



# Staff Report

**To:** Planning Commission

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

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

**Meeting Date:** August 10, 2023 (Prepared August 3, 2023)

**Item:** 120 [N.] Arney Rd, "Holiday Inn Express" addition/remodel (DR 22-17)

**Tax Lot(s):** 052W12B001102

## Table of Contents

<b>ISSUE BEFORE THE PLANNING COMMISSION .....</b>	<b>1</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>2</b>
<b>RECOMMENDATION .....</b>	<b>6</b>
<b>CONDITIONS OF APPROVAL .....</b>	<b>7</b>
<b>ACTIONS .....</b>	<b>16</b>
<b>ATTACHMENT LIST .....</b>	<b>16</b>

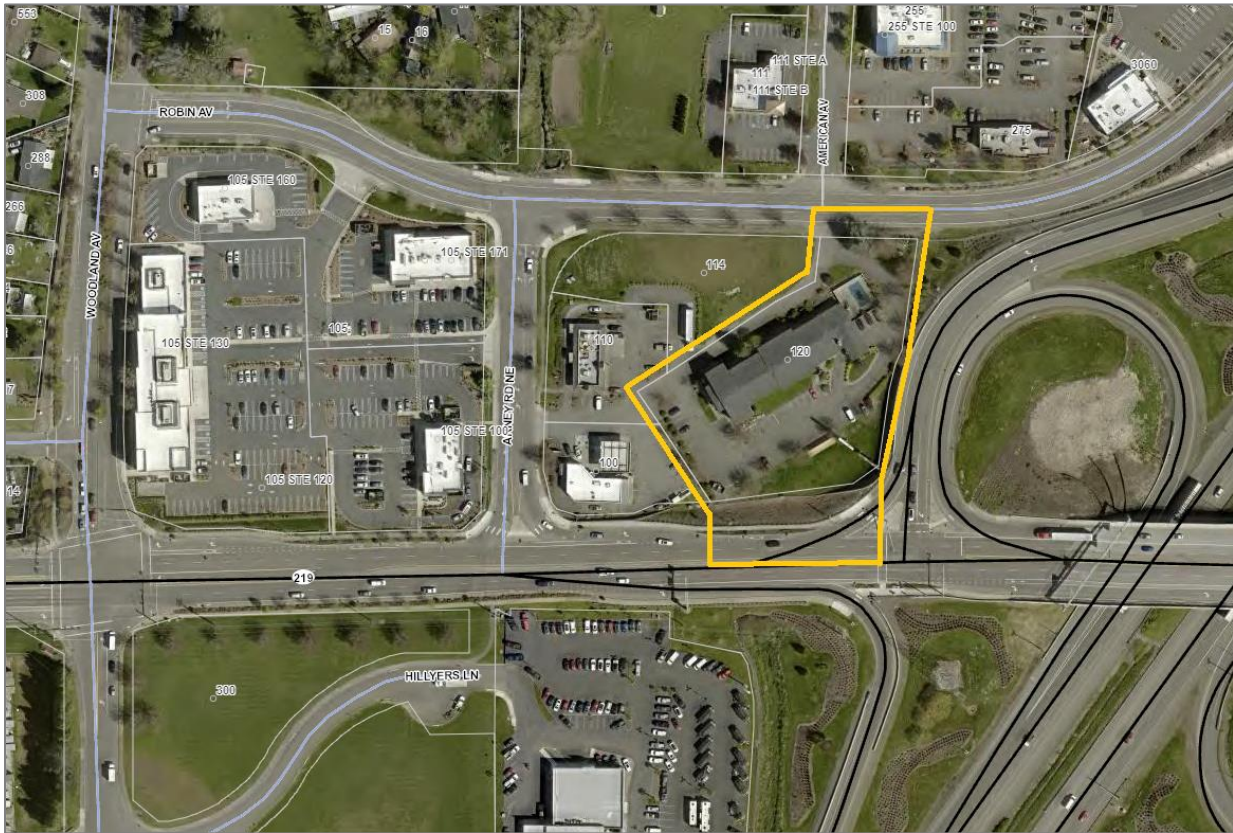
### Issue before the Planning Commission

Design Review DR 22-17 (Type III) for proposed site redevelopment of the La Quinta Inn & Suites by Wyndham Woodburn motel through addition and remodel into a Holiday Inn Express (HIEX) with site upgrades and Street Adjustment SA 22-09 for an Arney Road landscape strip six inches narrower than the standard: Commission decision.

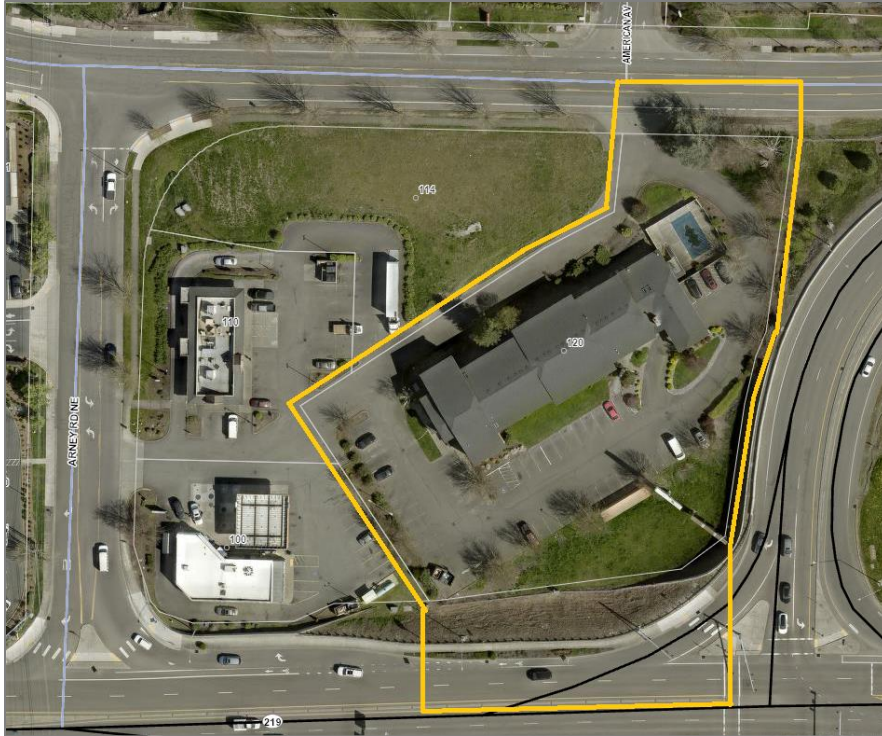
## Executive Summary

### Location

The proposal is to approve the redevelopment on the subject property that is zoned Commercial General (CG) an addition to and remodel of the La Quinta Inn & Suites by Wyndham motel into a Holiday Inn Express (HLEX) motel, composed of one tax lot of 1.77 acres, at 120 [N.] Arney Road. The property is located west of I-5 at the northwest corner of the I-5 southbound off-ramp and Oregon Highway 219. There is frontage along both Arney and the highway, with driveway access from Arney.



*Vicinity of subject property; subject property outlined in yellow*



*Close-up of subject property*

### *Design Review*

The applicant proposes redevelopment through addition of motel rooms for net total of 84 rooms, as well as site upgrades of existing development for greater conformance with the WDO, including expanded parking area and wide walkways to each of the Arney and highway sidewalks.

Development comes with planting additional street trees.

### *Street Adjustment*

The Street Adjustment request is for the existing Arney Road landscape strip width to remain as is. It is 5.5 feet (ft) wide including curb width, which is 6 inches narrower than the standard 6 ft including curb width. This would avoid demolishing a 6-inch width of sidewalk to widen the landscape strip and pave 6 inches along the other side of sidewalk.

Staff confirms recommendation of approval with the recommended conditions of approval of the Street Adjustment.

### *The Proposal*

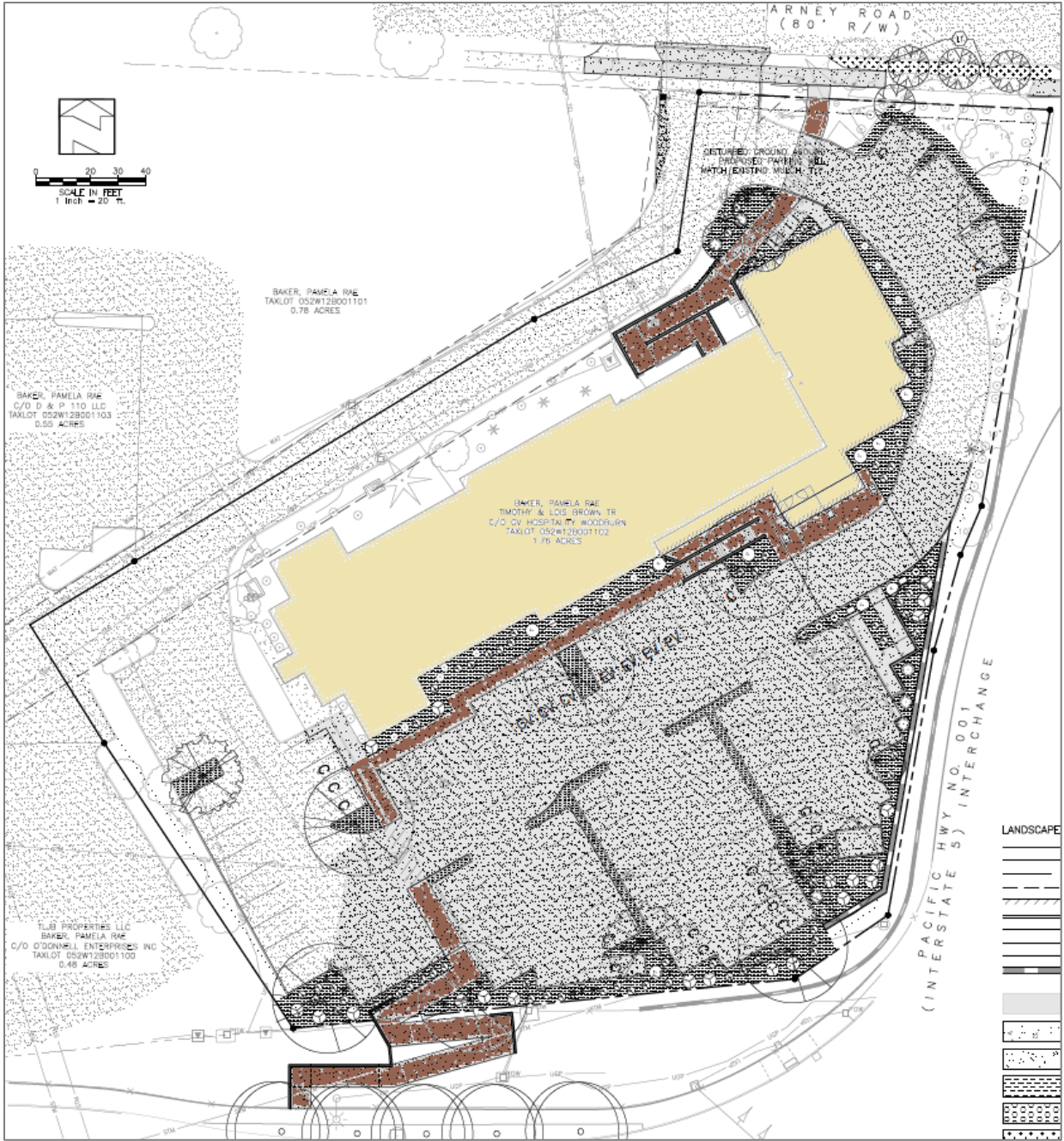
Staff and the developer have worked to produce a good site development outcome by focusing on several things:

1. Urban design: How many and how large are windows; door canopies or fixed awnings that shelter from precipitation;
2. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles;
3. Carpool/vanpool (C/V) and electric vehicle (EV) parking stalls and EV charging;
4. Increase street trees, and provide for fee in-lieu to fund tree plantings elsewhere in town;
5. A fee for removal of all the nice trees from the property;
6. Having an evergreen tree among newly planted trees on the property;
7. A bus transit / transit service fee to improve walking, cycling, and local and regional bus ridership; and
8. An enhanced bus stop fee in-lieu.

The staff analyses and findings (Attachment 102), especially the Design Review and Street Adjustment 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 is also one or more architectural views below.



Landscape plan (Sheet P400 excerpt colored by staff; walkways in brown)



*Architectural rendering excerpt: south/SE façade facing Oregon Highway 219*

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*

G1. Prior to or 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.
- b. ROW/easements: Recordation of required right-of-way (ROW) and public easements is due by building permit issuance. See Note A below.
- 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. See Note A below.

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. Review: Prior to beginning recordations of public easements or other legal instruments granting public bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors prior to recordation, the developer or developer's surveyor shall submit drafts to the City for review in a way that not only meets the needs of the Public Works Department (PW) Engineering Division but also alerts the Community Development Department Planning Division of timely need to review for conformance with the WDO and conditions of approval and identify needed revisions prior to recordations. See Note A below.
- c. Copies: The developer, inc. any succeeding contract purchaser, shall provide copies of documentation, especially recorded documents, that a City staff person requests regardless if the documentation source or copies are another City staff person or department.
- d. Fees: The developer shall pay fees per Attachment 202.

G7. Grading: If WDO 5.01.04B is applicable, then prior to building permit issuance the applicant shall apply for and obtain a grading permit from the Planning Division.

G8. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. At least 3 City business days prior to a desired date of planning and zoning inspection of site improvements, either contact Planning Division staff directly first or proceed to make a planning inspection request (noting desired time on the requested date) through Oregon ePermitting for the applicable building permit record number.

G9. Public Works: See also Attachment 102A "Public Works Conditions of Land Use Approval" (August 2, 2023).

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.





*Design Review DR 22-17*

D1. PUEs, streetside: To conform with WDO Figure 3.01B and Sections 3.02.01B & F.2 regarding streetside public utility easements (PUEs), the developer shall delineate and label dimension at a width or widths per the WDO sections either:

- a. Prior to granting of streetside PUEs and prior to building permit application, revising the site and composite utility plans; or
- b. Upon granting of conforming streetside PUEs through correct recordation per general Condition G4b, G5, & G6b and prior to building permit issuance, revising the site, composite utility, and landscape plans – or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division (and/or ODOT if and as applicable) – and including within a label, call-out, or note the County reel and page numbers and dates of recordation.
- c. OR Hwy 219:
  - (1) Regarding applicability of WDO Figure 3.01B along the highway, it is to the two segments of south property line most nearly parallel to OR Hwy 219 and not any east property line most nearly parallel to the I-5 off-ramp.
  - (2) If and where ODOT jurisdiction is relevant and the agency directs differently than a WDO Figure 3.01B 10-ft uniform width streetside PUE, whatever ODOT would specify, with City PW guidance, shall be the standard with which to conform. In this case, the applicant shall document and submit the standard and conform with such.

D2. Driveway max width: To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a commercial context, the developer shall revise the site, composite utility, and landscape plans – or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division (and/or ODOT if and as applicable) – either to illustrate and dimension the approach, apron, curb cut, or ramp of the Arney driveway at max width 24 ft or, if having a left turn pocket, then 36 ft; or, to document if and how Table 3.04A footnote 7 about Woodburn Fire District (WFD) OFC administration is applicable. For the latter, documentation shall include at least either (a) a letter or equivalent from WFD or (b) revision of fire access plan Sheet P220 to narrow the driveway to that necessary to accommodate illustrated fire apparatus turning radius and to dimension the narrowed driveway apron. If through building permit review, then this is due prior to issuance, or if through civil engineering plan review, then due prior to PW (or ODOT) issuance of an approved civil plan set.

D3. Walkways: To conform with WDO 3.04.06D.2, the walkway crossing of the drive aisle near the main guest entrance and ADA parking shall be striped with any of hatch or ladder pattern or three or more bars perpendicular to the crossing. The developer shall revise site plans prior to building permit issuance.

D4. Wheel stops: To conform with WDO 3.05.02H, the developer shall revise the site plans prior to building permit issuance and install wheel stops in the two compact parking stalls along the highway wide walkway north end.

D5. C/V, EV, & bicycle parking: The developer shall revise site plans, or equivalent sheets within a building permit application plan set through the Building Division, regarding carpool/vanpool (C/V), electric vehicle (EV), and bicycle parking to demonstrate that the supplies at the proposed locations conform with the detailed standards for such in WDO 3.05.03H, 3.05.03I, and 3.05.06, particularly 3.05.03H.2 & 3; 3.05.03I.2, 3, & 4; and 3.05.06C.3 & 4. Regarding bicycle parking signage, it shall direct cyclists approaching from the highway to both (1) the outdoor bicycle parking at the north, Arney façade of the building, and (2) the indoor bicycle storage room. Signage shall also indicate to those approaching from Arney that additional bicycle parking is in the indoor bicycle storage room.

D6. Double-striping: To conform with WDO Figure 3.05C, the developer shall revise the site plans prior to building permit issuance and double-stripe parking stalls.

D7. Landscaping:


- a. Parking area screening: To conform with WDO 3.06.05B, if existing landscaping in the yard along Arney that serves as parking area screening is displaced, injured, or killed by parking area expansion, and/or the parking area expansion is large enough and close enough to Arney such that there would be an apparent gap in landscaping, then the developer shall plant additional or replacement medium shrubs per WDO Table 3.06B equal to 1 every 4 ft o.c. to fill the gap. This is due by building permit final inspection.
- b. Significant tree:
  - (1) To conform with WDO 3.06.07, the developer shall revise the site, composite utility, grading, and landscape plans to note protection of the 24-inch cedar tree during construction of Arney wide walkway to its west and additional parking to its east.
  - (2) Tree protection during construction should conform with either draft WDO 3.06.08 in the Legislative Amendment LA 21-03 Planning Commission August 10, 2023 staff report or, were building permit issuance to be after the City adopts provisions for tree protection during construction, then the adopted provisions.
  - (3) If the developer or contractor removes the tree or removal becomes necessary upon injury or death, the developer shall pay a removal fee per Attachment 202.

D8. Architecture: The developer shall revise architectural plans prior to building permit issuance, and the building shall be as follows:

- a. Fenestration/glass/glazing/windows: WDO 3.07.06B.2b(1) (30% glass) shall be applicable as a standard on min one of the two street-facing facades, south/SE and/or north/NW, and 25% shall be the standard for the other facade. Transparency required.
- b. Awnings/canopies: Based on WDO 3.07.06B.1b(4) & B.5a, there shall be any among door canopies, fixed awnings, porte-cochères, building recesses, or roof projections that shelter from precipitation, are min 9 ft height clearance and:
  - (1) At the main guest entrance / south/SE façade, 8 ft narrowest dimension and 64 sq ft min area;
  - (2) At the end of the Arney wide walkway at the dining room side door / north/NE façade, min depth 4 ft, min width 7 ft.  
Min dimension is applicable to any of dimension parallel with or perpendicular to the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.
- c. Roof-top screening: WDO 3.07.06B.4 regarding screening of roof-mounted equipment shall be applicable as a standard.

D9. Signage:

- a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any public easement.
- b. Nonconforming signage: The developer shall alter or remove nonconforming permanent signage, including any in the south yard, to conform with WDO 3.10.04, 3.10.06, 3.10.08, Table 3.10.10B, 3.10.11, & 3.10.12. This is due by building permit final inspection.



*Design Review 22-26: Transportation*

T-T1. Bus shelter / enhanced bus stop: To conform with WDO 3.01.09B, the developer shall pay an enhanced bus stop fee per Attachment 202. [TDP Figs. 63 & 68]

T-T2. The developer shall pay a bus transit / transit service fee per Attachment 202.



*Street Adjustment 22-09*

The Street Adjustment request is approved per the following conditions:

SA1. Street cross sections: To conform with WDO 3.01.01A, B, & D; 3.01.02A, 3.01.03C.1, and 3.01.04:

- a. Arney may retain the nonconforming landscape strip, which is 5.5 ft inc. curb width instead of 6 ft inc. curb width, and the developer shall pay a landscape strip fee in-lieu per Attachment 202.
- b. No change is required to either frontage other than what other separate conditions might require such as regarding street trees. Otherwise, per subsection c1 below.
- c. General:
  - (1) Half-streets shall conform with WDO Figures 3.01B & D respectively except where and as (a) Street Adjustment conditions supersede or (b) ODOT has jurisdiction and documented application of its permitting process necessitates deviation.
  - (2) Landscape strips shall conform with the WDO 3.01.04B last paragraph. For Arney, the developer shall restore bare dirt and eroded areas to lawn.
  - (3) Where ODOT application of its permitting process necessitates deviation, document where and how and submit notice to the Planning Division and Public Works Department (PW) Engineering Division. If there would be two or more deviations, wait until ODOT identifies them before notifying the City to avoid piecemeal notices.
  - (4) The developer or developer's civil engineer shall courtesy copy Planning Division and PW Engineering Division staff of (a) application to ODOT for permit to construct the street improvements, prior to City building permit issuance, and (b) a copy of the permit(s) that the agency issues with the construction drawings it issued as approved, prior to City building permit final inspection.

SA2. Street trees: To conform with WDO 3.01.01B, 3.01.01D, 3.01.02A, 3.01.03C.1e, 3.01.04B, and 3.06.03A:

- a. Arney: Plant for 4 trees or pay a fee in lieu of max 1 tree per Attachment 202.
- b. OR Hwy 219: Plant for 8 trees or pay fee in-lieu per Attachment 202 and as follows:
  - (1) Landscape strip: Plan min 2 of the 8 trees; and
  - (2) Wide walkway: Do one of the following in order of preference:
    - (a) Plant 2 trees outside the landscape strip but within the ROW at the approximate locations per Exhibit SA2 below with the objective to shade the wide walkway from the west;
    - (b) Plant 1 of the 2 trees per (a); or
    - (c) If ODOT makes infeasible planting per (a) and (b), then no planting within this area of ROW.

Min planted street trees would total 2-4 of 8. Pay fee in lieu of the remaining 4-6.



*Exhibit SA2*

Plan revisions are due prior to building permit issuance. Street tree plantings are due by building permit final inspection, and fee in-lieu payment is due per Attachment 202.

SA3. Sidewalk: Arney: The developer shall extend sidewalk at min width 6 ft east to the existing driveway apron along ODOT property, a distance of approximately 20 ft.

SA4. Bicycle parking outdoor shelter: The cover or shelter of the outdoor bicycle parking shall be minimum height clearance 9 ft.

SA5. Landscaping: On-site:

- a. Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, or pebbles.
- b. Evergreen: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

c. Retaining walls:

- (1) If and where there are retaining walls, WDO 3.06.06C shall be applicable as a standard.
- (2) Specifically, to conform with 3.06.06B.5 & 6, each new retaining wall shall have two colors (whether cast or painted), and none of the colors shall be gray. Colors should be arranged as two solid bands, with the darker color or hue along the visible wall bottom – specifically, if a retaining wall would be 8 ft or taller, then the bottom 3 courses (4 ft); or, if shorter than 8 ft, then the bottom course. For any course partly buried below grade and partly visible, use the darker color or hue.
- (3) ODOT: Specific to the highway frontage, if and where ODOT jurisdiction is relevant and ODOT specifies differently than the above City specifications, the developer shall document and submit the standard and conform with such for:
  - (d) Property line freeway/highway retaining wall(s).
  - (e) OR Hwy 219 wide walkway retaining wall(s).
 For the Arney wide walkway retaining wall(s), no adjustment from the above specifications is relevant because it would lie well beyond ROW.

- d. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment, including a transformer, along min two sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B.

SA6. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, shall be off every evening or night during the hours of 9:00 p.m. to 7:00 a.m. Pacific time.

## **Actions**

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

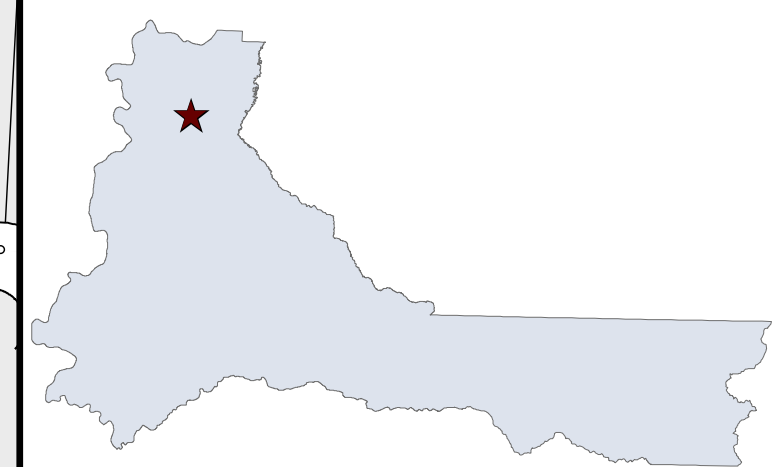
1. Approve with modified conditions, or
2. Deny, based on WDO criteria or other City provisions.

## **Attachment List**

101. Marked Tax Map
102. Analyses & Findings
- 102A. Public Works comments (August 2, 2023; 2 pages)
103. Site plans (submitted June 7, 2023; 5 sheets)
- 104A. Transit Development Plan (TDP) p. 80 (Figure 63)
- 104B. TDP p. 94 (Figure 68)
105. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
106. TSP Fig. 7 “Existing Transit Routes and Facilities”
201. DR 22-17 Holiday Inn Express: Dictionary & Glossary
202. DR 22-17 Holiday Inn Express: Conditioned Fees



# 05 2W 12B WOODBURN



**MARION COUNTY, OREGON**  
NW1/4 SEC12 T5S R2W W.M.  
SCALE 1" = 200'

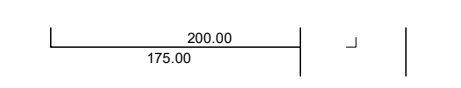
### LEGEND

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

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

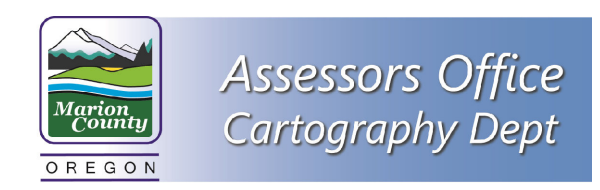
**NOTES**  
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



CANCELLED NUMBERS	
101	
301	
700	
702	
800	
900	

## Attachment 101

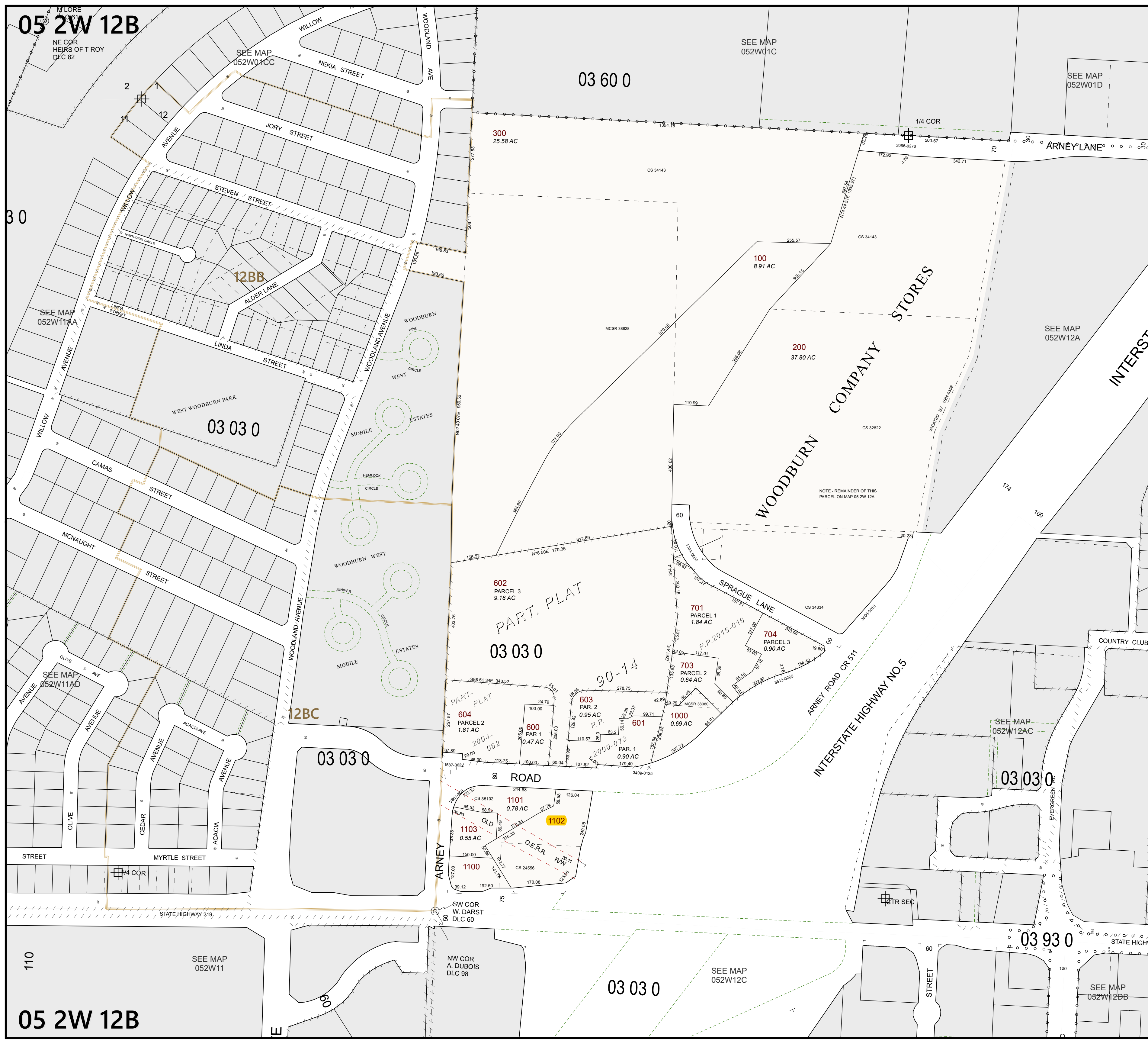
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



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

PLOT DATE: 10/16/2020

# WOODBURN 05 2W 12B



# 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 \(WDO\)](#).

## Table of Contents

Location.....	2
Land Use & Zoning .....	2
Statutory Dates .....	3
Design Review Provisions.....	4
Street Adjustment Provisions .....	46
Recommended Conditions of Approval.....	53
Applicant Identity.....	62
Notes to the Applicant.....	62

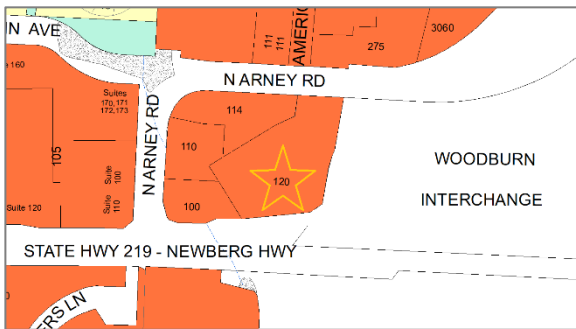
## Location

<i>Address(es)</i>	120 [N.]* Arney Rd *The Marion County tax map indicates Arney Road NE, and the City geographic information system (GIS) and Google Maps indicate N. Arney Road. The street sign at the SW corner of Arney and Robinson Avenue reads "Arney Rd".
<i>Tax Lot(s)</i>	052W12B001102
<i>Nearest intersection</i>	[N.] Arney Rd & Robin Ave

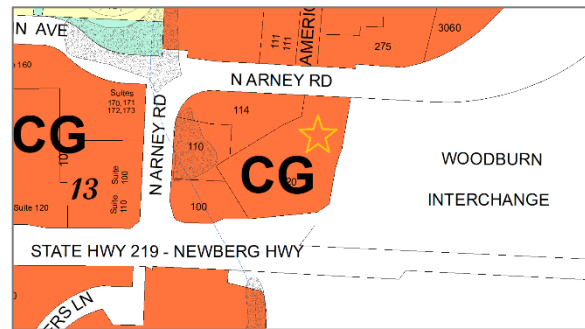
## Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	Interchange Management Area (IMA), though none of the lettered subareas
<i>Existing Use(s)</i>	motel (La Quina Inn & Suites by Wyndham)

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; an amber star marks the subject property*



*Zoning map excerpt*

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	CG: undeveloped 114 [N.] Arney Rd; across Arney Rd: strip mall, Portland-Woodburn RV Park flag lot pole driveway
East	n/a: ODOT I-5 ROW with Exit 271 southbound off-ramp
South	Across Oregon Highway 219: CG: Hillyer's Mid-City Ford dealership
West	CG: Jack in the Box fast-food restaurant and Shell gas station

## Statutory Dates

<i>Application Completeness</i>	June 16, 2023
<i>120-Day Final Decision Deadline</i>	October 14, 2023 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date is October 9, 2023.)



## Design Review Provisions

The project name is Holiday Inn Express (HIEX), an addition to and remodel of the existing La Quinta Inn & Suites by Wyndham motel.

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 DR 22-17 & SA 22-09 consolidated application package submittal was October 4, 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).

### 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 a building greater than 2,000 square feet (sq ft) in the CG zoning district, per subsection 3. it requires a Type III Design Review. Additionally, the applicant submitted the application type of Street Adjustment, which can be Type II or III and 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 October 4, 2022 and revised site plans through June 7, 2023 (within Attachment 103). (Staff hosted pre-application meeting PRE 22-10 on April 6, 2022.)

✓ 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	Commercial	
15	Hotels, motels and bed and breakfast inns	P

The proposed use matches B.15, which is a permitted use.

✓ 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:

#### **11.02 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, north front, south is rear, and east and west are sides. The existing building and proposed addition are nowhere near 5 feet or fewer from a property line.

### *Cross access easement / shared access easement*

Because the application materials include an existing cross access easement (CAE) – delineated and labeled on Sheet P200 as “30’ shared access easement Reel 1682, Page 569 (April 11, 2000)” – the 1-foot setback is applicable. Neither the existing building nor any part of the addition comes within 1 foot of the CAE.

### *Density*

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

### *Height*

The sheets illustrating building elevations note that the building is below the height limit as measured per 1.02 “Building Height” and Figure 1.02A, meeting the provision.



- ✓ The site development provisions are met.

## 2.05 Overlay Districts

The subject property is within the Interchange Management Area (IMA) Overlay District per Figure 2.05B, but not within one of the lettered subareas per Figure 2.05B.

2.05.02B states, “The provisions of this Section apply to all Type II – V land use applications that propose to allow development that will generate more than 20 peak hour vehicle trips (based on the latest Institute of Transportation Engineers *Trip Generation Manual*) on parcels identified in Table 2.05A.” The table does not list Tax Lot 052W12B001102.

The appended Public Works comments (August 2, 2023; Attachment 102A) from the City Engineer do not identify the applicant’s IMA conclusion as an issue.

- ✓ The IMA provisions are met.

## 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 proposal includes a recycling and trash enclosure, and the developer might later propose additional fencing or walls. Because the subject property is commercially instead of residentially zoned, the stair-stepped maximum heights of fencing and walls are not applicable. Fencing can and will meet requirements and standards, as well as any conditions of approval, through either building permit review or a fence permit per 5.01.03.

✓ The provisions are met.

#### **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.

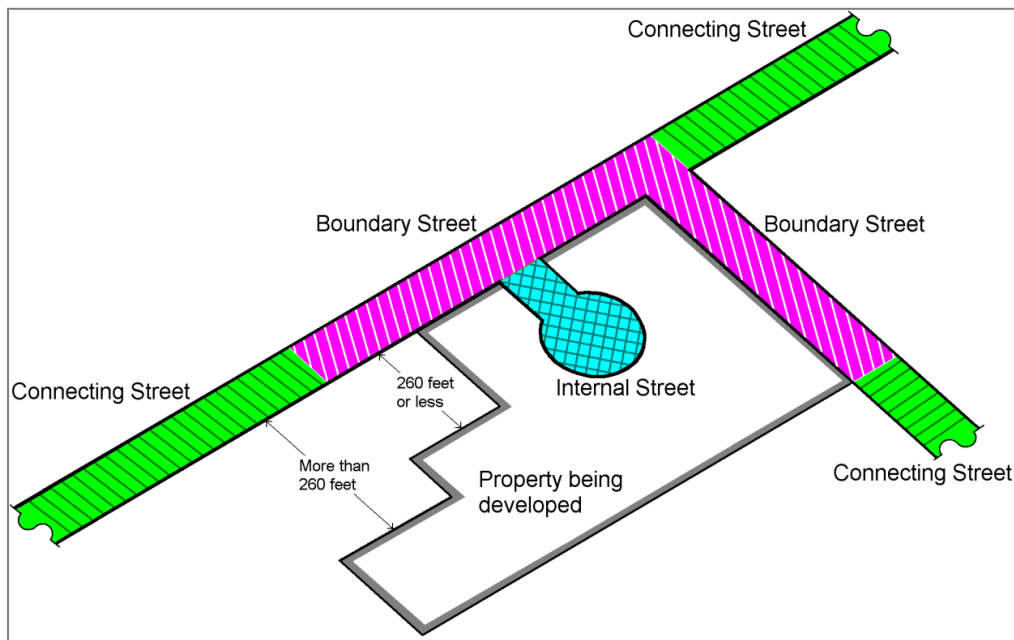
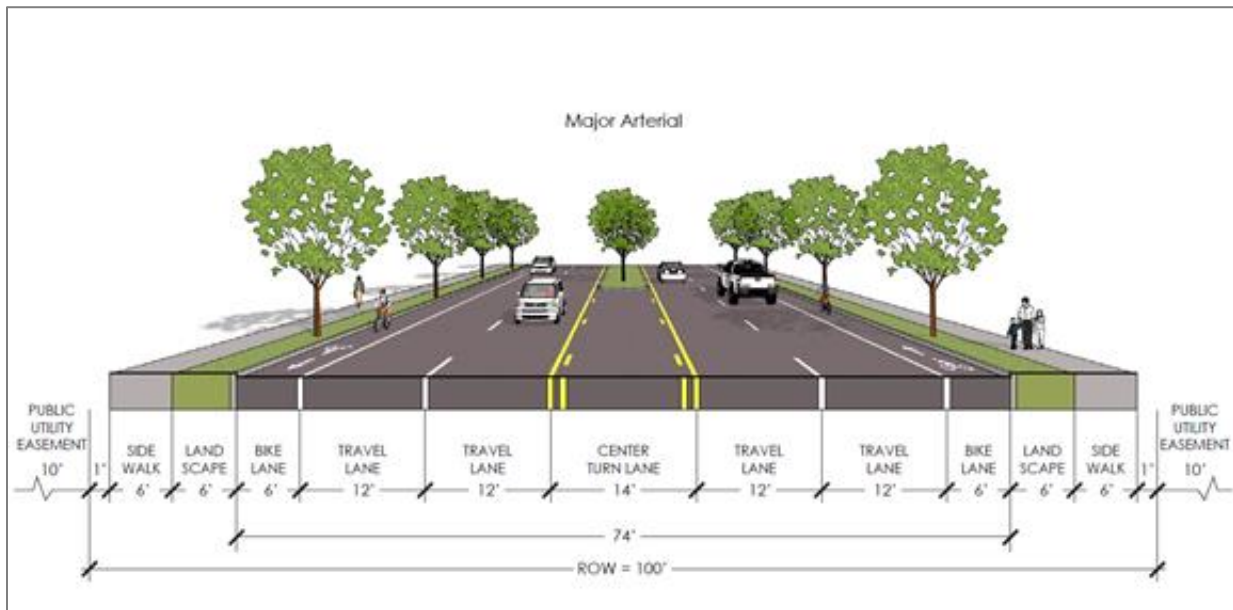


Figure 3.01A – Internal, Boundary, and Connecting Streets

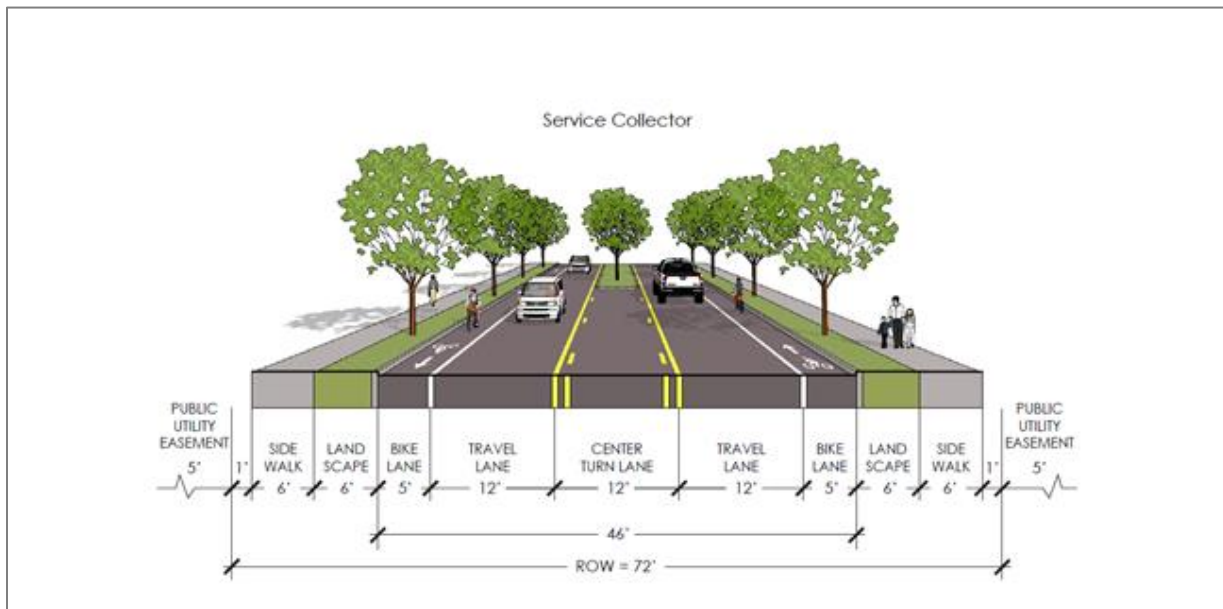
The subject property has frontage along Oregon Highway 219 (OR Hwy 219) / Hillsboro-Silverton Highway and [N.] Arney Road.

\*The Marion County tax map indicates Arney Road NE, and the City geographic information system (GIS) and Google Maps indicate N. Arney Road. The street sign at the SW corner of Arney and Robinson Avenue reads "Arney Rd".

Per Transportation System Plan (TSP) [Figure 2 "Functional Roadway Classification"](#) (Attachment 105), OR Hwy 219 is a Major Arterial and Arney is Service Collector. Respectively, WDO Figures 3.01B & D are applicable:



**Figure 3.01B – Major Arterial**



**Figure 3.01D – Service Collector**

Frontage/public/street improvements are required to upgrade the frontages to present standards per 3.01.01B & D.

### *Long-range Planning*

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

#### *a. OR Hwy 219 (south)*

There appears to exist right-of-way (ROW) of at least 75 feet north of centerline and 125 ft or more total. The appended Public Works comments (August 2, 2023; Attachment 102A) from the City Engineer do not identify desire or need for more ROW, and ODOT did not comment in response to letters of incompleteness and completeness or to the notice of public hearing prior to staff report publication.

Within the roadway, along the central segment of the frontage, there is normative a concrete median strip, two westbound travel lanes, a bicycle lane, curb, landscape strip, and sidewalk. The easterly and westerly portions of the frontage have curb-tight sidewalk due to widening vehicular asphalt area for the right-turn slip lanes respectively from the I-5 off-ramp and towards Arney northbound. Staff assumes the landscape strip is 6 ft wide including curb width based on aerial photography and the undimensioned site plan.

Regarding street trees, 3.06.03A.1 requires a number of trees equal to one tree per every 30 feet of street frontage. Marion County Tax Map 052W12B fails to clearly distinguish the south and east property lines through the labels indicating distances in feet, implying that 170.08 plus 123.66 ft equals the highway frontage. The site plans, particularly existing conditions sheet P100, indicate that the south property line segments mostly nearly parallel with the highway are respectively 183.9 and 41.3 ft totaling 225.2 ft, which rounds to 225 ft. The minimum is  $(225 / 30) = 7.5 \rightarrow 8$ . With 1 existing, though a dwarf, 7 remain required. Staff conditions accordingly, establishing a fee in-lieu, the concept of which 3.06.03A.4 acknowledges and 4.02.12 regulates. The City Council hasn't yet adopted a master schedule of fees in-lieu. By condition, staff establishes willingness administratively per 4.02.12 to accept a fee in lieu of a maximum number of the remaining required number of street trees along the highway and establishes a specific amount, which is necessary to administer 3.06.03A.4 & 4.02.12, based on past practice regarding street trees.

▲ In order to secure highway street trees conforming to 3.06.03A.2, staff applies a condition.

#### *b. Arney (north)*

There appears to exist right-of-way (ROW) of at least 40 feet south of centerline and 80 ft total, more than the total minimum 72 ft. The appended Public Works comments (August 2, 2023;

Attachment 102A) from the City Engineer do not identify desire or need for more ROW, and ODOT did not comment in response to letters of incompleteness and completeness or to the notice of public hearing prior to staff report publication.

The roadway is two lanes with a two-way left turn lane (TWLTL). There is a bicycle lane, curb, landscape strip with street trees, and sidewalk.

■ *Street Adjustment:* The landscape strip width of 5.5 ft including curb width is 6 inches narrower than the standard 6 ft including curb width. Rather than upgrade by demolishing a 6-inch width of sidewalk to widen the planter strip and paving 6 inches along the other side of sidewalk, the applicant submitted a Street Adjustment application that staff examines below under the Street Adjustment Provisions section.

Regarding street trees, 3.06.03A.1 requires a number of trees equal to one tree per every 30 feet of street frontage. Marion County Tax Map 052W12B indicates road frontage of 126.04 ft, which staff rounds to 126. The minimum is  $(126 / 30) = 4.2 \rightarrow 4$ . With 1 existing, 3 remain required. Staff conditions accordingly, establishing a fee in-lieu, the concept of which 3.06.03A.4 acknowledges and 4.02.12 regulates. The City Council hasn't yet adopted a master schedule of fees in-lieu. By condition, staff establishes willingness administratively per 4.02.12 to accept a fee in lieu of a maximum number of the remaining required number of street trees along Arney and establishes a specific amount, which is necessary to administer 3.06.03A.4 & 4.02.12, based on past practice regarding street trees.

▲ In order to secure Arney street trees conforming to 3.06.03A.2, staff applies a condition.

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

⊖ None are applicable per 3.01.07B or Table 3.01A.

### **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.**

City bus transit runs along OR Hwy 219 westbound to Arney Road and along Arney northbound and eastbound to the outlet mall, returning westbound past the subject property and onto Robin Avenue per Transportation System Plan (TSP) Figure 7 “Existing Transit Routes and Facilities” (Attachment 106).

Across the road from and a little east of the subject property is the westbound stop (the to-downtown-Woodburn stop), which is lightly improved with a concrete pad in addition to the minimal pole sign.

The Transit Development Plan (TDP; Resolution No. 2213) Figure 63 “Preferred Service Plan Bus Stop Changes” on p. 80 (Attachment 104A) identifies system route changes establish three routes, of which Route C (delineated in purple) would constitute a Highway 214 express route that would pass along the present route to and from the outlet mall. Below is an excerpt of TDP Fig. 63:

# BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes

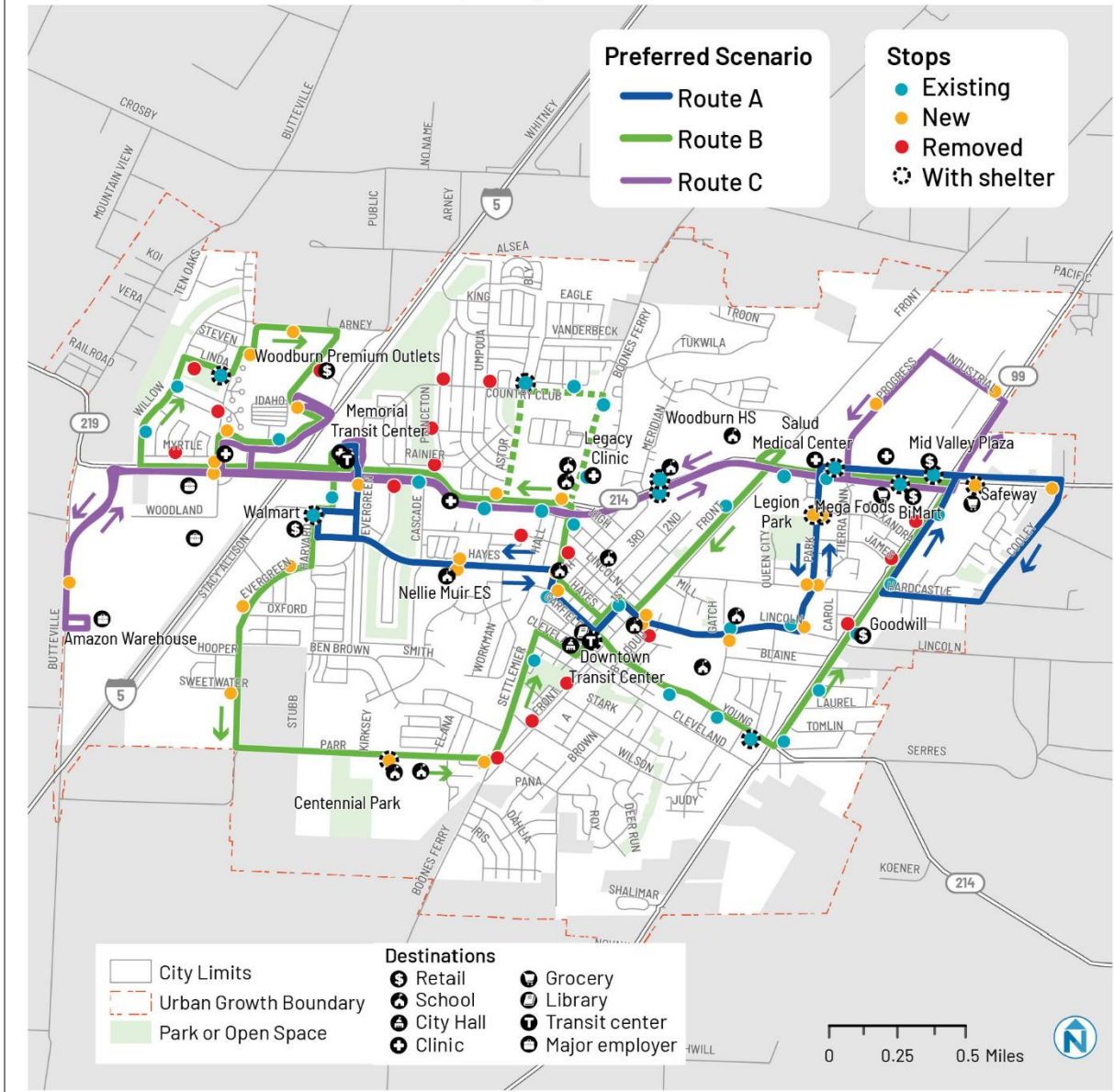


Exhibit TDP 63

The existing bus stop is to remain (symbolized with a blue dot), and a highway eastbound new bus stop is proposed nearby to the southwest at the SW corner of the highway and Woodland Avenue (symbolized with an amber dot).

The City has been collecting and collects from developments fees towards capital improvements, particularly improving existing and new bus stops with shelters, including:

- ANX 2020-01 & PUD 2020-01 Trillium Reserve subdivision



- ANX 22-02 & PUD 22-02 Marion Pointe / Macadam at Tukwila subdivision
- CU 21-02 US Market gas station
- DR 21-07 Amazon warehouse
- DR 22-02 Project Gamos (Specht industrial development, Evergreen Rd)
- DR 22-26 Chick-fil-A
- PUD 22-01 Mill Creek Meadows subdivision.

TDP Figure 68 “Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)” on p. 94 (Attachment 104B) identifies that each “enhanced” stop – one with more than a pole sign – costs an estimated \$15,000. Below is an excerpt of TDP Fig. 68 and its Note 6:

**CAPITAL PLAN**

Estimated capital costs over the life of the planning horizon are summarized below in Figure 68, which summarizes the estimated costs associated with planned vehicle replacements as well as capital improvements associated with the service improvements. Capital improvements include vehicle expansion, new bus stops, and technology improvements. Details for each of these capital improvement categories are provided below.

**Figure 68 Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)**

Capital Improvement	Current	Near-Term				Mid-Term			Long-Term	Notes
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30		
Paratransit vehicle replacement	\$80,000	\$360,000	\$82,000						1, 2	
Fixed route vehicle replacement	\$340,000		\$480,000						1, 2	
Fixed route vehicle expansion (Route C)		\$1,108,000							3	
Electric vehicle chargers/infrastructure		\$321,000							4	
Fixed route vehicle expansion (Routes A and B)					\$1,246,000		\$1,348,000		3	
New basic bus stops		\$77,500							5	
New enhanced bus stops		\$60,000		\$30,000		\$30,000		\$30,000	6	
<b>Annual Total</b>	<b>\$420,000</b>	<b>\$1,926,500</b>	<b>\$562,000</b>	<b>\$30,000</b>	<b>\$1,246,000</b>	<b>\$30,000</b>	<b>\$1,348,000</b>	<b>\$30,000</b>		

6: Assumes \$15,000 per enhanced bus stop. This includes design and construction of a new bus stop pad, new bus stop pole and signage, and new shelter with bench.

The plan estimates each enhanced bus stop at \$15,000.

In the vicinity of the proposed development, there are two vacant properties – 114 [N.] Arney Rd (Tax Lot 052W12B001101), which is northwest adjacent to the subject property and appearing to be under the same ownership as the subject property, and the property with no street address (Tax Lot 052W12B000604) at the NE corner of Arney and Robin Avenue that is along East Senecal Creek and owned by the Moore Clear Co. – and a developed property that market forces would likely redevelop: the Portland-Woodburn RV Park at 115 [N.] Arney Rd. For this reason, instead of conditioning a bus shelter or fee in lieu of one for the proposed development, staff applies a fair-share or proportionate fee in-lieu that divides the estimate cost of \$15,000 by half, which equals \$7,500, the idea being one or more of the other future developments would contribute to make up the difference and fund a bus shelter in this area of the city.

There is no fee equivalent to a “system development charge”, which is limited to capital improvement, for operations, about which Transit Development Plan (TDP) Figure 67 “Financial Plan – Operating Costs (2023/24 to 2029/30)” on p. 93 provides guidance. A bus transit / transit service fee indirectly lessens burden on spending of City general revenue and transportation system development charge (SDC), which besides being limited to capital improvement focuses on automotive improvement. The City applied a rounded amount of \$166 per stall for all or some stalls to each of three commercial/industrial examples:

- CU 22-02 Townsend Farms industrial addition
- DR 21-07 Amazon warehouse; and
- DR 22-26 Chick-fil-A.

Staff notes that the proposed condition applies only to 2 parking stalls, 2 out of 86, because the minimum off-street parking ratio is premised on there being 1 stall for each of 84 rooms plus 2 more, and staff finds it reasonable that the 2 stalls above those intended for guest vehicles are, when parked in, likely to be parked in by employees, and for employees riding the bus is a likelier possibility than for the majority of motel guests. Plus, because the proposal meeting the minimum off-street ratio, if and where there is full occupancy of the motel by guests, there would be 2 parking spaces left for share among any of employees and visitors such as contractors, janitors, and vendors, which would induce at peak parking periods employees riding the bus. A modest financial contribution towards City bus operations by the motel addition is warranted.

A fee is in service of Transportation System Plan (TSP) Objectives:

Objective	Page No.	Comments
1A	17	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>An enhanced bus stop in the West Woodburn commercial district would attract traditional auto users to use the system among those who work in the vicinity and travelers.</p>
4A	19	<p>“Identify new and innovative funding sources for transportation improvements.”</p> <p>Having developments contribute towards adjacent or nearby enhanced bus stops lessens burden on City general revenue.</p>

A fee is in service of Comprehensive Plan policies:

<i>Table H</i>		
<i>Policy</i>	<i>Page No.</i>	<i>Comments</i>
H-1.1	34	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>An enhanced bus stop in the West Woodburn commercial district would attract traditional auto users to use the system among those who work in the vicinity and travelers.</p>
H-2.3	34	<p>“Encourage multi-model transportation options, including park-and-ride facilities, carpooling, and use of transit services.”</p> <p>An enhanced bus stop in the West Woodburn commercial district would attract traditional auto users to use the system among those who work in the vicinity and travelers.</p>
H-4.1	35	<p>“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.”</p> <p>Having developments contribute towards adjacent or nearby enhanced bus stops lessens burden on City general revenue.</p>

A bus transit / transit service fee in-lieu is in in keeping with the intent found within the purpose statement that opens WDO 3.01.09 “Bus Transit Improvements” to:

“[P]rovide for apparent, attractive, and dignified regional and City bus transit facilities, to improve service, especially to include and be equitable toward Woodburn residents who cannot or do not own private vehicles or drive, to extend the reach of those walking and cycling, to implement Woodburn Comprehensive Plan policies, to implement the Transportation System Plan (TSP), to implement the Transit Plan Update that supplements the TSP, ... and to have developers improve bus transit stops that have few or no improvements.”

▲ Staff applies a condition for an enhanced bus stop fee in lieu of half a bus shelter.

## **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.**

Neither the site plan (Sheet P200) nor the utility plan (Sheet P210) delineates and note intended conformance (through recordation after land use approval with conditions), whether through conforming PUEs that existing, if any, or through granting of streetside PUEs and any off-street PUEs the Public Works Department Engineering Division might require.

Staff applies a condition accordingly. Public Works requires various off-street PUEs for on-site improvements such as fire suppression water lines and fire hydrants, and likely separate conditions establish a one or more public easements or other legal instrument to implement topics such as sidewalk overlap of the subject property.

▲ Staff applies a condition for the required streetside PUE(s).

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

The appended Public Works comments (August 2, 2023; Attachment 102A) from the City Engineer likely comments upon street lighting. Public Works will review street lighting 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.**

Neither of frontages along OR Highway 219 or Arney has electric power poles and lines.

⊖ Not applicable.

## **3.03 Setbacks and Open Space**

### **3.03.02 Street Widening Setbacks**

⊖ Because as examined either earlier above for 3.01 or below in the Street Adjustments Provisions section, no ROW dedication is required, the Street Widening Setback is not 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.

...

- C. Uncovered decks, not more than 18 inches above final grade, shall maintain at least a three foot setback from the property line or Street Widening 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 that neither the existing building or proposed addition is within 5 ft of the existing 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

##### A. Drive-Through Lane Dimensions and Configuration

1. **Minimum Lane Width: 10 feet**
2. **Minimum Lane Length: 50 feet, unobstructed by lateral vehicular access. Precluded lateral vehicular access shall include the access/maneuvering area for off-street parking and overlap onto public street right-of-way. The unobstructed length shall be measured from the drive-up window or stop line, whichever is greater.**
3. **Buffering/screening: A drive through in yard abutting a street shall be buffered or screened to the same standards as Section 3.06.05B and shall include a minimum number of trees equal to 1 per 30 lineal feet of drive-through aisle. Where a streetside PUE per Section 3.02.01 applies such that it overlaps or exceeds a drive-through aisle proposed setback, and, per the Public Works Director this would preclude planting of new trees or construction or installation of screening within that area of yard that the PUE overlays, the drive-through aisle street setback shall increase to a minimum equal to the streetside PUE width plus 3 feet.**

The proposed motel redevelopment has no drive-throughs.

— 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.

The proposal neither has nor proposes an Oregon Highway 219 driveway subject to stringent conventional access management, has and will retain one Arney driveway, and is for a property that already has a cross access easement (CAE) or shared access easement to the benefit of the three abutting CG-zoned properties to the west and northwest thanks to the “joint driveway easement” recorded in Marion County Reel 1682, Page 569 (April 11, 2000).

✓ The provisions are met.

<b>Access Requirements Table 3.04A</b>		
		<b>Commercial or Industrial Use</b>
<b>Paved Width of Driveway (feet)</b> <small>3, 4, 7, 8</small>	<b>1-way</b>	<b>10 minimum 20 maximum</b>
	<b>2-way</b>	<b>Commercial/Mixed-Use: 20 minimum 24 maximum* *(Add 12 ft maximum if a turn pocket is added)</b>
<b>Industrial: 22 minimum 36 maximum* *(Add 8' if a turn pocket is added)</b>		
<b>Throat Length (feet) <sup>5</sup></b>	<b>Major Arterial, Minor Arterial, Service Collector</b>	<b>Commercial: 36 minimum; Industrial: 50 minimum</b>
	<b>Access or Local Street</b>	<b>18 minimum</b>
	<b>Access or Local Street</b>	<b>30 minimum</b>
	<b>Service Collector</b>	<b>50 minimum</b>



<b>Access Requirements</b>		
<b>Table 3.04A</b>		
<b>Corner Clearance (feet) Guidelines <sup>1</sup> (See Figure 3.04B)</b>	<b>Minor Arterial</b>	<b>245 minimum</b>
	<b>Major Arterial</b>	<b>300 minimum</b>
<b>Driveway Separation Guidelines (feet) <sup>1, 2</sup> (See Figure 3.04B)</b>	<b>Driveway on the same parcel</b>	<b>50 minimum</b>
	<b>Access or Local Street</b>	<b>None</b>
	<b>Service Collector</b>	<b>50 minimum</b>
	<b>Minor Arterial</b>	<b>245 minimum</b>
	<b>Major arterial</b>	<b>300 minimum</b>

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 existing driveway, which is along Arney, is wider than 24 ft – too wide. To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a commercial context, the developer needs revise the site, composite utility, and landscape plans – or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the Public Works Engineering Division – either to illustrate and dimension the approach, apron, curb cut, or ramp of the Arney driveway at max width 24 ft or, if having a left turn pocket, then 36 ft; or, to document if and how Table 3.04A footnote 7 about Woodburn Fire District (WFD) OFC administration is applicable.

 Staff applies a condition about maximum driveway width.

### **3.04.03A. Unused driveways shall be closed.**

- None exists.

### **3.04.03C. Interconnected Parking Facilities.**

Because the proposal is a single, integrated site development for one primary use – a motel – and not like a commercial strip mall, there being no obvious aerial photo indication of parking shared with any of the adjacent Jack in the Box fast-food restaurant at 110 [N.] Arney Road or the Shell gas station at 100 [N.] Arney Road as well as there being no documentary evidence of an optional shared parking agreement, the provision is not applicable.

- Not applicable.

### **3.04.04 Improvement Standards**

The site plans illustrate 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 submitted April 6, 2023 among the application materials a revised Exhibit C “trip generation assessment memo (revised)” dated March 27, 2023 that on pages 2 & 3 indicate the premise of ITE land use code 310 “Hotel Lodging”, which is a rate based on trips per room. For the existing motel of 60 rooms, application of the rate assumes that the existing hotel generates 36 p.m. peak hour trips and 479 daily trips and that with the addition of 24 rooms for 80 rooms total, the rate as applied to the proposal would generate an additional 14 p.m. peak hour trips and an additional 191 daily trips for totals of 50 during the p.m. peak and 670 daily.

The memo on p. 2 addresses the above thresholds, finding none met.

The appended Public Works comments (August 2, 2023; Attachment 102A) from the City Engineer do not identify the applicant’s trip generation assessment memo as an issue.

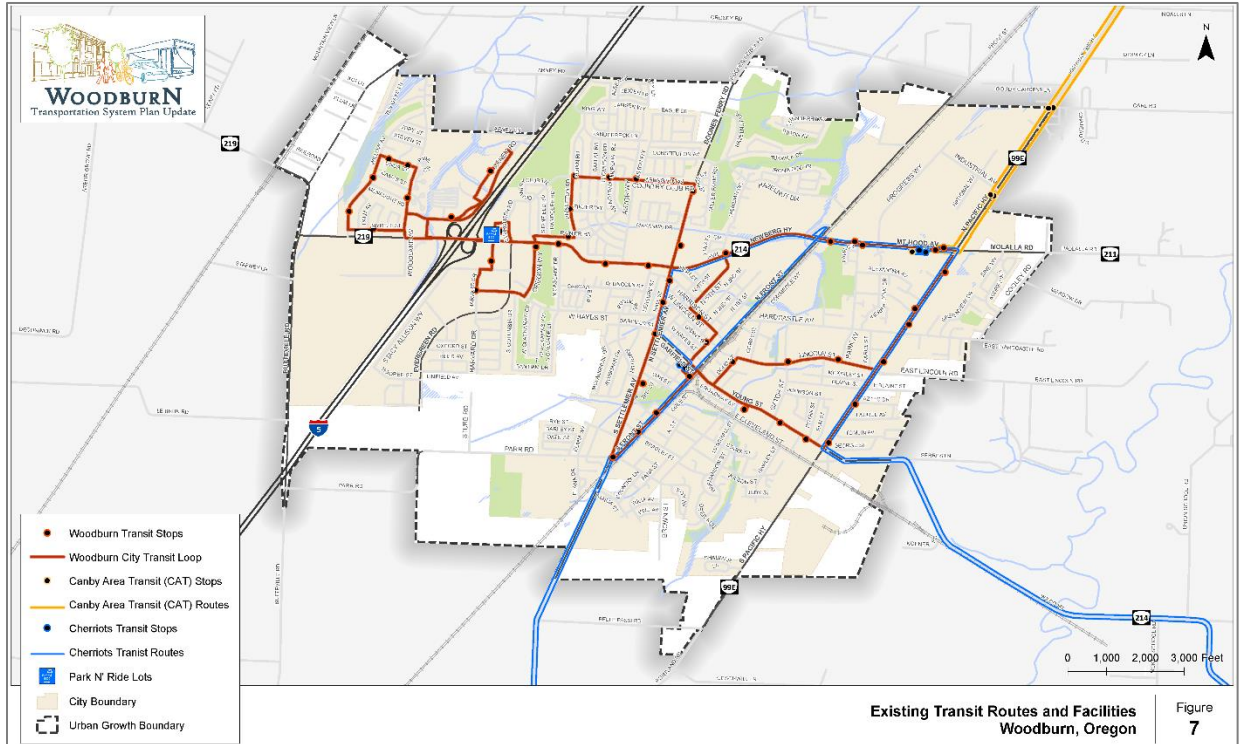
✓ The requirement is met.

#### *Additional Issues: Walking & Cycling*

Under the Street Adjustment Provisions section farther below, staff cites Comprehensive Plan policies that – together with the TSP and Transit Development Plan (TDP) projects as described here in the Design Review Provisions section and below in the “Additional Issues: Bus Transit” subsection – advance walking and cycling. Staff conditions accordingly.

#### *Additional Issues: Bus Transit*

Presently, the Woodburn Transit System (WTS) bus loops through east, central, and west Woodburn and reaches reach along OR Highway 219 and up north and east along Arney Road in front of the subject property:



TSP Figure 7 (2019)

Neither Salem-Keizer Cherriots nor Canby Area Transit (CAT) run along the highway.

As staff examined earlier above for 3.01.09, a fee in lieu of an enhanced bus stop (or a fee that contributes toward some of one) is relevant.

*Additional Issues: Safety Study Corridor*

Both TSP 2019 Figures 4 “Freight Routes” & Figure 5 “Traffic Safety Plan Elements” (Safety Study Corridors) are relevant to OR Hwy 219 along the subject property. Figure indicates the highway as a “Safety Study Corridor”. The TSP provides no definition, and the appended Public Works comments (August 2, 2023; Attachment 102A) from the City Engineer do not identify “Safety Study Corridor” as an issue.

*Additional Issues: Intercity Bus Transit*

Vehicle trips are within the areas served by the Wilsonville South Metro Area Transit (SMART) transit agency, TriMet that serves the remainder of the Portland metro area and operates the Westside Express Service (WES) commuter rail line that has a terminal in Wilsonville and

connects to the Metropolitan Area Express (MAX) light rail Blue and Red Lines at Beaverton Transit Center, and the Salem metro area Cherriots transit agency.

Having express busses to and from connections with SMART bus, TriMet rail, and Cherriots bus connections during morning and afternoon commutes would induce subject project residents to consider seriously riding these express busses, and were there midday service too, even more so. Additionally, Cherriots contracts with and oversees a vanpool service that serves Woodburn and both metro areas, [Valley VanPool](#).

In addition to the TSP, the City “Transit Development Plan” (TDP) guides the provision of transit services and facilities in Woodburn through 2030 and supplements the TSP.

As staff examined earlier above for 3.01.09, a fee in lieu of an enhanced bus stop (or a fee that contributes toward some of one) is relevant.

### **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.**

**C. Walkway: Minimum 1 per frontage except where a wide walkway supersedes. Minimum width 6 feet and may have stairs.**

The proposal is commercial development of the subject property that has two frontages.

The site plans illustrate a wide walkway for each of the Oregon Highway 219 and Arney Road frontages that both connect sidewalks. The highway one connects to the main building entrance, which is at the south, and the Arney one connects to a highly visible side door in the mostly glassed wall of the main floor dining area, and which might or might not be a second public entrance guests and employees could freely use. Because of how demanding the minimum off-street parking requirement is for lodging, because the site was developed as a motel pre-dating the WDO and is constrained by both I-5 and Oregon Highway 219 retaining walls, because the south/SE façade of the motel has and will continue to have the main entrance at the south facing existing and expanded parking and that will be covered by a porte-cochère, indicating that most arrivals and departures will be to and from parked cars rather than on foot, and last because the wide walkway requirement does not explicitly say that it must reach a main entrance though it is clearly implied, staff chooses not to force a wide walkway connection from Arney that reaches the main entrance. Each wide walkway is minimum 8 ft and not gated and per the site plans appears able to be constructed as to be ADA-compliant.

✓ The requirements are met.

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

### **3.05.02 General Provisions**

The site plans illustrate that the proposal meets the general provisions for the most part, except where conditions require correction and revision. Namely, the proposal fails to meet 3.05.02H that, "All parking spaces, except those for residential development other than multiple-family dwellings, shall be constructed with concrete or rubber bumper guards or wheel barriers maximum 4 inches high that prevent vehicles from damaging structures, projecting over walkways so as to leave less than 4.5 feet of unobstructed passage, or projecting over wide walkways, abutting properties, or rights-of-way". Specifically, the two

compact parking stalls along the highway wide walkway north end lack wheel stops to prevent vehicles from projecting over the wide walkway fully up to its junction with the building perimeter walkway.

▲ In order to secure wheel stops within the building east perimeter parking stalls to prevent vehicles from projecting over the wide walkway and conform to 3.05.02H, staff applies a condition.

**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).

...

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

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

**F. Garages ...**

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

<b>Off-Street Parking Ratio Standards</b>	
<b>Table 3.05A</b>	
<b>Use<sup>1</sup></b>	<b>Parking Ratio - spaces per activity unit or square feet of gross floor area</b>
<b>RESIDENTIAL</b>	
<b>2. Rooming/boarding house, hotel, motel, and other traveler accommodations</b>	<b>2 parking spaces + 1/ guest room</b>
<p><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></p>	



The applicable parking ratio is for “rooming/boarding house, hotel, motel, and other traveler accommodations”. The math of 84 net total motel rooms x 1, plus 2 = 86 stalls minimum parking. The site plan proposes this, meeting the minimum standard.

#### *Compact Parking*

The proposal has 16 compact parking stalls. Because the total minimum parking is 86 stalls,  $16 / 86 = 18.6\%$ , neither meeting nor exceeding the compact parking 20% maximum, which would allow up to  $17 / 86$  stalls.

#### *Garages / Carports*

Because the proposal is non-residential, this is not applicable.

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

Parking stalls meet Table 3.05A minimum dimensions. Regarding footnote 3 and as examined above for 3.05.02H, wheel stops are missing from a segment of highway wide walkway and conditioned accordingly.

✓ The requirements are met.

**Carpool/Vanpool Parking  
Table 3.05C**



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>	<b>n/a</b>
	<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>1. Standard applies even if the site is not zoned P/SP.</b> <b>2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.</b>		

Because the proposal requires minimum 86 parking spaces and so falls within the tier, "66 or more total [minimum required off-street parking spaces]", 2.58 → 2 carpool/vanpool (C/V) parking stalls are required. The proposal is 3, exceeding the minimum standard of 2.

✓ The requirements are met.

**Off-Street Bicycle Parking  
Table 3.05D**



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: (1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or (2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.</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

...

Based on the “whichever of the two rates is greater”, the rates are flat 2 stalls,  $(15\% \times 86) = 12.9 \rightarrow 13$  stalls, and  $(\text{approximately } 53,000 \text{ sq ft} / 1,000] \times 0.6) = 32$  stalls. The standard is minimum 32 stalls, which the proposal meets – indoors and out.

The site plans through Sheet A1.1 propose both indoor and outdoor bicycle parking. Outdoors, at the building NE corner along the Arney wide walkway are 8 stalls through four U-racks. Indoors, floor plan Sheet A2.01 illustrates a bicycle storage room labeled for and with symbols illustrating capacity for 24 bicycles through vertical racks, that is, wall-mounted racks. (The rooms happens to be located on the main floor with access from the main corridor and near the combined lobby and dining area, breakfast room, meeting room, and staff offices.) The total supply is 32 bicycle parking stalls.

Nothing in 3.05.06 requires minimum bicycle parking to be outside at all, and staff interprets the 3.05.06C.5 proximity requirement (within 50 ft of main entrance) to be applicable only for outdoor bicycle parking. If within conditioned space, bicycle parking can be anywhere within it without reference to a main entrance. The proposal exceeds staff minimal preference previously expressed to the applicant for a fair amount of the supply remaining available to guests, though nothing in 3.05.06 precludes some of the supply being employee-access only, e.g. available through a break or locker room. Incidentally, for this proposal, staff is willing to and does consider the north door – highly visible side door in the mostly glassed wall of the main floor dining area, and which might or might not be a second public entrance guests and employees could freely use – a main entrance for purposes of proximity of the outdoor bicycle parking.

The proposal indicates U-racks placed such that most of the standards of the bicycle parking itself are met – except 3.05.06C.4 (signage), based on the location and site plan layout necessitating a sign at the main entrance directing to the outdoor bicycle parking proposed at the north of the building and to the indoor bicycle parking;

▲ Staff applies a condition to secure conformance with 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>2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.</p> <p>3. See Section 3.05.03I below for EV development standards.</p> <p>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>		

**3.05.03I**

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.

Because the proposal requires minimum 86 parking spaces and so falls within the tier, "40 or more [total minimum required off-street parking spaces]", 2 stalls or 5%, whichever is greater, is required. Between 2 stalls or  $86 \times 0.05 = 4.3 \rightarrow 4$ , 4 stalls are the min required.

The site plans label 4 EV stalls along a building perimeter walkway at the building south side and west of and near the building main entrance. Otherwise, conformance with 3.05.031.2, 3, & 4 (charging level, striping, and signage) is unclear, so staff applies a condition to demonstrate such by building permit issuance.

▲ Staff applies a condition to secure conformance with EV parking standards.

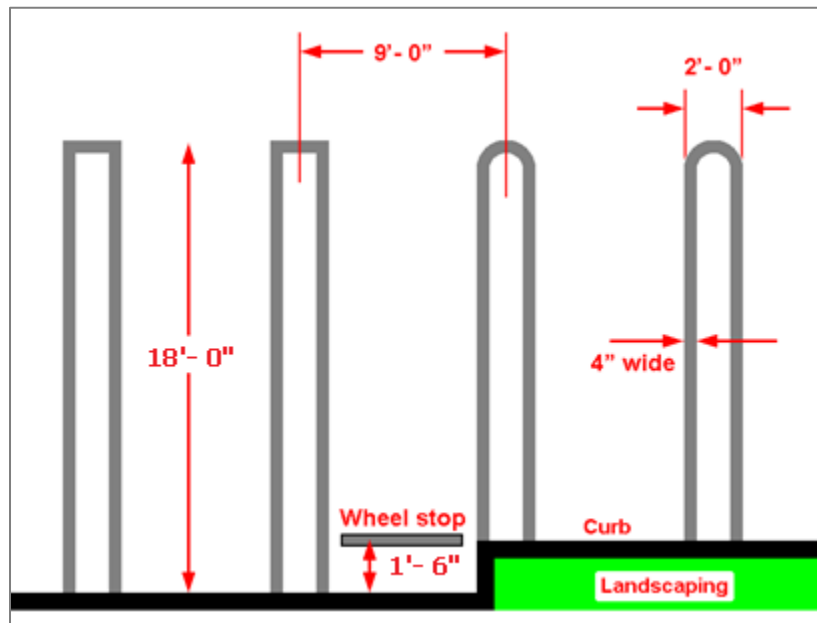


Figure 3.05C - Parking Space Striping

The applicant proposes all stalls, which are all at 90° to the drive aisle with dimensions and curbing that meet or exceed the minimum. Regarding double-striping, the site plan represents conventional single stripes, and no obvious call-out or note indicates double-striping per Figure 3.05C, confirming that the developer likely would have striped single-stripe stalls, necessitating resolution prior to building permit issuance to have correct striping.

▲ To secure double-striping of parking, staff applies a condition.

### **3.05.04 Off-Street Loading**

**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.**

Such is apparent through the site plan.

✓ 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 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.**

The applicant opts to provide six-inch instead of four-inch curbing.

The landscape plans show on-site conformance generally, including on-site, private irrigation.

✓ The requirements are met.

### 3.06.03 Landscaping Standards

#### A. Street Trees ...

Staff examined this earlier above under 3.01 following the excerpted street cross sections for each of the three streets.

#### 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>



<p><b>4. Off-street parking and loading areas</b></p>	<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>1 PU/20 square feet excluding required trees<sup>2</sup></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>
<p><b>5. Common areas, except those approved as natural common areas in a PUD</b></p>	<p>3 PU/50 square feet</p>	<p>Entire common area</p>
<ol style="list-style-type: none"> <li>1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces.</li> <li>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.</li> </ol>		

The landscape plans appear to show the requirement is met.

✓ The requirement is met.

**C. Parking area landscape island standards: Landscape islands or peninsulas shall cap each aisle end to protect parked vehicles from moving vehicles, emphasize vehicular circulation patterns, and shade vehicles and pedestrians. Structured parking is exempted.**

1. Each south, southwest, and west island or peninsula cap of a parking aisle shall be minimum 84 square feet within back of curbing, narrowest dimension 6 feet within back of curbing, and contain a tree.
2. Remaining islands and peninsulas shall be minimum 28 square feet within back of curbing and narrowest 2 feet within back of curbing, except where subsection 3 below supersedes.
3. There shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula. For consecutive parking spaces that include one or more accessible/ADA spaces and their aisles, the maximum shall be 9 consecutive parking spaces. Mid-aisle landscape islands or peninsulas shall be to the same standards as subsection 1 above.

4. **At drive aisle crossings of walkways and wide walkways that respectively Sections 3.04.06D and 3.05.02N describe, each south, southwest, and west side shall have a landscape island or peninsula to the same standards as subsection 1 above.**

One area would fail to meet C.4: Oregon Highway 219 wide walkway crossing of a drive aisle, south end, wet side. There is no landscaped area per C.4. However, the developed site through the proposal barely accommodates the minimum and only the minimum required off-street parking, and there is no room to fit in a conforming island without cascading effects on the site plan that would lose a surface parking stall. Prompting radical change that might necessitate consolidation of parking area through structured parking (a parking deck) seems unwarranted and too late in the land use review process to propose seriously to the applicant. Also, the other upgrades to conform, such as the highway wide walkway itself, are more important in the scheme of things. For these reasons, staff chooses to disregard this item.

✓ The requirement is met.

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

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

The landscape plans illustrate minimum sizes at planting.

✓ The requirement is met.

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

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

###### *Architectural Wall*

⊖ Because the two adjacent lots are also zoned CG, the requirement is not applicable.

###### *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 such exceeding minimum height 6 ft. For the wall design standards, see below under 3.06.06.

**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 is parking closer to both Oregon Highway 219 and Arney than the building, the provision is applicable. The landscape plan illustrates conformance through landscaping along Arney, and because the site is well below the grade of the retaining walls that hold up and in the I-5 southbound off-ramp and the highway, the grade difference and retaining walls serve to screen.

✓ The requirement is met.

**3.06.06 Architectural Walls**

**B. Design Standards and Guidelines**

*Architectural Wall*

None is proposed or required as examined earlier above for 3.06.05A.

*Architectural Wall: Recycling and Trash Enclosures*

The recycling and trash enclosure wall as Sheet A5.00 illustrates is conforming and would happen to be near and below the top of the highway retaining wall, meaning not visible by highway travelers.

✓ The requirement is met.

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

**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 obvious additional or altered retaining walls, the provisions would not be applicable. However, things can happen when construction drawings are drawn up and construction begins in the field, and the developer will be cutting through a portion of existing highway retaining to provide a required site upgrade: the highway wide walkway, which will have switchbacks to negotiate slope and have the slope be ADA-compliant. So, staff anticipates by applying a condition so that the provisions, which are meant to make such walls less ugly, would be met.

▲ To secure conformance with retaining wall provisions, staff applies a condition.

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

The subject property contains one Significant Tree, a 24-inch cedar near the site NE corner, which the site plans propose to preserve. Staff conditions anticipating possible injury or killing during construction because required site upgrades – the Arney wide walkway and one of the stalls required to meet minimum off-street parking – come close to the tree.

▲ To secure Significant Tree preservation, 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.**
- 2. 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.**

The site plans and building elevations show largely what the guidelines describe. Because the land use review is Type III, and the City can apply some, all, or none of the architectural provisions through discretion, staff applies some of the provisions as standards, the first to have 30% window are along one of the two-street-facing facades, and makes it easier for the applicant by requiring only 25% on the other street-facing façade. Staff also spells out how to implement 3.07.06B.1b(4) & B.5a about awnings/canopies at the entrances to which both of the wide walkways come. Staff also requires conformance with the above 3.07.06B.4 about screening of roof-mounted equipment.

 To secure conformance with select architectural provisions, staff applies a condition.



## **Street Adjustment Provisions**

### **5.03.03 Adjustment to Street Improvement Requirements (“Street Adjustment”)**

Same as Section 5.02.04 except that land use review is Type III.

### **5.02.04 Adjustment to Street Improvement Requirements (“Street Adjustment”)**

- A. Purpose:** The purpose of a Type II Street Adjustment is to allow deviation from the street standards required by Section 3.01 for the functional classification of streets identified in the Woodburn Transportation System Plan. The Street Adjustment review process provides a mechanism by which the regulations in the WDO may be adjusted if the proposed development continues to meet the intended purposes of Section 3.01. Street Adjustment reviews provide discretionary flexibility for unusual situations. They also allow for alternative ways to meet the purposes of Section 3.01. They do not serve to except or exempt from or to lessen or lower minimum standards for ROW improvements, with exceptions of subsections B & H. A Street Adjustment is for providing customized public improvements that substitutes for what standards require, while a Variance is for excepting or exempting from, lessening, or lowering standards, with exceptions of subsections B & H. A Street Adjustment for a development reviewed as a Type I or II application shall be considered as a Type II application, while development reviewed as a Type III application shall be considered a Type III application.
- B. Applicability:** Per the Purpose subsection above about improvements, and regarding ROW Street Adjustment may be used to narrow minimum width. Regarding alleys or off-street bicycle/pedestrian corridor or facility standards, see instead Zoning Adjustment.
- C. Criteria:**
  - 1. The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;
  - 2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;
  - 3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;
  - 4. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.
  - 5. The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.
  - 6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.

7. **Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.**
  8. **A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.**
- D. Minimum Standards: To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, the minimum standards for rights-of-way and improvements for Boundary and Connecting Streets per Sections 3.01.03C & D continue to apply. Exempting from or lessening or lowering those standards shall require a Variance. Deviation from applicable public works construction code specifications would be separate from the WDO through process that the Public Works Department might establish.**
- E. Factors: Street Adjustment applications, where and if approved, 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.**
- F. Bicycle/pedestrian facility: If and where a Street Adjustment application requests to substitute or omit one or more required bicycle facilities, such as bicycle lanes, and the City approves the application, then the following should apply: For each substitute or omitted facility, the developer would construct a minimum width 8 feet bicycle/pedestrian facility on the same side of street centerline as the substituted or omitted facility. The City may condition wider.**
- G. Landscape strip: If and where a Street Adjustment application requests to adjust one or more required landscape strips from between curb and sidewalk, and the City approves the application, then the list below should apply. This subsection is not applicable to bridge / culvert crossing.**
1. **Sidewalk: Construction of sidewalk minimum width 8 feet on the same side of street centerline as the adjusted landscape strip. The City may condition wider.**
  2. **Planting corridor: For each landscape strip that is relocated, delineation and establishment of a street tree planting corridor along the back of sidewalk in such a way as to allow newly planted trees to not conflict with any required streetside PUE to the extent that the Public Works Department Engineering Division in writing defines what constitutes a conflict. To give enough room for root growth, the corridor minimum width would be either 6 feet where along open yard or 7 ft where it would be flush with a building foundation. This would include installation of root barriers between the trees and street centerline to public works construction code specification.**
  3. **ROW: Where necessary to meet the above standards, dedication of additional ROW even if the additional is more than the minimum additional dedication that Section 3.01 requires.**



**4. Planting in ROW required: Street trees would not be planted in the yard outside ROW.**

- H. If the applicable Boundary Street minimums are the lesser minimums for residential development of 4 or fewer dwellings and where no land division is applicable, ...**
- I. Plan review: An applicant shall submit among other administratively required application materials scaled drawings, including plan and cross section views, of proposed street improvement widths, extents, and details as well as existing conditions and proposed development site plans that include property and easement lines and physical features some distance beyond the boundaries of the subject property for fuller context.**

#### *Background*

The Street Adjustment (SA) land use application type was formerly known as Street Exception (EXCP) until WDO legislative amendment LA 21-01 via Ordinance No. 2602 adopted May 9, 2022.

Because the street improvements that do exist are enough to meet the minimal standards of 3.01.03C.1 that are applicable to all roads and streets regardless of functional class, per 5.02.04D no variance application was needed.

#### *Context*

The existing Arney Road street frontage is nonconforming relative to WDO Figure 3.01D “Service Collector”, and Street Adjustment is relevant to deviation from the applicable cross section. The primary nonconformity of the existing street cross section that the landscape strip is 6 inches too narrow (5.5 ft including curb width instead of 6 ft including curb width) and that much of the area among trees has eroded from grass to bare dirt. Also, along Oregon Highway 219 – “the highway” – the number of street trees is fewer than minimum.

The appended Public Works comments (August 2, 2023; Attachment 102A) from the City Engineer do not object to, comment on, or condition the Street Adjustment.

#### *Specific to the Subject Property: Street Improvements Themselves*

The request is to leave the Arney landscape strip at its present width. Staff accepts in exchange for easy, minor improvements of both frontages that make walking and cycling more pleasant.

1. *The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;*

The applicant's revised narrative dated June 2, 2023 and submitted June 7, 2023 addressed the criterion and remaining criteria on pages 5-8. Staff agrees with the applicant's rationale that widening the Arney landscape strip has no relation to travel patterns to and from or along the site.

2. *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;*

Same as for criterion 1.

3. *The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;*

Same as for criterion 1.

4. *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.*

Same as for criterion 1.

5. *The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.*

The applicant's revised narrative dated June 2, 2023 and submitted June 7, 2023 addressed the criterion and remaining criteria on pages 5-8. Staff concurs with the applicant's rationale regarding this criterion.

6. *The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.*

The applicant's revised narrative dated June 2, 2023 and submitted June 7, 2023 addressed the criterion and remaining criteria on pages 5-8. Staff concurs with the applicant's rationale regarding this criterion.

7. *Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.*

Not applicable.

8. *A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.*

Yes, if as staff conditions – planting more street trees and extending Arney sidewalk east approximately 20 ft to an existing driveway apron that would allow a more dignified, attractive, safer, comfortable, and more visible means for pedestrians and cyclists who ride on sidewalk to negotiate crossing to the north side of Arney Road from what would still be dead-end sidewalk even with extension. Making use of an existing driveway apron would also make the crossing less awkward for wheelchair users than the existing conditions. It is also a modest thing to have among others in exchange for approving the Street Adjustment.

As to whether a Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or that the City reasonably can condition approval to achieve such, criterion 8 is worded for a situation precisely such as this one. An SA through the conditions of approval can meet the criterion as follows:

The purpose statement that opens Section 3.01 states:

*“The purpose of this Section is to provide for attractive, safe, comfortable, interesting, and efficient streets, off-street bicycle/pedestrian corridors and facilities, and transit improvements within the city, especially to include and be equitable toward Woodburn residents who cannot or do not own private vehicles or drive, to implement the Woodburn Comprehensive Plan and the Transportation System Plan (TSP), to use civil engineering of streets to reduce speeding, to guide City capital improvement projects, and to have developers upgrade nonconforming streets and construct extended and new streets and off-street bicycle/pedestrian facilities that conform. An objective is to have developers construct or fund street improvements, and other proportional share of improvements for the public, 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). The provision of streets is guided by the applicable goals and policies of the Comprehensive Plan, the TSP, the Highway 99E Corridor Plan, creek greenway plans, the Transit Plan, and other WDO sections.” [staff emphases in italics]*

*“Attractive, Safe, Comfortable”*

As examined above in the opening paragraph addressing the criterion.

*Woodburn Comprehensive Plan*

The conditions that require improvements addresses the following Comprehensive Plan policies:

<i>Table SA-8</i>		
<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
F-1.4	25	<p>Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas.</p> <p>Having a fee in-lieu of missing landscape strip area and additional street trees with fee in lieu of some new trees meet the policy.</p>
H-1.3	34	<p>Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes.</p> <p>Having the required sheltering of on-site outdoor bicycle parking be high enough to feel not cramped would help induce cycling and meet the policy.</p>
H-1.4	34	<p>Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks.</p> <p>An Arney sidewalk extension east of some 20 ft to an existing driveway apron would meet the policy.</p>
H-3.2	35	<p>Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers.</p> <p>An Arney sidewalk extension east of some 20 ft to an existing driveway apron would meet the policy.</p>

*Transportation System Plan*

Transportation System Plan (TSP) Section 2, p. 17, has Objective 1C to:

“Develop a comprehensive low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas, and employment centers.”

This is much the same as above Comprehensive Plan Policy H-1.3, and the reasons are the same.

The TSP Section 5 on p. 57 under “Sidewalks” adds that, “They also provide an important means of mobility for people with disabilities, families with strollers ...”, and An Arney sidewalk extension east of some 20 ft to an existing driveway apron would serve this.

*Street Adjustment Factors (5.02.04)*

*E. Factors: Street Adjustment applications, where and if approved, 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.*

Existing improvements plus the Arney sidewalk extension east of some 20 ft to an existing driveway apron meet this factor.

*F. Bicycle/pedestrian facility: If and where a Street Adjustment application requests to substitute or omit one or more required bicycle facilities, such as bicycle lanes, and the City approves the application, then the following should apply: For each substitute or omitted facility, the developer would construct a minimum width 8 feet bicycle/pedestrian facility on the same side of street centerline as the substituted or omitted facility. The City may condition wider.*

Because the proposal does not request to remove any existing bicycle lane, the factor is not applicable.

*G. Landscape strip: If and where a Street Adjustment application requests to adjust one or more required landscape strips from between curb and sidewalk, and the City approves the application, then the list below should apply ...*

Because the proposal does not request to retain or build new curb-tight sidewalk along Arney, the factor is not applicable.

▲ Staff applies conditions beginning with “SA” so that the provisions may be met.

## 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, with the following conditions of approval:

### *General*

G1. Prior to or 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.
- b. ROW/easements: Recordation of required right-of-way (ROW) and public easements is due by building permit issuance. See Note A below.
- 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. See Note A below.

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. Review: Prior to beginning recordations of public easements or other legal instruments granting public bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors prior to recordation, the developer or developer’s surveyor shall submit drafts to the City for review in a way that not only meets the needs of the Public Works Department (PW) Engineering Division but also alerts the Community Development Department Planning Division of timely need to review for conformance with the WDO and conditions of approval and identify needed revisions prior to recordations. See Note A below.
- c. Copies: The developer, inc. any succeeding contract purchaser, shall provide copies of documentation, especially recorded documents, that a City staff person requests regardless if the documentation source or copies are another City staff person or department.
- d. Fees: The developer shall pay fees per Attachment 202.

G7. Grading: If WDO 5.01.04B is applicable, then prior to building permit issuance the applicant shall apply for and obtain a grading permit from the Planning Division.

G8. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. At least 3 City business days prior to a desired date of planning and zoning inspection of site improvements, either contact Planning Division staff directly first or proceed to make a planning inspection request (noting desired time on the requested date) through Oregon ePermitting for the applicable building permit record number.

G9. Public Works: See also Attachment 102A “Public Works Conditions of Land Use Approval” (August 2, 2023).

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.



*Design Review DR 22-17*

D1. PUEs, streetside: To conform with WDO Figure 3.01B and Sections 3.02.01B & F.2 regarding streetside public utility easements (PUEs), the developer shall delineate and label dimension at a width or widths per the WDO sections either:

- a. Prior to granting of streetside PUEs and prior to building permit application, revising the site and composite utility plans; or
- b. Upon granting of conforming streetside PUEs through correct recordation per general Condition G4b, G5, & G6b and prior to building permit issuance, revising the site, composite utility, and landscape plans – or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division (and/or ODOT if and as applicable) – and including within a label, call-out, or note the County reel and page numbers and dates of recordation.
- c. OR Hwy 219:
  - (1) Regarding applicability of WDO Figure 3.01B along the highway, it is to the two segments of south property line most nearly parallel to OR Hwy 219 and not any east property line most nearly parallel to the I-5 off-ramp.
  - (2) If and where ODOT jurisdiction is relevant and the agency directs differently than a WDO Figure 3.01B 10-ft uniform width streetside PUE, whatever ODOT would specify, with City PW guidance, shall be the standard with which to conform. In this case, the applicant shall document and submit the standard and conform with such.

D2. Driveway max width: To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a commercial context, the developer shall revise the site, composite utility, and landscape plans – or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division (and/or ODOT if and as applicable) – either to illustrate and dimension the approach, apron, curb cut, or ramp of the Arney driveway at max width 24 ft or, if having a left turn pocket, then 36 ft; or, to document if and how Table 3.04A footnote 7 about Woodburn Fire District (WFD) OFC administration is applicable. For the latter, documentation shall include at least either (a) a letter or equivalent from WFD or (b) revision of fire access plan Sheet P220 to narrow the driveway to that necessary to accommodate illustrated fire apparatus turning radius and to dimension the narrowed driveway apron. If through building permit review, then this is due prior to issuance, or if through civil engineering plan review, then due prior to PW (or ODOT) issuance of an approved civil plan set.



D3. Walkways: To conform with WDO 3.04.06D.2, the walkway crossing of the drive aisle near the main guest entrance and ADA parking shall be striped with any of hatch or ladder pattern or three or more bars perpendicular to the crossing. The developer shall revise site plans prior to building permit issuance.

D4. Wheel stops: To conform with WDO 3.05.02H, the developer shall revise the site plans prior to building permit issuance and install wheel stops in the two compact parking stalls along the highway wide walkway north end.

D5. C/V, EV, & bicycle parking: The developer shall revise site plans, or equivalent sheets within a building permit application plan set through the Building Division, regarding carpool/vanpool (C/V), electric vehicle (EV), and bicycle parking to demonstrate that the supplies at the proposed locations conform with the detailed standards for such in WDO 3.05.03H, 3.05.03I, and 3.05.06, particularly 3.05.03H.2 & 3; 3.05.03I.2, 3, & 4; and 3.05.06C.3 & 4. Regarding bicycle parking signage, it shall direct cyclists approaching from the highway to both (1) the outdoor bicycle parking at the north, Arney façade of the building, and (2) the indoor bicycle storage room. Signage shall also indicate to those approaching from Arney that additional bicycle parking is in the indoor bicycle storage room.

D6. Double-striping: To conform with WDO Figure 3.05C, the developer shall revise the site plans prior to building permit issuance and double-stripe parking stalls.

D7. Landscaping:


- a. Parking area screening: To conform with WDO 3.06.05B, if existing landscaping in the yard along Arney that serves as parking area screening is displaced, injured, or killed by parking area expansion, and/or the parking area expansion is large enough and close enough to Arney such that there would be an apparent gap in landscaping, then the developer shall plant additional or replacement medium shrubs per WDO Table 3.06B equal to 1 every 4 ft o.c. to fill the gap. This is due by building permit final inspection.
- b. Significant tree:
  - (1) To conform with WDO 3.06.07, the developer shall revise the site, composite utility, grading, and landscape plans to note protection of the 24-inch cedar tree during construction of Arney wide walkway to its west and additional parking to its east.
  - (2) Tree protection during construction should conform with either draft WDO 3.06.08 in the Legislative Amendment LA 21-03 [Planning Commission August 10, 2023](#) staff report or, were building permit issuance to be after the City adopts provisions for tree protection during construction, then the adopted provisions.
  - (3) If the developer or contractor removes the tree or removal becomes necessary upon injury or death, the developer shall pay a removal fee per Attachment 202.

D8. Architecture: The developer shall revise architectural plans prior to building permit issuance, and the building shall be as follows:

- a. Fenestration/glass/glazing/windows: WDO 3.07.06B.2b(1) (30% glass) shall be applicable as a standard on min one of the two street-facing facades, south/SE and/or north/NW, and 25% shall be the standard for the other facade. Transparency required.
- b. Awnings/canopies: Based on WDO 3.07.06B.1b(4) & B.5a, there shall be any among door canopies, fixed awnings, porte-cochères, building recesses, or roof projections that shelter from precipitation, are min 9 ft height clearance and:
  - (1) At the main guest entrance / south/SE façade, 8 ft narrowest dimension and 64 sq ft min area;
  - (2) At the end of the Arney wide walkway at the dining room side door / north/NE façade, min depth 4 ft, min width 7 ft.  
Min dimension is applicable to any of dimension parallel with or perpendicular to the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.
- c. Roof-top screening: WDO 3.07.06B.4 regarding screening of roof-mounted equipment shall be applicable as a standard.

D9. Signage:

- a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any public easement.
- b. Nonconforming signage: The developer shall alter or remove nonconforming permanent signage, including any in the south yard, to conform with WDO 3.10.04, 3.10.06, 3.10.08, Table 3.10.10B, 3.10.11, & 3.10.12. This is due by building permit final inspection.



*Design Review 22-26: Transportation*

T-T1. Bus shelter / enhanced bus stop: To conform with WDO 3.01.09B, the developer shall pay an enhanced bus stop fee per Attachment 202. [TDP Figs. 63 & 68]

T-T2. The developer shall pay a bus transit / transit service fee per Attachment 202.



*Street Adjustment 22-09*

The Street Adjustment request is approved per the following conditions:

SA1. Street cross sections: To conform with WDO 3.01.01A, B, & D; 3.01.02A, 3.01.03C.1, and 3.01.04:

- a. Arney may retain the nonconforming landscape strip, which is 5.5 ft inc. curb width instead of 6 ft inc. curb width, and the developer shall pay a landscape strip fee in-lieu per Attachment 202.
- b. No change is required to either frontage other than what other separate conditions might require such as regarding street trees. Otherwise, per subsection c1 below.
- c. General:
  - (1) Half-streets shall conform with WDO Figures 3.01B & D respectively except where and as (a) Street Adjustment conditions supersede or (b) ODOT has jurisdiction and documented application of its permitting process necessitates deviation.
  - (2) Landscape strips shall conform with the WDO 3.01.04B last paragraph. For Arney, the developer shall restore bare dirt and eroded areas to lawn.
  - (3) Where ODOT application of its permitting process necessitates deviation, document where and how and submit notice to the Planning Division and Public Works Department (PW) Engineering Division. If there would be two or more deviations, wait until ODOT identifies them before notifying the City to avoid piecemeal notices.
  - (4) The developer or developer's civil engineer shall courtesy copy Planning Division and PW Engineering Division staff of (a) application to ODOT for permit to construct the street improvements, prior to City building permit issuance, and (b) a copy of the permit(s) that the agency issues with the construction drawings it issued as approved, prior to City building permit final inspection.

SA2. Street trees: To conform with WDO 3.01.01B, 3.01.01D, 3.01.02A, 3.01.03C.1e, 3.01.04B, and 3.06.03A:

- a. Arney: Plant for 4 trees or pay a fee in lieu of max 1 tree per Attachment 202.
- b. OR Hwy 219: Plant for 8 trees or pay fee in-lieu per Attachment 202 and as follows:
  - (1) Landscape strip: Plan min 2 of the 8 trees; and
  - (2) Wide walkway: Do one of the following in order of preference:
    - (a) Plant 2 trees outside the landscape strip but within the ROW at the approximate locations per Exhibit SA2 below with the objective to shade the wide walkway from the west;
    - (b) Plant 1 of the 2 trees per (a); or
    - (c) If ODOT makes infeasible planting per (a) and (b), then no planting within this area of ROW.

Min planted street trees would total 2-4 of 8. Pay fee in lieu of the remaining 4-6.



*Exhibit SA2*

Plan revisions are due prior to building permit issuance. Street tree plantings are due by building permit final inspection, and fee in-lieu payment is due per Attachment 202.

SA3. Sidewalk: Arney: The developer shall extend sidewalk at min width 6 ft east to the existing driveway apron along ODOT property, a distance of approximately 20 ft.

SA4. Bicycle parking outdoor shelter: The cover or shelter of the outdoor bicycle parking shall be minimum height clearance 9 ft.

SA5. Landscaping: On-site:

- a. Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, or pebbles.
- b. Evergreen: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- c. Retaining walls:

- (1) If and where there are retaining walls, WDO 3.06.06C shall be applicable as a standard.
- (2) Specifically, to conform with 3.06.06B.5 & 6, each new retaining wall shall have two colors (whether cast or painted), and none of the colors shall be gray. Colors should be arranged as two solid bands, with the darker color or hue along the visible wall bottom – specifically, if a retaining wall would be 8 ft or taller, then the bottom 3 courses (4 ft); or, if shorter than 8 ft, then the bottom course. For any course partly buried below grade and partly visible, use the darker color or hue.
- (3) ODOT: Specific to the highway frontage, if and where ODOT jurisdiction is relevant and ODOT specifies differently than the above City specifications, the developer shall document and submit the standard and conform with such for:
  - (d) Property line freeway/highway retaining wall(s).
  - (e) OR Hwy 219 wide walkway retaining wall(s).

For the Arney wide walkway retaining wall(s), no adjustment from the above specifications is relevant because it would lie well beyond ROW.

- d. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment, including a transformer, along min two sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B.

SA6. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, shall be off every evening or night during the hours of 9:00 p.m. to 7:00 a.m. Pacific time.

## Applicant Identity

<i>Applicant</i>	Linsey McLane-Godwin, Planner II, MSS, Inc., 215 NW 4th St, Corvallis, OR 97330-4804
<i>Applicant's Representative</i>	Christina Larson, Principal Architect, Varitone Architecture, P.O. Box 3420, Albany, OR 97321-0716
<i>Landowner(s)</i>	Per application form: Aman Virk, lease, GV Hospitality Woodburn LLC, 8815 SW Sun Pl, Wilsonville, OR 97070-9611; Per County assessor listing: D & P 120 LLC Timothy & Lois Brown TR Attn: Pamela Rae Baker 16705 Butteville Rd NE, Woodburn, OR 97071

## 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. Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact Public Works 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.

- c. 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 likely must pay through the Planning Division into City general revenue a fee.

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.

18. Trucks: The Public Works Department may administratively regulate time, place, and manner of freight and truck access (ingress/egress) to and from the development and adjacent public streets. This condition shall not be construed to preclude the City from regulating development freight and truck access via ordinances that are applicable generally to properties that happen to include the subject property.



**Holiday Inn Express Addition & Remodel  
120 Arney Lane  
DR 22-17 & SA 22-09  
TAX LOT 052W12B001102  
Public Works Comments  
Land Used Application  
August 2, 2023**

**CONDITIONS OF LAND USE APPROVAL:**

1. The Applicant, not the City, is responsible for obtaining permits from state, county and/or federal agencies that may require such permit or approval.
2. Applicant to obtain an Oregon Department of Transportation (ODOT) permit/approval for all improvements in Arney Road rights-of-way.
3. Applicant to provide a copy of the permit/approval/agreement/easement from adjacent applicable owners for the conveyance and maintenance of the private onsite storm drainage system located in 100 & 110 Arney Lane.
4. Provide a final storm drainage analysis for detention and conveyance system. The storm drainage hydraulic analysis shall comply with the City's and ODOT's requirements. The Applicant, by this Development, shall not cause storm water runoff to be impounded on adjacent properties.
5. The property owner shall maintain all on-site detention areas in perpetuity.
6. Marion County plumbing permits must be issued for all storm sewer, sanitary sewer, and waterline work installed beyond the Public Right-of-Way, on private property.
7. All public improvements or restoration improvements shall be deemed complete prior to building permit issuance.
8. Provide and record the required right-of-way and public utility easements dedications prior to building permit issuance.

9. Applicant to provide street lighting in accordance with street lighting plan approved by the City and conforming to Portland General Electric installation and plan under option B, if applicable.
10. Fire protection access, fire hydrant locations and fire protection issues shall comply with current fire codes and Woodburn Fire District standards.
11. Final review of the Civil Plans will be done during the building permit application. Public infrastructure will be constructed in accordance with plans approved by the City of Woodburn public works and ODOT as applicable.
12. System Development fees shall be paid at the time of building permit issuance.

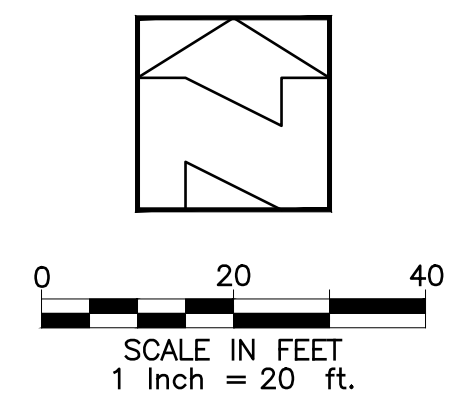
STORM AND SEWER SYSTEM MEASUREMENTS				
ID	RIM ELEV.	INVERT ELEVATION 1	INVERT ELEVATION 2	INVERT ELEVATION 3
SD1	179.140	177.62 (SE, 6")		
SD2	180.700	175.65 (SW, 8")	176.15 (NE, 8")	
SD3	181.070	179.12 (SW, 8")	179.22 (NE, 6")	
SD4	182.870	181.02 (SW, 6")		
SD5	180.28	177.53 (S, 6")		
SD6	183.480	181.83 (SW, 6")		
SD7	183.300	180.70 (S, 6")	180.95 (W, 6")	
SD8	183.090	180.94 (E, 6")		
SD9	183.11	179.61 (N, 10")	179.56 (S, 10")	
SD10	181.450	179.49 (SW, 8")	179.50 (NE, 6")	179.50 (SE, 8")
SD11	181.360	179.81 (W, 6")		
SD12	176.970	173.39 (W, 24")	173.4 (N, 6")	
SD13	187.380	170.05 (N, 52")		
SD14	187.840	170.16 (N, 52")		
SD15	177.400	172.80 (E, 10")	174.90 (W, 4")	172.76 (W, 10")
SS1	177.150	165.97 (W, 12")	166.00 (E, 12")	
SS2	182.880	168.48 (NW, 8")	168.48 (S, 8")	

BAKER, PAMELA RAE  
TAXLOT 052W12B001101  
0.78 ACRES

BAKER, PAMELA RAE  
TIMOTHY & LOIS BROWN TR  
TAXLOT 052W12B001102  
1.76 ACRES

TJB PROPERTIES LLC  
D & P 100 LLC  
TAXLOT 052W12B001100  
0.48 ACRES

6/2/2023 5:19:34 PM X:\2021\21156\20-PLANNING\P-EXIST.DWG SAVED ON 6/2/2023



HILLSBORO - SILVERTON HWY NO. 140

**HORIZONTAL DATUM & PROJECTION:**  
THE HORIZONTAL DATUM FOR THIS SURVEY IS NAD 83 (2011) EPOCH 2010.00. THIS MAP USES GROUND COORDINATES IN A LOCAL DATUM PLANE (LDP) RELATIVE TO THE STATE PLANE COORDINATE SYSTEM, OREGON NORTH ZONE 3601. UNITS ARE IN INTERNATIONAL FEET. SCALE FACTOR IS 0.9999466.

**BENCHMARK & VERTICAL DATUM:**  
THE ELEVATIONS ON THIS MAP ARE BASED ON GNSS CONTROL TIES TO THE OREGON REAL-TIME GEODETIC NETWORK (ORGN) STATION 235 (NEWBERG). THEY WERE POST-PROCESSED USING NGS OPUS. THE VERTICAL DATUM IS NAVD-88.

**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS IS BASED ON THE STATE PLANE COORDINATE SYSTEM USING GEODETIC CONTROL TIES TO THE OREGON REAL-TIME GEODETIC NETWORK (ORGN) CORS STATION 235 (NEWBERG).

**SURVEY DATE:**  
THIS SURVEY REFLECTS GROUND CONDITIONS AS OF 11/01/2021.

**TITLE REPORT, BOUNDARY & EASEMENTS:**  
THE BOUNDARY ON THIS MAP IS APPROXIMATE BASED ON RECORD INFORMATION AND THE FOUND SURVEY MONUMENTS AS SHOWN. THIS IS NOT A BOUNDARY SURVEY.

A LOT BOOK SERVICE (ORDER NUMBER 7089-3911483 DATED MARCH 10, 2022 PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY) WAS PROVIDED IN PREPARATION OF THIS MAP.

THE 30' ACCESS EASEMENT (REEL 1682 PAGE 569) LOCATION IS APPROXIMATE BASED ON THE FOUND MONUMENTS 57-58, WHICH PROVIDED A GOOD FIT WITH EXISTING CURBS AT THE WEST CORNER OF THE PROPERTY. NO OTHER PLOTTABLE ENCUMBRANCES WERE DISCLOSED.

**FLOOD ZONE:**  
THIS PROPERTY IS NOT IN A FLOOD ZONE ACCORDING TO THE MARION COUNTY LAND USE PLANNING AND ZONING DIVISION.

**UTILITY STATEMENT:**  
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**FOUND MONUMENT REFERENCE:** (50)  
50 IRON ROD, HELD  
51 5/8" IRON ROD W/YPC, MARKED "ODOT R/W," HELD  
52 5/8" IRON ROD W/YPC, MARKED "ODOT R/W," HELD  
53 5/8" IRON ROD W/YPC, MARKED "ODOT R/W RESET," HELD  
54 5/8" IRON ROD W/YPC, MARKED "ODOT R/W," HELD  
55 5/8" IRON ROD W/YPC, MARKED "ODOT R/W," HELD  
56 5/8" IRON ROD W/YPC, MARKED "ODOT R/W," HELD  
57 5/8" IRON ROD W/YPC, UNREADABLE, HELD  
58 5/8" IRON ROD W/YPC, UNREADABLE, HELD  
61 5/8" IRON ROD NO CAP, DOWN 0.1, HELD

**SURVEY REFERENCES:**  
R1 C.S. 35102  
R2 C.S. 28688  
R3 MCSR 36320

**LEGEND**

	PROPERTY BOUNDARY
	ADJACENT PROPERTY LINES
	CENTERLINE
	RIGHT OF WAY
	BUILDING
	CURB
	SIDEWALK
	FENCE
	WALL
	STORM DRAIN LINE
	SANITARY SEWER
	WATERLINE
	UNDERGROUND POWER
	NATURAL GAS LINE
	UTILITY TRENCH
	CONCRETE PAVING
	ASPHALT PAVING
	EXISTING MAJOR CONTOURS
	EXISTING MINOR CONTOURS
	PROPERTY CORNER
	STORM CATCHBASIN
	SEWER MANHOLE
	STORM MANHOLE
	DECIDUOUS TREE
	CONIFER TREE
	SHRUB
	POWER VAULT / JUNCTION BOX
	STREET LIGHT
	TRAFFIC SIGNAL
	TRANSFORMER

VARITONE ARCHITECTURE  
231 SW 2ND AVE  
ALBANY, OREGON  
(541) 497-2954

HIEX WOODBURN ADDITION  
WOODBURN, OREGON  
EXISTING CONDITIONS

120 NORTH ARNEY ROAD, WOODBURN, OR, 97071

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
MAY 28, 2015  
PETER J. SEADERS  
60183PLS  
RENEWS: 06/30/24

MSS INC  
ENGINEERING CONSULTANTS  
AND PLANNERS  
215 NW 4TH STREET  
CORVALLIS, OR 97330  
(541) 753-1320 FAX: (541) 753-5956

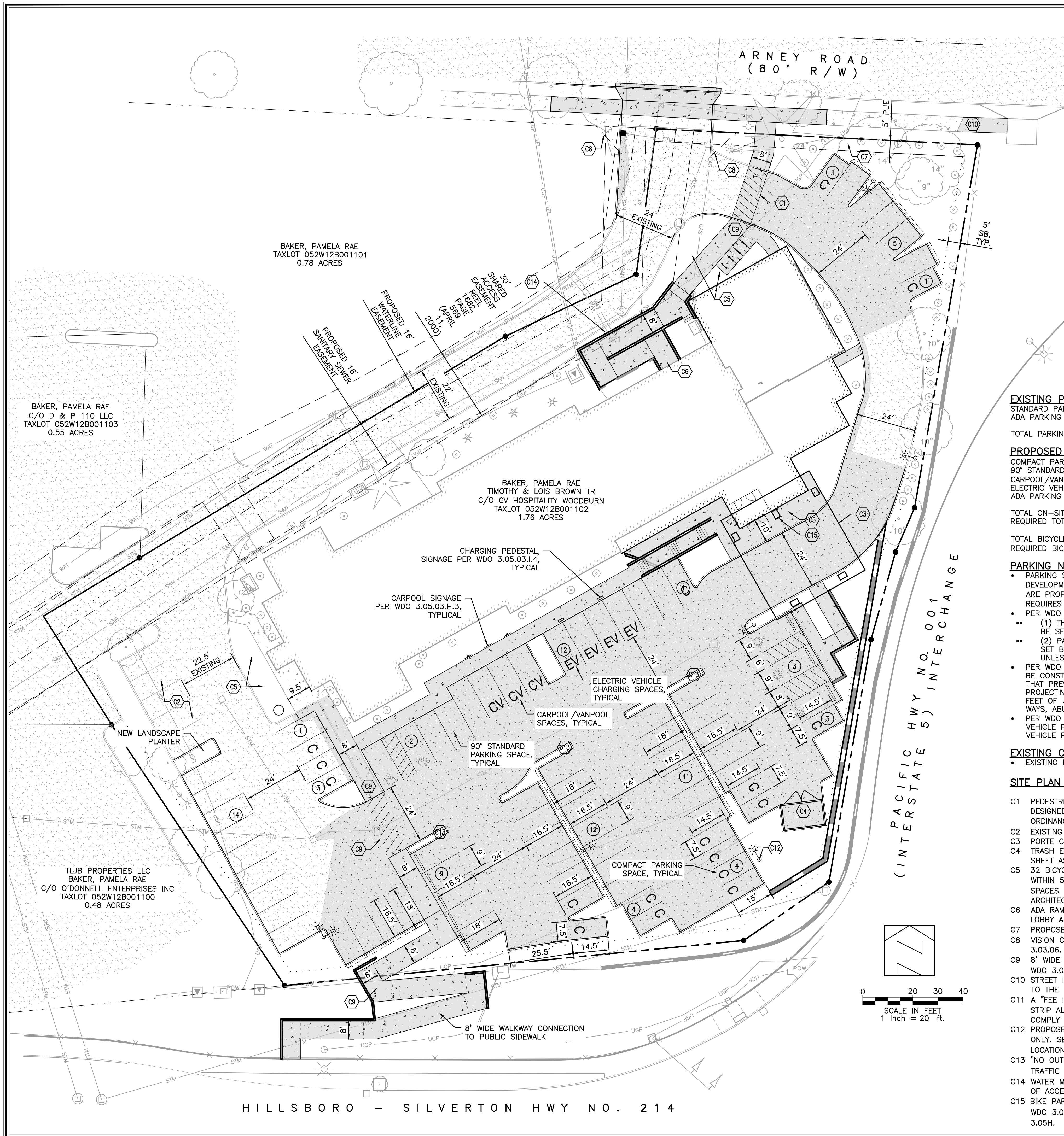
Attachment 103  
Sheet 1 of 5

JOB # 21156 FILE P-EXIST DRAW S/JG  
SCALE 1" = 20' DATE 6/2/23

P100  
# 2 OF 6 SHEETS

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BAKER, PAMELA RAE  
C/O D & P 110 LLC  
TAXLOT 052W12B001103  
0.55 ACRES

BAKER, PAMELA RAE  
TAXLOT 052W12B001101  
0.78 ACRES

BAKER, PAMELA RAE  
TIMOTHY & LOIS BROWN TR  
C/O GV HOSPITALITY WOODBURN  
TAXLOT 052W12B001102  
1.76 ACRES

TLJB PROPERTIES LLC  
BAKER, PAMELA RAE  
C/O O'DONNELL ENTERPRISES INC  
TAXLOT 052W12B001100  
0.48 ACRES

**EXISTING PARKING COUNTS:**  
STANDARD PARKING SPACES: 49  
ADA PARKING SPACES: 4

TOTAL PARKING SPACES: 53

**PROPOSED PARKING COUNTS:**  
COMPACT PARKING SPACES: 17 (20% OF TOTAL PARKING)  
90° STANDARD PARKING SPACES: 57  
CARPOOL/VANPOOL SPACES: 3  
ELECTRIC VEHICLE SPACES: 4  
ADA PARKING SPACES: 4 REGULAR, 1 VAN

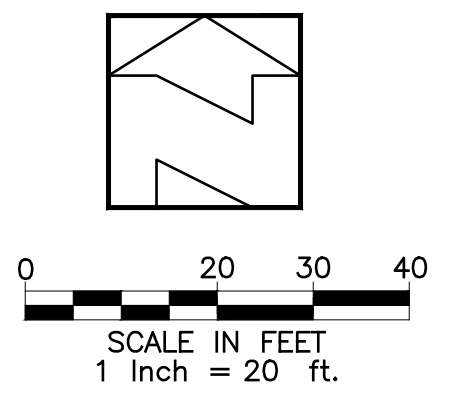
TOTAL ON-SITE PARKING SPACES: 86  
REQUIRED TOTAL PARKING SPACES: 86

TOTAL BICYCLE PARKING SPACES: 32 (16 COVERED SPACES)  
REQUIRED BICYCLE PARKING SPACES: 31 (50% COVERED SPACES)

- PARKING NOTES:**
- PARKING SPACES WERE DESIGNED ACCORDING TO WOODBURN DEVELOPMENT ORDINANCE (WDO) TABLE 3.05C. 84 HOTEL ROOMS ARE PROPOSED, WHICH REQUIRES 86 PARKING SPACES (A HOTEL REQUIRES 2 PACES, PLUS 1 PER GUEST ROOM).
  - PER WDO 3.05.02(E):
    - (1) THE PARKING, LOADING, AND CIRCULATION AREAS SHALL BE SET BACK FROM A STREET A MINIMUM OF FIVE FEET.
    - (2) PARKING, LOADING, AND CIRCULATION AREAS SHALL BE SET BACK FROM A PROPERTY LINE A MINIMUM OF FIVE FEET, UNLESS THERE IS A SHARED USE AGREEMENT.
  - PER WDO 3.05.02(H): ALL COMMERCIAL PARKING SPACES SHALL BE CONSTRUCTED WITH BUMPER GUARDS OR WHEEL BARRIERS THAT PREVENT VEHICLES FROM DAMAGING STRUCTURES, PROJECTING OVER WALKWAYS SO AS TO LEAVE LESS THAN FOUR FEET OF UNOBSTRUCTED PASSAGE, OR PROJECTING OVER ACCESS WAYS, ABUTTING PROPERTIES OR RIGHTS-OF-WAY.
  - PER WDO 3.05.03(C): A MAXIMUM OF 20% OF THE REQUIRED VEHICLE PARKING SPACES MAY BE SATISFIED BY COMPACT VEHICLE PARKING SPACES.

**EXISTING CONDITIONS:**  
EXISTING FEATURES ARE SHOWN IN GRAY LINE WORK.

- SITE PLAN KEY NOTES:**
- C1 PEDESTRIAN ACCESS ROUTE FROM N ARNEY RD TO HOTEL. DESIGNED TO CONFORM TO WOODBURN DEVELOPMENT ORDINANCE (WDO) 3.04.06D.
  - C2 EXISTING STANDARD PARKING SPACES, TYP.
  - C3 PORTE COCHERE ADDITION
  - C4 TRASH ENCLOSURE WITH ARCHITECTURAL WALLS, SEE SHEET A5.00.
  - C5 32 BICYCLE PARKING SPACES PROPOSED. BICYCLE PARKING WITHIN 50' OF MAIN ENTRANCES. 16 SPACES COVERED. 16 SPACES UNCOVERED. DESIGNED PER WDO TABLE 3.05G. FOR ARCHITECTURAL DETAILS OF COVERED STALLS SEE SHEET A5.00.
  - C6 ADA RAMP PROVIDING DIRECT ACCESS BETWEEN HOTEL LOBBY AND N ARNEY RD.
  - C7 PROPOSED 5' PUBLIC UTILITY EASEMENT PER WDO 3.02.01.
  - C8 VISION CLEARANCE TRIANGLES FOR A DRIVEWAY PER WDO 3.03.06.
  - C9 8' WIDE WALKWAY OF POURED CONCRETE DESIGNED PER WDO 3.03.06D.
  - C10 STREET IMPROVEMENT: EXTEND 6 FT SIDEWALK EAST TO THE EXISTING DRIVEWAY APRON.
  - C11 A "FEE IN LIEU OF" WILL BE PAID FOR THE LANDSCAPE STRIP ALONG ARNEY RD TO BE REPLANTED WITH LAWN TO COMPLY WITH WDO 3.01.04B.
  - C12 PROPOSED PARKING LOT LIGHT LOCATIONS ARE ILLUSTRATIVE ONLY. SEE PHOTOMETRIC PLAN (SHEET P500) FOR ACTUAL LOCATIONS.
  - C13 "NO OUTLET" SIGN COMPLIANT WITH MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) PER WDO 3.05.02J.
  - C14 WATER METERS TO BE RELOCATED TO ALLOW FOR PLACEMENT OF ACCESS RAMP.
  - C15 BIKE PARKING SIGN, STATING "PARKING INSIDE" PER WDO 3.05.06(C)(4) AND IN THE STYLE SHOWN IN FIGURE 3.05H.



**BOUNDARY LEGEND**

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINES
- CENTERLINE
- EASEMENT LINES
- PROPERTY CORNER
- CONTROL POINT

**PROPOSED LEGEND**

- BUILDING
- CURB
- SIDEWALK
- FENCE
- WATERLINE
- SANITARY SEWER
- STORM DRAIN LINE
- OVERHEAD POWER
- UNDERGROUND POWER
- RETAINING WALL
- DITCH
- PROPOSED PAVING
- CONCRETE PAVING
- ASPHALT PAVING
- STORM MANHOLE
- STORM CATCHBASIN
- STORM/SEWER CLEANOUT
- SEWER MANHOLE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- FIRE DEPARTMENT CONNECTION
- POWER/UTILITY POLE
- STREET LIGHT
- POWER PEDESTAL
- TRANSFORMER
- STREET SIGN

**VARITONE ARCHITECTURE**  
231 SW 2ND AVE  
ALBANY, OREGON  
(541) 497-2954

REVISIONS

NO.	DATE	BY

**HIEX WOODBURN ADDITION**  
**WOODBURN, OREGON**

**SITE PLAN**

120 NORTH ARNEY ROAD, WOODBURN, OR, 97071

**REGISTERED PROFESSIONAL ENGINEER**  
60183PE  
OREGON  
JULY 13, 2005  
**PETER J. SEADERS**  
RENEWAL: 6/30/2024

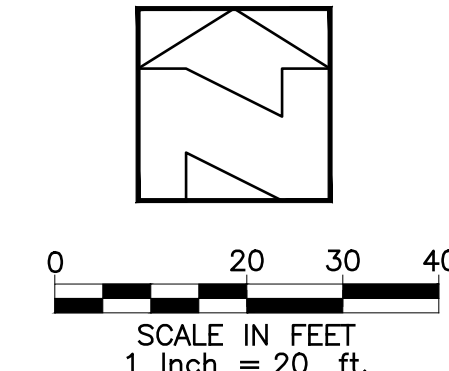
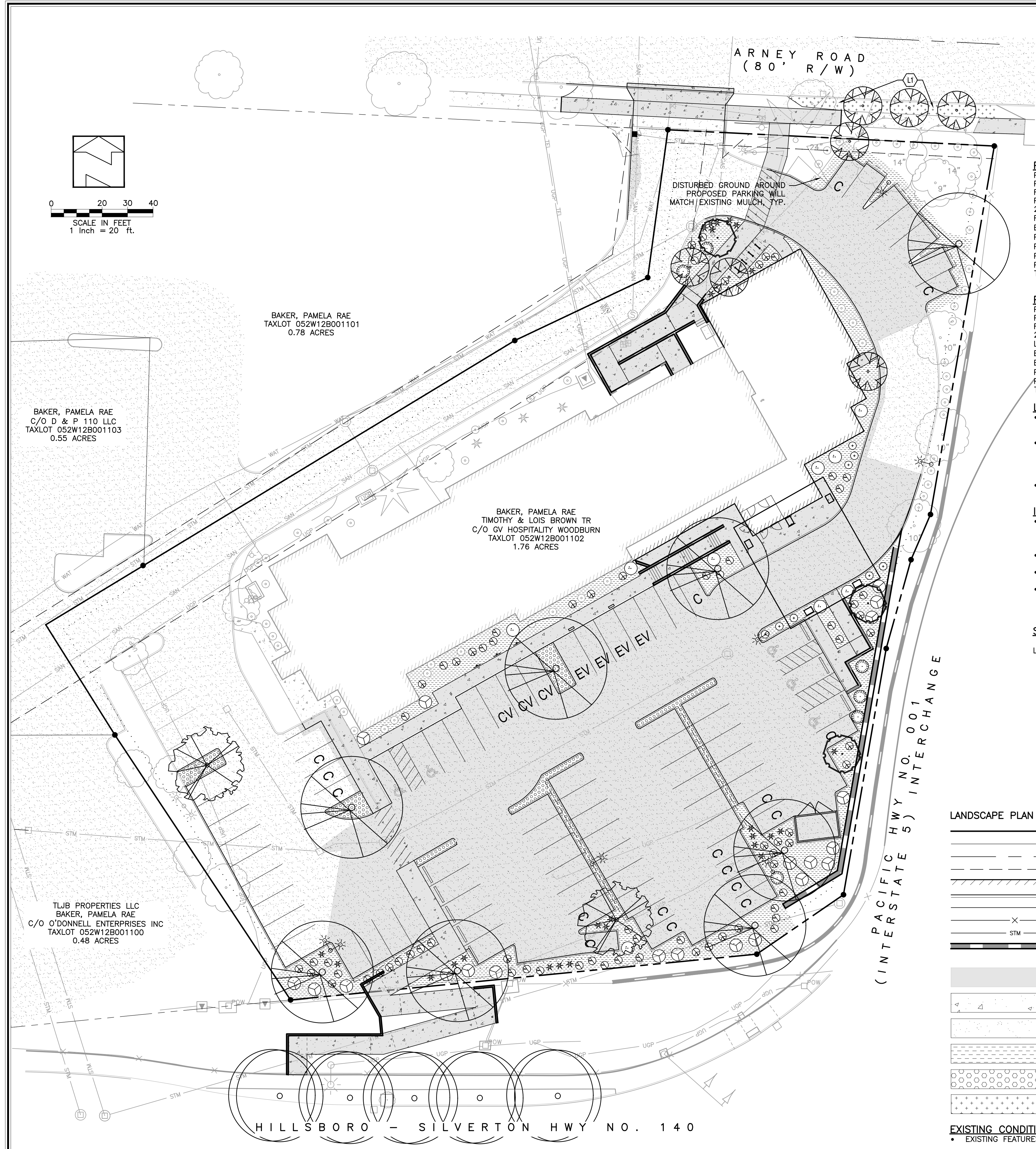
**MSS INC**  
ENGINEERING CONSULTANTS  
AND PLANNERS  
215 NW 4th STREET  
CORVALLIS, OR 97330  
(541) 753-1320 FAX: (541) 753-5956

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SCALE AS SHOWN DATE 5/24/23

**P200**  
# 3 OF 6 SHEETS

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**PARKING AREA 1 LANDSCAPING:**  
 PROPOSED PARKING AREA: 22,279 SF  
 PROPOSED PARKING SPACES: 62  
 REQUIRED TREES FOR PARKING AREA: 3 MEDIUM, 2 SMALL  
 20% OF PAVED SURFACE AREA: 4,456 SF  
 REQUIRED LANDSCAPE PLANT UNITS (PU): 223 PU  
 EXISTING PLANT UNITS: 9 SHRUBS (9 PU)  
 PROPOSED LANDSCAPE TREES: 7 MEDIUM, 3 SMALL (68 PU)  
 PROPOSED LANDSCAPE SHRUBS: 62 LG PU, 90 SM/M PU  
 PROPOSED GROUNDCOVER: 14 PU  
 TOTAL PLANT UNITS PROPOSED: 243 PU

**PARKING AREA 2 LANDSCAPING:**  
 PROPOSED PARKING AREA: 2,848 SF  
 PROPOSED PARKING SPACES: 6  
 REQUIRED TREES FOR PARKING AREA: 1 SMALL  
 20% OF PAVED SURFACE AREA: 570 SF  
 LANDSCAPE PLANT UNITS (PU) REQUIRED: 29 PU  
 EXISTING PLANT UNITS: 13 SHRUBS (13 PU)  
 EXISTING PARKING TREES: 2 MEDIUM (16 PU)  
 PROPOSED LANDSCAPE PU: 0 PU  
 TOTAL PLANT UNITS PROPOSED: 49 PU

**LANDSCAPE NOTES:**

- LANDSCAPING AND IRRIGATION SHALL BE INSTALLED AND MAINTAINED AS PROVIDED BY LANDSCAPING SECTION 3600.
- PLANT SPECIES IDENTIFIED IN THE LEGEND BELOW ARE ILLUSTRATIVE ONLY AND ARE SUBJECT TO CHANGE PER STOCK AVAILABILITY AND PER THE SPECIFIC DESIGN SUBMITTED AT THE TIME OF BUILDING PERMIT APPLICATION.
- ALL PLANT SPECIES WILL REMAIN IN ACCORDANCE WITH WDO 3.06.02.

**IRRIGATION NOTES:**

- EXISTING IRRIGATION IN LANDSCAPED AREAS THAT ARE BEING ALTERED SHALL BE CAPPED AND REMOVED, AS NEEDED, AND REINSTALLED TO ACCOMMODATE THE NEW PLANTING ARRANGEMENT.
- DRIP IRRIGATION SHALL BE INSTALLED AND MAINTAINED TO SUPPORT ALL NEW LANDSCAPED AREAS.
- SPECIFIC DESIGN AND LOCATION OF IRRIGATION SYSTEM SHALL BE PROVIDED WITH THE BUILDING PERMIT.
- IRRIGATION SHALL BE INSTALLED IN THE LANDSCAPE STRIP. TEMPORARY IRRIGATION SHALL BE PROVIDED DURING CONSTRUCTION, PER THE PUBLIC WORKS CONSTRUCTION CODE.

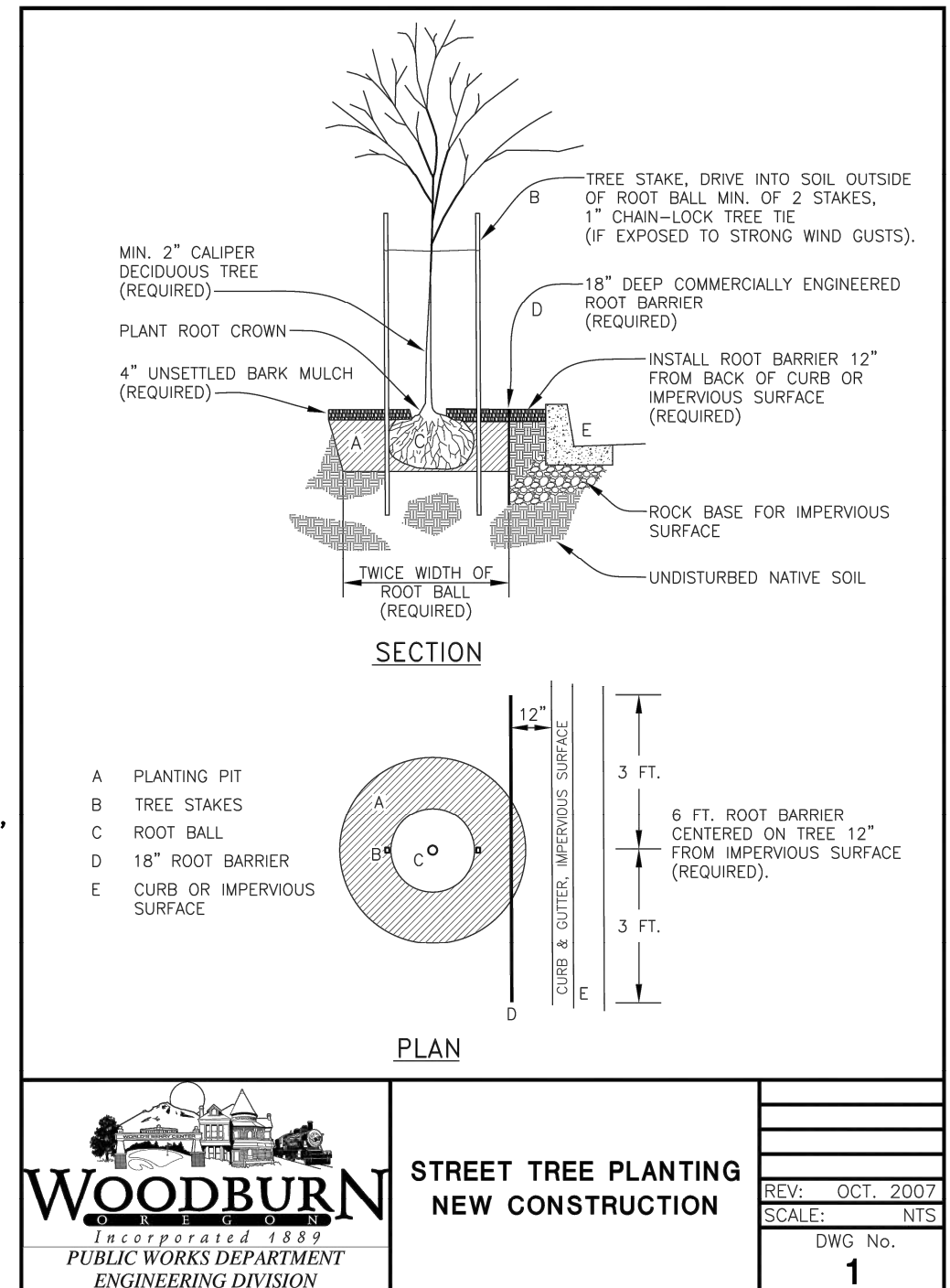
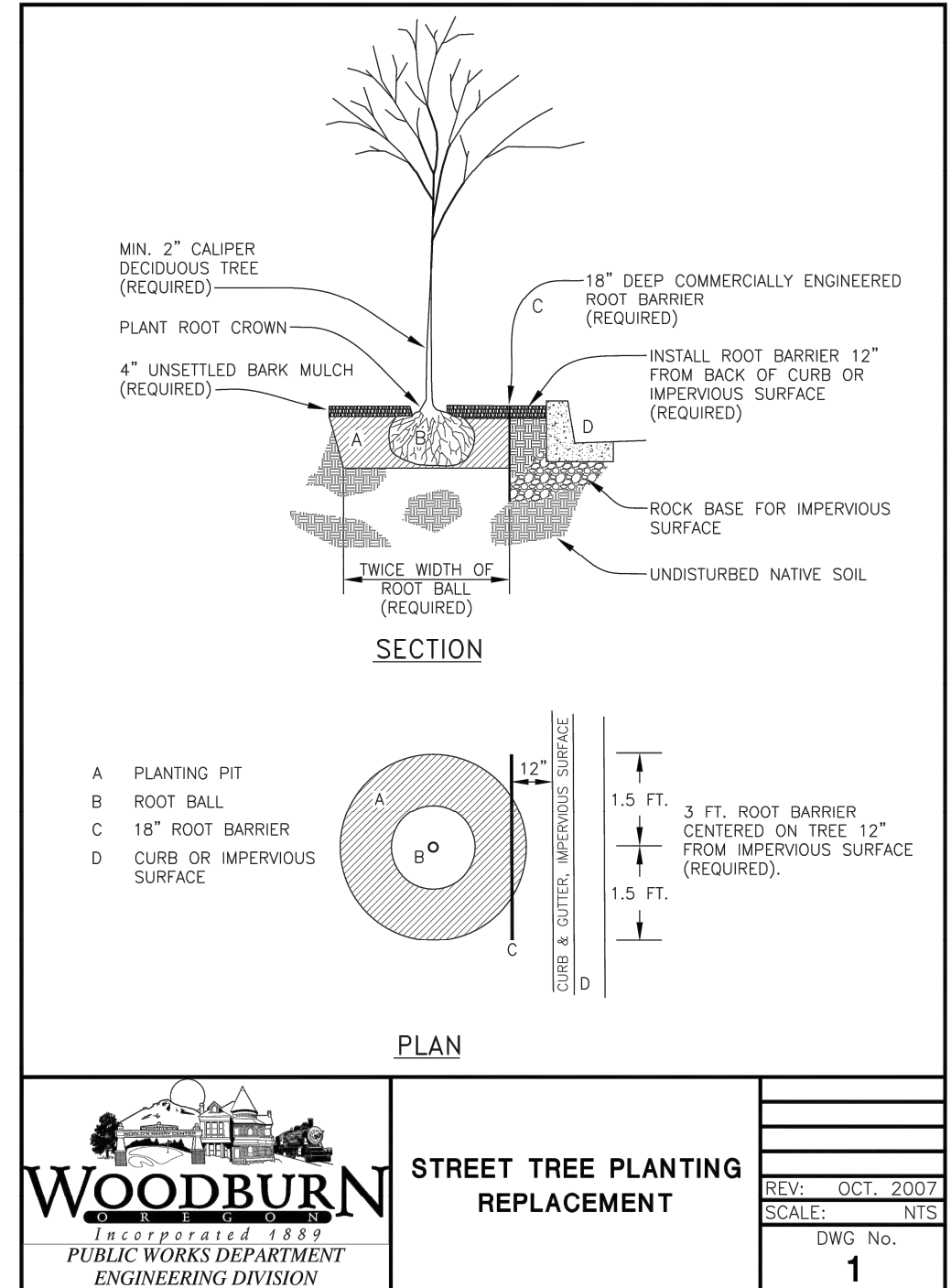
**SITE PLAN KEY NOTES:**

L1 TURF SHALL BE REPLACED PER WDO 3.01.04B. THE DEVELOPER SHALL INSTALL LANDSCAPE STRIP IRRIGATION, AND SHALL PROVIDE TEMPORARY IRRIGATION DURING CONSTRUCTION, PER THE PUBLIC WORKS CONSTRUCTION CODE.

**LANDSCAPE PLAN LEGEND**

- |  |  |  |  |
|--|--|--|--|
|  | PROPERTY BOUNDARY                                  |  | EXISTING DECIDUOUS TREE<br>CANOPY VARIES, DBH INDICATED      |
|  | ADJACENT PROPERTY LINES                            |  | EXISTING CONIFER TREE<br>CANOPY VARIES, DBH INDICATED        |
|  | CENTERLINE   |  | EXISTING SHRUB<br>SIZE VARIES                                |
|  | EASEMENT LINES                                     |  | FAGUS SYLVATICA 'FASTIGIATA', 45' T x 15' W / EUROPEAN BEECH |
|  | BUILDING   |  | MAGNOLIA 'GALAXY', 30' T x 15' W / GALAXY MAGNOLIA           |
|  | CURB   |  | PRUNUS SARGENTII, 30' T x 30' W / SARGENT CHERRY             |
|  | SIDEWALK   |  | TILIA AMERICANA, 60' T x 35' W / AMERICAN LINDEN             |
|  | FENCE  |  | ZELKOVA SERRATA 'VILLAGE GREEN', 45' T x 40' W / ZELKOVA     |
|  | STORM DRAIN LINE                                   |  | PIERIS JAPONICA 'FIRE N ICE' / ANDROMEDA                     |
|  | RETAINING WALL                                     |  | PINUS MUGO / MUGO PINE                                       |
|  | PROPOSED PAVING                                    |  | RHODODENDRON 'PJM ELITE' / PJM ELITE RHODODENDRON            |
|  | CONCRETE PAVING                                    |  | BUXUS X 'GREEN VELVET' / BOXWOOD                             |
|  | ASPHALT PAVING                                     |  | BERBERIS THUNBERGII 'CRIMSON PYGMY' / BARBERRY               |
|  | MULCH TO MATCH EXISTING                            |  | SPIREA JAPONICA MAGIC CARPET 'WALBUMA' / SPIREA              |
|  | ARCTOSTAPHYLOS UVA-URSI / BEAR-BERRY SPACE 2' O.C. |  | HEMEROCALLIS 'PURPLE DE ORO' / DAYLILY                       |
|  | TURF REPLACEMENT                                   |  |  |

**EXISTING CONDITIONS:**  
 • EXISTING FEATURES ARE SHOWN IN GRAY LINE WORK.



**VARITONE ARCHITECTURE**  
 231 SW 2ND AVE  
 ALBANY, OREGON  
 (541) 497-2954

**HIEX WOODBURN ADDITION**  
**WOODBURN, OREGON**  
**PRELIMINARY LANDSCAPE PLAN**



**REGISTERED PROFESSIONAL ENGINEER**  
 60183PE  
**PETER J. SEADERS**  
 OREGON JULY 13, 2006  
 RENEWAL: 6/30/2024

**MSS INC**  
 ENGINEERING CONSULTANTS AND PLANNERS  
 215 NW 4TH STREET  
 CORVALLIS, OR 97330  
 (541) 753-1320 FAX: (541) 755-5956

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 SCALE AS SHOWN DATE 5/24/23  
**P400**  
 # 6 OF 6 SHEETS

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**LEGEND:**

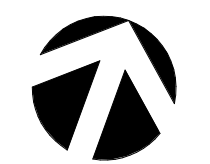
-  NEW DOOR
-  NEW WALL
-  EXISTING DOOR
-  EXISTING WALL
-  WALL TAG
-  WINDOW TAG
-  DOOR TAG
-  GRID LINE IDENTIFICATION - NEW
-  GRID LINE IDENTIFICATION - EXISTING

**GENERAL FLOOR PLAN NOTES:**

1. DIMENSIONS ARE BASED ON WOOD FRAMED CONSTRUCTION. ALL INTERIOR WALL DIMENSIONS ARE TO THE CENTER OF STUD U.O.N. DIMENSIONS AT EXTERIOR WALLS ARE TO THE EXTERIOR FACE OF STUD U.O.N.

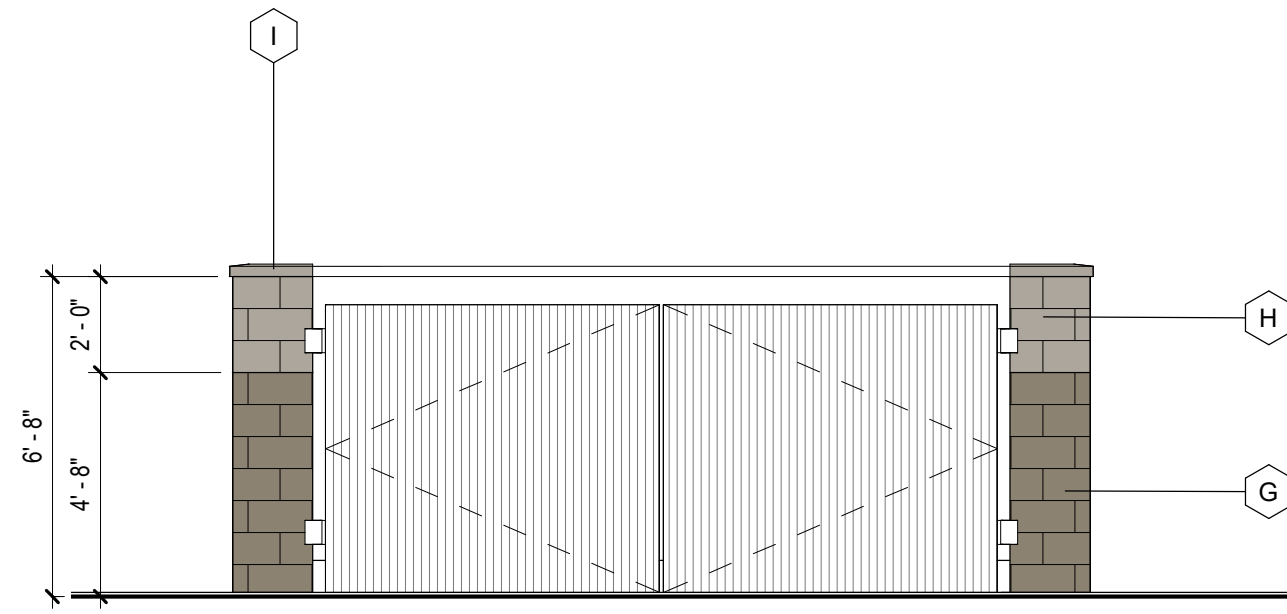


01 PROPOSED 2ND FLOOR PLAN  
1/8" = 1'-0"

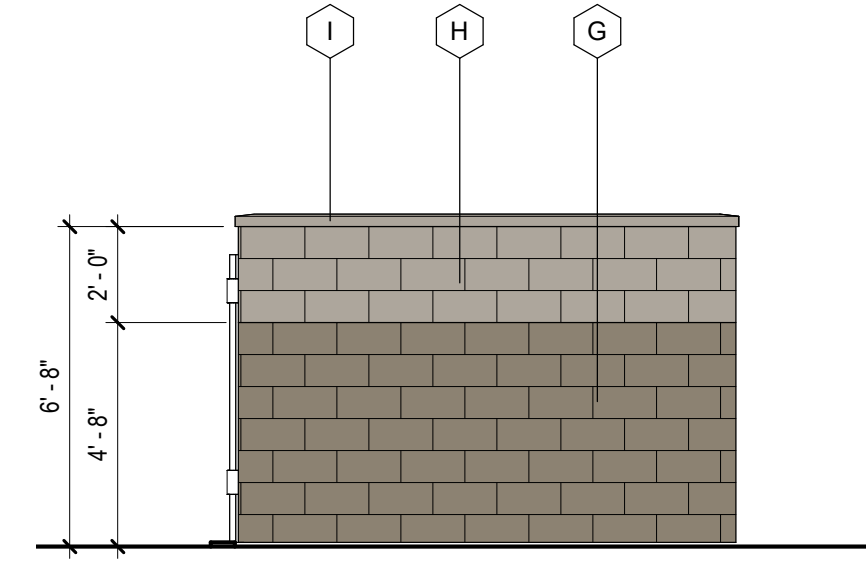




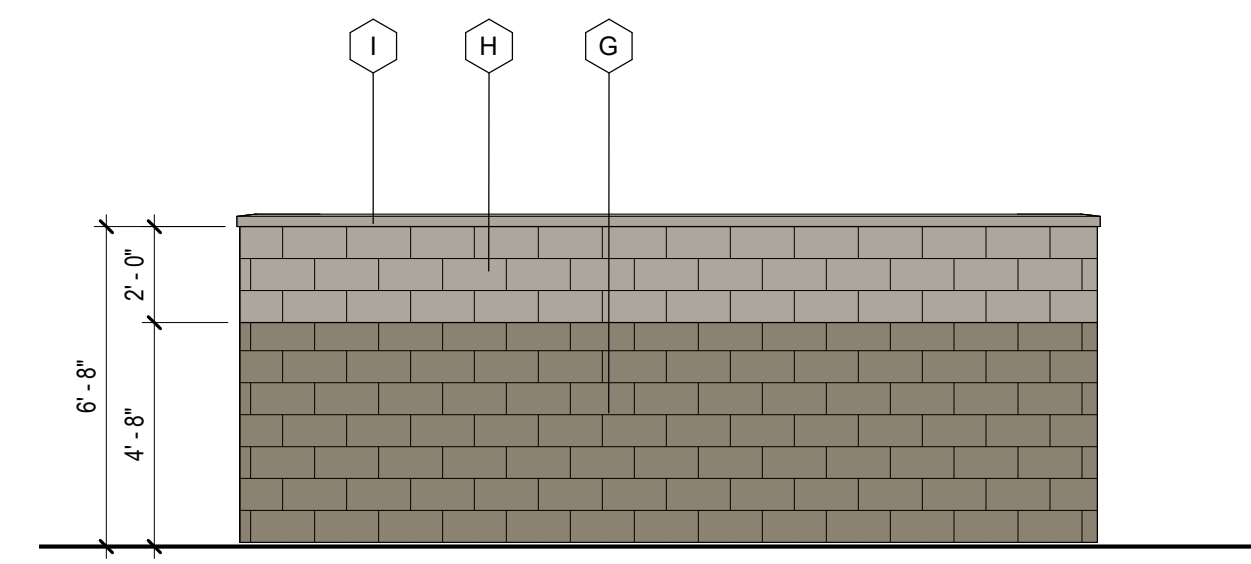
EXTERIOR FINISH KEY					
Mark	Material	Finish Location	Manufacturer	Pattern/Texture	Color
A.1	(E) LAP SIDING	EXTERIOR WALL	NA		SW 7026 GRIFFIN
A.2	(E) LAP SIDING	EXTERIOR WALL	NA		SW 7507 STONE LION
B.1	(E) MANUF. STONE VENEER	EXTERIOR WALL	NA		NA
B.2	(N) MANUF. STONE VENEER	EXTERIOR WALL	TBD		TBD
C.1	(N) FIBER CEMENT PANEL	EXTERIOR WALL	JAMES HARDIE		SW 7026 GRIFFIN
C.2	(N) FIBER CEMENT PANEL	EXTERIOR WALL	JAMES HARDIE		SW 7507 STONE LION
D.1	(E) ASPHALT SHINGLE	ROOF	NA		NA
D.2	(N) ASPHALT SHINGLE	ROOF	TBD		TO MATCH EXISTING
E	(N) STEEL	PORTE COCHERE	NA	POWDER COATED	BLACK
F	(N) ALUMINIUM	PORTE COCHERE	NA	PREFINISHED	BLACK
G	CMU	REFUSE ENCLOSURE	TBD	SPLIT FACE	DARK BROWN TBD
H	CMU	REFUSE ENCLOSURE	TBD	GROUND FACE	LIGHT BROWN TBD
I	PRECAST CAP	REFUSE ENCLOSURE	TBD		LIGHT BROWN TBD
SM-2		EXTERIOR WALL	Lithonia Lighting	WDGE1 LED	30K



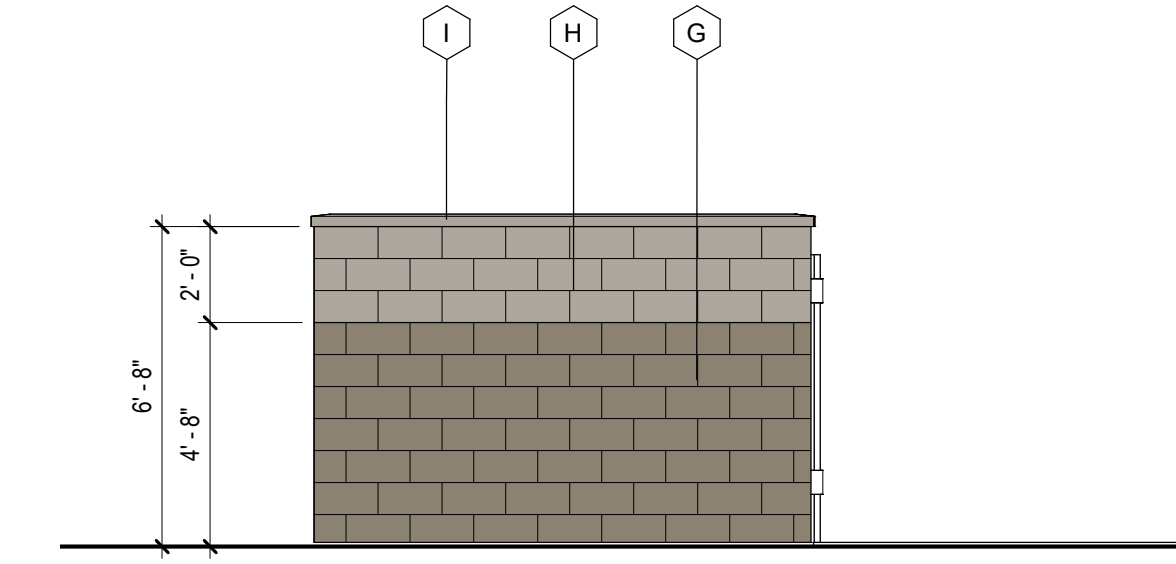
**04** REFUSE ENCLOSURE - NORTH  
1/4" = 1'-0"



**03** REFUSE ENCLOSURE - WEST  
1/4" = 1'-0"



**02** REFUSE ENCLOSURE - SOUTH  
1/4" = 1'-0"



**01** REFUSE ENCLOSURE - EAST  
1/4" = 1'-0"

# BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes

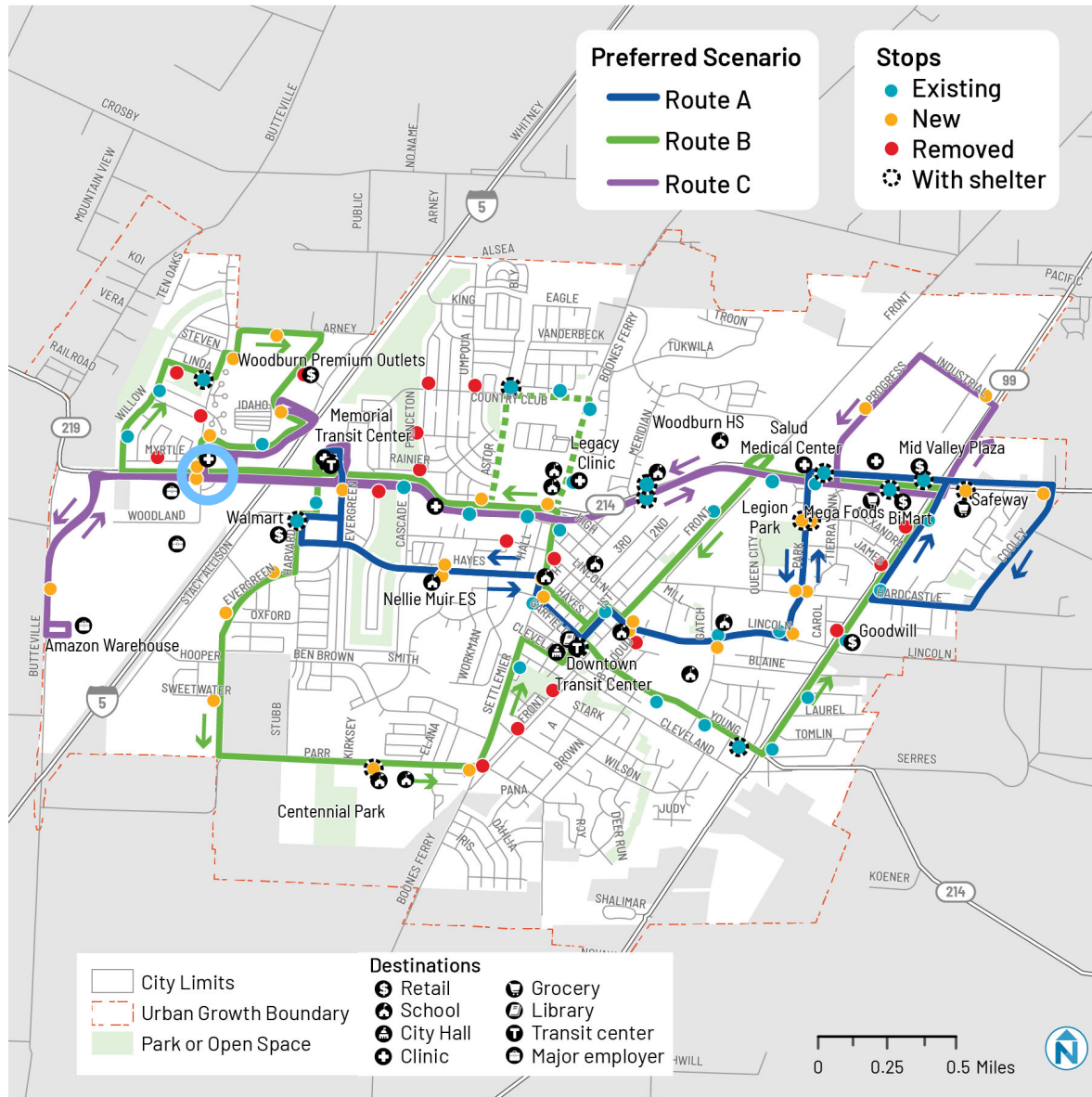


Figure 63 shows all existing, new, and removed bus stops that correspond to the Preferred Service Plan. New stops are required in areas where service is added and stops where service is eliminated would need to be removed. The following is a summary of where stops are added or removed.

- 33 existing stops (teal) are maintained. All of the existing stops with a shelter are maintained.
- 18 stops (red) are removed. None of the stops recommended for removal has a shelter.
- 31 new stops (orange) are added. Most stops would just have a sign pole and concrete pad.

Four new stops would include shelters in key locations:

- Centennial Park / Valor MS (south side of Parr Road)
- Legion Park (both sides of the street)
- Safeway (south side of Molalla Road/Highway 214)

It is important to note that all new stop locations presented on this map are for planning purposes only and are subject to change. Specific locations will be determined by WTS staff.

Subject property and vicinity circled in light blue

**Attachment 104A**

# CAPITAL PLAN

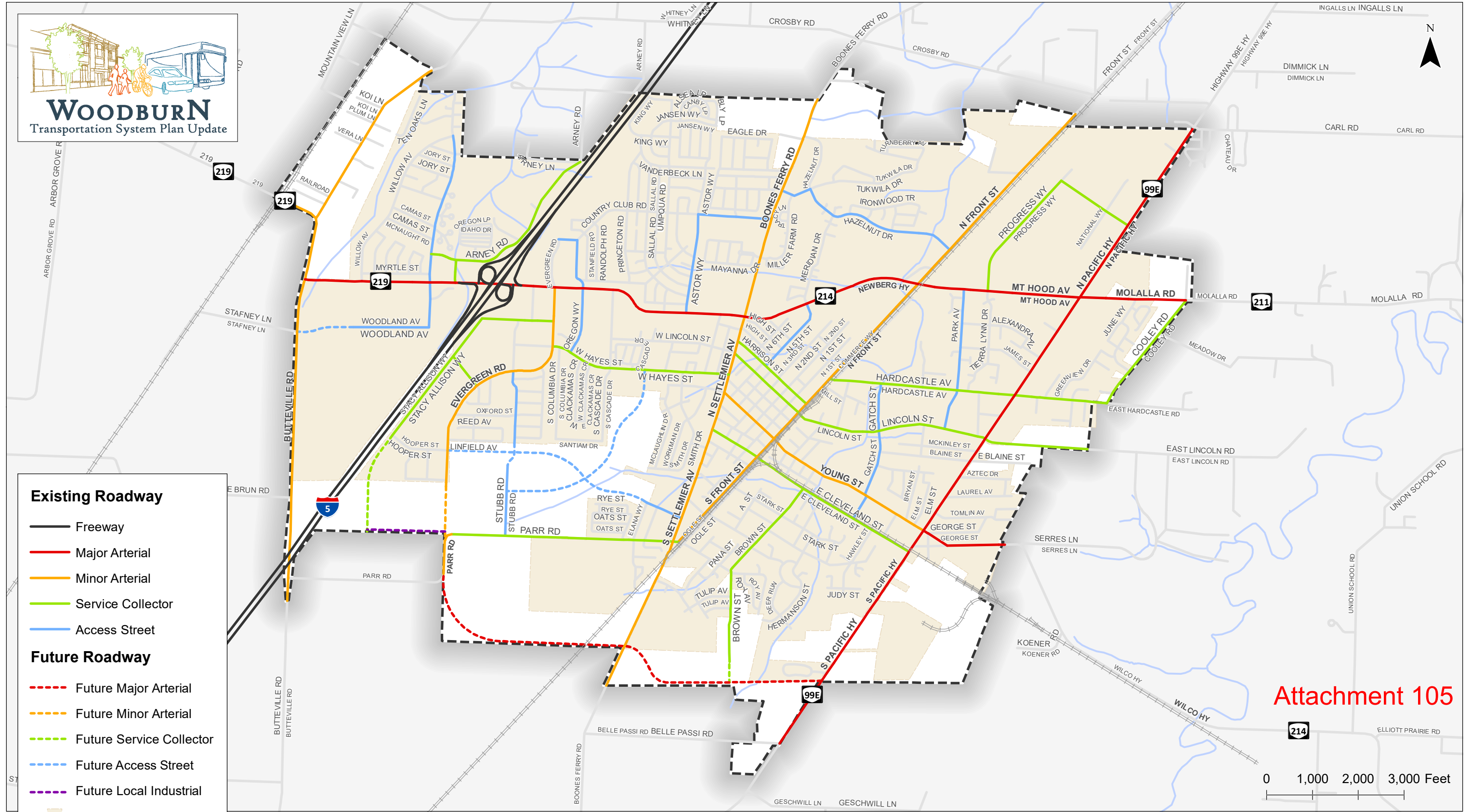
Estimated capital costs over the life of the planning horizon are summarized below in Figure 68, which summarizes the estimated costs associated with planned vehicle replacements as well as capital improvements associated with the service improvements. Capital improvements include vehicle expansion, new bus stops, and technology improvements. Details for each of these capital improvement categories are provided below.

**Figure 68 Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)**

Capital Improvement	Current	Near-Term			Mid-Term			Long-Term	Notes
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	
Paratransit vehicle replacement	\$80,000	\$360,000	\$82,000						1, 2
Fixed route vehicle replacement	\$340,000		\$480,000						1, 2
Fixed route vehicle expansion (Route C)		\$1,108,000							3
Electric vehicle chargers/infrastructure		\$321,000							4
Fixed route vehicle expansion (Routes A and B)					\$1,246,000		\$1,348,000		3
New basic bus stops		\$77,500							5
New enhanced bus stops		\$60,000		\$30,000		\$30,000		\$30,000	6
<b>Annual Total</b>	<b>\$420,000</b>	<b>\$1,926,500</b>	<b>\$562,000</b>	<b>\$30,000</b>	<b>\$1,246,000</b>	<b>\$30,000</b>	<b>\$1,348,000</b>	<b>\$30,000</b>	

**Notes:**

- 1: Estimated vehicle replacement costs based on figures from City of Woodburn. 2022/23 vehicle replacements already procured.
- 2: Includes one modified minivan and two Cutaway vans.
- 3: Estimated cost based on quote received by City of Woodburn. Future year estimates include a 20% contingency and an annual 4% cost increase.
- 4: Assumes new Level 3 chargers that can charge 3 vehicles (\$130,000) and infrastructure upgrades (\$191,000). Costs are based on vendor quotes and estimated infrastructure upgrade costs from PGE.
- 5: Assumes \$2,500 per basic bus stop. This includes the bus stop pole, signage, and new level concrete pad.
- 6: Assumes \$15,000 per enhanced bus stop. This includes design and construction of a new bus stop pad, new bus stop pole and signage, and new shelter with bench.



**Existing Roadway**

- Freeway
- Major Arterial
- Minor Arterial
- Service Collector
- Access Street

**Future Roadway**

- - - Future Major Arterial
- - - Future Minor Arterial
- - - Future Service Collector
- - - Future Access Street
- - - Future Local Industrial

- City Boundary
- Urban Growth Boundary

Attachment 105

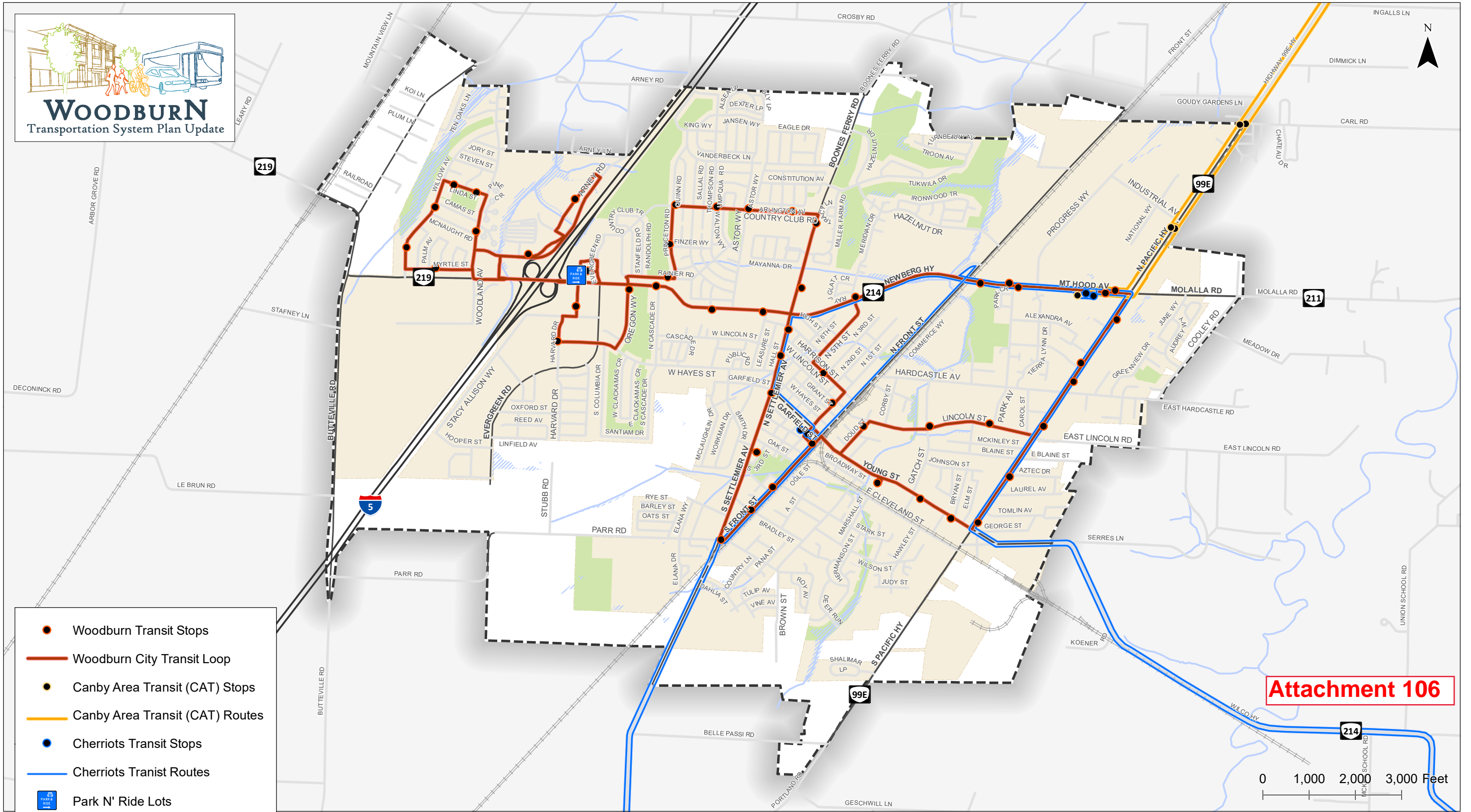
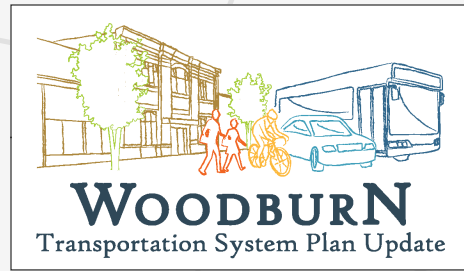
**Functional Roadway Classification  
Woodburn, Oregon**

**Figure  
2**

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

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

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



- Woodburn Transit Stops
- Woodburn City Transit Loop
- Canby Area Transit (CAT) Stops
- Canby Area Transit (CAT) Routes
- Cherriots Transit Stops
- Cherriots Transit Routes
- Park 'N' Ride Lots
- City Boundary
- Urban Growth Boundary

**Attachment 106**

0 1,000 2,000 3,000 Feet

**Existing Transit Routes and Facilities  
Woodburn, Oregon**

**Figure  
7**

H:\12121071 - Woodburn TSP Update\GIS\TSP07 Existing Transit Facilities.mxd - rmmccormick - 5:47 PM 9/16/2019

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

## DR 22-17 Holiday Inn Express: 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.
- “Arney” refers to [N.] Arney Road. (The “N.” is in brackets because the City geographic information system [GIS] and Google Maps indicate the road as N. Arney Road, but ODOT or the City hadn’t signed the road as such in the field. Also, the County assessor tax map indicates it as Arney Road NE.)
- “C of O” refers to building certificate of occupancy.
- “CAE” refers to cross access easement.
- “CEP” refers to City 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.
- “highway” refers to Oregon Highway 219, OR Highway 219, OR Hwy 219, or OR 219.
- “inc.” means including.
- “max” means maximum.
- “min” means minimum.
- “Modal share” means the percentage of travelers using a particular type of transportation or number of trips using a type, as examples walking, cycling, riding transit, and driving.
- “Modal shift” means a change in modal share.
- “MUTCD” refers to *Manual on Uniform Traffic Control Devices* of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- “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.
- “OR 219” refers to Oregon Highway 219 / Hillsboro-Silverton Highway.
- “ORS” refers to Oregon Revised Statutes.
- “PGE” refers to electric utility Portland General Electric.
- “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 and adapted by the developer to conform to land use conditions of approval. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording public easement materials that a developer submits.

Note: 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 (or City Council, where applicable such as for annexation), 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.

- “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.
- “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 City 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.
- “TDP” means the Woodburn [Transit Development Plan](#) dated June 2023 and adopted via Resolution No. 2213 on June 12, 2023.

- “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. Also, see WDO 3.04.06.
- “Wide walkway”: See WDO 3.04.06C & D.1.
- “WDO” refers to the [Woodburn Development Ordinance](#).
- “WFD” refers to the Woodburn Fire District.
- “WTS” refers to the Woodburn Transit System.
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes. “Sight triangle” is a synonym.



DR 22-17 Holiday Inn Express:  
Attachment 202: 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 final decision, citing the case file number.

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 202B. Fee Table</i>					
<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
D7b(3)	Tree removal	Significant Tree: See context note	Per the <a href="#">Planning Division fee schedule</a> , row “Significant Tree mitigation fee”, per tree.	By building permit issuance	
T-T1	Bus shelter / enhanced bus stop	2023: \$7,500 2024 or later: \$7,725	<a href="#">Transit Development Plan</a> (TDP) Figures 63 & 68; WDO 3.01.09B. At 50% discount.	By building permit issuance	
T-T2	Bus transit / transit service fee	\$166 per parking stall assessed for 2 stalls	See condition.	By building permit issuance	
SA1a	Landscape strip fee in-lieu: Arney Rd	\$203	For missing 6 inches from standard width.	By building permit issuance	
SA2	Street tree fee in-lieu for street trees omitted through building permit review or civil engineering plan (CEP) review, or, inspection missing tree fee	Along OR Hwy 219: \$500 per tree; Arney Rd: \$950 per tree	Applies to omitted street trees, or, ones missing from required number upon inspection; WDO 4.02.12A	If building permit or CEP context, then by building permit issuance; if in inspection context, then prior to passing final inspection / obtaining certificate of occupancy	
G6d through this 200 series attachment	Public Works Dept. (PW), or ODOT as applicable, civil engineering plan (CEP) review: Review by Planning Division.	See context note	Per the <a href="#">Planning Division fee schedule</a> .	Upon CEP application to PW, or to ODOT as applicable; in any case no later than building permit issuance	
	Inspections by Planning Division	Public (street) improvements: zero; zero	1st inspection or “walkthrough”; 2nd. 3rd is per the <a href="#">Planning Division fee schedule</a> .	Inspection requests related to public (street) improvements and building permits	

Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
		Building permit: zero; \$75			
	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	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".]