



# Final Decision

## Type II Staff Report: Preliminary Partition

**File number(s):** PAR 2019-04

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

**Project name:** Smith Creek Partition: Phase 2C

**Date of decision:** October 1, 2019

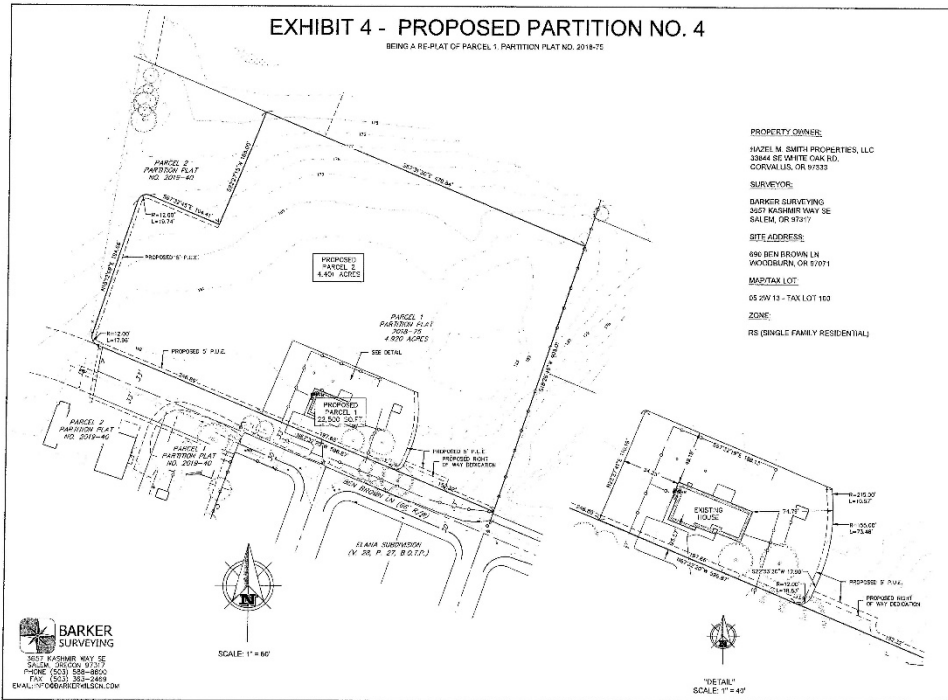
**Date of mailing:** October 2, 2019

**Applicant:** Hazel M. Smith Properties LLC

**Landowner:** Hazel M. Smith Properties LLC

**Site location:** 690 Ben Brown Lane (Parcel 1 of Partition Plat 2018-075)

**Tax Lot(s):** 052W13 00100



## Summary:

The applicant applied for preliminary partition PAR 2019-04 (Exhibit 4; Attachment 101) in order to partition the subject property into two parcels: one for an existing single-family dwelling and the second to match the boundaries of Smith Creek Development Phase 2C.

## 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. The approval included a phasing plan covering nine phases, as illustrated below (Exhibit 3; Attachment 103) in blue dashed lines:

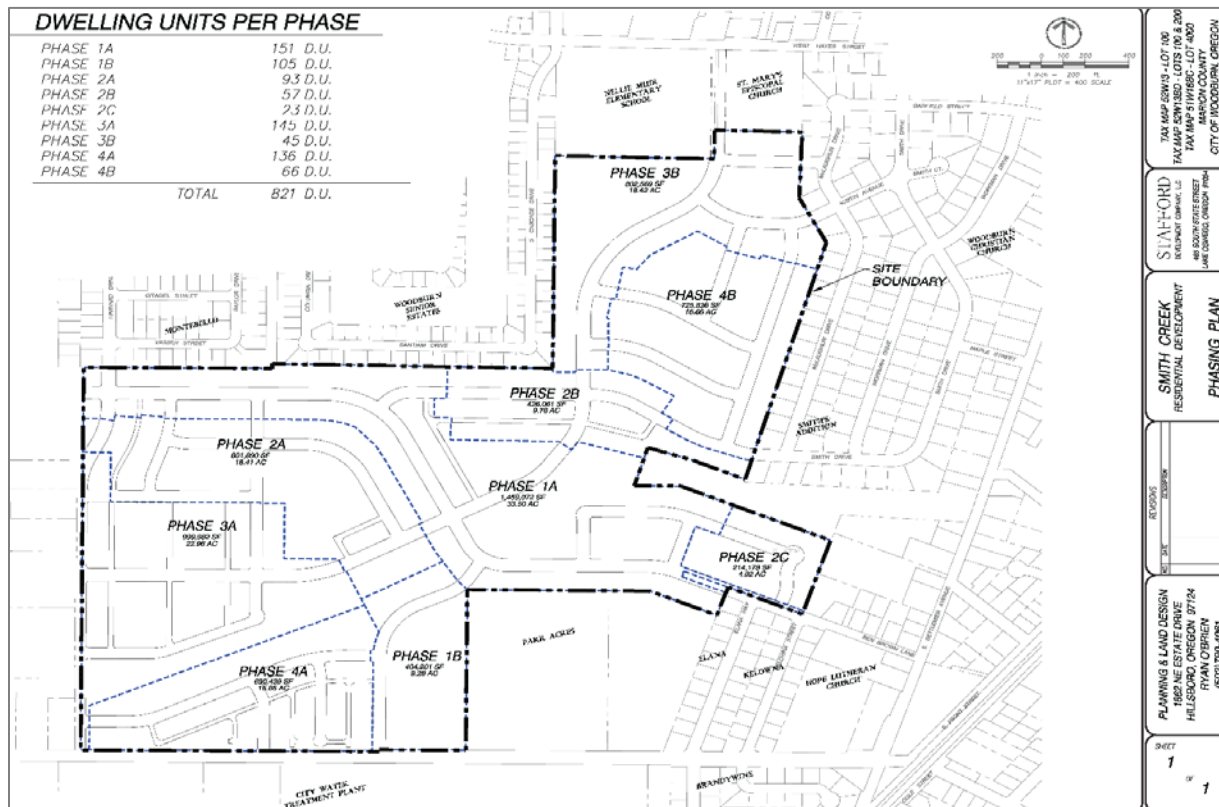


Exhibit 3 – Smith Creek Development phasing plan.

Via previous City applications PAR 2019-01 and PLA 2019-02, the applicant received approval to establish lot lines that align with Phases 1A, 1B, 2A, 3A, and 4A. The applicant is now applying through PAR 2019-03 and this PAR 2019-04 for City approval to create lot lines that align with the remaining boundaries.

As noted at the top of this staff report / final decision, this PAR relates to Phase 2C.

## *Context*

The applicant is not proposing any development or the establishment of any new land uses as part of this PAR. 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 September 12, 2019, the completeness date is September 18, 2019, and the 120<sup>th</sup> day deadline for final action per Oregon Revised Statutes (ORS) 92.105 and 227.178 would have been January 16, 2020.

The subject property is approximately 4.92 acres, generally north of the intersection of Ben Brown Lane and Elana Way.

Marion County Assessor's Office records indicate the subject property's address is 690 Ben Brown Lane. According to the City geographic information system (GIS), the address of 690 Ben Brown Lane is associated with Tax Lot 052W13 00106 (Parcel 2 of Partition Plat 2018-075) while the subject property has 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 2C (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 2C (SUB 2017-01).

PAR-3. Relationship to Smith Creek Development: Approval of Preliminary Partition 2019-03 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 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 PAR 2019-04 Parcel 2 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 2 (Attachment 104) 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. PUE: To meet WDO 3.01.05A.2.d., add to the partition plan (Exhibit 4; Attachment 101) a public utility easement (PUE) of 5 feet wide along the portion of Proposed Parcel 2's western property line that crosses future Ostrom Drive right-of-way (shown in Exhibit C-8 of the Smith Creek Development; Attachment 105).

## 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. Addressing:
2. 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 2019-04 supersede this standard note; see Conditions PAR-1 & 2.

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

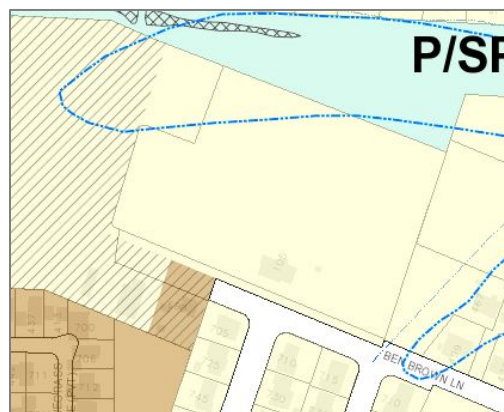
## Analyses & Findings:

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"> <li>Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met</li> <li>Plan sheets and/or narrative inconsistent</li> <li>Other special circumstance benefitting from attention</li> </ul>	Revision needed for clear and consistent records

## Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Low Density Residential
<i>Zoning District(s)</i>	Residential Single-Family
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	Agriculture; Single-Family Detached Dwelling



*An excerpt from the City zoning map.*

The lot is a legal lot of record: Partition Plat 2018-075, Parcel 1 (see Attachment 102).

The applicable provisions appear in bold on the following pages.

## Preliminary Partition Provisions

### 2.02 Residential Zones

The subject property is zoned Residential Single-Family (RS). Proposed Parcel 1 includes an existing single-family dwelling and several outbuildings. Proposed Parcel 2 is farmland.

<b>Residential Single-Family (RS) - Site Development Standards</b>				
<b>Table 2.02B</b>				
<b>Lot Area, Minimum (square feet)</b>	<b>Interior, flag or cul-de-sac lot</b>		<b>6,000<sup>1</sup></b>	
	<b>Corner lot</b>	<b>Single-family dwelling, child care facility or group home<sup>2</sup></b>	<b>8,000<sup>1</sup></b>	
		<b>Any other use</b>	<b>10,000<sup>1</sup></b>	
<b>Lot Width, Minimum (feet)</b>	<b>Interior, flag or cul-de-sac lot</b>		<b>50</b>	
	<b>Corner lot</b>		<b>80</b>	
<b>Lot Depth, Average (feet)</b>	<b>Interior, flag or cul-de-sac lot</b>		<b>90</b>	
	<b>Corner lot</b>		<b>90</b>	
<b>Street Frontage Minimum (feet)</b>	<b>Interior or cul-de-sac lot</b>		<b>40</b>	
	<b>Corner lot</b>	<b>Single-family dwelling</b>	<b>40</b>	
		<b>Any other use</b>	<b>50</b>	
	<b>Flag lot</b>		<b>20-24<sup>3</sup></b>	
<b>Residential Density, Minimum (units per net acre)</b>			<b>5.2</b>	
<b>Front Setback and Setback Abutting a Street, Minimum (feet)</b>			<b>20<sup>4, 5, 6</sup></b>	
<b>Side Setback, Minimum (feet)</b>	<b>Primary structure</b>		<b>5<sup>5, 9</sup></b>	
	<b>Accessory structure</b>		<b>Same as primary structure</b>	
<b>Rear Setback, Average (feet)</b>	<b>Primary structure</b>	<b>Building height (feet)</b>	<b>16 or less</b>	<b>24<sup>7</sup></b>
			<b>more than 16 and less than 28</b>	<b>30<sup>7</sup></b>
			<b>28 or more</b>	<b>36<sup>7</sup></b>
	<b>Accessory structure</b>		<b>5</b>	
<b>Setback to a Private Access Easement, Minimum (feet)</b>			<b>5</b>	

<b>Residential Single-Family (RS) - Site Development Standards</b>			
<b>Table 2.02B</b>			
<b>Lot Coverage, Maximum (percent)</b>	Primary building height 16 feet or less		40
	Primary building height greater than 16 feet		35
	Accessory structure		25 of rear yard <sup>8</sup>
<b>Building Height, Maximum (feet)</b>	Primary structure	Outside Gateway subarea	35
		Gateway subarea	40
	Features not used for habitation		70
	Accessory structure		15
<ol style="list-style-type: none"> <li>1. Excluding easements for private streets or driveways (See Section 1.02, Lot area)</li> <li>2. Child care facility for 12 or fewer children, group home for five or fewer persons</li> <li>3. See Table 3.04A, Flag Lot Access Width</li> <li>4. Measured from the Special Setback (Section 3.03.02), if any</li> <li>5. Except for flag lots under the option that all setbacks are 12 feet</li> <li>6. Infill lots between developed lots: average of abutting residential buildings, plus or minus 5 feet, but not less than 10 feet</li> <li>7. With a maximum deviation of five feet from the setback standard</li> <li>8. Accessory structures are included in the total lot coverage. Accessory structures are also limited to 25% coverage of the rear yard.</li> <li>9. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.</li> </ol>			

The proposed partition plan (Exhibit 4; Attachment 101) creates no nonconformance in terms of lot size, lot dimensions, or street frontage.

Regarding the existing dwelling, Proposed Parcel 1 creates no nonconformance in terms of setbacks and lot coverage. No redevelopment or modifications to existing development is proposed with this application therefore the remaining provisions regarding building height are not applicable.

Because this partition application proposes no new development on Proposed Parcel 2, which is entirely farmland, the provisions regarding setbacks, lot coverage, and building height are not applicable.

✓ The provisions are met.

**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, and T-BP1.

#### *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.

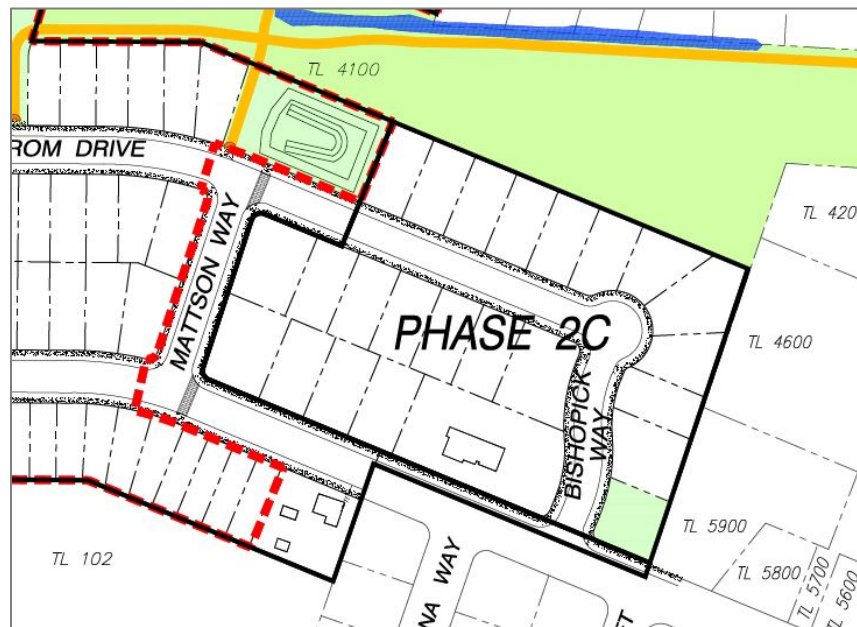
### 3.01.05 Street Layout

#### 2. Temporary Dead End Streets

Streets extensions that result in temporary dead end streets, or stub streets, shall:

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.

The proposed partition (Exhibit 4; Attachment 101) illustrates and notes 5-foot public utility easements (PUEs) along Ben Brown Lane and the future Mattson Way, Ostrom Drive, and Bishopick Way (see Exhibit C-8 of the Smith Creek Development approval; Attachment 105).



An excerpt from Exhibit C-8 showing the site plan for Phase 2C.

In addition to satisfying the provisions of 3.02.01, PUEs must be provided to satisfy 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 this reserve strip provision. The PAR drawing (Attachment 101) does identify a PUE along the proposed ROW dedication for Bishopick Way however it does not identify a PUE along the future Ostrom Drive ROW. Staff applies *Condition of Approval PAR-5* to fix this.

Staff confirms that upon final plat approval for Smith Creek Phases 2C, the developer would record removal of these reserve strip PUEs because the WDO would no longer require it.

▲ 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, 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.**

Both proposed parcels will have direct access to Ben Brown Lane, a public street.

✓ The provisions are met.

### 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.**

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

**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.**

Regarding B.2., the proposal partitions the subject property in preparation for the approved Smith Creek Development. Proposed Parcel 1 establishes a lot for the existing single-family dwelling that complies with the RS zone standards and vehicular access standards. Proposed Parcel 2 provides for future development of Smith Creek Development Phase 2C.

**3. The proposed partition is served with City streets, water, sewer and storm drainage facilities with adequate capacity.**

Regarding B.3., the applicant proposes no new development. The lack of development makes new and extended infrastructure not applicable.

**4. That the partition takes into account topography, vegetation and other natural features of the site.**

Regarding B.4., except for the existing single-family dwelling, the subject property is flat farmland devoid of wilderness or other natural features.

**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.**

Regarding B.5., staff identifies no hazards or limitations to the development. 5.a. and b. are not applicable because no wetlands exist on the subject property, the ground is virtually flat with gentle slope towards the tributary of Mill Creek, and there is no evidence of unstable soil.

✓ 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, AICP, Associate Planner

Affirmed,



Colin Cortes, AICP, CNU-A, Senior Planner

**Attachments:**

- 101. Proposed Partition Plat (Exhibit 4)
- 102. Partition Plat No. 2018-075 (Exhibit 1)
- 103. Smith Creek Development Phasing Plan (Exhibit 3)
- 104. Transportation System Plan Fig. 2 (adopted 2019)
- 105. Exhibit C-8 of the Smith Creek Development approval

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

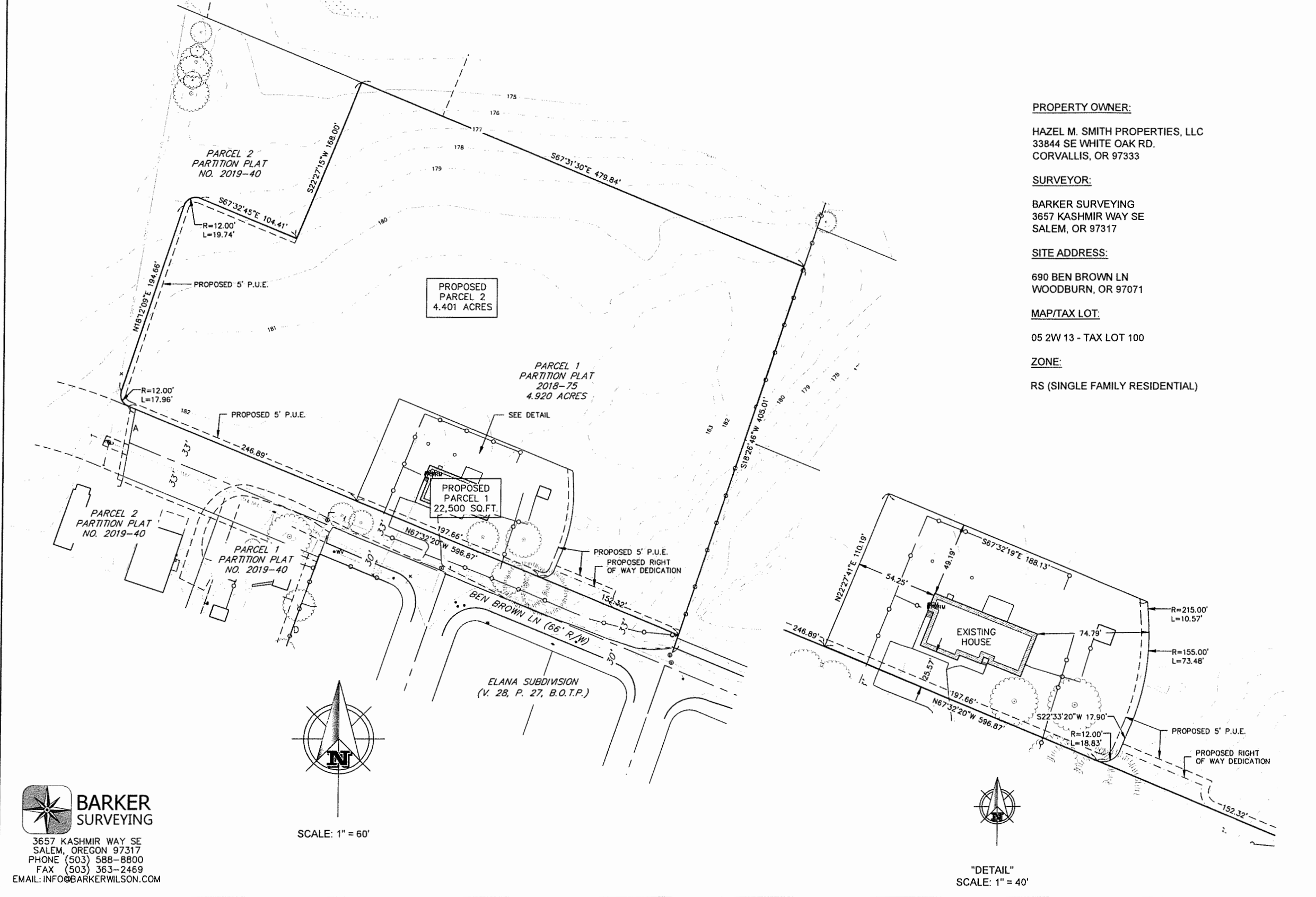
1. A building permit to exercise the right granted by the decision has been issued;
2. The activity approved in the decision has commenced; or
3. A time extension, Section 4.02.05, has been approved.

**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](mailto:vicki.spitznogle@ci.woodburn.or.us).

# EXHIBIT 4 - PROPOSED PARTITION NO. 4

BEING A RE-PLAT OF PARCEL 1, PARTITION PLAT NO. 2018-75



**PROPERTY OWNER:**

HAZEL M. SMITH PROPERTIES, LLC  
33844 SE WHITE OAK RD.  
CORVALLIS, OR 97333

**SURVEYOR:**

BARKER SURVEYING  
3657 KASHMIR WAY SE  
SALEM, OR 97317

**SITE ADDRESS:**

690 BEN BROWN LN  
WOODBURN, OR 97071

**MAP/TAX LOT:**

05 2W 13 - TAX LOT 100

**ZONE:**

RS (SINGLE FAMILY RESIDENTIAL)



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



SCALE: 1" = 60'



"DETAIL"  
SCALE: 1" = 40'



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

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

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:

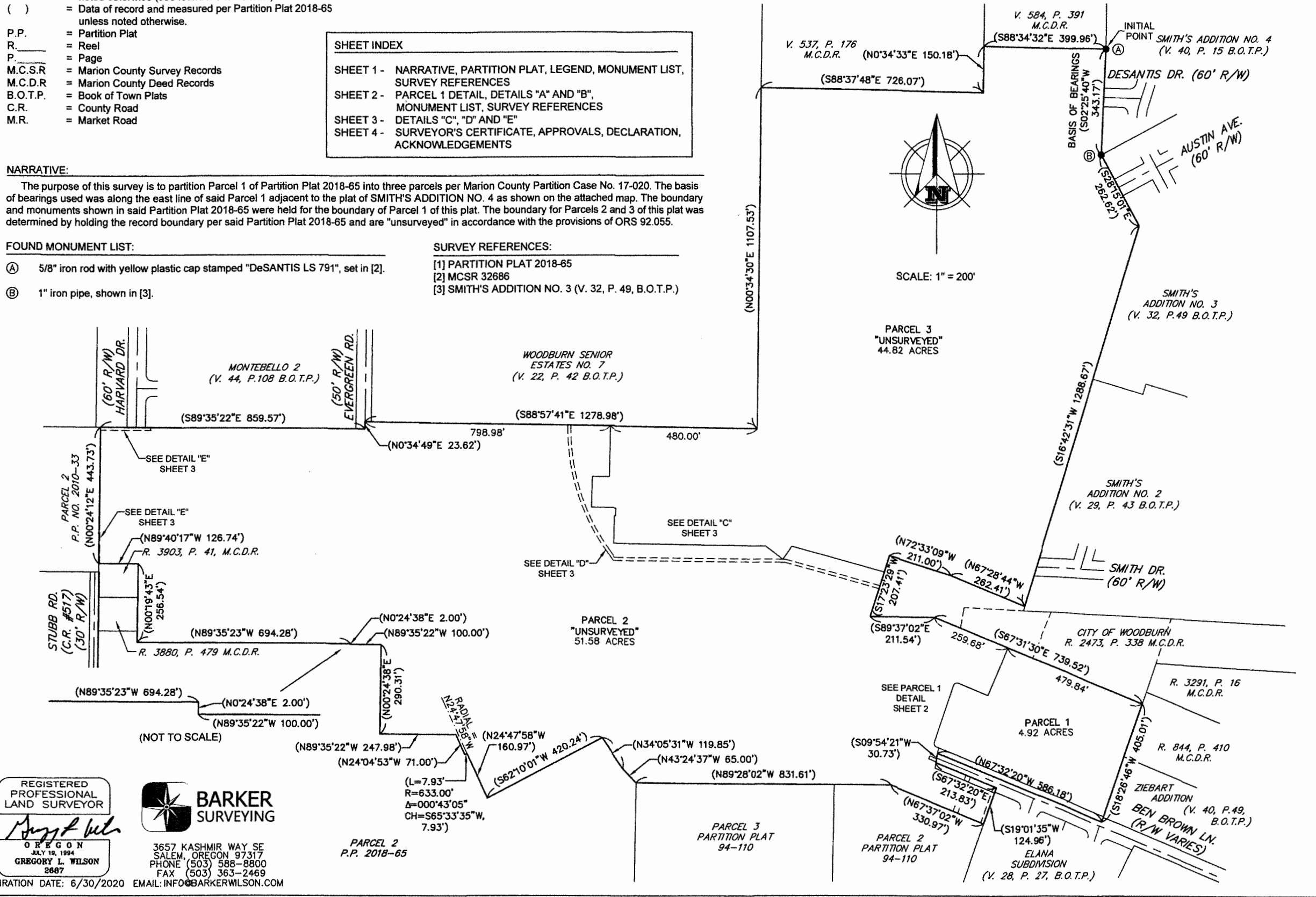
The purpose of this survey is to partition Parcel 1 of Partition Plat 2018-65 into three parcels per Marion County Partition Case No. 17-020. The basis of bearings used was along the east line of said Parcel 1 adjacent to the plat of SMITH'S ADDITION NO. 4 as shown on the attached map. The boundary and 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.)

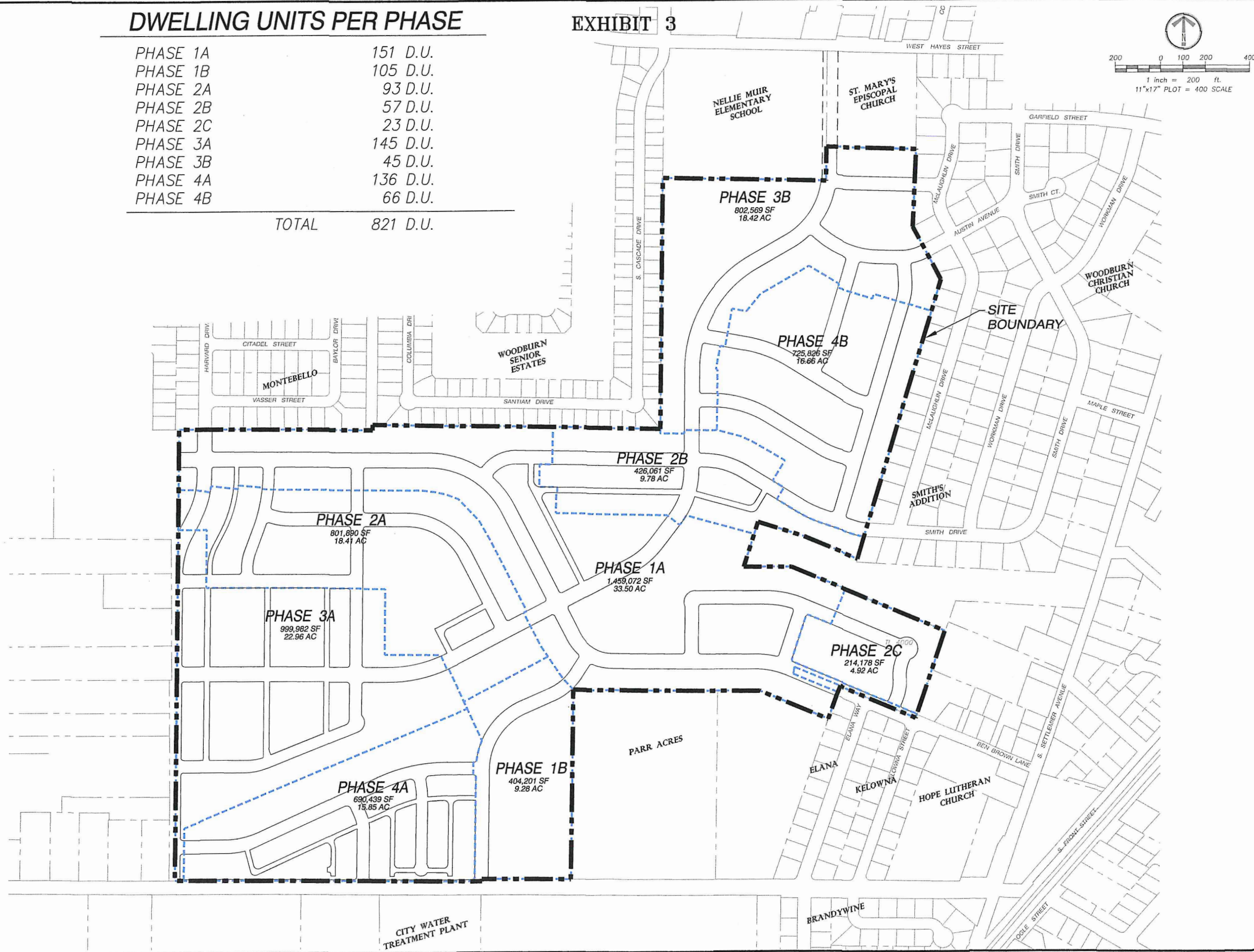


REGISTERED PROFESSIONAL LAND SURVEYOR  
**BARKER SURVEYING**  
 3657 KASHMIR WAY SE  
 SALEM, OREGON 97317  
 PHONE (503) 588-8800  
 FAX (503) 363-2469  
 EXPIRATION DATE: 6/30/2020 EMAIL: INFO@BARKERWILSON.COM

# 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.
<b>TOTAL</b>	<b>821 D.U.</b>

## EXHIBIT 3



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**



# WOODBURN

Transportation System Plan Update



**Existing Roadway**

- Freeway
- Major Arterial
- Minor Arterial
- Service Collector
- Access Street

**Future Roadway**

- Future Major Arterial
- Future Minor Arterial
- Future Service Collector
- Future Access Street
- Future Local Industrial

City Boundary

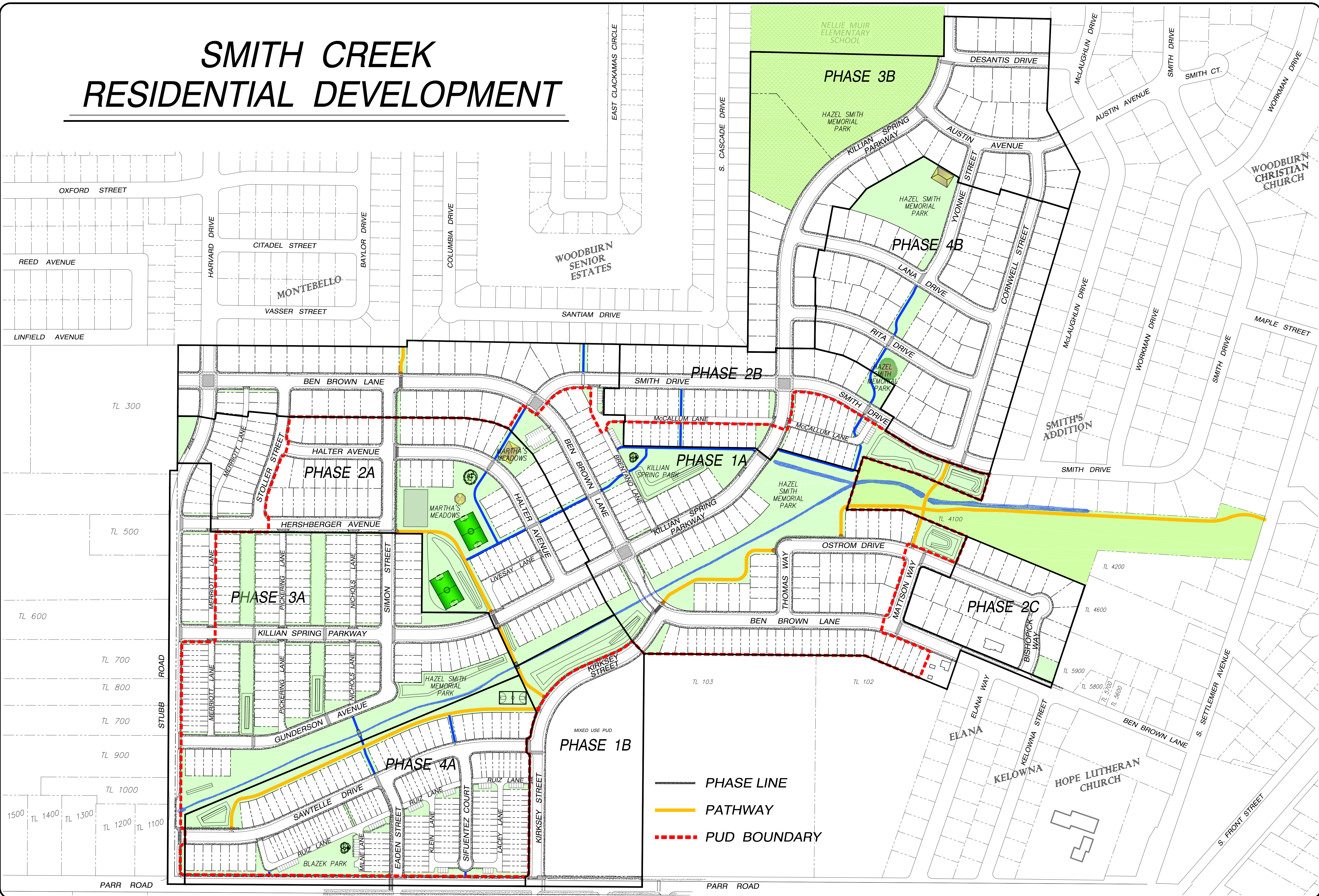
Urban Growth Boundary

Note: Future roadway alignments are approximate and subject to further refinement.

**Functional Roadway Classification**  
**Woodburn, Oregon** Figure 2

TSP Update\GIS\TSP02 Functional Roadway Classification.mxd - mmcormick - 5:25 PM 9/16/2019

# SMITH CREEK RESIDENTIAL DEVELOPMENT



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  
 AUGUST, 2018

NO.	DATE	REVISIONS	DESCRIPTION

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