

IN THE CITY COUNCIL OF WOODBURN, OREGON

DR 2017-03)
CU 2017-02)
RCWOD 2017-03) FINAL ORDER
VAR 2017-03)
PLA 2017-04)

WHEREAS, a request was made by MW1, LLC, applicant, for Design Review, Conditional Use, Variances, Property Line Adjustments and Riparian Corridor and Wetland Overlay District approvals in conjunction with an annexation request on property generally located at the western terminus of Arney Lane; and

WHEREAS, Section 4.01.07 of the Woodburn Development Ordinance (WDO) requires that consolidated applications be processed following the procedures applicable for the highest type of decision; and

WHEREAS, the annexation requires a Type IV approval process; therefore the other associated requests were processed under the processes of a Type IV review; and

WHEREAS, July 27, 2017 and August 10, 2017, the Woodburn Planning Commission considered the requests and after a duly advertised public hearing recommended approval of the annexation conditioned upon an alternate access to the subject property, which was not proposed by the applicant nor recommended by staff; and

WHEREAS, on October 9, November 13, and December 11, 2017, the Woodburn City Council held public hearings, reviewed the record and heard all public testimony presented on said applications, and, upon deliberation, concluded that the proposal meets the applicable approval criteria under the City of Woodburn Development Ordinance; **NOW, THEREFORE,**

THE CITY OF WOODBURN ORDERS AS FOLLOWS:

Section 1. That the requested Design Review, Conditional Use, Variances, Property Line Adjustments and Riparian Corridor and Wetland Overlay District approvals are hereby approved, subject to the conditions of approval included therein.

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

Dated this 13th day of December, 2017.


Kathryn Figley, Mayor

Design Review, Property Line Adjustment, Riparian Corridor Wetland Overlay District, Variances, Conditional Use

CU 2017-02/DR 2017-03/VAR 2017-03/RCWOD 2017-03/PLA 2017-04

ANALYSIS AND FINDINGS

BACKGROUND AND PROPOSAL

This consolidated application specifically requests:

- Annexation to bring the site into city limits;
- **Property Line Adjustments to transfer a 100-foot strip of land to the site to allow the eastward extension of Steven Street and to separate the multi-family residential development site from the RV storage site;**
- **Design Review for the multi-family dwellings and RV storage;**
- **Riparian Corridor and Wetlands Overlay District permit for site alterations in the overlay zone;**
- **Variances related to (1) screening between uses; (2) landscape buffer requirements; and (3) the location of parking; and,**
- **Conditional Use approval to allow the proposed RV storage area to be open to the public.**

The proposed 300 unit multi-family residential development (Woodland Crossing) with a recreational vehicle (RV) storage area is located on a site west of the Woodburn Premium Outlets and east of the Woodburn West Mobile Estates. Staff is consolidating the applications as is required under the WDO for an annexation that includes a specific development approval.

The Planning Commission conducted public hearings on July 27 and August 10, 2017. The City Council held public hearings on October 9, November 13, and December 11, 2017 after which the Council voted to approve all of the requested associated with this application.

APPROVAL CRITERIA

Sections 2.02, 2.05, 2.07, 3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 3.07, 3.08, 4.01, and 5.04 of the WOODBURN DEVELOPMENT ORDINANCE, as well as any applicable elements of the WOODBURN COMPREHENSIVE PLAN, as they relate to this request.

THE RECORD

The record for ANX 2017-03 (consolidated): *CU 2017-02/DR 2017-03/VAR 2017-03/RCWOD 2017-03/PLA 2017-04*, consists of all of the evidence placed before the Planning Commission and City Council, including all testimony received during the public hearings.

FINDINGS AND ANALYSIS

Woodburn Crossing: Analysis and Findings

CU 2017-02/DR 2017-03/VAR 2017-03/RCWOD 2017-03/PLA 2017-04

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.

A consolidated review was completed for this application. This application includes multiple requests that will allow for the development of a multi-family residential development and a recreational vehicle (RV) storage area, on a site that is currently located outside of city boundaries. This application requests: annexation to bring the site into city limits; two Property Line Adjustment to accommodate the extension of Steven Street and create separate lots for the RV storage site and the residential development; Design Review for the multi-family dwellings and RV storage; a Riparian Corridor and Wetlands Overlay District (RCWOD) Permit for site alterations in the overlay; a Variance for the screening requirement of Section 3.06.05; and Conditional Use approval to allow public use of the proposed recreational vehicle storage area. The highest level of review for the proposals is the Annexation, which is processed as a Type IV review. This application requests Type IV approval for the proposed development. This standard is met.

The requirement is met.

2.02 Residential Zones

C. Development Standards (Tables 2.02B-F)

| TABLE 2.02E Medium Density Residential (RM) - Site Development Standards (Excerpts) | | | | |
|--|------------------------------------|----------------------------|---------------------------------|----------------------------------|
| Standard | Use | Required | Proposed Residential Lot | Proposed - RV Storage Lot |
| Lot Area, Minimum (square feet) | Any other use | Not specified ⁸ | 25.59 Acres | 8.91 Acres |
| Lot Width, Minimum (feet) | Interior, flag or cul-de-sac lot | 50 | N/A | Approximately 650' |
| | Corner lot | 80 | 156' | N/A |
| Lot Depth, Average (feet) | All lots | 90 | Approximately 900' | Approximately 600' |
| Street Frontage, Minimum (feet) | Interior, corner or cul-de-sac lot | 40 | Approximately >1730' | 47' |
| Minimum Residential Density (units per net acre) | Any other use | 12.8 | 12.83 | N/A |
| Maximum Residential Density (units per net acre) | Multiple-family dwelling | 16 | 12.83 | N/A |
| | Any other use | Not specified ⁸ | N/A | N/A |

| | | | | |
|--|---|----------------------------|--------------------|-----|
| Front Setback and Setback Abutting a Street, Minimum (feet) | - | 20 ^{5, 10} | 20' at minimum | 20' |
| Side Setback, Minimum (feet) | Primary structure- Any other use | Same as rear | 72' at minimum | N/A |
| | Accessory structure | Same as primary | Approximately 59' | N/A |
| Rear Setback, Minimum (feet) | Any other use except nonresidential use abutting DDC, NNC, CG, IP, SWIR, or IL zone for building heights over 28' | 36 | Approximately 220' | N/A |
| | Nonresidential use abutting DDC, NNC, or CG zone | 10 ⁹ | N/A | N/A |
| Lot Coverage, Maximum (percent) | Any other use | Not specified ⁸ | N/A | N/A |
| Building Height, Maximum (feet) | Primary structure | 35 | 35' | N/A |
| | Accessory Structure | 15 | Approximately 13' | N/A |
| <p>5. Measured from the Special Setback (Section 3.03.02), if any</p> <p>8. The minimum lot dimensions, maximum density, and maximum lot coverage are determined by setbacks, off-street parking, and landscaping requirements.</p> <p>9. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.</p> <p>10. Infill lots between developed lots: average of abutting residential buildings, plus or minus 5 feet, but not less than 10 feet</p> | | | | |

Table 2.02E above demonstrates how both proposed lots, and their developments, will meet all applicable criteria, after the proposed Property Line Adjustments requested with this application. These standards are met.

The application meets the criteria of 2.02.

5.01 Type I (Administrative) Decisions

5.01.08 Property Line Adjustment; Consolidation of Lots

This application proposes two separate property line adjustments. The first (PLA 2017-03) would transfer 100 feet of land to the development site to accommodate the extension of Steven Street, while the second would separate the multi-family site from the RV storage site. Illustrations of the two proposed property line adjustments are included in Exhibits F and G, respectively.

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);

Responses are provided for each of the proposed property line adjustments.

- The following response addresses the first property line adjustment (PLA 2017-03). Tax lot 052W12BB10100, the Woodburn West Mobile Estates development, is zoned RS (Single Family Residential). For corner lots, this zone requires a minimum lot area of 10,000 square feet, a minimum lot width of 80 feet, a minimum lot depth of 90 feet and a minimum street frontage of 50 feet. The property line adjustment would decrease the lot size by 0.42 acres, yielding a lot area of 14.26 acres, a lot width of over 1,500 feet, a lot depth of nearly 200 feet and a street frontage of over 1,500 feet. Front and rear setbacks would be unaffected by the property line adjustment and the resulting 123-foot side setback exceeds the required 5-foot setback. Vehicular access would be unaffected by the property line adjustment. The existing structures on site have a lot coverage of approximately 20% and the resulting lot coverage following the property line adjustment would be approximately 21%, well below the maximum 40% in the SR zone. Tax lot 052W12B00300 is outside city limits and is zoned Urban Transition by Marion County. The property line adjustment, which would transfer 0.42 acres to this property (yielding a lot size of 20.68 acres), would not decrease the lot area, depth, width, frontage, setbacks, vehicular access or lot coverage. This standard is met.
- The second adjustment is addressed via responses within this narrative to all standards applicable for the proposed developments. This standard is met.
-

2. Existing easements are accurately reflected;

Existing easements are accurately reflected on the survey within Exhibit F and Exhibit G. The surveyor prepared the drawings based on a current title report. This standard is met.

3. Existing land use and development on the subject property comply with the requirements of prior land use actions; and

The existing manufactured homes within the Woodburn West Mobile Estates development would remain unaffected by the proposed property line adjustments and there are no known prior land use actions that would be affected by the property line adjusting that lot. The existing land uses within the annexation and development site (tax lots 052W12B00100 and 052W12B00300) are proposed to be removed to accommodate the proposed development. This standard is met.

4. Buildings and structures abutting the adjusted property lines comply with State building codes and with respect to current occupancy.

The first proposed property line adjustment would transfer 0.42 acres from tax lot 052W12BB10100 to tax lot 052W12B00300. As illustrated in Exhibit F, the nearest structure on tax lot 052W12BB10100 would be over 123 feet from the adjusted property line and thus would continue to comply with Building Code fire separation requirements. New manufactured dwelling parks are not permitted in the RS zone but the existing development can continue as a nonconforming use. The location of structures on tax lot 052W12B00300 is unaffected by the first property line adjustment so this action does not affect Building

Code compliance. The existing buildings on tax lots 052W12B00100 and 052W12B00300 are proposed to be removed to accommodate the proposed development. This standard is met.

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.*

Following approval of the application by City of Woodburn, the applicant’s surveyor will monument the property line adjustments and file records of survey as required by state law. This standard is met.

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

This standard does not require a response.

The application meets the requirements/criteria for Property Line Adjustments.

C. Design Review
2.02 Residential Zones

B. *Approval Types (Table 2.02A)*

1. *Permitted Uses (P) are allowed outright, subject to the general development standards of this Ordinance.*
2. *Special Permitted Uses (S) are allowed outright, subject to the general development standards and the special development standards of Section 2.07.*
3. *Conditional Uses (CU) may be allowed, subject to the general development standards of this Ordinance and conditions of Conditional Use approval.*
4. *Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.*
5. *Accessory Uses (A) are allowed outright, subject to the general standards of this Ordinance.*

| Table 2.02A. Uses Allowed in RM Zones (EXcerpts) | |
|--|-----------------------|
| Use | Approval Type |
| Multiple-family dwelling | Permitted Use |
| Rights-of-way, easements and improvements for streets, water, sanitary sewer, gas, oil, electric and communication lines, stormwater facilities and pump stations. | Permitted Use |
| Common boat, recreational and vehicle storage area | Special Permitted Use |

This proposal includes the development of multi-family dwellings, a recreational vehicle storage area, and new right-of-way. Multi-family dwellings and new rights-of-way are permitted outright in the RM zone. Recreational vehicle storage is considered a Special Permitted Use in RM zones. All applicable standards for Special Permitted uses are addressed in Section 2.07.03. This Special Use will be processed as a Conditional Use per Section 5.03.09, and all applicable criteria are addressed in the corresponding section of this narrative. These standards are met.

C. *Development Standards (Tables 2.02B-F)*

| TABLE 2.02E Medium Density Residential (RM) - Site Development Standards (Excerpts) | | | | |
|--|---|----------------------------|---------------------------------|----------------------------------|
| Standard | Use | Required | Proposed Residential Lot | Proposed - RV Storage Lot |
| Lot Area, Minimum (square feet) | Any other use | Not specified ⁸ | 25.59 Acres | 8.91 Acres |
| Lot Width, Minimum (feet) | Interior, flag or cul-de-sac lot | 50 | N/A | Approximately 650' |
| | Corner lot | 80 | 156' | N/A |
| Lot Depth, Average (feet) | All lots | 90 | Approximately 900' | Approximately 600' |
| Street Frontage, Minimum (feet) | Interior, corner or cul-de-sac lot | 40 | Approximately >1730' | 47' |
| Minimum Residential Density (units per net acre) | Any other use | 12.8 | 12.83 | N/A |
| Maximum Residential Density (units per net acre) | Multiple-family dwelling | 16 | 12.83 | N/A |
| | Any other use | Not specified ⁸ | N/A | N/A |
| Front Setback and Setback Abutting a Street, Minimum (feet) | - | 20 ^{5,10} | 20' at minimum | 20' |
| Side Setback, Minimum (feet) | Primary structure-Any other use | Same as rear | 72' at minimum | N/A |
| | Accessory structure | Same as primary | Approximately 59' | N/A |
| Rear Setback, Minimum (feet) | Any other use except nonresidential use abutting DDC, NNC, CG, IP, SWIR, or IL zone for building heights over 28' | 36' | Approximately 220' | N/A |
| | Nonresidential use abutting DDC, NNC, or CG zone | 10 ⁹ | N/A | N/A |
| Lot Coverage, Maximum (percent) | Any other use | Not specified ⁸ | N/A | N/A |
| Building Height, Maximum (feet) | Primary structure | 35 | 35' | N/A |
| | Accessory Structure | 15 | Approximately 13' | N/A |

| TABLE 2.02E Medium Density Residential (RM) - Site Development Standards (Excerpts) | | | | |
|--|-----|----------|--------------------------|---------------------------|
| Standard | Use | Required | Proposed Residential Lot | Proposed - RV Storage Lot |
| 5. Measured from the Special Setback (Section 3.03.02), if any | | | | |
| 8. The minimum lot dimensions, maximum density, and maximum lot coverage are determined by setbacks, off-street parking, and landscaping requirements. | | | | |
| 9. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use. | | | | |
| 10. Infill lots between developed lots: average of abutting residential buildings, plus or minus 5 feet, but not less than 10 feet | | | | |

Table 2.02E above demonstrates how both proposed lots, and their developments, will meet all applicable criteria, after the proposed Property Line Adjustments requested with this application. These standards are met.

The application meets the above criteria.

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.

This proposal is for Type II - IV applications that would generate more than 20 peak hour vehicle trips (see Exhibit L). The proposed development parcels do not have a vehicle trip budget identified in Table 2.05A, but are within the Interchange Management Area Overlay District, therefore the remainder of this section applies. All applicable standards are addressed in this section of the narrative.

C. Vehicle Trip Budgets

This Section establishes a total peak hour trip generation budget for planned employment (commercial and industrial) land uses within the IMA.

- 1. The IMA trip budget for vacant commercial and industrial parcels identified in Table 2.05A is 2,500 peak hour vehicle trips. An estimated 1,500 additional peak hour residential trips are planned within the IMA. The IMA vehicle trip budget is allocated to parcels identified in Table 2.05A on a first-developed, first-served basis.*
- 2. Parcel budgets are based on 11 peak hour trips per developed industrial acre, and 33 peak hour trips per developed commercial acre.*
- 3. The parcel budget for each parcel will be reduced in proportion to actual peak hour vehicle trips generated by new development on any portion of the parcel.*
- 4. The City may allow development that exceeds the parcel budget for any parcel in accordance with this Section.*

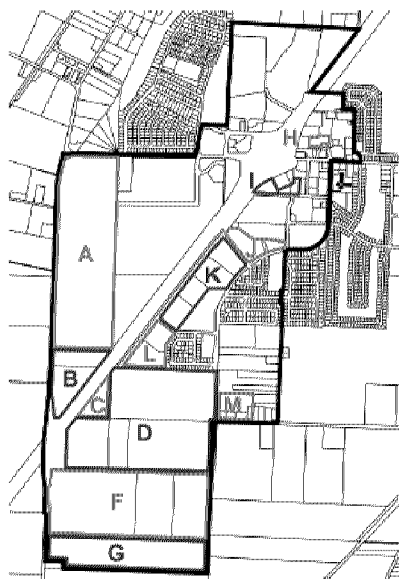


Figure 2.05B – Interchange Management Area Boundary and Subareas

| Vehicle Trip Budget by Parcel (Parcel Budget) | | | | |
|---|---|--------------------------------|-----------------|---------------------------------|
| Table 2.05A | | | | |
| Subarea | Assessor's Tax Lot Number | Comprehensive Plan Designation | Buildable Acres | Maximum Peak Hour Vehicle Trips |
| A | 052W11 00300 | SWIR | 88 | 968 |
| B | 052W14 00200 052W14 00600 | SWIR | 22 | 242 |
| C | 052W1400700 | SWIR | Exempt | Exempt |
| D | 052W14 00800 052W14 00900 052W14 01000 052W14 01100 | SWIR | 106 | 1,199 |
| E | 052W14 01200 | SWIR | 4 | 44 |
| F | 052W13 01100 052W14 01500 052W14 01600 | SWIR | 96 | 1,056 |
| G | 052W23 00100 | SWIR | 46 | 506 |
| H | 052W12AC 04301 | Commercial | 2 | 66 |
| I | 052W12C 00604 | Commercial | 1 | 33 |
| | 052W12C 00605 | | 3 | 99 |
| J | 052W12C 02300 | Commercial | 7 | 231 |
| | 052W12C 02400 | | 2 | 66 |
| K | 052W12C 02100 | Commercial | 7 | 231 |
| | 052W12C 02200 | | 6 | 198 |
| | 052W13 01600 | | 5 | 165 |
| | 052W14 02300 | | 6 | 198 |
| L | 052W14 02000 | Commercial | 8 | 264 |
| | 052W14 02100 | | 5 | 165 |
| M | 052W13BD 00900 (westerly portion) 052W13BD 01500 052W13BD 01600 052W13BD 01700 052W13BD 01800 | Nodal Commercial | 9 | 297 |

The project site is located within the IMA but is not part of any subarea identified in Figure 2.05B and Table 2.05A of the code; therefore, it does not have a specific trip budget associated with the parcel. Furthermore, as the site will be residentially zoned, the overall commercial and industrial lands trip budget does not apply.

D. Administration

This Section delineates responsibilities of the City and ODOT to monitor and evaluate vehicle trip generation impacts on the I-5 interchange from development approved under this Section.

1. A Traffic Impact Analysis (TIA) is required for all land use applications subject to the provisions of this Section. The TIA must meet City and ODOT administrative rule (OAR Chapter 734, Division 51) requirements and shall include an evaluation and recommendation of feasible Transportation Demand Management (TDM) measures that will minimize peak hour vehicle trips generated by the proposed development.

The Transportation Impact Analysis (TIA) submitted with this application (Exhibit L) addresses requirements established by the City of Woodburn Development Ordinance (WDO), Section 3.04.05 and ODOT's *Analysis Procedures Manual* (APM). As shown in the TIA, all study area intersections are anticipated to operate within City and ODOT mobility standards during the AM and PM peak hours with the proposed Woodland Crossing development except for the intersection of Woodland Avenue and Robin Avenue. Traffic simulations of the Woodland Avenue/Robin Avenue intersection indicate that delays are likely to be much lower than estimated using the Highway Capacity Manual methodology. Supplemental analysis performed in response to comments and questions from ODOT and City staff (see Exhibit M and N, respectively) produce results corresponding to Level of Service B at this intersection and demonstrate that standards are met if left turns on the east leg are distributed with 60% from the left lane and 40% from the right lane. All turn lanes have adequate storage with no anticipated queue spillover into adjacent lanes. No off-site impacts are anticipated for the proposed Woodland Crossing development; therefore, no mitigation will be required. Mackenzie transportation engineers recommend that signage along Robin Avenue clearly indicate that left-turns can be made from both lanes and that both lanes provide access to I-5. This standard is met.

2. For a land use application subject to the provisions of this Section:

a. The City shall not deem the land use application complete unless it includes a TIA prepared in accordance with TIA Requirements;

b. The City shall provide written notification to ODOT when the application is deemed complete. This notice shall include an invitation to ODOT to participate in the City's review process;

c. ODOT shall have at least 20 days to provide written comments to the City, measured from the date the completion notice was mailed. If ODOT does not provide written comments during this 20-day period, the City's decision may be issued without consideration of ODOT comments.

This land use application is subject to the provisions of Section a., and includes a TIA prepared in accordance with TIA requirements and in consultation with ODOT staff.

3. The details of City and ODOT monitoring and coordination responsibilities are found in the Woodburn – ODOT Intergovernmental Agreement (IGA).

- a. *The City shall be responsible for maintaining a current ledger documenting the cumulative peak hour trip generation impact from development approved under this Section, compared with the IMA trip budget.*
- b. *The City may adjust the ledger based on actual development and employment data, subject to review and concurrence by ODOT.*
- c. *The City will provide written notification to ODOT when land use applications approved under this Section, combined with approved building permits, result in traffic generation estimates that exceed 33% and 67% of the IMA trip budget.*

The project site is located within the IMA but is not part of any subarea identified in Figure 2.05B and Table 2.05A of the code; therefore, it does not have a specific trip budget associated with the parcel. Furthermore, as the site will be residentially zoned, the overall commercial and industrial lands trip budget does not apply. This standard does not apply.

4. *This Section recognizes that vehicle trip allocations may become scarce towards the end of the planning period, as the I-5 Interchange nears capacity. The following rules apply to allocations of vehicle trips against the IMA trip budget:*
 - a. *Vehicle trip allocations are vested at the time of design review approval.*
 - b. *Vehicle trips shall not be allocated based solely on approval of a comprehensive plan amendment or zone change, unless consolidated with a subdivision or design review application.*
 - c. *Vesting of vehicle trip allocations shall expire at the same time as the development decision expires.*

The project site is located within the IMA but is not part of any subarea identified in Figure 2.05B and Table 2.05A of the code; therefore, it does not have a specific trip budget associated with the parcel. Furthermore, as the site will be residentially zoned, the overall commercial and industrial lands trip budget does not apply. This standard does not apply.

E. Allowed Uses

Uses allowed in the underlying zoning district are allowed, subject to other applicable provisions of the Woodburn Development Ordinance and this Section.

The proposed multi-family residential development is a permitted use in the RM zone, and RV storage is a Special Permitted Use, which may be allowed in the RM zone through a Conditional Use. Compliance with all applicable provisions for these uses is demonstrated in this narrative. This standard is met.

F. Comprehensive Plan and Zoning Map Amendments

1. *The provisions of this Section (2.05.02.F) apply to all Comprehensive Plan Map amendments within the IMA. This Section does not apply to Zoning Map amendments that result in conformance with the applicable Comprehensive Plan Map designation, such as Zoning Map amendments that occur when land is annexed to the City.*

This application proposes the annexation of two parcels designated as Medium Density Residential on the City of Woodburn Comprehensive Plan. The City would designate the property Medium Density Residential in conformance with the Comprehensive Plan. No Comprehensive Plan Map amendments are requested. This section does not apply.

2. *Applications for Comprehensive Plan Map amendments and for Zoning Map amendments shall determine whether the proposed change will significantly affect a collector or arterial transportation facility.*

In conjunction with the annexation, the City would designate the property Medium Density Residential in conformance with the Comprehensive Plan. No Comprehensive Plan Map amendments are requested so no significant effect analysis is required by the Transportation Planning Rule. This standard does not apply.

3. *To ensure that the remaining capacity of the I-5 Interchange is reserved for targeted employment opportunities and needed housing, this section imposes the following prohibitions on Comprehensive Plan Map amendments within the IMA:*

a. *Comprehensive Plan Map amendments that will increase the net commercial land area within the IMA shall be prohibited.*

b. *Comprehensive Plan Map amendments that allow land uses that will generate traffic in excess of the IMA trip budget shall be prohibited.*

No Comprehensive Plan Map amendment is proposed as part of this application. This standard does not apply.

G. Interchange Capacity Preservation Standards

Land use applications subject to the provisions of this Section shall comply with the following:

1. *Peak hour vehicle trips generated by the proposed development shall not, in combination with other approved developments subject to this Section, exceed the IMA trip budget of 2,500.*

Based on ITE trip generation data, the proposed development is estimated to generate an average of 154 AM peak hour trips, 186 PM peak hour trips, and 1,974 daily trips (see Exhibit L). These rates are significantly below the IMA trip budget of 2,500 peak hour trips. This standard is met.

2. *Peak hour vehicle trips generated by the proposed development shall not exceed the maximum peak hour vehicle trips specified in Table 2.05A for the subject parcel, except:*

a. *Development may be allowed to exceed the maximum, if the development will contribute substantially to the economic objectives found in the Comprehensive Plan.*

b. *Residential development on a parcel zoned Commercial shall be allowed to exceed the maximum.*

The project site is located within the IMA but is not part of any subarea identified in Figure 2.05B and Table 2.05A of the code; therefore, it does not have a specific trip budget associated with the parcel. This standard does not apply.

3. *Transportation Demand Management (TDM) measures shall be required to minimize peak hour vehicle trips and shall be subject to annual review by the City.*

As indicated in the Transportation Impact Analysis (Exhibit L), the site is expected to generate 183 PM peak hour residential trips with the proposed multi-family housing and 3 PM peak hour commercial trips with the ancillary RV storage. Transportation demand management strategies are anticipated to be required for employment (commercial and industrial) uses to ensure compliance with applicable vehicle trip budgets. This site will be residentially zoned so TDM measures are not appropriate. This standard does not apply.

2.06 Accessory Structures

2.06.02 Fences and Walls

A. Location and Height Abutting a Street in Residential Zones

- 1. The height shall comply with the vision clearance area standards, Section 3.03.06.*
- 2. The height shall not exceed 42 inches (3½ feet) above the ground elevation under the fence or wall located at the lot line abutting the street.*
- 3. The height may increase one foot for each 6 feet of setback from the lot line abutting the street. Fences may increase to their maximum height (7 ft) when flush with the house or garage.*
- 4. For corner lots, one frontage shall not exceed the standards in #2 above. The alternative frontages are treated as interior lot line(s), allowing fencing in excess of 42 inches up to, and equal with, the house frontage. The remaining frontage shall not exceed the 42 inch limitation.*
- 5. For through lots, abutting streets and/or alleys on two opposite frontages, the rear frontage opposite the front is be treated as an interior lot line, allowing a maximum height of 7 ft.*
- 6. Fences and walls may be constructed in the special setback, provided the property owner agrees to removal at such time as street improvements are made.*

A 6-foot architectural wall is proposed along the southern portion of the proposed extension of Steven Street, to screen the road from the manufactured home park to the south (the owner of the manufactured home park has required this wall as part of the sale of the 100-foot strip of land addressed by property line adjustment PLA 2017-03). As this wall is at least 25 feet from the proposed property line along Steven Street, the 6-foot height complies with the maximum 7-foot height allowed when at least 24 feet from the right-of-way line. The western portion of the wall is proposed to be limited to 3.5 feet to comply with criterion (4) above. No fences or walls are proposed along the extension of Arney Lane. The existing fence along Sprague Lane is proposed to remain in place to secure the proposed RV storage facility. There are no special setbacks at this location. All vision clearance area standards are addressed in Section 3.03.06 of this narrative. This standard is met.

B. Height in Yards Not Abutting a Street

- 1. In residential zones, the maximum height of a fence or wall other than for corner and/or through lots, shall be seven feet, relative to the ground elevation under the fence or wall.*

The existing fencing along the south and east lot lines of the proposed RV storage lot abuts a commercial zone and is less than 7 feet high. This application proposes additional perimeter fencing (no taller than 7 feet high) along the north/west lot line of the RV storage facility, as shown in Exhibit H, Sheet C2.1. No fences or walls that do not abut a street are proposed elsewhere on site. This standard is met.

D. Fence Materials

- 1. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls, such as wood, stone, rock, or brick, or other durable materials.*
- 2. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.*
- 3. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the preceding standards apply when visible from, and within 20 feet of, a public street.*

Figure 2.06A – Fence or Wall Height

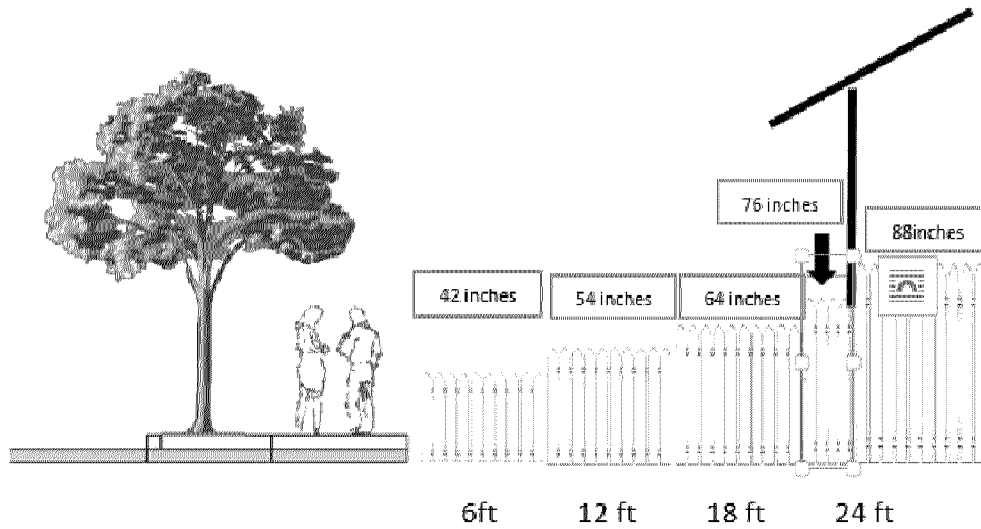
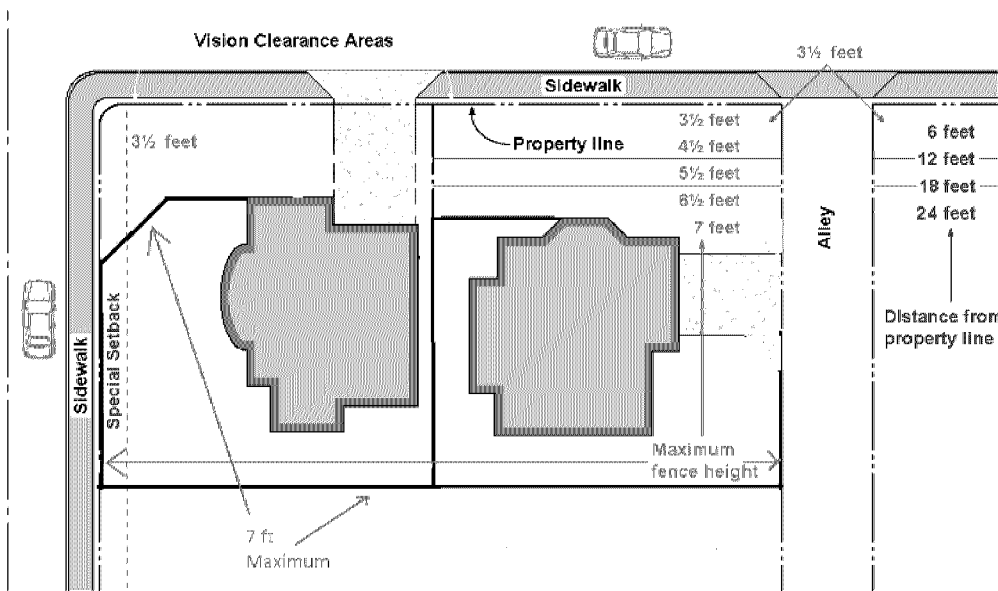


Figure 2.06B – Stepped Fence or Wall



The perimeter fencing proposed along the north/west lot line of the RV storage area will be coated chain link, with slats made of one of the approved materials. The proposed architectural wall along the southern side of the Steven Street extension will be constructed of masonry block (see Exhibit J). These standards are met.

2.06.03 Structures

A. Accessory structures attached to a primary building shall be considered as a portion of the primary building and subject to the same requirements as the primary building.

A detached accessory structure is proposed on the residential lot to house a maintenance building. No attached accessory structures are proposed. This standard does not apply.

B. The minimum separation between detached accessory structures and the primary building shall be six feet.

A detached accessory structure is proposed to house a maintenance building on the west side of the residential lot. The structure is approximately 47 feet from the nearest primary building, as shown in the site plans (Exhibit H). This standard is met.

The application meets the criteria for Accessory Structures.

2.07 Special Uses

2.07.03 Common Boat, Recreational and Vehicle Storage Area

A. Applicability

- 1. When a Boat, Recreational and Vehicle Storage Area is established as a special use, it shall comply with the following use and development standards.*
- 2. When a Boat, Recreational and Vehicle Storage Area is incorporated in the review of a residential development, the following criteria shall serve as guidelines.*

Per Table 2.02.A, Recreational Vehicle Storage is permitted as a Special Use in the RM zone. This section applies, and all relevant criteria are addressed in this narrative.

B. The storage must be operated by either a homeowners' association or a property manager of the apartment, Manufactured Dwelling Park or residential complex.

The RV storage area will be managed by the operator of the facility. A Conditional Use is requested for Section 2.07.03 to allow the RV storage area to operate independently of a residential development pursuant to WDO 5.03.09. All applicable criteria for Conditional Use approval are addressed in Section 5.03 of this narrative.

C. The storage area is limited exclusively to the storage of the resident's vehicles, boats or trailers, recreational vehicles, utility trailers and horse trailers.

The proposed RV Storage area is proposed to be a public storage area, not restricted to use by residents. Conditional Use approval is requested to allow this modification pursuant to WDO 5.03.09. All applicable criteria are addressed in Section 5.03 of this narrative.

See section 5.03 for Staff responses to these criteria.

D. Storage areas and driveways to the storage area shall be paved to the standards of this ordinance (Section 3.04.04).

Staff has included a condition of approval (#9) in order to satisfy this requirement. The WDO is clear that the storage areas and driveways must (shall) be paved. Therefore, the standard can only be met with a condition of approval (included) requiring the RV storage area to be paved.

E. Outdoor lighting shall be directed away from residential property and public streets.

All outdoor lighting shall be directed away from adjacent residential properties and public streets, as shown in the photometrics plan, Sheet C2.3B. Where lights are located near property lines, they will have shields on the back to prevent glare on neighboring properties. This standard is met.

The application meets the criteria for outdoor lighting at this time.

3.01 Streets

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.*

The Section demonstrates compliance with all applicable standards for the streets proposed with this development. This standard is met.

B. *Internal Streets. Internal streets shall meet all standards of WDO and the TSP.*

An internal street is proposed to run through the site, along the north and a portion of the west lot lines; the street will extend Arney Lane westward and curve southward at the northwest portion of the site to connect with the eastward extension of Steven Street. This proposed street extension has been designed to comply with all applicable standards, as shown in Sheets C2.1 and C2.1A of the site plans. The 50-foot right-of-way width was selected to meet WDO and TSP standards for local residential streets, with modifications to sidewalk and roadway lane widths as requested by City staff. This standard is met.

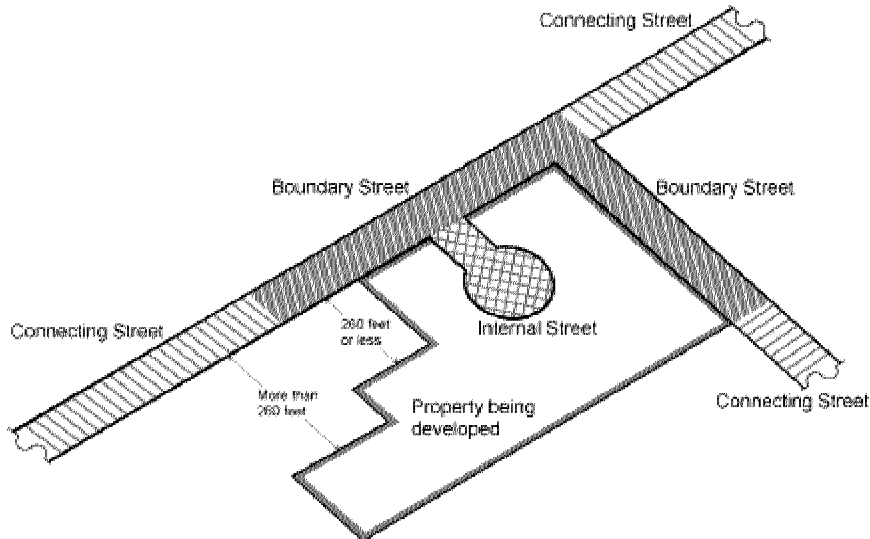
C. *Boundary Streets. The minimum improvements for a Boundary Street shall be:*

1. *One paved 11-foot travel lane in each direction;*
2. *On-street parking on the side of the street abutting the development, if on-street parking is indicated in the TSP;*
3. *Curb on the side of the street abutting the development;*
4. *Drainage facilities on the side of the street abutting the development;*
5. *Street trees on the side of the street abutting the development; and*
6. *A sidewalk on the side of the street abutting the development.*

Improvements are proposed to a portion of Woodland Avenue abutting the site, which is classified as a boundary street for that portion within 260 feet of the site. The development proposes to widen the east side of Woodland Avenue south of Steven Street to provide an 11-foot travel lane, on-street parking, and curbing (the west side of the road already has a travel lane at least 11 feet wide). There is an existing drainage ditch on the side of the road which will remain in place. However, given the constraints of the existing development along both sides of Woodland, no sidewalk, street trees, or new storm facilities are proposed along this portion of the road since the roadway has insufficient right-of-way. This standard is met.

D. *Connecting Streets*

1. *The minimum improvements for a Connecting Street shall be one paved 11-foot travel lane in each direction.*
2. *Connecting streets shall extend from the boundary street of a development, to the nearest intersection that meets the cross-section and improvement requirements of this Section, or 1,000 feet, whichever is less.*



1. The boundary streets proposed with this application will connect to existing connecting streets (Arney Lane and Woodland Avenue south of the point where it is defined as a Boundary Street). The improvements to Woodland Ave parallel to the west lot line will be no farther than 260 feet from the development, as shown on site plan C2.1 in Exhibit H. Both connecting streets have travel lanes in excess of 11 feet in each direction. Any connecting street will be completed to City standards. Additionally, condition No. 8 is being applied to ensure that street lighting standards will be met.

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.*

The TSP street standards have been incorporated into this section of the WDO. Functional classifications are established by City Council when it either adopts or amends the TSP. Figure 7-1 of the Woodburn TSP does not designate Arney Lane as an Access Street so therefore it defaults to the local street classification. Additionally, Chapter 7 of the TSP catalogs which streets fall into each functional classification, and Arney Lane is not designated as a Service Collector in that list, so per TSP page 7-3 "the remaining streets within the UGB are designated as local streets." During discussions at the pre-application conference, City staff advised that the applicable street requirement was a 50-foot right-of-way, which is consistent with Figures 3.01I and 3.01J of WDO 3.01.04. However, in response to staff's request for additional roadway width, the street cross-section has been updated to be similar to the Access Street section (but no parking, landscape strip, or sidewalk on the north side as that edge is the urban growth boundary). This lane configuration fits within a 50-foot right-of-way. The section of the narrative responds to applicable criteria for the street types proposed with this development.

B. *All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section.*

1. *For the cross-section illustrated in Figures 3.01G-J, the street shall have fewer than 1,000 average daily trips (ADT) per day when all future street connections are made.*

The cross-sections for the streets proposed with this application are illustrated in Figures 3.01I and 3.01J (local streets), while City staff has requested use of the cross-section in Figure 3.01E (access street). To accommodate staff's request, the proposed street extension of Arney Lane NE will be designed in accordance with Figure 3.01E (with parking on one side of the street) across the north and northwest lot lines, as shown in Exhibit H, Sheet C2.1. Arney Lane is proposed to have a sidewalk on the south side but not on the north side as the north edge of the proposed right-of-way will align with the urban growth boundary. Arney Lane NE will be designed with 12-foot lanes but no parking lane at the northeast portion of the site, as shown in Sheet C2.1A due to the width constraints imposed by the location of the wetland. As the TSP does not identify this street connection as an access street, collector, or arterial, staff has indicated that the proposed 50-foot right-of-way width typically associated with a local street is appropriate at this location. This standard is met.

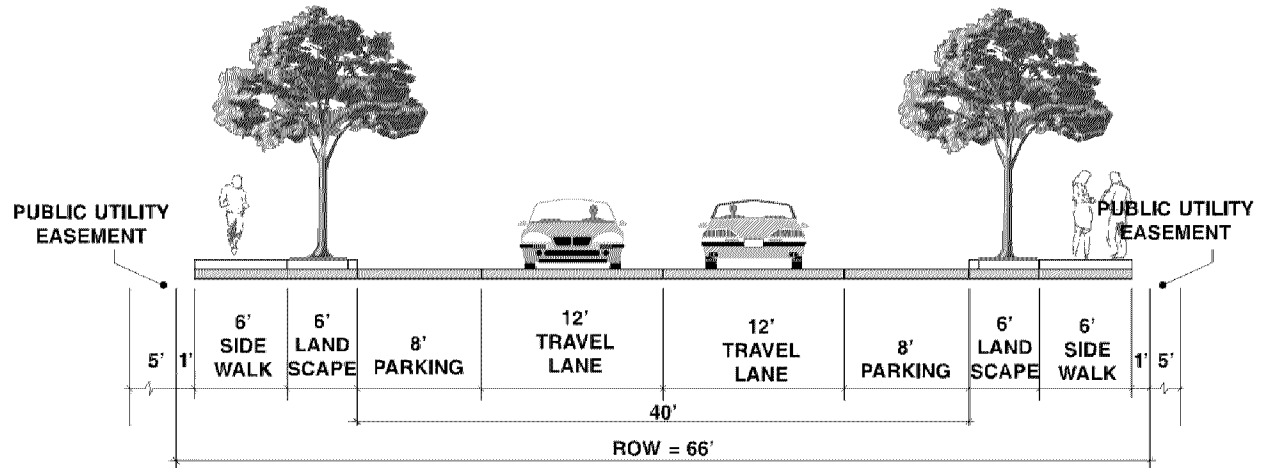


Figure 3.01E – Access Street / Commercial Street

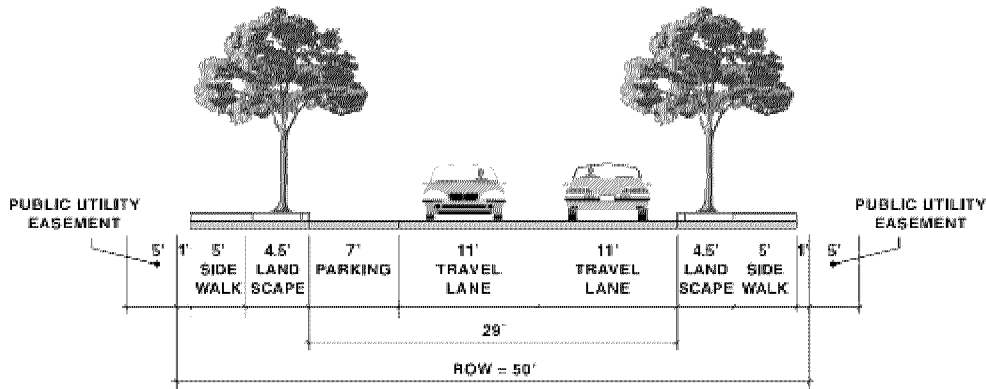


Figure 3.01I – Local Residential Street with Parking One Side

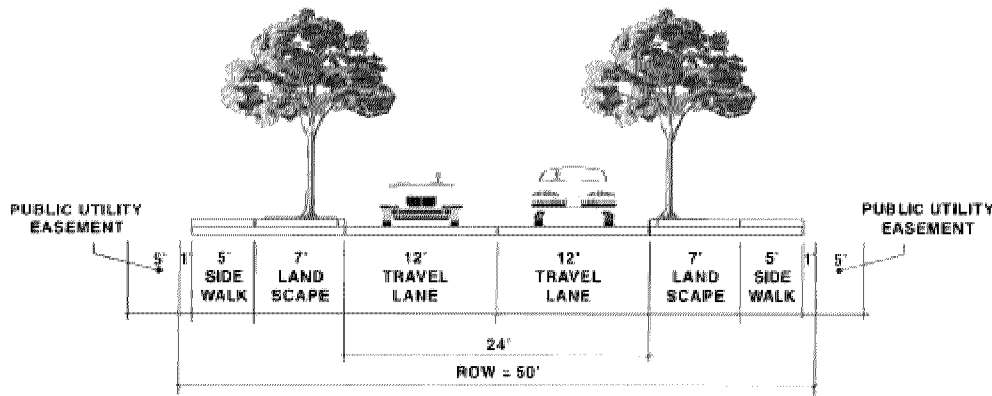


Figure 3.01J – Local Residential Street with No Parking

2. *The cross-section illustrated in Figure 3.01H, is optional in infill situations, or where adjacent streets are similarly constructed. Street trees shall be located in a street tree easement outside the public right-of-way.*

The proposed layout will include a landscape strip with street trees in between the proposed street and sidewalks along the proposed extension of Arney Lane NE and Steven Street (with the exception of the constriction at the creek crossing, where no landscape strip is proposed in order to avoid wetland alterations). The cross-section illustrated in Figure 3.01H is not proposed. This standard does not apply.

3. *Figures 3.01K-N illustrate one-way and two-way traffic concepts for downtown streets.*

The proposed development does not propose any new construction of, or changes to existing, downtown streets. Figures 3.01K-N do not apply.

C. *For local residential streets which are not identified in the Comprehensive Plan, rights-of-way and improvements are determined by the Director at the time of development, based upon the existing and future estimated average daily trips of the development and surrounding development.*

The proposed local residential streets are not identified in the Comprehensive Plan. The street will be dedicated as a public local road as directed by City staff. The 50-foot right-of-way width was selected to meet WDO and TSP standards (with improvements using the widths for Access Streets). The Transportation Impact Analysis included as Exhibit L and supplemental information included as Exhibit M and N contain information on existing and future estimated average daily trips for the development and surrounding area. This standard is met.

As part of the public hearing process, several neighborhood compatibility issues were raised with regard to the new Arney Lane extension next to the existing homes. In an effort to balance the vehicular, pedestrian, safety issues, the Council approved condition No. 11, which stipulates an alternative street cross section for the portion of Arney lane adjacent to the neighbors to the west.

D. *Streets designated as Arterials or Collectors in the TSP which are located within the Historic Settlemier Transportation Corridor do not require bicycle lanes or a center turn lane, unless the Director*

determines that a turn lane is warranted for safety reasons. The existing pavement should be used to the extent possible to preserve the historic corridor.

The site is not located in the Historic Settlemeier Transportation Corridor. This standard does not apply.

3.01.05 Street Layout

B. Block Standards

- 1. Block length shall not be less than 200 feet and not more than 600 feet, except where street location is precluded by any of the following;*
 - a. Natural topography, wetlands, significant habitat areas or bodies of water, or pre-existing development;*
 - b. Blocks adjacent to arterial streets, limited-access highways, collectors or railroads;*
 - c. Residential blocks in which internal public circulation provides equivalent access.*

Street location is precluded in this area by the wetland and creek that runs diagonally through the site, meeting criterion 3.01.05.B.1.a. In order to provide block lengths of less than 600 feet through the site, development would have to run through the Senecal Creek East Tributary and associated wetlands. Instead, the proposed development is laid out so that no development will occur in the delineated wetland boundaries, resulting in a block length in excess of 600 feet. This standard is met.

- 2. In any block that is longer than 600 feet, as measured from the right-of-way line of the street to the right-of-way line of the adjacent street, a bikeway/ pedestrian facility shall be required through and near the middle of the block.*
- 3. On any block longer than 1,200 feet, pathways may be required through the block at 600 foot intervals.*
- 4. In a proposed development, or where redevelopment potential exists and a street connection is not proposed, one or more bikeway and pedestrian facilities may be required to connect a cul-de-sac to public streets, to other pathways, or to the project boundary to allow for future connections.*

The proposed development will result in blocks longer than 1,200 feet. The Senecal Creek East Tributary and associated wetlands run diagonally through the entire length of the site. A pedestrian and bicycle path is not proposed between the residential site and the RV storage site, because that would require development through this environmentally sensitive resource and would compromise the security of the RV storage facility. Instead, there will be at least 345 feet of open space between the two developments, which will include floodplain, the Senecal Creek East Tributary and associated wetlands, a 50-foot buffer on each side of the wetlands, and a 35-foot creek maintenance easement. The closest proposed development will be a building located approximately 150 feet away from the edge of the channel (besides the required improvements to the existing road at the north end of the site). Pedestrians in the residential development will have direct access throughout the site via an internal sidewalk, leading to each building and from the Steven Street driveway to the eastern Arney Lane access point. The RV storage site will have pedestrian access to the surrounding area via Sprague Lane. The application requests a Conditional Use to Standard 2.07.03.C so that the RV storage area is open to the public and will operate independently from a residential area, therefore a connection between the two uses is not necessary. Bikeway/pedestrian facilities through the wetland and creek are not appropriate and have not been anticipated in the 2009 Woodburn Parks and Recreation Master Plan Update. This standard does not apply.

C. Street Access

Developments comprised of 25 or more dwelling units, including existing units, shall have at least two means of public street access from a cul-de-sac, dead-end street, or other street. Those two or more means of public access must be two non-overlapping public street routes to a major arterial identified in the TSP.

The proposed residential development will have three means of public street access. Two driveways will have direct access to Arney Lane NE to the north of the site, which connects to OR 219 via Arney Road, Robin Avenue, and Woodland Avenue. One driveway will connect to Steven Street at the west of the site, which connects to OR 219 via Woodland Avenue. According to the City of Woodburn TSP, OR 219 is the closest Major Arterial to the site. This standard is met.

During the public hearing process, the Planning Commission recommended that an access that did not access Woodland Ave. be used to access the site. Staff, and the applicant provided evidence against this recommendation and the Council found the evidence to be reasonable. A summary of the argument can be found in record in the letter from Garrett Stephenson, dated September 29, 2017.

3.01.06 Street Names

A. All public streets and private manufactured dwelling park streets shall be named, after providing the Woodburn Fire District with an opportunity to review and comment.

The streets proposed with this application will be extensions of existing streets, Arney Lane NE and Steven Street, and will be named according to the streets they connect to. No new street names are proposed. This standard does not apply.

B. Public and private manufactured dwelling park streets shall be named as follows:

1. The street name shall not duplicate an existing street name, unless there is reasonable assurance the named streets will be connected in the future.

2. New streets shall be designated with the same names as existing streets only if they fall in the same grid line and there are reasonable assurances that the street will connect with another section of the numbered street.

3. Street names shall not sound like another street name or cause confusion.

4. Street names that are deliberately misspelled, frivolous, or reflect the name of the developer or family members shall not be allowed.

The street proposed with this development will extend and connect two existing streets to each other: Arney Lane NW and Steven Street. The street extensions will be assigned the same names as the streets they are connecting to. No new street names are proposed. This standard does not apply.

C. Streets shall be further named with a suffix.

1. Except as indicated in the Woodburn Transportation System Plan, the following suffixes designations apply to new streets, as follows: ...

The street proposed with this development will extend and connect two existing streets to each other: Arney Lane NW and Steven Street. The street extensions will be assigned the same names as the streets they are connecting to. No new street names are proposed. This standard does not apply.

As part of the public hearing process, several neighborhood compatibility issues were raised with regard to the new Arney Lane extension next to the existing homes. In an effort to balance the vehicular, pedestrian, safety issues, the Council approved condition No. 11, which stipulates and alternative street cross section for the portion of Arney lane adjacent to the neighbors to the west.

The application meets the criteria of 3.01.

3.02 Utilities and Easements

3.02.01 Public Utility Easements

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

A Public Utility Easement will be provided with this development. As shown in the site plans, Sheet C2.1, dedication of a 5-foot wide public utility easement will be provided south or east of the sidewalk along the proposed extension of Arney Lane NE and Steven Street, along with a 16-foot public water main easement through the site. There is an existing public sewer easement in the Steven Street extension. There is also an existing public storm line in the Steven Street extension that does not appear to have a corresponding public easement. As part of property line adjustment PLA 2017-03 the applicant proposes to create a public storm drainage easement in the vicinity of the Steven Street extension. This standard is met.

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

As shown in the site plans, Sheet C2.1, a 5-foot wide public utility easement will be provided south or east of the sidewalk along the proposed extension of Arney Lane NE and Steven Street. This standard is met.

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.

A Public Utility Easement will be provided with this development. As shown in the site plans, Sheet C2.1, dedication of a 5-foot wide public utility easement will be provided south or east of the sidewalk along the proposed extension of Arney Lane NE and Steven Street, along with a 16-foot public water main easement through the site. This standard is met.

3.02.02 Creeks and Watercourse Maintenance Easements

A. Public improvement and maintenance easements shall be dedicated along all creeks and other water courses. On streams and waterways where development is regulated, based on Federal Emergency Management Administration (FEMA) flood hazard delineation, the minimum width shall be adequate to accommodate the 100-year floodway.

The Senecal East Tributary runs through the proposed development site. According to FEMA's Flood Insurance Rate Maps 41047C0117G and 41047C0119G, this site is outside the limits of FEMA's detailed flood study. This standard does not apply.

B. On other open channel water courses, such easements shall, at a minimum, extend from the top of one bank to the top of the other bank. These easements shall include an additional 20 feet in width at the top of the bank along the entire length, on one side of the open channel.

As shown in the site plans, Sheet C2.1, the proposed creek maintenance easement will encompass the entire width of the creek and wetland area to provide City staff with flexibility to maintain the channel. The creek easement will extend across the entire length of the creek through the property. The maintenance easement extends to Arney Lane to provide an access route from the public street to the maintenance area. This standard is met.

C. On all piped systems, the easement shall be a minimum of sixteen feet in width. Wider easements may be required by the Director, when needed to accommodate the installation of, or access to, larger and/or deeper pipes.

No new piped watercourse systems are proposed with this development. This standard does not apply.

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.

The proposed public street will be illuminated with street lights compliant with City and Electric Utility Standards, as shown in the Photometrics plan, Sheet 2.3B in Exhibit H. Additionally, a condition of approval has been included ensuring that the lighting requirements will be met on Woodland Ave. as well. This standard is met.

3.02.04 Underground Utilities

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

All proposed utility connections will be provided underground as required. This standard is met.

3.03 Setbacks and Open Space

3.03.01 Setbacks

A. Setbacks

1. No required setback provided for any building or structure shall be considered as providing a setback for any other building.

No required setback for any building is considered as providing a setback for another building. All setbacks are provided as required as shown in the site plans, C2.1 in Exhibit H. This standard is met.

2. *No required setback for any building or structure shall be considered as providing lot coverage for another building, except for a common area not required to be located within a lot, when owned by a homeowner's association in a Planned Unit Development (PUD).*

No required setback is proposed as providing lot coverage for another building. This standard is met.

B. *Setbacks shall be open and unobstructed by buildings or structures from the ground to the sky, except as may otherwise be permitted in this Section and in Accessory Structures (Section 2.06).*

The proposed setbacks for both the multi-family residential development and the RV storage area will be open landscaped areas, unobstructed by any structures, as can be seen on the site plans (Sheet C2.1 of Exhibit H). This standard is met.

C. *No portion of a lot necessary to meet the standards for lot area, width, frontage, setbacks, lot coverage, open space, or other requirement of this Ordinance shall have more than one owner, except through a zoning adjustment, or variance.*

The proposed Property Line Adjustments will result in one lot for the multi-family residential site and one lot for the RV storage site. Each lot will have one property owner and will individually meet all standards for the lot and its respective development. The narrative demonstrates how each lot meets all applicable development standards. This standard is met.

3.03.02 Special Setbacks

A. *Special Setbacks are necessary when the existing street right-of-way is less than the designated right-of-way in the Woodburn Transportation System Plan. Special Setbacks ensure that development will conform with setback and vision clearance requirements, after a full right-of-way has been acquired.*

This application includes a proposal to extend Arney Lane NE west across the northern property line, then curving south around the northwest corner of the property to connect with Steven Street. Both Steven Street and Arney Lane NE are local streets and the street extensions will meet the City of Woodburn TSP standard ROW width of 50 feet for a local residential with no street parking. The existing ROW width at Sprague Lane, which is also a local street, is 60 feet. Therefore, special setbacks are not required.

B. *Special setback distances shall be measured at right angles to the center line of street rights-of-way.*

The street extensions of proposed with this application will be constructed to the width set out in the City's Transportation System Plan. Therefore, a special setback is not required for the proposed multi-family development at the north end of the site. The existing right-of-way width for Sprague Lane is 60 feet. Therefore, no special setbacks are required for this development. This standard does not apply.

C. *Where dedicated rights-of-way are less than the Special Setback, the setback abutting a street shall be measured from the Special Setback. All regulations applicable to setbacks abutting streets and vision clearance areas shall apply to the area between the lot line and the Special Setback. Fences and walls are allowed up to the property line.*

The dedicated rights-of-way adjacent to the proposed development site are greater than or equal to the Special Setback for a local street with no street parking. No special setbacks are required for this site and this standard does not apply.

| Special Setback by Street Classification | |
|--|--|
| Table 3.1.1 | |
| Transportation System Plan Classification | Special Setback from Centerline |
| Major Arterial | 50 feet ¹ |
| Minor Arterial | 37 feet |
| Service Collector | 36 feet |
| Access Street/ Commercial Street | 33 feet |
| Local Street, 60' right-of-way | 30 feet |
| Local Street, 52' right-of-way | 26 feet |
| Local Street, 50' right-of-way | 25 feet |
| 1. See TSP for varying rights of way along Highway 99E | |

3.03.03 Projections into the Setback Abutting a Street

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may not project more than 24 inches into the setback abutting a street.

The closest proposed buildings in the multi-family residential development are 20 feet from the property line at their nearest point. No architectural elements are proposed within a setback abutting a street. No buildings are proposed in the RV storage area on the south lot. This standard does not apply.

B. Covered, unenclosed porches, extending not more than 10 feet beyond the front walls of the building, shall maintain at least a 10 foot setback from the property line or Special Setback.

The proposed porches for the multi-family residential development will extend 8 feet from the front walls of the building. There are no proposed buildings or porches closer than 20 feet from the property line. This standard is met.

C. A balcony, outside stairway or other unenclosed, unroofed projection may not project more than 10 feet into a front setback.

The closest proposed buildings in the multi-family residential development are 20 feet from the property line at their nearest point. No balcony, outside stairway or other unenclosed, unroofed projection are proposed within a 20-foot setback from the street property line. This standard is met.

D. Arbors, archways, pergolas and trellises shall be exempt from the setback abutting a street.

No arbors, archways, pergolas or trellises are proposed with this development. This standard does not apply.

E. Uncovered decks, not more than 18 inches above final grade, shall maintain at least a three foot setback from the property line or Special Setback.

The closest proposed buildings in the multi-family residential development are 20 feet from the front property line at their nearest point. No uncovered decks are proposed within a 3-foot setback from the property line. This standard is met.

F. Flag poles shall maintain at least a five foot setback from the property line or Special Setback.

There are no flag poles proposed within a 5-foot setback from the property line. Any flag poles proposed at a later date will comply with this standard. This standard is met.

3.03.04 Projections into the Side Setback

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may not project more than 18 inches into a side setback.

The closest proposed buildings in the multi-family residential development are farther than the 36-foot side setback standard. No architectural elements are proposed within a side setback. No buildings are proposed in the RV storage area on the south lot. This standard is met.

B. Fire escapes, when not prohibited by any other code or ordinance, may not project into a side setback farther than one-third of the width of the setback, or less than three feet.

There are no fire escapes proposed with this development. This standard does not apply.

C. Uncovered decks, not more than 18 inches above final grade, shall maintain at least a three foot setback from the property line or Special Setback.

The closest proposed buildings in the multi-family residential development comply with the required 36-foot side setback. No decks are proposed within a side setback. This standard is met.

3.03.05 Projections into the Rear Setback

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may project not more than 24 inches into the rear setback.

The closest proposed multi-family residential building will be setback approximately 60 feet from the property line. No architectural features are proposed within 24" of the rear setback. No buildings are proposed in the RV storage area on the south lot. This standard is met.

B. A balcony, outside stairway or other unenclosed, unroofed projection may not project more than 10 feet into a rear setback. In no case shall such a projection come closer than 6 feet from any lot line or Special Setback.

The closest proposed multi-family residential building will be setback approximately 60 feet from the property line. No balconies, outside stairways or other unenclosed, unroofed projections are proposed within 24" of the rear setback. No buildings are proposed in the RV storage area on the south lot. This standard is met.

C. Covered, unenclosed porches, extending not more than 10 feet beyond the rear walls of the building, shall maintain at least a 10 foot setback from the property line or Special Setback.

The closest proposed multi-family residential building will be setback approximately 60 feet from the property line. No porches are proposed within 10 feet of the rear setback. No buildings are proposed in the RV storage area on the south lot. This standard is met.

D. Uncovered decks not more than 18 inches above final grade shall maintain at least a three foot setback from the property line or Special Setback.

The closest proposed multi-family residential building will be setback approximately 60 feet from the property line. No decks are proposed within 10 feet of the rear setback. No buildings are proposed in the RV storage area on the south lot. This standard is met.

E. No permitted projection into a rear setback shall extend within ten feet of the centerline of an alley, or of a rear lot line if no alley exists, or within six feet of an accessory structure.

The site does not abut an alley. All proposed buildings on the multi-family parcel exceed the required 36-foot rear setback, and no projections are proposed within the setback. No buildings are proposed in the RV storage area on the south lot. This standard is met.

F. Accessory structures are not considered projections into a rear setback, but have separate setback requirements listed in this Ordinance (Section 2.06).

An accessory structure is proposed to house a maintenance building along the western lot line of the residential development. Section 2.06 of this narrative demonstrates how the proposed accessory structure meets all applicable criteria. This standard is met.

3.03.06 Vision Clearance Area

A. A vision clearance area (Figures 3.03A and B) is an area at the intersection of two streets, a street and a driveway, or a street and an alley, in which visual obstructions are limited for safety purposes.

B. The vision clearance area is formed by a combination of the following lines:

5. At the intersection of a public street and a driveway: a line extending ten feet from the intersection along the back of curb, a line extending ten feet along the side of the driveway, and a third line drawn across the corner of the lot that connects the ends of the lines.

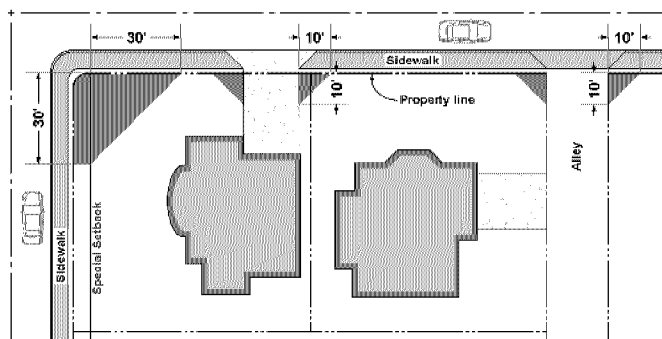


Figure 3.03A – Vision Clearance Area in All Zones Except DDC

This development proposes four new driveways to public streets (two from the residential development to Arney Lane NE, one from the residential development to Steven Street, and one from the RV storage

area to Sprague Lane). As shown on the site plans (Sheet C2.1 of Exhibit H), clear vision areas are provided as required at each of these driveways.

To ensure that vision clearance areas are met, Condition No. 13 has been included, which also stipulates that all required turning movements can be safely made.

This standard is met.

C. Vision clearance area shall contain no plants, fences, walls, structures, signs, parking spaces, loading spaces, temporary or permanent obstructions exceeding 42 inches in height (measured from the top of the curb or, where no curb exists, from the street centerline), except:

- 1. Trees, provided branches and foliage are removed to a height of 7 feet above grade;*
- 2. Utility poles;*
- 3. Utility boxes less than ten inches at the widest dimension; and*
- 4. Traffic control signs and devices.*

This development proposes four clear vision areas where new driveways will be provided to public streets (two from the residential development to Arney Lane NE, one from the residential development to Steven Street, and one from the RV storage area to Sprague Lane). As shown on the site plans (Sheet C2.1 of Exhibit H), no obstructions over 42" in height will be placed in the clear vision areas. This standard is met.

D. The Director shall have the authority to modify the standards for vision clearance areas upon finding that the modification is appropriate, due to one-way traffic patterns.

There are no one-way streets adjacent to the site. This standard does not apply.

3.04 Vehicular Access

3.04.03 Driveway Guidelines and Standards

A. Number of Driveways

- 1. For residential uses, the maximum number of driveways per lot frontage shall be one. For purposes of controlling driveway access, every 100 feet of frontage is considered a separate lot frontage.*
- 2. A minimum of two driveways shall be provided in developments with:*
 - a. 30 dwelling units in single-family or duplex dwellings; or*
 - b. 100 dwelling units in multiple-family dwellings (200 if all dwelling units are equipped with automatic fire sprinklers); or*
 - c. 100 living units in group care facilities or nursing homes (200 if all living units are equipped with automatic fire sprinklers).*

The proposed multi-family development will have 300 units and over 1,000 feet of street frontage, therefore a minimum of two driveways is required. As shown in the Exhibit H Sheet C2.1, three driveways are proposed. This standard is met.

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.*

There is one driveway proposed for the RV storage, which is the minimum necessary for the site. This standard is met.

4. *Unused driveways shall be closed.*

There are currently no unused driveways on site. This standard does not apply.

B. *Joint Access*

1. *Lots that access a Major Arterial, Minor Arterial, or Service Collector should be accessed via a shared driveway.*

2. *A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, or Service Collector have access to a local street. Access to lots with multiple street frontages should be from the street with the lowest functional classification.*

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.*

Both proposed developments will only have direct access to local streets; neither development directly abuts a Major Arterial, Minor Arterial, or Service Collector. A wetland divides the two proposed developments so a shared driveway is not feasible between the two sites. No shared driveway is requested or required. This standard does not apply.

C. *Interconnected Parking Facilities*

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

2. *Similar or compatible uses on abutting lots shall have interconnected access and parking facilities.*

The proposed Property Line Adjustments will result in one lot for the multi-family residential development and one lot for the RV storage area, and there will not be more than one use on either lot. The uses within each lot will be interconnected with an internal circulation system. However, a Riparian Corridor and Wetlands Overlay District runs through the development site between the two proposed uses, so creating interconnected access of parking facilities through this area is not feasible as it would require development through wetlands. This standard is met.

| Access Requirements | | | | |
|--|---|--|---|--|
| Table 3.04A | | | | |
| | | 1 to 4 Dwellings, Living Units or Individual Lots ⁶ | 5 or More Dwelling or Living Units, School, or House of Worship | Commercial or Industrial Use |
| Flag Lot Access Width (feet) (See Figure 3.04A) | | 20 minimum | 24 minimum | 30 minimum |
| Paved Width of Driveway (feet) ^{3,4} | 1-way | n/a | 12 minimum 20 maximum | 12 minimum 20 maximum |
| | 2-way | 20 minimum 30 maximum | 24 minimum 30 maximum (Add 8' if a turn lane is provided) | 24 minimum 36 maximum (Add 8' if a turn lane is provided) |
| | Manufactured Dwelling Park | 10 minimum | n/a | n/a |
| Curb Flare Radius (feet) | | 15 minimum | 25 minimum | 30 minimum |
| Throat Length (feet) ⁵ | Major Arterial, Minor Arterial, Service Collector | n/a | 50 minimum | 50 minimum |
| | Access or Local Street | n/a | 20 minimum | 20 minimum |
| Corner Clearance Guidelines ¹ (See Figure 3.04B) | Access or Local Street | 30 minimum | 30 minimum | 30 minimum |
| | Service Collector | 50 minimum | 50 minimum | 50 minimum |
| | Minor Arterial | 245 minimum | 245 minimum | 245 minimum |
| | Major Arterial | 300 minimum | 300 minimum | 300 minimum |
| Driveway Separation Guidelines (feet) ^{1,2} (See Figure 3.04B) | Driveway on the same parcel | 22 minimum | 50 minimum | 50 minimum |
| | Access or Local Street | none | none | none |
| | Service Collector | 50 minimum | 50 minimum | 50 minimum |
| | Minor Arterial | 245 minimum | 245 minimum | 245 minimum |
| | Major arterial | 300 minimum | 300 minimum | 300 minimum |

| Access Requirements Table 3.04A | | | | |
|--|---|---|---|--|
| | | 1 to 4 Dwellings, Living Units or Individual Lots ⁶ | 5 or More Dwelling or Living Units, School, or House of Worship | Commercial or Industrial Use |
| Turnarounds (See Figure 3.04C) | Access to a Major or Minor Arterial | Required | Required | Required |
| | Access to any other street | Required if the driveway length to the lot located furthest from the street exceeds 150 feet | Requirements per the Woodburn Fire District | Requirements per the Woodburn Fire District |

1. The separation should be maximized.
2. Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.
3. Driveways over 40 feet long and serving one dwelling unit may have a paved surface 12 feet wide.
4. Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).
5. Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B).
6. Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.01D).



2.

Figure 3.04A – Flag Lot Access Width

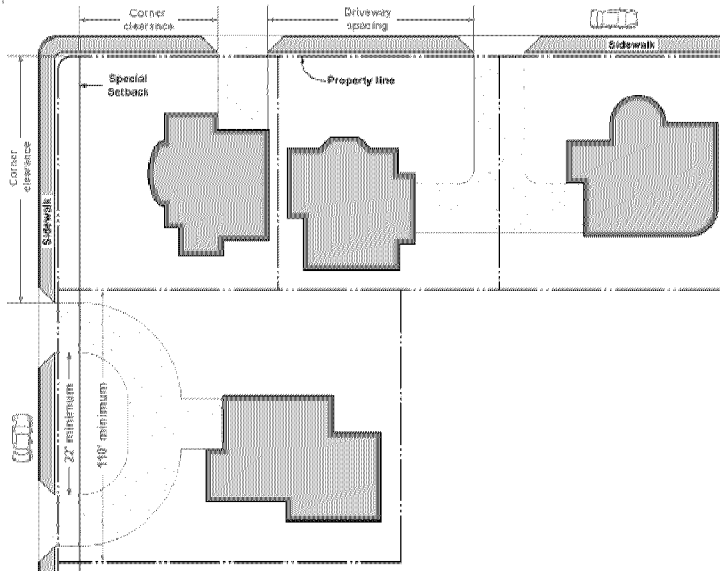


Figure 3.04B – Corner Clearance and Driveway Spacing

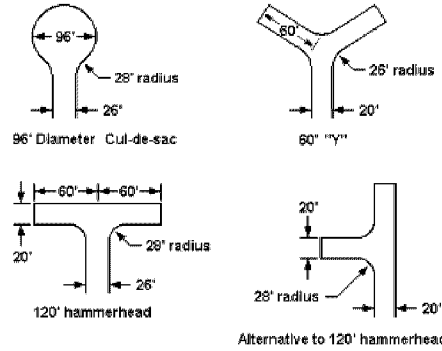


Figure 3.04C – Acceptable Turnarounds (from Oregon Fire Code Figure D103.1)

3.

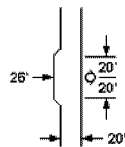


Figure 3.04D – Minimum Fire Hydrant Clearance (from Oregon Fire Code Figure D103.1)

4.

The application meets the criteria of this Section.

3.04.04 Improvement Standards

The portion of a driveway on private property shall be paved with:

- A. Portland cement concrete to a minimum depth of six inches, or
- B. Asphalt concrete to a minimum depth of two inches, or
- C. Brick or pavers with a minimum depth of two and one-fourth inches.

The portion of the proposed driveways into the multi-family residential area and the RV storage areas will be paved with asphalt concrete with a depth of at least 2 inches. This standard is met.

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.

This proposed development is expected to generate approximately is estimated to generate an average of 154 AM peak hour trips, 186 PM peak hour trips, and 1,974 daily trips, therefore a Transportation Impact Analysis is required. A Transportation Impact Analysis is included with this application as Exhibit L, with supplemental materials included as Exhibit M and N. This standard is met.

B. A TIA shall evaluate the traffic impacts projected of a development proposal and the estimated effectiveness of potential traffic impact mitigation measures.

The Transportation Impact Analysis included as Exhibit L evaluates the traffic impacts of the proposed development and the estimated effectiveness of potential traffic impact mitigation measures. The transportation study indicates that all study area intersections are anticipated to operate within City and ODOT mobility standards during the AM and PM peak hours with the proposed development except for the intersection of Woodland Avenue and Robin Avenue. However, as traffic simulations of the Woodland Avenue/Robin Avenue intersection indicate that delays are likely to be much lower than estimated using the Highway Capacity Manual methodology, no mitigation will be required at the location or elsewhere in the study area. Additional discussion in Exhibit L indicate that further analysis produces results corresponding to Level of Service B at this intersection and demonstrate that standards are met if left turns on the east leg are distributed with 60% from the left lane and 40% from the right lane. Mackenzie transportation engineers recommend that signage along Robin Avenue clearly indicate that left-turns can be made from both lanes and that both lanes provide access to I-5.

As part of the public hearing process, and in response to concerns raised by neighbors, the applicant offered, and the council accepted several important conditions of approval that must be met in order to meet the requirements of this section. These include the alternative cross-section for Arney lane, the enhancements at Woodland Ave. and Robin Way and a financial contribution from the applicant to be used to address adverse traffic issues in the area.

With the imposition of these conditions, this standard is met.

C. The methodology for a TIA shall be consistent with City standards.

The methodology for the Transportation Impact Analysis is consistent with City, County, and ODOT standards, as demonstrated in Exhibit L.

Additional evidence was placed into the record as part of the public testimony component of the hearing. The applicant provided additional evidence into the record as both oral testimony and written form (see especially August 8, 2017 and September 29, 2017 letter from Mackenzie) which provide additional evidence regarding compliance. Additionally, the applicant offered and Council accepted additional mitigation measured designed to address safety and operational functionality of the most impacted roadways. These are included in conditions of approval No. 10, 17 and 18.

The application meets the criteria of this section.

3.05 Off-Street Parking and Loading

3.05.02 General Provisions

A. *All required parking and loading spaces shall be retained and maintained in accordance with the standards of the WDO.*

The applicant agrees to retain and maintain parking spaces as required by the WDO. No loading areas are required or proposed. This standard is met.

B. *The land for off-street parking and loading areas shall either be:*

1. *Owned in fee title by the owner of the structure or site being served by the parking area, or*
2. *Subject to legal documentation to the satisfaction of the Director, establishing permanent use of off-street parking that is under separate ownership. The parking, subject to such a parking agreement, shall be in compliance with all requirements and development standards of the WDO. The agreement shall be recorded with the County Recorder and filed with the Director.*

Off-street parking will be provided on the same lot as its intended use, and will be owned by the property owner of the proposed use. No loading areas are required or proposed. Standard B.1 of this paragraph is met.

C. *When calculations for determining the number of required off-street parking spaces results in a fractional space, any fraction of a space less than one-half shall be disregarded, and a fraction of one-half or greater shall be counted as one full space.*

This method of calculation was used in determining required parking numbers for the development. This standard is met.

D. *Location*

1. *Off-street parking and loading spaces shall be provided on the same lot as the primary building or use except that:*
 - a. *In RS, R1S or RM zones, parking spaces for non-residential uses permitted in the zone may be located on another site, if such site is within 250 feet of the lot containing the primary building, structure or use.*

All off-street parking will be provided on the same site as its associated use. This standard does not apply.

2. *Off-street parking shall be located either in the same zone, in a more intensive zone or in a zone where parking is allowed as a permitted use, or subject to approval as a conditional use.*

All off-street parking will be provided on the same lot as its associated use. No parking is proposed in a zone other than RM. This standard is met.

3. *In residential districts, off-street parking and storage shall be prohibited within a yard abutting a street, except within a driveway leading to a garage or carport.*

The applicant is requesting a variance to allow parking within the yard abutting Arney Lane, with screening provided via landscaping. This parking location is consistent with subsection E.2, below. With the approval of the variance, this standard is met.

Staff concurs with the variance and agrees that with the variance, the application meets this criteria.

E. Setback

2. Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, unless there is a shared use agreement to the satisfaction of the Director, verifying shared use between the separate properties.

As shown in the site plans, Sheet C2.1, where parking for the multi-family residential development abuts the street there is a 5-foot landscaped setback. For the RV storage area, there is a 10-foot landscaped setback for parking abutting the property line. This standard is met.

F. All vehicle parking and loading areas shall be paved to the standards of this ordinance (Section 3.04.04), except that in the IP, IL, SWIR, and P/SP zones, storage areas used for equipment that may damage pavement may be stored on a gravel-surface storage area. A gravel storage area shall be constructed to a minimum of surfacing of: six inches of one inch minus to three inch minus gravel. If three inch minus is used, the top two inches shall be one inch minus. The property owner shall maintain a gravel storage area to ensure continued drainage and dust control. A paved access apron to any paved access road is required, regardless of the storage area surface.

The proposed development site is not located in a IP, IL, SWIR, or P/SP zone. All vehicle parking areas will be paved per requirements, as is demonstrated in Section 3.04.04 of this narrative.

With condition of approval No. 9, requiring the RV Storage area to be paved, per the standards of the WDO. the application meets the criteria of this section.

G. All vehicle parking, loading, and storage areas shall be graded and provide storm drainage facilities approved by the Director.

All vehicle parking, loading, and storage areas will be graded and will include storm drainage facilities, as shown in the grading plans included with this application (Exhibit H Sheets C2.2 & C2.2A) and discussed in Exhibit L. This standard is met.

H. All parking spaces, except those for single-family and duplex dwellings, shall be constructed with bumper guards or wheel barriers that prevent vehicles from damaging structures, projecting over walkways so as to leave less than four feet of unobstructed passage, or projecting over access ways, abutting properties or rights-of-way.

As shown in the site plans, Exhibit H Sheet C2.1, wherever vehicle parking abuts a walkway, a wheel barrier is provided, leaving 6 feet of unobstructed passage. This standard is met.

I. Maneuvering areas shall be designed in compliance with this Section (Table 3.05C). Off-street parking areas shall be designed so that no backing or maneuvering within a public right-of-way is required. These provisions do not apply to single-family dwellings or duplexes.

Table 3.05C below demonstrates how both proposed developments will meet the dimensional requirements for maneuvering areas. Both proposed developments will have ample maneuvering room so that no backing or maneuvering within a right-of-way is required. The multi-family development will have drive aisle widths of at least 24 feet and interconnected drive-aisles around each building, or pair of buildings, to facilitate backing and circulation. The RV storage area will have backing space of at least 32'; Sheet C2.1 of the site plans shows the backing areas for safe maneuvering of recreational vehicles. This standard is met.

J. All uses required to provide 20 or more off-street parking spaces shall have directional markings or signs to control vehicle movement.

The multi-family residential development is required to have more than 20 parking spaces. The parking areas will have directional markings to control vehicle movement, as shown in the site plans (Exhibit H, sheet C2.1). This standard is met.

K. Except for single-family and duplex dwellings, off-street parking spaces shall be delineated by double parallel lines on each side of a space. The total width of the lines shall delineate a separation of two feet. The lines shall be four inches wide (See Figure 3.05C).

Compliance with this standard is demonstrated via a note Sheet C2.1 and detail on Sheet C2.1A. Off-street parking spaces will be delineated by double parallel lines as required. This standard is met.

L. For nonresidential uses:

1. Parking and loading areas should be illuminated at an average of 0.2 horizontal foot-candle at ground level (or 0.5 horizontal foot-candle if the applicant states that personal security or vandalism is a likely or severe problem), with a maximum uniformity ratio of 20:1 (maximum to minimum).

The Photometrics plan included as Sheet C2.3B in Exhibit H demonstrates compliance with these standards. The RV Storage site will have an average of 0.3-foot candle and a uniformity ratio of 6. This standard is met.

2. Entrance areas to the building should be illuminated at an average of 0.5 horizontal foot-candle at ground level (or 1.0 horizontal foot-candle if the applicant states that personal security or vandalism is a likely or severe problem), with a maximum uniformity ratio of 15:1 (maximum to minimum).

There are no buildings proposed at the RV storage site and the other site is a residential use. This standard does not apply.

3. Illumination shall not shine or reflect onto residentially zoned property or a public street.

All proposed lighting will be shielded so as to not shine or reflect on to neighboring properties or the street. This standard is met.

M. Required parking spaces shall be available for parking of operable vehicles of residents, customers, patrons and employees and shall not be used for the storage of vehicles or materials or for the parking of fleet vehicles, except for those fleet vehicles:

1. *Driven by an employee to the site each work day from home, or*
2. *Stored during periods other than normal business hours.*

The proposed uses are Multi-Family Residential and Self-Storage for recreational vehicles. No parking spaces will be used for fleet vehicles on either site. The RV storage lot will have 6 designated vehicle parking spaces and 127 spaces dedicated for RV storage. The residential development will have 690 vehicle parking spaces total, which exceeds meets the minimum required amount; no spaces are proposed to be used for storage of vehicles or materials. This standard is met.

With the proposed conditions of the approval are included, the application meets the criteria of 3.05.02

3.05.03 Off-Street Parking

A. Number of Required Off-Street Parking Spaces

1. *Off-street vehicle parking spaces shall be provided in amounts not less than those set forth in this Section (Table 3.05A).*
2. *Off-street vehicle parking spaces shall not exceed two times the amount required in this Section (Table 3.05A).*

| TABLE 3.05A Off-street Parking Ratio Standards (Excerpts) | | | |
|--|--------------------------------|---|---------------------------------|
| Use | Required | Proposed Residential Development | Proposed RV Storage Site |
| Dwellings | 2/ dwelling unit | 634 (2.1 / unit) | N/A |
| Self-Storage | 1/6 units, maximum of 6 spaces | N/A | 6 |

The proposed multi-family residential development will have 300 units, therefore according to Table 3.05A, 600 parking spaces are required. As shown in the site plans, 600 spaces are proposed for this development. However, as part of the public hearing process, concerns about a lack of parking spaces was raised and the applicant agreed to add at least 90 more parking spaces to the multi-family site (see condition of approval No. 16).

The RV storage area is classified as self-storage per City staff, and is therefore required to have 6 parking spaces (1 per 6 storage units, with a maximum of 6 spaces). As shown in the site plans, 6 spaces are provided in three areas with the RV Storage development. This standard is met.

- B. Accessible parking shall be provided in amounts not less than those set forth in Table 3.05B. The number of accessible spaces shall be included as part of total required vehicle parking spaces.*

| Accessible Parking Ratio Standards Table 3.05B | | | |
|---|--|-------------------------------|---|
| Total Spaces ^{2,3} | Minimum Total Accessible Spaces ¹ | Minimum Van Accessible Spaces | Minimum "Wheelchair User Only" Spaces |
| 1 to 25 | 1 | 1 | |
| 26 to 50 | 2 | 1 | |
| 51 to 75 | 3 | 1 | |
| 76 to 100 | 4 | 1 | |
| 101 to 150 | 5 | | 1 |
| 151 to 200 | 6 | | 1 |
| 201 to 300 | 7 | | 1 |
| 301 to 400 | 8 | | 1 |
| 401 to 500 | 9 | | 2 |
| 501 to 1000 | 2% of total | | 1 in every 8 accessible spaces or portion thereof |
| 1001 or more | 20 plus 1 for each 100 spaces over 1000 | | |

- "Van Accessible Spaces" and "Wheelchair User Only" are included in "Total Accessible Spaces."
- Facilities providing outpatient services require ten percent of the total number of parking spaces to be accessible spaces.
- Facilities that specialize in treatment or services for persons with mobility impairments require 20 percent of the total number of parking spaces to be accessible spaces.

The proposed multi-family residential development proposes 690 parking spaces, and is therefore required to have 12 accessible spaces including 2 wheelchair-user-only spaces. As shown on the site plans, 13 accessible spaces including 2 wheelchair-user-only spaces are provided. The RV storage area is required to have 1 ADA space, which will be provided on site near the driveway. This standard is met.

C. A maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces.

The final plan will not include more than 20% of the required spaces as compact. This standard is met.

D. Off-street vehicle parking spaces and drive aisles shall not be smaller than specified in this Section (Table 3.05C).

| TABLE 3.05C Parking Space and Drive Aisle Dimensions (excerpts) | | | | |
|---|-------------------|----------|----------------------------|---------------------------|
| Type of Space | Standard | Required | Proposed - Residential Lot | Proposed - RV Storage Lot |
| 0° (Parallel) Standard | Stall Width | 9' | 9' | N/A |
| | Curb Length | 22.5' | 22.5' | N/A |
| | Stripe Length | 8' | 9' | N/A |
| | Stall to Curb | 8' | 9' | N/A |
| | Drive Aisle Width | 24' | 24' | N/A |
| 90 degrees Standard or Accessible | Stall Width | 9' | 9' | 9' |
| | Curb Length | 9' | 9' | 9' |
| | Stripe Length | 19' | 19' | 19' |
| | Stall to Curb | 19' | 19' | |

| | | | | |
|----------------------|-------------------|-----|-----------|--------|
| | Drive Aisle Width | 24' | 24-29.15' | 32-36' |
| Car Accessible Aisle | Stall Width | 6' | 8' | N/A |
| | Curb Length | 6' | 8' | N/A |
| | Stripe Length | 19' | 19' | N/A |
| | Stall to Curb | 19' | 19' | N/A |
| | Drive Aisle Width | 24' | 24' | N/A |
| Van Accessible Aisle | Stall Width | 8' | 8' | 8' |
| | Curb Length | 8' | 8' | 8' |
| | Stripe Length | 19' | 19' | 19' |
| | Stall to Curb | 19' | 19' | 19' |
| | Drive Aisle Width | 24' | 24' | 32-36' |

1. A parking space may occupy up to two feet of landscaped area or walkway. At least four 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 or rights-of-way.
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 differs across a drive aisle, the greater drive aisle width shall be provided.

The final parking plans will be modified to meet condition No. 16 – however, all spaces will meet the minimum standards of this section. The drive aisles in the residential development will range from 24 to 29.15 feet in width. The vehicle parking spaces in the RV storage area will be 9 feet wide and 19 feet long, with a drive aisle width of 32-36 feet. This standard is met.

E. All uses that are required to provide 10 or more off-street parking spaces and residential structures with four or more dwelling or living units shall provide a bicycle rack within 50 feet of the main building entrance. The number of required rack spaces shall be one space per ten vehicle parking spaces, with a maximum of 20 rack spaces.

As shown in the site plans (Sheet C2.1 in Exhibit H), 20 bicycle racks throughout the residential development, with 80 spaces total and at least one rack per building. The residential development layout includes 13 separate buildings, so there is not one main entrance, but the majority of the bicycle parking spaces will be within 50 feet of a building entrance. This standard is met.

F. Garages

1. *For single-family and duplex dwellings,*
 - a. *The parking spaces required by this section (Table 3.105A) shall be in a garage or garages.*
 - b. *There shall also be an improved parking pad, abutting the garage doorway, for each opposing parking space within the garage. Each parking pad shall have the minimum dimensions of 10 feet wide by 20 feet long.*

No single-family or duplex dwellings are proposed with this application. This standard does not apply.

2. For multi-family dwellings, one-half of the parking spaces required by this Section (Table 3.05A) shall be in a garage or garages.

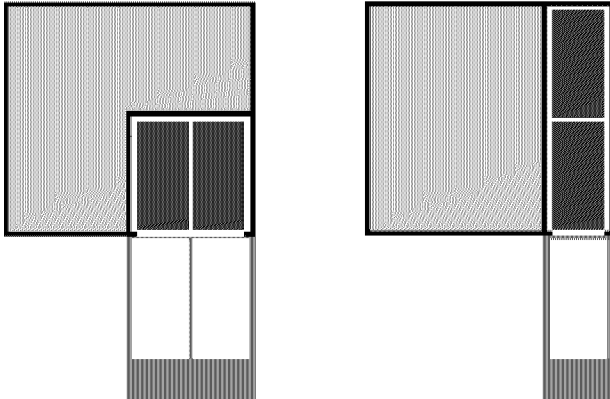


Figure 3.05A – Parking Spaces in Garage (Blue) and Improved Parking Pad (Yellow)

For the 300 multi-family residential units proposed, 600 parking spaces are required and half of those are required to be located in garages. As shown in the site plans (Sheet C2.1 in Exhibit H), 300 spaces will be provided in carports underneath each apartment. As opposed to fully enclosed garages, the proposed carports will give drivers a better line of sight when backing out into the drive aisles, which will increase pedestrian safety on the sidewalks provided along the building elevations.

The language in this Section of the WDO seems to indicate that fully enclosed garages are required for even a large multi-family apartment complex that has a parking lot open to the public, such as this one. There is a distinction in the WDO between carports and garages in some areas, but it is not consistent throughout the Code. It's important to note that when garages are required for single-family and duplex developments under the WDO, there is also an accompanying requirement to provide a "parking pad" outside the garage, a minimum of 20 feet in depth (see the yellow area in the graphic above). This additional area is required to be on private property so that the driver of a car is not backing directly into traffic from their garage. In the case of parking lots – which are typical for commercial centers and multi-family parking areas - the opportunity for this critical "parking pad" is impossible.

Staff has made an interpretation that the requirement for a garage in the case of multi-family dwelling units in a parking lot is satisfied with carports. This is a reasonable and practical interpretation for a variety of aesthetic and most importantly, safety factors. Having individuals opening garage doors and having cars backing into drive aisles from an enclosed garage would be dangerous and Staff would not approve it. Staff finds that the application meets the criteria.

G. Additional design standards apply in the DDC zone (Section 3.07.07.C.12), MUV zone (Section 3.07.08.K), and NNC zone (Section 3.07.09.B).

The proposed development site is not located in the DDC, MUV, or NNC zones. These additional design standards do not apply.

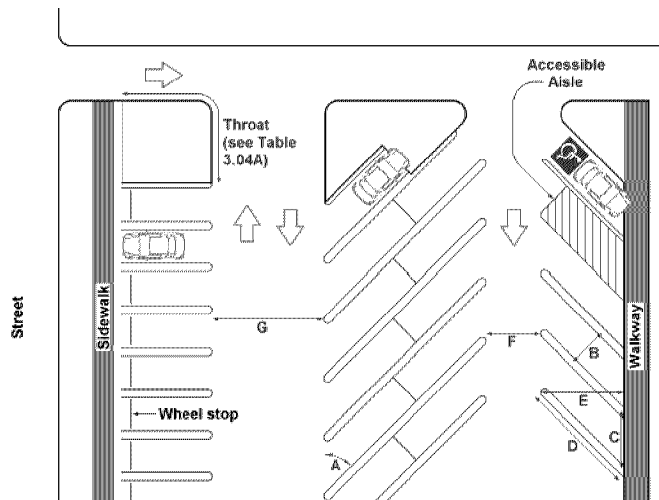


Figure 3.05B - Parking Space and Aisle Dimensions

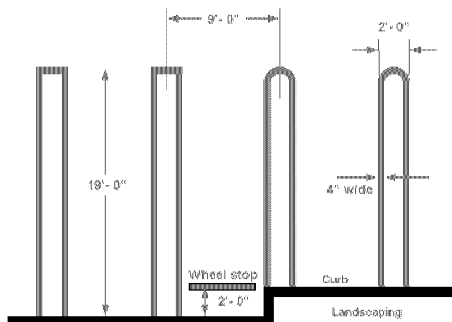


Figure 3.05C - Parking Space Striping

3.05.04 Off-Street Loading

- A. Off-street loading spaces shall comply with the dimensional standards and amounts not less than those set forth in this Section (Table 3.05D).
- B. The off-street loading facilities shall be on the same lot, or site, as the use or structure they are intended to serve. Required loading spaces and required parking spaces shall be separate and distinct, except that if authorized through a land use decision, a parking area may be used for loading during those times when the vehicle parking area is not in use.

| Loading Space Requirements Table 3.05D | | | | |
|--|--|------------------------------|--------|--------|
| Use and Area (square feet) | Minimum Number of Spaces | Minimum Size of Space (feet) | | |
| | | Width | Length | Height |
| Office 0 – 4,999 5,000 – 41,999 42,000 or more | 0 1 2 | 12 | 30 | 14 |
| Nonresidential uses, except office, in the CO, CG, and NNC zones 0 – 9,999 10,000 – 41,999 42,000 – 81,999 82,000 or more | 1 2 3 4 | 12 | 30 | 14 |
| All uses in the IP, IL, and SWIR zones 0-11,999 square feet 12,000 – 35,999 36,000 – 59,999 60,000 – 99,999 100,000 or more | 1 2 3 4 1 additional for each 50,000 square feet or fraction thereof | 12 | 60 | 14 |

The proposed uses are Multi-Family Residential and Self-Storage (for recreational vehicles). The zoning for the annexed area will be Medium Density Residential (as the site is designated on the Woodburn Comprehensive Plan). Therefore, according to Table 3.05D, no loading spaces are required for either site. These standards do not apply.

C. Additional design standards apply in the industrial zones (Section 3.07.10.B.2).

The proposed development site is not in an industrial zone. This standard does not apply.

3.05.05 Shared Parking

A. Shared parking shall be allowed through a Zoning Adjustment, Design Review, Conditional Use, or Planned Unit Development....

As is demonstrated in Section 3.05.03.A of this narrative and the attached site plans, Sheet C2.1, both the residential development and the RV Storage area meet minimum parking requirements. This proposal does not require a shared parking agreement to meet parking requirements. Section 3.05.05 does not apply.

With the interpretation made related to carports above, the application meets the off-street parking standards.

3.06 Landscaping

3.06.01 Applicability

The provisions of this Section shall apply:

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

B. Single-family and duplex dwellings need comply only with the street tree and significant tree provisions of this Section.

The proposed development includes an RV storage area on one lot and a multi-family residential development on a separate lot. The provisions of this Section apply to the RV storage area per subsection 3.06.01.A. It is assumed that these provisions also apply to the multi-family residential site. All applicable criteria are addressed for both developments.

3.06.02 General Requirements

A. Building plans for all uses subject to landscaping requirements shall be accompanied by landscaping and irrigation plans.

Landscaping and irrigation plans are included with this application as Sheets L2.0-L2.7 of Exhibit H. This standard is met.

B. All required landscaped areas shall be irrigated unless it is documented that the proposed landscaping does not require irrigation.

As specified in the notes on Sheet L2.0 in the landscaping plans, all new planting areas will be irrigated by an automatic irrigation system. Irrigation zones will be valved according to plant types, exposure, and microclimatic conditions. This standard is met.

C. All shrubs and ground cover shall be of a size upon installation so as to attain 80% of ground coverage within 3 years.

As specified in the notes on Sheet L2.0, all shrubs and ground cover will be installed at a size such that 80% ground coverage will be achieved within 3 years. This standard is met.

D. Installation of plant materials and irrigation specified in an approved landscaping plan shall occur at the time of development and shall be a condition of final occupancy. Should site conditions make installation impractical, an acceptable performance guarantee may be approved, subject the requirements of this Ordinance (Section 4.02.08).

As specified in the notes on Sheet L2.0, installation of plant materials and irrigation will occur at the time of development as required. This standard is met.

E. The property owner shall be responsible for maintaining all landscaping, fences, and walls in good condition, so as to present a healthy and orderly appearance. Unhealthy and dead plants shall be removed and replaced, in conformance with the original landscape plan.

The property owner(s) agree to maintain all landscaping, fences, and walls in good condition as required. This standard is met.

F. The required number of plant units shall be met by a combination of plant materials listed in this Ordinance (Table 3.06B).

The landscape plan Sheet L2.0, included in Exhibit H, demonstrates the Plant Unit Value and Minimum Size for each proposed planting, in accordance with Table 3.06B. The proposed plantings include a mix of large, medium, and small trees and shrubs, lawn and living ground cover. This standard is met.

G. Required plant units need not be allocated uniformly throughout specified landscaping areas, but may be grouped for visual effect.

The proposed landscaping plan shows the distribution of planting materials, which will be distributed evenly in some areas and grouped in some areas for visual effect. This standard is met.

H. Landscaped areas that are not covered by plant materials shall be covered by a layer of bark mulch or decorative rock, a minimum of two inches in depth.

As specified in the notes on Sheet L2.0, all landscaped areas not covered by plant materials will be covered by a layer of bark mulch 2" to 3" in depth. This standard is met.

I. A six inch high concrete curb shall be provided between landscaped areas and parking and circulation areas.

Where landscape areas abut parking areas, a 6" high concrete curb will be provided to protect the landscaping (see Sheet C2.1). This standard is met.

J. Plant materials shall be appropriate to the climate and environment of Woodburn. Inclusion of plants identified in "Suggested Plant Lists for Required Landscaping", published by the Portland Bureau of Development Services, can be used to meet this standard. A landscape architect, certified arborist or nursery person may also attest to plant appropriateness.

Proposed plant materials were selected by Mackenzie landscape architects from the Portland Bureau of Development Services' "Suggested Plant Lists for Required Landscaping." The complete list of plant species is shown on Sheet L2.0 of Exhibit H. This standard is met.

K. Prohibited trees identified by this ordinance (Table 3.06C) do not count towards required landscaping.

No prohibited trees are proposed on site. Landscape Sheet L2.0, included in Exhibit H, includes a list of all the proposed tree varieties. Proposed tree varieties include:

- Paperbark Maple
- European Hornbeam
- Eastern Redbud
- Dawn Redwood
- Yoshino Cherry
- Swamp White Oak
- Japanese Pagoda Tree
- Western Red Cedar
- Bowhall Maple
- American Yellowwood
- London Planetree
- Linden
- Green Vase Zelkoa
- Red Alder

- Incense Cedar
- Pacific Crabapple
- Tupelo
- Bald Cypress

None of the trees proposed on site are listed in Table 3.06C. This standard is met.

The application meets the above listed landscape standards.

3.06.03 Landscaping Standards

A. Street Trees

Within the public street right-of-way abutting a development, street trees shall be planted to City standards, prior to final occupancy.

1. *One tree per every entire 50 feet of street frontage shall be planted within the right-of-way, subject to vision clearance area standards and placement of public utilities.*
2. *Street trees shall be planted according to the property's zoning, and the abutting street's classification in the Transportation System Plan:*
 - a. *Large trees shall be planted along Major and Minor Arterial streets. Large trees shall also be planted along all streets in the Neighborhood Conservation Overlay District (NCOD), regardless of street classification;*
 - b. *Medium trees shall be planted along Service Collector and Access/Commercial Streets;*
 - c. *Small trees shall be planted along all other streets.*
3. *The Director may modify this requirement, based on physical constraints and existing conditions, including the location of driveways and utilities. Such modification may include relocating the street trees to abutting private property.*

The proposed residential lot will have approximately 1,370 feet of street frontage along the proposed extension of Arney Lane NE. This frontage is required to have at least 27 street trees. As shown in the landscape sheets, (Exhibit H), 31 street trees are proposed. The proposed extension of Arney Lane NE will be a local residential street. The street trees proposed will have a PU value of 8 or 10 and are classified as medium or large trees. Where Arney Lane NE crosses the wetland and Senecal Creek East Tributary, the right-of-way improvements are proposed to be narrowed to avoid filling in the wetlands; therefore, no street trees are proposed on this portion of the road. This standard is met.

The application meets the landscaping standards for street trees.

B. Site landscaping shall comply with Table 3.06A.

| Planting Requirements Table 3.06A | | |
|--------------------------------------|------------------------------|--|
| Location | Planting Density, Minimum | Area to be Landscaped, Minimum |
| Setbacks abutting a street | 1 PU/15 square feet | Entire setback excluding driveways |
| Buffer yards | 1 PU/20 square feet | Entire yard excluding off-street parking and loading areas abutting a wall |
| Other yards | 1 PU/50 square feet | Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas |

| Planting Requirements Table 3.06A | | |
|--|---|---|
| Location | Planting Density, Minimum | Area to be Landscaped, Minimum |
| Off-street parking and loading areas | 5. • 1 small tree per 10 parking spaces; or ¹ 6. • 1 medium tree per 15 parking spaces; or ¹ 7. • 1 large tree per 25 parking spaces ¹ 8. 9. and 10. • 1 PU/20 square feet excluding required trees ² | 11. • 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 12. • 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 |
| Common areas, except those approved as natural common areas in a PUD | 3 PU/50 square feet | Entire common area |
| 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. | | |

The landscape plans in Exhibit H demonstrate compliance with the required planting calculations. For the multi-family development, for setbacks abutting streets, 1,066 PU are required, and 1,650 PU are proposed. Buffer yards require 332 PU, and 426 PU are proposed off-street parking is 2,398 and 24 large, 40 medium trees, or 60 small trees; the plan proposes 9,486 PU in the off-street parking area with 115 large, 137 medium, and 74 small trees. In the RM zone, 20% of the paved surface area for parking and circulation is required to be landscaped, which corresponds to a minimum area of 47,960 square feet. The plan proposes 86,597 square feet of landscaping within or adjacent to the parking and circulation areas. In common areas, 16,761 PU are required, and 20,393 PU are proposed. A variance is requested to limit the required buffer yard plantings to those areas within five feet of the property line rather than filling the entire area from property line to buildings (see response to WDO 5.03.12, landscaping plans in Exhibit H, and illustration in Exhibit J). With the approval of the variance request, this standard is met.

For the RV storage, for setbacks abutting streets, 556 PU are required, and 643 PU are proposed. Buffer yards require 294 PU, and 376 PU are proposed. The minimum PU for off-street parking is 1,247 and 5 large, 9 medium, or 13 small trees; the plan proposes 1,857 PU in the off-street parking area with 1 significant, 2 large, 55 medium, and 6 small trees. 20% of the paved surface area for parking and circulation is required to be landscaped, which corresponds to a minimum area of 2,299 square feet. The plan proposes 24,840 square feet of landscaping within or adjacent to the parking and circulation areas. This standard is met.

During the public hearing process, the Council approved an alternative landscape proposal along the western property line. Even with the revised plans, the application is required to meet the landscape requirements of this section. If the variance request is necessary and that if approved, the application meets the landscaping standards of 3.06.03.

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 | 4 PU 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 |
| 1. Existing vegetation that is retained has the same plant unit value as planted vegetation. | | |
| 2. No more than twenty percent (20%) of the required plant units may be satisfied by items in lines 8 through 15 | | |

| Prohibited trees | | |
|----------------------------|------------------------------|---|
| Table 3.06C | | |
| Common Name | Scientific Name | Negative Attributes |
| Almira Norway Maple | Acer platanoides "Almira" | Sidewalk damage |
| Box Elder | Acer negundo | Weak wood, sidewalk damage |
| Catalpas | Catalpa Species | Significant litter (hard fruit 12" or more as elongated pod) |
| Desert, or Velvet, Ash | Fraxinus velutina | Susceptible to bores, crotch breakage, significant litter |
| Douglas Fir | Pseudotsuga menziesii | Not as street tree |
| Elms | Ulmus Species | Susceptible to Dutch Elm disease |
| European Ash | Fraxinus excelsior | Disease susceptible, significant litter |
| Fruit bearing trees | | Not appropriate due to fruit |
| Ginko, or Maidenhair, Tree | Ginko biloba | Disgusting odor from squashed fruit when female near male |
| Green Ash | Fraxinus pennsylvanica | Susceptible to insects and disease, crotch breakage, significant litter |
| Hackberry or Sugarberry | Celtis Species | Significant litter (fleshy fruit) |
| Hickory, Pecan | Carya Species | Significant litter (hard fruit) |
| Holly | Ilex Species | Sight obstruction (evergreen, low foliage) |
| Horse Chestnut | Aesculus hippocastanum | Significant litter (inedible nut) |
| Lavalle Hawthorne | Crataegus lavellei | Hazardous (thorns on trunk and branches) |
| Lilac | Syringa Species | Sight obstruction (low foliage), pollen allergies |
| Oak | Quercus Species | Significant litter (hard fruit) |
| Pines | Pinus Species | Sight obstruction (evergreen, low foliage) |
| Poplar, Cottonwood | Populus Species | Brittle, significant litter |
| Profusion Crab Apple | Malus "Sargent" | Significant litter (fleshy fruit) |
| Silver Maple | Acer saccharinum | Sidewalk damage, root invasion into pipes |
| Spruces | Picea Species | Sight obstruction (evergreen, low foliage) |
| Sweetgum | Liquidambar styruciflua | Significant litter (hard fruit) |
| Thundercloud Plum | Prunus "Thundercloud" | Significant litter (fleshy fruit) |
| Tree of Heaven | Ailanthus altissima | Sidewalk damage |
| Walnuts | Juglans Species | Significant litter (hard fruit) |
| Willow | Salix Species | Root invasion into pipes |
| Winter Crab Apple | Malus "Winter Gold" | Significant litter (fleshy fruit) |

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, RIS, 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 ⁷ | 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 ↓ | | RS, RIS, 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 ⁷ | Multiple-family dwelling, child care facility, group home or nursing home ^{5,8} | Nonresidential use in a residential zone | Manufactured dwelling park |
| RS, RIS, or RSN zone | | N | N | N | N | N | N | N | N | N | N | N |
| RM or RMN zone | | W ² | D | W ² | D | W ² | W ² | D | W ² | D | N | W ² |
| DDC or NNC zone | | N | N | N | N | N | N | N | N | N | N | N |
| Nonresidential use in CO zone | | W ² | W ² | W ² | N | W ² | W ² | N | W ² | D | N | W ² |
| CG or MUV zone | | W ² | W ² | D | D | D | D | D | W ² | W ² | D | W ² |
| Outdoor storage in CG or MUV zone | | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} |
| IP, IL, or SWIR zone | | W ³ | W ³ | D | W ³ | D | D | D | W ³ | W ³ | W ³ | W ³ |
| P/SP zone | Permitted use | D | D | N | N | N | N | N | D | D | N | D |
| | Conditional use | D | D | D | D | D | D | D | D | D | D | D |
| Single-family dwelling, duplex, child care facility, or group home | | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ |
| Multiple-family dwelling, child care facility, group home or nursing home | | W ^{2,5,8} | D | W ^{2,5,8} | D | W ^{2,5,8} | W ^{2,5,8} | W ^{2,5,8} | W ^{2,5,8} | D | D | W ^{2,5,8} |
| Nonresidential use in a residential zone | | W ² | W ² | D | D | D | D | D | W ² | W ² | D | W ² |
| Manufactured dwelling park | | W ² | W ² | W ² | W ² | W ² | W ² | W ² | W ² | W ² | W ² | D |
| Boat, recreational, and vehicle storage pad, if within 10 feet of a property line | | F ² | F ² | F ² | F ² | F ² | N | F ² | F ² | F ² | F ² | F ² |
| Common boat, recreational, and vehicle storage area | | W ^{2,4} | W ^{2,4} | W ^{2,4} | W ^{2,4} | W ^{2,4} | D | W ^{2,4} | W ^{2,4} | W ^{2,4} | W ^{2,4} | W ^{2,4} |

| 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 | → | | | | | | | | | | | |
| Property being Developed – must provide screening if no comparable screening exists on abutting protected property | ↓ | | | | | | | | | | | |
| | | RS, RIS, 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 ⁷ | Multiple-family dwelling, child care facility, group home or nursing home ^{5, 8} | Nonresidential use in a residential zone | Manufactured dwelling park |
| 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 ^{26, 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. | | | | | | | | | | | | |

Response: After the proposed Property Line Adjustments, the western lot line of the subject site will be located entirely within the boundaries of the residential lot. The residential lot will be a Medium Density Residential use abutting a Single Family Residential use to the west, which requires a 6-7-foot high wall as screening. On the east side of the residential lot, and to the east and south of the RV storage area, the uses will abut a Commercial General zone, and, according to Table 3.06D, a 6-7-foot high wall is required. A variance is requested for this standard, as this application proposes satisfying the screening requirement with vegetation rather than walls (see response to WDO 5.03.12 and illustration in Exhibit K). The Woodburn Premium Outlets currently provide extensive vegetation along their west property line (this site's east property line) which effectively screens the property line. In other locations where an

architectural wall would be required, a 6-foot high screen of shrub planting is proposed, subject to variance approval. As shown in the landscaping plans, a 6-foot high screen is proposed along the portion of the residential lot abutting a RS zone, and along the south and east lot lines of the RV Storage lot where the site abuts a CG zone. The portion of the residential lot line that abuts a CG zone (at the northeast portion of the site) is in a wetland; no work is proposed in this area so as to not disturb the wetlands and because the adjacent lot already contains a high screen of vegetation. All applicable criteria for a variance request is addressed in this narrative. Walls are proposed around garbage/recycling facilities as required. With the approval of the variance request, and the application of conditions of approval related to additional screening along the western property line, this standard is met.

B. All parking areas, except those for single-family and duplex dwellings, abutting a street shall provide a 42-inch 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).

On the proposed multi-family residential lot, parking abuts the proposed extension of Arney Lane NE along the northern lot line and northwest corner of the development. As shown on Sheets L2.4, L2.5, and L2.6, a low screen of shrubs, with a minimum height of 42" is proposed where parking abuts the street on this site. On the RV storage site, parking does not directly abut a street; however, parking and storage on this site will be completely screened from view from the right-of-way by a 6-foot high screen wall of shrubs (Exhibit H, Sheet L2.7). The application meets the visual screening requirements for parking areas adjacent to a ROW.

3.06.06 Architectural Walls

A. This Section shall apply to required architectural walls in all zoning districts.

An architectural wall is proposed along the southern side of the proposed extension of Steven Street. This section of the narrative addresses all applicable criteria as it pertains to this proposed wall.

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.*

Architectural walls are proposed around the garbage/recycling areas and along the south side of Steven Street. Each wall is proposed to be constructed of split-face concrete masonry unit (CMU) blocks in earth

tone coloration so as to be attractive to the viewer. The garbage/recycling area walls are shorter than 40 feet and thus do not require horizontal or vertical articulation. The wall along Steven Street will be nearly 200 feet long and will require horizontal or vertical articulation at intervals of 40 feet or closer. While the final design of the wall will be deferred until construction drawings are prepared, an image of the proposed wall type is included in Exhibit H, Sheet L2.3. This standard is met.

C. Retaining walls should/shall meet the texture and color requirements of architectural walls in or abutting residential districts, where the texture and color requirements apply to the visible face of the retaining wall.

No retaining walls are required or proposed on site. This standard does not apply.

3.06.07 Significant Trees on Private Property

A. The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of significant trees within the City. Significant trees enhance neighborhoods by creating a sense of character and permanence. In general, significant trees on private property shall be retained, unless determined to be hazardous to life or property.

Trees on site will be preserved where possible. All significant trees proposed to be removed will be replanted per City requirements. All tree removal is detailed on the demolition plans (C2.1) included in Exhibit H. Sheet C2.4 (Significant Tree Removal Plan) illustrates that three significant trees are proposed to be removed to accommodate the proposed RV storage facility. Site grading and soil compaction associated with RV parking is anticipated to lead to root damage that would negatively impact the trees, and furthermore, recreational vehicles have vertical clearance requirements that conflict with the location of the existing trees. Eleven significant trees are proposed to be removed to accommodate construction of the extension of Steven Street as required by the City; these trees are directly in the alignment of the architectural wall, roadway, or sidewalk and their associated grading alterations. Those significant trees with locations that would cause property damage are proposed for removal, as it is not possible to retain those specific trees without hampering the viability of the project. Significant trees outside the footprint of proposed development areas will remain in place, including two large trees which will flank the Steven Street extension and serve as visual centerpieces to the landscaped entry to the development. This standard is met.

B. The provisions of this Section apply to the removal of any significant tree and the replacement requirements for significant tree removal.

This application proposes the removal of 14 trees of 24" or greater in diameter. All applicable standards are addressed in this Section of the narrative.

C. A Significant Tree Removal Permit shall be reviewed as a Type I application to authorize the removal of a significant tree, subject to the following:

- 1. Approval of Significant Tree Removal Permits shall be held in abeyance between November 1 and May 1, to allow inspection of the deciduous trees when fully leafed.*
- 2. For the removal of a diseased or dangerous tree, a report from a certified arborist or an arborist approved by the City shall be submitted, certifying that the tree is dead or dying, structurally unsound, or hazardous to life or property.*

3. *If the Director is uncertain whether the arborist's opinion is valid, the Director may require a second arborist's opinion, and may require that the second opinion be done at a time when trees would be fully leafed.*

4. *A dangerous tree may be removed prior to obtaining a permit in an emergency, and the owner shall apply within three days for the removal permit, pursuant to this Section.*

All removal of significant trees is proposed to accommodate the development. Per City staff, a Type I Significant Tree Removal Permit is not required as the tree removal is proposed to facilitate development rather than due to the health of the trees. This standard does not apply.

D. The issuance of a significant tree removal permit requires the property owner to replace each tree removed with one replacement tree. Each replacement tree shall be at least two inches in caliper. Each replacement tree shall be of a species not prohibited by this Section. The replacement tree shall be of the same size range at maturity as the significant tree replaced.

This application proposes the removal of 14 trees of 24" or greater in diameter. Each significant tree will be replaced as required. The proposed landscaping plan will result in a large net increase of trees on site. Well over 100 trees will be planted that are capable of reaching 24" or more at maturity. This standard is met.

E. A tree required by the development standards of this ordinance (Section 3.1) or as a condition of permit or land use approval shall qualify as a replacement tree. In the Neighborhood Conservation Overlay District (NCOD), the replacement tree shall be planted on the same property as the significant tree replaced. In other zones, the property owner shall choose the method of replacement. Replacement shall be accomplished by:

1. *Planting one tree on the subject property;*
2. *Planting one tree at a location determined by the Woodburn Community Services Department; or*
3. *Paying a fee-in-lieu to the Woodburn Community Services Department for the planting of one tree at a future time by the City.*

Fifteen significant trees are proposed to be removed with this proposal. As shown in the landscape plans, well over 100 trees will be planted that are capable of reaching 24" or more at maturity and qualify as replacement trees. All proposed replacement trees will be located on the subject property. Standard 3.06.07.E.1 is met.

F. The property owner shall pay a mitigation fee for each required replacement tree that is not planted pursuant to this Section. The applicant shall pay the mitigation fee into the City's tree fund. The amount of the mitigation fee shall be established by the City Council in the Master Fee Schedule, based on the average value of a two inch caliper tree available from local nurseries, plus planting costs.

Fifteen significant trees are proposed to be removed with this proposal. As shown in the landscape plans, well over 100 trees will be planted that are capable of reaching 24" or more at maturity and qualify as replacement trees. No mitigation fee is required. This standard does not apply.

The application meets the standards for significant trees on private property.

3.07 Architectural Design

3.07.01 Applicability of Architectural Design Standards and Guidelines

A. For a Type I review, the criteria of this Section shall be read as “shall” and shall be applied as standards. For a Type II or III review, the criteria of this Section shall be read as “should” and shall be applied as guidelines.

The Design Review included in this application will be processed as a Type III review, therefore these criteria are addressed as guidelines rather than standards. All applicable guidelines for the Multi-Family Residential development are addressed in this section.

3.07.05 Standards for Medium Density Residential Buildings

Note: A medium density residential building is any building where the predominant use is multiple-family dwelling, nursing care or group care facility.

A. At the time of application, the applicant shall choose whether the Design Review shall be conducted as a Type I, II, or III review (Section 5.01, 5.02, 5.03). For a Type I review, the criteria of this Section shall be read as “shall” and shall be applied as standards. For a Type II or III review, the criteria of this Section shall be read as “should” and shall be applied as guidelines.

The Design Review included in this application will be processed as a Type III review, therefore these criteria are addressed as guidelines rather than as standards. All applicable guidelines for the Multi-Family Residential development are addressed in this section. The RV storage area will not contain any residential buildings and is not addressed in this section.

B. *Open Space*

1. *Private Open Space*

a. *Ground Level Courtyard*

(1) Units within five feet of the finished grade, should/shall have at least 96 square feet of private open space, with no dimension less than six feet.

(2) Ground level private open space should/shall be visually and physically separated from common open space, through the use of perimeter landscaping or fencing.

Each unit located on the ground-floor will be provided with a patio of 8 feet deep and 12 feet wide, with an area of 96 square feet, as shown in the floor plans (Exhibit I). The patio will be distinguished from public open space by perimeter landscaping, with a low screen of shrubs at least 42” in height, as shown in the Landscape plans (Sheets L2.1-L2.7) and A.10 of Exhibit H. This guideline is met.

b. *Balcony. Units more than 5 feet from the finished grade should/shall have at least 48 square feet of private open space in a balcony, with no dimension less than six feet.*

Each unit above the ground floor will be provided with a balcony 8 feet deep and 12 feet wide, with an area of 96 square feet, as shown in Exhibit I. This guideline is met.

2. *Common Open Space and Facilities*

a. *Common open space and facilities consist of the site area and facilities not devoted to dwellings, parking, streets, driveways or storage areas that are available for use by all residents of a development.*

b. *Required yard setbacks should/shall be included as common open space.*

c. *Open Space and Facility Design Guidelines and Standards.*

(1) *A minimum of 30 percent of the net site area of each medium density residential development should/shall be permanently designated for use as common open space and facilities.*

(2) *The common area should/shall include at least one open space containing 2,000 square feet, with a minimum width of 36 feet.*

(3) *Facilities to accommodate children's or adult's recreation, meeting or education activities should/shall be provided at a ratio of 36 square feet of outdoor, or 12 square feet of indoor, common area per dwelling unit or living unit. The minimum improved common area for this purpose should/shall be 720 square feet of outdoor or 240 square feet of indoor space. The space for such improvements may be counted as part of the common area required by Section 3.07.05.B.1.c.2 at a 1:1 ratio for outdoor space and 3:1 ratio for indoor space.*

As shown in the site plan, Sheet C2.1 of Exhibit H, the multi-family residential lot has a net area of 23.38 acres. Therefore, the open space requirement is 7.0 acres. The proposed multi-family development provides over 13 acres of open space. There are 300 dwelling units proposed, therefore either 10,800 SF of outdoor, or 3,600 SF of indoor, common recreation area is required on this site. The pool and spa area between buildings B and M provide an open space of over 4,000 square feet with one dimension of at least 80 feet, exceeding the corresponding requirements for 2,000 square feet and 36 feet, respectively. Additional recreation space is provided via the two play areas, bringing the total provided outdoor recreation space to 15,712 square feet. The indoor recreation space has an area of 3,915 square feet. The proposed multi-family development thus exceeds the minimum requirements for both outdoor or indoor common recreation space. This guideline is met.

C. Architectural Design Guidelines and Standards

1. Building Mass and Facade

a. Buildings should/shall have no dimension greater than 150 feet.

The proposed buildings will be 144 feet or 148 feet wide, not including the balconies which are included to meet the open space and architectural variety requirements. This guideline is met.

b. Every two attached dwelling or living units should/shall be offset by at least four feet in depth.

This application proposes to use the balconies and stairs to break up the façade and provide architectural variety, rather than offsetting the units themselves. Each attached dwelling is offset by 8 feet in depth, as the balconies extend out from the wall and serve to break up the mass of each dwelling unit. This design solution satisfies the intent of the guideline.

c. Individual buildings located within 28 feet of a property line should/shall have a varied setback at least four feet.

Buildings A & J have portions of the building within 28 feet of the property line. There will be two 12-foot wide balconies on each building wall facing the street. The balconies will serve to create a varied setback, as they extend 8 feet from the building wall. This design solution satisfies the intent of the guideline.

d. A flat roof, or the ridge of a sloping roof, should/shall not exceed a horizontal length of 100 feet without providing a difference in elevation of at least four feet.

No flat roofs are proposed. Rather than provide a 4-foot vertical difference in roof elevation every 100 feet, as illustrated on the elevations in Exhibit I, each section of sloping roof has an overall length of 50 feet or less before it is terminated with a difference in elevation of approximately 2¼ feet. This design solution satisfies the intent of the guideline.

e. Buildings should/shall incorporate a porch or recessed entry for each ground-level dwelling or living unit. Covered porches and entries should be at least 30 square feet, with no dimension less than six feet. This provision does not apply to buildings for residential care.

Each ground floor unit contains a porch 12-feet wide and 8-feet deep, totaling 96 square feet. This guideline is met.

f. All habitable rooms, except bathrooms, facing a required front yard should/shall incorporate windows.

Each room, except bathrooms and rooms with balconies, that connects to an outer wall will include windows. Compliance with this standard is demonstrated in the floor plans and elevations included as Exhibit I. This guideline is met.

g. Staircases providing access above the first floor level should/shall not be visible from a street.

As shown in the floor plans, elevations, and perspective drawing included as Exhibit I, staircases will be enclosed within an entryway, so will not be visible from the adjacent streets. This guideline is met.

2. Building Materials, Texture and Color

a. The exterior finish for at least 90 percent of the facade should/shall be:

(1) Either siding, brick or stucco. Plain concrete, corrugated metal, plywood and sheet press board should/shall not be used as exterior finish material; and

(2) Either white, tinted with a minimum of 10 parts per 100 of white, or shaded with a minimum of 10 parts per 100 of black or brown. Shading colors with brown or black to create earth tones or tinting colors with white to soften the appearance.

(3) Fluorescent, "day-glo," or any similar bright color shall not be used on the facade.

As depicted in Exhibit I, the exterior finish of the proposed residential buildings will consist of stucco, HardiePlank siding, trim, and glazing. None of the prohibited materials is proposed. The proposed color of the siding is medium brown, which creates a soft earth tone that is balanced by white siding and tan stucco accents. This guideline is met.

b. The roofing material should/shall be either composition shingles; clay or concrete tile; metal; or cedar shingles or shakes. Composition shingles should/shall be architectural style, with a certified performance of at least 25 years.

As depicted in Exhibit I and shown in the materials board (Exhibit J), the proposed roofing material is composite shingles. This guideline is met.

3. Pedestrian Circulation

a. The internal pedestrian system in medium density residential developments should/shall connect to other areas of the site, to other building entrances and to adjacent streets.

b. When a residential building is sited within 24 feet of a street right-of-way, the building should/shall contain entrances directly accessible from the street.

Sheet C2.1 of Exhibit H demonstrates compliance with pedestrian circulation requirements. A sidewalk is provided around each building, and sidewalks are provided across drive-aisles to connect each building to

the other buildings and the common areas on site. The internal pedestrian circulation system connects to the public sidewalk at the driveway to Steven Street and the eastern driveway to Arney Lane NE. Buildings A and J are within 24 feet of a right-of-way and connect to the on-site sidewalk system which then connects to the public sidewalk on Arney Lane. A pedestrian link is not proposed between the residential site and the RV storage site, because that would require development through environmentally sensitive resources (the creek and wetlands). Instead, there will be at least 345 feet of open space between the two developments, which will include floodplain, the Senecal Creek East Tributary and associated wetlands, a 50-foot buffer on each side of the wetlands, and a 35-foot creek maintenance easement. The closest proposed development will be a building located approximately 150 feet away from the edge of the channel (besides the required improvements to the existing road at the north end of the site). Pedestrians in the residential development will have direct access throughout the site via an internal sidewalk network leading to each building and from the Steven Street driveway to the eastern Arney Lane driveway. The RV storage site will have pedestrian access to the surrounding area via Sprague Lane. The application requests a Conditional Use to Standard 2.07.03.C so that the RV storage area is open to the public and may operate independently from a residential area, therefore a connection between the two uses is not necessary. Bikeway/pedestrian facilities through the wetland and creek are not appropriate. This design solution meets the intent of the guidelines.

In conjunction with the information provided in 5.03.02 below, Staff concurs that the plans submitted meet the guidelines of WDO 3.07.

3.10 Signs

3.10.10 Permanent Sign Allowances

Permanent signs shall not exceed the number, size, or height specified in the following tables, and shall comply with the other regulations noted in the following tables.

No signs are proposed with this application. Any signs proposed at a later date will be designed and installed in compliance with these standards of Section 3.10. This standard does not apply.

5.01 Type I (Administrative) Decisions

5.01.10 Sign Permit

- B. Criteria: Applications shall be reviewed for compliance with the sign standards of this Ordinance.*
- C. Procedure: The Director shall review proposal signs for compliance to City regulations.*

No signs are proposed with this application. The applicant understands that any proposed signs will need a sign permit. All procedures and standards will be followed when signs are proposed at a later date. These standards do not apply.

5.01.11 Significant Tree Removal Permit

- B. Criteria: Applications shall be reviewed for compliance with this Ordinance.*
- C. Procedure: The Director shall review and approve the proposal for compliance of this Ordinance.*

Compliance with all applicable criteria pertaining to removal of significant trees was demonstrated in Section 3.06.07 of this narrative. This application includes a request for a Significant Tree Removal Permit approval.

5.03 Type III (Quasi-Judicial) Decisions

5.03.02 Design Review, Type III

B. Type III Design Review is required for the following:

- 1. Non-residential structures in residential zones greater than 1,000 square feet in the RS, R1S, RM, and P/SP zones.*
- 2. Multi-family dwellings not meeting all architectural design guidelines and standards.*
- 3. Structures greater than 2,000 square feet in the CO, CG, MUV, DDC, and NNC zones.*
- 4. Structures greater than 3,000 square feet in the IP, IL, and SWIR zones.*
- 5. For sites with existing buildings in the CO, CG, MUV, DDC, NNC, IP, IL, and SWIR zones; expansions or new buildings that increase lot coverage by more 25%.*
- 6. Change of use that results in a greater than 25% increase in required parking.*

While the application meets nearly all architectural design guidelines, Type III Design Review is required as the proposed multi-family residential development does not meet selected guidelines (in which case alternate design solutions are proposed to meet the intent of the guidelines). Per WDO 3.07.05.C.1.b, every two attached dwelling or living units should/shall be offset by at least four feet in depth. This application proposes to use the balconies and stairs to break up the façade and provide architectural variety, rather than offsetting the units themselves. Each attached dwelling is offset by 8 feet in depth, as the balconies extend out from the wall and serve to break up the mass of each dwelling unit. Additionally, per WDO 3.07.05.C.1.c, buildings within 28 feet of a property line should/shall have a varied setback at least four feet. Buildings A and J will be within 28 feet of a property line. Rather than vary the front plane of the building wall, this application proposes to use two 12-foot wide balconies on each building wall facing the street to create the appearance of a varied building plane. Finally, WDO 3.07.05.C.1.d states that roof ridges should not exceed a horizontal length of 100 feet without providing a difference in elevation of at least four feet. The proposed design instead utilizes shorter roof sections (50 feet or less) with smaller elevation differences (approximately 2¼ feet) to provide a visually appealing roof line. This application is for a Type III Design Review and includes all required submittal information. This standard is met.

The Council determined that the alternative designs proposed for the three elements noted satisfactorily address the intent of the guidelines. The WDO specifically encourages flexibility in design and the applicant has provided detailed renderings and a narrative as to how the proposal achieves the intent of the Code.

D. RCWOD Permit

2.05 Overlay Districts

2.05.05 Riparian Corridor and Wetlands Overlay District

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).*

The Senecal Creek East Tributary runs through the proposed development site and is, along with the immediate surrounding area, located the RCWOD as illustrated on the Zoning Map. A wetland delineation has been performed by Wetland Solutions Northwest, LLC to allow identification of the precise boundaries of the RCWOD (see Exhibit Q). The floodplain limits calculated in Exhibit S fall within the proposed wetland and 50-foot wetland buffers. This section therefore applies and all applicable standards are addressed in this section of the narrative.

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*

The RCWOD runs through the proposed development site. The work proposed within the RCWOD is limited to grading, installation of stormwater facilities (e.g., detention ponds), planting of native species, and right-of-way improvements to the existing portion of the roadway that runs through the Overlay, as shown in Exhibit H. The proposed detention ponds will be located within the wetland buffers, as depicted in the Utility plan (Sheet C2.3). City staff has indicated that the westward extension of Arney Lane NE across the northern lot line is required to be dedicated as a public street (though it is not included in the Comprehensive Plan or TSP). This will entail paving of the road to create a two-lane street, with a sidewalk along the southern portion (See Sheets C2.1, C2.1A). However, as this portion of the site currently has an existing graded gravel road, this right-of-way work will not create an added impact or disturbance to the nearby wetlands. No alterations are proposed within the wetland boundary itself (just within the 50-foot buffer). This standard is met.

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 work proposed within the RCWOD is limited to grading, installation of stormwater facilities, planting of native species, and right-of-way improvements to the existing portion of Arney Lane NE that runs through the Overlay, as shown in the site plans (Exhibit H). The grading and installation of stormwater facilities meets criteria 2.05.05.C.6 & C.7. While improvements to Arney Lane NE is not listed in the Comprehensive Plan, the improvements to the existing gravel road are being required by the City of Woodburn. No prohibited uses or activities are proposed within the overlay. No alterations are proposed within the delineated wetland boundaries. This standard is met.

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.

No variances are requested for the standards from Section 2.05.05. This standard does not apply.

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.*

The existing residences on site are outside the boundaries of the RCWOD. The only use in the RCWOD proposed to remain in place is the roadway at the north end of the site. As part of this proposal, the City is requiring this road be widened, extended westward along the northern property line, and dedicated as a public street (Arney Lane NE). This standard is met.

- 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.*

The Landscape plans included in Exhibit L H demonstrate compliance with this standard. Proposed landscaping alterations will all take place within the two 50-foot wetland buffers. No changes are proposed to the wetland area outside the wetland buffers. Landscaping within the wetland buffers will consist of a native riparian mix and stormwater plantings (shown on Sheet L2.0). Landscaping will be maintained in a healthy state. This standard is 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.

All applicable information required by 2.05.05.G is contained within the site plans included as Exhibit H of this application. The RCWOD boundaries are established using 50-foot wetland and riparian setbacks based on the wetland delineation (Exhibit Q) and the flood elevation as established in Exhibit S. This standard is met.

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 applicant submitted the wetland delineation report to the Oregon Department of State Lands (DSL) as required (see Exhibit Q). No alterations are proposed within the delineated wetland boundaries. Further correspondence with DSL staff, included as Exhibit R, confirms that improving Arney Lane does not require wetland removal/fill permits. This standard is met.

A condition of approval (No. 7) has been included stipulating that all work must receive permits from the authorizing agency. Additional conditions of approval are included (No. 6) addressing capacity and impacts on the three existing culverts and requiring a subsequent hydraulic analysis confirming the capacity of the Senecal Creek; as well as No. 15 which includes an analysis of the full upstream construction buildout. With the application of these Conditions, the application meets the criteria of 2.05.

5.01 Type I (Administrative) Decisions

5.01.09 Riparian Corridor and Wetlands Overlay District (RCWOD) Permit

B. Criteria:

- 1. The applicable standards of this Ordinance and the findings and action proposed by the Division of State Lands; or*
- 2. A finding, verified by the Division of State Lands, of error in delineation of the RCWOD boundary.*

Compliance with all applicable criteria pertaining to a Riparian Corridor and Wetlands Overlay District (RCWOD) Permit was demonstrated in Section 2.05.05 of this narrative. The RCWOD boundary has been established in part based on the wetland delineation report included in Exhibit Q and the floodplain analysis in Exhibit S. This standard is met.

C. Procedure: The Director shall review the permit and approve it upon a determination that it meets the criteria of this ordinance.

Compliance with all applicable criteria pertaining to a Riparian Corridor and Wetlands Overlay District (RCWOD) Permit was demonstrated in Section 2.05.05 of this narrative. This application includes a request for a RCWOD Permit approval.

The application meets the criteria of 5.01.

E. Variance

3.05 Off-Street Parking and Loading

3.05.02 General Provisions

D. Location

3. In residential districts, off-street parking and storage shall be prohibited within a yard abutting a street, except within a driveway leading to a garage or carport.

The applicant is requesting a variance to allow parking within the yard abutting Arney Lane, with screening provided via landscaping. This parking location is consistent with subsection E.2, below. With the approval of the variance, this standard is met.

E. Setback

2. Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, unless there is a shared use agreement to the satisfaction of the Director, verifying shared use between the separate properties.

As shown in the site plans, Sheet C2.1, where parking for the multi-family residential development abuts the street there is a 5-foot landscaped setback. For the RV storage area, there is a 10-foot landscaped setback for parking abutting the property line. This standard is met.

3.06 Landscaping

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 ⁷ | 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 ↓ | 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 ⁷ | Multiple-family dwelling, child care facility, group home or nursing home ^{5, 8} | Nonresidential use in a residential zone | Manufactured dwelling park |
| RS, R1S, or RSN zone | N | N | N | N | N | N | N | N | N | N | N |
| RM or RMN zone | W ² | D | W ² | D | W ² | W ² | D | W ² | D | N | W ² |
| DDC or NNC zone | N | N | N | N | N | N | N | N | N | N | N |
| Nonresidential use in CO zone | W ² | W ² | W ² | N | W ² | W ² | N | W ² | D | N | W ² |
| CG or MUV zone | W ² | W ² | D | D | D | D | D | W ² | W ² | D | W ² |
| Outdoor storage in CG or MUV zone | W ^{1,3} ₃ | W ^{1,3} ₃ | W ^{1,3} | W ^{1,3} ₃ | W ^{1,3} ₃ | W ^{1,3} ₃ | W ^{1,3} ₃ | W ^{1,3} | W ^{1,3} | W ^{1,3} | W ^{1,3} |
| IP, IL, or SWIR zone | W ³ | W ³ | D | W ³ | D | D | D | W ³ | W ³ | W ³ | W ³ |
| P/SP zone | Permitted use | D | D | N | N | N | N | D | D | N | D |
| | Conditional use | D | D | D | D | D | D | D | D | D | D |
| Single-family dwelling, duplex, child care facility, or group home | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ | N ⁷ |
| Multiple-family dwelling, child care facility, group home or nursing home | W ^{2,5,8} | D | W ^{2,5,8} | D | W ^{2,5,8} | W ^{2,5,8} | W ^{2,5,8} | W ^{2,5,8} | D | D | W ^{2,5,8} |
| Nonresidential use in a residential zone | W ² | W ² | D | D | D | D | D | W ² | W ² | D | W ² |
| Manufactured dwelling park | W ² | W ² | W ² | W ² | W ² | W ² | W ² | W ² | W ² | W ² | D |
| Boat, recreational, and vehicle storage pad, if within 10 feet of a property line | F ² | F ² | F ² | F ² | F ² | N | F ² | F ² | F ² | F ² | F ² |
| Common boat, recreational, and vehicle storage area | W ^{2,4} ₄ | W ^{2,4} ₄ | W ^{2,4} | W ^{2,4} ₄ | W ^{2,4} ₄ | D | W ^{2,4} ₄ | W ^{2,4} | W ^{2,4} | W ^{2,4} | W ^{2,4} |

| Screening Requirements Table 3.06D | | | | | | | | | | | | |
|--|--|----------------------|------------------------------------|---------------------|---------------------|---------------------|---------------------------------|---------------------|---|---|--|----------------------------|
| N = No screening required D = Architectural wall, fence, or hedge may be required in the Design Review process | | | F = Sight-obscuring fence required | | | | W = Architectural wall required | | | | | |
| Adjacent properties – zone or use that receives the benefit of screening → | Property being Developed – must provide screening if no comparable screening exists on abutting protected property ↓ | 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 ⁷ | Multiple-family dwelling, child care facility, group home or nursing home ^{3, 8} | Nonresidential use in a residential zone | Manufactured dwelling park |
| 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. | | | | | | | | | | | | |
| <p>General notes:</p> <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. | | | | | | | | | | | | |

After the proposed Property Line Adjustments, the western lot line of the subject site will be located entirely within the boundaries of the residential lot. The residential lot will be a Medium Density Residential use abutting a Single Family Residential use to the west, which requires a 6-7-foot high wall as screening. On the east side of the residential lot, and to the east and south of the RV storage area, the uses will abut a Commercial General zone, and, according to Table 3.06D, a 6-7-foot high wall is required. A variance is requested for this standard, as this application proposes satisfying the screening requirement with vegetation rather than walls (see response to WDO 5.03.12 and illustration in Exhibit H). The Woodburn Premium Outlets currently provide extensive vegetation along their west property line (this site's east property line) which effectively screens the property line. In other locations where an architectural wall would be required, a 6-foot high screen of shrub planting is proposed, subject to variance approval. A variance is also requested to limit buffer plantings to the five feet closest to the

property line rather than filling the entire area from property line to buildings. As shown in the landscaping plans, a 6-foot high screen is proposed along the portion of the residential lot abutting an RS zone, and along the south and east lot lines of the RV Storage lot where the site abuts a CG zone. The portion of the residential lot line that abuts a CG zone (at the northeast portion of the site) is in a wetland; no work is proposed in this area so as to not disturb the wetlands and because the adjacent lot already contains a high screen of vegetation. All applicable criteria for a variance request is addressed in this narrative. Walls are proposed around garbage/recycling facilities as required.

Based on concerns raised at the public hearings, the applicant offered and the council several conditions of approval to further mitigate the impacts on the adjacent residential properties – including No. 11, No. 12, and No. 13), . With the approval of the variance request and application of the conditions of approval, this standard is met.

5.03 Type III (Quasi-Judicial) Decisions

5.03.12 Variance

B. Criteria: A variance may be granted to allow a deviation from development standard of this ordinance where the following criteria are met:

- 1. Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner, and*
- 2. Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.*

A Variance is requested to WDO 3.05.02.D.3, which precludes parking within yards abutting streets in residential zones. As illustrated on Sheet C2.1, 53 parking spaces are proposed within the setback abutting Arney Lane (near Buildings B and K). Moving these parking spaces elsewhere on site is not feasible due to the site constraints imposed by the location of the RCWOD, the need to provide two parking spaces per unit, and the minimum density standard for the site, which necessitates providing 300 residences and 600 parking spaces. The 53 parking spaces proposed within the street setback continue to comply with the requirement in WDO 3.05.02.E.2 that parking areas shall be set back five feet from property lines, and all the parking spaces would be screened from the street by plantings as illustrated on Sheets L2.3-L2.6.

A second Variance is requested to WDO 3.06.05, which requires screening in the form of a 6-7-foot architectural wall along the east and west lot lines of the residential lot and the south and east lot lines of the RV Storage area. As illustrated on Exhibit H, this application proposes screening in the form of a 6-foot high screen of shrubs. This substitution will not negatively impact adjacent developments, as the developments will still be sufficiently screened from view. The proposed screen wall will have a greater positive impact on the surrounding areas than would an architectural wall as the vegetation will create a softer, more aesthetically pleasing view from adjacent properties, reduce opportunities for unsightly graffiti, and improve air quality. There are also locations where an architectural wall is not warranted due to the presence of existing fencing and vegetation both on-site and on abutting properties; at several of these locations no additional screening is proposed (see Exhibit H) due to the existing mature landscaping and the location of wetlands which preclude construction of a wall.

A third Variance is requested to WDO 3.06.03, which per Table 3.06A requires buffer yards to landscape the “entire yard excluding off-street parking and loading areas abutting a wall.” Based on the WDO definition of “yard,” which states in part that “A setback is the minimum required distance between a structure and a lot line, whereas a yard is the actual area between a structure and a lot line,” this standard

would require impractically dense plantings filling in all open space between structures and the property lines. Additionally, it is unclear how to apply this standard in areas where there are no structures. As an alternative solution, this application proposes screening in the form of a 6-foot high line of shrubs for a width of 5 feet, as illustrated on Exhibit H (Sheets L2.0-L2.7). This planting pattern will provide a dense screen that blocks views across property lines, as depicted in the images on Exhibit H, Sheet L.1.

The Council adopted alternative plans for the buffer and screening along the western property line that require modification to the plans, but that will further mitigate any adverse impacts on the surrounding properties. Based on the evidence provided, this standard is met.

C. Factors to Consider: A determination of whether the criteria are satisfied involves balancing competing and conflicting interests. The factors that are listed below are not criteria and are not intended to be an exclusive list and are used as a guide in determining whether the criteria are met.

1. The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:

a. Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to, lot size, shape, and topography.

b. Whether reasonable use similar to other properties can be made of the property without the variance.

c. Whether the hardship was created by the person requesting the variance.

2. Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance materially injurious include, but are not limited to:

a. Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.

b. Incremental impacts occurring as a result of the proposed variance.

3. Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.

4. Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;

5. Whether the variance conflicts with the Woodburn Comprehensive Plan.

Three Variances are requested, the first to allow parking of 53 cars within five feet of the Arney Lane right-of-way (WDO 3.05.02.D.3); the second to seek relief from the requirement to construct architectural walls along the site perimeter (WDO 3.06.05); and the third to propose an alternative buffer yard screening technique in lieu of WDO 3.06.03. The Variance to the parking location standard is necessary due to the RM zone's minimum density standard and the City's multi-family parking standard, which together require 300 dwelling units and 600 parking spaces. The developable area is constrained by the locations of the roadway, the stream, wetlands, and floodplain so there is limited space to provide all the required parking, and the applicant does not wish to alter those natural features. The proposed plantings between the parking area and the street will limit visual impacts from vehicle parking, and there are no existing structures across the street which have their front doors oriented toward the proposed parking area. The alternative to placing parking spaces in the front setback would be to seek a variance from the minimum number of parking spaces, which could lead to off-site parking that may inconvenience others. Thus, the proposed parking location Variance was determined to have the least impact while allowing the

development to meet the density standards required by the WDO and the Comprehensive Plan. The factors in subsections 1 through 5 are met and provide evidence in support of the requested variance.

The Variance to provide screening in the form of a continuous planting of 6-foot high shrubs rather than the required 6-7-foot high wall, and to utilize existing plantings and fencing to provide screening, is proposed because the substitution will create a more pleasant, open space for residents than would a wall enclosure. Substitution of vegetation will be more aesthetically pleasing from adjacent properties while adequately screening the development. The existing and proposed landscaping will not cause any visual or noise impacts; on the contrary, it will serve as a visual and auditory buffer. This variance will have no impact on area traffic, dramatic land forms or parks. According to the Oregon Department of Geology and Mineral Industries, the site contains areas of low and moderate landslide susceptibility, with the low susceptibility in the proposed development areas and moderate susceptibility primarily on the slopes along the Senecal Creek East Tributary. The proposed plantings will in no way contribute to landslide hazards. Rather, a vegetated screen will serve to reduce erosion and regulate drainage. The proposed change in buffer material, with a high screen of shrubs and/or existing fencing and plantings instead of an architectural wall, is the minimum change necessary to create the desired look and feel of a pleasant, welcoming multi-family residential development and RV storage facility. The variance does not conflict with any component of the Comprehensive Plan. The substitution will adequately serve the intent of the Woodburn Development Ordinance to screen the RM zone from adjacent developments with different uses. The owner agrees to maintain the on-site vegetation in a healthy state to provide a pleasant view, and avoid any nuisance for neighboring properties. The factors in subsections 2 through 5 are met and provide evidence in support of the requested variance.

The Variance to provide buffer yard screening utilizing a five-foot-wide, six-foot-high hedge, is proposed because the substitution will create a more pleasant, open space for residents than would a continuously-planted buffer yard extending from the property line to the structures. The proposed high screen vegetation will adequately screen the development, as depicted in the images in Exhibit H, Sheet L.1. The proposed landscape high-screen buffer will not cause any visual or noise impacts; on the contrary, it will serve as a visual and auditory buffer. This variance will have no impact on area traffic, dramatic land forms or parks; and the proposed plantings will in no way contribute to landslide hazards. A vegetated screen will serve to reduce erosion and regulate drainage. The proposal requests a change in buffer width since a five-foot-wide hedge will achieve the screening effect desired by the City, and is the minimum change necessary to create the desired look and feel of a pleasant, welcoming multi-family residential development and RV storage facility. The variance does not conflict with any component of the Comprehensive Plan. The substitution will adequately serve the intent of the Woodburn Development Ordinance to screen the RM zone from adjacent developments with different uses. The owner agrees to maintain the on-site vegetation in a healthy state to provide a pleasant view, and avoid any nuisance for neighboring properties. The factors in subsections 2 through 5 are met and provide evidence in support of the requested variance.

Staff spent considerable time working with the applicant to minimize any adverse impacts that each of these variances would have on the surrounding properties. The applicant revised the plans to adjust the parking on the west property line, relocated accessory structures and increased the height, type and density of the landscaping to address these concerns. However, the impacts of a new public street along the rear property line of several of the existing, adjacent homes still were not adequately addressed. As part of the Council hearing, the application proposed and the Council accepted Condition No. 12 and No.

16 to mitigate adverse impacts. . With the modifications included in the final plans, the variance criteria are met.

F. Conditional Use

2.02 Residential Zones

B. Approval Types (Table 2.02A)

1. *Permitted Uses (P) are allowed outright, subject to the general development standards of this Ordinance.*
2. *Special Permitted Uses (S) are allowed outright, subject to the general development standards and the special development standards of Section 2.07.*
3. *Conditional Uses (CU) may be allowed, subject to the general development standards of this Ordinance and conditions of Conditional Use approval.*
4. *Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.*
5. *Accessory Uses (A) are allowed outright, subject to the general standards of this Ordinance.*

| Table 2.02A. Uses Allowed in RM Zones (EXcerpts) | |
|--|-----------------------|
| Use | Approval Type |
| Multiple-family dwelling | Permitted Use |
| Rights-of-way, easements and improvements for streets, water, sanitary sewer, gas, oil, electric and communication lines, stormwater facilities and pump stations. | Permitted Use |
| Common boat, recreational and vehicle storage area | Special Permitted Use |

This proposal includes the development of multi-family dwellings, a recreational vehicle storage area, and a new right-of-way. Multi-family dwellings and new rights-of-way are permitted outright in the RM zone. Recreational vehicle storage is considered a Special Permitted Use in RM zones. All applicable standards for Special Permitted uses are addressed in Section 2.07.03. This Special Use will be processed as a Conditional Use per Section 5.03.09, and all applicable criteria are addressed in the corresponding section of this narrative. These standards are met.

2.07 Special Uses

2.07.03 Common Boat, Recreational and Vehicle Storage Area

A. Applicability

1. *When a Boat, Recreational and Vehicle Storage Area is established as a special use, it shall comply with the following use and development standards.*
2. *When a Boat, Recreational and Vehicle Storage Area is incorporated in the review of a residential development, the following criteria shall serve as guidelines.*

Per Table 2.02.A, Recreational Vehicle Storage is permitted as a Special Use in the RM zone. This section applies, and all relevant criteria are addressed in this narrative. As the proposed RV storage is being requested simultaneously with residential development, the criteria below are guidelines rather than standards.

- B. The storage must be operated by either a homeowners' association or a property manager of the apartment, Manufactured Dwelling Park or residential complex.*

The RV storage area will be managed by the operator of the facility, separate from the operator of the multi-family development. As this criterion is a guideline rather than a standard, Conditional Use approval is requested for Section 2.07.03 to allow the RV storage area to operate independently of the residential development pursuant to WDO 5.03.09. All applicable criteria for Conditional Use approval are addressed in Section 5.03 of this narrative.

C. The storage area is limited exclusively to the storage of the resident's vehicles, boats or trailers, recreational vehicles, utility trailers and horse trailers.

The proposed RV Storage area is proposed to be a public storage area, not restricted to use by residents. As this criterion is a guideline rather than a standard, Conditional Use approval is requested to allow this modification pursuant to WDO 5.03.09. All applicable criteria are addressed in Section 5.03 of this narrative.

D. Storage areas and driveways to the storage area shall be paved to the standards of this ordinance (Section 3.04.04).

A condition of approval has been included requiring conformance with the paving standards of this Section.

E. Outdoor lighting shall be directed away from residential property and public streets.

All outdoor lighting shall be directed away from adjacent residential properties and public streets, as shown in the photometrics plan, Sheet C2.3B. Where lights are located near property lines, they will have shields on the back to prevent glare on neighboring properties. This standard is met.

5.03 Type III (Quasi-Judicial) Decisions

5.03.09 Special Use as a Conditional Use

A. Purpose: The purpose of this Type III decision is to allow modification or elimination of specific development standards required for Special Uses listed in this Ordinance (Section 2.07). Modification or elimination of specific development standards are approved as a Conditional Use.

This application requests Conditional Use approval for the proposed Recreational Vehicle storage area proposed on one lot. Recreation vehicle storage is considered a Special Permitted Use in RM zones. This Special Use may be processed as a Conditional Use per Section 5.03.09. This request is being made to allow elimination of the guidelines that the facility be managed by the manager of the residential development (WDO 2.07.03.B) and be used exclusively by the residents of the multi-family development (WDO 2.07.03.C). The proposed RV Storage area is proposed to be a public storage area, not only for use by residents of the adjacent lot. Compliance with all applicable criteria is demonstrated below.

B. Criteria:

1. The proposed use shall be permitted as a Special Use within the zoning district.

Per Table 2.02A, Recreation vehicle storage areas are considered a Special Permitted Use in RM zones. This Special Use can be processed as a Conditional Use per Section 5.03.09. This standard is met.

2. The proposed use shall comply with the development standards of the zoning district.

Compliance with all applicable development standards for the zoning district is demonstrated in the responses to the Design Review criteria in this narrative. This standard is met.

3. *The proposed use shall be compatible with the surrounding properties. Relevant factors to be considered in determining whether the proposed use is compatible include:*

a. *The suitability of the size, shape, location and topography of the site for the proposed use;*

There is an existing RV park in the CG zone immediately south of the proposed RV storage area. Other surrounding uses include single family and mobile home residential units to the west, and commercial areas to the east. The RV storage area will be sufficiently screened and buffered from adjacent uses through high screen shrub walls to the east and south, and at least 330 feet of wetland area at the north and west, so no negative impacts on neighboring residential areas is anticipated. This application proposes only as many RV parking spaces as can safely fit within the confines of the site (after the proposed property line adjustments), given the required drive aisle width to allow for safe turning and backing areas, required number of car parking stalls, setbacks, and the 50-foot buffer from the adjacent wetland. As shown in the site plans (Exhibit H, Sheet C2.1), the proposal provides a coherent layout that is suitable for the size and shape of the site and meets all required development standards. In spite of its RM zoning, the proposed RV storage lot is not suitable for multi-family residential development due to the triangular shape of buildable land that results from the presence of the creek and wetlands. Furthermore, the site abuts commercially-zoned property on the east and south and is isolated from other RM property by Senecal Creek East Tributary. The RV storage area is intended to meet demand for the use within the City of Woodburn, and will efficiently use an irregularly shaped area that may otherwise not be developed to its full potential. This standard is met.

b. *The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;*

Utilities and roadways are available in close proximity to serve the site and no capacity constraints have been identified in the correspondence from Public Works staff, the Fire Marshal, or the School Superintendent (Exhibit E). The RV storage facility would not have any structures that would require connections to public water or sewer. The facility would provide stormwater management in accordance with City standards. This standard is met.

c. *The impact of the proposed use on the quality of the living environment, such as:*

1) *Noise;*

The proposed use requiring Conditional Use approval is an RV Storage Area. The recreational vehicles will not be occupied, so the only activity anticipated will be vehicles occasionally entering and exiting the lot. No additional noise is expected. This standard is met.

2) *Illumination;*

Lighting will be provided to illuminate the site as necessary without causing glare on adjacent properties. As shown in the photometrics plan (Exhibit H, Sheet C2.3B), lighting placement will be minimal at the properties lines. Where lighting is proposed along property lines, it will be shielded away from neighboring

properties. The average illumination for the site will be 0.3 foot-candles, with less illumination near the property boundaries. This standard is met.

3) *Hours of operation;*

The proposed RV storage facility will be a self-service operation where customers access the site via a security gate at times that are convenient to their schedules. There will be no specific operating hours but it is anticipated that the majority of visits will occur at times similar to the operating hours of the neighboring Woodburn Premium Outlets and thus will have no greater impact on the living environment than the existing commercial development. This standard is met.

Air quality;

The proposed use requiring Conditional Use approval is an RV Storage Area. The recreational vehicles will not be occupied, so the only activity anticipated will be vehicles occasionally entering and exiting the lot. Therefore, the impact on air quality from these vehicles will be minimal, and the proposed landscaping will contribute to improved air quality. Any impacts on air quality resulting from the vehicles will be mitigated by the landscaping plan. Two rows of trees (97 trees total), will be planted along the northwest lot line, along with various stormwater plantings and a row of native riparian plants. Rows of 6-foot high screen shrubs will be planted along the entire south and east lot lines. Additionally, the 8.91-acre site (after the proposed property line adjustment) will leave 5.38 acres of undisturbed wetland area. The proposed and existing landscape plants will improve the area quality for the site and the surrounding area. This standard is met.

5) *Aesthetics; and*

The proposed recreational vehicle storage area will be located on a lot tucked behind the Woodburn Premium Outlets and adjacent to an RV park to the south. The development itself will include gravel and asphalt parking areas and drive aisles. No buildings are proposed. Placement of the RV storage facility at the east end of the site minimizes visual impacts on the proposed multi-family development to the west. The RV storage area will be screened and buffered from adjacent uses through 6-foot high screen shrubs to the east and south, and at least 330 feet of wetland area and two rows of trees at the north and west. The surrounding landscaping on all sides will improve the aesthetics of the area and shield view of the vehicles from neighboring sites. This standard is met.

6) *Vehicular traffic.*

The Transportation Impact Analysis (Exhibit L) demonstrates how the proposed development will impact vehicular traffic in the area. The proposed use requiring Conditional Use approval is an RV Storage Area. The recreational vehicles will not be occupied, so the only activity anticipated will be vehicles occasionally entering and exiting the lot. Access will be from a private driveway from Sprague Lane, behind the Woodburn Premium Outlets, so access to the site will not disturb neighboring residential areas to the west. As shown in the Transportation Impact Analysis, Sprague Lane is a local street which does not experience heavy traffic or congestion; Sprague Lane is used solely for access to the shopping centers east of the proposed development site, and for parking and loading behind the Woodburn Premium Outlets, just beyond the proposed driveway. As the Transportation Impact Analysis demonstrates, all study area intersections of the proposed development are anticipated to meet City, County, and ODOT mobility

standards for all scenarios, and no mitigation is required. The RV storage site is expected to generate an average of 3 AM peak hour trips and 3 PM peak hour trips, and 32 daily trips. If the site were developed with multi-family housing then the transportation impacts would be more significant and the residents would be inconvenienced by commercial traffic from the Woodburn Premium Outlets, particularly at peak shopping times. The RV storage facility will result in lower traffic volumes and increased compatibility with neighboring uses. This standard is met.

d. The conformance of the proposed use with applicable Comprehensive Plan policies; and

Section 5.04.01.C of this narrative demonstrates how the proposed development conforms with each applicable Comprehensive Plan policy. This standard is met.

e. The suitability of appropriate standards of this Ordinance and other proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

The applicant acknowledges the City's authority to impose conditions of approval on the project, to the extent evidence demonstrates that such conditions are warranted to address reasonably anticipated impacts. This standard is met.

There should not be any adverse public impacts related to modifying the ownership or public use requirements for RV Storage areas.

OVERALL CONCLUSION

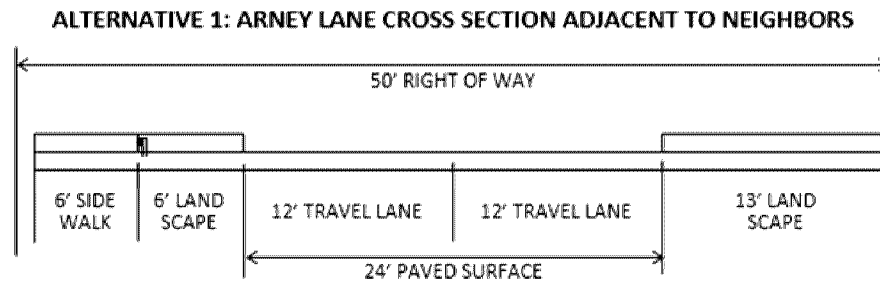
The City Council finds that based on the entire Record, with the Conditions of Approval found below, the application is consistent with all applicable code criteria and that the burden of proof with respect to the requirements of the WDO and Comprehensive Plan have been met.

CONDITIONS OF APPROVAL

The consolidated applications are approved based on the findings submitted by the applicant, which are incorporated by this reference, the staff findings in this report, as well as the application of the following conditions of approval:

1. The property shall be developed in substantial conformity to the final plans submitted and approved with these applications, except where modified by these conditions of approval.
2. Buildings within the project may be constructed and occupied in stages, however, the fencing/buffer landscaping required by Condition 12 shall be installed prior to issuance of a certificate of occupancy for the first building.
3. No building permits shall be issued after January 1, 2021, unless all proposed site improvements are installed or an application for a Phasing Plan or modification to this approval has been approved.
4. All required public improvements must be installed prior to issuance of a building permit unless a performance guarantee acceptable to the City Administrator is provided, as provided for in WDO 4.02.08.

5. Prior to issuance of any development permits, the property owner shall execute an acceptance of these conditions of approval in a form acceptable to the City Attorney.
6. Prior to the issuance of any development permits, the property owner shall submit a storm drainage hydraulic analysis addressing capacity and impacts on the three existing culverts in the proposed Arney Lane extension, subject to review by the City and Marion County. The applicant shall be responsible for correcting any capacity or condition deficiencies, up to and including replacement of the culverts if necessary to accommodate the proposed development, as provided in Condition 4, above.
7. Prior to issuance of any development permit for the residential development, the property owner shall provide and record the required right-of-way dedications, public utility easements, waterline easements, and creek maintenance easements in accordance with the approved plans.
8. The property owner shall provide documentation indicating that the street lighting on Woodland Avenue for the segment which serves as the Boundary Street to the development complies with City and PGE standards.
9. The Recreational Vehicle storage facility must be paved to the standards of WDO Section 3.04.04.
10. Subject to review and approval by the City Engineer, the City may require the following intersection safety and operations improvements:
 - Removal of the existing right-turn-only arrow in the right lane of westbound Robin Avenue.
 - Replacement of the "3 WAY" supplemental plaque on the stop signs with "All WAY" supplemental plaques.
 - Removal or trimming of existing vegetation on the southern tip of the Woodland Avenue median north of Robin Avenue to improve sightlines.
 - Relocation of the southbound stop bar pavement marking on Woodland Avenue north of Robin Avenue to improve sightlines.
 - Modification of pavement marking arrows in Woodland Avenue near Myrtle Street to better explain allowable turn movements.
 - Additional signage on Robin Avenue westbound to indicate that left turns can be made from both lanes and that both lanes provide access to 1-5.
 - Additional signage on Woodland Avenue to provide direction to 1-5.
11. The applicant shall modify the street cross-section section along the north/south extension of Arney Lane adjacent to the neighbors to the west by eliminating on-street parking to allow a wider landscape section on the west side of the street; in accordance with the following:



12. The final plans for the residential development shall be modified to indicate a six-foot fence with sight-obscuring slats along the western property line (except where limited in height to comply with vision clearance standards in WDO 3.03.06). However, along the western property line on the north side of Steven Street, the applicant may get written authorization from the adjacent property owners to install landscaping that meets the “high screen” requirements of the approved landscaped plans in lieu of the fence requirement above.
13. Any adjustments to the final plans necessary to accommodate the turning movements of a WB-67 truck template at the corner of Arney Lane and Steven Street that would reduce landscaping shall be taken from the south side of the Steven Street extension.
14. Final approval shall be obtained for all applicable storm drainage, floodway and wetland permits from the Army Corps of Engineers, Department of State Lands, Marion County and the City.
15. As part of final engineering for the development, the applicant shall update the May 5, 2017 Woodland Crossing Flood Study to include a complete hydrologic analysis of the final site design and full upstream construction buildout. The resulting full-buildout 100-Year Flood peak flow rates shall be utilized to come up with final base flood water surface elevations and floodway boundary for the proposed development. Any resulting modifications to the development site plan and/or construction activities that are required due to the final floodway analysis shall be the responsibility of the applicant/developer, including any required wetland mitigation. The applicant/developer shall also finalize and comply with the storm drainage detention analysis for this development. The on-site storm drainage detention and final floodway analysis shall comply with the City of Woodburn Storm Drainage Master Plan analysis and construction standards.
16. The final plans for the residential development shall be modified to provide at least 690 total off-street parking spaces.
17. The applicant shall construct a new landscaped median on Arney Lane at the north-westernmost exit from the outlet mall parking lot onto Arney Lane, which will restrict vehicles exiting the mall from turning left into the residential neighborhood.
18. The applicant shall contribute \$50,000 into the Public Works Street and Storm Capital Construction Fund and marked for improvements that will alleviate and/or mitigate potential adverse impacts of vehicular traffic on the adjacent existing residential neighborhood to the west. The City shall not use these funds on improvements east of I-5 or south of St. Hwy 219. Because the traffic impacts of the Project do not warrant any additional improvements, this contribution

shall be made and accepted in lieu of any future involvement of the owner or owners of the Project in a local improvement district, reimbursement district, or any other local contribution mechanism for improvements to the Robin Avenue/Woodland Avenue intersection. Prior to payment, the applicant and City shall execute an agreement memorializing the above terms that shall be recorded in the property records of Marion County.

Annexation

ANX 2017-03

ANALYSIS AND FINDINGS

BACKGROUND AND PROPOSAL

This application specifically requests:

- **Annexation to bring the site into city limits;**
- Property Line Adjustments to transfer a 100-foot strip of land to the site to allow the eastward extension of Steven Street and to separate the multi-family residential development site from the RV storage site;
- Design Review for the multi-family dwellings and RV storage;
- Riparian Corridor and Wetlands Overlay District permit for site alterations in the overlay zone;
- Variances related to (1) screening between uses; (2) landscape buffer requirements; and (3) the location of parking; and,
- Conditional Use approval to allow the proposed RV storage area to be open to the public.

The proposed 300 unit multi-family residential development (Woodland Crossing) with a recreational vehicle (RV) storage area is located on a site west of the Woodburn Premium Outlets and east of the Woodburn West Mobile Estates. Staff is consolidating the applications as is required under the WDO for an annexation that includes a specific development approval.

The Planning Commission conducted public hearings on July 27 and August 10, 2017. The City Council held public hearings on October 9, November 13, and December 11, 2017 after which the Council voted to approve all of the requested associated with this application, including the annexation.

APPROVAL CRITERIA

Sections 4.01 and 5.04 of the WOODBURN DEVELOPMENT ORDINANCE, as well as any applicable elements of the WOODBURN COMPREHENSIVE PLAN, as they relate to requests for annexation.

THE RECORD

The record for ANX 2017-03 (consolidated): *CU 2017-02/DR 2017-03/VAR 2017-03/RCWOD 2017-03/PLA 2017-04*, consists of all of the evidence placed before the Planning Commission and City Council, including all testimony received during the public hearings.

FINDINGS AND ANALYSIS

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.

A consolidated review was completed for this application. This application includes multiple requests that will allow for the development of a multi-family residential development and a recreational vehicle (RV) storage area, on a site that is currently located outside of city boundaries. This application requests: annexation to bring the site into city limits; two Property Line Adjustment to accommodate the extension of Steven Street and create separate lots for the RV storage site and the residential development; Design Review for the multi-family dwellings and RV storage; a Riparian Corridor and Wetlands Overlay District (RCWOD) Permit for site alterations in the overlay; a Variance for the screening requirement of Section 3.06.05; and Conditional Use approval to allow public use of the proposed recreational vehicle storage area. The highest level of review for the proposals is the Annexation, which is processed as a Type IV review. This application requests Type IV approval for the proposed development. This standard is met.

The requirement is met.

5.04.01 Annexation

...

B. Mandatory Pre-Application Conference: Prior to requesting annexation to the City, a Pre-Application Conference (Section 4.01.04) is required. This provides the city an opportunity to understand the proposed annexation and an opportunity to provide information on the likely impacts, limitations, requirements, approval standards, and other information that may affect the proposal.

A pre-application conference was held on January 19, 2017.

The requirement is met.

C. Criteria:

1. Compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation.

The requested annexation complies with numerous provisions of the Comprehensive Plan, including Applicable Comprehensive Plan goals and policies are outlined in this section below.

G-2.1 For each proposed expansion of the City, Woodburn shall assess the proposal's conformance with the City's plans, and facility capacity and assess its impact on the community.

The Comprehensive Plan designation for the site is Medium Density Residential, which allows for multi-family residences at up to 16 units per acre. The proposed development at this site includes multi-family housing plus RV storage. The proposed residential development consists of 300 apartments. The proposed RV storage area is a special permitted use in Medium Density Residential areas. Utilities and roadways are available in close proximity to serve the site and no capacity constraints have been identified in the correspondence from Public Works staff, the Fire Marshal, or the School Superintendent. This goal is met.

G-2.2 Woodburn will achieve more efficient utilization of land within the City by:

(a) Incorporating all of the territory within the City limits that will be of benefit to the City.

The proposed annexation will allow development of multi-family housing and an RV storage area. This project will help meet the City of Woodburn's housing demands, and add to the variety of housing options as mandated by Statewide Planning Goal 10. Inclusion of the RV storage facility assists the project economics and makes the overall property a viable site for 300 multi-family units. The provision of land for these purposes serves as a benefit to the City. This goal is met.

(b) Providing an opportunity for the urban in-fill of vacant and under-utilized property.

The proposed annexation site is partially developed but primarily vacant property, bordered on three sides by City of Woodburn parcels. Annexation of this site will allow for the development of housing on under-utilized parcels of land. This goal is met.

(c) Fostering an efficient pattern of urban development in the City, maximizing the use of existing City facilities and services, and balancing the costs of City services among all benefited residents and development.

The site is bordered on three sides by the City parcels which are served by existing facilities and services. The location of this annexation area and development will help meet the City's housing demand while minimizing the cost of extending facilities and services. The utility extensions required to serve the site are relatively limited, allowing for efficient development. This goal is met.

(d) Requiring master development plans for land within Nodal Development Overlay or Southwest Industrial Reserve overlay designations prior to annexation. Master plans shall address street connectivity and access, efficient provision of public facilities, and retention of large parcels for their intended purpose(s).

The proposed annexation site is not located within the Nodal Development Overlay or the Southwest Industrial Reserve. This goal does not apply.

G-2.3 Woodburn will use annexation as a tool to guide:

- (a) The direction, shape and pattern of urban development;*
- (b) Smooth transitions in the physical identity and the development pattern of the community; and*
- (c) The efficient use and extension of City facilities and services.*

The proposed annexation site is bordered on three sides by developed area within City Limits. Allowing infill would create a continuous urban area and a smooth transition between the developed urban areas to the east and west. Additionally, development in this area would be an efficient use of City facilities and services, as the development will connect to adjacent existing services. As there are existing sanitary and water mainlines adjacent to the site and all proposed entryways will connect to existing streets, the cost to extend these facilities would be minimal compared to potential annexation territories not bordered by the City on three sides. The annexation and development in this area allows for the City to meet housing demands with the most efficient use of resources. Additionally, the proposed RV storage will satisfy a community need for high-quality secure storage facilities. This goal is met.

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.

The proposed annexation area is contiguous to the City on three sides. Correspondence from the City Engineer, Fire Marshal, and School Superintendent (Exhibit E) indicates that the agencies have sufficient capacity to serve the site upon development (provided that the developer analyzes utilities and installs necessary infrastructure). Public water is available near the site in Woodland Avenue, Arney Lane, and Sprague Lane; public sanitary sewer is available along the site's western boundary, in Woodland Avenue, and in Sprague Lane; and storm drainage can be managed on site and released to the Senecal Creek East Tributary. This standard is met.

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;

The proposed annexation area abuts the City of Woodburn along its east, south, and west boundaries. This standard is met.

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;

This proposal is consistent with the City of Woodburn's Comprehensive plan, which designates the site as Medium Density Residential. The proposed development would add 34 acres of Medium Density Residential land to City Limits. This area was classified in the Buildable Lands Inventory as Residential-Vacant and Residential-Partially Vacant land. The number of other vacant large residential lots in the City is limited. This annexation is consistent with the City's plan to provide sufficient buildable land for the City's growth. The Woodburn Residential Land Needs Analysis indicates that the City had a 2020 residential land need of 526 acres, so the proposed 34-acre annexation arguably constitutes a fraction smaller than a 5-year supply. This standard is met.

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;

The site abuts City Limits and the proposed annexation will make use of public facilities previously installed to serve development in northwest Woodburn. Any necessary utility extensions can be made available to serve development of the site. This standard is met.

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.

The nearest collector street is Arney Road, while the nearest access street is Woodland Avenue. The Transportation System Plan does not illustrate any future arterials or collectors through or adjacent to the site. The proposed street layout would extend Steven Street into the site, and extend Arney Lane NE west

across the northern lot line of the property; these street extensions will be dedicated as public streets. A private driveway is proposed on Sprague Lane to allow access to the RV storage site. This standard is met.

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.*

The proposed annexation will increase the supply of developable, serviceable residential land within City Limits. The City has only minimal multi-family residential lots available for development at this time. This standard is met.

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.*

The site is designated Medium Density Residential. This standard does not apply.

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.*

The application proposed the annexation of two parcels. Exhibit C includes signatures from both property owners on a Petition for a Consent Annexation and Waiver of Time Limit form, while Exhibit D includes Certification of Registered Voters forms signed by the Marion County Elections Office certifying that there are not registered voters on the properties proposed to be annexed. This standard is met.

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.*

The proposed annexation was initiated by both property owners (100% of the property owners of the territory to be annexed). This standard does not apply.

The City may initiate annexation of an island (ORS 222.750), with or without the consent of the property owners or the resident electors. An island is an unincorporated territory surrounded by the boundaries of the City. Initiation of such an action is at the discretion of the City Council.

The proposed annexation area is not surrounded by City boundaries all sides and the City has not initiated annexation. This standard does not apply.

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.

The proposed annexation territory is designated as Medium Family Residential on the City of Woodburn's Comprehensive plan. Upon annexation, the parcels will be designated with the Medium Family Residential zone (RM). The proposed developments are consistent with this zoning, as demonstrated in this narrative. This standard is met.

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.*

The applicant requests deferral of the dedication of street right-of-way and public utility easements until construction drawings have been prepared by the applicant's engineer and reviewed by City staff to ensure that the dedication is sufficient to accommodate the new streets and PUEs. Street improvements and connections to the sanitary sewer system, the public water system, and the public storm drain system will be constructed during development, as will be demonstrated at the time of permit submittal. This standard is met.

The application meets the annexation requirements/criteria of 5.04.

OVERALL CONCLUSION

The City Council finds that based on the entire Record, with the Conditions of Approval found below, the application is consistent with all applicable code criteria and that the burden of proof with respect to the requirements of the WDO and Comprehensive Plan have been met.