



# Staff Report

**To:** Planning Commission

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

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

**Meeting Date:** January 26, 2023 (Prepared January 19, 2023)

**Item:** 960 Young St, "Townsend Farms" (CU 22-02)

**Tax Lot(s):** 051W18AD08300

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## Issue before the Planning Commission

Conditional Use CU 22-01 (Type III) with proposed site development DR 22-11 Townsend Farms building addition and variance request VAR 22-09 not to construct "Joyce Way" west half-street improvements: Commission decision.

## Executive Summary

### Location

The proposal is to approve the conditional use (CU) of “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods” on the subject property that is zoned Commercial General (CG), composed of one tax lot of 3.62 acres, and addressed as 960 Young Street. The property is located east of Gatch Street along the south side of Young Street, at the corner of Young Street and unimproved unnamed right-of-way (ROW) that staff terms “Joyce Way”.



Vicinity of subject property; subject property outlined in green





*Close-up of subject property; subject property outlined in green*

### *Design Review*

The applicant proposes partial redevelopment through a small building addition of net additional 2,400 square feet (sq ft), a 7.2% increase over existing. It would serve a large freezer tunnel for Townsend Farms, a berry business that is the sole occupant of the existing industrial development that has been around decades. Redevelopment comes with upgrading the Young Street frontage to have a wider landscape strip and sidewalk as well as street trees.

### *Conditional Use*

The applicant/developer applied for a conditional use (CU) for the group that Woodburn Development Ordinance (WDO) Table 2.03A, row C.4 lists as, “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods, and mini-storage”, which are permissible as a conditional uses within the CG zoning district.

Because the applicant does not propose “mini-storage”, and staff desires that there not be any such use later without CU review and approval, staff excludes mini-storage from analysis and approval. Additionally, the applicant’s proposal is focused on “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products ...” specifically, with an emphasis on trucking and warehousing of farm products (berries).

The existing industrial development and business operations long pre-date the WDO that the City first adopted in 2002.

A “conditional” use is called such because (1) it’s conditional upon discrete approval by the City, and (2) the City can condition physical or operation aspects of a proposal, including on issues particular to the case at hand and above and beyond what WDO provisions directly address.

### *Variance*

The applicant/developer applied for a variance (VAR 22-09), a request to vary from the minimum Boundary Street improvements per Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding “Joyce Way”.

Joyce Way” refers to an unimproved unnamed City ROW 50 feet (ft) wide that runs northerly-southerly between 960 and 1030 Young Street (Tax Lots 051W18AD08300 & 051W18AD08400) and extends to Young at the north and Willamette Valley RR at the south. County Tax Map 051W18AD delineates it. (City Planning staff has referred to it as “Joyce Way” since the time of pre-application meeting PRE 2020-04 on February 27, 2020 because that is the same name as the nearest street to the north along an imaginary line, Joyce Street, and WDO 3.01.06C.1d lists the suffix “Way” as an acceptable one.)





*Subject property outlined in green; approximate west half of "Joyce Way" ROW indicated by purple bar*

In short, the applicant's variance request is to not construct west half-street improvements along the east property line.

### *The Proposal*

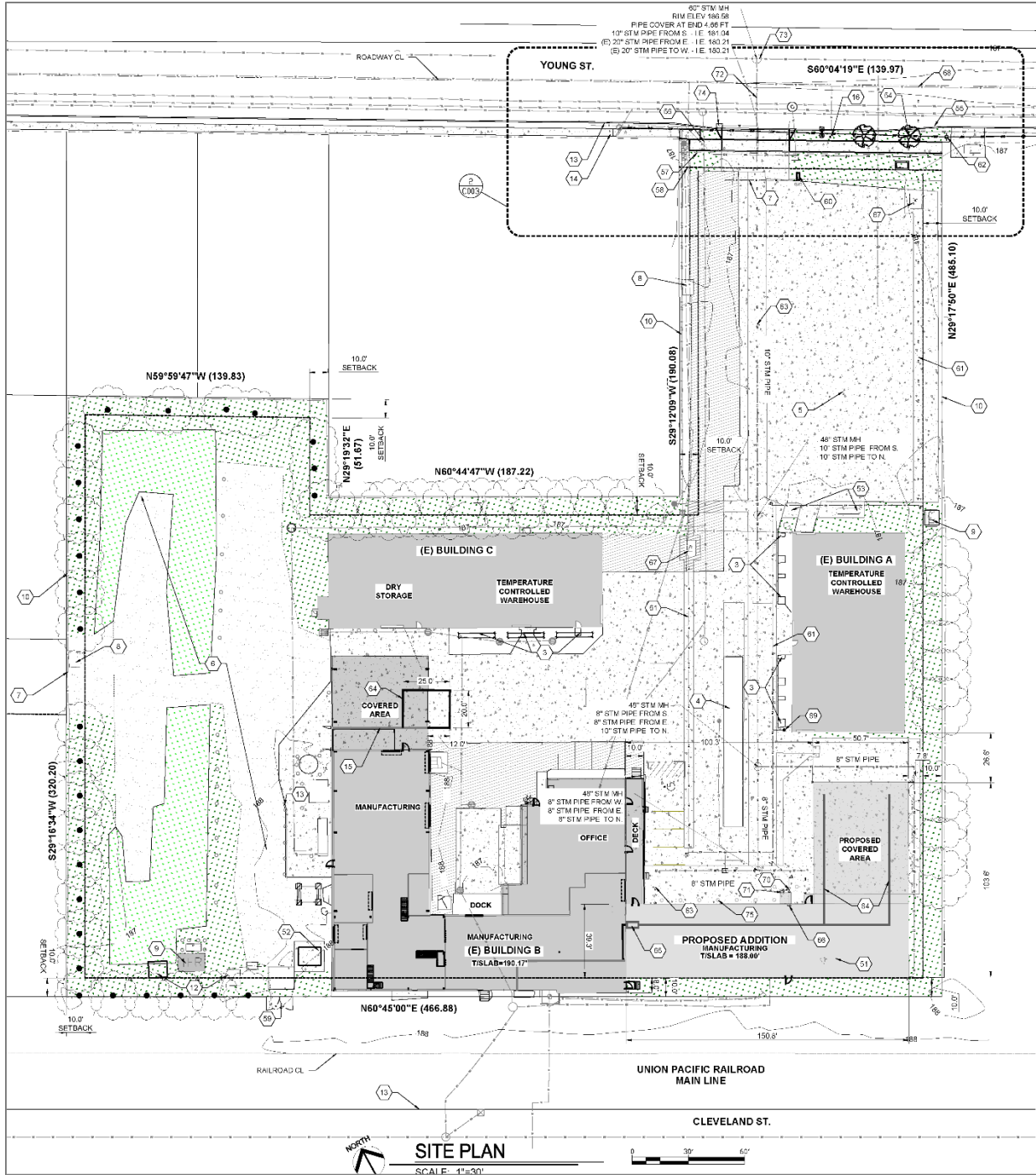
Staff and the developer have worked to produce a good site development outcome by focusing on several things:

1. Young Street frontage/street improvements including sidewalk and street trees;
2. Landscaping as buffering/screening of the south large blank wall of the addition and of the northeast outdoor storage yards;
3. A transit service fee to alleviate traffic congestion and improve walking, cycling, and local bus ridership; and
4. Joyce Way right-of-way (ROW) dedication of 5 feet (ft) as WDO 3.01.01A, 3.01.04B.1, & Figure 3.01G require so that, in the future if some other party constructed a street, there would be minimum room at the west.

The staff analyses and findings (Attachment 102), especially the Conditional Use Provisions and Variance Provisions sections, provide much more detail, and the recommended conditions of approval secure the above things.

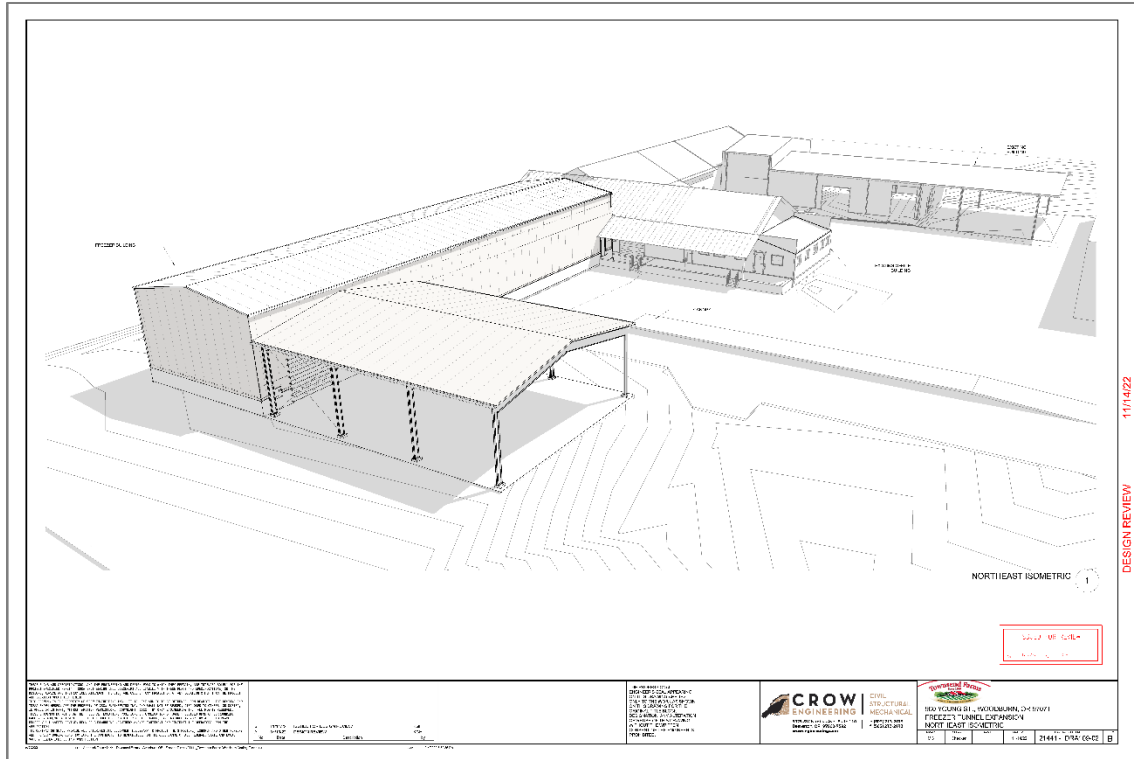
### *Site Plan*

A site plan excerpt follows on the next page, and a larger version is among the attached site plans (Attachment 103). There are also two architectural renderings below, perspective views of the building addition.

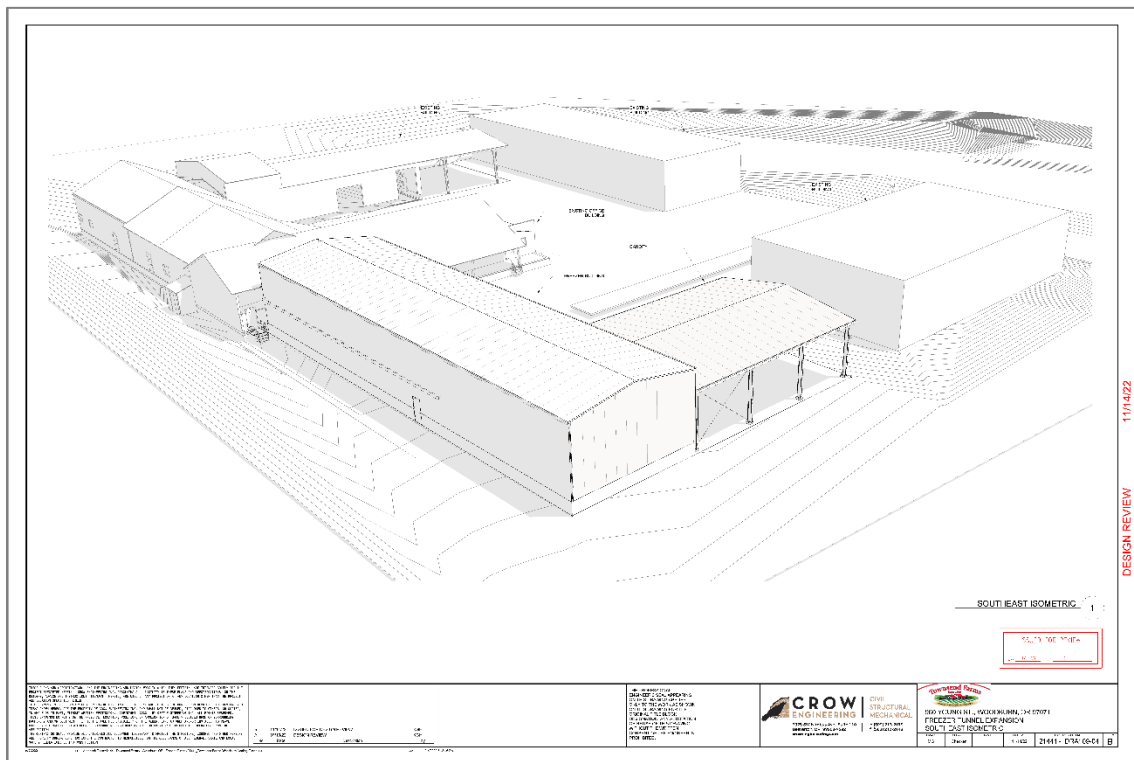


Site plan (Sheet C002 excerpt); addition is at bottom right / south/southeast





*Addition perspective view from east/northeast*



*Addition perspective view from south/southeast*

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

### **Recommendation**

Approval with conditions: Staff recommends that the Planning Commission consider the staff report and attachments and approve the consolidated applications package with the conditions that staff recommends.

See the next page for the start of conditions.

## Conditions of Approval

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

### *General*

G0. The applicant/developer shall comply with the general conditions in Attachment 202.



### *Conditional Use 22-02*

#### *Frontage/street improvements*

CU1. Frontage/street improvements:

a. Young Street:

(1) ROW curvature: To accommodate potential improvement of the west side of Joyce Way and curvature for turning vehicles at the west/southwest corner of a T-intersection of Young and Joyce, the applicant shall dedicate a blunted area of the subject property east/northeast corner as ROW of a curvature per public works standards.

Note: See Note A below.

(2) Landscape strip and sidewalk: Based on WDO 5.03.01B.3c5), the landscape strip shall be minimum (min) width 6.5 ft including curb width, and the sidewalk min width 8 ft.

(3) Street tree fee in-lieu: If the developer opts for street tree fee in-lieu, it shall be for maximum (max) 3 of the min 5 street trees that WDO 3.06.03A.1 (1:30) requires and with a fee per Attachment 203.

(4) Fence/fencing: The developer shall remove any existing north yard fencing from within the widened Joyce Way ROW prior to building permit final inspection.

Note: See also Condition D1.

b. Joyce Way: Because of Variance VAR 22-09, see Conditions V1 & V1.



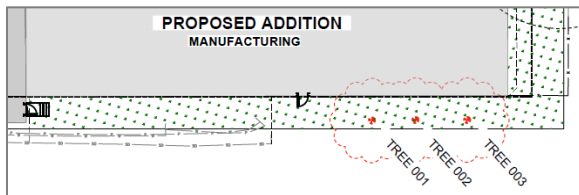
*Trash Enclosure*

CU2. Trash enclosure: If any outdoor storage of trash and recycling is later proposed, then per WDO 3.06.06B.

*Tree Preservation*

CU3. Tree preservation:

- a. ROW: n/a.
- b. On-site:
  - (1) The developer shall pay a mitigation fee for Trees 16 & 17, which Sheet C007 illustrated as proposed to be removed, per Attachment 203.
  - (2) Based on WDO 5.03.01B.3c5), the developer shall replace Trees 1-3 proposed to be removed with two coniferous/evergreen trees at minimum size at planting per Table 3.06B and in the same 10-foot wide easterly south yard along the building addition.



*Exhibit CU3b(2)-1: Trees 1-3 from Sheet C007*



*Exhibit CU3b(2)-2: Trees 1-3 from Google Street View June 2018*

*Landscaping*

CU4. North yard:

- a. Trees: Based on WDO 5.03.01B.3c5), the north yard shall have min two trees that complement the row of street trees and are placed within a band between streetside PUE and 20 ft from ROW.
- b. Hedge/shrubbery: Based on WDO 5.03.01B.3c5) and to buffer/screen from the north, the developer shall replace the shrubbery proposed to be removed with minimum 18 shrubs that are large size category at maturity per WDO Table 3.06B.



*Exhibit CU4b: North yard shrubbery to be removed Google Street View August 2017*

CU5. Based on WDO 5.03.01B.3c5) and to buffer/screen from the east, along the existing outdoor storage yard chain link fence, the developer shall plant evergreen shrubbery, specifically 40 shrubs that are large size category at maturity per WDO Table 3.06B along the outside of the fence and minimum 10 ft from the existing Joyce Way ROW boundary, which is equal to 5 ft from the to-be-widened Joyce Way ROW.



*Exhibit CU5: Outdoor storage yard east side fencing Google Street View August 2017*

CU6. Evergreen: 2 min of trees new to the site. The 2 shall be 1 min of the following coniferous or evergreen species:

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

CU7. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment along their sides, excepting the side intended for technician access. For at-grade electrical transformers, minimum two sides shall be screened.

CU8. Discontinuance/Revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, C.4 use of “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods ...” ceases and 3 years pass without the use recommencing. This CU approval excludes the use “mini-storage” from the group of uses as the WDO terms.

CU9. CU Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. The primary use would become other than fresh and frozen berry growth, processing, and distribution and the storage of farm products;
- b. Significant expansion of the use, factors being an increase in any of: total gross floor area (GFA) by 25.0% or more or by an absolute value of 10,000 sq ft or more, and the number of buildings by 2 or more;
- c. Increase in off-street parking by 12 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- d. Net Increase in impervious surface totaling more than 10,000 sq ft;
- e. Any proposal necessitating a variance application to vary from the WDO;
- f. Any proposal necessitating a Type III or IV land use application type;
- g. City adoption of a unified development ordinance replacing the WDO were to have intervened; and
- h. Proposal by the landowner for the City to approve formally a long-range master plan for the redevelopment of the subject property.

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may determine that the provisions supersede this condition of approval.





*Design Review 22-11*

D1. Frontage/street improvements: To conform with 3.01:

a. Young Street: The developer shall:

(1) ROW: Dedicate ROW of min width to achieve a min width of 37 ft south of road centerline per WDO 3.01.04B and Figure 3.01C “Minor Arterial”.

(2) PUE: Grant a streetside PUE min 5 ft wide per WDO 3.02.01B and max 8 ft wide per 3.02.01F.2.

Note: See Note A below.

(3) Street trees: The developer shall revise the site plan Sheet C003 or equivalent:

(a) To conform with WDO 3.06.03A.2a by indicating a species that is large size category at maturity as Table 3.06B describes; and

(b) To conform with WDO Table 3.06C by indicating a permissible species.

The developer shall revise the site plans prior to building permit issuance.

Note: See also Condition CU1a.

b. Joyce Way: Because of Variance VAR 22-09 regarding west half-street construction, see Conditions V1 & V2.

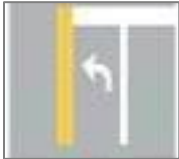
D2. Nuisance fencing: To conform with WDO 2.06.02D.4, a fence constructed of materials that could cause bodily harm, including, but not limited to, those conveying electric current, razor wire, spikes and broken glass, is prohibited.

D3. Electric power pole(s) and line(s): To conform with WDO 3.02.04B, the developer shall pay an electric power pole removal and line burial fee per Attachment 203.

D4. Vehicular area pavement: This condition is applicable only if between land use approval and building permit issuance Oregon Fire Code (OFC) Appendix D as administered by the independent Woodburn Fire District designates a route in the west side yard leading to and from Gatch Street as a required fire apparatus access road: To increase conformance with WDO 3.05.02F, the developer shall pave per 3.04.04 a drive aisle min width 20 ft in the west yard where there is employee parking, extending at the west to the west lot line where there is an access easement that benefits the subject property across the property at 100 Gatch Street (Tax Lot 051W18AD07300) and at the east where there is existing asphalt or concrete vehicular area, an extent of approximately 130 ft. Due by building permit final inspection. (This condition does not require curbing; note that 3.04.04 allows “grasscrete”.) The developer shall revise the site plans prior to building permit issuance.

D5. Wide walkway: To conform with WDO 3.04.06B, the developer shall provide a wide walkway between Young Street sidewalk and a pedestrian entrance in Building B. Striping a boundary within existing pavement is a means to establish a wide walkway, though a walkway cannot overlap the travel lanes of a driveway throat or drive aisle. Based on 3.04.06D, where it crosses a drive aisle or vehicular area, the wide walkway shall be striped with any of hatch or ladder pattern or bars perpendicular to the crossing. The developer shall revise the site plans prior to building permit issuance.

D5a. Left turn pocket striping: Based on WDO Table 3.04A rows “Paved Width of Driveway”, “2-way”, & “Industrial” and 3.05.02J, within the Young Street driveway throat the developer shall stripe a center left turn pocket for vehicles that turn left to exit the site. Min striping is double yellow lines and a left arrow. The developer shall revise the site plans prior to building permit issuance.



*Exhibit D5a Conceptual example of driveway left turn pocket*

D6. Parking: To conform with WDO Table 3.05A, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum off-street parking ratio(s) – prior to building permit issuance – and provide such parking.

Note D6: Based on the situation, the applicant would:

- a. Demonstrate whatever the minimum parking is to provide later, demonstrating sometime between the start of the Planning Commission hearing and when the Commission closes the public hearing and grants tentative land use approval with conditions, or
- b. All three of: ask the Commission to continue the hearing, get a continuance, and in writing grant the City an extension of at least 14 days of the final decision due date as ORS 227.178(5) allows to resolve the parking issue, or
- c. After land use approval with conditions, delay building permit issuance by weeks or months by submitting either a Zoning Adjustment (ZA) or variance application to deviate from whatever the minimum required parking is if the applicant can't or doesn't want to provide the agreed-upon WDO minimum, and have a Commission hearing and the Commission grant a tentative land use decision.

D7. C/V: To conform with WDO Table 3.05C and 3.05.03H, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum carpool/vanpool (C/V) parking and C/V parking standards – prior to building permit issuance – and provide such C/V parking. Of the min number of stalls, if any, min 1 shall be paved per WDO 3.05.02F and 3.04.04 and striped per Figure 3.05C.

D8. EV: To conform with WDO Table 3.05E and 3.05.03I, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum electric vehicle (EV) parking and EV parking standards – prior to building permit issuance – and provide such EV parking. Of the min number of stalls, if any, min 1 shall be paved per WDO 3.05.02F and 3.04.04 and striped per Figure 3.05C.

D9. Bicycle parking: To conform with WDO Table 3.05D row 1 and 3.05.06, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum off-street bicycle parking and bicycle parking standards – prior to building permit issuance – and provide such bicycle parking.


D9a. Landscaping general requirements: To conform with WDO 3.06.02, the developer shall revise the site plans to illustrate and note how there is conformance with the landscaping general requirements – prior to building permit issuance – and plant required landscaping accordingly.

D10. To conform with WDO 3.10.08R, the developer shall remove the existing monument sign from the area within Young Street widened ROW and streetside PUE.



*Exhibit D10: North yard monument sign Google Street View August 2017*

D11. Lighting: Altered and new exterior lighting shall be per WDO 3.11.02 and, for permanent signage, per WDO 3.10.06G, and the shall revise Sheet C006 or equivalent – prior to building permit issuance – to illustrate and note how there is conformance.



*Design Review 22-11: Transportation*

T-T1. Bus transit fee: To further TDM through local and regional bus transit and vanpooling, the developer shall pay a transit service fee per Attachment 203. [This condition relates to TSP projects T41 & 16 and TDM1 and TPU projects 1, 2, 3, 11, 12, 13, 15, & 20.]



Variance 22-09

V1. Joyce Way west half-street improvements variance: Fire apparatus road #1: The request to vary from Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding the unnamed paper street right-of-way (ROW) at the east that City staff terms “Joyce Way” is approved, but with provisions as follows and, where conflicting with Condition G4, superseding:

- a. Objective: The objective of this condition is to have Townsend Farms improve or pay for improved fire access as follows: Upon either DR 22-06 1030 Young Street residences development or any redevelopment of that property that constructs a Joyce Way east half-street similar to how land use review Sheet PP-2 illustrated providing access to 1030 Young Street, then Townsend Farms shall per Woodburn Fire District (WFD) administration of the Oregon Fire Code (OFC) improve the gap between the half-street and the east dead-end of fire apparatus road #1 as CU 22-02 land use review Sheet C004 illustrated it and install a gate and emergency key box.

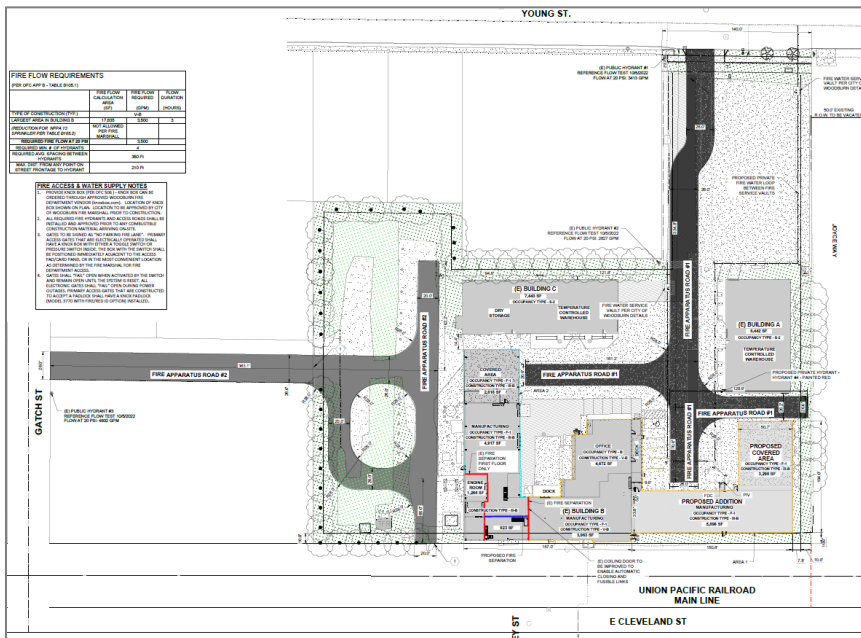
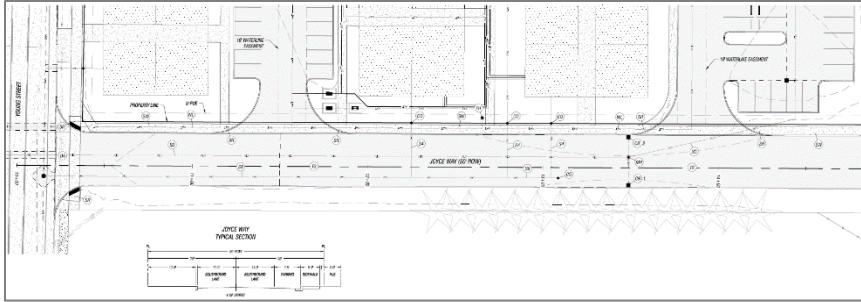


Exhibit V1a-1 Sheet C004 Fire apparatus roads



*Exhibit V1a-2 DR-22-06 1030 Young Street Sheet PP-2 Joyce Way east half-street*

- b. Due date: Per the WFD Fire Marshal, yet no later than before issuance of the first certificate of occupancy (C of O) for a 1030 Young Street redevelopment. The City delegates administration of this fire access condition to the WFD Fire Marshal, and after the developer and the Fire Marshal implement the condition, the developer shall submit to City staff documentation that the WFD considers the condition met, whether through improvement or fee in-lieu.
- c. Fee in-lieu: If the WFD Fire Marshal allows, the developer may pay a fee in-lieu per Attachment 203.
- d. Consent to temporary construction access: By this condition, in a scenario where a party other than Townsend Farms is to bring about the conditioned fire access improvements, then the property owner consents to temporary construction access by District staff or contractors coming onto the subject property, on and near the east dead-end of fire apparatus road #1, as necessary to complete construction and installation of the conditioned fire access improvements.
- e. The developer shall revise the site plans prior to building permit issuance.

V2. Joyce Way west half-street improvements variance: ROW & PUE:

- a. ROW: As WDO 3.01.04B.1 and Figure 3.01G require, the developer shall dedicate minimum 5 feet of ROW along Joyce Way, within which along its full extent buildings neither exist nor are proposed.
- b. PUE: The developer shall grant a streetside public utility easement (PUE) minimum 5 feet wide per WDO 3.02.01B and max 8 feet wide per 3.02.01F.2.  
Note: See Note A below.
- c. Fence/fencing: Based on WDO 2.06.02C.2 and 3.03.02C, the developer shall remove any existing east yard fencing from within the widened Joyce Way ROW either (1) prior to building permit final inspection or (2) in the indefinite future upon start of construction of Joyce Way improvements. (Removal shall remain at developer's expense.)

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the

Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council usually meets second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.

## **Actions**

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

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

## **Attachment List**

101. Marked Tax Map
102. Analyses & Findings
- 102A. Public Works comments (Jan. 18, 2023)
103. Application materials / site plans (Oct. & Nov. 2022; 20 pages)
104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
201. CU 22-02 Townsend Farms: Dictionary & Glossary
202. CU 22-02 Townsend Farms: General Conditions
203. CU 22-02 Townsend Farms: Conditioned Fees



# 05 1W 18AD WOODBURN



**MARION COUNTY, OREGON**  
SE1/4 NE1/4 SEC18 T5S R1W W.M.  
SCALE 1" = 100'

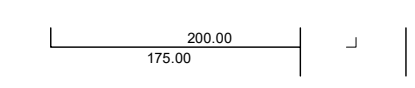
### LEGEND

- LINE TYPES**
- Taxlot Boundary
  - Road Right-of-Way
  - Railroad Right-of-Way
  - Private Road ROW
  - Subdivision/Plat Bndry
  - Waterline - Taxlot Bndry
  - Historical Boundary
  - Easement
  - Railroad Centerline
  - Taxcode Line
  - Map Boundary
  - Waterline - Non Bndry

- CORNER TYPES**
- + 1/16TH Section Cor.
  - ⊙ DLC Corner
  - ⊕ 1/4 Section Cor.
  - ⊕ 16, 15 Section Corner
  - ⊕ 21, 22

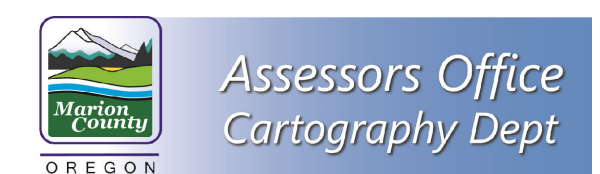
**NUMBERS**  
Tax Code Number  
**00 00 0**  
Acreage **0.25 AC** All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

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



CANCELLED NUMBERS	
1401	
1500	
1900	
2000	
2100	
2200	
2901	
3000	
4200	
5700	
8300A1	

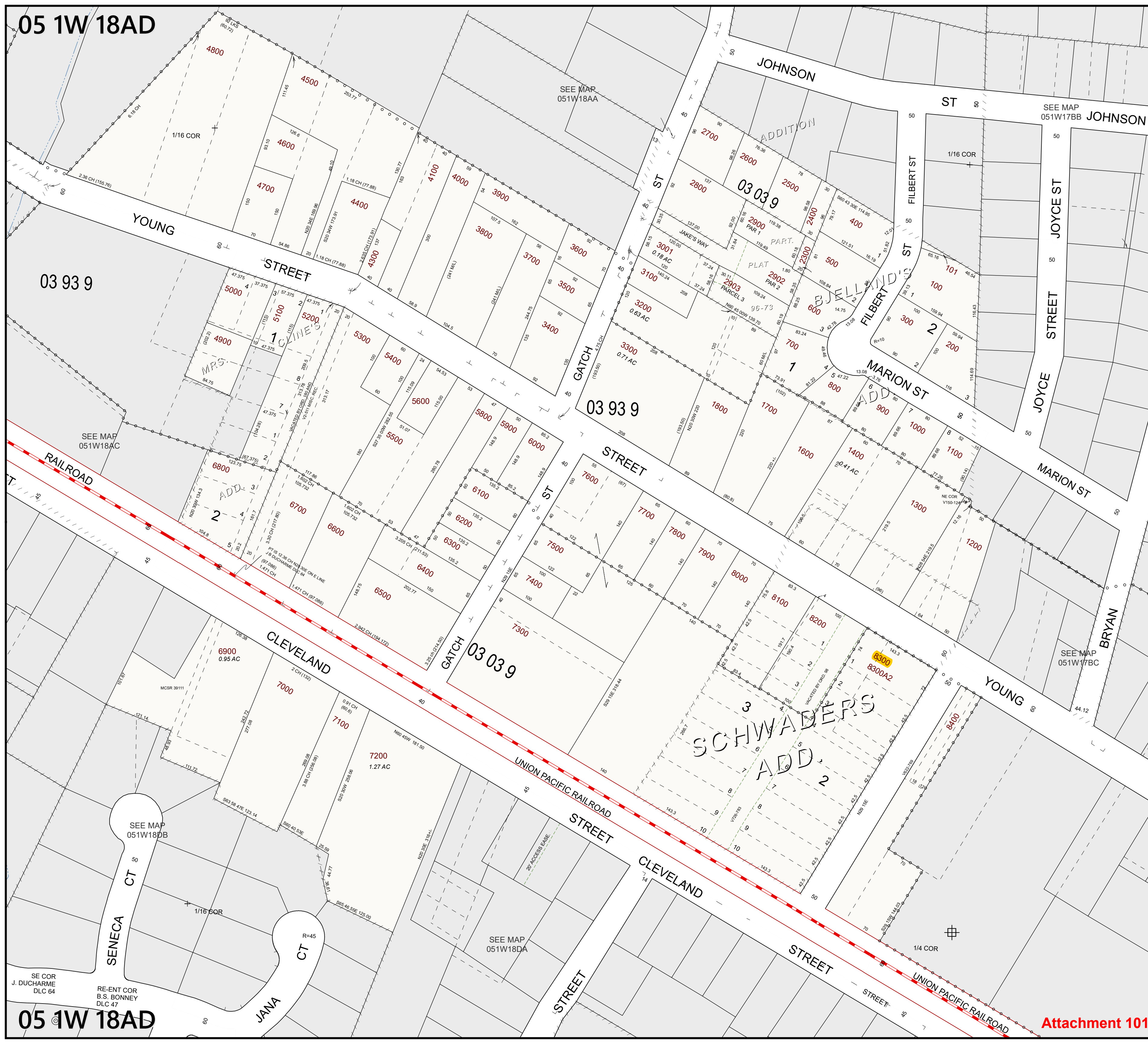
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us)

PLOT DATE: 3/31/2021

# WOODBURN 05 1W 18AD



05 1W 18AD

05 1W 18AD

# Analyses & Findings

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

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

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

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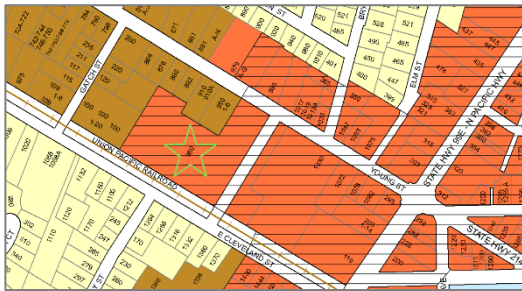
## Location

<i>Address(es)</i>	960 Young Street
<i>Tax Lot(s)</i>	051W18AD08300
<i>Nearest intersection</i>	Platted: Young Street and unimproved unnamed right-of-way (ROW) that staff terms “Joyce Way” – See Attachment 201 “Dictionary & Glossary” for background; Existing/improved: Young & Bryan Streets

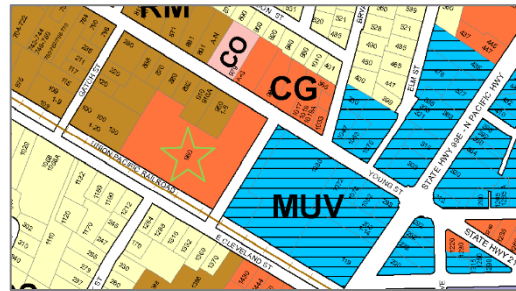
## Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial – with Mixed Use Village Overlay (MUVO)
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	None
<i>Existing Use(s)</i>	Fresh and frozen berry growth, processing, and distribution; storage of farm products

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



Comprehensive Plan land use map excerpt; a green star marks the subject property



Zoning map excerpt

Note: Per the [Highway 99E Corridor Plan](#), p. 33, Figure 12 “Mixed Use Village Boundaries and Phasing”, the subject property falls within the light pink area that the legend indicates as “Proposed New Zone Boundaries by Timing ... Phase 2 (upon improvement of Hwy 99E)”. When the City Council adopted the H99ECP via Ordinance No. 2492 on July 9, 2012, staff at the time apparently anticipated that the Mixed Use Village (MUV) zoning district would expand onto this and other light pink properties.

On H99ECP p. 11, Footnote 10 indicates, “Rezoning is recommended to occur for Phase 2 through a legislative action by the City once funding for the detailed engineering design of the improvements to Highway 99E in Segment 3 is committed.” On p. 10, the first paragraph describes, “Segment 3 (from Lincoln to south of Cleveland)”, as that highway segment.

In short, the Comprehensive Plan and Highway 99E Corridor Plan both plan for the City to rezone the subject property MUV in the indefinite future.

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Medium Density Residential (RM): houses and apartment houses
East	Across “Joyce Way” right-of-way (ROW): Mixed Use Village (MUV): 1030 Young Street, which was the site of the Young Street Market destroyed by fire and demolished
South	Across Union Pacific / Willamette Valley Railroad ROW and track as well as across E. Cleveland Street: Residential Single Family (RS): houses and apartment houses
West	RM: small apartment complex, New Hope Apostolic Church parking area

## Statutory Dates

<i>Application Completeness</i>	November 29, 2022
<i>120-Day Final Decision Deadline</i>	March 29, 2023 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date is March 27, 2023.)

## Design Review Provisions



The project name is Townsend Farms industrial addition/expansion.

Note: The City Council amended the WDO by Ordinance 2602 on May 9, 2022 (Legislative Amendment LA 21-01) effective June 8, 2022 and by Ordinance 2603 on June 13, 2022 effective June 30, 2022 (LA 21-02). Because the CU 22-02, DR 22-11, & VAR 22-09 consolidated application package submittal was July 20, 2022, the present version of the WDO is the one that the proposal is subject to and the version that these analyses and findings cite because of the state “goal post” rule codified in Oregon Revised Statutes (ORS) 227.178(3)(a). (That said, because a conditional use [CU] is a discretionary application type meant to be conditioned if approved, there are a number of conditions that require conformance to certain sections of the present WDO. Practically, the proposed development as drawn for land use review largely would have conformed to the present WDO anyway.)

### 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.**

### 5.03.02 Design Review, Type III

**A. Purpose: The purpose of Type III design review is to ensure that new buildings or additions to existing buildings comply with Land Use and Development Guidelines and Standards of this Ordinance (Sections 2 and 3).**

**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.

Because the proposal is for net additional building area of 2,400 square feet (sq ft) in the CG zoning district (through partial building demolition of 8,000 sq ft and building addition of 10,400 sq ft), per subsection 3. it requires a Type III Design Review. Additionally, the applicant submitted the Type IV application type of Annexation, which per 4.01.07 cited above elevates the consolidated applications package to the highest level required among the individual application types. The applicant submitted site plans on July 20, 2022 and revised site plans through November 15, 2022 (within Attachment 103). (Staff hosted a pre-application meeting on May 24, 2022 for PRE 22-20.)

✓ The requirement is met.

## **2.03 Commercial Zones**

**A. The City of Woodburn is divided into the following commercial zones:**

**2. The Commercial General (CG) zone is the community's primary commercial area, providing for businesses requiring extensive land intensive outdoor storage and display of merchandise, equipment, or inventory.**

**B. Approval Types (Table 2.03A)**

**1. Accessory Uses (A) are allowed outright, subject to the general standards of this Ordinance.**

**2. Conditional Uses (CU) may be allowed, subject to the general development standards of this Ordinance and conditions of Conditional Use approval.**

**3. Permitted Uses (P) are allowed outright, subject to the general development standards of this Ordinance.**

Uses Allowed in Commercial Zones Table 2.03A		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
<b>C</b>	<b>Industrial</b>	
4	Motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods, and mini- storage	CU <sup>1</sup>

<sup>1</sup>Not allowed in the Gateway Overlay District.

The proposed use matches E.4, which is a conditional use. (The subject property is not in the Gateway Overlay District.)

✓ The requirement is met.

**Commercial General (CG) - Site Development Standards  
Table 2.03C**

<b>Lot Area, Minimum (square feet)</b>		<b>No minimum</b>		
<b>Lot Width, Minimum (feet)</b>		<b>No minimum</b>		
<b>Lot Depth, Minimum (feet)</b>		<b>No minimum</b>		
<b>Street Frontage, Minimum (feet)</b>		<b>No minimum</b>		
<b>Front Setback and Setback Abutting a Street, Minimum (feet)</b>		<b>5<sup>1</sup></b>		
<b>Side or Rear Setback, Minimum (feet)</b>	<b>Abutting RS, R1S, or RM zone</b>	<b>10<sup>4</sup></b>		
	<b>Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone</b>	<b>0 or 5<sup>4,5</sup></b>		
<b>Setback to a Private Access Easement, Minimum (feet)</b>		<b>1</b>		
<b>Lot Coverage, Maximum</b>		<b>Not specified<sup>2</sup></b>		
<b>Residential Density (units per net acre)</b>	<b>Minimum</b>	<b>Townhouse</b>	<b>12</b>	
		<b>Child care facility, group home, or nursing home</b>		<b>12</b>
		<b>Triplex, quadplex, multi-family dwelling</b>	<b>Stand-alone</b>	<b>12</b>
			<b>In mixed use development</b>	<b>No minimum</b>
	<b>Maximum</b>	<b>Row house</b>		<b>24</b>
		<b>Child care facility, group home, or nursing home</b>		<b>32</b>
		<b>Triplex, quadplex, multi-family dwelling</b>	<b>Stand-alone</b>	<b>32</b>
			<b>In mixed use development</b>	<b>32</b>

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

### *Lot Dimensions*

The CG zoning district has no minimum lot size, width, depth, or street frontage or maximum lot coverage.

### *Setbacks*

Determining setbacks requires first determining what lot lines are front, sides, and rear as 1.02 defines because these influence the applying of setback minimums:

#### **1.02 Definitions**

...

**Lot Line: The property lines forming the exterior boundaries of a lot.**

- **Front Lot Line:**
  1. In the case of an interior lot, a line separating the lot from the street.
  2. In the case of a corner lot, a line separating the lot from the street from the architectural front of the existing or contemplated primary building.
  3. In the case of a flag lot resembling Figure 1.02D example Lot 3, the lot line which is most nearly parallel to the street that provides access to the interior lot, or resembling example Lot 4 by not having a pole, then the lot line most nearly parallel to the access easement and that is closest to the easement.
- **Rear Lot Line:**
  1. In the case of an irregular, triangular, diamond, or trapezoidal shaped lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for setback purposes shall be an assumed line within the lot ten feet in length, parallel to, and at the maximum distance from, the front lot line; or
  2. In any other case, the lot line opposite and most distant from the front lot line.
- **Side Lot Line: Any lot line, which is not a front or rear lot line.**

Based on the definition of front and rear lot lines, and considering (a) that the east borders unnamed unimproved right-of-way "Joyce Way", (b) front lot line bullet 2 above, and (c) the layout of the existing industrial complex, staff determines that north is front, south is rear, and east and west are sides. The building closest to a property line is the proposed addition to Building B at 17.8 ft from the east side as land use plan set civil sheet C002 submitted November 15, 2022 illustrates and dimensions. Upon required dedication of 5 ft of ROW for Joyce Way, the setback from Joyce Way widened ROW would be 12.8 ft.

Because the application materials do not include cross access easements and staff is not conditioning such easement(s) because 3.04.03D.2 (commercial access management) is not applicable because all adjacent property is zoned other than commercial, the minimum 1-foot setback from access easements is not applicable.

### *Density*

Because the proposal is not residential, density is not applicable.

### *Height*

The existing buildings and proposed addition to Building B are well within the 70-ft height as measured per 1.02 “Building Height” and Figure 1.02A, meeting the provision.

✓ The site development provisions are met.

## **2.05 Overlay Districts**

⊖ None are applicable.

## **2.06 Accessory Structures**

### **2.06.02 Fences and Walls**

#### **C. Height in Non-Residential Zones**

1. In commercial, industrial, or public zones, the maximum height of a fence or wall located in a yard abutting a street shall be 6 feet, relative to the ground elevation under the fence or wall. Fence height may increase to 9 feet once flush with the building face, or 20 feet from street right-of-way.
2. Fences and walls may be constructed in the Street Widening Setback provided the property owner agrees to removal at such time as street improvements are made.

#### **D. Fence Materials**

1. **Materials:** 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. **Coating and slats:** Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Chain link fence in a residential zone, except where part of refuse and recycling collection facility gates, is exempt from the slats requirement. 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. **Industrial:** 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.
4. **Prohibition:** A fence constructed of materials that could cause bodily harm, including, but not limited to, those conveying electric current, barbed wire, razor wire, spikes and broken glass, is prohibited.

### **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.**



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

The site plans show no altered or additional accessory structures.

- ⊖ None are applicable.

## **2.07 Special Uses**

- ⊖ None are applicable.

## **3.01 Streets**

### **3.01.02 General Provisions**

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

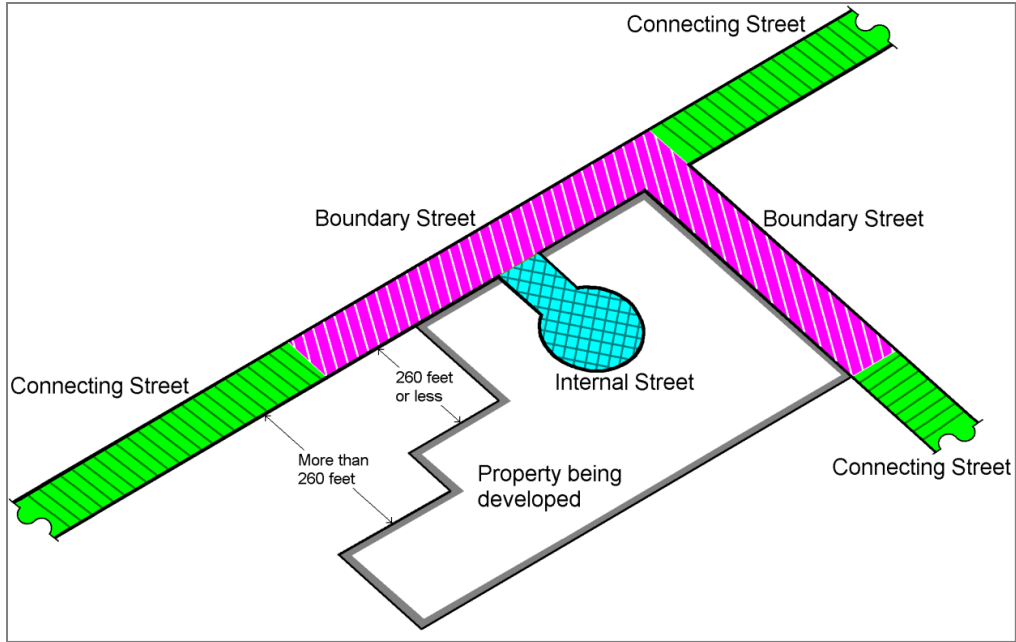
**D. The standards of this Section may be modified, subject to approval of a Street Adjustment, Planned Unit Development, Zoning Adjustment, or Variance. Other sections restrict where and how these application types apply.**

**3.01.04B. All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section, unless the developer obtains approval of Street Adjustment, modification through Planned Unit Development, Zoning Adjustment, or Variance as the WDO allows them to be applicable.**

- 1. For local residential streets, the standard cross section is Figure 3.01G. Another among local cross section figures, or a custom cross section, may apply through Street Adjustment or Planned Unit Development. ...**

**Landscape or planter strips shall have area remaining after street tree plantings landscaped with lawn grass or, if the Public Works Director in writing allows, a species of groundcover. Cobblestones, gravel, pebbles, and rocks are prohibited. Bark dust, mulch, or wood chips are permissible only within the immediate vicinity of a street tree trunk. The developer shall install landscape strip irrigation, and shall provide temporary irrigation during construction, per the public works construction code.**

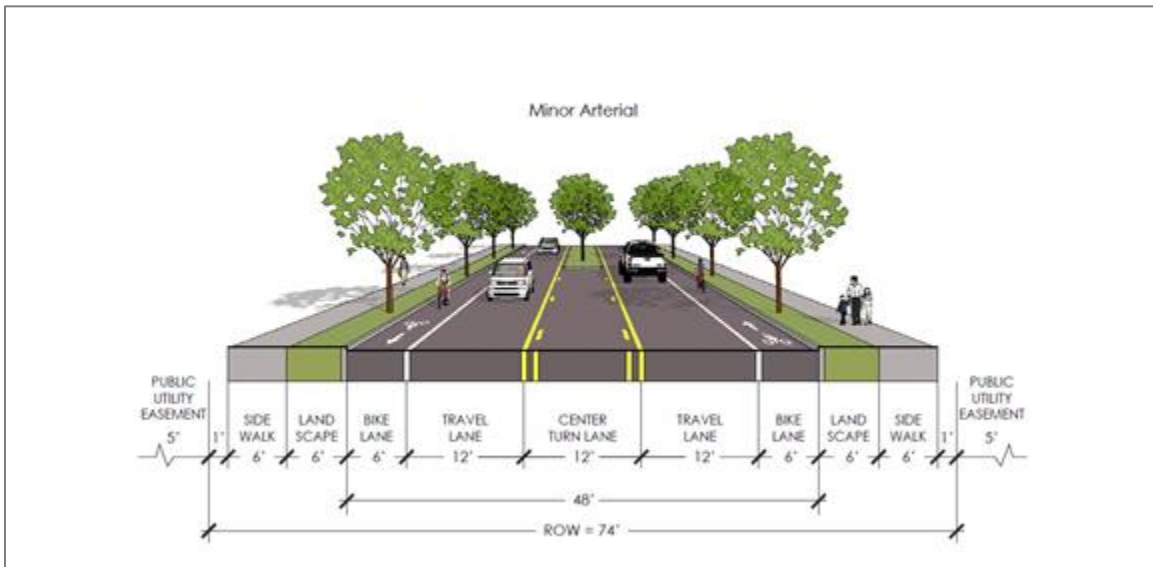
**3.01.04C. Exceeding cross section element minimums: Provision of ROW, sidewalk, or landscape strip that exceeds minimum width does not require modification, adjustment, or Variance.**



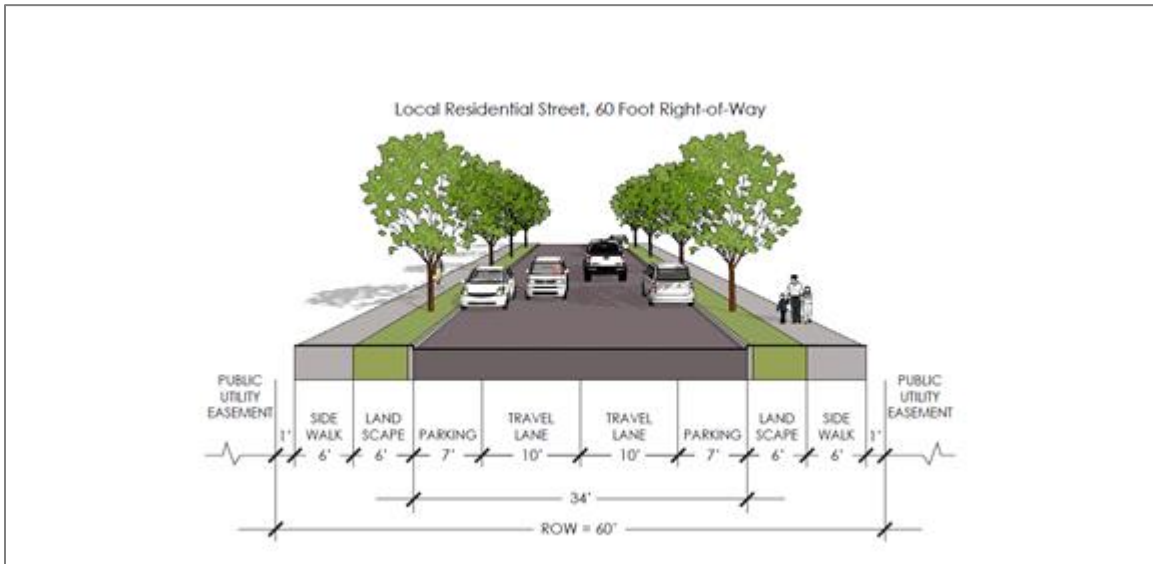
**Figure 3.01A – Internal, Boundary, and Connecting Streets**

The subject property has two frontages: Young Street at the north and unnamed unimproved right-of-way (ROW) “Joyce Way” at the east. (Both are Boundary Streets.)

Per Transportation System Plan (TSP) [Figure 2 “Functional Roadway Classification”](#) (Attachment 104), Young Street is a Minor Arterial, and “Joyce Way” is a local class street. For a Minor Arterial, WDO Figure 3.01C is applicable, and for a local class street, per 3.01.01A & 3.01.04B.1, Figure 3.01G is applicable:



**Figure 3.01C – Minor Arterial**



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

Frontage/public/street improvements are required to upgrade the frontages to present standards

*ROW: Young Street*

Because the planned ROW is 74 ft (37 ft “half-street”, each side of centerline), and the existing ROW per Marion County Tax Map 051W18AD label is 60 ft, with 30 ft each side of centerline, minimum 7 ft width dedication is required. (Rather than rely on the tax map, the developer would task a land surveyor to determine exactly what area to dedicate as ROW, with guidance by the Public Works Department.) Staff applies a condition to secure minimum ROW. Additionally, because the subject property is a corner property, another condition secures ROW curvature to accommodate potential improvement of the west side of Joyce Way, curvature namely for turning vehicles at the west/southwest corner of a T-intersection of Young and Joyce.



Tax map excerpt

*ROW: Joyce Way*

Because the planned ROW is 60 ft (30 ft “half-street”, each side of centerline), and the existing ROW per Marion County Tax Map 051W18AD label is 50 ft, with 25 ft each side of centerline, minimum 5 ft width dedication is required. (Rather than rely on the tax map, the developer would task a land surveyor to determine exactly what area to dedicate as ROW, with guidance by the Public Works Department.) Staff applies a condition to secure minimum ROW.

*Improvements: Young Street*

Young Street is a two-lane road with a center two-way left turn lane. It has area beyond the fog line that might or might not be a bicycle lane, it not being striped with the *Manual on Uniform Traffic Control Devices (MUTCD)* symbol as such along or near the frontage, though TSP Figure 9 indicates that it is a bicycle lane. Prominent nonconformities are the skimpy landscape strip, lack of street trees, and electric power poles with overhead lines. (Regarding examination of upgrading electric service, see further below under 3.02.04, and for street trees, further below under 3.06.03A.) Staff applies a condition to secure a wider landscape strip.

Per the conditional use and primarily for aesthetics and to encourage walking and accommodate the majority of local cyclists who staff observes ride on sidewalk because they feel safer that way, staff conditions a planter strip and sidewalk slightly wider than usual and more street trees than usual. Otherwise, the required improvements are the standard ones per Figure 3.01C.

*Improvements: Joyce Way*

■ *Variance:* the applicant applied for variance VAR 22-09 to vary from the minimum Boundary Street improvements per Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding the unnamed “paper street” right-of-way (ROW) at the east that City staff terms “Joyce Way.” Staff addresses the request further below under

the Variance Provisions section, and in this Design Review Provisions section continues by addressing ROWs themselves and streetside public utility easements (PUEs).

*Long-range Planning*

TSP Figure 6 “Local Street Connectivity Plan” shows no street connections, represented by blue arrows, on or nearby the subject property.

▲ Staff applies conditions relating to ROW, streetside PUE, landscape strip, street trees, and sidewalk so that the provisions may be met.

**3.01.07 Off-Street Public Bicycle/Pedestrian Corridors**

**C. Corridor width:** The corridor of land dedicated to accommodate the facility and related improvements and landscaping shall be either dedicated to the City or covered with one or more public easements that accomplish granting the City and the public access. The minimum width shall be per Table 3.01A:

Off-Street Public Bicycle/Pedestrian Corridor Widths Table 3.01A			
Corridor Context <sup>1</sup>		Description	Minimum Width (feet)
1. Specific	b. Railroads	Along (1) the east side of the Union Pacific railroad between E. Cleveland and E. Lincoln Streets and (2) the Willamette Valley Railway Co. railroad north side between Mill Creek and Bird’s Eye Avenue. The corridors may be referenced respectively as Bicycle/Pedestrian Corridor RR1 and RR2.	20 <sup>2</sup>
2. Zoning Adjustment permissible.			

The Community Development Director directed staff September 6, 2022 that the requirement was not applicable to the proposal, a reason being the small scope of the building addition relative to the size of existing development square footage.

⊖ Not applicable.

**3.01.08 Mill Creek Greenway**

The subject property doesn’t contain, overlap, or abut a segment of said greenway.

⊖ Not applicable.

**3.01.09 Bus Transit Improvements**



**B. Applicability:** The standards apply along a frontage for which development causes street improvements and either where a bus stop exists that lacks conforming improvements or the City has adopted a long-range transit plan identifying a new bus stop. The standards apply also to off-site bus stop improvements where and as conditioned.

**C. ROW:** Where ROW, whether existing or widened to a minimum per Section 3.01, cannot accommodate a bus shelter, a developer shall dedicate to the City additional width and extent of area to accommodate a shelter and a pad on which the developer is to install it. The developer shall dedicate any of additional ROW, additional width of streetside PUE, off-street PUE, other type of public easement, or combination that both meets the accommodation requirement and to which the Public Works Director does not in writing object.

**D. Improvements:** Per the Director.

**E. Fees in-lieu:** Per Section 4.02.12.

None of the Assistant City Administrator, who oversees the Community Services Department that includes Woodburn Transit, the Public Works Director, the City Engineer, the Transit Manager, or the Community Development Director directed that the section was applicable.

⊖ Not applicable.

## **3.02 Utilities & Easements**

### **3.02.01**

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

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

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

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

**F. Streetside PUE maximum width:**

- 1. Purpose:** To prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards,

and to avoid such PUEs precluding front roofed patios, porches, or stoops.

2. **Standards: Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:**
  - a. **No alley or shared rear lane: 8 feet streetside.**
  - b. **Alley or shared rear lane: Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.**

**Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.**

Subsection B requires a streetside PUE along each of Young Street and Joyce Way. Because the application materials lack indication that such would be, and the process to dedicate and grant would come after land use approval, it’s necessary to condition affirmation that such are required. Staff applies a condition, a D condition for Young Street and, because for Joyce Way there is a variance request to vary from constructing west half-street improvements, a V condition.

Regarding off-street PUEs per subsection C, the Public Works Department handles these. Public Works requires various off-street PUEs for on-site improvements such as fire suppression water lines and fire hydrants. Attachment 102A “Public Works Comments” may contain guidance on the topic.

▲ Staff applies a *D condition* and *V condition* for the required streetside PUEs.

### **3.02.03 Street Lighting A. Public Streets**

The appended Public Works comments (January 18, 2023; Attachment 102A) from the City Engineer identify street lighting as an issue, under item 5. Public Works will review separate from and after land use approval.

### **3.02.04 Underground Utilities.**

- B. **Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.**
  1. **Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:**
    - a. **A frontage with electric power poles and lines is or totals minimum 250 feet; and**
    - b. **Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility. Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.**

**2. Fees in-lieu: Per Section 4.02.12.**

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

The Young street frontage has existing electric power line poles. Tax Map 051W18AD notes a frontage of 143 ft, rendering criterion 1.a. not applicable. Site plan Sheet C003 notes in a bottom center call-out that, "PROPOSED POWER POLE - PER WDO 3.02.04B - BECAUSE THE YOUNG STREET FRONTAGE IS APPROXIMATELY 143 FT WIDE, ELECTRIC POWER POLE BURIAL CRITERION 1.A. ABOUT FRONTAGE OF 250 FT OR MORE IS NOT APPLICABLE, AND INSTEAD FEE IN-LIEU IS APPLICABLE PER B.2." The application materials are silent on criterion 1.b about no net increase in poles, and because the application narrative and site plans fail to address the criterion, and staff believes undergrounding would likely increase the number of poles, staff concurs with the applicant's conclusion that fee in-lieu is the applicable action.

Because the City Council has not yet adopted a fee in-lieu schedule, staff establishes a fee based on a Pacific Gas & Electric (PG&E) October 2017 cost estimate of \$3 million per mile to bury or underground, a number that divided by the 5,280 ft in a mile equates to \$568.18 per ft, rounded to \$568. (One of the first if not the first example of a \$568 per ft fee in-lieu was annexation ANX 2020-02 Valentina Estates No. 2, final decision document Attachment 206, Table 206B, Condition V3.)

- ▲ Staff applies a *D condition* to establish and collect the electric power poles and lines fee in-lieu.

### **3.03 Setbacks and Open Space**

#### **3.03.02 Special Setbacks**

- ⊖ Because as examined further below under Variance provisions in place of examination above for 3.01, there will be ROW dedication, the Special Setback – which is a setback to accommodate future street widening – is not applicable. (Were the Planning Commission to strike the Joyce Way ROW dedication condition, then the Special Setback would be applicable.)

#### **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.**
- B. Covered, unenclosed porches shall maintain at least a 5 foot setback from the property line or Street Widening Setback.**
- C. A balcony, outside stairway or other unenclosed, unroofed projection may not project into a minimum front or street setback of the primary building so much that it would encroach into the streetside public utility easement (PUE). (Regarding PUEs, see Section 3.02.01.)**
- D. Arbors, archways, pergolas and trellises shall be exempt from the setback abutting a street.**

...

### 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.

...

### 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.
- 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 5 feet from any lot line or Street Widening Setback.

...

- E. No permitted projection into a rear setback shall extend over an alley, unless the projection is minimum 14 feet above alley grade and the Public Works Director in writing authorizes, or, come within six feet of an accessory structure.
- F. Accessory structures are not considered projections into a rear setback, but have separate setback requirements listed in this Ordinance (Section 2.06).

Because the CG zoning district minimum setback is zero as examined above for Table 2.03C, and the site plans illustrate no existing or proposed buildings within 10 ft of the existing east or south lot lines, projections are not relevant.

✓ The provisions are met.

### 3.03.06 Vision Clearance Area; Figures 3.03A & B

The proposal includes the required vision clearance areas (VCA) – or sight triangles – at the driveway.

✓ The provisions are met.

## 3.04 Vehicular Access

### 3.04.02 Drive-Throughs

⊖ Because the proposal involves no drive-through, the provisions are not applicable.

### 3.04.03 Driveway Guidelines and Standards

#### B. Number of Driveways

- 3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:
  - a. The function classification of abutting streets;

- b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;
  - c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.
5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.
- C. Joint Access**
- 1. Lots that access a Major Arterial, Minor Arterial, Service Collector, or Access Street should be accessed via a shared driveway or instead to an alley or shared rear lane.
  - 2. A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, Service Collector, or Access Street have access to a local street, alley, or shared rear lane. Access to lots with multiple street frontages should be from the street with the lowest functional class.
  - 3. Every joint driveway or access between separate lots shall be per the same means as in Section 3.04.01A.2.
  - 4. Standards: ...
- D. Access management:**
- 2. **Commercial:** Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.

*Access management*

The proposal does not affect that there would be a single driveway at Young Street. Regarding access management through 3.04.03B.5, C.1, & D.2, because all adjacent property is zoned other than commercial, D.2 is not applicable.

The existing industrial complex already benefits from a cross access easement on west adjacent lot 100 Gatch Street (Tax Lot 051W18AD07300), which is residentially zoned, that provides access from and to Gatch Street and the southwesterly rear yard and west side yard of the existing development. The applicant’s narrative submitted October 14, 2022 on p. 3 explains that the yards are, “for overflow parking during the harvest season” and confirms that the parking area is unpaved.

Also, staff sees no reason to require additional cross access for the industrial complex to and from the northwest via residentially zoned properties with houses and apartments at 880, 892, 910, & 950 Young Street.

✓ The access management provisions are met.



Access Requirements Table 3.04A		
		Commercial or Industrial Use
Paved Width of Driveway (feet) <sup>3, 4, 7, 8</sup>	1-way	10 minimum 20 maximum
	2-way	Commercial/Mixed-Use: 20 minimum 24 maximum* *(Add 12 ft maximum if a turn pocket is added)
		Industrial: 22 minimum 36 maximum* *(Add 8' if a turn pocket is added)
Throat Length (feet) <sup>5</sup>	Major Arterial, Minor Arterial, Service Collector	Commercial: 36 minimum; Industrial: 50 minimum
	Access or Local Street	18 minimum
Corner Clearance (feet) Guidelines <sup>1</sup> (See Figure 3.04B)	Access or Local Street	30 minimum
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major Arterial	300 minimum
Driveway Separation Guidelines (feet) <sup>1, 2</sup> (See Figure 3.04B)	Driveway on the same parcel	50 minimum
	Access or Local Street	None
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major arterial	300 minimum

Access Requirements Table 3.04A		
Turnarounds <sup>9</sup>	Access to a Major or Minor Arterial	Required
	Access to any other street	Requirements per the Woodburn Fire District
<ol style="list-style-type: none"> <li>1. The separation should be maximized.</li> <li>2. Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.</li> <li>3. Driveways over 40 feet long and serving one dwelling unit may have a paved surface minimum 8 feet wide.</li> <li>4. Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).</li> <li>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).</li> <li>6. Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.04A) except where and as Section 3.04.03D.3 “Flag Lots” supersedes.</li> <li>7. It is permissible that the Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause driveway widths to exceed minimums and maximums. It is a developer’s responsibility to comply with the OFC.</li> <li>8. Width measurement excludes throat side curbing, if any.</li> <li>9. Refer to OFC Appendix D, Figure D103.1.</li> </ol>		

The site plans show a Young Street driveway that meets the minimum standards or exceeds them where necessary to meet Oregon Fire Code (OFC) Appendix D. Specifically, the proposal will upgrade the driveway to public works standards and narrow it to the maximum allowable 36 ft. The existing throat will continue to exceed the minimum length.

Based on WDO Table 3.04A rows “Paved Width of Driveway”, “2-way”, & “Industrial” and 3.05.02J, within the Young Street driveway throat there should be a center left turn pocket for vehicles that turn left to exit the site. Staff applies a condition.

▲ Staff applies a *D condition* for the driveway throat striping of a left turn pocket.

#### **3.04.03B.4 Unused driveways shall be closed.**

⊖ Not applicable because there are no unused driveways.

#### **3.04.03E. Interconnected Parking Facilities.**

Because the proposal is a single, integrated site development on one lot for one category of uses – industrial – and not like a commercial strip mall, the provision is not applicable.

⊖ Not applicable.

#### **3.04.04 Improvement Standards**

The site plans illustrate altered or additional pavement that conforms.

✓ The requirement is met.

#### **3.04.05 Transportation Impact Analysis**

**B. A transportation study known as a transportation impact analysis (TIA) is required for any of the following:**

- 1. Comprehensive Plan Map Change or Zone Change or rezoning that is quasi-judicial, excepting upon annexation designation of zoning consistent with the Comprehensive Plan.**
- 2. A development would increase vehicle trip generation by 50 peak hour trips or more or 500 average daily trips (ADT) or more.**
- 3. A development would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour.**
- 4. Operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT or the County, and submitted no earlier than a pre-application conference and no later than as written testimony entered into the record before the City makes a land use decision.**
- 5. A development involves or affects streets and intersections documented by ODOT as having a high crash rate, having a high injury rate of persons walking or cycling, having any cyclist and pedestrian deaths, or that partly or wholly pass through school zones that ODOT recognizes.**
- 6. Where ODOT has jurisdiction and ORS or OAR, including OAR 734-051, compels the agency to require.**

The applicant's narrative submitted October 14, 2022, p. 4, states regarding vehicular traffic that, "Delivery trucks access the site which consist of one truck per day on a slow day to four trucks per day on a busy day. Employees will access and park on site in addition to carpooling and public transportation." Additionally, the Townsend Farms berry business has existed on the site for about 40 years, and staff knows of no traffic problem. It appears that the conditional use and the proposed do not trigger any of the TIA criteria.

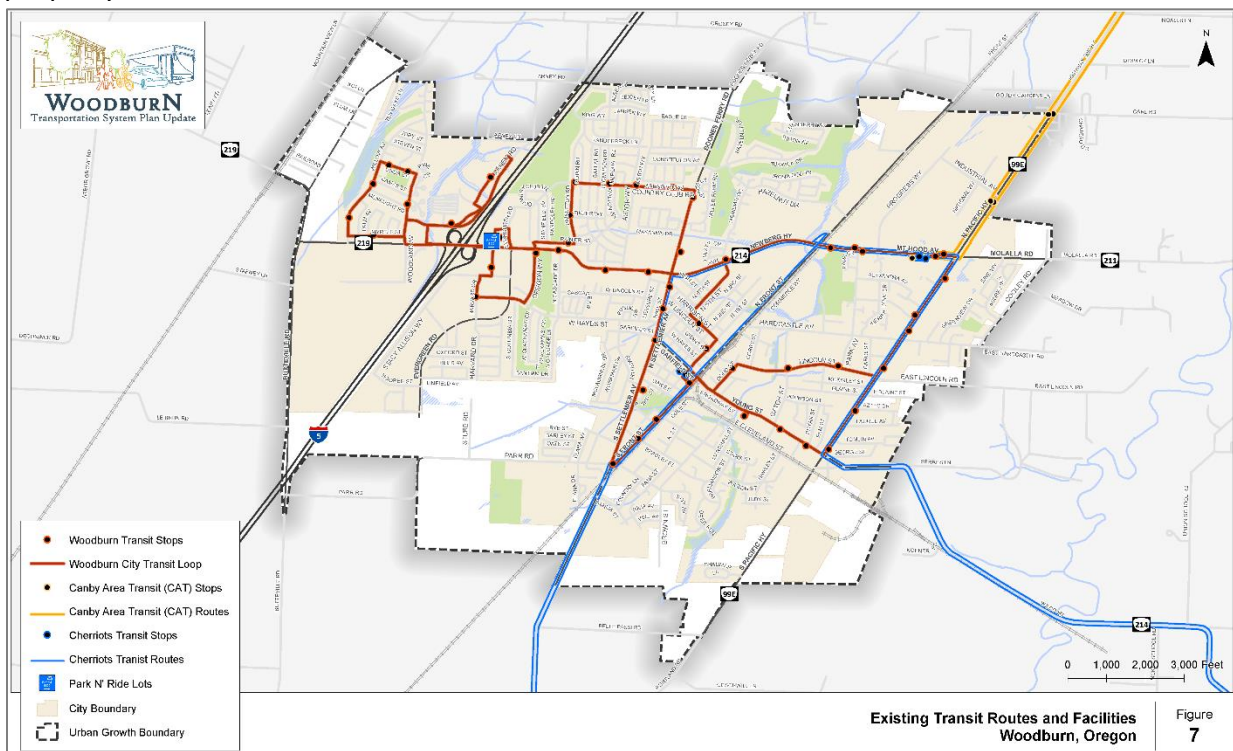
✓ The TIA provisions are met.

*Additional Issues: Walking & Cycling*

There are none other than required upgrades to conform with 3.04.06 “Bicycle/Pedestrian Access between Sidewalk and Building Entrances” as examined for that section.

*Additional Issues: Bus Transit*

Presently, the Woodburn Transit System (WTS) bus loops through east, central, and west Woodburn, having a route along Young Street and a stop at the northeast corner of the subject property:



TSP Figure 7 (2019)

Salem-Keizer Cherriots and Canby Area Transit (CAT) run along Highway 99E. Because of VAR 22-09 approval with conditions regarding not constructing Joyce Way west half-street improvements, the existing bus shelter that lies at Young Street within the westerly half of Joyce Way ROW and would have been in the way of such improvements need not be relocated.

Regarding transit service, similar as for Design Review DR 22-02 Project Gamos / Specht industrial development (no address; Tax Lot 052W140000800, northwest corner of Evergreen & Parr Roads), staff report analyses and findings p. 25 and final decision Condition 7d p. 6 that required the equivalent of \$165.91 per parking stall as a transit service fee (based on \$73,000 divided by 440 stalls per sheet C1.10 “Overall Site Plan” submitted January 4, 2023, staff applies a condition for the same rate to support operating the City bus system and with continuing service attract industrial employees as riders.

▲ Staff applies a *T condition* to establish and collect a transit service fee.

### **3.04.06 Bicycle/Pedestrian Access between Sidewalk and Building Entrances**

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

This aspect of existing development fails to conform, and upgrading is feasible on existing pavement between Young Street sidewalk and a pedestrian entrance in Building B, where the office is. Striping a boundary within existing pavement is a means to establish a wide walkway, though a walkway cannot overlap the travel lanes of a driveway throat or drive aisle. Based on 3.04.06D, where it crosses a drive aisle or vehicular area, the wide walkway shall be striped with any of hatch or ladder pattern or bars perpendicular to the crossing.

▲ Staff applies a *D condition* for upgrading to designate a wide walkway.

## **3.05 Off-Street Parking and Loading**

### **3.05.02 General Provisions**

Given that the proposal appears to involve no additional parking, the site plans illustrate that the proposal meets the general provisions, excepting existing parking that isn't paved per F and except J., “All uses required to provide 20 or more off-street parking spaces shall have directional markings or signs to control vehicle movement ...” Based on the Young Street driveway width proposed for reconstruction at 36 ft wide, wide enough for two through lanes and a left turn pocket, staff interprets the markings provision to require striping the left turn pocket. This would also help calm drivers from speeding onto or out of the site because of the wide driveway.

▲ Staff applies a *D condition relating driveway throat left turn pocket striping* so that the markings provision of 3.05.02J may be met.

### 3.05.03 Off-Street Parking

#### 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).

...

<b>Off-Street Parking Ratio Standards</b>	
<b>Table 3.05A</b>	
Use <sup>1</sup>	Parking Ratio - spaces per activity unit or square feet of gross floor area
<b>INDUSTRIAL</b>	
55. Warehousing 56. Motor freight transportation and warehousing 60. Wholesale trade – Non-durable goods	<b>Greater of:</b> a. 1/ 5000 square feet (0 to 49,999 square feet) b. 10 plus 1/ 10,000 square feet over 50,000 (50,000 to 99,999 square feet) c. 15 plus 1/ 15,000 square feet over 100,000 (100,000 square feet or more) or 1/ employee
63. Agricultural practices	Exempt from the parking requirements
<b>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</b>	

The applicant’s narrative submitted October 14, 2022, p. 3, regarding parking states simply that, “The western portion of the site is used for overflow parking during the harvest season and is unpaved.” The site plans also provide no indication or analysis of minimum ratios. Because the application materials fail to state what parking ratios the applicant believes are applicable to the proposal and why, staff cannot determine what the amount of minimum parking is. The above used cited above from Table 3.05A, and the applicant can choose from these or others than seem applicable or make use of Footnote 1. Because the public hearing is to be within the week, and it is too late to revise the application, staff needs to and does apply a condition. (Based on e-mails with the applicant in early January, staff derived what appeared to be the




applicant’s assumption that the existing development the proposed addition require 50 stalls per the WDO.)

Based on the situation, the applicant would:

- a. Demonstrate whatever the minimum parking is to provide later, demonstrating sometime between the start of the Planning Commission hearing and when the Commission closes the public hearing and grants tentative land use approval with conditions, or
- b. All three of: ask the Commission to continue the hearing, get a continuance, and in writing grant the City an extension of at least 14 days of the final decision due date as ORS 227.178(5) allows to resolve the parking issue, or
- c. After land use approval with conditions, delay building permit issuance by weeks or months by submitting either a Zoning Adjustment (ZA) or variance application to deviate from whatever the minimum required parking is if the applicant can’t or doesn’t want to provide the agreed-upon WDO minimum, and have a Commission hearing and the Commission grant a tentative land use decision.

▲ Staff applies a *D condition* for the applicant to establish the minimum off-street parking ratio(s) and provide such parking.

<b>Carpool/Vanpool Parking</b> <b>Table 3.05C</b>		
		
Development or Use	Description	Stall Minimum Number or Percent
<b>1. Non-residential development within commercial zoning districts</b>	<b>Zero to 19 total minimum required off-street parking spaces</b>	n/a
	<b>20 to 33 total</b>	<b>1 stall</b>
	<b>34 to 65 total</b>	<b>2 stalls</b>
	<b>66 or more total</b>	<b>2 stalls or 3%, whichever is greater</b>
<b>2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.</b>		


**3.05.03H. Carpool/vanpool (C/V) stalls shall meet the following standards:**

- 1. Convenient locations:** The distance from a stall, in whole or in part, shall be maximum 50 feet to a building perimeter walkway or, where there is no perimeter walkway, a building main or staff-only entrance.
- 2. Striping:** Stripe each stall in lettering 1 ft high min “CARPOOL/VANPOOL” or similar.

3. **Signage:** Post at each stall a wall-mounted or pole-mounted sign for “Carpool/Vanpool” or similar. Each sign 1½ by 1 foot minimum with top of a posted sign between 5½ and 7 feet high max above vehicular grade.

The application materials fail to address the C/V parking requirements.

▲ Staff applies a *D condition* for the applicant to illustrate and note how there is conformance with the minimum carpool/vanpool (C/V) parking and C/V parking standards.

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

**3.05.06 Bicycle Parking Standards**

...

The application materials fail to address the bicycle parking requirements.

▲ Staff applies a *D condition* for the applicant to illustrate and note how there is conformance with the minimum off-street bicycle parking and bicycle parking standards.

**Electric Vehicle Parking  
Table 3.05E**



Development or Use	Description	Stall Minimum Number or Percent
2. Non-residential development within commercial zoning districts	Zero to 19 total minimum required spaces	n/a
	20 to 39 total	2 stalls
	40 or more total	2 stalls or 5%, whichever is greater
<p>1. Standard applies even if the site is not zoned P/SP.                  2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.                  3. See Section 3.05.03I below for EV development standards.                  4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.</p>		

**3.0503I. Electric vehicle (EV) includes both electric vehicle and plug-in hybrid vehicle, and EV parking stalls shall meet the following standards:**

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

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

The application materials fail to address the EV parking requirements.

▲ Staff applies a *D condition* for the applicant to illustrate and note how there is conformance with the minimum electric vehicle (EV) parking and EV parking standards.

#### **3.05.04 Off-Street Loading & Unloading**

**A. Standard: Loading and unloading for all multiple-family dwelling and non-residential development shall not encroach within the ROW of a street with a functional class designation higher than local.**

The site plans illustrate that this is the case for existing development and would continue to be the case with the proposed addition.

✓ The requirement is met.

#### **3.05.05 Shared Parking**

⊖ The applicant opted not to exercise this option.

### **3.06 Landscaping**

#### **3.06.02 General Requirements**

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

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

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

**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).**

**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.**

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

...

**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.**

**I. A minimum six 4 inch high and wide concrete curb shall be provided between landscaped areas and parking and circulation areas.**

**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.**

Because landscape plan Sheet C005 shows alteration, and because for buffering/screening, staff applies conditional use (CU) landscaping conditions, it's necessary to conform that there the general requirements for altered or additional landscaping are met.

▲ To secure landscaping, staff applies a D condition.

### **3.06.03 Landscaping Standards**

#### **A. Street Trees ...**

Site plan civil Sheet C002 illustrates Young Street frontage improvements with 2 street trees.

3.06.03A.1 requires 1 tree per every entire 30 ft of street frontage, equaling  $143.3 \text{ ft} / 30 = 4.8$   
→ 5 trees.

Because the frontage site plan illustrates the constraints of the driveway and a street light, and Planning staff expect further constraints due to Public Works deference to placement of utility boxes, cabinets, conduits, lines, pedestals, pipes, and vaults, it appears infeasible to fit the remaining 3 required, and so staff applies the fee in-lieu provision of 3.06.03A.4 that refers to 4.02.12. Because the City Council hasn't yet adopted a master fee in-lieu schedule, staff continues past practice for recent land use decision and establishes the dollar mount in the staff report / land use final decision attachment (within the attachment 200 series) that contains the fee table.

▲ To secure street trees, staff applies a CU condition.

**B. & Tables 3.06A & B**

<b>Planting Requirements Table 3.06A</b>		
<b>Location</b>	<b>Planting Density, Minimum</b>	<b>Area to be Landscaped, Minimum</b>
<b>1. Setbacks abutting a street</b>	<b>1 PU/15 square feet</b>	<b>Entire setback excluding driveways</b>
<b>2. Buffer yards</b>	<b>1 PU/20 square feet</b>	<b>Entire yard excluding off-street parking and loading areas abutting a wall</b>
<b>3. Other yards</b>	<b>1 PU/50 square feet</b>	<b>Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas</b>
<b>4. Off-street parking and loading areas</b>	<ul style="list-style-type: none"> <li>• 1 small tree per 10 parking spaces; or<sup>1</sup></li> <li>• 1 medium tree per 15 parking spaces; or<sup>1</sup></li> <li>• 1 large tree per 25 parking spaces<sup>1</sup></li> </ul> <p>and</p> <p><b>1 PU/20 square feet excluding required trees<sup>2</sup></b></p>	<ul style="list-style-type: none"> <li>• 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</li> <li>• DDC, NNC, IP, IL, and SWIR zones: 10% of the paved surface area for off-street parking, loading and circulation</li> <li>• Landscaping shall be within or immediately adjacent to paved areas</li> </ul>
<b>5. Common areas, except those approved as natural common areas in a PUD</b>	<b>3 PU/50 square feet</b>	<b>Entire common area</b>
<ol style="list-style-type: none"> <li><b>1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces.</b></li> <li><b>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.</b></li> </ol>		

Because landscape plan Sheet C005 shows alteration, and because site plan civil Sheets C001-003 show some level of information for existing, proposed on site, and proposed street frontage landscaping, particularly existing trees and trees to be removed, it's clear for the most part that what landscaping exists would remain untouched. Where the proposal would remove site perimeter landscaping that helps screen the existing industrial development and proposed



addition, staff applies CU conditions to replace with landscaping that will buffer/screen. Otherwise, the general provisions seem likely met.

✓ The requirement is met.

### **Plant Unit (PU) Value**

#### **Table 3.06B ...**

Same as examined above for Table 3.06A, and the conditions that staff applies about landscaping reference this table.

▲ To secure landscaping, staff applies CU conditions.

### **3.06.05 Screening & Table 3.06D**

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

##### *Architectural Wall*

⊖ Because the addition scope of work is mostly limited to the southeast yard along Joyce Way and the railroad, with some in the central east and northeast, and that the industrial development has existed for about 40 years, staff sees no need to require along the westerly north and west lot lines that abut residential developments an Architectural Wall.

Therefore, staff interprets that Table 3.06D is not applicable to the site perimeter and so no Architectural Wall is required at the site west or westerly north sides.

##### *Architectural Wall: Recycling and Trash Enclosures*

Such enclosures are required per Table 3.06D for any outdoor storage of “refuse and recycling collection facilities ...”, and the applicant proposes no such outdoor storage on the subject property. However, because this might change, staff applies a condition confirming that the requirement would be applicable.

▲ To secure confirm that a trash enclosure would be required if and when applicable per 3.0.06B, staff applies a CU condition.

### **3.06.05B.**

**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).

– Because there exists no parking area closer to Young Street than the closest building – Building A – and the proposed addition does not change this situation, the provision is not applicable.

### **3.06.06 Architectural Walls**

#### **B. Design Standards and Guidelines**

##### *Architectural Wall*

None is proposed or required.

##### *Architectural Wall: Recycling and Trash Enclosures*

None are proposed.

– Because no Architectural Walls are proposed, the standards are not applicable.

**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.**

#### **1.02**

**Abutting: Touching on the edge or on the line, including at a corner. It shall include the terms adjacent, adjoining and contiguous.**

**Adjacent: Near, close or bordering but not necessarily contiguous with; adjoining but separated by a right-of-way.**

– Because the proposal includes no retaining walls, the provisions are not applicable.

### **3.06.07 Significant Trees on Private Property**

Landscape plan Sheet C005 shows alteration and Sheet C007 shows tree protection and removal and that there are 21 Significant Trees of which the applicant proposes to remove 11. Of the 11, 5 are in poor condition or dying. (The applicant submitted an arborist report dated October 14, 2022 on November 15, 2022.) Of the remaining 6 proposed to accommodate the proposed addition and utilities, staff determines that 5 – Trees 1-3, 16, & 17 – should be mitigated and conditions accordingly.

The applicant will replace Trees 1-3 with 2 replacements. The two trees will replace the three trees that buffer/screen the site easterly south rear from E. Cleveland Street and can fit in the yard remaining after the proposed addition.

The applicant will pay a mitigation fee for Trees 16 & 17 to be removed for on-site underground electric power lines. The fee is based on the Planning Division fee schedule "tree credit" and adjusted for inflation from June 2008 (when the City Council last updated the fee schedule) to December 2022 using the U.S. Bureau of Labor Consumer Price Index (CPI) Inflation Calculator.

▲ To secure mitigation of Significant Tree removal, staff applies a condition.

### **3.07 Architectural Design**

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

- A. The following design guidelines shall be applicable to all non-residential structures and buildings in the RS, RSN, R1S, RM, RMN, CO, CG, and P/SP zones.**
- B. Architectural Design Guidelines**
  - 1. Mass and Bulk Articulation Guidelines**
    - a. Building facades visible from streets and public parking areas should be articulated, in order to avoid the appearance of box-like structures with unbroken wall surfaces.**
    - b. The appearance of exterior walls should be enhanced by incorporating three-dimensional design features, including the following:**
      - (1) Public doorways or passage ways through the building**
      - (2) Wall offsets or projections**
      - (3) Variation in building materials or textures**
      - (4) Arcades, awnings, canopies or porches**
  - 2. Materials and Texture Guidelines**
    - a. Building exteriors should exhibit finishes and textures that reduce the visual monotony of bulky structures and large structural spaces. Building exteriors should enhance visual interest of wall surfaces and harmonize with the structural design.**
    - b. The appearance of exterior surfaces should be enhanced by incorporating the following:**
      - (1) At least 30% of the wall surface abutting a street should be glass.**
      - (2) All walls visible from a street or public parking area should be surfaced with wood, brick, stone, designer block, or stucco, or with siding that has the appearance of wood lap siding.**
      - (3) The use of plain concrete, plain concrete block, corrugated metal, plywood,**

T-111 and sheet composite siding as exterior finish materials for walls visible from a street or parking area should be avoided.

- (4) The color of at least 90 percent of the wall, roof and awning surface visible from a street or public parking area should be an “earth tone” color containing 10 parts, or more of brown or a “tinted” color, containing 10 parts or more white.
- (5) Fluorescent, “day-glo,” or any similar bright color shall not be used on the building exterior.

### **3. Multi-Planed Roof Guidelines**

- a. The roof line at the top of a structure should establish a distinctive top to the building.
- b. The roof line should not be flat or hold the same roof line over extended distances. Rather, the roof line should incorporate variations, such as:
  - (1) Offsets or jogs in the plane of the roof;
  - (2) Changes in the height of the exterior wall for flat roof buildings, including parapet walls with variations in elevation or cornices

### **4. Roof-Mounted Equipment Guidelines**

All roof-mounted equipment, except solar collectors, should be screened from view by:

- a. Locating roof-mounted equipment below the highest vertical element of the building, or
- b. Screening roof-mounted equipment using materials of the same character as the structure’s basic materials

### **5. Weather Protection Guidelines**

All building faces abutting a street or a public parking area should provide weather protection for pedestrians. Features to provide this protection should include:

- a. A continuous walkway at least eight feet wide along the face of the building utilizing a roof overhang, arcade, awnings or canopies
- b. Awnings and canopies that incorporate the following design features:
  - (1) Angled or curved surfaces facing a street or parking area
  - (2) A covering of fabric, or matte finish vinyl
  - (3) A constant color and pattern scheme for all buildings within the same development
  - (4) No internal back lighting

### **6. Solar Access Protection**

Obstruction of existing solar collectors on abutting properties by site development should be minimized.

## **C. Building Location Guidelines**

1. Within the prescribed setbacks, building location and orientation should complement

**abutting uses and development patterns.**

**The maximum setback from each street should/shall be 80 feet. Minimum 80 percent of the width of a street-facing façade should/shall meet the setback maximum.**

Staff notes that the existing and proposed development, though industrial, are not subject to 3.07.10 “Industrial Zones” architectural provisions because the site is zoned commercial.

The site plans and building elevations show something like the commercial guidelines describe. By conditional use and based on 3.07.10B.1 (avoiding long blank walls) and subsection b. (vertical accent landscaping), staff applies CU conditions for buffer/screening the addition south blank wall with two trees in the easterly south yard.

▲ To avoid sight of long blank walls and have vertical accent landscaping for this reason, staff applies a CU condition.

### **3.10.08 Prohibited Signs**

**The following signs and advertising devices are prohibited:**

**R. Existing permanent signs that come to be within widened ROW and streetside PUE resulting from development in conformance with Section 3.01, yet which a developer does not remove.**

Young Street widening would displace the existing monument sign that the site plans symbolize and note.

▲ To secure conformance, staff applies a *D condition*.

### **3.11.01 Purpose and Applicability**

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

#### **3.11.02 Standards**

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

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

**C. Hue / color temperature: Excepting industrial development, if a fixture uses light emitting diode (LED) technology, it shall emit a warm, yellowish white light instead of cool, bluish white light. A color temperature within the range of 2,700 to 4,000 degrees Kelvin presumptively meets the requirement.**

**F. Plan review: The developer or contractor shall submit information, such as a site plan of fixture type installation locations and vendor cut or spec sheets, adequate to demonstrate conformance.**

Site plan Sheet C006 illustrates and notes altered and additional exterior lighting. Because the application materials lack full clarity about conformance, staff applies a condition.

▲ To secure conformance, staff applies a *D condition*.





## Conditional Use Provisions

The conditional use per WDO Table 2.03A, header C Industrial, row 4 is “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods ...”, specifically the proposed addition to the existing industrial development that is Townsend Farms. (Table footnote 1 about the Gateway Overlay District is not applicable to the subject property.) This CU analysis and approval excludes the use “mini-storage” from the group of uses as the WDO terms.

## Conditional Use Criteria

### 5.03.01 Conditional Use

#### B. Criteria:

1. The proposed use shall be permitted as a conditional use within the zoning district.
2. The proposed use shall comply with the development standards of the zoning district.
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;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
- c. The impact of the proposed use on the quality of the living environment:
  - 1) Noise;
  - 2) Illumination;
  - 3) Hours of operation;
  - 4) Air quality;
  - 5) Aesthetics; and
  - 6) Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

#### *CU criteria and factors executive summary*

1. The proposed uses of “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods, and mini-storage” are permitted as a conditional uses within the CG zoning district. Because the applicant does not propose “mini-storage”, and staff desires that there not be any such use later without CU review

and approval, staff excludes mini-storage from analysis and approval. Additionally, the applicant's proposal is for "motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products ..." specifically, with an emphasis on trucking and warehousing of farm products (berries).

2. The proposed use does comply with the development standards both as proposed and through conditions of approval.
3. The proposed use shall be compatible with the surrounding properties – because of relevant factors to be considered in determining whether the proposed use is compatible including:
  - a. The subject property, a parcel of 9.62 acres that is orthogonal, roughly rectangular, and flat, is sized, shaped, and topographically suited for a small addition of 2,400 net additional square feet (sq ft) to an industrial development that has existed for about 40 years. (The applicant's narrative doesn't address factor a – only factor c.)
  - b. The City Engineer through Attachment 102A did not identify any deficiencies of or threats to public infrastructure in regards to factor b. of the third CU criterion – 5.03.01B.3b – and the proposal indicates that the applicant will have constructed required Young Street improvements. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use for any given facility is either sufficient or will be after the developer upgrades either as conditioned or as the Public Works Department directs at the permit stage. (The applicant's narrative doesn't address factor b – only factor c.)
  - c. Regarding the impact of the proposed use on the quality of the living environment:

1) Noise:

The applicant's narrative submitted October 14, 2022, p. 4, states "Most machinery making noise will be enclosed. Most noise will be made by the condensers for the freezer compressors, exhaust fans, and delivery trailers that will only be operating during harvest season from mid-June to mid-August." Staff concurs.

2) Illumination:

The applicant's narrative submitted October 14, 2022, p. 4, states, "Reference the photometric pan for site lighting". The applicant means Sheet C006. WDO 3.11 regulates lighting, and because the application materials lack full clarity about conformance where exterior lighting is altered or additional, staff applies a condition.

3) Hours of operation:

The applicant's narrative submitted October 14, 2022, p. 4, states, "Operations on site are seasonal. Harvest season runs from mid-June to mid-August with hours from 6:00 am to 6:00 pm seven days a week. The rest of the year consists only of maintenance staff working from 7:00 am to 3:30 pm." Staff sees no need to condition hours of operation.

4) Air quality:

The applicant's narrative submitted October 14, 2022, p. 4, states, "The only influence on air quality is delivery trucks which consist of one truck per day on a slow day to four trucks per day on a busy day."

Staff applies conditions for a Young Street wider sidewalk as a public bicycle pedestrian path as well as wider landscape strip and a transit service fee as transportation demand management (TDM) by inducing employees to drive less often, especially for nearby destinations. With fewer driving trips comes better air quality.

5) Aesthetics:

The applicant's narrative submitted October 14, 2022, p. 4, states, "The buildings are functional in style. Most of the site is surrounded by tall trees." Staff adds that, as examined for 3.06.07, Landscape plan Sheet C005 shows alteration and Sheet C007 shows tree protection and removal and that there are 21 Significant Trees of which the applicant proposes to remove 11. Of the 11, 5 are in poor condition or dying. (The applicant submitted an arborist report dated October 14, 2022 on November 15, 2022.) Of the remaining 6 proposed to accommodate the proposed addition and utilities, staff determines that 5 – Trees 1-3, 16, & 17 – should be mitigated and conditions accordingly.

The applicant will replace Trees 1-3 with 2 replacements. The two trees will replace the three trees that buffer/screen the site easterly south rear from E. Cleveland Street and can fit in the yard remaining after the proposed addition.

The proposal removes shrubbery from the north front yard – the only landscaping besides lawn that exists in front of the chain-link fence with slats behind which is an outdoor storage yard. The site lacks shrubbery along the east chain-link fence with slats that borders the outdoor storage yard. For these

reasons and for aesthetics, staff applies conditions for north front yard replacement shrubbery, east yard additional shrubbery, and for two trees in the front yard (outside right-of-way [ROW]).

Staff applies a condition for a Young Street wider landscape strip for aesthetics and to give trees room to grow well.

6) Vehicular traffic.

The applicant's narrative submitted October 14, 2022, p. 4, states, "Delivery trucks access the site which consist of one truck per day on a slow day to four trucks per day on a busy day. Employees will access and park on site in addition to carpooling and public transportation."

Staff applies conditions for a Young Street wider sidewalk as a public bicycle pedestrian path and a transit service fee as transportation demand management (TDM) by inducing employees to drive less often, especially for nearby destinations.

Staff applies a condition also to secure the required right-of-way (ROW) dedications for Young Street and Joyce Way. These will accommodate the required and proposed street widening for Young and the otherwise required but exempted through approval with conditions of VAR 22-09 regarding construction of Joyce west half-street improvements. Some other party might construct such improvements in the indefinite future, at which time – thanks to Townsend Farms conforming with the WDO by dedicating the minimum 5 ft of ROW for Young Street as examined earlier above for 3.01 and in conformance with 3.01.01A, 3.01.04B.1, & Figure 3.01G specifically, will be able to fit within the west half of the ROW west of centerline.

- d. Regarding the conformance of the proposed use with applicable [Comprehensive Plan](#) policies, staff addresses this factor through both factor c. above ("impact of the proposed use" with six subfactors 1) through 6) and this factor d.:

<i>Table CU-3d</i>		
<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
D-1.5	14	Creative design, slow moving traffic, and landscaping and tree planting to enhance the livability and aesthetics of the neighborhood – specifically Young Street wider sidewalk and wider landscape strip.
E-1.4	19	Industrial areas that are located adjacent to arterial streets or to residential areas should be controlled through site plan review and buffer zones to minimize the impact of industrial uses – specifically to require buffering/screening of the large blank south wall of the addition and northeast outdoor storage yard with shrubbery and trees.
G-1.4	28	“The City shall hold development accountable for streets within and abutting the development. In addition, the policy of the City is to emphasize development outward in successive steps and phases that avoid unnecessary gaps in the development and improvement of the streets.” Specifically, as a condition of approval of variance VAR 22-09 to vary from the minimum Boundary Street improvements per Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding the unnamed paper street right-of-way (ROW) at the east that City staff term “Joyce Way”, to secure the usual ROW and streetside public utility easement (PUE) to achieve conformance with the standard ROW width for a local class street, 60 ft per WDO Figure 3.01G, and the streetside PUE minimum and maximum widths per WDO 3.02.01A, B, & F. The respective minimums are 5 ft of additional ROW west of centerline and a streetside PUE 5 ft wide.
H-1.2	33	Encourage alternative travel options between Woodburn, Portland and Salem by implementing a carpool/vanpool parking program and coordinating WTS with other regional service provided by Cherriots Regional and Canby Area Transit – specifically by conditioning a transit service fee.
H-2.1	34	“Develop and implement updated street design standards for arterials, collectors, and local streets. Ensure new standards and development are consistent with the functional classification plan in the TSP.” TSP refers to the Transportation System Plan. Specifically, the same action as for Policy G-1.4, which manifests conformance with WDO Figure 3.01G 60 ft width of right-of-way (ROW) and in turn the TSP from which the figure comes.
H-2.3	34	Encourage multi-modal transportation options, including park-and-ride facilities, carpooling, and use of transit services – specifically, the same action as for policy H-1.2.

<i>Table CU-3d</i>		
<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
H-5.1	36	Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models and reducing automobile reliance at times of peak traffic volumes – specifically, the same action as for Policy H-1.2.

- e. Regarding the suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity, staff addresses these under other provisions through which staff introduces given issues and their related conditions of approval.

✓ The conditional use criteria are met with the conditions. Staff recommends approval with conditions of the request.

## Variance Provisions

### 5.03.12 Variance

- A. **Purpose:** The purpose of this Type III Variance is to allow use of a property in a way that would otherwise be prohibited by this Ordinance. Uses not allowed in a particular zone are not subject to the variance process. Standards set by statute relating to siting of manufactured homes on individual lots; siding and roof of manufactured homes; and manufactured home and dwelling park improvements are non-variable.
- 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.**
- 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.**



6. If and where a variance includes a request to vary from minimum public improvements per Section 3.01, from Section 5.02.04E about Street Adjustment factors, those factors are applicable as Variance additional factors.

**5.02.04E Factors:** ... shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

The unimproved ROW has no official name in the field or per City records or the Marion County tax map. Staff terms it "Joyce Way" for the reasons explained in the definition in Attachment 201 "Dictionary & Glossary". It has existed since at least the 1960s, possibly since the 19<sup>th</sup> Century. It is an open field with no trees or apparent surface public improvements other than a bus stop where the ROW intersects with Young Street.

#### *Criterion 1*

Regarding, "Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner", strict adherence is possible; however, the net additional 2,400 sq ft of building addition is a 7.2% increase of existing square footage. Also, the existing industrial development that is Townsend Farms has been around about 40 years. Staff concurs that a west half-street improvement, though clearly required by the WDO, can be seen by reasonable people as an excessive financial burden on the property owner. Staff finds criterion 1 met.

#### *Criterion 2*

Regarding, "Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties", staff considers the factors from 5.03.12C:

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.*

Regarding factor C1a, there are no such physical circumstances, a factor against the variance. The applicant's narrative submitted October 14, 2022, p. 5, states, "Physically, the site is already developed so buildings are already in place. Dedicating an extra 7 feet to the ROW would interfere with use of the property." The first error of the statement is that only 5 ft, not 7, are required for Joyce Way ROW dedication. The second error of the statement is mentioning ROW because the variance is about constructing west half-street improvements within ROW, not about whether or not to dedicate ROW. Granting a variance from constructing a half-street does not necessarily involve a variance also from required ROW.

In addition, staff sees physical conditions that contradict the applicant's assertion that existing buildings are a problem. The building closest to a property line is the proposed addition to Building B at 17.8 ft from the east side as land use plan set civil sheet C002 submitted November 15, 2022 illustrates and dimensions. With ROW dedication, 12.8 would remain, not at all interfering with existing buildings or the addition, and staff notes again that the variance request isn't about ROW and so the applicant's observation about ROW is irrelevant.

Regarding factor C1b, yes, reasonable use similar to other properties can be made of the property without the variance. Industrial development and operations exist and could continue to exist and expand without a Joyce Way west half-street improvements variance, a factor against the variance.

Regarding factor C1c, there is no hardship, a factor against the variance. The WDO doesn't define the term "hardship", though the concept in the context of variance is known in cities across the nation, it being a long-standing concept of land use law. A way to describe hardship is deprivation of all economic use or benefit from a property, the deprivation proved by financial evidence. This is clearly not the case in the application materials. Were the City to deny the variance, the existing industrial development and operations of Townsend Farms could continue. The proposed addition also could continue. Nothing about variance denial would render the property at large or the addition physically unbuildable. The difference would be additional costs to design and construct a Joyce Way west half street

In short, factors 1a-c are against the variance, but the criterion 1 that they fall under is met because of "imposes and excessive burden on the property owner" when seen in terms of the scope of the building addition compared to existing development.

*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.*

Regarding factor C2a, granting the variance would result in continuance of the status quo: unimproved Joyce Way ROW, itself having no physical effects, a factor in favor of the variance.

Regarding factor C2b, granting the variance would result in continuance of the status quo: unimproved Joyce Way ROW, and staff cannot conceive of any incremental impacts, the lack of incremental impacts being in favor of the 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.*

Regarding factor C3, granting the variance would result in continuance of the status quo: unimproved Joyce Way ROW, itself having no physical effects, a factor in favor of the variance.

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

Regarding factor C4, because the site has been industrially developed for about 40 years and occupied by the same business, Townsend Farms, and that even if the City were to deny the variance, the proposal to build an addition could still proceed, show that no variance is needed for existing or continued reasonable economic use of the property, a factor against the variance.

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

Regarding factor C5, at least two policies are applicable:

<i>Table V-C5</i>		
<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
G-1.4	28	<p>“The City shall hold development accountable for streets within and abutting the development. In addition, the policy of the City is to emphasize development outward in successive steps and phases that avoid unnecessary gaps in the development and improvement of the streets.”</p> <p>Specifically, granting a variance to not construct Joyce Way west half-street improvements along with the Young Street upgrade as the required Boundary Street improvements would fail to meet the policy.</p>
H-2.1	34	<p>“Develop and implement updated street design standards for arterials, collectors, and local streets. Ensure new standards and development are consistent with the functional classification plan in the TSP.”</p> <p>TSP refers to the Transportation System Plan. Specifically, granting a variance to not construct Joyce Way west half-street improvements as part of development and to the standards for a local street per the TSP through WDO 3.01.04B.1 &amp; Figure 3.01G would fail to meet the policy.</p>

Failing to meet two Comprehensive Plan policies is a factor against the variance.

6. *If and where a variance includes a request to vary from minimum public improvements per Section 3.01, from Section 5.02.04E about Street Adjustment factors, those factors are applicable as Variance additional factors.*

Factor C6 is indeed applicable because the variance does include a request to vary from minimum public improvements per Section 3.01 regarding Joyce Way. See below.

*5.02.04E Factors: ... shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.*

A clear policy intent is to obtain some degree of improvement of person walking and cycling, not simply to allow developers to make street improvement obligations vanish, but to secure, for example, a wide sidewalk as a bicycle/pedestrian path. The variance request is for total exemption, with no construction of any Joyce Way improvements and no payment of fee in lieu of construction. Also, the WDO 3.01 purpose statement includes the objective to, “lessen the cost of land development to the City in order to

lessen taxpayer burden for landowners in the context of Oregon Ballot Measures 5 (1990) and 50 (1997)", and granting the variance would violate the objective.

A second clear policy intent, of "The City may through approval with conditions require wider additional ROW dedication ...", is that in situations where half-street improvements deviate from the WDO standards, right-of-way (ROW) remains required. As examined earlier above for variance criterion 2, factor 1, staff stated:

"The applicant's narrative submitted October 14, 2022, p. 5, states, 'Physically, the site is already developed so buildings are already in place. Dedicating an extra 7 feet to the ROW would interfere with use of the property.' The first error of the statement is that only 5 ft, not 7, are required for Joyce Way ROW dedication. The second error of the statement is mentioning ROW because the variance is about constructing west half-street improvements within ROW, not about whether or not to dedicate ROW. Granting a variance from constructing a half-street does not necessarily involve a variance also from required ROW."

Variance factor 6 makes 5.02.04E applicable and against the variance.

Having examined the factors under 5.03.12C and returning to criterion 2 (that is 5.03.12B.2), on the whole, the factors are such that variance to the requirement to construct Joyce Way west half-street improvements will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.

Staff applies two conditions. The first regards providing for fire access if and when another developer constructs Joyce Way east half-street improvements. (This is based on what the Fire Marshal of the independent Woodburn Fire District told City staff during a meeting November 21, 2022 and told the Senior Planner over the phone January 10, 2023. The Senior Planner e-mailed him a summary of the understanding, and there was no correction or objection by the Fire Marshal.)

The second confirms that variance from construction isn't also variance from dedicating ROW and granting a streetside public utility easement (PUE) and so requires such. After City staff met to discuss draft conditions three times – on January 6, 10, & 12, 2023 – the condition also includes direction regarding removal of existing east yard fencing in the indefinite future, upon Joyce Way west-half street construction by some party, that would be at the developer's expense.

The review of variances is Type III, meaning discretionary, and the conditions are reasonable and require little of the developer as well as far less time, work, and money than design and construction of Joyce Way west half-street improvements.



## Recommended Conditions of Approval

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

### *General*

G0. The applicant/developer shall comply with the general conditions in Attachment 202.



### *Conditional Use 22-02*

### *Frontage/street improvements*

CU1. Frontage/street improvements:

a. Young Street:

(1) ROW curvature: To accommodate potential improvement of the west side of Joyce Way and curvature for turning vehicles at the west/southwest corner of a T-intersection of Young and Joyce, the applicant shall dedicate a blunted area of the subject property east/northeast corner as ROW of a curvature per public works standards.

Note: See Note A below.

(2) Landscape strip and sidewalk: Based on WDO 5.03.01B.3c5), the landscape strip shall be minimum (min) width 6.5 ft including curb width, and the sidewalk min width 8 ft.

(3) Street tree fee in-lieu: If the developer opts for street tree fee in-lieu, it shall be for maximum (max) 3 of the min 5 street trees that WDO 3.06.03A.1 (1:30) requires and with a fee per Attachment 203.

(4) Fence/fencing: The developer shall remove any existing north yard fencing from within the widened Joyce Way ROW prior to building permit final inspection.

Note: See also Condition D1.

b. Joyce Way: Because of Variance VAR 22-09, see Conditions V1 & V1.



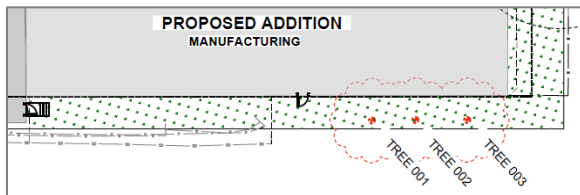
*Trash Enclosure*

CU2. Trash enclosure: If any outdoor storage of trash and recycling is later proposed, then per WDO 3.06.06B.

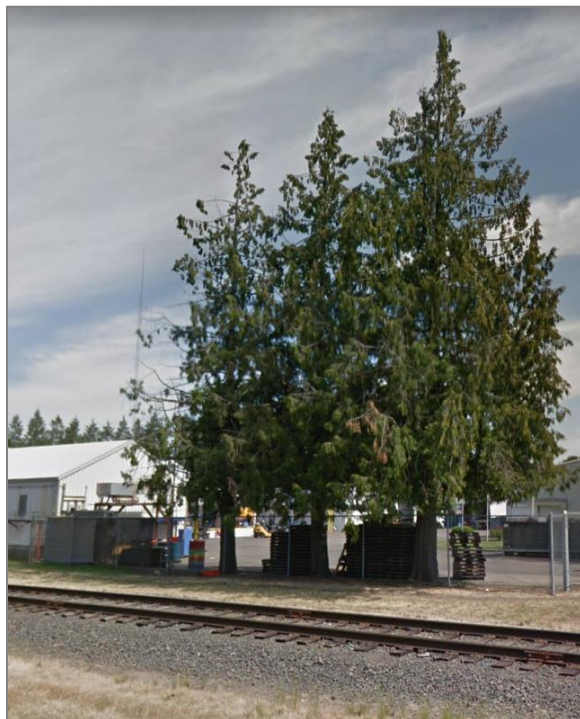
*Tree Preservation*

CU3. Tree preservation:

- a. ROW: n/a.
- b. On-site:
  - (1) The developer shall pay a mitigation fee for Trees 16 & 17, which Sheet C007 illustrated as proposed to be removed, per Attachment 203.
  - (2) Based on WDO 5.03.01B.3c5), the developer shall replace Trees 1-3 proposed to be removed with two coniferous/evergreen trees at minimum size at planting per Table 3.06B and in the same 10-foot wide easterly south yard along the building addition.



*Exhibit CU3b(2)-1: Trees 1-3 from Sheet C007*



*Exhibit CU3b(2)-2: Trees 1-3 from Google Street View June 2018*

*Landscaping*

CU4. North yard:

- a. Trees: Based on WDO 5.03.01B.3c5), the north yard shall have min two trees that complement the row of street trees and are placed within a band between streetside PUE and 20 ft from ROW.
- b. Hedge/shrubbery: Based on WDO 5.03.01B.3c5) and to buffer/screen from the north, the developer shall replace the shrubbery proposed to be removed with minimum 18 shrubs that are large size category at maturity per WDO Table 3.06B.



*Exhibit CU4b: North yard shrubbery to be removed Google Street View August 2017*

CU5. Based on WDO 5.03.01B.3c5) and to buffer/screen from the east, along the existing outdoor storage yard chain link fence, the developer shall plant evergreen shrubbery, specifically 40 shrubs that are large size category at maturity per WDO Table 3.06B along the outside of the fence and minimum 10 ft from the existing Joyce Way ROW boundary, which is equal to 5 ft from the to-be-widened Joyce Way ROW.



*Exhibit CU5: Outdoor storage yard east side fencing Google Street View August 2017*

CU6. Evergreen: 2 min of trees new to the site. The 2 shall be 1 min of the following coniferous or evergreen species:

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

CU7. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment along their sides, excepting the side intended for technician access. For at-grade electrical transformers, minimum two sides shall be screened.

CU8. Discontinuance/Revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, C.4 use of “motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods ...” ceases and 3 years pass without the use recommencing. This CU approval excludes the use “mini-storage” from the group of uses as the WDO terms.

CU9. CU Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. The primary use would become other than fresh and frozen berry growth, processing, and distribution and the storage of farm products;
- b. Significant expansion of the use, factors being an increase in any of: total gross floor area (GFA) by 25.0% or more or by an absolute value of 10,000 sq ft or more, and the number of buildings by 2 or more;
- c. Increase in off-street parking by 12 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- d. Net Increase in impervious surface totaling more than 10,000 sq ft;
- e. Any proposal necessitating a variance application to vary from the WDO;
- f. Any proposal necessitating a Type III or IV land use application type;
- g. City adoption of a unified development ordinance replacing the WDO were to have intervened; and
- h. Proposal by the landowner for the City to approve formally a long-range master plan for the redevelopment of the subject property.

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may determine that the provisions supersede this condition of approval.



*Design Review 22-11*

D1. Frontage/street improvements: To conform with 3.01:

a. Young Street: The developer shall:

(1) ROW: Dedicate ROW of min width to achieve a min width of 37 ft south of road centerline per WDO 3.01.04B and Figure 3.01C “Minor Arterial”.

(2) PUE: Grant a streetside PUE min 5 ft wide per WDO 3.02.01B and max 8 ft wide per 3.02.01F.2.

Note: See Note A below.

(3) Street trees: The developer shall revise the site plan Sheet C003 or equivalent:

(a) To conform with WDO 3.06.03A.2a by indicating a species that is large size category at maturity as Table 3.06B describes; and

(b) To conform with WDO Table 3.06C by indicating a permissible species.

The developer shall revise the site plans prior to building permit issuance.

Note: See also Condition CU1a.

b. Joyce Way: Because of Variance VAR 22-09 regarding west half-street construction, see Conditions V1 & V2.

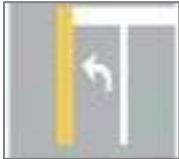
D2. Nuisance fencing: To conform with WDO 2.06.02D.4, a fence constructed of materials that could cause bodily harm, including, but not limited to, those conveying electric current, razor wire, spikes and broken glass, is prohibited.

D3. Electric power pole(s) and line(s): To conform with WDO 3.02.04B, the developer shall pay an electric power pole removal and line burial fee per Attachment 203.

D4. Vehicular area pavement: This condition is applicable only if between land use approval and building permit issuance Oregon Fire Code (OFC) Appendix D as administered by the independent Woodburn Fire District designates a route in the west side yard leading to and from Gatch Street as a required fire apparatus access road: To increase conformance with WDO 3.05.02F, the developer shall pave per 3.04.04 a drive aisle min width 20 ft in the west yard where there is employee parking, extending at the west to the west lot line where there is an access easement that benefits the subject property across the property at 100 Gatch Street (Tax Lot 051W18AD07300) and at the east where there is existing asphalt or concrete vehicular area, an extent of approximately 130 ft. Due by building permit final inspection. (This condition does not require curbing; note that 3.04.04 allows “grasscrete”.) The developer shall revise the site plans prior to building permit issuance.

D5. Wide walkway: To conform with WDO 3.04.06B, the developer shall provide a wide walkway between Young Street sidewalk and a pedestrian entrance in Building B. Striping a boundary within existing pavement is a means to establish a wide walkway, though a walkway cannot overlap the travel lanes of a driveway throat or drive aisle. Based on 3.04.06D, where it crosses a drive aisle or vehicular area, the wide walkway shall be striped with any of hatch or ladder pattern or bars perpendicular to the crossing. The developer shall revise the site plans prior to building permit issuance.

D5a. Left turn pocket striping: Based on WDO Table 3.04A rows “Paved Width of Driveway”, “2-way”, & “Industrial” and 3.05.02J, within the Young Street driveway throat the developer shall stripe a center left turn pocket for vehicles that turn left to exit the site. Min striping is double yellow lines and a left arrow. The developer shall revise the site plans prior to building permit issuance.



*Exhibit D5a Conceptual example of driveway left turn pocket*

D6. Parking: To conform with WDO Table 3.05A, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum off-street parking ratio(s) – prior to building permit issuance – and provide such parking.

Note D6: Based on the situation, the applicant would:

- a. Demonstrate whatever the minimum parking is to provide later, demonstrating sometime between the start of the Planning Commission hearing and when the Commission closes the public hearing and grants tentative land use approval with conditions, or
- b. All three of: ask the Commission to continue the hearing, get a continuance, and in writing grant the City an extension of at least 14 days of the final decision due date as ORS 227.178(5) allows to resolve the parking issue, or
- c. After land use approval with conditions, delay building permit issuance by weeks or months by submitting either a Zoning Adjustment (ZA) or variance application to deviate from whatever the minimum required parking is if the applicant can't or doesn't want to provide the agreed-upon WDO minimum, and have a Commission hearing and the Commission grant a tentative land use decision.

D7. C/V: To conform with WDO Table 3.05C and 3.05.03H, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum carpool/vanpool (C/V) parking and C/V parking standards – prior to building permit issuance – and provide such C/V

parking. Of the min number of stalls, if any, min 1 shall be paved per WDO 3.05.02F and 3.04.04 and striped per Figure 3.05C.

D8. EV: To conform with WDO Table 3.05E and 3.05.03I, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum electric vehicle (EV) parking and EV parking standards – prior to building permit issuance – and provide such EV parking. Of the min number of stalls, if any, min 1 shall be paved per WDO 3.05.02F and 3.04.04 and striped per Figure 3.05C.

D9. Bicycle parking: To conform with WDO Table 3.05D row 1 and 3.05.06, the developer shall revise the site plans to illustrate and note how there is conformance with the minimum off-street bicycle parking and bicycle parking standards – prior to building permit issuance – and provide such bicycle parking.


D9a. Landscaping general requirements: To conform with WDO 3.06.02, the developer shall revise the site plans to illustrate and note how there is conformance with the landscaping general requirements – prior to building permit issuance – and plant required landscaping accordingly.

D10. To conform with WDO 3.10.08R, the developer shall remove the existing monument sign from the area within Young Street widened ROW and streetside PUE.



*Exhibit D10: North yard monument sign Google Street View August 2017*

D11. Lighting: Altered and new exterior lighting shall be per WDO 3.11.02 and, for permanent signage, per WDO 3.10.06G, and the shall revise Sheet C006 or equivalent – prior to building permit issuance – to illustrate and note how there is conformance.



*Design Review 22-11: Transportation*

T-T1. Bus transit fee: To further TDM through local and regional bus transit and vanpooling, the developer shall pay a transit service fee per Attachment 203. [This condition relates to TSP projects T41 & 16 and TDM1 and TPU projects 1, 2, 3, 11, 12, 13, 15, & 20.]



Variance 22-09

V1. Joyce Way west half-street improvements variance: Fire apparatus road #1: The request to vary from Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding the unnamed paper street right-of-way (ROW) at the east that City staff terms “Joyce Way” is approved, but with provisions as follows and, where conflicting with Condition G4, superseding:

- a. Objective: The objective of this condition is to have Townsend Farms improve or pay for improved fire access as follows: Upon either DR 22-06 1030 Young Street residences development or any redevelopment of that property that constructs a Joyce Way east half-street similar to how land use review Sheet PP-2 illustrated providing access to 1030 Young Street, then Townsend Farms shall per Woodburn Fire District (WFD) administration of the Oregon Fire Code (OFC) improve the gap between the half-street and the east dead-end of fire apparatus road #1 as CU 22-02 land use review Sheet C004 illustrated it and install a gate and emergency key box.

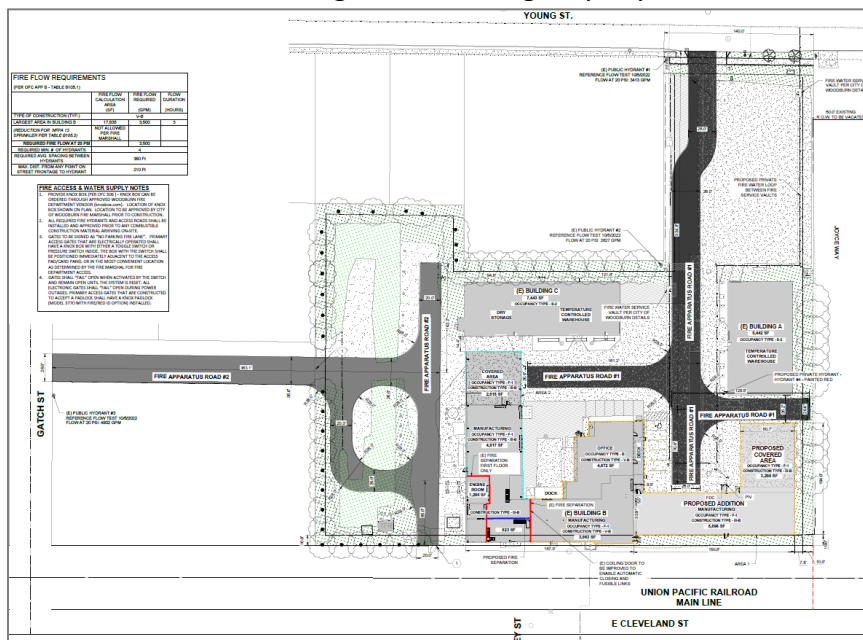
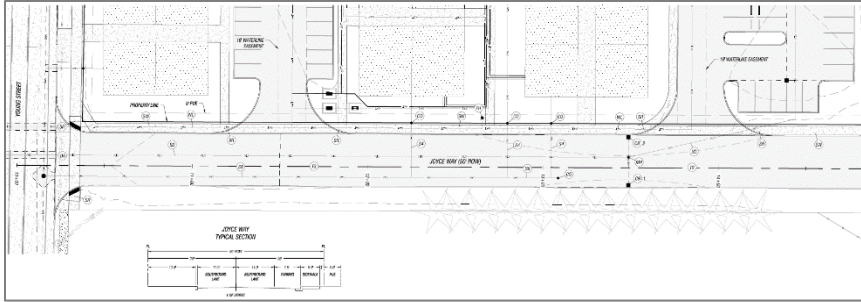


Exhibit V1a-1 Sheet C004 Fire apparatus roads





*Exhibit V1a-2 DR-22-06 1030 Young Street Sheet PP-2 Joyce Way east half-street*

- b. Due date: Per the WFD Fire Marshal, yet no later than before issuance of the first certificate of occupancy (C of O) for a 1030 Young Street redevelopment. The City delegates administration of this fire access condition to the WFD Fire Marshal, and after the developer and the Fire Marshal implement the condition, the developer shall submit to City staff documentation that the WFD considers the condition met, whether through improvement or fee in-lieu.
- c. Fee in-lieu: If the WFD Fire Marshal allows, the developer may pay a fee in-lieu per Attachment 203.
- d. Consent to temporary construction access: By this condition, in a scenario where a party other than Townsend Farms is to bring about the conditioned fire access improvements, then the property owner consents to temporary construction access by District staff or contractors coming onto the subject property, on and near the east dead-end of fire apparatus road #1, as necessary to complete construction and installation of the conditioned fire access improvements.
- e. The developer shall revise the site plans prior to building permit issuance.

V2. Joyce Way west half-street improvements variance: ROW & PUE:

- a. ROW: As WDO 3.01.04B.1 and Figure 3.01G require, the developer shall dedicate minimum 5 feet of ROW along Joyce Way, within which along its full extent buildings neither exist nor are proposed.
- b. PUE: The developer shall grant a streetside public utility easement (PUE) minimum 5 feet wide per WDO 3.02.01B and max 8 feet wide per 3.02.01F.2.  
Note: See Note A below.
- c. Fence/fencing: Based on WDO 2.06.02C.2 and 3.03.02C, the developer shall remove any existing east yard fencing from within the widened Joyce Way ROW either (1) prior to building permit final inspection or (2) in the indefinite future upon start of construction of Joyce Way improvements. (Removal shall remain at developer's expense.)

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the

Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council usually meets second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.

## Applicant Identity

<i>Applicant</i>	Hunter Wylie, President, Crow Engineering, Inc.
<i>Applicant's Representative</i>	Kirk Hall, Drafter/Designer III, Crow Engineering, Inc.
<i>Landowner(s)</i>	Townsend Farms (Margaret Townsend, Vice President)

## Notes to the Applicant

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

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. *Contact Planning Division staff at least three (3) City business days prior to a desired date of planning and zoning inspection of site improvements.* This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.

- b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
  9. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
  10. Public Works Review: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department.
  11. ROW:
    - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.  
  
ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
    - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.
  12. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
  13. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to

be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.

14. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
15. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.
16. SDCs: The developer pays System Development Charges prior to building permit issuance. Staff will determine the water, sewer, storm and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet.
17. Public Improvements Civil Plan Review: The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by the Engineering Division. If opting for CEP, the applicant shall not only follow the direction of the Engineer Division, but also take some actions to facilitate tracking by Planning staff and coordination with Engineering:
  - a. Cover letter: Upon submitting application to the Engineering Division, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, project phase, tax lot number(s), street address(es), and the land use / planning / zoning final decision conditions of approval that require the public improvement that is the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each subpart of a condition is met.

- b. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter may include these.
- c. Plan copies: Submit to the attention of the Planning Division at least two plan size copies of plan sets (24 by 36 inches). Within the cover sheet title block(s), include the phrase "civil engineering plans" or "public improvements civil plans". Submit also Adobe PDFs using a fileshare service.
- d. Re-submittal fee: If there are multiple re-submittals, beginning with a third submittal / second revised submittal and continuing with each subsequent submittal, the applicant must pay through the Planning Division into City general revenue a fee of \$100.

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



**Public Works Comments**  
**CU 22-02, DR 22-11, & VAR 22-09**  
**Townsend Farms**  
**(960 Young Street)**  
**January 18, 2023**

**A. CONDITIONS OF LAND USE APPROVAL:**

1. The Applicant, not the City, is responsible for obtaining any necessary permits from the State, Marion County, Oregon Division of State Lands, US Army Corps of Engineering and/or federal agencies that may require such permit or approval for the construction of this development.
2. Applicant, not the City, is responsible for obtaining any necessary permits from adjacent property owners that may require such permits or approval for work within their property boundaries.
3. Applicant is responsible for obtaining approval from the City's Planning Division and Woodburn Fire District for dead-end turnarounds requirements.
4. Department of Environmental Quality Erosion Control 1200C permit will need to be obtained for this development prior to City issuing approval of civil plans, if applicable.
5. Applicant to install street lighting along Young Street frontage, if required. Streetlights shall be in accordance with street lighting plans approved by the City and conforming to Portland General Electric installation (PGE) and under PGE's option B.
6. The Applicant, by this Development, shall not cause storm water runoff to be impounded on adjacent properties.
7. All sanitary sewer and storm drainage laterals serving the proposed developments are private up to the main public line.
8. All onsite private storm system and sewer lateral lines shall comply with Marion County plumbing permit and requirements.
9. All City-maintained facilities located on private property shall require a minimum of 16-foot wide utility easement conveyed to the City by the property owner. This is the applicant's responsibility to provide, not the City's. Utilities of unusual depth, size or location may require a larger width.
10. Final review of the Civil Plans will be done during the permit application for public improvements. Public infrastructure will be designed and constructed in accordance with plans approved by Public Works, Marion County and complying with City, Marion County, State and Federal requirements/guidelines current at the time of the development application.

11. Provide and record the required right-of-way dedications and public utility easements, prior to City issuance of building permit.
12. All public improvements shall be deemed complete prior to issuance of building permit.
13. System Development charges shall be paid prior to building permit issuance.
14. Applicant to pay all public improvements (right-of-way) fees for all public improvements that are to be maintained by the City as per Ordinance #1795.
15. Fire hydrants locations and fire protection requirements shall be as per the Woodburn Fire District and City of Woodburn requirements.



# TOWNSEND FARMS

## FACILITY EXPANSION

### *APPROVAL CRITERIA COMPLIANCE NARRATIVE TYPE III - CONDITIONAL USE AND VARIANCE*

*Prepared by:* Kirk Hall

*Prepared on:* 10-13-2022

**Attachment 103**  
**P. 1 of 20**

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# DESIGN REVIEW APPROVAL CRITERIA COMPLIANCE NARRATIVE

## PROJECT LOCATION

ADDRESS: **960 YOUNG ST. WOODBURN, OR 97071  
TAX LOT 051W18AD08300**

TOTAL SITE **3.62 ACRE**

ZONING **COMMERCIAL GENERAL (CG)**

OVERLAY **NOT IN ANY OVERLAY DISTRICTS**

## BUILDING ADDITION SUMMARY

PROPOSED HEIGHT **31 FEET**

PROPOSED BUILDING ADDITION **10,400 SF**

## PROJECT DESCRIPTION

Townsend Farms is proposing an approximate 10,400 square foot addition to their existing operations at the above referenced property. The existing operation consists of a single-floor building and equipment for the process, the packaging, and the temporary storage of produce. This produce is transported to the property from local farms during harvest season, temporarily stored, and packaged to be processed at this facility or shipped to other Townsend Farms facilities.

The proposed development will include the demolition of 8,000 sf of the east end of Building B, which consists of a concrete slab-on-grade foundation and a steel and wood framed superstructure. A new 10,400 sf pre-engineered metal building (PEMB) addition will be added at the southeast corner of the property.

The client intends to sprinkler Building B, including the new addition, as a part of the project. Crow would like to highlight that while the proposed addition projects into the 5-foot private railroad easement, the southern outside face of new PEMB will be setback 10 ft from the property line to comply with the Woodburn Development Ordinance (WDO).

## CITY OF WOODBURN - DEVELOPMENT CODE COMPLIANCE NARRATIVE

The following is Crow Engineering's summary of compliance to the City of Woodburn Development Code (*last amended by Ordinance 2579 on April 13, 2020*) requirements for development. This formal narrative does not address all items, but all items applicable to this type of development

### SECTION 1 - ORGANIZATION AND STRUCTURE

#### *1.04. – NON-CONFORMING USE AND DEVELOPMENT*

##### *1.04.02. – CHANGE OR EXPANSION OF AN EXISTING USE WITH NON-CONFORMING PARKING LOADING AND/OR LANDSCAPING*

- B. *“For applications where the change or expansion increases the required area for parking, loading, or landscaping by less than 25 percent, the parking, loading, landscaping, buffer walls and refuse facilities required for the expansion shall conform to the standards of the WDO. The property owner is encouraged, but not required, to bring more of the site into conformity.”*

**All required parking and associated landscaping shall be prepared by the standards of the WDO. No other landscaping and parking will be brought into conformance.**

## SECTION 2 - LAND USE ZONING AND SPECIFIED USE STANDARDS

### 2.03 COMMERCIAL ZONES

#### 2.03.B. COMMERCIAL ZONES

##### 2. COMMERCIAL GENERAL (CG) ZONES

**Per Table 2.03A – The intended use for this development matches the uses in the Industrial Section under Row 4 – *Motor freight transportation and warehousing* including local trucking and transfer services, storage of farm products and commercial goods (produce). The development is not in the Gateway Overlay District and therefore is allowed under a Conditional Use.**

### 2.06 ACCESSORY STRUCTURES

#### 2.06.02 Fences and Walls

##### C. Height in Non-Residential Zones

**Fence parallel to Young Street shall be relocated after improvement is made to Young Street. Height shall not exceed six feet.**

##### D. Fence Materials

**Fence shall be chain link and filled with slats.**

## SECTION 3 - DEVELOPMENT GUIDELINES AND STANDARDS

### 3.01 STREETS

#### 3.01.03 Improvements Required for Development

**Half street improvements to Young Street shall be made such that the property complies with Figure 3.01C.**

#### 3.01.07C Off-Street Public Bicycle / Pedestrian Corridors

**Table 3.01A specifies a 20 ft wide path along Union Specific Railroad, known as RR2. However, per letter addressed to Crow from the City of Woodburn dated September 6, 2022 from Colin Cortes, AICP, CNU-A,” the Community Development Director determined that the requirement is not applicable.”**

### 3.02 UTILITIES AND EASEMENTS

#### 3.02.01 Public Utility Easements

**A five-foot width along Young Street, after half street improvements, shall be dedicated as a public utility easement (PUE).**

3.03 *SETBACKS AND OPEN SPACE*

3.03.01 *Setbacks*

**Setbacks and proximity of buildings to setbacks remain unchanged, with the exception of the Young Street frontage which will move south after half-street improvements. Additionally, the new addition will comply with the WDO rear setback requirement of 10 feet.**

3.04 *VEHICULAR ACCESS*

**Existing site has an alternative to 120' hammerhead turnaround per Figure 3.04C. The new development will not change this access. A second hammerhead will be added to access the northeast corner of the addition.**

3.05 *OFF-STREET PARKING AND LOADING*

**The western portion of the site is used for overflow parking during the harvest season and is unpaved.**

3.06 *LANDSCAPING*

**Landscaping will be provided to meet this section.**

3.07 *ARCHITECTURAL DESIGN*

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

**Building facades will be articulated with vertical trim between the new and existing building at the southern elevation. Additionally, there will be some variation in rib pattern of the exterior cladding between the new and existing building. Additionally, some differences in color of the wall cladding can be added at the City's request.**

3.10 *Signs*

**The sign for the business will be relocated or replaced after street improvements are made. Sign will be monument style with a maximum area of eight feet high and thirty-two square feet in area per Table 3.10.10B: Permanent Signs in CG Zone.**

## SECTION 4 - ADMINISTRATION AND PROCEDURES

**Application to meet Type III requirements as indicated by City Planner as recorded in pre-application conference meeting agenda and notes. Pre-application meeting was held on May 24<sup>th</sup> at 10:00 am.**

## SECTION 5 - APPLICATION REQUIREMENTS

5.03 *TYPE III (QUASI-JURISDICTIONAL DECISIONS)*

5.03.01 *CONDITIONAL USE*

5.03.01.B. The design must meet the following criteria items for a conditional use:

1. Conditional Use within Zoning District

**Allowed Per Table 2.03A – The intended use for this development matches the uses in the Industrial Section under Row 4 – *Motor freight transportation and warehousing* including local trucking and transfer services, storage of farm products and commercial goods (produce). The development is not in the Gateway Overlay District and therefore is allowed under a Conditional Use.**

2. Comply with the Development Standards of the Zoning District

**See Table 2.03C above for development standards**

3. Compatible with surrounding properties
  - i. Noise
    - i. **Most machinery making noise will be enclosed. Most noise will be made by the condensers for the freezer compressors, exhaust fans, and delivery trailers that will only be operating during harvest season from mid-June to mid-August.**
  - ii. Illumination
    - i. **Reference the photometric plan for site lighting.**
  - iii. Hours of Operation
    - i. **Operations on site are seasonal. Harvest season runs from mid-June to mid-August with hours from 6:00 am to 6:00 pm seven days a week. The rest of the year consists only of maintenance staff working from 7:00 am to 3:30 pm.**
  - iv. Air Quality
    - i. **The only influence on air quality is delivery trucks which consist of one truck per day on a slow day to four trucks per day on a busy day.**
  - v. Aesthetics
    - i. **The buildings are functional in style. Most of the site is surrounded by tall trees.**
  - vi. Vehicular Traffic
    - i. **Delivery trucks access the site which consist of one truck per day on a slow day to four trucks per day on a busy day. Employees will access and park on site in addition to carpooling and public transportation.**

5.03.12 VARIANCE

Variance to vary from the minimum Boundary Street improvements per Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding the unnamed paper street right-of-way (ROW) at the east that City staff term 'Joyce Way.'

**B. Criteria**

- i. **At the east of the site is an unnamed 50-foot paper street right-of-way (ROW) that the City staff term 'Joyce Way.' The Assistant City Attorney understands that part of the ROW technically isn't ROW, but instead real property belonging to the City. Another developer submitted land use application DR 22-06 for 1030 Young Street that remains incomplete and covered some of Joyce Way. That development would necessitate vacation and surplus**

applications to the City through the Administration department that developer might or might not have yet applied for and probably hasn't. However, at this point in time, since plans have not been finalized or completed to vacate the ROW, the ROW exists. Therefore, for the purpose of this design review and variance submittal, we are asking for a variance to omit providing the half street improvements that would be required for Joyce Way under section 3.01.03C.1 of the Woodburn Development ordinance.

Strict adherence to the standards of this ordinance would impose an excessive burden on the property owner. The current ROW is approximately 50 feet-wide and the proposed half street cross section would be 37 feet from centerline of street. Based on a survey of the site, it appears incorporating the extra 7 feet of the subject property that would be required to make half street improvements require the removal of all significant trees along the east edge of the property – decreasing the aesthetic value and increasing noise and light pollution across the boundary of the property.

Additionally, the City does not have a master plan as to how Joyce Way proposed by WDO would address fire access. Assuming Joyce Way was developed per the WDO, the street would not extend across the existing railroad tracks to meet up with Cleveland St. but would instead dead end at the south edge of the Young St. property. Lack of fire access prohibits the utilization of the space even if the proposed street improvements were made.

A variance will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties. As was described in the latter part of the last paragraph, the aesthetics of leaving the subject property as-is are superior to the aesthetics of making half-street improvements. Other uses of both the subject property and adjacent properties remain unchanged.

**C. Factors to Consider**

*i. Hardships/Unbuildable*

1. Physically, the site is already developed so buildings are already in place. Dedicating an extra 7 feet to the ROW would interfere with use of the property.
2. Use of the property will remain unchanged with the variance.
3. The existing site was developed following City requirements in place at the time of construction. The hardship imposed on the property owner is due to evolution in City requirements over the years and the nature of developing a existing site that has been in place for many years.

*ii. Consistent with request and not materially injurious to adjacent properties*

1. Visual aesthetics of the existing site are superior to that without a variance due to the significant trees that would need to be removed. There are no other impacts on adjacent properties.
2. There would be no incremental impacts because of a variance.

*iii. Existing physical and natural systems not adversely affected*



- 1. The improvements per WDO do not extend from Young St. to E Cleveland St. but terminate at the south end of the Young St. property. Therefore, since the route is a dead end there is not adverse impact on accessibility. There is nearby access from E Cleveland St. to Young St. by way of Gatch St. or 99E.**
- iv. Variance is minimum deviation necessary to make reasonable economic use of property.*
  - 1. Based on the ordinance, eliminating the provision to make half street improvements appears to be the best choice to make the subject property economically viable and meet the overall intent of City ordinances.**





# FREEZER TUNNEL EXPANSION

960 YOUNG ST., WOODBURN, OR 97071

## PROJECT DESCRIPTION

9,200 SQUARE-FOOT PRE-ENGINEERED METAL BUILDING FACILITY TO CONTAIN FREEZER TUNNEL AND PROVIDE FUNCTIONAL SPACE FOR PROCESSING PRODUCE.

## OWNER

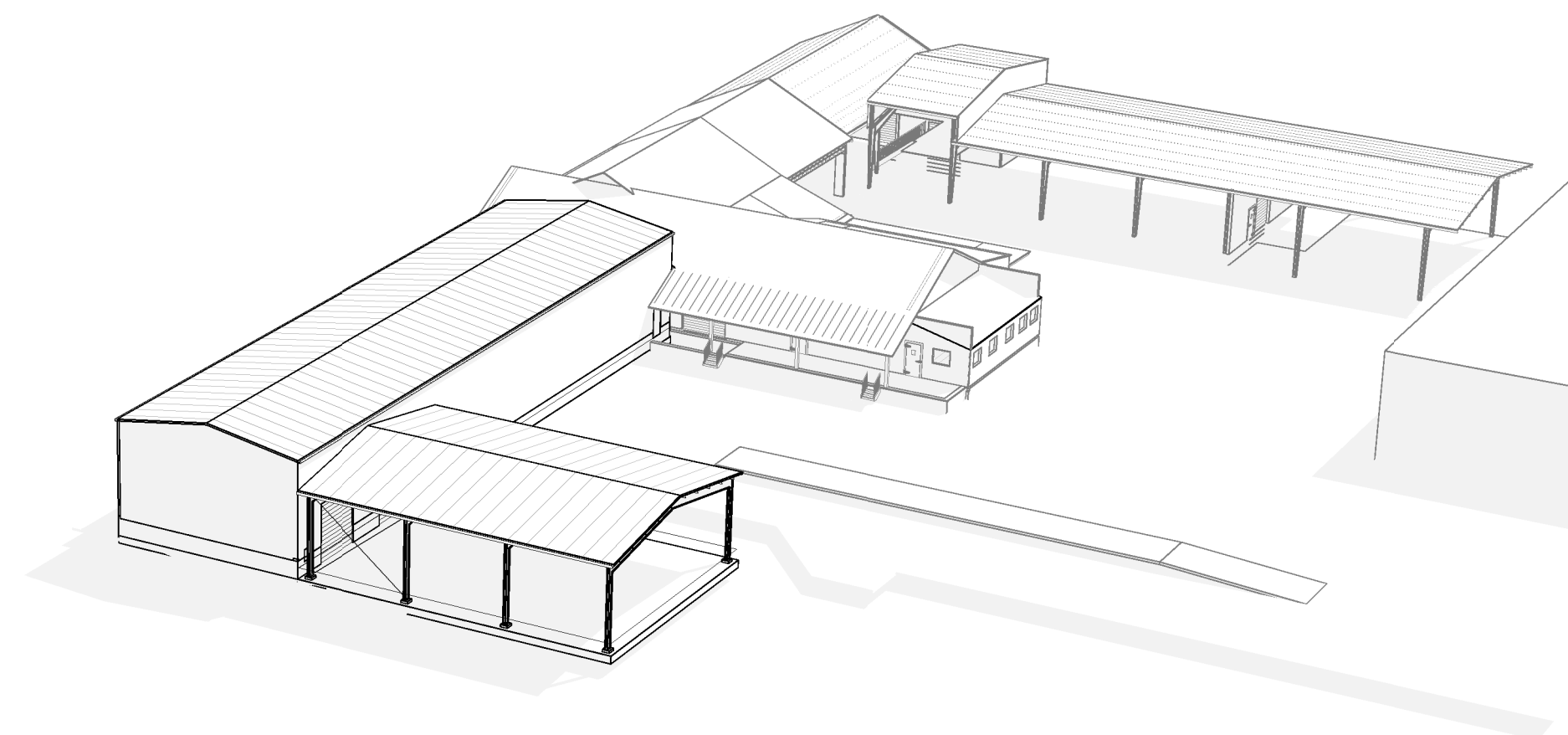
TOWNSEND FARMS, INC.  
WWW.TOWNSENDFARMS.COM  
23400 NORTHEAST TOWNSEND WAY  
FAIRVIEW, OREGON 97024  
(503) 666-1780

## ENGINEER

CROW ENGINEERING, INC.  
WWW.CROWENGINEERING.COM  
9925 NW NIMBUS AVE, SUITE 110  
BEAVERTON, OREGON 97008  
(503) 213-2013  
ENGINEER OF RECORDS:  
JOE KURTH PE, VICE PRESIDENT  
JOE.KURTH@CROWENGINEERING.COM  
LEAD DESIGNER:  
KIRK HALL  
KIRK.HALL@CROWENGINEERING.COM

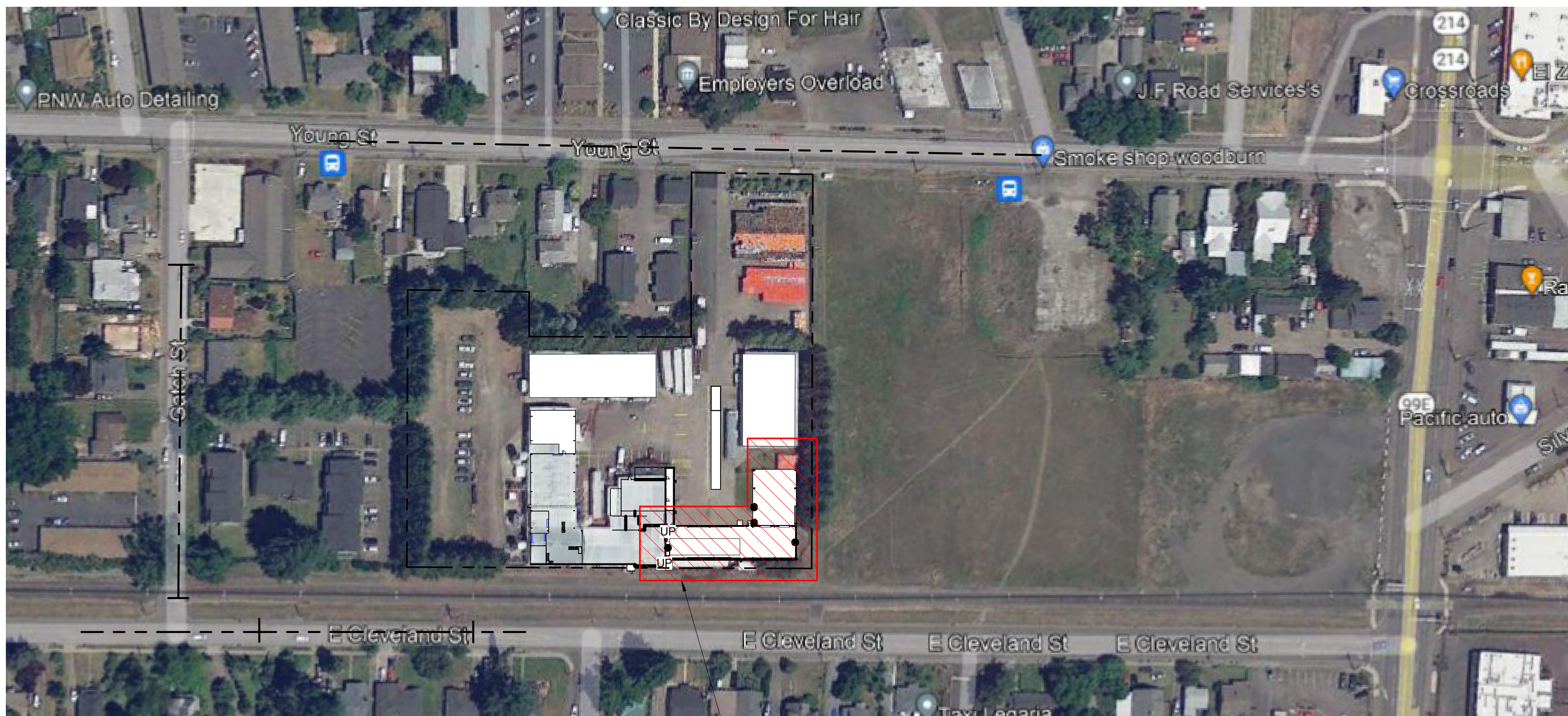
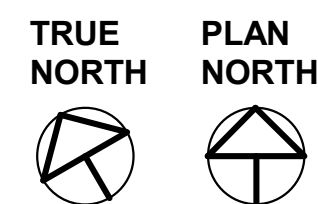
## GENERAL CONTRACTOR

TRIUMPH SPECIALTY CONSTRUCTION, INC (TSC)  
WWW.TSCBUILDS.COM  
(844) 488-5250  
PROJECT MANAGER  
CHRIS PECK  
CHRISP@TSCBUILDS.COM  
PHONE : 517-898-2485



NORTHEAST ISOMETRIC

1



AREA OF WORK

VICINITY PLAN

1" = 100'-0"

2

SHEET LIST Copy 1					
SHEET NUMBER	SHEET NAME	ISSUE DATE	CURRENT REV	REV DATE	REV ISSUED
01 GENERAL					
G000-01	COVER SHEET-DESIGN REVIEW	11/14/22	C	11/14/22	No
02-CIVIL					
C001	EXISTING SITE PLAN	07/19/22	C	11/14/22	No
C002	SITE PLAN	07/19/22	C	11/14/22	No
C003	YOUNG STREET IMPROVEMENTS	07/19/22	C	11/14/22	No
C004	FIRE ACCESS AND WATER SUPPLY PLAN	07/19/22	C	11/14/22	No
C005	LANDSCAPING PLAN	07/19/22	C	11/14/22	No
C006	PROPOSED PLAN LAYOUT	07/19/22	C	11/14/22	No
C007	TREE PROTECTION AND REMOVAL PLAN	07/19/22	C	11/14/22	No
05 ARCHITECTURAL					
DRA102-02	FLOOR PLAN	11/14/22	C	11/14/22	No
DRA104-02	BUILDING ELEVATIONS	11/14/22	C	11/14/22	No
DRA109-02	NORTHEAST ISOMETRIC	11/14/22	B	11/14/22	No
DRA109-04	SOUTHEAST ISOMETRIC	11/14/22	B	11/14/22	No
12					

Attachment 103  
P. 10 of 20

ISSUED FOR REVIEW  
Date: 11/14/22 By: KGH

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THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND EQUIPMENT NECESSARY TO PROTECT THE STRUCTURE, WORKMEN AND OTHER PERSONS AND PROPERTY DURING CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR THE OBSERVANCE OF ALL FEDERAL, STATE AND LOCAL SAFETY REGULATIONS DURING CONSTRUCTION.

No.	Date	Description	by
C	11/14/22	ISSUED FOR DESIGN REVIEW	KGH
B	10/13/22	ISSUED FOR DESIGN REVIEW	KGH
A	04/26/22	PRE-APPLICATION REVIEW	KGH

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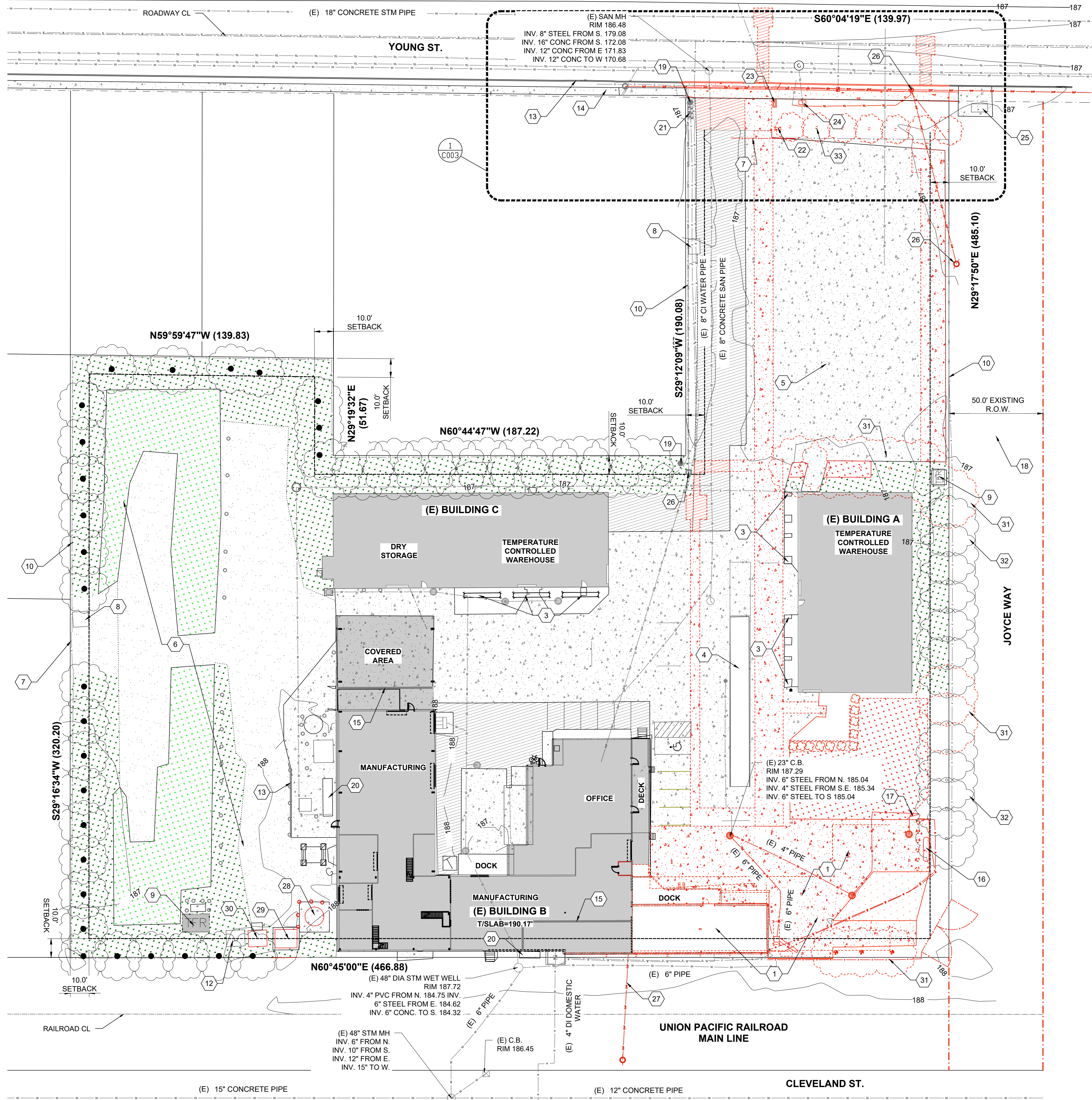
CIVIL STRUCTURAL MECHANICAL  
9925 SW Nimbus Ave. Suite 110  
Beaverton, OR 97008-7592  
p (503) 213-2013  
f (503) 213-2018  
crowengineering.com



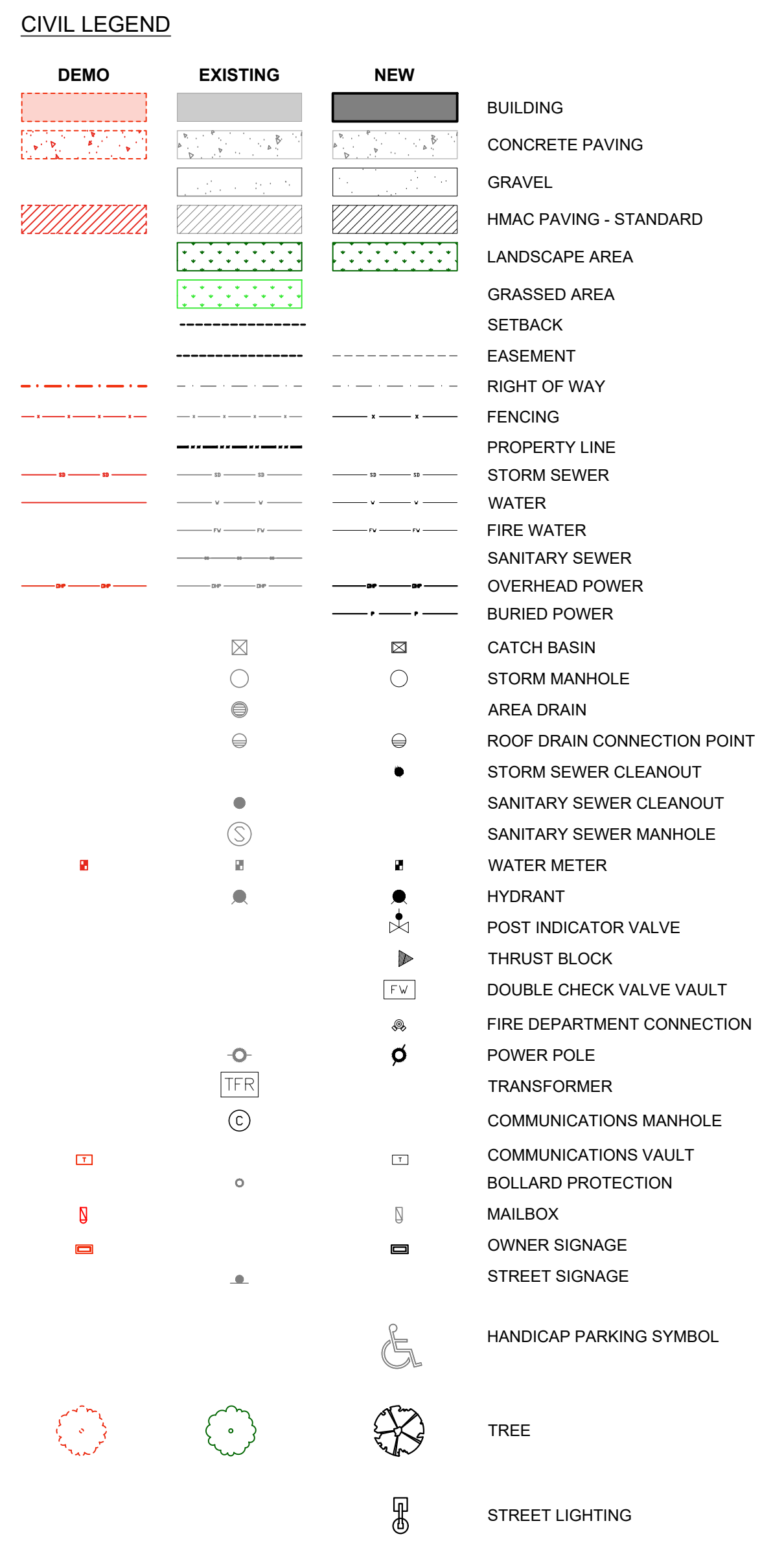
960 YOUNG ST., WOODBURN, OR 97071  
FREEZER TUNNEL EXPANSION  
COVER SHEET-DESIGN REVIEW

DRAWN	CHECKED	SCALE	ISSUE DATE	PROJ. NO. - SHEET NO.	REV
KGH	JFK	As indicated	11/14/22	21441 - G000-01	C





- SITE KEYNOTES**
- 1 LIMIT OF PAVEMENT, FOUNDATION, AND BUILDING DEMOLITION
  - 2 NOT USED
  - 3 (E) AIR COOLING / AIR HANDLER UNITS ON CONCRETE PEDESTALS
  - 4 (E) TRUCK SCALES
  - 5 (E) PALLET AND BARREL STORAGE
  - 6 (E) OVERFLOW PARKING (NOT PAVED OR STRIPPED)
  - 7 (E) ENTRY GATE
  - 8 (E) GUARD SHACK
  - 9 (E) TRANSFORMER PAD
  - 10 (E) 6'-0" TALL SECURITY FENCING AROUND PERIMETER OF SITE
  - 11 NOT USED
  - 12 (E) WOOD SHED
  - 13 (E) CURB
  - 14 (E) SIDEWALK
  - 15 (E) PROCESS WATER TRENCH DRAIN
  - 16 (E) GAS TANK TO BE MOVED
  - 17 (E) VAULT TO BE REMOVED
  - 18 (E) R.O.W. TO BE VACATED
  - 19 (E) HYDRANT
  - 20 (E) PROCESS WATER SETTLING BASIN
  - 21 (E) WATER METERS SERVING NEIGHBORING PROPERTY
  - 22 (E) MAILBOX
  - 23 (E) 'TOWNSEND FARMS' SIGNAGE
  - 24 (E) CENTURY LINK VAULT
  - 25 (E) BUS STOP SHELTER
  - 26 (E) POWER POLE
  - 27 (E) OVERHEAD POWERLINE TO BE REMOVED
  - 28 (E) TANK TO BE REMOVED
  - 29 (E) REFRIGERATION EQUIPMENT TO BE RELOCATED
  - 30 (E) WOOD SHED TO BE RELOCATED
  - 31 TREES TO BE REMOVED - SEE C007 - TREE PROTECTION AND REMOVAL PLAN
  - 32 PROTECT TREES - SEE C007 - TREE PROTECTION AND REMOVAL PLAN
  - 33 SHRUBS TO BE REMOVED



**PRELIMINARY**  
 NOT FOR CONSTRUCTION  
 Date: 11-14-2022

**EXISTING SITE PLAN**  
 SCALE: 1"=30'

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REV.	DATE	DESCRIPTION	BY
C	11/14/2022	REVISIONS PER CITY LAND USE COMMENTS	PRK
B	10/13/2022	REVISIONS PER CITY LAND USE COMMENTS	PRK
A	07/19/2022	LAND USE SUBMITTAL	PRK

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**CROW ENGINEERING**  
 CIVIL STRUCTURAL MECHANICAL  
 9925 SW Nimbus Ave., Suite 110  
 Beaverton, OR 97008-7592  
 crowengineering.com

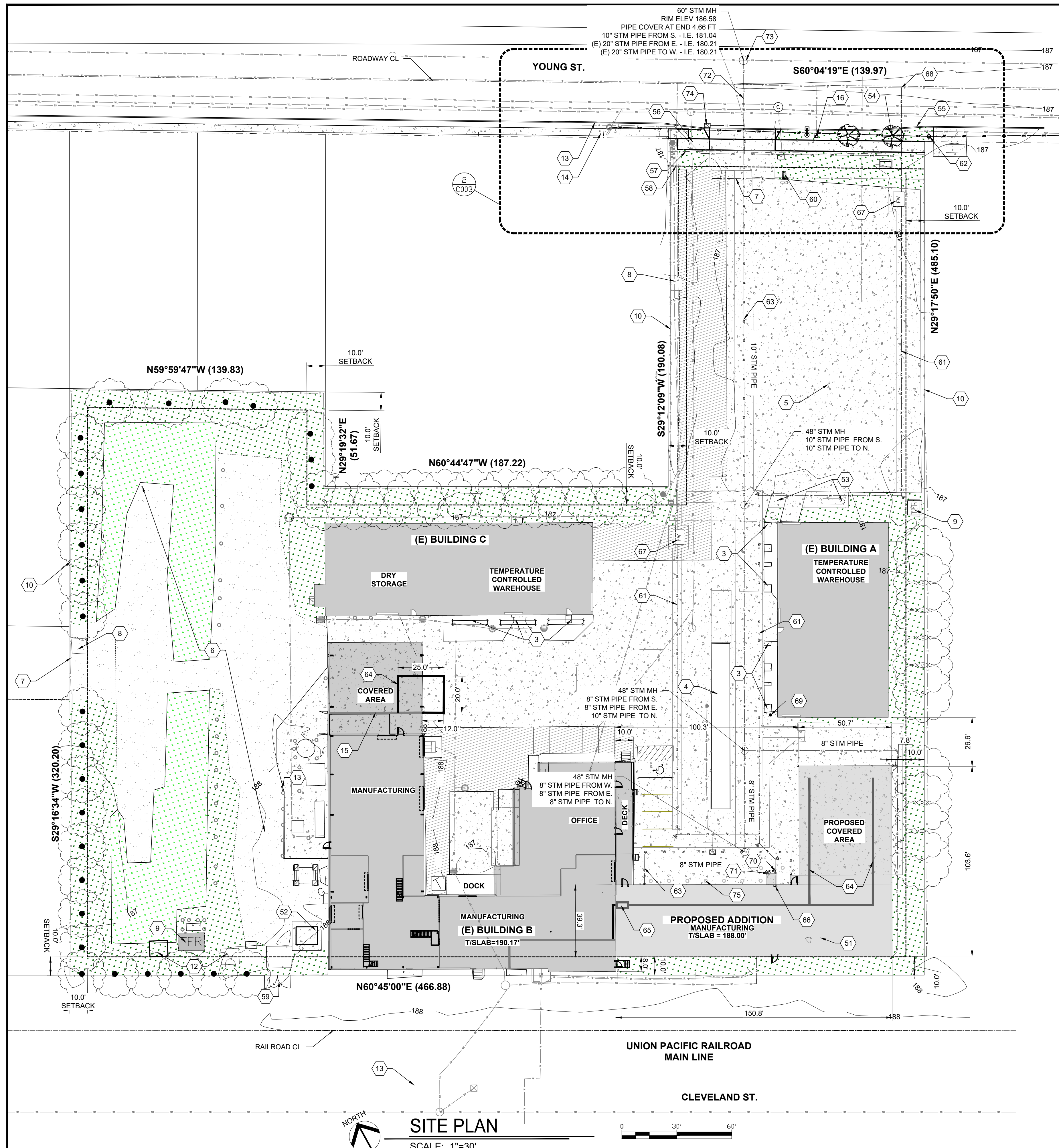
p (503) 213-2013  
 f (503) 213-2018

PLOT: 11/14/2022 3:16:20 PM  
 SAVE: 11/14/2022 3:15:29 PM

**Townsend Farms**  
 960 YOUNG ST., WOODBURN, OR 97071  
 CIVIL DRAWINGS  
 EXISTING SITE PLAN

DRAWN	DATE	CHECKED	SCALE	DRAWING NO.	REV.
PRK	11/14/2022	KH	1"=30'	21441-C001	C





**SITE KEYNOTES**

- 1 LIMIT OF PAVEMENT, FOUNDATION, AND BUILDING DEMOLITION
- 2 NOT USED
- 3 (E) AIR COOLING / AIR HANDLER UNITS ON CONCRETE PEDESTALS
- 4 (E) TRUCK SCALES
- 5 (E) PALLET AND BARREL STORAGE
- 6 (E) LANDSCAPED GRASS AND GRAVEL OVERFLOW PARKING (NOT PAVED OR STRIPPED)
- 7 MODIFY (E) ENTRY GATE FOR NEW ACCESS
- 8 (E) GUARD SHACK
- 9 (E) TRANSFORMER PAD
- 10 (E) 6'-0" TALL SECURITY FENCING AROUND PERIMETER OF SITE
- 11 (E) EQUIPMENT PAD
- 12 (E) WOOD SHED
- 13 (E) CURB
- 14 (E) SIDEWALK
- 15 (E) TRENCH DRAIN
- 16 RELOCATED WATER METER
- 51 (N) MANUFACTURING ADDITION TO BUILDING B
- 52 RELOCATED REFRIGERATION EQUIPMENT
- 53 RELOCATED PROPANE TANK AT LEAST 10' FROM BUILDING AND ACCESS PAD
- 54 PROPOSED STREET TREES
- 55 PROPOSED CURB AND GUTTER
- 56 PROPOSED SIDEWALK
- 57 PROPOSED ROW
- 58 PROPOSED PUE
- 59 PROPOSED FENCE GATE
- 60 PROPOSED OWNER SIGNAGE
- 61 PROPOSED PRIVATE FIRE WATER LOOP BETWEEN BACKFLOW VAULTS
- 62 PROPOSED POWER POLE
- 63 PROPOSED STORMWATER LINES
- 64 PROPOSED PROCESS WATER TRENCH DRAINS
- 65 PROPOSED PROCESS WATER SUMP AND PUMP TO PUMP PROCESS WATER TO PROCESS SETTLING BASIN ON SOUTH.
- 66 PROPOSED FIRE WATER LINE CONNECTION TO FIRE SPRINKLER SYSTEM FOR BUILDING B.
- 67 PROPOSED FIRE SERVICE VAULT PER CITY OF WOODBURN DETAIL 5070-2.
- 68 PROPOSED FIRE WATER SERVICE HOT TAP TO CITY MAIN PER CITY OF WOODBURN STANDARD DETAIL. PIPE TRENCH AND BACKFILL PER CITY OF WOODBURN DETAIL 3800-1, PIPE TRENCH BEDDING AND ZONE PER DETAIL 3800-2, TRENCH CAP AC PAVEMENT PER DETAIL 3800-5.
- 69 PROPOSED PRIVATE FIRE HYDRANT PAINTED RED.
- 70 PROPOSED POST INDICATOR VALVE
- 71 PROPOSED WALL MOUNTED FIRE DEPARTMENT CONNECTION
- 72 PROPOSED STORM LINE IN RIGHT OF WAY, PIPE TRENCH AND BACKFILL PER CITY OF WOODBURN DETAIL 3800-1, PIPE TRENCH BEDDING AND ZONE PER DETAIL 3800-2, TRENCH CAP AC PAVEMENT PER DETAIL 3800-5.
- 73 PROPOSED STORM SEWER MANHOLE PER CITY OF WOODBURN DETAIL 7500-1.
- 74 PROPOSED G-2 CATCH BASIN PER ODOT DETAIL RD364
- 75 PROPOSED BOLLARDS

**CIVIL LEGEND**

DEMO	EXISTING	NEW	
[Red hatched]	[Grey hatched]	[Black hatched]	BUILDING
[Red dotted]	[Grey dotted]	[Black dotted]	CONCRETE PAVING
[Red diagonal]	[Grey diagonal]	[Black diagonal]	GRAVEL
[Red wavy]	[Grey wavy]	[Black wavy]	HMAC PAVING - STANDARD
[Red stippled]	[Grey stippled]	[Black stippled]	LANDSCAPE AREA
[Red dashed]	[Grey dashed]	[Black dashed]	GRASSED AREA
[Red solid]	[Grey solid]	[Black solid]	SETBACK
[Red dashed-dotted]	[Grey dashed-dotted]	[Black dashed-dotted]	EASEMENT
[Red long-dashed]	[Grey long-dashed]	[Black long-dashed]	RIGHT OF WAY
[Red dash-dot-dot]	[Grey dash-dot-dot]	[Black dash-dot-dot]	FENCING
[Red long-dash-dot]	[Grey long-dash-dot]	[Black long-dash-dot]	PROPERTY LINE
[Red dashed-dot]	[Grey dashed-dot]	[Black dashed-dot]	STORM SEWER
[Red solid-dot]	[Grey solid-dot]	[Black solid-dot]	WATER
[Red dashed-dot-dot]	[Grey dashed-dot-dot]	[Black dashed-dot-dot]	FIRE WATER
[Red dashed-dot-dot-dot]	[Grey dashed-dot-dot-dot]	[Black dashed-dot-dot-dot]	SANITARY SEWER
[Red dashed-dot-dot-dot-dot]	[Grey dashed-dot-dot-dot-dot]	[Black dashed-dot-dot-dot-dot]	OVERHEAD POWER
[Red dashed-dot-dot-dot-dot-dot]	[Grey dashed-dot-dot-dot-dot-dot]	[Black dashed-dot-dot-dot-dot-dot]	BURIED POWER
[Red circle]	[Grey circle]	[Black circle]	CATCH BASIN
[Red square]	[Grey square]	[Black square]	STORM MANHOLE
[Red triangle]	[Grey triangle]	[Black triangle]	AREA DRAIN
[Red diamond]	[Grey diamond]	[Black diamond]	ROOF DRAIN CONNECTION POINT
[Red hexagon]	[Grey hexagon]	[Black hexagon]	STORM SEWER CLEANOUT
[Red octagon]	[Grey octagon]	[Black octagon]	SANITARY SEWER CLEANOUT
[Red decagon]	[Grey decagon]	[Black decagon]	SANITARY SEWER MANHOLE
[Red dodecagon]	[Grey dodecagon]	[Black dodecagon]	WATER METER
[Red hexagram]	[Grey hexagram]	[Black hexagram]	HYDRANT
[Red star]	[Grey star]	[Black star]	POST INDICATOR VALVE
[Red cross]	[Grey cross]	[Black cross]	THRUST BLOCK
[Red circle with cross]	[Grey circle with cross]	[Black circle with cross]	DOUBLE CHECK VALVE VAULT
[Red square with cross]	[Grey square with cross]	[Black square with cross]	FIRE DEPARTMENT CONNECTION
[Red circle with dot]	[Grey circle with dot]	[Black circle with dot]	POWER POLE
[Red square with dot]	[Grey square with dot]	[Black square with dot]	TRANSFORMER
[Red circle with cross-hatch]	[Grey circle with cross-hatch]	[Black circle with cross-hatch]	COMMUNICATIONS MANHOLE
[Red square with cross-hatch]	[Grey square with cross-hatch]	[Black square with cross-hatch]	COMMUNICATIONS VAULT
[Red circle with vertical lines]	[Grey circle with vertical lines]	[Black circle with vertical lines]	BOLLARD PROTECTION
[Red square with vertical lines]	[Grey square with vertical lines]	[Black square with vertical lines]	MAILBOX
[Red circle with horizontal lines]	[Grey circle with horizontal lines]	[Black circle with horizontal lines]	OWNER SIGNAGE
[Red square with horizontal lines]	[Grey square with horizontal lines]	[Black square with horizontal lines]	STREET SIGNAGE
[Red circle with wheelchair]	[Grey circle with wheelchair]	[Black circle with wheelchair]	HANDICAP PARKING SYMBOL
[Red tree symbol]	[Grey tree symbol]	[Black tree symbol]	TREE
[Red street lighting symbol]	[Grey street lighting symbol]	[Black street lighting symbol]	STREET LIGHTING

GENERAL SITE INFORMATION	
ITEM	DESCRIPTION
LOCATION	960 YOUNG STREET, WOODBURN, OR 97071
LEGAL DESCRIPTION	T.B.D.
PROPERTY ID	354006
ZONING	CG (COMMERCIAL GENERAL)
LOT SIZE	3.64 ac
IMPERVIOUS AREA (EXISTING)	98,764 sf (2.27 ac) 62.3%
IMPERVIOUS AREA (NEW)	102,202 sf (2.35 ac) 64.6%
PERVIOUS AREA (EXISTING)	59,557 sf (1.37 ac) 37.7%
PERVIOUS AREA (NEW)	56,365 sf (1.29 ac) 35.4%

GENERAL BUILDING INFORMATION		
BUILDING	SIZE	HEIGHT
BUILDING A	6,442 SQFT	±30'-0"
BUILDING B	27,640 SQFT	±31'-0"
BUILDING C	7,443 SQFT	±30'-0"

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
Date: 11-14-2022

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REV.	DATE	DESCRIPTION	BY
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B	10/13/2022	REVISIONS PER CITY LAND USE COMMENTS	PRK
A	07/19/2022	LAND USE SUBMITTAL	PRK

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**CROW ENGINEERING**  
CIVIL STRUCTURAL MECHANICAL

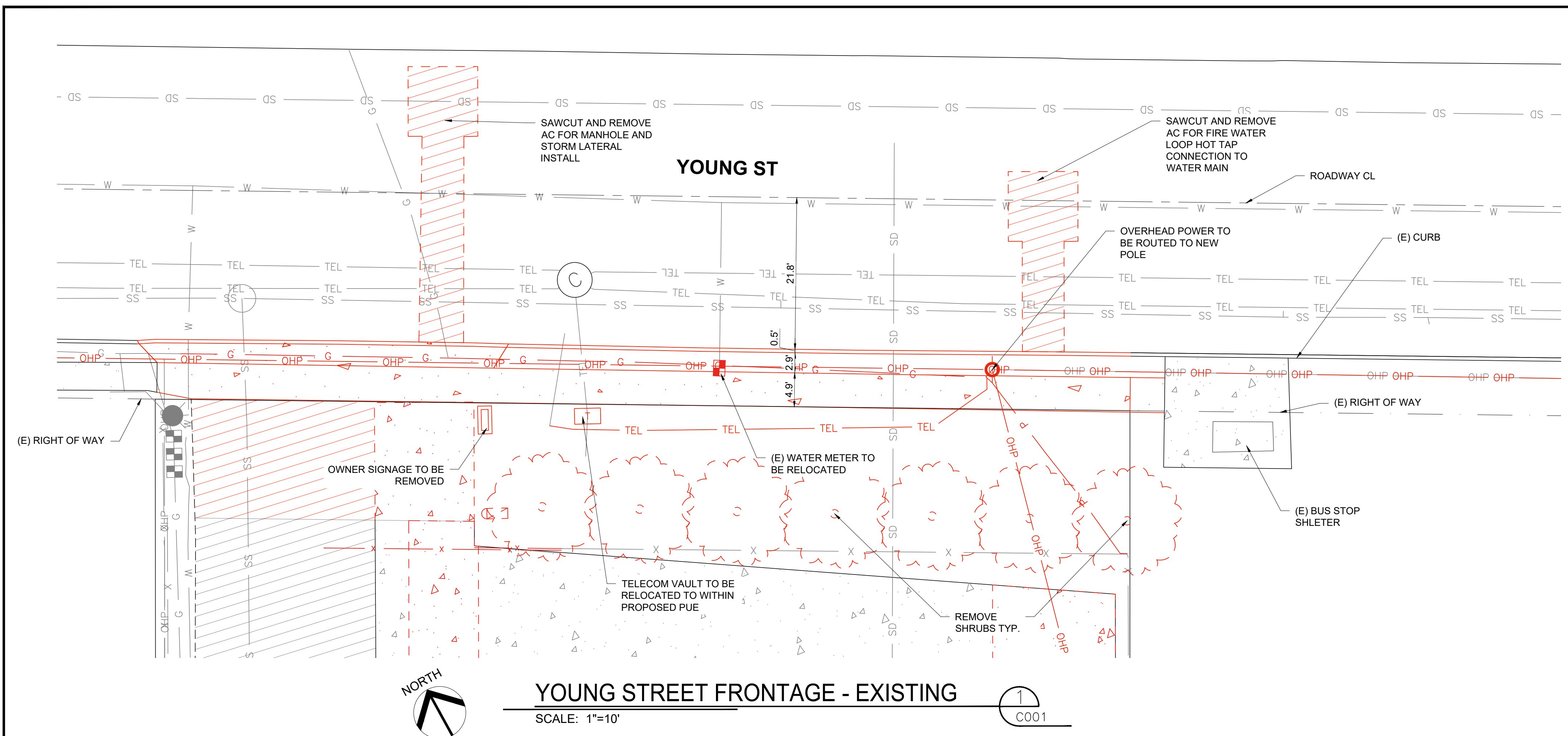
9925 SW Nimbus Ave., Suite 110  
Baverton, OR 97008-7592  
crowengineering.com

PLOT: 11/14/2022 3:16:23 PM  
SAVE: 11/14/2022 3:15:29 PM

**Townsend Farms**  
960 YOUNG ST., WOODBURN, OR 97071  
CIVIL DRAWINGS  
SITE PLAN

DRAWN	DATE	CHECKED	SCALE	DRAWING NO.	REV.
PRK	11/14/2022	KH	1"=30'	21441-C002	C





**CIVIL LEGEND**

DEMO	EXISTING	NEW	
[Red hatched box]	[Grey hatched box]	[Black hatched box]	BUILDING
[Red hatched box]	[Grey hatched box]	[Black hatched box]	CONCRETE PAVING
[Red hatched box]	[Grey hatched box]	[Black hatched box]	GRAVEL
[Red hatched box]	[Grey hatched box]	[Black hatched box]	HMAC PAVING - STANDARD
[Red hatched box]	[Grey hatched box]	[Black hatched box]	LANDSCAPE AREA
[Red hatched box]	[Grey hatched box]	[Black hatched box]	GRASSED AREA
[Red hatched box]	[Grey hatched box]	[Black hatched box]	SETBACK
[Red hatched box]	[Grey hatched box]	[Black hatched box]	EASEMENT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	RIGHT OF WAY
[Red hatched box]	[Grey hatched box]	[Black hatched box]	FENCING
[Red hatched box]	[Grey hatched box]	[Black hatched box]	PROPERTY LINE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	STORM SEWER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	WATER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	FIRE WATER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	SANITARY SEWER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	OVERHEAD POWER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	BURIED POWER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	CATCH BASIN
[Red hatched box]	[Grey hatched box]	[Black hatched box]	STORM MANHOLE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	AREA DRAIN
[Red hatched box]	[Grey hatched box]	[Black hatched box]	ROOF DRAIN CONNECTION POINT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	STORM SEWER CLEANOUT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	SANITARY SEWER CLEANOUT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	SANITARY SEWER MANHOLE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	WATER METER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	HYDRANT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	POST INDICATOR VALVE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	THRUST BLOCK
[Red hatched box]	[Grey hatched box]	[Black hatched box]	DOUBLE CHECK VALVE VAULT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	FIRE DEPARTMENT CONNECTION
[Red hatched box]	[Grey hatched box]	[Black hatched box]	POWER POLE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	TRANSFORMER
[Red hatched box]	[Grey hatched box]	[Black hatched box]	COMMUNICATIONS MANHOLE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	COMMUNICATIONS VAULT
[Red hatched box]	[Grey hatched box]	[Black hatched box]	BOLLARD PROTECTION
[Red hatched box]	[Grey hatched box]	[Black hatched box]	MAILBOX
[Red hatched box]	[Grey hatched box]	[Black hatched box]	OWNER SIGNAGE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	STREET SIGNAGE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	HANDICAP PARKING SYMBOL
[Red hatched box]	[Grey hatched box]	[Black hatched box]	TREE
[Red hatched box]	[Grey hatched box]	[Black hatched box]	STREET LIGHTING

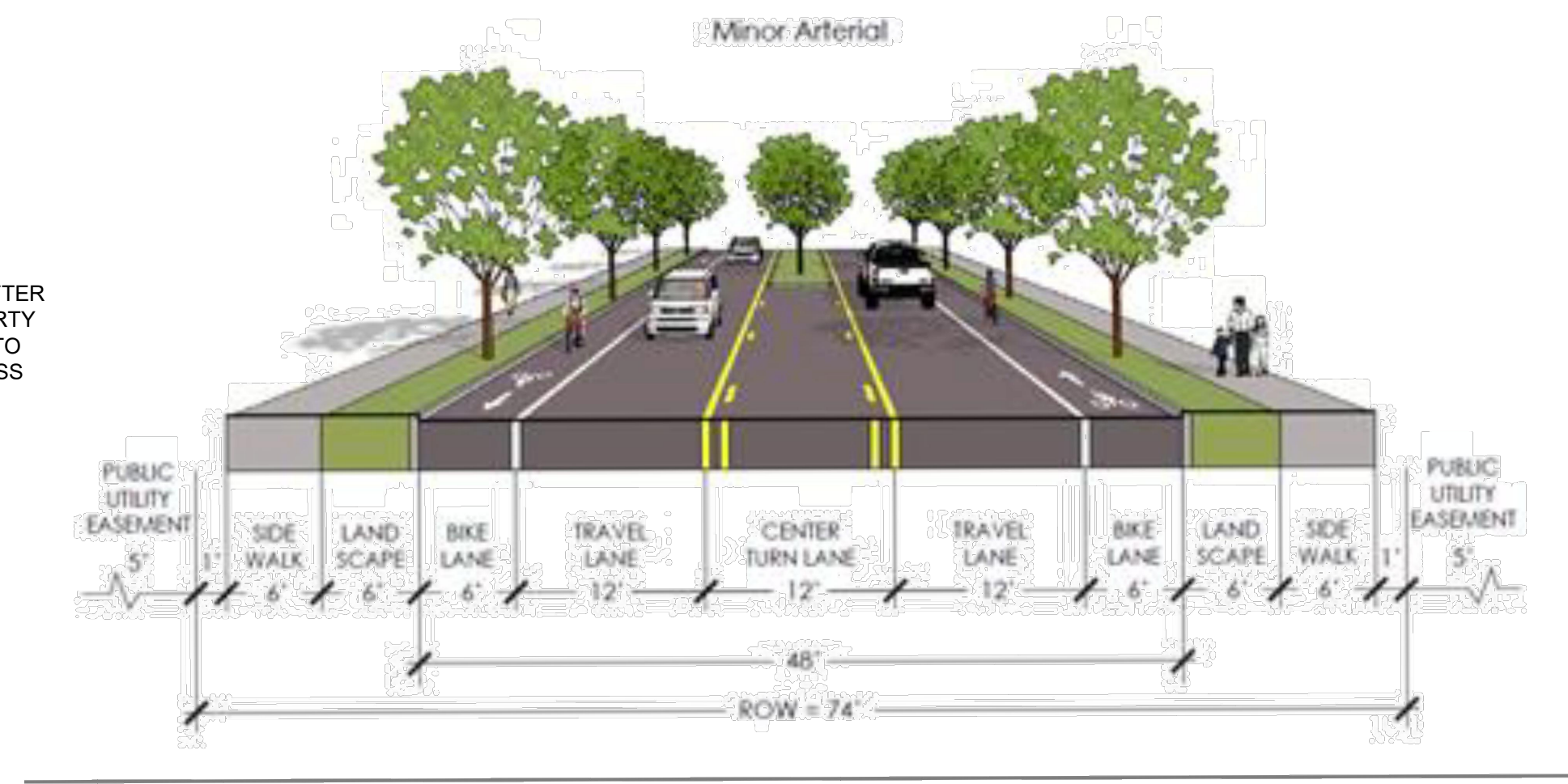
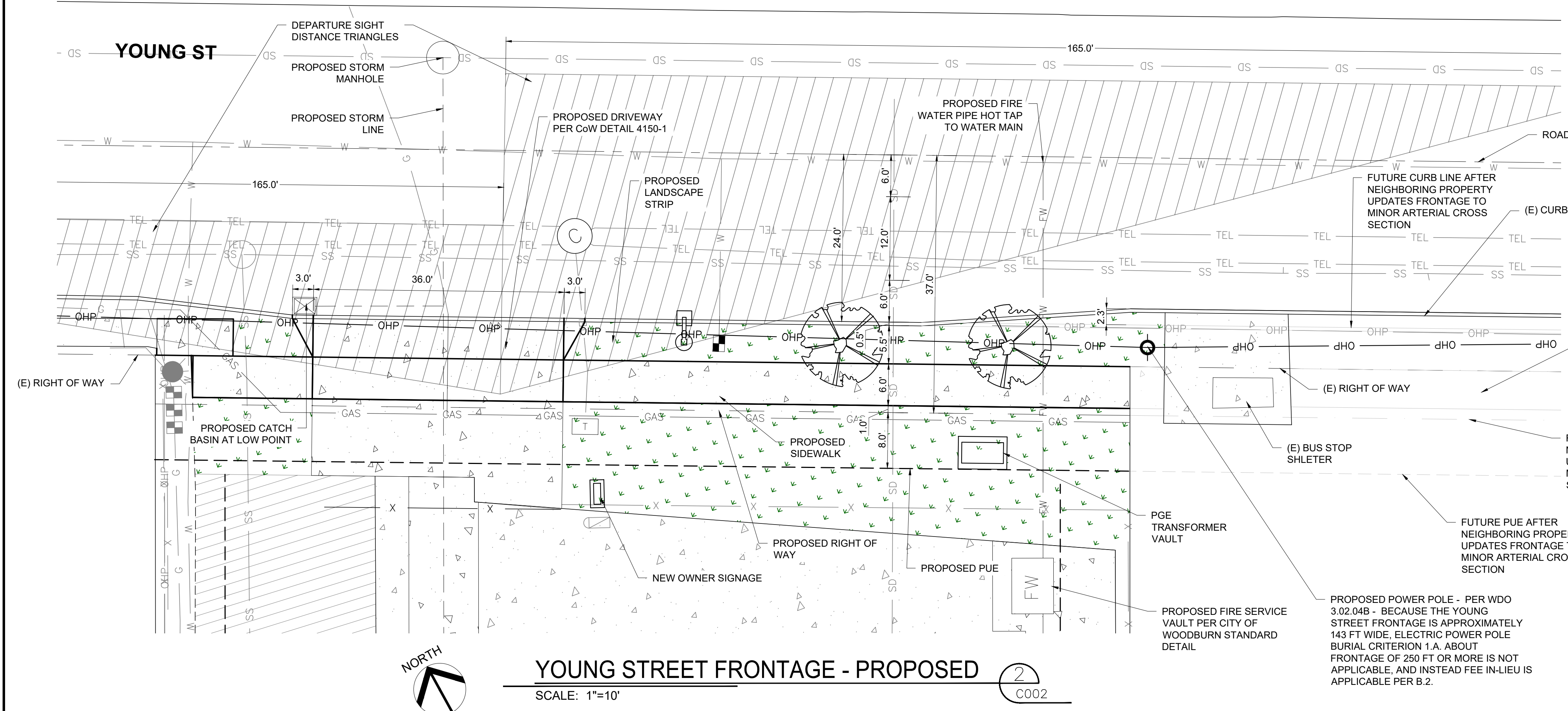


Figure 3.01C - Minor Arterial

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A	07/19/2022	LAND USE SUBMITTAL	PRK

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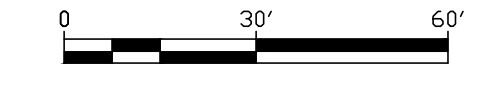
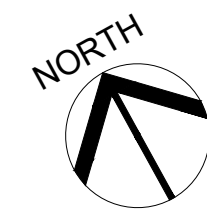
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DRAWN	DATE	CHECKED	SCALE	DRAWING NO.	REV.
PRK	11/14/2022	KH		21441-C003	C

960 YOUNG ST., WOODBURN, OR 97071  
 CIVIL DRAWINGS  
 YOUNG STREET IMPROVEMENTS



YOUNG ST.



FIRE FLOW REQUIREMENTS			
(PER OFC APP B - TABLE B105.1)			
TYPE OF CONSTRUCTION (TYP.)	FIRE FLOW CALCULATION AREA (SF)	FIRE FLOW REQUIRED (GPM)	FLOW DURATION (HOURS)
LARGEST AREA IN BUILDING B	17,835	3,500	3
(REDUCTION FOR NFPA 13 SPRINKLER PER TABLE B105.2)	NOT ALLOWED PER FIRE MARSHALL		
REQUIRED FIRE FLOW AT 20 PSI		3,500	
REQUIRED MIN. # OF HYDRANTS		4	
REQUIRED AVG. SPACING BETWEEN HYDRANTS		350 Ft	
MAX. DIST. FROM ANY POINT ON STREET FRONTAGE TO HYDRANT		210 Ft	

- FIRE ACCESS & WATER SUPPLY NOTES**
- PROVIDE KNOX BOX (PER OFC 506) - KNOX BOX CAN BE ORDERED THROUGH APPROVED WOODBURN FIRE DEPARTMENT VENDOR (knoxbox.com). LOCATION OF KNOX BOX SHOWN ON PLAN. LOCATION TO BE APPROVED BY CITY OF WOODBURN FIRE MARSHALL PRIOR TO CONSTRUCTION.
  - ALL REQUIRED FIRE HYDRANTS AND ACCESS ROADS SHALL BE INSTALLED AND APPROVED PRIOR TO ANY COMBUSTIBLE CONSTRUCTION MATERIAL ARRIVING ON-SITE.
  - GATES TO BE SIGNED AS "NO PARKING FIRE LANE". PRIMARY ACCESS GATES THAT ARE ELECTRICALLY OPERATED SHALL HAVE A KNOX BOX WITH EITHER A TOGGLE SWITCH OR PRESSURE SWITCH INSIDE. THE BOX WITH THE SWITCH SHALL BE POSITIONED IMMEDIATELY ADJACENT TO THE ACCESS PAD/CARD PANEL OR IN THE MOST CONVENIENT LOCATION AS DETERMINED BY THE FIRE MARSHALL FOR FIRE DEPARTMENT ACCESS.
  - GATES SHALL "FAIL" OPEN WHEN ACTIVATED BY THE SWITCH AND REMAIN OPEN UNTIL THE SYSTEM IS RESET. ALL ELECTRONIC GATES SHALL "FAIL" OPEN DURING POWER OUTAGES. PRIMARY ACCESS GATES THAT ARE CONSTRUCTED TO ACCEPT A PADLOCK SHALL HAVE A KNOX PADLOCK (MODEL 3770 WITH FIRE/RED ID OPTION) INSTALLED.

**CODE ANALYSIS - BUILDING B**

CODE ANALYSIS	
<b>APPLICABLE CODES</b>	
BUILDING CODE	2019 OREGON STRUCTURAL SPECIALTY CODE
EXISTING BUILDING CODE	2019 OREGON STRUCTURAL SPECIALTY CODE
ELECTRICAL CODE	2021 OREGON ELECTRICAL SPECIALTY CODE
ENERGY CODE	2021 OREGON ENERGY EFFICIENCY SPECIALTY CODE
MECHANICAL CODE	2019 OREGON MECHANICAL SPECIALTY CODE
PLUMBING CODE	2021 OREGON PLUMBING SPECIALTY CODE
JURISDICTION	CITY OF WOODBURN

OCCUPANCY CLASSIFICATION	
OCCUPANCY GROUPS	CH. 3 F-1, B (FACTORY BUSINESS)
OCCUPANCY SEPARATION	508 THIS REVIEW ASSUMES THAT HAZARDOUS MATERIALS WILL NOT BE PRESENT IN THE BUILDING BEYOND CODE EXEMPT AMOUNTS. NONE (NON-SEPARATED) MAKE USE PER 508.3

CONSTRUCTION TYPE	
CONSTRUCTION TYPE	CH. 6, TABLE 108 108

BUILDING HEIGHT AND AREA	
ALLOWABLE AREA	
ALLOWABLE AREA AS DEFINED AS:	AREA = (100'W) (P - 20'W/50)
BUILDING PERIMETER THAT FRONTS PUBLIC WAY OR OPEN SPACE, 20' WIDE MIN.	P 779 FT
PERIMETER OF ENTIRE BUILDING	P 1,379 FT
WIDTH OF PUBLIC WAY OR OPEN SPACE	W 30' FT
TABULAR AREA PER STORY FROM TABLE 506.2 (F-1)	AT 34,000 SF
AREA INCREASE FOR FRONTAGE (F/7.5) - (20'W/50)	IF 0.36
TABULAR ALLOWABLE AREA FOR NONSPRINKLERED	NS 34,000
BUILDING PER TABLE 506.2	34,000
ALLOWABLE AREA PER STORY	AA 46,240 SF
ACTUAL AREA (TOTAL BUILDING B)	27,997 SF

FLOOR AREAS	
GROUND FLOOR (LARGEST FLOOR AREA WITH FIRE SEPARATIONS)	17,835 SF

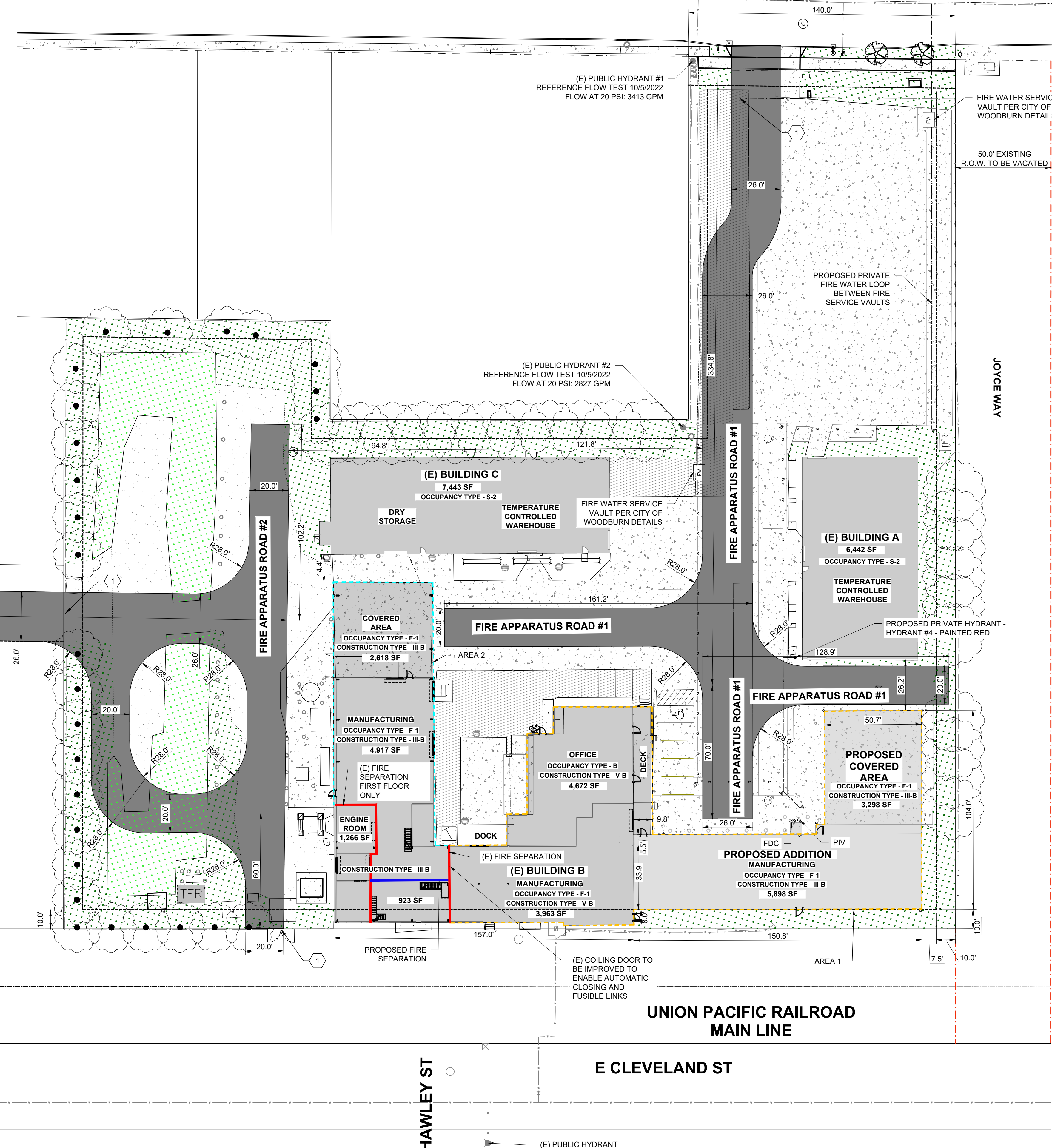
BUILDING HEIGHT	
ALLOWABLE BUILDING HEIGHT NO SPRINKLER SYSTEM (TABLE 504.3)	40 FT
ALLOWABLE BUILDING HEIGHT WITH SPRINKLER SYSTEM (TABLE 504.3)	60 FT
ACTUAL HEIGHT	31 FT

NUMBER OF STORIES	
ALLOW. NUMBER OF STORIES NO SPRINKLER SYSTEM - OCC. B (TABLE 504.4)	2
ALLOW. NUMBER OF STORIES W/ SPRINKLER SYSTEM - OCC. B (TABLE 504.4)	3
ALLOW. NUMBER OF STORIES NO SPRINKLER SYSTEM - OCC. F-1 (TABLE 504.4)	1
ALLOW. NUMBER OF STORIES W/ SPRINKLER SYSTEM - OCC. F-1 (TABLE 504.4)	2
ALLOW. NUMBER OF STORIES NO SPRINKLER SYSTEM - OCC. S-2 (TABLE 504.4)	2
ALLOW. NUMBER OF STORIES W/ SPRINKLER SYSTEM - OCC. S-2 (TABLE 504.4)	3
TOTAL ALLOWABLE NUMBER OF STORIES	2
ACTUAL NUMBER OF STORIES	1

FIRE RESISTIVE REQUIREMENTS	
STRUCTURAL FRAME	0 HR
EXTERIOR BEARING WALLS	0 HR
INTERIOR BEARING WALLS	0 HR
EXTERIOR NON-BEARING WALLS	0 HR

FIRE PROTECTION SYSTEMS	
AUTOMATIC SPRINKLER SYSTEM	903 TO BE PROVIDED IN BUILDING B

FIRE AREAS BUILDING B		
AREA	CONSTRUCTION TYPE	
AREA 1	17,835 SF	V-B
AREA 2	7,535 SF	III-B



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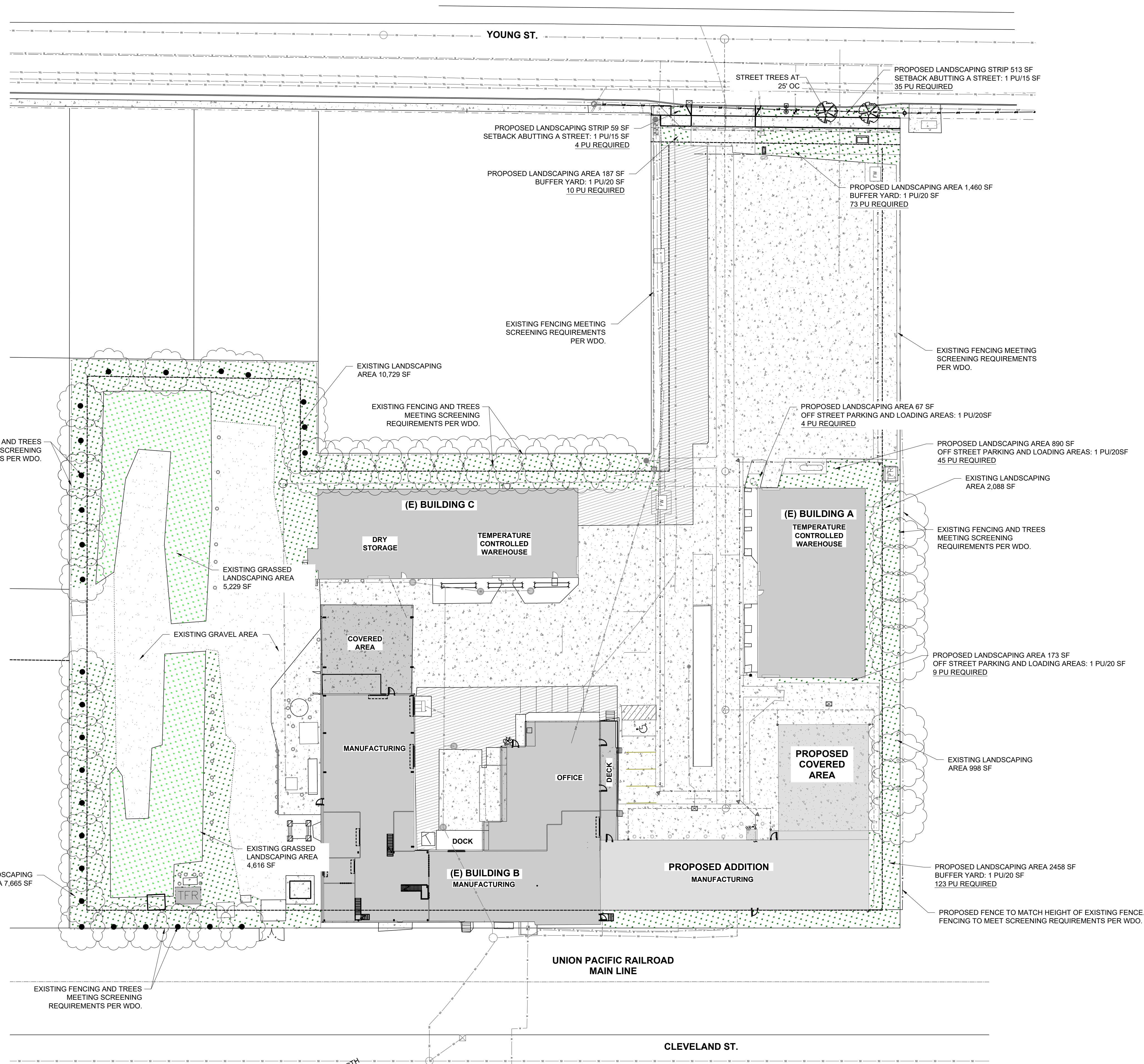
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**Townsend Farms**

960 YOUNG ST., WOODBURN, OR 97071  
CIVIL DRAWINGS  
FIRE ACCESS AND FIRE WATER SUPPLY PLAN

DRAWN	DATE	CHECKED	SCALE	DRAWING NO.	REV.
PRK	11/14/2022	KH	1"=30'	21441-C004	C





**CIVIL LEGEND**

DEMO	EXISTING	NEW	
[Red hatched]	[Grey hatched]	[Dark grey hatched]	BUILDING
[Red dashed]	[Grey dashed]	[Dark grey dashed]	CONCRETE PAVING
[Red diagonal]	[Grey diagonal]	[Dark grey diagonal]	GRAVEL
[Red wavy]	[Grey wavy]	[Dark grey wavy]	HMAC PAVING - STANDARD
[Red dotted]	[Grey dotted]	[Dark grey dotted]	LANDSCAPE AREA
[Red solid]	[Grey solid]	[Dark grey solid]	GRASSED AREA
[Red dashed-dotted]	[Grey dashed-dotted]	[Dark grey dashed-dotted]	SETBACK
[Red long-dashed]	[Grey long-dashed]	[Dark grey long-dashed]	EASEMENT
[Red short-dashed]	[Grey short-dashed]	[Dark grey short-dashed]	RIGHT OF WAY
[Red dash-dot]	[Grey dash-dot]	[Dark grey dash-dot]	FENCING
[Red solid line]	[Grey solid line]	[Dark grey solid line]	PROPERTY LINE
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	STORM SEWER
[Red solid line]	[Grey solid line]	[Dark grey solid line]	WATER
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	FIRE WATER
[Red solid line]	[Grey solid line]	[Dark grey solid line]	SANITARY SEWER
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	OVERHEAD POWER
[Red solid line]	[Grey solid line]	[Dark grey solid line]	BURIED POWER
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	CATCH BASIN
[Red solid line]	[Grey solid line]	[Dark grey solid line]	AREA DRAIN
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	ROOF DRAIN CONNECTION POINT
[Red solid line]	[Grey solid line]	[Dark grey solid line]	SANITARY SEWER CLEANOUT
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	SANITARY SEWER MANHOLE
[Red solid line]	[Grey solid line]	[Dark grey solid line]	HYDRANT
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	POWER POLE
[Red solid line]	[Grey solid line]	[Dark grey solid line]	POWER METER
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	BOLLARD PROTECTION
[Red solid line]	[Grey solid line]	[Dark grey solid line]	MAILBOX
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	OWNER SIGNAGE
[Red solid line]	[Grey solid line]	[Dark grey solid line]	STREET SIGNAGE
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	HANDICAP PARKING SYMBOL
[Red solid line]	[Grey solid line]	[Dark grey solid line]	NUMBER OF PARKING SPACES
[Red dashed line]	[Grey dashed line]	[Dark grey dashed line]	TREE
[Red solid line]	[Grey solid line]	[Dark grey solid line]	STREET LIGHTING

**LANDSCAPING NOTES**

- PER WDO SECTION 3.06.07 SIGNIFICANT TREES ON PRIVATE PROPERTY, PARAGRAPH D, THE PROPERTY OWNER WILL REPLACE EACH SIGNIFICANT 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 THE WDO. THE REPLACEMENT TREE SHALL BE OF THE SAME SIZE RANGE AT MATURITY AS THE SIGNIFICANT TREE REPLACED.
- PER WDO SECTION 3.06.07 PARAGRAPH E, TREE REPLACEMENT SHALL BE ACCOMPLISHED BY:
  - PLANTING ONE TREE ON THE SUBJECT PROPERTY;
  - PLANTING ONE TREE AT A LOCATION DETERMINED BY THE WOODBURN COMMUNITY SERVICES DEPARTMENT; OR
  - PAYING A FEE-IN-LIEU TO THE WOODBURN COMMUNITY SERVICES DEPARTMENT FOR THE PLANTING OF ONE TREE AT A FUTURE TIME BY THE CITY.

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**LANDSCAPING PLAN**  
SCALE: 1"=30'  
NORTH

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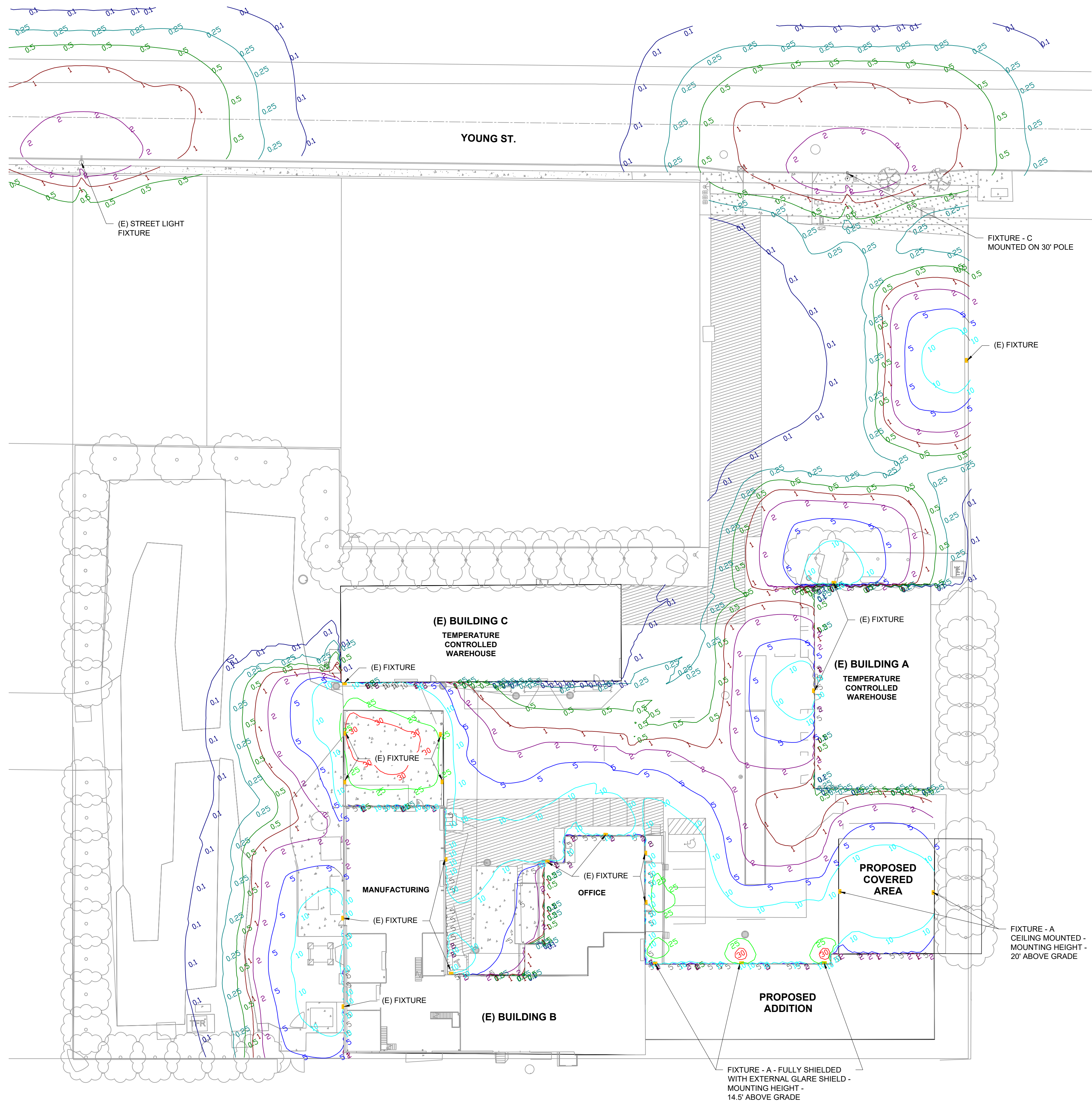
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Since 1986  
FRESH PRODUCE

960 YOUNG ST., WOODBURN, OR 97071  
CIVIL DRAWINGS  
LANDSCAPING PLAN

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DATE: 11/14/2022  
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SCALE: 1"=30'  
DRAWING NO.: 21441-C005  
REV.: C





**LIGHTING LEVELS PER ANSI/IESNA RECOMMENDED PRACTICE 8 - ROADWAY LIGHTING**

YOUNG STREET FRONTAGE STREET LIGHTING LEVELS - MAJOR ROADWAY - MEDIUM PEDESTRIAN CONFLICT AREA - R2 & R3 PAVEMENT CLASSIFICATION

PER TABLE 2 - MINIMUM MAINTAINED AVERAGE VALUE - 1.3 FC

YOUNG STREET FRONTAGE SIDEWALK LIGHTING LEVELS - PEDESTRIAN AREAS - MEDIUM PEDESTRIAN CONFLICT AREA

PER TABLE 6 - E.H - 0.5 FC  
E.Vmin - 0.2 FC

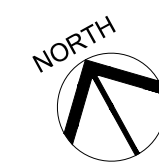
YOUNG STREET FRONTAGE DRIVEWAY LIGHTING LEVELS - INTERSECTIONS - MEDIUM PEDESTRIAN CONFLICT AREA - MAJOR/LOCAL

PER TABLE 9 - 2.0 FC

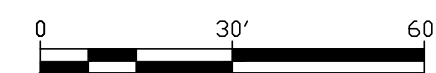
**LIGHTING LEGEND**

- 10 FOOT CANDLES
- 5 FOOT CANDLES
- 1 FOOT CANDLES
- 0.5 FOOT CANDLES
- 0.25 FOOT CANDLES
- 0.1 FOOT CANDLES
- LIGHTING 1 LAMP LED, 27,370 LUMENS OUTPUT

Symbol	Label	Image	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power	Polar Plot
<span style="color: orange;">■</span>	A		5	Lithonia Lighting	R33X LED PL 40K R33 EGS	R33 Area Luminaire Size 3 PL Luminaire Package 4000K CCT Type R33 Distribution with EGS Shield (External Glare Shield)	1	27370	1	194.708	
<span style="color: blue;">●</span>	C		1	Cree Inc	XSP LG-3-HT-3HE-18L 48K7-LL-SV-N	CONFIGURED FROM XSP LG LED Street/Area Luminaire - Large, 24L Luminaire, Type III Medium Optic Distribution, 48K CCT, 70 CRI	1	18700	1	135	



**LIGHTING PLAN**  
SCALE: 1"=30'



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B	10/13/22	REVISIONS PER CITY LAND USE COMMENTS	DGL	PKK
A	7/19/22	ISSUED FOR REVIEW	DGL	PKK

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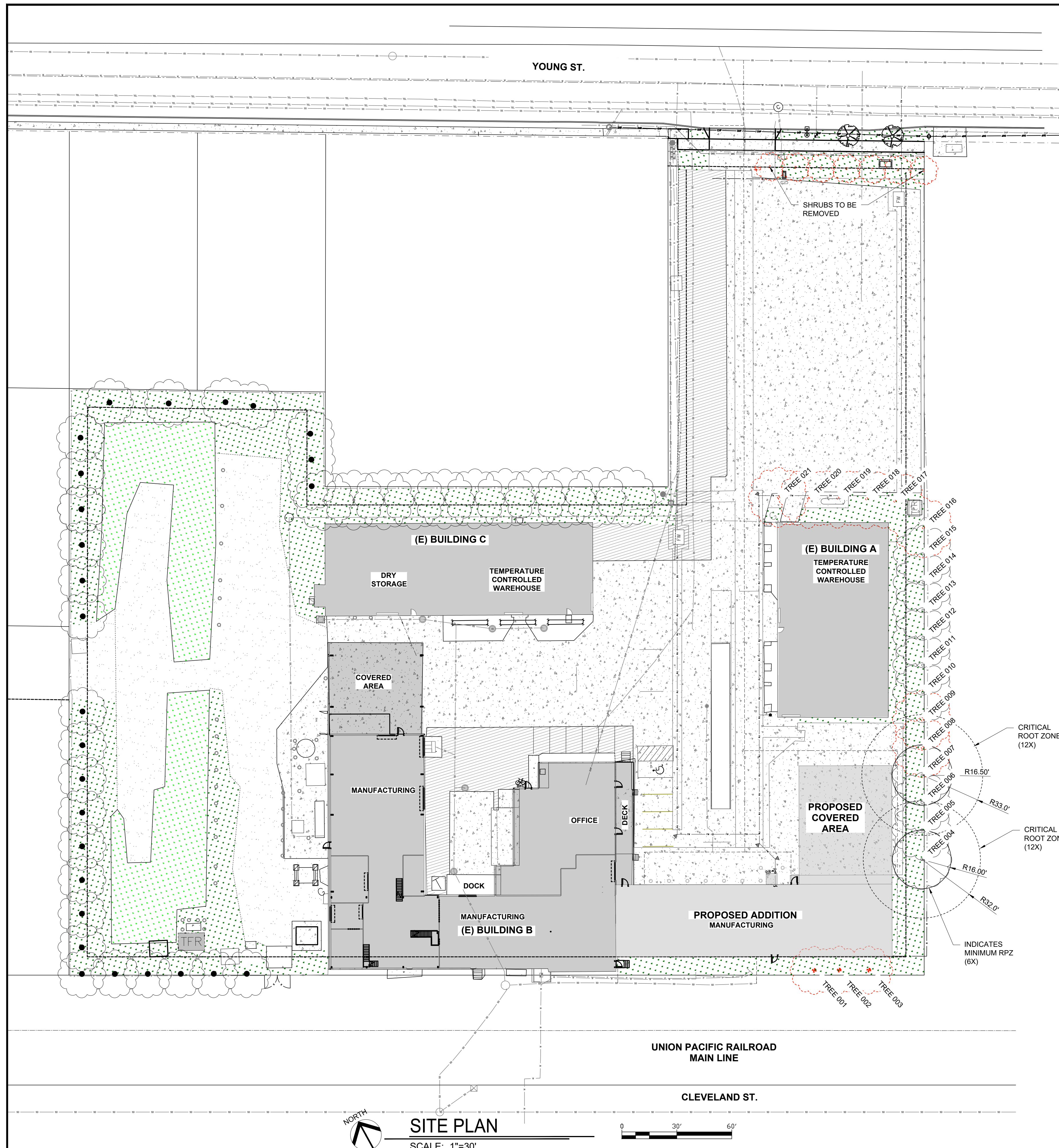
**CROW ENGINEERING** CIVIL STRUCTURAL MECHANICAL

21441-01

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960 YOUNG ST., WOODBURN, OR 97071		DATE	CHECKED	SCALE	DRAWING NO.	REV.
OUTDOOR LIGHTING		DGL	PKK	1"=30'	21441-C006	C
PROPOSED PHOTOMETRIC LAYOUT		10/13/22				





TREE SCHEDULE						
TREE No.	STATUS	TREE DIAMETER (IN)	ROOT PROTECTION ZONE RADIUS (FT)	SPECIES	CONDITION	REMARKS
001	REMOVE	25.00	25.00	WESTERN RED CEDAR (THUJA PLICATA)	POOR	PROPOSED BUILDING ENCROACHES BEYOND 1/2 OF RPZ
002	REMOVE	24.00	24.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	PROPOSED BUILDING ENCROACHES BEYOND 1/2 OF RPZ
003	REMOVE	30.00	30.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	PROPOSED BUILDING ENCROACHES BEYOND 1/2 OF RPZ
004	PROTECT	32.00	32.00	WESTERN RED CEDAR (THUJA PLICATA)	GOOD	
005	PROTECT	30.00	30.00	WESTERN RED CEDAR (THUJA PLICATA)	GOOD	
006	PROTECT	24.00	24.00	WESTERN RED CEDAR (THUJA PLICATA)	GOOD	
007	PROTECT	33.00	33.00	WESTERN RED CEDAR (THUJA PLICATA)	GOOD	
008	REMOVE	31.00	31.00	WESTERN RED CEDAR (THUJA PLICATA)	GOOD	PROPOSED FIRE ACCESS ROAD ENCROACHES BEYOND 1/2 OF RPZ
009	REMOVE	31.00	31.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	PROPOSED FIRE ACCESS ROAD ENCROACHES BEYOND 1/2 OF RPZ
010	PROTECT	30.00	30.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	
011	PROTECT	29.00	29.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	
012	PROTECT	30.00	30.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	
013	PROTECT	26.00	26.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	
014	PROTECT	31.00	31.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	
015	PROTECT	21.00	21.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	
016	REMOVE	23.00	23.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	PROPOSED ELECTRICAL LINES FEEDING BUILDING A ENCROACHES BEYOND 1/2 OF RPZ
017	REMOVE	22.00	22.00	WESTERN RED CEDAR (THUJA PLICATA)	FAIR	PROPOSED ELECTRICAL LINES FEEDING BUILDING A ENCROACHES BEYOND 1/2 OF RPZ
018	REMOVE	27.00	27.00	WESTERN RED CEDAR (THUJA PLICATA)	DYING	DYING CONDITION
019	REMOVE	28.00	28.00	WESTERN RED CEDAR (THUJA PLICATA)	POOR	PROPOSED SLAB FOR PROPANE TANK IN THIS AREA - PROPANE TANK MUST BE AT LEAST 10' FROM BUILDING.
020	REMOVE	28.00	28.00	WESTERN RED CEDAR (THUJA PLICATA)	DYING	DYING CONDITION
021	REMOVE	29.00	29.00	WESTERN RED CEDAR (THUJA PLICATA)	POOR	PROPOSED ACCESS FOR PROPANE TANK IN THIS AREA

**SIGNIFICANT TREE NOTES**

- PER WDO SECTION 3.06.07 SIGNIFICANT TREES ON PRIVATE PROPERTY, PARAGRAPH D, THE PROPERTY OWNER WILL REPLACE EACH SIGNIFICANT 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 THE WDO. THE REPLACEMENT TREE SHALL BE OF THE SAME SIZE RANGE AT MATURITY AS THE SIGNIFICANT TREE REPLACED.
- PER WDO SECTION 3.06.07 PARAGRAPH E, TREE REPLACEMENT SHALL BE ACCOMPLISHED BY:
  - PLANTING ONE TREE ON THE SUBJECT PROPERTY;
  - PLANTING ONE TREE AT A LOCATION DETERMINED BY THE WOODBURN COMMUNITY SERVICES DEPARTMENT; OR
  - PAYING A FEE-IN-LIEU TO THE WOODBURN COMMUNITY SERVICES DEPARTMENT FOR THE PLANTING OF ONE TREE AT A FUTURE TIME BY THE CITY.

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
Date: 11-14-2022

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THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND EQUIPMENT NECESSARY TO PROTECT THE STRUCTURE, WORKMEN AND OTHER PERSONS AND PROPERTY DURING CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR THE OBSERVANCE OF ALL FEDERAL, STATE AND LOCAL SAFETY REGULATIONS DURING CONSTRUCTION.

REV.	DATE	DESCRIPTION	BY
D	11/14/2022	REVISIONS PER CITY LAND USE COMMENTS	PRK
C	10/17/2022	ADDED INFORMATION PER ARBORIST REPORT	PRK
B	10/13/2022	REVISIONS PER CITY LAND USE COMMENTS	PRK
A	07/19/2022	LAND USE SUBMITTAL	PRK

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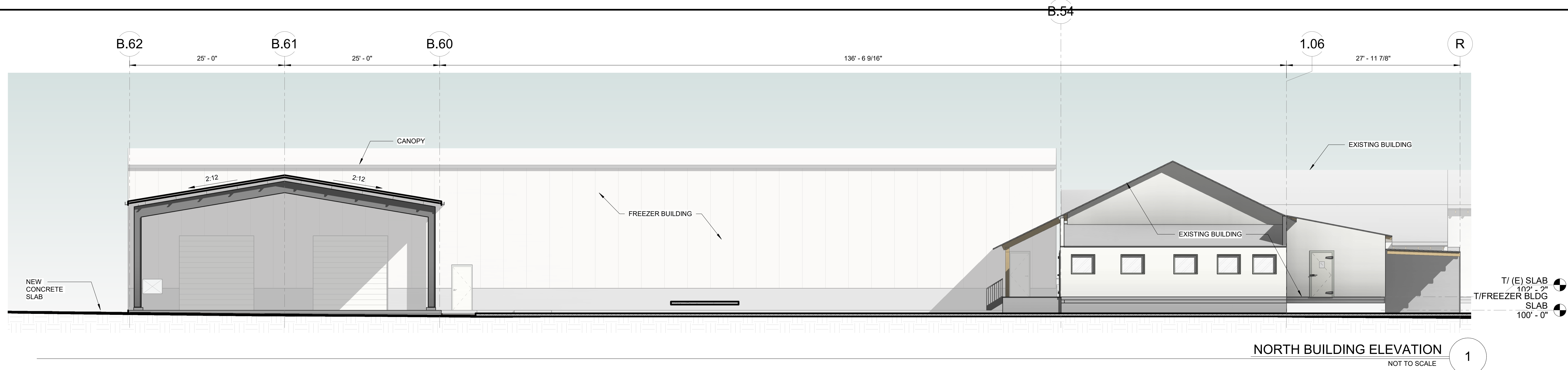
**Townsend Farms**

960 YOUNG ST., WOODBURN, OR 97071  
CIVIL DRAWINGS  
TREE PROTECTION AND REMOVAL PLAN

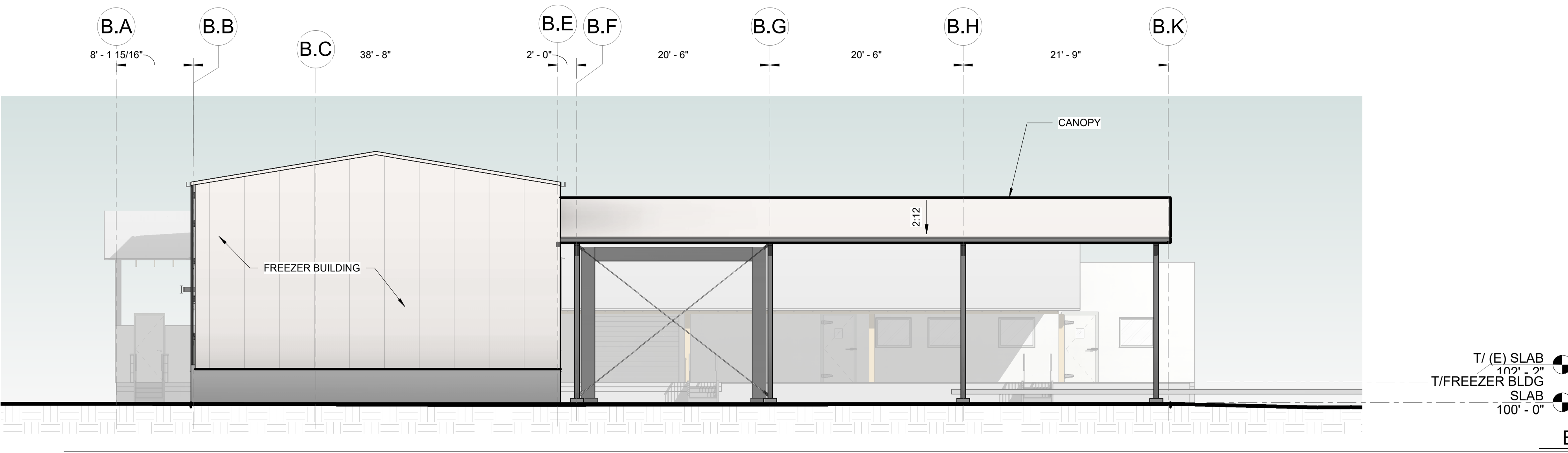
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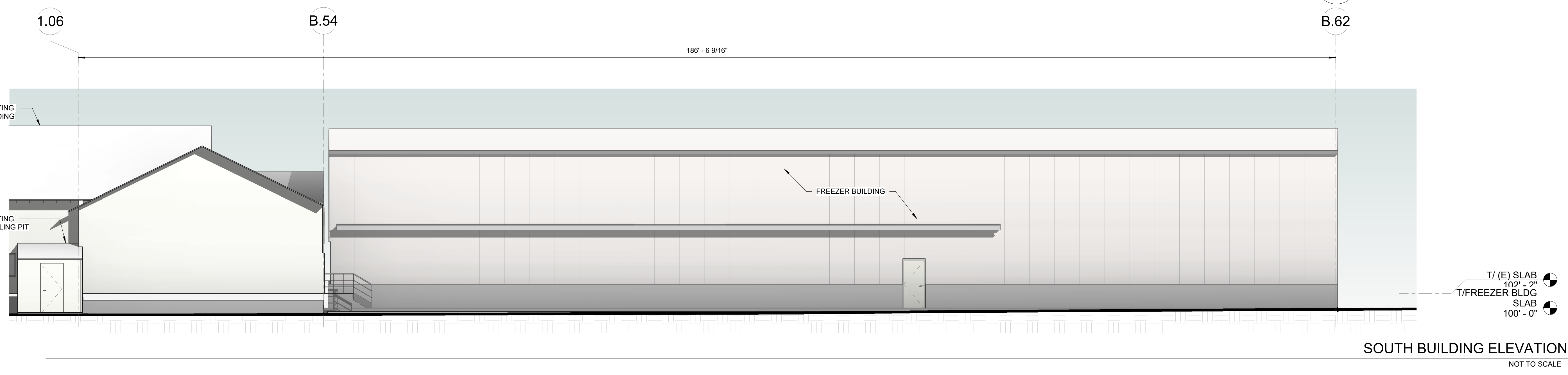




NORTH BUILDING ELEVATION 1  
NOT TO SCALE



EAST BUILDING ELEVATION 2  
NOT TO SCALE



SOUTH BUILDING ELEVATION 3  
NOT TO SCALE

ISSUED FOR REVIEW  
Date: 11/14/22 By: KGH

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No.	Date	Description	by
C	11/14/22	ISSUED FOR DESIGN REVIEW	KGH
B	10/13/22	ISSUED FOR DESIGN REVIEW	KGH
A	07/19/22	DESIGN REVIEW	KGH

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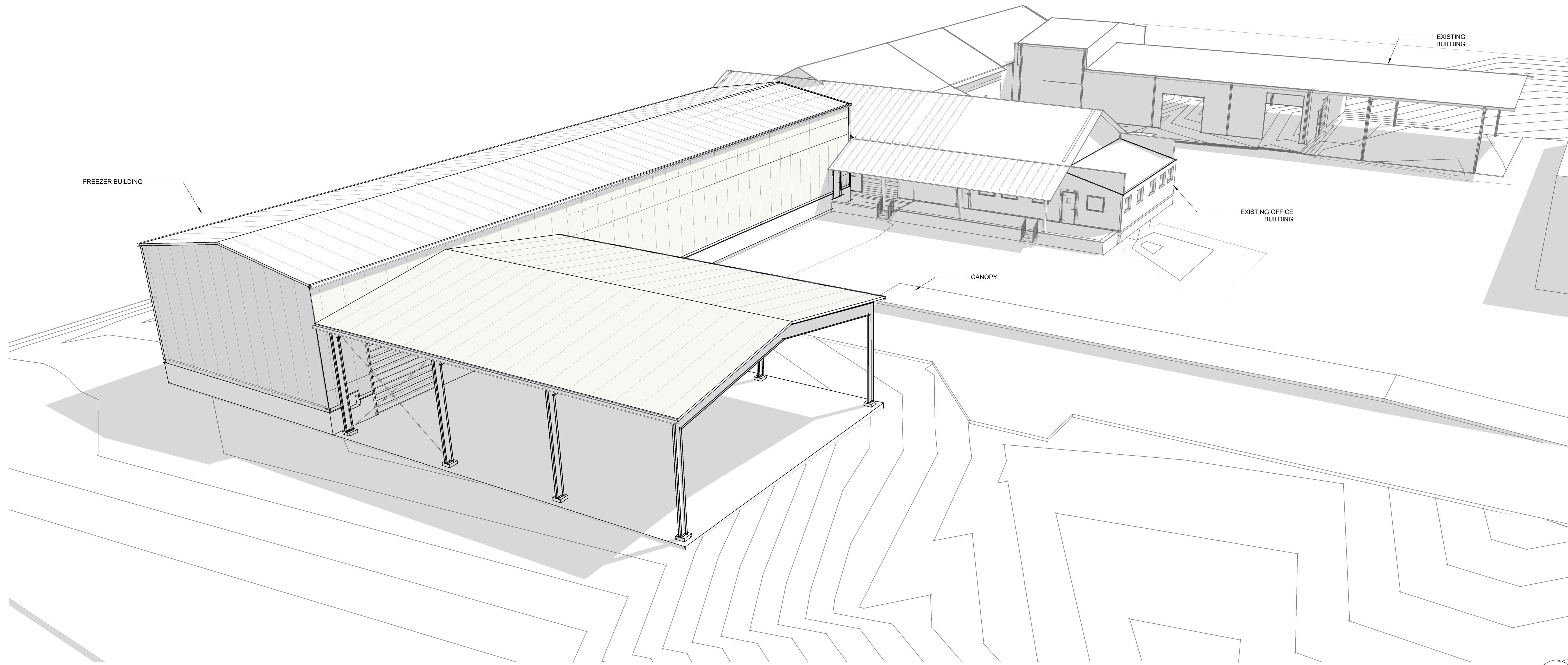
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**Townsend Farms**  
Since 1906  
960 YOUNG ST., WOODBURN, OR 97071  
FREEZER TUNNEL EXPANSION  
BUILDING ELEVATIONS

DESIGN	CHECKED	SCALE	ISSUE DATE	PROJ. NO. - SHEET NO.	REV
MG	Checker	1/8" = 1'-0"	11/14/22	21441 - DRA104-02	C

DESIGN REVIEW 11/14/22





NORTHEAST ISOMETRIC

1

ISSUED FOR REVIEW

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No.	Date	Description	by
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A	07/19/22	DESIGN REVIEW	KGH

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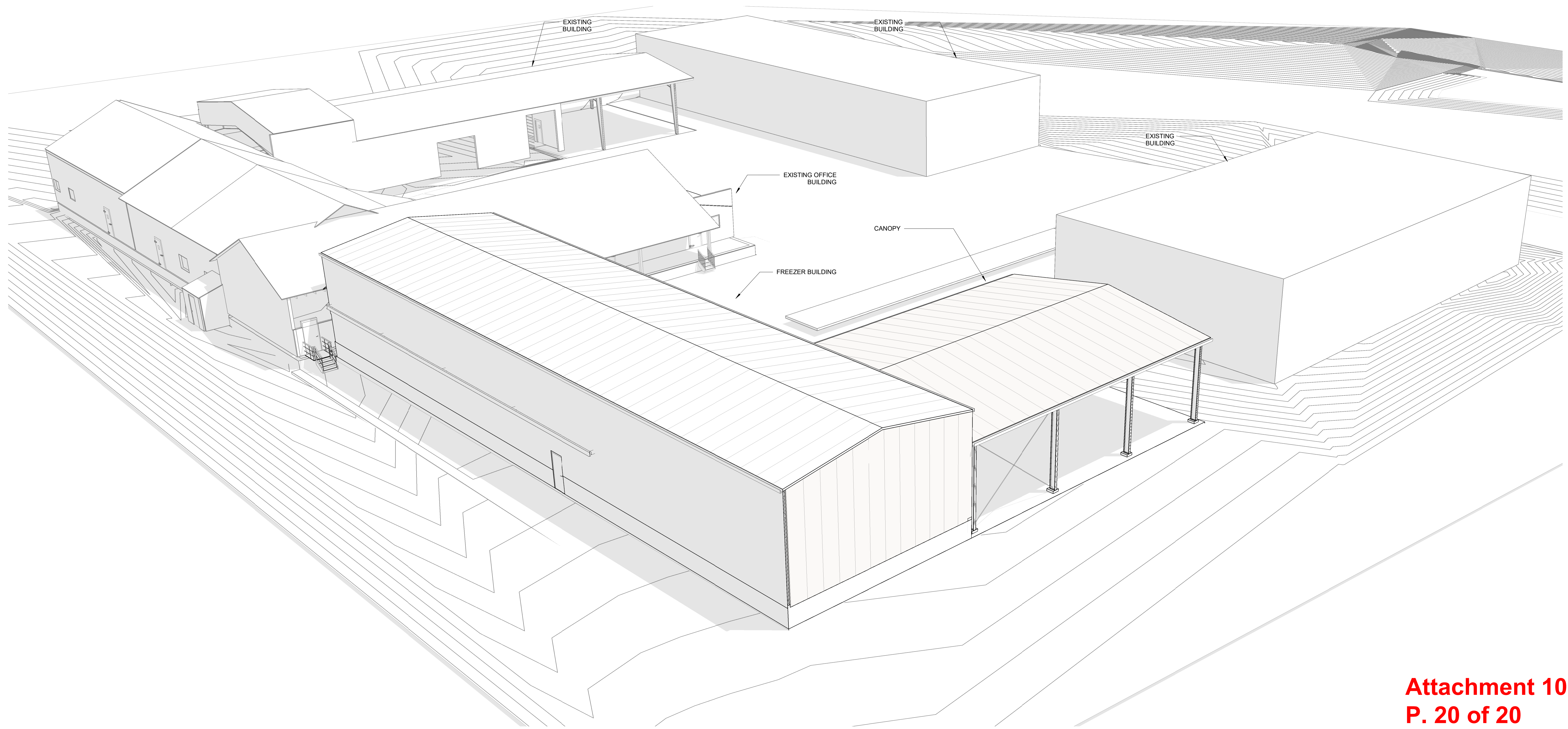
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**Townsend Farms**  
 Since 1906  
 960 YOUNG ST., WOODBURN, OR 97071  
 FREEZER TUNNEL EXPANSION  
 NORTHEAST ISOMETRIC

DRWN	CHKD	SCALE	ISSUE DATE	PROJ. NO. - SHEET NO.	REV
MG	Checker		11/14/22	21441 - DRA109-02	B

DESIGN REVIEW 11/14/22





**Attachment 103**  
**P. 20 of 20**

SOUTHEAST ISOMETRIC

1

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A	07/19/22	DESIGN REVIEW	KGH

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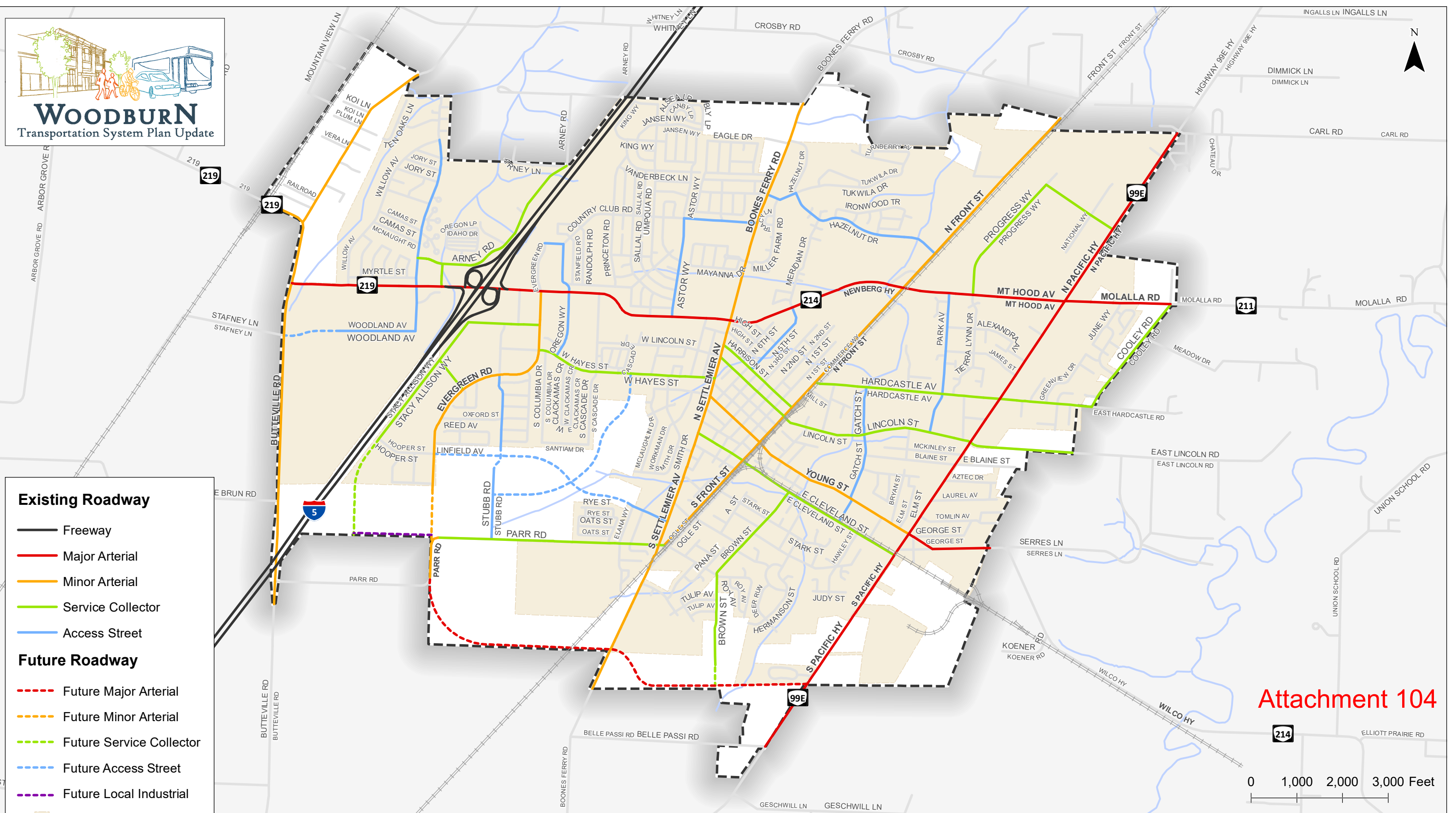
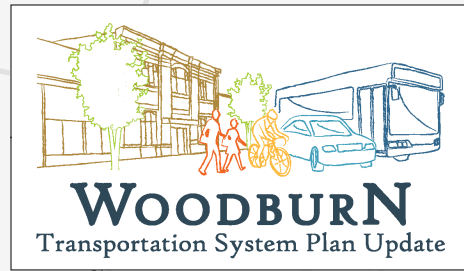
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**Townsend Farms**  
Since 1906

960 YOUNG ST., WOODBURN, OR 97071  
FREEZER TUNNEL EXPANSION  
SOUTHEAST ISOMETRIC

DRAWN	CHECKED	SCALE	ISSUE DATE	PROJ. NO. - SHEET NO.	REV
MG	Checker		11/14/22	21441 - DRA109-04	B





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

Functional Roadway Classification  
Woodburn, Oregon

Figure  
2

## CU 22-02 Townsend Farms:

### Attachment 201: Dictionary & Glossary

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

- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “C of O” refers to building certificate of occupancy.
- “CEP” refers to civil engineering plan review, which is a review process independent of land use review led by the Community Development Department Planning Division and that is led by the Public Works Department Engineering Division through any application forms, fees, and review criteria as the Division might establish. A staff expectation is that CEP follows land use review and approval, that is, a final decision, and precedes building permit application.
- “County” refers to Marion County.
- “Director” refers to the Community Development Director.
- “exc.” means excluding.
- “EV” refers to electric vehicle.
- “FOC” refers to face of curb.
- “ft” refers to feet.
- “Joyce” refers to Joyce Way.
- “Joyce Way” refers to an unimproved unnamed City ROW 50 ft wide that runs northerly-southerly between 960 and 1030 Young Street (Tax Lots 051W18AD08300 & 051W18AD08400) and extends to Young at the north and Willamette Valley RR at the south. County Tax Map 051W18AD delineates it. (City Planning staff has referred to it as “Joyce Way” since the time of pre-application meeting PRE 2020-04 on February 27, 2020 because that is the same name as the nearest street to the north along an imaginary line, Joyce Street, and WDO 3.01.06C.1d lists the suffix “Way” as an acceptable one.)
- “inc.” means including.
- “max” means maximum.
- “min” means minimum.
- “MUTCD” refers to *Manual on Uniform Traffic Control Devices* of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- “NE” means northeast.
- “NW” means northwest.
- “OAR” refers to Oregon Administrative Rules.
- “o.c.” refers to on-center spacing, such as of trees or shrubs.
- “ODOT” refers to the Oregon Department of Transportation.

- “ORS” refers to Oregon Revised Statutes.
- “PLA” refers to property line adjustment.
- “PU” refers to plant unit as WDO Table 3.06B describes.
- “PUE” refers to public utility easement, whether along and abutting public ROW (“streetside” PUE) or extending into or across the interior of private property (“off-street” PUE). In the context of property line adjustment, partition, or subdivision, the developer records through the plat with drawings and notes on the face of the plat. Absent this context, recordation is separate from land use review pursuant to a document template or templates established by PW. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording public easement materials that a developer submits.
- “PW” refers to Public Works (the department).
- “Root barrier” refers to that illustrated by PW SS&Ds, [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “ROW” refers to right-of-way.
- “RPZ” refers to root protection zone in the context of tree preservation.
- “RR” refers to railroad.
- “SDCs” refers to system development charges, also known as impact fees.
- “SE” means southeast.
- “SDA” refers to site development area, the entire territory that is the subject of the land use application package.
- “sq ft” refers to square feet.
- “SS&Ds” refers to PW [standard specifications and drawings](#).
- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Tables 3.06B & C, and that have root barriers where applicable per PW [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “SW” means southwest.
- “Tot.” means total.
- “TPU” means the [Transit Plan Update](#) Approved Final Report dated November 8, 2010.
- “TDM” refers to transportation demand management, which means according to the TSP (p. 82), “a policy tool as well as a general term used to describe any action that removes single occupant vehicle trips from the roadway during peak travel demand periods”, and according to Wikipedia as of October 13, 2020, “the application of strategies and policies to reduce travel demand, or to redistribute this demand in space or in time.”
- “TSP” means the [Woodburn Transportation System Plan \(TSP\)](#).
- “UGB” means urban growth boundary.
- “Walkway” refers to what would otherwise be called sidewalk except the paved walking surface is on private property outside of any of ROW or an easement granting public access.
- “WDO” refers to the [Woodburn Development Ordinance](#).
- “WFD” refers to the Woodburn Fire District.

- “Woodburn Place Apts.” refers to Woodburn Place Apartments at 2145 Molalla Rd approved through ANX 2019-01 and developed by the same developer as CU 22-01 Woodburn Place West Apts. at 2045 Molalla Rd.
- “WTS” refers to the Woodburn Transit System.
- “WVRC” refers to the Willamette Valley Railway Co. that is the authority over the Willamette Valley RR.
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes.
- “Young” refers to Young Street.



## CU 22-02 Townsend Farms:

### Attachment 202: General Conditions

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

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

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

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that PW might have approved through 3.01.02E.
- b. ROW/easements: Recordation of required right-of-way (ROW) and public easements is due by building permit issuance.
- c. Where a Phasing Plan per WDO 5.03.05 is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located.
- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if and where land division is relevant, then also after recordation with County.

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than three years past the land use

“final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: The developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 203.

CU 22-02 Townsend Farms:  
Attachment 203: Conditioned Fees

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

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

**Part A. Fee Provisions**

1. Any and all conditioned fees are in addition to, and not in place or as discounts of, any existing charge or fee however termed ordinarily assessed based on any existing ordinance, resolution, or administrative policy, inc. adopted fee schedules. If and when the City amends any ordinance, resolution, or administrative policy, inc. a fee schedule, to increase a charge or fee that is (a) the same kind of charge or fee that is conditioned, (b) the amended charge or fee amount would exceed the amount conditioned, and (c) the increase takes effect before the conditioned fee is due, then the developer shall pay the greater amount.
2. Payments of conditioned fees shall reference a final decision case file number and the condition of approval letter/number designation, be it in a check memo field or through a cover or transmittal letter.
3. For fees due by building permit issuance, a developer may request the Director to allocate payments the same as allowed for fees in-lieu by WDO 4.02.12A.2, specifically, to pay across issuance of two or more structural building permits for the subject development.

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

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

**Part B. Fee Table**

<i>Table 203B. Fee Table</i>					
<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
CU1a	Street tree fee in-lieu for street trees omitted through civil engineering plan (CEP) review, or, inspection missing tree fee	\$251 per tree	Applies to omitted street trees, or, ones missing from required number upon inspection; 4.02.12A	If CEP context, then by building permit issuance; if in inspection context, then prior to passing final inspection / obtaining certificate of occupancy	
CU3b	Significant Tree removal	\$251 per tree assessed for Trees 16 & 17	See condition.	Building permit issuance	
D3	Electric power pole(s) and line(s)	7.2% of \$568, which equals \$40.90, per lineal ft of line assessed at min 143 ft	WDO 3.02.04B & 4.02.12A	Building permit issuance	
T-T1	Bus transit / transit service fee	\$165.91 per parking stall for all min required parking stalls	See condition. Applies to min required parking for total of existing development and proposed redevelopment.	Building permit issuance	
V1	Joyce Way west half-street improvements variance: Fire apparatus road #1	Either (1) per Context column at right or (2) min \$6,000.  The Woodburn Fire District (WFD) Fire Marshal may choose for the developer.	If (1), equal to 110% of a cost estimate of the construction and installation of the improvements and that the Fire Marshal accepts in writing.  The City delegates administration of the fee in-lieu part of the condition to the WFD Fire Marshal. For	Per the WFD Fire Marshal, yet no later than before issuance of the first certificate of occupancy (C of O) for a 1030 Young Street redevelopment. The developer shall submit to City staff documentation from the Fire Marshal that fee in-lieu is paid.	

<i>Table 203B. Fee Table</i>					
<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
			further context, see condition.		
G6 through this Attachment 205	Public Works Dept. (PW), or ODOT as applicable, civil engineering plan (CEP) review: Review by Planning Division	\$250; \$346	Original/1 <sup>st</sup> submittal; each subsequent inc. deferral/piecemeal	Upon CEP application to PW	
	Inspections by Planning Division	\$75; \$346	1st inspection or “walkthrough”; each subsequent	Inspection requests related to public (street) improvements and building permits	
G6 through this Attachment 203	Any of (1) Bond / bonding / performance guarantee or (2) public improvements deferral through PW per WDO 3.01.02E: Specifically any that would allow or allows the developer to delay construction of street improvements beyond either final plat, as applicable, or building permit issuance, with the exception of street trees.	\$4,474	Half-street improvements context limited to Young Street frontage.  Serves as bond or deferral application review request min fee and isn’t a bond amount itself. Fee not applicable to warranty bonds or ordinary construction bonds if they do not authorize delay of construction of street improvements beyond building permit issuance. (See WDO 3.01.02E.)	If CEP context, then payment (through Planning Division) upon CEP application to PW; if developer applies for building permit review and there has been no CEP application to PW, then building permit issuance	

[General ledger (GL) account 363-000 3678 “Developer Contributions”.]