



Final Decision Type I Staff Report

File number(s): DR 23-01
Project name: Hillyer Mid-City Ford Storage Building
Date of decision: May 19, 2023
Date of mailing: May 19, 2023
Applicant: Ronald James Ped Architect, PC
Landowner: Leo & Reyne Hillyer
Site location: 3000 Hillyer Lane
Tax Lot(s): 052W12C001100

Summary:

The subject property, 3000 Hillyer Lane, is an 5.12-acre property developed with a car dealership and occupied by Hillyer Mid-City Ford. The applicant applied for Design Review to construct a 1,575 square foot storage shed structure on the property.

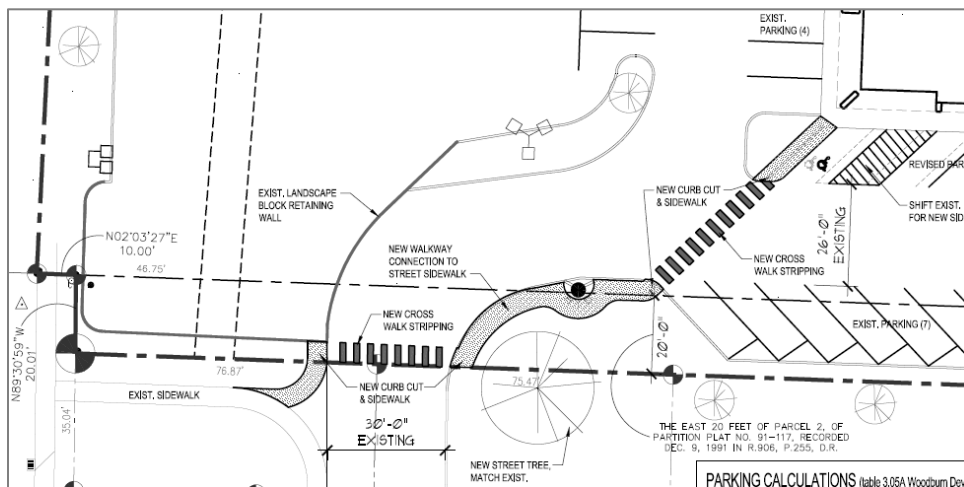
The application submittal date is January 4, 2023, the completeness date is January 30, 2023, and the 120th day deadline for final action per Oregon Revised Statutes (ORS) 227.178 would have been May 30, 2023.

Section references throughout this staff report are to the [Woodburn Development Ordinance \(WDO\)](#). Staff finds that the application meets WDO provisions or can meet them with conditions and approves it with conditions. Because it is a Type I administrative approval requiring no public hearing, this staff report serves as both a Design Review approval and public notice of final decision to owners of property within 250 feet of the subject property.

Conditions of Approval

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

1. Substantial conformance: The applicant or successor 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.
2. Underground utilities: Pursuant to 3.02.04C, all utility services to and within the development shall be underground.
3. Wide walkway: To meet 3.04.06, the walkway between building entrance and sidewalk that is illustrated on the approved plans for DR 21-04 (see image below) shall be widened to 8 feet. Additionally, the walkway crossing of drive aisles shall be either poured concrete or a raised walkway crossing.



Excerpt from DR 21-04 Staff Report as Final Decision Attachment 101 (north is left)

4. Screening: The developer shall revise plans to address the following screening items prior to building permit issuance.
 - a. Parking/outdoor storage area: To meet 3.05.02D4 and 3.06.05B, outdoor parking and storage areas abutting street right-of-way must be screened behind a 42-inch tall visual screen.
 - b. Outdoor trash enclosure: To meet Table 3.06D, outdoor trash enclosures must be screened behind a 6-7 foot tall architectural wall that meets the design requirements of 3.06.06.

5. Parking: The developer shall revise plans to address the following parking items prior to building permit issuance.
 - a. Double parallel lines: To meet 3.05.02K and Figure 3.05C, all parking stalls shall be delineated by double parallel lines.
 - b. Carpool/vanpool parking: Stalls reserved for carpool/vanpool parking shall meet the striping and signage requirements in 3.05.03H.
 - c. Electric vehicle parking: Pursuant to Table 3.05E, at least 5% of required parking stalls shall be electric vehicle parking stalls with charging stations to meet the provisions within 3.05.03I.
 - d. Bicycle parking: Pursuant to Table 3.05D, at least 15 bicycle parking spaces shall be provided. Bicycle parking shall meet the provisions within 3.05.06C.

6. Landscaping: Pursuant to 1.04.03C3b, provide a landscaping plan that demonstrates site landscaping in conformance with the planting requirements in Table 3.06A. Plant Unit values are outlined in Table 3.06B. This is due prior to building permit issuance.

7. Exterior lighting: The developer shall revise plans to address the following lighting items prior to building permit issuance.
 - a. Existing lighting: Pursuant to 1.04.03C3b, provide a lighting plan that demonstrates existing site lighting will be brought into conformance with the standards outlined in 3.11.02.
 - b. Proposed lighting: Any proposed new exterior lighting fixtures shall meet the standards in 3.11.02.

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. Permits: Permits are applied for using the [Oregon ePermitting](#) online permit system. The City Building Division administers building and mechanical permits; Marion County Public Works administers plumbing and electrical permits.
2. Records: Staff recommends that the applicant retain a copy of the subject approval.
3. Fences, fencing, & free-standing walls: The approval excludes any new fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
4. Signage: The approval excludes any signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
5. 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.
6. 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.
7. 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.
8. 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.
9. Franchises: The applicant provides for the installation of all franchised utilities and any required easements.

10. 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.
11. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in the communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
12. Fire: Fire protection requirements must comply with the Woodburn Fire District standards and requirements. 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.
13. SDCs: The developer pays System Development Charges prior to building permit issuance.

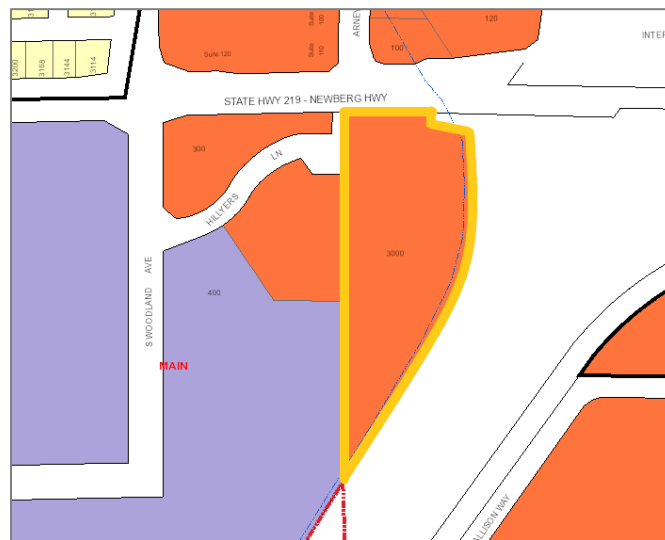
Analyses & Findings:

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

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> Requirement (or guideline) met with condition of approval Other special circumstance benefitting from attention 	Modification or condition of approval required

Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	Interchange Management Area (IMA) Riparian Corridor and Wetlands Overlay District (RCWOD)
<i>Existing Use(s)</i>	Motor vehicle sales



An excerpt from the City zoning map (site outlined in yellow).

Marion County Assessor's Office describes the subject property as "PP 1991-117 LOT FR 2 & AC"; staff surmises it is a legal lot of record. The applicable provisions appear in bold below and on the following pages.

Applicable Provisions

1.04 Nonconforming Uses and Development

1.04.03 Nonconforming Development

C. Redevelopment:

3. Non-residential: New development that adds to or alters existing development shall conform.

Regarding development nonconformities on the remainder of a site:

a. Partial redevelopment:

(1) Thresholds: Where:

(a) Building gross floor area increases by no more than either 500 square feet for non-industrial or 1,000 square feet for industrial, or by up to 24.9% from an existing amount, whichever is less; or

(b) Off-street parking increases from zero to no more than 19 stalls or from an existing amount by up to 24.9% from an existing amount.

(2) Standards: Upgrade to provide the following minimum improvements as other WDO sections specify:

(a) Improvements per Section 3.01;

(b) Walkways, wide walkways, and drive aisle walkway crossings;

(c) Off-street parking for the partial redevelopment;

(d) Carpool/vanpool parking;

(e) Bicycle parking and bicycle parking directional signage;

(f) Landscaping of minimum setback abutting a street or streets, or where no minimum setback is required, then the depth of yard up to 20 ft;

(g) Landscaping of minimum parking area setback;

(h) Landscaping of additional parking area, if any; and

(i) Pavement of unpaved driveway throat minimum 18 feet from ROW.

The Director may limit partial redevelopment to no more frequently than yearly to prevent successive partial redevelopments from cumulatively avoiding the upgrade standards for full development.

b. Full Redevelopment:

(1) Thresholds: Where:

(a) Building gross floor area increases by more than either 500 square feet for non-industrial or 1,000 square feet for industrial, or by 25% or more from an existing amount, whichever is less;

(b) Off-street parking increases from zero to 20 stalls or more total or from an existing amount by 25% or more; or

(2) Standards: Upgrade all nonconformities exterior to buildings. This includes any of frontage, street, and public improvements that are nonconforming.

The proposal is a 1,575 square foot storage building for a site with existing development that is occupied by Hillyer's Mid-City Ford dealership. Per 1.04.03C3b, the full redevelopment provisions apply.

✓ The provisions are met.

2.03 Commercial Zones

The subject property is zoned Commercial General (CG) therefore the allowed uses are per Table 2.03A and the applicable site development standards are per Table 2.03C.

Uses Allowed in Commercial Zones Table 2.03A					
Use		Zone			
Accessory Uses (A) Special Permitted Uses (S)	Conditional Uses (CU) Specific Conditional Uses (SCU)	DDC	CG	CO	MUV NNC
C	Industrial				
2	Heavy equipment and motor vehicle sales: a. Manufactured (mobile) home dealers b. Motor vehicle and parts dealers, including new car, used car, recreational vehicle, motorcycle, boat, parts and tire dealers c. Truck dealers, including new truck, used truck, parts and tire dealers d. Tractor, farm machinery and equipment dealers Farm, garden and landscaping supplies		CU ³		
3. Allowed outright if not within 200 feet of residentially zoned properties					

The existing use of the property is a motor vehicle dealer, which Table 2.03A notes is a Conditional Use in the CG zone except per Footnote 3 it is permitted outright if not within 200 feet of residentially zoned property. The nearest residentially zoned property is 3114 Myrtle Street, which is approximately 625 feet away. The use is therefore permitted outright.

Commercial General (CG) - Site Development Standards Table 2.03C		
Lot Area, Minimum (square feet)		No minimum
Lot Width, Minimum (feet)		No minimum
Lot Depth, Minimum (feet)		No minimum
Street Frontage, Minimum (feet)		No minimum
Front Setback and Setback Abutting a Street, Minimum (feet)		5 ¹
Side or Rear Setback, Minimum (feet)	Abutting RS, R1S, or RM zone	10 ⁴
	Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone	0 or 5 ^{4,5}
Setback to a Private Access Easement, Minimum (feet)		5
Lot Coverage, Maximum		Not specified ²

Building Height, Maximum (feet)	Primary or accessory structure	Outside Gateway subarea	70
		Western Gateway subarea	50
		Eastern Gateway subarea	40
	Features not used for habitation		100
1. Measured from the Special Setback (Section 3.03.02), if any 2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements. 3. Only allowed in the Gateway Overlay District 4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use. 5. A building may be constructed at the property line, or shall be set back at least five feet.			

There are no minimum values for lot area, lot width, lot depth, street frontage, and lot coverage in the CG zone. As illustrated on the site plan, the proposed building will exceed all minimum setbacks to property lines. There are no private access easements. The building elevations note the height of the building will be just over 19 feet.

✓ The provisions are met.

2.05 Overlay Districts

2.05.02 Interchange Management Area Overlay District

B. Applicability

The provisions of this Section apply to all Type II – V land use applications that propose to allow development that will generate more than 20 peak hour vehicle trips (based on the latest Institute of Transportation Engineers Trip Generation Manual) on parcels identified in Table 2.05A. The provisions of this Section apply to all properties within the boundary of the IMA.

The proposal is below the 20 peak hour trip threshold therefore the provisions do not apply.

⊖ The provisions are not applicable.

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).

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.

E. Variances

The restrictions of this Section may be reduced or removed if they render an existing lot or parcel unbuildable or work an excessive hardship on the property owner. The reduction or removal shall be decided through the Variance process.

F. Site Maintenance

1. Any use, sign or structure, and the maintenance thereof, lawfully existing on the date of adoption of this ordinance, is permitted within the RCWOD. Such use, sign or structure may continue at a similar level and manner as existed on the date of the adoption of this ordinance.
2. The maintenance and alteration of pre-existing ornamental landscaping is permitted as long as no native vegetation is disturbed. Maintenance of lawns, planted vegetation and landscaping shall be kept to a minimum and not include the spraying of pesticides or herbicides. Vegetation that is removed shall be replanted with native species. Maintenance trimming of existing trees shall be kept at a minimum and under no circumstances can the trimming maintenance be so severe as to

compromise the tree's health, longevity, and resource functions. Vegetation within utility easements shall be kept in a natural state and replanted when necessary with native plant species.

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.

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.

The zoning map illustrates a Senecal Creek tributary stream and significant wetlands along the east property line following the interstate highway, though it does not specifically include the RCWOD designation over this area. The proposed work is well outside of the 50-foot buffer noted in 2.05.05B.1.b. therefore no RCWOD Permit is required.

✓ The provisions are met.

3.01 Streets, Greenways & Other Off-Street Bicycle/Pedestrian Corridors, and Bus Transit

3.01.01 Applicability

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

B. Improvement standards apply to all public and private streets, public alleys, sidewalks, landscape strips, and on and off-street public bicycle pedestrian corridors. Standards do not exclude conformance with the public works construction code that the Public Works Department administers.

C. The Woodburn Transportation System Plan (TSP) designates the functional class of major thoroughfares and local streets.

D. This applies to all development as Section 1.02 defines, and is not limited to partitions, subdivisions, multi-family, commercial or industrial construction, or establishment of a manufactured dwelling or recreational vehicle park; however, a lesser set of standards applies to infill residential development of 4 or fewer dwellings and where no land division or Planned Unit Development is applicable, including construction of a single-family dwelling or placement of a manufactured dwelling on an infill lot. See Section 3.01.03C.2.

3.01.02 General Provisions

A. No development shall be approved, or access permit issued, unless the internal streets, boundary streets and connecting streets are constructed to at least the minimum standards set forth in this Section, or are required to be so constructed as a condition of approval.

C. Materials and construction shall comply with specifications of the City of Woodburn.

E. When all public improvements are due: 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 (1) the developer applies to the City through the Public Works Department for deferral and (2) 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.

F. Fees in-lieu: Per Section 4.02.12.

3.01.03 Improvements Required for Development

A. With development, the Internal, Boundary, and Connecting streets shall be constructed to at least the minimum standards set forth below.

C. Boundary Streets

1. The minimum improvements for a Boundary Street may be termed “half-street” improvements and shall be as follows, except per subsection 2:

- a. One paved 11-foot travel lane in each direction, even though this results in required improvements being slightly more than half-street by exceeding what the applicable cross section figure would require for a half-street;
- b. On-street parking on the side of the street abutting the development, if the required cross section includes on-street parking;
- c. Curb on the side of the street abutting the development;
- d. Drainage facilities on the side of the street abutting the development;
- e. Landscape strip with street trees and lawn grass on the side of the street abutting the development; and
- f. Sidewalk on the side of the street abutting the development.

G. ADA: The minimum standards of this Section 3.01 apply to development such that implementation includes constructing new or upgrading existing public improvements to be ADA-compliant.

3.01.04 Street Cross-Sections

A. These standards are based on the functional classification of each street as shown in the Woodburn TSP. The street right-of-way and improvement standards minimize the amount of pavement and right-of-way required for each street classification, consistent with the operational needs of each facility, including requirements for pedestrians, bicycles, and public facilities.

B. All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section, unless the developer obtains approval of Street Adjustment, modification through Planned Unit Development, Zoning Adjustment, or Variance as the WDO allows them to be applicable.

Landscape or planter 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.

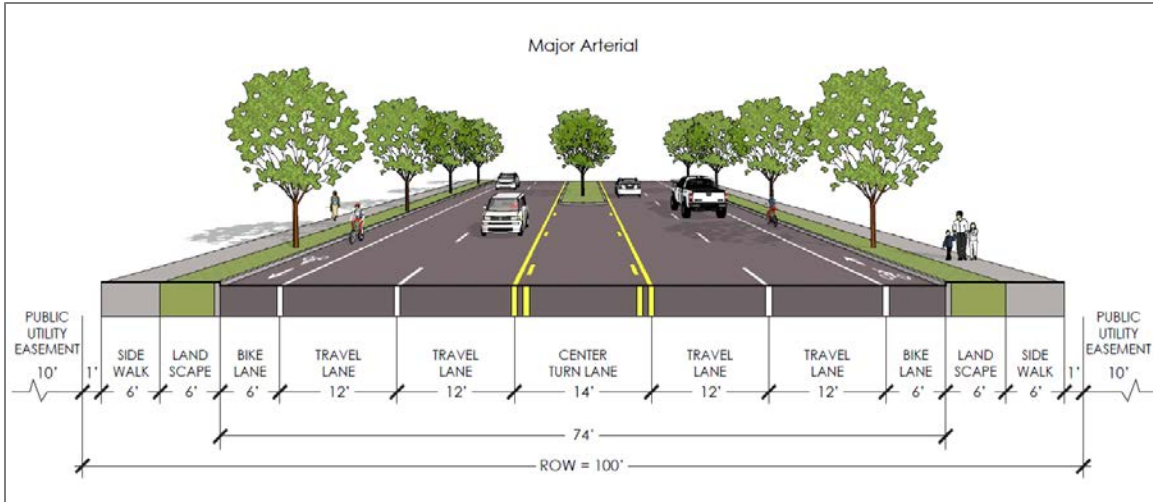


Figure 3.01B – Major Arterial

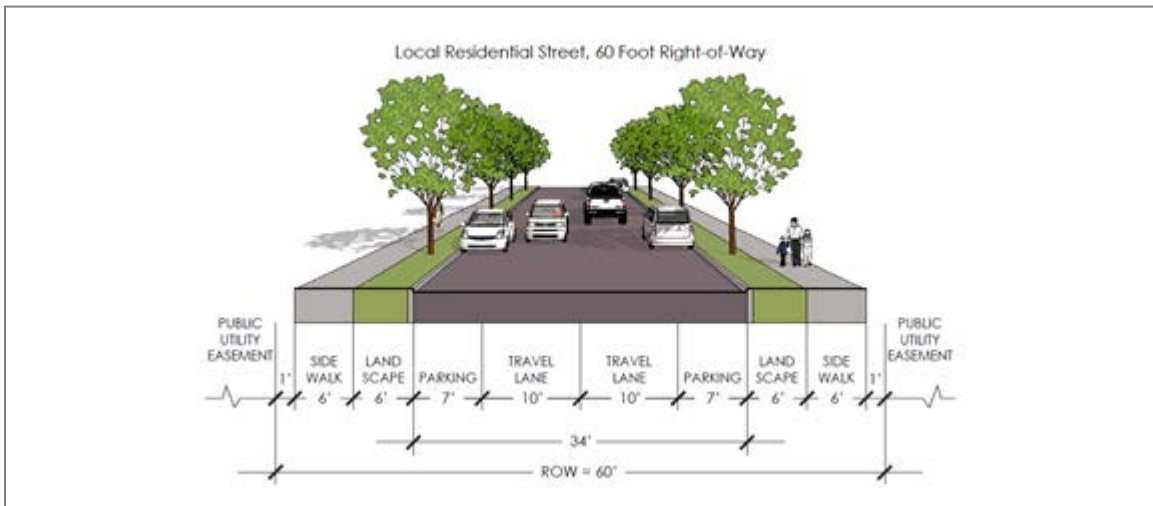


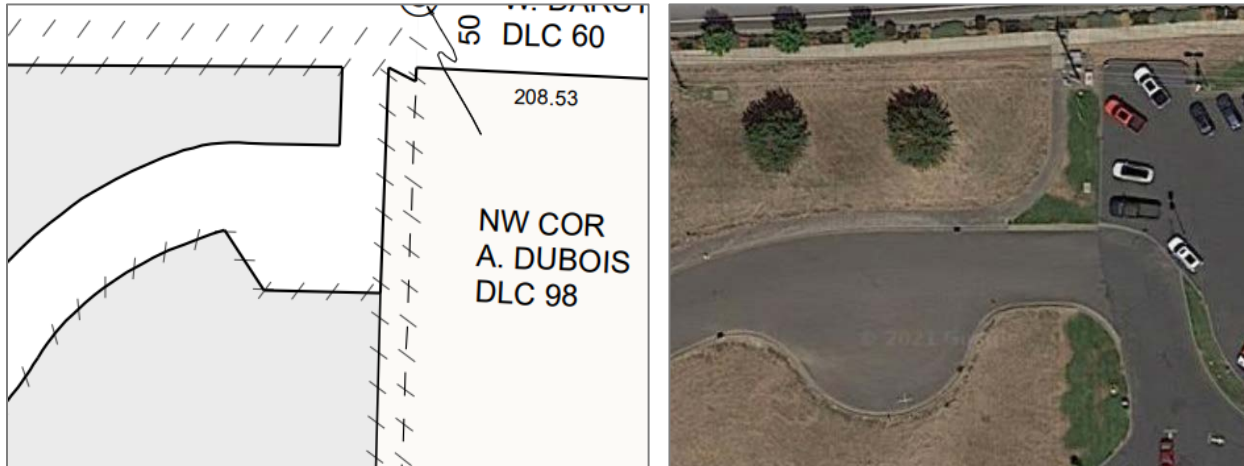
Figure 3.01G – Local Residential Street with Parking Both Sides, 60 Foot Right-of-Way

The subject property has frontage along Newberg Highway and Hillyer Lane, both public streets. Figure 2 from the Woodburn Transportation System Plan (TSP) identifies Newberg Highway as a Major Arterial class street, for which the applicable WDO cross-section is Figure 3.01B. TSP Figure 2 identifies Hillyer Lane as a Local class street, for which the default WDO cross-section is Figure 3.01G. The proposal is a 1,75 square foot accessory storage/shop building therefore the provisions of 3.01 do apply.

The subject property fronts Newberg Highway just west of the Interstate 5 interchange. Existing improvements include four 12-foot travel lanes (two in each direction with a median separating the directions), bike lanes in each direction, a 6-foot landscape strip along a portion of the frontage, and 6-foot sidewalk along the entire frontage. The only difference between existing conditions and Figure 3.01B is there is no center turn lane. It is not necessary to modify Newberg Highway to include the center turn lane because the interchange was specifically

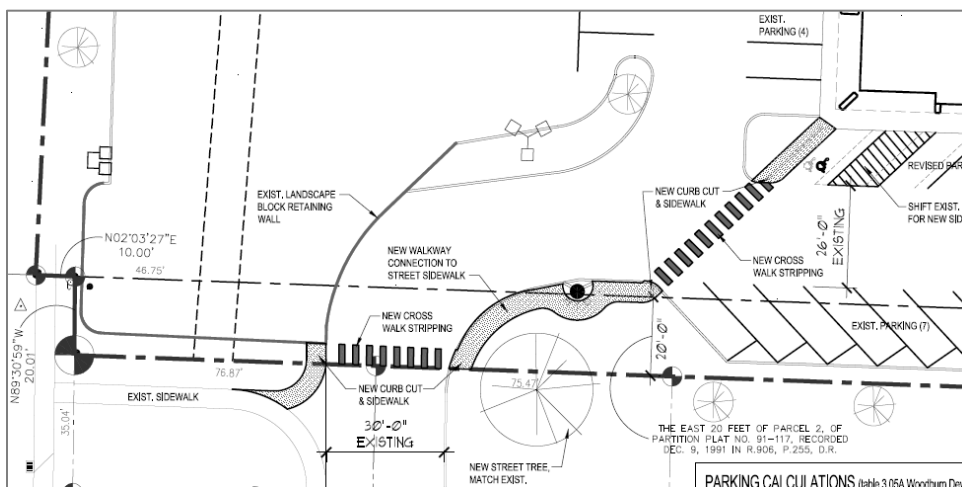
designed and engineered to function as is. Staff therefore considers the existing Newberg Highway frontage improvements to be in substantial conformance with Figure 3.01B.

The subject property also has frontage at the end of Hillyer Lane. As can be seen in the excerpt from Marion County Assessor Tax Map 05 2W 12C below, this frontage includes a small stub connecting back to Newberg Highway.



Left: Excerpt from Marion County Assessor Tax Map 05 2W 12C
 Right: Aerial view of existing Hillyer Lane improvements

Hillyer Lane functions as a cul-de-sac / dead end street. A previous land use approval in the area (Preliminary Partition 2004-03) notes that Hillyer Lane was conveyed to ODOT in the early 2000s and improvements were completed in Fall 2002. Improvements consist of 34 feet of pavement along the street that ends in a turnaround bulb, with a 6-foot sidewalk along the north side of the street that connects back up to Newberg Highway within the ROW stub. As part of a recently approved Design Review for an expansion of the dealership (DR 21-04), a walkway connection between the building and the existing sidewalk was required (illustrated in the picture below). Staff considers this to be in substantial conformance with Figure 3.01G.



Excerpt from DR 21-04 Staff Report as Final Decision Attachment 101 (north is left)

Regarding the small stub of ROW north of the cul-de-sac bulb, City staff received feedback from ODOT staff that this stub was never intended to serve as an intersection for vehicles between Newberg Highway and Hillyer Lane, it was intended to protect pedestrian connectivity and be used for utility purposes.

✓ The provisions are met.

3.01.07 Off-Street Public Bicycle/Pedestrian Corridors

B. Applicability: Where a development includes or abuts an off-street public bicycle/pedestrian corridor, other than greenway, subject to improvement as the Director determines. For Mill Creek Greenway standards, see instead Section 3.01.08. For purpose of applying improvement standards, corridors are any of the following:

3. A creek tributary;

6. A drainageway that drains to a creek or creek tributary. This includes channelized drainageways and ones otherwise altered, such as through farming, in an era prior to urban stormwater regulation.

The zoning map illustrates a Senecal Creek tributary stream and significant wetlands along the east property line following the interstate highway, though it does not specifically include the RCWOD designation over this area. Through the discretion allowed by subsection B, the Director determined that no improvements were desired along this creek tributary / drainageway.

✓ The provisions are met.

3.02 Utilities and Easements

3.02.01 Public Utility Easements & Public Access Easements

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

B. Streetside: A streetside public utility easement (PUE) shall be dedicated along each lot line abutting a public street at minimum width 5 feet. Partial exemption for townhouse corner lot: Where such lot is 18 to less than 20 feet wide, along the longer frontage, streetside PUE minimum width shall be 3 feet; or, where the lot is narrower than 18 feet, the longer side frontage is exempt from streetside PUE.

C. Off-street: The presumptive minimum width of an off-street PUE shall be 16 feet, and the Public Works Director in writing may establish a different width as a standard.

E. As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, Planned Unit Developments (PUDs), Street Adjustments, Zoning Adjustments, or Variances, the Director may require dedication of additional public easements, including off-street public utility easements and other easement types such as those that grant access termed any of bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors in place of ROW dedication.

F. Streetside PUE maximum width:

2. Standards: Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:

- a. **No alley or shared rear lane: 8 feet streetside.**

The City Engineer did not identify any needed public utility easements on the subject property.

✓ The provisions are met.

3.02.03 Street Lighting

A. Public Streets:

Public streets abutting a development shall be illuminated with street lights installed to the standards of the City and the electric utility. A developer shall provide documentation to the attention of the Public Works Director indicating that any needed illumination complies with the standards. A developer is to refer to Illuminating Engineering Society (IES) of North America Recommended Practice 8, Roadway Lighting (RP-8) or other source as the public works construction code specifies.

The City Engineer directed Planning Division staff that Public Works Department would defer to ODOT for street lighting requirements because both Hillyer Lane and Newberg Highway are under ODOT jurisdiction. ODOT did not indicate to staff that they would be requiring any new street lighting along these frontages.

✓ The provision is met.

3.02.04 Underground Utilities

B. Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.

1. Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:

- a. **A frontage with electric power poles and lines is or totals minimum 250 feet; and**
- b. **Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility.**

Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.

2. Fees in-lieu: Per Section 4.02.12.

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

There are overhead power lines running through the subject property near the north property frontage along OR 219, however the Community Development Director has interpreted the burial provision to apply only to new developments or entire redevelopment of a site. Because the proposal is neither a new development or entire redevelopment of the site, this provision does not apply.

All permanent utilities serving the subject property are underground. Staff adds *Condition of Approval 2* to memorialize this requirement.

▲ The provisions are met with *Condition 2*.

3.03 Setbacks and Open Space

As analyzed for 2.03, the development complies with setback requirements. The proposal does not encroach into vision clearance areas.

✓ The provisions are met.

3.04 Vehicular & Bicycle/Pedestrian Access

3.04.01 Applicability and Permit

A. Street Access

Every lot and tract shall have minimum access per subsection 1. or 2.:

1. Direct access to an abutting public street, alley, or shared rear lane; or

3.04.03 Access Management: Driveway Guidelines and Standards

B. Number of Driveways

3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:

- a. The function classification of abutting streets;
- b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;
- c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.

5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.

D. Access management:

2. Commercial: Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.

E. Interconnected Parking Facilities

1. All uses on a lot shall have common or interconnected off-street parking and circulation facilities.

3.04.04 Driveway & Drive Aisle Improvement Standards

The portion of a driveway on private property shall be paved. Asphalt, brick, poured concrete, concrete pavers, and square or rectangular cobblestone pavers are allowed. Particularly within emergency-only fire lanes and lanes for maintenance vehicle access to private drainage and stormwater management facilities, but also anywhere on private property, reinforced cellular concrete (cast on-site) grass paving surface ("grasscrete") is allowed also. Gravel is allowed only for property with residential zoning, where no land division is involved, and for existing development other than multiple-family dwelling. Gravel must be minimum 10 feet from the ROW of a street.

The proposal does not include any changes to the existing access. Plans illustrate the new paved storage building will preserve the existing fire lane around the building.

The adjacent property to the east (Tax Lot 052W110000107) is the only abutting property within the same zoning district. The shared access required by 3.04.03D for these properties is effectively accomplished by Hillyer Lane, a cul-de-sac street feeding S. Woodland Avenue.

Driveway and drive aisles are paved to meet the requirements of 3.04.04.

✓ The provisions are met.

3.04.05 Transportation Impact Analysis

The proposal is below the 20 peak hour trip threshold for the IMA overlay district therefore the provisions do not apply.

⊖ The provisions are not applicable.

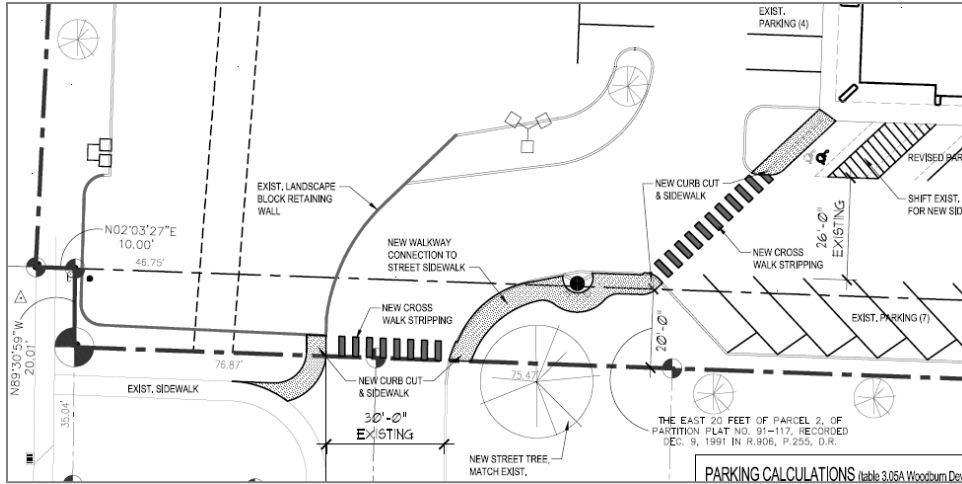
3.04.06 Bicycle/Pedestrian Access between Sidewalk and Building Entrances

B. Wide walkway: Excluding residential development other than multiple-family dwellings, 1 wide walkway minimum or with each of two frontages for sites of two or more frontages. Where a development includes or abuts a public off-street bicycle/pedestrian facility, a wide walkway shall also connect to the facility. Minimum width 8 feet, ADA-compliant, and not gated. Gating is allowed only if the development driveway throat or throats are gated.

D. Walkway and wide walkway crossings: A development with crossings of drive aisles shall have one or more crossings made visually distinct from adjacent vehicular pavement and minimum width equal to that of the walkway.

1. Wide walkways: Minimum width 8 ft each. Every crossing along a wide walkway shall be either an extension of wide walkway poured concrete at the same grade as adjacent vehicular area or in the form of a speed table, also known as a raised walkway crossing, minimum 4 inches high and with vehicular side ramps maximum slope ten percent and with striped warning triangles. ADA-compliant transitions or ramps shall be minimum 5 feet wide. For multiple-family dwelling development, the speed table option shall be a requirement.

As part of a recently approved Design Review for an expansion of the dealership (DR 21-04), a walkway connection between the building and the existing sidewalk was required (illustrated in the picture on the following page).



Excerpt from DR 21-04 Staff Report as Final Decision Attachment 101 (north is left)

Staff adds *Condition of Approval 3* to require this walkway be widened to 8 feet to meet the wide walkway requirement.

▲ The provision is met with *Condition 3*.

3.05 Off-Street Parking and Loading

3.05.01 Applicability

The provisions of this Section shall apply to the following types of development:

B. Any additional parking or loading required to accommodate a change in use, or expansion of an existing use, shall conform to all parking, loading and landscaping standards of the WDO.

The proposal is a 1,575 square foot storage building for a site with existing development that is occupied by Hillyer’s Mid-City Ford dealership. Per 1.04.03C3b, the full redevelopment provisions apply.

3.05.02 General Provisions

D. Location

4. In non-residential districts, off-street parking and storage shall be prohibited within a setback adjacent to a street, except if screened per Section 3.06.05B. Vehicle parking within the public right-of-way shall not be eligible for fulfilling any required off-street parking requirement.

K. Except for dwellings other than multiple-family, off-street parking spaces shall be delineated by double parallel lines on each side of a space, except a side adjacent to any of curb or ADA parking accessible aisle. The total width of the lines shall delineate a separation of two feet. The lines shall be four inches wide (See Figure 3.05C).

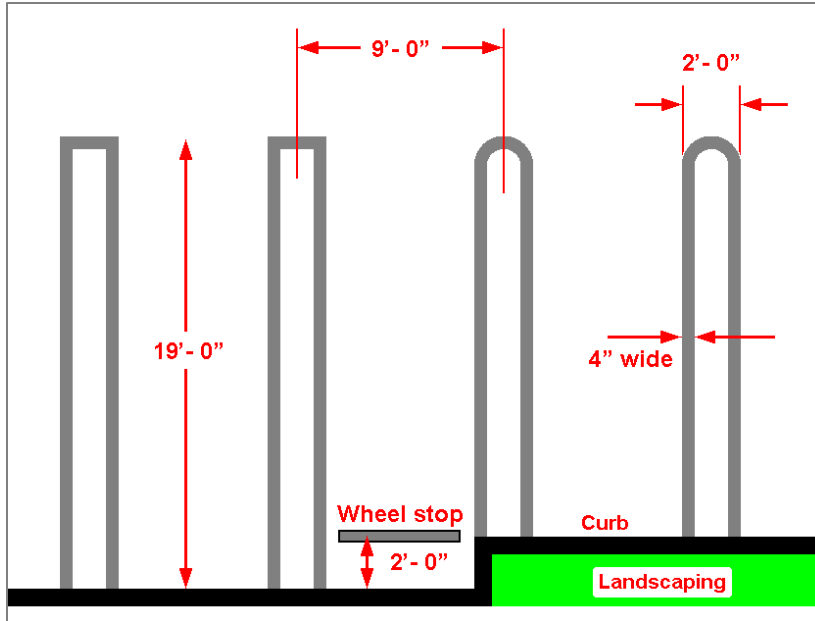


Figure 3.05C – Parking Space Striping

Staff adds conditions to address the following nonconformities:

- *Condition of Approval 4a*: 3.05.02D4 requires screening between outdoor parking/storage areas and public streets.
- *Condition of Approval 5a*: 3.05.02K requires all parking stalls be delineated by double parallel lines (illustrated by Figure 3.05C).

▲ The provisions are met with *Conditions 4a & 5a*.


3.05.03 Off-Street Parking

Off-Street Parking Ratio Standards Table 3.05A	
Use ^{1,2}	Parking Ratio - spaces per activity unit or square feet of gross floor area
15. Outdoor sales and service of bulky merchandise (such as motor vehicles, farm equipment, and manufactured dwellings)	1/ 400 square feet of structure + 1/ 20,000 square feet of outdoor display area
<p>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</p> <p>2. There is no required parking ratio for non-residential uses and residential units above first floor commercial uses in the DDC zone (See Section 3.07.07.C.12).</p>	

Parking Space and Drive Aisle Dimensions Table 3.05B							
Parking Angle	Type of Space	Stall Width (feet)	Curb Length (feet)	Stripe Length (feet)	Stall to Curb (feet)	Drive Aisle Width (feet)	
						1-way	2-way
A		B	C	D	E	F	G
45°	Standard	9.0	12.7	28	19.8	15.0	24.0 ⁸
	Compact	7.5	10.6	22.5	15.9		
	Accessible/ADA	9.0	12.7	28	19.8		
	Car Accessible Aisle	6.0	8.5	25.0	17.7		
	Van Accessible Aisle	8.0	11.3	27.0	19.1		
90° (Perpendicular)	Standard or Accessible	9.0	9.0	18.0	18.0	24.0	24.0 ⁸
	Compact	7.5	7.5	15.0	15.0	22.0	
	Car Accessible Aisle	6.0	6.0	18.0	18.0	24.0	
	Van Accessible Aisle	8.0	8.0	18.0	18.0		
<ol style="list-style-type: none"> 1. A parking space other than compact may occupy up to 1.5 feet of a landscaped area or walkway as measured from face of curb. Compact may occupy up to six inches. At least 4.5 feet clear width of a walkway must be maintained. 2. Space width is measured from the midpoint of the double stripe. 3. Curb or wheel stops shall be utilized to prevent vehicles from encroaching on abutting properties, rights-of-way, or wide walkways. 4. The access aisle must be located on the passenger side of the parking space, except that two adjacent parking spaces may share a common access aisle. 5. Where the angle of parking stalls differ across a drive aisle, the greater drive aisle width shall be provided. 6. In the context of residential development of other than multiple-family dwellings, parking space minimum dimensions shall be 8 feet wide by 18 feet long, including within a carport or garage. See also Section 3.05.03F.1. 7. The Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause drive aisle widths to exceed the minimum and maximums in this table. 8. Zoning Adjustment permissible. 							

The minimum parking requirement for the existing development, a 23,666sf building with an outdoor display area of 78,915sf, equates to 63 stalls. Considering the proposed expansion, which increases the building area to 25,241sf, the minimum parking requirement increases to 67 stalls. The site plan shows 67 stalls provided. Stall dimensions were reviewed as part of DR 21-04.

✓ The provisions are met.


<p style="text-align: center;">Carpool/Vanpool Parking Table 3.05C</p> 		
Development or Use	Description	Stall Minimum Number or Percent
1. Non-residential development within commercial zoning districts	Zero to 19 total minimum required off-street parking spaces	n/a
	20 to 33 total	1 stall
	34 to 65 total	2 stalls
	66 or more total	2 stalls or 3%, whichever is greater
1. Standard applies even if the site is not zoned P/SP. 2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.		

H. Carpool/vanpool (C/V) stalls shall meet the following standards:

1. **Convenient locations:** The distance from a stall, in whole or in part, shall be maximum 50 feet to a building perimeter walkway or, where there is no perimeter walkway, a building main or staff-only entrance.
2. **Striping:** Stripe each stall in lettering 1 ft high min “CARPOOL/VANPOOL” or similar.
3. **Signage:** Post at each stall a wall-mounted or pole-mounted sign for “Carpool/Vanpool” or similar. Each sign 1½ by 1 foot minimum with top of a posted sign between 5½ and 7 feet high max above vehicular grade.

Through this proposal, the minimum parking requirement increases to 67 stalls therefore two carpool/vanpool stalls are required. The site plan shows two such stalls. Staff adds *Condition of Approval 5b* to meet the signage and striping requirements for these stalls.

▲ The provisions are met with *Condition 5b*.

<p style="text-align: center;">Electric Vehicle Parking Table 3.05E</p> 		
Development or Use	Description	Stall Minimum Number or Percent
2. Non-residential development within commercial zoning districts	Zero to 19 total minimum required spaces	n/a
	20 to 39 total	2 stalls
	40 or more total	2 stalls or 5%, whichever is greater

1. Standard applies even if the site is not zoned P/SP.
2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.
3. See Section 3.05.03I below for EV development standards.
4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.

I. Electric vehicle (EV) includes both electric vehicle and plug-in hybrid vehicle, and EV parking stalls shall meet the following standards:

1. Convenient locations: The distance from a stall, in whole or in part, shall be maximum 50 feet to a building perimeter walkway or, where there is no walkway, a building main or staff-only entrance.
2. Charging level: minimum Level 2 (240 volt alternating current [AC] charging), or faster charging.
3. Striping: Stripe each stall in lettering 1 ft high min "ELECTRIC VEHICLE CHARGING" or similar and stencil of an EV image or logo.
4. Signage: Post at each stall a wall-mounted or pole-mounted sign for "Electric Vehicle Charging" or similar and include an EV image or logo. Each sign 1½ by 1 foot minimum with top of a posted sign between 5½ and 7 feet high max above vehicular grade.
5. Management/operations: The landowner or property manager shall keep EV stalls available for EVs and plug-in hybrid vehicles and keep conventional gasoline vehicles from parking in them, and in the context of multiple-family dwelling development:
 - a. Priority users shall be tenants, and guests/visitors would be secondary.
 - b. May charge EV stall users for the costs of charging an EV through a charging station, but shall not (1) charge users for either simply parking an EV or plug-in hybrid vehicle in an EV stall or for leaving such a vehicle parked without actively charging, and (2) shall charge to recoup costs to the landowner or property manager and not generate profit for the landowner or property manager. (This does not preclude the landowner or property manager contracting with a for-profit company to manage EV charging stations).
 - c. Shall not charge any fee that discriminates among particular EV parking stalls based on the perception of some stalls being more convenient or otherwise desirable than others.

It is anticipated but not required that the layout would be that each charging station would serve a pair of stalls.

Through this proposal, the minimum parking requirement increases to 67 stalls therefore at least 5% of the stalls are required to be electric vehicle parking stalls with charging stations to meet the provisions within 3.05.03I. Staff adds *Condition of Approval 5c* to illustrate and note this information on plans for the building permit submittal because it is not shown on the Design Review site plan.


▲ The provisions are met with *Condition 5c*.

3.05.04 Off-Street Loading & Unloading

- A. Standard: Loading and unloading for all multiple-family dwelling and non-residential development shall not encroach within the ROW of a street with a functional class designation higher than local.
- B. Administration: The Director may require a developer to submit a site plan sheet or sheets illustrating where and how loading and unloading would occur such that a development would meet subsection A above.

Loading will not encroach within the public right-of-way.

✓ The provisions are met.

Off-Street Bicycle Parking Table 3.05D		
		
Development or Use	Description	Stall Minimum Number, Percent, or Ratio
2. Non-residential development within commercial zoning districts		Whichever of the two rates is greater: (1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or (2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.
1. Standard applies even if the site is not zoned P/SP. 2. Each modular classroom counts as a classroom. 3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include. 4. See Section 3.05.06 for bicycle parking development standards.		

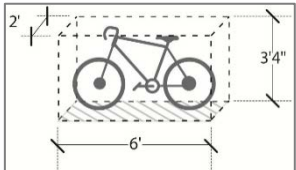
3.05.06 Bicycle Parking Standards

B. Applicability: Applies to total minimum required bicycle parking per Table 3.05D and any excess.

C. Standards: Developers shall install parking in lockers or racks that meet the following:

1. **Surface:** The area devoted to bicycle parking shall be paved if outdoors or otherwise hard surfaced if enclosed or indoors. Outdoor pavement shall be asphalt, bricks, cobblestone rectangular pavers, concrete pavers, poured concrete, structurally supported fiber cement or wood planking, or combination.
2. **Facility:** Where bicycle parking is provided with racks, they shall meet the following:
 - a. The rack shall be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock, when both wheels are left on the bicycle;
 - b. If the rack is a horizontal rack, it shall support the bicycle at two points, including the frame; and
 - c. The rack must be securely anchored with tamper-resistant hardware.
3. **Dimensions:** Bicycle parking spaces, aisles and clearances shall be per Table 3.05G, which Figures 3.05E, F, & G illustrate.
4. **Signage:** If bicycle parking is not visible from sidewalk, wide walkway, or the main entrance of the building(s), a developer must install a permanent sign, minimum 1 by 1.5 feet, at the main entrance of each primary building indicating the location of bicycle parking. Figure 3.05H illustrates examples.

5. Proximity: A developer shall construct or install bicycle parking within maximum 50 feet of the main entrance and per Figures 3.05J-L.
6. Covered/sheltered: A developer shall cover or shelter from precipitation among the total required bicycle parking minimum 50 percent of any and all parking that is outdoors.
8. Plan review: The developer or contractor shall submit the following information with applications for any of land use or building permit review:
 - a. Location; where not obvious, access route(s) to; and number of bicycle parking stalls;
 - b. Notated dimensions of all stalls, aisles, maneuvering areas, and clearances; and
 - c. If applicable, information adequate to illustrate the racks and stalls that meet a particular set of standards.

Bicycle Parking Stall Minimum Dimensions Table 3.05G			
			
Dimension	Conventional Horizontal ¹ (feet)	Alternative (feet) ²	
		Horizontal as Wall-Attached ³	Vertical or Wall-Mounted ^{1, 4, 5}
Length	6	6	3 ft, 4 inches
Width	2	2	1 ft, 5 inches
Height	3 ft, 4 inches	3 ft, 4 inches	6
Maneuvering width ⁷	5	5	5
Clearance	0.5 ⁸	1 ⁹	n/a
<ol style="list-style-type: none"> 1. See Figure 3.05E. 2. The purpose of alternatives primarily is to allow multiple-family dwelling developments to include more easily a number of stalls through any of communal storage rooms and sheds and on building, freestanding, and trash and recycling enclosure walls. 3. See Figure 3.05F. 4. See Figure 3.05G. 5. Vertical or wall-mounted maximums: <ol style="list-style-type: none"> a. Where the total minimum required bicycle parking is fewer than 4 stalls, vertical and wall-mounted stalls are prohibited. b. Where the total minimum required bicycle parking is 4 or more stalls, of the subtotal that is outside a building, maximum 50 percent may be vertical stalls. 6. See Figure 3.05H. 7. Sidewalk: Where a bicycle parking stall is adjacent to a sidewalk, off-street bicycle/pedestrian facility, walkway, or access way, the maneuvering area may overlap it. 8. Measured to stall length or width boundary. 9. Measured to centerline of outermost bar of facility. 			

Through this proposal, the total building area increases to 25,241 square feet and the minimum parking requirement increases to 67 stalls therefore at least 15 bike parking spaces are required and must meet the standards in 3.05.06C. Plans only show 10 spaces and do not clarify if the

remaining standards are met. Staff adds *Condition of Approval 5d* to illustrate and note this information on plans for the building permit submittal.

▲ The provisions are met with *Condition 5d*.

3.06 Landscaping

3.06.01 Applicability

A. To the site area for all new or expanded multiple-family dwelling and non-residential development, parking and storage areas for equipment, materials and vehicles.

The proposal is a 1,575 square foot storage building for a site with existing development that is occupied by Hillyer’s Mid-City Ford dealership. Per 1.04.03C3b, the full redevelopment provisions apply.

3.06.02 General Requirements

3.06.03 Landscaping Standards

A. Street Trees

Regarding street trees, the subject property has frontage along Newberg Hwy (a major arterial street) and Hillyer Lane (a local street). Newberg Hwy transitions into the Interstate 5 interchange along the subject property’s frontage, with the landscape strip tapering off roughly at the midpoint of the frontage. There are two tree islands within this portion of curbtight sidewalk, though they appear to be planted with dwarf trees that do not meet the “large tree” category in Table 3.06B. There are three palm trees planted on private property along the frontage as well as three deciduous trees in the ROW northeast of the property. In addition to the interchange transition, there is an existing 12-inch public water line running along the frontage. Because of these factors, the Community Development Director uses the discretion allowed per 3.06.03A.3. to accept the existing trees along Newberg Hwy.

The subject property’s Hillyer Lane frontage is essentially the driveway connecting to the cul-de-sac bulb, although there is a segment of green space south of the driveway along the frontage. Through DR 21-04, the property owner was required to plant one street tree within this area.

✓ The provisions are met.

B. Site landscaping shall comply with Table 3.06A.

Planting Requirements Table 3.06A		
Location	Planting Density, Minimum	Area to be Landscaped, Minimum
1. Setbacks abutting a street	1 PU/15 square feet	Entire setback excluding driveways

2. Buffer yards	1 PU/20 square feet	Entire yard excluding off-street parking and loading areas abutting a wall
3. Other yards	1 PU/50 square feet	Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas
4. Off-street parking and loading areas	<ul style="list-style-type: none"> • 1 small tree per 10 parking spaces; or¹ • 1 medium tree per 15 parking spaces; or¹ • 1 large tree per 25 parking spaces¹ and 1 PU/20 square feet excluding required trees ²	<ul style="list-style-type: none"> • RS, R1S, RSN, RM, RMN, P/SP, CO, CG and MUV zones: 20% of the paved surface area for off-street parking, loading and circulation • DDC, NNC, IP, IL, and SWIR zones: 10% of the paved surface area for off-street parking, loading and circulation • Landscaping shall be within or immediately adjacent to paved areas
5. Common areas, except those approved as natural common areas in a PUD	3 PU/50 square feet	Entire common area
<ol style="list-style-type: none"> 1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces. 2. Required landscaping within a setback abutting a street or an interior lot line that is within 20 feet of parking, loading and circulation facilities may also be counted in calculating landscaping for off-street parking, loading and circulation areas. 		

3.06.04 Plant Unit Value

Plant Unit (PU) Value Table 3.06B		
Material	Plant Unit (PU) Value	Minimum Size
1. Significant tree ¹	15 PU each	24" Diameter
2. Large tree (60-120 feet high at maturity) ¹	10 PU each	10' Height or 2" Caliper
3. Medium tree (40-60 feet high at maturity) ¹	8 PU each	10' Height or 2" Caliper
4. Small tree (18-40 feet high at maturity) ¹	5-SPU each	10' Height or 2" Caliper
5. Large shrub (at maturity over 4' wide x 4' high) ¹	2 PU each	3 gallon or balled

6. Small to medium shrub (at maturity maximum 4' wide x 4' high) ¹	1 PU each	1 gallon
7. Lawn or other living ground cover ¹	1 PU / 50 square feet	
8. Berm ²	1 PU / 20 lineal feet	Minimum 2 feet high
9. Ornamental fence ²	1 PU / 20 lineal feet	2½ - 4 feet high
10. Boulder ²	1 PU each	Minimum 2 feet high
11. Sundial, obelisk, gnomon, or gazing ball ²	2 PU each	Minimum 3 feet high
12. Fountain ²	3 PU each	Minimum 3 feet high
13. Bench or chair ²	0.5 PU / lineal foot	
14. Raised planting bed constructed of brick, stone or similar material except CMU ²	0.5 PU / lineal foot of greatest dimension	Minimum 1 foot high, minimum 1 foot wide in least interior dimension
15. Water feature incorporating stormwater detention ²	2 per 50 square feet	None
<p>1. Existing vegetation that is retained has the same plant unit value as planted vegetation.</p> <p>2. No more than twenty percent (20%) of the required plant units may be satisfied by items in lines 8 through 15.</p>		

Staff adds *Condition of Approval 6* to provide a landscaping plan as part of the building permit submittal that illustrates site landscaping in conformance with the planting requirements in Table 3.06A. Plant Unit values are outlined in Table 3.06B.

▲ The provisions are met with *Condition 6*.

3.06.05 Screening

A. Screening between zones and uses shall comply with Table 3.06D.

Screening Requirements

Table 3.06D

N = No screening required F = Sight-obscuring fence required W = Architectural wall required D = Architectural wall, fence, or hedge may be required in the Design Review process											
Adjacent properties – zone or use that receives the benefit of screening	RS, R1S, or RSN zone	RM or RMN zone	DDC or NNC zone	CO zone	CG or MUV zone	IP, IL, or SWIR zone	P/SP zone	Single-family dwelling, duplex, child care facility, or group home	Multiple-family dwelling, child care facility, group home or nursing home ^{5,8}	Nonresidential use in a residential zone	Manufactured dwelling park
Property being Developed – must provide screening if no comparable screening exists on abutting protected property											
CG or MUV zone	W ²	W ²	D	D	D	D	D	W ²	W ²	D	W ²
Refuse and recycling collection facilities except for single-family dwelling, duplex, child care facility, or group home	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}	W ^{2,6,7}
<ol style="list-style-type: none"> 1. Screening is only required from the view of abutting streets, parking lots, and residentially zoned property. Storage shall not exceed the height of the screening. 2. Six to seven feet in height 3. Six to nine feet in height 4. Abutting streets must also be screened. 5. Screening is required abutting multiple-family dwellings, commercial or industrial uses only. 6. In industrial zones, screening is required only where the refuse collection facility is in a yard abutting a public street, parking lot, or residentially zoned property. 7. Child care facility for 12 or fewer children, group home for five or fewer persons. 8. Child care facility for 13 or more children, group home for six or more persons. 											
General notes: <ol style="list-style-type: none"> 9. Screening is subject to height limitations for Vision Clearance Areas (Section 3.03.06) and adjacent to streets (Section 2.01.02). 10. No screening is required where a building wall abuts a property line. 11. Where a wall is required and is located more than two feet from the property line, the yard areas on the exterior of the wall shall be landscaped to a density of one plant unit per 20 square feet. 											

B. All parking areas, except those for single-family dwellings and dwellings other than multiple-family, abutting a street shall provide a 42-inch (3.5-foot) vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. All screening shall comply with the clear vision standards of this ordinance (Section 3.03.06).

Adjacent properties surrounding the subject property are within the CG and IL zones therefore no perimeter screening is required by Table 3.06D.

Staff adds *Condition of Approval 4b* to provide plans as part of the building permit submittal that illustrate any outdoor trash enclosures screened behind an architectural wall between 6-7 feet tall as required by Table 3.06D.

Staff adds *Condition of Approval 4a* to provide a screening plan as part of the building permit submittal that illustrates screening in conformance with 3.06.05B.

▲ The provisions are met with *Condition 4*.

3.06.06 Architectural Walls

B. Design Standards and Guidelines

- 1. An architectural wall shall meet the texture, color, and articulation requirements on the face away from the proposed development.**
- 2. An architectural wall should meet the texture, color, and articulation requirements on the face toward the proposed development.**
- 3. An architectural wall shall have a minimum three inch horizontal articulation of at least one linear foot of the wall of intervals not more than 40 feet; and**
- 4. An architectural wall shall have a minimum six inch vertical articulation of at least one linear foot of the wall of intervals not more than 40 feet.**
- 5. An architectural wall shall incorporate at least two colors.**
- 6. An architectural wall shall have an earth tone coloration other than grey on at least eighty percent (80%) of the surface.**
- 7. An architectural wall shall be architecturally treated with scoring, texture, or pattern on at least eighty percent (80%) of the surface.**

Staff adds *Condition of Approval 4b* to provide plans as part of the building permit submittal that illustrate any outdoor trash enclosures screened behind an architectural wall that meets the design requirements in 3.06.06B.

▲ The provisions are met with *Condition 4b*.

3.07 Architectural Design

3.07.06 Standards for Non-Residential Structures in Residential, Commercial and Public/Semi-Public Zones

The proposal is a 1,575 square foot storage building for a site with existing development in the CG zone. The submitted building elevations show generally what the provisions require.

✓ The provisions are met.

3.08 Partitions and Subdivisions

⊖ The proposal does not include a partition or subdivision.

3.09 Planned Unit Developments

- The proposal does not include a planned unit development.

3.10 Signs

- Signage is reviewed separately through Sign Permit applications.

3.11 Lighting

3.11.01 Purpose and Applicability

B. Applicability: Applies outside ROW to all permanent exterior lighting for all development and uses, excepting residential that is other than multiple-family dwelling. Application includes the contexts of building exteriors, walkways and wide walkways, parking areas, signage, and off-street bicycle/pedestrian facilities. Where Section 3.11 might conflict with nuisance Ordinance No. 2338 (2003), Section 5A “Light Trespass” as is or as amended, the more stringent provision shall supersede. Strands of small electric lights known as any of holiday lights, mini lights, or twinkle lights are exempt.

3.11.02 Standards

A. Full cut-off: All exterior lighting shall be full cut-off or fully shielded. Figure 3.11A illustrates examples of both unacceptable and acceptable fixtures.

B. Heights: Mounting height limits as measured to light fixture underside shall be:

1. Wall: 8 feet above finished grade within 5 feet.

a. Within a commercial or industrial zoning district and above a loading bay, berth, or dock, the height limit shall instead be 14.5 feet above vehicular grade.

b. For all developments and uses, ground floor wall-mounted fixtures are exempt if:

(1) placed under a canopy, fixed awning, roof overhang, secondary roof, or building recess;

(2) a ground floor canopy or fixed awning is minimum 96 square feet and 8 feet narrowest dimension;

(3) a roof overhang or secondary roof is minimum 72 square feet and 8 feet narrowest dimension;

(4) a building recess is minimum 72 square feet and 8 narrowest dimension;

(5) an adjacent combination of building recess and, projecting from the main wall plane, either (a) a ground floor canopy or fixed awning or (b) a roof overhang or secondary roof, total minimum 72 square feet and 8 narrowest dimension;

(6) a ground floor canopy, fixed awning, roof overhang, secondary roof, or building recess is with maximum 14 feet height clearance above grade; and

(7) the fixture is mounted no lower than at the same level as the underside of the ground floor canopy or fixed awning or within and flush with the building recess ceiling.

2. Poles within parking areas: 14.5 feet above vehicular grade within 5 feet of any parking or vehicular circulation area or its curbing. Parking area poles within 24 feet of ROW, greenways, or off-street public bicycle/pedestrian facilities, shall have the public-facing perimeter of the fixture underside with housing or a shield minimum 6 inches high.

3. Other poles: 10 feet above finished grade. Includes poles along walkways, wide walkways, and off-street bicycle/pedestrian facilities where they do not pass through or along parking areas.

Within an industrial zoning district operations or storage yard, minimum 20 feet from a lot line the height limit shall instead rise to 20 feet.

C. Hue / color temperature: Excepting industrial development, if a fixture uses light emitting diode (LED) technology, it shall emit a warm, yellowish white light instead of cool, bluish white light. A

color temperature within the range of 2,700 to 4,000 degrees Kelvin presumptively meets the requirement.

D. Property line: Lighting shall not shine or reflect onto (1) ROW, (2) greenways, (3) off-street public bicycle/pedestrian corridors, or (4) adjacent residentially zoned property. Pole-mounted fixtures other than those in parking areas, and wall-mounted fixtures, that abut any of (1)-(3) are exempt if they are sited within 20 feet of any of (1)-(3), and conform to subsection B.1 or 3 above.

The project did not provide a photometric plan however the initial elevation plans illustrate new wall-mounted exterior lighting fixtures on the proposed storage building. The narrative notes these fixtures will be full cut-off and installed at a height of 12 feet. Pursuant to 3.11.02B1, the height limit for these fixtures is 8 feet therefore modifications to the proposed fixtures are necessary.

There are existing wall-mounted fixtures on the existing building and pole-mounted fixtures throughout the site. As noted in the analysis for 1.04.03C3b, the 'full redevelopment' provisions apply and all nonconforming features exterior to buildings are required to be brought into conformance.

Staff therefore adds *Condition of Approval 7* to provide an exterior lighting plan that shows proposed lighting fixtures that meet the standards in 3.11.02 as well as all existing lighting fixtures brought into conformance with these standards.

▲ The provisions are met with *Condition 7*.

5.01 Type I (Administrative) Decisions

5.01.02 Design Review, Type I

A. Purpose: The purpose of this review is to ensure all residential and non-residential buildings comply with the standards found in the Land Use and Development Guidelines and Standards (Sections 2 and 3) Sections of this Ordinance.

B. Applicability: The Type I Design Review is applicable to the following:

2. Non Residential Buildings

b. Sites with existing buildings, expansions or new buildings that increase lot coverage by 10% or less.

C. Criteria: Applications are evaluated for compliance with the standards found in the Land Use and Specified Use, and Development Guidelines and Standards (Sections 2 and 3) of this Ordinance.

D. Procedure: The Director shall review the application for compliance with the applicable standards of this Ordinance.

The proposal is a 1,575 square foot storage building for a site with existing development. The site has a lot area of 224,041 square feet. The existing development is 23,666 square feet (10.56% lot coverage) and the proposed development increases lot coverage to 25,241 square feet (11.27%). The proposal is therefore a Type I Design Review. This staff report serves to evaluate the proposal for compliance with the Woodburn Development Ordinance.

✓ The provisions are met.

Conclusion

Staff finds that the application meets WDO provisions or can meet them with conditions and approves it with conditions.

Submitted by:



Dan Handel, AICP
Planner

Affirmed:



Chris Kerr
Community Development Director

Attachments:

101. Tax Map, marked
102. Site plans

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

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

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

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

05 2W 12C WOODBURN



MARION COUNTY, OREGON
SW1/4 SEC12 T5S R2W W.M.
SCALE 1" = 200'

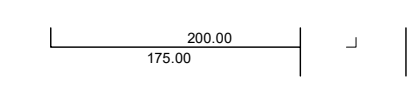
LEGEND

- 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.
 - ⊕ Section Corner

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

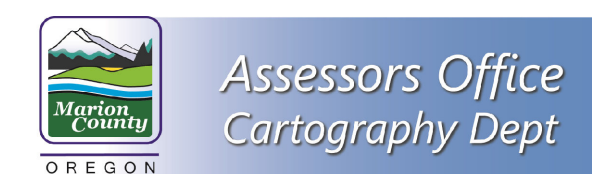
NOTES
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



ATTACHMENT 101

CANCELLED NUMBERS	
601	
603	
1100S1	
1201	
1701	
1702	
1800	
2000	

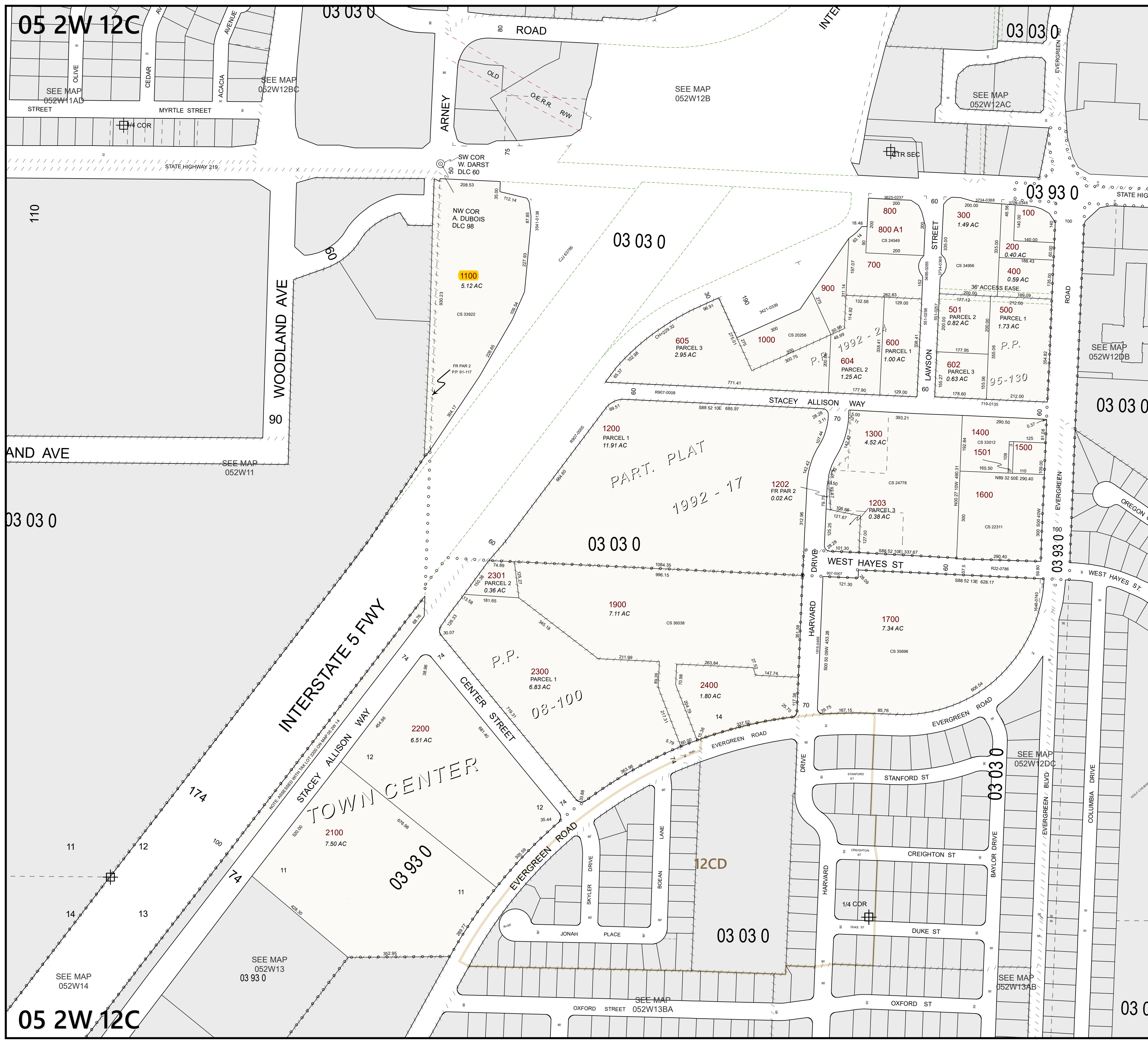
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

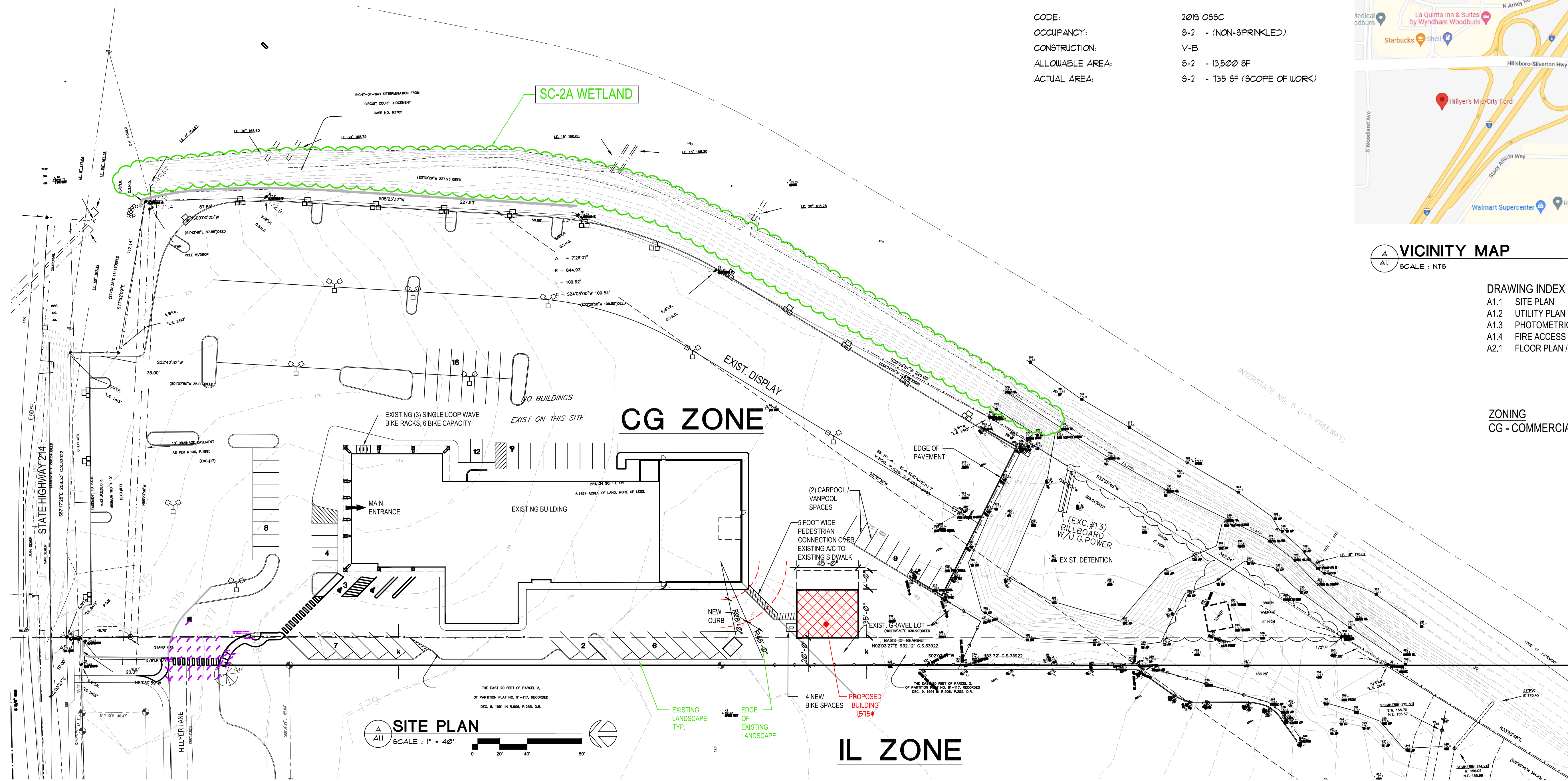


FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 10/16/2020

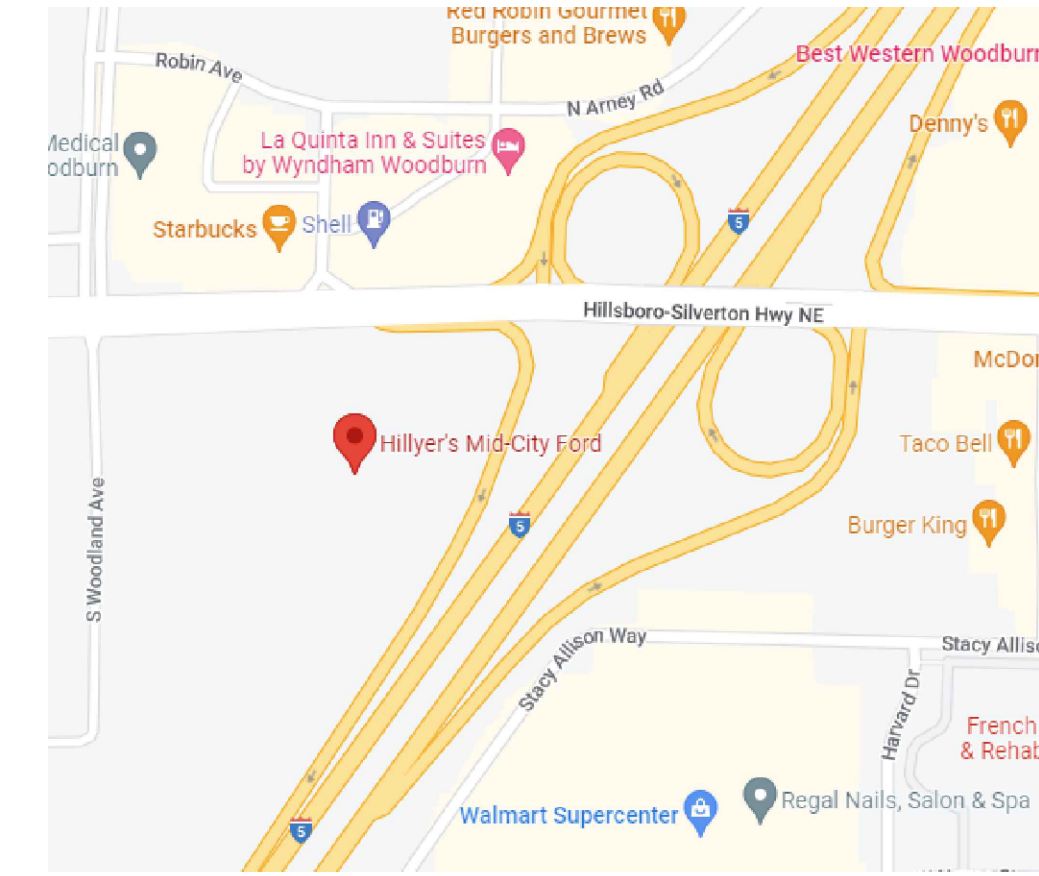
WOODBURN 05 2W 12C





CODE SUMMARY

CODE:	2019 O66C
OCCUPANCY:	S-2 - (NON-SFRINKLED)
CONSTRUCTION:	V-B
ALLOWABLE AREA:	S-2 - 13,500 SF
ACTUAL AREA:	S-2 - 135 SF (SCOPE OF WORK)



VICINITY MAP
SCALE: NTS

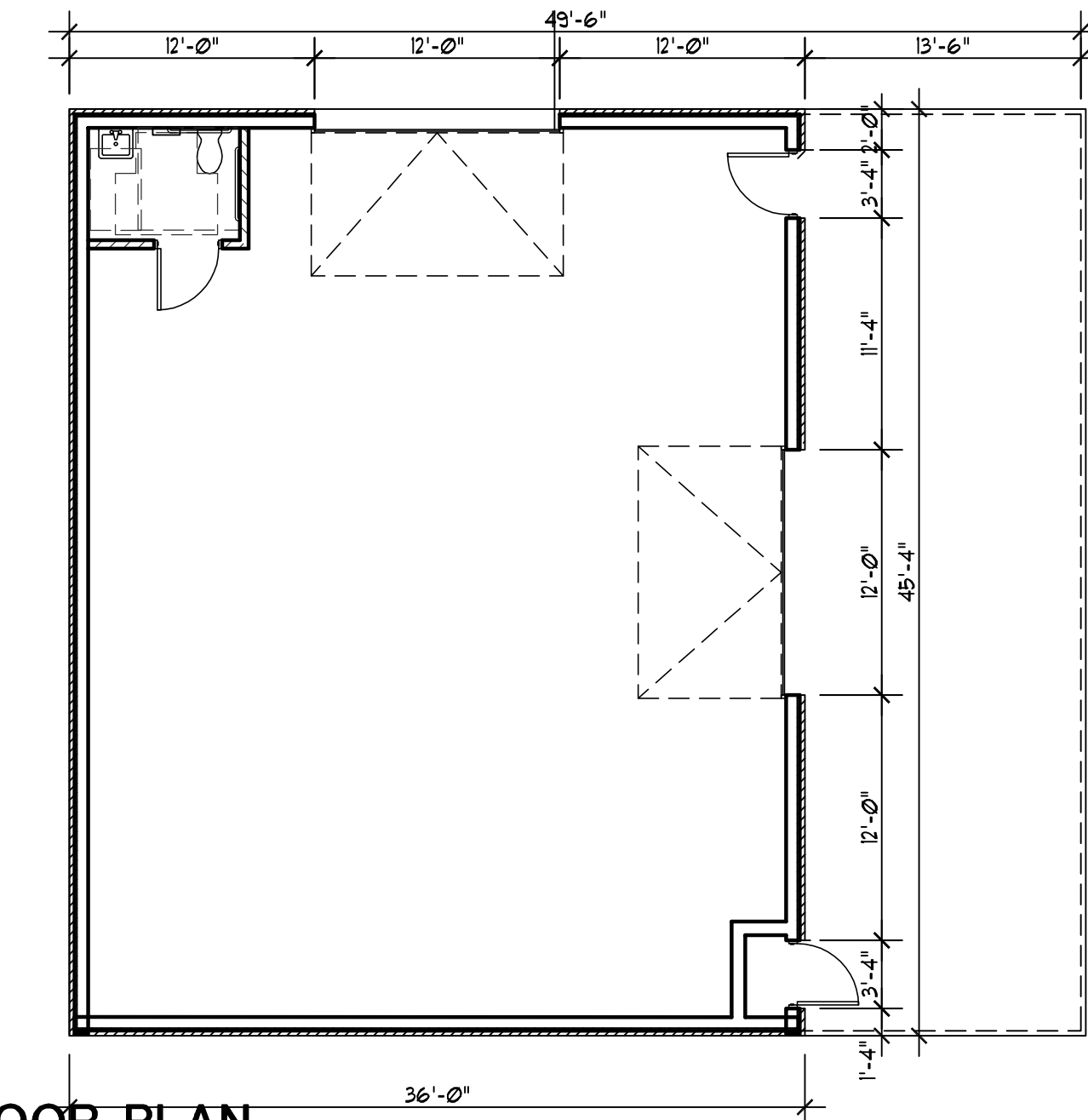
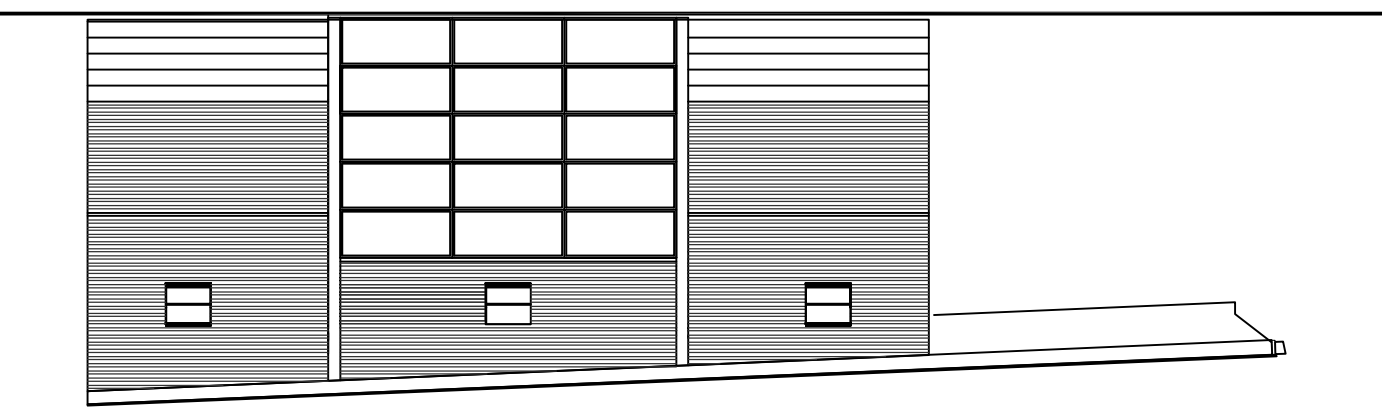
- DRAWING INDEX**
- A1.1 SITE PLAN
 - A1.2 UTILITY PLAN
 - A1.3 PHOTOMETRIC PLAN
 - A1.4 FIRE ACCESS PLAN
 - A2.1 FLOOR PLAN / ELEVATIONS

ZONING
CG - COMMERCIAL GENERAL



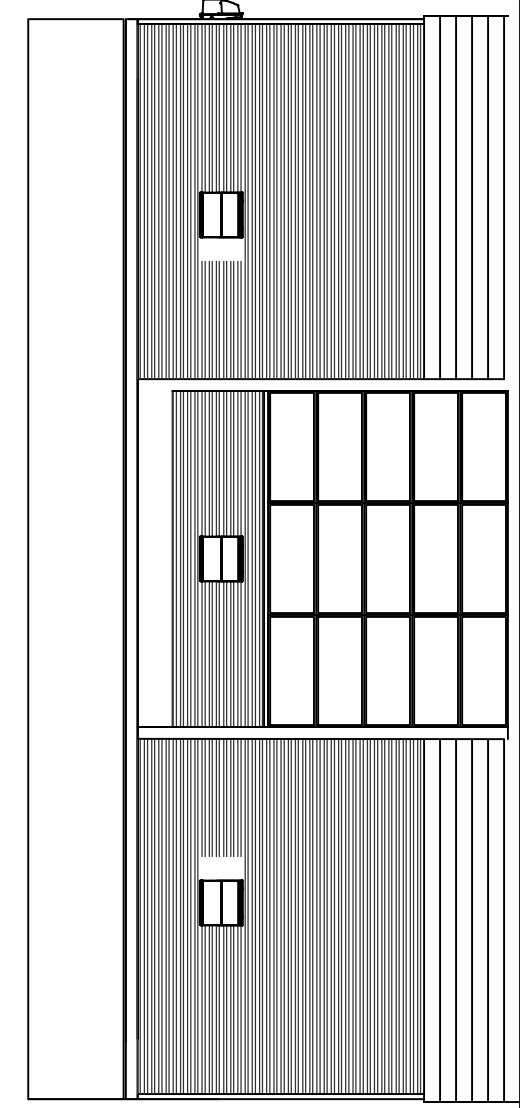
12/20/2022
 DESIGN REVIEW COMMENTS

Model SCALE: 1/8" = 1'-0"
NORTH ELEVATION

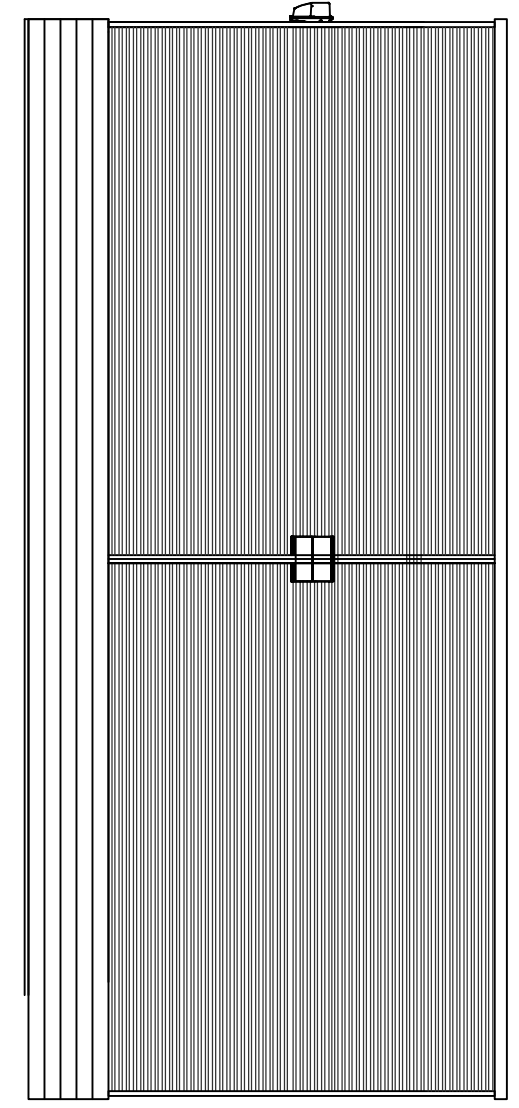


Model SCALE: 1/8" = 1'-0"
FLOOR PLAN

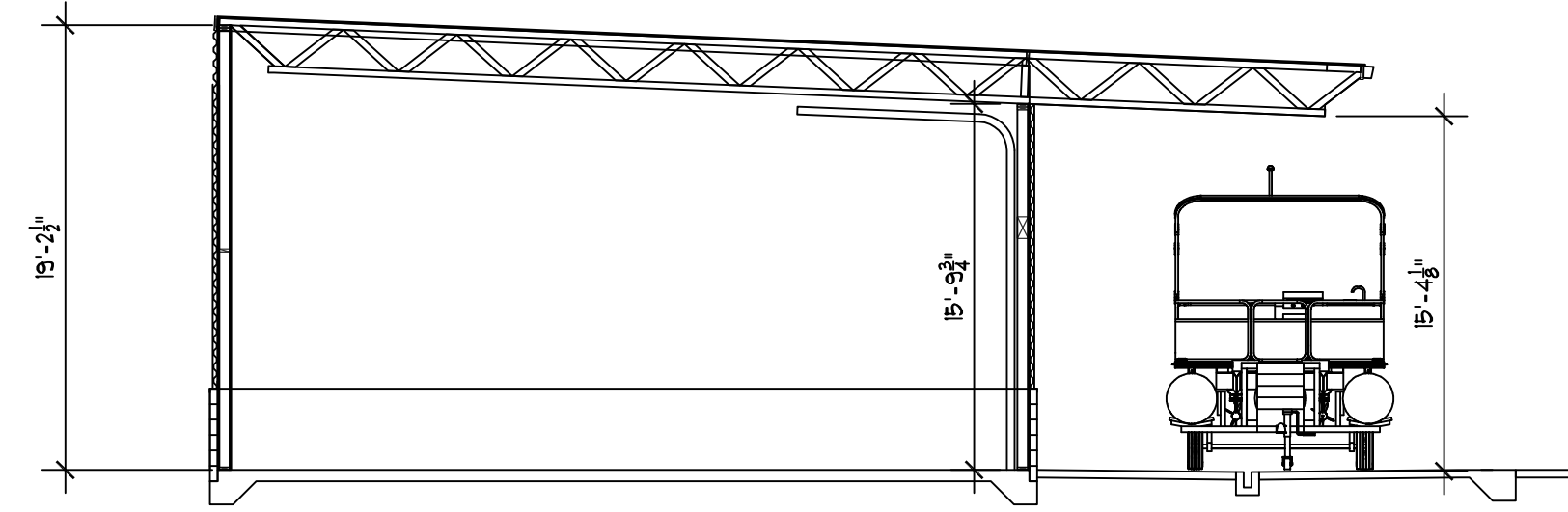
Model SCALE: 1/8" = 1'-0"
EAST ELEVATION



Model SCALE: 1/8" = 1'-0"
WEST ELEVATION



Model SCALE: 1/8" = 1'-0"
CROSS SECTION



Model SCALE: 1/8" = 1'-0"
SOUTH ELEVATION

