

COUNCIL BILL NO. 3081

RESOLUTION NO. 2124

**A RESOLUTION APPROVING A MASTER PLAN FOR THE NODAL DEVELOPMENT OVERLAY IN CONJUNCTION WITH ANNEXATION APPLICATION ANX 2017-05 SUBMITTED BY STAFFORD LAND COMPANY LLC FOR THE SMITH CREEK DEVELOPMENT**

**WHEREAS**, Section 2.05.04C of the Woodburn Development Ordinance ("WDO") requires that the City Council approve a master plan for the entire area designated Nodal Development Overlay on the Comprehensive Plan Land Use Map prior to annexation of any property in the area designated as Nodal; and

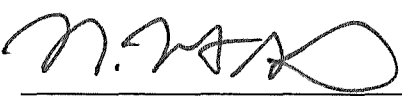
**WHEREAS**, the Nodal Master Plan is conceptual and non-binding in nature; and

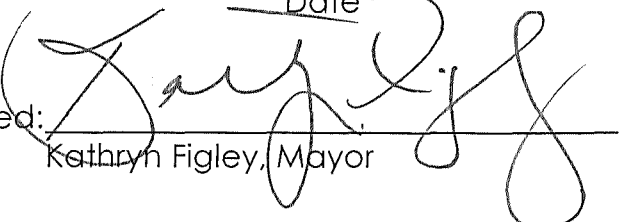
**WHEREAS**, Stafford Land Company LLC submitted to the City a Master Plan application (MP 2017-02) in conjunction with an annexation application (ANX 2017-05) for property located in the Nodal Development Overlay; **NOW, THEREFORE,**

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

**Section 1.** The City of Woodburn Nodal Development Overlay Master Plan, as depicted in Exhibit "A", is approved and shall serve as a general guide for development in the Nodal Development Overlay. The Master Plan provides for all of the requirements found in Section 2.05.04C.2 of the WDO.

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

Approved as to form:  11/6/2018  
City Attorney Date

Approved:   
Kathryn Figley, Mayor

Passed by the Council

November 13, 2018

Submitted to the Mayor

November 14, 2018

Approved by the Mayor

November 14, 2018

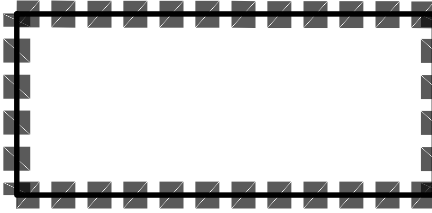
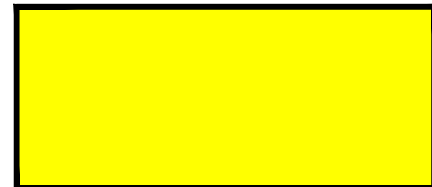


Filed in the Office of the Recorder

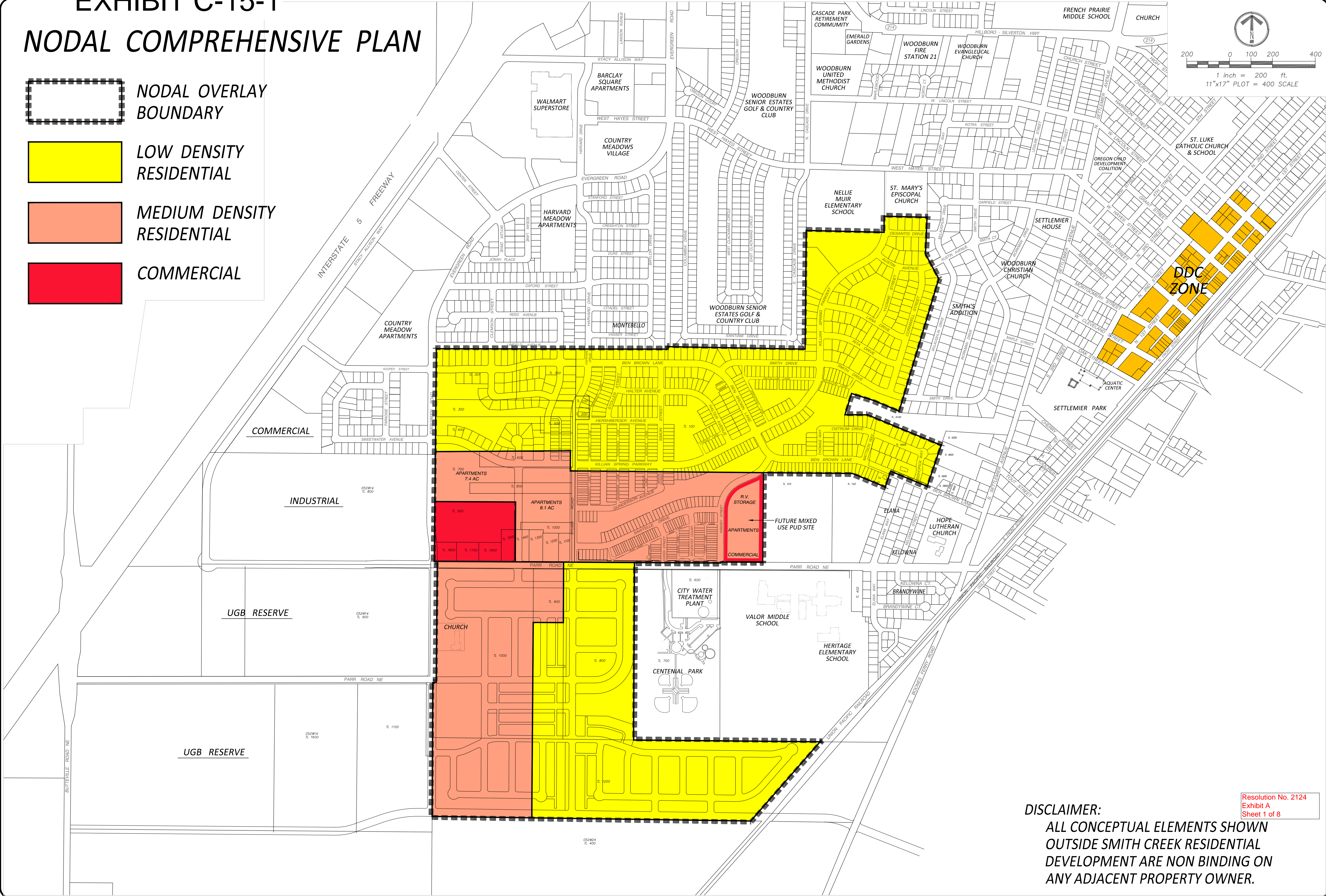
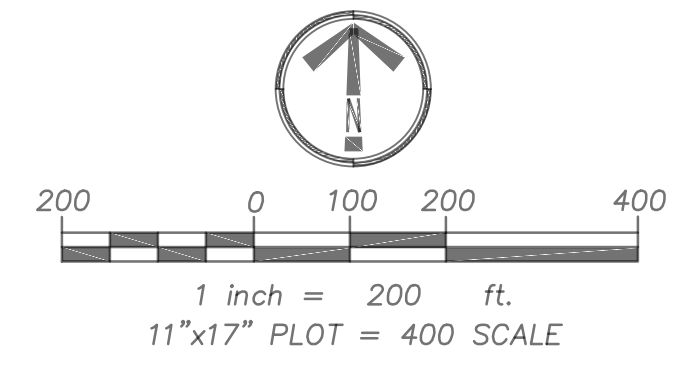
November 14, 2018

ATTEST: Heather Pierson  
Heather Pierson, City Recorder



# NODAL COMPREHENSIVE PLAN

-  NODAL OVERLAY BOUNDARY
-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  COMMERCIAL



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  
 NODAL  
 COMPREHENSIVE PLAN

NO.	DATE	REVISIONS DESCRIPTION

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




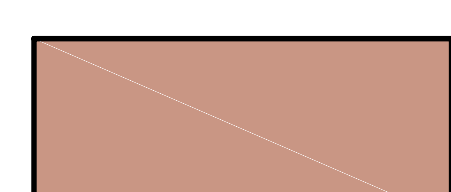
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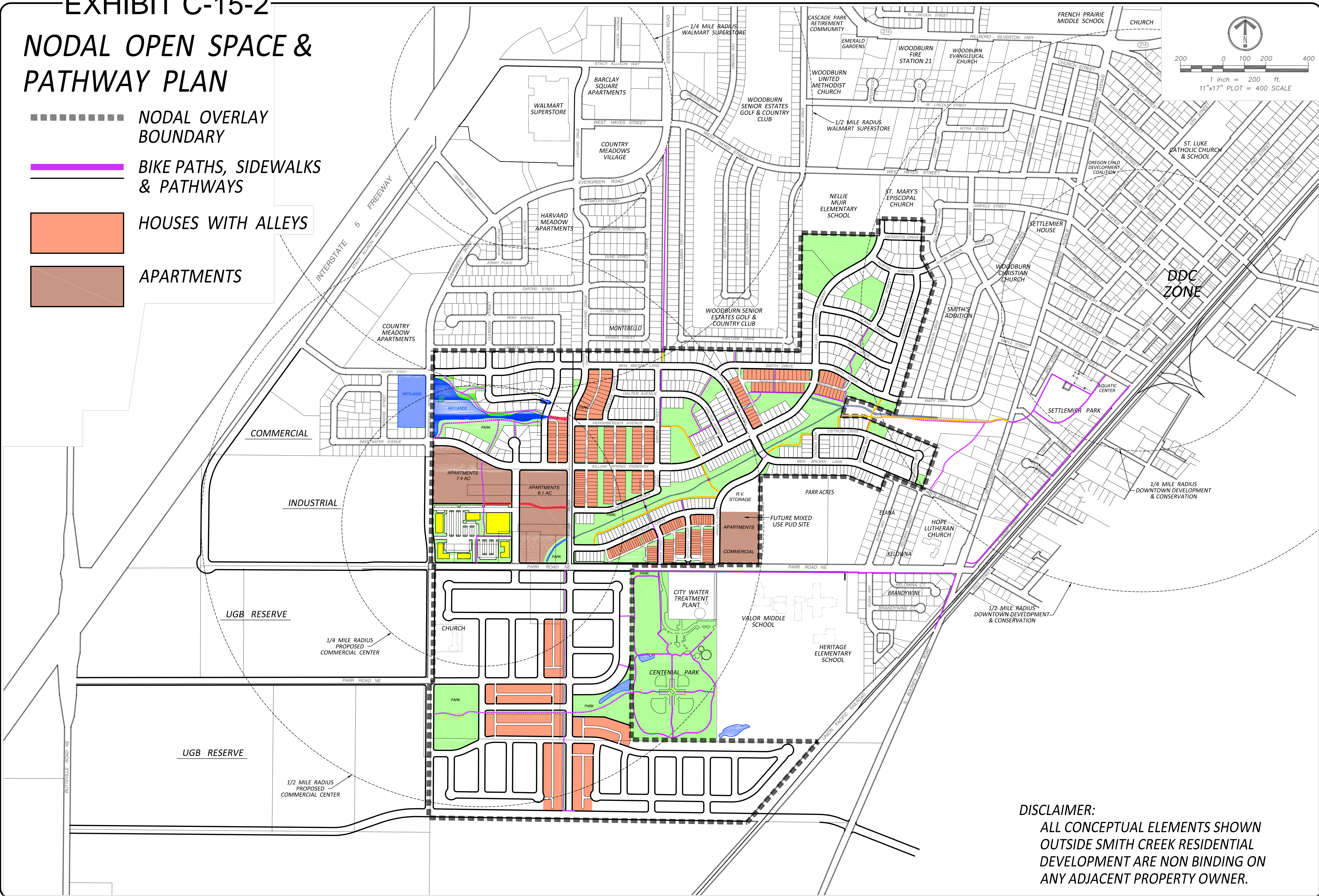
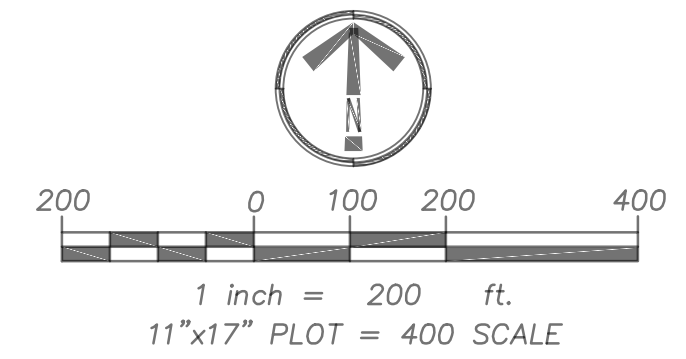
**DISCLAIMER:**  
 ALL CONCEPTUAL ELEMENTS SHOWN  
 OUTSIDE SMITH CREEK RESIDENTIAL  
 DEVELOPMENT ARE NON BINDING ON  
 ANY ADJACENT PROPERTY OWNER.

Resolution No. 2124  
 Exhibit A  
 Sheet 1 of 8



# NODAL OPEN SPACE & PATHWAY PLAN

- 
**NODAL OVERLAY BOUNDARY**
- 
**BIKE PATHS, SIDEWALKS & PATHWAYS**
- 
**HOUSES WITH ALLEYS**
- 
**APARTMENTS**



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  
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SMITH CREEK  
 RESIDENTIAL DEVELOPMENT  
 NODAL OPEN SPACE  
 & PATHWAY PLAN

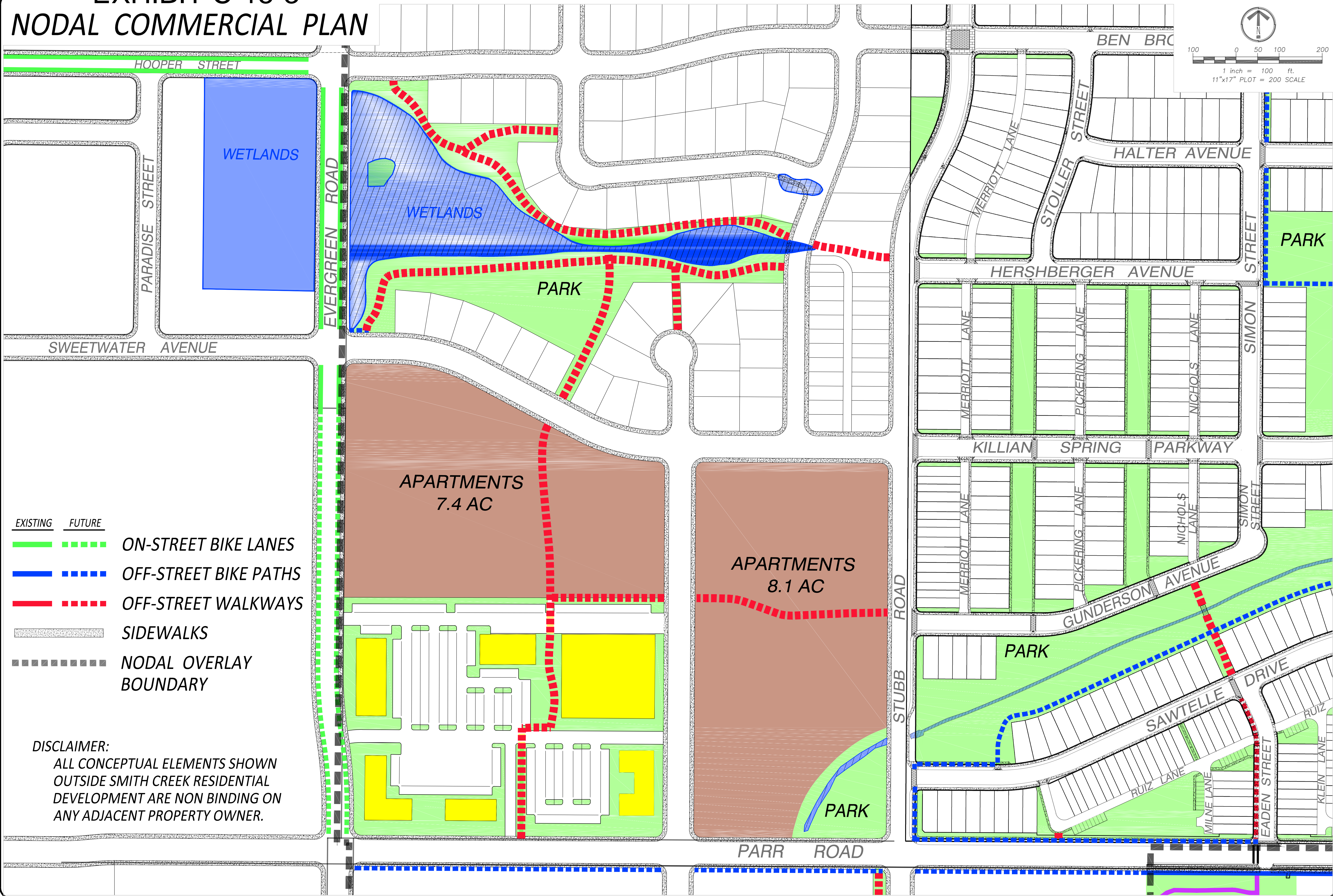
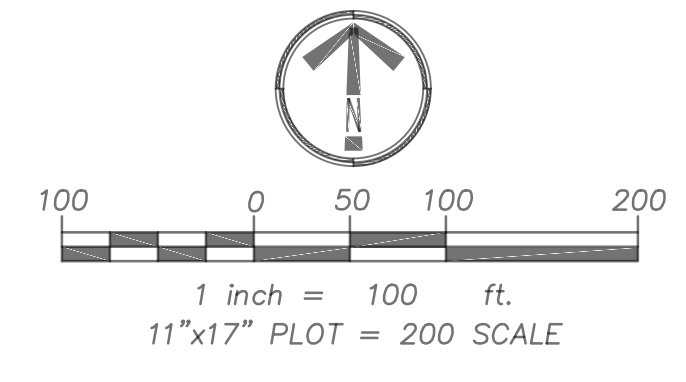
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# EXHIBIT C-15-3 NODAL COMMERCIAL PLAN



- **EXISTING**    - - - **FUTURE**  
— **ON-STREET BIKE LANES**  
— **OFF-STREET BIKE PATHS**  
- - - **OFF-STREET WALKWAYS**  
 **SIDEWALKS**  
 **NODAL OVERLAY BOUNDARY**

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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  
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SMITH CREEK  
RESIDENTIAL DEVELOPMENT  
NODAL COMMERCIAL  
PEDISTRAN / BICYCLE  
ACCESS PLAN

NO.	DATE	REVISIONS	DESCRIPTION

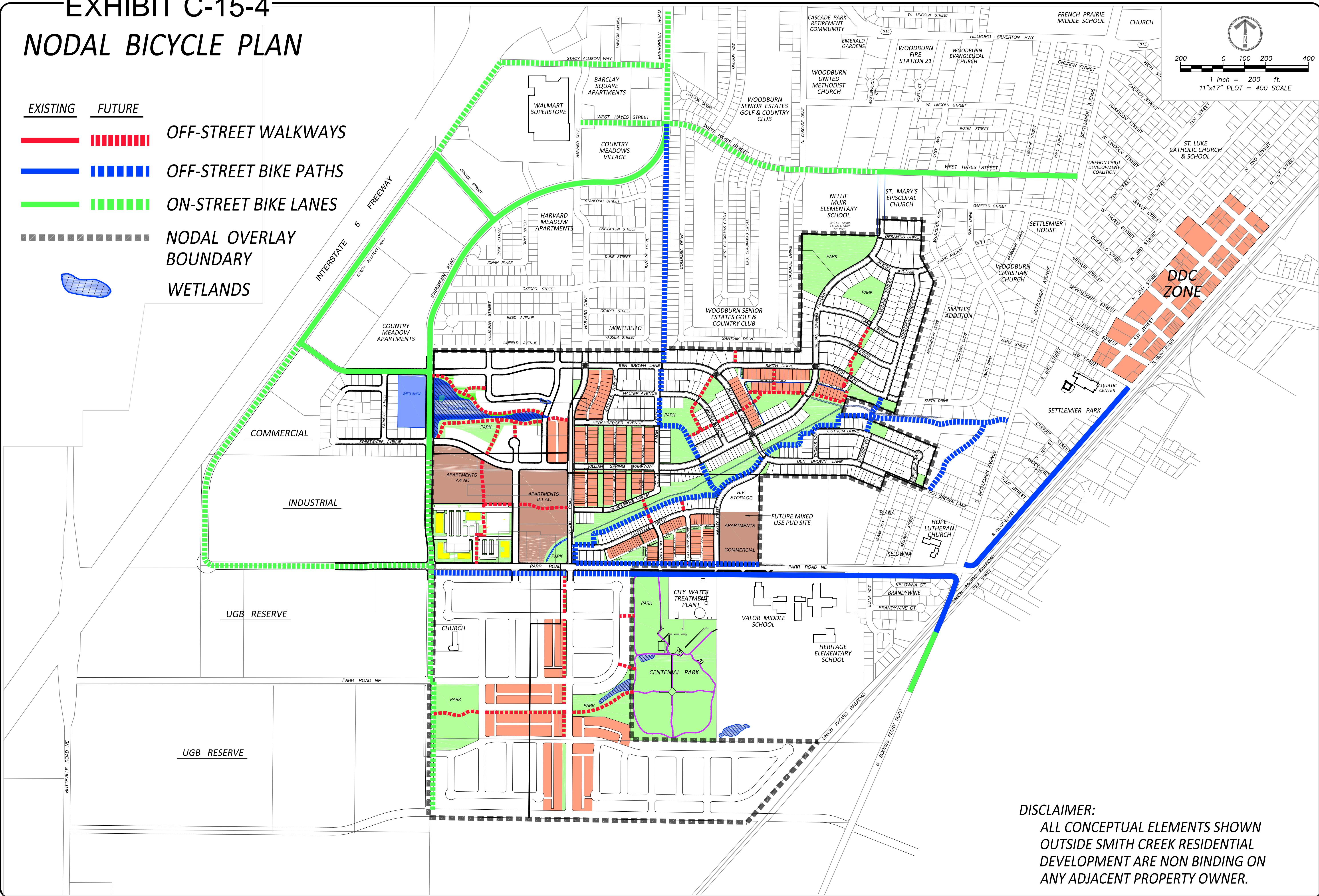
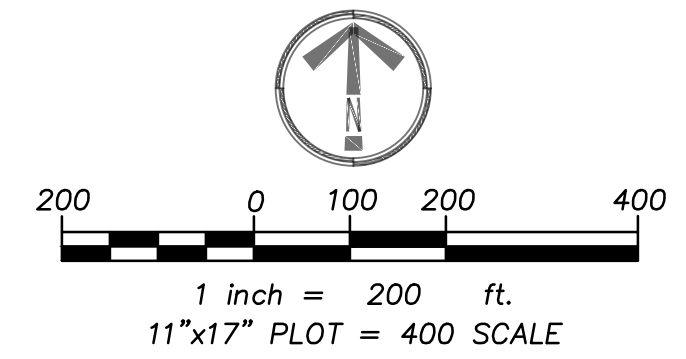
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RYAN O'BRIEN  
(503) 780-4061



# EXHIBIT C-15-4

## NODAL BICYCLE PLAN

- EXISTING**    **FUTURE**
- OFF-STREET WALKWAYS**
- OFF-STREET BIKE PATHS**
- ON-STREET BIKE LANES**
- NODAL OVERLAY BOUNDARY**
- WETLANDS**



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

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SMITH CREEK  
 RESIDENTIAL DEVELOPMENT  
 NODAL BIKE PLAN

NO.	DATE	REVISIONS	DESCRIPTION






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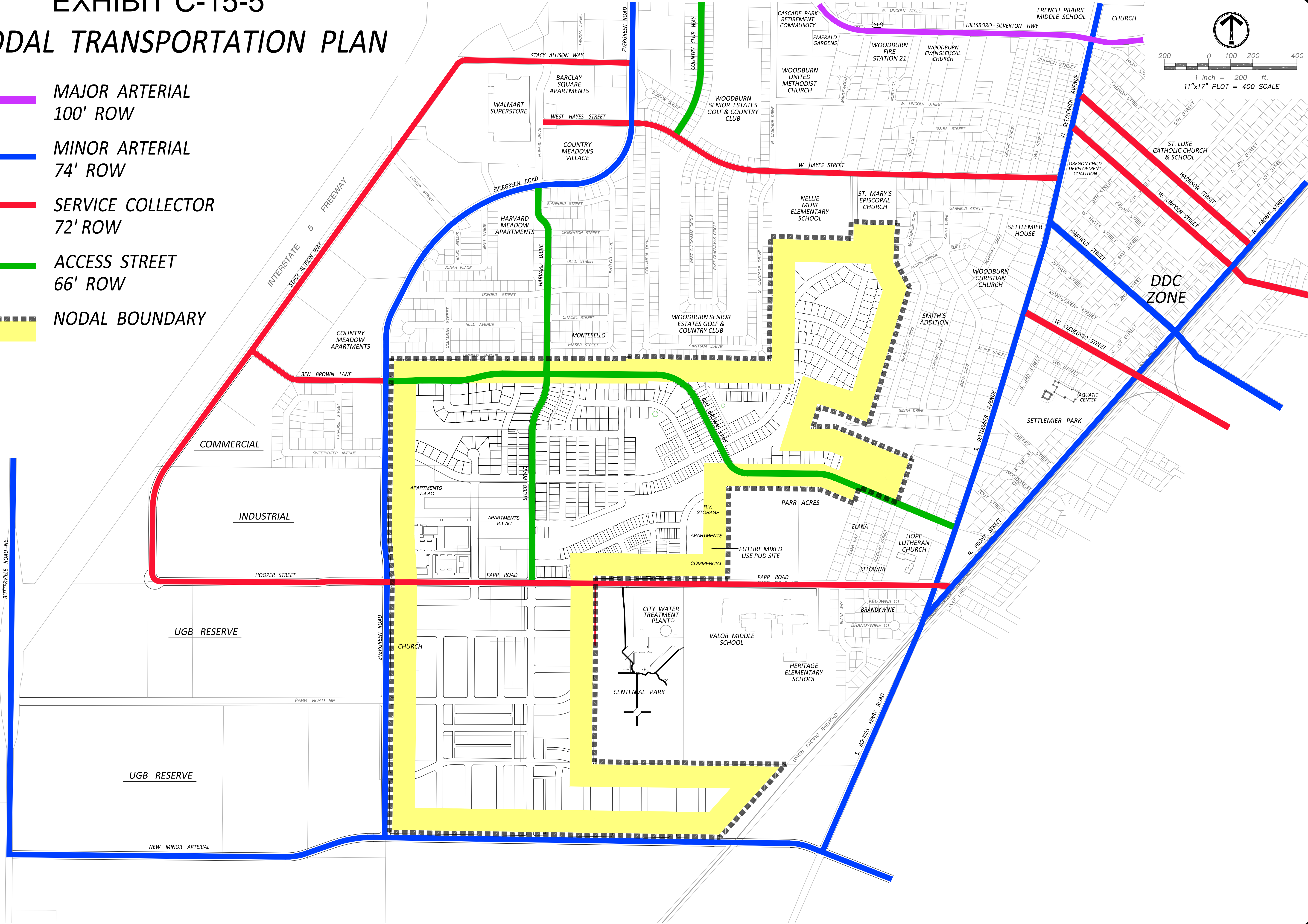
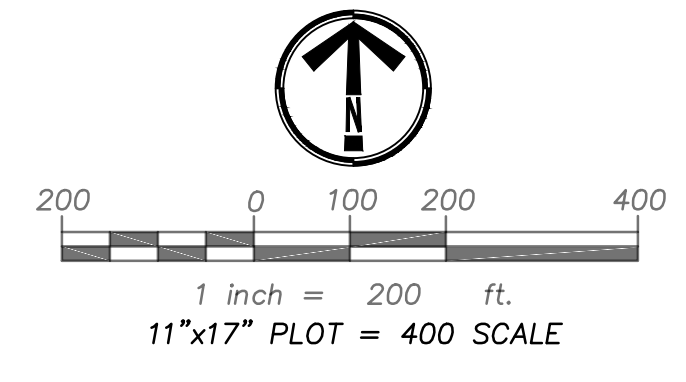
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# NODAL TRANSPORTATION PLAN

-  MAJOR ARTERIAL  
100' ROW
-  MINOR ARTERIAL  
74' ROW
-  SERVICE COLLECTOR  
72' ROW
-  ACCESS STREET  
66' ROW
-  NODAL BOUNDARY



TAX MAP 52W13 - LOT 100  
TAX MAP 52W13BD - LOTS 100 & 200  
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MARION COUNTY  
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485 SOUTH STATE STREET  
LAKE OSWEGO, OREGON 97034

SMITH CREEK  
RESIDENTIAL DEVELOPMENT  
NODAL  
TRANSPORTATION PLAN

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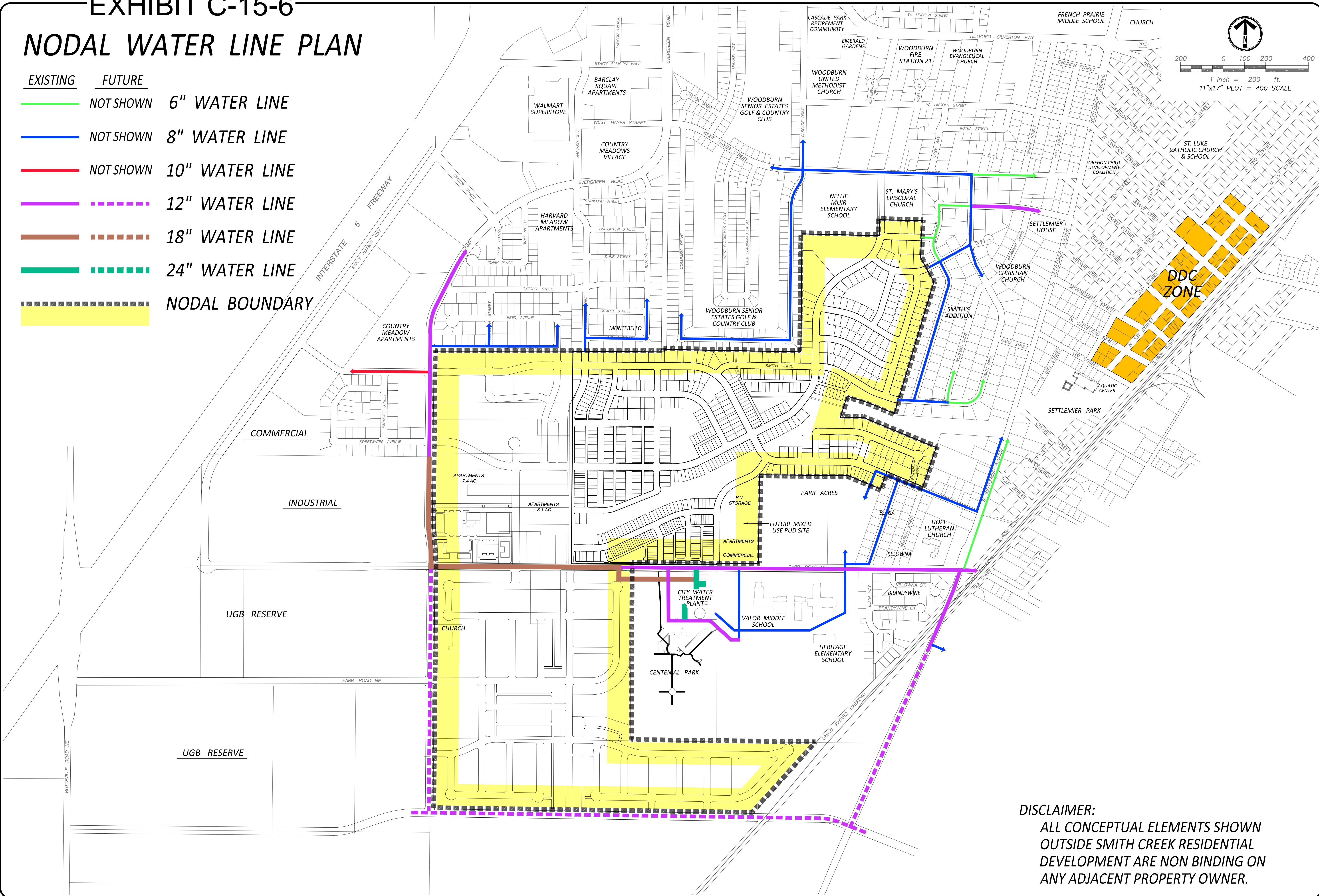
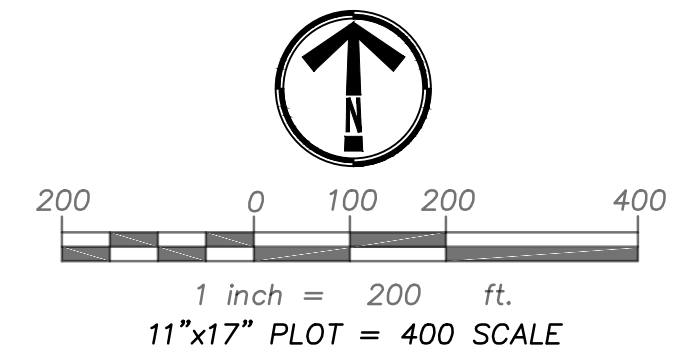
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RYAN O'BRIEN  
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# EXHIBIT C-15-6

## NODAL WATER LINE PLAN

- |                 |               |                |
|-----------------|---------------|----------------|
| <b>EXISTING</b> | <b>FUTURE</b> |                |
|                 |               | 6" WATER LINE  |
|                 |               | 8" WATER LINE  |
|                 |               | 10" WATER LINE |
|                 |               | 12" WATER LINE |
|                 |               | 18" WATER LINE |
|                 |               | 24" WATER LINE |
|                 |               | NODAL BOUNDARY |



TAX MAP 52W13 - LOT 100  
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 MARION COUNTY  
 CITY OF WOODBURN, OREGON

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SMITH CREEK  
 RESIDENTIAL DEVELOPMENT  
 NODAL  
 WATER LINE PLAN

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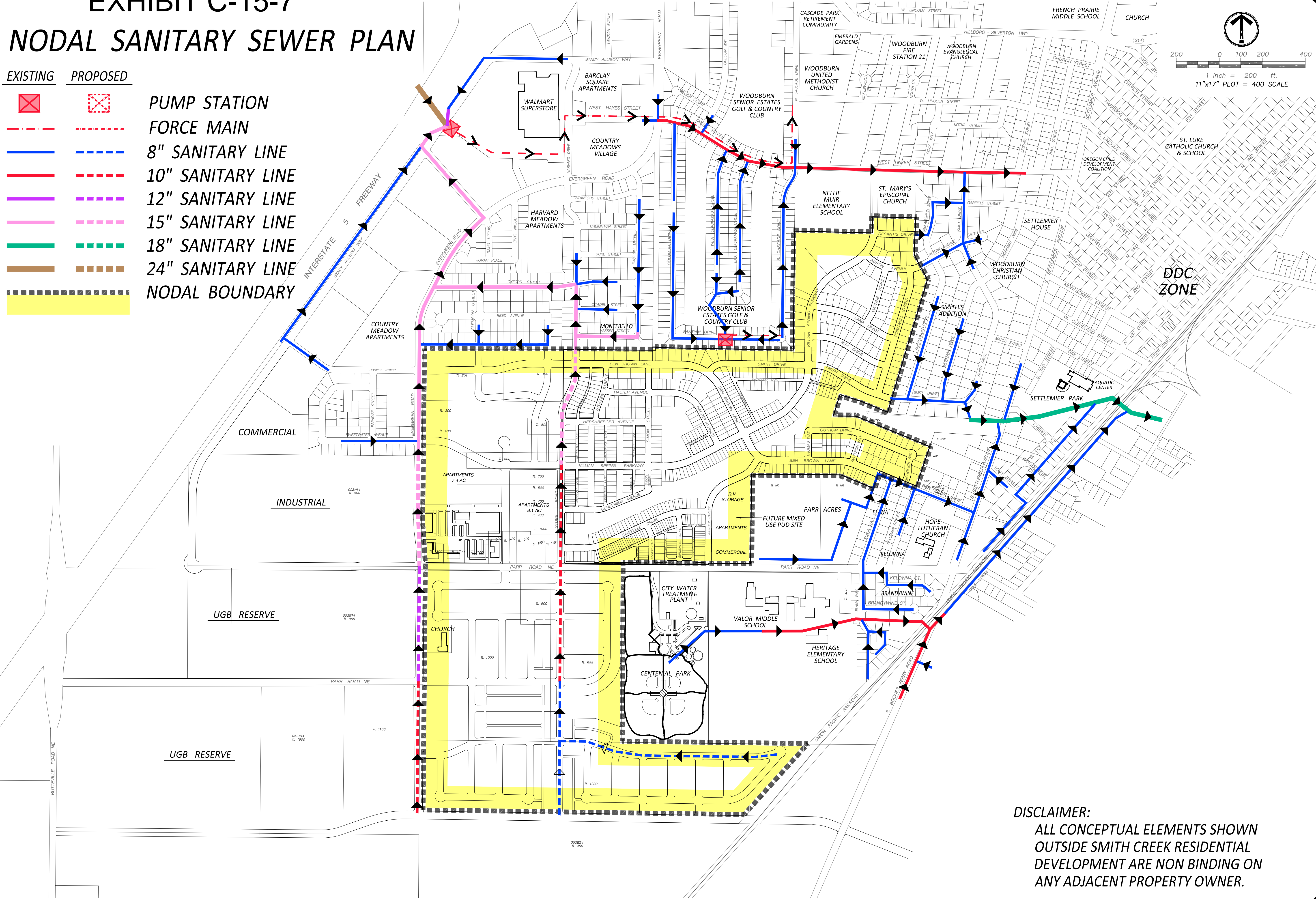
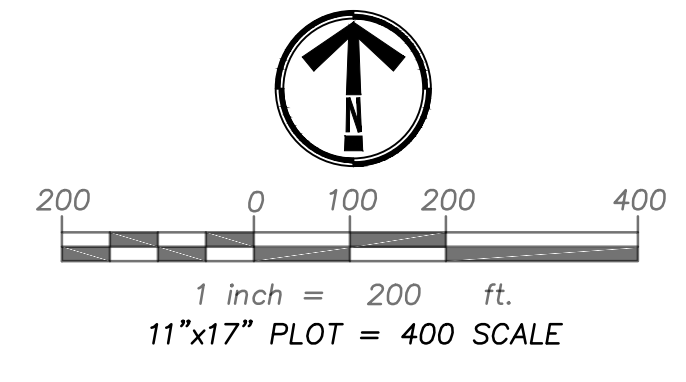
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# NODAL SANITARY SEWER PLAN

<b>EXISTING</b>	<b>PROPOSED</b>	
		<b>PUMP STATION</b>
		<b>FORCE MAIN</b>
		<b>8" SANITARY LINE</b>
		<b>10" SANITARY LINE</b>
		<b>12" SANITARY LINE</b>
		<b>15" SANITARY LINE</b>
		<b>18" SANITARY LINE</b>
		<b>24" SANITARY LINE</b>
		<b>NODAL BOUNDARY</b>



TAX MAP 52W13 - LOT 100  
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SMITH CREEK  
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 NODAL  
 SANITARY SEWER PLAN

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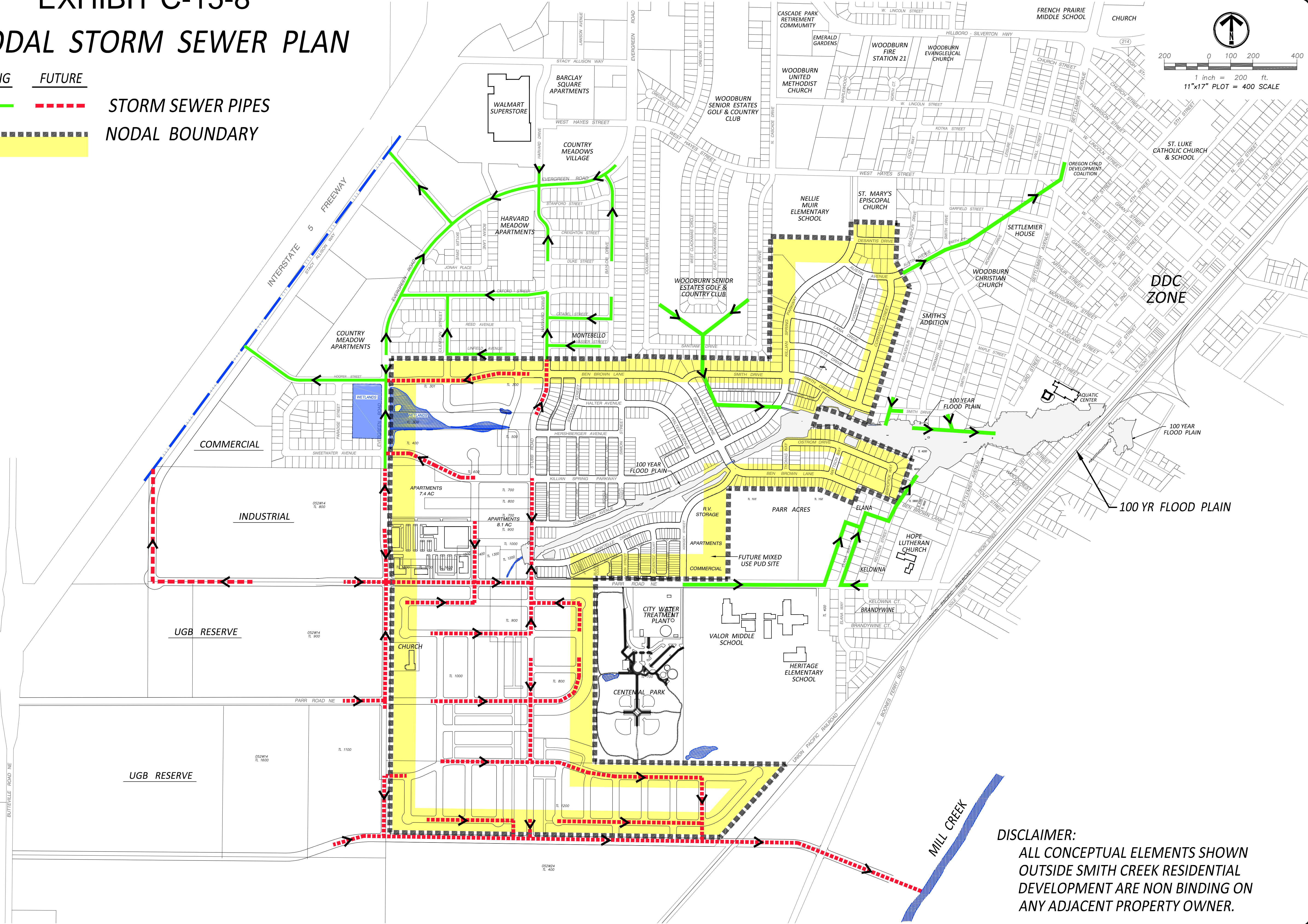
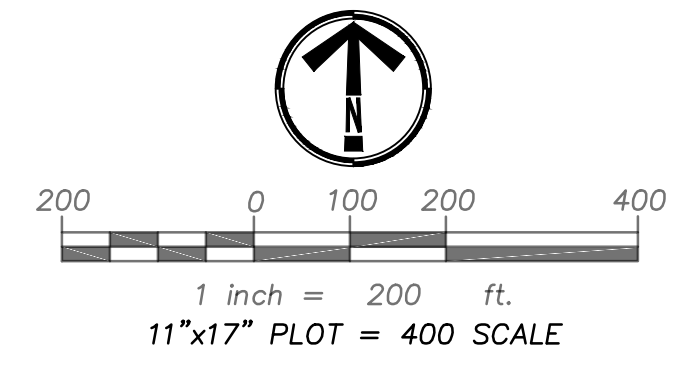


# NODAL STORM SEWER PLAN

**EXISTING**    **FUTURE**

— (Solid Green Line) —    - - - (Dashed Red Line) - - -    **STORM SEWER PIPES**

— (Dashed Black Line) —    **NODAL BOUNDARY**



TAX MAP 52W13 - LOT 100  
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SMITH CREEK  
 RESIDENTIAL DEVELOPMENT  
 NODAL  
 STORM SEWER PLAN

NO.	DATE	REVISIONS	DESCRIPTION

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# Analyses & Findings

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

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

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

“SDA” refers to the site development area that is the whole Smith Creek Development.

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**I. Location**

<i>Address(es)</i>	<a href="#">690 Ben Brown Lane</a>
<i>Tax Lot(s)</i>	Primary Tax Lot <a href="#">052W13 00100</a> with Additional Lots 052W13BD 00100 & 200 and 051W18BC 04000
<i>Nearest intersections (clockwise from north)</i>	<ul style="list-style-type: none"> <li>• McLaughlin and Desantis Drives</li> <li>• McLaughlin Drive and Austin Avenue</li> <li>• McLaughlin and Smith Drives</li> <li>• Ben Brown Lane and Elana Way</li> <li>• Parr and Stubb Roads NE</li> <li>• Harvard Drive and Vasser Street</li> </ul>

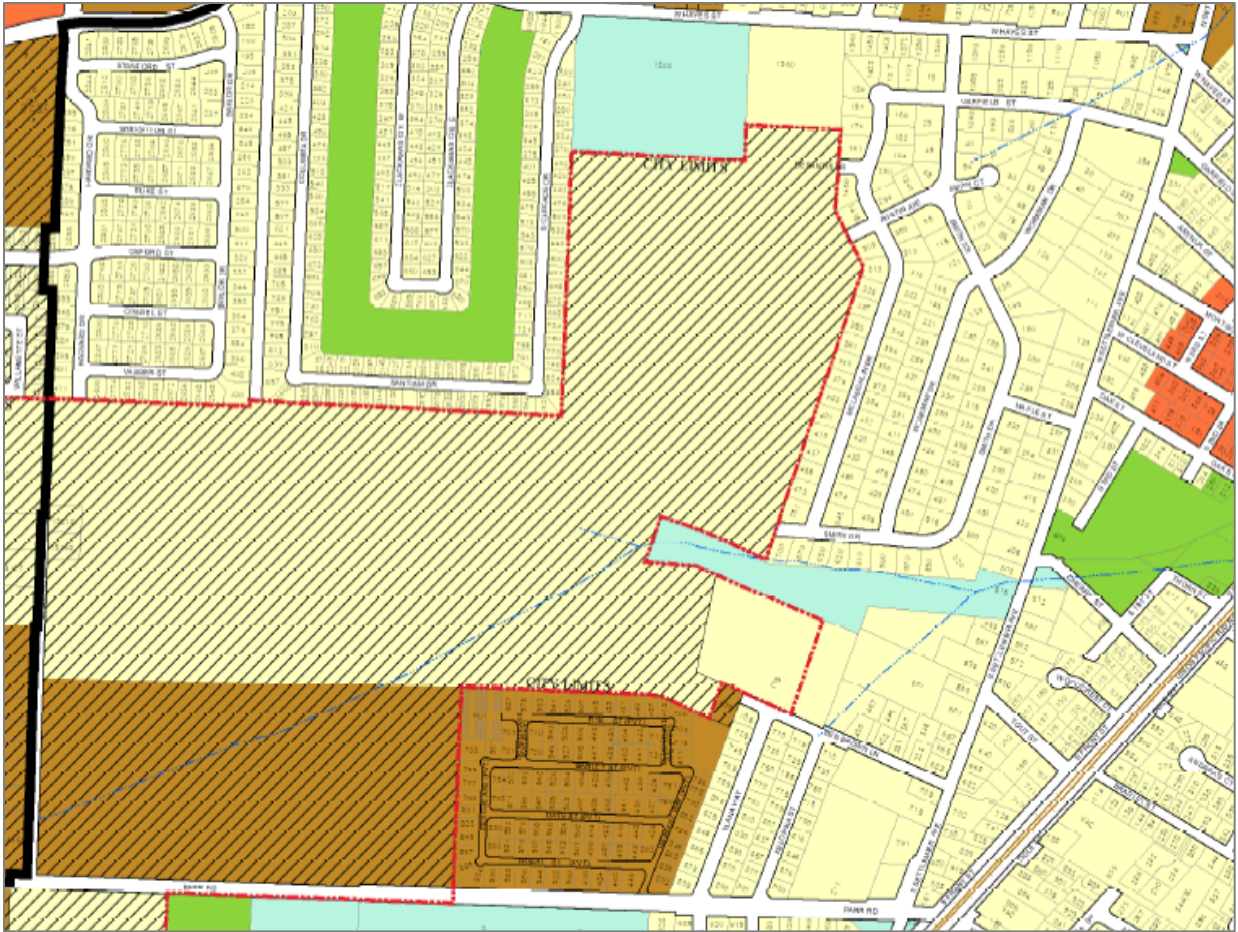


## II. Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	In order of greater to lesser land area: Low Density Residential Nodal Development Overlay; Medium Density Residential Nodal Development Overlay; and Low Density Residential
<i>Zoning District</i>	Upon annexation and in order of greater to lesser land area: Nodal Single Family Residential (RSN) Nodal Multi-Family Residential (RMN) Residential Single Family (RS)
<i>Overlay District(s)</i>	Nodal Single Family Residential (RSN)* Nodal Multi-Family Residential (RMN)* Riparian Corridor and Wetlands Overlay District (RCWOD) (*The WDO presents each district as both a base zone in 2.02 and an overlay zone in 2.05.)
<i>Existing Use(s)</i>	Rural dwellings, agriculture

For context, the two images below illustrate respectively the adjacent comprehensive or “comp” plan designations and zoning districts:

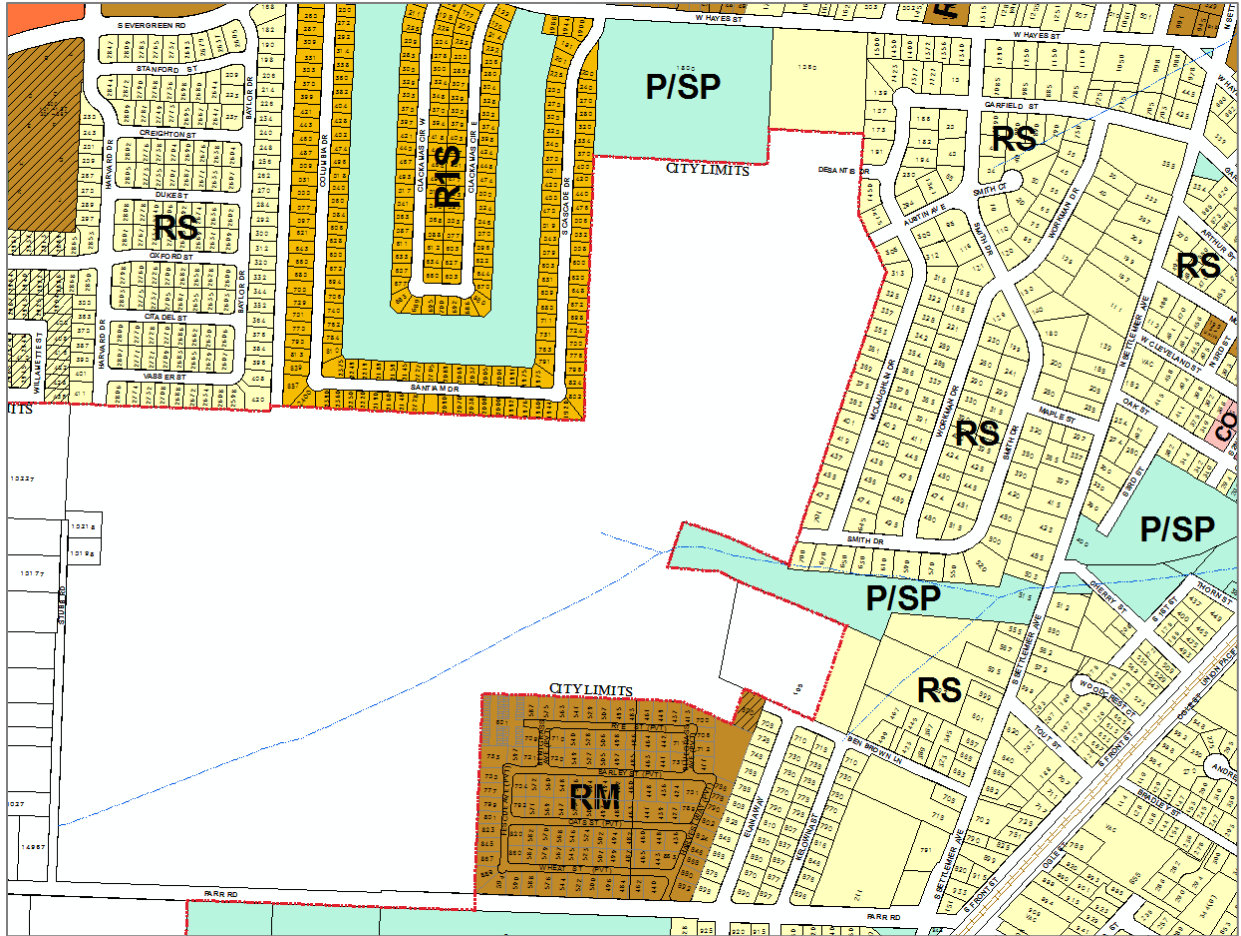




Comp Plan Land Use Map Excerpt

<i>Color</i>	<i>Land Use Designation</i>
pale yellow	Low Density Residential
turquoise	Public Use
brown	Medium Density Residential
medium green	Open Space and Parks





Zoning Map Excerpt

Acronym	Zoning District
RS	Residential Single Family
P/SP	Public and Semi-Public
RM	Medium Density Residential
R1S	Retirement Community Single Family Residential

### III. Statutory Dates

Application Completeness	July 23, 2018
120-Day Final Decision Deadline	November 20, 2018 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date is October 22, 2018.)*

Smith Creek ANX 2017-05, PUD 2017-01, et al. October 29, 2018 City Council Staff Report: Post-Approval Revision to Strike Condition T-A4 (Stop sign removals from W. Hayes St at Oregon Way) and add Note to the Applicant 4b per Council motion 10/29/2018; Attachment 102



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

The following applications constitute the Smith Creek Development consolidated applications package:

- Annexation ANX 2017-05
- Master Plan MP 2017-02
- Planned Unit Development: Conceptual Development Plan PUD 2017-01
- Subdivision, Preliminary SUB 2017-01
- Exception to Street Right of Way and Improvement Requirements (“Street Exception”) EXCP 2017-03
- Variance VAR 2017-14, and
- Phasing Plan PP 2017-01.

Because the consolidated applications package include annexation, which per 5.04.01 is a Type IV review with City Council decision and the highest type among the applications, the Planning Commission recommends upon all the applications and the Council decides upon them. The applicant submitted application materials on October 24, 2017 and revised and additional materials through September 19, 2018 (excerpted within Attachment 103).



Analyses &  
Findings pages  
unrelated to  
Master Plan  
omitted



City Council has not yet identified such a need. Examples of community needs include park space and conservation of significant natural or historic resources, and the corollary development does include much Mill Creek greenway area that the developer is to improve and dedicate as park space.

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

Regarding E., the applicant confirms the proposal includes no request to amend the land use designation or rezone the territory to zones other than those compatible with the comp plan map designations per comp plan Policy Table 1 (Attachment 104B).

Regarding F., the applicant addresses subsection 1. by transferring portions of adjacent ROWs to the City. Regarding subsection 2., Public Works staff indicated that dedication of public utility easements (PUEs) is deferred until the corollary development.

As a single concluding and summarizing statement:

- the territory is within the UGB;
- the territory is designated for low and medium density housing – i.e. houses, manufactured dwellings, corner duplexes, row houses, and multi-family dwellings (colloquially thought of as apartments and condos);
- the applicant’s request to annex and develop indicates market need for new housing stock; and
- Per City plans, the WDO, and conditions of approval, the proposed corollary development will provide needed public facilities benefiting itself and the city at large.

✓ The criteria are met.

## **VI. Master Plan Provisions**

Because the proposal is for annexation of territory that the comp plan map designates as Nodal Development Overlay, 2.05.04C. requires that the applicant present a master development plan to the City Council for its approval. The applicant is the first ever to present a Nodal master development plan.



Every annexation applicant is required to do so, and per C.1. the master development plan is conceptual and non-binding. Also per C.1., the purpose is for the City to use it as a general guide for development within the Nodal overlay.

#### **2.05.04C. Master Planning Requirement**

**1. A master development plan shall be approved by the City Council for the entire area designated as Nodal Overlay on the Comprehensive Plan Map, prior to annexation of any property within the Nodal Development Overlay Comprehensive Land Use Plan map designation. The master plan shall be conceptual and non-binding in nature, but may be used as a general guide for development within the Nodal Overlay Districts.**

**2. The required master plan shall show:**

- a) The location and rights-of-way for existing and planned streets. These streets shall provide access to all existing and proposed parcels, consistent with the Transportation System Plan (TSP);**
- b) The location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed development;**
- c) The location and area of the Riparian Corridor and Wetlands Overlay District (RCWOD). Planned streets and public facilities that cannot reasonably avoid the RCWOD shall be indicated;**
- d) A development plan for the Nodal Neighborhood Commercial center, neighboring multi-family areas, and potential parks, including planned pedestrian and bicycle connections within the Nodal Overlay District as shown on the Transportation System Plan, and pedestrian and bicycle connections to Southwest Industrial Reserve areas;**
- e) A development plan for all residential areas, demonstrating consistency with applicable nodal design standards.**

The master development plan is composed of the Exhibit C-15 series (Attachment 103C-15) and shows the required items per C.2.

It is up to the Council to do with it as it wishes. Though of course the Smith Creek Development proposal is an integrated project separate in itself, staff recommends that the Commission and Council consider how the project influences transitions by future development projects to the south across Parr Road, west across Stubb Road, and along the headwaters of the west tributary of Mill Creek. Just as importantly, the Council should consider whether the master plan sketches the kind of walking and cycling development that the Nodal overlay should manifest per 2.05.04A.:

“The intent of the overlay districts is to provide community identity to higher density residential developments within walking distance (generally one-half mile or less) of the neighborhood commercial center. Nodal development will be designed with a pedestrian focus, with interconnected streets and pedestrian walkways, alleys serving garages located at the rear of lots ...”



If the Commission or Council believes the plan does not, it should briefly direct staff about what legislative amendments it wishes the Council to pursue and when in the medium to long-term future and then continue in the here and now with deliberation and decision about the Smith Creek Development itself.

✓ The provisions are met.

## **2.05.04 Nodal Overlay Districts**

### **B. Nodal Single Family Residential (RSN) and Nodal Medium Density Residential (RMN) Districts**

**1. Vehicular access directly to a public street is prohibited and alley access to garages facing the alley is required for anything other than standard single family development. Off-street parking, maneuvering and storage is prohibited within a required front or side setback, or any yard abutting a street with attached single family and small-lot single family development.**

**2. Alleys shall be required for all small lot single-family residential subdivisions and attached single family (row houses) development. Alleys shall be dedicated and paved to a minimum width of 20 feet. No parking shall be allowed within an alley right-of-way.**

The applicant proposals an overall site plan in which approximately 55.9% of the small lots are alley-loaded. To not have all small lots be alley-loaded, the applicant proposes variance request number four that staff analyzes further below under the Variance Provisions section.

■ *Variance:* Staff addresses the provision of B. later under the Variance Provisions section.

## **VII. Planned Unit Development (PUD) Provisions**

Several exhibits show the PUD boundary, including C-4 Color Lot Type Map, C-13 PUD Boundary, and Y-1 Overall Site Plan and (Attachments 103C-4, 103C-13, & 103Y-1).

### **3.09 Planned Unit Developments**

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

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

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

Smith Creek ANX 2017-05, PUD 2017-01, et al. October 29, 2018 City Council Staff Report: Post-Approval Revision to Strike Condition T-A4 (Stop sign removals from W. Hayes St at Oregon Way) and add Note to the Applicant 4b per Council motion 10/29/2018; Attachment 102



Analyses &  
Findings pages  
unrelated to  
Master Plan  
omitted