



Final Decision

Type II Staff Report: Preliminary Partition

File number(s): PAR 2019-01

Related files: ANX 2017-05, PP 2017-01, PUD 2017-01, & SUB 2017-01 (collectively known as "Smith Creek Development")

Project name: Smith Creek Development: Phases 1A & 2A

Date of decision: March 22, 2019

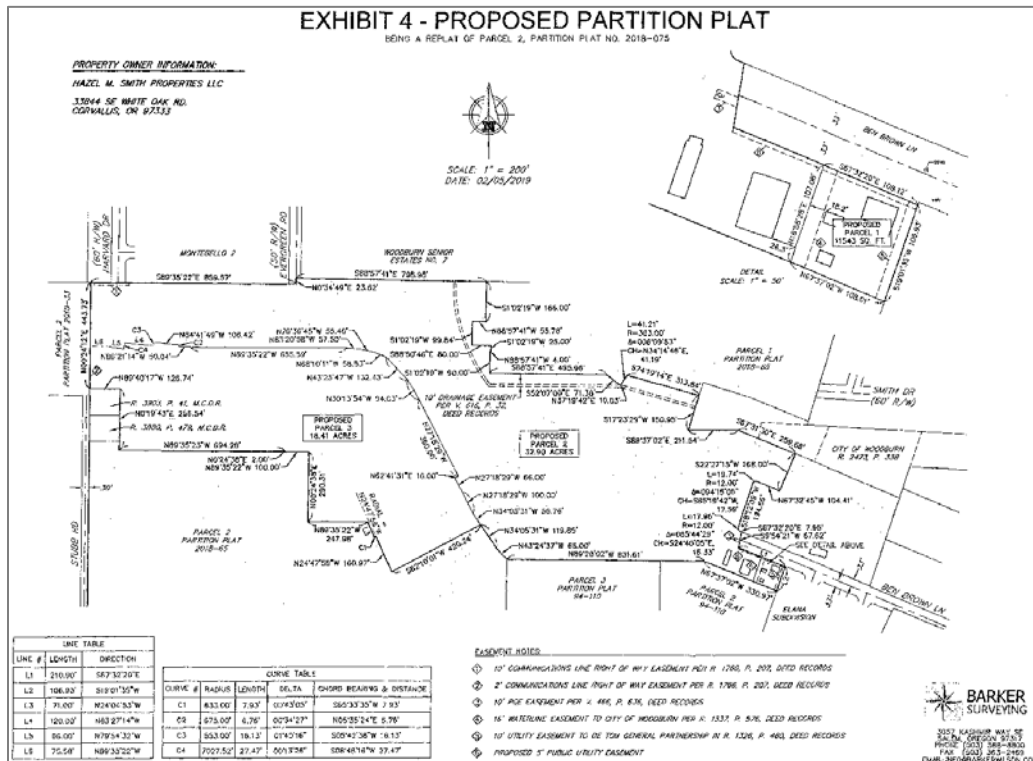
Date of mailing: March 25, 2019

Applicant: Hazel M. Smith Properties LLC

Landowner: Hazel M. Smith Properties LLC

Site location: 690 Ben Brown Lane

Tax Lot(s): 052W13 00106



Summary:

The applicant applied for preliminary partition PAR 2019-01 (Exhibit 4; Attachment 101) in order to partition the subject property into three parcels: some of the Smith family homestead and outbuildings as Parcel 1, Smith Creek Development Phase 1A as Parcel 2, and Phase 3A as Parcel 3.

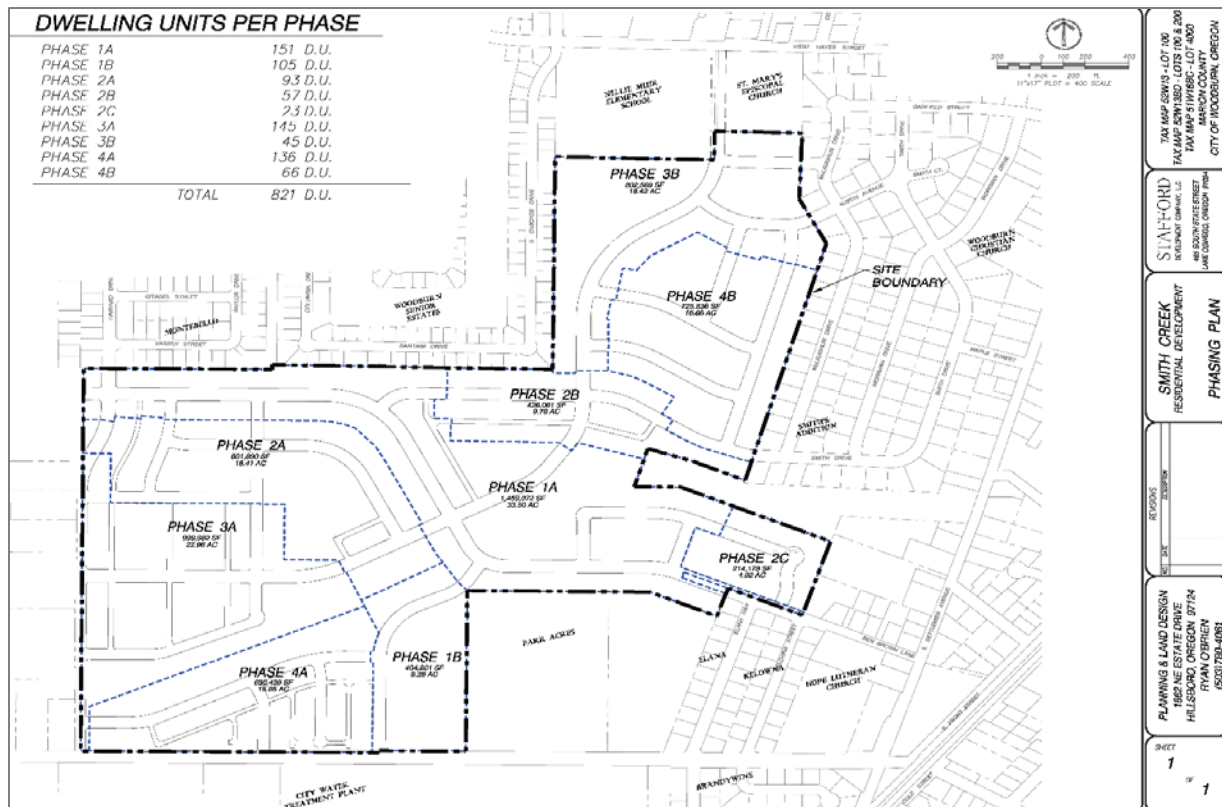
Background

The applicant through Stafford Land Company and Ordinance No. 2565 (2018) annexed territory including the subject property and obtained approval of a planned unit development (PUD), preliminary subdivision, and ancillary applications for the Smith Creek Development via the Final Order of November 14, 2018.

As part of contract purchase agreement with the landowners to purchase subareas of the territory over time, the applicant had been adjusting lot lines under Marion County jurisdiction prior to annexation. The applicant had intended to complete the last one, Marion County PLA 17-035, but annexation occurred and the County ceased review.

The applicant then applied to the City for this PAR 2019-01 and Property Line Adjustment (PLA) 2019-02, which is also related to the Smith Creek Development.

The applicant's purpose through the PAR and PLA is to adjust and create lot lines that align with the phase boundaries of the Smith Creek Development, which has nine phases as illustrated below in the excerpted Smith Creek Exhibit C-6 (Attachment 104) in blue dashed lines:



As noted at the top of this staff report / final decision, this PAR relates to Phases 1A and 2A. It also partitions the Smith family homestead from the southeast corner of Phase 1 so that it can continue after build-out of the Smith Creek Development. (The homestead is addressed by the City as 690 Ben Brown Lane.)

Context

The applicant is not proposing any development or the establishment of any new land uses as part of this PAR and is yet to apply for Smith Creek Development Phase 1A final plat following approval of SUB 2017-01.

Condition PAR-3 memorializes this understanding and that this PAR in no way abrogates or supersedes the Smith Creek Final Order conditions of approval.

Introduction

The application submittal date is February 11, 2019, the completeness date is February 26, 2019, and the 120th day deadline for final action per Oregon Revised Statutes (ORS) 92.105 and 227.178 would have been June 26, 2019.

The subject property is approximately 51.58 acres, generally west of the dead-end of Ben Brown Lane.

According to the City geographic information system (GIS), the address of 690 Ben Brown Lane is with Tax Lot 052W13 00106 (Partition Plat No. 2018-075, Parcel 2); however, the Marion County Assessor online GIS viewer shows Tax Lot 106 with no street address but that 690 Ben Brown Lane is with Tax Lot 052W13 00100 (Partition Plat No. 2018-075, Parcel 1). Meanwhile, City GIS shows Tax Lot 100 as having the address of 105 Ben Brown Lane.

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

Staff finds that the application meets WDO provisions or can meet them with conditions and approves it with conditions. The next step is a final partition application per [5.01.06](#); see Note to the Applicant 1.

Because it is a Type II administrative approval requiring no public hearing, this staff report serves as both a preliminary partition approval and public notice of final decision to owners of property within 250 feet of the subject property.

Conditions of Approval

PAR-1. Next Step: The applicant shall:

- a. Apply to the City for Partition Final Plat Approval per WDO 5.01.06 with materials prepared consistent with Oregon Revised Statutes (ORS) 92 and Marion County Surveyor standards; and
- b. Do so prior to applying for Subdivision Final Plat Approval for Smith Creek Development Phase 1A (SUB 2017-01).

PAR-2. Recording: Upon City issuance of a Partition Final Plat Approval pursuant to WDO 5.01.06, the applicant shall:

- a. Record the approved plat with Marion County; and
- b. Do so prior to recording any of a Subdivision Final Plat Approval per WDO 5.01.06 or “Planned Unit Development (PUD), Final Plan Approval” per 5.01.07 for Smith Creek Development Phase 1A (SUB 2017-01).

PAR-3. Relationship to Smith Creek Development: Approval of Preliminary Partition 2019-01 does not abrogate or supersede any conditions of approval in the Smith Creek Development Final Order of November 14, 2018 that included Preliminary Subdivision SUB 2017-01.

PAR-4. Frontage/public/street improvements: To meet WDO 3.01 were the Smith Creek Development Smith Creek Development Final Order of November 14, 2018 to expire without development of required frontage/public/street improvements:

- a. Any development, redevelopment, partition, or subdivision that a developer later proposes on any of the Preliminary Partition 2019-01 Parcels 1-3 shall be subject to 3.01 with the exemption from frontage/public/street improvements that WDO 3.01.01D. applies to “construction of a single-family dwelling” notwithstanding; and
- b. As part of a., a developer shall provide and improve any required new, extended, or widened rights-of-ways (ROWs) pursuant to the road and street classification of Woodburn Transportation System Plan (TSP) Figure 7-1 (2005) – or whatever such amended or new figure(s) the City had adopted following the 2019 update of the 2005 TSP – and the corresponding model/standard street cross section figures in 3.01 or custom cross section(s) through any of planned unit development (PUD) or Exception to Street Right of Way and Improvement Requirements (“Street Exception”; EXCP) discretionary review and approval.

PAR-5. PUEs: To meet WDO 3.02.01, The applicant shall dedicate a public utility easement (PUE) five (5) feet wide along each lot line abutting a public street including the dead-end of a public street, including unimproved street right-of-way (ROW) – specifically along the dead-ends of Ben Brown Lane, the unimproved ROW that divides Woodburn Senior Estates No. 7 Subdivision and Montebello 2 Subdivision, and Harvard Drive.

PAR-6. Parcel 3 access easement: To meet WDO 3.04.01A.2., the applicant shall provide access to a public street by means of an access easement and maintenance agreement to the satisfaction of the Director, and revocable only with the concurrence of the Director. The applicant shall delineate an easement sixty-six (66) feet wide across PAR 2019-01 Parcel 2 to Parcel 3 to the benefit of Parcel 3, note it, and record such easement through the partition.

Notes to the Applicant

The following are not conditions of approval, but are important notes for the applicant to be aware of and follow for the site development as part of the permitting stage:

1. Time Limit: WDO 5.01.06A. requires for Partition and Subdivision Final Plat Approval that, "The final plat shall be submitted within two years of date of the initial approval and be in substantial conforms [sic] to all conditions of the preliminary approval."

However, because of the Smith Creek Development factor, conditions of approval of this PAR 2019-01 supersede this standard note; see Conditions PAR-1 & 2.

2. Issuing Authority: Per 5.01.06C., the Community Development Director is the signing authority for Mylar plat sheets.
3. Plat Tracker: The County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>.
4. Records: Staff suggests that the applicant and landowner retain a copy of this staff report / final decision.

Analyses & Findings:

This final decision 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, but might become unmet because of condition applied to meet separate and related requirement that is not met Plan sheets and/or narrative inconsistent Other special circumstance benefitting from attention 	Revision needed for clear and consistent records

Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Low Density Residential, Medium Density Residential
<i>Zoning District</i>	RMN, RSN, and RM zones
<i>Overlay District(s)</i>	None
<i>Existing Use(s)</i>	Single-family dwelling

The lot is a legal lot of record: Partition Plat 2018-075, Parcel 2 (see Attachment 102).

The applicable provisions appear in bold below.

Preliminary Partition Provisions

2.02 Residential Zones

Proposed Parcel 1, described in Attachment 101, includes an existing single-family house with the address of 690 Ben Brown Lane that is the Smith family homestead and zoned Nodal Multi-Family Residential (RMN). Table 2.02F describes site development standards for the RMN zone.

Nodal Medium Density Residential (RMN) - Site Development Standards
Table 2.02F

Lot Area, Minimum (square feet)	Single-family dwelling, child care facility or group home	Interior or cul-de-sac lot		4,000^{1,2}
		Corner lot		5,000²
Lot Width, Minimum (feet)	Single-family dwelling, child care facility or group home	Interior or cul-de-sac Lot		45²
		Corner lot		60²
Lot Depth, Average (feet)	Single-family dwelling, child care facility or group home or row house			80²
Street Frontage, Minimum (feet)	Single-family dwelling, child care facility, group home, or multiple-family dwelling²	Interior lot		20
		Corner lot		35
		Cul-de-sac lot		30
Front Setback and Setback Abutting a Street, Minimum (feet)	Single-family dwelling, child care facility or group home			20^{2,4}
Side Setback, Minimum (feet)	Single-family dwelling, child care facility or group home			5²
	Accessory structure			Same as primary
Rear Setback, Minimum (feet)	Single-family dwelling, child care facility or group home	Building height (feet)	16 or less	24^{2,6}
			more than 16 and less than 28	30^{2,6}
			28 or more	36^{2,6}
	Accessory structure			5
Setback to a Private Access Easement, Minimum (feet)				5
Lot Coverage, Maximum (percent)	Single-family dwelling, child care facility or group home	Primary building height 16 feet or less		40²
		Primary building height more than 16 feet or less		35²
Building Height, Maximum (feet)	Primary structure			45
	Features not used for habitation			70
	Accessory structure			15¹²
<p>1. Flag lots are not allowed in the RMN zone.</p> <p>2. Child care facility for 12 or fewer children, group home for five or fewer persons</p> <p>4. Measured from the Special Setback (Section 3.03.02), if any</p> <p>6. With a maximum deviation of five feet from the setback standard</p> <p>12. Accessory Dwelling Units are subject to specific development standards (see Section 2.07, Special Uses)</p>				

Regarding the existing farmhouse, proposed Parcel 1 creates no nonconformance in terms of lot size, lot dimensions, or street frontage. Because this partition application proposes no redevelopment or new development, the remaining provisions regarding setbacks, lot coverage, and building height are not applicable.

✓ The provisions are met for Parcel 1.

The remainder of the subject property – Parcels 2 and 3 – is fallow farmland with no buildings and zoned Nodal Residential Single-Family (RSN).

Nodal Residential Single-Family (RSN) - Site Development Standards				
Table 2.02C				
Lot Area, Minimum (square feet)	Standard lot	Interior or cul-de-sac lot		6,000¹
		Corner lot	Single-family dwelling, child care facility or group home²	8,000
			Any other use	10,000
Lot Width, Minimum (feet)	Standard lot	Interior or cul-de-sac lot		50
		Corner lot		80
Lot Depth, Average (feet)	Standard lot			90
Street Frontage, Minimum (feet)	Standard lot	Interior or cul-de-sac lot		40
		Corner lot	Single-family dwelling, child care facility or group home²	40
			Any other use	50
Front Setback and Setback Abutting a Street, Minimum (feet)				20^{3,4}
Front Porch Setback, Maximum (feet)				10
Side Setback, Minimum (feet)				5^{7,8}
Rear Setback, Average (feet)	Primary structure		20 or 0^{5,7,10}	
	Accessory structure		5	
Setback to a Private Access Easement, Minimum (feet)				5
Lot Coverage, Maximum (percent)	Primary building height 16 feet or less		40⁹	
	Primary building height more than 16 feet		35⁹	
	Accessory structure		25 of rear yard^{6,9,11}	
Building Height, Maximum (feet)	Primary structure		35	
	Features not used for habitation		70	
	Accessory structure		15¹¹	

1. Flag lots are not allowed in the RSN zone.
2. Child care facility for 12 or fewer children, group home for five or fewer persons
3. Measured from the Special Setback (Section 3.03.02), if any
4. Infill lots between developed lots: average of abutting residential buildings, plus or minus 5 feet, but not less than 10 feet
5. With a maximum deviation of five feet from the setback standard
6. Accessory structures are included in the total lot coverage.
7. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.
9. Lot coverage limitations determined by setbacks for small lot and row house development
11. Accessory Dwelling Units are subject to specific development standards (see Section 2.07, Special Uses)

Neither parcel creates nonconformance in terms of lot size, lot dimensions, or street frontage. Because this partition application proposes no new development on Parcels 2 and 3, the remaining provisions regarding setbacks, lot coverage, and building height are not applicable.

✓ The provisions are met for Parcels 2 and 3.

3.01.01 Applicability

A. Right-of-way standards apply to all public streets.

B. Improvement standards apply to all public and private streets, sidewalks and bikeways.

C. Functional standards are identified in the Woodburn TSP.

D. This applies to all development, and is not limited to partitions, subdivisions, multi-family, commercial or industrial construction, or establishment of a manufactured dwelling or recreational vehicle park. Construction of a single-family dwelling or placement of a manufactured dwelling does not, for the purposes of this Section, constitute development, however, in no case can this type of development occur without minimal access as determined by the Director.

The Smith Creek Development Final Order including its conditions of approval address the frontage/public/street improvement provisions of 3.01.

The more directly relevant ones are Conditions G1, G2, G5, SUB-1, PP-1, PUD-9, PUD-10, T-BP1, T-A1, and PUD-13.

Objective 1

The City's first objective for this PAR is to condition it so that the developer or subsequent developers and homebuilders cannot construe it as abrogating or superseding the Smith Creek Development conditions.

Staff applies *Condition of Approval PAR-3*.

Objective 2

The second objective is, were the Smith Creek Development Final Order of November 14, 2018 to expire without final plat approval(s) and recordation(s) and development, to secure from

Stafford Land Company – or other developers and homebuilders to whom it might sell subareas – construction of frontage/public/street improvements that the WDO would require in the absence of the Smith Creek Development.

Staff applies *Condition of Approval PAR-4*.

▲ The provisions are met with *Conditions PAR-3 & 4*.

3.02.01 Public Utility Easements

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

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

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

The proposed partition (Exhibit 4; Attachment 101) illustrates and notes via Note 6 a 5-foot public utility easement (PUE) along the existing portion of Ben Brown Lane, the south side of which fronts proposed Parcel 1 and a small part of Parcel 2.

However, additional PUEs are needed.

First, 3.02.01B. includes the dead-end sides of street stubs.

Second, however, additional PUEs are needed based on 3.01.05A.2.d.: “Provide either a one foot-reserve strip deeded to the City, or an alternative method for limiting access approved by the City, at the temporary end of the right-of-way.” Because staff believes reserve strips could complicate the partition into a *de facto* subdivision and because a PUE serves as the referenced “alternative method for limiting access”, the PUE is the tool to meet the reserve strip provision.

Staff confirms that upon Smith Creek Phase 1A final plat the developer would record removal of these reserve strip PUEs because the WDO would no longer require them.

Staff applies *Condition of Approval PAR-5*.

The applicant needs to extend the 5-ft PUE north along the dead-end of Ben Brown Lane and to add 5-ft PUEs along the dead-ends of Harvard Drive and the unimproved ROW that divides Woodburn Senior Estates No. 7 Subdivision and Montebello 2 Subdivision.

▲ The provisions are met with *Condition PAR-5*.

3.02.03 Street Lighting

A. Public Streets

Public streets abutting a development shall be illuminated with street lights installed to the standards of the City and the electric utility.

Because the applicant proposes no development including no new streets, and the subject property adjoins only street stubs, there is no existing or new street frontage along which to install lighting, and the provision is not applicable.

⊖ The provision is not applicable.

3.02.04 Underground Utilities

All permanent utility service to and within a development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist.

Because no development or redevelopment of electric power lines is proposed, the provision is not applicable.

⊖ The provision is not applicable.

3.04 Vehicular Access

3.04.01 Applicability and Permit

A. Street Access

Every lot shall have:

- 1. Direct access to an abutting public street, or**
- 2. Access to a public street by means of an access easement and maintenance agreement to the satisfaction of the Director, and revocable only with the concurrence of the Director.**

Proposed Parcel 1, which contains an existing single-family house, will maintain direct access to Ben Brown Lane, a public street.

Parcel 3 meets neither subsection 1 or two above. The developer would establish street access for proposed 3 via the Smith Creek Development.

Objectives 1 and 2 that staff describes for 3.01 apply here also. Were the Smith Creek Development fail to manifest, Parcel 3 would be landlocked and fail to conform with subsection 1 or 2.

Staff applies *Condition of Approval PAR-6*.

Per 3.04.01A.2., the applicant needs to revise the proposed partition to illustrate an access easement to the benefit of Parcel 2. There are two acceptable routes across Parcel 2 to Parcel 3: one from Ben Brown Lane and the other from Harvard Drive.

▲ The provisions are met with *Condition PAR-6*.

3.08.01 Requirements

All partitions and subdivisions shall comply with the standards of [ORS Chapter 92](#) and the Woodburn Development Ordinance.

This final decision does not address the requirements of ORS 92 separately, because they are addressed through the review of WDO sections or addressed by the applicant either as part of the final partition or upon development applications. This decision establishes compliance or non-compliance with applicable WDO provisions. However, for clarity for future staff, staff cites two statutory provisions relating to preliminary land divisions about (1) what regulations apply as time passes and (2) when a decision expires:

“92.040 Application for approval of subdivision or partition; tentative plan; applicability of local government laws. ...

(2) After September 9, 1995, when a local government makes a decision on a land use application for a subdivision inside an urban growth boundary, only those local government laws implemented under an acknowledged comprehensive plan that are in effect at the time of application shall govern subsequent construction on the property unless the applicant elects otherwise.

(3) A local government may establish a time period during which decisions on land use applications under subsection (2) of this section apply. However, in no event shall the time period exceed 10 years, whether or not a time period is established by the local government. [Amended by 1955 c.756 §7; 1973 c.696 §7; 1983 c.826 §8; 1989 c.772 §5; 1995 c.812 §9; 2005 c.22 §71]”

Item (2) is not applicable because the proposal is for partition, not subdivision.

Regarding (3), WDO 4.02.04B cited below establishes such a time period, which does not exceed 10 years.

Incidentally, the Smith Creek Development Condition SUB-1 establishes a platting schedule, quoted below. The Council approval date of the final order was November 14, 2018.

SUB-1. Expiration: The schedule in the table below allows for a due date more than three (3) years past the Council approval date:

<i>Table SUB-1 Platting Schedule</i>		
<i>Phase</i>	<i>Subdivision Final Plat</i>	
	<i>Application to the City</i>	<i>Recordation with Marion County</i>
1A	Same as WDO 4.02.04B.2., specifically, application to the City for final plat	Same as WDO 5.01.06C.1. (within 30 calendar days of the Director’s signature on the plat mylar)
1B	n/a because no subdivision proposed	
2A	four (4) years past approval of the preliminary subdivision as dated in the final decision document	
2B	four (4) years past	
2C	seven (7) years past	
3A	five (5) years past	
3B	five (5) years past	
4A	seven (7) years past	
4B	seven (7) years past	

To prevent this PAR from complicating the Smith Creek Development preliminary subdivision, staff applies *Condition of Approval PAR-1b*.

The applicant needs to record a final plat for this PAR prior to recording the Smith Creek Development Phase 1A final plat.

▲ The provisions are met with *Condition PAR-1b*.

5.02.05 Partition, Preliminary Approval

A. Purpose: The purpose of this Type II review is to ensure that partitions - the dividing of a single lot into 3 or less lots within one calendar year - comply with this Ordinance, with the Land Use and Development Standards and Guidelines (Sections 2 and 3), and applicable Oregon State Statutes.

B. Criteria: Preliminary approval of a partition requires compliance with the following:

- 1. The preliminary partition complies with all applicable provisions of this ordinance.**
- 2. Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and efficient development of any adjoining land.**
- 3. The proposed partition is served with City streets, water, sewer and storm drainage facilities with adequate capacity.**
- 4. That the partition takes into account topography, vegetation and other natural features of the site.**
- 5. That adequate measures have been planned to alleviate identified hazards and limitations to development:**
 - a. For regulatory wetlands, these shall be the measures required by the Division of State Lands.**
 - b. For unstable areas, demonstration that streets and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.**

The proposal complies with B.1. as examined elsewhere throughout this staff report / final decision.

Regarding B.2., the proposal partitions the subject property to accommodate retention of an existing single-family house while simultaneously preparing the rest of the property for the approved Smith Creek Development. Proposed Parcel 1 contains the existing single-family house and will comply with RMN zone standards and vehicular access standards. Proposed Parcel 2 provides for future development of Smith Creek Development Phase 1A, and proposed Parcel 3 provides for future development of Phase 2A.

Regarding B.3., the existing single-family house in proposed Parcel 1 is served by Ben Brown Lane, a public street, and utilities via the Ben Brown Lane right-of-way (ROW). The applicant proposes no redevelopment for Parcel 1. On Parcels 2 and 3, the applicant proposes no new development. The lack of development makes new and extended infrastructure not applicable.

However, as staff analyzed above for 3.04.01, were the Smith Creek Development to fail to manifest, Parcel 3 would be landlocked with no adjacency to a street or street stub and would preclude extension of infrastructure and services from a public ROW. Staff applied *Condition PAR-6* that also addresses subsection B.3.

Regarding B.4., the subject property is flat farmland (except for the single-family house mentioned in B.2. above), thus it is devoid of wilderness or remaining natural features.

Regarding B.5., staff identifies no hazards or limitations to the development. 5.a. and b. are not applicable because no wetlands exist, the ground is virtually flat with gentle slope towards the tributary of Mill Creek, and there is no evidence of unstable soil. (Though significant wetlands exist within the Smith Creek Development area, they lie outside the subject property, i.e. Parcels 1-3).

✓ The provisions are met.

Conclusion

Staff finds that the application meets WDO provisions or can meet them with conditions and approves it with conditions to clarify the final partition and platting stages, and accommodate the requests of the Public Works Department.

Submitted by:



Dan Handel, Associate Planner

Affirmed,



Colin Cortes, AICP, CNU-A, Senior Planner

Attachments:

101. Proposed Partition Plat (Exhibit 4)
102. Partition Plat No. 2018-075
103. Marked Tax Map 05 2W 13
104. Smith Creek Development Exhibit C-6 Phasing Plan
105. Transportation System Plan Fig. 7-1 (2005)

Expiration: Per WDO 4.02.04B., a final decision expires within three years of the date of the final decision unless:

1. A building permit to exercise the right granted by the decision has been issued;
2. The activity approved in the decision has commenced; or
3. A time extension, Section 4.02.05, has been approved.

Appeals: Per WDO 4.01.11E., the decision is final unless appealed pursuant to Oregon Revised Statutes (ORS), state administrative rules, and WDO [4.02.01](#). The appeal due date is twelve (12) days from the mailing date of this notice per 4.02.01B.1. A valid appeal must meet the requirements of 4.02.01.

Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision may appeal the decision. The decision will not become final until the period for filing an appeal to the City Council has expired, and it cannot be appealed directly to the Oregon Land Use Board of Appeals (LUBA). This document is a copy of the decision. A copy of the decision is also available for inspection at no cost, and the City would provide a copy at reasonable cost at the Community Development Department, City Hall, 270 Montgomery Street, Woodburn, OR 97071 during normal business hours. For questions or additional information, contact Vicki Spitznogle, Administrative Specialist, at (503) 982-5246 or vicki.spitznogle@ci.woodburn.or.us.

EXHIBIT 4 - PROPOSED PARTITION PLAT

BEING A REPLAT OF PARCEL 2, PARTITION PLAT NO. 2018-075

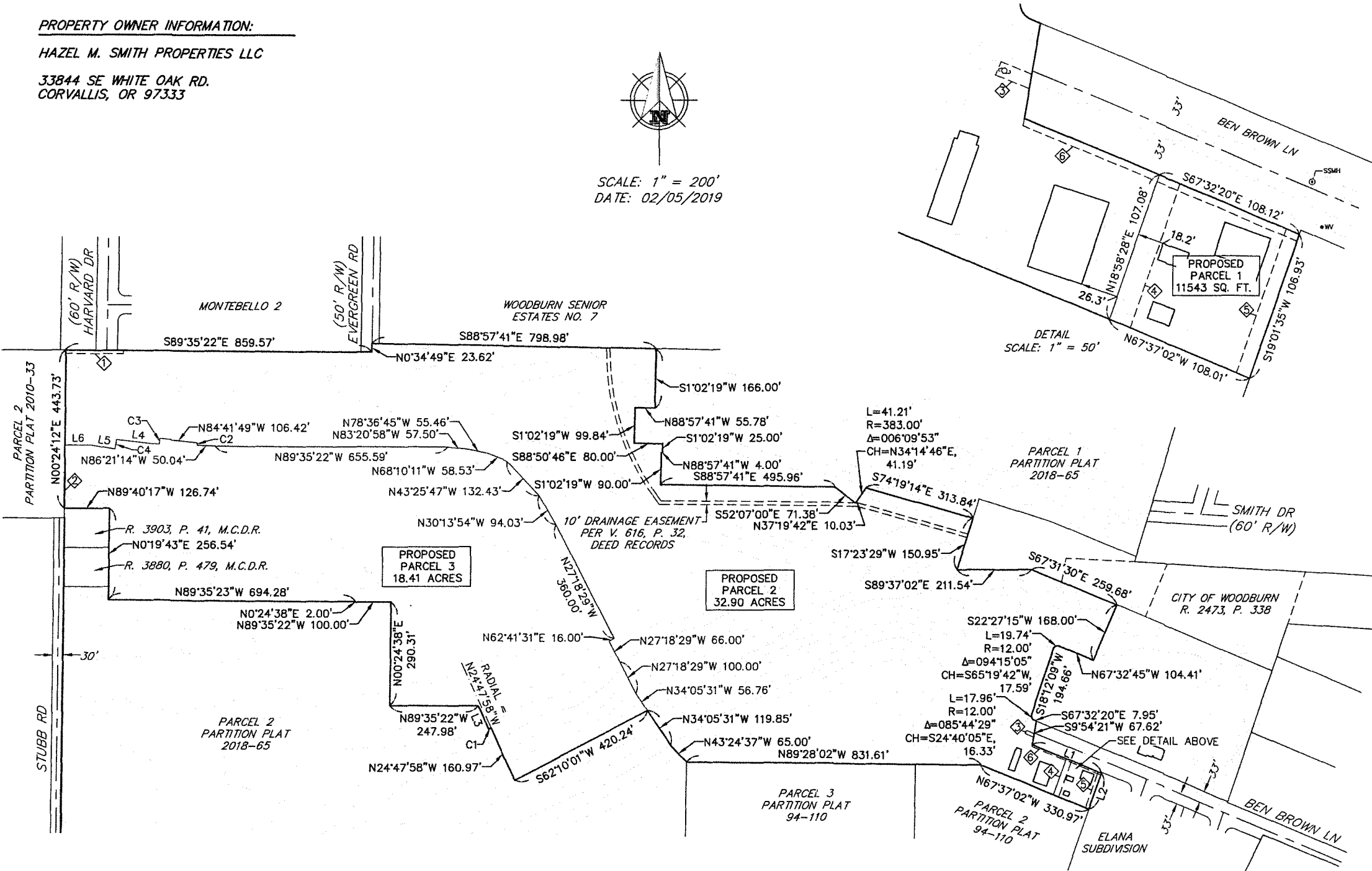
PROPERTY OWNER INFORMATION:

HAZEL M. SMITH PROPERTIES LLC

33844 SE WHITE OAK RD.
CORVALLIS, OR 97333



SCALE: 1" = 200'
DATE: 02/05/2019



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	210.90'	S67°32'20"E
L2	106.93'	S19°01'35"W
L3	71.00'	N24°04'53"W
L4	120.00'	N83°27'14"W
L5	66.00'	N79°54'32"W
L6	75.58'	N89°35'22"W

CURVE TABLE				
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING & DISTANCE
C1	633.00'	7.93'	00°43'05"	S65°33'35"W 7.93'
C2	675.00'	6.76'	00°34'27"	N05°35'24"E 6.76'
C3	553.00'	16.13'	01°40'16"	S05°42'38"W 16.13'
C4	7027.52'	27.47'	00°13'26"	S08°48'16"W 27.47'

EASEMENT NOTES:

- ① 10' COMMUNICATIONS LINE RIGHT OF WAY EASEMENT PER R. 1766, P. 207, DEED RECORDS
- ② 2' COMMUNICATIONS LINE RIGHT OF WAY EASEMENT PER R. 1766, P. 207, DEED RECORDS
- ③ 10' PGE EASEMENT PER V. 466, P. 636, DEED RECORDS
- ④ 16' WATERLINE EASEMENT TO CITY OF WOODBURN PER R. 1337, P. 576, DEED RECORDS
- ⑤ 10' UTILITY EASEMENT TO DE TOM GENERAL PARTNERSHIP IN R. 1326, P. 480, DEED RECORDS
- ⑥ PROPOSED 5' PUBLIC UTILITY EASEMENT



BARKER SURVEYING
3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: INFO@BARKERWILSON.COM

LEGEND:

- = Set 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687"
- = Found monument within 0.2' of ground surface unless noted otherwise (see found monument list)
- () = Data of record and measured per Partition Plat 2018-65 unless noted otherwise.
- P.P. = Partition Plat
- R. = Reel
- P. = Page
- M.C.S.R. = Marion County Survey Records
- M.C.D.R. = Marion County Deed Records
- B.O.T.P. = Book of Town Plats
- C.R. = County Road
- M.R. = Market Road

PARTITION PLAT NO. 2018-075

BEING A RE-PLAT OF PARCEL 1, PARTITION PLAT 2018-65
 LOCATED IN THE N.W. & N.E., 1/4 OF SECTION 13, AND THE S.E. 1/4 OF SECTION 12, T. 5 S., R. 2 W.,
 AND THE N.W. 1/4 OF SECTION 18 AND THE SW 1/4 OF SECTION 7, T. 5 S., R. 1 W., W.M., MARION COUNTY, OREGON
 NOVEMBER 13, 2018

SHEET INDEX

SHEET 1 -	NARRATIVE, PARTITION PLAT, LEGEND, MONUMENT LIST, SURVEY REFERENCES
SHEET 2 -	PARCEL 1 DETAIL, DETAILS "A" AND "B", MONUMENT LIST, SURVEY REFERENCES
SHEET 3 -	DETAILS "C", "D" AND "E"
SHEET 4 -	SURVEYOR'S CERTIFICATE, APPROVALS, DECLARATION, ACKNOWLEDGEMENTS

NARRATIVE:

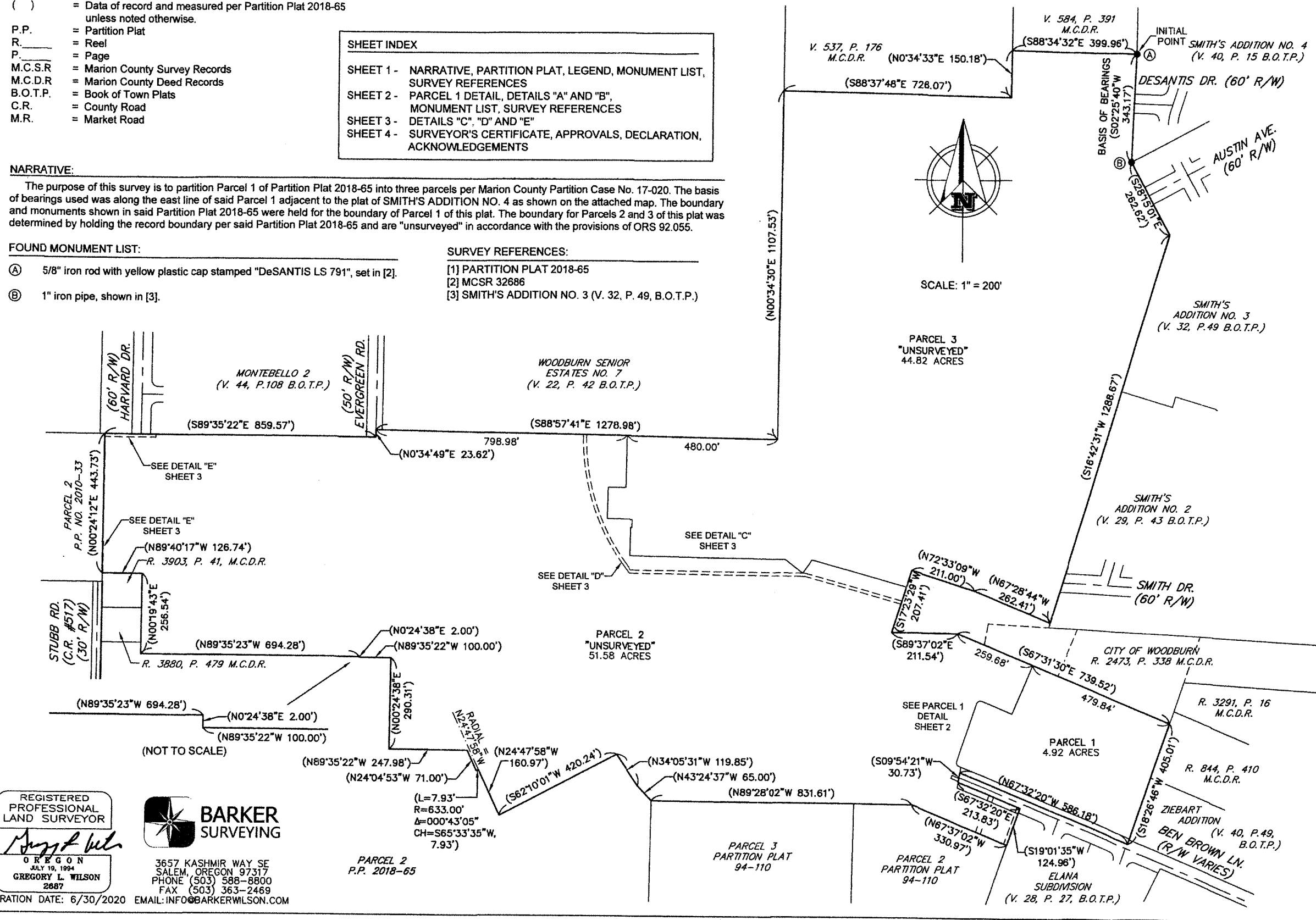
The purpose of this survey is to partition Parcel 1 of Partition Plat 2018-65 into three parcels per Marion County Partition Case No. 17-020. The basis of bearings used was along the east line of said Parcel 1 adjacent to the plat of SMITH'S ADDITION NO. 4 as shown on the attached map. The boundary and monuments shown in said Partition Plat 2018-65 were held for the boundary of Parcel 1 of this plat. The boundary for Parcels 2 and 3 of this plat was determined by holding the record boundary per said Partition Plat 2018-65 and are "unsurveyed" in accordance with the provisions of ORS 92.055.

FOUND MONUMENT LIST:

- Ⓐ 5/8" iron rod with yellow plastic cap stamped "DeSANTIS LS 791", set in [2].
- Ⓑ 1" iron pipe, shown in [3].

SURVEY REFERENCES:

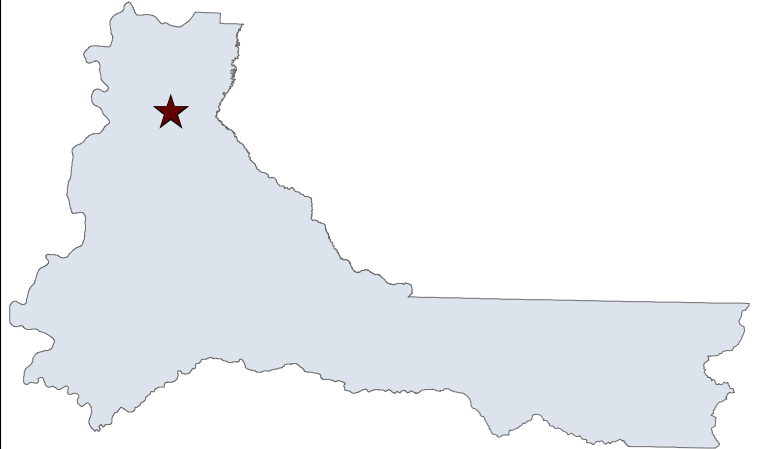
- [1] PARTITION PLAT 2018-65
- [2] MCSR 32686
- [3] SMITH'S ADDITION NO. 3 (V. 32, P. 49, B.O.T.P.)



REGISTERED PROFESSIONAL LAND SURVEYOR
 GREGORY L. WILSON
 2687

BARKER SURVEYING
 3657 KASHMIR WAY SE
 SALEM, OREGON 97317
 PHONE (503) 588-8800
 FAX (503) 363-2469

EXPIRATION DATE: 6/30/2020 EMAIL: INFO@BARKERWILSON.COM



MARION COUNTY, OREGON
SEC 13 T5S R2W W.M.
SCALE 1" = 400'

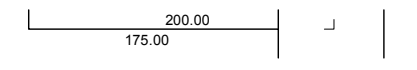
LEGEND

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

- CORNER TYPES**
- + 1/16TH Section Cor.
 - ⊕ 1/4 Section Cor.
 - ⊙ DLC Corner
 - ⊕ Section Corner
 - 16 15
 - 21 22

- NUMBERS**
- Tax Code Number
 - 000 00 00 0
 - Acreege 0.25 AC
 - All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

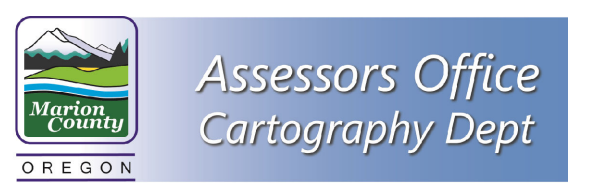
NOTES
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



CANCELLED NUMBERS

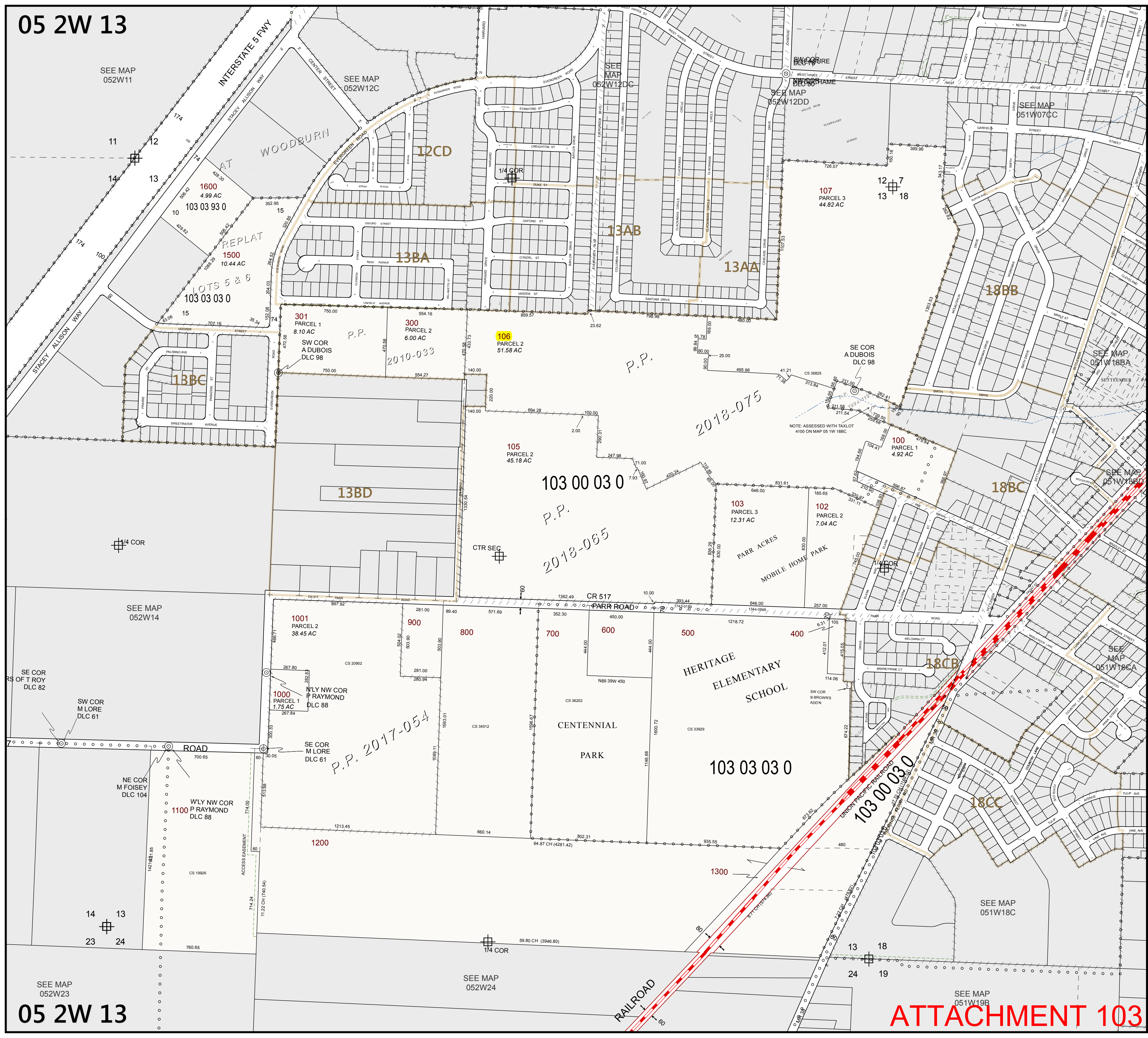
101	
102A2	
104	
200	
201	
1400	

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



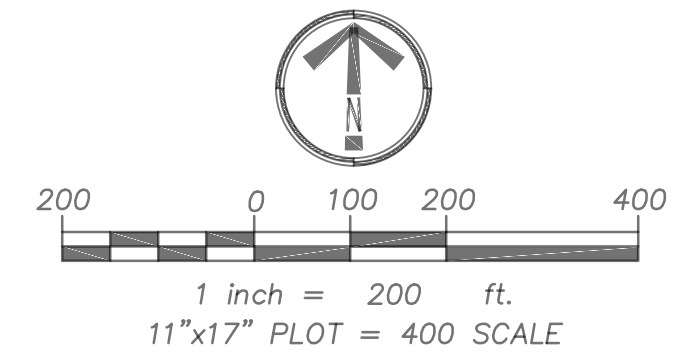
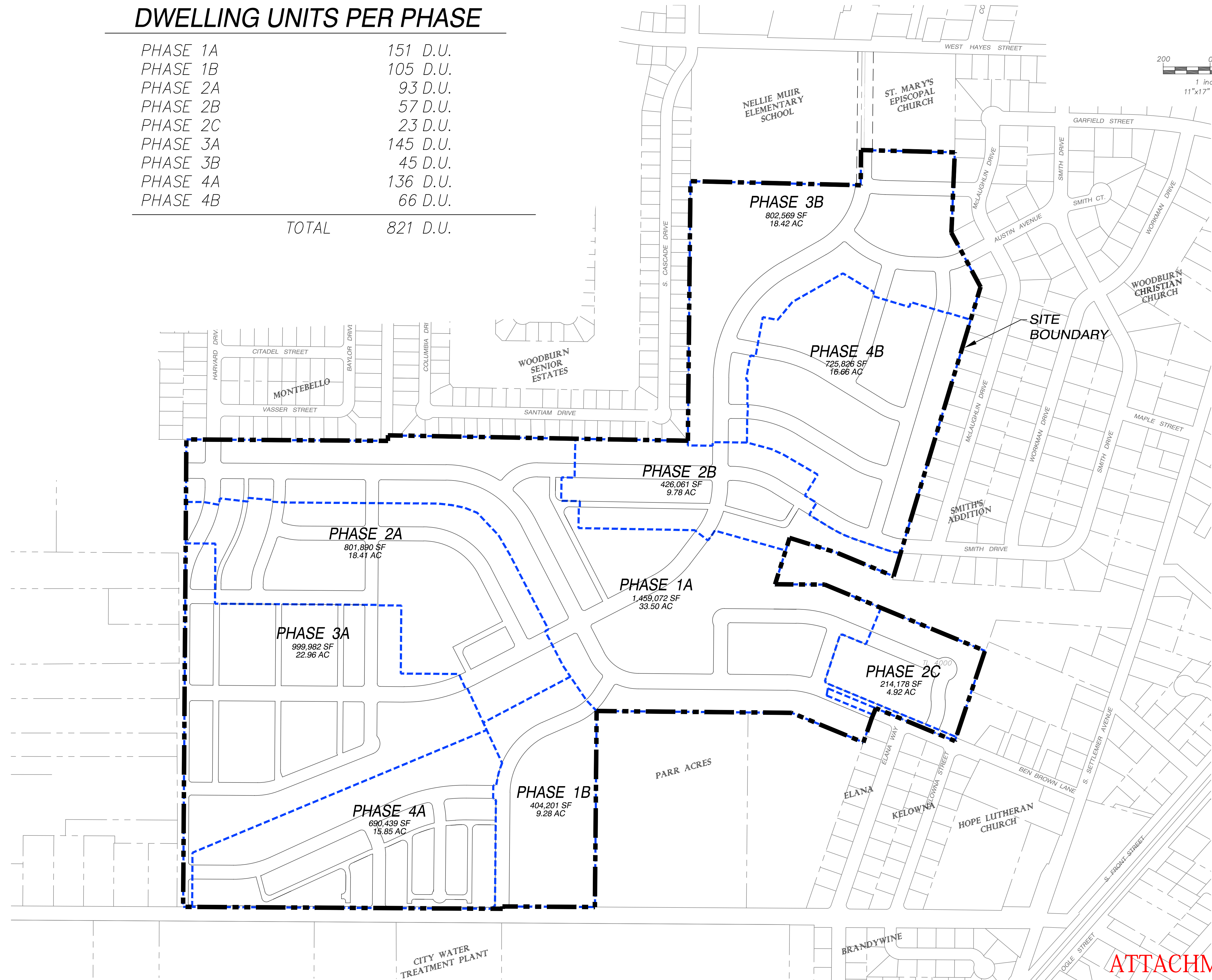
FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 2/26/2019



DWELLING UNITS PER PHASE

PHASE 1A	151 D.U.
PHASE 1B	105 D.U.
PHASE 2A	93 D.U.
PHASE 2B	57 D.U.
PHASE 2C	23 D.U.
PHASE 3A	145 D.U.
PHASE 3B	45 D.U.
PHASE 4A	136 D.U.
PHASE 4B	66 D.U.
TOTAL	821 D.U.



TAX MAP 52W13 - LOT 100
 TAX MAP 52W13BD - LOTS 100 & 200
 TAX MAP 51W18BC - LOT 4000
 MARION COUNTY
 CITY OF WOODBURN, OREGON

STAFFORD
 DEVELOPMENT COMPANY, LLC
 485 SOUTH STATE STREET
 LAKE OSWEGO, OREGON 97034

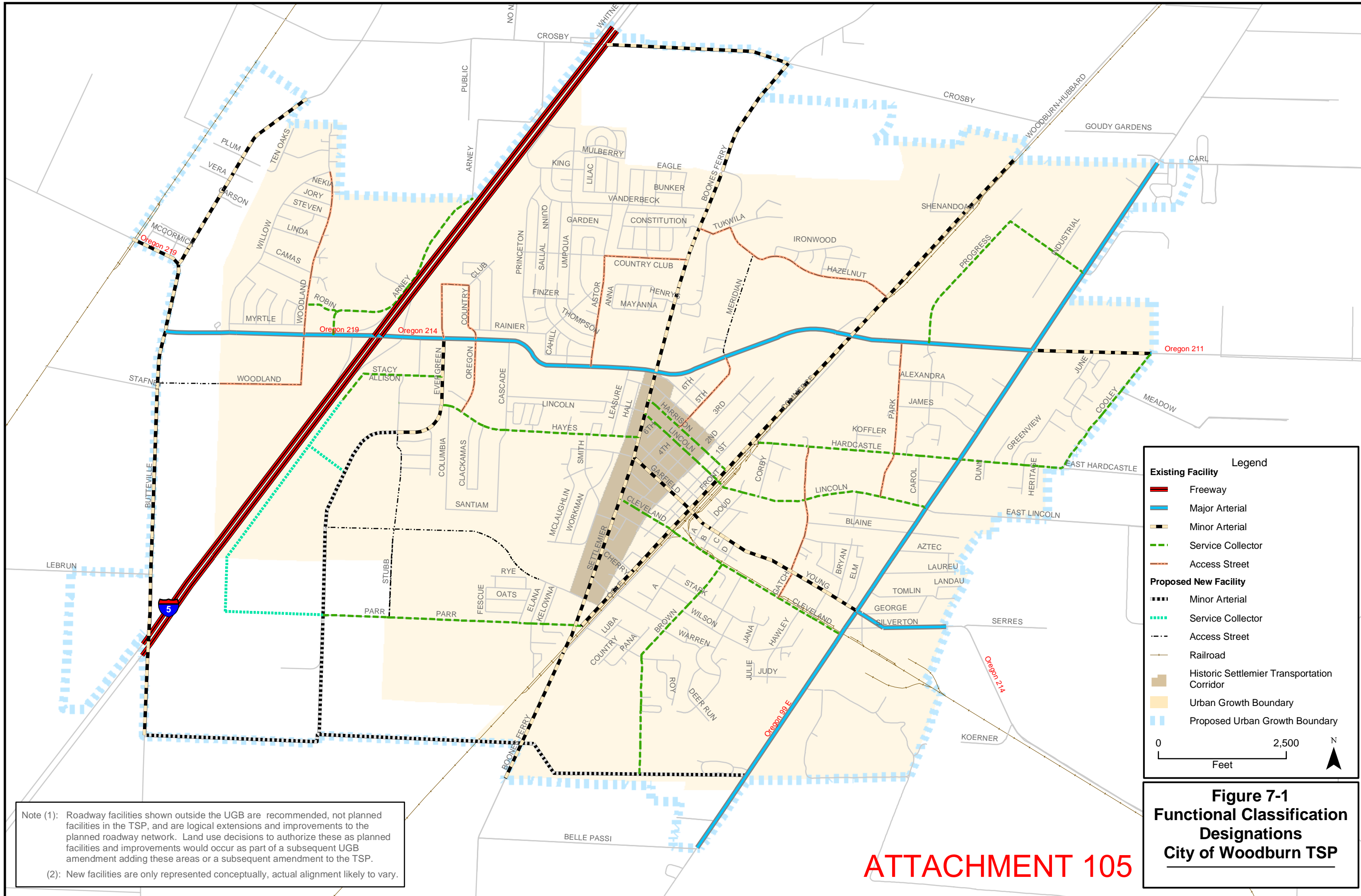
SMITH CREEK
 RESIDENTIAL DEVELOPMENT
 PHASING PLAN

NO.	DATE	REVISIONS DESCRIPTION

PLANNING & LAND DESIGN
 1862 NE ESTATE DRIVE
 HILLSBORO, OREGON 97124
 RYAN O'BRIEN
 (503) 780-4061

SHEET
1
 OF
1

ATTACHMENT 104



Note (1): Roadway facilities shown outside the UGB are recommended, not planned facilities in the TSP, and are logical extensions and improvements to the planned roadway network. Land use decisions to authorize these as planned facilities and improvements would occur as part of a subsequent UGB amendment adding these areas or a subsequent amendment to the TSP.

(2): New facilities are only represented conceptually, actual alignment likely to vary.

ATTACHMENT 105

Legend

Existing Facility	
	Freeway
	Major Arterial
	Minor Arterial
	Service Collector
	Access Street
Proposed New Facility	
	Minor Arterial
	Service Collector
	Access Street
	Railroad
	Historic Settler Transportation Corridor
	Urban Growth Boundary
	Proposed Urban Growth Boundary

0 2,500 Feet

N

**Figure 7-1
Functional Classification
Designations
City of Woodburn TSP**