



Land Use Compatibility Statement

What is a Land Use Compatibility Statement?

A LUCS is a form developed by DEQ to determine whether a DEQ permit or approval will be consistent with local government comprehensive plans and land use regulations.

Why is a LUCS required?

DEQ and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and have a process for determining consistency. DEQ activities affecting land use and the requirement for a LUCS may be found in Oregon Administrative Rules (OAR) Chapter 340, Division 18.

When is a LUCS required?

A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use prior to issuance of a DEQ permit or approval. These permits and activities are listed in section 1.D on p. 2 of this form. A single LUCS can be used if more than one DEQ permit or approval is being applied for concurrently.

Permit modifications or renewals also require a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land;
2. Alterations, expansions, improvements or changes in method or type of disposal at a solid waste disposal site as described in OAR 340-093-0070(4)(b);
3. A significant increase in discharges to water;
4. A relocation of an outfall outside of the source property; or
5. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

How to complete a LUCS:

Step	Who does it?	What happens?
1.	Applicant	Applicant completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2.	City or County Planning Office	City or county planning office completes Section 2 of the LUCS to indicate whether the activity or use is compatible with the acknowledged comprehensive plan and land use regulations, attaches written findings supporting the decision of compatibility, and returns the signed and dated LUCS to the applicant.
3.	Applicant	Applicant submits the completed LUCS and any supporting information provided by the city or county to DEQ along with the DEQ permit application or approval request.

Where to get help:

For questions about the LUCS process, contact the DEQ staff responsible for processing the permit or approval. DEQ staff may be reached at 1-800-452-4011 (toll-free, inside Oregon) or 503-229-5630. For general questions, please contact DEQ land use staff listed on our [Land Use Compatibility Statement page](#) online.

Cultural resources protection laws:

Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, ext. 232.

Land Use Compatibility Statement

Section 1 – To be completed by the applicant

1A. Applicant Name: Tukwila Development, LLC	1B. Project Name: Marion Pointe* (Macadam at Tukwila- pending)
Contact Name: John Raugust	Physical Address: No Situs
Mailing Address: 12965 SW Herman Rd, Suite 100	City, State, Zip: Woodburn, Oregon, 97071
City, State, Zip: Tualatin, Oregon, 97062	Tax Lot #: 502
Telephone: 503-563-6151	Township: 05S Range: 01W Section: 06
Tax Account #: 512730	Latitude: 45.163491
	Longitude: -122.851458

1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

Subdivision - 87 Lots

1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

- | | |
|---|--|
| <input type="checkbox"/> Air Quality Notice of Construction | <input type="checkbox"/> Clean Water State Revolving Fund Loan Request |
| <input type="checkbox"/> Air Contaminant Discharge Permit | <input type="checkbox"/> Wastewater/Sewer Construction Plan/ Specifications (includes review of plan changes that require use of new land) |
| <input type="checkbox"/> Air Quality Title V Permit | <input type="checkbox"/> Water Quality NPDES Individual Permit |
| <input type="checkbox"/> Air Quality Indirect Source Permit | <input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use the DEQ Onsite LUCS form) |
| <input type="checkbox"/> Parking/Traffic Circulation Plan | <input checked="" type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z) |
| <input type="checkbox"/> Solid Waste Land Disposal Site Permit | <input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile) |
| <input type="checkbox"/> Solid Waste Treatment Facility Permit | <input type="checkbox"/> Water Quality 401 Certification for federal permit or license |
| <input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester) | |
| <input type="checkbox"/> Conversion Technology Facility Permit | |
| <input type="checkbox"/> Solid Waste Letter Authorization Permit | |
| <input type="checkbox"/> Solid Waste Material Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Transfer Station Permit | |
| <input type="checkbox"/> Waste Tire Storage Site Permit | |
| <input type="checkbox"/> Pollution Control Bond Request | |
| <input type="checkbox"/> Hazardous Waste Treatment, Storage or Disposal Permit | |

This application is for: Permit Renewal New Permit Permit Modification Other:

Section 2 – To be completed by city or county planning official

Applicant name: Holt Group Holdings, LLC Project name: Marion Pointe

Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.

2A. The project proposal is located: Inside city limits Inside UGB Outside UGB

2B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use): City of Woodburn

2C. This project is not within the jurisdiction of any other land use, zoning, or planning entity
 This project is also within the jurisdiction of the following land use, zoning, or planning entity _____

2D. Is the activity allowed under Measure 49 (2007)? No, Measure 49 is not applicable Yes, if yes, then check one:

Express; approved by DLCD order #:

Conditional; approved by DLCD order #:

Vested; approved by local government decision or court judgment docket or order #:

2E. Is the activity a composting facility?

No Yes; Senate Bill 462 (2013) notification requirements have been met.

2F. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031? Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1C. For example, if the applicant's project is described in 1C. as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.

The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:

Yes, the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):

Yes, the activity or use is allowed outright by (provide reference for local ordinance):

Yes, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.

Yes, the activity or use is allowed; findings are attached.

No, see 2D. above, activity or use allowed under Measure 49; findings are attached.

No, (complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined):
 Relevant specific plan policies, criteria, or standards:

Provide the reasons for the decision:

Additional comments (attach additional information as needed): See www.woodburn-or.gov/
Reference case file no. ANX 22-02. projects

Planning Official Signature: Colin Cortes Title: Senior Planner

Print Name: Colin Cortes Telephone #: (503) 980-2485 Date: 12/27/2022

If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature: _____ Title: _____

Print Name: _____ Telephone #: _____ Date: _____

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.



Land Use Final Decision

City Council

File number(s): PUD 22-02, PLA 22-02, RCWOD 22-01, SUB 22-03, & ZC 22-02 Related to ANX 22-02

Project name: Marion Pointe

Date of decision: August 8, 2022

Applicant: Holt Group Holdings, LLC, P.O. Box 61426, Vancouver, WA 98666-1426

Landowner: Tukwila Partners, P.O. Box 128, Woodburn, OR 97071-0128; and Oregon Golf Association c/o Members Club Inc., 2850 Hazelnut Dr, Woodburn, OR 97071-9698

Site location: No address; Tax Lots 051W06D000502 (primary), 500, & 800 and 051W06DC00201 & 300 (east side of N. Boones Ferry Rd north of Hazelnut Dr)

Summary: First, the Planning Commission on June 23, 2022 held a public hearing and unanimously recommended that the City Council approve the consolidated applications package (Type IV) with the conditions recommended by staff through the staff report published June 16, except for revision items that staff proposed through a staff memo addendum dated June 23 and its Attachment 104D.

Second, the City Council held a public hearing on July 25, 2022 and unanimously tentatively approved the consolidated applications package with the conditions recommended by staff through the Commission staff report and staff memo addendum.

The development applications depend upon annexation ANX 22-02 through the annexation and zoning designation Ordinance Nos. 2604 & 2605 the Council is to have adopted August 8. (Ordinances take effect on the 30th day after enactment per the City Charter, Chapter VIII, Section 34, p. 10.)

The request is for annexation, zone change, planned unit development (PUD), and property line adjustment followed by preliminary subdivision to develop a defunct orchard into 87 houses on small lots with several common area tracts as open space privately owned and maintained by a homeowners association (HOA) and two local street connections with N. Boones Ferry Road. The subject property is approximately 39.69 acres, including the existing Oregon Golf Association (OGA) golf course to remain.

The subject property is in the Residential Single Family (RS) zoning district.

Several parties testified (besides the applicant). The table below in the "Testifiers" section lists them.

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

Conditions of Approval:

General

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

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

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

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E & F and 4.02.12 unless if and where a condition of approval has more restrictive timing:
 - (1) The construction of all public improvements, their passing City inspections, and acceptance by the City are due no later than by either 5.01.06B in the context of land division final plat application to the City or by building permit issuance, except if (a) the developer applies to the City through the Public Works Department for deferral and (b) the City Administrator or designee issues a document approving and describing a bond or performance guarantee pursuant to Section 4.02.08. Administration of bonding and performance guarantees for improvements that are public defaults to the Public Works Department, and the department shall notify the Community Development Director of deferral applications and any approvals and conditions of approval.
 - (2) Fees in lieu of public improvements: Per Condition G6.
- b. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County.


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

G6. Fees: The developer shall pay fees per Attachment 205, and fees in-lieu shall be per WDO 4.02.12:

- a. Fees in-lieu are permissible if the Director allows, whether wholly in-lieu for one, some, or all of the kinds of required improvements or for some or all of a kind.
- b. Fees in lieu of public improvements are due before either building permit application or, when and where any of Partition or Subdivision Final Plat is involved, completion of recordation with the County, specifically no later than before a City official signs a plat or re-plat Mylar per Section 5.01.06C.1. A developer may request in writing to pay later, specifically by issuance of building permit, or if the Director allows, across issuance of two or more structural building permits for the subject development.

G7. Demolition: Because the City through the Building Division now requires [demolition permits](#), upon annexation and before beginning to demolish buildings or structures or demolishing more of them, consult the Permit Technician and apply for and obtain a permit or permits as applicable.

G-PW. Public Works: Follow the appended PW comments (June 16, 2022); Attachment 102A).



Preliminary Subdivision 22-03

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

- a. Final Plat: The developer shall apply to the City prior to applying to Marion County for recordation. Owl extending east across BFR from Dove Landing PUD to Nightingale shall continue its name.
- b. Recordation with Marion County: Same as WDO 5.01.06C.1. (within 30 calendar days of the Director's signature on the plat Mylar).
- c. Vesting: The decision is vested unless:
 - (1) Regarding WDO 4.02.04B.1, if by 10 years past the final decision date there is no substantial construction as Section 1.02 defines following issuance of a building permit, the final decision shall expire and fail to vest; or
 - (2) Regarding subsection WDO 4.02.04B.2 as applies to Property Line Adjustment and Subdivision Final Plat Approval applications, the developer shall complete recordation no later than the land use expiration date.

SUB-2. Documents:

- a. Geotech report: Prior to final plat approval by the City, the developer shall submit to the Director a geotechnical report documenting that, whether or not the developer spreads any fill or spoil dirt across lots and tracts, soil is compacted and ready to accommodate the construction of buildings on lots and tracts proposed for development.
- b. Easements: Per WDO 2.01.05, where any of extinguished, altered, or additional public easements are involved, the developer shall not apply for building permit until having completed recordations with the County and provided electronic copies of the recorded easement documents and drawings to the Director and the Public Works Director when and as any of them direct. The developer shall also follow Attachments 102A (Public Works) and 203, Part D.
- c. Plat: Upon recordation, the developer shall submit to PW and cc the Director copies of recorded documents per WDO 2.01.05.



Planned Unit Development 22-02

PUD-PW. Stormwater management: Prior to civil engineering plan approval through CEP review, the applicant shall provide an Engineer Stamped Storm Drainage Hydraulic Analysis Report that existing private storm drainage systems have capacity to handle the additional flow from the Marion Pointe and ANX 2020-03 Dove Landing Planned Unit Developments (PUDs), and that the culvert/pipe under Olympic Street has capacity to handle a 100 year base flood event, and to provide a final 100 year floodway, floodplain, and wetland delineation for this development. The applicant is responsible for correcting any capacity deficiencies, including installing new or additional drainage systems, and/or attaining the right to increase stormwater flows into neighboring private stormwater systems.

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

PUD-2.

- a. ROWs: For BFR and the proposed local class streets, the developer shall dedicate ROWs that meet or exceed the min widths necessary to conform to WDO Figures 3.01C & G.
- b. PUEs: Per WDO 3.02.01, a PUE shall be dedicated along each lot line or tract boundary abutting a public street at minimum width 5 feet and maximum width 8 ft.

PUD-3. Frontage/street improvements: These shall be as follows and due per Condition G4a:

- a. BFR: Per WDO Fig. 3.01C except that planter strip shall be min 6½ ft wide inc. curb width.
- b. Olympic: Bridge or culvert crossing over Mill Creek tributary: Per WDO 3.01.03H:
 - (1) ROW: Required ROW shall remain such regardless of the physical width of the crossing.
 - (2) Parking: Any parking lane(s) required by the applicable cross section shall remain required.
 - (3) Sidewalk widths: A developer may omit from a bridge or culvert the street landscape strips, thereby resulting in curb-tight sidewalk, the minimum width of which shall be either 8 ft where there is to be no adjacent on-street parking or 9 ft where there is to be. Wider width shall apply where ADA per WDO 3.01.03G applies such that it is required.
 - (4) Fence/railings: Where (a) a street segment is a bridge or culvert crossing, and (b) the public works construction code requires any pedestrian guardrail, handrail, fall protection railing, or safety railing, then it shall be decorative or ornamental (as examples, having an artistic pattern or resembling wrought iron), and a color other than black or charcoal. Any required fence at each end of railings shall be the same color(s).
 - (5) Bridge sides: If the bridge sides are concrete, the surface shall be stamped or treated to resemble either cut stone or rough stone.

- (6) Elevation: Shall be such that the travel way and parking lanes wouldn't flood during the 100-year flood.
- (7) Design details are deferred to PUD Final Plan Approval process; refer to Condition PUD-11.
- c. Tract D: The developer shall grant to the City over the entire tract a public street easement. The easement shall allow for all purposes permitted by what would have been ROW dedication including construction of street improvements. One or more legal instruments that dedicates the easement shall contain text that the easement is revocable only with the written concurrence of both the Community Development Director and Public Works Director and by City Council action. (The objective is to have maintenance responsibility remain with a party other than the City.)
- d. Hazelnut: Per WDO Fig. 3.01G, except that the territory contiguous with Tax Lots 051W06DC00201 & 300, which is occupied by Hazelnut, shall be dedicated to the City as ROW. (Note: To not meet this condition part would require modification of condition [MOC] application and approval per WDO 4.02.07.)
- e. Planter strip remainder: Per WDO 3.01.04B, landscape strips shall have area remaining after street tree plantings landscaped with lawn grass or, if the Public Works Director in writing allows, a species of groundcover. Cobblestones, gravel, pebbles, and rocks are prohibited. Bark dust, mulch, or wood chips are permissible only within the immediate vicinity of a street tree trunk. The developer shall install landscape strip irrigation, and shall provide temporary irrigation during construction, per the public works construction code.

- f. Sidewalks: Min 6 ft wide except wider as Exhibit PUD-3f supersedes. BFR sidewalk southerly and two northerly dead-ends shall have ADA-compliant transitions spanning between sidewalk and road shoulder as the applicable public works authority specifies. The segment extending north from Hazelnut sidewalk may meander, including PUE overlap, and taper to 6 ft through RPZs to save most of the loose row of trees along the road.

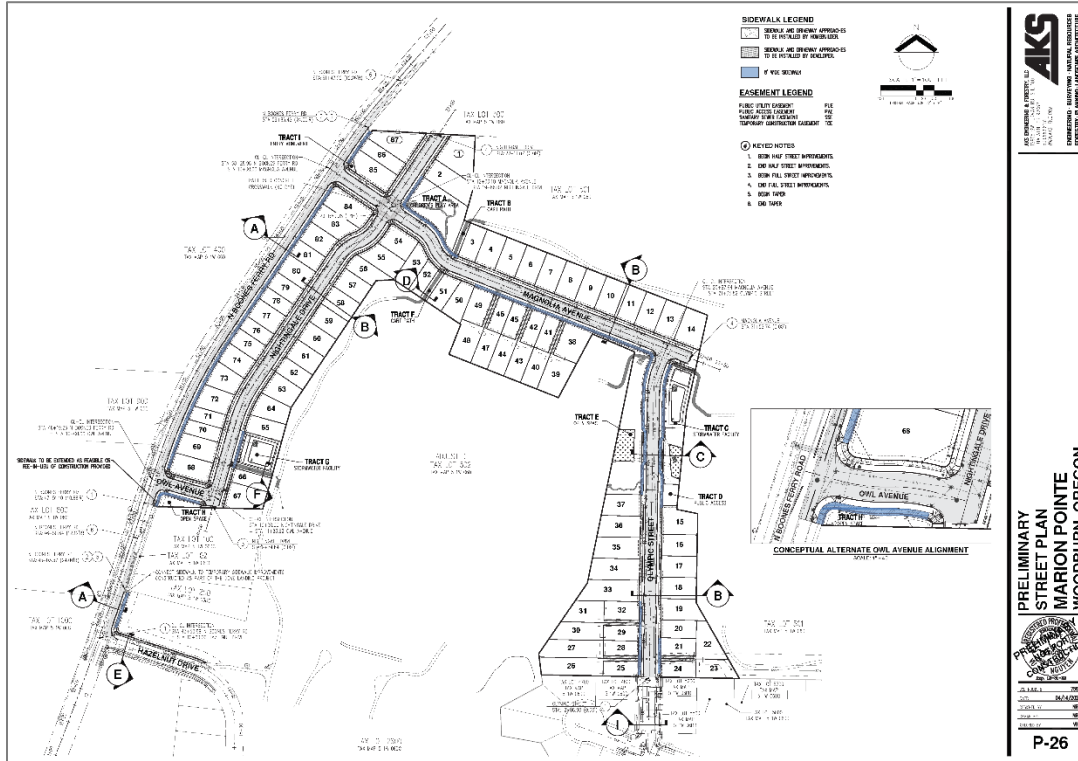


Exhibit PUD-3f: Site Plan Sheet P-26 Sidewalks (blue: min 8 ft wide); see Attachment 103 for full size

- g. Overlap: The extra width of planter strip and sidewalk shall either (1) overlap outside ROW into streetside PUE and come with a recorded legal instrument granting public access to the overlap to the satisfaction of the Public Works Director, or (2) come with additional ROW to accommodate them. Wider sidewalks shall not narrow planter strips.

h. Street trees:

(1) Min numbers equal to block frontage ratios per Exhibit PUD-3h:



Exhibit PUD-3h: Site Plan Sheet P-31 Street Tree Min No. (green: equal to 1 tree per 30 ft of block frontage)

(2) Along Magnolia, revise street trees from Capital pear to *Magnolia grandiflora* “Victoria” cultivar.

(3) Fee in-lieu shall be per Attachment 205.

- i. Electric power lines: Electric power lines, whether in or beyond ROW, shall be buried.
- j. Traffic calming: A min number of pedestrian crossings along intersection legs shall be patterned poured concrete each min 8 ft wide:
 - (1) Magnolia & Nightingale, 3 legs: N/NE, E/SE, & S/SW; and
 - (2) Magnolia & Olympic: 2-3 legs: S/SW & whichever one or both of the E/SE or W/NW legs that would have a curb ramp along the top of the “T” of the T-intersection.

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

- a. A barricade with sign at the south end of Nightingale; and
- b. A barricade at each of the north end of Nightingale the east end of Magnolia.

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

PUD-5. Tree preservation: The developer shall preserve trees per Attachment 204 or pay removal fees per Attachment 205.

PUD-6. RCWOD designation: The developer shall through zone change ordinance exhibits apply not only the base zoning districts consistent with the Comprehensive Plan but also the RCWOD that WDO 2.05.05 describes to the applicable areas within Tracts C & E and where the applicable area overlaps the golf course lot.

PUD-7. Environmental remediation: The developer shall remediate per Attachment 204, Part C.

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

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

PUD-10. Association: The developer shall establish an association/HOA per Attachment 203, Part E.

PUD-11. PUD Final Plan Approval Process:

- a. The developer shall conform to WDO 5.01.07, the purpose of which is to ensure that the PUD is in substantial conformance with the conditions of the PUD Detailed Development Plan (DDP) approval, including regarding street improvements, public improvements outside ROW if any, and common area improvements. The developer shall apply to the Director for PUD Final Plan Approval no later than when applying to PW for CEP review.
- b. Scope: The scope of DDP includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or situation for which no standard exists through previous adoption by PW. The Final Plan Approval process is to establish any and all design details deferred from land use review.
- c. CEP: The developer shall incorporate a PUD Final Plan Approval by the Director into CEP review by PW and the civil engineering plan set that PW would approve through CEP.

PUD-12. Construction access: Construction access is prohibited from and to Olympic. If public works construction code standards necessary for PW to administer this condition are absent, the Public Works Director may administratively through a PW permit process establish details, specifications, and revisions to administer including regarding time, place, manner, and temporary signage directing traffic.

PUD-13. Dove Landing park improvements: The developer shall pay a fee per Attachment 205 towards improvement of the public park land within the Dove Landing PUD, which is west across BFR.

Planned Unit Development 22-02: Transportation

T-A. BFR & OR 214: The developer shall pay towards TSP signal timing studies or a combined study per Attachment 205. [TSP R8, R9, & R11, p. 32 as Attachment 104A]

T-BP. Wayfinding: To further TDM, the developer shall do one of the following:

- a. Install 3 min devices, such as signage, that provide wayfinding to bicycle routes, multi-use paths, parks, schools, and other essential destinations. If the developer were to opt for signage and assuming pole signage, sign face min dimensions shall be 2 ft by 1 ft and the placements shall be min:
 - (1) 1 installation of 1 face along Tract A Magnolia frontage;
 - (2) 1 installation of 2 faces at or near the intersection of BFR & Owl and along Tract H;
 - (3) 1 installation of 2 faces at or near the intersection of BFR & Magnolia and near Tract I;Note: The developer may mimic the typical wayfinding per [WDO interpretation](#) memo INT 22-0608.
- b. Pay a fee in-lieu per Attachment 205. [TSP B40 “wayfinding”/P62]

T-T1. Bus shelter: To further TDM through bus transit, the developer shall provide for a bus shelter by either (a) installing a shelter to the specs per [WDO interpretation](#) memo INT 22-0609 or (b) paying a fee in-lieu per Attachment 205. [TPU 9]

T-T2. Bus stop bicycle parking: To further TDM through bus transit, the developer shall at each of the following locations provide for bicycle parking by either (1) installing a bicycle rack to the specs specified [WDO interpretation](#) memo INT 22-0609 or (2) paying a fee in-lieu per Attachment 205:

- a. BFR along Tract H; and
- b. BFR northbound adjacent to Tax Lot 051W07BA01300 (2348 N. Boones Ferry Rd). [TSP T18]

T-T3. Bus transit fee: To further transportation demand management (TDM) through bus transit, the developer shall pay a bus transit fee per Attachment 205.

Expiration: Per Woodburn Development Ordinance (WDO) 4.02.04B:

“Expiration Period: A final decision on any application shall expire within three years of the final decision date unless:

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

Regarding subsection B.1 above, if by 10 years past the final decision date there is no substantial construction as Section 1.02 defines following issuance of a building permit, the final decision shall expire and fail to vest.

Regarding subsection B.2 above as applies to Property Line Adjustment, Consolidation of Lots, and Partition and Subdivision Final Plat Approval application, the developer shall complete recordation no later than the land use expiration date.”

Notes to the Applicant:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, "A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
 - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
 - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.

9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. *Contact Planning Division staff at least three (3) City business days prior to a desired date of planning and zoning inspection of site improvements.* This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector’s schedule or general contractor convenience.
10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department.
12. ROW:
 - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.

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

Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

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

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

19. PUD Final Plan (FP) Approval Process:
 - A. Context and project management:
 1. The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by PW.
 2. CEP remains the means for implementing final decision conditions of approval affecting street improvements, both surface and underground, and extending into PUEs.
 3. The developer is project manager. Because PW establishes that CEP applicants have a single point of contact termed the "Engineer of Record", the developer manages the engineer of

record who handles the CEP and also interacts with the Planning Division regarding FP review. For Planning Division staff, the developer is the point of contact, namely whoever on the developer's team the developer tasks with being the project manager.

4. The developer shall be completely responsible for integrating staff directions found in FP documents issued by Planning Division staff into civil engineering plans that the engineering of record submits to PW.
 5. If, when, and where conflicting directions arise between FP directions and CEP directions, the developer shall be responsible for communicating with formal cover or transmittal letters messages from the conflicting division to the other division, and shall communicate such.
 6. The Planning Division observes the CEP for other projects has come after land use final decision and before the building permit stage. Except where otherwise conditioned, it's up to the developer to determine when to submit for CEP and PUD Final Plan relative to each other to best meet this "context and project management" condition.
- B. PUD Final Plan review scope and result:
1. The scope of FP review includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or situation for which no standard exists through previous adoption by PW or, where applicable, parks and recreation staff. It includes, as examples, pavement, game and sports courts and fields, buildings including pre-fabricated ones, playgrounds and other structures including pre-fabricated ones, exterior lights, landscaping, signage, and appurtenances such as benches, bicycle parking, dog waste stations, ornamental fountains, and water fountains, as well as materials, textures, colors, and model specifications. (Although in or partially in ROW, a bus shelter or shelters are to be subject to FP instead of CEP based on PW preference, unless PW were to direct the engineer of record to include such in CEP scope.)
 2. There shall result an official version of a civil engineering plan set marked approved by PW that shows all common area improvements and all public improvements, including off-street public improvements, resulting from both FP review and CEP. It shall come to be prior to building permit application; however, PW is prohibited from approving any time prior to the developer paying conditioned fees related to CEP Planning Division review.
- C. Submittal directions FP review:
1. Due date: For CEP, none other than what PW might specify. For FP, original / 1st submittal is due whichever occurs earlier: When the developer applies for either CEP or final plat application to the City.
 2. Cover letter: Upon submitting CEP application to PW, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, tax lot number(s), street address(es), and the land use final decision conditions of approval that require the public improvements that are the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each part of a condition is met.

3. Contact information: State the applicant’s name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter to the Planning Division may include these. The developer may submit to the Planning Division a copy of the stamped CEP application form submitted to PW if the form includes the required information.
- D. Site Plans: For CEP Planning Division review and FP:
1. CEP: Submit to the attention of the Planning Division at least 2 plan size copies of plan sets, one plotted at native scale (min 22 by 34 inches, max 24 by 36) and one at ledger (11 by 17). Within the cover sheet title block(s), include the anticipated date of submittal and the phrase “civil engineering plans”, “civil plans for CEP”, or “public improvements civil plans”.
 2. FP: Submit to the attention of the Planning Division at least 6 plan size copies of plan sets, 3 plotted at native scale (min 22 by 34 inches, max 24 by 36) and 3 at ledger (11 by 17). Within the cover sheet title block(s), include the anticipated date of submittal.
 3. Both: Fold the plan size sets if thin enough to do so. Submit also Adobe PDFs using a fileshare service.

Appeals: The decision is final unless appealed to the Oregon Land Use Board of Appeals (LUBA) pursuant to Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) 661-010. The appeal due date is “on or before the 21st day” after the decision date per OAR 661-010-0015(1)(a). A valid appeal must meet the rules. If appealing to LUBA, as a courtesy inform City staff in writing.

A copy of the decision is 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 97071-4730. For questions or additional information, contact Cassandra Martinez, Administrative Specialist, at (503) 982-5246 or cassandra.martinez@ci.woodburn.or.us.

Testifiers:

Name	Address	Planning Commission		City Council	
		Written	Verbal	Written	Verbal
Garrett Stephenson (applicant’s attorney)	Schwabe, Williamson, Wyatt, 1211 SW 5th Ave, Ste 1900, Portland, OR 97204	x	x	x	
Jim Nicolarsen	620 Troon Ave Woodburn, OR 97071-7691	x		x	
Julie Nicolarsen	620 Troon Ave Woodburn, OR 97071-7691	x		x	
Dennis & Lorell Ortega	408 Turnberry Ave, Woodburn, OR 97071-7740			x	
Eric Svela	549 Turnberry Ave, Woodburn, OR 97071-7742	x	x		

Attachments:

- Planning Commission June 23, 2022 Staff Report Attachment 101. Marked Tax Map
- 102. Analyses & Findings
- 102A. Public Works comments (June 15, 2022)
- 103. Site plans (27 sheets)
- 103A. Annexation Service Provider Letters (SPLs; 4 pages)
- 104A. TSP Tables 2 & 5 marked excerpts from pages 32 & 62: Projects R8, R9, R11, & P36 (2 pages)
- 104B. TSP Fig. 2 "Functional Roadway Classification"
- 104C. TSP Fig. 6 "Local Street Connectivity Plan"
- Planning Commission June 23, 2022 staff addendum memo Attachment 104D. ANX 22-02 Strikethrough-and-U Conditions of Approval Revised from June 23, 2022 Planning Commission Staff Report
- 201.* ANX 22-02 Marion Pointe PUD: Dictionary & Glossary
- 202. ANX 22-02 Marion Pointe PUD: Lot & Tract Development Standards
- 203. ANX 22-02 Marion Pointe e PUD: Common Area Improvements & Public Easements
- 204. ANX 22-02 Marion Pointe PUD: Tree Preservation & Protection and Environmental Remediation
- 205. ANX 22-02 Marion Pointe PUD: Conditioned Fees

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

Sincerely,



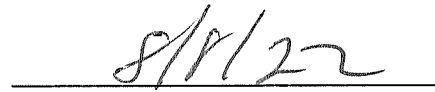
Colin Cortes, AICP, CNU-A

Senior Planner

As authorized by the City Council on August 8, 2022



Eric Swenson, Mayor



Date

ES/cmc

cc: Chris Kerr, Community Development Director

Curtis Stultz, Public Works Director

Dago Garcia, P.E., City Engineer

Melissa Gitt, Building Official

Jason Space, GIS Technician

Holt Group Holdings, LLC, P.O. Box 61426, Vancouver, WA 98666-1426 (applicant) [mail]

Rand Waltz, Project Manager, AKS Engineering & Forestry, LLC, 12965 SW Herman Rd, Ste 100, Tualatin, OR 97062-7052 (applicant's representative) [mail]

Tukwila Partners, P.O. Box 128, Woodburn, OR 97071-0128; and Oregon Golf Association c/o Members Club Inc., 2850 Hazelnut Dr, Woodburn, OR 97071-9698 (landowner) [mail]

Testifiers: Per the table above. [mail]

Casey Knecht, P.E., Development Review Coordinator, Oregon Dept. of Transportation (ODOT) Region 2 <casey.knecht@odot.oregon.gov>

Ken Spencer, Customer Operations Engineer, Portland General Electric (PGE) <kenneth.spencer@pgn.com>

Marion County:

Assessor's Office <assessor@co.marion.or.us>

Elections <rpatraw@co.marion.or.us> [for annexations, land divisions with new streets, and address assignments]

Geographic Information System (GIS) <gis@co.marion.or.us>

Land Development Engineering & Permits <mcldep@co.marion.or.us>

Planning Division <planning@co.marion.or.us>

Public Works Dept. <mcdpw@co.marion.or.us>



Staff Report

To: Planning Commission

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

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

Meeting Date: June 23, 2022 (Prepared June 15, 2022)

Item: “Marion Pointe” Planned Unit Development (ANX 22-02)

Tax Lot(s): 051W06D000502 (primary), 500, & 800 and 051W06DC00201 & 300 (no address; Boones Ferry Rd NE east side north of Hazelnut Dr)

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Issue before the Planning Commission

Annexation ANX 22-02 (Type IV) with proposed planned unit development PUD 22-02 Marion Pointe: Commission is to hold a public hearing and make a recommendation to the City Council.

Executive Summary

Location

The proposed Marion Pointe PUD of 87 houses on small lots is based on annexation of 39.21 acres from Marion County. The territory is a former orchard located at northeast city limits along the east side of Boones Ferry Road NE and includes part of the existing Oregon Golf Association golf course. Annexation includes road right-of-way (ROW) down to include the south leg of the intersection of the road with Hazelnut Drive.



Site map from cover sheet of the site plans

Annexation & Zoning Designation

Because the Comprehensive Plan land use map designates the territory Low Density Residential and – on the golf course – Open Space and Parks per Comprehensive Plan Policy Table 1 the default corresponding zoning districts are Residential Single Family (RS) and Public and Semi-Public (P/SP). Along with an annexation ordinance, the Council would by separate ordinance designate the annexed territory as RS & P/SP base zoning districts. Because a west tributary of Mill Creek and wetlands are within the territory, designation would include the Riparian Corridor and Wetlands Overlay District (RCWOD).

Development

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

1. Frontage/street improvements including enhanced public amenities in form of wider sidewalks and more street trees;
2. Street stubs that allow a logical network for future development to extend;
3. Two street connections with Boones Ferry Road NE;
4. Lessened driveway curb cuts through shared driveways at flag lots;
5. Common area improvements such as benches and a shelter;
6. Remediation of the riparian corridor of the west tributary of Mill Creek through invasive groundcover removal (e.g. Himalaya blackberry) and restorative plantings;
7. Walking and cycling wayfinding signage;
8. Tree preservation or fees in-lieu;
9. Fees towards City bus stop improvements and bus service; and
10. Fee towards improvement of the public park land in the Dove Landing PUD west across Boones Ferry Road NE.

The recommended conditions of approval secure things like the above. Site plans are within Attachment 103.

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

Staff finds that the proposal meets applicable Woodburn Development Ordinance (WDO) provisions per the analyses and findings (Attachment 102) and with the recommended conditions of approval.

Staff notes that, following City Council denial on April 12, 2021 of ANX 2020-01 Trillium Reserve PUD for the same property, the ANX 22-02 Marion Pointe PUD application materials do a good job of addressing the City Council reasons for denial of Trillium Reserve stated in that final decision document.

Recommendation

Approval: Staff recommends that the Planning Commission consider the staff report and attachments and recommend approval to the City Council application with the conditions recommended included with this report.

Conditions of Approval

The conditions are copied from towards the end of the analyses and findings (Attachment 102):

General

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

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

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

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02 and 4.02.12 through Ordinance No. 2603 (LA 21-02) unless if and where a condition of approval has more restrictive timing.
- b. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an Address Assignment Request. This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County.


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

G6. Fees: The developer shall pay fees per Attachment 205, and fees in-lieu shall be per WDO 4.02.12 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.

G7. Demolition: Because the City through the Building Division now requires demolition permits, upon annexation and before beginning to demolish buildings or structures or demolishing more of them, consult the Permit Technician and apply for and obtain a permit or permits as applicable.

G8. WDO version: Upon annexation, conformance to the Woodburn Development Ordinance (WDO) and conditions of approval references to the WDO shall be to the WDO as amended by Ordinance No. 2603 (Legislative Amendment LA 21-02) adopted June 13, 2022.

G-PW. Public Works: Follow the appended PW comments (June 16, 2022); Attachment 102A).



Preliminary Subdivision 22-03

SUB-1. Expiration: Based on ORS 92.040(3), development per the Council land use final decision may continue 3 years past the decision date, the 3-year approval period being established by WDO 4.02.04 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, and as follows:

- a. Final Plat: The developer shall apply to the City prior to applying to Marion County for recordation. Owl extending east across BFR from Dove Landing PUD to Nightingale shall continue its name.
- b. Recordation with Marion County: Same as WDO 5.01.06C.1. (within 30 calendar days of the Director's signature on the plat Mylar).
- c. Vesting: The decision is vested unless:
 - (1) The developer fails to meet subdivision and PUD requirements, resulting in the City being unable to authorize staff to sign a final plat Mylar by July 1, 2027; or
 - (2) There is no substantial construction – as defined in 1.02 through Ordinance No. 2603 (LA 21-02) – by July 1, 2032.

SUB-2. Documents:

- a. Geotech report: Prior to final plat approval by the City, the developer shall submit to the Director a geotechnical report documenting that, whether or not the developer spreads any fill or spoil dirt across lots and tracts, soil is compacted and ready to accommodate the construction of buildings on lots and tracts proposed for development.
- b. Easements: WDO 2.01.05A through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022 shall be applicable, and follow Attachments 102A (Public Works) and 203, Part D.
- c. Plat: Upon recordation, the developer shall submit to PW and cc the Director copies of recorded documents per WDO 2.01.05 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.



Planned Unit Development 22-02

PUD-PW. Stormwater management: Prior to civil engineering plan approval through CEP review, the applicant shall provide an Engineer Stamped Storm Drainage Hydraulic Analysis Report that existing private storm drainage systems have capacity to handle the additional flow from the Marion Pointe and ANX 2020-03 Dove Landing Planned Unit Developments (PUDs), and that the culvert/pipe under Olympic Street has capacity to handle a 100 year base flood event, and to provide a final 100 year floodway, floodplain, and wetland delineation for this development. The applicant is responsible for correcting any capacity deficiencies, including installing new or additional drainage systems, and/or attaining the right to increase stormwater flows into neighboring private stormwater systems.

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

PUD-2.

- a. ROWs: For BFR and the proposed local class streets, the developer shall dedicate ROWs that meet or exceed the min widths necessary to conform to WDO Figures 3.01C & G.
- b. PUEs: The developer shall grant streetside PUEs that meet or exceed the min width and do not exceed the max per WDO 3.02.01 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.

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

- a. BFR: Per WDO Fig. 3.01C except that planter strip shall be min 6½ ft wide inc. curb width.
- b. Olympic: Bridge or culvert crossing over Mill Creek tributary: Per WDO 3.01.03H through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, and:
 - (1) Elevation: Shall be such that the travel way and parking lanes wouldn't flood during the 100-year flood.
 - (2) Sidewalks: min width 9 ft inc. curbing.
 - (3) Fencing/railings: Permissible colors are blue, bronze, brown, green, teal, metal, and rust color. (Black prohibited.)
 - (4) Design details are deferred to PUD Final Plan Approval process; refer to Condition PUD-11.
- c. Tract D: The developer shall grant to the City over the entire tract a public street easement. The easement shall allow for all purposes permitted by what would have

been ROW dedication including construction of street improvements. One or more legal instruments that dedicates the easement shall contain text that the easement is revocable only with the written concurrence of both the Community Development Director and Public Works Director and by City Council action. (The objective is to have maintenance responsibility remain with a party other than the City.)

- d. Hazelnut: Per WDO Fig. 3.01G, except that the territory contiguous with Tax Lots 051W06DC00201 & 300, which is occupied by Hazelnut, shall be dedicated to the City as ROW. (Note: To not meet this condition part would require modification of condition [MOC] application and approval per WDO 4.02.07.)
- e. Planter strip remainder: Landscape the remainder area – the area remaining after street tree plantings – per WDO 3.01.04B through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.
- f. Sidewalks: Min 6 ft wide except wider as Exhibit PUD-3f supersedes. BFR sidewalk southerly and two northerly dead-ends shall have ADA-compliant transitions spanning between sidewalk and road shoulder as the applicable public works authority specifies. The segment extending north from Hazelnut sidewalk may meander, including PUE overlap, and taper to 6 ft through RPZs to save most of the loose row of trees along the road.

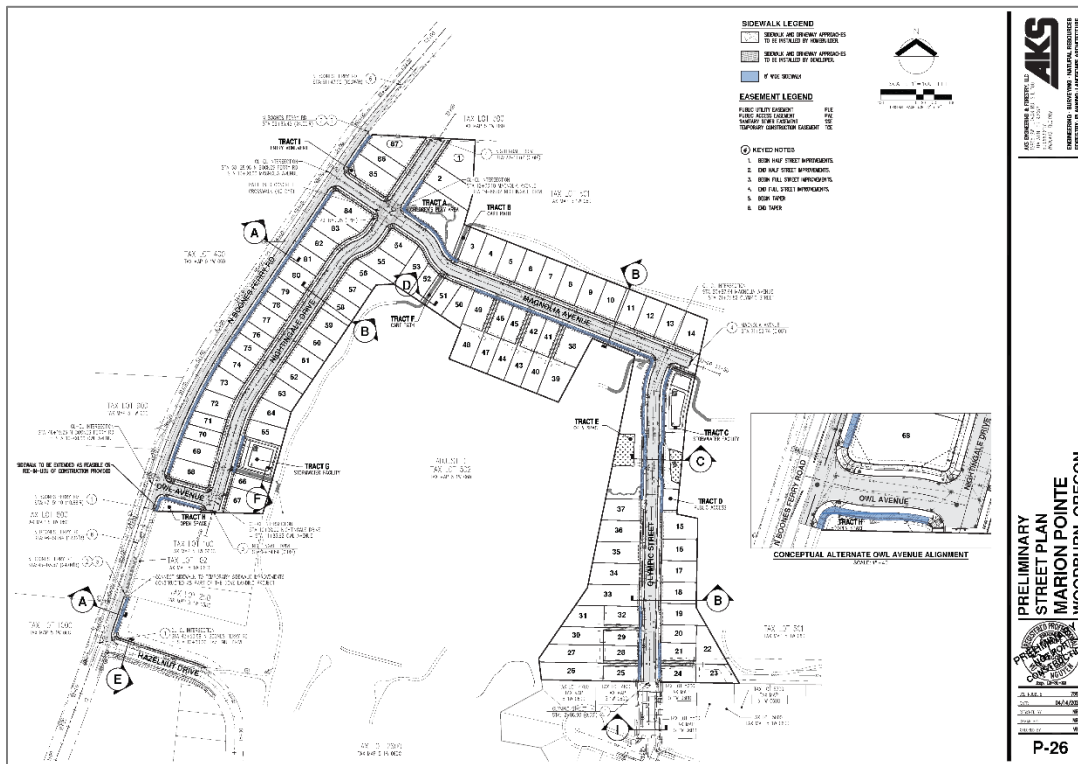


Exhibit PUD-3f: Site Plan Sheet P-26 Sidewalks (blue: min 8 ft wide); see Attachment 103 for full size

- g. Overlap: The extra width of planter strip and sidewalk shall either (1) overlap outside ROW into streetside PUE and come with a recorded legal instrument granting public

access to the overlap to the satisfaction of the Public Works Director, or (2) come with additional ROW to accommodate them. Wider sidewalks shall not narrow planter strips.

h. Street trees:

(1) Min numbers equal to block frontage ratios per Exhibit PUD-3h:



Exhibit PUD-3h: Site Plan Sheet P-31 Street Tree Min No. (green: equal to 1 tree per 30 ft of block frontage)

(2) Along Magnolia, revise street trees from Capital pear to *Magnolia grandiflora* "Victoria" cultivar.

(3) Fee in-lieu shall be per Attachment 205.

(4) Landscape strips and street trees shall conform to WDO 3.01.04B (landscaping, irrigation) and 3.06.03A.3 (root barriers) through Ordinance 2603.

i. Electric power lines: Electric power lines, whether in or beyond ROW, shall be buried.

j. Traffic calming: A min number of pedestrian crossings along intersection legs shall be patterned poured concrete each min 8 ft wide:

(1) Magnolia & Nightingale, 3 legs: N/NE, E/SE, & S/SW; and

(2) Magnolia & Olympic: 2-3 legs: S/SW & whichever one or both of the E/SE or W/NW legs that would have a curb ramp along the top of the "T" of the T-intersection.

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

- a. A barricade with sign at the south end of Nightingale; and
- b. A barricade at each of the north end of Nightingale the east end of Magnolia.

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

PUD-5. Tree preservation: The developer shall preserve trees per Attachment 204 or pay removal fees per Attachment 205.

PUD-6. RCWOD designation: The developer shall through zone change ordinance exhibits apply not only the base zoning districts consistent with the Comprehensive Plan but also the RCWOD that WDO 2.05.05 describes to the applicable areas within Tracts C & E and where the applicable area overlaps the golf course lot.

PUD-7. Environmental remediation: The developer shall remediate per Attachment 204, Part C.

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

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

PUD-10. Association: The developer shall establish an association/HOA per Attachment 203, Part E.

PUD-11. PUD Final Plan Approval Process:

- a. The developer shall conform to WDO 5.01.07, the purpose of which is to ensure that the PUD is in substantial conformance with the conditions of the PUD Detailed Development Plan (DDP) approval, including regarding street improvements, public improvements outside ROW if any, and common area improvements. The developer shall apply to the Director for PUD Final Plan Approval no later than when applying to PW for CEP review.
- b. Scope: The scope of DDP includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or situation for which no standard exists through previous adoption by PW. The Final Plan Approval process is to establish any and all design details deferred from land use review.
- c. CEP: The developer shall incorporate a PUD Final Plan Approval by the Director into CEP review by PW and the civil engineering plan set that PW would approve through CEP.

PUD-12. Construction access: Construction access is prohibited from and to Olympic. If public works construction code standards necessary for PW to administer this condition are absent, the Public Works Director may administratively through a PW permit process establish details, specifications, and revisions to administer including regarding time, place, manner, and temporary signage directing traffic.

PUD-13. Dove Landing park improvements: The developer shall pay a fee per Attachment 205 towards improvement of the public park land within the Dove Landing PUD, which is west across BFR.

Planned Unit Development 22-02: Transportation

T-A. BFR & OR 214: The developer shall pay towards TSP signal timing studies or a combined study per Attachment 205. [TSP R8, R9, & R11, p. 32 as Attachment 104A]

T-BP. Wayfinding: To further TDM, the developer shall do one of the following:

- a. Install 3 min devices, such as signage, that provide wayfinding to bicycle routes, multi-use paths, parks, schools, and other essential destinations. If the developer were to opt for signage and assuming pole signage, sign face min dimensions shall be 2 ft by 1 ft and the placements shall be min:

- (1) 1 installation of 1 face along Tract A Magnolia frontage;

- (2) 1 installation of 2 faces at or near the intersection of BFR & Owl and along Tract H;

- (3) 1 installation of 2 faces at or near the intersection of BFR & Magnolia and near Tract I;

Note: The developer may mimic the typical wayfinding per WDO interpretation memo INT 22-0608.

- b. Pay a fee in-lieu per Attachment 205. [TSP B40 “wayfinding”/P62]

T-T1. Bus shelter: To further TDM through bus transit, the developer shall provide for a bus shelter by either (a) installing a shelter to the specs per WDO interpretation memo INT 22-0609 or (b) paying a fee in-lieu per Attachment 205. [TPU 9]

T-T2. Bus stop bicycle parking: To further TDM through bus transit, the developer shall at each of the following locations provide for bicycle parking by either (1) installing a bicycle rack to the specs specified WDO interpretation memo INT 22-0609 or (2) paying a fee in-lieu per Attachment 205:

- a. BFR along Tract H; and

- b. BFR northbound adjacent to Tax Lot 051W07BA01300 (2348 N. Boones Ferry Rd). [TSP T18]

T-T3. Bus transit fee: To further transportation demand management (TDM) through bus transit, the developer shall pay a bus transit fee per Attachment 205.

Actions

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

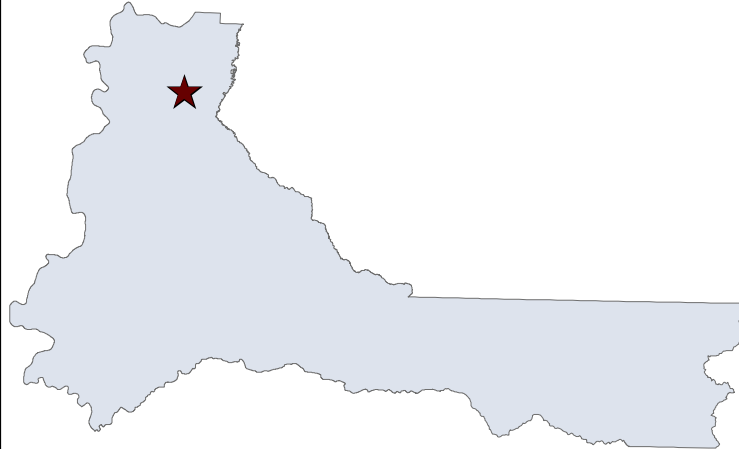
1. Approve with modified conditions, or
2. Deny, based on WDO criteria or other City provisions.

If the Planning Commission were to act upon the recommendation, staff would proceed to a City Council hearing, tentatively scheduled for July 25, 2022, with the Commission recommendation. (Were the Council to approve the consolidated application package, it would do so by adopting two ordinances, one for annexation and one for zoning, and authorizing a final decision document for the applications besides the annexation.)

Attachment List

101. Marked Tax Maps (2 sheets)
102. Analyses & Findings
- 102A. Public Works comments (June 15, 2022)
103. Site plans (dated Apr. 14, 2022 and submitted Apr. 21, 2022; 27 sheets)
- 103A. Annexation Service Provider Letters (SPLs; 4 pages)
- 104A. TSP Tables 2 & 5 marked excerpts from pages 32 & 62: Projects R8, R9, R11, & P36 (2 pages)
- 104B. TSP Fig. 2 “Functional Roadway Classification”
- 104C. TSP Fig. 6 “Local Street Connectivity Plan”
- 201.* ANX 22-02 Marion Pointe PUD: Dictionary & Glossary
202. ANX 22-02 Marion Pointe PUD: Lot & Tract Development Standards
203. ANX 22-02 Marion Pointe PUD: Common Area Improvements & Public Easements
204. ANX 22-02 Marion Pointe PUD: Tree Preservation & Protection and Environmental Remediation
205. ANX 22-02 Marion Pointe PUD: Conditioned Fees

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



MARION COUNTY, OREGON
SE1/4 SEC6 T5S R1W W.M.
SCALE 1" = 200'

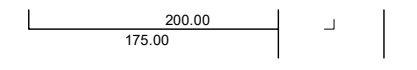
LEGEND

- 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.
 - ⊙ DLC Corner
 - ⊕ 1/4 Section Cor.
 - ⊕ 16, 15 Section Corner
 - ⊕ 21, 22

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

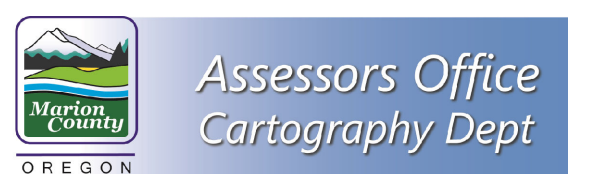
NOTES
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



CANCELLED NUMBERS

600	1200
601	1400
602	1500
700	1501
801	
900	
901	
902	
1000	
1001	
1002	
1100	
1101	
1102	
1103	
1104	
1105	

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



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

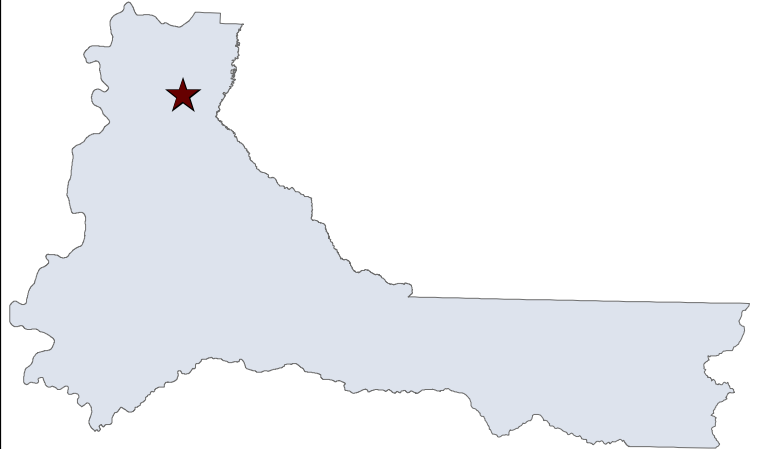
PLOT DATE: 10/16/2020

Attachment 101
Sheet 1 of 2



05 1W 06DC

05 1W 06DC
WOODBURN



MARION COUNTY, OREGON
SW1/4 SE1/4 SEC6 T5S R1W W.M.
SCALE 1" = 100'

LEGEND

- LINE TYPES
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Bndry
 - Waterline - Taxlot Bndry
 - Historical Boundary
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- CORNER TYPES
- + 1/16TH Section Cor.
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 - ⊕ 1/4 Section Cor.
 - ⊕ Section Corner
 - 16 15
 - 21 22

NUMBERS

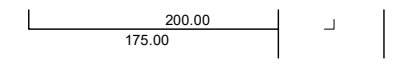
Tax Code Number
00 00 0

Acreege
0.25 AC

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

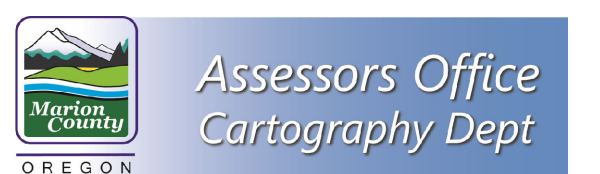
NOTES

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



CANCELLED NUMBERS	
101	
202	

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



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

PLOT DATE: 10/16/2020

WOODBURN
05 1W 06DC



05 1W 06DC

ANX 22-02: 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, 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
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

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

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Project Name & Case File Numbers

The project name is Marion Pointe. The land use application master/parent case file number is Annexation ANX 22-02, and the children/corollary case file numbers are Property Line Adjustment PLA 22-02, Planned Unit Development PUD 22-02, Riparian Corridor and Wetlands Overlay District Permit RCWOD 22-01, Preliminary Subdivision SUB 22-03, & Zone Change 22-02.

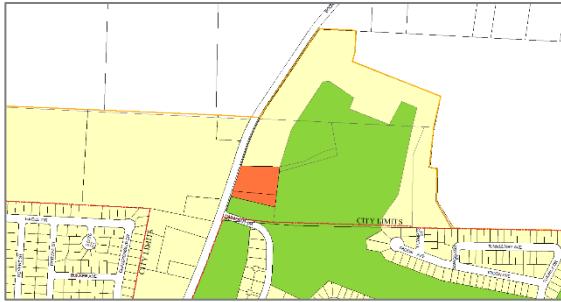
Location

<i>Address(es)</i>	None (east side of N. Boones Ferry Rd north of Hazelnut Dr)
<i>Tax Lot(s)</i>	051W06D000502 (primary), 500, & 800 and 051W06DC00201 & 300; respectively 39.21, 0.15, 0.07, 0.09, & 0.16 acres, totaling 39.69 acres
<i>Nearest intersection</i>	N. Boones Ferry Rd & Hazelnut Dr

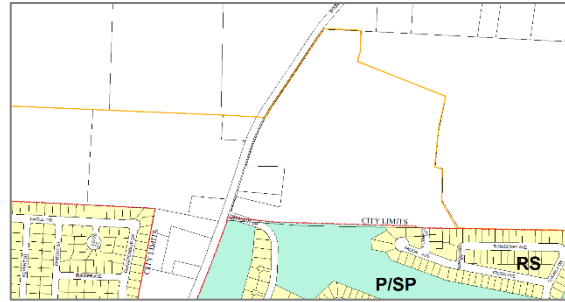
Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Low Density Residential and Open Space and Parks
<i>Zoning District</i>	Residential Single Family (RS) and Public and Semi-Public (P/SP) – the latter covering the existing golf course – upon annexation
<i>Overlay District(s)</i>	Riparian Corridor and Wetlands Overlay District (RCWOD) along the west tributary of Mill Creek
<i>Existing Use(s)</i>	Closed orchard and part of Oregon Golf Association golf course

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



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	No City zoning because not annexed and outside the City urban growth boundary (UGB)
East	No City zoning because not annexed and outside the City urban growth boundary (UGB)
South	Mix of RS & P/SP; from east to west: The Links at Tukwila Phase IV subdivision, golf course, Tukwila Orchard Greens No. 1 subdivision, and more golf course
West	Orchard and two rural houses to be demolished and developed into the Dove Landing PUD [ANX 2020-03]

Statutory Dates

<i>Application Completeness</i>	February 14, 2022
<i>120-Day Final Decision Deadline</i>	September 9, 2022 per Oregon Revised Statutes (ORS) 227.178 . (The nearest and prior regularly scheduled City Council date would be August 22, 2022.)*

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



Annexation Provisions

Because the proposal is for annexation, per 5.04 it requires a Type IV review with City Council decision. The applicant submitted application materials on February 14, 2022 and revised and additional materials through April 21, 2022 (excerpted within Attachment 103).

5.04.01 Annexation

- A. Purpose:** The purpose of this Type IV review is to provide a procedure to incorporate contiguous territory into the City in compliance with state requirements, Woodburn Comprehensive Plan, and Woodburn Development Ordinance.

- B. Mandatory Pre-Application Conference:** Prior to requesting annexation to the City, a Pre-Application Conference (Section 4.01.04) is required. ...

- C. Criteria:**
 - 1. Compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation.**
 - 2. Territory to be annexed shall be contiguous to the City and shall either:**
 - a. Link to planned public facilities with adequate capacity to serve existing and future development of the property as indicated by the Woodburn Comprehensive Plan; or**
 - b. Guarantee that public facilities have adequate capacity to serve existing and future development of the property.**
 - 3. Annexations shall show a demonstrated community need for additional territory and development based on the following considerations:**
 - a. Lands designated for residential and community uses should demonstrate substantial conformance to the following:**
 - 1) The territory to be annexed should be contiguous to the City on two or more sides;**
 - 2) The territory to be annexed should not increase the inventory of buildable land designated on the Comprehensive Plan as Low or Medium Density Residential within the City to more than a 5-year supply;**
 - 3) The territory proposed for annexation should reflect the City's goals for directing growth by using public facility capacity that has been funded by the City's capital improvement program;**
 - 4) The site is feasible for development and provides either:**
 - a) Completion or extension of the arterial/collector street pattern as depicted on the Woodburn Transportation System Plan; or**

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

Regarding subsection B., staff hosted the pre-application conference (Pre-App PRE 21-20) on August 12, 2021.

The applicant requests that the City designate the annexed territory with the Residential Single Family (RS) and Public and Semi-Public (P/SP) base zoning districts and the Riparian Corridor and Wetlands Overlay District (RCWOD).

Regarding the criteria of subsection C.:

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

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

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

- Roads and street: N. Boones Ferry Road borders to the property to the west, providing a means of access. The property also has a second access by bordering to the south the dead-end of Olympic Street. The annexation legal description and map series include the right-of-way (ROW) adjacent to the site, from the north end south to the south leg of the intersection of N. Boones Ferry Road & Hazelnut Drive.
 - Transit: Along N. Boones Ferry Road and Olympic Street, the City and other agencies could run transit vehicles.
 - Potable water, sanitary sewer, and stormwater sewer: These are adjacent or nearby, and as the Public Works Department Directs at the civil engineer plan (CEP) review and public works permit stage, the developer will upgrade and extend them as necessary to provide laterals to the site development and for these upgraded and extended utilities to accommodate the demands of the development.
 - Other: Other franchise utility providers attend to such utilities as electric power, cable television and internet, natural gas, and cellular wireless telephony, often using existing or extended ROWs.
2. The territory is contiguous to the City. Per the comp plan and with implementation through the WDO, upon development of the territory the City would require

improvements that guarantee that public facilities have adequate capacity to serve such development.

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

Second, the Public Works Department, Woodburn Fire District (WFD), and Woodburn School District (WSD) submitted service provider letters (SPLs) as annexation applications require. They are in Attachment 103B. The Public Works one dated September 3, 2020 states:

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

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

Additionally, the applicant’s narrative (April 21, 2022, pp. 46-47) states:

“Water service via a 12-inch-diameter mainline is available at the intersection of Hazelnut Drive and N Boones Ferry Road. This water line is planned to be extended through the community and looped back into an 8-inch-diameter water line at the current stub end of Olympic Street.

Stormwater from the project is planned to be routed to internal stormwater facilities. Per the Preliminary Composite Utility Plans (included in Exhibit D) and Preliminary Stormwater Report (Exhibit H), these facilities have capacity to accommodate surface water runoff from the project.

Sanitary sewer for the project is planned to be routed to a point of confluence at the south end of the planned extension of Olympic Street, then east and south through the golf course to an existing sanitary sewer mainline within an existing utility easement near the intersection of Troon Avenue and Tukwila Drive. The existing line has the capacity for the planned PUD project and potential future development west of N Boones Ferry Road.

Application to Marion County to extend sanitary sewer utilities within the Exclusive Farm Use (EFU) zone has been previously approved (Administrative Review Case No. 20-027), included as Exhibit L. Plans depicting the sanitary sewer and other planned utilities are included as part of Exhibit D.

The Applicant plans to install necessary water, wastewater, stormwater, and other utility facilities needed to serve the project. No obstructions to the orderly provision of public services have been identified by the Applicant or service providers. Additional review and details will be provided prior to permitting of public improvements. These criteria are met.”

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

3. a. Examining the considerations under subsection a. because the Comprehensive Plan land use map designates the territory Low Density Residential and Open Space and Parks, and the territory is to be designated with Residential Single Family (RS) and Public and Semi-Public (P/SP) base zoning districts consistent with both the applicant’s request and Comprehensive Plan Policy Table 1:

- 1) Following ANX 2020-03 Dove Landing PUD west across Boones Ferry Road NE, the territory to be annexed meets the guideline that it “should be contiguous to the City on two or more sides”.

- 2) The applicant’s narrative (pp. 47) states:

“The Comprehensive Plan Land Use Map designates the territory as a combination of Low Density Residential and Open Space and Parks. Per the City’s Housing Needs Analysis adopted December 9, 2019, the territory was included in the Buildable Lands Inventory and had been previously designated Low-Density Residential; therefore, the project helps meet the needs identified within the Housing Needs Analysis and Buildable Lands Inventory. Changes to density or zoning designation are not planned.

This petition for annexation represents only a small portion of the residentially designated lands within the UGB. The Housing Needs Analysis states that the future estimated housing need to be provided by single-family detached dwellings, manufactured homes, and mobile homes is 1,563 net new dwellings. The planned 90-lot PUD is planned to provide 5.76 percent of the total needed single-family detached dwellings or slightly more than one year’s supply. There is no known oversupply of annexed Low Density Residential lands and the supply of these lands following annexation is not more than a 5-year supply for residential growth.”

Staff concurs.

3) The applicant's narrative (p. 48) states:

"The project involves the extension of an existing public street stub from Olympic Street to N Boones Ferry Road and provide for future local street connections to surrounding development. The project is planned to also correct a previous dedication error to accommodate right-of-way for future N Boones Ferry Road widening needs. Utility projects related to this project that increase capacity or serve other developments are part of the City's Capital Improvement Plan."

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

4) Regarding (a) & (b), the applicant's narrative (p. 48) states:

"The territory is feasible for development. The RS-zoned lands are relatively flat former farmland with no obvious physical constraints other than the unnamed North Mill Creek tributary. The territory is adjacent to City utilities and street infrastructure. The annexation includes right-of-way along N Boones Ferry Road. Infrastructure for the project including potable water extends along or under N Boones Ferry Road. The *Woodburn Comprehensive Plan* addresses the extension of utility infrastructure for the project and its criteria are addressed within this written narrative below. The existing Olympic Street stub is planned to be extended to N Boones Ferry Road. These provisions, required by WDO, are illustrated within the Preliminary Plans (Exhibit D). Additional street stubs are shown to be dedicated for potential future development. These criteria are met."

Staff concurs.

5) The applicant asserts (p. 48) that the annexation fulfills a substantial unmet community need by filling the City's housing needs per the City adopted Housing Needs Analysis (December 9, 2019). Because these analyses and findings come before the first public hearing by the Planning Commission, it is yet unknown if annexation fulfills a substantial unmet community need because the City Council has not yet identified such a need. Examples of community needs include park space and conservation of significant natural or historic resources, and the corollary development includes Tracts G & H along the west tributary of Mill Creek that the developer is to improve and dedicate as common area tracts to be owned and maintained by an association such as a homeowners association (HOA).

No public parkland is proposed, and the applicant's narrative (p. 48) notes, "Public park land, as yet undeveloped, is available for resident use approximately 200 feet from the PUD. The next closest public park, Heritage Park, is located ±2,000 feet from Marion Pointe." The applicant is referring to ANX 2020-03 Dove Landing PUD.

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

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

Regarding E., the applicant confirms the proposal includes no request to amend the Comprehensive Plan land use designation or upon annexation to designate the territory with City base zoning districts other than RS and P/SP. (Pursuant to Comprehensive Plan Policy Table 1, RS and P/SP are each the only zoning district that implements the respective Low Density Residential and Open Space and Parks designations.)

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

✓ The criteria are met.

Zoning Map Change Provisions

Zoning Map Change Provisions

5.04.04

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

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

1. Demonstrated need for the proposed use and the other permitted uses within the proposed zoning designation.

2. Demonstrated need that the subject property best meets the need relative to other properties in the existing developable land inventory already designated with the same zone considering size, location, configuration, visibility and other significant attributes of the subject property.

3. Demonstration that amendments which significantly affect transportation facilities ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

a. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or

b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,

c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.

Staff interprets this section such that it applies only to rezoning – a change from one City zoning district to another. Because the zone change proposed through ZC 22-02 comes with annexation in order to assign City zoning, and the proposed zoning districts comply with the Comprehensive Plan land use map designations, the criteria are not applicable.

⊖ Not applicable.

Riparian Corridor and Wetlands Overlay District (RCWOD) Provisions

RCWOD Provisions

2.05.05 Riparian Corridor and Wetlands Overlay District

A. Purpose

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

B. Boundaries of the RCWOD

1. The RCWOD includes:

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

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

RCWOD applies per subsection B. and mainly aligns with the west tributary of Mill Creek across Tracts C & E and under the golf course, as well as over associated wetlands, and the applicant submitted a legal description and map as the zoning ordinance exhibits to designate the RCWOD. (Incidentally, no other overlay districts from 2.05 apply.)

✓ The criteria are met.

C. Permitted Uses and activities

The following uses and activities are allowed, provided they are designed and constructed to minimize intrusion into the RCWOD:

1. Erosion or flood control measures that have been approved by the Oregon Department of State Lands, the U.S. Army Corps of engineers, or another state or federal regulatory agency
2. Maintenance of existing structures, lawns and gardens
3. Passive recreation uses and activities

4. **Removal of non-native plant species and replacement with native plant species**
 5. **Streets, roads, and paths that are included in an element of the Comprehensive Plan**
 6. **Utilities**
 7. **Water-related and water-dependent uses, including drainage facilities, water and sewer facilities, flood control projects, drainage pumps, public paths, access ways, trails, picnic areas or interpretive and educational displays and overlooks, including benches and outdoor furniture**
- D. Prohibited Uses and Activities**
1. **New buildings or structures or impervious surfaces, except for replacement of existing structures within the original building footprint**
 2. **Expansion of existing buildings or structures or impervious surfaces**
 3. **Expansion of areas of pre-existing non-native landscaping such as lawn, gardens, etc.**
 4. **Dumping, piling, or disposal of refuse, yard debris, or other material**
 5. **Removal of vegetation except for:**
 - a. **Uses permitted by this Section**
 - b. **Perimeter mowing of a wetland for fire protection purposes;**
 - c. **Water-related or water-dependent uses, provided they are designed and constructed to minimize impact on the existing riparian vegetation;**
 - d. **Removal of emergent in-channel vegetation that has the potential to cause flooding;**
 - e. **Hazardous tree removal.**
 6. **Grading, excavation and the placement of fill except for uses permitted by this Section.**

The site plans illustrate nothing that would conflict.

✓ The standards are met.

G. Site Plan

When a use or activity that requires the issuance of a building permit or approval of a land use application is proposed on a parcel within, or partially within the RCWOD, the property owner shall submit a site plan to scale showing the location of the top-of-bank, 100-year flood elevation, jurisdictional delineation of the wetland boundary approved by the Oregon Department of State Lands (if applicable), riparian setback, existing vegetation, existing and proposed site improvements, topography, and other relevant features.

The applicant is conforming to such through land use review site plan sheets, DSL application #63057-GP in review, and DSL approved wetland delineation WD2020-0463, and will factor in the RCWOD through civil engineering plan (CEP) review by the Public Works Department, which comes after land use final decision, for the Olympic Street bridge/culvert/crossing of the west tributary.

H. Coordination with the Department of State Lands

The Oregon Department of State Lands shall be notified in writing of all applications to the City for development activities, including applications for plan and/or zone amendments, development or building permits, as well as any development proposals by the City that may affect any wetlands, creeks or waterways.

Planning staff notified DSL through the webform form specific to that agency for what became agency case file number WN2020-0690.

✓ The criteria are met.



Property Line Adjustment Provisions

Property Line Adjustment; Consolidation of Lots

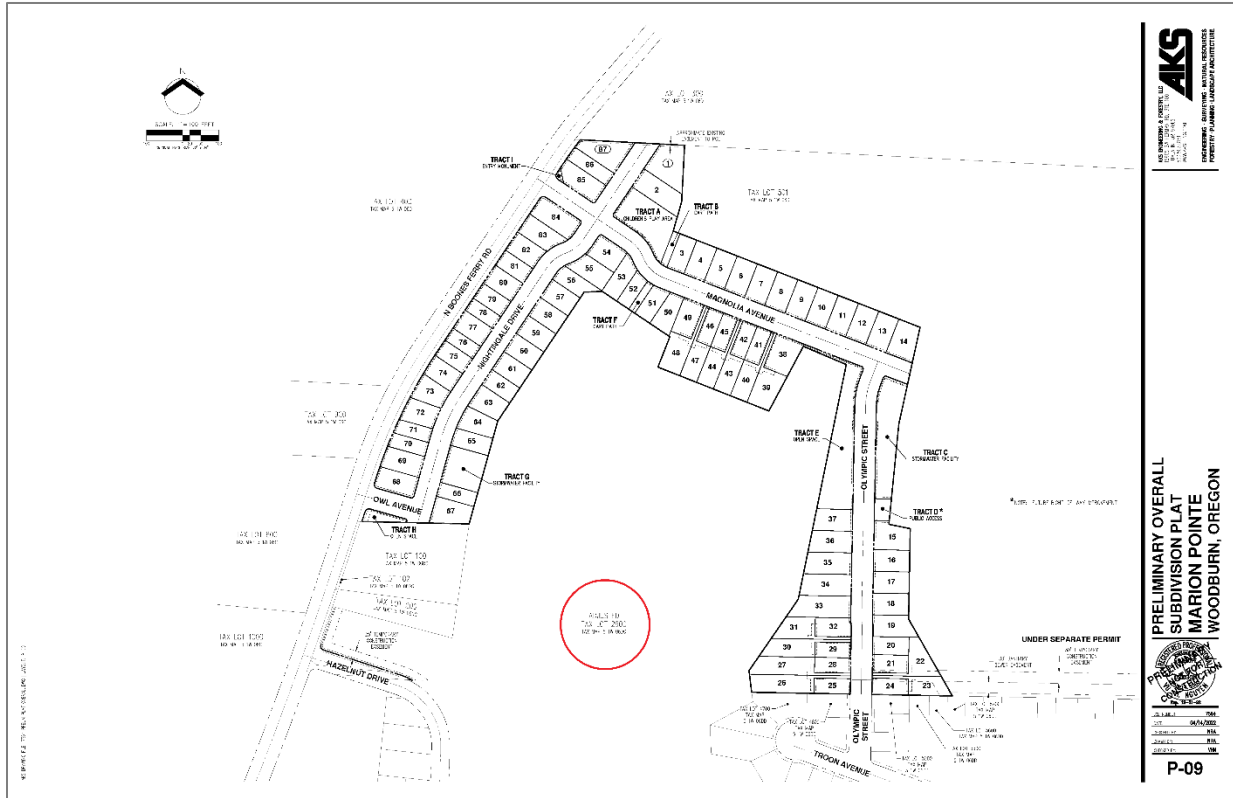
A. Purpose: The purpose of this review is to ensure that adjustments to property lines or the consolidation of existing lots and parcels, complies with the standards of this ordinance (Section 2), and State Statutes (ORS Chapters 92 and 209). Property line adjustments and consolidation of lots are allowed in all zones.

B. Criteria:

- 1. Lot area, depth, width, frontage, building setbacks, vehicular access and lot coverage comply with the standards of this ordinance (Sections 2 and 3);**
- 2. Existing easements are accurately reflected;**
- 3. Existing land use and development on the subject property comply with the requirements of prior land use actions; and**
- 4. Buildings and structures abutting the adjusted property lines comply with State building codes and with respect to current occupancy.**
- 5. Property line adjustments are surveyed and monumented to the requirements set forth in State statutes (ORS Chapters 92 and 209) and recorded by the County Surveyor.**

C. Procedure: The Director shall review and approve the application when it is found that it meets this Ordinance and the State Building Codes.

The proposal through PLA 22-02 is to adjust the northerly boundary of Tax Lot 051W06DC02600 so that the golf course remains on its own lot. Below is an excerpt of land use review Sheet P-09 with the adjusted tax lot labeled circled in red, and Sheet P-08 shows the adjustment.



The applicant proposes re-routing some segments of golf cart paths to align with new paths on adjacent subdivision tracts, and the proposal includes no new buildings or building additions on the golf course adjusted lot. The northerly adjusted lot line doesn't come near any existing building, and the City geographic information system (GIS) showed no public easements on the adjusted golf course lot with which the adjustment would interfere.

The golf course lot is to be zoned Public/Semi-Public (P/SP) zoning district, which has few development standards per Table 2.04D. There are no minimums for lot area, width, depth, or street frontage. Because the proposal includes no new buildings or building additions, the remainder of the standards in the table are not applicable.

✓ The criteria are met.



Subdivision Preliminary Approval Provisions

Subdivision Preliminary Approval Provisions

5.03.10 Subdivision Preliminary Approval

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

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

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

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

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

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

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

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

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

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

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

Planned Unit Development Provisions

Planned Unit Development Provisions

3.09

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

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

3.09.01 Allowable Types and Minimum Area of PUDs

A. Transfer of Density PUD

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

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

B. Residential PUD

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

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

C. Mixed-Use PUD

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

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

The applicant’s narrative (April 21, 2022, p. 31) states, “This application involves a ‘Residential PUD’ with RS and P/SP zoning districts and not a ‘Transfer of Density PUD.’” The PUD contains at least two acres and territory to be annexed and zoned RS & P/SP.

✓ The provisions are met.

3.09.02 Allowed Uses

A. Transfer of Density PUD

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

B. Residential PUD

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

C. Mixed-Use PUD ...

Because the proposal includes no conditional use for the Residential PUD, subsection B isn't applicable.

⊖ Not applicable.

3.09.03 Density Transfer

A. Any PUD may be used to transfer residential density from undevelopable areas of a site (riparian corridor, floodplain, wetlands, unstable soils or slopes) to developable areas of a site. Up to 40 percent of the density may be transferred, except as provided in Sections B through G, below. No more than 100 percent of the density may be transferred.

B. If the PUD dedicates to the City or provides an easement for a trail or bike path shown in any adopted City Plan, an additional 20 percent of the density may be transferred.

C. If the PUD dedicates to the City property abutting a public park, the Commission may allow up to an additional 20 percent of the density to be transferred, commensurate with the amount and usability of the property dedicated.

D. If the improved common area of the PUD is available for use by the public, the Commission may allow up to an additional 10 percent of the density to be transferred, commensurate with the amount and usability of the improved common area. The area must be permanently posted with a sign reading, "This common area is available for use by the public."

E. If the PUD plan proposes landscaping or buffering that exceeds the WDO minimum standards by at least 25 percent, the Commission may allow up to an additional 20 percent of the density to be transferred, commensurate with the amount, quality, and variety of the enhanced landscaping or buffering.

F. If the PUD plan proposes stormwater mitigation measures that exceed minimum City standards by at least 25 percent, the Commission may allow up to an additional 10 percent of the density to be transferred, upon a recommendation by the Public Works Department.

G. If the PUD plan proposes other environmental, sustainability, or architectural enhancements, the Commission may allow up to an additional 10 percent of the density to be transferred, commensurate with the amount, quality, and community benefit of the enhancements. Such enhancements may include, but are not limited to, solar heating or electrical generation, community gardens, public art, mitigation of off-site stormwater, and greywater diversion.

The applicant's narrative skips this section except for subsection A, stating, "The Marion Pointe Residential PUD does not plan the transfer of density as part of the project. These criteria do not apply."

⊖ Not applicable.

3.09.04 Conceptual Development Plan

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

B. A Conceptual Development Plan shall include drawings and a narrative describing the surrounding neighborhood, existing site conditions, general development areas, phasing, land uses, building envelopes, architectural theme, landscaping and buffering, streets, bicycle and pedestrian circulation, common areas, utility locations, sign theme, and other information the Director may deem necessary to convey the concept plan.

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

✓ The provisions are met.

3.09.05 Detailed Development Plan

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

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

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

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

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

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

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

3.09.06 Development Standards

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

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

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

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

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

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

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

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

<p>Common Area, Minimum: Five or more dwelling units, or nonresidential uses</p>	<p>30 percent of gross site area, including all undevelopable site area¹</p> <p>¹At least one common area shall be sized to accommodate a circle 25 feet in diameter.</p>	<p>30.0% of the subdivision gross area is (18.58 acres x 0.3) =5.57 acres</p> <p>The applicant proposes 30% with common area tracts totaling 1.90 acres (10.2% among the 30%) and part of the existing golf course crediting towards the remaining 3.67 acres (19.8% among the 30%)</p> <p>Looking at the 30% common area as a base of 100%, the tracts are 34.1%, and part of the existing golf course credits towards 65.9% of the remaining common area standard.</p> <p>In other words, the vast share of the 30% PUD common area is golf course.</p>
<p>Improved Common Area, Minimum: Five or more dwelling units</p>	<p>100 square feet per dwelling unit</p>	<p>The next section beyond Table 3.09A, which is 3.09.06B, defines improved common area.</p>

		What the applicant proposes on land use review revised Sheets P-31 to P-36 is improved common area, and a PUD condition or conditions recognize or expand these improvements.
Residential Density, Maximum (units per net acre)	<p>Pursuant to the Comprehensive Plan²</p> <p>²In residential zones only. There is no minimum for non-residential zones.</p>	Through Policy Table 1 starting on plan p. 7, the table has a footnote stating, "Note: ... Allowable densities may be increased through the discretionary planned unit development review process." The proposal does so and proposes at least 7.1 dwelling units (DUs) per net acre. The conditioned development standards acknowledge such.
Residential Density, Maximum (units per net acre)	<p>Not specified⁴</p> <p>⁴The maximum density is determined by setbacks, off-street parking, open space, and other requirements. Pursuant to Comprehensive Plan Policy Table 1, Note (p. 7), allowable densities may be increased through PUD above the maximum(s) of the base zone(s).</p>	<p>The applicant's narrative (submitted 4/21/2022, p. 33) states that the average lot size of the 87 house lots of Trillium Reserve is 5,920 sq ft. The resulting density is $(43,560 / 5,920) = 7.4$ houses (DUs) per net acre.</p> <p>Additionally, Oregon House Bill (HB) 2001 (2019) and OAR 660-046 took effect that require most cities including Woodburn to allow "middle housing" – duplexes, triplexes, quadplexes, cottage clusters, and townhouses – as follows:</p> <p>(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and</p> <p>(b) A duplex on each lot or parcel zoned for residential use that allows for the development</p>

		<p>of detached single-family dwellings.</p> <p>The max densities are as follows:</p> <ul style="list-style-type: none"> • 7.4 DUs per net acre for the proposed 90 houses on 90 lots; and • 46.1 DUs per net acre for the 90 lots to allow a theoretical maximum of four dwellings per lot composed of a combination of houses and middle housing. <p>Note: Accessory dwelling units (ADUs) don't count against max density, and the bulleted maximums exclude the golf course territory.</p> <p>In service of substantial conformance and out of caution, a PUD condition establishes as a development standard min density as a little less than what's proposed, and higher than 7.0, the min density necessary as a city planning rule of thumb to make bus service viable at a frequency of at least once every 30 minutes.</p>
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Lastly, here staff addresses development standards in lieu of addressing them in the Subdivision Preliminary Approval Provisions section: A PUD condition establishes development standards, each on either modified by PUD or as in the WDO. Because the standards accommodate the proposed subdivision, the proposed subdivision meets them.

✓ The provisions are met.

B. Improved Common Area

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

3. Improved common areas are subject to the performance guarantee provisions of Section 4.02.08.

Staff addressed this through 3.09.06A above.

C. Streets

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

2. All streets shall be public.

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

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

- a. conform to the Oregon Fire Code (see Figures 3.04C and 3.04D)**
- b. include sidewalks, and**
- c. are constructed to the specifications of the Public Works Department.**

D. Parking

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

E. Signs

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

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

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

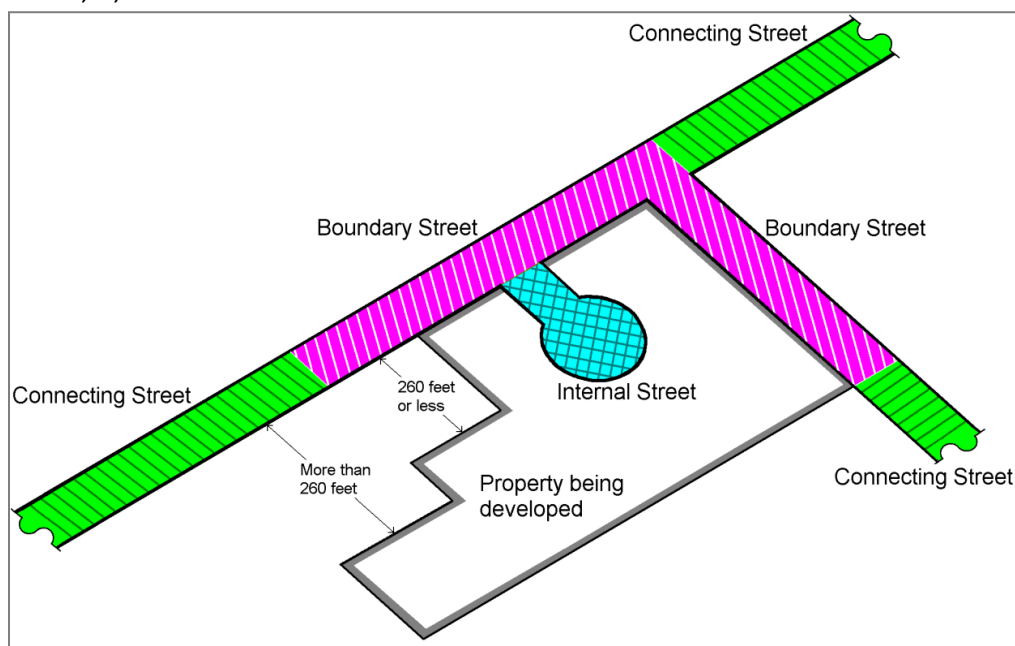
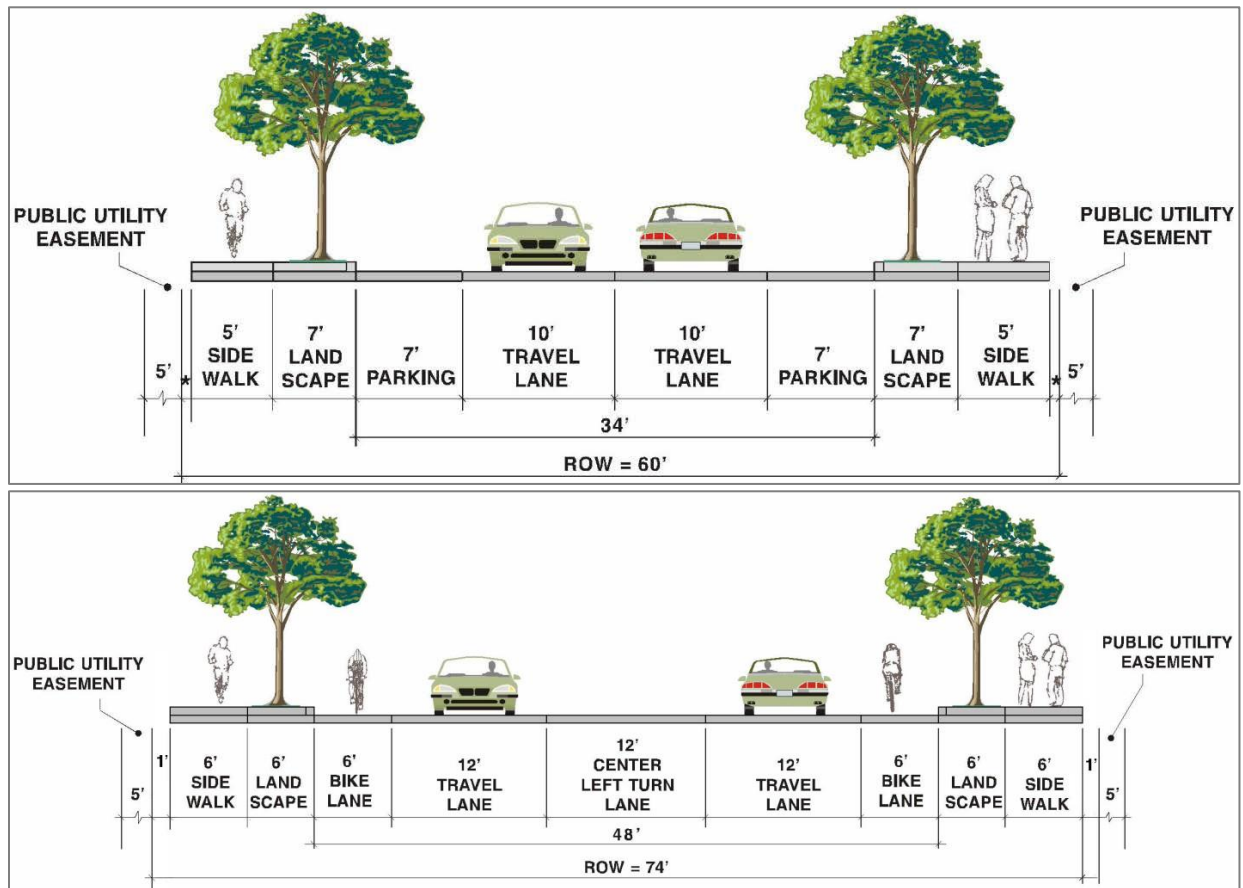


Figure 3.01A – Internal, Boundary, and Connecting Streets



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

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

Street improvements include wider sidewalks to encouraging walking and accommodate cyclists who feel safer on sidewalk.

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

3.09.09 Owners/Tenants Association

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

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

3.09.10 Phasing

A. A PUD may be developed in phases, pursuant to Section 5.03.05.

B. Phases shall be functionally self-contained with regard to access, parking, utilities, open spaces, and similar physical features, and capable of occupancy, operation, and maintenance upon completion.

C. The phased provision of common areas and improvements shall be roughly proportional to the development of housing and other elements intended for private ownership.

D. At least one improved common area sized to accommodate a circle 25 feet in diameter shall be provided with the first phase.

There's no phasing.

⊖ Not applicable.

[Other]

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

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

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

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

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

▲ Staff applies *Condition PUD-PW* supporting Public Works Department desires regarding stormwater management.

PUD per the opening purpose statement of 3.09 refers to both “enhanced public amenities” and “unique street cross-sections”, which staff interprets to include what it considers “upgrades” such as wider sidewalk segments, more street trees, traffic calming in the form of patterned poured concrete crosswalks as subtle visual reinforcement for drivers, and public works as civic art, e.g. more than simply functional sides of the Olympic Street bridge over the tributary of Mill Creek.

Staff also accommodates some of the developer’s desires, such as to have Tract D in place of an improved street stub, while conditioning a public street easement that secures to the City the right to have a street constructed (by someone other than the present developer).

There are also conditions about tree preservation (or fee in-lieu).

Staff also notes for the developer, PUD is a tool for getting more lots and more houses than a standard subdivision in order to get greater profit. In exchange, the City gets enhanced public amenities. For example, staff interprets enhanced public amenities to include through easement public access to common area off-street bicycle/pedestrian paths. Another example is improved park land.

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

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

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

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

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

Dove Landing PUD Park Land Improvement Funding

As examined in the table above, the developer proposes that the existing golf course meet most of the PUD 30% common area / open space requirement:

“30.0% of the subdivision gross area is (18.58 acres x 0.3) =5.57 acres

The applicant proposes 30% with common area tracts totaling 1.90 acres (10.2% among the 30%) and part of the existing golf course crediting towards the remaining 3.67 acres (19.8% among the 30%)

Looking at the 30% common area as a base of 100%, the tracts are 34.1%, and part of the existing golf course credits towards 65.9% of the remaining common area standard.

In other words, the vast share of the 30% PUD common area is golf course.”

The developer proposes no public parkland.

Across Boones Ferry Road to the west is entitled ANX 2020-03 Dove Landing PUD. By conditioning, that developer is dedicating two tracts totaling 8.31 acres of park land and improving it to a degree.

Based on input from City officials including the Assistant City Administrator (the *de facto* parks and recreation director), and premised on improved park land being an “enhanced public amenity” as the 3.09 purpose statement references, a simple way for Marion Pointe PUD to provide “enhanced public amenity” regarding open space is to pay money towards the large amount of park land next door in Dove Landing, this park land being of benefit not only to Dove Landing and Marion Pointe future residents, but also the public. Fee payment involves no Marion Pointe site plan disruption, acknowledges the spatial constraint on Marion Pointe from providing more and public open space because of the existing golf course and the RCWOD, and involves no construction or contractor logistics with which the developer would have to deal.

▲ Staff applies a *PUD condition* requiring the developer to pay a fee to the City towards improvement of the park land within the Dove Landing PUD.

Lastly, there is a condition reiterating that there needs to be PUD “Final Plan Approval” per WDO 5.01.07 so that outstanding details are deferred after land use approval, allowing the

developer to proceed, but also securing between the developer and the City resolution of details before final plat approval by the City.

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

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

- Funding a signal timing study or studies.

A factor is that much traffic passes through the already highly trafficked intersection of N. Boones Ferry Road and Oregon Highway 214 (OR 214) to and from I-5 (Portland and Salem metros).

The development being all houses, it would attract households with commuters to and from those metro areas.

The developer proposes no traffic mitigation or transportation demand management (TDM), and staff anticipates Planning Commission and City Council to seek the developer doing something about traffic.

TSP signal timing study Projects R8, R9, & R11 are readily identifiable and might identify a way to deal with traffic that wouldn't require construction. They also cost less than a conventional road widening or traffic signal installation.

Lastly, with ANX 2020-03 Dove Landing also in review and across the street from the subject development, Trillium Reserve, the condition requires Trillium Reserve to pay a small fraction – 35.2% -- as a proportionate share of the total cost of the three studies, the idea being that the City Council would approve with conditions both developments and that Dove Landing would be conditioned to pay the remaining 64.8% share, thereby completing the funding of the three signal timing studies. (See below the Remaining Provisions section, under 3.04.05, to the Tables T-A1-1 & 2 for detail about how staff determined the shares based on number of houses.)

- Wayfinding signage for people walking and cycling.

The basic objective is that if people perceive they can walk and cycle more easily and safely, they'll do so and drive less. This includes being able to see wayfinding signage

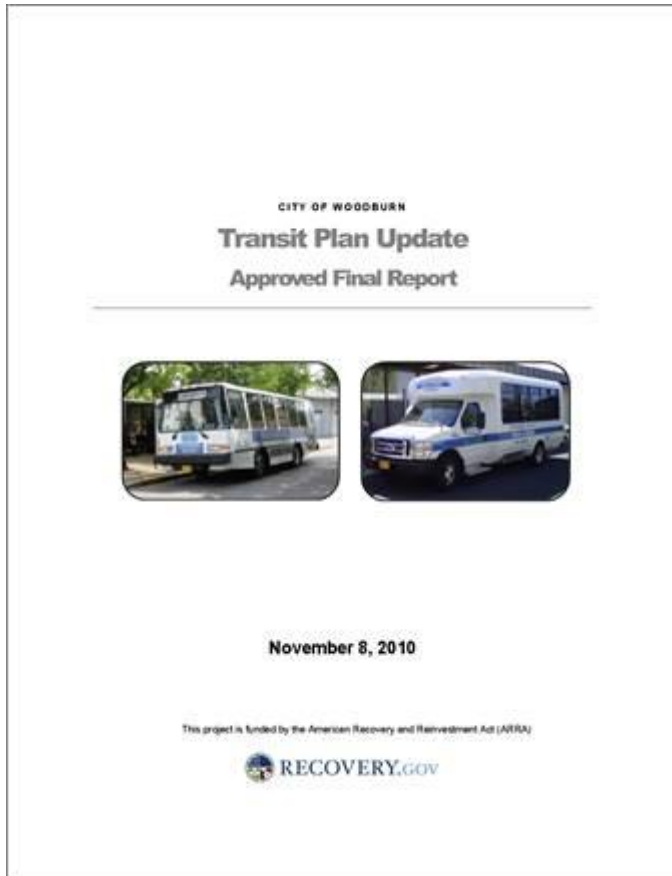
to quell concerns they might have like, “Is that public?”, “Can my kids go there?”, and “Can I get to Boones Ferry from here?”

Based on input from the Assistant City Administrator (the *de facto* parks and recreation director) about what a wayfinding installation would cost, staff discussions about conditioning of ANX 2019-01 Woodburn Eastside Apartments, and ANX 2019-01 Condition T-BP4, staff applies the set figure of \$1,500 per installation location.

- A bus shelter.

The basic objective is that if people perceive they can wait to ride the bus in greater comfort, they’ll do so and drive less. PUD per the opening purpose statement of 3.09 refers to “enhanced public amenities”, which along with annexation as interpreted by staff includes upgrades to public works. Public facilities, a.k.a. public works, with adequate capacity are an annexation criterion. Both annexation and PUD support the City requiring a bus shelter or fee in-lieu. The fee in-lieu option is practical accommodation of the fact that the City is yet to expand its transit system beyond city limits into the outer urban growth boundary (UGB) area as territory is annexed and developed. However, where development expands, transit generally will follow. Getting a shelter or fee in-lieu now allows the Assistant City Administrator (the *de facto* transit director) to use an installed shelter or pay to install one when the City extends bus service. This is an enhanced public amenity.

Also, a basis is the Transit Plan Update (November 8, 2010):



Specifically, TPU Project 9 “Install New Bus Shelters” on p. 10-11, which states, “Safe and comfortable passenger amenities are an important element of any successful transit service. As such, bus shelters are recommended ...”, and indicates a City bus shelter cost \$10,000 – in 2010 dollars, which equates to about \$12,000 in present dollars.

(Note: a separate condition requires a public easement accommodating placement on Tract A along N. Boones Ferry Road of the required shelter. This accommodates later decision by the Assistant City Administrator to install a shelter in the region of the development and identifies a tract along and visible from the major road next to and that serves the development. Clearing a default and readily identifiable space for a shelter enables the enhanced public amenity of a bus shelter.)

- Bus stop bicycle parking.

The basic objective is that if people perceive they can walk and cycle more easily and safely as well as wait to ride the bus in greater comfort and without having to mount their bicycles, they'll do so and drive less. Bike parking also is inexpensive.

There's a bus stop bike parking fee in-lieu option based on the table below:

<i>Table TSP-18.</i>		
<i>TSP Project 18 Description</i>	<i>TSP Cost Estimate</i>	<i>Method</i>
Evaluate all bus stops to verify static bus route information signage is visible and accessible and that bike racks are available at major bus stops	\$25,000	<p>50 existing bus stops are WTS stops.</p> <p>Of these, the Woodburn Memorial Transit Center/Facility already has bike racks, and the DR 2019-05 Allison Way Apts. developer will install bike parking at Stop 11 (along Harvard Drive behind Walmart) at a cost of 25,000 by 49 = \$510.20.</p> <p>This leaves 48 stops, and an updated cost of $(\\$25,000 - \\$510.20) / 48 = \\$510.20$ per bus stop.</p> <p>Second, staff identifies two bus stops, a new one that could be along or on Tract A and the existing nearest one south of the development along N. Boones Ferry Road, both for which no bike parking exists. 2 stops x \$510.20 = \$1,020.40 total.</p>

Another factor for staff for all the above bulleted items that are in the TSP is that they reflect the Council's legislative intent for transportation citywide and that the developer constructing them manifests them sooner than if the City managed them as projects. P36 would be less expensive to construct by private labor than the 2019 cost estimate based on City construction at public wages. Projects R8, R9, R11, & P36 would benefit residents traveling between the development and both I-5 and Woodburn H.S. The wayfinding and transit improvements per Conditions T-BP2, T-T2, & T-T3 serve to provide public facilities to preserve (a) adequate encouragement to walk and cycle more and (b) the ability of the City to extend a bus transit route or routes adequately with signage, a shelter, and bike parking that encourages walking and cycling to the bus. Staff concludes by nothing that together Trillium Reserve and Dove Landing all but constitute the north area within the UGB, and it is necessary with development to obtain infrastructure concurrent with development of the north UGB.

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



Remaining Provisions

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

4.01.07 Consolidated Applications

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

The proposal is consolidated.

2.07 Special Uses

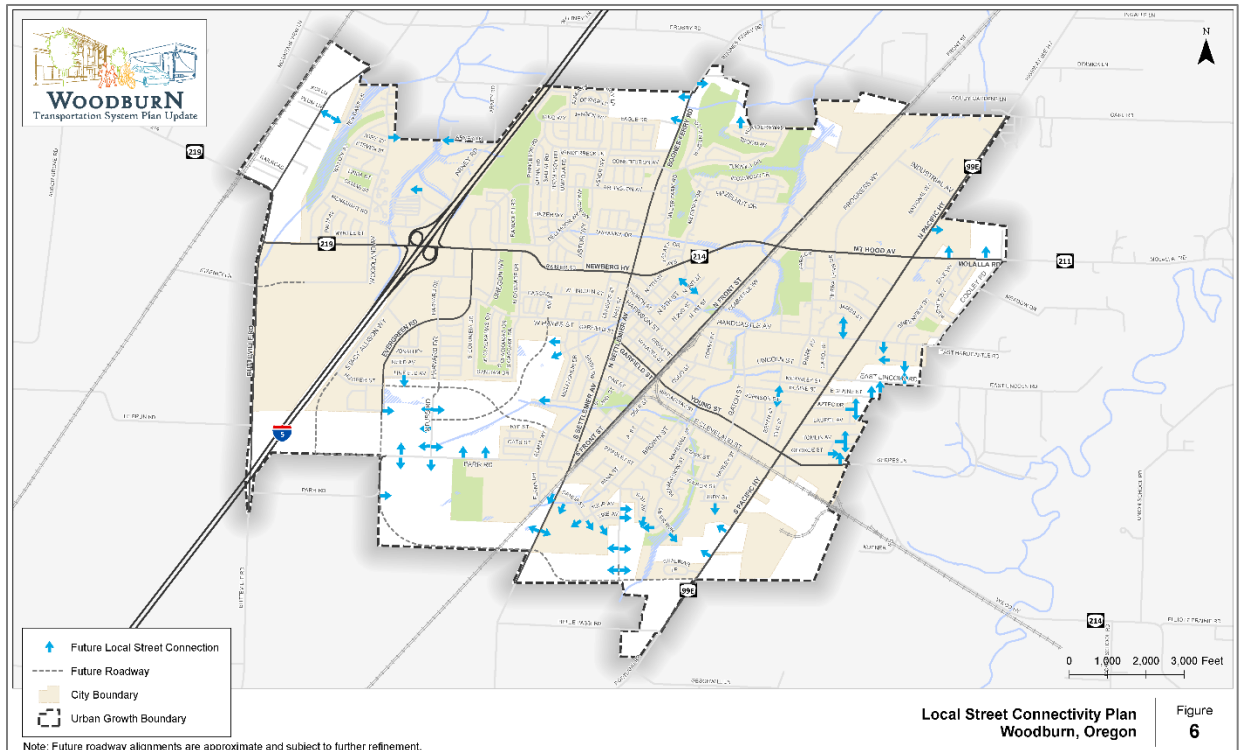
There is no “community club building” (clubhouse).

☐ None apply.

3.01 Streets

Long-range Planning

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



TSP Figure 6

There are two blue arrows, one each to N. Boones Ferry Road and one from the dead-end of Olympic Way. The two connections – the proposed extension of Olympic Street to N. Boones Ferry Road (as Magnolia Avenue) and the extension of Owl Avenue east from Dove Landing PUD across Boones Ferry Road – conform to Figure 6.

3.02 Utilities & Easements

3.02.01

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

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

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

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

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

3.04 Vehicular Access

3.04.03 Driveway Guidelines and Standards

B. Joint Access

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

▲ Staff applies a *PUD condition* ensuring the subdivision plat will provide for flag lot pole access easements to lessen curb curbs and thereby preserve more room for on-street parking and street trees.

3.04.05 Traffic Impact Analysis

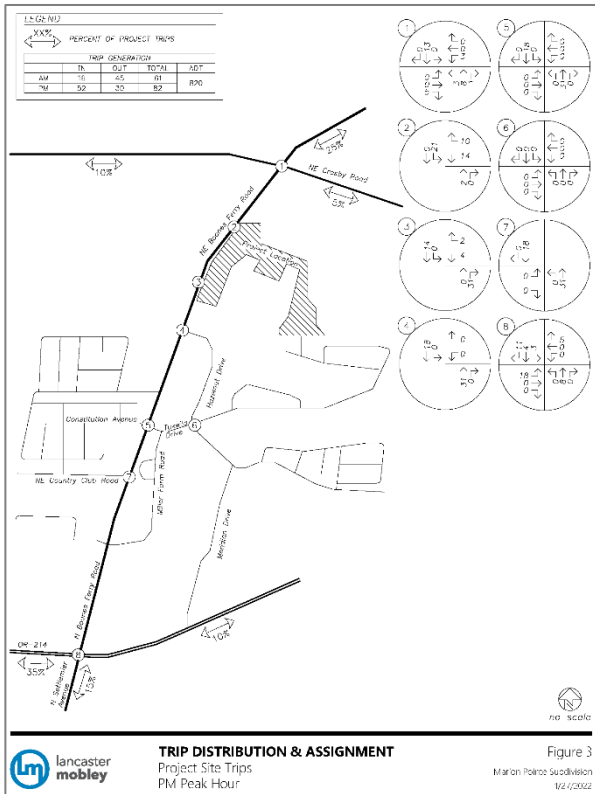
A. A Traffic Impact Analysis (TIA) may be required by the Director prior to the approval of a City access permit when the Director estimates a development proposal may generate either 100 or more additional, peak hour trips, or 1,000 or more additional daily trips, within ten years of a development application.

The applicant submitted two exhibits as a TIA: the original TIA (February 11, 2022) and an updated TIA (application materials Exhibit G, April 15, 2022).

The TIA studied 8 intersections, the northernmost being N. Boones Ferry Road at Crosby Road and the southernmost Boones Ferry Road at Oregon Highway 214 (OR 214) / Newberg Highway. The traffic modeling distributed 40% of trips generated by development to north of the development (to and past Crosby Road) and 60% to the south.

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

Below is an image serving as a vicinity map of the intersections:



TIA intersection locations map adapted from exhibits

As of June 14, 2022, no agency including ODOT responded to notice of hearing with any written comment.

Boones Ferry Road & OR 214

- The one studied intersection north of the project is outside the urban growth boundary (UGB).
- South of the project, BFR & OR 214 is heavily trafficked at peak hours.
- Of the studied intersections, the trips that the project would add show that BFR & OR 214 is the most trafficked.
- Staff supposes that most of the generated trips are to and from I-5 (Portland and Salem), the back way to Salem along S. Settlemier Avenue and S. Boones Ferry Road and outer rural roads southwest of Woodburn, and central Woodburn.
- The intersection includes a state highway under ODOT control (OR 214).
- There are no specific plans in any foreseeable time horizon by ODOT to make major physical changes to the intersection or highway.
- It thus seems that the best thing to do is collect money for some kind of transportation improvement somewhere under City control that benefits travel through the intersection, whether directly or indirectly. This leads to Condition T-A1.

Automotive

Looking to specific TSP projects, Condition T-A gets money to study the highway. Specifically, Transportation System Plan (TSP) Projects R8, R9, & R11 relate to traffic signal timing on three highway intersections east of I-5. (The City already conditioned DR 2019-05 Allison Way Apartments with funding R10.)

This condition has a proportionate fair share based on the following logic that these two tables show:

<i>Table T-A-1</i>			
<i>Case file no.</i>	<i>Development Name</i>	<i>Dwelling Units</i>	<i>Percentage</i>
ANX 22-02	Marion Pointe	87*	35.2%
ANX 2020-03	Dove Landing	166	64.8%
tot.		253*	100.0%

*The proportionate share ratios were determined when the proposal was ANX 2020-01 Trillium Reserve with 90 dwellings and the total of both developments was 256, and ANX 2020-03 is entitled and conditioned at the 64.8% payment based on these earlier, higher numbers. For simplicity, staff is keeping the remaining 35.2% and applying it to Marion Pointe though 87 lots so that the total remains 100%.

Staff notes that together Marion Pointe and Dove Landing all but constitute the north area within the UGB.

<i>Table T-A-2</i>			
<i>TSP Project No.</i>	<i>Cost Estimate</i>	<i>Proportionate Shares</i>	
		<i>Marion Pointe</i>	<i>Dove Landing</i>
R8	\$15,000		
R9	\$15,000		
R11	\$15,000		
tot.	\$45,000:	35.2%	64.8%
		\$15,840	\$29,160

Staff applies *Condition T-A*.

Bicycle/Pedestrian & Transit

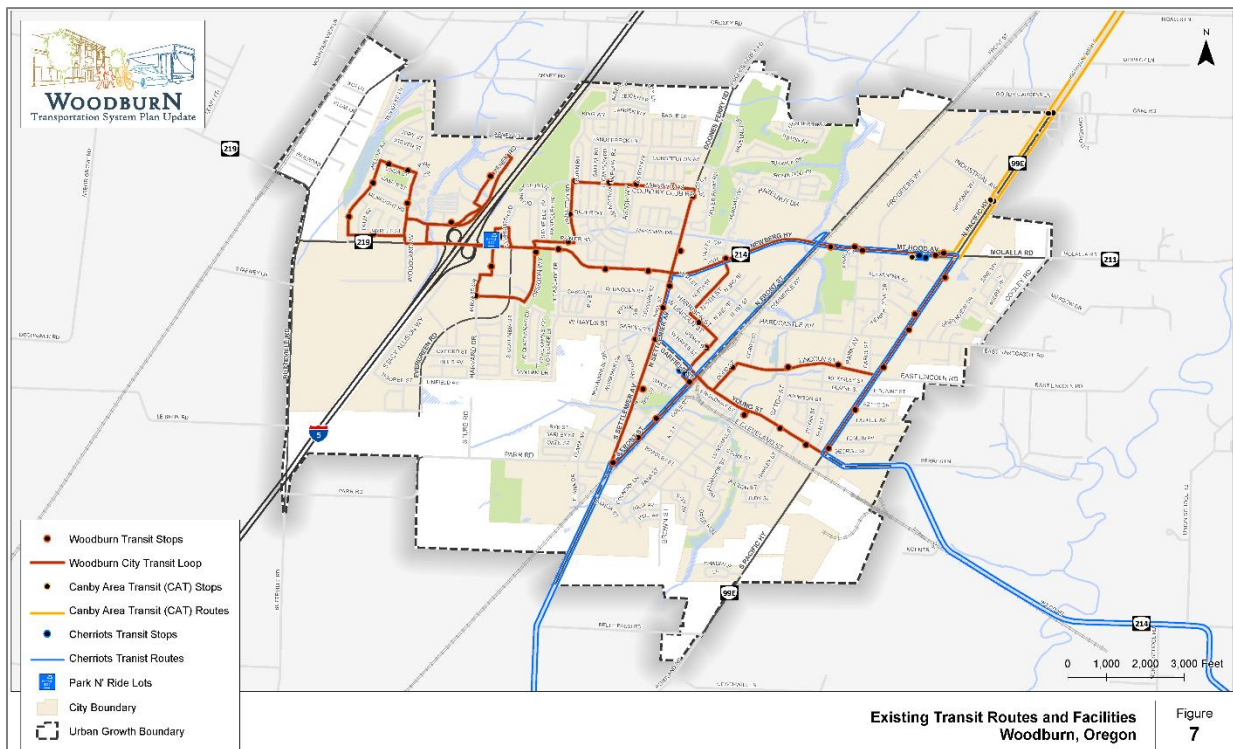
In the interest of PUD per the purpose statement that opens 3.09 of providing enhanced public amenities, below are comprehensive plan policies that relate to infrastructure upgrades, enhanced public amenities, and improved traveling for those who walk, cycle, and ride transit.

<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
G-1.1	27	Expansion areas of the City are served by adequate public facilities and services.
H-1.1	33	Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system – specifically by conditioning construction and/or fees to add a bus shelter and bus stop bicycle parking.
H-1.3	34	Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes – specifically duly requiring frontage/street improvements and also conditioning wide sidewalk segments as a public bicycle/pedestrian path and planter strip segments that are wider and/or have more street trees than standard. The subdivision connection path through Tract C also serves.
H-1.4	34	Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks. Specifically, to do so by duly requiring frontage/street improvements, conditioning wide sidewalk segments as a public bicycle/pedestrian path and planter strip segments that are wider and/or have more street trees than standard, having the proposed Tract C subdivision connection path, and having some common area bike parking. These are all to raise the attractiveness, ease, safety, and potential cyclists’ perception of safety of cycling.
H-1.5	34	Maintain adequate intersection and roadway capacity on the key east-west and north-south arterials, in this case OR 214 through Condition T-A1.
H-3.2	35	Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers – through Conditions T-BP1 (the part about Project P36) & T-BP2.
H-5.1	35	Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models and reducing automobile reliance at times of peak traffic volumes – specifically through Conditions T-BP1, T-BP2, T-T2, & T-T3.

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

Additional Issues: Transit

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



TSP Figure 7 (2019)

Neither do Salem-Keizer Cherriots nor Canby Area Transit (CAT) serve it. Staff discussed conditioning fees towards local and regional bus service and vanpooling, similar as for DR 2019-05 Allison Way Apartments (Condition T-T) and ANX 2019-01 Woodburn Eastside Apartments (recommended Condition T-T1). The Assistant City Administrator declined to support such for Trillium Reserve. Conditions T-T2 & T-T3 require a bus shelter or fee in-lieu and bicycle parking at two bus stops or fee(s) in-lieu.

As a concluding summary, City objectives are for the development to contribute towards the objectives of:

- Increasing walking and cycling appeal and safety
- Bus shelter installation or purchase
- Installation of bicycle parking where bus stops lack it, and
- Dealing with traffic along OR 214 near I-5.

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

3.06 Landscaping

3.06.02 General Requirements

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

✓ The requirement is met.

3.06.03 Landscaping Standards

A. Street Trees

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

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

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

3.06.05 Significant Trees on Private Property

There are two Significant Trees that are healthy and structurally sound enough and appear feasible to save, as well as a number of additional mature trees in a row along the road. However, the application materials including an Exhibit M arborist memo dated February 11, 2022 make a plausible case that removal of Tree 12610 (a 64-inch diameter Douglas-fir), as well as a grove of trees (Douglas-firs of 6-18 inches diameter) along the Boones Ferry Road east side near the NE corner of the road and Hazelnut Drive, are inevitable to construct Boones Ferry Road east half-street improvements, and for Significant Tree 13296 near the rear lot line of Lot 65, an arborist can and will advise at the time of lot site planning and building of a dwelling about preservation before staff confirms whether this tree must remain or the developer can remove. Staff applies conditions that allow for removal with fee in lieu of preservation to fund tree plantings elsewhere in town.

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

Recommended Conditions of Approval

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

General

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

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

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

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02 and 4.02.12 through Ordinance No. 2603 (LA 21-02) unless if and where a condition of approval has more restrictive timing.
- b. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County.


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

G6. Fees: The developer shall pay fees per Attachment 205, and fees in-lieu shall be per WDO 4.02.12 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.

G7. Demolition: Because the City through the Building Division now requires [demolition permits](#), upon annexation and before beginning to demolish buildings or structures or demolishing more of them, consult the Permit Technician and apply for and obtain a permit or permits as applicable.

G8. WDO version: Upon annexation, conformance to the Woodburn Development Ordinance (WDO) and conditions of approval references to the WDO shall be to the WDO as amended by Ordinance No. 2603 (Legislative Amendment LA 21-02) adopted June 13, 2022.

G-PW. Public Works: Follow the appended PW comments (June 16, 2022); Attachment 102A).



Preliminary Subdivision 22-03

SUB-1. Expiration: Based on ORS 92.040(3), development per the Council land use final decision may continue 3 years past the decision date, the 3-year approval period being established by WDO 4.02.04 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, and as follows:

- a. Final Plat: The developer shall apply to the City prior to applying to Marion County for recordation. Owl extending east across BFR from Dove Landing PUD to Nightingale shall continue its name.
- b. Recordation with Marion County: Same as WDO 5.01.06C.1. (within 30 calendar days of the Director's signature on the plat Mylar).
- c. Vesting: The decision is vested unless:
 - (1) The developer fails to meet subdivision and PUD requirements, resulting in the City being unable to authorize staff to sign a final plat Mylar by July 1, 2027; or
 - (2) There is no substantial construction – as defined in 1.02 through Ordinance No. 2603 (LA 21-02) – by July 1, 2032.

SUB-2. Documents:

- a. Geotech report: Prior to final plat approval by the City, the developer shall submit to the Director a geotechnical report documenting that, whether or not the developer spreads any fill or spoil dirt across lots and tracts, soil is compacted and ready to accommodate the construction of buildings on lots and tracts proposed for development.
- b. Easements: WDO 2.01.05A through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022 shall be applicable, and follow Attachments 102A (Public Works) and 203, Part D.
- c. Plat: Upon recordation, the developer shall submit to PW and cc the Director copies of recorded documents per WDO 2.01.05 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.



Planned Unit Development 22-02

PUD-PW. Stormwater management: Prior to civil engineering plan approval through CEP review, the applicant shall provide an Engineer Stamped Storm Drainage Hydraulic Analysis Report that existing private storm drainage systems have capacity to handle the additional flow from the Marion Pointe and ANX 2020-03 Dove Landing Planned Unit Developments (PUDs), and that the culvert/pipe under Olympic Street has capacity to handle a 100 year base flood event, and to provide a final 100 year floodway, floodplain, and wetland delineation for this development. The applicant is responsible for correcting any capacity deficiencies, including installing new or additional drainage systems, and/or attaining the right to increase stormwater flows into neighboring private stormwater systems.

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

PUD-2.

- a. ROWs: For BFR and the proposed local class streets, the developer shall dedicate ROWs that meet or exceed the min widths necessary to conform to WDO Figures 3.01C & G.
- b. PUEs: The developer shall grant streetside PUEs that meet or exceed the min width and do not exceed the max per WDO 3.02.01 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.

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

- a. BFR: Per WDO Fig. 3.01C except that planter strip shall be min 6½ ft wide inc. curb width.
- b. Olympic: Bridge or culvert crossing over Mill Creek tributary: Per WDO 3.01.03H through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, and:
 - (1) Elevation: Shall be such that the travel way and parking lanes wouldn't flood during the 100-year flood.
 - (2) Sidewalks: min width 9 ft inc. curbing.
 - (3) Fencing/railings: Permissible colors are blue, bronze, brown, green, teal, metal, and rust color. (Black prohibited.)
 - (4) Design details are deferred to PUD Final Plan Approval process; refer to Condition PUD-11.

- c. Tract D: The developer shall grant to the City over the entire tract a public street easement. The easement shall allow for all purposes permitted by what would have been ROW dedication including construction of street improvements. One or more legal instruments that dedicates the easement shall contain text that the easement is revocable only with the written concurrence of both the Community Development Director and Public Works Director and by City Council action. (The objective is to have maintenance responsibility remain with a party other than the City.)
- d. Hazelnut: Per WDO Fig. 3.01G, except that the territory contiguous with Tax Lots 051W06DC00201 & 300, which is occupied by Hazelnut, shall be dedicated to the City as ROW. (Note: To not meet this condition part would require modification of condition [MOC] application and approval per WDO 4.02.07.)
- e. Planter strip remainder: Landscape the remainder area – the area remaining after street tree plantings – per WDO 3.01.04B through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.
- f. Sidewalks: Min 6 ft wide except wider as Exhibit PUD-3f supersedes. BFR sidewalk southerly and two northerly dead-ends shall have ADA-compliant transitions spanning between sidewalk and road shoulder as the applicable public works authority specifies. The segment extending north from Hazelnut sidewalk may meander, including PUE overlap, and taper to 6 ft through RPZs to save most of the loose row of trees along the road.

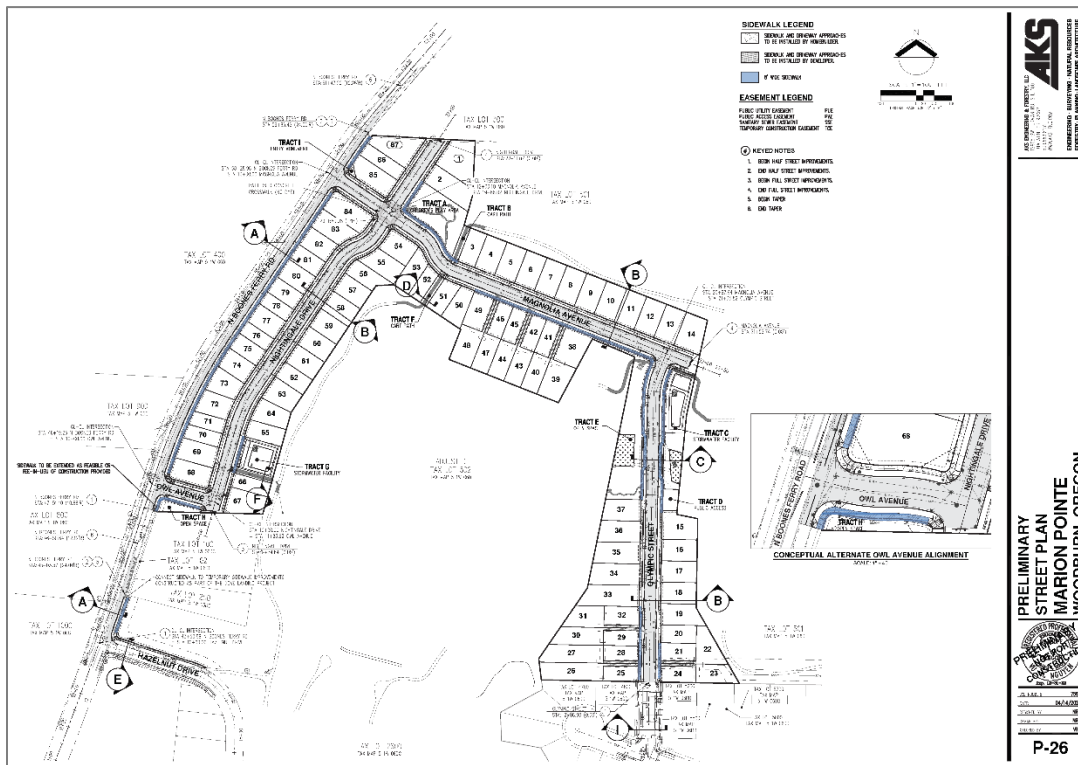


Exhibit PUD-3f: Site Plan Sheet P-26 Sidewalks (blue: min 8 ft wide); see Attachment 103 for full size

- g. Overlap: The extra width of planter strip and sidewalk shall either (1) overlap outside ROW into streetside PUE and come with a recorded legal instrument granting public access to the overlap to the satisfaction of the Public Works Director, or (2) come with additional ROW to accommodate them. Wider sidewalks shall not narrow planter strips.
- h. Street trees:
 - (1) Min numbers equal to block frontage ratios per Exhibit PUD-3h:



Exhibit PUD-3h: Site Plan Sheet P-31 Street Tree Min No. (green: equal to 1 tree per 30 ft of block frontage)

- (2) Along Magnolia, revise street trees from Capital pear to *Magnolia grandiflora* “Victoria” cultivar.
- (3) Fee in-lieu shall be per Attachment 205.
- (4) Landscape strips and street trees shall conform to WDO 3.01.04B (landscaping, irrigation) and 3.06.03A.3 (root barriers) through Ordinance 2603.
- i. Electric power lines: Electric power lines, whether in or beyond ROW, shall be buried.
- j. Traffic calming: A min number of pedestrian crossings along intersection legs shall be patterned poured concrete each min 8 ft wide:
 - (1) Magnolia & Nightingale, 3 legs: N/NE, E/SE, & S/SW; and
 - (2) Magnolia & Olympic: 2-3 legs: S/SW & whichever one or both of the E/SE or W/NW legs that would have a curb ramp along the top of the “T” of the T-intersection.

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

- a. A barricade with sign at the south end of Nightingale; and
- b. A barricade at each of the north end of Nightingale the east end of Magnolia.

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

PUD-5. Tree preservation: The developer shall preserve trees per Attachment 204 or pay removal fees per Attachment 205.

PUD-6. RCWOD designation: The developer shall through zone change ordinance exhibits apply not only the base zoning districts consistent with the Comprehensive Plan but also the RCWOD that WDO 2.05.05 describes to the applicable areas within Tracts C & E and where the applicable area overlaps the golf course lot.

PUD-7. Environmental remediation: The developer shall remediate per Attachment 204, Part C.

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

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

PUD-10. Association: The developer shall establish an association/HOA per Attachment 203, Part E.

PUD-11. PUD Final Plan Approval Process:

- a. The developer shall conform to WDO 5.01.07, the purpose of which is to ensure that the PUD is in substantial conformance with the conditions of the PUD Detailed Development Plan (DDP) approval, including regarding street improvements, public improvements outside ROW if any, and common area improvements. The developer shall apply to the Director for PUD Final Plan Approval no later than when applying to PW for CEP review.
- b. Scope: The scope of DDP includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or situation for which no standard exists through previous adoption by PW. The Final Plan Approval process is to establish any and all design details deferred from land use review.
- c. CEP: The developer shall incorporate a PUD Final Plan Approval by the Director into CEP review by PW and the civil engineering plan set that PW would approve through CEP.

PUD-12. Construction access: Construction access is prohibited from and to Olympic. If public works construction code standards necessary for PW to administer this condition are absent, the Public Works Director may administratively through a PW permit process establish details, specifications, and revisions to administer including regarding time, place, manner, and temporary signage directing traffic.

PUD-13. Dove Landing park improvements: The developer shall pay a fee per Attachment 205 towards improvement of the public park land within the Dove Landing PUD, which is west across BFR.

Planned Unit Development 22-02: Transportation

T-A. BFR & OR 214: The developer shall pay towards TSP signal timing studies or a combined study per Attachment 205. [TSP R8, R9, & R11, p. 32 as Attachment 104A]

T-BP. Wayfinding: To further TDM, the developer shall do one of the following:

- a. Install 3 min devices, such as signage, that provide wayfinding to bicycle routes, multi-use paths, parks, schools, and other essential destinations. If the developer were to opt for signage and assuming pole signage, sign face min dimensions shall be 2 ft by 1 ft and the placements shall be min:

- (1) 1 installation of 1 face along Tract A Magnolia frontage;

- (2) 1 installation of 2 faces at or near the intersection of BFR & Owl and along Tract H;

- (3) 1 installation of 2 faces at or near the intersection of BFR & Magnolia and near Tract I;

Note: The developer may mimic the typical wayfinding per [WDO interpretation](#) memo INT 22-0608.

- b. Pay a fee in-lieu per Attachment 205. [TSP B40 “wayfinding”/P62]

T-T1. Bus shelter: To further TDM through bus transit, the developer shall provide for a bus shelter by either (a) installing a shelter to the specs per [WDO interpretation](#) memo INT 22-0609 or (b) paying a fee in-lieu per Attachment 205. [TPU 9]

T-T2. Bus stop bicycle parking: To further TDM through bus transit, the developer shall at each of the following locations provide for bicycle parking by either (1) installing a bicycle rack to the specs specified [WDO interpretation](#) memo INT 22-0609 or (2) paying a fee in-lieu per Attachment 205:

- a. BFR along Tract H; and
- b. BFR northbound adjacent to Tax Lot 051W07BA01300 (2348 N. Boones Ferry Rd). [TSP T18]

T-T3. Bus transit fee: To further transportation demand management (TDM) through bus transit, the developer shall pay a bus transit fee per Attachment 205.

Applicant Identity

<i>Applicant</i>	Holt Group Holdings, LLC
<i>Applicant's Representative</i>	Rand Waltz, Project Manager, AKS Engineering & Forestry, LLC (Tualatin office)
<i>Landowner(s)</i>	Tukwila Partners; and Oregon Golf Association c/o Members Club Inc.

Notes to the Applicant

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

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, "A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
 - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.

- b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. *Contact Planning Division staff at least three (3) City business days prior to a desired date of planning and zoning inspection of site improvements.* This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department.
12. ROW:
 - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.

ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
 - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public

improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.

13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.
17. SDCs: The developer pays System Development Charges prior to building permit issuance. Staff will determine the water, sewer, storm and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet.
18. Public Improvements Civil Plan Review: The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by the Engineering Division. If opting for CEP, the applicant shall not only follow the direction of the

Engineer Division, but also take some actions to facilitate tracking by Planning staff and coordination with Engineering:

- a. Cover letter: Upon submitting application to the Engineering Division, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, project phase, tax lot number(s), street address(es), and the land use / planning / zoning final decision conditions of approval that require the public improvement that is the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each subpart of a condition is met.
- b. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter may include these.
- c. Plan copies: Submit to the attention of the Planning Division at least two plan size copies of plan sets (24 by 36 inches). Within the cover sheet title block(s), include the phrase "civil engineering plans" or "public improvements civil plans". Submit also Adobe PDFs using a fileshare service.
- d. Re-submittal fee: If there are multiple re-submittals, beginning with a third submittal / second revised submittal and continuing with each subsequent submittal, the applicant must pay through the Planning Division into City general revenue a fee of \$100.

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

19. PUD Final Plan (FP) Approval Process:

A. Context and project management:

1. The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by PW.
2. CEP remains the means for implementing final decision conditions of approval affecting street improvements, both surface and underground, and extending into PUEs.
3. The developer is project manager. Because PW establishes that CEP applicants have a single point of contact termed the "Engineer of Record", the developer manages the engineer of record who handles the CEP and also interacts with the Planning Division regarding FP review. For Planning Division staff, the developer is the point of contact, namely whoever on the developer's team the developer tasks with being the project manager.

4. The developer shall be completely responsible for integrating staff directions found in FP documents issued by Planning Division staff into civil engineering plans that the engineering of record submits to PW.
 5. If, when, and where conflicting directions arise between FP directions and CEP directions, the developer shall be responsible for communicating with formal cover or transmittal letters messages from the conflicting division to the other division, and shall communicate such.
 6. The Planning Division observes the CEP for other projects has come after land use final decision and before the building permit stage. Except where otherwise conditioned, it's up to the developer to determine when to submit for CEP and PUD Final Plan relative to each other to best meet this "context and project management" condition.
- B. PUD Final Plan review scope and result:
1. The scope of FP review includes any topic for which any given final decision condition of approval, and any separate document it might reference, is too general to establish civil engineering standards and construction levels of detail. It also includes any topic or situation for which no standard exists through previous adoption by PW or, where applicable, parks and recreation staff. It includes, as examples, pavement, game and sports courts and fields, buildings including pre-fabricated ones, playgrounds and other structures including pre-fabricated ones, exterior lights, landscaping, signage, and appurtenances such as benches, bicycle parking, dog waste stations, ornamental fountains, and water fountains, as well as materials, textures, colors, and model specifications. (Although in or partially in ROW, a bus shelter or shelters are to be subject to FP instead of CEP based on PW preference, unless PW were to direct the engineer of record to include such in CEP scope.)
 2. There shall result an official version of a civil engineering plan set marked approved by PW that shows all common area improvements and all public improvements, including off-street public improvements, resulting from both FP review and CEP. It shall come to be prior to building permit application; however, PW is prohibited from approving any time prior to the developer paying conditioned fees related to CEP Planning Division review.
- C. Submittal directions FP review:
1. Due date: For CEP, none other than what PW might specify. For FP, original / 1st submittal is due whichever occurs earlier: When the developer applies for either CEP or final plat application to the City.
 2. Cover letter: Upon submitting CEP application to PW, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, tax lot number(s), street address(es), and the land use final decision conditions

of approval that require the public improvements that are the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each part of a condition is met.

3. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter to the Planning Division may include these. The developer may submit to the Planning Division a copy of the stamped CEP application form submitted to PW if the form includes the required information.
- D. Site Plans: For CEP Planning Division review and FP:
1. CEP: Submit to the attention of the Planning Division at least 2 plan size copies of plan sets, one plotted at native scale (min 22 by 34 inches, max 24 by 36) and one at ledger (11 by 17). Within the cover sheet title block(s), include the anticipated date of submittal and the phrase "civil engineering plans", "civil plans for CEP", or "public improvements civil plans".
 2. FP: Submit to the attention of the Planning Division at least 6 plan size copies of plan sets, 3 plotted at native scale (min 22 by 34 inches, max 24 by 36) and 3 at ledger (11 by 17). Within the cover sheet title block(s), include the anticipated date of submittal.
 3. Both: Fold the plan size sets if thin enough to do so. Submit also Adobe PDFs using a fileshare service.



Public Works Comments
ANX 22-02
Marion Pointe PUD _ Land Use Application

June 15, 2022

A. CONDITIONS OF LAND USE APPROVAL:

1. The Applicant, not the City, is responsible for obtaining any necessary permits from the State, Marion County, Oregon Division of State Lands, US Army Corps of Engineering and/or federal agencies that may require such permit or approval for the construction of this development.
2. Applicant to obtain necessary approvals/permits from Marion County for proposed improvements to N Boones Ferry Road that will continue to be under Marion County jurisdiction.
3. The Applicant is responsible for obtaining permit/approval/agreement from applicable property owners for the conveyance and maintenance of the storm water drainage from the Marion Pointe PUD into the existing storm drainage system located on current tax lot 051W06D000502 and tax lot 051W06D000501.
4. Applicant to provide a final Engineer stamped storm drainage hydraulic analysis report for detention and conveyance system. The storm drainage hydraulic analysis shall comply with Marion County, Oregon Division of State Lands, US Army Corps of Engineering and City's requirements, as applicable. Applicant is responsible for correcting/upgrading any existing storm drainage capacity deficiencies, including upgrading private storm drainage systems or installing a new drainage system as per City's requirements and per approved Storm Drainage Hydraulic Analysis Report.
5. Prior to civil engineering plan approval the applicant shall provide a final Engineer Stamped Storm Drainage Hydraulic Analysis Report that existing private storm drainage systems have capacity to handle the additional flow from the Marion Pointe and ANX 2020-03 Dove Landing Planned Unit Developments (PUDs), and that the culvert/pipe under Olympic Street has capacity to handle a 100 year base flood event, and to provide a final 100 year floodway, floodplain, and wetland delineation for this development. The applicant is responsible for correcting any capacity deficiencies, including installing new or additional drainage systems, and/or attaining the right to increase stormwater flows into neighboring private stormwater systems.
6. Applicant is responsible for obtaining approval from the Woodburn Fire District for dead-end turnarounds requirements for streets and private share access. Buncherry Drive north end and all proposed private share access.

7. Improvements to N Boones Ferry Road shall be redesigned/adjusted accordingly with pending future improvements to N Boones Ferry that are part of the Dove Landing PUD project. Improvements to Boones Ferry Road shall comply with City and Marion County Requirements.

Design items to be aware that are part of the Dove Landing project but not limited:

- Aligning Marion Pointe intersections with Dove Landing intersections on N Boones Ferry Road.
 - Align Pedestrian crossing on N Boones Ferry Road with Dove Landing crossing.
 - Maintain/reconstruct future sidewalk on the east side of Boones Ferry Road that maybe constructed, as per the Dove Landing project.
8. Engineer of record to provide memo indicating that proposed intersections at N Boones Ferry Road complies with current Federal and State safety, sight distance and vehicular traffic/ turning movement guidelines. The engineer report shall take into consideration the proposed Dove Landing PUE intersection on N Boones Ferry Road. Please find Dove Landing information on the City's website under the following link: <https://www.woodburn-or.gov/dev-planning/project/annexation-anx-2020-03-schultz-farm-dove-landing-boones-ferry-rd-ne-west-side>
 9. Engineer of record to provide a recommendation for safety pedestrian crossings along N Boones Ferry Road, including enhancements to the crossing based on current State and Federal guidelines.

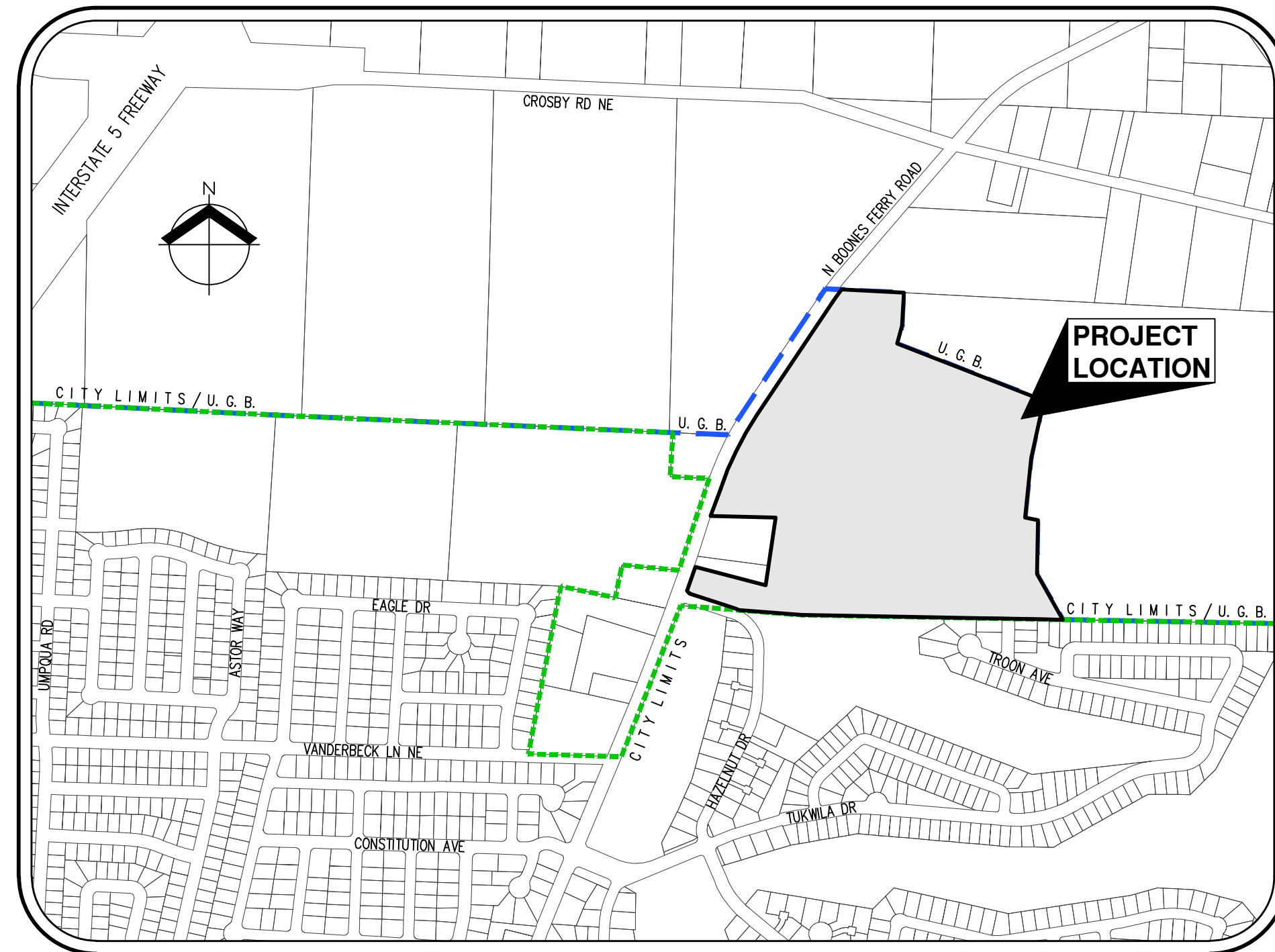
B. CONDITIONS TO BE COMPLETED PRIOR TO CIVIL PLANS APPROVAL:

1. Applicant to provide a copy of approved permit(s) from the Oregon Division of State Lands and US Army Corps of Engineering and Marion County, as applicable, if a permit shall be obtained for discharging storm drainage into state lands. This permit(s) shall be obtained prior to City approval of the Marion Pointe PUD Civil Plans.
2. The Applicant is to provide a recorded permit/approval/agreement from applicable property owners for the conveyance and maintenance of the storm water drainage from the Marion Pointe PUD Development into the existing storm drainage system located in current tax lot 051W06D000502 and tax lot 051W06D000501. The agreement(s) shall be obtained prior to City approval of the Marion Pointe PUE Civil plans.
3. Applicant to provide for the installation of all franchise utilities and shall provide any required easements for these facilities. All permanent utility services to the development shall be underground.

4. Department of Environmental Quality Erosion Control 1200C permit will need to be obtained for this development prior to City issuing approval of civil plans.
5. All sewer mains are a gravity system and the termini of sewer lines locations and depths shall be such that it is suited for future extensions to adjoining areas.
6. Culvert pipes at Olympic Street shall be sized to accommodate future development of adjoining areas, specifically properties located west of N Boones Ferry Road. The culvert pipes shall be designed by a Professional Engineer to handle a 100-year flow event.
7. Final review of the Civil Plans will be done during the Subdivision Application for Construction. Public infrastructure will be constructed in accordance with plans approved by public works and Marion County (where applicable).
8. For general information, the minimum cover depth for water mains is 4ft.
9. Applicant to adjust/redesign the water main on N Boones Ferry in accordance with the plan to extend the main line north of Hazelnut Drive towards Dove Landing Development.
10. Engineer of record to provide a storm analysis report indicating that the existing pipes in Olympic can provide capacity to convey a 100-year event for the entire basing. Engineer of record to provide a pipe analysis certifying the integrity of the existing pipes and strength to support a public road, meet the Oregon Department of Transportation Standards and Specifications. In the event that the pipes cannot provide the capacity or strength requirements the applicant shall provide new culverts or bridge over the drainage pattern. The applicant is responsible for acquiring permits from applicable regulatory agencies for all work within the limits of designated wetlands or waterways prior to, during and/or after the construction of all private and public development improvements, including all culverts/bridge installations and roadway improvements.

MARION POINTE

PRELIMINARY PLANS



VICINITY MAP
1" = 500'

APPLICANT:

HOLT GROUP HOLDINGS, LLC
1300 ESTHER STREET, SUITE 200
VANCOUVER, WA 98660

PLANNING / ENGINEERING / SURVEYING TEAM:

AKS ENGINEERING & FORESTRY, LLC
CONTACT: RAND WALTZ / GLEN SOUTHERLAND
12965 SW HERMAN RD, SUITE 100
TUALATIN, OR 97062
PH: 503-563-6151

PROJECT LOCATION:

NORTHEAST OF THE INTERSECTION OF NORTH BOONES FERRY ROAD AND HAZELNUT DRIVE WOODBURN, OREGON

PROPERTY DESCRIPTION:

TAX LOT 502, MARION COUNTY ASSESSOR'S MAP 5S 1W 6D, SOUTHEAST ONE QUARTER SECTION OF TOWNSHIP 5 SOUTH, RANGE 1 WEST, LOCATED IN SECTION 6, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON.

EXISTING LAND USE:

VACANT/GOLF COURSE

PROJECT PURPOSE:

PLANNED UNIT DEVELOPMENT FOR FUTURE SINGLE-FAMILY DETACHED RESIDENTIAL DWELLING UNITS.

VERTICAL DATUM:

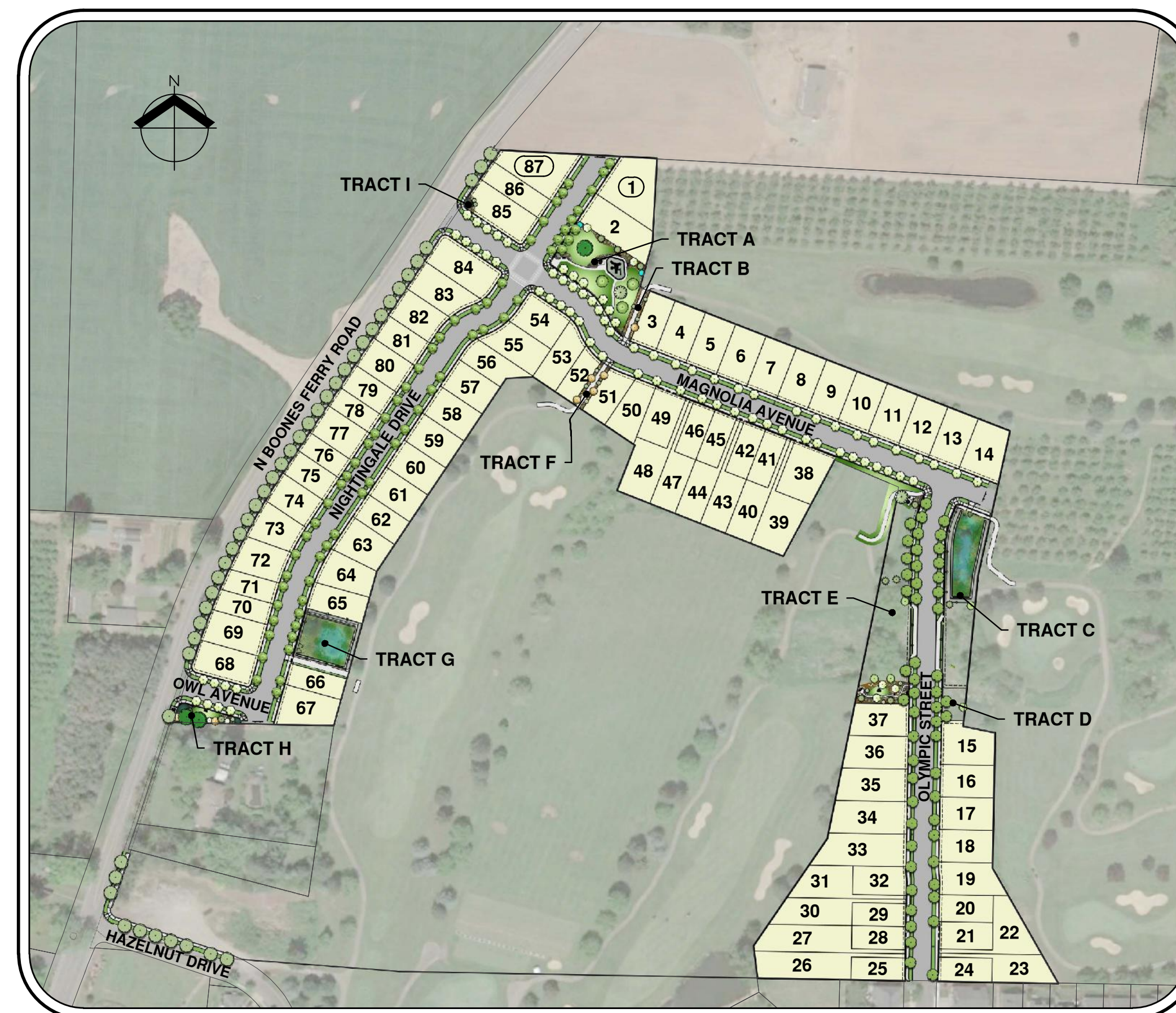
VERTICAL DATUM: ELEVATIONS ARE BASED ON NGS BENCHMARK RD1523, LOCATED AT THE SOUTHEASTERLY CORNER OF THE INTERSECTION OF STATE HIGHWAY 99E AND INDUSTRIAL AVENUE ACCESS BEING A PAVED ROAD LEADING EAST TO MACLAREN YOUTH CORRECTIONAL FACILITY.
ELEVATION = 182.27 FEET (NAVD 88)

HORIZONTAL DATUM:

HORIZONTAL DATUM: A LOCAL DATUM PLANE SCALED FROM OREGON STATE PLANE NORTH 3601 NAD83(2011) EPOCH 2010.0000 BY HOLDING A PROJECT MEAN GROUND COMBINED SCALE FACTOR OF 1.0001105030 AT A CALCULATED CENTRAL PROJECT POINT WITH GRID VALUES OF (NORTH 553991.748, EAST 7595761.288). THE MERIDIAN CONVERGENCE ANGLE AT THE CALCULATED CENTRAL POINT IS -1'40"03". THE STATE PLANE COORDINATES WERE DERIVED FROM THE TRIMBLE VRS NOW NETWORK.

SHEET INDEX

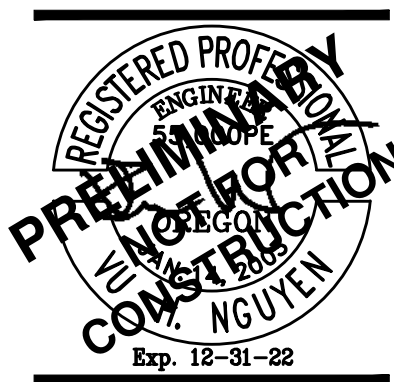
- P-01 COVER SHEET WITH LEGEND, VICINITY, AND SITE MAPS
- P-02 PRELIMINARY LANDSCAPE AMENITY PLAN
- P-03 PRELIMINARY OVERALL EXISTING CONDITIONS PLAN
- P-04 PRELIMINARY EXISTING CONDITIONS PLAN
- P-05 PRELIMINARY EXISTING CONDITIONS PLAN
- P-06 PRELIMINARY EXISTING CONDITIONS PLAN
- P-07 PRELIMINARY EXISTING CONDITIONS PLAN
- P-08 PRELIMINARY PROPERTY LINE ADJUSTMENT PLAN
- P-09 PRELIMINARY OVERALL SUBDIVISION PLAT
- P-10 PRELIMINARY DETAILED SUBDIVISION PLAT
- P-11 PRELIMINARY DETAILED SUBDIVISION PLAT
- P-12 PRELIMINARY DETAILED SUBDIVISION PLAT
- P-13 CONCEPTUAL NEIGHBORHOOD CIRCULATION PLAN
- P-14 PRELIMINARY DETAILED TREE PRESERVATION AND REMOVAL PLAN
- P-15 PRELIMINARY DETAILED TREE PRESERVATION AND REMOVAL PLAN
- P-16 PRELIMINARY DETAILED TREE PRESERVATION AND REMOVAL PLAN
- P-17 PRELIMINARY DETAILED TREE PRESERVATION AND REMOVAL PLAN
- P-18 PRELIMINARY DEMOLITION PLAN
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- P-23 PRELIMINARY DETAILED COMPOSITE UTILITY PLAN
- P-24 PRELIMINARY OFFSITE SANITARY SEWER COMPOSITE UTILITY PLAN
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- P-33 PRELIMINARY LANDSCAPE PLAN TRACT B, F & I PATHS & ENTRY MONUMENT
- P-34 PRELIMINARY LANDSCAPE PLAN TRACT C, D, & E OPEN SPACE
- P-35 PRELIMINARY LANDSCAPE PLAN TRACT C & G - STORMWATER FACILITIES
- P-36 PRELIMINARY LANDSCAPE PLAN TRACT H OPEN SPACE
- P-37 PRELIMINARY SHARED DRIVEWAY LAYOUT CONCEPT PLAN
- P-38 PRELIMINARY FLAG LOT FRONTAGE ELEVATIONS
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- P-40 PRELIMINARY DRIVING RANGE PROFILE EXHIBIT
- P-41 EXHIBIT Y PROPOSED COMMON AREAS
- P-42 PRELIMINARY FIRE ACCESS AND WATER SUPPLY PLAN
- P-43 PRELIMINARY FIRE ACCESS AND WATER SUPPLY PLAN
- P-44 PRELIMINARY FIRE ACCESS AND WATER SUPPLY PLAN



SITE MAP
1" = 200'

LEGEND			
EXISTING	PROPOSED	EXISTING	PROPOSED
DECIDUOUS TREE		STORM DRAIN CLEAN OUT	
CONIFEROUS TREE		STORM DRAIN CATCH BASIN	
FIRE HYDRANT		STORM DRAIN AREA DRAIN	
WATER BLOWOFF		STORM DRAIN MANHOLE	
WATER METER		GAS METER	
WATER VALVE		GAS VALVE	
DOUBLE CHECK VALVE		GUY WIRE ANCHOR	
AIR RELEASE VALVE		UTILITY POLE	
SANITARY SEWER CLEAN OUT		POWER VAULT	
SANITARY SEWER MANHOLE		POWER JUNCTION BOX	
SIGN		POWER PEDESTAL	
STREET LIGHT		COMMUNICATIONS VAULT	
MAILBOX		COMMUNICATIONS JUNCTION BOX	
		COMMUNICATIONS RISER	
EXISTING		PROPOSED	
RIGHT-OF-WAY LINE		BOUNDARY LINE	
BOUNDARY LINE		PROPERTY LINE	
PROPERTY LINE		CENTERLINE	
CENTERLINE		DITCH	
DITCH		CURB	
CURB		EDGE OF PAVEMENT	
EDGE OF PAVEMENT		EASEMENT	
EASEMENT		FENCE LINE	
FENCE LINE		GRAVEL EDGE	
GRAVEL EDGE		POWER LINE	
POWER LINE		OVERHEAD WIRE	
OVERHEAD WIRE		COMMUNICATIONS LINE	
COMMUNICATIONS LINE		FIBER OPTIC LINE	
FIBER OPTIC LINE		GAS LINE	
GAS LINE		STORM DRAIN LINE	
STORM DRAIN LINE		SANITARY SEWER LINE	
SANITARY SEWER LINE		WATER LINE	
WATER LINE			

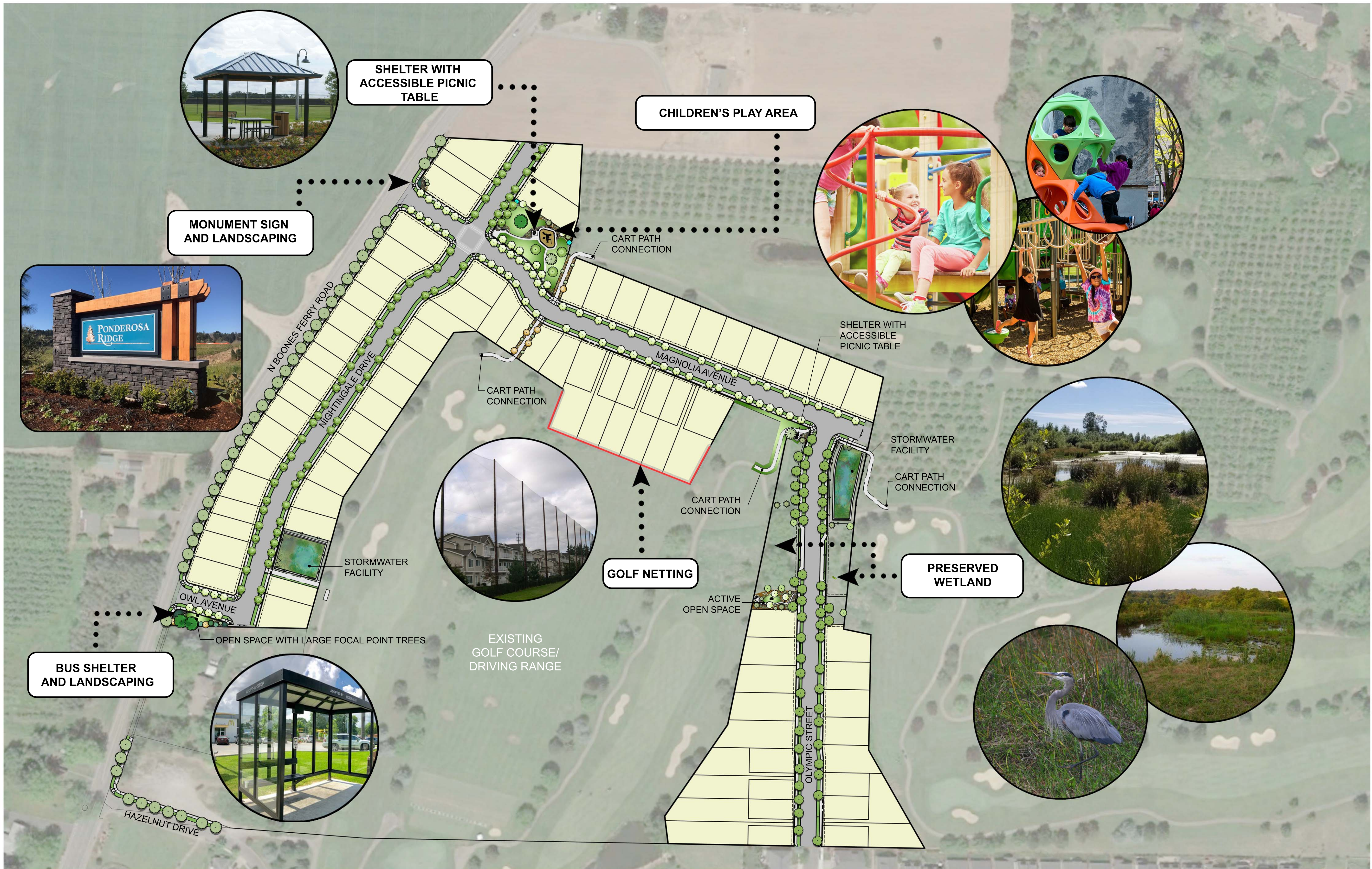
COVER SHEET WITH LEGEND,
VICINITY, AND SITE MAPS
MARION POINTE
WOODBURN, OREGON



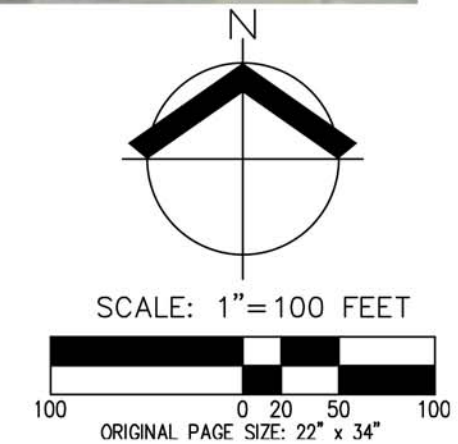
JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN

P-01

ANX 22-02
Attachment 103



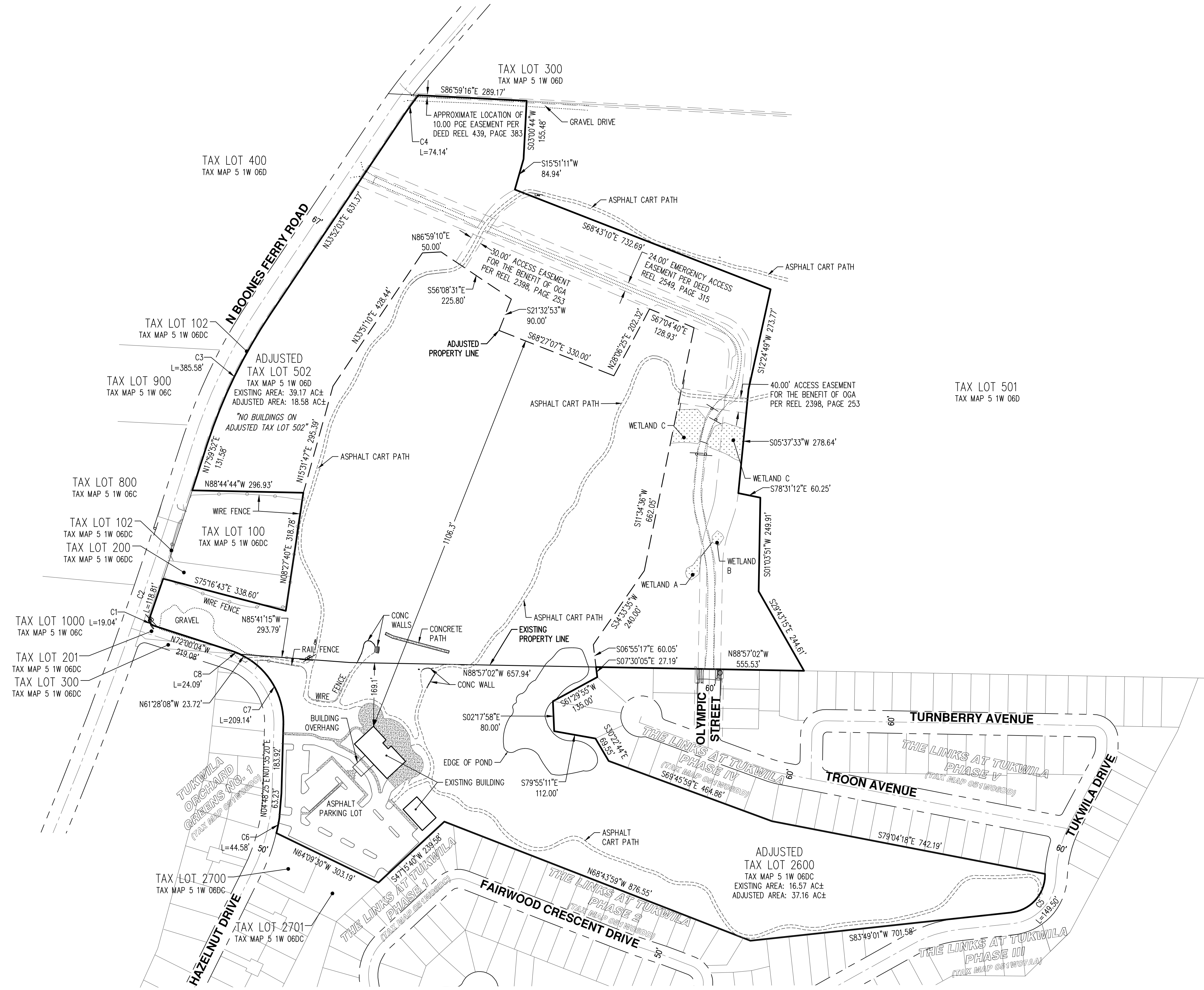
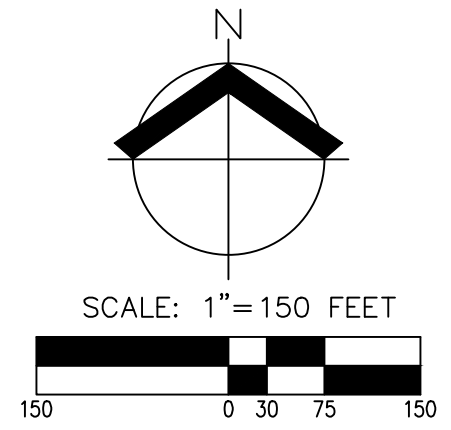
POTENTIAL PLAN ELEMENTS, LOCATIONS, AND DETAILS AS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE.



**PRELIMINARY LANDSCAPE
 AMENITY PLAN
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/04/2022
DESIGNED BY:	NKP
DRAWN BY:	NKP
CHECKED BY:	KAH



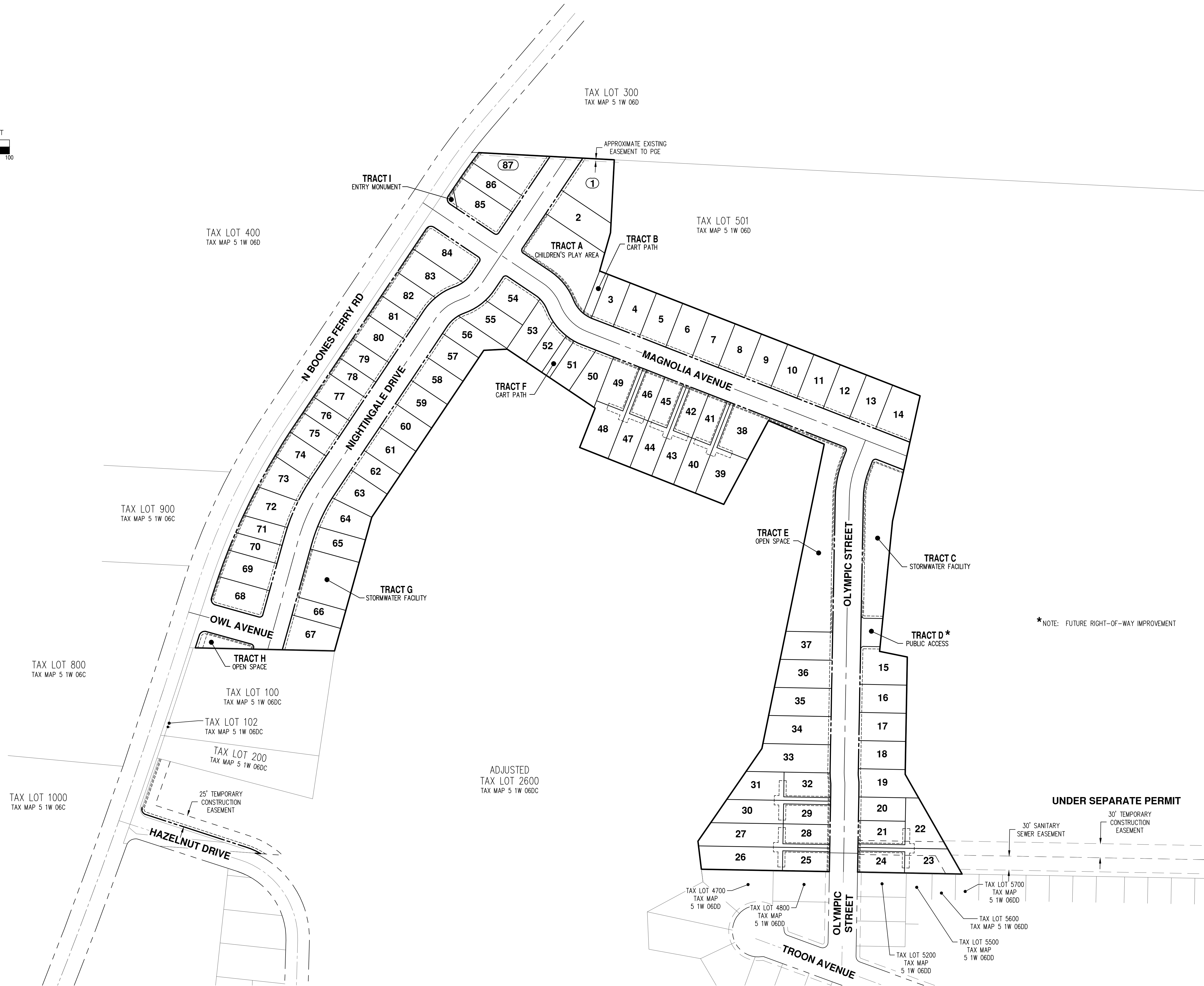
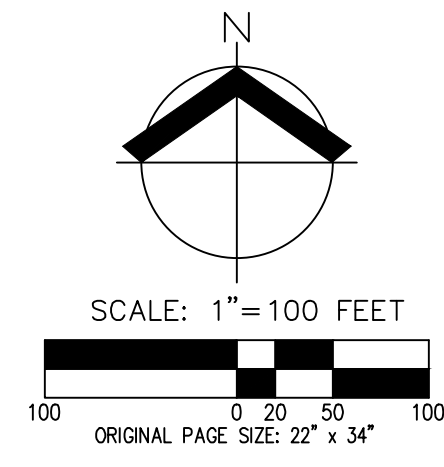
CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	20.00'	54°32'08"	19.04'	N44°44'00"W 18.33'
C2	11496.13'	0°35'32"	118.81'	N19°00'18"E 118.81'
C3	1395.40'	15°49'56"	385.58'	N25°57'05"E 384.36'
C4	1108.92'	3°49'50"	74.14'	N35°46'58"E 74.12'
C5	100.52'	85°13'02"	149.50'	S40°49'29"W 136.10'
C6	524.66'	4°52'06"	44.58'	N10°52'44"E 44.57'
C7	199.63'	60°01'32"	209.14'	N28°25'26"W 199.71'
C8	200.00'	6°54'05"	24.09'	N68°33'02"W 24.08'

**PRELIMINARY PROPERTY
 LINE ADJUSTMENT PLAN
 MARION POINTE
 WOODBURN, OREGON**

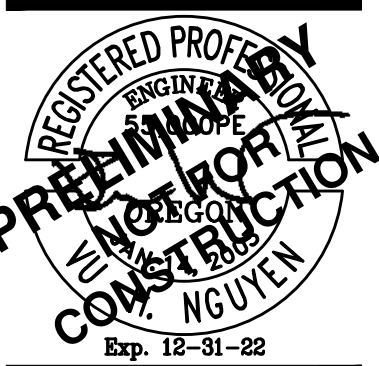
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
**PRELIMINARY
 NOT FOR
 CONSTRUCTION**
 JAMES D. REYOR
 JANUARY 2005
 BOARD # 2005
 BONNIE D. RETTIG
 #0124LS
 RENEWS: 12/31/22

JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: NRA
 DRAWN BY: MTB
 CHECKED BY: VHN

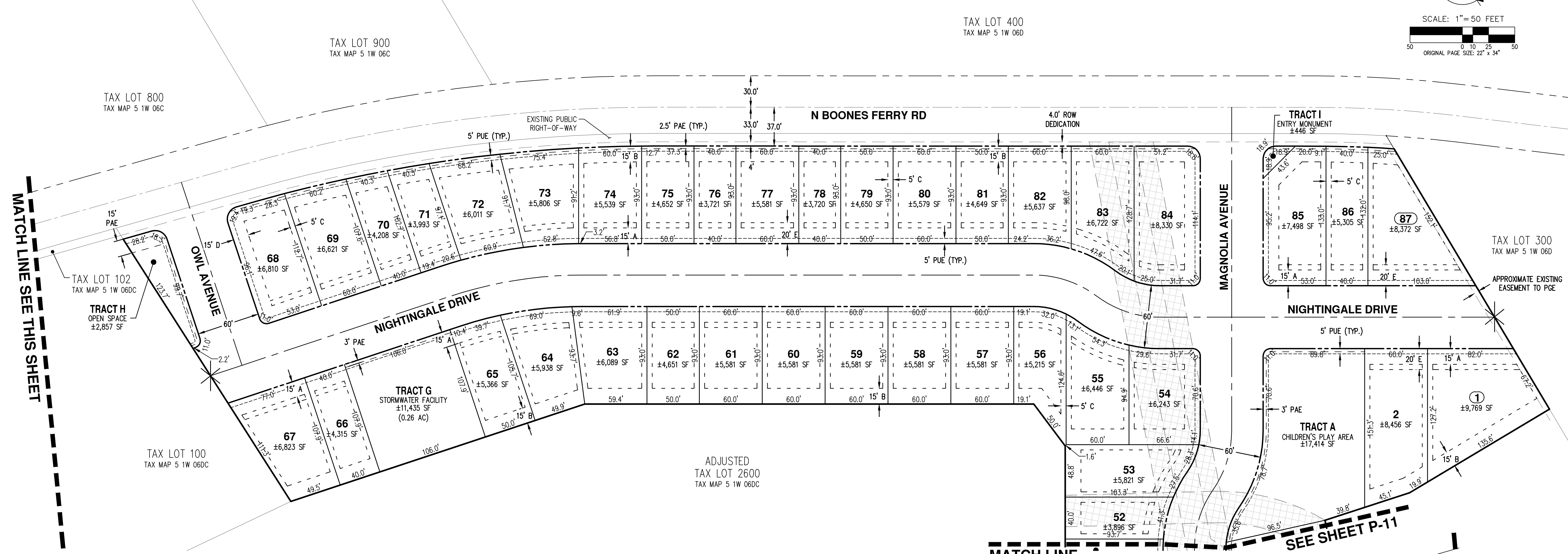
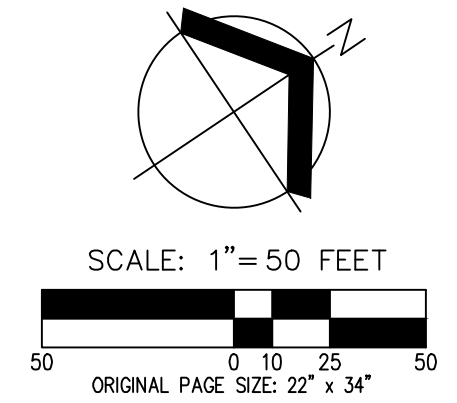


**PRELIMINARY OVERALL
 SUBDIVISION PLAT
 MARION POINTE
 WOODBURN, OREGON**

*NOTE: FUTURE RIGHT-OF-WAY IMPROVEMENT



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



MATCH LINE SEE THIS SHEET

MATCH LINE SEE THIS SHEET

PUD SETBACK LEGEND

A. FRONT YARD:	15 FT
B. REAR YARD:	15 FT
C. SIDE YARD:	5 FT
D. STREET SIDE YARD:	15 FT
E. GARAGE SETBACK:	20 FT

EASEMENT LEGEND

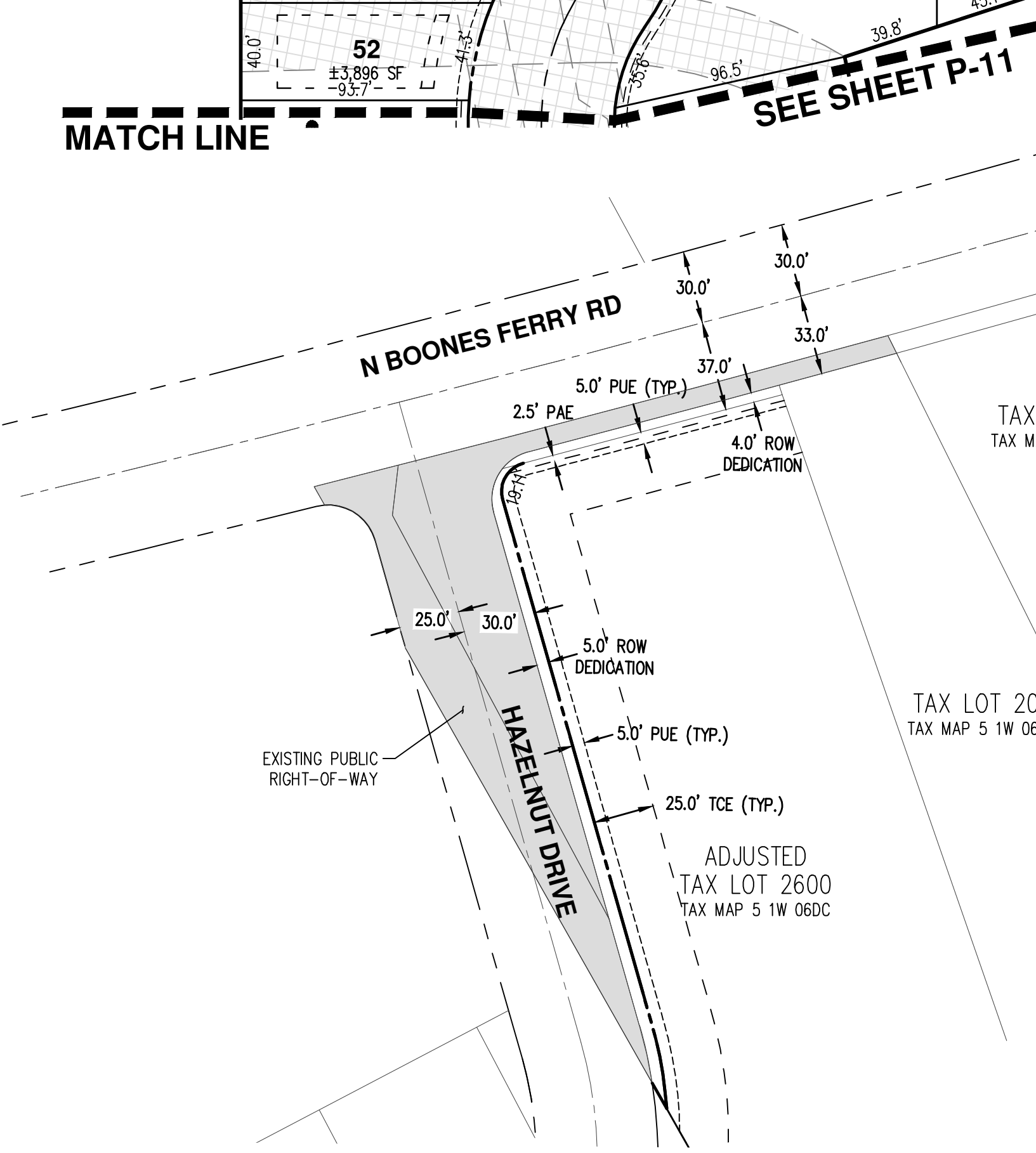
ACCESS AND UTILITY EASEMENT	AE
PUBLIC UTILITY EASEMENT	PUE
PUBLIC ACCESS EASEMENT	PAE
SANITARY SEWER EASEMENT	SSE
TEMPORARY CONSTRUCTION EASEMENT	TCE

LEGEND

	EXISTING EASEMENT TO BE VACATED
--	---------------------------------

NOTES:

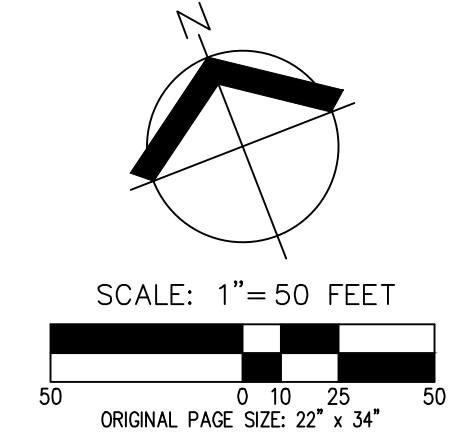
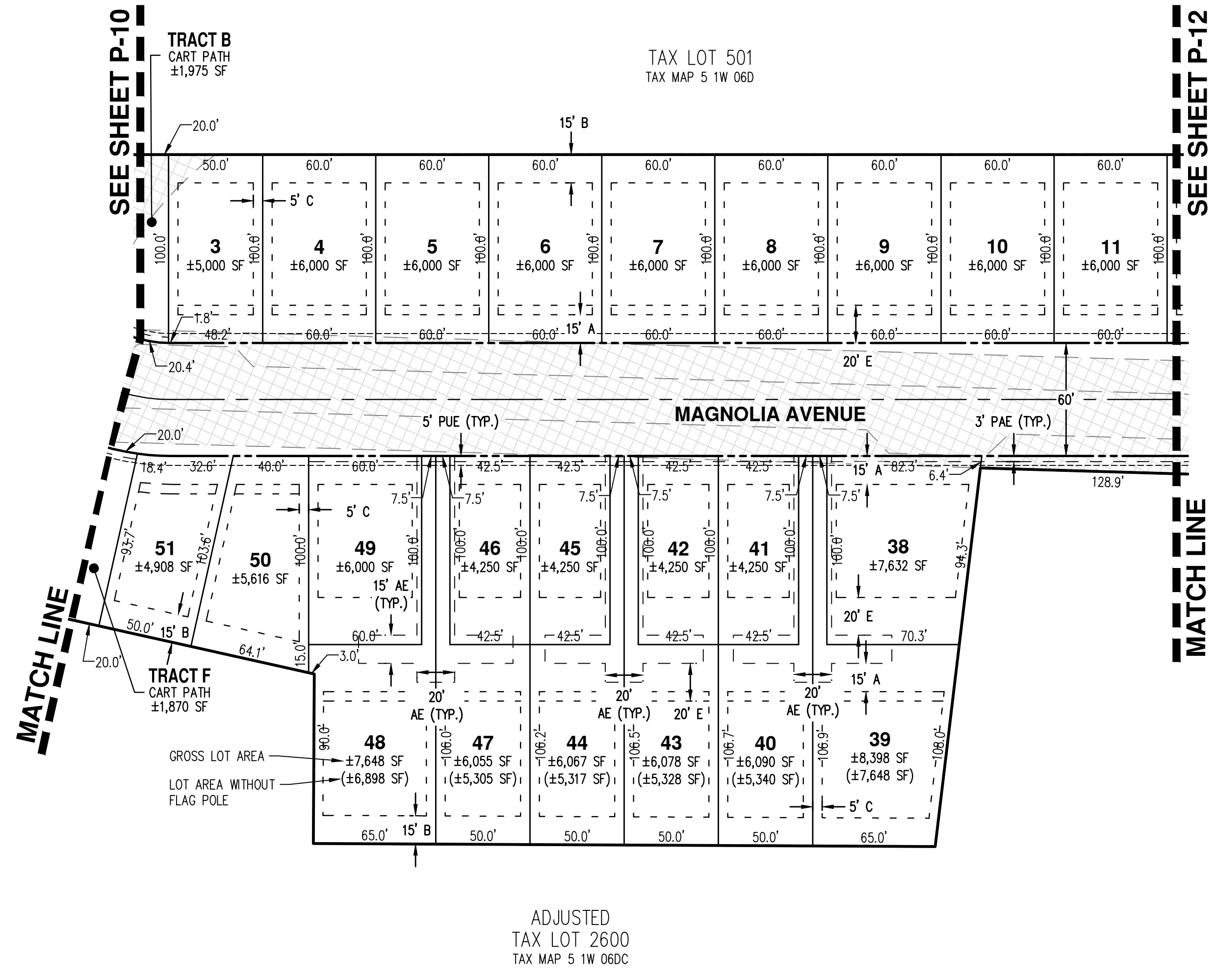
- THE PURPOSE OF THIS PRELIMINARY SUBDIVISION PLAT IS TO SHOW LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL RECORDED FINAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. ALL DIMENSIONS ARE SUBJECT TO CHANGE.
- A ONE FOOT RESERVE STRIP, NON-ACCESS RESERVATION, OR ALTERNATIVE METHOD FOR LIMITING ACCESS APPROVED BY THE CITY WILL BE PROVIDED AT EACH TEMPORARY STREET STUB.



**PRELIMINARY DETAILED
 SUBDIVISION PLAT
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



PUD SETBACK LEGEND

A. FRONT YARD:	15 FT
B. REAR YARD:	15 FT
C. SIDE YARD:	5 FT
D. STREET SIDE YARD:	15 FT
E. GARAGE SETBACK:	20 FT

EASEMENT LEGEND

ACCESS AND UTILITY EASEMENT	AE
PUBLIC UTILITY EASEMENT	PUE
PUBLIC ACCESS EASEMENT	PAE
SANITARY SEWER EASEMENT	SSE
TEMPORARY CONSTRUCTION EASEMENT	TCE

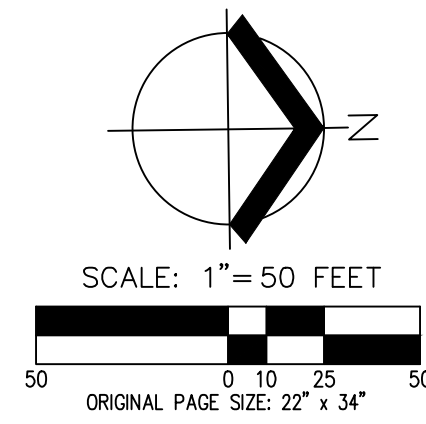
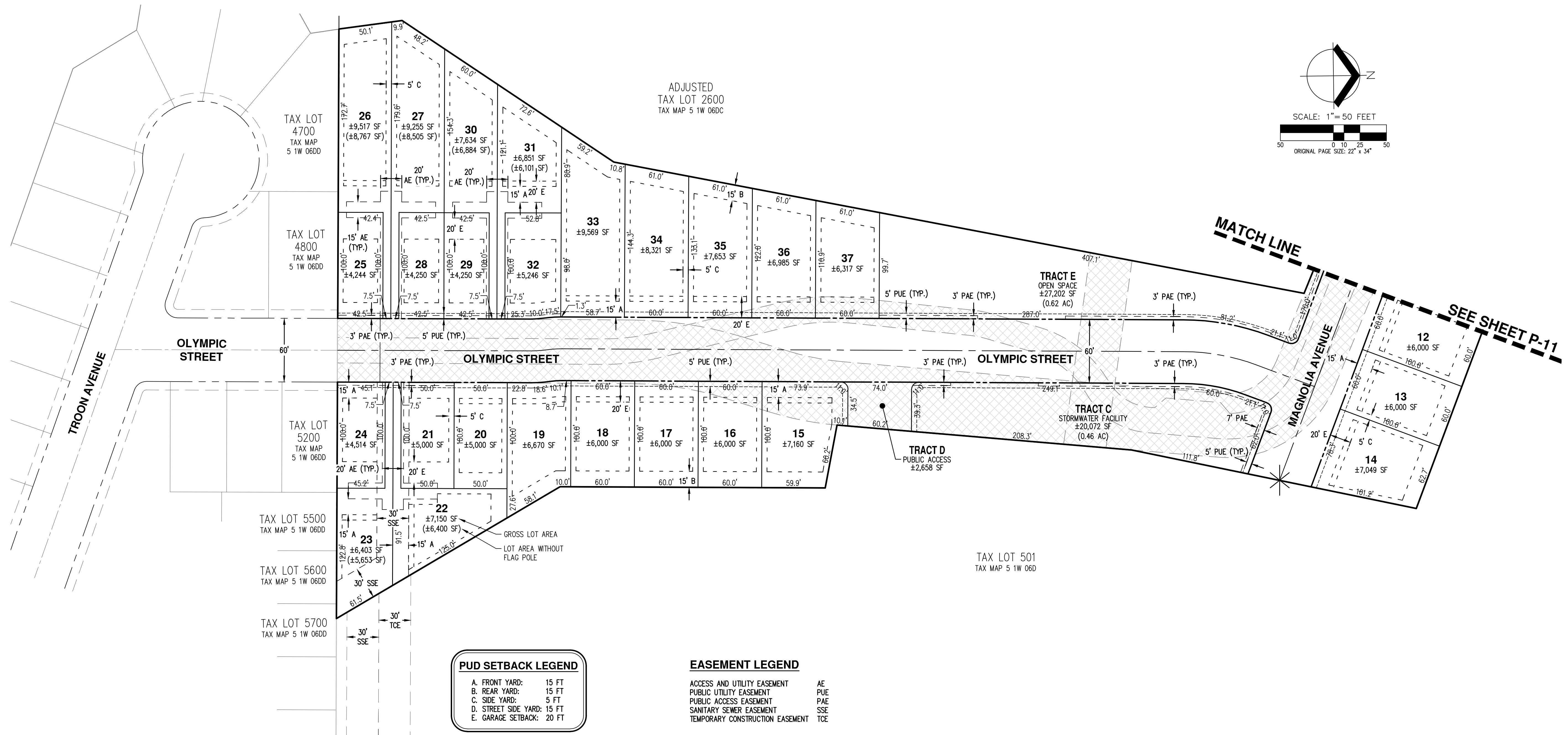
NOTE:
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LEGEND
 EXISTING EASEMENT TO BE VACATED

**PRELIMINARY DETAILED
 SUBDIVISION PLAT
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
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PUD SETBACK LEGEND

A. FRONT YARD:	15 FT
B. REAR YARD:	15 FT
C. SIDE YARD:	5 FT
D. STREET SIDE YARD:	15 FT
E. GARAGE SETBACK:	20 FT

EASEMENT LEGEND

ACCESS AND UTILITY EASEMENT	AE
PUBLIC UTILITY EASEMENT	PUE
PUBLIC ACCESS EASEMENT	PAE
SANITARY SEWER EASEMENT	SSE
TEMPORARY CONSTRUCTION EASEMENT	TCE

LEGEND

EXISTING EASEMENT TO BE VACATED

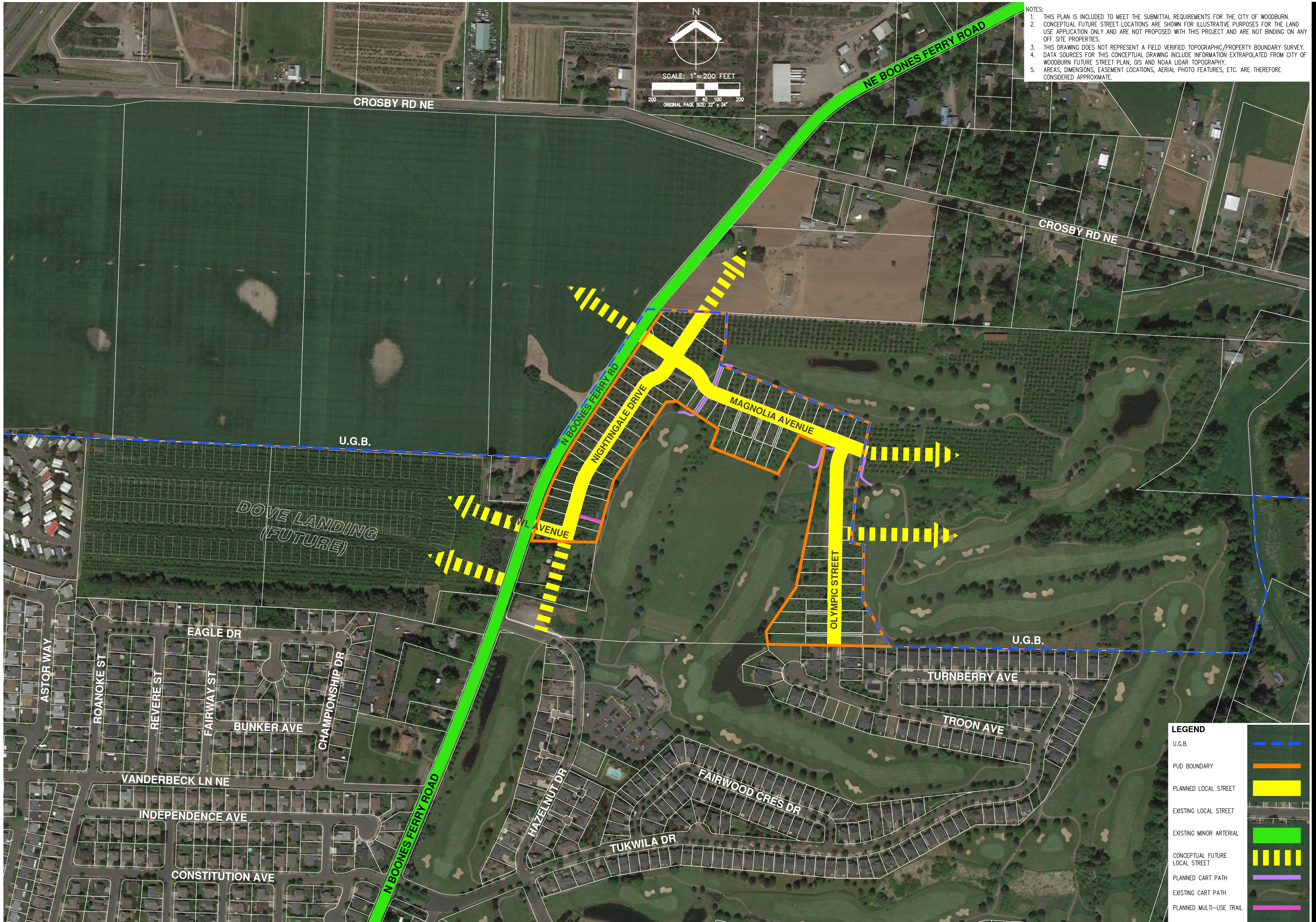
NOTES:

THE PURPOSE OF THIS PRELIMINARY SUBDIVISION PLAT IS TO SHOW LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL RECORDED FINAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES. ALL DIMENSIONS ARE SUBJECT TO CHANGE.

**PRELIMINARY DETAILED
 SUBDIVISION PLAT
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
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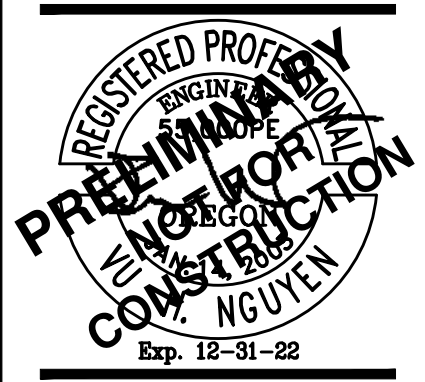


- NOTES:
1. THIS PLAN IS INCLUDED TO MEET THE SUBMITTAL REQUIREMENTS FOR THE CITY OF WOODBURN.
 2. CONCEPTUAL FUTURE STREET LOCATIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES FOR THE LAND USE APPLICATION ONLY AND ARE NOT PROPOSED WITH THIS PROJECT AND ARE NOT BINDING ON ANY OFF SITE PROPERTIES.
 3. THIS DRAWING DOES NOT REPRESENT A FIELD VERIFIED TOPOGRAPHIC/PROPERTY BOUNDARY SURVEY. DATA SOURCES FOR THIS CONCEPTUAL DRAWING INCLUDE INFORMATION EXTRAPOLATED FROM CITY OF WOODBURN FUTURE STREET PLAN, GIS AND NOAA LIDAR TOPOGRAPHY.
 4. AREAS, DIMENSIONS, EASEMENT LOCATIONS, AERIAL PHOTO FEATURES, ETC. ARE THEREFORE CONSIDERED APPROXIMATE.

AKS
 AKS ENGINEERING & FORESTRY, LLC
 12865 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151
 WWW.AKS-ENG.COM

ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

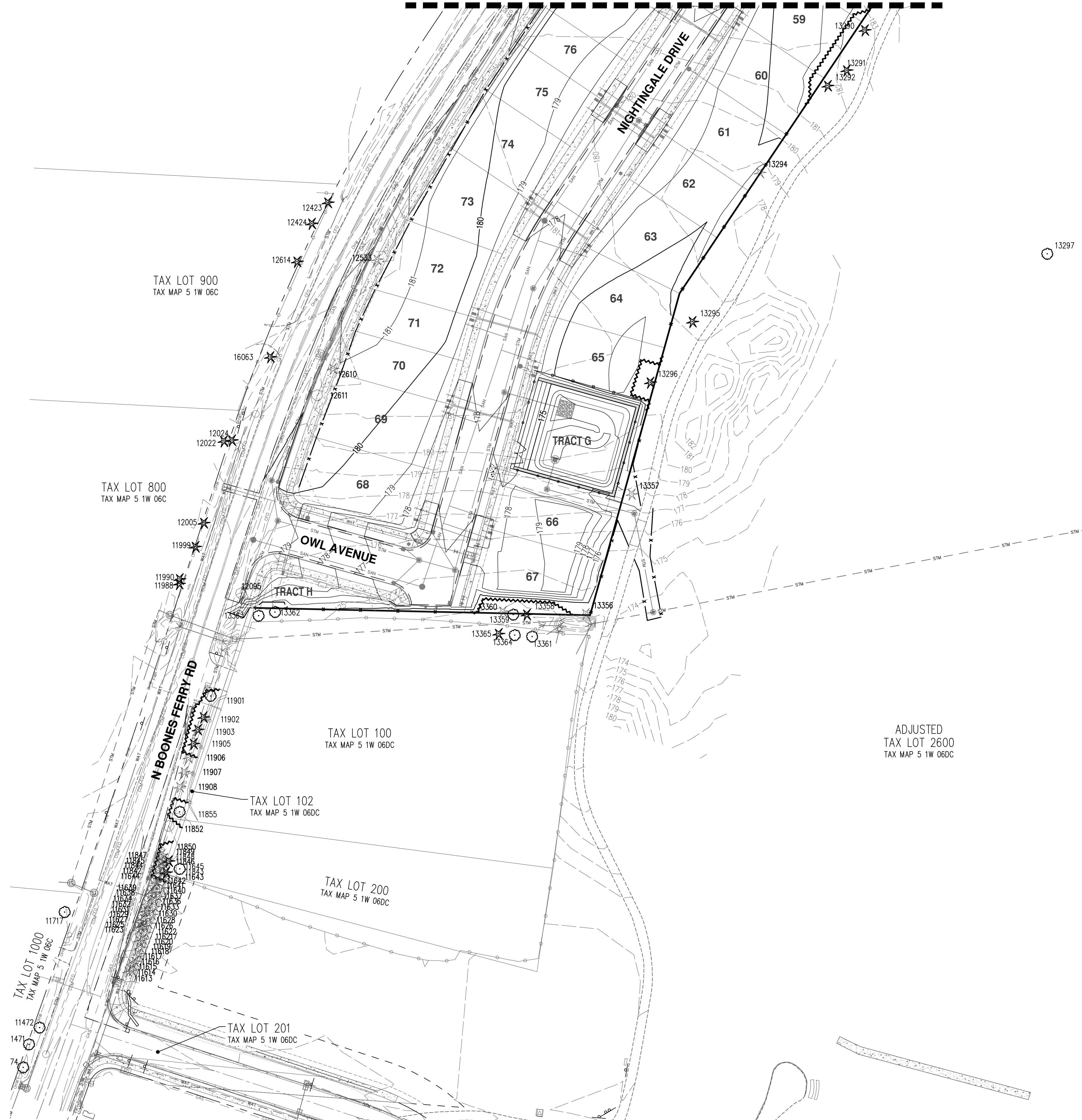
**CONCEPTUAL NEIGHBORHOOD
 CIRCULATION PLAN
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: NRA
 DRAWN BY: NRA
 CHECKED BY: VHN

LEGEND	
U.G.B.	
PUD BOUNDARY	
PLANNED LOCAL STREET	
EXISTING LOCAL STREET	
EXISTING MINOR ARTERIAL	
CONCEPTUAL FUTURE LOCAL STREET	
PLANNED CART PATH	
EXISTING CART PATH	
PLANNED MULTI-USE TRAIL	

MATCHLINE SEE SHEET P-15

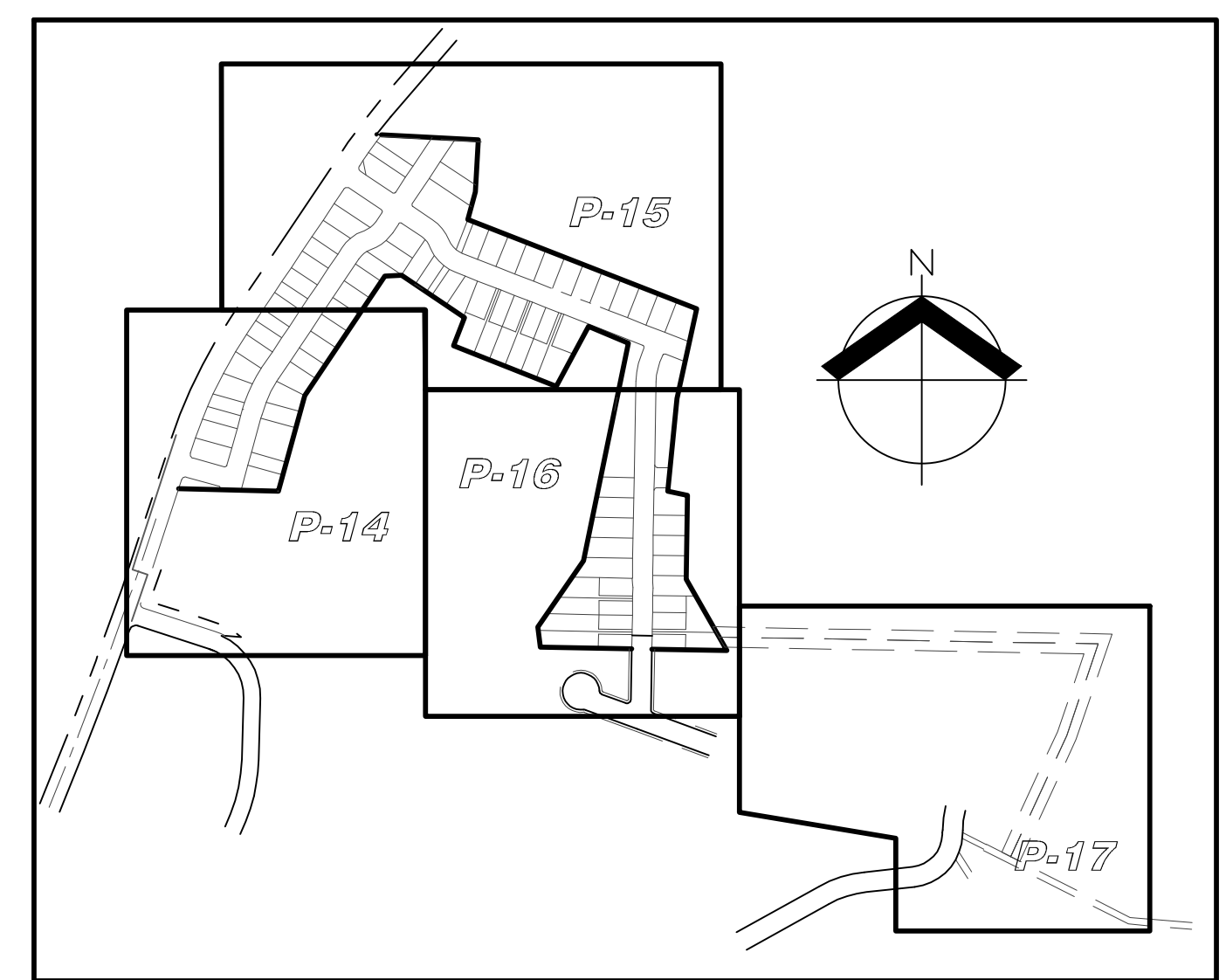
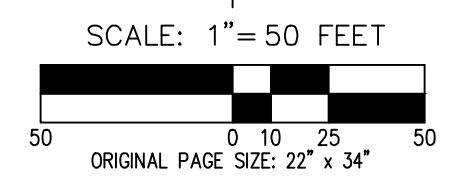
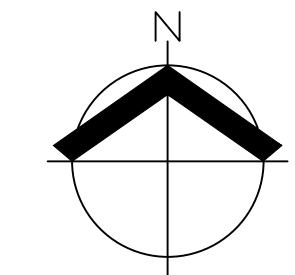


LEGEND

EXISTING GROUND CONTOUR (1 FT)	---	149
EXISTING GROUND CONTOUR (5 FT)	---	150
FINISHED GRADE CONTOUR (1 FT)	---	149
FINISHED GRADE CONTOUR (5 FT)	---	150
EXISTING CONIFEROUS TREE	*	
EXISTING DECIDUOUS TREE	○	
TREE REMOVAL	○ *	
SEDIMENT FENCE (ALSO SERVES AS TREE PROTECTION WHERE SHOWN)	-x-x-	
TREE PROTECTION FENCE	~~~~~	

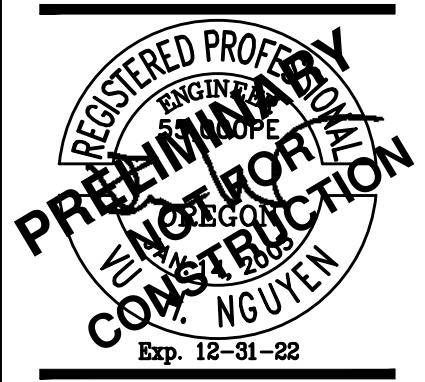
NOTES:

1. REFER TO THE MARION POINTE PRELIMINARY TREE PRESERVATION AND REMOVAL TABLE FOR ADDITIONAL TREE RELATED INFORMATION.
2. TREE REMOVAL BEHIND TREE PROTECTION FENCE TO BE DONE USING HAND TOOLS AND METHODS.



KEY MAP
1" = 50'

**PRELIMINARY DETAILED TREE PRESERVATION AND REMOVAL PLAN
MARION POINTE
WOODBURN, OREGON**

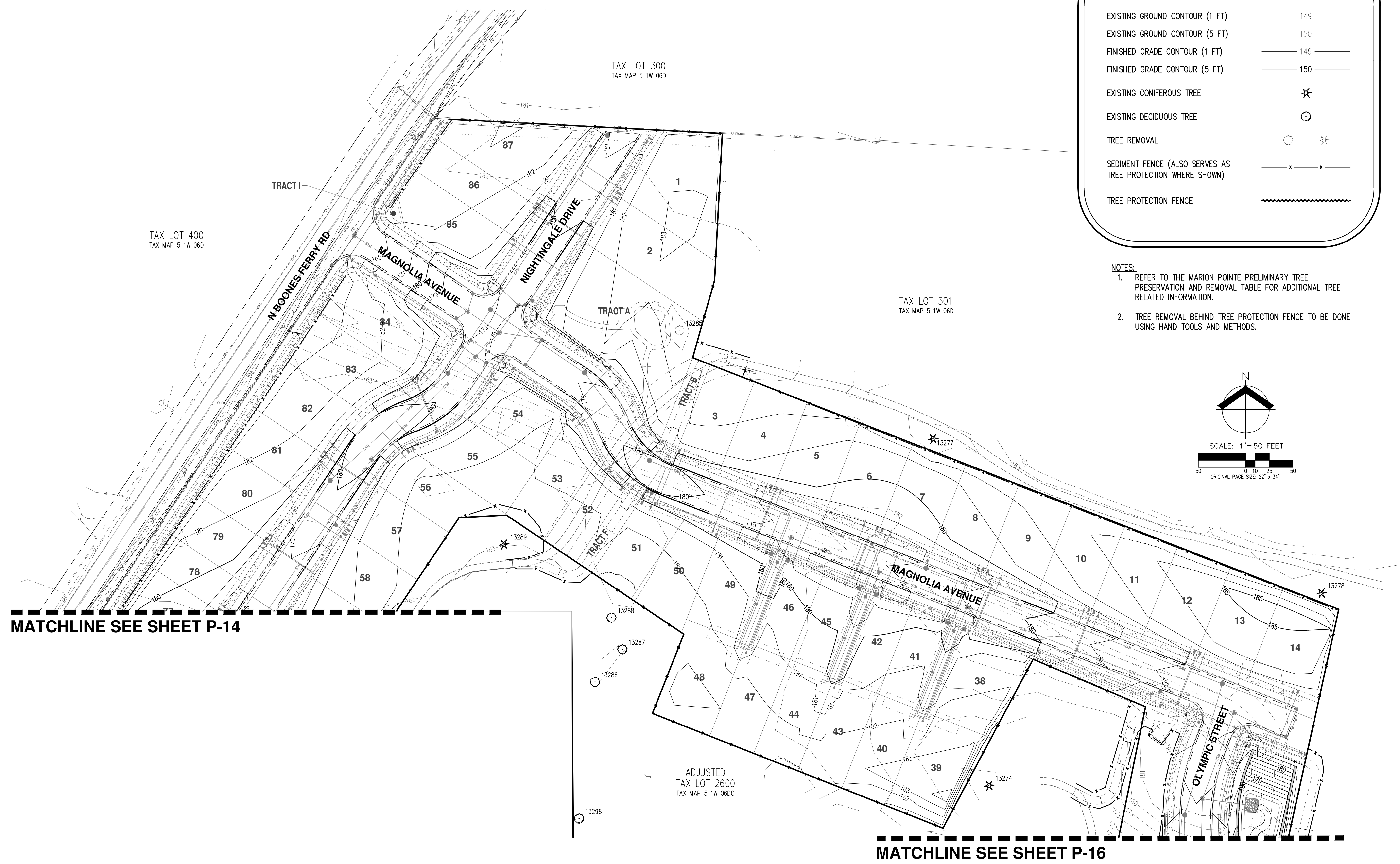
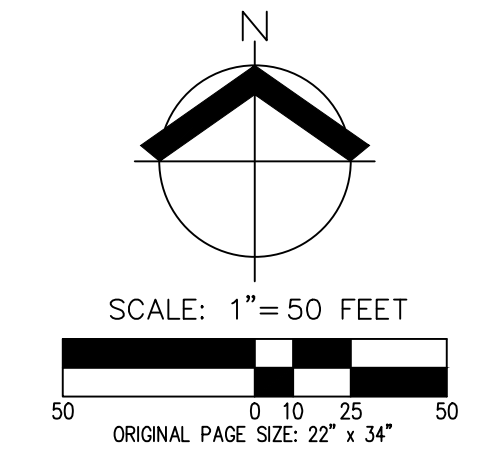


JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN

LEGEND

EXISTING GROUND CONTOUR (1 FT)	---	149
EXISTING GROUND CONTOUR (5 FT)	- - -	150
FINISHED GRADE CONTOUR (1 FT)	---	149
FINISHED GRADE CONTOUR (5 FT)	- - -	150
EXISTING CONIFEROUS TREE	*	
EXISTING DECIDUOUS TREE	○	
TREE REMOVAL	○ *	
SEDIMENT FENCE (ALSO SERVES AS TREE PROTECTION WHERE SHOWN)	- x - x -	
TREE PROTECTION FENCE	~~~~~	

- NOTES:**
- REFER TO THE MARION POINTE PRELIMINARY TREE PRESERVATION AND REMOVAL TABLE FOR ADDITIONAL TREE RELATED INFORMATION.
 - TREE REMOVAL BEHIND TREE PROTECTION FENCE TO BE DONE USING HAND TOOLS AND METHODS.



MATCHLINE SEE SHEET P-14

MATCHLINE SEE SHEET P-16

**PRELIMINARY DETAILED TREE
 PRESERVATION AND REMOVAL PLAN
 MARION POINTE
 WOODBURN, OREGON**



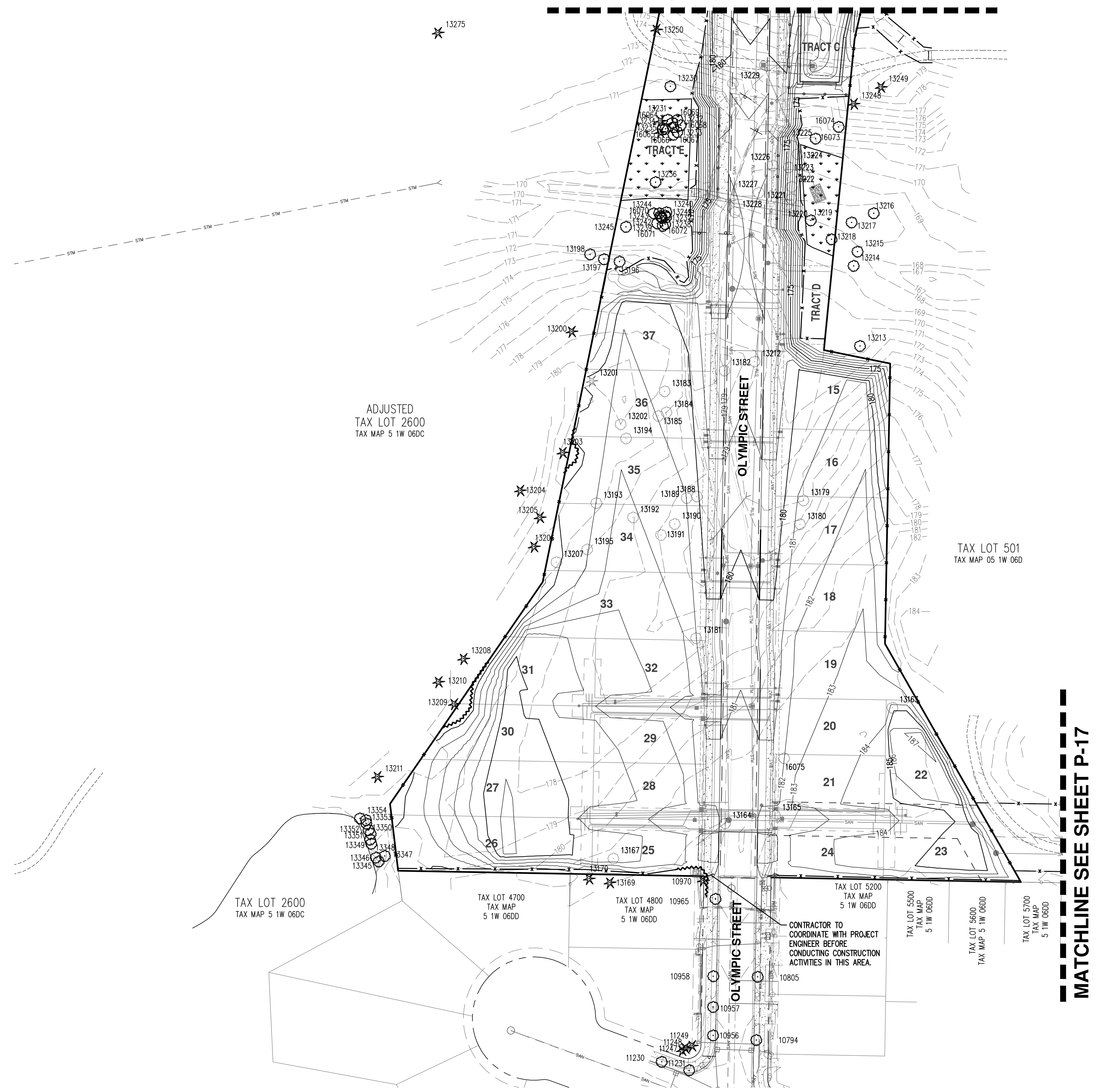
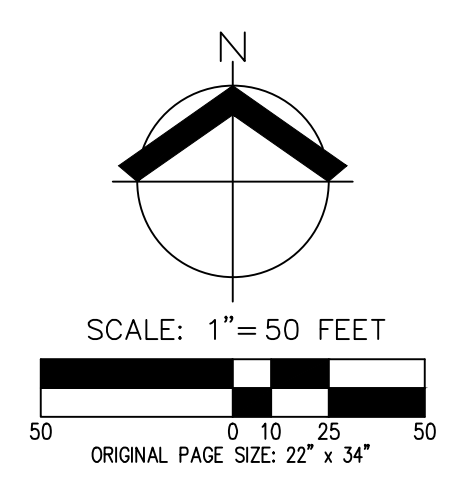
JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN

MATCHLINE SEE SHEET P-15

LEGEND

EXISTING GROUND CONTOUR (1 FT)	---	149
EXISTING GROUND CONTOUR (5 FT)	---	150
FINISHED GRADE CONTOUR (1 FT)	---	149
FINISHED GRADE CONTOUR (5 FT)	---	150
EXISTING CONIFEROUS TREE	*	
EXISTING DECIDUOUS TREE	○	
TREE REMOVAL	○ *	
SEDIMENT FENCE (ALSO SERVES AS TREE PROTECTION WHERE SHOWN)	-x-x-	
TREE PROTECTION FENCE	~~~~~	

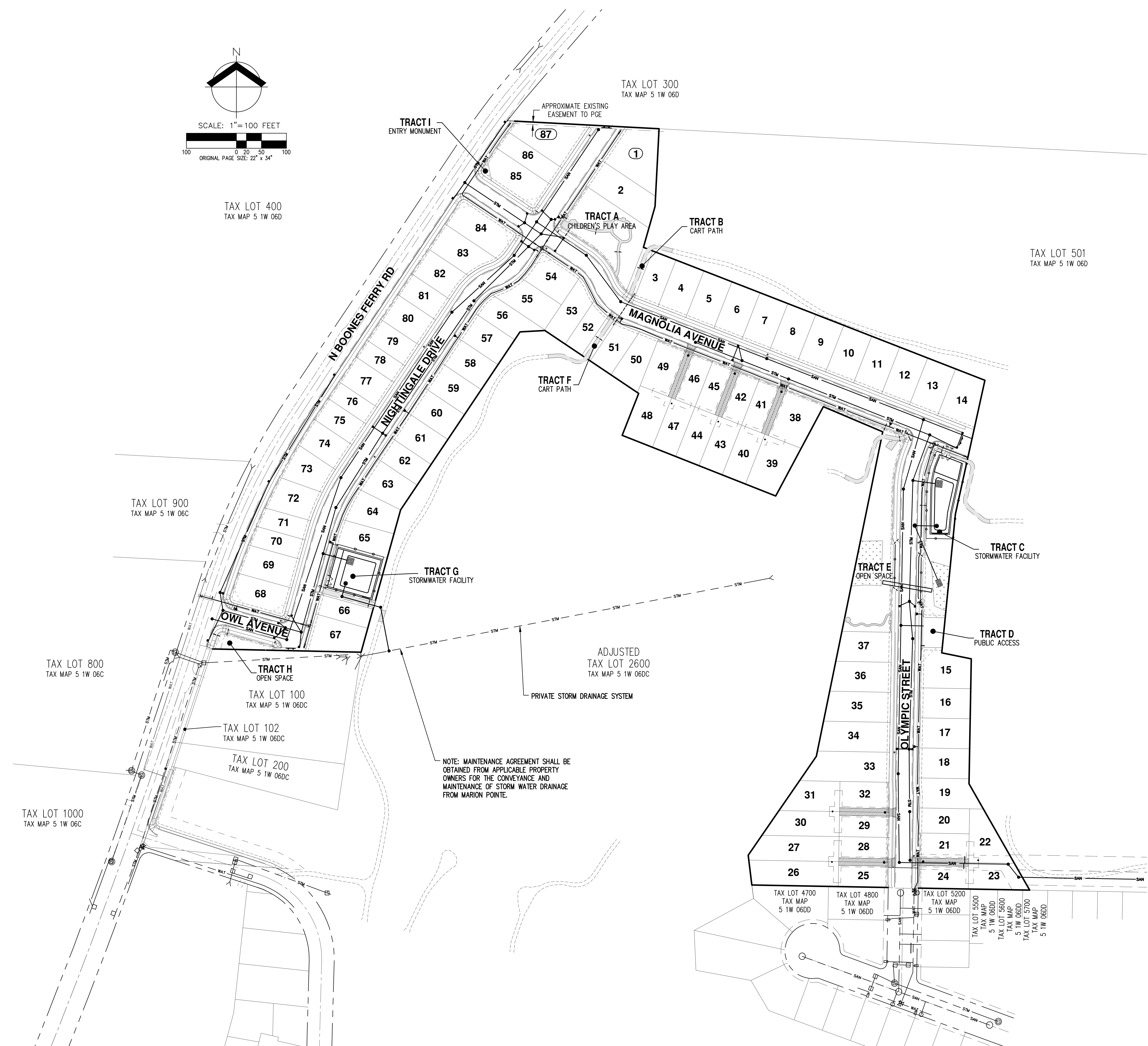
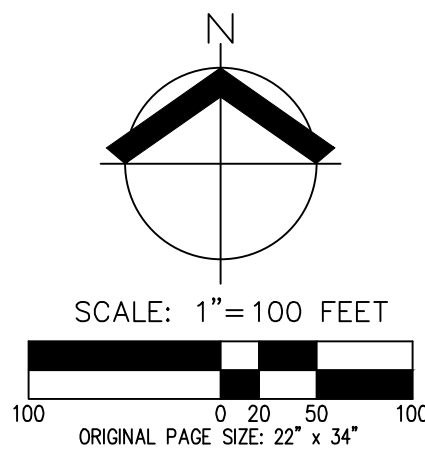
- NOTES:**
- REFER TO THE MARION POINTE PRELIMINARY TREE PRESERVATION AND REMOVAL TABLE FOR ADDITIONAL TREE RELATED INFORMATION.
 - TREE REMOVAL BEHIND TREE PROTECTION FENCE TO BE DONE USING HAND TOOLS AND METHODS.



**PRELIMINARY DETAILED TREE PRESERVATION AND REMOVAL PLAN
 MARION POINTE
 WOODBURN, OREGON**

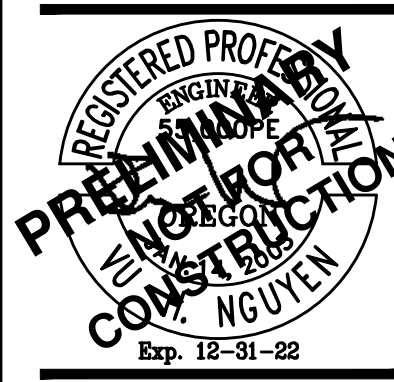


JOB NUMBER:	7564
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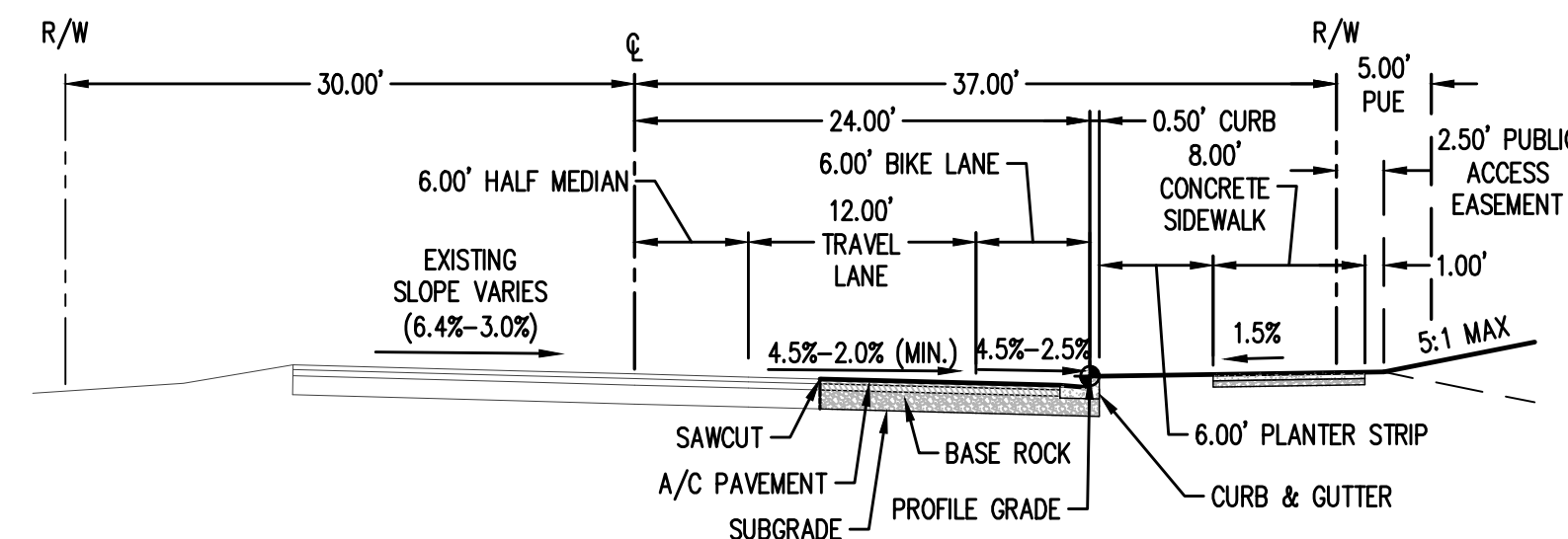


NOTE: MAINTENANCE AGREEMENT SHALL BE OBTAINED FROM APPLICABLE PROPERTY OWNERS FOR THE CONVEYANCE AND MAINTENANCE OF STORM WATER DRAINAGE FROM MARION POINTE.

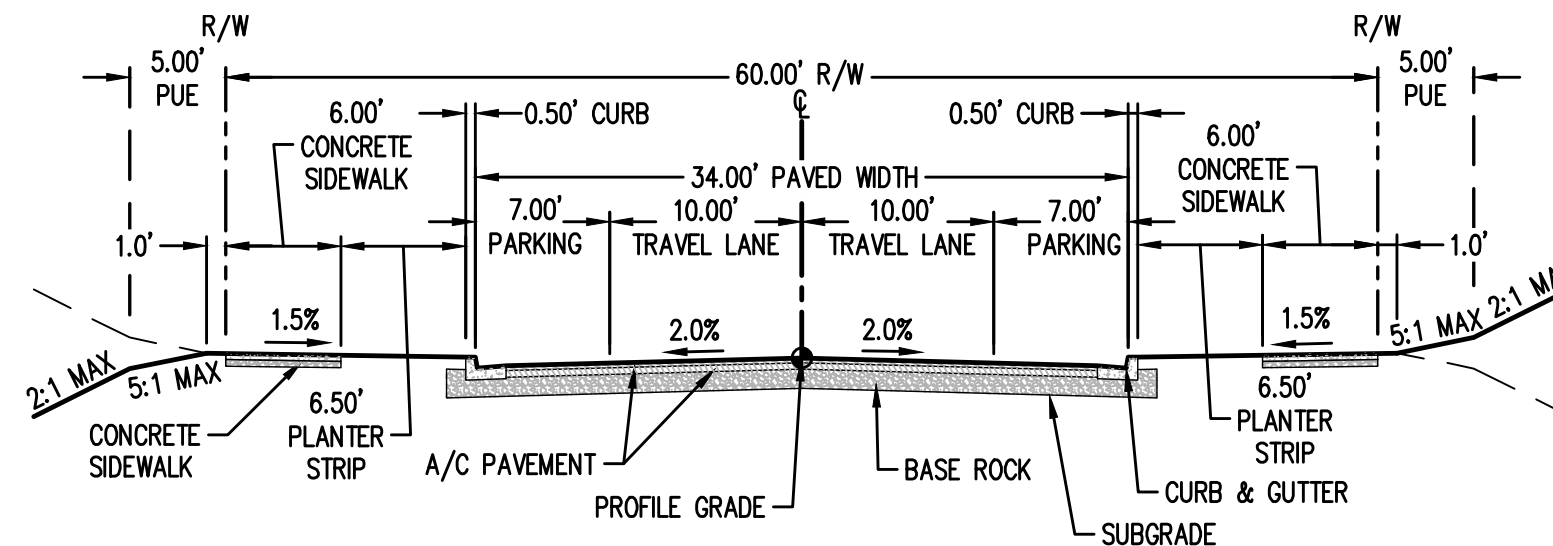
**PRELIMINARY OVERALL
 COMPOSITE UTILITY PLAN
 MARION POINTE
 WOODBURN, OREGON**



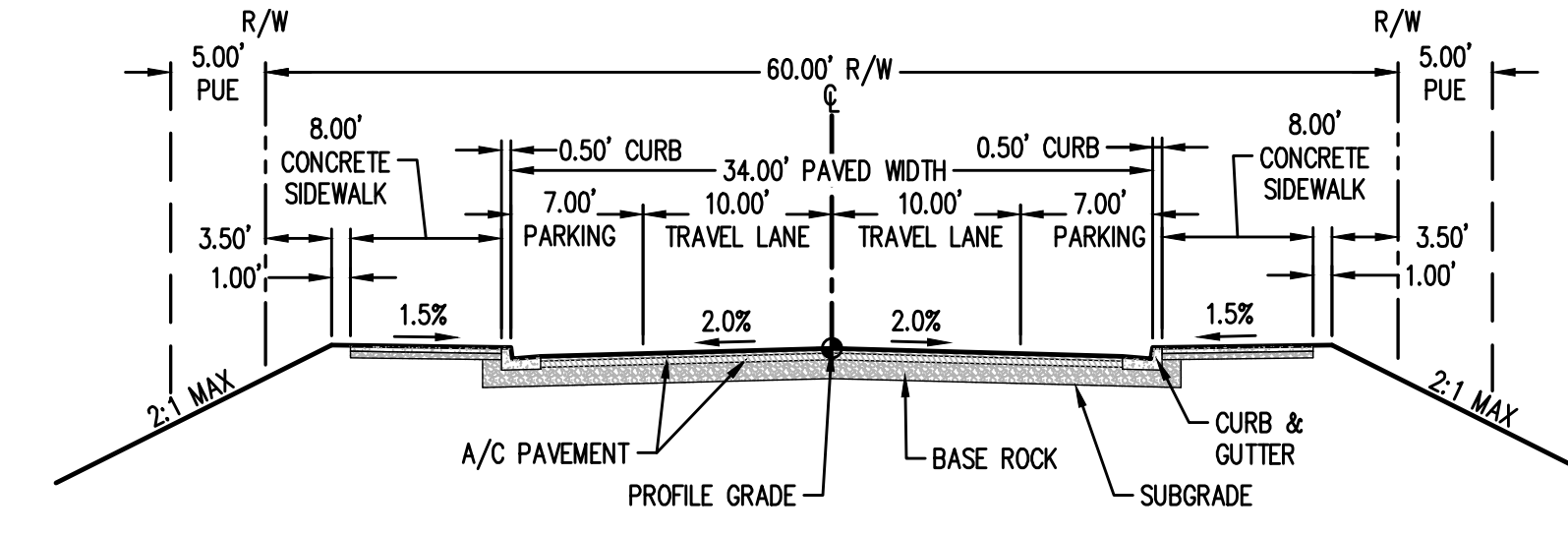
JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



A TYPICAL MINOR ARTERIAL HALF STREET IMPROVEMENT
SCALE: 1" = 10'



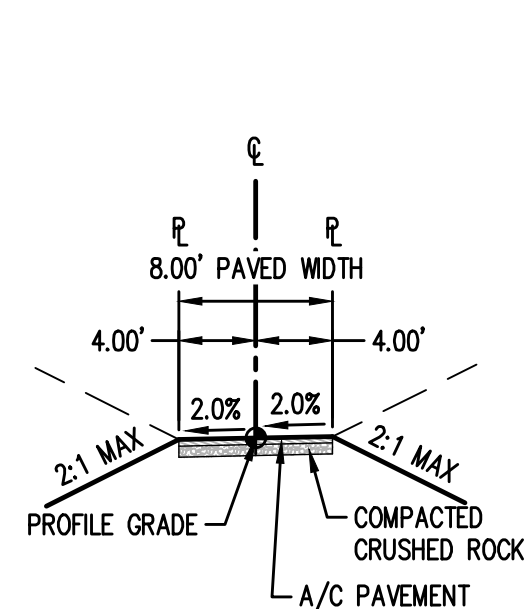
B TYPICAL LOCAL STREET CROSS SECTION
SCALE: 1" = 10'



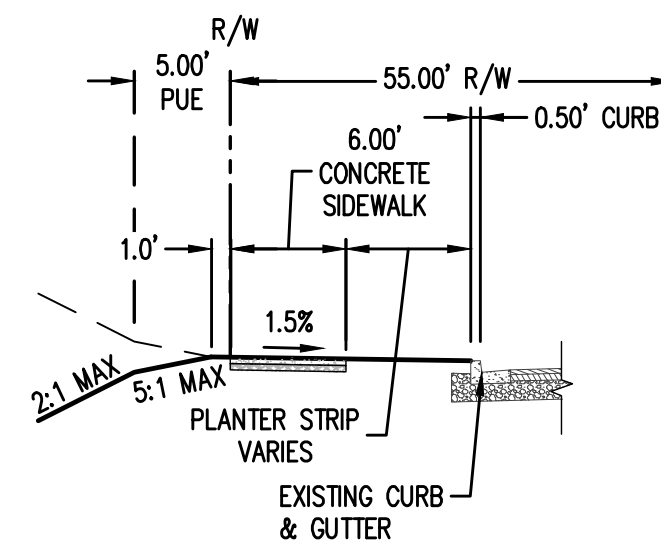
C LOCAL STREET CROSS SECTION AT NATURAL RESOURCES (WETLANDS) CROSSING
SCALE: 1" = 10'

CROSS SECTION G SHALL BE USED IN THE FOLLOWING LOCATIONS:
 OWL AVENUE: STA 10+46.73 TO 11+46.92 RT
 NIGHTINGALE DRIVE: STA 10+93.06 TO 11+99.17 RT, STA 20+03.02 TO 20+92.83 RT
 MAGNOLIA AVENUE: STA 12+37.10 TO 14+48.07 LT, STA 15+23.36 TO 20+50.64 RT
 OLYMPIC STREET: STA 12+09.95 TO 13+19.95 RT, STA 12+09.95 TO 14+20.50 LT
 STA 16+84.13 TO 17+74.92 RT, STA 17+20.07 TO 18+01.01 LT
 STA 18+83.52 TO 20+98.82 RT, STA 19+08.02 TO 20+98.82 LT

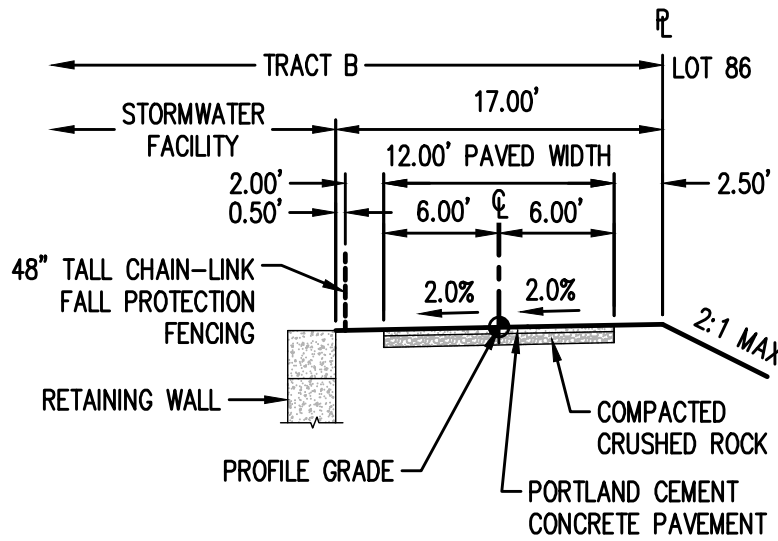
CROSS SECTION H SHALL BE USED IN THE FOLLOWING LOCATIONS:
 MAGNOLIA AVENUE: STA 21+24.64 TO 21+83.51 RT



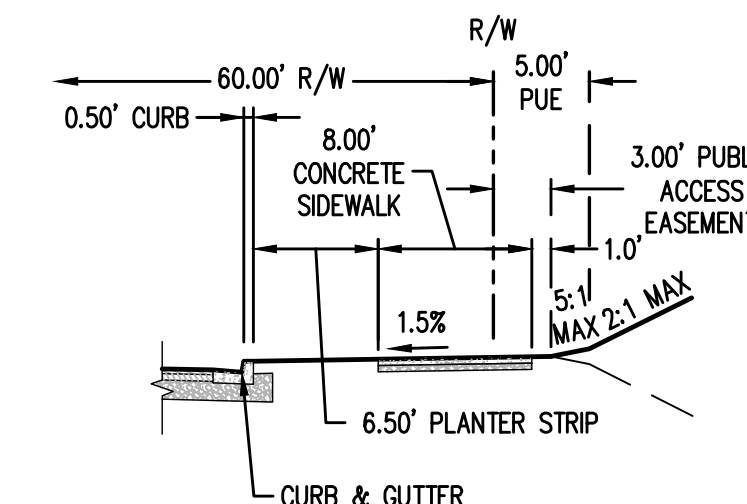
D TYPICAL CART PATH
SCALE: 1" = 10'



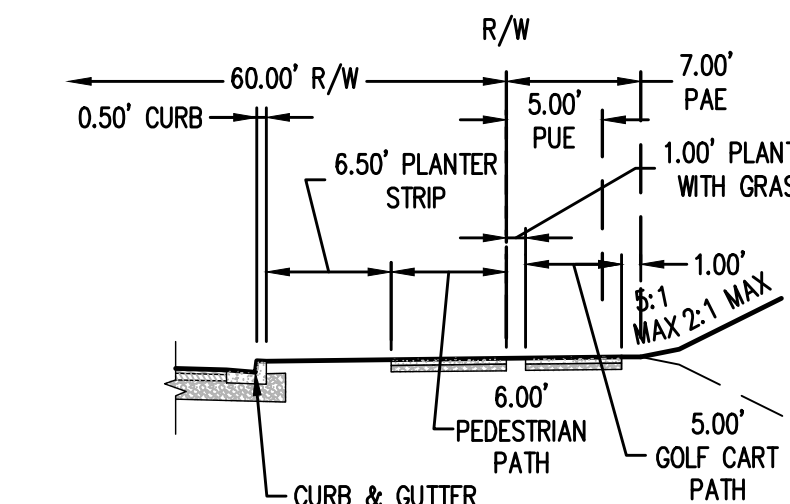
E TYPICAL HAZELNUT DRIVE SIDEWALK IMPROVEMENT
SCALE: 1" = 10'



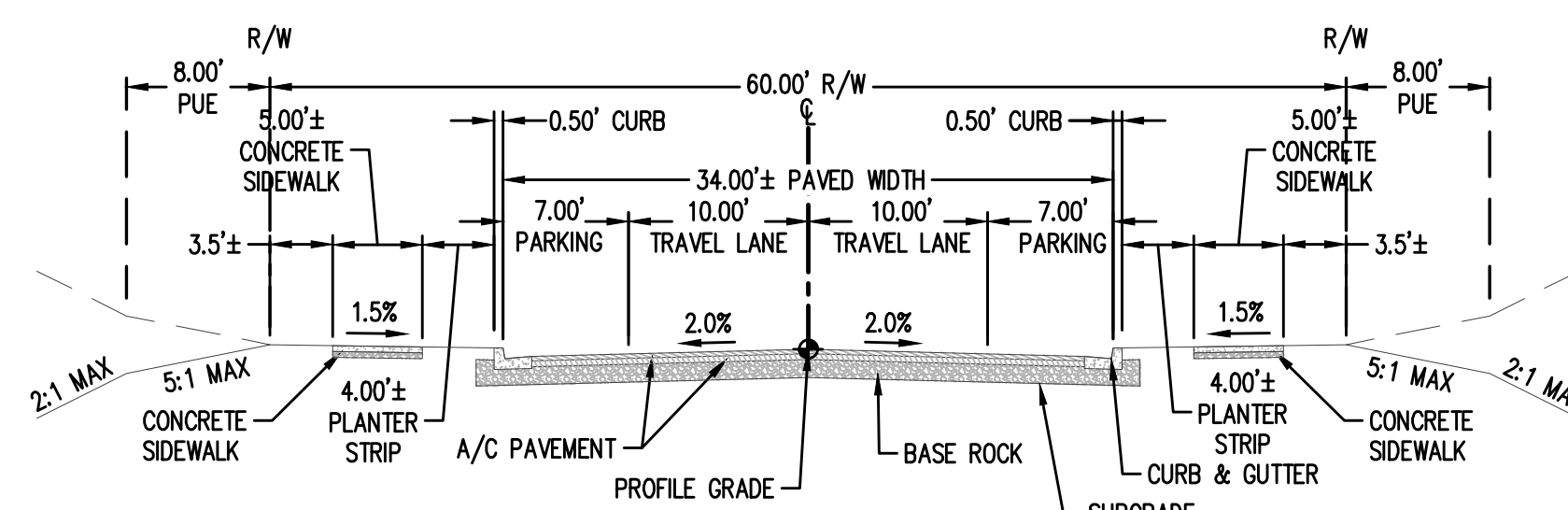
F TYPICAL MULTI-USE PATH (TRACT B)
SCALE: 1" = 10'



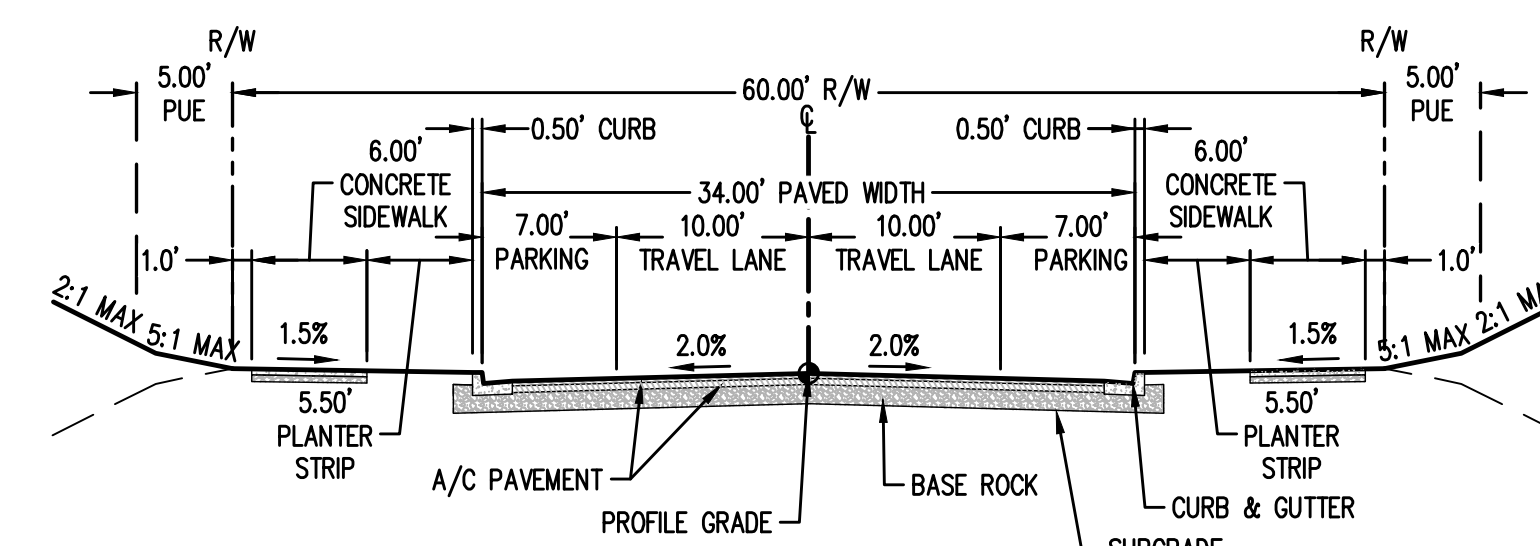
G LOCAL STREET WITH 8-FOOT SIDEWALK CROSS SECTION
SCALE: 1" = 10'



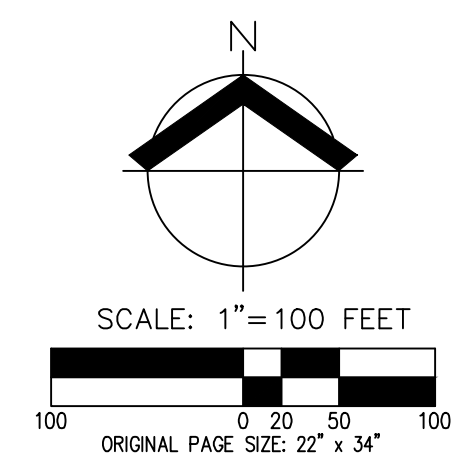
H LOCAL STREET WITH SIDEWALK AND GOLF CART PATH CROSS SECTION
SCALE: 1" = 10'



I EXISTING OLYMPIC STREET CROSS SECTION
SCALE: 1" = 10'



J 2019 TSP LOCAL STREET CROSS SECTION
(FOR REFERENCE ONLY)
SCALE: 1" = 10'



SIDEWALK LEGEND

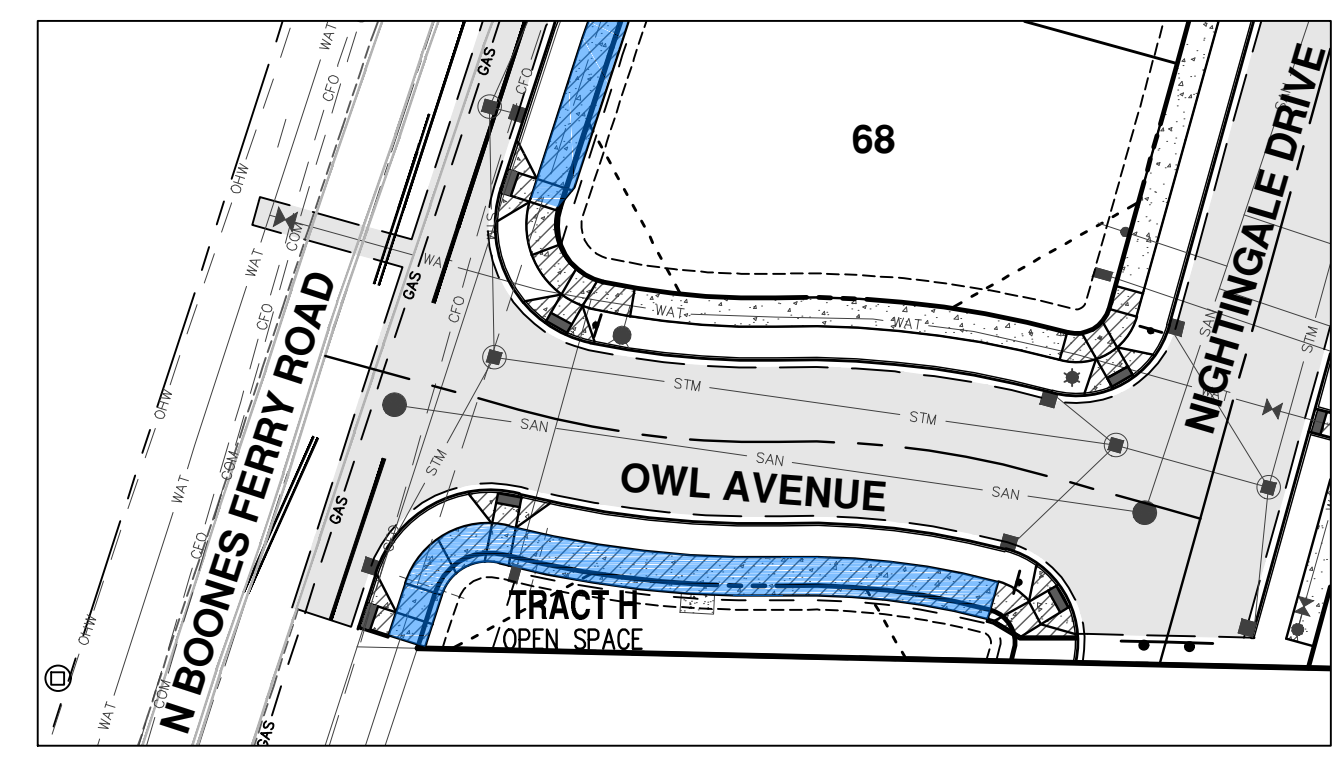
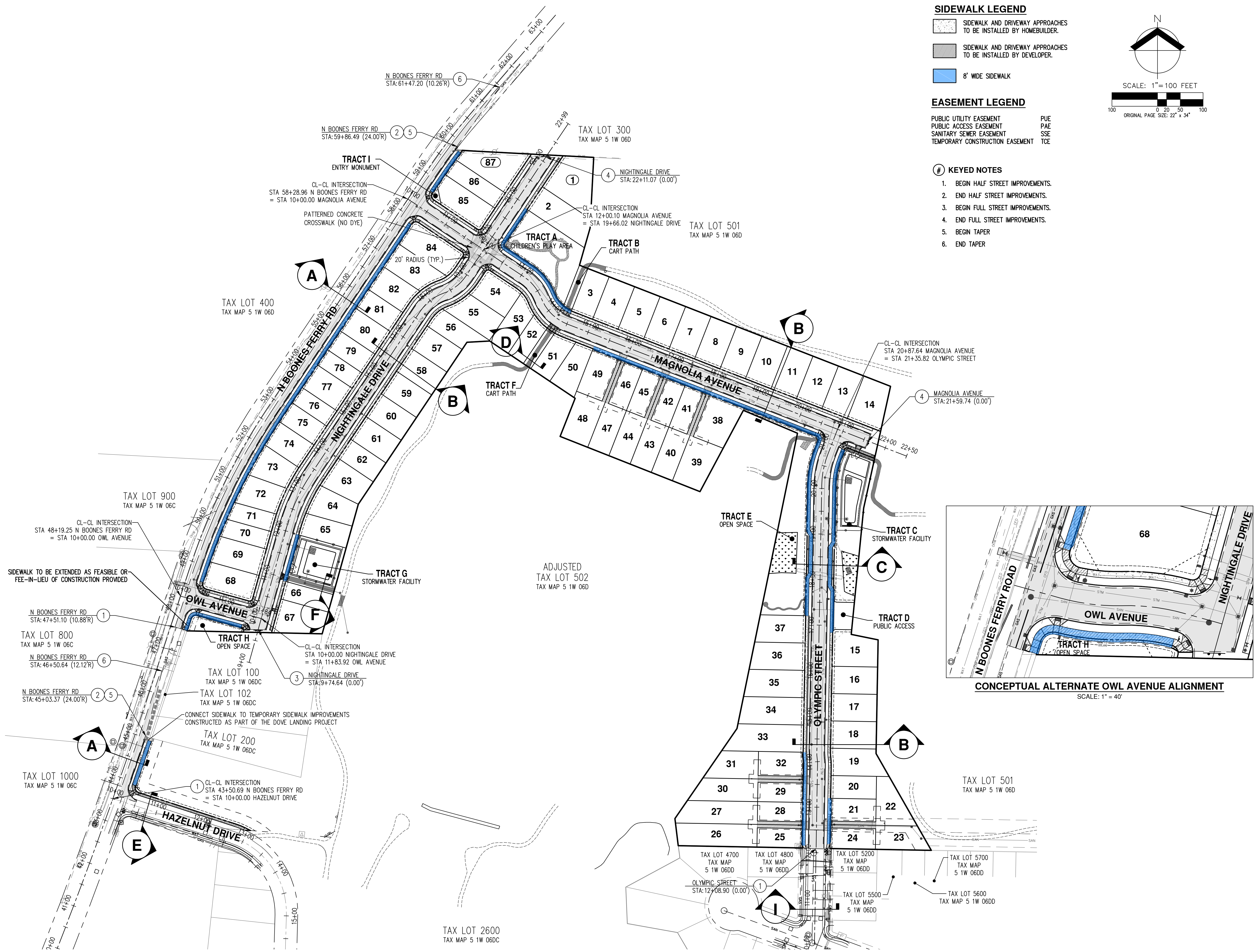
- SIDEWALK AND DRIVEWAY APPROACHES TO BE INSTALLED BY HOMEBUILDER.
- SIDEWALK AND DRIVEWAY APPROACHES TO BE INSTALLED BY DEVELOPER.
- 8' WIDE SIDEWALK

EASEMENT LEGEND

- PUBLIC UTILITY EASEMENT PUE
- PUBLIC ACCESS EASEMENT PAE
- SANITARY SEWER EASEMENT SSE
- TEMPORARY CONSTRUCTION EASEMENT TCE

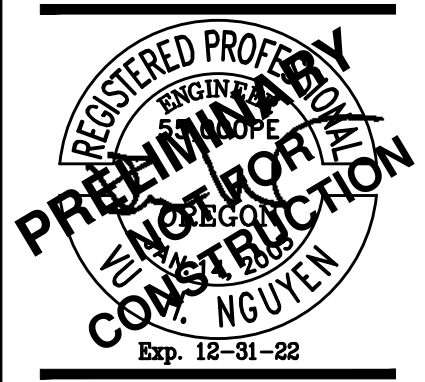
KEYED NOTES

1. BEGIN HALF STREET IMPROVEMENTS.
2. END HALF STREET IMPROVEMENTS.
3. BEGIN FULL STREET IMPROVEMENTS.
4. END FULL STREET IMPROVEMENTS.
5. BEGIN TAPER
6. END TAPER



AKS DRAWING FILE: 7564_STR.DWG | LAYOUT: P-26

**PRELIMINARY
 STREET PLAN
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



**PRELIMINARY AERIAL
 PHOTOGRAPH PLAN
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN

AKS DRAWING FILE: 7564_AERIAL.DWG | LAYOUT: P-30

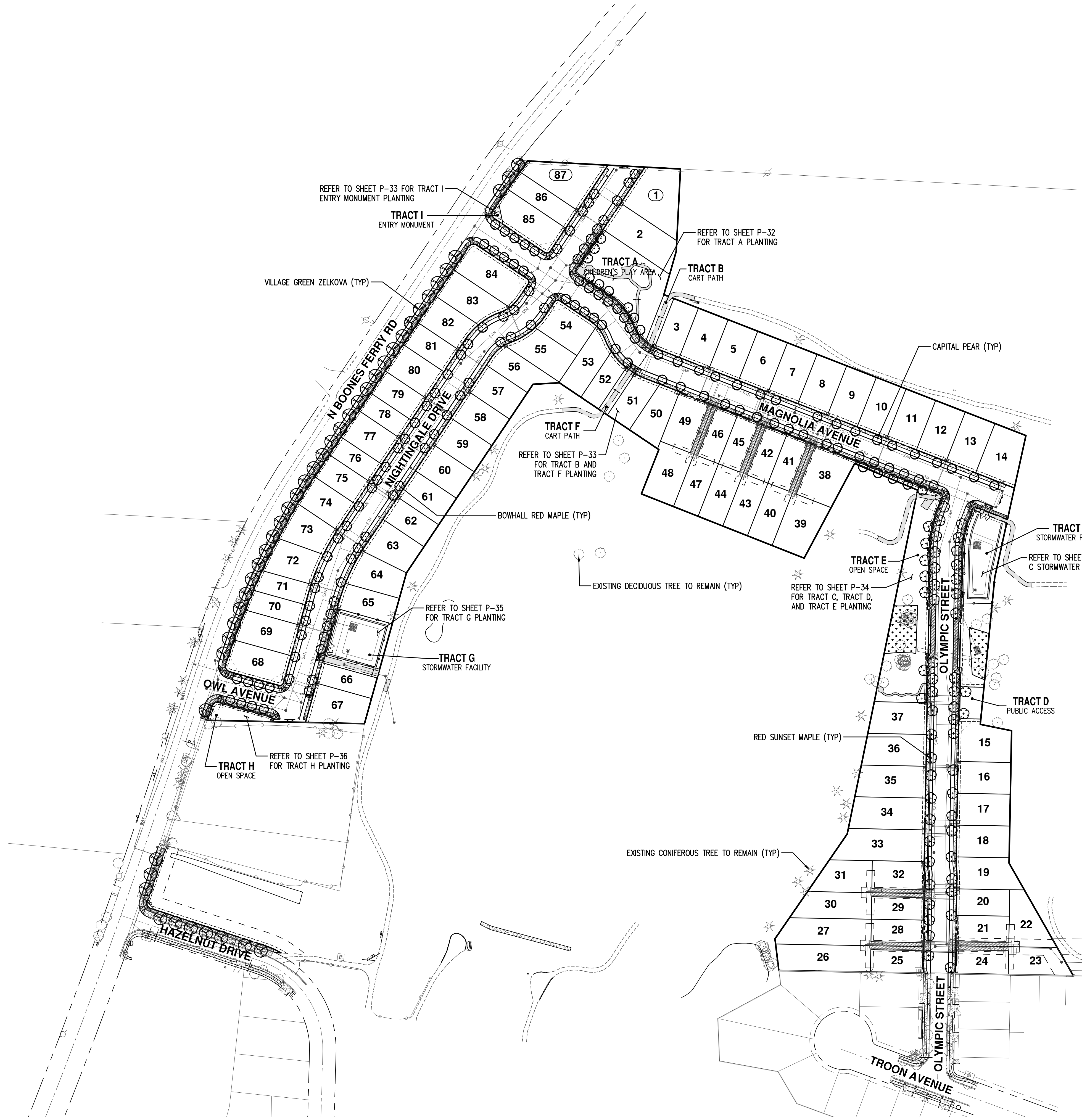
CONCEPTUAL STREET TREE PLANT SCHEDULE

STREET TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	64	ACER RUBRUM 'BOWHALL'	BOWHALL RED MAPLE	2" CAL. B&B	AS SHOWN
	53	ACER RUBRUM 'FRANKSRED'	RED SUNSET MAPLE	2" CAL. B&B	AS SHOWN
	78	PYRUS CALLERYANA 'CAPITAL'	CAPITAL PEAR	2" CAL. B&B	AS SHOWN
	44	ZELKOVA SERRATA 'VILLAGE GREEN'	VILLAGE GREEN ZELKOVA	2" CAL. B&B	AS SHOWN

GROUND COVERS	QTY	DESCRIPTION
	±12,054 SF	NORTHWEST SUPREME LAWN MIX - SUNMARK SEEDS OR OTHER APPROVED DISTRIBUTOR. CUTTER II PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. CUTTER II) 35% DASHER III PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. DASHER III) 35% GARNET CREEPING RED FESCUE (FESTUCA RUBRA) 15% WINDWARD CHEWINGS FESCUE (FESTUCA RUBRA SPP LONGIFOLIA) 15%. APPLY AT A RATE OF 8 POUNDS PER 1000SF OR AT A RATE APPROVED BY DISTRIBUTOR.

PRELIMINARY LANDSCAPE NOTES

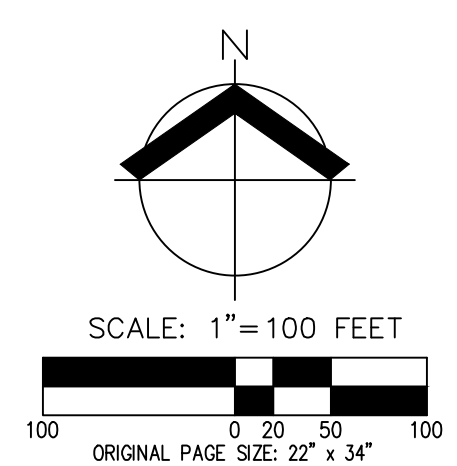
- LANDSCAPE AND SITE FURNISHINGS ARE PRELIMINARY AND SHOWN TO PORTRAY THE CHARACTER OF THE SITE. PLAN REVISIONS INCLUDING CHANGES TO PLANT SPECIES, SIZES, SPACING, QUANTITIES, ETC., DUE TO PLANT AVAILABILITY OR UNFORESEEN SITE CONDITIONS MAY BE MADE PRIOR TO INSTALLATION WHERE ALLOWED BY THE CITY OF WOODBURN DESIGN STANDARDS.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND ALL MATERIALS. IF DISCREPANCIES OCCUR, DESIGN INTENT PREVAILS OVER QUANTITIES LISTED.
- REFER TO DETAIL PLANS P-32 THROUGH P-36 FOR PRELIMINARY OPEN SPACE AND STORMWATER FACILITY PLANTING PLANS.
- ALL PLANTS AND INSTALLATION SHALL CONFORM TO THE CITY OF WOODBURN LANDSCAPE DESIGN STANDARDS AND TO AMERICAN NURSERY STANDARDS ANSI Z60.1 IN ALL WAYS. PLANT IN ACCORDANCE WITH BEST PRACTICE STANDARDS ADOPTED BY THE OREGON LANDSCAPE CONTRACTOR'S BOARD (OLCB) AND THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. FIELD ADJUST PLANT LOCATION AS NECESSARY TO AVOID CONFLICTS WITH UTILITIES, TREE CANOPIES, BUILDING OVERHANGS, EXISTING VEGETATION TO REMAIN, ETC.
- TREES TO BE PLANTED SHALL MEET THE REQUIREMENTS OF THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN) STANDARDS FOR NURSERY STOCK (ANSI Z60.1). DOUBLE STAKE ALL TREES UNLESS OTHERWISE SPECIFIED. TREES SHALL BE PLANTED NO CLOSER THAN 3' O.C. FROM SIDEWALKS, CURBING, OR OTHER HARDSCAPING; TREES IN PLANTING ISLANDS SHALL BE CENTERED IN ISLAND.
- A PERMANENT UNDERGROUND IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL NEW LANDSCAPE AREAS FOR THE ESTABLISHMENT AND LONG-TERM HEALTH OF PLANT MATERIAL. THE IRRIGATION SYSTEM SHALL BE 'DESIGN-BUILD' BY THE LANDSCAPE CONTRACTOR, USING CURRENT WATER-SAVING TECHNOLOGY, AND INCLUDE ALL MATERIALS, COMPONENTS, CITY APPROVED BACKFLOW OR ANTI-SIPHON DEVICES, VALVES, ETC. NECESSARY FOR THE COMPLETE AND EFFICIENT COVERAGE OF LANDSCAPE AREAS SHOWN.
- MULCH: APPLY 3" DEEP WELL-AGED DARK HEMLOCK OR FIR, MEDIUM GRIND, UNDER AND AROUND ALL PLANTS IN PLANTING BEDS.
- ADJUST PLANTING ON SITE AS NECESSARY TO AVOID CONFLICTS WITH DRIVEWAYS, UTILITIES, METERS, STREET LIGHTS, ETC. STREET TREES SHALL NOT BE PLACED IN FRONT OF STOP SIGNS, FIRE HYDRANTS, OR STREET LIGHTS.
- ALL STREET TREES WITHIN A VISION CLEARANCE TRIANGLE SHALL HAVE BRANCHES AND FOLIAGE LIMBED UP 7' ABOVE GRADE.




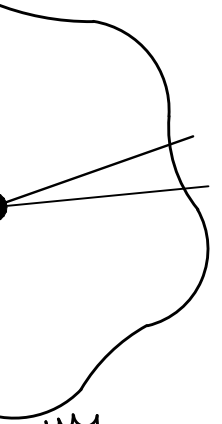
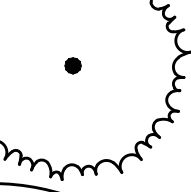
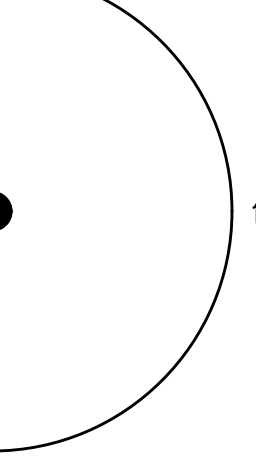
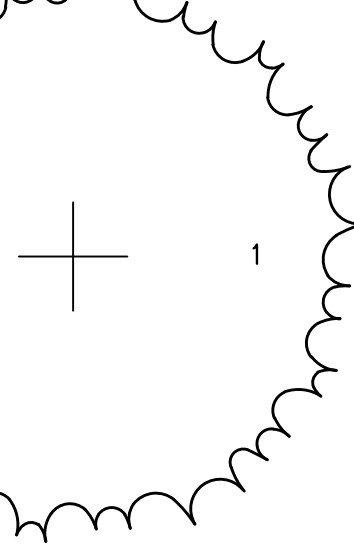
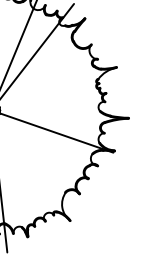

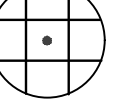







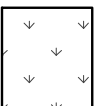
**PRELIMINARY OVERALL STREET TREE AND LANDSCAPE PLAN
 MARION POINTE
 WOODBURN, OREGON**

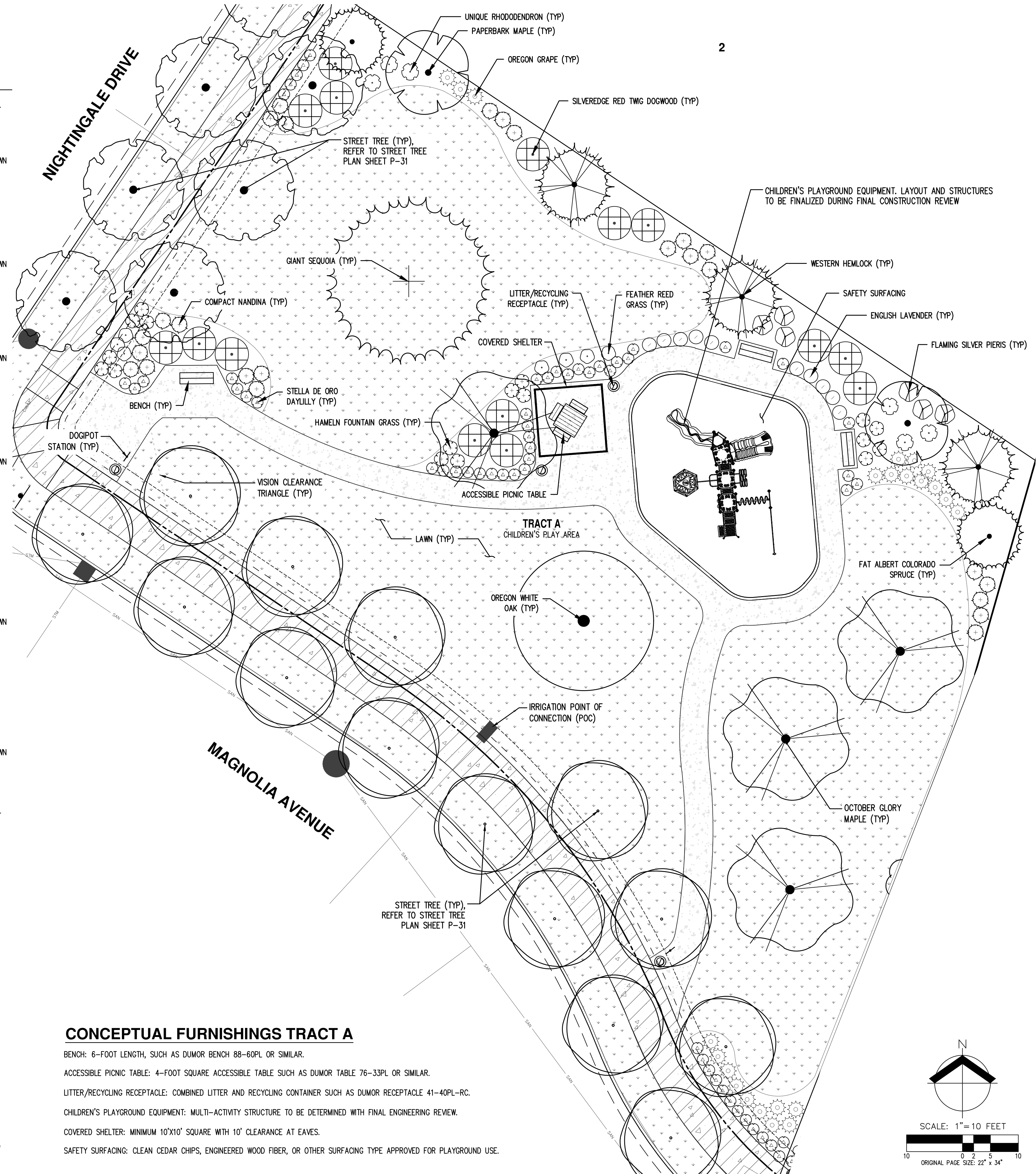


JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: TEB/NKP
 DRAWN BY: TEB/NKP
 CHECKED BY: KAH



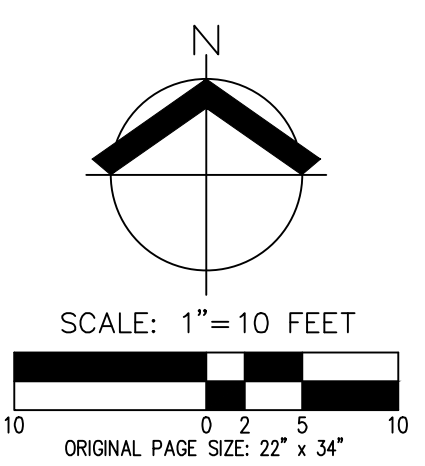
CONCEPTUAL PLANT SCHEDULE TRACT A CHILDREN'S PLAY AREA

TREES	QTY	COMMON NAME	BOTANICAL NAME	SIZE/CONTAINER	SPACING
	2	PAPERBARK MAPLE	ACER GRISEUM	2" CAL. B&B	AS SHOWN
	4	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2" CAL. B&B	AS SHOWN
	2	FAT ALBERT COLORADO SPRUCE	PICEA PUNGENS 'FAT ALBERT'	6" HT. B&B	AS SHOWN
	1	OREGON WHITE OAK	QUERCUS GARRYANA	2" CAL. B&B	AS SHOWN
	1	GIANT SEQUOIA LARGE FOCAL POINT TREE	SEQUIADENDRON GIGANTEUM	10'-12' HT/B&B	AS SHOWN
	3	WESTERN HEMLOCK	TSUGA HETEROPHYLLA	6'-7' HT. B&B	AS SHOWN
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	SIZE/CONTAINER	SPACING
	7	FEATHER REED GRASS	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	1 GAL. CONT.	30" o.c.
	15	SILVEREDGE RED TWIG DOGWOOD	CORNUS ALBA 'ELEGANTISSIMA'	2 GAL. CONT.	72" o.c.
	56	STELLA DE ORO DAYLILY	HEMEROCALLIS X 'STELLA DE ORO'	1 GAL. CONT.	24" o.c.
	10	ENGLISH LAVENDER	LAVANDULA ANGSTIFOLIA	1 GAL. CONT.	30" o.c.
	23	OREGON GRAPE NATIVE: SPRING FLOWERS ATTRACT HONEY AND NATIVE BEES AND POLLINATORS	MAHONIA AQUIFOLIUM	1 GAL. CONT.	36" o.c.
	25	COMPACT NANDINA	NANDINA DOMESTICA 'COMPACTA'	3 GAL. CONT.	36" o.c.
	17	HAMELN FOUNTAIN GRASS	PENNISETUM ALOPECUROIDES 'HAMELN'	1 GAL. CONT.	30" o.c.
	6	FLAMING SILVER PIERIS	PIERIS JAPONICA 'FLAMING SILVER'	3 GAL. CONT.	42" o.c.
	6	UNIQUE RHODODENDRON	RHODODENDRON X 'UNIQUE'	3 GAL. CONT.	36" o.c.
GROUND COVERS	QTY	DESCRIPTION			
	± 10,856 SF	NORTHWEST SUPREME LAWN MIX - SUNMARK SEEDS OR OTHER APPROVED DISTRIBUTOR. CUTTER II PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. CUTTER II) 35%; DASHER III PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. DASHER III) 35%; GARNET CREEPING RED FESCUE (FESTUCA RUBRA) 15%; WINDWARD CHEWINGS FESCUE (FESTUCA RUBRA SPP LONGIFOLIA) 15%. APPLY AT A RATE OF 8 POUNDS PER 1,000 SF OR AT A RATE APPROVED BY DISTRIBUTOR.			



CONCEPTUAL FURNISHINGS TRACT A

- BENCH: 6-FOOT LENGTH, SUCH AS DUMOR BENCH 88-60PL OR SIMILAR.
- ACCESSIBLE PICNIC TABLE: 4-FOOT SQUARE ACCESSIBLE TABLE SUCH AS DUMOR TABLE 76-33PL OR SIMILAR.
- LITTER/RECYCLING RECEPTACLE: COMBINED LITTER AND RECYCLING CONTAINER SUCH AS DUMOR RECEPTACLE 41-40PL-RC.
- CHILDREN'S PLAYGROUND EQUIPMENT: MULTI-ACTIVITY STRUCTURE TO BE DETERMINED WITH FINAL ENGINEERING REVIEW.
- COVERED SHELTER: MINIMUM 10'X10' SQUARE WITH 10' CLEARANCE AT EAVES.
- SAFETY SURFACING: CLEAN CEDAR CHIPS, ENGINEERED WOOD FIBER, OR OTHER SURFACING TYPE APPROVED FOR PLAYGROUND USE.



CONCEPTUAL PLANT SCHEDULE TRACTS C, D, AND E

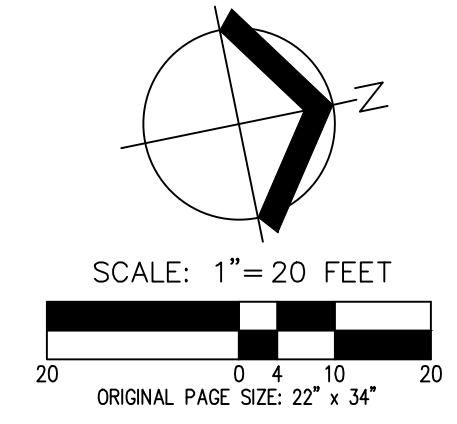
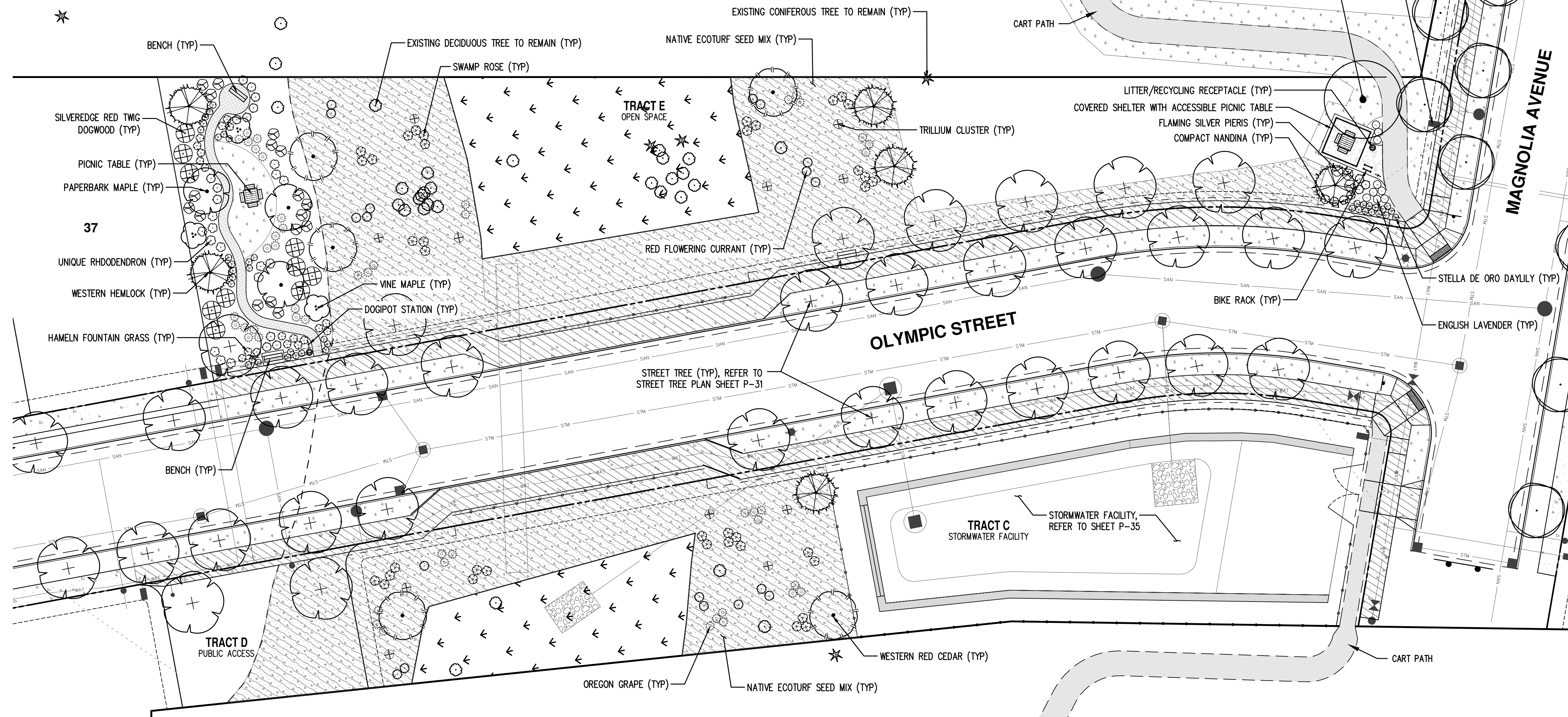
TREES	QTY	COMMON NAME	BOTANICAL NAME	SIZE/CONTAINER	SPACING
	3	VINE MAPLE	ACER CIRCINATUM	6' HT. B&B	AS SHOWN
	3	PAPERBARK MAPLE	ACER GRISEUM	2" CAL. B&B	AS SHOWN
	1	OREGON WHITE OAK	QUERCUS GARRYANA	2" CAL. B&B	AS SHOWN
	5	WESTERN RED CEDAR	THUJA PLICATA	5'-6' HT. B&B	AS SHOWN
	6	WESTERN HEMLOCK	TSUGA HETEROPHYLLA	6'-7' HT. B&B	AS SHOWN

SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	SIZE/CONTAINER	SPACING
	10	SILVEREDGE RED TWIG DOGWOOD	CORNUS ALBA 'ELEGANTISSIMA'	2 GAL. CONT.	72" o.c.
	41	STELLA DE ORO DAYLILY	HEMEROCALLIS X 'STELLA DE ORO'	1 GAL. CONT.	24" o.c.
	9	ENGLISH LAVENDER	LAVANDULA ANGSTIFOLIA	1 GAL. CONT.	30" o.c.
	48	OREGON GRAPE NATIVE; SPRING FLOWERS ATTRACT HONEY AND NATIVE BEES AND POLLINATORS	MAHONIA AQUIFOLIUM	1 GAL. CONT.	36" o.c.
	19	COMPACT NANDINA	NANDINA DOMESTICA 'COMPACTA'	3 GAL. CONT.	36" o.c.

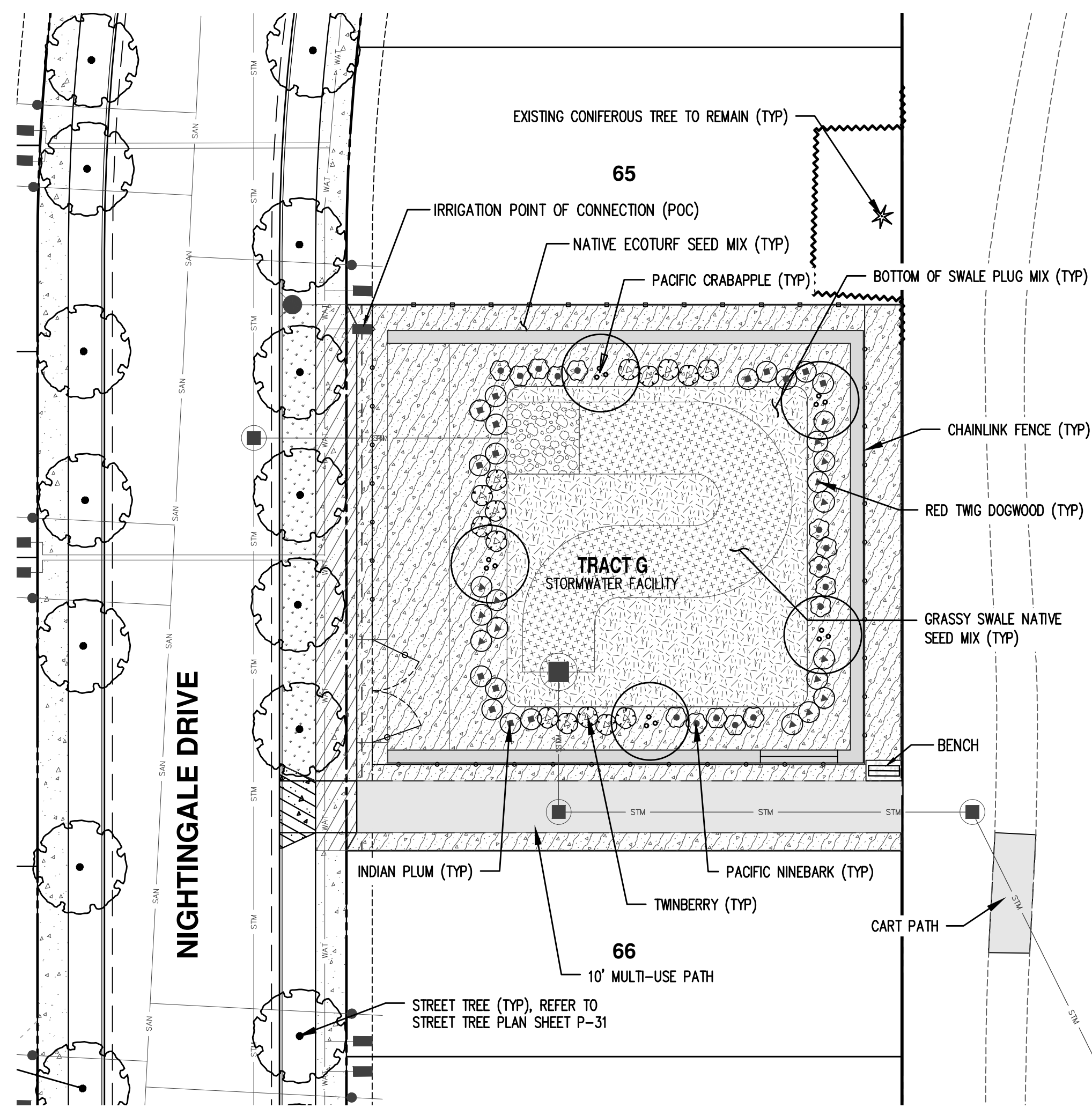
GROUND COVERS	QTY	DESCRIPTION
	±3,800 SF	NORTHWEST SUPREME LAWN MIX - SUNMARK SEEDS OR OTHER APPROVED DISTRIBUTOR. CUTTER II PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. CUTTER II) 35%; DASHER III PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. DASHER III) 35%; GARNET CREEPING RED FESCUE (FESTUCA RUBRA) 15%; WINDWARD CHEWINGS FESCUE (FESTUCA RUBRA SPP. LONGIFOLIA) 15%. APPLY AT A RATE OF 8 POUNDS PER 1,000 SF OR AT A RATE APPROVED BY DISTRIBUTOR.
	±18,190 SF	NATIVE ECOTURF MIX BY SUNMARK NATIVE SEED OR APPROVED EQUAL: FESTUCA RUBRA RUBRA (NATIVE RED FESCUE) 45%; BOUTELOUS GRACILIS (BLUE GRAMA) 25%; BUCHOLE DACTYLOIDES (BUFFALOGRASS) 20%; KOELERIA MACRANTHA (PRAIRIE JUNEGRASS) 7%; TRIFOLIUM FRAGIFERUM (STRAWBERRY CLOVER) 3%. APPLY AT A RATE OF 1LB PER 1,000 SF OR AT RATE RECOMMENDED BY SUPPLIER.

CONCEPTUAL TRACT E FURNISHINGS

BENCH: 6-FOOT LENGTH, SUCH AS DUMOR BENCH 88-60PL OR SIMILAR.
 ACCESSIBLE PICNIC TABLE: 4-FOOT SQUARE ACCESSIBLE TABLE SUCH AS DUMOR TABLE 76-33PL OR SIMILAR.
 LITTER/RECYCLING RECEPTACLE: COMBINED LITTER AND RECYCLING CONTAINER SUCH AS DUMOR RECEPTACLE 41-40PL-RC.
 COVERED SHELTER: MINIMUM 10'X10' SQUARE WITH 10' CLEARANCE AT EAVES.
 BIKE RACK: STAPLE STYLE SINGLE BIKE RACK, SUCH AS OREGON CORRECTIONS ENTERPRISE (OCE) #718-012-006.



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	TEB/NKP
DRAWN BY:	TEB/NKP
CHECKED BY:	KAH

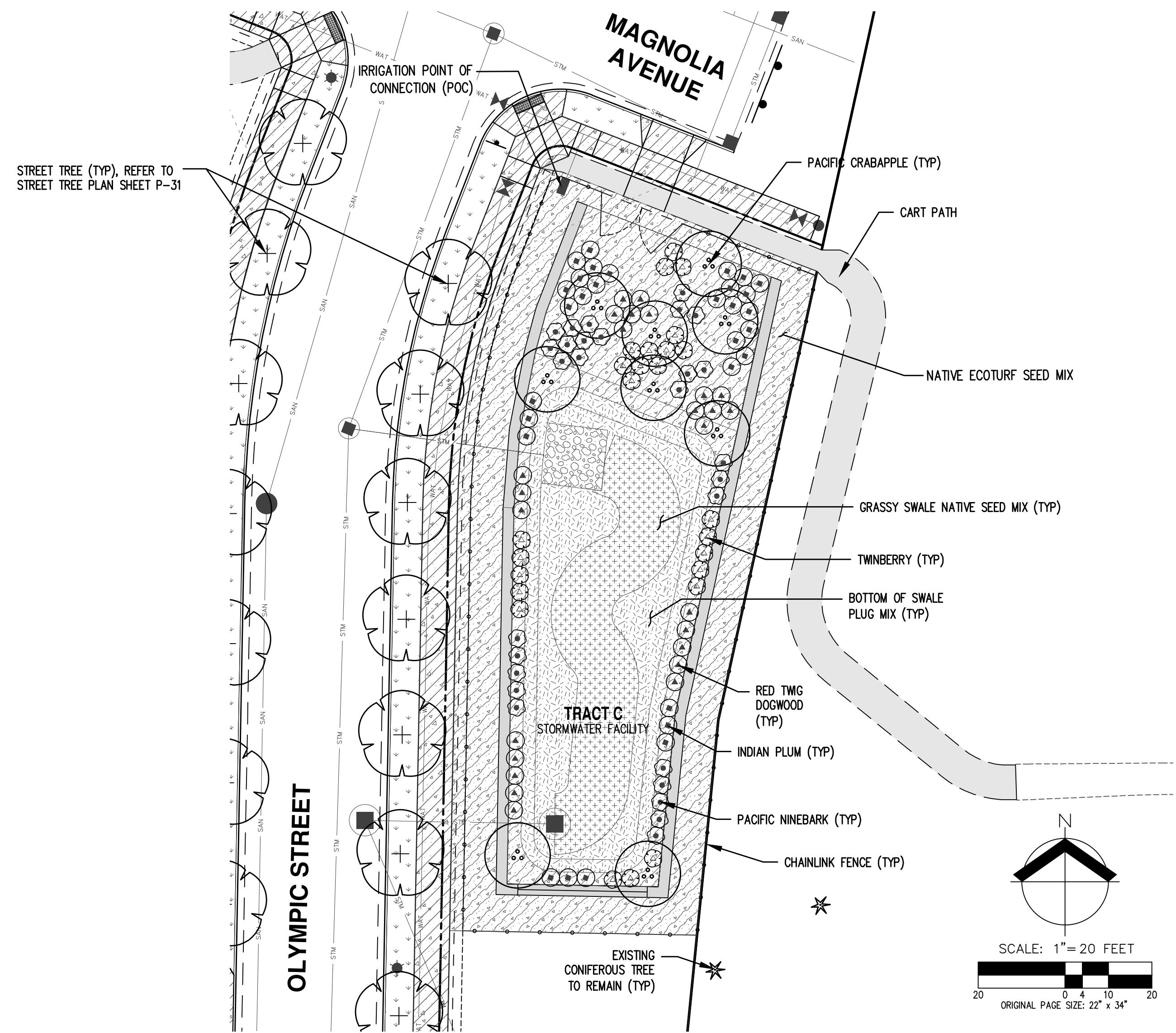
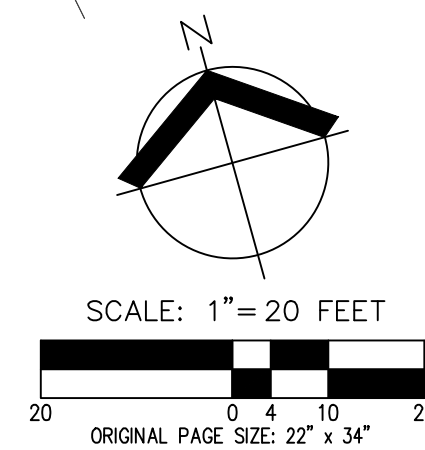


CONCEPTUAL PLANT SCHEDULE TRACT B STORMWATER FACILITY

STORMWATER TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	5	MALUS FUSCA	PACIFIC CRABAPPLE	1.5" CAL. B&B	AS SHOWN
LARGE STORMWATER SHRUB/SMALL TREE	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	15	CORNUS SERICEA	RED TWIG DOGWOOD	3 GAL. CONT.	48" o.c.
	15	LONICERA INVOLUCRATA	TWINBERRY	3 GAL. CONT.	48" o.c.
	15	OEMLERIA CERASIFORMIS	INDIAN PLUM	3 GAL. CONT.	48" o.c.
	15	PHYSOCARPUS CAPITATUS	PACIFIC NINEBARK	3 GAL. CONT.	48" o.c.
TOTAL SHRUBS: 60					
GROUND COVERS	QTY	DESCRIPTION			
	±1,435 SF	GRASSY SWALE NATIVE SEED MIX - PRO TIME LAWN SEED PT442 BES GRASSY SWALE NATIVE MIX OR APPROVED EQUAL: HORDEUM BRACHYANTHERUM (MEADOW BARLEY) 25%; DANTHONIA CALIFORNICA (CALIFORNIA OAT-GRASS) 15%; ELYMUS GLAUCUS (BLUE WILD RYE) 10%; BROMUS CARINATUS (CALIFORNIA BROME) 10%; FESTUCA ROMERII (ROEMER'S FESCUE) 10%; DESCHAMPسيا CESPITOSA (TUFTED HAIRGRASS) 10%; AGROSTIS EXARATA (SPIKE BENTGRASS) 10%; ALOPECURUS GENICULATUS (WATER FOXTAIL) 5%; DESCHAMPسيا ELONGATA (SLENDER HAIRGRASS) 5%; APPLY 1 LB PER 1,000 SQ FT OR AS RECOMMENDED BY SUPPLIER			
	±5,366 SF	NATIVE ECOTURF SEED MIX BY SUNMARK NATIVE SEED OR APPROVED EQUAL: FESTUCA RUBRA RUBRA (NATIVE RED FESCUE) 45%; BOUTELOUS GRACILIS (BLUE GRAMA) 25%; BUCHOLE DACTYLOIDES (BUFFALOGRASS) 20%; KOELERIA MACRANTHA (PRAIRIE JUNEGRASS) 7%; TRIFOLIUM FRAGIFERUM (STRAWBERRY CLOVER) 3%; APPLY AT A RATE OF 1LB PER 1,000 SF OR AT RATE RECOMMENDED BY SUPPLIER.			
	2,066	BOTTOM OF SWALE PLUG MIX (6" HIGH PLUGS, PLANT AT A RATE OF 1 PLUG PER SQUARE FOOT, GROUPED IN NATURAL LOOKING MASSES OF SAME SPECIES, MINIMUM OF 7 PLANTS PER GROUPING): 690 PLUGS CAREX OBNUPTA/SLOUGH SEDGE 888 PLUGS JUNCUS PATENS/SPREADING RUSH 688 PLUGS SCIRPUS MICROCARPUS/SMALL-FRUITED BULRUSH 2,066 PLUGS TOTAL			

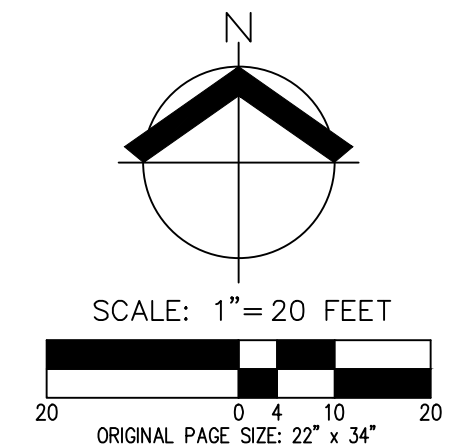
CONCEPTUAL TRACT G FURNISHINGS

BENCH: 6-FOOT LENGTH, SUCH AS DUMOR BENCH 88-60PL OR SIMILAR.



CONCEPTUAL PLANT SCHEDULE TRACT F STORMWATER FACILITY

STORMWATER TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	9	MALUS FUSCA	PACIFIC CRABAPPLE	1.5" CAL. B&B	AS SHOWN
LARGE STORMWATER SHRUB/SMALL TREE	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	25	CORNUS SERICEA	RED TWIG DOGWOOD	3 GAL. CONT.	48" o.c.
	25	LONICERA INVOLUCRATA	TWINBERRY	3 GAL. CONT.	48" o.c.
	30	OEMLERIA CERASIFORMIS	INDIAN PLUM	3 GAL. CONT.	48" o.c.
	28	PHYSOCARPUS CAPITATUS	PACIFIC NINEBARK	3 GAL. CONT.	48" o.c.
TOTAL SHRUBS: 108					
GROUND COVERS	QTY	DESCRIPTION			
	±1,421 SF	GRASSY SWALE NATIVE SEED MIX - PRO TIME LAWN SEED PT442 BES GRASSY SWALE NATIVE MIX OR APPROVED EQUAL: HORDEUM BRACHYANTHERUM (MEADOW BARLEY) 25%; DANTHONIA CALIFORNICA (CALIFORNIA OAT-GRASS) 15%; ELYMUS GLAUCUS (BLUE WILD RYE) 10%; BROMUS CARINATUS (CALIFORNIA BROME) 10%; FESTUCA ROMERII (ROEMER'S FESCUE) 10%; DESCHAMPسيا CESPITOSA (TUFTED HAIRGRASS) 10%; AGROSTIS EXARATA (SPIKE BENTGRASS) 10%; ALOPECURUS GENICULATUS (WATER FOXTAIL) 5%; DESCHAMPسيا ELONGATA (SLENDER HAIRGRASS) 5%; APPLY 1 LB PER 1,000 SQ FT OR AS RECOMMENDED BY SUPPLIER			
	±13,729 SF	NATIVE ECOTURF SEED MIX BY SUNMARK NATIVE SEED OR APPROVED EQUAL: FESTUCA RUBRA RUBRA (NATIVE RED FESCUE) 45%; BOUTELOUS GRACILIS (BLUE GRAMA) 25%; BUCHOLE DACTYLOIDES (BUFFALOGRASS) 20%; KOELERIA MACRANTHA (PRAIRIE JUNEGRASS) 7%; TRIFOLIUM FRAGIFERUM (STRAWBERRY CLOVER) 3%; APPLY AT A RATE OF 1LB PER 1,000 SF OR AT RATE RECOMMENDED BY SUPPLIER.			
	2,230	BOTTOM OF SWALE PLUG MIX (6" HIGH PLUGS, PLANT AT A RATE OF 1 PLUG PER SQUARE FOOT, GROUPED IN NATURAL LOOKING MASSES OF SAME SPECIES, MINIMUM OF 7 PLANTS PER GROUPING): 746 PLUGS CAREX OBNUPTA/SLOUGH SEDGE 746 PLUGS JUNCUS PATENS/SPREADING RUSH 746 PLUGS SCIRPUS MICROCARPUS/SMALL-FRUITED BULRUSH 2,238 PLUGS TOTAL			



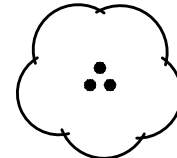
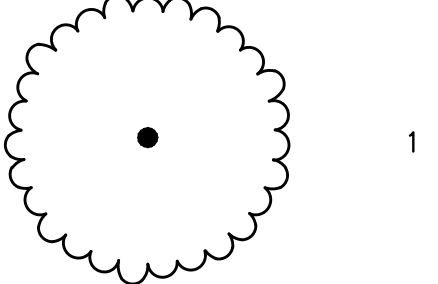
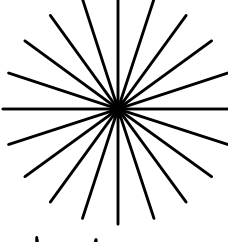
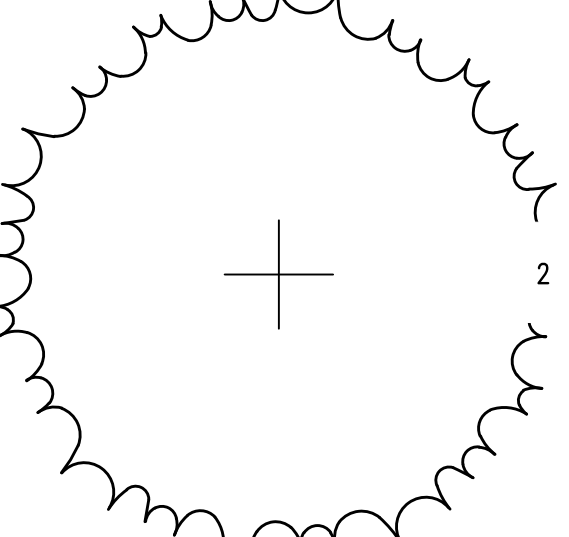
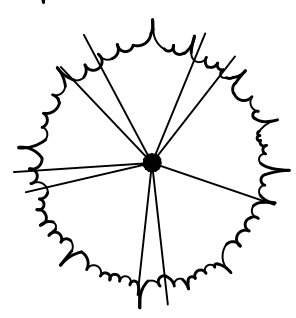

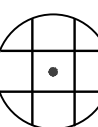





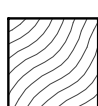
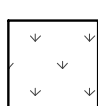
PRELIMINARY LANDSCAPE PLAN TRACT C & G - STORMWATER FACILITIES
MARION POINTE LANDSCAPE ARCHITECTURE
WOODBURN, OREGON

AKS
 AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD., STE. 100
 TUALATIN, OR 97062
 503.563.6151
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REGISTERED
 LANDSCAPE ARCHITECT
 MARION POINTE LANDSCAPE ARCHITECTURE

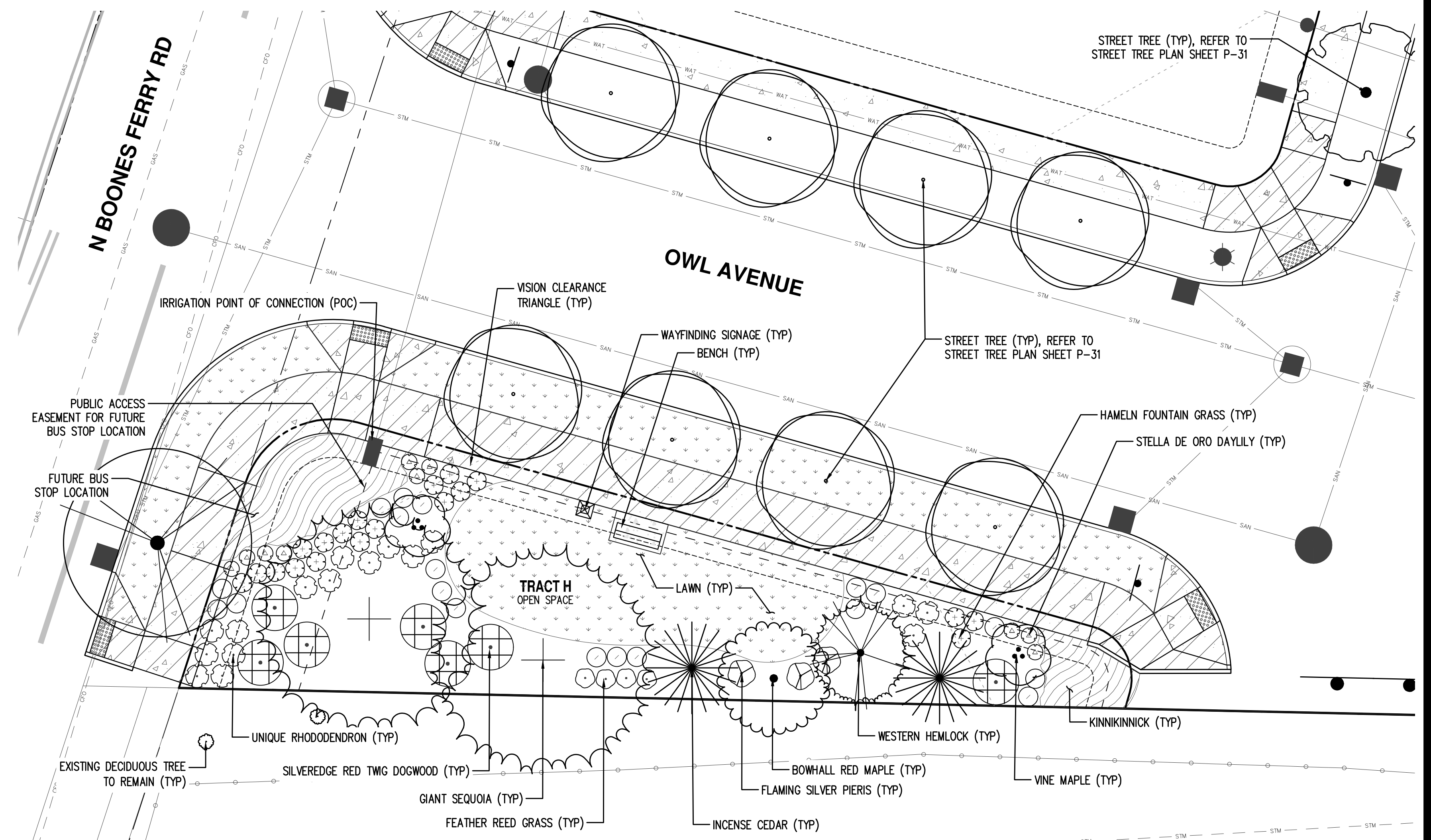
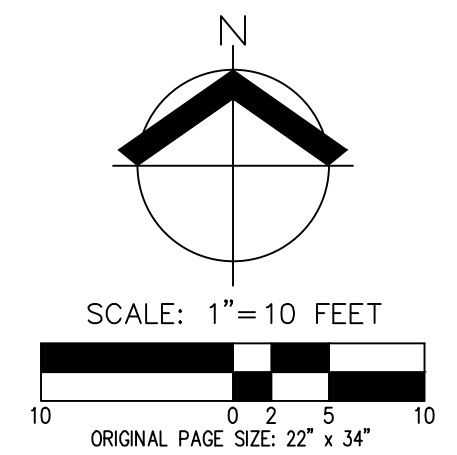
JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: TEB/NKP
 DRAWN BY: TEB/NKP
 CHECKED BY: KAH

CONCEPTUAL PLANT SCHEDULE TRACT H

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	2	ACER CIRCINATUM	VINE MAPLE	6' HT. B&B	AS SHOWN
	1	ACER RUBRUM 'BOWHALL'	BOWHALL RED MAPLE	2" CAL. B&B	AS SHOWN
	2	CALOCEDRUS DECURRENS	INCENSE CEDAR	10' MIN. HT./B&B	AS SHOWN
	2	SEQUIADENDRON GIGANTEUM LARGE FOCAL POINT TREE	GIANT SEQUIOIA	10'-12' HT/B&B	AS SHOWN
	1	TSUGA HETEROPHYLLA	WESTERN HEMLOCK	6'-7' HT. B&B	AS SHOWN
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE/CONTAINER	SPACING
	4	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GAL CONT.	30" o.c.
	7	CORNUS ALBA 'ELEGANTISSIMA'	SILVEREDGE RED TWIG DOGWOOD	2 GAL CONT.	72" o.c.
	10	HEMEROCALLIS X 'STELLA DE ORO'	STELLA DE ORO DAYLILY	1 GAL CONT.	24" o.c.
	19	LAVANDULA ANGUSTIFOLIA	ENGLISH LAVENDER	1 GAL CONT.	30" o.c.
	19	PENNISETUM ALOPECUROIDES 'HAMELN'	HAMELN FOUNTAIN GRASS	1 GAL CONT.	30" o.c.
	3	PIERIS JAPONICA 'FLAMING SILVER'	FLAMING SILVER PIERIS	3 GAL CONT.	42" o.c.
	16	RHODODENDRON X 'UNIQUE'	UNIQUE RHODODENDRON	3 GAL CONT.	36" o.c.
GROUND COVERS	QTY	DESCRIPTION			
	83	ARCTOSTAPHYLOS UVA-URSI	KINNIKINNICK	1 GAL CONT.	24" o.c.
	± 763 SF	NORTHWEST SUPREME LAWN MIX - SUNMARK SEEDS OR OTHER APPROVED DISTRIBUTOR. CUTTER II PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. CUTTER II) 35%; DASHER III PERENNIAL RYEGRASS (LOLIUM PERENNE VAR. DASHER III) 35%; GARNET CREEPING RED FESCUE (FESTUCA RUBRA) 15%; WINDWARD CHEWINGS FESCUE (FESTUCA RUBRA SPP LONGIFOLIA) 15%. APPLY AT A RATE OF 8 POUNDS PER 1,000 SF OR AT A RATE APPROVED BY DISTRIBUTOR.			

CONCEPTUAL FURNISHINGS TRACT H

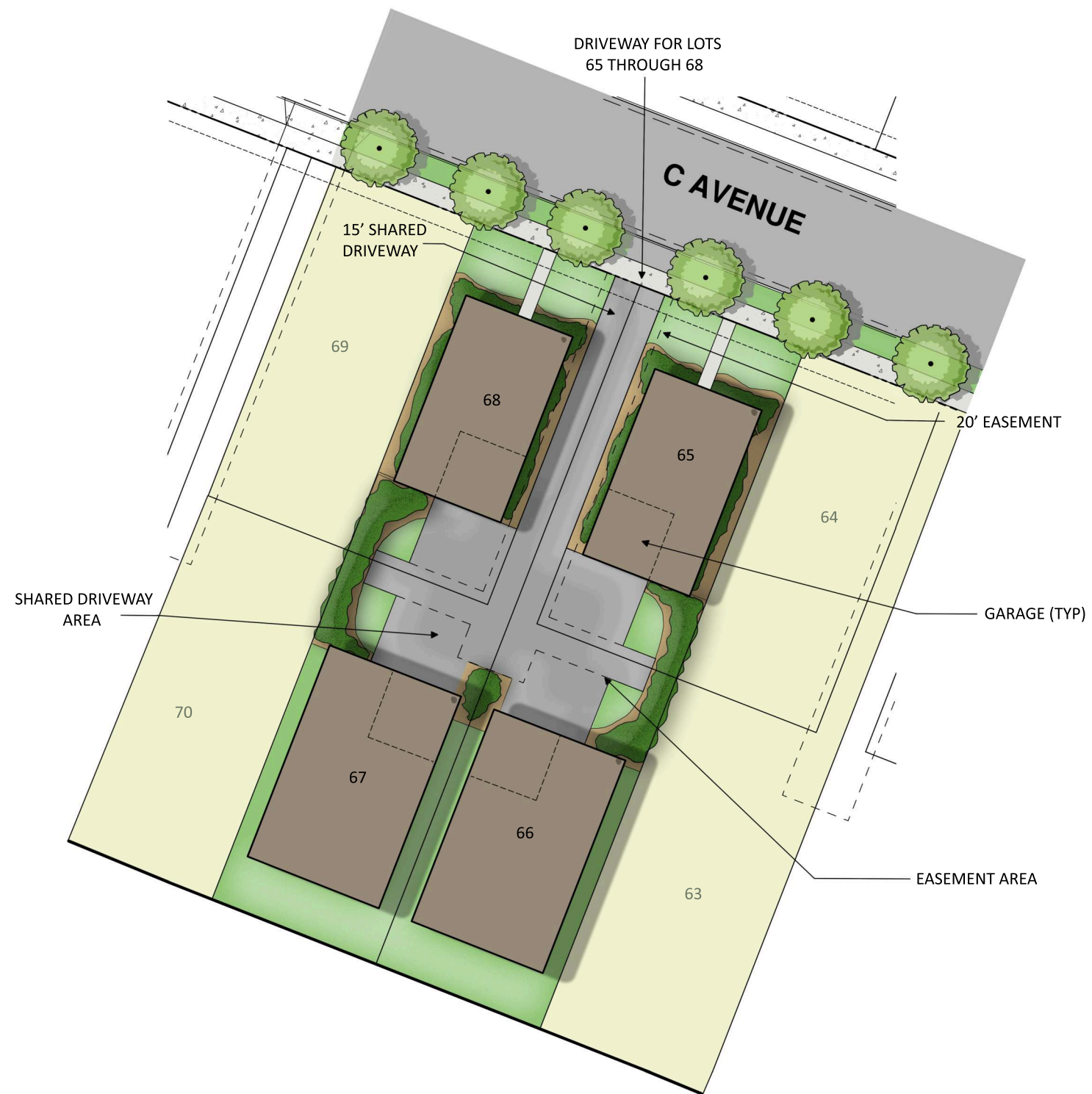
BENCH: 6-FOOT LENGTH, SUCH AS DUMOR BENCH 88-60PL OR SIMILAR.
 WAYFINDING SIGNAGE: ALUMINUM OR OTHER OUTDOOR MATERIAL WAYFINDING SIGNAGE.



**PRELIMINARY LANDSCAPE PLAN
 TRACT H OPEN SPACE
 MARION POINTE
 WOODBURN, OREGON**

REGISTERED
 LANDSCAPE ARCHITECT
 PRELIMINARY
 NOT FOR CONSTRUCTION

JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: TEB/NKP
 DRAWN BY: TEB/NKP
 CHECKED BY: KAH



DATE: 07/09/2021

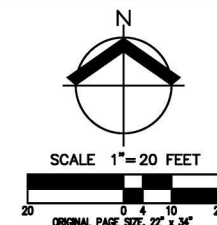
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 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
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FLAG LOT DRIVEWAY LAYOUT CONCEPT PLAN

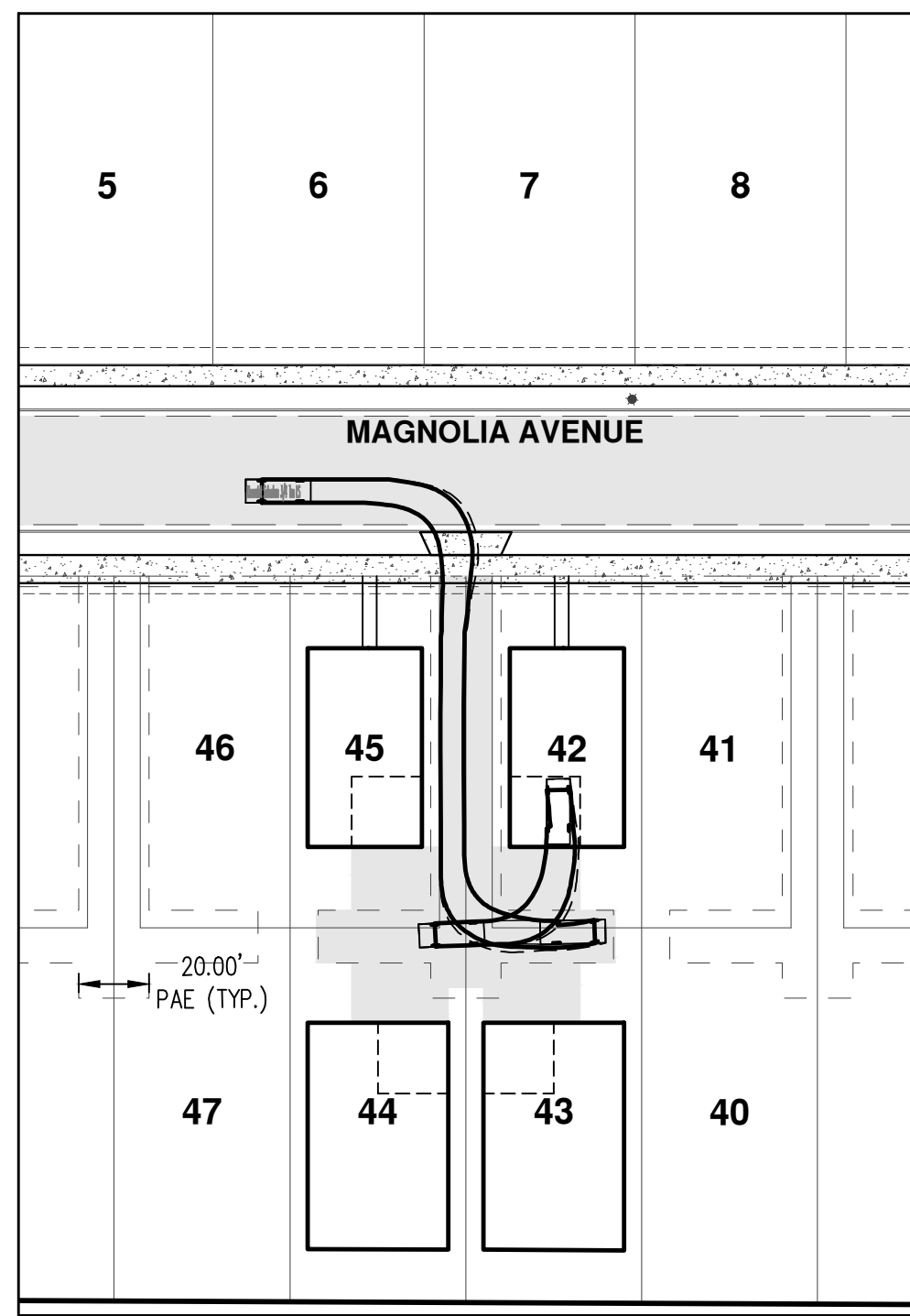
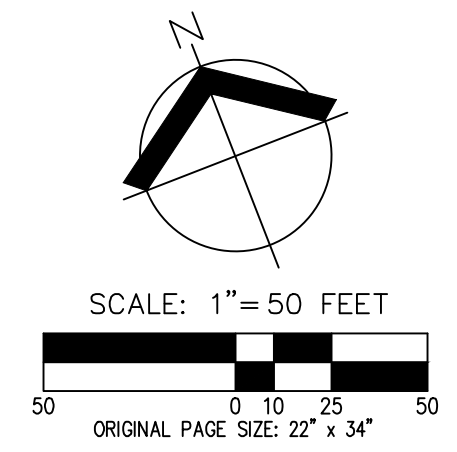
2850 N BOONES FERRY ROAD



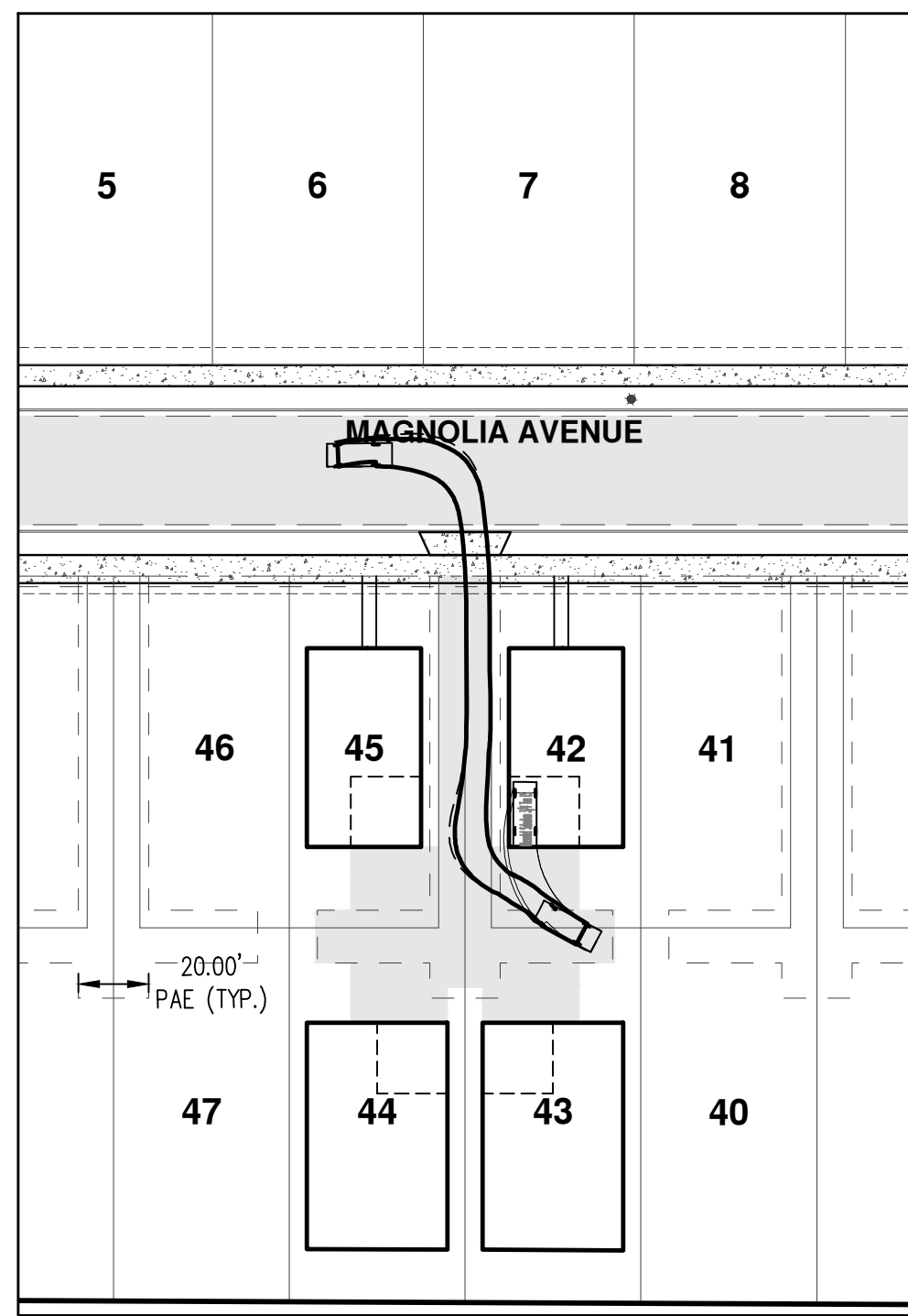
WOODBURN, OREGON
 SHEET 10

DISCLAIMER

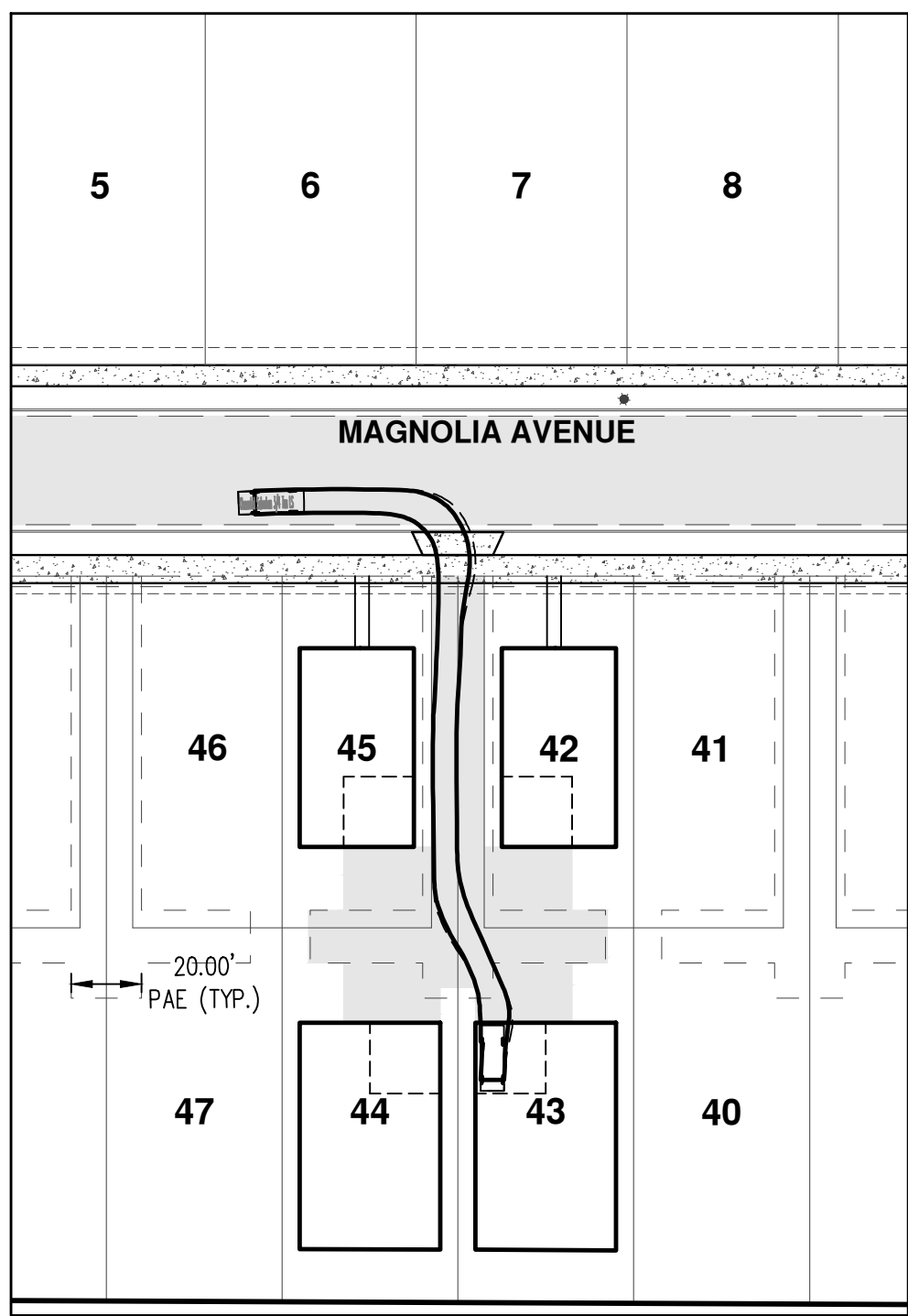
1. PROPERTY LINES AND RIGHT-OF-WAY LINES ARE BASED ON GIS OR SURVEY INFORMATION AND ARE CONSIDERED APPROXIMATE.
2. THIS MAP IS FOR PRE-APPLICATION CONFERENCE.



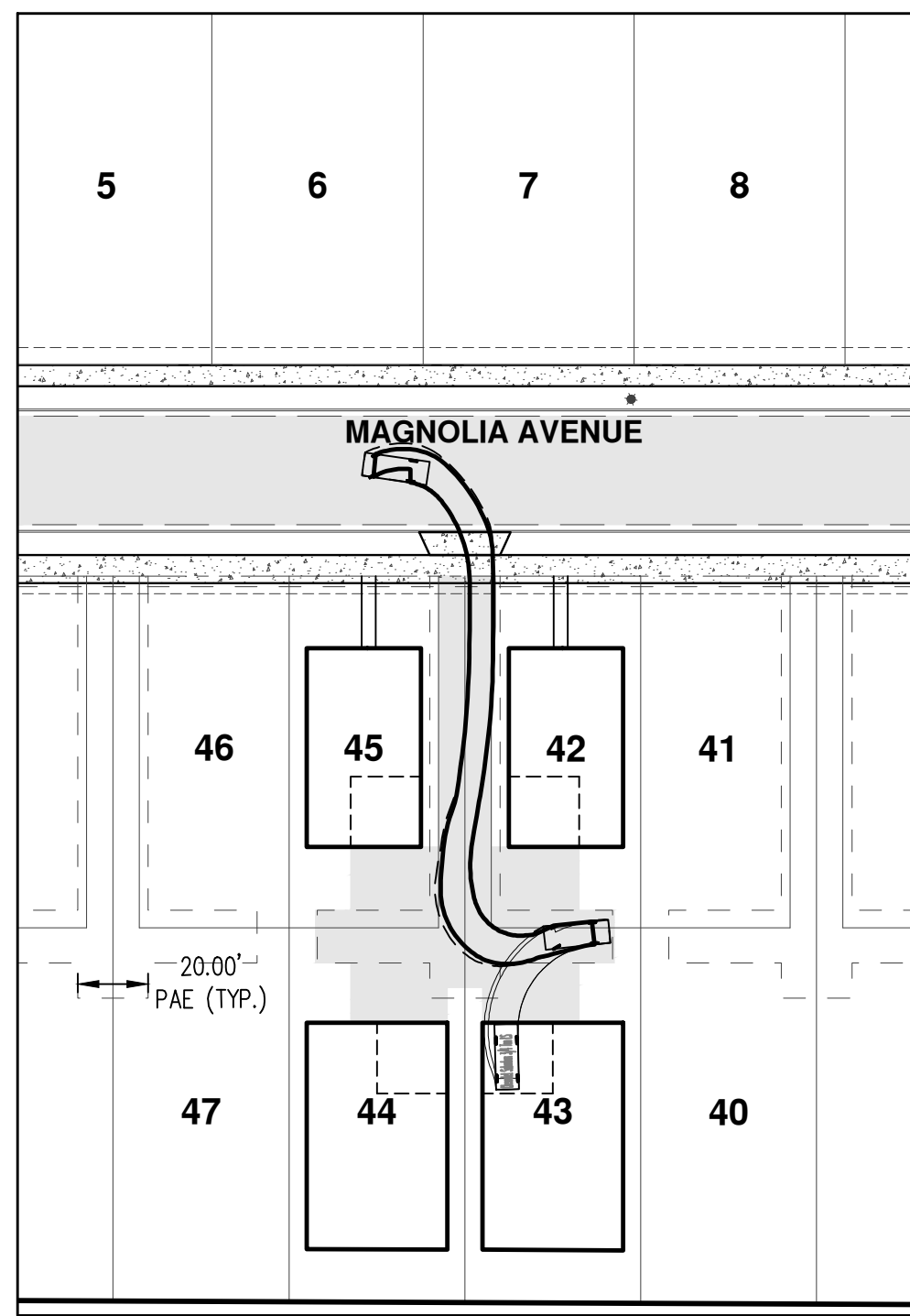
LOT 42 - VEHICLE ENTERING MOVEMENT



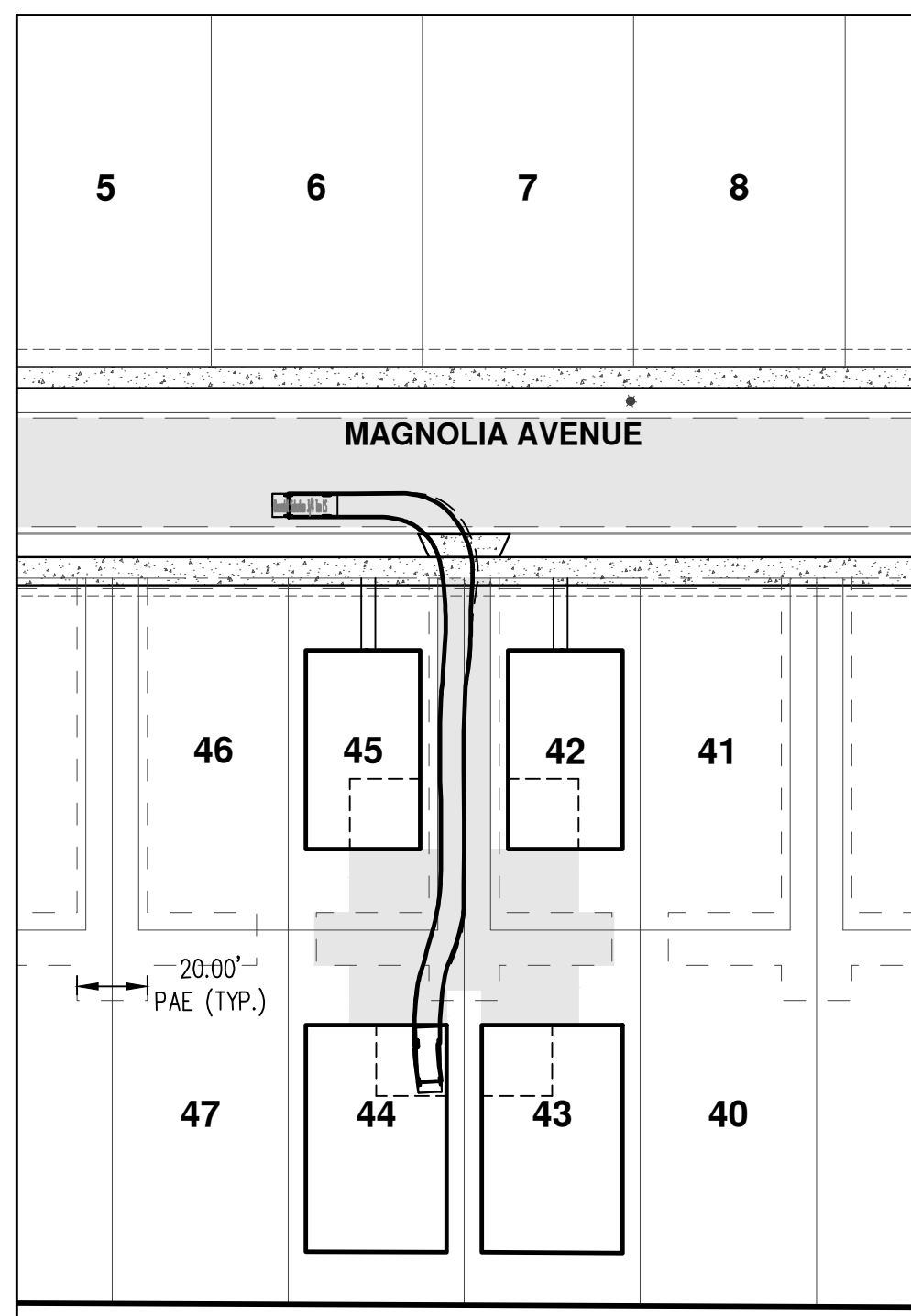
LOT 42 - VEHICLE EXITING MOVEMENT



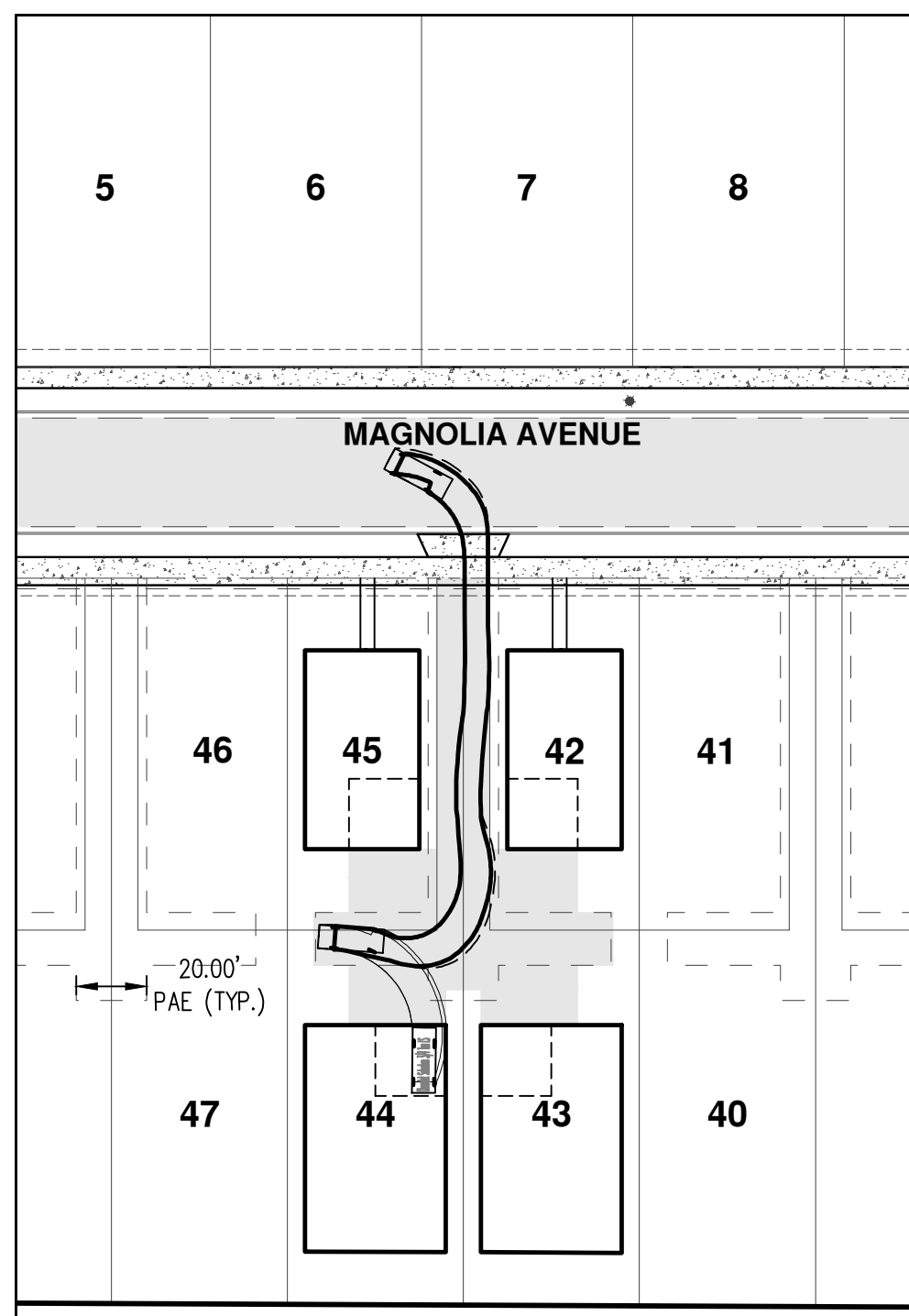
LOT 43 - VEHICLE ENTERING MOVEMENT



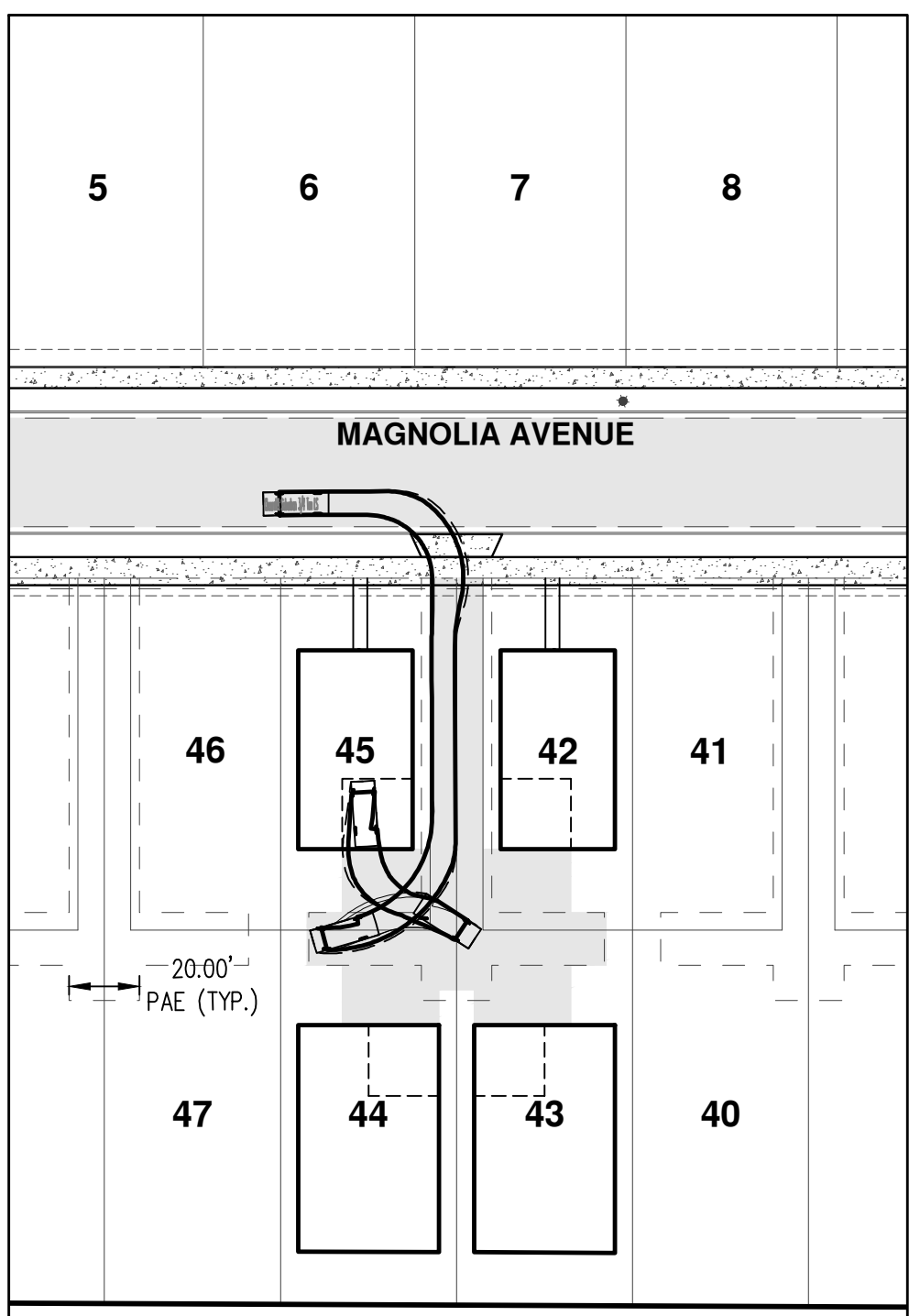
LOT 43 - VEHICLE EXITING MOVEMENT



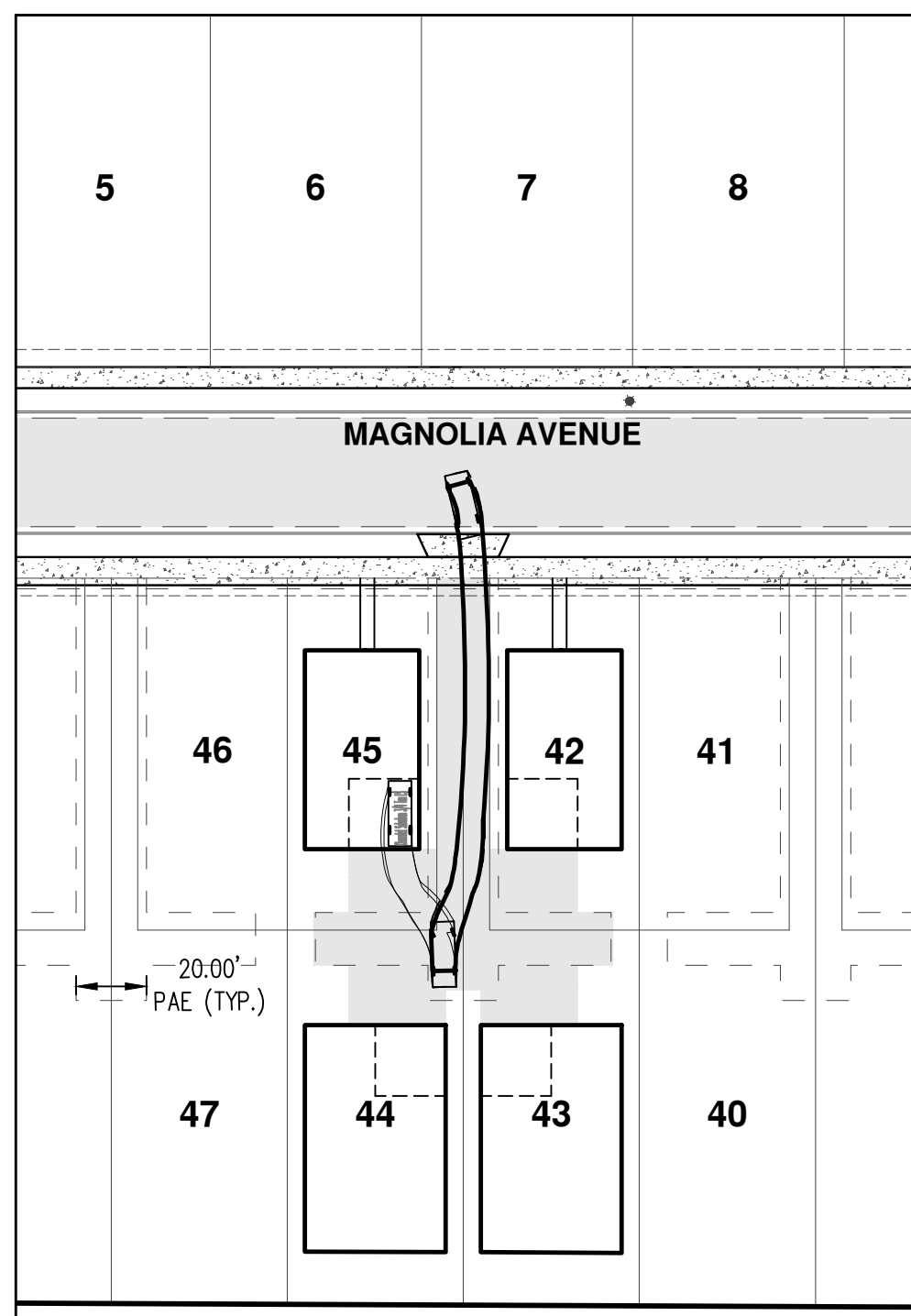
LOT 44 - VEHICLE ENTERING MOVEMENT



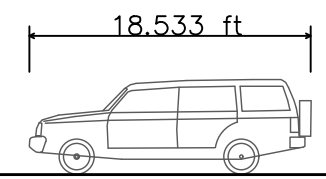
LOT 44 - VEHICLE EXITING MOVEMENT



LOT 45 - VEHICLE ENTERING MOVEMENT



LOT 45 - VEHICLE EXITING MOVEMENT



Chevrolet Suburban 3/4 Ton LS	
Overall Length	18.533ft
Overall Width	6.592ft
Overall Body Height	6.258ft
Min Body Ground Clearance	0.990ft
Track Width	6.592ft
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	22.650ft

**PRELIMINARY TYPICAL FLAG LOT
 VEHICLE ENTRY & EXIT SIMULATION
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: NRA
 DRAWN BY: NRA
 CHECKED BY: VHN



STANDARD ELEVATIONS
1" = 20'0"

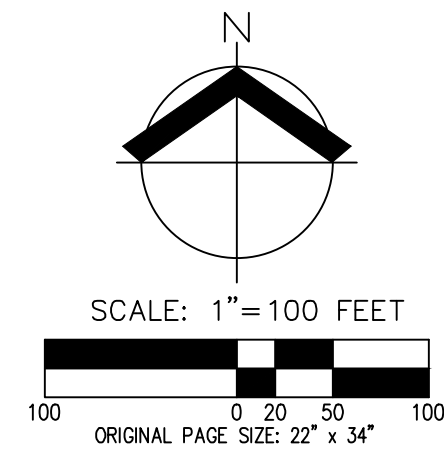
PRELIMINARY FLAG LOT FRONTAGE ELEVATIONS

MARION POINTE
WOODBURN, OREGON



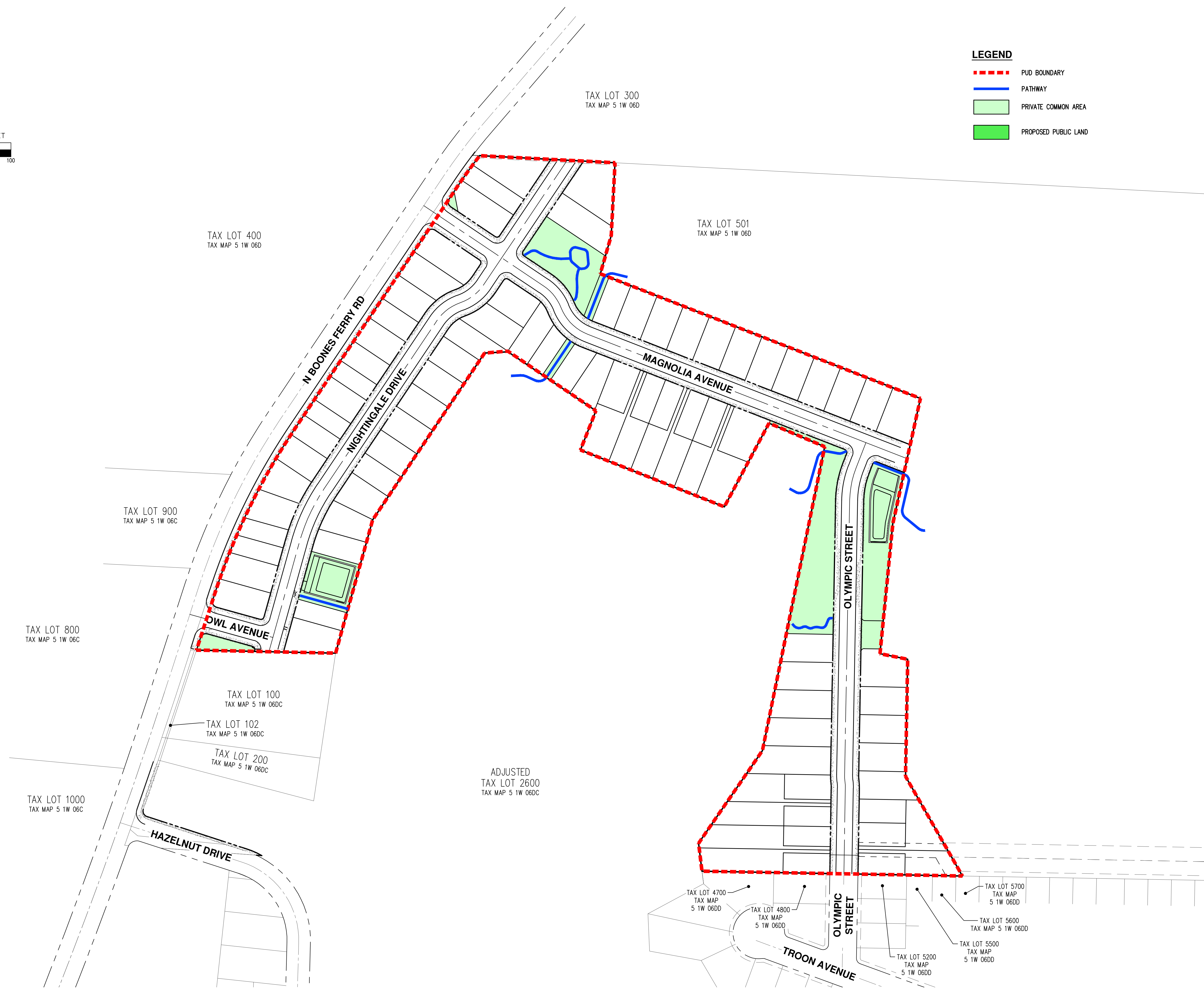
JOB NUMBER:	7564
DATE:	02/14/2022
DESIGNED BY:	NKP
DRAWN BY:	NKP
CHECKED BY:	KAH

AKS
AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM
ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE



LEGEND

- - - PUD BOUNDARY
- PATHWAY
- PRIVATE COMMON AREA
- PROPOSED PUBLIC LAND



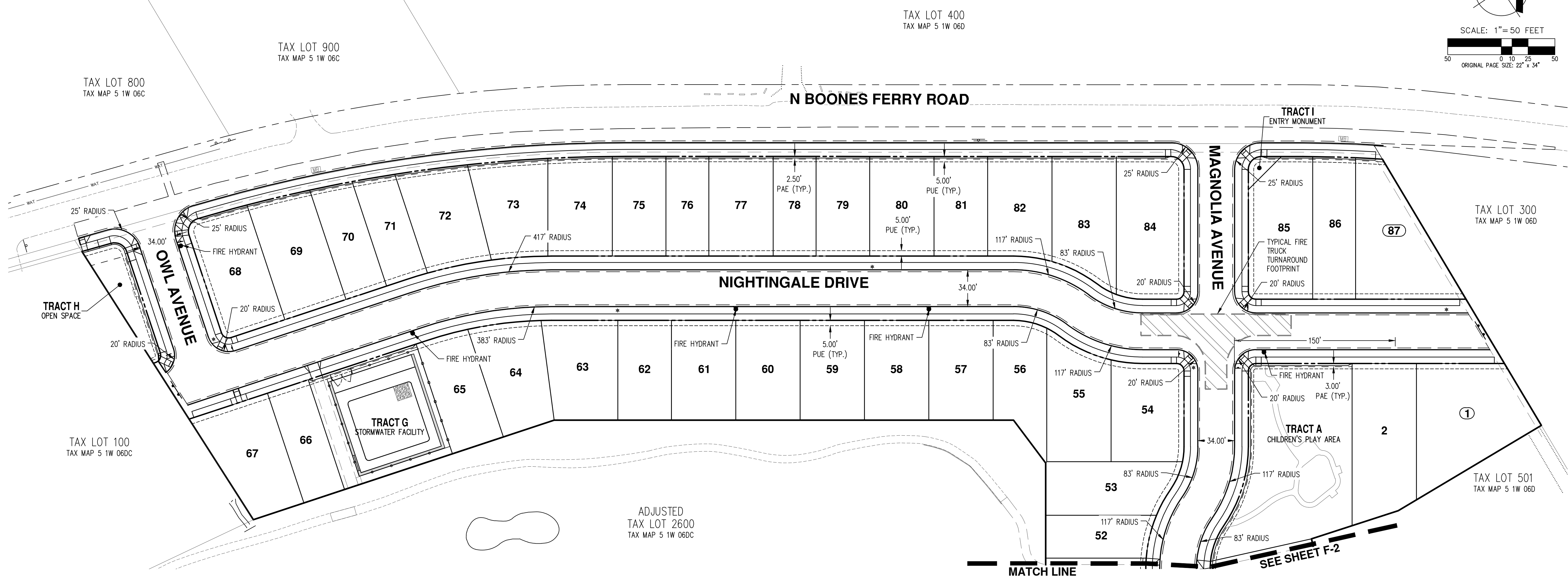
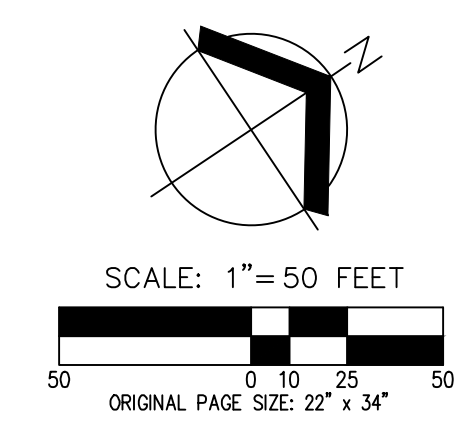
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EXHIBIT Y
PROPOSED COMMON AREAS
MARION POINTE
WOODBURN, OREGON

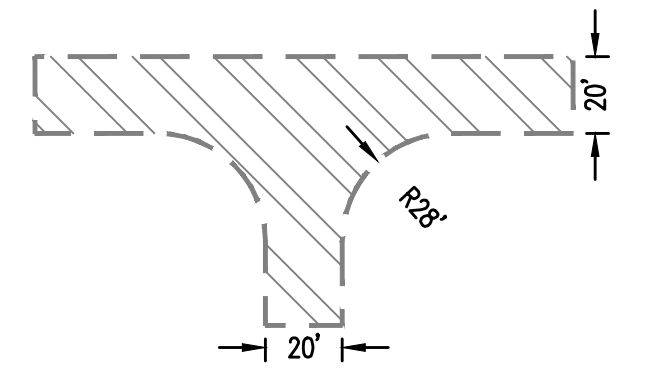


JOB NUMBER: 7564
 DATE: 04/14/2022
 DESIGNED BY: NRA
 DRAWN BY: NRA
 CHECKED BY: VHN

AKS DRAWING FILE: 7564 COLOR TRACTING LAYOUT: P-41



TYPICAL FIRE TRUCK TURNAROUND FOOTPRINT
(OFC 503.2.5)



EASEMENT LEGEND

- ACCESS AND UTILITY EASEMENT A/E
- PUBLIC UTILITY EASEMENT PUE
- PUBLIC ACCESS EASEMENT PAE
- SANITARY SEWER EASEMENT SSE
- TEMPORARY CONSTRUCTION EASEMENT TCE

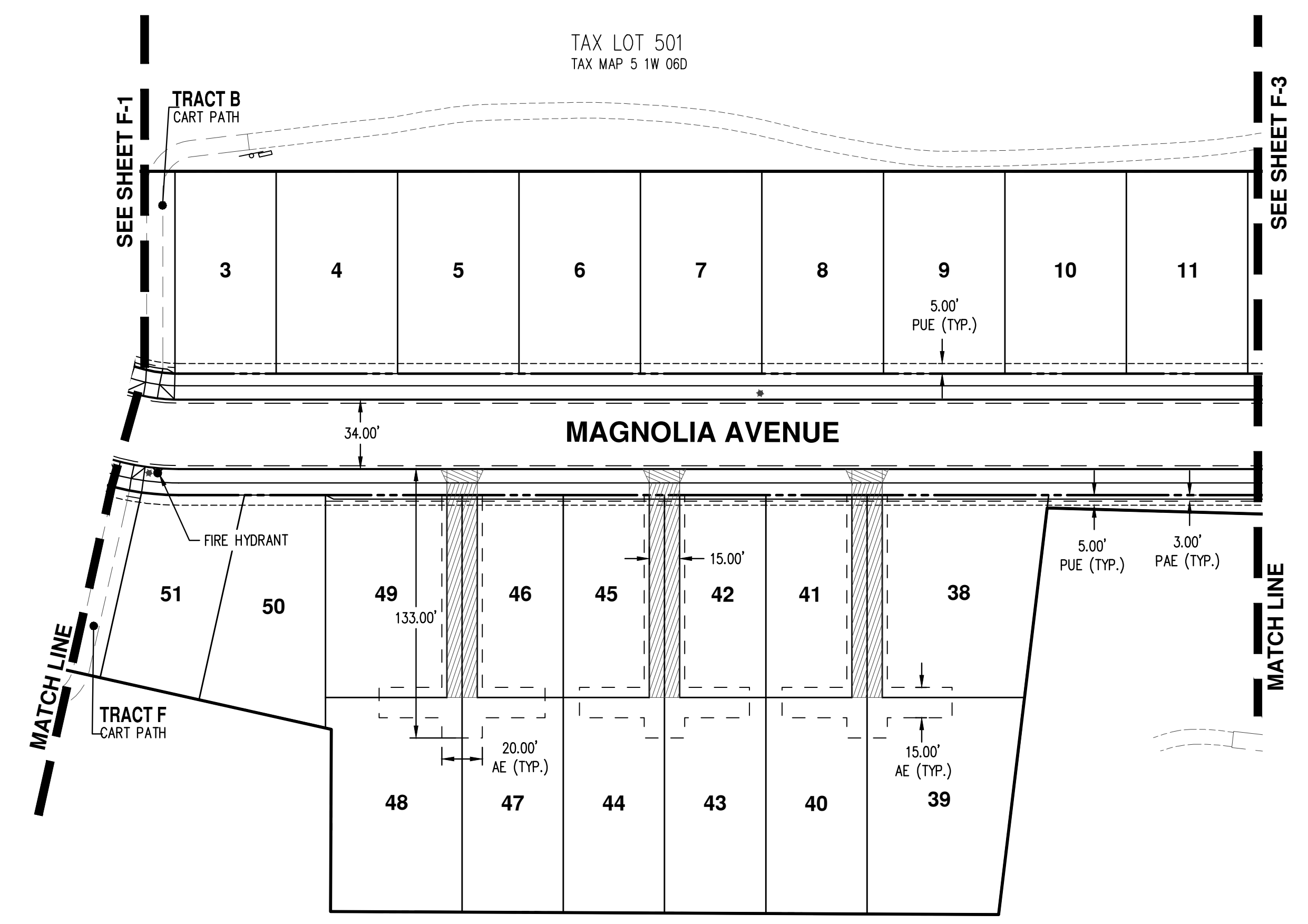
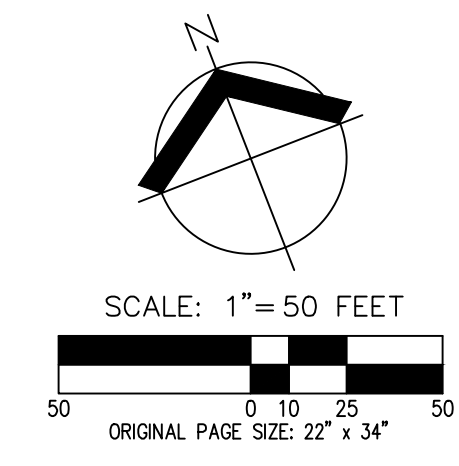
LEGEND:

- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT

**PRELIMINARY FIRE ACCESS
 AND WATER SUPPLY PLAN
 MARION POINTE
 WOODBURN, OREGON**

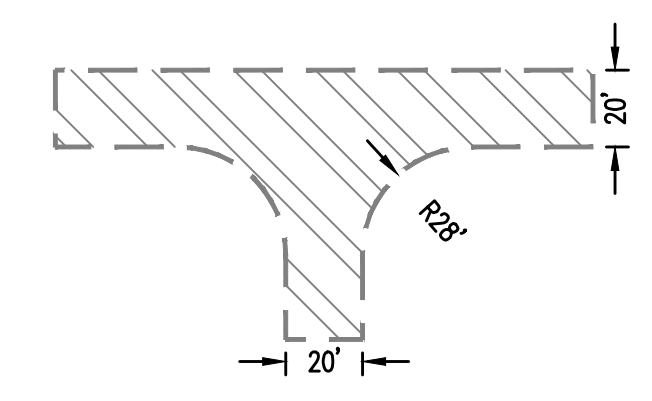


JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



ADJUSTED
TAX LOT 2600
TAX MAP 5 1W 06DC

TYPICAL FIRE TRUCK TURNAROUND FOOTPRINT
(OFC 503.2.5)



EASEMENT LEGEND

- ACCESS AND UTILITY EASEMENT AE
- PUBLIC UTILITY EASEMENT PUE
- PUBLIC ACCESS EASEMENT PAE
- SANITARY SEWER EASEMENT SSE
- TEMPORARY CONSTRUCTION EASEMENT TCE

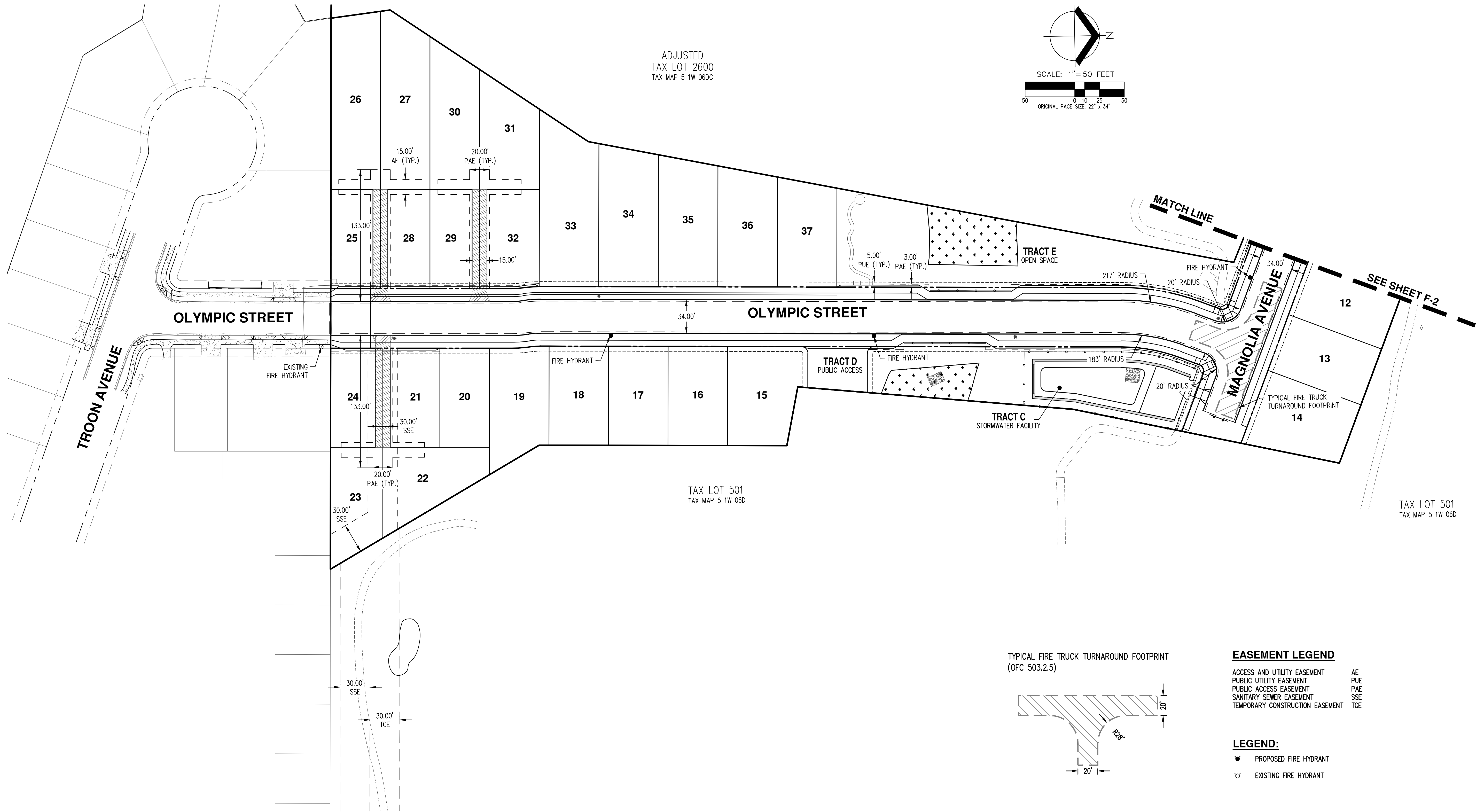
LEGEND:

- ☑ PROPOSED FIRE HYDRANT
- ☒ EXISTING FIRE HYDRANT

**PRELIMINARY FIRE ACCESS
AND WATER SUPPLY PLAN
MARION POINTE
WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



EASEMENT LEGEND

- ACCESS AND UTILITY EASEMENT AE
- PUBLIC UTILITY EASEMENT PUE
- PUBLIC ACCESS EASEMENT PAE
- SANITARY SEWER EASEMENT SSE
- TEMPORARY CONSTRUCTION EASEMENT TCE

LEGEND:

- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT

**PRELIMINARY FIRE ACCESS
 AND WATER SUPPLY PLAN
 MARION POINTE
 WOODBURN, OREGON**



JOB NUMBER:	7564
DATE:	04/14/2022
DESIGNED BY:	NRA
DRAWN BY:	NRA
CHECKED BY:	VHN



PUBLIC WORKS DEPARTMENT
190 GARFIELD STREET
WOODBURN, OR 97071

September 3, 2020, 2020
Attn: Chris Goodell, AICP, LEED AP
AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Re: Annexation Certification
Subject Property Address: N/A
Marion County Tax Map: 051W06D000502

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

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

Sincerely,

Dago Garcia

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



Woodburn School District
1390 Meridian Drive, Woodburn, OR 97071
Phone: 503-981-9555
Fax: 971-983-3611

September 18, 2020

Glen Southerland, AICP
AKS Engineering and Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

Re: Annexation for 90-lot subdivision located at 2850 North Boones Ferry Road

Mr. Southerland:

In response to your request, Woodburn School District has determined that your planned annexation located at 2850 North Boones Ferry Road will impact our schools in our district however we believe we will be able to accommodate the growth.

Thank you,

Casey Woolley

Director of Safety and Operations
Woodburn School District

Attachment 103A
Letter 2 of 3

Glen Southerland

From: James Gibbs <gibbsj@woodburnfire.com>
Sent: Thursday, September 24, 2020 1:41 PM
To: Glen Southerland; Joe Budge; Scott Heesacker
Subject: RE: City of Woodburn Annexation SPL Request

EXTERNAL EMAIL: This email originated from outside of AKS Engineering & Forestry. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Glen,

Per our conversation this afternoon, this email is our response to the housing development in the northern City of Woodburn area and our capability/capacity to support/respond. This additional housing development is within our district and we have the capabilities to support this new addition.

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



From: Glen Southerland [<mailto:southerlandg@aks-eng.com>]
Sent: Thursday, September 17, 2020 4:19 PM
To: Joe Budge; James Gibbs
Subject: RE: City of Woodburn Annexation SPL Request

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

Hello Chief and Fire Marshal,

I hope you're both doing well!

I realize that you are probably incredibly busy at the moment, so I was just hoping you could tell me whether the WFD has capacity to serve the additional 90 dwellings on N Boones Ferry Road.

Please let me know if you have any questions or need any more information.

Best Regards,

Attachment 103A
Letter 3 of 3

Glen Southerland, AICP

AKS ENGINEERING & FORESTRY, LLC

P: 503.563.6151 Ext. 166 | www.aks-eng.com | southerlandg@aks-eng.com

From: Glen Southerland

Sent: Monday, August 31, 2020 3:03 PM

To: James Gibbs (gibbsj@woodburnfire.com) <gibbsj@woodburnfire.com>

Subject: City of Woodburn Annexation SPL Request

Hello James,

I was hoping to get your input and request a Service Provider Letter for an annexation of territory/new 90-unit subdivision at the northern extent of the city limits. I'm not sure if you've been apprised yet what is being proposed or not.

I've attached preliminary site plans for your review. Water mains and hydrants will be installed by the developer. At the pre-app, the City specified 12" lines to the city limits and 8" within the development.

Please let me know if there is anything else you need or questions I can answer. I look forward to your comments!

Thank you!

Glen Southerland, AICP



AKS ENGINEERING & FORESTRY, LLC

12965 SW Herman Road, Suite 100 | Tualatin, OR 97062

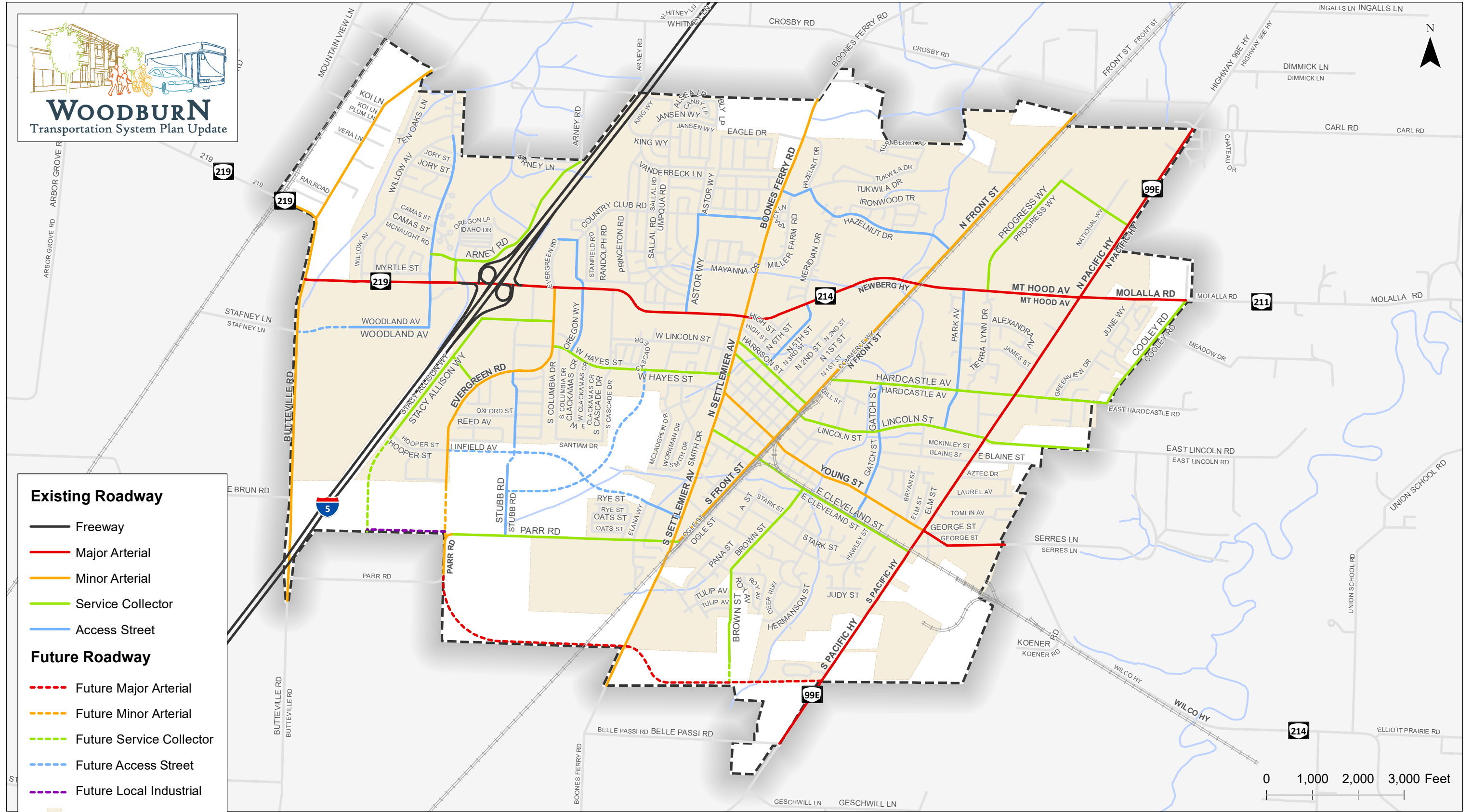
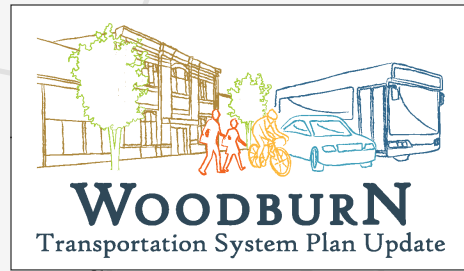
P: 503.563.6151 Ext. 166 | www.aks-eng.com | southerlandg@aks-eng.com

Offices in: Bend, OR | Keizer, OR | Tualatin, OR | Vancouver, WA

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Project Number	Location	Responsible Jurisdiction	Type	Description	Priority	Cost Estimate ²
R7	Brown Street from Comstock Avenue to end of roadway	City	Street design	Upgrade to Service Collector urban standards including bicycle and pedestrian enhancements	Low	\$0 ¹ (Project includes P20)
R8	OR 214/I-5 Southbound Ramp Intersection	State	Traffic signal timing	Investigate corridor signal timing and coordination adjustments in coordination with ODOT	Medium	\$15,000
R9	OR 214/I-5 Northbound Ramp Intersection	State	Traffic signal timing	Investigate corridor signal timing and coordination adjustments in coordination with ODOT	Medium	\$15,000
R10	OR 214/Evergreen Road Intersection	State	Traffic signal timing	Investigate corridor signal timing and coordination adjustments in coordination with ODOT	Medium	\$15,000
R11	OR 214/Oregon Way/Country Club Road Intersection	State	Traffic signal timing	Investigate corridor signal timing and coordination adjustments in coordination with ODOT	Medium	\$15,000
R12	OR 214/Front Street Ramp Intersection	State	Traffic control	Install intersection capacity improvement such as traffic signal (if warranted), turn lanes, or roundabout in coordination with ODOT	Medium	\$1,000,000
R13	OR 214/Park Street Intersection	State	Traffic control	Install intersection capacity improvement such as traffic signal (if warranted), turn lanes, or roundabout in coordination with ODOT	Medium	\$1,000,000
R14	OR 214/OR 211/OR 99E Intersection	State	Intersection - geometric considerations	Install a second left-turn lane on the southbound approach, install a second receiving lane on the east leg, and update signal timing in coordination with ODOT	Medium	\$900,000
R15	Parr Road/Settlemer Avenue Intersection	City	Traffic control	Install intersection capacity improvement such as traffic signal (if warranted), turn lanes, or roundabout	Low	\$500,000
R16	OR 99E/Hardcastle Avenue Intersection	State	Intersection - geometric considerations	Reconfigure the westbound approach to incorporate one left-turn lane and one thru-right turn lane in coordination with ODOT	Medium	\$50,000
R17	OR 99E/Lincoln Street Intersection	State	Intersection - geometric considerations	Install a shared through-right turn lane on the eastbound approach and reconfigure the existing approach lane as a separate left-turn lane in coordination with ODOT	Medium	\$500,000
R18	OR 99E/Young Street Intersection	State	Intersection - geometric considerations	As identified in the Highway 99E Corridor Plan, install a third westbound lane to provide separate left, thru, and right turn lanes in coordination with ODOT. Implement protected-permissive left-turn phasing on the eastbound and westbound approaches.	Medium	\$550,000

Project Number	Location	Responsible Jurisdiction	Type	Description	Priority	Cost Estimate ³
P25	Gatch Street from Hardcastle Road to Cleveland Street	City	Sidewalks - Fill in gaps	Fill in the gaps. This project improves safe routes to school for Washington Elementary School	High	\$350,000
P26	Park Avenue from Hardcastle Avenue to Lincoln Street	City	New sidewalks	Install new sidewalks on one side. This project improves safe routes to school for Washington Elementary School	High	\$65,000
Local Streets						
P27	Willow Avenue from McNaught Road to OR 219	City	New sidewalks	Install new sidewalks on both sides	Medium	\$350,000
P28	Cascade Drive from OR 214 to Hayes Street	City	New sidewalks	Install new sidewalks. This project improves safe routes to school for Nellie Muir Elementary School	High	\$400,000
P29	Ben Brown Lane from end of roadway to Boones Ferry Road	City	Sidewalks - Fill in gaps	Fill in the gaps	Medium	\$200,000
P30	Oak Street from Boones Ferry Road to Front Street	City	New sidewalks	Install new sidewalks on one side	Medium	\$150,000
P31	Ogle Street from Cleveland Street to Boones Ferry Road	City	New sidewalks	Install new sidewalks on one side	Medium	\$900,000
Pedestrian Crossing Enhancements						
P32	Front Street/Young Street	City	Enhanced crossing	Construct ADA-compliant ramps and sidewalks on the east leg of the intersection	Medium	\$15,000
P33	Front Street/Lincoln Street	City	Enhanced crossing	Construct ADA-compliant ramps and sidewalks on the east leg of the intersection. This project improves safe routes to school for St Luke's School	High	\$15,000
P34	Cascade Drive/Hayes Street	City	Enhanced crossing	Install an enhanced pedestrian crossing. This project improves safe routes to school for Nellie Muir Elementary School	High	\$65,000
P35	Park Avenue/Legion Park Driveway	City	Enhanced crossing	Install an enhanced pedestrian crossing. This project improves access to Legion Park	Medium	\$65,000
P36	Hazelnut Drive/Broadmoor Place Accessway	City	Enhanced crossing	Install an enhanced pedestrian crossing. This project improves safe routes to school for Woodburn High School	High	\$65,000



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

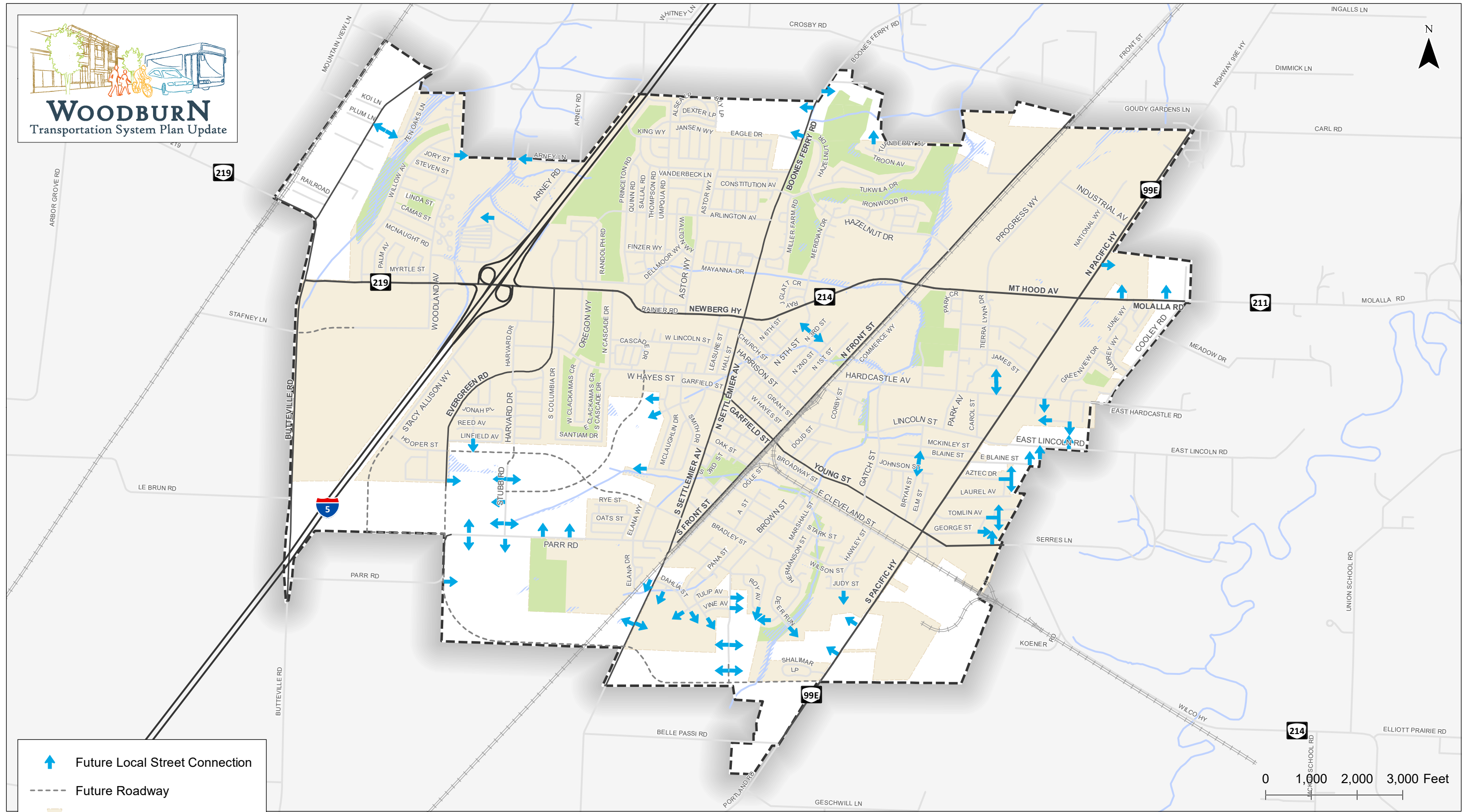
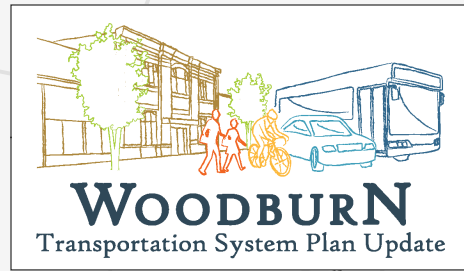
- City Boundary
- Urban Growth Boundary





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

Functional Roadway Classification
Attachment 104B Woodburn, Oregon

Figure
2

H:\1212\1071 - Woodburn TSP Update\GIS\TSP02 Functional Roadway Classification.mxd - mmcormick - 5:25 PM 9/18/2019



-  Future Local Street Connection
-  Future Roadway
-  City Boundary
-  Urban Growth Boundary

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

Local Street Connectivity Plan
Woodburn, Oregon
Attachment 104C

Figure 6

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

H:\1212\1071 - Woodburn TSP Update\GIS\TSP06 Local Street Connectivity Plan.mxd - mmccormick - 5:46 PM 9/16/2019

Recommended Conditions of Approval

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

General

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

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

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

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02 E & F and 4.02.12 ~~through Ordinance No. 2603 (LA 21-02)~~ unless if and where a condition of approval has more restrictive timing:-

(1) The construction of all public improvements, their passing City inspections, and acceptance by the City are due no later than by either 5.01.06B in the context of land division final plat application to the City or by building permit issuance, except if (a) the developer applies to the City through the Public Works Department for deferral and (b) the City Administrator or designee issues a document approving and describing a bond or performance guarantee pursuant to Section 4.02.08. Administration of bonding and performance guarantees for improvements that are public defaults to the Public Works Department, and the department shall notify the Community Development Director of deferral applications and any approvals and conditions of approval.

(2) Fees in lieu of public improvements: Per Condition G6.

- b. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due

prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County.

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

G6. Fees: The developer shall pay fees per Attachment 205, and fees in-lieu shall be per WDO 4.02.12 ~~through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022:~~

a. Fees in-lieu are permissible if the Director allows, whether wholly in-lieu for one, some, or all of the kinds of required improvements or for some or all of a kind.

a.b. Fees in lieu of public improvements are due before either building permit application or, when and where any of Partition or Subdivision Final Plat is involved, completion of recordation with the County, specifically no later than before a City official signs a plat or re-plat Mylar per Section 5.01.06C.1. A developer may request in writing to pay later, specifically by issuance of building permit, or if the Director allows, across issuance of two or more structural building permits for the subject development.

G7. Demolition: Because the City through the Building Division now requires [demolition permits](#), upon annexation and before beginning to demolish buildings or structures or demolishing more of them, consult the Permit Technician and apply for and obtain a permit or permits as applicable.

~~G8. WDO version: Upon annexation, conformance to the Woodburn Development Ordinance (WDO) and conditions of approval references to the WDO shall be to the WDO as amended by Ordinance No. 2603 (Legislative Amendment LA 21-02) adopted June 13, 2022.~~

G-PW. Public Works: Follow the appended PW comments (June 16, 2022); Attachment 102A).

Preliminary Subdivision 22-03

SUB-1. Expiration: Based on ORS 92.040(3), development per the Council land use final decision may continue 3 years past the decision date, the 3-year approval period being established ~~by WDO 4.02.04 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022,~~ and as follows:

- a. Final Plat: The developer shall apply to the City prior to applying to Marion County for recordation. Owl extending east across BFR from Dove Landing PUD to Nightingale shall continue its name.
- b. Recordation with Marion County: Same as WDO 5.01.06C.1. (within 30 calendar days of the Director's signature on the plat Mylar).
- c. Vesting: The decision is vested unless:
 - (1) ~~The developer fails to meet subdivision and PUD requirements, resulting in the City being unable to authorize staff to sign a final plat Mylar by July 1, 2027~~ Regarding WDO 4.02.04B.1, if by 10 years past the final decision date there is no substantial construction as Section 1.02 defines following issuance of a building permit, the final decision shall expire and fail to vest.; or
 - (2) ~~There is no substantial construction — as defined in 1.02 through Ordinance No. 2603 (LA 21-02) — by July 1, 2032~~ Regarding subsection WDO 4.02.04B.2 as applies to Property Line Adjustment and Subdivision Final Plat Approval applications, the developer shall complete recordation no later than the land use expiration date.

SUB-2. Documents:

- a. Geotech report: Prior to final plat approval by the City, the developer shall submit to the Director a geotechnical report documenting that, whether or not the developer spreads any fill or spoil dirt across lots and tracts, soil is compacted and ready to accommodate the construction of buildings on lots and tracts proposed for development.
- b. Easements: ~~Per WDO 2.01.05A through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022 shall be applicable, and, where any of extinguished, altered, or additional public easements are involved, the developer shall not apply for building permit until having completed recordations with the County and provided electronic copies of the recorded easement documents and drawings to the Director and the Public Works Director when and as any of them direct. The developer shall also~~ follow Attachments 102A (Public Works) and 203, Part D.
- c. Plat: Upon recordation, the developer shall submit to PW and cc the Director copies of recorded documents per WDO 2.01.05 ~~through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.~~

Planned Unit Development 22-02

PUD-PW. Stormwater management: Prior to civil engineering plan approval through CEP review, the applicant shall provide an Engineer Stamped Storm Drainage Hydraulic Analysis Report that existing private storm drainage systems have capacity to handle the additional flow from the Marion Pointe and ANX 2020-03 Dove Landing Planned Unit Developments (PUDs), and that the culvert/pipe under Olympic Street has capacity to handle a 100 year base flood event, and to provide a final 100 year floodway, floodplain, and wetland delineation for this development. The applicant is responsible for correcting any capacity deficiencies, including installing new or additional drainage systems, and/or attaining the right to increase stormwater flows into neighboring private stormwater systems.

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

PUD-2.

- a. ROWs: For BFR and the proposed local class streets, the developer shall dedicate ROWs that meet or exceed the min widths necessary to conform to WDO Figures 3.01C & G.
- b. PUEs: ~~The developer shall grant streetside PUEs that meet or exceed the min width and do not exceed the max p~~Per WDO 3.02.01 ~~through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022,~~ a PUE shall be dedicated along each lot line or tract boundary abutting a public street at minimum width 5 feet and maximum width 8 ft.

PUD-3. Frontage/street improvements: These shall be as follows and due per Condition G4a:

- a. BFR: Per WDO Fig. 3.01C except that planter strip shall be min 6½ ft wide inc. curb width.
- b. Olympic: Bridge or culvert crossing over Mill Creek tributary: Per WDO 3.01.03H ~~through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022,~~ and:
 - (1) ROW: Required ROW shall remain such regardless of the physical width of the crossing.
 - (2) Parking: Any parking lane(s) required by the applicable cross section shall remain required.
 - (3) Sidewalk widths: A developer may omit from a bridge or culvert the street landscape strips, thereby resulting in curb-tight sidewalk, the minimum width of which shall be either 8 ft where there is to be no adjacent on-street parking or 9 ft

where there is to be. Wider width shall apply where ADA per WDO 3.01.03G applies such that it is required.

(4) Fence/railings: Where (a) a street segment is a bridge or culvert crossing, and (b) the public works construction code requires any pedestrian guardrail, handrail, fall protection railing, or safety railing, then it shall be decorative or ornamental (as examples, having an artistic pattern or resembling wrought iron), and a color other than black or charcoal. Any required fence at each end of railings shall be the same color(s).

(5) Bridge sides: If the bridge sides are concrete, the surface shall be stamped or treated to resemble either cut stone or rough stone.

~~(4)~~(6) Elevation: Shall be such that the travel way and parking lanes wouldn't flood during the 100-year flood.

~~(2) Sidewalks: min width 9 ft inc. curbing.~~

~~(3) Fencing/railings: Permissible colors are blue, bronze, brown, green, teal, metal, and rust color. (Black prohibited.)~~

~~(4)~~(7) Design details are deferred to PUD Final Plan Approval process; refer to Condition PUD-11.

- c. Tract D: The developer shall grant to the City over the entire tract a public street easement. The easement shall allow for all purposes permitted by what would have been ROW dedication including construction of street improvements. One or more legal instruments that dedicates the easement shall contain text that the easement is revocable only with the written concurrence of both the Community Development Director and Public Works Director and by City Council action. (The objective is to have maintenance responsibility remain with a party other than the City.)
- d. Hazelnut: Per WDO Fig. 3.01G, except that the territory contiguous with Tax Lots 051W06DC00201 & 300, which is occupied by Hazelnut, shall be dedicated to the City as ROW. (Note: To not meet this condition part would require modification of condition [MOC] application and approval per WDO 4.02.07.)
- e. Planter strip remainder: ~~Landscape the remainder area—the area remaining after street tree plantings—p~~Per WDO 3.01.04B through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, landscape strips shall have area remaining after street tree plantings landscaped with lawn grass or, if the Public Works Director in writing allows, a species of groundcover. Cobblestones, gravel, pebbles, and rocks are prohibited. Bark dust, mulch, or wood chips are permissible only within the immediate vicinity of a street tree trunk. The developer shall install landscape strip irrigation, and shall provide temporary irrigation during construction, per the public works construction code.
- f. Sidewalks: Min 6 ft wide except wider as Exhibit PUD-3f supersedes. BFR sidewalk southerly and two northerly dead-ends shall have ADA-compliant transitions spanning between sidewalk and road shoulder as the applicable public works authority specifies. The segment extending north from Hazelnut sidewalk may meander, including PUE

overlap, and taper to 6 ft through RPZs to save most of the loose row of trees along the road.

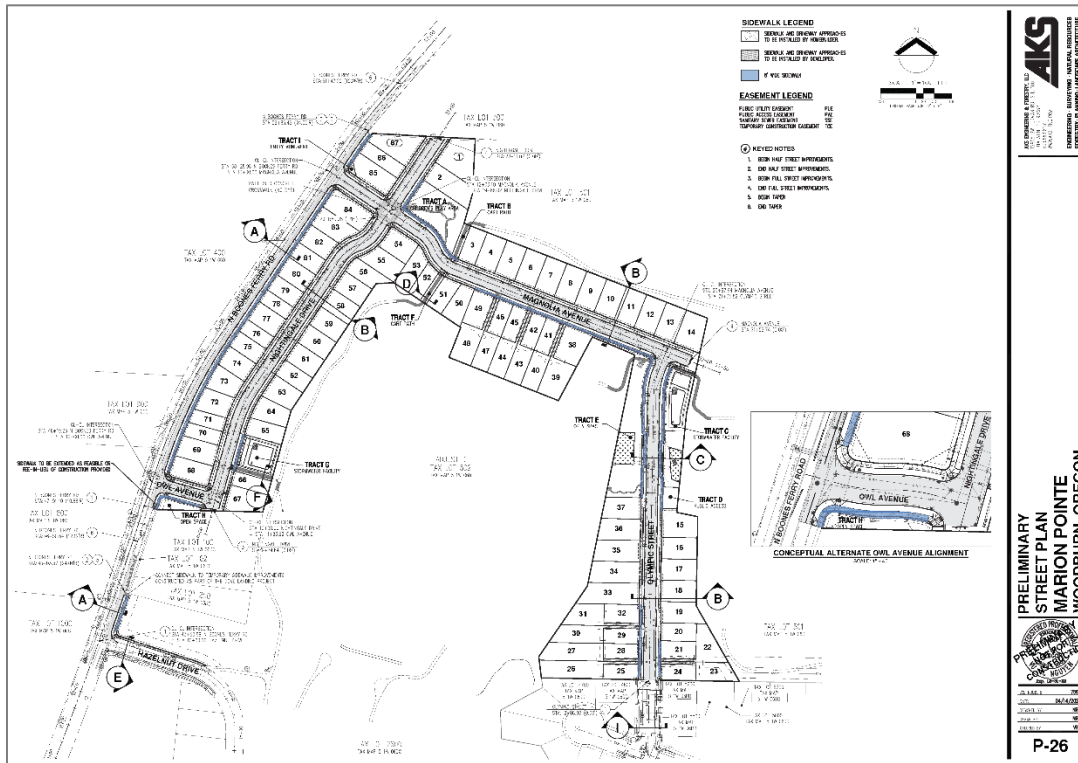


Exhibit PUD-3f: Site Plan Sheet P-26 Sidewalks (blue: min 8 ft wide); see Attachment 103 for full size

- g. **Overlap:** The extra width of planter strip and sidewalk shall either (1) overlap outside ROW into streetside PUE and come with a recorded legal instrument granting public access to the overlap to the satisfaction of the Public Works Director, or (2) come with additional ROW to accommodate them. Wider sidewalks shall not narrow planter strips.
- h. **Street trees:**
 - (1) Min numbers equal to block frontage ratios per Exhibit PUD-3h:



Exhibit PUD-3h: Site Plan Sheet P-31 Street Tree Min No. (green: equal to 1 tree per 30 ft of block frontage)

(2) Along Magnolia, revise street trees from Capital pear to *Magnolia grandiflora* “Victoria” cultivar.

(3) Fee in-lieu shall be per Attachment 205.

~~(4) Landscape strips and street trees shall conform to WDO 3.01.04B (landscaping, irrigation) and 3.06.03A.3 (root barriers) through Ordinance 2603.~~

i. Electric power lines: Electric power lines, whether in or beyond ROW, shall be buried.

j. Traffic calming: A min number of pedestrian crossings along intersection legs shall be patterned poured concrete each min 8 ft wide:

(1) Magnolia & Nightingale, 3 legs: N/NE, E/SE, & S/SW; and

(2) Magnolia & Olympic: 2-3 legs: S/SW & whichever one or both of the E/SE or W/NW legs that would have a curb ramp along the top of the “T” of the T-intersection.

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

a. A barricade with sign at the south end of Nightingale; and

b. A barricade at each of the north end of Nightingale the east end of Magnolia.

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

ANX 22-02 Marion Pointe PUD:

Attachment 201: Dictionary & Glossary

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

- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “BFR” refers to Boones Ferry Road, whether N. Boones Ferry Road or Boones Ferry Road NE.
- “C of O” refers to building certificate of occupancy.
- “CC&Rs” refers to covenants, conditions, and restrictions in the context of private contract among an association of owners and/or tenants within a PUD or a conventional subdivision with common area improvements.
- “CEP” refers to civil engineering plan review, which is a review process independent of land use review led by the Community Development Department Planning Division and that is led by the Public Works Department Engineering Division through any application forms, fees, and review criteria as the Division might establish. A staff expectation is that CEP follows land use review and approval, that is, a final decision, and precedes building permit application.
- “County” refers to Marion County.
- “Director” refers to the Community Development Director.
- “exc.” means excluding.
- “ft” refers to feet.
- “Hazelnut” refers to Hazelnut Drive.
- “inc.” means including.
- “max” means maximum.
- “min” means minimum.
- “Magnolia” refers to Magnolia Avenue, the proposed easterly-westerly street that connects with BFR.
- “Modal share” means the percentage of travelers using a particular type of transportation or number of trips using a type, as examples walking, cycling, riding transit, and driving.
- “Modal shift” means a change in modal share.
- “MUTCD” refers to *Manual on Uniform Traffic Control Devices* of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- “Nightingale” refers to Nightingale Drive, the proposed northerly-southerly street.
- “NE” means northeast.
- “NW” means northwest.
- “OAR” refers to Oregon Administrative Rules.

- “o.c.” refers to on-center spacing, such as of trees or shrubs.
- “ODOT” refers to the Oregon Department of Transportation.
- “OGA” refers to the Oregon Golf Association.
- “Olympic” refers to Olympic Street and its proposed north extension.
- “Owl” refers to Owl Avenue, an easterly-westerly street proposed to continue east across BFR from Dove Landing PUD into Marion Pointe to Nightingale.
- “ORS” refers to Oregon Revised Statutes.
- “PBPE” refers to a public bicycle/pedestrian easement that grants pedestrian and cyclist access along sidewalk that overlaps private property or along an off-street bicycle/pedestrian path on private property. It substitutes for a PUBPE.
- “PLA” refers to property line adjustment.
- “PU” refers to plant unit as WDO Table 3.06B describes.
- “PUBPE” refers to a PUE adapted to grant pedestrian and cyclist access along sidewalk that overlaps private property (“streetside” PUBPE) or along an off-street bicycle/pedestrian path on private property (“off-street” PUBPE). A PBPE may substitute.
- “PUD” refers to planned unit development.
- “PUE” refers to public utility easement, whether along and abutting public ROW (“roadside” or “streetside” PUE) or extending into or across the interior of private property (“off-street” PUE). In the context of property line adjustment, partition, or subdivision, the developer records through the plat with drawings and notes on the face of the plat. Absent this context, recordation is separate from land use review pursuant to a document template or templates established by PW. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording public easement materials that a developer submits.
- “PW” refers to Public Works (the department) or on rare occasion public works (civil infrastructure) depending on context.
- “RCWOD”, pronounced by City staff as “R quad”, refers to the Riparian Corridor and Wetlands Overlay District that WDO 2.05.05 describes.
- “Root barrier” refers to that illustrated by PW SS&Ds, [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “ROW” refers to right-of-way.
- “RPZ” refers to root protection zone in the context of tree preservation.
- “SDCs” refers to system development charges, also known as impact fees.
- “SE” means southeast.
- “SDA” refers to site development area, the entire territory that is the subject of the land use application package.
- “sq ft” refers to square feet.
- “SS&Ds” refers to PW [standard specifications and drawings](#).

- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Tables 3.06B & C, and that have root barriers where applicable per PW [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “SW” means southwest.
- “Tot.” means total.
- “TPU” means the Transit Plan Update Approved Final Report dated November 8, 2010.
- “TDM” refers to transportation demand management, which means according to the TSP (p. 82), “a policy tool as well as a general term used to describe any action that removes single occupant vehicle trips from the roadway during peak travel demand periods”, and according to Wikipedia as of October 13, 2020, “the application of strategies and policies to reduce travel demand, or to redistribute this demand in space or in time.”
- “TSP” means the [Woodburn Transportation System Plan \(TSP\)](#).
- “UGB” means urban growth boundary.
- “Walkway” refers to what would otherwise be called sidewalk except the paved walking surface is on private property outside of any of ROW or an easement granting public access.
- “WDO” refers to the [Woodburn Development Ordinance](#).
- “WFD” refers to the Woodburn Fire District.
- “WTS” refers to the Woodburn Transit System.
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes.

ANX 22-02 Marion Pointe PUD:

Attachment 202: Lot & Tract Development Standards

Introduction

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

“WDO” refers to the Woodburn Development Ordinance. Refer to Attachment 201 for a dictionary/glossary, including other acronyms and abbreviations.

For improvements that the City requires of tracts, see Attachment 203.

Part A. Lot Development Standards Table

Table 202A. PUD 22-02 Marion Pointe PUD Lot Development Standards			
Lot Area, Minimum (square feet)	Interior, flag or cul-de-sac lot		3,700 ¹
	Corner lot	Single-family dwelling	6,200 ¹
		Child care facility or group home ²	Per WDO
		Middle housing: duplex, triplex, quadplex, townhouse, or cottage cluster	Same as required for single-family dwelling
		Any other use	Per WDO
Lot Width, Minimum (feet)	Interior, flag or cul-de-sac lot		40
	Corner lot		50
Lot Depth, Average (feet)	Interior, flag or cul-de-sac lot		50
	Corner lot		Per WDO
Street Frontage Minimum (feet)	Interior or cul-de-sac lot		Per WDO
	Corner lot	Dwelling	Per WDO, except min capped at 40
<i>Table 202A cont.</i>			

		Any other use	Per WDO	
	Flag lot		Per each pole if poles of adjacent flag lots are paired: 7½ ¹² Per independent pole: 11 ¹²	
Residential Density, Minimum (units per net acre)			7.1	
Front Setback and Setback Abutting a Street, Minimum (feet) – excluding garage and carport ^{3, 5}	Other than corner lot		15	
	Corner lot		15 with second frontage 10	
Setback Abutting an Alley, Minimum (feet) – excluding garage and carport			Either zero or where there is a required alleyside PUE then 5	
Side Setback, Minimum (feet) – excluding garage	Primary structure		Per WDO	
	Accessory structure		Per WDO	
Rear Setback, Average (feet)	Primary structure	Other than flag lot	15 ^{7, 11}	
		Flag lot	Yard closest to street; rear	Yard closest to street: 12 from the lot line parallel to the street ^{7, 11} ; Rear: 12
			Rear	12 ^{7, 11}
			Sides	5 ¹¹
	Accessory structure		Per WDO	
Garage and carport setback, Minimum (feet)			Per WDO Table 3.07A.	
Setback to a streetside porch or roofed patio, Minimum (feet)			Per WDO Table 2.02G. A maximum setback is not applicable to flag lots.	
Setback to a Private Access Easement, Minimum (feet)			1	
Lot Coverage, Maximum (percent)			51.1	
Building Height, Maximum (feet)	Primary structure		Per WDO	
	Features not used for habitation		Per WDO	

	Accessory structure	Per WDO
1.	Per WDO Table 2.02B Footnote 1	
2.	Per WDO Table 2.02B Footnote 2	
3.	Is not applicable to through lots to the lot lines along N. Boones Ferry Road (BFR).	
5.	Regarding flag lots, a front setback applies to only to the pole frontage. A flag is considered to have three sides and a rear.	
7.	Per WDO Table 2.02B Footnote 7	
11.	Encroachments and projections into setback minimums remain permissible per WDO 3.03.03, 04, & 05.	
12.	Where flag lot poles adjoin to share a driveway and driveway approach / apron / curb cut / ramp (“shared rear lane”), public shared access easement shall be per WDO 3.04.01A.2 and/or A.4 as well as 3.04.03D.1. Shared utilities might necessitate a wider public easement than that necessary for vehicular access only; refer to WDO 3.02.01C.	

Part B. Related Development Standards Table

Table 202B. PUD 22-02 Marion Pointe PUD Related Development Standards				
Architecture	Per WDO 3.07.02 through by Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, except Table 3.07A item P1 is not available for optional points.			
Driveways	Approach / apron / curb cut	Per WDO through by Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.		
	Throat / portion outside ROW	Per WDO through by Ordinance No. 2603 (LA 21-02) adopted June 13, 2022.		
	Access	Lots 21, 24, 25, 28, 29, 32, 38, 41, 42, 45, 46, & 49 are prohibited from having their own driveways along the street and shall take access from the shared driveway along an adjacent flag lot pole. To facilitate such, these lots are exempt from any parking pad requirement.		
Parking spaces/stalls	Ratio	Per WDO Table 3.05A		
	Parking pad (WDO 3.05.03F.1b)	Number, Minimum	Per WDO 3.05.03F.1b. The parking pad requirement is not applicable to flag lots.	
		Dimensions, Minimum		
	Stalls within a garage and/or carport	Number, Minimum	2, either both garaged or as both a carport and garage on the same lot.	
		Dimensions, Minimum	Per WDO Table 3.05B, footnote 6.	
The 5-ft parking setback of WDO 3.05.02E does not apply.				

Part C. Tract Development Standards

1. Driveway approaches / aprons / curb cuts / ramps: max 10 ft wide.
2. Fencing: Stormwater facilities: If any fencing proposed for such facilities, max 3½ ft high and w/ the coating (required for fencing per WDO 2.06.02D.2) any of blue, bronze, brown, green, teal, metal, or rust color. (Black prohibited.) By PUD modification of 2.06.02D.2, slats aren't required.
3. Tracts: Any retaining walls shall conform to 3.06.05C as a standard.
4. Golf cart path: If PW during CEP allows a golf cart path in lieu of direct access to and from Magnolia and possibly additional streets, the path shall be:
 - a. Min 1 ft away from the southerly edge of the Magnolia sidewalk as a buffer.
 - b. The resulting buffer area shall be planted with mostly groundcover and some lawn grass.
 - c. Groundcover shall each be min number equal to average spacing of 1 plant per 3 ft of buffer length.
 - d. The design details resulting from a golf cart path deflecting northerly to street corners and its crossing of Olympic or any street, if any, is deferred to CEP and remains up to PW to decide whether to allow and, if it were to allow, to regulate.
5. Tract C is limited to one driveway approach / apron / curb cut / ramp (to serve the stormwater facility).
6. Subdivision identification sign: Tract I subdivision identification monument or wall sign maximum height shall be 6 ft above grade.

Part D. VCA

WDO 3.03.06 is hereby modified such that:

1. The alley part of Fig 3.03A shall apply to alleys except that VCA triangles shall measure min 5 by 5 ft.
2. Regarding the street corner part of Fig. 3.03A, VCA triangles shall measure min 15 by 15 ft.

Part E. Lighting:

1. Shall conform to WDO 3.11.
2. The Planning Division may require inspection to be scheduled evening or night.

ANX 22-02 Marion Pointe PUD:

Attachment 203: Common Area Improvements & Public Easements

Introduction

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

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

For lot and tract development standards, see Attachment 202.

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

The mins of the improvement types are per Table 203A below:

<i>Table 203A. Common Area Improvements</i>			
<i>Improvement Type</i>	<i>Number</i>	<i>Placements</i>	<i>Details</i>
Benches	7	Tract A: 1, w/i 8 ft of ROW	Place along paths and sidewalks, set back 2 ft min, and on at least 6 by 4 ft of asphalt, brick, concrete pavers, or poured concrete. If brick or pavers, pour concrete for bench post footings. 6 ft width min; 75% min of them having backs. The recommended model (with back) is per WDO interpretation memo INT 22-0608. For Tracts D, E, & G, this model is the standard.
		Tract D: 1	
		Tract E: 2 (1 each paved path)	
		Tract G: 1 (path south side)	
		Tract H: 1, w/i 8 ft of ROW	
Picnic bench	2	Tract A: 1	1 under a shelter (as required for Tract A or E). Min 1 shall be ADA-accessible from a sidewalk or path other than a golf cart path. The recommended model (with back) is per WDO interpretation memo INT 22-0608. For Tract E, this model is the standard.
		Tract E: 1	

Improvement Type	Number	Placements	Details
Bicycle parking	4 (2 U-racks)	Tract A: 2 (w/i 12 ft of ROW) Tract E: 2	For Tract A, the recommended model is per WDO interpretation memo INT 22-0608. See OCE parks and recreation catalog. For Tract E, this model is the standard. See the memo for remaining specs.
Dog waste stations	3	Tract A: 1 Tract E: 1 Either Tract G or H: 1	The model shall be per WDO interpretation memo INT 22-0608. For Tracts E & H, this model is the standard.
Shelter	1	Either Tract A or E: 1	A gazebo, pavilion, or shelter min 12 by 12 ft and with min 10 ft height clearance. If a shelter floor level is at grade, place an ADA-compliant picnic bench; the recommended model is per WDO interpretation memo INT 22-0608. Provide a walkway min 4 ft wide between each shelter and any of a sidewalk or path other than a golf cart path. Walkway may be flush with a golf cart path if distinguished with any of (i) concrete or (ii) hatch pattern thermoplastic striping of walkway asphalt.
Trash receptacles	3	Tract A: 1 Tract E: 1 Either Tract G or H: 1	The recommended model is per WDO interpretation memo INT 22-0608. For Tract E, this model is the standard.

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

Part B. Common area landscaping:

1. Bark dust: 5.0% max of landscaped area may be bark dust or wood chip.
2. Evergreen: 8 min of trees new to the site and outside of ROW. The 8 shall be 1 min of the following coniferous or evergreen species:

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

3. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment along their sides, excepting the side intended for technician access.
4. Complementary trees: A row of trees shall complement and be offset from street trees, planted within 5-14 ft of ROW. 4 min shall be one or more species other than maple.

<i>Tract</i>	<i>Tree Min No.</i>
A	9
C	8
D	4 (2 as proposed near Olympic, plus 2, 1 each centered within where north and south street stub landscape strips would have been)
E	14
G	4 (2 as proposed near Nightingale, plus 2 along bicycle/pedestrian path south side)
H	4

Part C. Paths

Bicycle/pedestrian paths: As proposed, Tracts E & G shall have an off-street bicycle/pedestrian path or multi-use path follows:

<i>Tract</i>	<i>Path</i>					
	<i>Min Width (ft)</i>	<i>Placement</i>	<i>Pavement</i>	<i>Construction</i>	<i>Shoulders & Furniture Zones</i>	<i>Reference</i>
D	6	Same as where street stub north and south sidewalks would have been relative to centerline, plus east end connecting segment, forming a rectangular loop.		Same specifications as for sidewalk per public works construction code.		"Path D"
E	10	As proposed: south yard.		Per WDO interpretation memo INT 22-0608		"Path E1"

Tract	Path					
	Min Width (ft)	Placement	Pavement	Construction	Shoulders & Furniture Zones	Reference
	3	Just south of RCWOD south boundary, meandering along the boundary.	Bark dust, hazelnut shells, or wood chips min 4 inches deep.	n/a	n/a	"Path E2"
G	10	As proposed: south yard.	Per WDO interpretation memo INT 22-0608			"Path G"

Part D. Public Easements

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

Locations	Types	Details
Wherever sidewalk overlaps area where streetside PUE would be	Either a streetside PBPE or streetside PUBPE	- Note: See Attachment 201 for dictionary/glossary including acronyms.
Tract A and/or B	Off-street PUE	Min 16 ft wide along any of (1) Tract A north boundary, (2) Tract A east boundary, (3) straddling common boundary line of Tracts A & B, or (4) along Tract B east boundary.
Tract C	Either two easements, a watercourse easement and a PUBPE, or a consolidated easement serving the functions of both and covering the larger area.	For watercourse: Per WDO 3.02.02A, or, if the min. width/area is unclear, default to the same area as the RCWOD. For PUBPE: Same area as the RCWOD.
Tract E	Either two easements, a watercourse easement and an off-street PUBPE, or a consolidated easement serving the functions of both and	One the same area as the RCWOD. (Surveyor may substitute with adapted watercourse easement.) A second one min 16 ft wide along south tract boundary.

<i>Table 203D. Public Easements</i>		
<i>Locations</i>	<i>Types</i>	<i>Details</i>
	covering the larger required area. Also, provide an additional, separate off-street PUBPE.	The additional, separate PUBPE is min 16 ft wide along the south tract boundary.
Tract F	Off-street PUE	Min 16 ft wide
Tract G	Off-street PUBPE	Min 16 ft wide along south tract boundary
Tract H: Westerly boundary	Either an easement allowing installation of a public bus shelter and pad to extend beyond ROW, or some other easement type such as a PUBPE adapted to serve this function.	Absent direction by PW, default to a PUE total min width of either (1) 16 ft along both tract westerly and northerly boundaries or (2) entire width of tract, whichever is narrower.
Golf course: Along the piped tributary of Mill Creek, west of the east golf cart path	Off-street PUE	Min 16 ft wide centered along the pipe. [WDO 3.02.02C]
Golf course: Along the open channel tributary of Mill Creek, east of the east golf cart path	Watercourse easement	Per WDO 3.02.02A, or, if the min width/area is unclear, default to the same area as the RCWOD.
Flag lot adjacent poles with shared driveways ("shared rear lane")	Public access and utility easement(s)	Public access: Per WDO 3.04.01A.2 and/or A.4. Utilities: Per WDO 3.02.01C.
Various	PUE	Wherever PW requires.

Part E. Association / HOA

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

1. Prior to conveying land ownership of any tract, the developer shall establish an association, such as homeowners association (HOA), pursuant to ORS 94 and other applicable statutes.

2. The association shall assume maintenance of improvements on common area tracts, inc. stormwater facilities; repair, replace, and restore improvements; identify and make clear to owners association duties; and levy assessments to owners in a fair, transparent, and written way. (If the association ceases to exist resulting in a tract or tracts no longer having an existing owner for a year or more based on the Oregon Secretary of State Corporation Division business registry, and where this provision does not conflict with ORS or OAR, the City shall have right of first refusal to acquire the property in coordination with the Marion County Assessor's Office.)
3. Golf carts on public streets: Association documents applying to the Marion Pointe PUD shall make owners or occupants eligible for membership in or the use of one or more golf courses within the development by virtue of ownership or occupancy of a residential dwelling unit in the development. (This facilitates City regulation of golf cart access to public streets per ORS 810.070.)
4. "Middle Housing": The association documents shall cite and comply with enrolled Oregon House Bill 2001 (HB 2001) (2019), Sect. 13 (p. 10).
5. Abandonment/dissolution: The association documents shall include a provision that the start of any attempt to dissolve the HOA must include written notice delivered or mailed to the City c/o Assistant City Administrator. (This is to alert the City that the HOA is abandoning its stormwater facility and open space maintenance responsibilities.) They shall also include a provision that would result, were the Oregon Secretary of State Corporation Division to issue written warning of pending administrative dissolution, in the City receiving notice as well as the HOA.
6. Documents: The developer shall provide copies of articles of incorporation, bylaws, and CC&Rs for the association to the Assistant City Attorney and Director for review upon final plat application to the City or earlier if ORS 94.565(2) requires. Bylaws and/or CC&Rs shall describe the responsibilities of the association to maintain common area improvements, and bylaws and CC&Rs shall reiterate that because of ORS 94.626, any dissolution would not also dissolve obligations. To this end, the corporation shall comply with applicable statutes and the administrative rules of the Oregon Secretary of State Corporation Division.

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

ANX 22-02 Marion Pointe PUD:

Attachment 204: Tree Preservation & Protection and Environmental Remediation

Part A. Tree preservation

1. On-site: Development shall preserve Tree 13296 along the Lot 65 rear lot line, contingent per both Sheet P-14 and the application materials Exhibit M February 11, 2022 arborist memo having mentioned preservation is situational and premised on arborist examination during construction. Were the arborist at that time to recommend removal, the developer or homebuilder may remove the tree and shall pay a fee in-lieu per Attachment 205.
2. Protection during construction: The developer shall follow Attachment 204, Part B.

Part B. Tree preservation During Construction

Tree preservation: Protection during construction:

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

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

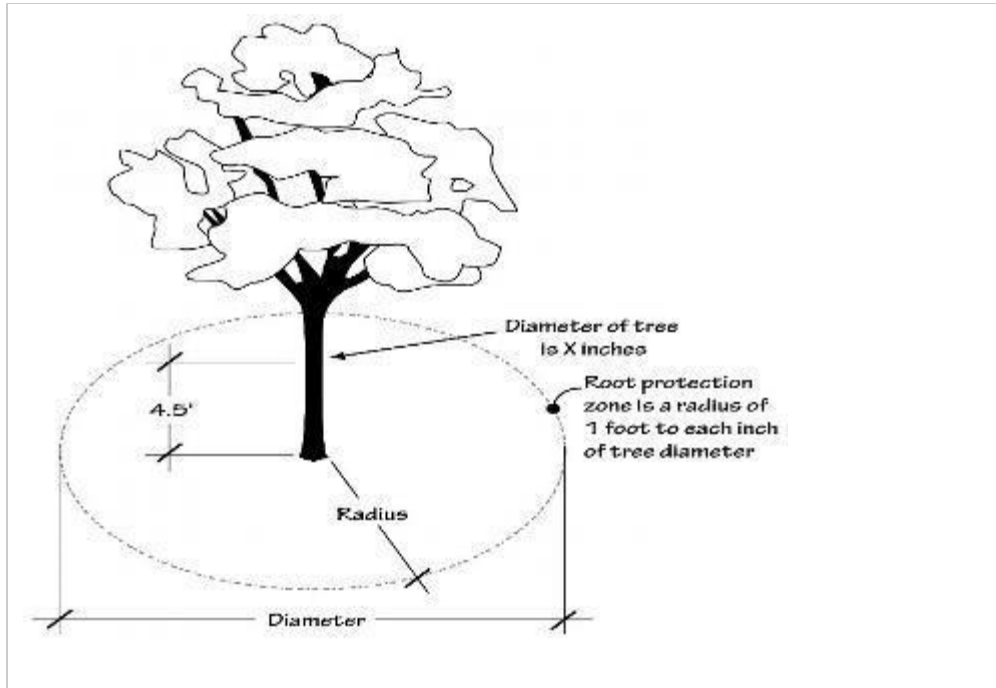
1. Clear & Objective Path.

a. A root protection zone is established as follows:

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

Figure 80-2

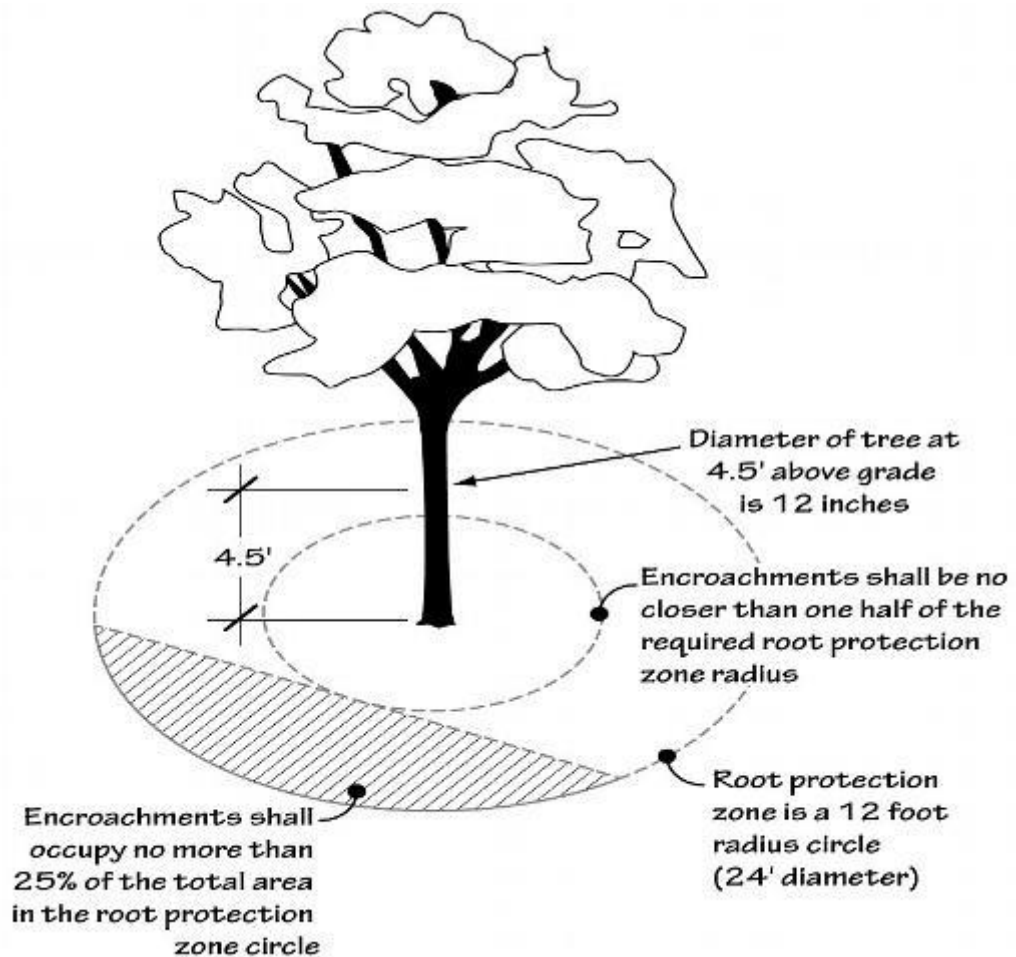
Root Protection Zone



- (3) Existing encroachments into the root protection zone, including structures, paved surfaces and utilities, may remain. New encroachments into the root protection zone are allowed provided:
- (a) the area of all new encroachments is less than 25 percent of the remaining root protection zone area when existing encroachments are subtracted; and
 - (b) no new encroachment is closer than $1/2$ the required radius distance (see Figure 60-1);

Figure 60-1

Permissible RPZ Encroachments



b. Protection fencing

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



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

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

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

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

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

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

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

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

Part C. Environmental Remediation

1. Invasive plant removal: This applies to all tracts and where the RCWOD overlaps the golf course lot. The developer shall eradicate invasive creepers, groundcover, shrubbery, vines, and weeds that might exist, at min. any of the following species:
 - (a) Himalaya blackberry (*Rubus armeniacus*)
 - (b) English ivy (*Hedera helix*)
 - (c) Common reed (*Phragmites australis*)
 - (d) Giant hogweed (*Heracleum mantegazzianum*)
 - (e) Gorse (*Ulex europaeus*)
 - (f) Kudzu (*Pueraria lobata*)
 - (g) Old man's beard (*Clematis vitalba*)
 - (h) Ribbongrass (*Phalaris arundinacea var. Picta*)
 - (i) Water primrose (*Ludwigia hexapetala, peploides*)
 - (j) Yellow flag or yellow water iris (*Iris pseudacorus*)
2. Grass: Within the RCWOD, where removal of invasive plants or the unintended effect of nearby construction results in bare ground, plant lawn grass, wild grass, or a combination.
3. Other plants: Within the RCWOD area where it overlaps Tracts C & E, plant min 20 PUs of any of the following four Trillium species: *albidum* 'J.D.Freeman', *chloropetalum* (giant trillium), *ovatum* 'Pursh' (common name wake robin), *kurabayashii* 'J.D.Freeman' (large purple wake robin), and *petiolatum* 'Pursh'. Also plant 80 PUs of any min 3 non-invasive species of shrubbery most likely to attract honeybees, having identified such species on a landscape plan.

4. Trees:

- (a) Number: Within the RCWOD area where it overlaps Tracts C & E, plant a minimum number of trees that, combined with existing trees, is a number equal to 1 per 15 ft of Mill Creek tributary centerline distance.
- (b) Placement: These RCWOD trees shall be placed within a 5-ft band inside of each of the northerly and southerly RCWOD boundaries, and have distribution approximate average o.c. spacing of 1 tree every 30 ft across the four bands (The RCWOD north and south bands on Tracts C & E each).
- (c) Species: This applies to all tracts. Have 10.0% min. of existing and additional trees combined be coniferous/evergreen. WDO Table 3.06C is hereby modified by PUD to allow anywhere within the SDA (outside of ROW) any tree species that isn't invasive. A number of street trees may be coniferous/evergreen if and where PW allows during CEP, and were this to happen, such trees may count towards the minimum percentage.

ANX 22-02 Marion Pointe PUD:
Attachment 205: Conditioned Fees

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

Refer to Condition G3 and/or Attachment 201 for a dictionary/glossary, including acronyms and shorthand text.

Part A. Fee Provisions

1. Any and all conditioned fees are in addition to, and not in place or as discounts of, any existing charge or fee however termed ordinarily assessed based on any existing ordinance, resolution, or administrative policy, inc. adopted fee schedules. If and when the City amends any ordinance, resolution, or administrative policy, inc. a fee schedule, to increase a charge or fee that is (a) the same kind of charge or fee that is conditioned, (b) the amended charge or fee amount would exceed the amount conditioned, and (c) the increase takes effect before the conditioned fee is due, then the developer shall pay the greater amount.
2. Payments of conditioned fees shall reference a final decision case file number and the condition of approval letter/number designation, be it in a check memo field or through a cover or transmittal letter.
3. For fees due by building permit issuance, a developer may request the Director to allocate payments the same as allowed for fees in-lieu by WDO 4.02.12A.2 through Ordinance No. 2603 (LA 21-02) adopted June 13, 2022, specifically, to pay across issuance of two or more structural building permits for the subject development.

For all administrative and logistical questions about payment of land use conditioned fees outside the context of assessment and payment through building permit, the developer is to contact the Administrative Assistant at (503) 982-5246 and refer to this attachment within the ANX 22-02 Marion Pointe PUD final decision.

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

Part B. Fee Table

<i>Table 205. Fee Table</i>					
<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
T-A	Transportation: Automotive: TSP signal timing study or studies	\$15,840	Proportionate share of the TSP Projects R8, R9, & R11 (p. 32+). (ANX 2020-03 Dove Landing PUD pays remaining share.)	Building permit issuance	
PUD-3	Street tree fee in-lieu for street trees omitted through civil engineering plan (CEP) review, or, inspection missing tree fee	\$950 per tree	Applies to omitted street trees, or, ones missing from required number upon inspection	If CEP context, then by building permit issuance; if in inspection context, then prior to passing final inspection / obtaining certificate of occupancy	
PUD-5	Significant Tree 12610 removal	\$1,900	Tree 12610 removal from BFR east side	Building permit issuance	
	Significant Tree 13296 removal	\$1,900	Tree 13296 removal from Lot 65, if and after removal justified per conditions	Building permit issuance or passing of final inspection	
	Tree removal	\$246 per tree assessed at min 18 trees	Removal of trees from along BFR east side near NE corner of BFR & Hazelnut	Building permit issuance	
PUD-13	Dove Landing PUD public park land improvement fee	By year of assessment: 2022: \$100,000 2023: \$103,000 2024: \$106,090 or 2025 or later: \$109,273	The developer of Dove Landing PUD, which is west across BFR, conveyed/dedicated/deeded to the City public park land. Fee towards park improvements.	Building permit issuance	
T-BP	Wayfinding signage fee in-lieu	\$1,500 per location	Regardless of number of sign faces that would've been at the location	Building permit issuance	

Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
T-T1	Bus shelter fee in-lieu	By year of assessment: 2022: \$13,214 2023: \$13,610 2024: \$14,018 or 2025 or later: \$14,439	See condition.	Building permit issuance	
T-T2	Bus stop bicycle parking fee in-lieu	\$510.20 per location	See condition.	Building permit issuance	
T-T3	Bus service	\$290 per dwelling	For City bus service	Building permit issuance per each dwelling	
G6 through this Attachment 205	Public Works Dept. civil engineering plan (CEP) review: Review by Planning Division	\$250; \$346	Original/1 st submittal; each subsequent inc. deferral/piecemeal	Upon CEP application to Public Works Dept. (PW)	
	Inspections by Planning Division	\$75; \$346	1st inspection or "walkthrough"; each subsequent	Inspection requests related to public (street) improvements and building permits	
G6 through this Attachment 205	Bond / bonding / performance guarantee: Specifically any that would allow or allows the developer to delay construction of street improvements beyond building permit issuance, with the exceptions of (a) sidewalk along individual dwelling lots and (b) street trees.	\$4,474	Serves as bond application / review request min fee and isn't a bond amount itself. Fee not applicable to warranty bonds or ordinary construction bonds if they do not authorize delay of construction of street improvements beyond building permit issuance. (See WDO 3.01.02E through Ordinance No. 2603 [LA 21-02] adopted June 13, 2022.)	If CEP context, then payment (through Planning Division) upon CEP application to PW; if developer applies for building permit review and there has been no CEP application to PW, then building permit issuance	