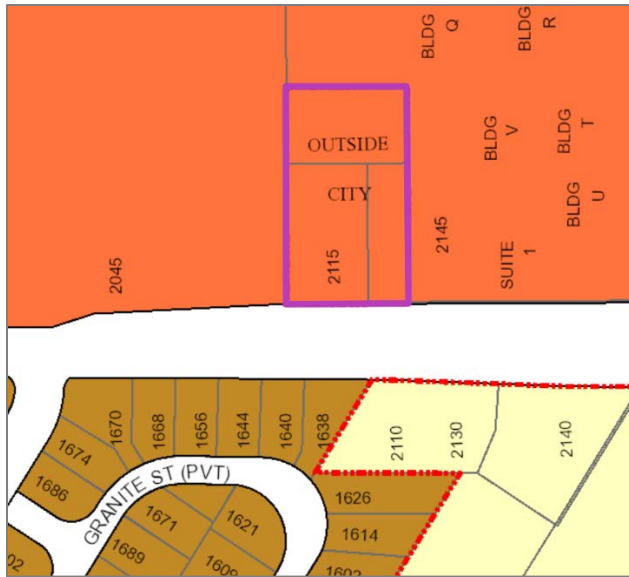
Location

<i>Address</i>	2115 Molalla Road NE
<i>Tax Lots</i>	051W09B001000, 1100, & 1200
<i>Nearest intersection</i>	Molalla Road / June Way

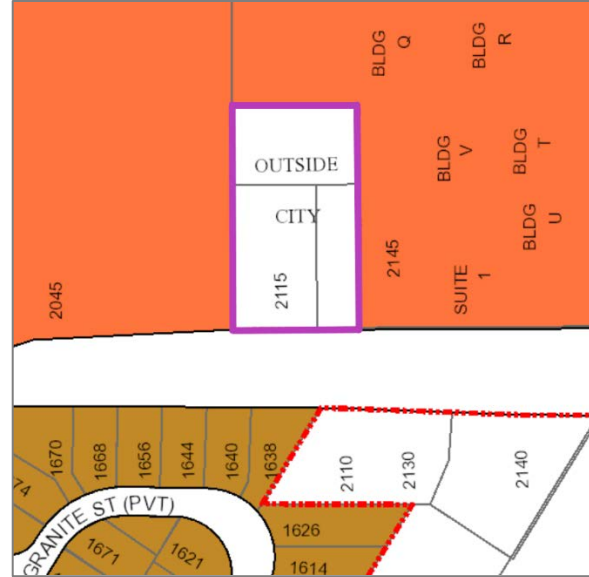
Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG) upon annexation
<i>Overlay Districts</i>	none
<i>Existing Use</i>	Single-family dwelling

For context, the comprehensive plan land use map designations and zoning are illustrated, and adjacent zoning is tabulated, on the following page.



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	CG
East	CG
South	RM
West	CG

The Marion County Assessor property records note the subject properties as a fraction of Lot 4 of the Woodburn Fruit Farms subdivision plat recorded in November of 1889. Staff surmises they are legal lots of record.

Section references throughout this staff report are to the Woodburn Development Ordinance.

Statutory Dates

The application was submitted on November 21, 2022 and deemed complete as of January 10, 2023, making the 120-day decision deadline May 10, 2023.*

*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 Oregon Revised Statute (ORS) 227.178(8).

Applicable Provisions

4.01 Decision-Making Procedures

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 application package consists of Type IV Annexation and Zoning Map Change. Per 4.01.07, the applications are consolidated and reviewed at the Type IV level.

✓ The provision is met.

5.04 Type IV (Quasi-Judicial) Decisions

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.

The subject property is contiguous with City limits. This staff report reviews the proposal for compliance with the Woodburn Comprehensive Plan and WDO, both of which were acknowledged by the state to be in compliance with statewide planning goals.

B. Mandatory Pre-Application Conference: Prior to requesting annexation to the City, a Pre-Application Conference (Section 4.01.04) is required. This provides the city an opportunity to understand the proposed annexation and an opportunity to provide information on the likely impacts, limitations, requirements, approval standards, and other information that may affect the proposal.

A pre-application meeting for the proposal was held on October 12, 2022 (PRE 22-34).

C. Criteria:

1. Compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation.

Woodburn Comprehensive Plan

Annexation Goals and Policies

Goal G-2. The goal is to guide the shape and geographic area of the City within the urban growth boundary so the City limits:

- (a) Define a compact service area for the City;

- (b) Reflect a cohesive land area that is all contained within the City; and
- (c) Provide the opportunity for growth in keeping with the City's goals and capacity to serve urban development.

Policy G-2.1 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.

Policy G-2.2 Woodburn will achieve more efficient utilization of land within the City by:

- (a) Incorporating all of the territory within the City limits that will be of benefit to the City.
- (b) Providing an opportunity for the urban in-fill of vacant and under utilized property.
- (c) Fostering an efficient pattern of urban development in the City, maximizing the use of existing City facilities and services, and balancing the costs of City services among all benefited residents and development.
- (d) Requiring master development plans for land within Nodal Development Overlay or Southwest Industrial Reserve overlay designations prior to annexation. Master plans shall address street connectivity and access, efficient provision of public facilities, and retention of large parcels for their intended purpose(s).

Policy G-2.3 Woodburn will use annexation as a tool to guide:

- (a) The direction, shape and pattern of urban development;
- (b) Smooth transitions in the physical identity and the development pattern of the community; and
- (c) The efficient use and extension of City facilities and services.

Section G. "Growth Management and Annexation" of the Woodburn Comprehensive Plan includes Annexation Goal G-2 and Annexation Policies G-2.1, G-2.2, and G-2.3. The applicant's narrative provides the following response to this goal and associated policies (page 13):

This application serves the City's annexation goals by eliminating an existing island of nonannexed land and allowing for more efficient utilization of the subject site and surrounding commercial properties. Incorporating the site into City limits fulfills the City's plan to accommodate additional commercial land needs in this part of the City. This Goal is met.

Staff generally concurs with the applicant. The annexation goals and policies are effectuated by the annexation review criteria within the Woodburn Development Ordinance.

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.

The applicant's narrative provides the following response (page 4):

The subject site is surrounded by properties within Woodburn City limits and linked to

ANX 22-04 & ZMC 22-04
2115 Molalla Road Annexation
Staff Report Attachment 101
Page 4 of 8

planned facilities with adequate capacity to serve reasonable future commercial development on the site. Service provider letters are provided (see Exhibit D) verifying that there are no known capacity issues in the vicinity of the subject site. This criterion is met.

The site is surrounded on all sides by territory within City limits. While this application is simply for annexation and does not include any development proposal, the application materials include service provider letters from the City Engineer, the Woodburn Fire District, and the Woodburn School District certifying there is capacity to serve the development. Notably, two recent land use approvals for development of the adjacent properties to the east and west (ANX 2019-01 and CU 22-01) identified safety and capacity issues with the OR 214 / OR 99E / OR 211 intersection. There were conditions of approval applied to both projects to provide proportionate share contributions to the proposed mitigation measures. Any future development of the subject properties of this annexation would similarly be conditioned to provide a proportionate share contribution to the mitigation measures.

3. Annexations shall show a demonstrated community need for additional territory and development based on the following considerations:

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;

The applicant's narrative provides the following response (pages 4-5):

This application does not include a specific proposal for the future use of the subject site. The applicant anticipates that property will be developed, at a future date, in accordance with the allowed uses in the CG zoning district, which are intended to provide for the business and employment needs of the community. The uses listed in Table 2.03A are permitted outright in the CG zoning designation and provide employment opportunities in accordance with this provision. This criterion is met.

Staff generally concurs with the applicant. The default zoning district to be applied to the site will be Commercial General (CG). Future development of the site would be reviewed for conformance with the development ordinance, including the list of allowed uses in Table 2.03A.

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;

The applicant's narrative provides the following response (page 5):

This application does not include a proposal for specific uses to be established on the subject site. Service provider letters are provided (see Exhibit D) verifying that there are no known capacity issues in the vicinity of the subject site. The site can be served by existing facilities without requiring extensive infrastructure expansion. The extent of any necessary utility extensions will be reviewed during a future site development review. This criterion is met.

The application materials include service provider letters from the City Engineer, the Woodburn Fire District, and the Woodburn School District certifying there is capacity to serve the development. Notably, two recent land use approvals for development of the adjacent properties to the east and west (ANX 2019-01 and CU 22-01) identified safety and capacity issues with the OR 214 / OR 99E / OR 211 intersection (an ODOT-managed intersection). There were conditions of approval applied to both projects to provide proportionate share contributions to the proposed mitigation measures. Any future development of the subject properties of this annexation would similarly be conditioned to provide a proportionate share contribution to the mitigation measures.

3) The proposed industrial or commercial use of the territory provides an economic opportunity for the City to diversify its economy.

The applicant's narrative provides the following response (page 5):

This application does not include a specific proposal for the future use of the subject site. Applicant anticipates that the property will be developed in accordance with the allowed uses in the CG zoning designation, which are intended to provide for the business and employment needs of the community. The uses listed in Table 2.03A are permitted outright in the CG zoning designation and provide opportunities for economic diversification in accordance with this provision. This criterion is met.

Staff generally concurs with the applicant. The default zoning district to be applied to the site will be Commercial General (CG). Future development of the site would be reviewed for conformance with the development ordinance, including the list of allowed uses in Table 2.03A.

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.

The site is collectively owned by a single owner – Matveev Development LLC. Trofim Kiprianovich Matveev, who is listed as Manager on the business license issued by the Oregon Secretary of State, signed the annexation petition form.

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.

The Comprehensive Plan designates the subject property as Commercial. The territory will be assigned to the CG zoning district upon annexation.

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.**

The applicant's narrative states on page 6:

Based on feedback received during the pre-application conference held October 12, 2022, the abutting street frontage improvements are planned to be completed by an abutting development that is currently in progress. If necessary, any right-of-way donation required will be coordinated with the Oregon Department of Transportation (ODOT) and will be completed prior to any future site development. Public utility locations and corresponding public utility easements will be determined, dedicated, and improved in accordance with the WDO and applicable City of Woodburn Public Works Standards and Specifications.

Staff concurs. Street right-of-way, street improvements, and connections into public utility facilities will be reviewed through a future development proposal for the site.

✓ The Annexation provisions are met.

5.04.04 Official Zoning Map Change, Owner Initiated

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.**
- C. Delineation: Upon approval, a zone change shall be delineated on the Official Zoning Map by the Director. A zone change subject to specific conditions shall be annotated on the Official Zoning Map to indicate that such conditions are attached to the designation.**

The landowner of the subject property is requesting annexation into City limits. By its very nature, annexation of territory results in a change to the City limits boundary and the territory being annexed must be assigned to one or more zoning districts. The Comprehensive Plan designates the subject properties as Commercial. The territory will therefore be assigned the CG zoning district and the Zoning Map will be updated to reflect this.

✓ The provisions are met.

COUNCIL BILL NO. 3207

ORDINANCE NO. 2608

AN ORDINANCE AMENDING THE WOODBURN ZONING MAP TO DESIGNATE ZONING OF APPROXIMATELY 0.93 ACRES OF ANNEXED TERRITORY LOCATED AT 2115 MOLALLA ROAD NE, MARION COUNTY, OREGON, AS COMMERCIAL GENERAL (CG) ZONING DISTRICT

WHEREAS, the subject properties are owned by Matveev Development LLC, and are legally described and mapped in Exhibit "A", which is affixed hereto and by this reference incorporated herein; and

WHEREAS, the subject properties are composed of Marion County Tax Lots 051W09B001000, 051W09B001100, and 051W09B001200; and

WHEREAS, consistent with Oregon Revised Statutes (ORS) 222.111(2) the owner of real property in the territory to be annexed initiated by petition a proposal for annexation, a copy of the petition being on file with the City Recorder (ANX 22-04); and

WHEREAS, because the subject properties are already within the Woodburn Urban Growth Boundary (UGB), they have an existing Comprehensive Plan map land use designation of Commercial; and

WHEREAS, the landowner as applicant requested that, consistent with Woodburn Development Ordinance (WDO) 5.04.01.E., the City designate the newly annexed territory as Commercial General (CG), which is a zoning district that is consistent with the Comprehensive Plan per Policy Table 1; and

WHEREAS, this zoning designation is contingent upon annexation of the subject properties to the City of Woodburn, for which the applicant has petitioned and filed the petition with the City Recorder; and

WHEREAS, on February 9, 2023 the Woodburn Planning Commission considered the annexation application and, after a duly advertised public hearing, recommended approval of the annexation; and

WHEREAS, on April 10, 2023, the Woodburn City Council held a public hearing, reviewed the record, heard all public testimony presented on said application, and upon deliberation concluded that the proposed annexation meets the applicable approval criteria under City of Woodburn Development Ordinance (WDO) 5.04.01C; **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. Upon the effective date of the annexation enacted by Ordinance 2607 being considered contemporaneously with this request, the Woodburn Zoning Map is hereby amended designating the zoning on the subject properties described and mapped in Exhibit "A" as Commercial General (CG).

Approved as to form: _____
City Attorney Date

Approved: _____
Frank Lonergan, Mayor

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

ATTEST: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 | www.aks-eng.com

AKS Job #9438

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Legal Description

A portion of Lot 4 of the plat "Woodburn Fruit Farms", recorded as Volume 2, Page 20, Book of Town Plats, located in the Northeast One-Quarter of Section 9, Township 5 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

Commencing at the northwest corner of said Lot 4, also being on the City of Woodburn city limits line; thence along the west line of said Lot 4 and said city limits line, South $01^{\circ}35'17''$ West 695.84 feet to the Point of Beginning; thence continuing on said west line and said city limits lines South $01^{\circ}35'17''$ West 272.32 feet to the northerly right-of-way line of Woodburn-Estacada Highway (State Highway 211)(50.00 feet from centerline); thence along said right-of-way line and said city limits line South $87^{\circ}36'21''$ East 149.45 feet; thence leaving said right-of-way line and said city limits line, North $01^{\circ}47'24''$ East 274.36 feet; thence North $88^{\circ}23'15''$ West 150.40 feet to the Point of Beginning.

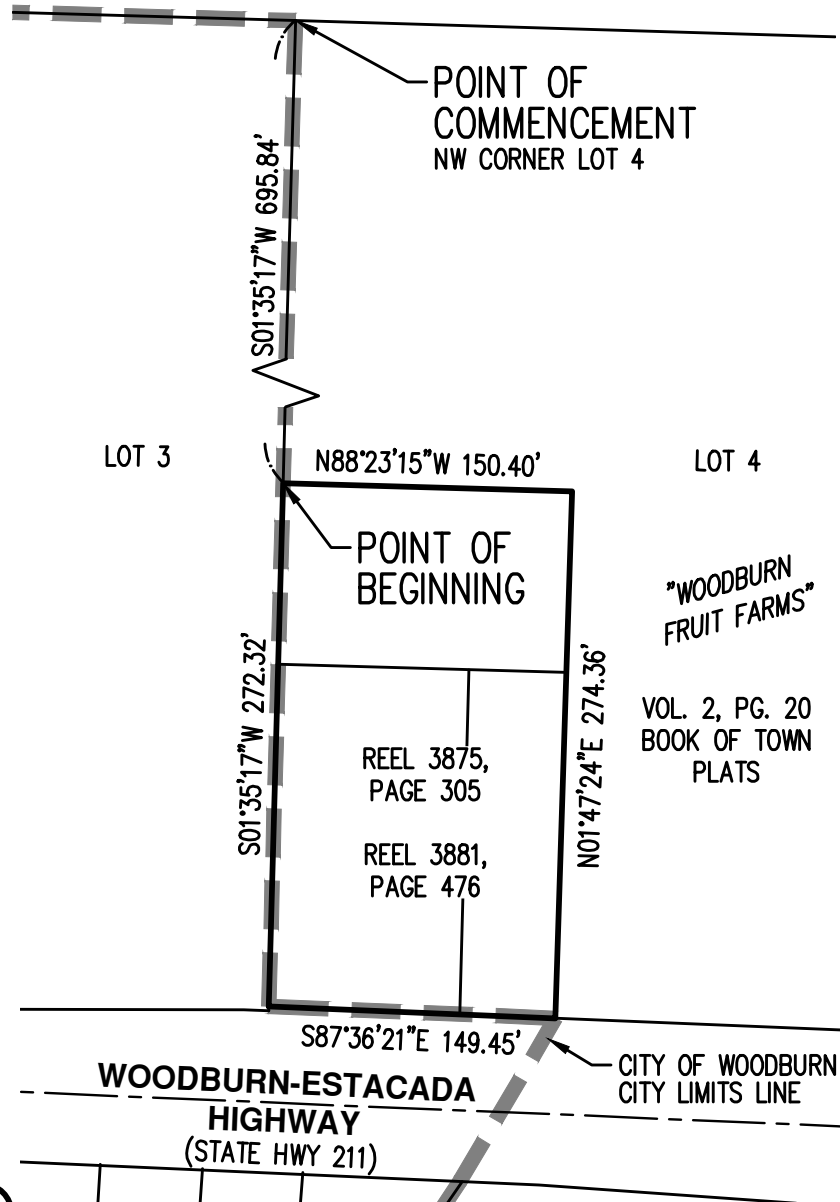
The above described tract of land contains 0.94 acres, more or less.

11/18/2022



EXHIBIT A

A PORTION OF LOT 4 OF THE PLAT OF "WOODBURN FRUIT FARMS",
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 9,
 TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MARION COUNTY, OREGON



11/18/2022

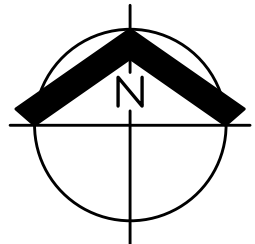
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS

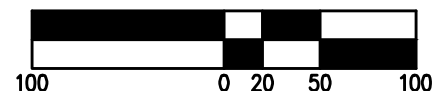
RENEWS: 12/31/24

PREPARED FOR

MATVEEV DEVELOPMENT, LLC
 31696 S ONA WAY
 MOLALLA, OR 97038



SCALE: 1"=100 FEET



AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM



ANNEXATION MAP

DATE: 11/18/2022	
DRWN: MEB	CHKD: RDR
AKS JOB: 9438	EXHIBIT A



Agenda Item

April 24, 2023

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director
Jesse Cuomo, Community Services Director
Anthony Turley, Finance Director

SUBJECT: **Update to the Master Fee Schedule**

RECOMMENDATION:

Enact the Ordinance amending and updating the City's Master Fee Schedule for:

1. The Community Development Department, Planning Division fees for land use applications and planning services;
2. The Community Services Department fees for park and facility rentals and aquatic center fees; and
3. The Finance Department fees for lien searches, NSF check fees, and liquor license fees,

Effective July 1, 2023.

BACKGROUND:

In September 1998, the City Council adopted the first Master Fee Schedule (Ord. No. 2226), which provided for a set schedule of fees and charges for certain City services. Since 1998, the fee schedule has been periodically updated through various ordinance amendments to ensure the City continues to recover its full costs in providing services of a voluntary and limited nature. The most recent amendment to the Master Fee Schedule was in 2022, with modifications to the Building Division Fees.

With this current ordinance, staff requests to update specific segments within the fee schedule for three City departments: Community Development, Community Services, and Finance. The following sections of the staff report are separated by the respective departments for the purpose of better explaining the proposed modifications and updates within the fee schedule.

Agenda Item Review: City Administrator ☒ City Attorney ☒ Finance ☒

COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING FEES

The existing Planning Division fees within the City's master fee schedule dates back to City Council adoption on March 10, 2008 (Attachment 1). These fees are collected by the Community Development Department for the review of various categories of planning applications submitted for commercial, industrial, and residential development proposals in the City (e.g. annexations, subdivisions, design review, etc.).

DISCUSSION:

Reasons for the Community Development Department, Planning Division to update its portion of the master fee schedule include:

1. Existing fees suffer from 15 years of inflation following the last update in 2008, necessitating the currently proposed 35% increase;
2. Changing state law as well as amendments of City long-range plans and the Woodburn Development Ordinance (WDO) have changed how City planning staff review applications and provide services as well as the time needed to do so;
3. The nature of city planning work has changed due to the increased number, size, and complexity of land developments, particularly since 2017;
4. The Department's desire to recover closer to 100% of the costs of land use reviews in order that growth resulting from land development pays for itself; and
5. To clarify a few fees that have vague applicability language, to be clearer in how they apply to applications and how staff administers them.

The new proposed Planning Division fee schedule is included in Attachment 2.

COMMUNITY SERVICES DEPARTMENT – PARK & FACILITY RENTAL FEES AND AQUATIC CENTER FEES

The current Park rental fees are out of date, as they have not been increased since 2015. Aquatics fees are also out of date and have not been reviewed or updated since 2016.

This ordinance will update a variety of aquatic programs and park rental fees, including those related to picnic shelter and park facility rentals, special event

fees, and swim lessons. Park rental fees also include higher rates for commercial entities, which are defined as for-profit entities.

DISCUSSION:

Parks and Facility Rental Fees:

Presently, picnic shelters at City parks are rented at an hourly rate with a two-hour minimum. The updated fee schedule would increase hourly rates at park shelters as well as implement an “impact fee” for park shelters and increase the field usage rates for Legion Park. Overall, the proposed changes include:

- Increases to the Legion Park Field usage fee (accommodates turf field);
- Increases to shelter rental fees;
- Establishing an impact fee of an additional 20% to be applied when usage exceeds shelter maximum capacity; and
- Establishing facility rental fees for Woodburn Museum and Bungalow Theatre.

The Proposed Park and Facility fee modifications described above are included in Attachment 3.

Aquatics Center Fees:

The proposed fee changes for the aquatic center are established to aid in accommodating increased costs in staffing and utility expenditures that have occurred over the past seven years. Overall, the proposed changes include:

- Increases to the cost of aquatic center day passes, group admissions, punch cards, 3-month memberships and reoccurring monthly memberships;
- Implementation of an out of City rate for high school swim team lane rentals; and
- Removal of fees for lifeguard and swim instructor trainings.

The Proposed Aquatic Center fee modifications described above are included in Attachment 4. Also included as Attachment 5 is an Aquatic Center fee chart that lists and compares Woodburn’s fees against those of other jurisdictions.

The proposed Aquatics, Parks and Facility Fee increases were taken to the Recreation and Parks Board on April 11, 2023, for presentation and discussion. The Board supported the proposed fee updates to be presented to City Council with a unanimous vote.

FINANCE DEPARTMENT – LIEN SEARCH FEES, NON-SUFFICIENT FUNDS (NSF) CHECK FEES, AND LIQUOR LICENSE FEES

The current Finance Department fee schedule has not been updated since 2008. Since that time, the department has experienced increases in certain third-party service charges that the City should recuperate through updates in its own fee schedule. Additionally, the ordinance will update liquor license fees in the master fee schedule to match the amounts allowed per ORS 471.166 (8).

DISCUSSION:

Lien Search Fees:

The City's master fee schedule ordinance includes fees charged to entities (typically title companies) who use the Net Assets Conduits system to search for outstanding liens assessed against properties in Woodburn. The City pays a fee to Net Assets for every lien search performed by outside entities, and in turn, the City charges a lien search fee to these entities. Net Assets recently increased the fee charged to the City by \$3 per search effective January 1, 2023 (See Attachment No. 6).

Based on the letter from Net Assets, the lien search fee increase reflects an inflationary adjustment since the last change in 2018 and is only the third fee change in Conduits history since 2002. Increasing the City's lien search fee from \$25 to \$28 will be the first increase since the previous fee schedule ordinance was passed by City Council in 2008.

NSF Fees:

The ordinance also proposes to update the fees charged on payments submitted to the City that are returned due to non-sufficient funds (commonly referred to as NSFs). The City pays chargeback fees to US Bank for every NSF payment that is processed, and these fees increased from \$25 to \$35 per NSF effective March 1, 2023 (See Attachment No. 7).

These fees are not intended to make a profit or penalize the payer; instead, the fees ensure that the City is not negatively impacted financially by any chargebacks. Due to US Bank's increase in chargeback fees from \$25 to \$35, the City's NSF fees should be updated as follows:

- NSF Check (1st and 2nd occurrence): Increase from \$25 to \$35
- NSF Check (3rd occurrence): Increase from \$30 to \$40

Liquor License Fees:

Finally, the ordinance will update liquor license fees in the master fee schedule to match the amounts allowed per ORS 471.166(8). Per the statute, liquor license fees must not exceed the following amounts:

- New license: \$100
- Change in ownership/location/privilege: \$75
- License renewal or temporary application (such as for special events): \$35

The City already charges fees that are in compliance with this statute, but the master fee schedule needs to be revised to reflect the actual fees charged. Therefore, the fee schedule will be updated as follows:

- New license: Decrease from \$244 to \$100
- License renewal: Decrease from \$136 to \$35

No changes are necessary for the change in ownership/location/privilege fees or temporary/special event liquor license fees. These fees are already consistent with the amounts currently charged by the City, as well as the State statute.

FINANCIAL IMPACT:

The proposed fee modifications will provide better cost recovery by the Community Development, Community Services, and Finance Departments. In general, these fee updates are intended to keep up with inflating costs and/or reflect actual amounts charged, they are not anticipated to have a significant impact on the City's net revenues over expenditures.

Attachments:

1. Existing Planning Division fee schedule (adopted 2008; 1 page)
2. Proposed Planning Division fee schedule (2 pages)
3. Proposed Park and Facility Fee Adjustments (2 pages)
4. Proposed Aquatic Center Fee Adjustments (1 page)
5. 2023 Aquatic Center Fee Comparison Chart (1 page)
6. Conduits Fee Change letter from Net Assets (1 page)
7. Pricing change letter from U.S Bank (1 page)

Attachment 1:

Existing
Planning Division
fee schedule
(2008; 1 page)

Planning Division Fee Schedule			
Regulation, Produce or Service	Cost Recovery	Fee	Note
Annexation			
Annexation - more than 1.00 acre	90%	\$3,418	
Annexation - less than or equal to 1.00 acre	70%	\$2,659	
Appeals			
Appeal-Land Use Action to Council (Type III)	100%		\$100 + 1/2 original application fee but not more than \$2,000.
Appeal-Land Use Action to Council (Type II)	10%	\$250	Limited by state statute (ORS 227.175(10)(b)).
Comprehensive Plan Amendments			
-more than 1.00 acre	100%	\$3,481	
-less than or equal to 1.00 acre	90%	\$3,133	
Conditional Use	90%	\$3,591	
Design Review			
-under 1,000 sq. ft.	70%	\$2,177	
-1,000-4,999 sq. ft.	80%	\$3,624	
-5,000 to 24,999 sq. ft.	90%	\$6,326	
-25,000 to 99,999 sq. ft.	90%	\$7,269	
-100,000 to 199,999 sq. ft.	90%	\$10,279	
-200,000 + sq. ft.	100%	\$14,397	
Exception to Street standard (Type II)	40%	\$1,197	New de-regulation, previously Type III at \$1,627
Exception to Street Right of Way and Improvement Standards (Type III)	70%	\$2,363	
Formal Interpretation of the WDO (5.104.03)	90%	\$1,759	
Pre-Application Conference	100%	\$508	\$100 of application fee reduced if application subject to pre-application applied for within 90 days and ordinances have not changed
Interpretation of Uses	90%	\$615	(WDO 4.102.09.C). Plus Measure 56 notice costs, if applicable.
Interpretation of Zoning District Boundaries	90%	\$1,578	(WDO 4.102.09.B). Plus Measure 56 notice costs, if applicable.
Manufactured Dwelling Park			
-Preliminary Approval	90%	\$3,137	
-Final Plan Approval	90%	\$1,081	
Partition			
-Preliminary Approval	90%	\$2,478	
-Final Plat Approval	90%	\$1,238	
Phasing Plan	90%	\$1,428	
Planned Unit Development			
-Preliminary Plan Approval	90%	\$2,985	plus \$40 per lot
-Final Plat Approval	90%	\$2,585	
Property Line Adjustment	40%	\$599	
Residential Architectural Standards Substitution	90%	\$358	
Riparian Corridor Wetland Overlay District	90%	\$446	
Sign Ordinance Compliance Permit			
-Type I	100%	\$85	
-Type II	100%	\$385	
Specific Conditional Use for an Historically Significant Site	90%	\$1,148	
Subdivision			
-Preliminary Approval	90%	\$3,775	plus \$40 per lot
-Final Plat Approval	90%	\$2,585	
Telecommunication Facility Specific Conditional Use	90%	\$2,188	
Temporary Outdoor Marketing and Special Event Permit	90%	\$157	
Significant Tree Removal Permit	90%	\$145	
Variance	70%	\$2,432	
Zone Map Amendment	90%	\$3,074	
Zoning Adjustment	40%	\$1,042	
Access Permit to public ROW	90%	\$29	
Addressing	90%	\$145	for first lot, plus \$3 for each subsequent lot
Expedited Land Use Review-Partition	100%	\$4,680	[ORS 197.360]
Expedited Land Use Review-Subdivision	100%	\$6,708	[ORS 197.360]
Expedited Review	100%	\$65	Subject to staff availability and as allowed by law for use. In addition to application fees based on an hourly rate for overtime.
Renewal Authorization	40%	\$75	
3rd and successive Final Re-Inspection	100%	\$165	
3rd and successive Submittal Review	100%	\$265	
Tree Credit	100%	\$185	
Land Use Compatibility Statements		Free	
Fence permit		Free	
Temporary Sign permit		Free	
Business Registration review		Free	
Modification of Condition			\$100 plus 1/2 of original fee
Grading permit		Free	
Planning counter and phone inquiry service		Free	

Attachment 2:

Proposed
Planning Division
fee schedule
(2 pages)

City of Woodburn, Oregon: Planning Division Fee Schedule		
Land Use Application Type or Planning Service	Fee	Note
<i>Pre-Application Conference or Meeting (PRE)</i>	\$685	Woodburn Development Ordinance (WDO) 4.01.13
<i>Annexation (ANX):</i>		WDO 5.04.01
Annexation - more than 1.00 acre	\$5,130	
Annexation - less than or equal to 1.00 acre	\$2,565	
<i>Appeal, Land Use:</i>		
Appeal to City Council (Type III)	See Note.	\$135 + ½ of original application fee, but maximum total \$2,700.
Appeal to City Council (Type II)	\$250	Maximum \$250 per Oregon Revised Statutes (ORS) 227.175(10)(b) (2019).
<i>Comprehensive Plan Amendment:</i>		WDO 5.04.02
-more than 1.00 acre	\$4,700	
-less than or equal to 1.00 acre	\$4,670	
<i>Conditional Use (CU)</i>	\$5,390	WDO 5.03.01
<i>Design Review (DR):</i>		
Type I	\$685	WDO 5.01.02
Type II or higher: Up to 3,000 square feet (sq ft) total	\$6,115	WDO 5.02.03 or 5.03.02
Type II or higher: More than 3,000 and fewer	\$9,490	WDO 5.02.03 or 5.03.02
Type II or higher: More than 30,000 total sq ft	\$19,440	WDO 5.02.03 or 5.03.02
<i>Grading Permit (GRAD)</i>	\$685	WDO 5.01.04
<i>Interpretation [of the WDO], formal (INT)</i>	\$2,640	Plus costs if and as Oregon Ballot Measure 56 (1998), codified in ORS 227.186, is applicable. WDO 1.03.04, 2.01.03, & 4.02.06.
<i>Manufactured Dwelling Park:</i>		
Preliminary Approval	\$4,710	
Final Plan Approval	\$1,625	
<i>Modification of Conditions (MOC)</i>	See Note.	\$135 plus ½ of original fee for related application or consolidated applications. WDO 4.02.07.
<i>Partition (PAR):</i>		
Preliminary Approval (PAR)	\$3,720	WDO 5.02.05
Final Plat Approval (FPAR)	\$1,860	WDO 5.01.06
<i>Phasing Plan (PP)</i>	\$2,145	WDO 5.03.05
<i>Planned Unit Development (PUD):</i>		WDO 3.09
Conceptual Development Plan / Preliminary	\$4,480 plus	\$55 per lot. WDO 3.09 & 5.03.06.
Design Final Plan / Detailed Development Plan	\$1,375	WDO 5.01.07 & 5.03.07
Final Plat Approval	\$3,880	WDO 5.01.06 & 5.01.07
<i>Property Line Adjustment (PLA); Consolidation</i>	\$2,025	WDO 5.01.08
<i>Residential Architectural Standards Substitution</i>	\$540	WDO 5.02.02
<i>Riparian Corridor Wetland Overlay District</i>	\$670	WDO 2.05.05 & 5.01.09
<i>Sign Permit (SIGN):</i>		WDO 3.10
-Permanent: freestanding (includes monument and pole)	\$520	When an applicant applies for multiple signs for a given business, complex, development, landowner, lot, property, or tenant, each and every sign for which a sign permit is required requires fee payment.
-Permanent: other than freestanding (includes wall)	\$115	Same as Note above.
-Temporary	Free	
<i>Specific Conditional Use – Historically or Architecturally Significant Building</i>	\$1,725	WDO 5.03.08
<i>"Street Adjustment" (Adjustment to Street Improvement Requirements; SA):</i>		
Type II	\$4,040	WDO 5.02.04
Type III or higher	\$4,560	WDO 4.01.07 & 5.03.03
<i>Subdivision (SUB):</i>		
Preliminary Approval (SUB)	\$5,665 plus per Note.	\$55 per lot. WDO 5.01.10.
Final Plat Approval (FSUB)	\$3,880	WDO 5.01.06 & ORS 92 (2021)
<i>Telecommunication Facility, Specific Conditional Use</i>	\$3,285	WDO 5.03.11
<i>Temporary Outdoor Marketing and Special Event Permit (TMKT)</i>	\$165	WDO 5.01.12
<i>Significant Tree Removal Permit (TREE)</i>	\$220	WDO 3.06.07 & 5.01.11
<i>Variance (VAR):</i>		WDO 5.03.12
-consolidated with another land use application	\$3,285	
-standalone application	\$4,695	
<i>Zone Map Amendment / Zone Change (ZC) (re-zoning)</i>	\$4,615	WDO 5.04.04
<i>Zoning Adjustment (ZA)</i>	\$3,520	WDO 5.02.06

Continues next page

Attachment 2
Page 1 of 2

Land Use Application Type or Planning Service, cont.	Fee	Note
Addressing Assignment, Street	\$220 plus per Note.	If for two or more lots or tracts, then plus \$4 for each subsequent lot and tract. If for apartment complex of two or more apartment buildings, then plus \$4 for each subsequent apartment building.
Bond or performance guarantee release or status letter	\$50	Applicable to such held by the Planning Division, not any by the Public Works Department.
Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials:		Follows land use final decision (approval). Due upon CEP application to the Public Works Dept. Does not abrogate any fees that the Public Works Department requires through its fee schedule.
-original/1 st submittal	\$350	
-2 nd and successive submittal	\$250	
Drafting of development agreement, intergovernmental agreement (IGA), or memorandum of understanding (MOU)	\$2,500	Development agreement: ORS 94.504 (2007). IGA, MOU: ORS 190.010 (1991).
Exception to when all public improvements are due / delay or deferral of frontage/street improvements	\$4,695	Applicable if developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). Fee serves as exception disincentive.
Expedited Land Use Review:		ORS 197.360-380 (2021)
- Partition (other than middle housing)	\$6,320	
- Subdivision (other than middle housing)	\$9,060	
- Middle Housing Land Division	\$9,060	ORS 197.380 (2021)
Expedited review (for land use review, not building permit review)	\$90 per hour	Distinct from “Expedited Land Use Review” above relating to statute. Subject to staff availability and as allowed by law for use. In addition to application fees based on an hourly rate for overtime.
Fence permit	Free	WDO 2.06.02 & 5.01.03
Home occupation review	Free	WDO 2.07.10
Land Use Compatibility Statement (LUCS) or other jurisdictional permit sign-off	\$100	
Extension of a development decision	\$685	WDO 4.02.05
Site inspection, planning & zoning (P&Z):		Relates particularly to on-site private improvements resulting from building permit and civil/frontage/public/street improvements resulting from CEP approval.
-Original/1st inspection & 2 nd inspection (re-inspection)	Free	
-3 rd inspection and successive inspection	\$250	
Transportation impact analysis (TIA) review	\$900	Applicable if a proposal requires a TIA per WDO 3.04.05. Recoups cost to City of transportation consultant reviews, recommendations, and public meetings participation.
Significant Tree mitigation fee	\$250	WDO 3.06.07E.3. & F.
Zoning confirmation letter / zoning verification letter	\$100	
Planning service 1½ hours or more through meeting by appointment instead of Planning counter unscheduled service	\$90 per hour	Applied per Director discretion.
Planning counter and phone inquiry service	Free	
Printing and copying:		Mimics the Public Works fee schedule printing and copying items. <i>Applicable only if total charge would be \$10 or more.</i>
-Letter / 8½ by 11 inches black and white or grayscale	5¢	per page. (Min. 200 pages to charge.)
-Letter / 8½ by 11 inches color	75¢	per page. (Min. 14 pages to charge.)
-Ledger / 11 by 17 inches	Twice the applicable letter rate	per sheet. (B&W: min. 100 sheets to charge; color: min. 7 sheets to charge)
-Plan size / 24 by 36 inches, or any large map	\$25	per sheet.

ATTACHMENT A							
Athletic Field Rentals - PRIVATE (local, community-based groups and organizations)							
Regulation, Product, Service	Current Fee	Proposed Fee	Change	% Change	Notes		
Centennial Park Ball Fields	\$ 25.00	\$ 25.00	N/A	0.00%	per hour		
Centennial Park Youth Soccer Field	\$ 25.00	\$ 25.00	N/A	0.00%	per hour		
Centennial Park Adult Soccer Field	\$ 25.00	\$ 25.00	N/A	0.00%	per hour		
Legion Park Soccer Field - Turf	\$ 25.00	\$ 50.00	\$ 25.00	100.00%	per hour		
Settlemyer Park Ball Field	\$ 25.00	\$ 25.00	N/A	0.00%	per hour		
Field Prep Soccer, Softball, Baseball	\$ 40.00	\$ 40.00	N/A	0.00%	per game		
Athletic Field Lighting	\$ 15.00	\$ 15.00	N/A	0.00%	per hour		
Sport Courts (Basketball, Pickleball, Futsol, etc.)		\$ 10.00	N/A	N/A	per hour		
Athletic Field Rentals - CORPORATE (businesses and non-local groups and organizations)							
Regulation, Product, Service	Current Fee	Proposed Fee	Change	% Change	Notes		
Centennial Park Ball Field	\$ 35.00	\$ 37.50	\$ 2.50	7%	per hour		
Centennial Park Youth Soccer Field	\$ 35.00	\$ 37.50	\$ 2.50	7%	per hour		
Centennial Park Adult Soccer Field	\$ 35.00	\$ 37.50	\$ 2.50	7%	per hour		
Legion Park Soccer Field - Turf	\$ 35.00	\$ 75.00	\$ 40.00	114%	per hour		
Settlemyer Park Ball Field	\$ 35.00	\$ 37.50	\$ 2.50	7%	per hour		
Field Prep Soccer, Softball, Baseball	\$ 60.00	\$ 60.00	\$ 2.50	0%	per game		
Athletic Field Lighting	\$ 20.00	\$ 20.00	\$ -	0%	per hour		
Sport Courts (Basketball, Pickleball, Futsol, etc.)		\$ 15.00	N/A	N/A	per hour		

Examples of Turf Fields Across Oregon		
Willamalane Parks and Recreation - Les Schwab Sports Park		
In-District Rate: \$30	Out-of-District Rate: \$36	
University of Oregon - Multi-use Turf Fields		
Rate A (internal university activities): \$50	Rate B (external university activities): \$70	Rate C (non-university activities): \$85
Hillsboro Parks and Recreation - 53rd Avenue Turf Fields		
Resident Rate: \$50	Non-Resident Rate: \$100	

ATTACHMENT B

Park Rentals - PRIVATE							
<i>Based on max. capacity</i>				<i>If above max. capacity</i>			
Regulation, Product, Service	Current Rate	Proposed Rate (+10-20%)	Change	% Change	Max. Capacity	Proposed Impact Rate (+20%)	Notes
Any Entire Park	\$ 400.00	\$ 450.00	\$ 50.00	12.50%			per day
Centennial Park Picnic	\$ 25.00	\$ 30.00	\$ 5.00	20.00%	80	\$ 35.00	fee is per hour - 2 hour minimum
Legion Park Picnic	\$ 30.00	\$ 36.00	\$ 6.00	20.00%	128	\$ 43.00	fee is per hour - 2 hour minimum
Settlemier Park Picnic - North	\$ 25.00	\$ 27.50	\$ 2.50	10.00%	32	\$ 33.00	fee is per hour - 2 hour minimum
Settlemier Park Picnic - South	\$ 25.00	\$ 27.50	\$ 2.50	10.00%	48	\$ 33.00	fee is per hour - 2 hour minimum
Senior Estates Park Picnic	\$ 27.50	\$ 27.50	\$ -	0.00%	48	\$ 33.00	fee is per hour - 2 hour minimum
Hazel Smith Plaza	\$ 25.00	\$ 27.50	\$ 2.50	10.00%	32	\$ 33.00	fee is per hour - 2 hour minimum
Dahlia Plaza	\$ 20.00	\$ 22.00	\$ 2.00	10.00%	32	\$ 27.00	fee is per hour - 2 hour minimum
Downtown Plaza Gazebo	\$ 25.00	\$ 27.50	\$ 2.50	10.00%	32	\$ 33.00	fee is per hour - 2 hour minimum
Woodburn Museum		\$ 35.00		N/A	49	N/A	fee is per hour - 2 hour minimum
Bungalow Theater		\$ 50.00		N/A	37/41	N/A	fee is per hour - 2 hour minimum
Museum/Theater		\$ 75.00		N/A	49	N/A	fee is per hour - 4 hour minimum
Special Event Permit	\$ 1,500.00	\$ 1,500.00	N/A	0.00%			Per day
Special Event Permit Add'l Days	\$ 800.00	\$ 800.00	N/A	0.00%			
Park Rentals - CORPORATE							
Regulation, Product, Service	Current Rate	Proposed Rate (10-20%)	Change	% Change	Max. Capacity	Proposed Impact Rate (20%)	Notes
Any Entire Park	\$ 600.00	\$ 720.00	N/A	20.00%			per day
Centennial Park Picnic	\$ 37.50	\$ 45.00	\$ 7.50	20.00%	80	\$ 54.00	fee is per hour - 2 hour minimum
Legion Park Picnic	\$ 45.00	\$ 54.00	\$ 9.00	20.00%	128	\$ 65.00	fee is per hour - 2 hour minimum
Settlemier Park Picnic - North	\$ 37.50	\$ 42.00	\$ 4.50	12.00%	32	\$ 50.00	fee is per hour - 2 hour minimum
Settlemier Park Picnic - South	\$ 37.50	\$ 42.00	\$ 4.50	12.00%	48	\$ 50.00	fee is per hour - 2 hour minimum
Senior Estates Park Picnic	\$ 37.50	\$ 42.00	\$ 4.50	12.00%	48	\$ 50.00	fee is per hour - 2 hour minimum
Hazel Smith Plaza	\$ 37.50	\$ 42.00	\$ 4.50	12.00%	32	\$ 50.00	fee is per hour - 2 hour minimum
Dahlia Plaza	\$ 30.00	\$ 33.00	\$ 3.00	10.00%	32	\$ 43.00	fee is per hour - 2 hour minimum
Downtown Plaza Gazebo	\$ 37.50	\$ 42.00	\$ 4.50	12.00%	32	\$ 50.00	fee is per hour - 2 hour minimum
Woodburn Museum		\$ 52.50		N/A	49	N/A	fee is per hour - 2 hour minimum
Bungalow Theater		\$ 75.00		N/A	37/41	N/A	fee is per hour - 2 hour minimum
Museum/Theater		\$ 112.50		N/A	49	N/A	fee is per hour - 4 hour minimum
Special Event Permit	\$ 2,250.00	\$ 2,250.00	N/A	0.00%			Per day
Special Event Permit Add'l Days	\$ 1,200.00	\$ 1,200.00	N/A	0.00%			

Proposed Aquatic Center Fee Schedule 2023

Regulation, Product or Service	Current Fee (Updated 2016)	Recom'd Fee	Change	% Change	Out of City	Change	Notes (Add'l Fees, Equipment, Etc.)
General Admission							
–infant (0-2 years)	\$0.00	\$0.00	\$0.00	0.0%			
–youth (3-17)	\$4.00	\$4.50	\$0.50	12.5%			
–adult (18-59)	\$5.00	\$5.50	\$0.50	10.0%			
–honored citizens (60+)	\$4.00	\$4.50	\$0.50	12.5%			
–family (~ 30% discount)	\$17.00	\$18.00	\$1.00	5.9%			includes up to 2 adults & 3 kids
Group Admissions (10+ people) (including Parties)							
–admission with party room rental (each)	\$2.75	\$3.00	\$0.25	9.1%			10 or more people
–admission when booked in advance (each)	\$3.25	\$3.50	\$0.25	7.7%			10 or more people
–admission not booked in advance (each)	\$3.50	\$4.00	\$0.50	14.3%			10 or more people
Punch Cards (20 visits)							
–youth (3-17)	\$67.00	\$75.00	\$8.00	11.9%			Punch cards expire after one year (15% discount)
–adult (18-59)	\$88.00	\$95.00	\$7.00	8.0%			
–honored citizens (60+)	\$67.00	\$75.00	\$8.00	11.9%			
3-Month Pass							
–youth (3-17)	\$84.00	\$92.00	\$8.00	9.5%			
–adult (18-59)	\$114.00	\$125.00	\$11.00	9.6%			
–honored citizens (60+)	\$84.00	\$92.00	\$8.00	9.5%			
–family	\$208.00	\$229.00	\$21.00	10.1%			
Reoccurring Monthly Pass (electronic funds transfer)							
–youth (3-17)	\$29.00	\$34.00	\$5.00	17.2%			
–adult (18-59)	\$39.00	\$45.00	\$6.00	15.4%			
–honored citizens (60+)	\$29.00	\$34.00	\$5.00	17.2%			
–family	\$69.00	\$80.00	\$11.00	15.9%			
Group Memberships (generally corporate)							
–10+ individuals	\$22.00	\$25.00	\$3.00	13.6%			per month per member
–25+ individuals	\$20.00	\$23.00	\$3.00	15.0%			per month per member
–50+ individuals	\$18.00	\$21.00	\$3.00	16.7%			per month per member
Rentals							
–lane rental (per hour)	\$20.00	\$20.00	\$0.00	0.0%			
–high school swim team rental (per lane hour)	\$6.75	\$7.00	\$0.25	3.7%	\$8.50	\$1.50	per lane hour
–private after hours (per hour)	\$150.00	\$150.00	\$0.00	0.0%			up to 25 people (\$1.00 each add'l)
–party room (per hour)	\$35.00	\$35.00	\$0.00	0.0%			
Lessons, Training, Swim Instruction							
–group swimming lessons	\$40.00	\$45.00	\$5.00	12.5%			10 30 minute lessons
–private swimming lessons	\$160.00	\$160.00	\$0.00	0.0%			10 30 minute lessons
–semi-private swimming lessons	\$80.00	\$80.00	\$0.00	0.0%			10 lessons with 2-3 students
–lifeguard training	\$150.00	\$0.00	-\$150.00	-100.0%			Reduced to zero to attract staff
–swim instructor training	\$75.00	\$0.00	-\$75.00	-100.0%			Reduced to zero to attract staff
–jr. lifeguard training	\$40.00	\$40.00	\$0.00	0.0%			
–aquatics day camp	\$35.00	\$35.00	\$0.00	0.0%			
Other							
–lock rental (day use)	\$1.00	\$1.00	\$0.00	0.0%			
–monthly locker rental	\$15.00	\$15.00	\$0.00	0.0%			
–monthly locker rental (members)	\$10.00	\$10.00	\$0.00	0.0%			

Products	Location(s)									
	Woodburn Aquatic Center (Current)	Woodburn Aquatic Center (Proposed)	Average	Canby Swim Center	Silver Falls YMCA	Molalla Aquatic Center	Stayton Family Memorial Pool	Oregon City Swimming Pool	Carlton Pool	Beaverton Swim Center (&THPRD)
Drop-In YOUTH/SR Resident	\$4.00	\$4.50	\$4.10	\$2.50	\$4.00	\$3.25	\$3.00	\$4.00	\$3.00	\$3.25
Drop-In YOUTH/SR Non-Resident	\$4.00	\$4.50	\$5.03	\$3.75	\$5.00	\$4.25	\$4.00	\$6.00	\$3.00	\$7.00
Drop-In Adult Resident	\$5.00	\$5.50	\$5.47	\$3.25	\$4.00	\$4.25	\$5.00	\$5.00	\$5.00	\$5.50
Drop-In Adult Non-Resident	\$5.00	\$5.50	\$6.05	\$3.75	\$5.00	\$5.25	\$6.75	\$7.00	\$5.00	\$7.00
Drop-In Family Resident	\$17.00	\$18.00	\$9.14	\$8.25	\$0.00	\$8.50	\$14.00	\$9.00	\$0.00	\$14.25
Drop-In Family Non-Resident	\$17.00	\$18.00	\$11.75	\$12.00	\$0.00	\$10.50	\$19.00	\$11.00	\$0.00	\$17.75
Monthly YOUTH/SR Resident	\$29.00	\$34.00	\$25.88	\$0.00	\$15.00	\$0.00	\$20.00	\$0.00	\$0.00	\$32.00
Monthly YOUTH/SR Non-Resident	\$29.00	\$34.00	\$29.83	\$0.00	\$15.00	\$0.00	\$27.00	\$0.00	\$0.00	\$45.00
Monthly Adult Resident	\$39.00	\$45.00	\$39.38	\$0.00	\$50.00	\$0.00	\$45.00	\$0.00	\$0.00	\$36.00
Monthly Adult Non-Resident	\$39.00	\$45.00	\$45.13	\$0.00	\$50.00	\$0.00	\$60.75	\$0.00	\$0.00	\$45.00
3 Month Pass YOUTH/SR Resident	\$84.00	\$92.00	\$59.13	\$50.00	\$0.00	\$75.00	\$0.00	\$55.00	\$50.00	\$0.00
3 Month Pass YOUTH/SR Non-Resident	\$84.00	\$110.00	\$74.13	\$75.00	\$0.00	\$90.00	\$0.00	\$90.00	\$50.00	\$0.00
3 Month Pass Adult Resident	\$114.00	\$125.00	\$73.50	\$65.00	\$0.00	\$85.00	\$0.00	\$75.00	\$60.00	\$0.00
3 Month Pass Adult Non-Resident	\$114.00	\$125.00	\$90.00	\$90.00	\$0.00	\$100.00	\$0.00	\$115.00	\$60.00	\$0.00
20-punch Adult Resident	\$88.00	\$95.00	\$90.87	\$62.50	\$0.00	\$0.00	\$0.00	\$100.00	\$0.00	\$0.00
20-punch Adult Non-Resident	\$88.00	\$95.00	\$99.43	\$90.00	\$0.00	\$0.00	\$0.00	\$140.00	\$0.00	\$0.00
20 Punch YOUTH/SR Res	\$67.00	\$75.00	\$72.96	\$50.00	\$0.00	\$0.00	\$0.00	\$80.00	\$0.00	\$0.00
20 Punch YOUTH/SR N Res	\$67.00	\$75.00	\$81.19	\$75.00	\$0.00	\$0.00	\$0.00	\$120.00	\$0.00	\$0.00

Products	Location(s)									
	Woodburn Aquatic Center (Current)	Woodburn Aquatic Center (Proposed)	Average	McMinnville Aquatic Center	Selwood Outdoor Pool	Southwest Community Center	Tualatin (& Tigard)	Mt. Hood Community College	Aquatic and Fitn	The KROC Center
Drop-In YOUTH/SR Resident	\$4.00	\$4.50	\$4.10	\$4.50	\$5.00	\$5.00	\$4.00	\$6.00	\$6.00	\$8.00
Drop-In YOUTH/SR Non-Resident	\$4.00	\$4.50	\$5.03	\$4.50	\$5.00	\$5.00	\$6.00	\$6.00	\$6.00	\$10.00
Drop-In Adult Resident	\$5.00	\$5.50	\$5.47	\$5.50	\$6.00	\$6.00	\$6.00	\$7.00	\$7.50	\$12.00
Drop-In Adult Non-Resident	\$5.00	\$5.50	\$6.05	\$5.50	\$6.00	\$6.00	\$7.00	\$7.00	\$7.50	\$12.00
Drop-In Family Resident	\$17.00	\$18.00	\$9.14	\$0.00	\$0.00	\$0.00	\$10.00	\$0.00	\$0.00	\$0.00
Drop-In Family Non-Resident	\$17.00	\$18.00	\$11.75	\$0.00	\$0.00	\$0.00	\$12.00	\$0.00	\$0.00	\$0.00
Monthly YOUTH/SR Resident	\$29.00	\$34.00	\$25.88	\$0.00	\$29.00	\$29.00	\$0.00	\$0.00	\$38.00	\$44.00
Monthly YOUTH/SR Non-Resident	\$29.00	\$34.00	\$29.83	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$48.00	\$44.00
Monthly Adult Resident	\$39.00	\$45.00	\$39.38	\$0.00	\$41.00	\$41.00	\$0.00	\$0.00	\$50.00	\$52.00
Monthly Adult Non-Resident	\$39.00	\$45.00	\$45.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$63.00	\$52.00
3 Month Pass YOUTH/SR Resident	\$84.00	\$92.00	\$59.13	\$73.00	\$0.00	\$0.00	\$70.00	\$0.00	\$100.00	\$0.00
3 Month Pass YOUTH/SR Non-Resident	\$84.00	\$110.00	\$74.13	\$83.00	\$0.00	\$0.00	\$80.00	\$0.00	\$125.00	\$0.00
3 Month Pass Adult Resident	\$114.00	\$125.00	\$73.50	\$90.00	\$0.00	\$0.00	\$85.00	\$0.00	\$128.00	MA
3 Month Pass Adult Non-Resident	\$114.00	\$125.00	\$90.00	\$100.00	\$0.00	\$0.00	\$95.00	\$0.00	\$160.00	MA
20-punch Adult Resident	\$88.00	\$95.00	\$90.87	\$100.00	\$106.00	\$106.00	\$83.33	\$110.00	\$150.00	MA
20-punch Adult Non-Resident	\$88.00	\$95.00	\$99.43	\$100.00	\$0.00	\$0.00	\$106.00	\$110.00	\$150.00	MA
20 Punch YOUTH/SR Res	\$67.00	\$75.00	\$72.96	\$80.00	\$85.00	\$85.00	\$66.66	\$90.00	\$120.00	MA
20 Punch YOUTH/SR N Res	\$67.00	\$75.00	\$81.19	\$80.00	\$0.00	\$0.00	\$83.33	\$90.00	\$120.00	MA

Monday, November 7, 2022

ATTN: Accounts Receivable

Conduits Fee Change

Net Assets Conduits search fee to organizations will increase on January 1st, 2023. The fee adjustment is an additional \$3/search and takes effect on January 1st. The fee change reflects an inflationary adjustment since our last change in 2018 and is only the third fee change in Conduits history since 2002.

Organizations' search fees to users will remain the same but can be adjusted at any time by login of the Organization Administrator and then going to Step 2 of settings to change search fees accordingly.

If for any reason you have questions, please do not hesitate to contact us support@netassets.com or 541.485.8876.

Cheryl Hammerton
Office Administrator
Net Assets Corporation
chammerton@netassets.com



Payment Solutions
powered by Elavon

January 31, 2023

MID: 8027164725

*****AUTO**ALL FOR AADC 970 T86 P1 27715

Co Woodburn
270 Montgomery St
Woodburn, OR 97071-4730



Dear Valued Customer,

To maintain our commitment to providing fast, reliable, and secure payment processing services, each year, we evaluate the rates and fees we charge our customers for our services. We review many factors, including the rising cost of payment data security and regulation changes the card brands (e.g. Visa and Mastercard) put in place for payment processors as well as businesses that accept card payments, among other industry drivers.

With these factors in mind, we wanted to let you know about changes to your pricing that will be effective beginning March 1, 2023.

Processing rate increase

Your processing rates will increase based on the following:

- 0.12% + \$0.25 for all card transactions
- \$0.25 per transaction authorization
- 0.2% per international transaction

Chargeback fee: Your existing chargeback fee will increase to \$35. Applying this fee across all incoming chargebacks and retrievals we respond to for your business will allow us to continue to win disputes on your behalf at a high rate.

Monthly minimum fee: Your monthly minimum fee will increase to \$40 per month.

Monthly billing fee: To encourage daily billing, which is more efficient and cost-effective than monthly billing, we will implement a fee for your processing account should you choose to continue monthly account billing. This fee will be 0.02% of your monthly transaction processing volume. To avoid this fee, email dailydiscount@elavon.com to request a switch to daily billing for your account. Please include your Merchant ID number (MID) in the body of the email.

Your current processing rates and fees will stay in effect through your February 2023 billing statement. Please refer to your December 2022 statement to compare your current rates with these new rates and fees. Your March 2023 billing statement will reflect the changes listed above for comparable transactions.

We appreciate your business and look forward to continuing our partnership. If you have any questions, please contact customer service at 800.725.1243*.

Sincerely,

Joy Lyons
Senior Vice President, Customer Service

* We accept relay calls

COUNCIL BILL NO. 3208

ORDINANCE NO. 2609

AN ORDINANCE AMENDING ORDINANCE 2433 (MASTER FEE SCHEDULE) TO MODIFY AND UPDATE COMMUNITY DEVELOPMENT - PLANNING DIVISION FEES, COMMUNITY SERVICES - RECREATION, PARKS, AND AQUATIC CENTER FEES, AND FINANCE DEPARTMENT FEES; AND REPEALING ALL FEES AND CHARGES THAT ARE INCONSISTENT WITH THIS ORDINANCE; AND SETTING AN EFFECTIVE DATE

WHEREAS, in September 1998, the City Council adopted the first Master Fee Schedule to account for the City's reasonable costs in providing special services; and

WHEREAS, in Ordinance 2433 the City stated it desired to establish a policy of recovering the full costs reasonably borne of providing services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

WHEREAS, the City Council last updated the Finance Department Fees in March 2008 (via Ordinance 2433), the Planning Division Fees in June 2008 (via Ordinance 2443), the Parks and Recreation Fees in March 2015 (via Ordinance 2525), and the Aquatic Center Fees in April 2016 (via Ordinance 2533); and

WHEREAS, an update to the schedules of identified fees and charges to be paid by those requesting services of a voluntary and limited nature needs to occur so that the City may carry into effect its identified fiscal policy;

WHEREAS, pursuant to ORS 294.160, at its meeting on April 24, 2023, the City Council provided an opportunity for interested persons to comment on the enactment of this Ordinance and its proposed fee increases; **NOW, THEREFORE,**

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. The schedule of Community Development, Planning Division fees and charges affixed and incorporated as Attachment "A" is hereby adopted by the City and shall be included in the City's Master Fee Schedule.

Section 2. The schedule of Community Services, Parks and Recreation and Aquatic Center fees and charges affixed and incorporated as Attachment "B" is hereby adopted by the City and shall be included in the City's Master Fee Schedule.

Section 3. The schedule of Finance Department fees and charges affixed and incorporated as Attachment "C" is hereby adopted by the City and shall be included in the City's Master Fee Schedule.

Section 4. All Community Development, Community Services, and Finance Department fees and charges that are inconsistent with those contained in the attached schedules are hereby repealed.

Section 5. This Ordinance and all fees and charges hereby adopted by and through this Ordinance shall take effect on July 1, 2023.

Approved as to form: _____
City Attorney Date

Approved: _____
Frank Lonergan, Mayor

Passed by the Council _____

Submitted to the Mayor _____

Approved by the Mayor _____

Filed in the Office of the City Recorder _____

ATTEST: _____
City Recorder
City of Woodburn, Oregon

City of Woodburn, Oregon: Planning Division Fee Schedule		
Land Use Application Type or Planning Service	Fee	Note
<i>Pre-Application Conference or Meeting (PRE)</i>	\$685	Woodburn Development Ordinance (WDO) 4.01.13
<i>Annexation (ANX):</i>		WDO 5.04.01
Annexation - more than 1.00 acre	\$5,130	
Annexation - less than or equal to 1.00 acre	\$2,565	
<i>Appeal, Land Use:</i>		
Appeal to City Council (Type III)	See Note.	\$135 + ½ of original application fee, but maximum total \$2,700.
Appeal to City Council (Type II)	\$250	Maximum \$250 per Oregon Revised Statutes (ORS) 227.175(10)(b) (2019).
<i>Comprehensive Plan Amendment:</i>		WDO 5.04.02
-more than 1.00 acre	\$4,700	
-less than or equal to 1.00 acre	\$4,670	
<i>Conditional Use (CU)</i>	\$5,390	WDO 5.03.01
<i>Design Review (DR):</i>		
Type I	\$685	WDO 5.01.02
Type II or higher: Up to 3,000 square feet (sq ft) total	\$6,115	WDO 5.02.03 or 5.03.02
Type II or higher: More than 3,000 and fewer	\$9,490	WDO 5.02.03 or 5.03.02
Type II or higher: More than 30,000 total sq ft	\$19,440	WDO 5.02.03 or 5.03.02
<i>Grading Permit (GRAD)</i>	\$685	WDO 5.01.04
<i>Interpretation [of the WDO], formal (INT)</i>	\$2,640	Plus costs if and as Oregon Ballot Measure 56 (1998), codified in ORS 227.186, is applicable. WDO 1.03.04, 2.01.03, & 4.02.06.
<i>Manufactured Dwelling Park:</i>		
Preliminary Approval	\$4,710	
Final Plan Approval	\$1,625	
<i>Modification of Conditions (MOC)</i>	See Note.	\$135 plus ½ of original fee for related application or consolidated applications. WDO 4.02.07.
<i>Partition (PAR):</i>		
Preliminary Approval (PAR)	\$3,720	WDO 5.02.05
Final Plat Approval (FPAR)	\$1,860	WDO 5.01.06
<i>Phasing Plan (PP)</i>	\$2,145	WDO 5.03.05
<i>Planned Unit Development (PUD):</i>		WDO 3.09
Conceptual Development Plan / Preliminary	\$4,480 plus	\$55 per lot. WDO 3.09 & 5.03.06.
Design Final Plan / Detailed Development Plan	\$1,375	WDO 5.01.07 & 5.03.07
Final Plat Approval	\$3,880	WDO 5.01.06 & 5.01.07
<i>Property Line Adjustment (PLA); Consolidation</i>	\$2,025	WDO 5.01.08
<i>Residential Architectural Standards Substitution</i>	\$540	WDO 5.02.02
<i>Riparian Corridor Wetland Overlay District</i>	\$670	WDO 2.05.05 & 5.01.09
<i>Sign Permit (SIGN):</i>		WDO 3.10
-Permanent: freestanding (includes monument and pole)	\$520	When an applicant applies for multiple signs for a given business, complex, development, landowner, lot, property, or tenant, each and every sign for which a sign permit is required requires fee payment.
-Permanent: other than freestanding (includes wall)	\$115	Same as Note above.
-Temporary	Free	
<i>Specific Conditional Use – Historically or Architecturally Significant Building</i>	\$1,725	WDO 5.03.08
<i>"Street Adjustment" (Adjustment to Street Improvement Requirements; SA):</i>		
Type II	\$4,040	WDO 5.02.04
Type III or higher	\$4,560	WDO 4.01.07 & 5.03.03
<i>Subdivision (SUB):</i>		
Preliminary Approval (SUB)	\$5,665 plus per Note.	\$55 per lot. WDO 5.01.10.
Final Plat Approval (FSUB)	\$3,880	WDO 5.01.06 & ORS 92 (2021)
<i>Telecommunication Facility, Specific Conditional Use</i>	\$3,285	WDO 5.03.11
<i>Temporary Outdoor Marketing and Special Event Permit (TMKT)</i>	\$165	WDO 5.01.12
<i>Significant Tree Removal Permit (TREE)</i>	\$220	WDO 3.06.07 & 5.01.11
<i>Variance (VAR):</i>		WDO 5.03.12
-consolidated with another land use application	\$3,285	
-standalone application	\$4,695	
<i>Zone Map Amendment / Zone Change (ZC) (re-zoning)</i>	\$4,615	WDO 5.04.04
<i>Zoning Adjustment (ZA)</i>	\$3,520	WDO 5.02.06

Continues next page

Ordinance
Attachment A
Page 1 of 2

Land Use Application Type or Planning Service, cont.	Fee	Note
Addressing Assignment, Street	\$220 plus per Note.	If for two or more lots or tracts, then plus \$4 for each subsequent lot and tract. If for apartment complex of two or more apartment buildings, then plus \$4 for each subsequent apartment building.
Bond or performance guarantee release or status letter	\$50	Applicable to such held by the Planning Division, not any by the Public Works Department.
Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials:		Follows land use final decision (approval). Due upon CEP application to the Public Works Dept. Does not abrogate any fees that the Public Works Department requires through its fee schedule.
-original/1 st submittal	\$350	
-2 nd and successive submittal	\$250	
Drafting of development agreement, intergovernmental agreement (IGA), or memorandum of understanding (MOU)	\$2,500	Development agreement: ORS 94.504 (2007). IGA, MOU: ORS 190.010 (1991).
Exception to when all public improvements are due / delay or deferral of frontage/street improvements	\$4,695	Applicable if developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). Fee serves as exception disincentive.
Expedited Land Use Review:		ORS 197.360-380 (2021)
- Partition (other than middle housing)	\$6,320	
- Subdivision (other than middle housing)	\$9,060	
- Middle Housing Land Division	\$9,060	ORS 197.380 (2021)
Expedited review (for land use review, not building permit review)	\$90 per hour	Distinct from “Expedited Land Use Review” above relating to statute. Subject to staff availability and as allowed by law for use. In addition to application fees based on an hourly rate for overtime.
Fence permit	Free	WDO 2.06.02 & 5.01.03
Home occupation review	Free	WDO 2.07.10
Land Use Compatibility Statement (LUCS) or other jurisdictional permit sign-off	\$100	
Extension of a development decision	\$685	WDO 4.02.05
Site inspection, planning & zoning (P&Z):		Relates particularly to on-site private improvements resulting from building permit and civil/frontage/public/street improvements resulting from CEP approval.
-Original/1st inspection & 2 nd inspection (re-inspection)	Free	
-3 rd inspection and successive inspection	\$250	
Transportation impact analysis (TIA) review	\$900	Applicable if a proposal requires a TIA per WDO 3.04.05. Recoups cost to City of transportation consultant reviews, recommendations, and public meetings participation.
Significant Tree mitigation fee	\$250	WDO 3.06.07E.3. & F.
Zoning confirmation letter / zoning verification letter	\$100	
Planning service 1½ hours or more through meeting by appointment instead of Planning counter unscheduled service	\$90 per hour	Applied per Director discretion.
Planning counter and phone inquiry service	Free	
Printing and copying:		Mimics the Public Works fee schedule printing and copying items. <i>Applicable only if total charge would be \$10 or more.</i>
-Letter / 8½ by 11 inches black and white or grayscale	5¢	per page. (Min. 200 pages to charge.)
-Letter / 8½ by 11 inches color	75¢	per page. (Min. 14 pages to charge.)
-Ledger / 11 by 17 inches	Twice the applicable letter rate	per sheet. (B&W: min. 100 sheets to charge; color: min. 7 sheets to charge)
-Plan size / 24 by 36 inches, or any large map	\$25	per sheet.

ATTACHMENT "B"

COMMUNITY SERVICES FEE SCHEDULE

Regulation, Product or Service	Fee	Notes (Add'l Fees, Equipment, Etc.)
Community Services -- Aquatic Center		
General Admissions		
–infant (0-2 years)	\$0.00	
–youth (3-17)	\$4.50	
–adult (18-59)	\$5.50	
–honored citizens (60+)	\$4.50	
–family (~30% discount)	\$18.00	includes up to 2 adults & 3 kids
Group Admission (10+ people)		
–admission with party room rental (each)	\$3.00	10 or more people
–admission when booked in advance (each)	\$3.50	10 or more people
–admission not booked in advance (each)	\$4.00	10 or more people
Punch Cards (20 visits)		
–youth (3-17)	\$75.00	Punch cards expire after one year (~15% discount)
–adult (18-59)	\$95.00	
–honored citizens (60+)	\$75.00	
3-Month Pass		
–youth (3-17)	\$92.00	
–adult (18-59)	\$125.00	
–honored citizens (60+)	\$92.00	
–family (~30% discount)	\$229.00	includes up to 2 adults & 3 kids
Recurring Monthly Pass (electronic funds transfer)		
–youth (3-17)	\$34.00	
–adult (18-59)	\$45.00	
–honored citizens (60+)	\$34.00	
–family (~30% discount)	\$80.00	includes up to 2 adults & 3 kids

Group Memberships (generally corporate)		
–10+ individuals	\$25.00	per month per member
–25+ individuals	\$23.00	per month per member
–50+ individuals	\$21.00	per month per member
Rentals		
–lane rental (per hour)	\$20.00	
–high school swim team rental (per lane hour)	\$7.00	per lane hour
–high school swim team rental-out of city (per lane hour)	\$8.50	per lane hour
–private after hours (per hour)	\$150.00	up to \$25 people (\$1.00 each add'l)
–party room (per hour)	\$35.00	
Lessons, Training, Swim Instruction		
–Group Swimming Lessons	\$45	10 30-minute lessons
–Private Swimming Lessons	\$160	10 30-minute lessons
–Semi-Private Swimming Lessons	\$80	10 lessons w/ 2-3 students
–Lifeguard Training	\$0	
–Swim Instructor Training	\$0	
–Jr. Lifeguard Training	\$40	
–Aquatics Day Camp	\$35	
Other		
–lock rental	\$1	
–monthly locker rental	\$15	
–monthly locker rental (members)	\$10	

Regulation, Product or Service	Cost of Service	
Community Services--Parks		
Athletic Field Rentals -- Private		
Field Prep Soccer, Softball, Baseball	\$40	per game
Athletic Field Lighting	\$15	per hour
Centennial Park Ball Field	\$25	per hour

Centennial Park Youth Soccer Field	\$25	per hour
Centennial Park Adult Soccer Field	\$25	per hour
Legion Park Soccer Field – Turf	\$50	per hour
Settlemier Park Ball Field	\$25	per hour
Sport Courts (basketball, pickleball, futsal, etc.)	\$10	per hour
<i>Athletic Field Rentals -- Commercial</i>		
Field Prep Soccer, Softball, Baseball	\$60	per game
Athletic Field Lighting	\$20	per hour
Centennial Park Ball Field	\$37.50	per hour
Centennial Park Youth Soccer Field	\$37.50	per hour
Centennial Park Adult Soccer Field	\$37.50	per hour
Legion Park Soccer Field – Turf	\$75.00	per hour
Settlemier Park Ball Field	\$37.50	per hour
Sport Courts (basketball, pickleball, futsal, etc.)	\$15.00	per hour
<i>Park/Facility Rentals – Private (impact fee applies when usage exceeds shelter maximum capacity)</i>		
Any Entire Park	\$450	per day
Centennial Park Picnic	\$30	fee is per hour – 2 hour minimum (impact rate is \$35)
Legion Park Picnic	\$36	fee is per hour – 2 hour minimum (impact rate is \$43)
Settlemier Park Picnic – North	\$27.50	fee is per hour – 2 hour minimum (impact rate is \$33)
Settlemier Park Picnic – South	\$27.50	fee is per hour – 2 hour minimum (impact rate is \$33)
Senior Estates Park Picnic	\$27.50	fee is per hour – 2 hour minimum (impact rate is \$33)
Hazel Smith Plaza	\$27.50	fee is per hour – 2 hour minimum (impact rate is \$33)
Dahlia Plaza	\$22.00	fee is per hour – 2 hour minimum (impact rate is \$27)

Downtown Plaza Gazebo	\$27.50	fee is per hour – 2 hour minimum (impact rate is \$33)
Woodburn Museum	\$35	fee is per hour – 2 hour minimum
Bungalow Theater	\$50	fee is per hour – 2 hour minimum
Museum/Theater	\$75	fee is per hour – 4 hour minimum
Special Event Permit	\$1500	per day
Special Event Permit Add'l Days	\$800	per add'l day
<i>Park/Facility Rentals -- Commercial</i>		
Any Entire Park	\$720	per day
Centennial Park Picnic	\$45	fee is per hour – 2 hour minimum (impact rate is \$54)
Legion Park Picnic	\$54	fee is per hour – 2 hour minimum (impact rate is \$65)
Settlemier Park Picnic – North	\$42	fee is per hour – 2 hour minimum (impact rate is \$50)
Settlemier Park Picnic – South	\$42	fee is per hour – 2 hour minimum (impact rate is \$50)
Senior Estates Park Picnic	\$42	fee is per hour – 2 hour minimum (impact rate is \$50)
Hazel Smith Plaza	\$42	fee is per hour – 2 hour minimum (impact rate is \$50)
Dahlia Plaza	\$33	fee is per hour – 2 hour minimum (impact rate is \$43)
Downtown Plaza Gazebo	\$42	fee is per hour – 2 hour minimum (impact rate is \$50)
Woodburn Museum	\$52.50	fee is per hour – 2 hour minimum
Bungalow Theater	\$75	fee is per hour – 2 hour minimum
Museum/Theater	\$112.50	fee is per hour – 4 hour minimum
Special Event Permit	\$2250	per day
Special Event Permit Add'l Days	\$1200	per add'l day

ATTACHMENT "C"

FINANCE FEE SCHEDULE

Regulation, Product or Service	Fee	Notes (Add'l Fees, Equipment, Etc.)
Finance		
<i>Liquor License</i>		
--new (all types)	\$100	
--change in ownership/location/privilege	\$75	plus noticing costs in the event of a denial
--renewal (all types)	\$35	plus noticing costs in the event of a denial
--temporary/special event liquor license	\$35	plus noticing costs in the event of a denial
Lien Filing	\$34	
Lien Search Fees	\$28	
NSF Check (Avoidance)	\$10	payment to avoid water shut-off (in addition to check fee)
NSF Check (1st and 2nd)	\$35	
NSF Check (3rd)	\$40	



Agenda Item

April 24, 2023

TO: Honorable Mayor and City Council through City Administrator

FROM: McKenzie Granum, Assistant City Attorney

SUBJECT: **Bid Protest Response to the Legion Park Parking Lot Improvement Project Contract Award**

RECOMMENDATION:

Receive report and award the construction contract for the Legion Park Parking Lot Improvements Project to the lowest responsible and responsive bidder, Pacific Excavation, in the amount of \$180,680.00 and approve an additional \$20,000.00 for this project as a contingency for potential change orders.

BACKGROUND:

The City of Woodburn issued a Request for Bids for the Legion Park Parking Lot Improvement Project (No. 2022-001-38.2) on March 8, 2023. The City received sealed bids for the subject project until 2:00 p.m. on Wednesday, March 29, 2023, whereafter all submitted bids were publicly opened and read. In total the City received six bids in response to the solicitation.

Following the public bid opening procedure, the bids were reviewed by City engineering staff to confirm bid calculations and other minimum requirements for confirming the list of responsible and responsive bidders.

During that process, one of the City's project engineers identified a discrepancy between a unit price calculation and the total price calculation within the bid submitted by Pacific Excavation, Inc. ("Pacific Excavation"). Following the bid calculation and review process, the City contacted the representative for Pacific Excavation by telephone to inform them of the mistake in their bid and to notify them that the City would be correcting this mistake and basing its award decision on the unit prices in the subject bid, not the extended total price listed. Pacific Excavation confirmed the City's correction in writing by email received on April 4, 2023. Upon correction of the mistake, Pacific Excavation's bid became the lowest submitted bid offer.

Agenda Item Review: City Administrator ____x____ City Attorney ____x____ Finance ____x____

It was the City's intent to award the project contract to Pacific Excavation at the City Council meeting on April 10, 2023, however, prior to that date the City received a bid protest from the next-lowest offeror, K&L Industries, wherein they challenged the City's process in correcting the bid mistake. The City then elected to delay the date of contract award so that it could complete a legal and administrative review and provide a written response to K&L Industries as required by Oregon State procurement and public contracting rules.

DISCUSSION:

Pursuant to public contracting rules, the City Administrator is responsible for settling and/or resolving protests in accordance with the legal requirements of ORS 279B.410 (Protest of Contract Award) and OAR 137-049-0450 (Protest of Contractor Selection, Contract Award) and providing a written decision on the protest in a timely manner. A written decision on the bid protest was provided to K&L Industries on April 18, 2023. A copy of the full bid protest response can be made available to Councilors upon request.

In preparing the written response, the City Administrator closely examined the administrative rules that provide guidance on when bid document mistakes may be corrected by the contracting agency, including when actions can be taken to either waive and/or correct a clerical error in listed pricing.

Based upon the governing rules regulating the correction of bid mistakes, and after reviewing the City's procedures and documentation related to the subject procurement, the City Administrator determined that the correction of the pricing in the bid submitted by Pacific Excavation met all of the criteria and elements required by the administrative rules and was appropriate.

If K&L Industries wants to legally dispute the City Administrator's decision on its bid protest it must file an action in the Marion County Circuit Court. Since no such action has been commenced, the City Council should award the bid to Pacific Excavation as recommended by staff.

FINANCIAL IMPACT:

N/A

April 24, 2023

TO: Honorable Mayor and City Council (acting in its capacity as the Local Contract Review Board) through City Administrator

FROM: Jesse Cuomo, Community Services Director

SUBJECT: **Award of Legion Park Parking Lot Improvements Project to Pacific Excavation**

RECOMMENDATION:

Award the construction contract for the Legion Park Parking Lot Improvements Project to the lowest responsible and responsive bidder, Pacific Excavation, in the amount of \$180,680.00 and approve an additional \$20,000.00 for this project as a contingency for potential change orders.

BACKGROUND:

As one of the final components of the Legion Park Improvement project the Legion Park parking lot will receive improvements creating seventy three (73) standard parking spaces and four (4) ADA spaces. Additional improvements include; catch basins, storm water drainage line, extruded curb, concrete driveways and pavement markings.

The City Council, acting as the Local Contract Review Board, must authorize the City Administrator to enter into the resulting Agreement with Pacific Excavation.

This project is included in the approved FY 22/23 budget and updating and improving the Legion Park Parking lot. Bids were publicly opened March 29, 2023. Six (6) responsible and responsive bids were received as follows:

- | | | |
|----|----------------------|--------------|
| 1. | Pacific Excavation | \$180,680.00 |
| 2. | K&L Industries | \$184,862.60 |
| 3. | Turney Excavation | \$200,856.75 |
| 4. | Shed Horn Excavation | \$276,774.21 |
| 5. | The Sanders Company | \$282,800.00 |
| 6. | North Santiam Paving | \$398,499.00 |

The Engineer's Estimate for the project is: \$150,000 - \$300,000.

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

The contract award is in conformance with public contracting laws of the State of Oregon as outlined in ORS Chapter 279C for the construction of public improvements and the public contracting regulations of the City of Woodburn, therefore, the staff is recommending the contract be awarded.

FINANCIAL IMPACT:

The subject project is identified in the adopted fiscal year 2022/23 Budget and funded by the Capital Improvement Fund.



Agenda Item

April 24, 2023

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *CK*,
Colin Cortes, AICP, CNU-A, Senior Planner

Subject: **Call-Up Briefing: Planning Commission approval of a Conditional Use Permit & Design Review application package for open-air shelters for outdoor play at Heritage E.S. at 440 Parr Rd (CU 22-05 & DR 22-20)**

RECOMMENDATION:

Staff briefs the Council on this item pursuant to [Woodburn Development Ordinance \(WDO\)](#) Section 4.02.02. (The Council may call up this item for review if desired and, by majority vote, initiate a review of this Commission decision.)

BACKGROUND:

The Planning Commission held a public hearing on April 13, 2023 and unanimously approved the consolidated applications package (Type III) with the conditions recommended by staff through the staff report published April 6.

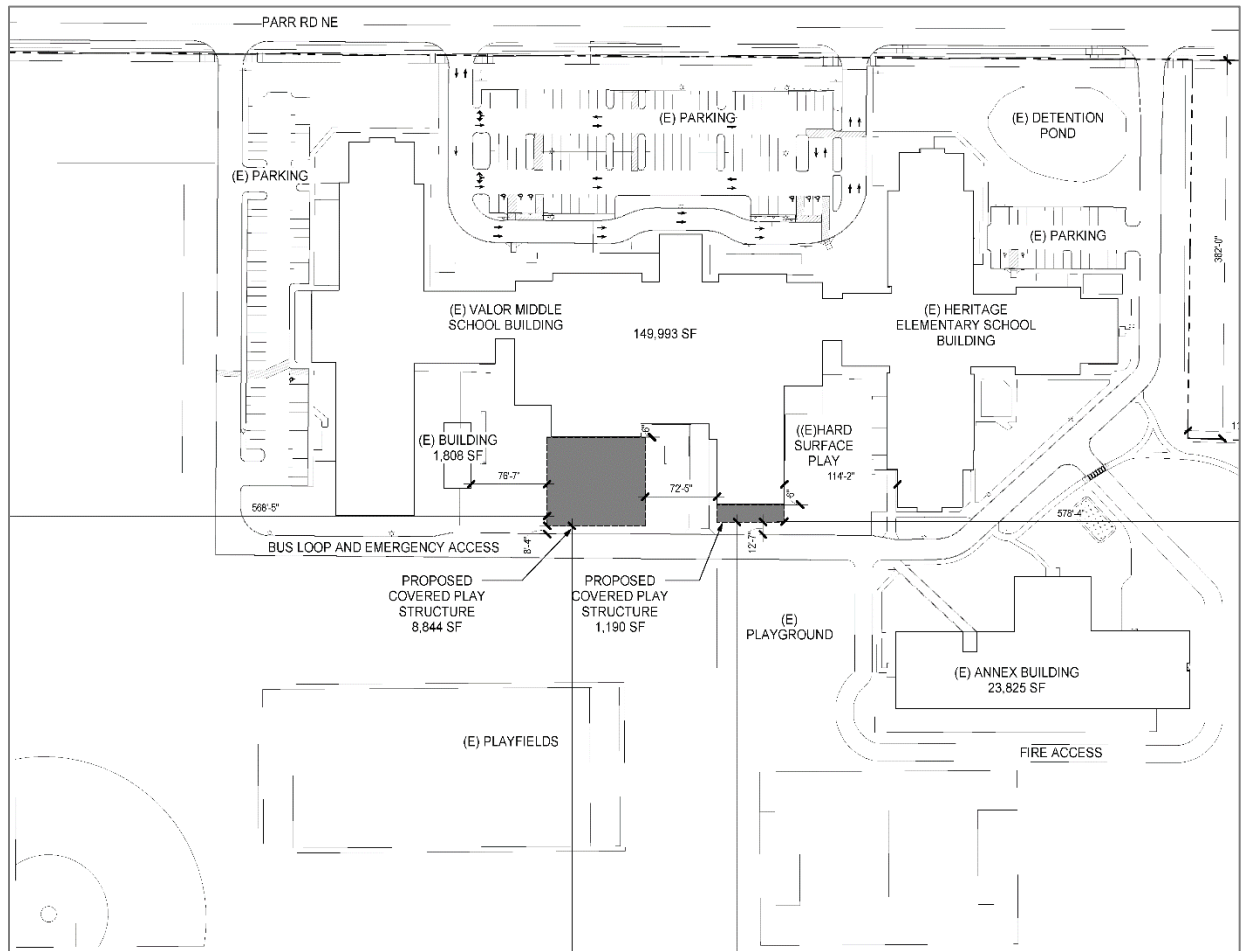
Images

See the next few pages for one or more aerial photos, site plan(s), and structure façade(s).

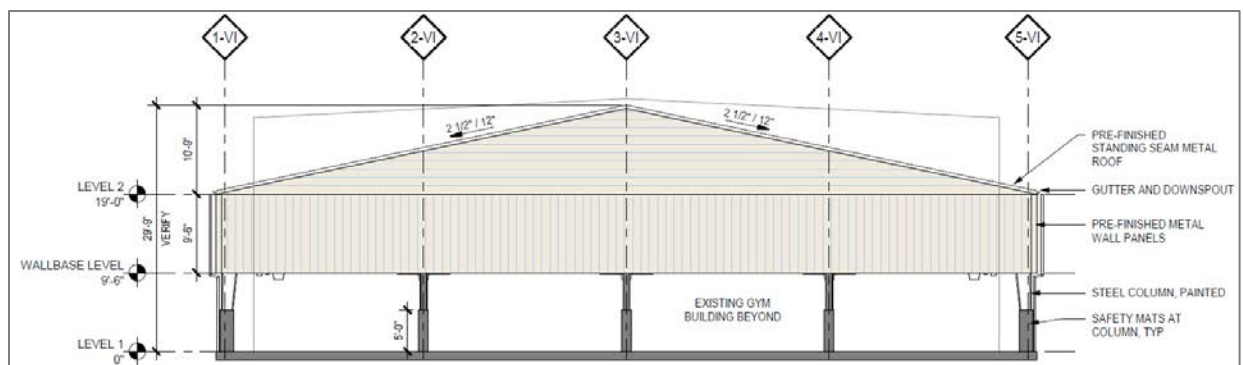
Agenda Item Review: City Administrator ___x___ City Attorney ___x___



County aerial of subject property: Heritage E.S. & Valor M.S.



Site plan



South elevation of west shelter

Project Description

The project adds two open-air shelters for outdoor play attached to the south rear of the existing building that contains Heritage Elementary School and Valor Middle School.

Staff and the developer have worked to produce a good site development by focusing on getting some variety in the pattern of the standing seam metal walls that partly enclose the shelters.

Zoning

The subject property is in the Public and Semi-Public (P/SP) zoning district. The open-air shelters are a conditional use (CU) because of CU 2019-02 Condition of Approval C11 parts a, f, & h that in October 2019 established thresholds of development enough that the shelters required additional CU review.

Testimony

One party testified and neither in support nor opposition:

- Tina Stinnett, 180 S. 2nd St

In short, testimony questioned the applicant about whether the schools have gyms and if the school district and them during the lunch period, both of which the applicant confirmed, adding that gym use includes physical education (PE) classes. Ms. Stinnett opined that a project like the subject one would be nice in Centennial Park, believing such would be beneficial were it to shelter the basketball court, especially because of the Smith Creek apartments north across Parr Rd from the park. Ms. Stinnett concluded with an idea to improve the park by adding a dog park, barbeque stations, and structure covers in other areas.

Appeal

Any of the parties with standing can appeal the Commission final decision per WDO 4.02.01B no later than May 8, 2023, and the Council would make a determination on the appeal after holding a noticed public hearing.

April 24, 2023

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *CK*,
Colin Cortes, AICP, CNU-A, Senior Planner

Subject: **Call-Up Briefing: Planning Commission approval of a Conditional Use Permit & Design Review application package for open-air shelters for outdoor play at Lincoln E.S. at 1041 N. Boones Ferry Rd (CU 22-06 & DR 22-21)**

RECOMMENDATION:

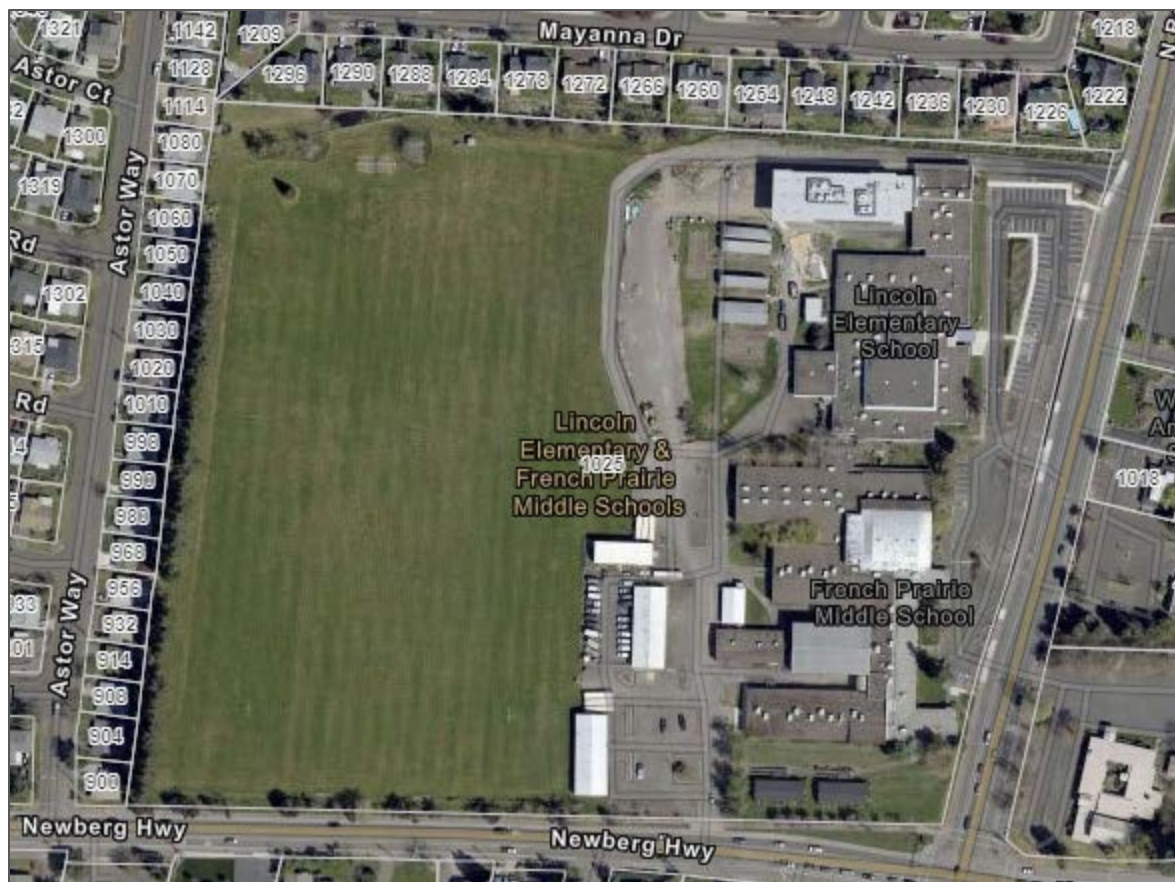
Staff briefs the Council on this item pursuant to [Woodburn Development Ordinance \(WDO\)](#) Section 4.02.02. (The Council may call up this item for review if desired and, by majority vote, initiate a review of this Commission decision.)

BACKGROUND:

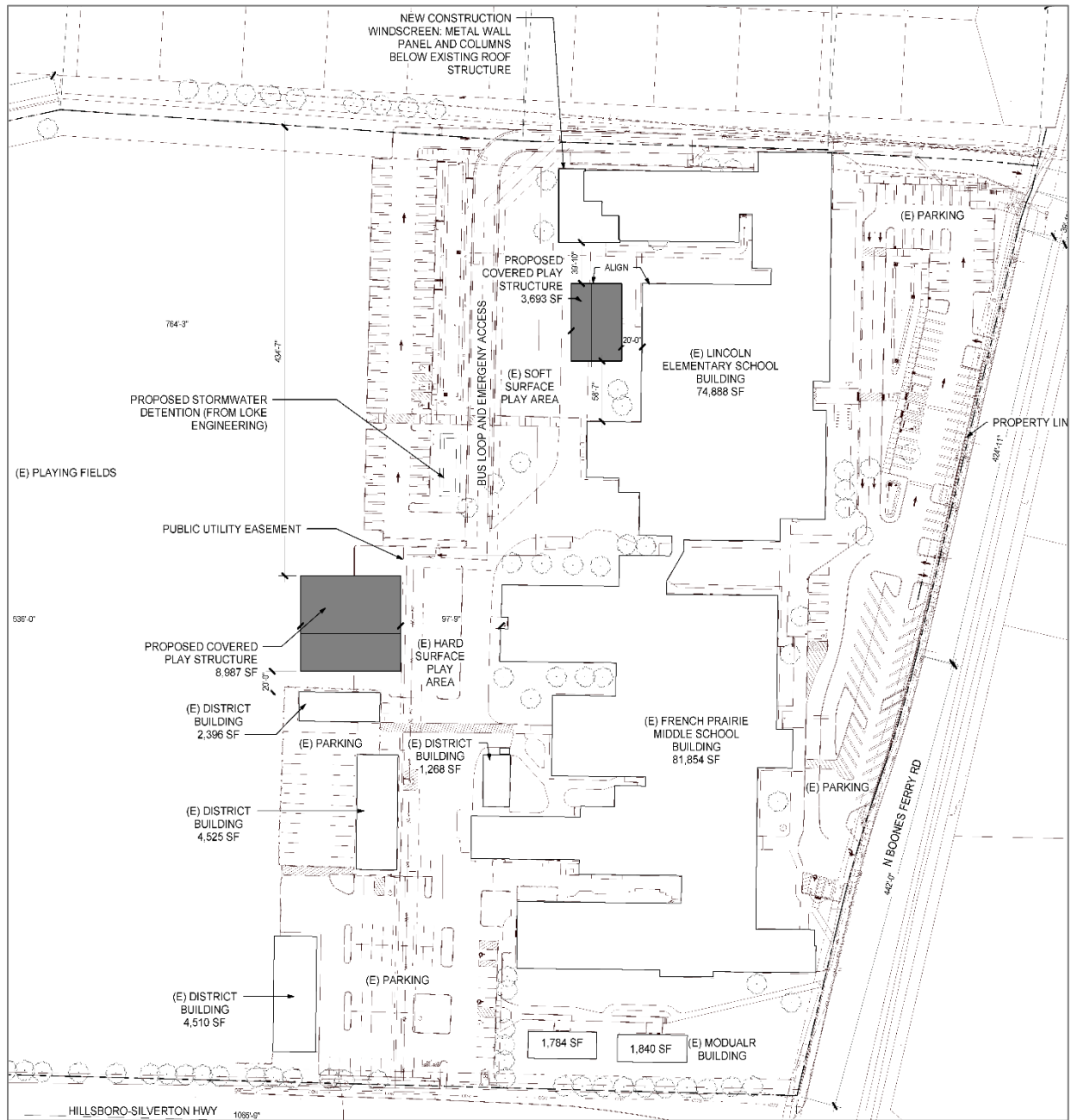
The Planning Commission held a public hearing on April 13, 2023 and unanimously approved the consolidated applications package (Type III) with the conditions recommended by staff through the staff report published April 6.

Images

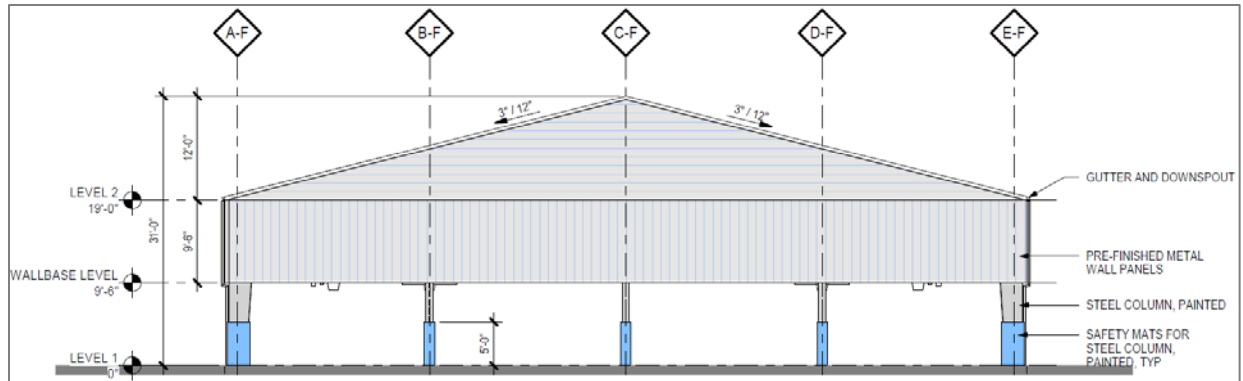
See the next few pages for one or more aerial photos, site plan(s), and structure façade(s).



County aerial of subject property: Lincoln E.S. & French Prairie M.S.



Site plan



West elevation of south shelter

Project Description

The project adds one attached and two detached open-air shelters for outdoor play at the west rear of the existing buildings that contain Lincoln Elementary School and French Prairie Middle School.

Staff and the developer have worked to produce a good site development by focusing on getting some variety in the pattern of the standing seam metal walls that partly enclose the shelters.

Zoning

The subject property is in the Public and Semi-Public (P/SP) zoning district. The open-air shelters are a conditional use (CU) because of CU 2019-06 Condition of Approval C12 parts a, f, & h that in October 2019 established thresholds of development enough that the shelters required additional CU review.

Testimony

There was no testimony other than the applicant's.

Appeal

Any of the parties with standing can appeal the Commission final decision per WDO 4.02.01B no later than May 8, 2023, and the Council would make a determination on the appeal after holding a noticed public hearing.



Agenda Item

April 24, 2023

To: Honorable Mayor and City Council through City Administrator

From: Chris Kerr, Community Development Director *CK*

Subject: **Council Briefing of Planning Commission approval of a Design Review and Variance application package for Fleet Sales West at 2175 N. Pacific Hwy (DR 22-24 & VAR 22-13)**

RECOMMENDATION:

Staff recommends no action and briefs the Council on this item pursuant to Woodburn Development Ordinance (WDO) Section [4.02.02](#). The Council may call up this item for review if desired and, by majority vote, initiate a review of this decision.

BACKGROUND:

The Planning Commission held a public hearing on April 13, 2023 and unanimously approved the Design Review (DR) and Variance (VAR) application package with the conditions recommended by staff through the staff report. No individuals testified in opposition.

The subject property, 2175 N. Pacific Hwy, is a 5.57-acre property in the Commercial General (CG) zoning district. It is already developed with an industrial manufacturing/warehousing building that is occupied by Fleet Sales West, a company that manufactures and sells custom fleet vehicles to other businesses. The approved project is for a new 7,200 square foot shop building, and minor upgrades to landscaping and parking as well as new sidewalk and street tree improvements along N. Pacific Hwy and National Way. Instead of burying the above-ground power lines along the property frontage, the applicant will be paying a fee-in-lieu to the City.

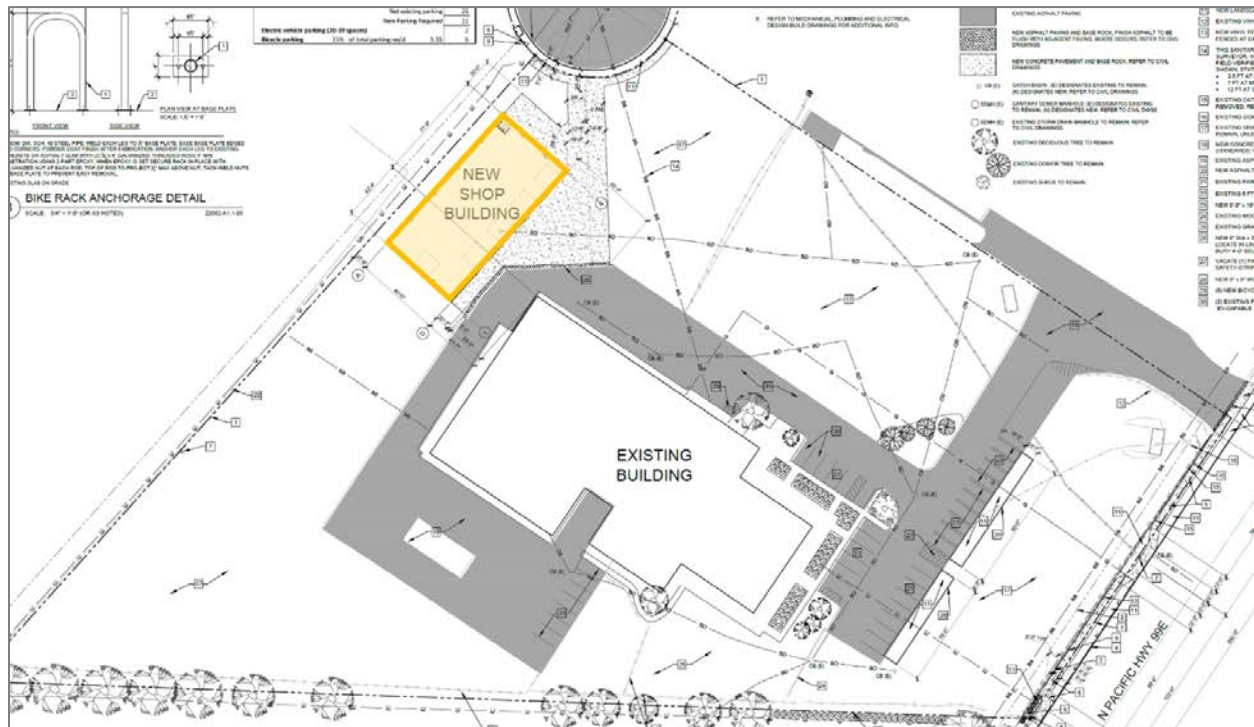
The Commission also approved the applicant's Variance request to not upgrade certain aspects of the property that do not meet current development ordinance

Agenda Item Review: City Administrator ___x___ City Attorney ___x___

standards. These include paving the existing gravel storage areas, constructing a walkway connection between the building entrance and sidewalk, full site landscaping upgrades, and modifications to existing exterior lighting.



Aerial view of the subject property (outlined in yellow)



Site Plan (new shop building outlined in yellow)