



Staff Report

To: Planning Commission

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

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

Meeting Date: December 14, 2023 (Prepared December 7, 2023)

Item: 1030 Young Street, "1030 Young Street Apartments" (DR 22-06)

Tax Lot(s): 051W17BC06800 (primary) & 051W18AD08400

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Issue before the Planning Commission

Design Review DR 22-06 (Type III) for proposed redevelopment of the site of the burned and demolished Young Street Market into an unnamed apartment complex of 4 buildings totaling 94 apartments with Street Adjustment SA 23-04 & Variance VAR 23-04: Commission decision.

Executive Summary

Location

The proposal is to approve the redevelopment on the subject property that is zoned Mixed Use Village (MUV) and composed of two tax lots totaling 3.51 acres and to be consolidated an unnamed apartment complex of 4 buildings totaling 94 apartments. The property is located along the south side of Young Street, at the corner of Young Street and unimproved unnamed right-of-way (ROW) that staff terms “Joyce Way”. The property abuts a railroad (Willamette Valley Railway Co.) at the south.



Vicinity of subject property; subject property outlined in yellow

“Joyce Way”

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



Aerial mock-up with site plans of 119 N. Pacific Hwy Apartments at the east and Townsend Farms addition/expansion at the west



Aerial mock-up with site plans of 119 N. Pacific Hwy Apartments at the east, Townsend Farms addition/expansion at the west, and 1030 Young Street Apartments site plan with Joyce Path

Design Review

The applicant proposes redevelopment of the site of the burned and demolished Young Street Market into an unnamed apartment complex of 4 buildings totaling 94 apartments.

What makes this apartment project notable is the abutting “Joyce Way” at the west side as well as Bicycle/Pedestrian Corridor RR2 at the south rear along the railroad per Woodburn Development Ordinance (WDO) Table 3.01A.

Variance

The applicant/developer applied for a variance (VAR 23-04) with several requests to vary from:

1. “Joyce Way” east half-street improvements: By not constructing an east half-street and offering instead an off-street bicycle/pedestrian path. This may be referenced as variance request 1.
2. Bicycle/Pedestrian Corridor RR2: WDO 3.01.07C and Table 3.01A row 1b(2) by having Bicycle/Pedestrian Corridor RR2 be narrower than the min 20 ft, the applicant’s revised narrative p. 42 (submitted December 1, 2023) requesting that Corridor RR2 be 12 ft wide. This may be referenced as variance request 2.
3. Path RR2: Because of variance request 2, there is also a request to have Path RR2 be 8 ft (instead of 10 ft). Request 3 varies from related WDO 3.01.07D.2b that establishes Path RR2 as Class B, which through WDO interpretation memo INT memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022; Attachment 203) means min width 10 ft. The site plan illustrates and dimensions an 8-ft Path RR2. This may be referenced as variance request 3.
4. Only so many parking stalls in a row without a landscaped island: that, “there shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula ...”, by having in the range of 11-14 stalls in a row between landscaped islands in a few locations. This may be referenced as variance request 4.
5. Walkway crossings through parking aisles having landscaped islands: “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 [3.06.03C.]¹ above”, by not having islands along the south sides of two walkway crossings in the central parking aisles. This may be referenced as variance request 5.

Staff confirms recommendation of approval of variance requests 1-4, but on terms different than what the developer proposed, and regarding variance request 5, staff recommends denial, which would result in walkway crossings through parking aisles having landscaped islands along their south sides. The terms as conditioned for requests 1-4 are that:

1. “Joyce Way”: In exchange for not constructing an east half-street, constructing Joyce Path, an off-street bicycle/pedestrian path that doubles as an emergency fire access lane, with related amenities and support facilities such as an open-air picnic shelter (or fee in-lieu) and benches similar to those found along the Mill Creek Greenway Trail. The trail would end at the railroad and connect with Path RR2 – see 2. below.
2. Bicycle/Pedestrian Corridor RR2: Either dedicating a tract or granting a public easement minimum width 16 feet as conditioned by variance (instead of 20 ft), room enough for a north 2-foot shoulder, a 10-foot paved path west along the apartments (with the path narrowing to 9 ft east along the parking area), and a south 4-foot bench and tree planting zone.
Staff stresses that though the conditioned corridor and path are wider than what the developer proposes, they fit comfortably so as to not displace site improvements such as the nearest building or parking area. They do allow for a north shoulder plus room for whatever fencing or shrubbery the developer would install or plant between the north shoulder and Building D.
3. Path RR2: Continuing to construct the path at the Class B minimum width of 10 feet.
4. Only so many parking stalls in a row without a landscaped island: Allowing slightly longer aisles or rows of parking for some aisles or rows.
5. Walkway crossings through parking aisles having landscaped islands: As stated above, staff recommends denial of request 5. Islands along the south sides of two walkway crossings in the central parking aisles remain required.

Street Adjustment

The Street Adjustment request is for the existing Young Street frontage and specifically asks not to demolish existing curb and pave additional asphalt and pour new curb (to accommodate a wider travel lane and wider bicycle lane). With existing curb remaining, new sidewalk would be located correctly away from street centerline and leave a wider-than-standard planter strip.

Staff adds that in September, the applicant’s team indicated to staff that the developer changed his mind and would upgrade the south side of Young Street per the standard cross-section – which would involve demolishing curbing, paving additional asphalt and new curb, and re-striping. In response, staff leaves in place the recommended Street Adjustment conditioning that allows the developer to choose either to meet the WDO as is or construct the half-street cross-section as conditioned, which allows the developer to leave as is existing curbing and asphalt.

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. Upgrade of Young Street frontage;
2. Joyce Path: improvement of Joyce Way right-of-way (ROW) as a bicycle/pedestrian path that doubles as an emergency fire access lane, with related amenities and support facilities such as an open-air picnic shelter (or fee in-lieu) and benches similar to those found along the Mill Creek Greenway Trail and connections with Path RR2 and the apartment complex – a site plan is on the next page;
3. Path RR2: Either dedicating a tract or granting a public easement minimum width 16 feet as conditioned by variance (instead of 20 ft), room enough for a north 2-foot shoulder, a 10-foot paved path west along the apartments (with the path narrowing to 9 ft east along the parking area), and a south 4-foot bench and tree planting zone, and with path pavement, benches, and trees, and connections with Joyce Path and the apartment complex;
4. Increased street trees, and provision for fee in-lieu to fund tree plantings elsewhere in town;
5. A bus transit / transit service fee to improve walking, cycling, and local and regional bus ridership; and
6. A bicycle rack at the adjacent existing sheltered bus stop.
7. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles;
8. Carpool/vanpool (C/V) and electric vehicle (EV) parking stalls and EV charging;
9. Having evergreen trees among newly planted trees outside of ROW;
10. Urban design: How many and how large are windows; door canopies or fixed awnings that shelter from precipitation;
11. Balcony sizes for half of balconies being as large as those at Woodburn Place and Woodburn Place West Apartments on Molalla Rd;
12. Vehicle damage protection along the parking stalls next to the recycling and trash enclosures; and
13. Common area improvements such as benches and either the proposed dog run or a specified alternative barbeque grill, children's play structure, or flower or vegetable garden.

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

Site Plan

A site plan excerpt follows on the next page, and a larger version is among the attached site plans (Attachment 103). There is also one or more architectural views below.



Site plan (Sheet LU 1.0 December 1, 2023; north and Young Street are towards the right)



Architectural rendering excerpt: View SE from Young Street to Building A

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) – and with denial of variance request 5 about parking aisle walkway crossing landscaped islands.

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 and to deny variance request 5 about parking aisle walkway crossing landscaped islands.

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 WDO requirements and 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 Woodburn Development Ordinance (WDO) 3.01.02E and 4.02.12, unless a condition of approval allows for later improvement, as this condition provides below:

(1) Young St driveway, street trees: Regarding (a) construction of a Young Street driveway approach, apron, or curb cut, and (b) planting of street trees and remaining landscape strip landscaping along Young Street, by this condition the developer may defer apron construction and street tree plantings until building permit final inspection for the first apartment building; however, bonding through 3.01.02E would remain required.

(2) Joyce: Regarding Condition V4 about Joyce Way:

(a) North “frontage” improvements shall remain due as part of and at the same time as Young St frontage upgrades.

(b) Pavement, hardscaping, and permanent irrigation infrastructure – all but landscaping (plantings of trees, shrubs, groundcover, and grass) – are due by building permit final inspection of the second-to-last apartment building; however, any and all of the Joyce Way improvements necessary and sufficient to provide for the emergency access fire lane are due by building permit issuance for the first apartment building.

(c) Landscaping is due by final inspection, which may be for the last apartment building.

Note (2): Bonding per 3.01.02E would remain required, and an additional fee would

be due through the Planning Division per the land use final decision 200 series attachment regarding conditioned fees.

(3) Corridor RR2: Regarding Condition V6 about Bicycle/Pedestrian Corridor RR2, then by final inspection of the second-to-last apartment building.

Note (3): Same as Note (2) above.

(4) Underground public improvements as the Public Works Director specifies, including a water main that serves as fire protection during construction of buildings as the Woodburn Fire District Fire Marshal specifies, are due by building permit issuance for the first apartment building.

- b. ROW/easements: Recordation of required right-of-way (ROW) dedication and public easements grants 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 the 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, based on WDO 2.01.05 and upon City request.
- d. Fees: The developer shall pay fees per Attachment 206.

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 10, 2023).

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through the Public Works Department (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 22-06

- D1. Fence/fencing: To meet WDO 2.06.02D that requires coating, the developer shall:
- a. Have proposed chain-link fencing conform with the coating requirement. See also Conditions V6 & V7.
 - b. Prior to building permit issuance, revise site plans that illustrate and note chain-link fencing to conform.
 - c. Apply for and obtain a fence permit per 5.01.03 for any fence, fencing, or free-standing walls (excepting recycling and trash enclosure walls), with the permit application form(s) indicating case file numbers DR 22-06 & VAR 23-04.

D2. Street cross sections: To conform with WDO 3.01.01A, B, & D; 3.01.02A, 3.01.03C.1, 3.01.04, and Figure 3.01C “Minor Arterial”:

- a. Young St: Upgrade, including to conform what other separate conditions might require, such as regarding electric power pole removal and line burial, and except where and as variance conditions supersede:
 - (1) ROW: Min 37 ft from centerline. Min dedication 7 ft.
 - (2) Streetside PUE: See Condition D3.
 - (3) Landscape strip: Landscape strips shall conform with the WDO 3.01.04B last paragraph. Otherwise, see Condition SA1.
 - (4) Street trees: See Condition D11.
 - (5) Sidewalk: See Condition SA1.
- b. Joyce: See Condition V4.

D3. PUE: To conform with WDO 3.02.01B & F.2, and as part of recordations, the applicant shall grant a streetside PUE along:

- a. Young St: Min 5 ft and max 8 ft.
- b. Joyce: N/a because none required. (See Condition V16 about distances between walkway and dwelling main wall planes.)
- c. Site plans: The developer shall either:
 - (1) Prior to granting of streetside PUEs and prior to building permit application, revise the site and composite utility plans to delineate, label, and dimension such easements; or
 - (2) 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 including within a label, call-out, or note the Marion County reel and page numbers and dates of recordation.

D4. Electric power poles:

- a. To conform with WDO 3.02.04B along Young St, the developer shall either remove the two electric power poles and bury the lines, or, pay fee in-lieu per Attachment 206.
- b. Improvement is due the same as WDO 3.01.02E, and fee in-lieu payment is due per Attachment 206.

D5. Cross access, shared access, or shared rear lane: Consistent with the Highway 99E Corridor Plan (H99ECP; Ordinance No. 2492, July 9, 2012), including pages 26 & 27 access management objectives, as well as Appendix E “Access Management Tools”, and to conform with WDO 3.04.03B, prior to building permit issuance:

- a. To conform with WDO 3.04.01A.2 and 3.04.03B.5, C.1, C.4a, & D.2, the developer shall grant a public cross access easement (CAE) or other legal instrument that grants the City and the public access to and from the driveway and connects to the east lot line, which is the west lot line of 119 N. Pacific Highway (Tax Lot 051W17BC07500), aligned with and centered on the centerline of the CAE and its drive aisle on that property that benefits the subject property;
- b. To conform with WDO 3.04.01A.2, the easement shall contain text that, pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.
- c. The easement shall have an Exhibit A legal description and an Exhibit B drawing that delineates, labels, and dimensions the CAE. Where a plat or re-plat is relevant, the face of the plat may accomplish the same in place of exhibits.
- d. The CAE shall overlap a drive aisle stub that comes up to the location described in (a.) above. At the interface of a property line and a CAE drive aisle stub, fixed barriers are prohibited per WDO 3.04.03C.4b including curbing, fencing, free-standing walls, barricades affixed to the ground or pavement, and gates.
- e. Speed bumps: Within the cross access, shared access, or shared rear lane, speed bumps and speed humps are prohibited. One or more speed tables are permissible if engineered and constructed to the standards of WDO 3.04.06D.1.
- f. Cross access directional signage:
 - (1) For motorists exiting west into the shared rear lane from 119 N. Pacific Hwy, there shall be min 1 directional sign to Young St, at the east lot line along the shared rear lane north side (indicating straight).
 - (2) For motorists entering south from Young St, there shall be min 1 *MUTCD*-compliant directional sign to OR 99E, at the east lot line along the shared rear lane south side.

D6. Driveways max width: To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a residential context, the developer shall revise site, composite utility, and landscape plans.

D7. 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 any parking stalls abutting wide walkways, with exception per Condition V2c.

D8. No outlet drive aisle signage: To conform with WDO 3.05.02J, the developer shall revise the site plans prior to building permit issuance and install an *MUTCD*-compliant no outlet sign in any dead-end drive aisle 50 ft or longer.

D9. 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 (a) carpool/vanpool (C/V), (b) electric vehicle (EV), and (c) 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 (charging level) & 4 (sign mounting height); and 3.05.06C.3.

D10. 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.

D11. 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. Young St: The developer shall:
 - (1) Along the 305 ft of frontage, plant for 10 trees total or pay a fee in lieu of max 2 trees per Attachment 206. See also through Condition V4 and in Attachment 204 about additional street trees along the north end of Joyce Way.
 - (2) Plant street trees centered in the landscape strip as WDO Figure 3.01C represents.
 - (3) Excavate along existing curbing as necessary to install root barriers per PW "Drawing No. 1 Street Tree Planting New Construction" (October 2007 or as amended), which land use review sheet L1.2 reproduced.
- b. Joyce Way: See through Condition V4 and in Attachment 204 about bicycle/pedestrian corridor landscaping.

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 206.

D12. Landscaping: trees: The developer shall:

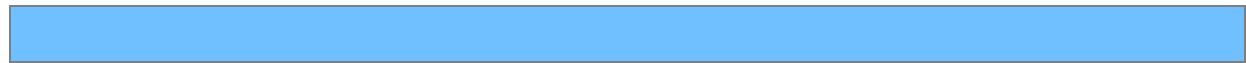
- a. To meet WDO 3.06.02B, revise the landscape plan Sheets L1.1, Note 8 and L1.2, Note 9 – or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division – to address irrigation more specifically in the contexts of Joyce Way and RR2 as other conditions reference.
- b. To meet WDO Tables 3.06B & C regarding street trees, revise the landscape plan Sheet L1.2 tree legend to indicate for Young St street trees (1) a species that is large size category at maturity as Table 3.06B defines because WDO 3.06.03A.2.a requires it, and (2) a species other than Norway maple (*Acer platanoides*) because Table 3.06C prohibits the species.
- c. Revise either Sheet L1.1 or L1.2 to make consistent the symbol used to indicate Young St street trees.

D13. Walkway landscaped islands: To conform with WDO 3.05.02N & 3.06.03C.4, the developer shall revise site and landscape plans prior to building permit issuance and plant minimum area parking area landscaped islands at each of two drive aisle crossings of walkways that extend east from the walkways along the Buildings B & C north and south sides. The islands shall be at the east ends of the crossings, south sides.

D14. Patios: Visual separation shall conform with WDO 3.05.06C.7 last sentence & 3.07.05B.1a as follows:

- a. Pavement: Patios shall be paved with brick, poured concrete, concrete pavers, or square or rectangular cobblestone pavers.
- b. Delineation/separation from common area: Either of the following shall line the outermost edges of each patio concrete slab and have a gap min width 2 ft, 4 inches, max width 3 ft:
 - (1) Evergreen shrubbery of small or medium size per WDO Table 3.06B, min number equal to average o.c. spacing of 1 shrub every 3 lineal ft; or
 - (2) Fencing per WDO 2.06.02D.1 and, if chain-link fence is applicable, also D.2. (Per WDO 1.02 introductory note and 4.02.06B.6b, fencing shall be a barrier, railing, or other upright structure, typically of wood or wire.)

(See also Condition V13.)



Design Review 22-06: Transportation

T-BP1. Wayfinding: See instead the applicable parts of Conditions V4 & V6.

T-T1. To conform with WDO 3.01.09B, the developer may allow the existing bus stop within the NW corner of Joyce Way ROW, which is improved with pad and bus shelter, to remain because were the Joyce Path was as far west as centered on ROW centerline, its shoulder would not come within 2 ft of the bus shelter east main wall plane.

- a. However, the existing stop shall be improved per WDO interpretation memo INT 22-0609 memo (June 9, 2022 or amended), and the existing bus shelter may be considering conforming to spec. Specifically, the developer shall upgrade with a minor improvement to conform with INT 22-0609 Part D3: bicycle parking – or fee in-lieu per Attachment 206. Installation is due by final inspection. If opting for fee in-lieu, the developer should

indicate such earlier: at building permit application so that staff can assess the fee on the permit and avoid separate invoicing and payment processing. [TDP Figure 63.]

- b. If the Joyce Path west shoulder would fall within 2 ft of the bus shelter east main wall plane, the developer shall either (1) shift west the bus shelter outside the shoulder in coordination with either PW or the Transit Manager, or (2) shift east a northerly segment of Joyce Path to fit the west shoulder, including shift of the corresponding driveway apron, if any.

T-T2. The developer shall pay per Attachment 206:

- a. A City bus transit / transit service fee, and
- b. A regional express bus transit fee.

T-TDM1. Car share: Similar to Condition T-TDM1 from each of ANX 2019-01 & CU 22-01, until July 1, 2033, the Director may invoke as a requirement that the property management team shall contract with a car share company or service, designate and mark a minimum number of parking spaces – which shall be min one – for one or more shared vehicles for tenant use, and follow program details that the Director establishes as necessary to implement the requirement.



Street Adjustment 23-04

SA1. Street Adjustment: Young St: This condition documents the Street Adjustment request related to Young St frontage.

- a. App fee: Because the SA application fee was not collected, the developer shall pay the app fee per Attachment 206.
- b. ROW dedication and granting of streetside PUE remain required per other conditions.
- c. Option 1: The developer may opt to decline construction of the adjusted half-street cross section by reverting to construction of the Young Street standard half-street cross section of WDO Figure 3.01C “Minor Arterial”, including curb demolition, additional asphalt, new curb and gutter, and restriping as PW administers.
- d. Option 2: Were the developer to construct an adjusted half-street cross section, it shall be as follows:
 - (1) South of centerline, the half of the center two-way left turn lane (TWLTL) may remain 4.5 ft instead of 6 ft, the eastbound travel lane may remain 11.5 ft instead of 12 ft, the eastbound bicycle lane may remain 5 ft instead of 6 ft, and the curb may remain in place.
 - (2) Curb: The developer shall repair or restore cracked, gouged, eroded, or missing curb as PW administers.
 - (3) Landscape strip: Min width 6.5 ft, inc. curb width.

- (4) Sidewalk: Min width 8 ft, which may overlap outside ROW with granting of public access via either the streetside PUE or separate easement. The extra width shall be away from centerline, not consume a portion of the landscape strip, and not shift the alignment of sidewalk north edge relative to street centerline.
- (5) Details: The developer shall remove or relocate franchise utility boxes, cabinets, pedestals, poles, and vaults as needed to be out of the way of, and 6 inches from each side of, new conforming sidewalk and set back min 2 ft from face of curb.

- (6) This condition does not preclude through WDO 3.01.03G any ADA or crossings upgrades at the intersection of Young & Bryan Streets along the west leg that PW might require during CEP or building permit review and that the Public Works comments in Attachment 102A state through item 7.
- e. The developer shall choose between Options 1 and 2 no later than by PW approval of civil engineering plans, whether by application to PW for CEP or, if PW reviews civil engineering through building permit review, then building permit application.



Variance 23-04

- V1. Variances summary: This condition documents that the variance requests were to vary from:
- a. “Joyce Way” east half-street improvements: WDO 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G by not constructing an east half-street and offering instead an off-street bicycle/pedestrian path. This may be referenced as variance request 1.
 - b. Bicycle/Pedestrian Corridor RR2: WDO 3.01.07C and Table 3.01A row 1b(2) by having Bicycle/Pedestrian Corridor RR2 be narrower than the min 20 ft, the applicant’s revised narrative p. 42 (submitted December 1, 2023) requesting that Corridor RR2 be 12 ft wide. Because of this request, there is also a request to have Path RR2 be 8 ft (instead of 10 ft). Request 3 varies from related WDO 3.01.07D.2b that establishes Path RR2 as Class B, which through WDO interpretation memo INT memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022; Attachment 203) means min width 10 ft. The site plan illustrates and dimensions an 8-ft Path RR2. These may be referenced as variance requests 2 & 3.
 - c. WDO 3.06.0C.3 & 4: Respectively the sections requiring that, “there shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula ...”, and, “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 [3.06.03C.]1 above.” These may be referenced as variance requests 4 & 5.

V2: Variance requests:

- a. Variance requests 1-4 as Condition V1 above describes are approved as conditioned in parts (b.) and (c.) below, and variance request 5 is denied.
- b. Regarding variance request 1, see Condition V4 and through it Attachment 204.
- c. Regarding variance requests 2-4, to facilitate accommodation of Corridor RR2 and Path RR2 at the min widths conditioned elsewhere as well as conformance with WDO 3.06.03C.4 regarding landscape islands at the drive aisle crossings of walkways:
 - (1) Shared rear lane parking: The developer shall consider adding a parking stall along the shared rear lane south side between the east parking aisle and the east lot line. The corners of the stall at the shared rear lane shall have vision clearance area (VCA) or sight triangles of lawn grass min 5 by 5 ft. This stall may make up for one elsewhere that site plan revision might remove.
 - (2) Compact parking: The development may have the same compact parking maximum as Zoning Adjustment (Type II) would have allowed per WDO 5.02.06C.20: max 40.0% (of the minimum parking ratio). This would result in saved space of up to approximately 3,712 sq ft or about the same as 23 standard size stalls.
 - (3) Drive aisle width: Where not a designated fire lane, a drive aisle may be the same narrower width as Zoning Adjustment would have allowed per WDO 5.02.06C.21.
 - (4) Driveway throat: The Young Street driveway throat inbound west side may be min depth 16 ft between ROW and nearest parking stall. This would accommodate appending a parking stall to the adjacent parking aisle.
 - (5) The walkway crossing where it passes through a parking aisle may be min width 3.5 ft (instead of 6 ft).
 - (6) Overhang / wheel stops: In parking aisles along and facing the rear and sides of the subject property and where a landscape strip lies between stalls and walkway, standard size and compact stalls shall overhang curbing and landscaping by min 6 inches, as WDO Figure 3.05C allows up to 1.5 ft max.
 - (7) Wide walkway overhang: Parking stalls facing wide walkways P1 & P2 (per Exhibit V3) may overlap them if leaving minimum 6 ft of unobstructed passage, varying from WDO 3.05.02H and Table 3.05B footnote 3, and to this end these stalls are not required to have wheel stops.
 - (8) Consecutive parking: The development may vary from WDO 3.06.03C.3 as follows:
 - (a) Allowance limited to within the east parking area center parking aisles and the east site perimeter parking aisle segment north of the shared rear lane.
 - (b) In the north center parking aisles, max shall be (1) same as WDO 3.06.03C.3 for standard size, (2) 12 consecutive compact spaces, or (3) 90 ft extent for mixture within an aisle.
 - (c) In the south center parking aisles, max shall be (1) 12 consecutive standard spaces, (2) 14 consecutive compact spaces, or (3) 108 ft extent for mixture within an aisle.
 - (d) In the east site perimeter parking aisle north of the shared drive aisle, same as part (c) above.

Note V2: Outside ROW, curbing and curbs may be min 4 inches high and wide per WDO 3.06.02I instead of 6 inches.

V3. Walkways, wide walkways, & spur paths: WDO 3.04.06B and 3.07.05C.3a & b are implemented as follows:

- a. These shall be per the excerpted and marked site plan that is Exhibit V3 below. Walkways J1-J4 & R1 may be referenced as spur paths.
- b. Walkways J1-J4, P1, P2, R1, Y1, & Y2 shall be wide walkways to the extents illustrated in blue.
- c. Walkways Y3 & Y4 shall be walkways min width 2.5 ft to the extents illustrated in purple.
- d. On-site walkways shall be min width 6 ft – other than the walkways that the exhibit labels and except if and where another condition supersedes.
- e. Decorative pavement: Decorative pavement means any of bricks, concrete pavers, and poured concrete stamped or otherwise treated with a pattern resembling bricks, pavers, or paving stone. The following shall have decorative pavement:
 - (1) The segments of Walkways Y3 & Y4 south of Young St ROW.
 - (2) Within the north-south walkway between Buildings B & C, the central segment between the intersecting east-west walkways that connect with breezeways.
- f. Extension of poured concrete: Per WDO 3.04.06D, implemented such that the 2 crossings that are parallel to and west of the north-south drive aisles and that cross the east-west drive aisles shall each be extension of walkway poured concrete. Min width 6 ft, and striped as WDO 3.04.06D.2 describes. It may and should overlap the ADA parking stalls accessible route, with allowance for poured concrete to be a larger area encompassing ADA parking stalls and accessible routes extending max 20 ft away from each side of the walkway crossing. (Note: WDO 3.04.06 & 3.07.08C.2 do not require speed tables at these two locations.)



Exhibit V3 (North is approximately to the right.)

V4. Joyce Way: Frontage/street improvements: Consistent with Comprehensive Plan Policies F-1.4, H-1.3, & H-1.4 (pages 25 & 34) and Highway 99E Corridor Plan (H99ECP), Technical Memorandum #5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.04B.1 and Figure 3.01G, and with variance the applicable means of deviation per WDO 3.01.02D, 3.01.03C.1, & 5.02.04A, improvements shall be per Attachment 204.

V5. Shelter:

- a. The developer shall either build a gazebo, pavilion, or open-air shelter, whether within Joyce or the apartment complex, per part (b) below, or pay fee-lieu per Attachment 206, with choice made prior to building permit issuance.
- b. Specifications: Pad min 12 by 16 ft paved to the standards of WDO 3.04.04. Shelter area min 10 by 14 ft. Narrowest dimension measured between inside edges of outermost columns/piers/posts, not pad or roof edges. Min height clearance 10 ft min measured to underside of roof cross beams, and with columns, piers, or posts set back min 2 ft from the side of any path or walkway. Roof pitched (not shed), and minimum roof eaves and overhangs 2 ft. Painted green (like the dog waste station spec model) or otherwise finished/treated/varnished to protect from the elements and splinters. Any column/pier/post base with protruding bolts/screws must be guarded or housed for trip and cut safety. If placed with Joyce, place min one of the picnic benches, if any required, within it.

V6. Bicycle/Pedestrian Corridor RR2: Consistent with Comprehensive Plan Policies F-1.4, H-1.3, & H-1.4 (pages 25 & 34) and Highway 99E Corridor Plan, Technical Memorandum #5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.07C and Table 3.01A row 1b(2), improvements of the segments of Bicycle/Pedestrian Corridor RR2 on both the subject property and within the Joyce Way ROW, shall be per Attachment 204.

V7. Fence/fencing/free-standing wall: If any proposed and specific to the north, east, and west yards, WDO 2.06.02A and Figure 2.06A (height limits) and 2.06.02D (fence materials) shall apply as if the property was residentially zoned, except as other conditions might supersede. (See also Condition D1.)

V8. Driveways: Max 1 along Young St and aligned with Bryan Street to the satisfaction of PW.

V9. Maximizing available parking for residents / mail carrier stall: If a stall is later proposed to be and is designated for mail carrier parking, it shall be available for resident parking on official postal holidays, Sundays, and remaining days outside the hours of 8 a.m. to 6 p.m. A sign min

12 by 18 inches shall note the range of hours when a space is limited to mail carrier parking and specify that it is available for resident parking outside the specified hours.

V10. Bicycle parking:

- a. Number: Per WDO Table 3.05D, min 104 stalls and to the standards of 3.05.06.
- b. Guest: Of the stalls outdoors, the following min shall be on site and along each of:
 - (1) Walkway J1 as Condition V3 Exhibit V3 labels, 4 stalls w/in 5-20 ft of ROW;
 - (2) Walkway J3, 4 w/in 10 ft of ROW;
 - (3) Walkway R1, 2 w/in 40 ft of ROW; and
 - (4) Walkway Y1, 4 w/in 5-20 ft of ROW.
- c. Proximity/cover: The proposed breezeway or stairwell bicycle parking can meet the proximity and covered/sheltered standards of WDO 3.05.06C.5 & 6.
- d. Patio gates: If outdoor closets are proposed later, per WDO 3.05.06C.7 (1) each patio physical delineation/separation from common area would require a gate min 2 ft, 4 inches wide, and (2) patio and balcony closets might necessitate hooks per 3.05.06C.7.
- e. Stairwell signage: A leasing office north main entrance sign shall direct to bicycle parking to the left (towards the office east side).
- f. Vertical clearance: 8 ft min from floor or grade or, where a stall is under stairs, min 3 ft, 9 inches at the low end, min average 5 ft, and with the railing along the short side of cane protection area, if any, able to be lifted up.

V11. Landscaping:

- a. Front yard trees: The first 18 ft of front yard (along Young St) shall have min 7 trees. If any of Walkways Y2-Y4 as Condition V3 Exhibit V3 labels them have a nearby tree, it or they should have the tree on its west side.
- b. Front yard parking screening / Building A buffer: Besides that parking area screening which WDO 3.06.05B requires, the remainder of the front yard also shall have a hedge or row of evergreen shrubbery that can mature to 3 ft height. Such shall be planted and pruned to be min 1.5 ft from sidewalk and wide walkways and max height 3.5 ft. Min number equal to 1 plant per 3 ft of length.
- c. Part (b.) shall be applicable also to the (1) east lot line shared with 1072 Young Street (Tax Lot 051W17BC06900) and (2) parking along the west lot line.
- d. Interior yard: The yard between Buildings B & C shall have min 8 trees. Of all trees within the apartment complex, min 4 shall be a flowering species.
- e. Rear yard: The rear yard area that lies north of Path RR2 shall have min 5 trees.
- f. Rear yard parking screening / Building D buffer: Same as per condition part (b.) above, applying to the entire rear yard including Building D south side.
- g. Patios: Between each gap in patio delineation/separation, amid groundcover and shrubbery there shall be lawn grass min width equal to the gap.

- h. 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.
- i. Retaining walls: If and where there are retaining walls, WDO 3.06.06C shall be applicable as a standard.
- j. Screening: Evergreen hedge or shrubbery shall screen at-grade electrical and mechanical equipment along min three sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B. For a transformer, min two sides instead.
- k. Evergreen: Min 3 trees:

(1) They shall be 2 min 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

(2) Distribution: Min 1 on-site, and min 2 within Joyce Way ROW 1 each at north and south ends.

Note V14: WDO Table 3.06B indicates minimum size at planting.

- l. Screening (of headlights): For parking areas with stalls that face an on-site dwelling, regardless of distance between dwellings and nearest facing stalls, and where each landscaped area in front of a ground floor window is at least 1.5 ft deep, the developer shall plant evergreen shrubbery of small or medium size per WDO Table 3.06B, min number equal to average o.c. spacing of 1 shrub every 3 lineal ft.

V12. Trash enclosure:

- a. Color placement: The developer shall revise elevation notes to indicate colors other than gray to conform with WDO 3.06.06B.6.
- b. Gate swing: The developer shall revise the enclosure plan view to indicate that the proposed gate for the required pedestrian opening, if it remains gated, swings inward to conform with WDO 3.06.06D.
- c. Vehicle protection: If an enclosure side is flush with a parking stall, there shall be a rubber bump guard (against vehicle door and side view mirror strikes) in height, mounting height, and extent as land use Sheet LU 1.1 elevations represent and call out.

V13. Balconies and patios: These shall be as follows:

- a. Narrowest dimension: Either (1) 8 ft min to fence or railing top inside edge, or (2) 8 ft, 3 inches min to slab or balcony floor edge. Exception: Building D south side four patios (facing Path RR2): (3) 7.5 ft and (4) 7 ft, 9 inches mins respectively.

- b. Patios: Each slab area min area 96 sq ft.
 - c. Balconies: At each upper story, min half of balconies (4) each min area 80 sq ft with the remaining half each min area 68 sq ft.
 - d. Patio delineation/separation from common area: If and where a structure (instead of landscaping), min 3 ft high, max 5 ft. If min height, then opacity shall be full, but if fencing is higher than the min height, it shall be no more than 90.0% opaque, such as by being fully opaque from grade but from the top having a lattice pattern.
 - (1) The cap or top member shall be flat and min width 3 inches.
 - (2) Where it is wood fencing, it shall be cedar.
- (See also Condition D14.)

V14. On-site common area improvements: They shall include:

- a. Benches: Min 2, each 6 ft wide min. Metal or wood. A concrete or masonry seat wall may substitute for a backless bench for each segment that is min width 6 ft, height 1.5 ft including a smooth concrete cap, and min width 1 ft, 3 inches. Place min 1 bench along Walkway Y1 w/in the first 80 ft from ROW. Benches shall be set back 1½ ft min from side of a walkway with the setback paved.
- b. Dog run: The developer shall provide the conceptual “dog park” as a dog run or general pet area that the site plan delineates per the specs below or an alternative per the below:
 - (1) Narrowest dimension 14 ft, min area 588 sq ft.
 - (2) Fenced, height min 3.5 ft and max 5.
 - (3) Double sets of latch gates, the outer set enclosing an area in addition to the dog run min area, specifically min width 4 ft, 8 inches and min area 21 sq ft. All gates shall swing outward from the dog run.
 - (4) A min 12 by 18 sign with 4-inch type reading at least “Dog Run”.
 - (5) Surfaced with mulch, wood chip, sand, artificial turf, or combination with allowance for lawn grass max area 84 sq ft. Bare dirt or mud prohibited.
 - (6) Dog waste station, that is, bag dispenser, and trash receptacle.
 - (7) One metal or wood bench without a back, min width 4 ft.

A newly planted tree may be within the fenced area.
- c. Alternative to dog run: Any of the following:
 - (1) Mounted barbeque grill (fueled by charcoal briquettes or wood permissible; no natural gas required).
 - (2) Children’s play structure. Min any of (a) 2 swings, (b) 1 slide, (c) zipline, or (d) monkey bars, or (e) a pre-fabricated structure with any combination of the aforementioned.
 - (3) Ornamental flower garden. Min area 450 sq ft. Min 36 plants at min size per Table 3.06B. Max 152 sq ft of min area may be a bark dust or wood chip paths each max width 4 ft.

- (4) Vegetable garden. Min 6 raised planting beds per WDO Table 3.06B, except each min/max height 1.5 ft, wider interior min width 2 ft, interior area min 8 sq ft, that enclosures must be wood, and min width of top of each enclosure must be flat and min 3 inches wide. Walking routes among beds min 3 ft wide.

V15. Architecture/buildings: Based on WDO 3.07.05 & 3.07.08, the developer shall revise architectural plans prior to building permit issuance, and the building shall be as follows:

- a. Awnings/canopies: Based on WDO 3.07.06B.1b(4) & B.5a, there shall be any among canopies, fixed awnings, porte-cochères, building recesses, or roof projections that shelter from precipitation, are min 9 ft height clearance and at min at:
 - (1) Building A leasing office east side, over the patio door and patio, min depth 8 ft and min area 116 sq ft; and
 - (2) Building A leasing office north main entrance, min depth 4 ft, min width 10 ft.
 - (3) Min dimension is applicable to any of dimension parallel with (width) or perpendicular to (depth) the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.
- b. Columns, piers, and posts: For:
 - (1) All excepting patios and balconies: Shaft min 8 inches square or diameter.
 - (2) Any exposed wood columns, piers, and posts shall be finished/treated/varnished to protect from the elements and splinters.
 - (3) Leasing office north entrance, shall be divided visually into clear areas of capital, shaft, and base. If the bases would have been concrete stubs, they shall be covered with brick matching that proposed for much of the ground floor walls.
- c. Colors: To help distinguish and find one's way among the apartment buildings, for each building on each of the two long elevations, min 325 sq ft of main wall plane shall be a color among a min of 3 different colors across the 4 buildings.
- d. Masonry: The proposed ground floor brick cladding if reduced shall be min 15.0% of each ground floor elevation area abutting (1) Young St, (2) Joyce Way, and (3) Corridor RR2, expected to be applicable to five elevations and approximately equal to a band below windowsills.
- e. Common room: If there remains a common room (in Building A), it shall have air conditioning (AC), and if revised to shrink from the proposed gross floor area (GFA) of 1,050 sq ft, then GFA shall be min 774 sq ft.
- f. Common room patio: If there remains a common room (in Building A), there shall remain a common room patio paved the same as per WDO 3.04.04 min 116 sq ft; narrowest dimension either (1) 8 ft min as measured between wall plane and inside edge of closest of any columns, piers, or posts or fence, railing, or wall top, or (2) 8 ft, 3 inches min as measured between wall plane and patio slab edge; and min 50 sq shall be decorative pavement as Condition V3e defines.

g. Windows:

- (1) Area/size: Min of a simple majority of all windows proposed on each façade shall average to min 12 sq ft each. The Building A leasing office, lobby, and reception rooms north façade shall have min 40.0% of wall area of those room volumes as seen in elevation view be windows or doorway openings per WDO 3.07.08E.1a [MUV], and the area shall conform to 3.07.08E.1a subsections.
- (2) Insect screens: All operable windows shall have insect screens.
- (3) Per room: Per room: Within apts., every habitable room abutting a building exterior wall shall have min 1 window. Each ground floor corner room proposed through land use review to have one on each elevation shall continue to have 2; however, where the developer to propose additional location(s) of exterior ground floor wall-mounted utilities and meters, then for each room, the second window may shrink to min 6 sq ft and be horizontally proportioned.
- (4) Proportion: All windows shall be square or vertically proportioned, excepting (a) that horizontally proportioned windows are allowed if they have grilles or muntins dividing lights or panes so as to be vertically proportioned, and (b) transom windows.
- (5) Narrow wall: For units with upper story floor plans resembling Exhibit V15 below, if any, with 3 ft or more off-set, each rear in the wall dividing a family or living room and balcony, approximately where the purple below indicates, shall have a window min width 1.5 ft and min area 2.25 sq ft.

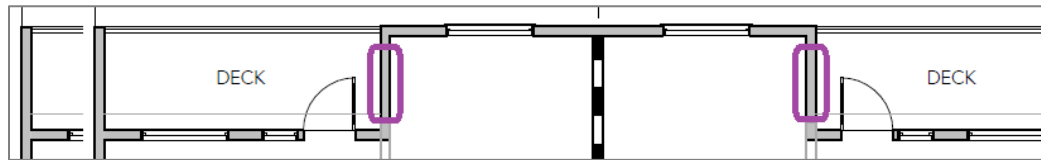


Exhibit V15 Narrow wall windows

- h. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of an access way or walkway.

V16. Setbacks & privacy buffers: These shall be per Attachment 202 and as follows:

- a. Details: Setbacks remain measured to building main wall plane, and encroachments and projections into min setbacks remain permissible per WDO 3.03 or as Attachment 202 supersedes.
- b. Privacy: The distance between a walkway or wide walkway and a ground floor dwelling main wall plane shall be min 2 ft, except min (1) 7.5 ft between Building B and Walkways R1 & Y1, (2) 7.5 ft between Building D and Walkway R1, (3) 8 ft between the north-south walkway between Buildings B & C and each of those buildings.
- c. Privacy and landscaping area: The distance between a walkway or wide walkway and a dwelling patio slab shall be min 1.5 ft for min 85.0% of dwelling patios.
- d. Doors: Apartment front doors shall each have a peephole.

V17. Signage:

- a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any PUE.
- b. Apply for and obtain a sign permit per 5.01.10 for any sign for which WDO 3.10 requires a permit, with the permit application form(s) indicating case file numbers DR 22-06 & VAR 23-04.

V18. Lighting: The developer shall revise exterior lighting documentation prior to building permit issuance, and exterior lighting shall be as follows:

- a. Per WDO 3.11 and, for permanent signage, per WDO 3.10.06G.
- b. Front yard: Max one exterior wall-mounted fixture for each of (1) Building A north and west sides, (2) Building B or C, whichever is closer to Joyce Way ROW, west side, (3) and Building D west and south sides. The first 20 ft of north yard are limited to one pole-mount, and the first 20 ft of west yard are limited to two pole-mounts. The side of the pole fixture close to Young St and Joyce ROWs per WDO 3.11.02B.2 shall have permanent shielding per that section.
- c. Balconies/patios: Any ceiling and wall-mounted exterior light fixtures within balconies and patios shall also conform with WDO 3.11.02A-D & F.
- d. Stairwells: Any ceiling mounted exterior light fixtures within open-air stairwells shall also conform with WDO 3.11.02A, that is, be flush w/ the ceiling or shielded on all sides, and with WDO 3.11.02B-D & F.

V19. Addressing: Each apartment address on or next to the apartment door shall contain the full unit number per City address assignment. For example, in Building A, Apt. A101 shall read "A101", not "101".

V20. Parking management and surveys by property manager: These shall be per Attachment 205.

Actions

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

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

Attachment List

101. Marked Tax Maps
102. Analyses & Findings
- 102A. Public Works comments (August 10, 2023; 2 pages)
103. Site plans (submitted December 1, 2023; 16 sheets)
- 103A. "Joyce Way" bargain sale deed Vol. 683, Page 643 (1970)
104. Transportation System Plan (TSP) Fig. 2 "Functional Roadway Classification"
105. TSP Fig. 7 "Existing Transit Routes and Facilities"
106. Highway 99E Corridor Plan Fig. 6 "Redevelopment Potential in Young Street Mixed Use District" (p. 18; 2012)
107. Map "WDO Table 3.01A Row 1b Bicycle/Pedestrian Corridors RR1 & RR2 (2023)
108. Marked Transit Development Plan (TDP) Figure 63 (p. 80; 2023)
- 201.* DR 22-06 Young Street Apartments: Dictionary & Glossary
202. DR 22-06 Young Street Apartments: Setbacks
203. DR 22-06 Young Street Apartments: WDO interpretation memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; 7 pages)
204. DR 22-06 Young Street Apartments: Joyce Way & Bicycle/Pedestrian Corridor RR2
205. DR 22-06 Young Street Apartments: Parking Management and Surveys
206. DR 22-06 Young Street Apartments: Conditioned Fees

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

05 1W 18AD WOODBURN



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

LEGEND

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

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

NUMBERS

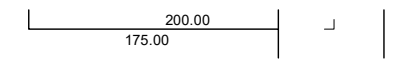
Tax Code Number
00 00 0

Acreege
0.25 AC

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

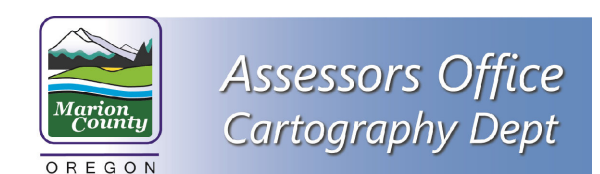
NOTES

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



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

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

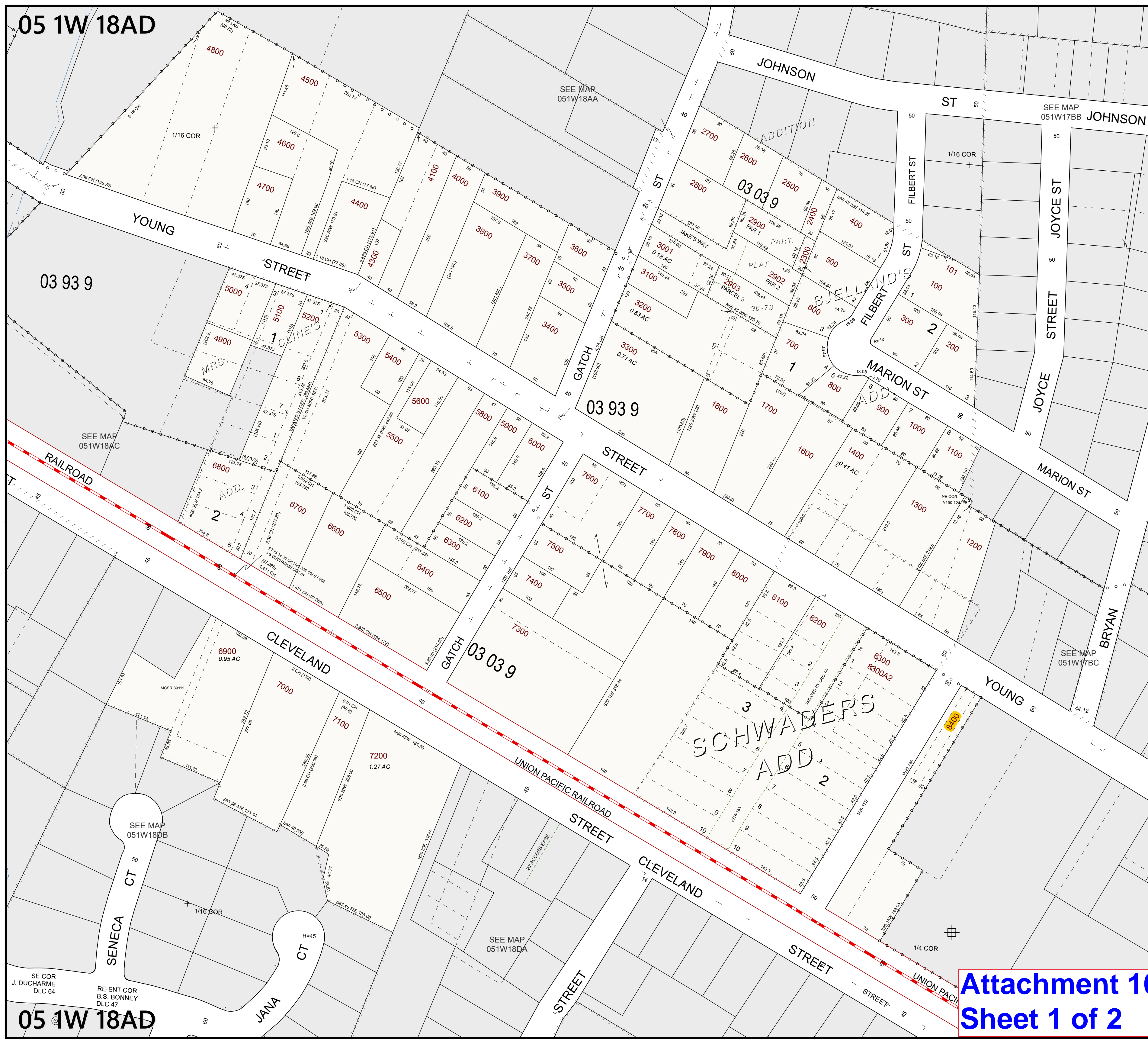


FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 3/31/2021

WOODBURN
05 1W 18AD

Attachment 102
Sheet 1 of 2



05 1W 18AD

03 93 9

05 1W 18AD

SEE MAP 051W18DB

RE-ENT COR B.S. BONNEY DLC 47

SEE MAP 051W18AA

SEE MAP 051W17BB

SEE MAP 051W17BC

SEE MAP 051W18DA

SE COR J. DUCHARME DLC 64

05 1W 17BC WOODBURN



MARION COUNTY, OREGON
SW1/4 NW1/4 SEC17 T5S R1W W.M.
SCALE 1" = 100'

LEGEND

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

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

NUMBERS

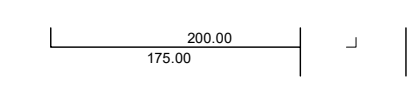
Tax Code Number
00 00 0

Acres
0.25 AC

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

NOTES

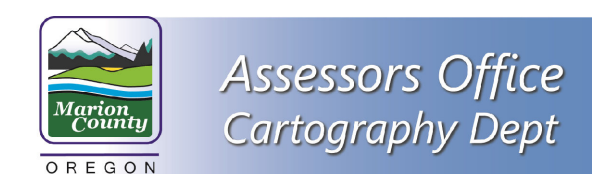
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



CANCELLED NUMBERS

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700		
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1200		
1300		
2701		
2801		
6000		
6300		
7200		
7200A1		
7601		
8300A1		
8400		
11900		
12000		

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

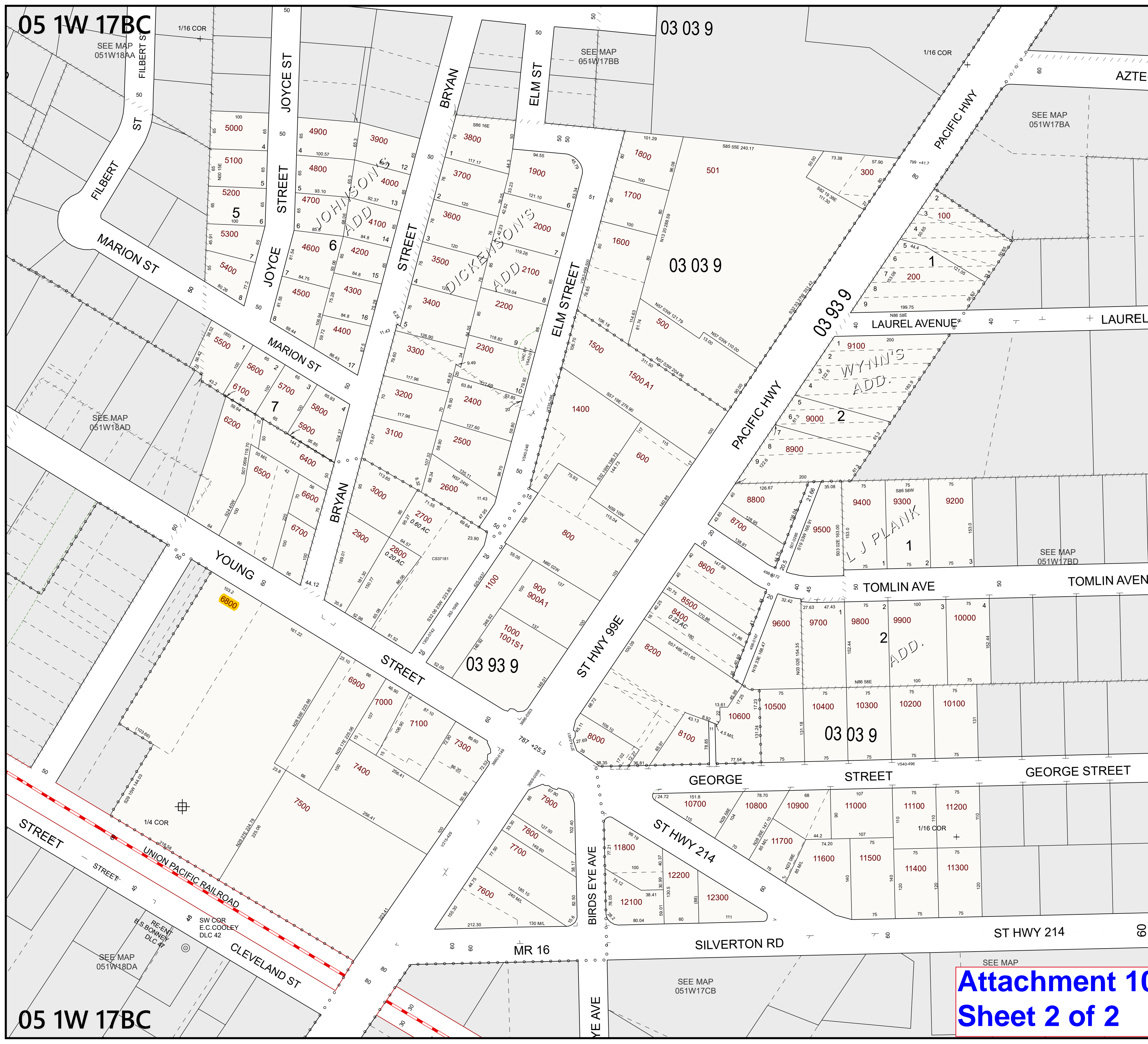


FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 10/16/2020

WOODBURN
05 1W 17BC

Attachment 101
Sheet 2 of 2



05 1W 17BC

03 03 9

03 03 9

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05 1W 17BC

Analyses & Findings

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

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

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

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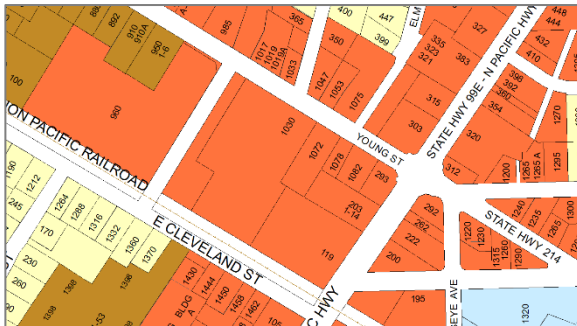
Location

<i>Address(es)</i>	1030 Young St
<i>Tax Lot(s)</i>	051W17BC06800 (primary) & 051W18AD08400 totaling approximately 3.51 acres
<i>Nearest intersection</i>	Improved: Young & Bryan Streets Existing since at least the 1960s but never improved as a street: Young & unnamed and unimproved ROW (“paper street”) that staff terms “Joyce Way”

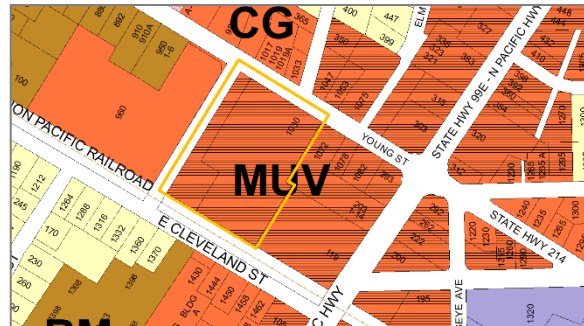
Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Mixed Use Village (MUV)
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	none / undeveloped field / vacant (following demolition of the Young Street Market built 1955 and that had burned down February 5, 2018)

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



Comprehensive Plan land use map excerpt



Zoning map excerpt; yellow outlines the subject property

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Westerly: Commercial General (CG): vacant corner building formerly the Puff Smoke Shop at 1033 Young built 1948, vacant tenant space at 1019 Young built 1946, and Love’s Mexican Bakery at 1017 Young built 1946; Easterly: MUV: houses at 1047 & 1053 Young built 1926 & 1927 respectively.
East	MUV: Northerly: house at 1072 Young St built 1927; Southerly: Vacant but with land use approval for unnamed apartment building at 119 N. Pacific Hwy with cross access easement and drive aisle.
South	East: Across railroad: CG: house at 1444 E. Cleveland St built 1954, Cleveland Crossing Apts. under construction at 1430 E. Cleveland; West: Medium Density Residential (RM): Britewood Apts. at 1398 E. Cleveland; Residential Single Family (RS): houses at 1360 & 1370 E. Cleveland built 1904 & 1954 respectively
West	Across unnamed and unimproved ROW (“paper street”) that staff terms “Joyce Way”: CG: Townsend Farms fresh and frozen berry growth, processing, and distribution and the storage of farm products

Statutory Dates

<i>Application Completeness</i>	June 29, 2023
<i>120-Day Final Decision Deadline</i>	October 27, 2023 per Oregon Revised Statutes (ORS) 227.178 . (The nearest and prior regularly scheduled City Council date is October 23, 2023.)



Design Review Provisions

The project name is 1030 Young Street Apartments, the developer having not yet given it a name.

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 22-06, PLA 22-04, SA 23-04, & VAR 23-04 consolidated application package submittal was November 10, 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 involves four apartment buildings in the MUV zoning district that relates to subsections 2, 3, & 6, it requires a Type III Design Review. Additionally, the applicant submitted a Property Line Adjustment (for lot consolidation), Street Adjustment, and the Type III application type of variance, which per 4.01.07 cited above elevates the consolidated

applications package to the highest level required among the individual application types. The applicant submitted site plans on November 10, 2022 and revised site plans through June 1, 2023 (within Attachment 103). (Staff hosted two pre-application meetings, one on February 27, 2020 for PRE 2020-04 and one on March 30, 2021 for PRE 21-07.)

✓ 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)		MUV
E	Residential	
6	Multiple-family dwellings	P

The proposed use matches E.6, which is a permitted use.

✓ The requirement is met.

Mixed Use Village (MUV) - Site Development Standards Table 2.03E

Lot Area, Minimum (square feet)	Nonresidential use		No minimum	
	Residential use		Per Table 2.02E ¹	
Lot Width, Minimum (feet)	Nonresidential use		No minimum	
	Residential use		Per Table 2.02E ¹	
Lot Depth, Average (feet)	Nonresidential use		No minimum	
	Residential use		Per Table 2.02E ¹	
Street Frontage, Minimum (feet)	Any use		No minimum	
Front Setback and Setback Abutting a Street, Minimum/Maximum (feet) ²			Minimum: none; Maximum: 18 along Major Arterial or 15 along other class street	
Side or Rear Setback, Minimum (feet)	By-right use, group home, or government building ⁴	Abutting RS, R1S, RM, P/SP, DDC, MUV, NNC, CG, or CO zone	Side 5; Rear: 10	
		Abutting IP, SWIR, or IL zone	15	
	Conditional use except group home or government building		Per Table 2.02E ¹	
Setback to a Private Access Easement, Minimum (feet)			No minimum	
Lot Coverage, Maximum			Not specified ³	
Residential Density (units per net acre)	Minimum	Townhouse		12
		Child care facility, group home, or nursing home		12
		Triplex, quadplex, or multiple-family dwelling	Stand-alone	12
			In mixed use development	No minimum
	Maximum	Townhouse		32
		Child care facility, group home, or nursing home		32
		Triplex, quadplex, multiple-family dwelling	Stand-alone	32
			In mixed use development	32

Building Height, Maximum (feet)	Primary or accessory structure	35
	Features not used for habitation	70
<ol style="list-style-type: none"> 1. Site development standards for the RM zone 2. Measured from the Street Widening Setback (Section 3.03.02), if any 3. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements. 4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use. 		

Lot Dimensions

Because the proposal is for residential use, the MUV zoning district as implemented for the subject property has minimum lot size, width, and depth the same as per Table 2.02E for the RM zoning district: no minimum lot size, minimum lot width 30 ft , and minimum lot depth 90 ft. The proposal exceeds these minimums.

Back to Table 2.03E, there is neither a minimum street frontage nor a 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 is front, south is rear, and east and west are sides.

The setbacks are:

<i>Yard</i>	<i>Minimum</i>	<i>Proposed</i>
North	None, but maximum 15 ft	10 ft
South	5 ft	20 ft, 1¾ inches (Sheet LU1.0)
East	5 ft	138 ft (across the parking area to nearest of the two east property lines)
West	5 ft	10 ft

Incidentally, Attachment 202 conditions setbacks tailored to the subject property and proposed development that facilitate having a building or buildings close to Young Street as well as buildings, off-street surface parking, and Bicycle/Pedestrian Corridor RR2 fitting on the subject property.

Because the application materials do include – and staff conditions – one or more cross access easements (CAEs), a setback would be applicable except that in the MUV zoning district there is no minimum setback from a CAE.

Density

The minimum is 12 dwellings (or “units”) per net acre, the maximum is 32, and the proposal is 28.1, which is 87.8% towards the maximum.

Staff calculated the proposal assuming a net acreage that subtracts both Young Street ROW dedication of 2,133.11 (7 ft width along 304.73 ft of frontage) and Bicycle/Pedestrian Corridor RR2 of 5,263.04 (at the minimum width staff conditions – 16 ft – along 328.94 of the subject property rear line) in case of a scenario in which Corridor RR2 becomes a tract (rather than remaining part of the consolidated subject property and with delineating public easement), which would exclude it from calculation of net acreage. If not a tract, then the 28.1 figure would fall to 27.2, which would be 85% towards the maximum. Because the proposal lies within the density range, the requirement is met.

Height

The sheets illustrating building elevations note that the buildings rounded to the nearest whole number are at 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

– None are applicable.

2.06 Accessory Structures

2.06.02 Fences and Walls

C. Height in Non-Residential Zones

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

D. Fence Materials

- 1. Materials: Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls, such as wood, stone, rock, or brick, or other durable materials.**
- 2. Coating and slats: Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Chain link fence in a residential zone, except where part of refuse and recycling collection facility gates, is exempt from the slats requirement. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.**
- 3. Industrial: For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the preceding standards apply when visible from, and within 20 feet of, a public street.**
- 4. Prohibition: A fence constructed of materials that could cause bodily harm, including, but not limited to, those conveying electric current, barbed wire, razor wire, spikes and broken glass, is prohibited.**

2.06.03 Structures

- A. Accessory structures attached to a primary building shall be considered as a portion of the primary building and subject to the same requirements as the primary building.**
- B. The minimum separation between detached accessory structures and the primary building shall be six feet.**

The proposal includes one or more recycling and trash enclosures, 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.

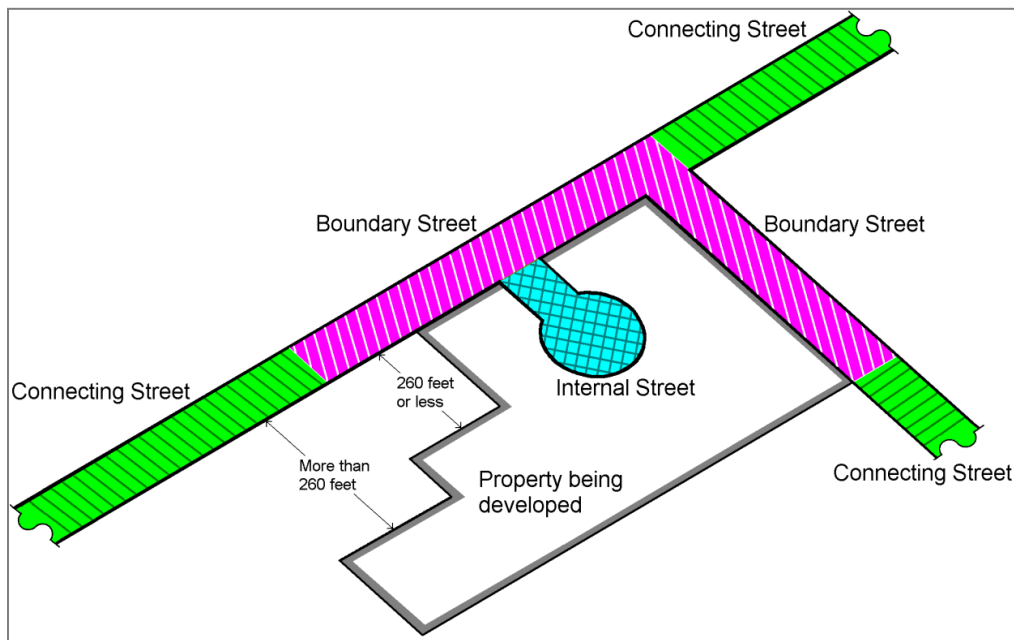


Figure 3.01A – Internal, Boundary, and Connecting Streets

The subject property has frontage along Young Street and “Joyce Way”.

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

Joyce Way appears to result for reasons unknown to present City staff from a single-page "bargain and sale deed" recorded with the County May 22, 1970 as document number 889933 and Vol. 683, Page 643, a September 12, 1969 grant by Raymond C. & Ida M. Equals to the City of the 50-foot wide strip of land. It's Attachment 103A. (Though the top right volume or reel and page numbers are so blurred through poor reproduction as to be illegible, the bottom center indicates Volume 683, Page 643.)

The subject property is at the imaginary southeast corner of Young Street & "Joyce Way".

Per Transportation System Plan (TSP) [Figure 2 "Functional Roadway Classification"](#) (Attachment 104), Young Street is a Minor Arterial, and "Joyce Way" is a local street. The applicable standard cross sections are WDO Figures 3.01C & G:

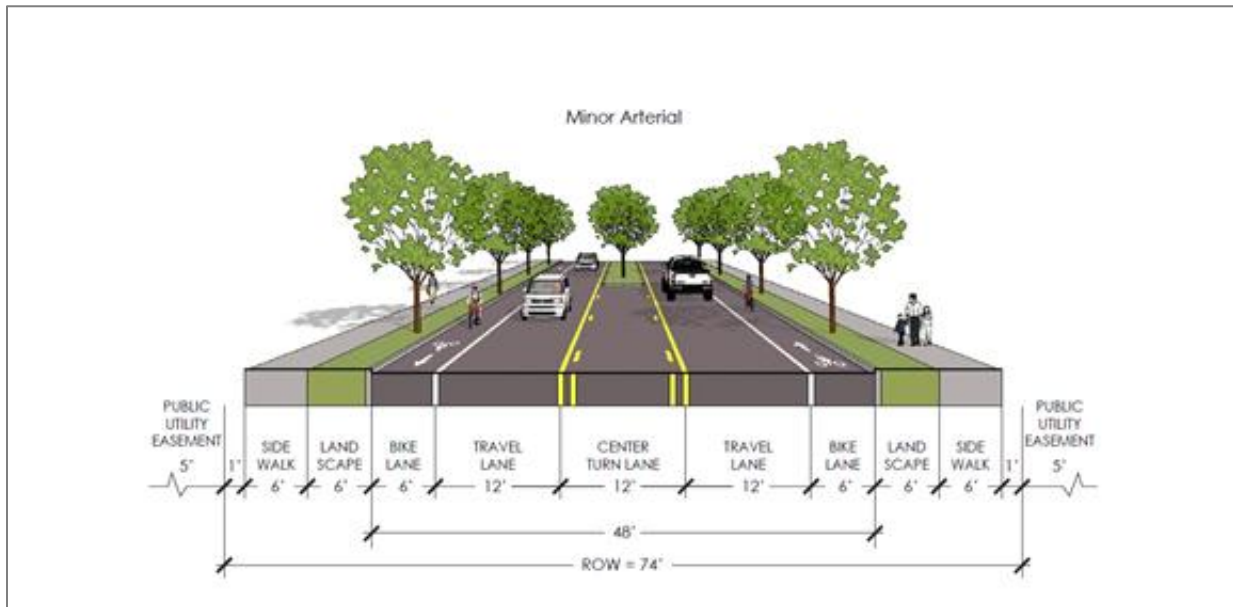


Figure 3.01C – Minor Arterial

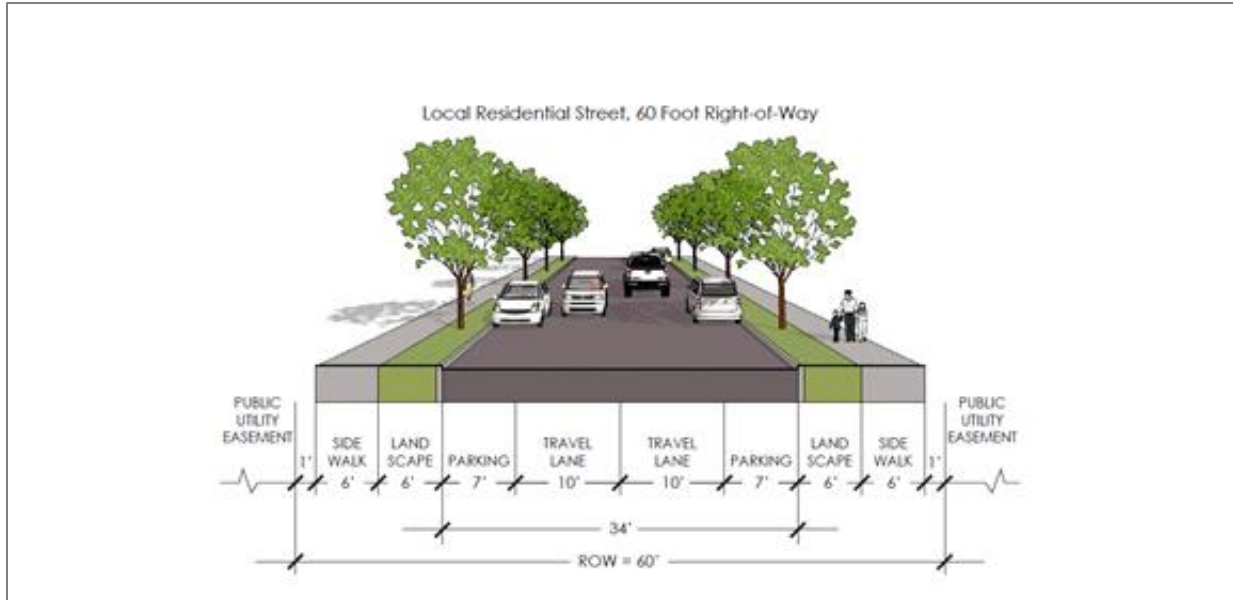


Figure 3.01G – Local

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. Young Street (north)

There appears to exist right-of-way (ROW) of at least 30 feet south of centerline and 60 ft or more total. Within the roadway, there are a left turn lane and two travel lanes, one each east and westbound. There is curb, but no sidewalk, landscape strip, or street trees. The frontage fails to conform.

Though Marion County Tax Maps Tax Maps 051W17BC & 051W18AD (Attachment 101) don’t clearly indicate street frontage, because the applicant applied for Property Line Adjustment to consolidate lots, the application materials include a lot consolidation survey indicate lengths of property line segments. The Young Street frontage is 304.7 ft long.

The street tree minimum is $(304.7 / 30) = 10.2 \rightarrow 11$. With none existing, 11 remain required. Because there is plenty of room and it doesn’t yet exist, the landscape strip isn’t constrained. 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 number of the minimum required street trees along Young Street and

establishes a specific amount, which is necessary to administer 3.06.03A.4 & 4.02.12, based on past practice regarding street trees.

■ *Street Adjustment*: the applicant applied for Street Adjustment SA 23-04 to have Young Street frontage improvements vary from WDO Figure 3.01C “Minor Arterial”. Staff addresses the request further below under the Street Adjustment Provisions section.

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

b. “Joyce Way” (west)

■ *Variance*: the applicant applied for variance VAR 23-04, variance request 1, to have “Joyce Way” frontage improvements vary from 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G by not constructing an east half-street and offering instead an off-street bicycle/pedestrian path.

As a condition reflects, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require “Joyce Way” ROW or “Joyce Way” streetside PUE.

Staff addresses the request further below under the Variance Provisions section.

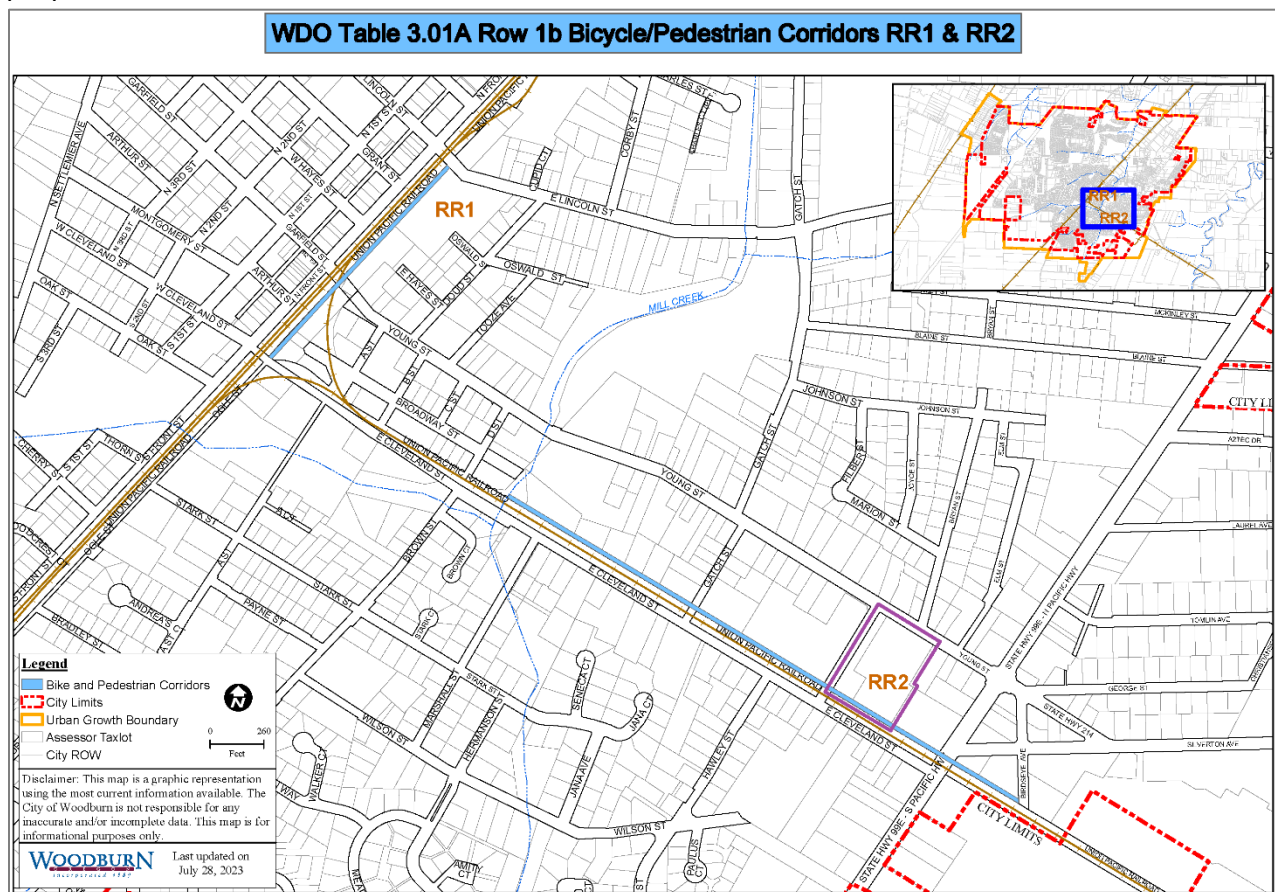
3.01.07 Off-Street Public Bicycle/Pedestrian Corridors

Off-Street Public Bicycle/Pedestrian Corridor Widths Table 3.01A			
Corridor Context ¹	Description	Minimum Width (feet)	
1. Specific	a. N. Pacific Hwy	The six bicycle/pedestrian accesses that the Highway 99E Corridor Plan, p. 12, Figure 2 “Key Corridor Enhancements” identifies with arrow symbols.	20
	b. Railroads	Along (1) the east side of the Union Pacific railroad between E. Cleveland and E. Lincoln Streets and (2) the Willamette Valley Railway Co. railroad north side between Mill Creek and Bird’s Eye Avenue. The corridors may be referenced respectively as Bicycle/Pedestrian Corridor RR1 and RR2.	20 ²

	c. Hermanson Pond vicinity	A corridor between the Mill Creek Greenway Hermanson Pond and N. Pacific Highway. It may be referenced as Bicycle/Pedestrian Corridor Z.	
1. A corridor is one context. Either of the specific or RCWOD contexts supersede the land division context where it would also have been applicable. 2. Zoning Adjustment permissible.			

The section is applicable to the subject property.

The applicable corridor is Bicycle/Pedestrian Corridor RR2 per WDO Table 3.01A, row 1b and as Attachment 107 maps. The map is excerpted below with the subject property outlined in purple.



The proposed development is the second of two that would complete the segment within the “block” between Oregon Highway 99E (N. Pacific Highway) and “Joyce Way”, as well as the second development to develop any segment of Corridor RR2 and its Path RR2. (The first will be DR 22-05 for the unnamed apartment building at 119 N. Pacific Highway per its final decision document of November 10, 2022, Condition of Approval 8c.)

■ **Variance:** the applicant applied for variance VAR 23-04, variance requests 2 & 3, to vary from WDO 3.01.07C and Table 3.01A row 1b(2) by having Bicycle/Pedestrian Corridor RR2 be narrower than the min 20 ft, the applicant’s revised narrative p. 42 (submitted December 1, 2023) requesting that Corridor RR2 be 12 ft wide (request 2) and that Path RR2 be 8 ft wide (request 3). Request 3 varies from related WDO 3.01.07D.2b that establishes Path RR2 as Class B, which through WDO interpretation memo INT memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022; Attachment 203) means min width 10 ft. The site plan illustrates and dimensions an 8-ft Path RR2. Staff addresses the request further below under the Variance Provisions section.

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.

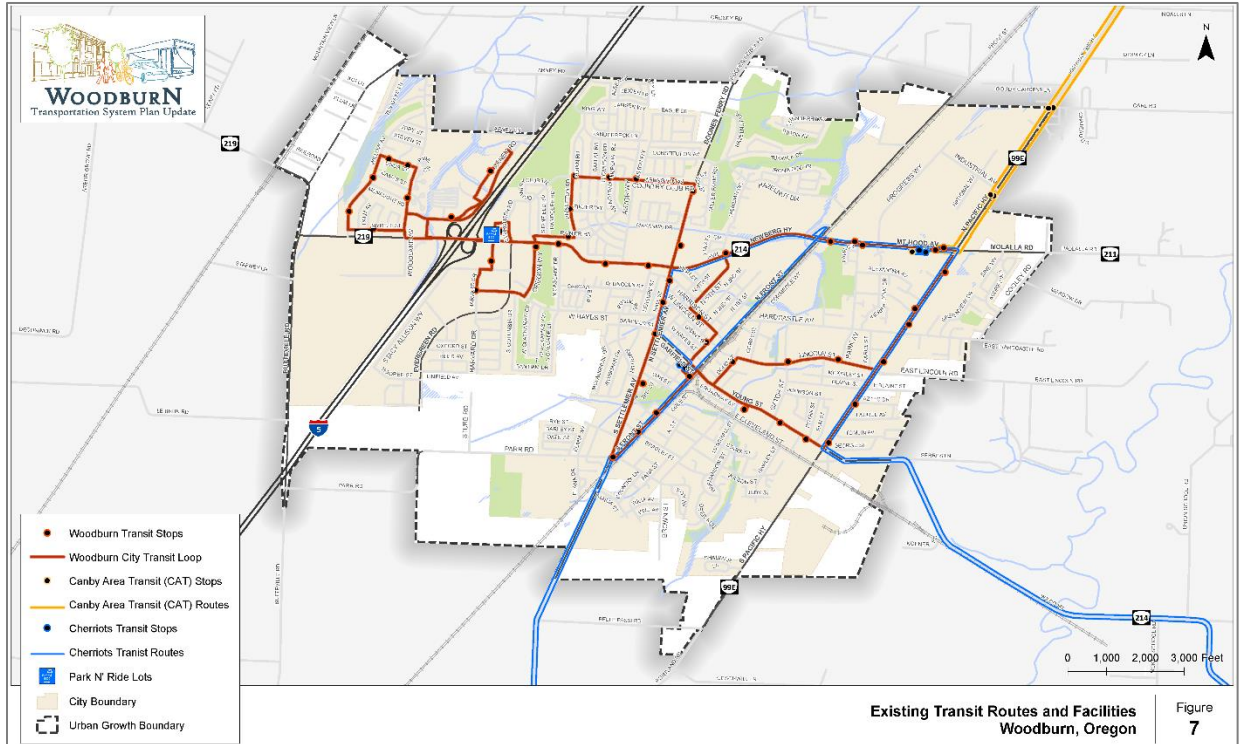
C. ROW: Where ROW, whether existing or widened to a minimum per Section 3.01, cannot accommodate a bus shelter, a developer shall dedicate to the City additional width and extent of area to accommodate a shelter and a pad on which the developer is to install it. The developer shall dedicate any of additional 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

City bus transit runs along Young Street eastbound to Oregon Highway 99E and westbound from the highway, the eastbound passing along the subject property, per Transportation System Plan (TSP) Figure 7 “Existing Transit Routes and Facilities” (Attachment 105), excerpted below:



TSP Figure 7 (2019)

Salem-Keizer Cherriots / Canby Area Transit

Salem-Keizer Cherriots runs along the highway, while Canby Area Transit (CAT) does not except much farther north at Oregon Highway 214.

Proposed Development

The nearest bus stop is the City eastbound one at the north end of the “Joyce Way” ROW, near the northwest of corner of the proposed apartment complex development. The stop is improved not only with a pole sign with modern signage but also a boarding pad and bus shelter.

The Transit Development Plan (TDP; Resolution No. 2213) Figure 63 “Preferred Service Plan Bus Stop Changes” on p. 80 (a marked version being Attachment 108) identifies system route changes that establish three routes. Neither the adjacent segment of the route along Young Street nor the sheltered bus stop would change. Below is an excerpt of TDP Fig. 63:

BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes

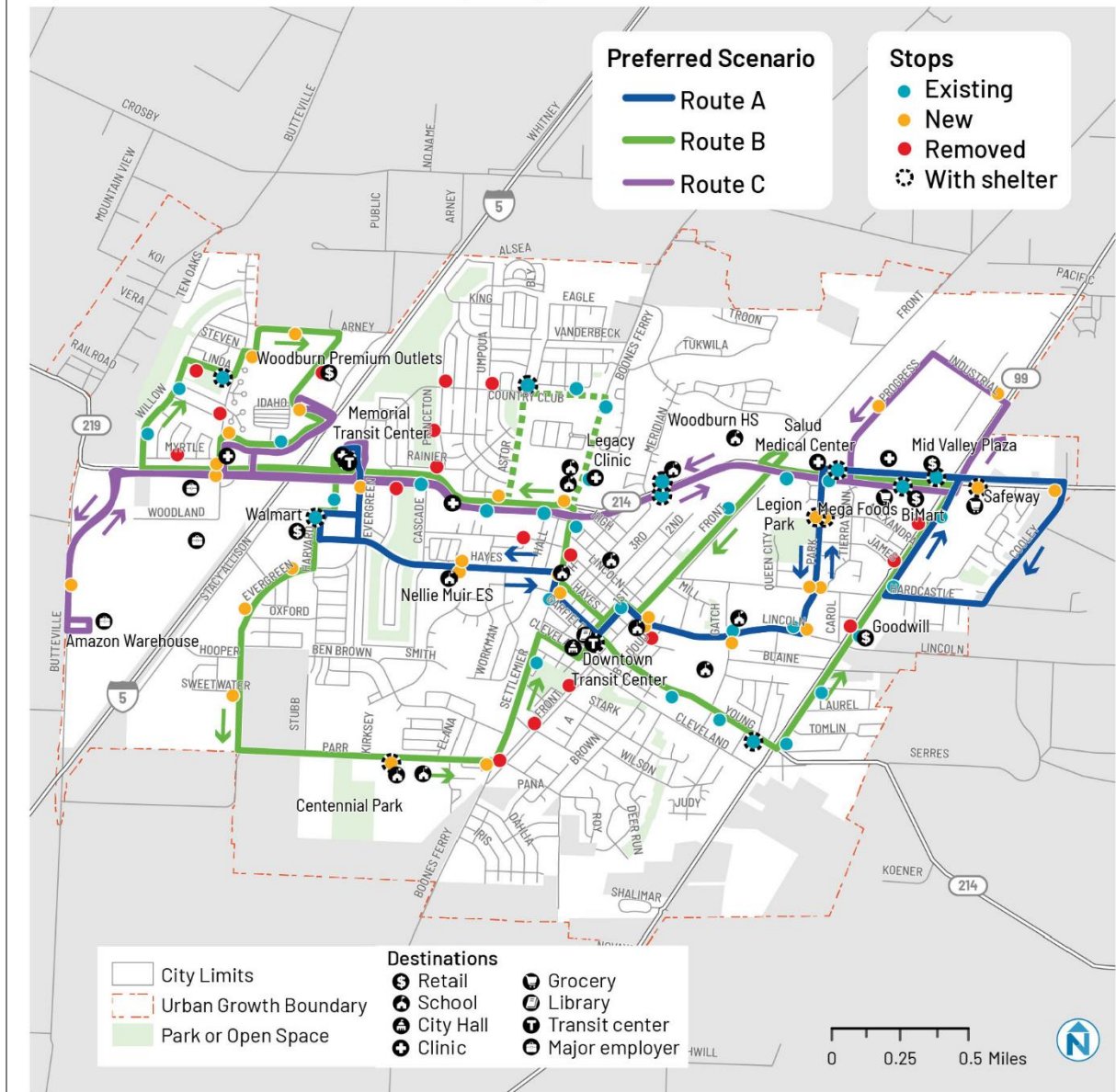


Exhibit TDP 63

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 fast-food restaurant
- PUD 22-01 Mill Creek Meadows subdivision.

TDP Figure 68 “Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)” on p. 94 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
Annual Total	\$420,000	\$1,926,500	\$562,000	\$30,000	\$1,246,000	\$30,000	\$1,348,000	\$30,000	

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.

However, because as stated above neither the adjacent segment of the route along Young Street nor the sheltered bus stop would change, no contribution towards sheltering and other improvement of a new bus stop is relevant.

However, because the existing bus stop lacks bicycle parking per Woodburn interpretation memo INT 22-0609 memo (Attachment 203; June 9, 2022), Part D, upgrade with this minor improvement through two bicycle parking stalls is necessary to conform with INT 22-0609 Part D3.

Additional Issues: Intercity Bus Transit & Regional Express Bus Transit

These 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 Plan Update Approved Final Report” (Resolution No. 1980, November 8, 2010) per its executive summary (p. ES-1) guides the provision of transit services and facilities in Woodburn through 2030 and supplements the TSP.

Below is an analysis of applicable projects:

Table 3. TPU Projects

<i>Header</i>	<i>Service</i>	<i>Description</i>	<i>Annual Operating Cost Impact</i>	<i>Capital Needs</i>	<i>TPU Objective Addressed</i>
11. Provide Peak-Only Intercity Service to Salem and Wilsonville (pp. 10-12 to 10-13)	Fixed Route	New intercity service offering three morning and three evening round trips between Woodburn and downtown Salem (weekday only)	\$150,000	\$300,000	3.4 (Transit image), 4.4 (Fixed route share), 5.2 (Expanded intercity service)
		New intercity service offering three morning and three evening round trips between Woodburn and WES station in Wilsonville (weekday only)	\$130,000	\$300,000	
12. Provide All-Day Intercity Service to Salem and Wilsonville (pp. 10-13 to 10-14)	Fixed Route	New midday service operating hourly between Woodburn and downtown Salem (weekday only)	\$130,000	None (assumes Strategy 11 implemented first)	3.4 (Transit image), 4.4 (Fixed route share), 5.2 (Expanded intercity service)
		New midday service operating hourly between Woodburn and WES station in Wilsonville (weekday only)	\$130,000	None (assumes Strategy 11 implemented first)	

Notes 1-3:

First, staff notes that:

1. The applicant’s transportation impact analysis (TIA) revised March 15, 2023 and submitted March 23, 2023 on p. 10 and on p. 11 in Fig. 3 indicates trip distribution such that 25% of vehicle trips would go to and from the site via the west along Young Street.

2. Absent more specificity, staff believes as reasonable that at least 50% of those trips are regional, i.e., to and from I-5 instead of to and from central and West Woodburn.
3. According to the County assessor, the subject property is two lots totaling 3.51 acres of the 8 lots composing the city block, which is all zoned MUV, of 6.52 acres, equal to 53.8% of the block.

Staff applies the following:

<i>Table TPU-2. TPU & Staff Methods</i>				
<i>Header</i>	<i>Description</i>	<i>Annual Operating Cost Impact</i>	<i>Capital Needs</i>	<i>Method</i>
11. Provide Peak-Only Intercity Service to Salem and Wilsonville (pp. 10-12 to 10-13)	Salem	\$150,000	\$300,000	<p>a. Take capital (C) cost of \$300,000.</p> <p>Per above Notes 1-3: $\\$300,000 \times 25\% \times 50\% \times 53.8\% = \\$20,175.$</p> <p>b. Take annual operating (O) cost of \$150,000</p> <p>Apply the same logic as per a. above. $\\$150,000 \times \text{the above percentages} = \\$10,087.50.$</p> <p>c. $\\$20,175 (C) + \\$10,087.50 (O) = \\$30,262.50 \text{ Salem}$</p>
	WES station in Wilsonville	\$130,000	\$300,000	<p>a. Take capital (C) cost of \$300,000.</p> <p>Per above Notes 1-3: $\\$300,000 \times 25\% \times 50\% \times 53.8\% = \\$20,175.$</p> <p>b. Take annual operating (O) cost of \$150,000</p> <p>Apply the same logic as per a. above. $\\$130,000 \times \text{the above percentages} = \\$8,742.50.$</p> <p>c. $\\$20,175 (C) + \\$10,087.50 (O) = \\$28,917.50 \text{ Wilsonville}$</p> <p>$\\$30,262.50 \text{ Salem} + \\$28,917.50 \text{ Wilsonville} = \\$59,180.$</p> <p>The TPU 11 equivalent rate is $\\$59,180 / 94 = \\$629.57 \text{ per dwelling}$</p>

12. Provide All-Day Intercity Service to Salem and Wilsonville (pp. 10-13 to 10-14)	Salem	\$130,000	None (assumes Strategy 11 implemented first)	Take annual operating cost (O) of \$130,000 Per above Notes 1-3: $\$130,000 \times 25\% \times 50\% \times 53.8\% = \$8,742.50 \text{ Salem.}$
	WES station in Wilsonville	\$130,000	None (assumes Strategy 11 implemented first)	Take annual operating cost (O) of \$130,000 Per above Notes 1-3: $\$130,000 \times 25\% \times 50\% \times 53.8\% = \$8,742.50 \text{ Wilsonville.}$ $\$8,742.50 \text{ Salem} + \$8,742.50 \text{ Wilsonville} = \$17,485.$ The TPU 12 equivalent rate is $\$17,485 / 94 = \$186.01 \text{ per dwelling}$
TPU 11 & 12 Totals	<p>The TPU 11 & 12 rates per dwelling at $\\$629.57 + \\$186.01 = \\$815.59$.</p> <p>Staff reminds the reader that the figures are based on the TPU November 2010 dollars. Per the U.S. Bureau of Labor Consumer Price Index (CPI) Inflation Calculator, \$815.59 in November 2010 dollars if in July 2023 dollars would be \$1,139.47.</p> <p>In any case, staff doesn't want to burden multiple-family dwellings with too much of a fee towards regional express bus transit. What staff proposes instead is to apply a figure per dwelling much like the much lower figures applied to CU 22-01 Woodburn Place Apartments and CU 22-04 Hardcastle Apartments. They were \$417.27 and \$418 respectively.</p> <p>Staff adjusts \$417.27 for inflation from September 2022 (the month of the CU 22-01 Planning Commission hearing) to July 2023 using the U.S. Bureau of Labor Consumer Price Index (CPI) Inflation Calculator: \$429.76, which staff rounds to \$430.</p>			

As a concluding summary, based on the trip generation that the TIA documented, the TSP, and the TPU, City objectives are for the development to contribute a fair share towards the objectives of:

- Initiation and continuation of regional express bus service
- Higher frequency regional express bus service

A regional express bus transit fee is in service of Transportation System Plan (TSP) Objectives:

Objective	Page No.	Comments
1A	17	“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.”
4A	19	“Identify new and innovative funding sources for transportation improvements.” Having developments contribute towards adjacent or nearby enhanced bus stops lessens burden on City general revenue.

A fee is in service of Comprehensive Plan policies:

Policy	Page No.	Comments
H-1.1	34	“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.”
H-2.3	34	“Encourage multi-modal transportation options, including park-and-ride facilities, carpooling, and use of transit services.”
H-4.1	35	“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.” Having developments contribute towards adjacent or nearby enhanced bus stops lessens burden on City general revenue.

▲ Staff applies a condition for a regional express bus transit fee.

Transit Operations

To mitigate the effect of additional dwellings on the City bus transit system, staff applies a condition to development itself to assess a small fee. New dwellings affect the need for transit that adopted long-range plans, the Transportation System Plan (TSP; 2019) and transit plans, envision, and a modest contribution is needed towards implementing transit planning goals, generally described as transportation demand management (TDM) to lessen vehicular traffic by attracting City bus riders.

Staff applies as follows, Determining the average household cost to fund City bus transit for a year:

- U.S. Census QuickFacts indicates that Woodburn households (HHs) 2017-2021 were 8,605.
- Per the City budget for fiscal year (FY) 2023-24, on p. 88 the total budgeted expenditure for transit (fund code 110) is \$2,721,300; however, staff subtracts the headings for “capital outlay”, “transfers outs”, and “contingencies and reserve”. This leaves two headings, “personnel services” and “materials & services” totaling \$1,223,040.
- $\$1,223,040 / 8,605 = \142.13 per HH. Staff rounds up to \$143 per dwelling and conditions it as the City bus transit / transit service fee.

There is a conditioned a bus transit / transit service fee because:

- The description earlier above of City transit being along the subject property.
- 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.
- Having new households fund their share of a year’s transit 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. This meets:
 - Transportation System Plan (TSP) Objective 4A, “Identify new and innovative funding sources for transportation improvements.” (p. 19); and
 - Comprehensive Plan Policy H-4.1, “Evaluate the feasibility of various funding mechanisms, including new and innovative sources.” (p. 35).
- Precedent through past development approvals. The City has been collecting and collects from developments fees towards transit operations, including:
 - DR 2019-05 Allison Way Apartments
 - DR 22-02 Project Gamos (Specht industrial development, Evergreen Rd)
 - DR 22-26 Chick-fil-A fast-food restaurant
 - ANX 2019-01 Woodburn Eastside Apartments / Woodburn Place Apartments
 - ANX 2020-02 Valentina Estates No. 2 subdivision
 - ANX 22-02 & PUD 22-02 Marion Pointe / Macadam at Tukwila subdivision

- CU 22-02 Townsend Farms industrial addition
- CU 22-04 Hardcastle Apartments
- DR 21-07 Amazon warehouse
- PUD 22-01 Mill Creek Meadows subdivision.
- The consolidated applications package comes with variance requests.

▲ Staff applies a condition for a City bus transit / transit service fee.

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.

The site plan (Sheet LU1.0) delineates and note intended conformance (through recordation after land use approval with conditions) along Young Street through a 5-ft wide streetside PUE, which meets the minimum and would not exceed the maximum 8 ft.

Second, as a condition notes, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require “Joyce Way” ROW or “Joyce Way” streetside PUE.

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. The appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer might address the topic.

Because the applicant applied for a Street Adjustment, staff applies a condition to ensure that the streetside PUE standards continue to be the standards along Young Street.

▲ Staff applies a condition for the required streetside PUE.

3.02.03 Street Lighting A. Public Streets

The appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer likely comment 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.**

The Young Street frontage has electric power poles and lines and is 304.7 ft long, making criterion 1a applicable. The application materials are unclear if criterion 1b also is applicable because there is no clear text constituting documentation from the electric utility, which is Portland General Electric (PGE); however, the revised narrative submitted December 1, 2023 p. 16, states, “burial of power lines will result in a decrease of 2 power poles on Young Street ... The design team will work with PGE on the undergrounding of PGE’s power lines as required”.

This suggests that the applicant concluded that both criteria are applicable and so removal and burial are required. Staff concurs.

In case the developer were to later seek to pay fee in-lieu, the concept of which 3.02.04B.2 acknowledges and 4.02.12 regulates, staff conditions one primarily because 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 what 3.02.04B.1 requires and establishes a specific amount, which is necessary to administer 3.02.04B & 4.02.12, based on past practice regarding electric power pole removal and line burial.

The fee in-lieu of \$568.00 per lineal foot of frontage comes from past practice through past land use case files and final decisions: ANX 2020-02 Valentina Estates No. 2, PUD 22-01 Mill Creek Meadows Planned Unit Development, & CU 21-01 US Market gas station.

The number comes from a Pacific Gas and Electric (PG&E) of California October 2017 estimated range of \$1.16 to \$5 million per mile to remove electric power poles and bury lines. ("[Despite Being Safer, Underground Power Lines Are Very Expensive](#)" e.Republic LLC *Government Technology* "FutureStructure Infrastructure" series. October 23, 2017. <www.govtech.com/fs/infrastructure/despite-being-safer-underground-power-lines-are-very-expensive.html>. Accessed July 7, 2023). Staff went and goes by \$3 million per mile because 60% of the upper limit of \$5 million seemed reasonable for Woodburn. $\$3,000,000 / 5,280 \text{ ft} = \568.18 per ft, rounded down to \$568 per ft.

As background, 4.02.12 states:

"A. In lieu of public improvements:

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

▲ In conclusion, to ensure conformance with 3.02.04B.2 or payment of fee in lieu of electric power pole removal and line burial as that section and 4.02.12 allow, staff conditions a fee in-lieu amount in case the developer were to choose later to pay fee in-lieu.

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, because the proposal is already proposing conforming ROW dedication and/or staff conditions such, the Street Widening Setback is not applicable along Young Street.

Second, as a condition notes, As a condition notes, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require “Joyce Way” ROW or “Joyce Way” streetside PUE. Other City staff took this to conclude that there also is no direction from management to apply the Street Widening Setback.

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).

The site plan illustrates that there would be conformance.

✓ 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

– None is proposed.

3.04.03 Driveway Guidelines and Standards

B. Number of Driveways

1. For residential uses, along streets the maximum number of driveways per lot frontage shall be as follows and if and as subsection D further limits:
 - a. Single-family dwelling and dwelling other than multiple family and other than townhouse: One driveway for every 100 feet of lot frontage. For a corner lot wider than 25 feet, the Director may prohibit a driveway on one of the frontages based on the factors of street functional class and whether the required street cross section includes on-street parking.
 - b. Townhouse: One driveway as a joint driveway for each pair of lots.
 - c. Cottage cluster: Same as (a.) above except that if parking is pooled into a common facility with no direct driveway access to an individual carport or garage, then two driveways total along either the lot or, if partitioned or subdivided, the lots constituting the cottage cluster project.
 - d. Multiple-family dwelling and all other residential uses not listed above: One driveway for every 100 feet of lot frontage.
2. Oregon Fire Code: A minimum of two driveways shall be provided in developments as follows:
 - a. Where OFC Appendix D Section D106 is applicable (100 or more multiple-family dwellings);
or

- b. Where OFC Appendix D Section D107 is applicable (30 or more single-family dwellings or duplexes); or
 - c. With 30 or more dwellings if and where it is unclear what if any OFC Appendix D section would be applicable.
 - d. Exceptions:
 - (1) If and as either section provides exception through approved automatic fire sprinkler system as administered by the Fire Marshal no later than during building permit review; or
 - (2) The Woodburn Fire District Fire Marshal may in writing exempt subject development from a second driveway if determining that instead of a second driveway, one or more development Boundary, Connecting, or Internal Streets, public alleys, or shared rear lanes with public access, can serve as the one or more “fire apparatus access roads” that OFC Appendix D references and requires.
 - 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.

Driveway(s) & Access Management

Regarding B.5, C.1 & 2, and D.2, staff conditions that the one proposed driveway along Young Street remain just the one, and that the development complete a shared rear lane, i.e. a private alley, through the block.

The private alley need be nothing more than a privately constructed and maintained parking area drive aisle covered with one or more easements granting the City and the public access.

The first segment of cross access drive aisle and public easement through the block bound by Oregon Highway 99E, Young Street, “Joyce Way”, and the railroad will be through DR 22-05 for the unnamed apartment building at 119 N. Pacific Highway per its final decision document of November 10, 2022, Condition of Approval 8b, which will result in a cross access easement (CAE) and corresponding drive aisle stub up to and benefitting the subject property.

For the subject property, the development will connect that stub with the Young Street driveway and grant a CAE to the benefit of 119 N. Pacific Highway – only to 119 N. Pacific Highway because 119 N. Pacific Highway will have granted cross access not only to the subject property but also to 1072 Young Steet, which abuts both properties, at the south rear of 1072.

The above is in keeping with the MUV zoning district purpose statement in WDO 2.03A.4 and the intent of the MUV zoning district architectural provisions in WDO 3.07.08B.2, D.2, and K.1 & 2.

The above is also in keeping with the Highway 99E Corridor Plan (Ordinance No. 2492, July 9, 2012), first p. 18, Figure 6 “Redevelopment Potential in Young Street Mixed Use District”, which is Attachment 106 and that shows the intent for cross access through the block, and second, that upon which the figure is premised: the access management strategies found in both Part VII, pages 23-27, and Appendix E “Access Management Tools”.

▲ Staff applies a condition regarding access management.

Access Requirements Table 3.04A		
		5 or More Dwelling or Living Units, School, or House of Worship ⁶
Flag Lot Access Width (feet) (See Figure 3.04A)		20 minimum
Paved Width of Driveway (feet) ^{3, 4, 7, 8}	1-way	10 minimum 20 maximum
	2-way	20 minimum 24 maximum* *(Add 6 ft maximum if a turn pocket is added)
	Manufactured Dwelling Park	n/a
Throat Length (feet) ⁵	Major Arterial, Minor Arterial, Service Collector	36 minimum
	Access or Local Street	18 minimum
Corner Clearance (feet) Guidelines ¹ (See Figure 3.04B)	Access or Local Street	30 minimum
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major Arterial	300 minimum
Driveway Separation Guidelines (feet) ^{1, 2} (See Figure 3.04B)	Driveway on the same parcel	50 minimum
	Access or Local Street	none
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major arterial	300 minimum

The one driveway, along Young Street, exceeds the maximum width of 24 ft; however, it appears likely this is because of Woodburn Fire District (WFD) administration of the Oregon Fire Code (OFC) as table footnote 7 allows.

▲ Staff applies a condition about maximum driveway width to revise plans (either to narrow or document wider allowance per the Table 3.04A footnote 7).

3.04.03A. Unused driveways shall be closed.

The site plans illustrate conformance through removal of the subject property northeast corner driveway and construction of a new driveway farther west that aligns or closely aligns with Bryan Street.

✓ The requirement is met.

3.04.03C. Interconnected Parking Facilities.

Because the proposal is a single, integrated site development for one primary use – multiple-family dwellings – and not like a commercial strip mall, the provision is not applicable. (Also, shared access per 3.04 is not the same as and does not necessitate shared off-street parking.)

⊖ 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 on March 23, 2023 a transportation impact analysis (TIA) revised March 15, 2023. Highlights from the p. 4 “Executive Summary” are:

“2. The trip generation calculations show that the proposed multi-family development is projected to generate 52 morning peak hour trips, 61 evening peak hour trips, and 678 weekday site trips.

...

3. Based on the most recent five years of crash data, one of the study intersections have crash rates that exceed the 90th percentile rates identified by ODOT for similar types of intersections and two are identified

on the ODOT SPIS List. Potential intersection improvements have been identified in the Woodburn TSP at these intersections.

...

7. All study intersections are currently operating acceptably per City of Woodburn and ODOT standards and are projected to continue operating acceptably through the 2025 site buildout year. No operational mitigation is necessary or recommended at these intersections.”

There are no comments from the City transportation consultant because by March 2023, he’d left employment with the firm Otak to work for a city, and the successor that the firm designated failed to respond to the City most of the time and led the City to decline to renew the contract with Otak when it ended at the end of June 2023. The review and staff report publication timelines for the proposed development didn’t align with a new consultant being ready to consult. (As of August 2023, the consultant will be through the firm DKS & Associates.)

The TIA notes on p. 16 that regarding crash severity, only one severe crash (ODOT “Injury A”) occurred since January 2016, and it was at the intersection of Oregon Highway 99E & E. Cleveland Street, which staff sees as, other than for a TIA, as not having any bearing on the subject property or the proposed development. The p. 15 Table 6 and the p. 17 section “OR-99E at Young Street” imply that the rate for Young Street is below the threshold for meaningful attention by Oregon Department of Transportation (ODOT) policy and that the proposed development need not mitigate anything about safety at the intersection.

In short, the applicant submitted a revised TIA, and absent consulting, staff does not object to its conclusions.

The appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer do not identify the applicant’s TIA conclusions as an issue.

✓ The requirement is met.

Additional Issues: Walking & Cycling

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

Additional Issues: Bus Transit

Staff examined earlier above for 3.01.09.

Additional Issues: Safety Study Corridor

TSP 2019 Figure 4 “Freight Routes” is relevant in that it designates with yellow line Young Street as a “Truck Way” (as distinct from red “Truck Routes”).

Incidentally, Ordinance No. 1957 (July 28, 1986) “An Ordinance Designating Truck Routes ...”, Schedule “A” map delineates in bold dashed black line Young Street with Schedule “B” listing it as a Truck Way. Ordinance p. 3, Section 1(5) defines “truck way” as, “a street, alley, or other public right-of-way which as [sic] been designated by this ordinance as an acceptable roadway for the commercial operation of motor trucks, truck trailers, and truck tractors, but does not constitute a through-City route necessary for specialized traffic directional control signs.”

Figure 5 “Traffic Safety Plan Elements” (Safety Study Corridors) does not designate Young Street a “safety study corridor”. (The TSP provides no definition anyway.)

The appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer do not identify any “Truck Way” or “Safety Study Corridor” issues.

Additional Issues: Intercity Bus Transit & Regional Express Bus Transit

Staff examined earlier above for 3.01.09.


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 multiple-family dwelling development of the subject property that has one frontage for which 2 walkways appear to be wide walkways, one each to the leasing office street-facing entrance and one around the east side of Building A, either meeting or exceeding the minimum requirement depending on how one looks at it. Each is minimum 8 ft and not gated and per the site plans appears able to be constructed as to be ADA-compliant. The site plan also proposes a wide walkway at Path RR2. (For context, see earlier above for 3.01.07.)

Because the applicant applied for variances, and because of the specific situation involving both a bicycle/pedestrian path in place of a “Joyce Way” east half-street and Bicycle/Pedestrian Corridor RR2 and its Path RR2, staff conditions more walkways and wide walkways.

 Staff applies a condition about minimum walkways.

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 parking aisle along the westerly south side of Building A is subject to correction.
- 3.05.02J about dead-end drive aisle “no outlet” signage.
- 3.05.03H, 3.05.03I, and 3.05.06 in full about all the little details and specs about carpool/vanpool (C/V), electric vehicle (EV), and bicycle parking, but also a larger omission in that the EV parking fails to meet the convenient location standard (50 ft).
- Figure 3.05C about double-striping of parking stalls.

▲ In order to secure conformance with 3.05, staff applies conditions.

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.

Off-Street Parking Ratio Standards Table 3.05A	
Use¹	Parking Ratio - spaces per activity unit or square feet of gross floor area
RESIDENTIAL	
1a. Single-family dwellings (houses), including manufactured homes, and multiple-family dwellings	2/ dwelling unit
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.	

The applicable parking ratio is for “multiple-family dwellings”, i.e. apartments. The math of 94 apartments x 2 = 188 stalls minimum parking. The site plan proposes this, meeting the minimum standard.

3.05.03A.2 specifies a cap or maximum for all land uses of twice the minimum, which for the proposal equals 188 x 2 = 396. The proposal has no risk of exceeding the cap.

Compact Parking

For 188 total stalls, the 20% maximum equals 37.6 → 38 stalls, and the proposal has 37 compact parking stalls, just below the maximum. (The developer could have 1 more stall be compact.)

Garages / Carports

For 188 total stalls, the 50% minimum equals 94 stalls, and the proposal has 97 carport parking stalls, exceeding the minimum by 3 stalls. (The developer could have 3 fewer stalls be under carports.)

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

Parking stalls meet Table 3.05A minimum dimensions. Regarding footnote 3 and wide walkways, WDO 3.05.02H supersedes.

✓ The requirements are met.

**Carpool/Vanpool Parking
Table 3.05C**



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

☞ Because the table in full is not applicable to any residential development, none is applicable.

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



Development or Use	Description	Stall Minimum Number, Percent, or Ratio	
2. Non-residential development within commercial zoning districts	a. Multiple-family dwellings	1.1/ dwelling unit	
	b. Dwellings other than multiple-family	1 or 2 dwellings	n/a
		3 or 4 dwellings	2 stalls total
3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include.			
4. See Section 3.05.06 for bicycle parking development standards.			

3.05.06 Bicycle Parking Standards

...

The applicable bicycle parking ratio is for “multiple-family dwellings”, i.e. apartments. The math of 94 apartments x 1.1 = 103.4 → 104 stalls minimum bicycle parking.


The site plans through Sheet LU1.0 proposes 140 stalls through 70 U-racks, all either outdoors or at the bottoms of the apartment building open-air stairwells, a context worth noting because the development opts not to have any patio or balcony outdoor storage closets.

Regarding the covering/sheltering standard of 50% per 3.05.06C.6, 80 of 140 stalls, equal to 57.1%, are through 40 U-racks at the bottoms of the apartment building open-air stairwells, the only proposed means of covering/sheltering bicycle parking.

The proposal the standards of the bicycle parking itself would be met, with the following not met:

- 3.05.06C.4 (signage), based on the location and site plan layout necessitating signage;
- 3.05.06C.5 (proximity: max 50 ft of main entrance), based on the site plan where each breezeway needs an addition 2 stalls (1 U-rack) or that 2 stalls be outside within 50 ft of a breezeway threshold; and

▲ 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
1. Residential development	a. Multiple-family dwellings	Zero to 19 total minimum required spaces	n/a
		20 to 31 total	1 stall
		32 to 39 total	2 stalls
		40 or more total	2 stalls or 5% of total minimum required spaces, whichever is greater
	b. Dwellings other than multiple-family		n/a
2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.			
3. See Section 3.05.03I below for EV development standards.			
4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.			

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 188 parking spaces and so falls within the tier, "40 or more total [minimum required off-street parking spaces]", 2 stalls or 5% of total minimum required spaces, whichever is greater, is required. The minimum requirement is $188 \times 5\% = 9.4 \rightarrow 10$ stalls. The site plan labels 10 stalls, meeting the minimum.

The proposal indicates that the standards of the EV parking itself would be met, with the following not met:

- 3.05.03I.2 (charging Level 2);
- 3.05.03I.3 (striping details); and
- 3.05.03I.4 (signage details).

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

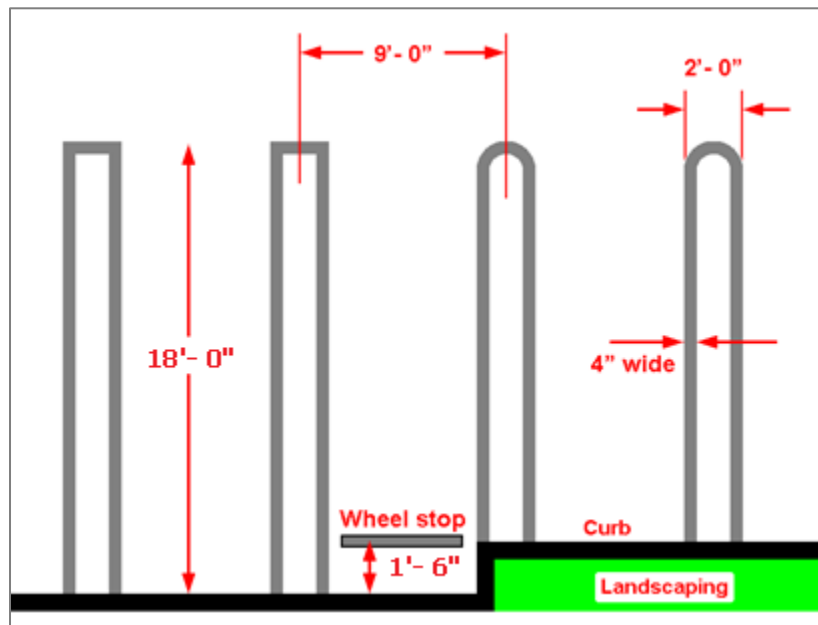


Figure 3.05C - Parking Space Striping

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 (an option which would be feasible only for adjacent 119 N. Pacific Highway, a site with DR 22-05 approval for the yet to be constructed unnamed apartment building and conditioned to grant cross access to the subject property).

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 appears to opt to provide on site six-inch instead of four-inch curbing.

The landscape plans show on-site conformance generally, including notes about 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 section(s) for the applicable street(s).

B. & Tables 3.06A & B

Planting Requirements Table 3.06A		
Location	Planting Density, Minimum	Area to be Landscaped, Minimum
1. Setbacks abutting a street	1 PU/15 square feet	Entire setback excluding driveways
2. Buffer yards	1 PU/20 square feet	Entire yard excluding off-street parking and loading areas abutting a wall
3. Other yards	1 PU/50 square feet	Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas
4. Off-street parking and loading areas	<ul style="list-style-type: none"> • 1 small tree per 10 parking spaces; or¹ • 1 medium tree per 15 parking spaces; or¹ • 1 large tree per 25 parking spaces¹ <p>and</p> <p>1 PU/20 square feet excluding required trees²</p>	<ul style="list-style-type: none"> • RS, R1S, RSN, RM, RMN, P/SP, CO, CG and MUV zones: 20% of the paved surface area for off-street parking, loading and circulation • DDC, NNC, IP, IL, and SWIR zones: 10% of the paved surface area for off-street parking, loading and circulation • Landscaping shall be within or immediately adjacent to paved areas
5. Common areas, except those approved as natural common areas in a PUD	3 PU/50 square feet	Entire common area
<ol style="list-style-type: none"> 1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces. 2. Required landscaping within a setback abutting a street or an interior lot line that is within 20 feet of parking, loading and circulation facilities may also be counted in calculating landscaping for off-street parking, loading and circulation areas. 		

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.**

Five parking aisle segments fail to meet C.3, 3 found within the center parking aisles and 2 within the site northeast perimeter parking aisle.

Two areas fail to meet C.4: the two east-west walkway crossings of the west north-south drive aisle. Where they pass through the center parking aisles, the south side landscape islands are missing.

■ *Variance:* the applicant applied for variance VAR 23-04, variance requests 3 & 4, to vary from 3.06.0C.3 & 4, respectively the sections requiring that, “there shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula ...”, and, “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 [3.06.03C.]1 above”.

However, instead of the usual note about staff addressing the request further below under the Variance Provisions section, instead staff here specifies that staff denies of the requests; but, to accommodate the proposed development offers to use variance requests 1 & 2 (as a variance condition defines, likely Condition V1) to relax other site planning standards so that the developer will fit in:

- Whatever the City conditions for Bicycle/Pedestrian Corridor RR2 and Path RR2
- What 3.06.0C.3 requires, and
- What 3.06.0C.4 requires.

The relaxed requirements are:

- Shared rear lane parking: The developer will consider adding a parking stall along the shared rear lane south side between east lot line and the east parking aisle. This stall may make up for one elsewhere that site plan revision might remove.
- Compact parking: The development may have the same compact parking maximum as Zoning Adjustment would have allowed per WDO 5.02.06C.20: max 40% [38 stalls]. This would result in saved space of up to approximately 1,881 sq ft.
- Drive aisle width: Where not a designated fire lane, a drive aisle may be the same narrower width as Zoning Adjustment would have allowed per WDO 5.02.06C.21.
- Driveway throat: The Young Street driveway throat inbound west side may be a shallower minimum depth between ROW and nearest parking stall. This would accommodate appending a parking stall to the adjacent parking aisle.
- The walkway crossing where it passes through a parking aisle may be narrower minimum width instead of 6 ft.
- Overhang / wheel stops: In parking aisles along and facing the rear and sides of the subject property, standard size stalls will overhang curbing and landscaping by a minimum of inches, as WDO Figure 3.05C allows up to 1.5 ft max.
- Wide walkway overhang: Parking stalls facing wide walkways P1 & P2 (per Exhibit V3) may overlap them if leaving minimum 6 ft of unobstructed passage, varying from WDO 3.05.02H and Table 3.05B footnote 3, and to this end these stalls are not required to have wheel stops.
- Consecutive parking: The development may vary from WDO 3.06.03C.3 as follows:
 - (a) Allowance limited to within the east parking area center parking aisles and the east site perimeter parking aisle segment north of the shared rear lane.
 - (b) In the north center parking aisles, max shall be (1) same as WDO 3.06.03C.3 for standard size, (2) a max number of consecutive compact spaces, or (3) a max number of ft extent for mixture within an aisle.
 - (c) In the south center parking aisles, max shall be (1) a max number of consecutive standard spaces, (2) a max number of consecutive compact spaces, or (3) a max number of ft extent for mixture within an aisle.
 - (d) In the east site perimeter parking aisle north of the shared drive aisle, same as part (c) above.

Staff stresses for the developer that, outside ROW, curbing and curbs may be minimum 4 inches high and wide per WDO 3.06.02I instead of 6 inches.

- ▲ Staff applies a condition resembling the above second set of bullet points premised on denial of the variance request to vary from WDO 3.06.03C.4 (variance request 5 as a variance condition describes and numbers, likely Condition V1).

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 all adjacent lots are also zoned MUV, 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 through the welcome inclusion of smooth concrete caps. 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 Young Street than Building A, the provision is applicable. The landscape plan illustrates conformance through landscaping.

- ✓ 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 Sheet LU1.1 recycling and trash enclosure typical plan and elevation views for the walls of the proposed three enclosures do not clearly conform to:

- 3.06.06B.6 by having, “an earth tone coloration other than grey on at least eighty percent (80%) of the surface”. The note (2), “CMU colors to match buildings”, given that the proposed buildings include fashionable grays, suggest enclosure walls color nonconformance.

▲ Staff applies a condition for conformance with 3.06.06B.6.

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 retaining walls and the subject property and Joyce Way ROW are virtually flat, the provisions are not applicable. (By a variance condition, if and where there are retaining walls, 3.06.06C shall be applicable as a standard.)

3.06.07 Significant Trees on Private Property

⊖ Because the subject property has no trees at all, the provisions are not applicable.

3.07 Architectural Design

Two sections within Chapter 3.07 are applicable: 3.07.05 "Standards for Medium Density Residential Buildings" and 3.07.08 "Mixed Use Village Zone".

3.07.05 Standards for Medium Density Residential Buildings

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

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

B. Open Space

1. Private Open Space

a. Ground Level Courtyard

- (1)** Units within five feet of the finished grade, should/shall have at least 96 square feet of private open space, with no dimension less than six feet.
- (2)** Ground level private open space should/shall be visually and physically separated from common open space, through the use of perimeter landscaping or fencing.

b. Balcony

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

2. Common Open Space and Facilities

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

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

c. Open Space and Facility Design Guidelines and Standards.

- (1)** A minimum of 30 percent of the net site area of each medium density residential development should/shall be permanently designated for use as common open space and facilities.
- (2)** The common area should/shall include at least one open space containing 2,000 square feet, with a minimum width of 36 feet.
- (3)** Facilities to accommodate children’s or adult’s recreation, meeting or education activities should/shall be provided at a ratio of 36 square feet of outdoor, or 12 square feet of indoor, common area per dwelling unit or living unit. The minimum improved common area for this purpose should/shall be 720 square feet of outdoor or 240 square feet of indoor space. The space for such improvements may be counted as part of the common area required by Section 3.07.05.B.1.c.2 at a 1:1 ratio for outdoor space and 3:1 ratio for indoor space.

C. Architectural Design Guidelines and Standards

1. **Building Mass and Facade**
 - a. Buildings should/shall have no dimension greater than 150 feet.
 - b. Every two attached dwelling or living units should/shall be offset by at least four feet in depth.
 - c. Individual buildings located within 28 feet of a property line should/shall have a varied setback at least four feet.
 - d. A flat roof, or the ridge of a sloping roof, should/shall not exceed a horizontal length of 100 feet without providing a difference in elevation of at least four feet.
 - e. Buildings should/shall incorporate a porch or recessed entry for each ground-level dwelling or living unit. Covered porches and entries should be at least 30 square feet, with no dimension less than six feet. This provision does not apply to buildings for residential care.
 - f. All habitable rooms, except bathrooms, facing a required front yard should/shall incorporate windows.
 - g. Staircases providing access above the first floor level should/shall not be visible from a street.
2. **Building Materials, Texture and Color**
 - a. The exterior finish for at least 90 percent of the facade should/shall be:
 - (1) Either siding, brick or stucco. Plain concrete, corrugated metal, plywood and sheet press board should/shall not be used as exterior finish material; and
 - (2) Either white, tinted with a minimum of 10 parts per 100 of white, or shaded with a minimum of 10 parts per 100 of black or brown. Shading colors with brown or black to create earth tones or tinting colors with white to soften the appearance.
 - (3) Fluorescent, "day-glo," or any similar bright color shall not be used on the facade.
 - b. The roofing material should/shall be either composition shingles; clay or concrete tile; metal; or cedar shingles or shakes. Composition shingles should/shall be architectural style, with a certified performance of at least 25 years.
3. **Pedestrian Circulation**
 - a. The internal pedestrian system in medium density residential developments should/shall connect to other areas of the site, to other building entrances and to adjacent streets.
 - b. When a residential building is sited within 24 feet of a street right-of-way, the building should/shall contain entrances directly accessible from the street.
 - c. The residential building, or in a complex of multiple buildings the building or buildings closest to a street, should/shall be set back maximum 100 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 provisions describe. Staff applies conditions to secure conformance with or improve upon select provisions.

3.07.08 Mixed Use Village (MUV) Zone

A. Applicability and Procedure

The following design guidelines and standards shall be applicable to all buildings in the Mixed Use Village (MUV) zone that include a non-residential use, whether or not residential uses are included in the structure.

B. Site Development Standards

- 1. The primary building entrance shall either be oriented toward the street, toward a side yard, or any angle in between. For the purposes of this Section, the “primary building entrance” is the main public entrance to the building. In the case where no public entrance exists, the “primary building entrance” is the main employee entrance. Where there are multiple buildings on a lot, all buildings shall comply with this standard.**
- 2. Buildings should occupy a minimum of 50 percent of all street frontages along public streets. Buildings should be located at public street intersections.**
- 3. The maximum setback from each street should/shall be 20 feet where there is one frontage or, where there are two or more frontages, 20 feet from minimum one of the frontages and 80 from each of the remaining frontages. Minimum 80 percent of the width of a street-facing façade should/shall meet the setback maximum.**

C. On-Site Pedestrian Circulation

- 1. Walkways shall connect all building entrances with adjacent sidewalks and on-site parking areas, and shall connect off-site adjacent uses to the site unless topographic or existing development constraints preclude making certain walkway connections.**
- 2. Where walkways cross a parking area or driveway they shall be clearly marked with contrasting paving materials (such as light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.**

D. Drive-Through Businesses

In addition to the requirements of Section 3.04.02, the following standards shall apply to drive-through businesses:

- 1. Drive-through windows are prohibited on a building facade that faces Highway 99E.**
- 2. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street.**
- 3. A maximum of two drive-through service lanes shall be permitted between a building facade and a public street right-of-way.**

E. Architectural Design Guidelines and Standards

1. Street-Facing Building Facades

All street-facing building elevations that are set back 50 feet or less from a public street shall provide visual interest and avoid blank walls by meeting one or both of subsections a and b, below:

- a. A minimum of 40 percent of the ground floor wall area shall contain windows, display areas, or doorway openings. Windows, display areas, or doorway openings used to meet this standard shall comply with the following provisions:
 - (1) Required window areas shall be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
 - (2) Darkly tinted windows and mirrored windows that block two-way visibility shall not be used to meet this standard.
 - (3) The sill or lower edge of a window, display area, or doorway used to meet this standard shall be no more than four feet above grade. Where interior floor levels prohibit such placement, the sill or lower edge must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum height of six feet above grade.
 - (4) Windows and doorways used to meet this standard shall not be covered over with paper, boards, or cardboard, except during times of construction or remodeling, and shall be limited to a period of 120 days, unless an extension is otherwise granted by the Director.
 - (5) Ground floor wall area shall be measured from three feet above grade to nine feet above grade along the entire width of the street-facing elevation.
 - b. Building facades that exceed 40 feet in length shall incorporate features to vary the look of the facade at intervals not to exceed forty feet. Such features may include variable planes, projections, bays, dormers, setbacks, canopies, awnings, parapets, or changes in the roof line, materials, color, or textures.
2. All other building facades visible from streets and public parking areas should provide facade variations, as specified in this Section (3.07.08.E.1.b).

F. Crime Prevention Through Environmental Design

In order to enhance public safety and provide for “eyes on the street”, all buildings that will regularly be occupied should provide windows that allow a view of the street in all street-facing building elevations.

G. Weather Protection

Weather protection for pedestrians, such as awnings, canopies and arcades, should be provided at building entrances. Weather protection is encouraged along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or wide walkway. Awnings and canopies shall not be back-lit.

H. Building Materials

Corrugated metal, plywood, sheet press board or vinyl siding should be used as exterior finish material. Plain concrete block and plain concrete should not be used as exterior finish material, except as a foundation material where the foundation material should not be revealed for more than two feet.

I. Roofs and Roof Lines

Except in the case of a building entrance feature, roofs should be designed as an extension of the primary materials used for the building and should respect the building's structural system and architectural style. False fronts and false roofs should not be used.

J. Roof-Mounted Equipment

All roof-mounted equipment shall be screened from view from adjacent public streets. Satellite dishes and other communication equipment shall be set back or positioned on a roof so that exposure from adjacent public streets is minimized. Solar heating panels shall be exempt from this guideline.

K. Off-Street Parking

1. Parking areas shall be limited to 50 percent of the street frontage abutting a Major Arterial.
2. Parking areas shall not be located within a front yard or within a side yard abutting a Major Arterial.
3. Parking areas with more than ten spaces shall be divided by landscaped areas or walkways, or by a building or group of buildings.

L. Screening Standards

Outdoor storage shall be screened from view from the adjacent streets by a wall. Outdoor displays of merchandise not exceeding ten percent of the total retail sales area are allowed. Displays of merchandise on public sidewalks may not reduce usable walking area widths to less than four feet.

The site plans and building elevations show largely what the provisions describe. Staff applies conditions to secure conformance with or improve upon select provisions.



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.

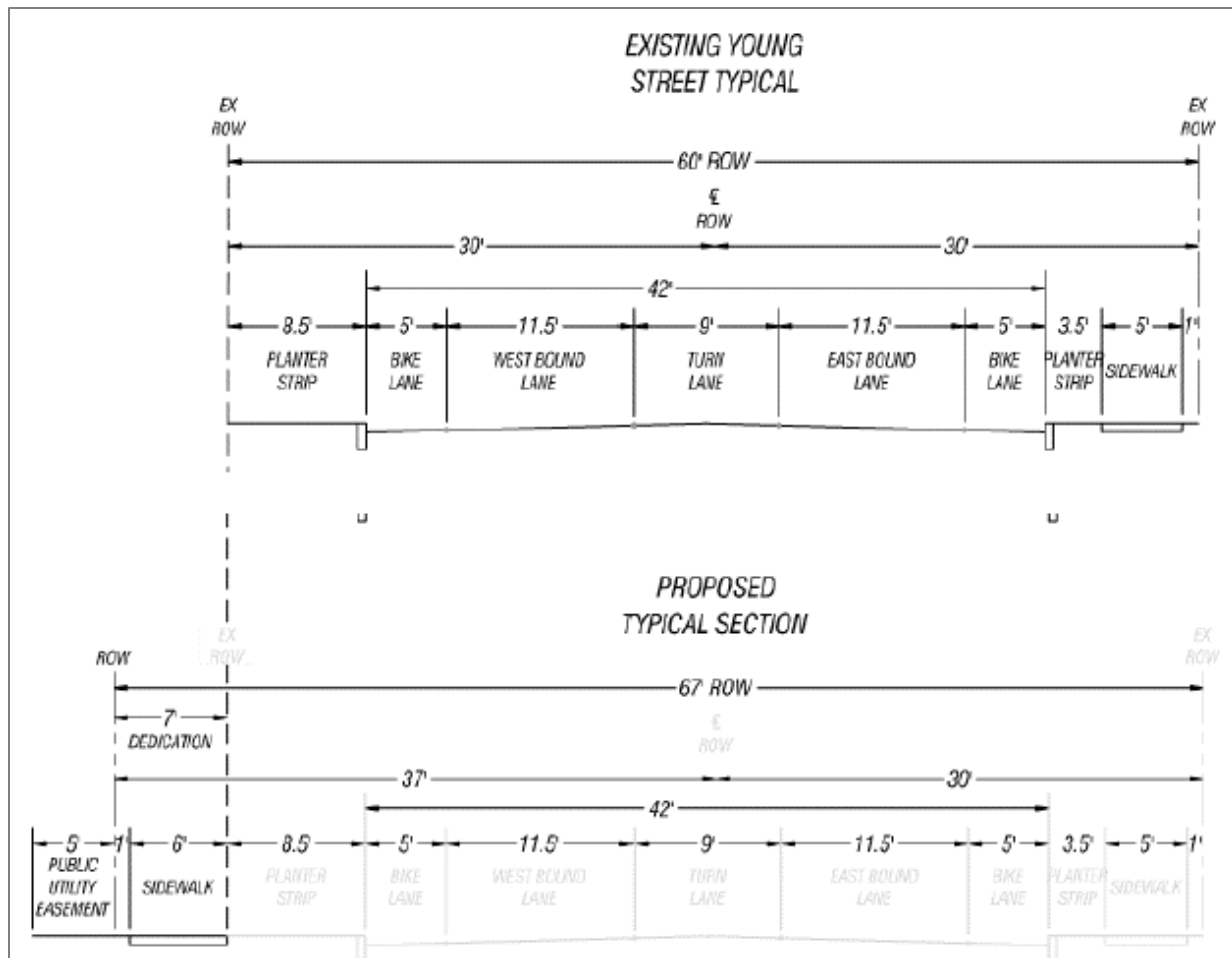
Background

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.

Though the Young Street frontage improvements that do exist aren't enough to meet the minimal standards of 3.01.03C.1 that are applicable to all roads and streets regardless of functional class – because of lack of landscape strip with street trees and sidewalk – the application materials do propose to provide all the minimal elements that the section outlines. However, because the developer proposes that some elements not be the minimum widths per WDO Figure 3.01C – the eastbound travel lane and bicycle lane so as to avoid disturbing existing curb – instead of a variance per 5.02.04D, the applicable land use application type is Street Adjustment.

Context

The existing Young Street frontage is nonconforming relative to WDO Figure 3.01B “Minor Arterial”, and Street Adjustment is relevant to deviation from the applicable cross section. The primary nonconformities of the existing street cross section are visible in the comparison street cross sections from the applicant's revised narrative dated May 24, 2023 and submitted June 1, 2023, p. 45 (a revised narrative dated November 29 and submitted December 1 omits all Street Adjustment material):



Namely, the south half-street nonconformities are:

- Center two-way left turn lane (TWLTL) is 9 ft instead of 12 ft;
- Eastbound travel lane is 11.5 ft instead of 12 ft;
- Eastbound Bicycle lane is 5 ft instead of 6 ft;
- Lack of south street trees (per 3.06.03A); and
- Lack of south sidewalk.

The appended Public Works comments (August 10, 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 Young Street curb as is, rather than demolish it, pave additional asphalt, pour new curb, and re-stripe approximately the south half of the street. Staff accepts in exchange for easy, minor improvements of the frontage that makes 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 May 24, 2023 and submitted June 1, 2023 on p. 45 (a revised narrative dated November 29 and submitted December 1 omits all Street Adjustment material) states in a single paragraph regarding all the SA criteria:

“

Young Street - The Young Street improvements are not easily quantified as the site fronts onto this street and its primary access will be taken from it. We believe increasing the existing street pavement width at this time may create safety hazards and therefore have proposed to maintain it for consistency with neighboring properties and along Young Street in the general area of the site. However, the proposed improvements will provide the required ROW width, with the 7-foot wide ROW dedication, 8.5-foot planter strip adjacent to the curb and locating the 6-foot wide sidewalk in the desired location will allow for widening of the paved section of the street in the future should the City pursue capital improvements along this portion of Young Street. Below are the existing street section and the proposed street section design illustrating how the proposed design will allow for consistency at the time of development and for future street pavement widening should it occur.

”

Planning staff does not object, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer do not object to, comment on, or condition the Street Adjustment.

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.*
Same as for criterion 1.

6. *The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.*
Same as for criterion 1.

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:

- Confirm that Young Street ROW dedication and granting of streetside PUE remain required per sections within Chapters 3.01 and 3.02.
- Roadway elements up to and including curb may remain in place.
- The developer repairs or restores cracked, gouged, eroded, or missing curb as the Public Works Department administers.
- In exchange, landscape strip of minimum width 6.5 ft, inc. curb width, and with ROW dedication and correct siting of new wide sidewalk at the south, the landscape would likely be 8.5 ft wide, inc. curb width.
- In exchange, sidewalk of min width 8 ft – just wide enough for walkers and cyclists afraid to ride in traffic – which would have to and may overlap outside ROW with granting of public access via either the streetside PUE or separate easement. The extra width is to be away from centerline, not consume a portion of the landscape strip, and not shift the alignment of sidewalk north edge relative to street centerline.
- The developer removes or relocates franchise utility boxes, cabinets, pedestals, poles, and vaults as needed to be out of the way of, and set back from new conforming sidewalk and from face of curb.
- Through Public Works Department implementation of WDO 3.01.03G through the Public Works comments (August 10, 2023; Attachment 102A), item 7, ADA or crossings upgrades at the intersection of Young & Bryan Streets along the west leg.

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 below.

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”

Wide landscape strip and wide sidewalk are such for walkers and cyclists who are afraid to cycle in traffic or afraid to ride in a 5-ft wide bicycle lane instead of a 6-ft one.

Also, the existing widths of the center two-way left turn lane (TWLTL) and eastbound lane at 9 ft and 11.5 ft respectively are safer in that drivers are less likely to speed and more likely to proceed carefully along the city street than would be the case for both lanes being 12 ft, a width appropriate only for highways, which are for fast-moving and largely uninterrupted motor vehicles.

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>
H-1.3	34	Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes. Sidewalk doubling as an off-street bicycle/pedestrian path is low stress for cyclists afraid to ride in the street. A wide planter provides a little more room for street trees to mature their canopies to larger extents and live longer, in turn better shading pedestrians and cyclists on sidewalk and buffering them from

<i>Table SA-8</i>		
<i>Policy</i>	<i>Page No.</i>	<i>What Related Conditions Address</i>
		traffic. A sheltered bus stop being near the NW corner of Building A attracts walkers and cyclists who would benefit from new, wide landscape strip and sidewalk, and would attract a number of residents of the unnamed proposed development of 94 apartments.
H-1.4	34	Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks. Same as for H-1.3 above.
H-3.2	35	Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers. Same as for H-1.3 above.

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.

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.

The SA requests to keep the existing bicycle lane a 5 ft width instead of widening to 6 ft per the WDO cross section. In exchange staff conditions an 8-ft wide sidewalk because:

- The factors section is written for this very scenario.
- Most cyclists in town feel safer on sidewalks because that's where they're seen.
- The subject property is a "greenfield" site, empty following demolition of its one building, and so having no remaining building to work around.
- The abutting yard is deep enough per the proposed site plan.
- The site development is kitty-corner to a sheltered City bus stop.
- The TSP & WDO require upgrading the curb-tight sidewalk frontage anyway.
- Regarding the Young Street landscape strip conditioned at 6.5 ft including curb width instead of 6 ft including curb width, a mere six inches more for a full 6 ft gives sufficient room for urban street trees to grow mature canopy and last for reasonable time, better serving pedestrians and cyclists for shade, partial cover from rain, and better physical and psychological buffering from traffic.

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 the 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 Young Street, the factor is not applicable.

- ▲ Staff applies one or more conditions beginning with "SA" so that the provisions may be met. The condition confirms that the applicant may default to constructing the standard cross section (Option 1) instead of the conditioned adjusted cross section (Option 2).



Variance Provisions

5.03.12 Variance

- A. **Purpose:** The purpose of this Type III Variance is to allow use of a property in a way that would otherwise be prohibited by this Ordinance. Uses not allowed in a particular zone are not subject to the variance process. Standards set by statute relating to siting of manufactured homes on individual lots; siding and roof of manufactured homes; and manufactured home and dwelling park improvements are non-variable.
- B. **Criteria:** A variance may be granted to allow a deviation from development standard of this ordinance where the following criteria are met:
1. **Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner, and**
 2. **Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.**
- C. **Factors to Consider:** A determination of whether the criteria are satisfied involves balancing competing and conflicting interests. The factors that are listed below are not criteria and are not intended to be an exclusive list and are used as a guide in determining whether the criteria are met.
1. **The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:**
 - a. **Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to, lot size, shape, and topography.**
 - b. **Whether reasonable use similar to other properties can be made of the property without the variance.**
 - c. **Whether the hardship was created by the person requesting the variance.**
 2. **Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance materially injurious include, but are not limited to:**
 - a. **Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.**
 - b. **Incremental impacts occurring as a result of the proposed variance.**
 3. **Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.**
 4. **Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;**
 5. **Whether the variance conflicts with the Woodburn Comprehensive Plan.**

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

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

The applicant applied for variance VAR 23-04 with five variance requests to vary from:

1. "Joyce Way" east half-street improvements: WDO 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G by not constructing an east half-street and offering instead an off-street bicycle/pedestrian path.
This may be referenced as variance request 1.
2. Bicycle/Pedestrian Corridor RR2: WDO 3.01.07C and Table 3.01A row 1b(2) by having Bicycle/Pedestrian Corridor RR2 be narrower than the min 20 ft, the applicant's revised narrative p. 42 (submitted December 1, 2023) requesting that Corridor RR2 be 12 ft wide.
This may be referenced as variance request 2.
3. Path RR2: Because of variance request 2, there is also a request to have Path RR2 be 8 ft (instead of 10 ft). Request 3 varies from related WDO 3.01.07D.2b that establishes Path RR2 as Class B, which through WDO interpretation memo INT memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203) means min width 10 ft. The site plan illustrates and dimensions an 8-ft Path RR2.
This may be referenced as variance request 3.
4. WDO 3.06.0C.3: The section requiring that, "there shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula ...", applying to the center parking aisles of the east parking area.
This may be referenced as variance request 4.
5. WDO 3.06.0C.4: The section requiring that, "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 [3.06.03C.]1 above." This is applicable to where the crossings pass through the center parking aisles of the east parking area.
This may be referenced as variance request 5.

Variance request 1 ("Joyce Way")

Staff starts with variance request 1 about "Joyce Way". (Staff provides background about the name earlier above for 3.01.) The applicant's revised narrative dated May 24, 2023 and submitted June 1, 2023 on p. 45 states in a single paragraph all the variance criteria:

“

Joyce Way - The alternate design for the Joyce Way ROW was discussed with City Staff in a meeting on January 17, 2023, where it was determined to be a more desirable solution with greater public benefit as the Willamette Valley Railway tracks precludes Joyce Way from being a Connector Street or a bicycle/pedestrian corridor between Young Street and E Cleveland Street. Confirmation that no new crossing of the railroad tracks was provided by the owner, David Root, verbally and via email (copy of text from email: "Willamette Valley Railway will not open any new crossings between Gatch St and Hwy 99E in Woodburn, Oregon. This is due to safety issues. Any questions please feel free to call 503-877-8226 David. "). Based on the existing conditions, City Staff suggested that a public bicycle/pedestrian improvement would be an acceptable alternate design. The proposed design will provide a 5-foot wide ROW dedication, a 5-foot wide PUE, and connection between Young Street and the proposed RR2 bicycle/pedestrian facilities crossing the development site adjacent to the north side of the railroad tracks which will connect to the same facilities on the neighboring property to the east 119 N Pacific Highway. The Marion County Fire District has asked that connections from the development site to the 10-foot wide paved path be provided as a secondary means of emergency access. The below images include the proposed improvement section and preliminary landscaping depicting how the improvements will be constructed and landscaped within the City's ROW.

”

The applicant's revised narrative dated November 29, 2023 and submitted December 1, 2023 on p. 43 states:

“

Strict adherence to the standard is not possible as the street would only serve a single development site and would not provide a connection between Young Street and E. Cleveland Street due to the Willamette Valley Railway track which precludes a street connection. Public Works and Planning have requested the alternate design for Joyce Way ROW through the variance and requested the proposed bicycle/pedestrian path improvements as a means of providing improvements within the ROW and City owned property which add benefit and usable green space to the community.

The proposed variance to the design standard will provide a bicycle/pedestrian corridor which will have no negative impacts on the development site or the property which abuts the City owned land to the west.

”

The appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer do not acknowledge, object to, comment on, or condition variance request 1 about "Joyce Way".

Criterion 1

Staff keeps it simple. It would have been true that, “Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner.” During an application completeness review meeting among staff and outside agency staff December 1, 2023, the Public Works Director stated his desire that Joyce Way east half-street improvements cross the railroad at the south and connect with E. Cleveland Street, for him connection being the justification and public usefulness were there to be east half-street improvements as well as his wanting to avoid the City assuming maintenance responsibility for a public street that would have access to and from only the proposed development of the subject property.

However, first, during a meeting among staff and the developer’s team January 17, 2023, the developer proposed not to construct a Joyce Way conventional east half-street and instead to construct a bicycle/pedestrian path that could double as emergency fire access. Staff tentatively and verbally agreed to the proposal. The idea was not new and had in fact been raised by staff years earlier at the first of two pre-application meetings, which were PRE 2020-04 on February 27, 2020 and PRE 21-07 on March 30, 2021, the agenda for which on pages 8-11 described a Joyce Way path with amenities, support facilities, and landscaping.

Second, Planning staff stated to the applicant in the application incompleteness letter of April 21, 2023, p. 2 (that was courtesy copied to others including the Public Works Director and the City Engineer) that:

“[D]uring the completeness review meeting staff had on April 13, 2023, staff from other departments did not object to any of [1] not improving Joyce Way as an east half-street, and [2] providing a public bicycle/pedestrian path within the right-of-way ROW in exchange for east half-street improvements. Other staff also had reported resistance by Willamette Valley Railway Co. staff to a street crossing to E. Cleveland Street Lastly, there is the applicant’s incompleteness response of March 20, 2023, p. 2, with which staff concurs. For these reasons, staff is going along with the bicycle/pedestrian concept and will review to refine the details.”

The applicant’s narrative quoted earlier above refers to and quotes the Willamette Valley Railway Co. e-mail of objection to improvement constituting a crossing of the railroad between Joyce Way and E. Cleveland Street.

Third, as a condition notes, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require “Joyce Way” ROW or “Joyce Way” streetside PUE.

In short, Planning staff concludes that “strict adherence to the standards of this ordinance is not possible” because the Public Works Director had set *de facto* standards that, were an improved Joyce Way to exist at all, it would have to connect with E. Cleveland Street, for him connection being the justification and public usefulness were there to be east half-street improvements as well as his wanting to avoid the City assuming maintenance responsibility for a public street that would have access to and from only the proposed development of the subject property. Because connection would have necessitated a railroad crossing, and the Willamette Valley Railway Co. wrote that it opposes such connection, it became impossible for the developer to adhere to the Public Works standards – and WDO 3.01 provisions, necessitating variance application VAR 23-04 with variance request 1.

It became necessary to establish and require improvements other than that constituting a conventional half-street but that would still provide public benefit: The required improvements are to make the Joyce Way ROW:

- Serve as a bicycle/pedestrian corridor connecting Young Street and OR 99E by way of Joyce Way. It does so by connecting to Path RR2 as WDO Table 3.01A, row 1b requires anyway, through the segment the developer is to build. Approved Design Review DR 22-05 for an unnamed apartment building and related improvements on Tax Lot 051W17BC07500 of 1.42 acres zoned MUV through the final decision document of November 10, 2022 Condition of Approval 8c requires that development to build its segment of path, the one segment between the Young Street Apartments and OR 99E. In short, improvement of Joyce Way with Joyce Path will provide a bicycle/pedestrian route towards OR99 close to Cleveland Street and induce travel on Path RR2 instead of along the railroad track south of and adjacent to Corridor RR2.
- Look and feel park-like, like a linear park, with clear and greatly quantitative specifications established through conditioning to ease and speed the civil engineering and building permit review stages and to lessen potential points of disagreement between the City and the developer about the scope and nature of Joyce Way improvements, as well as based on previously established improvement specifications general to a “Class B” path and related improvements per WDO 3.01.07D, 3.01.07E & F, and the memo that implements 3.01.07E & F: WDO interpretation memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022), which is attached to the staff report / final decision. Looking and feeling park-like would attract development residents and residents of the vicinity, their use of the park serving as “eyes on the street” and deterring criminal mischief based on WDO 3.07.08F, and the proximity of dwelling windows along Buildings A, C, & D would facilitate tenants’ incidental and casual surveillance of the park.

- Have improvements that on the face of it are less costly to the developer than constructing what would have been the standard east half-street per 3.01.01D, 3.01.03C.1, and Figures 3.01A & 3.01G, a benefit to the developer, while not benefitting the developer so much as to surrender all public benefit by allowing the developer to leave the ROW as an open field or at most as an emergency fire access lane on public property serving private development with nothing in return. The most demanding and expensive improvement beyond a path itself as a ribbon of pavement is a small open-air picnic shelter, for which the condition allows the developer the options to (1) place it on site instead of within Joyce Way, so as to retain property management control of it, or (2) pay a fee in lieu of it to bypass the details of shop drawings, contracting, and construction.
- Accommodate the developer's proposal, based on direction by the Woodburn Fire District to the developer, to have much of Joyce Path and its shoulders serve as an emergency fire lane for secondary access to the development.
- Accommodate the developer's desire for improvements and landscaping to be due closer to building permit final inspection than earlier as WDO 3.01.02E would have required.

With the recommended variance conditions of approval, staff can find criterion 1 met.

Criterion 2

Regarding, "variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties", staff considers several factors from those in 5.03.12C cited above.

The factor of, "physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards" supports variance request 1 because nothing about either the existing conditions ("Joyce Way" ROW as an open field) or the conditioned off-street public bicycle/pedestrian path does or would harm or hinder anyone or anything around it. The same two things have no, "incremental impacts occurring as a result of the proposed variance", making that factor also in support. These factors support the umbrella factor that, "development consistent with the request will not be materially injurious to adjacent properties."

In short, "variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties" – as conditioned regarding a Joyce Way Path with amenities, support facilities, and landscaping that together make a park-like environment and that substitute for east half-street improvements and by their nature benefit, not harm or hinder, the subject property or adjacent properties. With the recommended variance conditions of approval, staff can find criterion 2 met.

Variance requests 2 & 3 (Bicycle/Pedestrian Corridor RR & Path RR2)

The applicant's revised narrative dated May 24, 2023 and submitted June 1, 2023 on p.40 states in a single paragraph all the variance criteria:

"

PROJECT INFORMATION: The proposed use is multi-family which is a permitted use within the MUV zone which applies to the development site. The Applicant is requesting a Type III variance to WDO 3.01.07c.1.b. which is the standard for the minimum width of Off-Street Bicycle/Pedestrian Corridor Widths for Railroad Corridors which looks for a width of 20-feet. This proposal is asking for a path width of 12-feet which is consistent with the connecting bicycle/pedestrian path approved on the neighboring site, addressed as 119 N. Pacific Highway.

"

P. 41 adds that:

"

Adjustment to WDO 3.01.07c.1.b.

Strict adherence to the standard imposes excessive burden on the developer who is already subject to ROW dedications along Young Street and the Joyce Way ROW, public utility easements adjacent to these ROW dedications, and an access easement to the neighboring property (located at 119 N Pacific Highway) allowing vehicular traffic from their property across the development site so they may access Young Street. Further impacts as a result of this bicycle/pedestrian corridor either as a public access easement or dedication of land to the City for this bicycle/pedestrian puts even greater constraints on the development site and adds improvement costs to the developer. The applicant is asking to be allowed to reduce this corridor width to 12-feet which is consistent with what has been approved for the neighboring property (119 N Pacific Highway).

Granting the requested variances will not unreasonably impact the existing or potential uses or development of the subject property and will have no negative impact to adjacent properties. Public improvements included with the subject development proposal include improvements to Young Street including the previously mentioned ROW dedication; a public bicycle/pedestrian path within the Joyce Way ROW. The improvements in the Railroad Corridor across the development site will be consistent to those already approved by the City for the neighboring property. This proposed design meets the intent by providing bicycle and pedestrian access from the neighboring property fronting onto N Pacific Highway to Young Street where existing bicycle/pedestrian and transit facilities are located which are identified goals of the Comprehensive Plan, the TSP and the 99E Corridor Plan.

". (This did not change in the narrative dated November 29, 2023 and submitted December 1, 2023, p. 43.)

First, staff clarifies facts:

- The narrative portion from p. 40 requests that Corridor RR2 be 12 ft wide though it refers in error to the width of Path RR2 itself. It implies, but does not request outright, to vary also from related WDO 3.01.07D.2b that establishes the path as Class B, which through WDO interpretation memo INT memo INT 22-0608 "Off-Street Public

Bicycle/Pedestrian Facility Specifications” (June 8, 2022; Attachment 203) means minimum width 10 ft.

- Though the narrative doesn’t say what minimum width the applicant wants for Path RR2, Staff knows that the applicant requests a Path RR2 minimum width of 8 ft because the site plans illustrate and dimension it.

These are the reasons staff chose to number the variance requests separately (as 2 & 3).

Also, the narrative portion from p. 41 claims as a burden of a, “developer who is already subject to ROW dedications along Young Street and the Joyce Way ROW, public utility easements adjacent to these ROW dedications ...” This is inaccurate. As a condition notes, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require “Joyce Way” ROW or “Joyce Way” streetside PUE. Thus, the burden that the applicant fears doesn’t exist.

The narrative p. 41 to the requested corridor width being, “consistent with what has been approved for the neighboring property (119 N Pacific Highway)” refers to approved Design Review DR 22-05 for an unnamed apartment building and related improvements on Tax Lot 051W17BC07500 of 1.42 acres zoned MUV and specifically within the final decision document of November 10, 2022 the Condition of Approval 8c:

“Public path: A 12-foot wide public trail easement along the entirety of the south property line, pursuant to WDO 2.03A4 and 3.07.05C3a. This easement shall also allow for temporary construction access for future extension of the path west through the adjacent property.”

Staff stresses that the developer of that property agreed to conditioning of Corridor RR2 and its Path RR2 when the WDO did not yet require it. Because the DR 22-05 application date was March 15, 2022, it was subject to the version of the WDO as amended by Ordinance 2579 on April 13, 2020. However, as staff noted at the start of the Design Review Provisions section, the subject application DR 22-06 that came November 10, 2022 is subject to the present version of the WDO as amended 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). Also, the path improvement details conditioned for that property by themselves are not a reason for Corridor RR2 and its Path RR2 not to conform with WDO 3.01.07C and Table 3.01A, row 1b.

Along the south side of the block between Oregon Highway 99E and “Joyce Way”, there are only two properties – 119 N. Pacific Highway and the subject property premised on consolidation of two lots. Because the City has secured the first of two segments constituting the block between OR 99E and Joyce Way of Corridor RR2 and its Path RR2 to be constructed,

this itself is a strong reason to administer WDO 3.01.07C and Table 3.01A, row 1b and have developments complete the block-length segment of corridor and path.

Criterion 1

Regarding, "Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner", staff partly agrees and disagrees:

- The proposed site plan for the apartment complex is reasonable and can fit both the shrunken Corridor RR2 as the developer proposes and a not-so-narrow corridor as staff conditions in Conditions V2c & V6. To facilitate accommodation of Corridor RR2 and Path RR2 at the minimum widths conditioned:
 - (1) Shared rear lane parking: The developer can add a parking stall along the shared rear lane south side between east lot line and the east parking aisle. This stall may make up for one elsewhere that site plan revision might remove.
 - (2) Compact parking: The development may have the same compact parking maximum as Zoning Adjustment would have allowed per WDO 5.02.06C.20: max 40% [38 stalls]. This would result in saved space of up to approximately 1,881 sq ft.
 - (3) Drive aisle width: Where not a designated fire lane, a drive aisle may be the same narrower width as Zoning Adjustment would have allowed per WDO 5.02.06C.21.
 - (4) Driveway throat: The Young Street driveway throat inbound west side may be a shallower minimum depth between ROW and nearest parking stall. This would accommodate appending a parking stall to the adjacent parking aisle.
 - (5) The developer is to document consideration of consolidating the three recycling and trash enclosures into two. This could accommodate adding a parking stall in place of an enclosure.
 - (6) The walkway crossing where it passes through a parking aisle may be narrower minimum width instead of 6 ft.
 - (7) Overhang / wheel stops: In parking aisles along and facing the rear and sides of the subject property, standard size stalls will overhang curbing and landscaping by a minimum of inches, as WDO Figure 3.05C allows up to 1.5 ft max.
 - (8) Wide walkway overhang: Parking stalls facing wide walkways P1 & P2 (per Exhibit V3) may overlap them if leaving minimum 6 ft of unobstructed passage, varying from WDO 3.05.02H and Table 3.05B footnote 3, and to this end these stalls are not required to have wheel stops.
 - (9) Looking ahead to variance request 4 regarding consecutive parking: The development may vary from WDO 3.06.03C.3, with allowance limited to within the east parking area center parking aisle and with numerical limits.

Together with what room there already is in the site plan for the developer to work with, the above accommodations that staff conditions for variance requests 2, 3, & 4 are sufficient to obtain (a) a Corridor RR2 of 16 ft width that though narrower than the WDO standard of 20 ft width is wider than the applicant's proposed 12 ft, and (b) Path RR2 at the conforming width of 10 ft.

Strict adherence to the WDO standards could be a burden; but, greater adherence than what the applicant proposes is possible and not a burden.

- The applicant's proposal would have resulted in a path with no room either side for public landscaping, amenities, and support facilities per WDO interpretation memo INT memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203), including trees, benches, and bicycle parking. The conditioned Corridor RR2 width would accommodate a south side zone accommodating the conditioned amenities and support facilities.

In short, staff worked creatively and pro-actively with the developer to have variance request 4 conditioned approval serve to make easier the developer's provision of Corridor RR2 and improvement of Path RR2 by tweaking parking area layout. The conditioned approval of 16 ft is a little more than the 12 ft the developer proposed, and provides a corridor narrower than the WDO standard of 20 ft and a path at the standard width of 8 ft with a 2-ft north shoulder and a 4-ft south tree planting and bench zone incorporating the south shoulder. The site plan as proposed and RR2 as conditioned can fit together.

With the recommended variance conditions of approval, staff can find criterion 1 met.

Criterion 2

Regarding, "variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties", staff considers several factors from those in 5.03.12C cited above.

1. *The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:*
 - a. *Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to, lot size, shape, and topography.*

There are none.
 - b. *Whether reasonable use similar to other properties can be made of the property without the variance.*

Yes, the proposed apartment buildings, walkways, and surface parking coming closer together could continue to fit.
 - c. *Whether the hardship was created by the person requesting the variance.*
2. *Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance materially injurious include, but are not limited to:*

- d. *Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.*
- e. *Incremental impacts occurring as a result of the proposed variance.*
- 3. *Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.*
- 4. *Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;*
- 5. *Whether the variance conflicts with the Woodburn Comprehensive Plan.*
- 6. *If and where a variance includes a request to vary from minimum public improvements per Section 3.01, from Section 5.02.04E about Street Adjustment factors, those factors are applicable as Variance additional factors.*

Variance requests 4 & 5 (Consecutive parking spaces & parking walkways south side islands)

Request 5: Criterion 1

Staff keeps it simple and starts with request 5 instead of 4. It would not have been true that, “Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner.” Simply, the applicant could fit them in and required parking by doing any of (1) consolidating 3 trash enclosures into 1, (2) having structured parking (i.e. a parking deck or buildings on stilts above surface parking) for some or all surface parking, or (3) shrinking the extent of a building and lowered dwelling count. For these reasons and this criterion 1 not met, staff recommends denial of variance request 5.

Request 5: Criterion 2

Because Criterion 1 of 2 is not met, analysis of criterion 2 is moot.

Request 4: Criterion 1

In exchange for the developer not getting to eliminate walkway routes to the outermost parking area (variance request 5), staff examined and recommends approval with conditions of variance request 4 about maximum number of consecutive parking spaces, i.e. of parking spaces in a row.

Staff finds regarding Criterion 1 about, “Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner”, that circumstances are in favor of the developer’s request. It is in fact difficult when seeing the site plan to fit in additional landscaped islands to have no more than 10 parking spaces in a row without also accommodating conditioned Corridor RR2, the buildings and their dwelling count, and all required minimum off-street parking for the apartments – without 1) consolidating 3 trash

enclosures into 1, as well as (2) having structured parking (i.e. a parking deck or buildings on stilts above surface parking) for some or all surface parking, or (3) shrinking the extent of a building and lowered dwelling count. Staff position is that the intent of the WDO is to not have unbroken rows of parking between row ends without trees. The applicant's proposal did and does propose islands, and fits in the required off-street parking and walkway crossings to outer parking area. Staff did not see attempting to force the developer to shrink the number of units or construct structured parking as in any way prudent or feasible. Also, staff saw it as reasonable, that with the developer fitting in walkway crossings to outer parking area, it made sense to lessen the burden from one that would be excessive to something much less in terms of providing slightly longer rows of parking.

Request 4: Criterion 2

Regarding Criterion 2 that, "Development consistent with the request will not be materially injurious to adjacent properties", a parking area having slightly longer rows of parking than standard would not be noticed by others on adjacent property, never mind harm them. Longer rows wouldn't change the fact that the developer is required to and will provide stormwater drainage for the parking area. The accommodation is the minimum deviation necessary to make reasonable economic use of the property, that is, for the developer to build a conventional apartment complex and its accompanying surface parking that the WDO requires. Lastly, the Comprehensive Plan has no goal or policy that would clearly counter slightly longer rows of parking. Criterion 2 is met, and staff recommends approval with conditions of variance request 4.

Staff applies several variance conditions.

Conditioning about walkways is because:

- How to administer WDO 3.04.06 becomes unclear in the context of the site having two “frontages” along bicycle/pedestrian corridors along with the street frontage.
- It makes sense to require several convenient connections with sidewalk, Joyce Path, and Path RR2.
- Having several wide walkways is in keeping with Comprehensive Plan Policies F-1.11 & H-1.4 (pages 26 & 34).
- Having several wide walkways is in keeping with the [Highway 99E Corridor Plan](#) (adopted through Ordinance No. 2492 on July 9, 2012) – which is applicable to the subject property per Figure 1 (p. 2) – per the access management objective fourth bullet to, “Provide convenient accessways for pedestrians and bicycles between the Highway 99E commercial corridor and neighboring residential areas” (p. 26).
- Having some decorative pavement reduces the bleakness of extensive concrete areas and is in keeping with Highway 99E Corridor Plan Section III, under header “Guiding Principles ...”, text under subheaders “Corridor Aesthetics” (p. 5) and “Pedestrian / Bicycle Access ...” (p. 6) as well as Section IV, under header “Corridor Design Tools” (p. 9). Page 9 mentions Technical Memorandum #5 “Opportunity Design Toolbox” of April 7, 2011. Records at hand to staff include a January 26, 2011 version of this memo, which on p. 3 describes and illustrates special crosswalk paving and on p. 9 special sidewalk paving. Though walkways and sidewalks are not the same as crosswalks, the plan district principle of beautifying pedestrian ways is the same. The [Figure 6](#) concept plan view conveys the pedestrian friendliness that the plan district intends using as an example the vicinity including the subject property itself.
- Though the Mixed Use Village (MUV) zoning district is not downtown Woodburn – the Downtown Development and Conservation (DDC) district – it is similar in intent to be mixed use and pedestrian-friendly per WDO 2.03A.4, and decorative pavement is identified for the DDC in Policy K-4.1 (p. 45).
- It clarifies how as the site plan proposes, poured concrete may be a larger area encompassing ADA parking stalls and accessible routes extending a maximum extent away from each side of the walkway crossing, and still will still consider this conforming with WDO 3.04.06D.1.

Conditioning about fences is because:

- The commercially-zoned site is developing as an apartment complex, which is a permitted use within the Mixed Use Village (MUV) zoning district.
- Were the developer to fence in one or both sides of Corridor RR2, to prevent chain-link fencing so high as to lend an alienating industrial, prison, or freeway pedestrian overpass atmosphere to the corridor, to make it easier to see and surveil the heads of

persons walking along the path, and to help the public feel they can hop low-height fencing and escape laterally if they felt they encountered dangerous persons. This implements Comprehensive Plan Policy F-1.11 (p.) about the MUV, as well as an MUV purpose to be pedestrian-friendly per WDO 2.03A.4.

- The [Highway 99E Corridor Plan](#) (adopted through Ordinance No. 2492 on July 9, 2012) [Figure 6](#) concept plan view conveys the pedestrian friendliness that the plan district intends using as an example the vicinity including the subject property itself, including buildings up to streets and public passages through the block.

Conditioning that prohibits shared rear lane speed bumps and humps is because:

- The WDO 3.04.03C shared access provisions don't account for these.
- Staff knows from past projects that the Woodburn Fire District accepts speed tables and raised intersections, but dislikes speed bumps and humps because of perceived greater interference with emergency vehicles.
- Speed bumps and humps in the context of the proposed site plan seem unnecessary because it's unclear if any drivers would speed along the short segment of shared rear lane that has no parking spaces, and bumps and humps would impede shared use of the shared rear lane, including by emergency vehicles and garbage and utility trucks. The [Highway 99E Corridor Plan](#) (adopted through Ordinance No. 2492 on July 9, 2012) pages [26](#) & [27](#) access management objectives as well as [Appendix E "Access Management Tools"](#) do not identify speed bumps or humps as part of shared access.

Staff notes that the condition allows for speed tables as found in WDO 3.04.06D.1.

Conditioning about bicycle parking is because:

- Administration changes on whether apartment patios and balconies have outdoor closets or not – in terms of closet hooks, and because outdoor closets aren't required, what's proposed may change between staff report and building permit issuance, that is, the application materials propose none, but the developer might propose such closets later.
- WDO 3.05.06 doesn't address distribution or grouping of outdoor bicycle parking, and in the context of the site having two "frontages" along bicycle/pedestrian corridors along with the street frontage, it makes sense to distribute along each "frontage".
- The site plans propose bicycle parking within the ground floor breezeways, and the condition serves to reassure the developer that the standards for outdoor bicycle parking are met.
- There is no requirement for apartment patios to be fenced or have railings, but such would require gates were the developer to later propose outdoor closets. A condition requires that if the developer opts to install fencing or railings, that each patio must have an opening that could accommodate a conforming gate.

- A [Highway 99E Corridor Plan](#) guiding principle is an improved physical environment for cycling (p. 6), and ground-floor tenants are more likely to have and ride bicycles if they can not only store them outside on patios but also maneuver them in and out without having to go through their apartments tracking dirt and dust and knocking furniture and walls. The [Figure 6](#) concept plan view conveys the pedestrian friendliness that the plan district intends using as an example the vicinity including the subject property itself, with p. 17 adding that, “Figure 6 also shows potential secondary vehicle connections and pedestrian and bicycle connections to existing streets and rights-of-way. This secondary level of connectivity would allow more people to visit the mixed use district without having to drive ...”.

Conditioning of landscaping is:

- To have some front yard trees complementing street trees.
- To confirm that WDO 3.07.05B.1a(2) about patio visually and physical separation from common area is applicable in that the developer must at least plant shrubbery, the simpler and cheaper means of conformance, and to have a gap, as with any fencing or failings again accommodating potential patio bicycle parking ingress and egress from outdoor closets.
- To screen headlights from the street, from ground floor apartment windows, and from Joyce Way in keeping with Comprehensive Plan Policy F-1.4 (p. 25).
- To screen the parking area from the house at neighboring 1072 Young Street in keeping with Comprehensive Plan Policy D-1.10 (p. 15).
- To have a few flowering trees within a landscaped common area.
- To prevent expanses of bark dust or mulch in place of grass or groundcover.
- To screen at-grade transformers on two sides.
- To provide for some coniferous or evergreen trees for variety of tree species to lessen chance of tree diseases and pests killing swaths of uniform species trees and for eventually tall evergreens to serve as wayfinding points for tenants and the public.
- In keeping with Comprehensive Plan Policies D-1.3 & D-1.5 (p. 14).

A condition for trash enclosures with directly adjacent parking stalls to lessen likelihood of exiting vehicles scraping split-face concrete masonry unit (CMU) walls through combination of bands of ground or smooth face CMU and modest guardrails at the approximate height of side mirrors and the farthest extent of opened doors.

A condition that confirms minimum patio area per WDO 3.07.05B.1a(1) and requires larger balconies is:

- To encourage actual use by tenants and guests by having large minimum narrowest dimension of approximately 8 ft instead of 6 ft, in keeping with Comprehensive Plan Policy D-1.3 (p. 14) about, “a feeling of openness and spaciousness”.

- To allow for comfortable accommodation of patio furniture for more than 2 persons.
- To mimic the 80 sq ft that the Planning Commission required for Woodburn Place Apartments (ANX 2019-01) and Woodburn Place West Apartments (CU 22-01) at 2145 and 2045 Molalla Road for some percentage of Young Street Apartments balconies, probably half, with the remainder marginally larger than what the site and floor plans already proposed (for building corner balconies).
- To have minimum 3-inch wide and flat fence or railing tops along patios and balconies allowing tenants when conditions are safe to set coffee mugs on them to help make private outdoor spaces more comfortable and functional.
- That the above are in keeping with WDO 3.07 purpose statement to, “enhance the quiet enjoyment of private property.”
- To use material or paint color to subtly distinguish buildings as a means of wayfinding.
- To have the leasing office entrance from Young Street and the common area patio cover, if they have columns, piers, or posts, to have minimal architectural treatment by each having a clear capital, shaft, and base and to be thick enough to appear able to support the load above it and not appear spindly.
- To require that, if the leasing office common room and adjacent patio remain proposed, they not be value engineered to shrink too much and to preserve the proposed coverage or sheltering of the patio from the elements.

Conditioning of windows is because of aesthetics and:

- That WDO 3.07.05 doesn’t address minimum window area for facades not facing streets, WDO 3.07.08F provides for windows as “eyes on the street”, and the context of the site is that it has two “frontages” along bicycle/pedestrian corridors along with the street frontage.
- A [Highway 99E Corridor Plan](#) purpose is that facades, “have façade variations or significant window coverage to provide a visually interesting pedestrian environment” (p. 32), reinforced on p. 17 last paragraph and by Figures 8 & 9.
- To provide tenant functionality and relief from heat or bad indoor air by having all operable windows have insect screens, helping to preserve personal health.
- To ensure every room along a building exterior wall has at least one window.
- To have windows be either square or vertically proportioned, excepting (a) horizontally proportioned windows if they have grilles or muntins dividing lights or panes so as to be vertically proportioned, and (b) transom windows. The basic concept is found in the City of Portland zoning code (Title 33), Section 33.218 “Community Design standards”, multi-dwelling development subsection 33.218.110K.1 (p. 218-13).
- Were the floor plans to change and come to resemble Woodburn Place Apartments (ANX 2019-01) and Woodburn Place West Apartments (CU 22-01) at 2145 and 2045 Molalla Road, to bring more natural light into family or living rooms and to have better sight into patios and balconies.

A condition for setbacks is to:

- Accommodate the streetside public utility easement (PUE) within the width range that WDO 3.02.01B & F.2 require and provide for some ground-floor apartment privacy buffer from sidewalk.
- Allow the front setback to depend on the streetside public utility easement (PUE) width, which per WDO 3.02.01B & F is a range of 5-8 ft and over which the developer otherwise has control to set width.
- Allow full encroachment or projection into the west side setback up to the Joyce Way boundary, granting accommodation here in exchange for improvements on the remainder of the subject property, such as landscaping.
- Accommodate conditioned Corridor RR2 at ground level and allow potential upper-story overhangs of the corridor.
- Provide a baseline if the development program or building types were to change between land use approval and the building permit stage.

A condition for lighting because it is in keeping with Comprehensive Plan Goal M-1 (p. 49), WDO 3.11 does not regulate excess number of fixtures like it regulates full cut-off or fully shielding and maximum heights, and to confirm that WDO 3.11 is applicable also to stairwell, patio, and balcony lighting.

A condition for a bus transit / transit service fee is because:

- The City has a bus system.
- The route passes along the subject property per Transportation System Plan (TSP) Figure 7 “Existing Transit Routes and Facilities”.
- 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.
- It 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. This meets:
 - Transportation System Plan (TSP) Objective 4A, “Identify new and innovative funding sources for transportation improvements.” (p. 19); and
 - Comprehensive Plan Policies H-1.2 “Encourage alternative travel options between Woodburn, Portland and Salem. ... (b) Coordinate Woodburn Transit Service with other regional service provided by Cherriots Regional and Canby Area Transit”, & H-4.1, “Evaluate the feasibility of various funding mechanisms, including new and innovative sources.” (pages 34 & 35).
- Precedent through past development approvals. The City has been collecting and collects from developments fees towards transit operations, including:

- DR 2019-05 Allison Way Apartments
- DR 22-02 Project Gamos (Specht industrial development, Evergreen Rd)
- ANX 2019-01 Woodburn Eastside Apartments / Woodburn Place Apartments
- ANX 2020-02 Valentina Estates No. 2 subdivision
- ANX 22-02 & PUD 22-02 Marion Pointe / Macadam at Tukwila subdivision
- CU 22-02 Townsend Farms industrial addition
- CU 22-04 Hardcastle Apartments
- DR 21-07 Amazon warehouse
- PUD 22-01 Mill Creek Meadows subdivision.
- The City applied a rounded amount of \$166 per stall for some or all stalls to each of four commercial/industrial examples:
 - CU 22-02 Townsend Farms industrial addition
 - DR 21-07 Amazon warehouse;
 - DR 22-17 LaQuinta / Holiday Inn Express remodel; and
 - DR 22-26 Chick-fil-A.
- A bus transit / transit service fee in-lieu is 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.”
- The variance requests to not construct a Joyce Way east half-street and to narrow Bicycle/Pedestrian Corridor RR2 and its Path RR2 are not in keeping with the intent found within the purpose statement that opens WDO 3.05 “Off-Street Parking and Loading” to “promote cycling, carpooling, vanpooling” and “implement Woodburn Comprehensive Plan policies” – unless approved with a condition or conditions including to obtain a bus transit / transit service fee.

The review of variances is Type III, meaning discretionary, and the conditions are reasonable.

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 WDO requirements and 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 Woodburn Development Ordinance (WDO) 3.01.02E and 4.02.12, unless a condition of approval allows for later improvement, as this condition provides below:
 - (1) Young St driveway, street trees: Regarding (a) construction of a Young Street driveway approach, apron, or curb cut, and (b) planting of street trees and remaining landscape strip landscaping along Young Street, by this condition the developer may defer apron construction and street tree plantings until building permit final inspection for the first apartment building; however, bonding through 3.01.02E would remain required.
 - (2) Joyce: Regarding Condition V4 about Joyce Way:
 - (a) North “frontage” improvements shall remain due as part of and at the same time as Young St frontage upgrades.
 - (b) Pavement, hardscaping, and permanent irrigation infrastructure – all but landscaping (plantings of trees, shrubs, groundcover, and grass) – are due by building permit final inspection of the second-to-last apartment building; however, any and all of the Joyce Way improvements necessary and sufficient to provide for the emergency access fire lane are due by building permit issuance for

the first apartment building.

(c) Landscaping is due by final inspection, which may be for the last apartment building.

Note (2): Bonding per 3.01.02E would remain required, and an additional fee would be due through the Planning Division per the land use final decision 200 series attachment regarding conditioned fees.

(3) Corridor RR2: Regarding Condition V6 about Bicycle/Pedestrian Corridor RR2, then by final inspection of the second-to-last apartment building.

Note (3): Same as Note (2) above.

(4) Underground public improvements as the Public Works Director specifies, including a water main that serves as fire protection during construction of buildings as the Woodburn Fire District Fire Marshal specifies, are due by building permit issuance for the first apartment building.

- b. ROW/easements: Recordation of required right-of-way (ROW) dedication and public easements grants 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 the 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, based on WDO 2.01.05 and upon City request.
- d. Fees: The developer shall pay fees per Attachment 206.

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 10, 2023).

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through the Public Works Department (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 22-06

D1. Fence/fencing: To meet WDO 2.06.02D that requires coating, the developer shall:

- a. Have proposed chain-link fencing conform with the coating requirement. See also Conditions V6 & V7.
- b. Prior to building permit issuance, revise site plans that illustrate and note chain-link fencing to conform.
- c. Apply for and obtain a [fence permit](#) per 5.01.03 for any fence, fencing, or free-standing walls (excepting recycling and trash enclosure walls), with the permit application form(s) indicating case file numbers DR 22-06 & VAR 23-04.

D2. Street cross sections: To conform with WDO 3.01.01A, B, & D; 3.01.02A, 3.01.03C.1, 3.01.04, and Figure 3.01C “Minor Arterial”:

- a. Young St: Upgrade, including to conform what other separate conditions might require, such as regarding electric power pole removal and line burial, and except where and as variance conditions supersede:
 - (1) ROW: Min 37 ft from centerline. Min dedication 7 ft.
 - (2) Streetside PUE: See Condition D3.
 - (3) Landscape strip: Landscape strips shall conform with the WDO 3.01.04B last paragraph. Otherwise, see Condition SA1.
 - (4) Street trees: See Condition D11.
 - (5) Sidewalk: See Condition SA1.
- b. Joyce: See Condition V4.

D3. PUE: To conform with WDO 3.02.01B & F.2, and as part of recordations, the applicant shall grant a streetside PUE along:

- a. Young St: Min 5 ft and max 8 ft.
- b. Joyce: N/a because none required. (See Condition V16 about distances between walkway and dwelling main wall planes.)
- c. Site plans: The developer shall either:
 - (1) Prior to granting of streetside PUEs and prior to building permit application, revise the site and composite utility plans to delineate, label, and dimension such easements; or
 - (2) 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 including within a label, call-out, or note the Marion County reel and page numbers and dates of

recordation.

D4. Electric power poles:

- a. To conform with WDO 3.02.04B along Young St, the developer shall either remove the two electric power poles and bury the lines, or, pay fee in-lieu per Attachment 206.
- b. Improvement is due the same as WDO 3.01.02E, and fee in-lieu payment is due per Attachment 206.

D5. Cross access, shared access, or shared rear lane: Consistent with the Highway 99E Corridor Plan (H99ECP; Ordinance No. 2492, July 9, 2012), including pages 26 & 27 access management objectives, as well as Appendix E "Access Management Tools", and to conform with WDO 3.04.03B, prior to building permit issuance:

- a. To conform with WDO 3.04.01A.2 and 3.04.03B.5, C.1, C.4a, & D.2, the developer shall grant a public cross access easement (CAE) or other legal instrument that grants the City and the public access to and from the driveway and connects to the east lot line, which is the west lot line of 119 N. Pacific Highway (Tax Lot 051W17BC07500), aligned with and centered on the centerline of the CAE and its drive aisle on that property that benefits the subject property;
- b. To conform with WDO 3.04.01A.2, the easement shall contain text that, pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.
- c. The easement shall have an Exhibit A legal description and an Exhibit B drawing that delineates, labels, and dimensions the CAE. Where a plat or re-plat is relevant, the face of the plat may accomplish the same in place of exhibits.
- d. The CAE shall overlap a drive aisle stub that comes up to the location described in (a.) above. At the interface of a property line and a CAE drive aisle stub, fixed barriers are prohibited per WDO 3.04.03C.4b including curbing, fencing, free-standing walls, barricades affixed to the ground or pavement, and gates.
- e. Speed bumps: Within the cross access, shared access, or shared rear lane, speed bumps and speed humps are prohibited. One or more speed tables are permissible if engineered and constructed to the standards of WDO 3.04.06D.1.
- f. Cross access directional signage:
 - (1) For motorists exiting west into the shared rear lane from 119 N. Pacific Hwy, there shall be min 1 directional sign to Young St, at the east lot line along the shared rear lane north side (indicating straight).
 - (2) For motorists entering south from Young St, there shall be min 1 *MUTCD*-compliant directional sign to OR 99E, at the east lot line along the shared rear lane south side.

D6. Driveways max width: To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a residential context, the developer shall revise site, composite utility, and landscape plans.

D7. 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 any parking stalls abutting wide walkways, with exception per Condition V2c.

D8. No outlet drive aisle signage: To conform with WDO 3.05.02J, the developer shall revise the site plans prior to building permit issuance and install an *MUTCD*-compliant no outlet sign in any dead-end drive aisle 50 ft or longer.

D9. 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 (a) carpool/vanpool (C/V), (b) electric vehicle (EV), and (c) 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 (charging level) & 4 (sign mounting height); and 3.05.06C.3.

D10. 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.

D11. 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. Young St: The developer shall:
 - (1) Along the 305 ft of frontage, plant for 10 trees total or pay a fee in lieu of max 2 trees per Attachment 206. See also through Condition V4 and in Attachment 204 about additional street trees along the north end of Joyce Way.
 - (2) Plant street trees centered in the landscape strip as WDO Figure 3.01C represents.
 - (3) Excavate along existing curbing as necessary to install root barriers per PW "[Drawing No. 1 Street Tree Planting New Construction](#)" (October 2007 or as amended), which land use review sheet L1.2 reproduced.
- b. Joyce Way: See through Condition V4 and in Attachment 204 about bicycle/pedestrian corridor landscaping.

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 206.

D12. Landscaping: trees: The developer shall:

- a. To meet WDO 3.06.02B, revise the landscape plan Sheets L1.1, Note 8 and L1.2, Note 9 – 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 – to address irrigation more specifically in the contexts of Joyce Way and RR2 as other conditions reference.
- b. To meet WDO Tables 3.06B & C regarding street trees, revise the landscape plan Sheet L1.2 tree legend to indicate for Young St street trees (1) a species that is large size category at maturity as Table 3.06B defines because WDO 3.06.03A.2.a requires it, and (2) a species other than Norway maple (*Acer platanooides*) because Table 3.06C prohibits the species.
- c. Revise either Sheet L1.1 or L1.2 to make consistent the symbol used to indicate Young St street trees.

D13. Walkway landscaped islands: To conform with WDO 3.05.02N & 3.06.03C.4, the developer shall revise site and landscape plans prior to building permit issuance and plant minimum area parking area landscaped islands at each of two drive aisle crossings of walkways that extend east from the walkways along the Buildings B & C north and south sides. The islands shall be at the east ends of the crossings, south sides.

D14. Patios: Visual separation shall conform with WDO 3.05.06C.7 last sentence & 3.07.05B.1a as follows:

- a. Pavement: Patios shall be paved with brick, poured concrete, concrete pavers, or square or rectangular cobblestone pavers.
- b. Delineation/separation from common area: Either of the following shall line the outermost edges of each patio concrete slab and have a gap min width 2 ft, 4 inches, max width 3 ft:
 - (1) Evergreen shrubbery of small or medium size per WDO Table 3.06B, min number equal to average o.c. spacing of 1 shrub every 3 lineal ft; or
 - (2) Fencing per WDO 2.06.02D.1 and, if chain-link fence is applicable, also D.2. (Per WDO 1.02 introductory note and 4.02.06B.6b, fencing shall be a barrier, railing, or other upright structure, typically of wood or wire.)

(See also Condition V13.)

T-BP1. Wayfinding: See instead the applicable parts of Conditions V4 & V6.

T-T1. To conform with WDO 3.01.09B, the developer may allow the existing bus stop within the NW corner of Joyce Way ROW, which is improved with pad and bus shelter, to remain because were the Joyce Path was as far west as centered on ROW centerline, its shoulder would not come within 2 ft of the bus shelter east main wall plane.

- a. However, the existing stop shall be improved per WDO interpretation memo INT 22-0609 memo (June 9, 2022 or amended), and the existing bus shelter may be considering conforming to spec. Specifically, the developer shall upgrade with a minor improvement to conform with INT 22-0609 Part D3: bicycle parking – or fee in-lieu per Attachment 206. Installation is due by final inspection. If opting for fee in-lieu, the developer should indicate such earlier: at building permit application so that staff can assess the fee on the permit and avoid separate invoicing and payment processing. [TDP Figure 63.]
- b. If the Joyce Path west shoulder would fall within 2 ft of the bus shelter east main wall plane, the developer shall either (1) shift west the bus shelter outside the shoulder in coordination with either PW or the Transit Manager, or (2) shift east a northerly segment of Joyce Path to fit the west shoulder, including shift of the corresponding driveway apron, if any.

T-T2. The developer shall pay per Attachment 206:

- a. A City bus transit / transit service fee, and
- b. A regional express bus transit fee.

T-TDM1. Car share: Similar to Condition T-TDM1 from each of ANX 2019-01 & CU 22-01, until July 1, 2033, the Director may invoke as a requirement that the property management team shall contract with a car share company or service, designate and mark a minimum number of parking spaces – which shall be min one – for one or more shared vehicles for tenant use, and follow program details that the Director establishes as necessary to implement the requirement.



Street Adjustment 23-04

SA1. Street Adjustment: Young St: This condition documents the Street Adjustment request related to Young St frontage.

- a. App fee: Because the SA application fee was not collected, the developer shall pay the app fee per Attachment 206.
- b. ROW dedication and granting of streetside PUE remain required per other conditions.
- c. Option 1: The developer may opt to decline construction of the adjusted half-street cross section by reverting to construction of the Young Street standard half-street cross section of WDO Figure 3.01C “Minor Arterial”, including curb demolition, additional asphalt, new curb and gutter, and restriping as PW administers.
- d. Option 2: Were the developer to construct an adjusted half-street cross section, it shall be as follows:
 - (1) South of centerline, the half of the center two-way left turn lane (TWLTL) may remain 4.5 ft instead of 6 ft, the eastbound travel lane may remain 11.5 ft instead of 12 ft, the eastbound bicycle lane may remain 5 ft instead of 6 ft, and the curb may remain in place.
 - (2) Curb: The developer shall repair or restore cracked, gouged, eroded, or missing curb as PW administers.
 - (3) Landscape strip: Min width 6.5 ft, inc. curb width.
 - (4) Sidewalk: Min width 8 ft, which may overlap outside ROW with granting of public access via either the streetside PUE or separate easement. The extra width shall be away from centerline, not consume a portion of the landscape strip, and not shift the alignment of sidewalk north edge relative to street centerline.
 - (5) Details: The developer shall remove or relocate franchise utility boxes, cabinets, pedestals, poles, and vaults as needed to be out of the way of, and 6 inches from each side of, new conforming sidewalk and set back min 2 ft from face of curb.

- (6) This condition does not preclude through WDO 3.01.03G any ADA or crossings upgrades at the intersection of Young & Bryan Streets along the west leg that PW might require during CEP or building permit review and that the Public Works comments in Attachment 102A state through item 7.
- e. The developer shall choose between Options 1 and 2 no later than by PW approval of civil engineering plans, whether by application to PW for CEP or, if PW reviews civil engineering through building permit review, then building permit application.

Variance 23-04

- V1. Variances summary: This condition documents that the variance requests were to vary from:
- a. “Joyce Way” east half-street improvements: WDO 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G by not constructing an east half-street and offering instead an off-street bicycle/pedestrian path. This may be referenced as variance request 1.
 - b. Bicycle/Pedestrian Corridor RR2: WDO 3.01.07C and Table 3.01A row 1b(2) by having Bicycle/Pedestrian Corridor RR2 be narrower than the min 20 ft, the applicant’s revised narrative p. 42 (submitted December 1, 2023) requesting that Corridor RR2 be 12 ft wide. Because of this request, there is also a request to have Path RR2 be 8 ft (instead of 10 ft). Request 3 varies from related WDO 3.01.07D.2b that establishes Path RR2 as Class B, which through WDO interpretation memo INT memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022; Attachment 203) means min width 10 ft. The site plan illustrates and dimensions an 8-ft Path RR2. These may be referenced as variance requests 2 & 3.
 - c. WDO 3.06.0C.3 & 4: Respectively the sections requiring that, “there shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula ...”, and, “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 [3.06.03C.]1 above.” These may be referenced as variance requests 4 & 5.
- V2: Variance requests:
- a. Variance requests 1-4 as Condition V1 above describes are approved as conditioned in parts (b.) and (c.) below, and variance request 5 is denied.
 - b. Regarding variance request 1, see Condition V4 and through it Attachment 204.

- c. Regarding variance requests 2-4, to facilitate accommodation of Corridor RR2 and Path RR2 at the min widths conditioned elsewhere as well as conformance with WDO 3.06.03C.4 regarding landscape islands at the drive aisle crossings of walkways:
- (1) Shared rear lane parking: The developer shall consider adding a parking stall along the shared rear lane south side between the east parking aisle and the east lot line. The corners of the stall at the shared rear lane shall have vision clearance area (VCA) or sight triangles of lawn grass min 5 by 5 ft. This stall may make up for one elsewhere that site plan revision might remove.
 - (2) Compact parking: The development may have the same compact parking maximum as Zoning Adjustment (Type II) would have allowed per WDO 5.02.06C.20: max 40.0% (of the minimum parking ratio). This would result in saved space of up to approximately 3,712 sq ft or about the same as 23 standard size stalls.
 - (3) Drive aisle width: Where not a designated fire lane, a drive aisle may be the same narrower width as Zoning Adjustment would have allowed per WDO 5.02.06C.21.
 - (4) Driveway throat: The Young Street driveway throat inbound west side may be min depth 16 ft between ROW and nearest parking stall. This would accommodate appending a parking stall to the adjacent parking aisle.
 - (5) The walkway crossing where it passes through a parking aisle may be min width 3.5 ft (instead of 6 ft).
 - (6) Overhang / wheel stops: In parking aisles along and facing the rear and sides of the subject property and where a landscape strip lies between stalls and walkway, standard size and compact stalls shall overhang curbing and landscaping by min 6 inches, as WDO Figure 3.05C allows up to 1.5 ft max.
 - (7) Wide walkway overhang: Parking stalls facing wide walkways P1 & P2 (per Exhibit V3) may overlap them if leaving minimum 6 ft of unobstructed passage, varying from WDO 3.05.02H and Table 3.05B footnote 3, and to this end these stalls are not required to have wheel stops.
 - (8) Consecutive parking: The development may vary from WDO 3.06.03C.3 as follows:
 - (a) Allowance limited to within the east parking area center parking aisles and the east site perimeter parking aisle segment north of the shared rear lane.
 - (b) In the north center parking aisles, max shall be (1) same as WDO 3.06.03C.3 for standard size, (2) 12 consecutive compact spaces, or (3) 90 ft extent for mixture within an aisle.
 - (c) In the south center parking aisles, max shall be (1) 12 consecutive standard spaces, (2) 14 consecutive compact spaces, or (3) 108 ft extent for mixture within an aisle.
 - (d) In the east site perimeter parking aisle north of the shared drive aisle, same as part (c) above.

Note V2: Outside ROW, curbing and curbs may be min 4 inches high and wide per WDO 3.06.02I instead of 6 inches.

V3. Walkways, wide walkways, & spur paths: WDO 3.04.06B and 3.07.05C.3a & b are implemented as follows:

- a. These shall be per the excerpted and marked site plan that is Exhibit V3 below. Walkways J1-J4 & R1 may be referenced as spur paths.
- b. Walkways J1-J4, P1, P2, R1, Y1, & Y2 shall be wide walkways to the extents illustrated in blue.
- c. Walkways Y3 & Y4 shall be walkways min width 2.5 ft to the extents illustrated in purple.
- d. On-site walkways shall be min width 6 ft – other than the walkways that the exhibit labels and except if and where another condition supersedes.
- e. Decorative pavement: Decorative pavement means any of bricks, concrete pavers, and poured concrete stamped or otherwise treated with a pattern resembling bricks, pavers, or paving stone. The following shall have decorative pavement:
 - (1) The segments of Walkways Y3 & Y4 south of Young St ROW.
 - (2) Within the north-south walkway between Buildings B & C, the central segment between the intersecting east-west walkways that connect with breezeways.
- f. Extension of poured concrete: Per WDO 3.04.06D, implemented such that the 2 crossings that are parallel to and west of the north-south drive aisles and that cross the east-west drive aisles shall each be extension of walkway poured concrete. Min width 6 ft, and striped as WDO 3.04.06D.2 describes. It may and should overlap the ADA parking stalls accessible route, with allowance for poured concrete to be a larger area encompassing ADA parking stalls and accessible routes extending max 20 ft away from each side of the walkway crossing. (Note: WDO 3.04.06 & 3.07.08C.2 do not require speed tables at these two locations.)



Exhibit V3 (North is approximately to the right.)

V4. Joyce Way: Frontage/street improvements: Consistent with Comprehensive Plan Policies F-1.4, H-1.3, & H-1.4 (pages 25 & 34) and Highway 99E Corridor Plan (H99ECP), Technical Memorandum #5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.04B.1 and Figure 3.01G, and with variance the applicable means of deviation per WDO 3.01.02D, 3.01.03C.1, & 5.02.04A, improvements shall be per Attachment 204.

V5. Shelter:

- a. The developer shall either build a gazebo, pavilion, or open-air shelter, whether within Joyce or the apartment complex, per part (b) below, or pay fee-lieu per Attachment 206, with choice made prior to building permit issuance.
- b. Specifications: Pad min 12 by 16 ft paved to the standards of WDO 3.04.04. Shelter area min 10 by 14 ft. Narrowest dimension measured between inside edges of outermost columns/piers/posts, not pad or roof edges. Min height clearance 10 ft min measured to underside of roof cross beams, and with columns, piers, or posts set back min 2 ft from the side of any path or walkway. Roof pitched (not shed), and minimum roof eaves and overhangs 2 ft. Painted green (like the dog waste station spec model) or otherwise finished/treated/varnished to protect from the elements and splinters. Any column/pier/post base with protruding bolts/screws must be guarded or housed for trip and cut safety. If placed with Joyce, place min one of the picnic benches, if any required, within it.

V6. Bicycle/Pedestrian Corridor RR2: Consistent with Comprehensive Plan Policies F-1.4, H-1.3, & H-1.4 (pages 25 & 34) and Highway 99E Corridor Plan, Technical Memorandum #5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.07C and Table 3.01A row 1b(2), improvements of the segments of Bicycle/Pedestrian Corridor RR2 on both the subject property and within the Joyce Way ROW, shall be per Attachment 204.

V7. Fence/fencing/free-standing wall: If any proposed and specific to the north, east, and west yards, WDO 2.06.02A and Figure 2.06A (height limits) and 2.06.02D (fence materials) shall apply as if the property was residentially zoned, except as other conditions might supersede. (See also Condition D1.)

V8. Driveways: Max 1 along Young St and aligned with Bryan Street to the satisfaction of PW.

V9. Maximizing available parking for residents / mail carrier stall: If a stall is later proposed to be and is designated for mail carrier parking, it shall be available for resident parking on official postal holidays, Sundays, and remaining days outside the hours of 8 a.m. to 6 p.m. A sign min 12 by 18 inches shall note the range of hours when a space is limited to mail carrier parking and specify that it is available for resident parking outside the specified hours.

V10. Bicycle parking:

- a. Number: Per WDO Table 3.05D, min 104 stalls and to the standards of 3.05.06.
- b. Guest: Of the stalls outdoors, the following min shall be on site and along each of:
 - (1) Walkway J1 as Condition V3 Exhibit V3 labels, 4 stalls w/in 5-20 ft of ROW;
 - (2) Walkway J3, 4 w/in 10 ft of ROW;
 - (3) Walkway R1, 2 w/in 40 ft of ROW; and
 - (4) Walkway Y1, 4 w/in 5-20 ft of ROW.
- c. Proximity/cover: The proposed breezeway or stairwell bicycle parking can meet the proximity and covered/sheltered standards of WDO 3.05.06C.5 & 6.
- d. Patio gates: If outdoor closets are proposed later, per WDO 3.05.06C.7 (1) each patio physical delineation/separation from common area would require a gate min 2 ft, 4 inches wide, and (2) patio and balcony closets might necessitate hooks per 3.05.06C.7.
- e. Stairwell signage: A leasing office north main entrance sign shall direct to bicycle parking to the left (towards the office east side).
- f. Vertical clearance: 8 ft min from floor or grade or, where a stall is under stairs, min 3 ft, 9 inches at the low end, min average 5 ft, and with the railing along the short side of cane protection area, if any, able to be lifted up.

V11. Landscaping:

- a. Front yard trees: The first 18 ft of front yard (along Young St) shall have min 7 trees. If any of Walkways Y2-Y4 as Condition V3 Exhibit V3 labels them have a nearby tree, it or they should have the tree on its west side.
- b. Front yard parking screening / Building A buffer: Besides that parking area screening which WDO 3.06.05B requires, the remainder of the front yard also shall have a hedge or row of evergreen shrubbery that can mature to 3 ft height. Such shall be planted and pruned to be min 1.5 ft from sidewalk and wide walkways and max height 3.5 ft. Min number equal to 1 plant per 3 ft of length.
- c. Part (b.) shall be applicable also to the (1) east lot line shared with 1072 Young Street (Tax Lot 051W17BC06900) and (2) parking along the west lot line.
- d. Interior yard: The yard between Buildings B & C shall have min 8 trees. Of all trees within the apartment complex, min 4 shall be a flowering species.
- e. Rear yard: The rear yard area that lies north of Path RR2 shall have min 5 trees.
- f. Rear yard parking screening / Building D buffer: Same as per condition part (b.) above, applying to the entire rear yard including Building D south side.
- g. Patios: Between each gap in patio delineation/separation, amid groundcover and shrubbery there shall be lawn grass min width equal to the gap.
- h. 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.

- i. Retaining walls: If and where there are retaining walls, WDO 3.06.06C shall be applicable as a standard.
- j. Screening: Evergreen hedge or shrubbery shall screen at-grade electrical and mechanical equipment along min three sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B. For a transformer, min two sides instead.

k. Evergreen: Min 3 trees:

(1) They shall be 2 min 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

(2) Distribution: Min 1 on-site, and min 2 within Joyce Way ROW 1 each at north and south ends.

Note V14: WDO Table 3.06B indicates minimum size at planting.

- l. Screening (of headlights): For parking areas with stalls that face an on-site dwelling, regardless of distance between dwellings and nearest facing stalls, and where each landscaped area in front of a ground floor window is at least 1.5 ft deep, the developer shall plant evergreen shrubbery of small or medium size per WDO Table 3.06B, min number equal to average o.c. spacing of 1 shrub every 3 lineal ft.

V12. Trash enclosure:

- a. Color placement: The developer shall revise elevation notes to indicate colors other than gray to conform with WDO 3.06.06B.6.
- b. Gate swing: The developer shall revise the enclosure plan view to indicate that the proposed gate for the required pedestrian opening, if it remains gated, swings inward to conform with WDO 3.06.06D.
- c. Vehicle protection: If an enclosure side is flush with a parking stall, there shall be a rubber bump guard (against vehicle door and side view mirror strikes) in height, mounting height, and extent as land use Sheet LU 1.1 elevations represent and call out.

V13. Balconies and patios: These shall be as follows:

- a. Narrowest dimension: Either (1) 8 ft min to fence or railing top inside edge, or (2) 8 ft, 3 inches min to slab or balcony floor edge. Exception: Building D south side four patios (facing Path RR2): (3) 7.5 ft and (4) 7 ft, 9 inches mins respectively.
- b. Patios: Each slab area min area 96 sq ft.
- c. Balconies: At each upper story, min half of balconies (4) each min area 80 sq ft with the remaining half each min area 68 sq ft.

- d. Patio delineation/separation from common area: If and where a structure (instead of landscaping), min 3 ft high, max 5 ft. If min height, then opacity shall be full, but if fencing is higher than the min height, it shall be no more than 90.0% opaque, such as by being fully opaque from grade but from the top having a lattice pattern.
- (1) The cap or top member shall be flat and min width 3 inches.
 - (2) Where it is wood fencing, it shall be cedar.
- (See also Condition D14.)

V14. On-site common area improvements: They shall include:

- a. Benches: Min 2, each 6 ft wide min. Metal or wood. A concrete or masonry seat wall may substitute for a backless bench for each segment that is min width 6 ft, height 1.5 ft including a smooth concrete cap, and min width 1 ft, 3 inches. Place min 1 bench along Walkway Y1 w/in the first 80 ft from ROW. Benches shall be set back 1½ ft min from side of a walkway with the setback paved.
- b. Dog run: The developer shall provide the conceptual “dog park” as a dog run or general pet area that the site plan delineates per the specs below or an alternative per the below:
 - (1) Narrowest dimension 14 ft, min area 588 sq ft.
 - (2) Fenced, height min 3.5 ft and max 5.
 - (3) Double sets of latch gates, the outer set enclosing an area in addition to the dog run min area, specifically min width 4 ft, 8 inches and min area 21 sq ft. All gates shall swing outward from the dog run.
 - (4) A min 12 by 18 sign with 4-inch type reading at least “Dog Run”.
 - (5) Surfaced with mulch, wood chip, sand, artificial turf, or combination with allowance for lawn grass max area 84 sq ft. Bare dirt or mud prohibited.
 - (6) Dog waste station, that is, bag dispenser, and trash receptacle.
 - (7) One metal or wood bench without a back, min width 4 ft.A newly planted tree may be within the fenced area.
- c. Alternative to dog run: Any of the following:
 - (1) Mounted barbeque grill (fueled by charcoal briquettes or wood permissible; no natural gas required).
 - (2) Children’s play structure. Min any of (a) 2 swings, (b) 1 slide, (c) zipline, or (d) monkey bars, or (e) a pre-fabricated structure with any combination of the aforementioned.
 - (3) Ornamental flower garden. Min area 450 sq ft. Min 36 plants at min size per Table 3.06B. Max 152 sq ft of min area may be a bark dust or wood chip paths each max width 4 ft.
 - (4) Vegetable garden. Min 6 raised planting beds per WDO Table 3.06B, except each min/max height 1.5 ft, wider interior min width 2 ft, interior area min 8 sq ft, that enclosures must be wood, and min width of top of each enclosure must be flat and min 3 inches wide. Walking routes among beds min 3 ft wide.

- V15. Architecture/buildings: Based on WDO 3.07.05 & 3.07.08, the developer shall revise architectural plans prior to building permit issuance, and the building shall be as follows:
- a. Awnings/canopies: Based on WDO 3.07.06B.1b(4) & B.5a, there shall be any among canopies, fixed awnings, porte-cochères, building recesses, or roof projections that shelter from precipitation, are min 9 ft height clearance and at min at:
 - (1) Building A leasing office east side, over the patio door and patio, min depth 8 ft and min area 116 sq ft; and
 - (2) Building A leasing office north main entrance, min depth 4 ft, min width 10 ft.
 - (3) Min dimension is applicable to any of dimension parallel with (width) or perpendicular to (depth) the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.
 - b. Columns, piers, and posts: For:
 - (1) All excepting patios and balconies: Shaft min 8 inches square or diameter.
 - (2) Any exposed wood columns, piers, and posts shall be finished/treated/varnished to protect from the elements and splinters.
 - (3) Leasing office north entrance, shall be divided visually into clear areas of capital, shaft, and base. If the bases would have been concrete stubs, they shall be covered with brick matching that proposed for much of the ground floor walls.
 - c. Colors: To help distinguish and find one's way among the apartment buildings, for each building on each of the two long elevations, min 325 sq ft of main wall plane shall be a color among a min of 3 different colors across the 4 buildings.
 - d. Masonry: The proposed ground floor brick cladding if reduced shall be min 15.0% of each ground floor elevation area abutting (1) Young St, (2) Joyce Way, and (3) Corridor RR2, expected to be applicable to five elevations and approximately equal to a band below windowsills.
 - e. Common room: If there remains a common room (in Building A), it shall have air conditioning (AC), and if revised to shrink from the proposed gross floor area (GFA) of 1,050 sq ft, then GFA shall be min 774 sq ft.
 - f. Common room patio: If there remains a common room (in Building A), there shall remain a common room patio paved the same as per WDO 3.04.04 min 116 sq ft; narrowest dimension either (1) 8 ft min as measured between wall plane and inside edge of closest of any columns, piers, or posts or fence, railing, or wall top, or (2) 8 ft, 3 inches min as measured between wall plane and patio slab edge; and min 50 sq shall be decorative pavement as Condition V3e defines.
 - g. Windows:
 - (1) Area/size: Min of a simple majority of all windows proposed on each façade shall average to min 12 sq ft each. The Building A leasing office, lobby, and reception rooms north façade shall have min 40.0% of wall area of those room volumes as

seen in elevation view be windows or doorway openings per WDO 3.07.08E.1a [MUV], and the area shall conform to 3.07.08E.1a subsections.

- (2) Insect screens: All operable windows shall have insect screens.
- (3) Per room: Per room: Within apts., every habitable room abutting a building exterior wall shall have min 1 window. Each ground floor corner room proposed through land use review to have one on each elevation shall continue to have 2; however, where the developer to propose additional location(s) of exterior ground floor wall-mounted utilities and meters, then for each room, the second window may shrink to min 6 sq ft and be horizontally proportioned.
- (4) Proportion: All windows shall be square or vertically proportioned, excepting (a) that horizontally proportioned windows are allowed if they have grilles or muntins dividing lights or panes so as to be vertically proportioned, and (b) transom windows.
- (5) Narrow wall: For units with upper story floor plans resembling Exhibit V15 below, if any, with 3 ft or more off-set, each rear in the wall dividing a family or living room and balcony, approximately where the purple below indicates, shall have a window min width 1.5 ft and min area 2.25 sq ft.

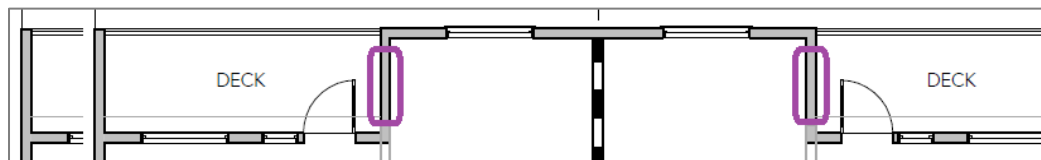


Exhibit V15 Narrow wall windows

- h. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of an access way or walkway.

V16. Setbacks & privacy buffers: These shall be per Attachment 202 and as follows:

- a. Details: Setbacks remain measured to building main wall plane, and encroachments and projections into min setbacks remain permissible per WDO 3.03 or as Attachment 202 supersedes.
- b. Privacy: The distance between a walkway or wide walkway and a ground floor dwelling main wall plane shall be min 2 ft, except min (1) 7.5 ft between Building B and Walkways R1 & Y1, (2) 7.5 ft between Building D and Walkway R1, (3) 8 ft between the north-south walkway between Buildings B & C and each of those buildings.
- c. Privacy and landscaping area: The distance between a walkway or wide walkway and a dwelling patio slab shall be min 1.5 ft for min 85.0% of dwelling patios.
- d. Doors: Apartment front doors shall each have a peephole.

V17. Signage:

- a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any PUE.

- b. Apply for and obtain a sign permit per 5.01.10 for any sign for which WDO 3.10 requires a permit, with the permit application form(s) indicating case file numbers DR 22-06 & VAR 23-04.

V18. Lighting: The developer shall revise exterior lighting documentation prior to building permit issuance, and exterior lighting shall be as follows:

- a. Per WDO 3.11 and, for permanent signage, per WDO 3.10.06G.
- b. Front yard: Max one exterior wall-mounted fixture for each of (1) Building A north and west sides, (2) Building B or C, whichever is closer to Joyce Way ROW, west side, (3) and Building D west and south sides. The first 20 ft of north yard are limited to one pole-mount, and the first 20 ft of west yard are limited to two pole-mounts. The side of the pole fixture close to Young St and Joyce ROWs per WDO 3.11.02B.2 shall have permanent shielding per that section.
- c. Balconies/patios: Any ceiling and wall-mounted exterior light fixtures within balconies and patios shall also conform with WDO 3.11.02A-D & F.
- d. Stairwells: Any ceiling mounted exterior light fixtures within open-air stairwells shall also conform with WDO 3.11.02A, that is, be flush w/ the ceiling or shielded on all sides, and with WDO 3.11.02B-D & F.

V19. Addressing: Each apartment address on or next to the apartment door shall contain the full unit number per City address assignment. For example, in Building A, Apt. A101 shall read "A101", not "101".

V20. Parking management and surveys by property manager: These shall be per Attachment 205.

Applicant Identity

<i>Applicant</i>	Eugene Labunsky, President, West Coast Home Solutions, LLC
<i>Applicant's Representative</i>	Gretchen Stone, Land Use Coordinator, CBTWO Architects, 500 Liberty St SE, Ste 100, Salem, OR 97301-3890
<i>Landowner(s)</i>	West Coast Home Solutions, LLC, Wilsonville, OR (Eugene Labunsky, registered agent)

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. (As a condition reflects, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments [August 10, 2023; Attachment 102A] from the City Engineer, item 8, does not explicitly require “Joyce Way” ROW or “Joyce Way” streetside PUE.)
 - 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.
 - d. Driveways: Approach / apron / curb cut / ramp: Driveways shall conform with PW SS&Ds, Section [4150](#) with objective to feel like it remains part of and at the level of the pedestrian realm and not an extension of a street.
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.

19. As of this writing, the City handles bonding of street trees specifically through the Planning Division starting with a [street tree bond request form](#).



**Young Street Apartments
1030 Young Street
DR 22-06& PLA 22-04
Public Works Comments
Land Used Application
August 10, 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. 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.
3. Provide a final storm drainage analysis for detention and conveyance system. The storm drainage hydraulic analysis shall comply with the City's requirements. The Applicant, by this Development, shall not cause storm water runoff to be impounded on adjacent properties.
4. The property owner shall maintain all on-site detention areas in perpetuity.
5. All new public water main system or restoration shall be deemed complete prior to building permit issuance.
6. All public improvements (except water main infrastructure) or restoration improvements shall be deemed complete prior to building permit issuance.
7. Applicant to updated existing pedestrian crossing at Young Street and Bryan Street intersection to comply current ADA requirements for accessible sidewalks and street crossings as per Federal, State and City requirements/guidelines. Applicant to submit plans stamped by a professional license engineer in Oregon.
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.
12. System Development fees shall be paid at the time of building permit issuance.



SITE PLAN
SCALE: 1" = 20'-0"

SITE PLAN GENERAL NOTES:

- REFER TO LANDSCAPE PLANS FOR ADDITIONAL PEDESTRIAN WALKS AND PLANTING INFORMATION.
- ANY GRADING AND UTILITIES (BOTH EXISTING AND NEW) ARE SHOWN FOR REFERENCE ONLY - REFER TO CIVIL DRAWINGS.
- SITE PAVEMENT MATERIAL AND DESIGN PER CIVIL. MAX. SPACE BETWEEN JOINTS TO BE 10'-0".
- REFER TO PLUMBING DRAWINGS FOR HOSE BIB LOCATIONS.
- LIGHTING TO BE INSTALLED AT PATHS ALONG THE REQUIRED EXIT WAYS - REFER TO ELECTRICAL SITE PLAN.
- ALL GROUND MOUNTED UTILITY EQUIPMENT SHALL BE SCREENED FROM THE STREET AND THE BUILDING WITH LANDSCAPE - VERIFY LOCATION WITH EACH UTILITY PROVIDER AND COORDINATE WITH LANDSCAPING AS NEEDED.
- ANY WALL PACK LIGHTING PROVIDED TO BE SHIELDED.
- THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20. THE CROSS SLOPE OF A WALKING SURFACE SHALL NOT BE STEEPER THAN 1:48.
- PARKING SPACES AND ACCESS AISLES SHALL HAVE A SURFACE SLOPES NOT STEEPER THAN 1:50 (2%) PER IBC.
- ANY RETAINING WALLS, BERMS, SWALES, ETC. SHOWN FOR REFERENCE ONLY - REFER TO CIVIL DRAWINGS.
- ALL WALL MOUNTED UTILITIES AND ASSOCIATED EQUIPMENT SHALL BE PAINTED TO MATCH ADJACENT BUILDING COLOR.

SITE PLAN LEGEND

(NOTE: SEE A0 SHEETS FOR ADDITIONAL GENERAL LEGEND INFORMATION)

OBJECT/PATTERN	DESCRIPTION(S)
---	- PROPERTY LINE
---	- SETBACK LINES
---	- ROOF OUTLINE
---	- FENCE LINE - CHAIN-LINKED FENCE
[Orange Box]	- BUILDING FOOTPRINT
[Stippled Box]	- CONCRETE
[Green Box]	- AMENITY SPACE
[Hatched Box]	- GRASSCRETE FIRE ACCESS DRIVE
[Circle with Crosshair]	- PROPERTY DATUM POINT
[Circle with Dots]	- REMOVABLE BOLLARDS
[Circle with 'EV']	- ELECTRIC VEHICLE CHARGING STATION AT PARKING LOCATION

SITE INFORMATION

LOT AREA	138,679 SF
ZONE	MUV - MIXED USE VILLAGE
USES	MULTI-FAMILY HOUSING
# UNITS	94
MAX. LOT WIDTH	446'-2 1/4"
MAX. LOT DEPTH	323'-6 1/2"

UNITS

TYPE	AREA (SF)	COUNT
1-BEDROOM	788	48
2-BEDROOM	984	46

BUILDING COVERAGE

DESCRIPTION	AREA (SF)	% OF SITE
BUILDING FOOTPRINT	35,996	26 %
PAVING	62,371	44 %
SIDEWALKS	16,494	12 %
LANDSCAPE AREA	25,697	18 %
COMMON AREA	40,824	30 %
IMPROVED COMMON AREA*	4,146 COURTYARD, 450 DOG PARK, 373 PATIO	- %
INTERIOR IMPROVED AREA*	1,294	
TOTAL SITE AREA	140,861	

* BASED 12 SF / DWELLING UNIT

PARKING SCHEDULE

DESCRIPTION	# REQUIRED	# PROVIDED
STANDARD STALLS	-	152
COMPACT STALLS**	-	38
COVERED STALLS***	94	97
EV CHARGING STALLS	9	10
TOTAL ON-SITE PARKING	188*	190

* BASED ON PARKING RATIO OF 2 / DWELLING UNIT

** BASED ON 20% ALLOWED TO BE COMPACT STALLS

*** BASED ON 1/2 OF PARKING STALLS REQUIRED TO BE COVERED

BICYCLE SCHEDULE

DESCRIPTION	# REQUIRED	# PROVIDED
STANDARD STALLS	52	52
COVERED STALLS	52	52
TOTAL ON-SITE PARKING	104	104



PROJECT/LOCATION:

WCHS YOUNG STREET APARTMENTS

1030 YOUNG STREET, WOODBURN, OREGON 97071

TITLE:

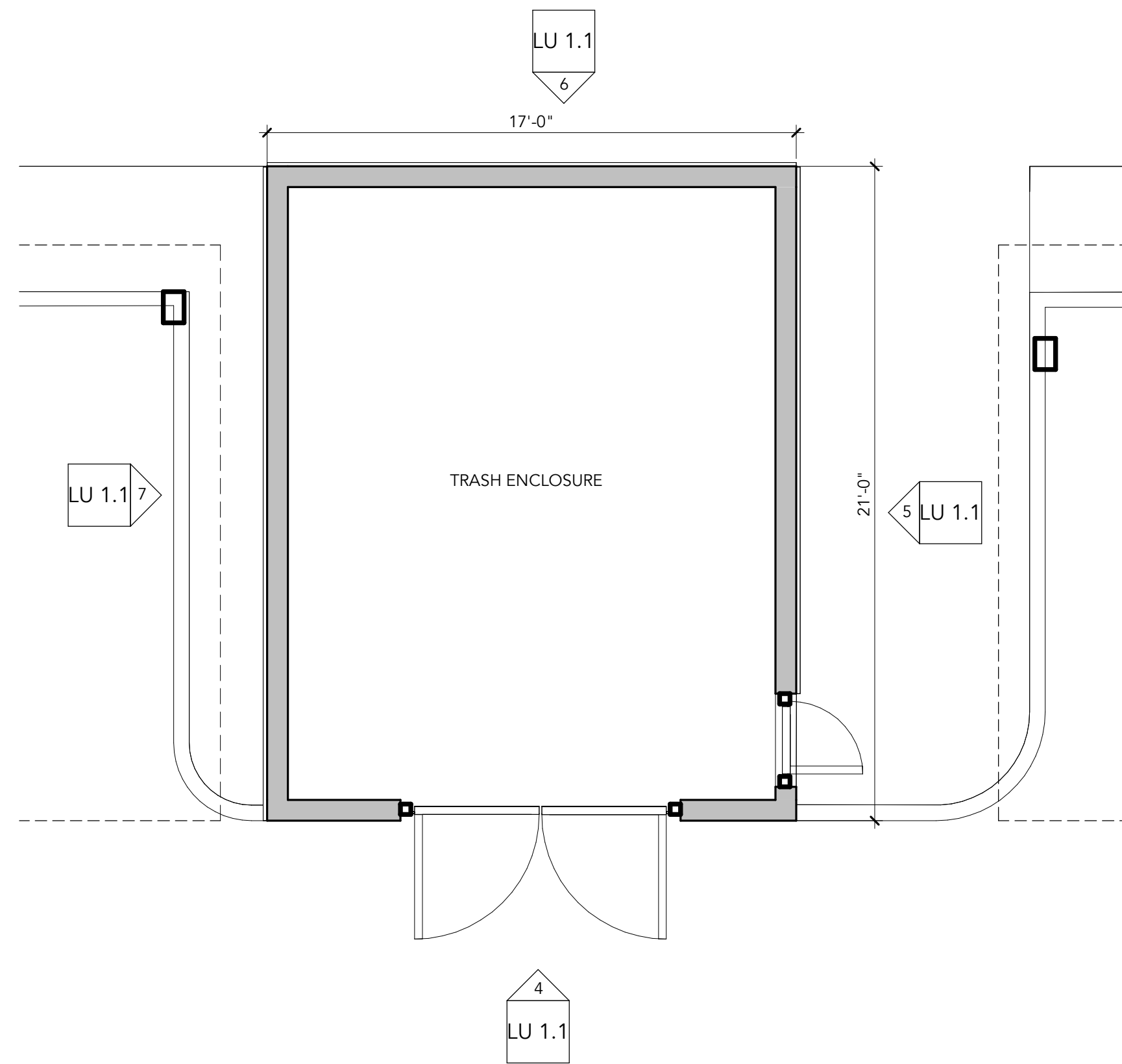
SITE PLAN

Attachment 103
Sheet 1 of 16

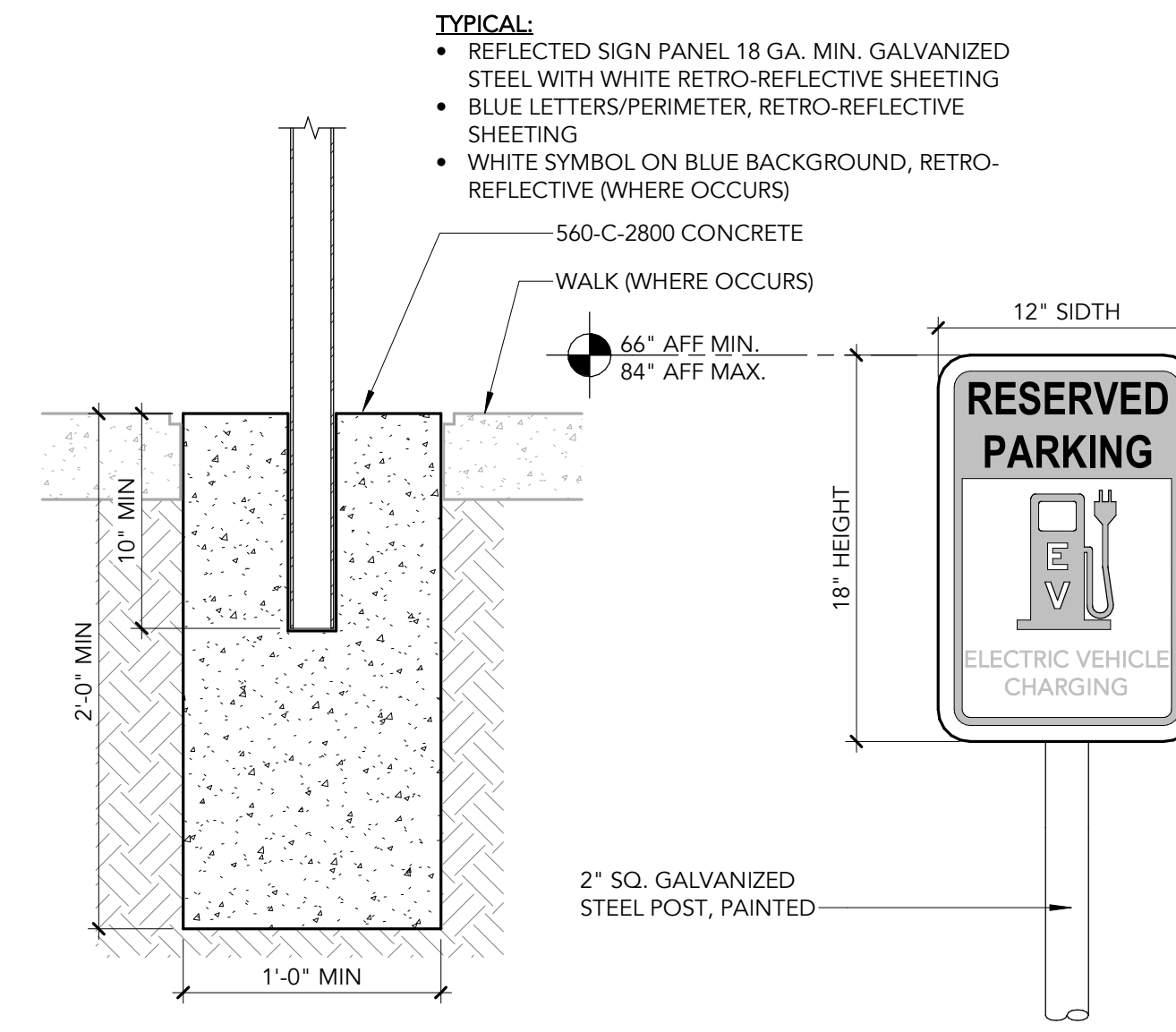
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DATE:

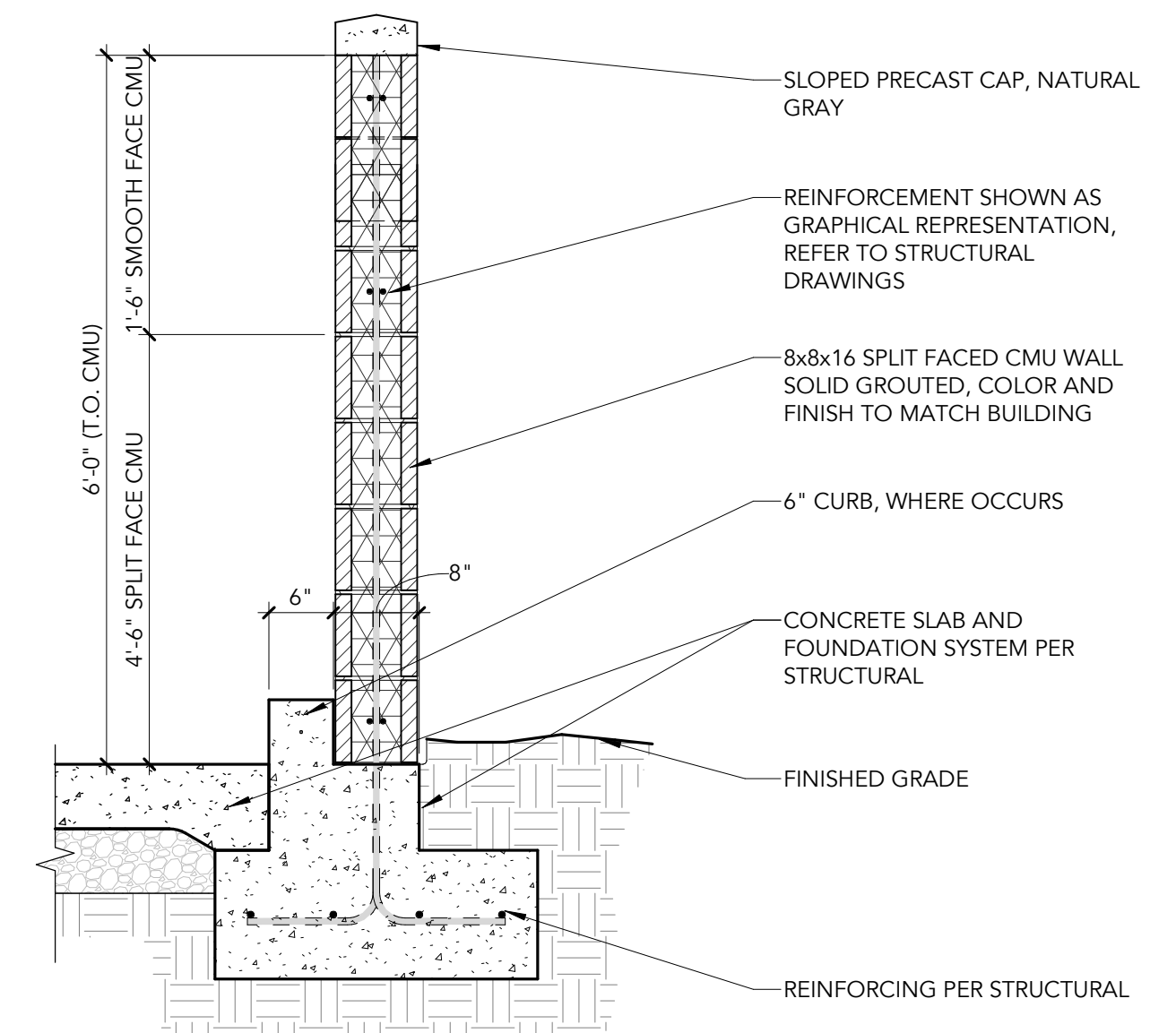
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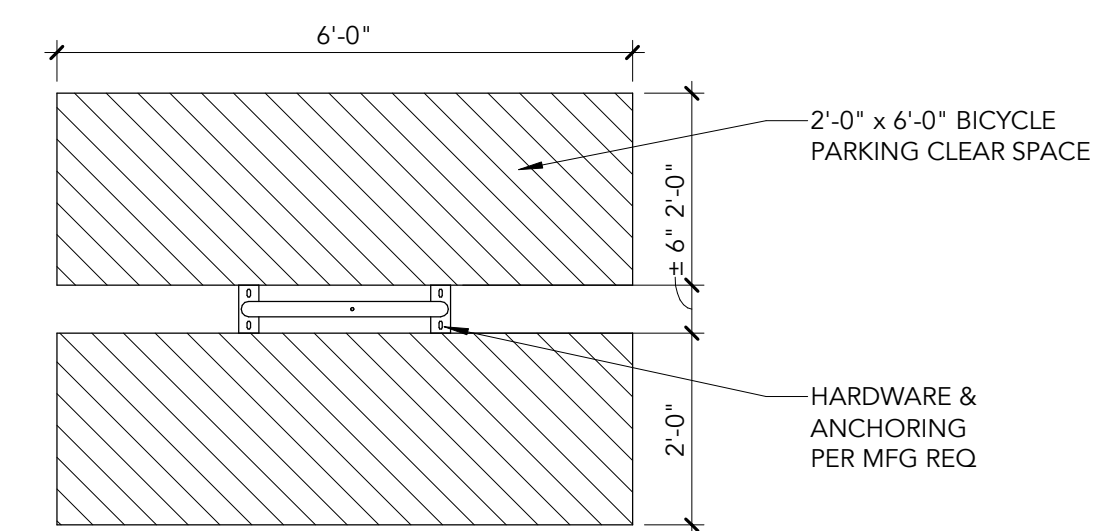
3 TRASH ENCLOSURE SITE PLAN
SCALE: 1/4" = 1'-0"



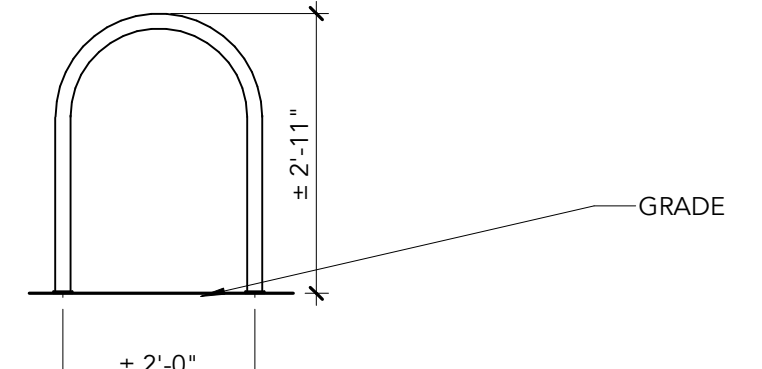
8 EV PARKING SIGN
SCALE: 1 1/2" = 1'-0"



1 TRASH ENCLOSURE SECTION
SCALE: 3/4" = 1'-0"



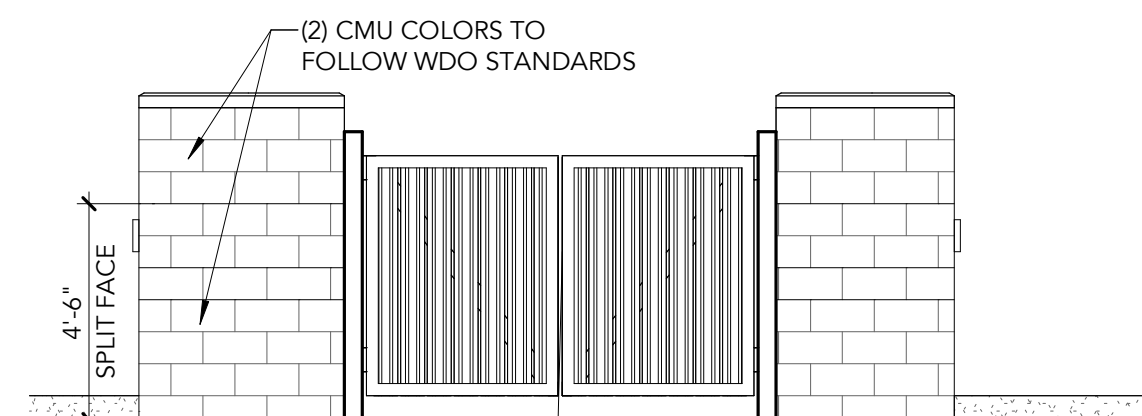
PLAN



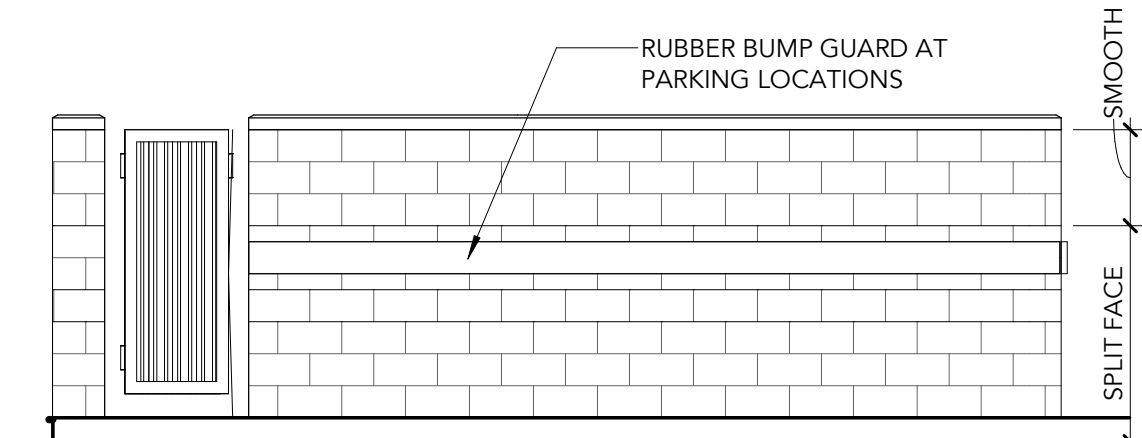
ELEVATION

BASIS OF DESIGN : DERO HOOP RACK, BLACK POWDERCOATING. PROVIDE OWNER OPTION TO ADD LOGO.

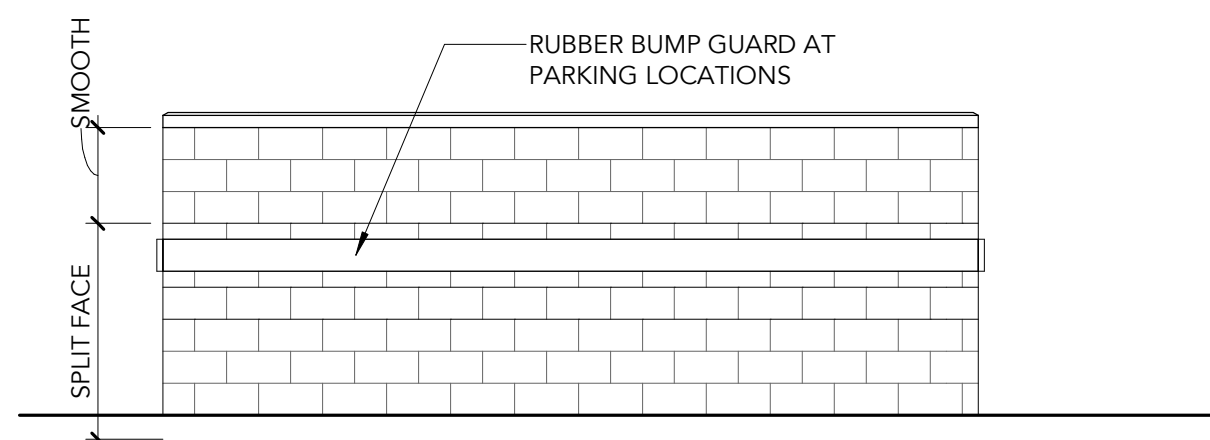
2 LU - BIKE RACK DETAIL
SCALE: 1/2" = 1'-0"



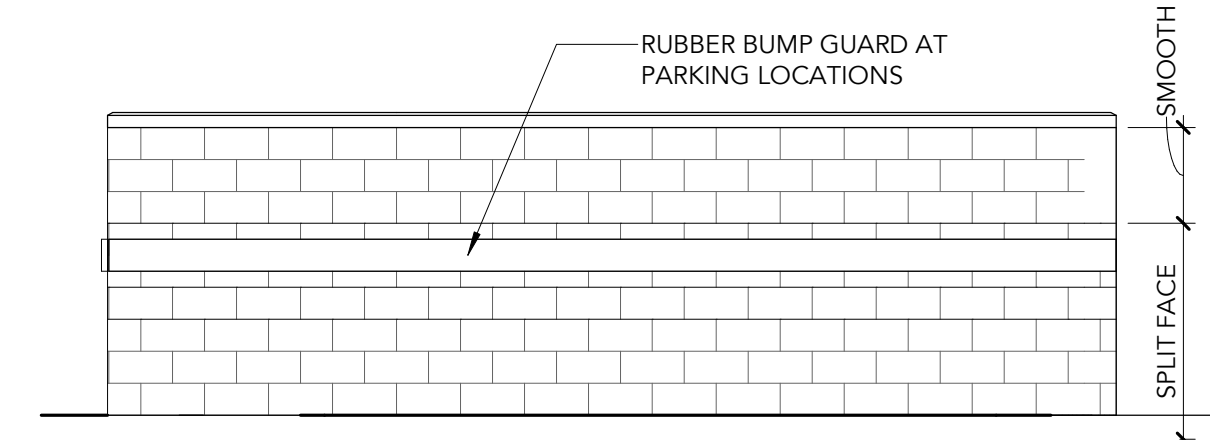
4 TRASH ENCLOSURE EAST ELEVATION
SCALE: 1/4" = 1'-0"



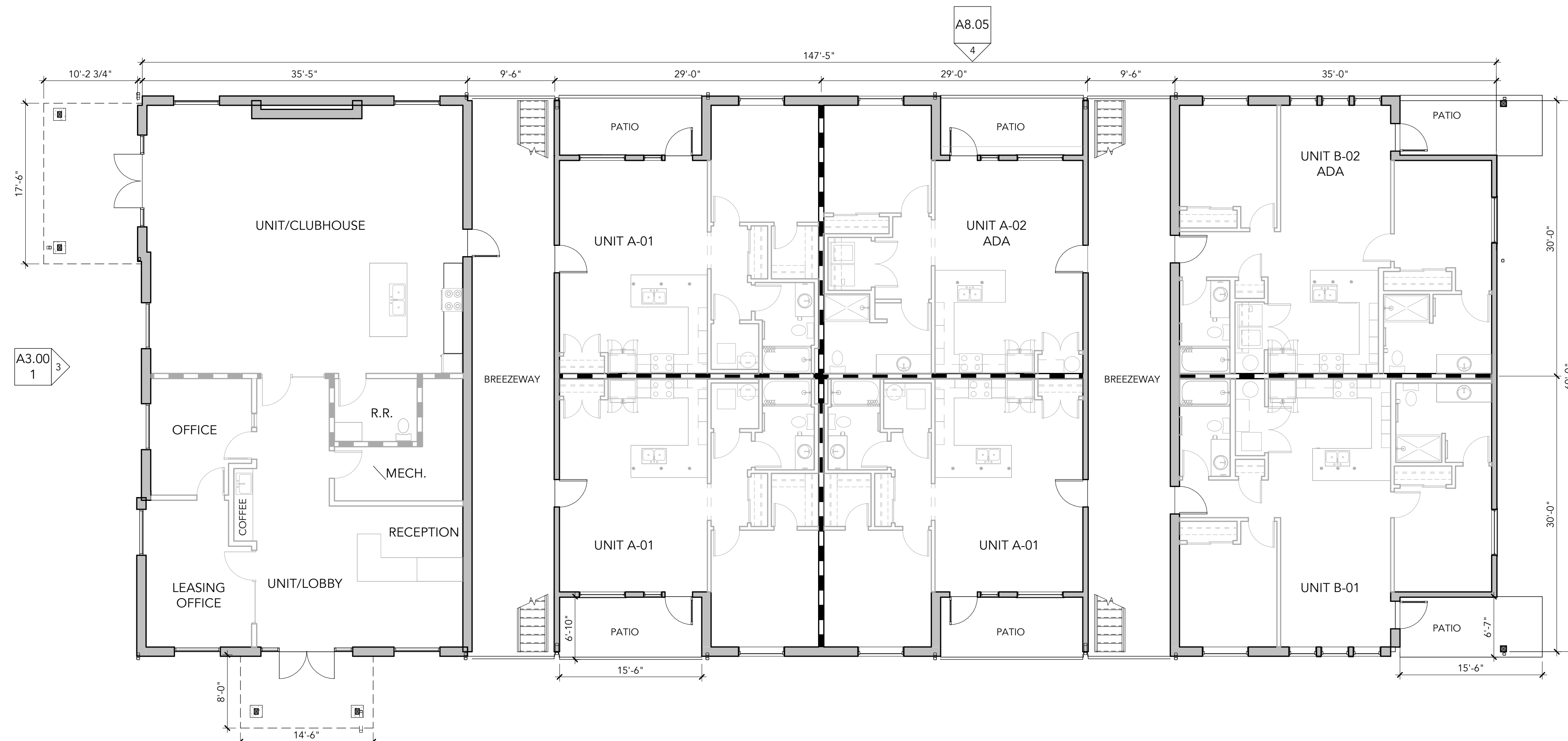
5 TRASH ENCLOSURE NORTH ELEVATION
SCALE: 1/4" = 1'-0"



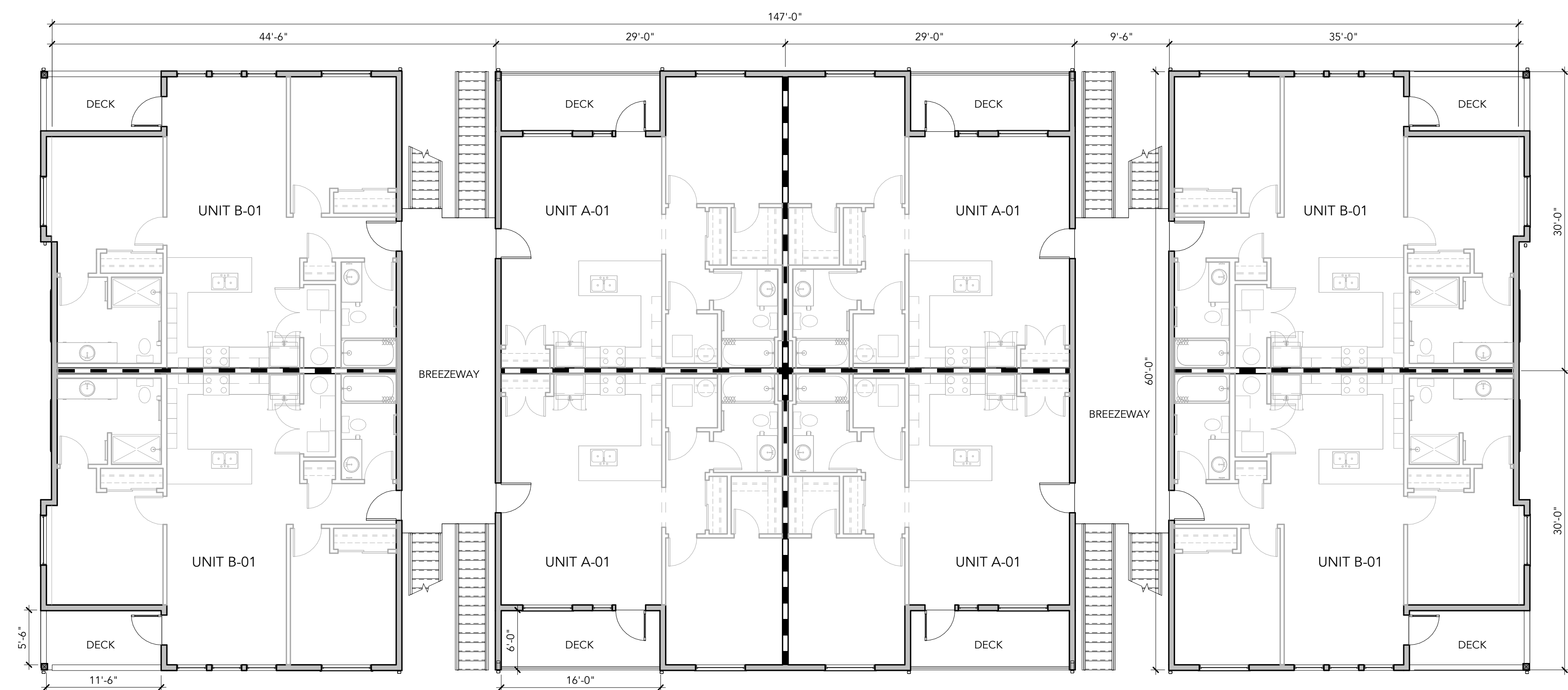
6 TRASH ENCLOSURE WEST ELEVATION
SCALE: 1/4" = 1'-0"



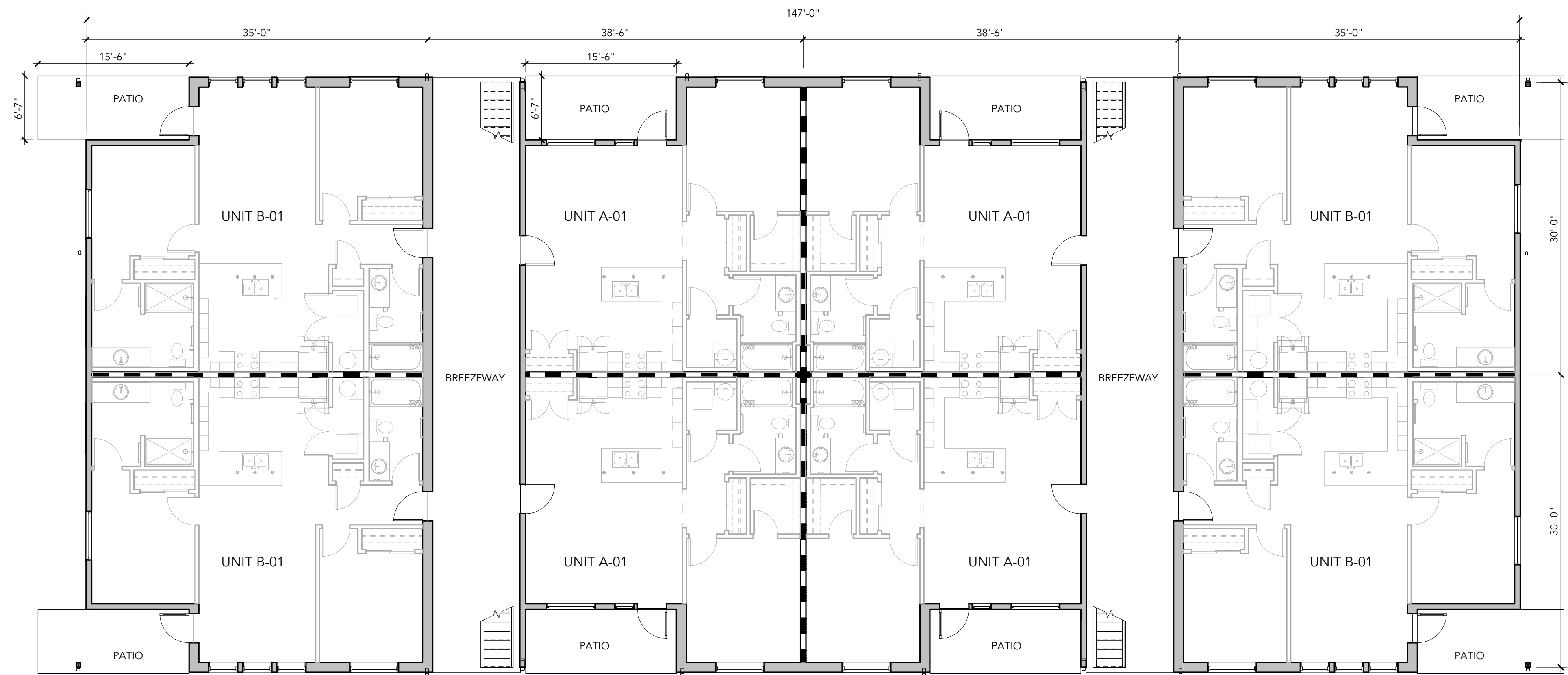
7 TRASH ENCLOSURE SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



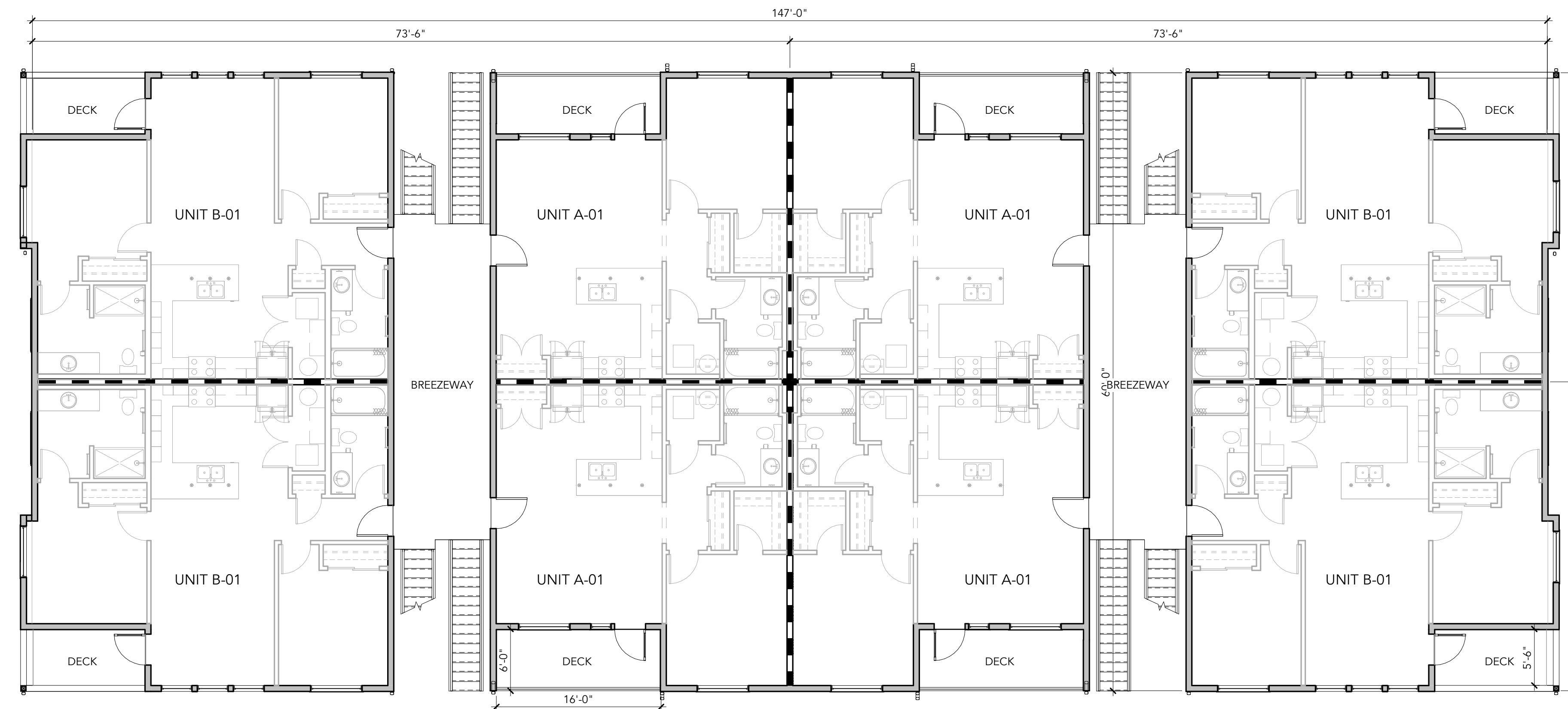
1 FIRST FLOOR PLAN - OVERALL (LEASING BUILDING)
SCALE: 1/8" = 1'-0"



2 SECOND FLOOR PLAN - OVERALL (LEASING BUILDING)
SCALE: 1/8" = 1'-0"

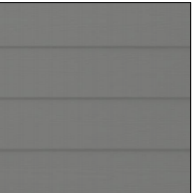



1 FIRST FLOOR PLAN - OVERALL
SCALE: 1/8" = 1'-0"

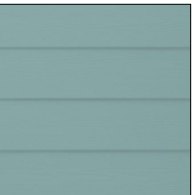


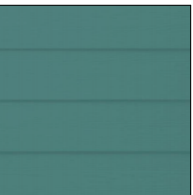
2 SECOND & THIRD FLOOR PLAN - OVERALL
SCALE: 1/8" = 1'-0"

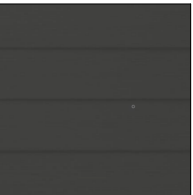
MATERIALS LEGEND


- 


MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: MEDIUM GRAY
 FINISH: SMOOTH
- 


MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: OFF WHITE
 FINISH: SMOOTH
- 


MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: LIGHT BLUE-GREEN
 FINISH: SMOOTH
- 


MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: MEDIUM BLUE-GREEN
 FINISH: SMOOTH
- 

MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: DARK GRAY
 FINISH: SMOOTH
- 

MATERIAL: BOARD AND BATTEN
 COLOR: OFF WHITE
 FINISH: SMOOTH
- 

MATERIAL: BRICK VENEER
 COLOR: PEWTER MISSION
- 

MATERIAL: FIBER CEMENT BUILDING TRIM
 COLOR: DARK GRAY
 FINISH: SMOOTH
- 

MATERIAL: STANDING SEAM METAL ROOF
 COLOR: CHARCOAL
- 

MATERIAL: ARCHITECTURAL COMP. SHINGLE
 COLOR: LIGHT GRAY



1 FRONT ELEVATION (LEASING BUILDING)
 SCALE: 1/8" = 1'-0"

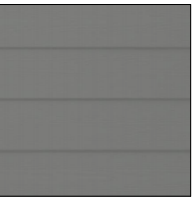
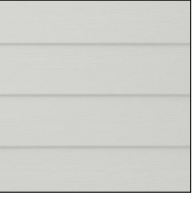
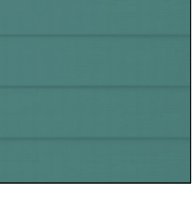
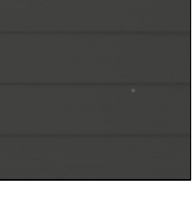


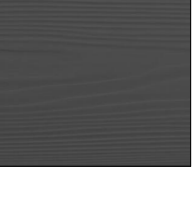
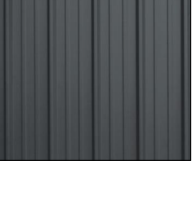



2 SIDE ELEVATION (LEASING BUILDING)
 SCALE: 1/8" = 1'-0"



3 PARTIAL BACK ELEVATION (LEASING)
 SCALE: 1/8" = 1'-0"

MATERIALS LEGEND

- 
 MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: MEDIUM GRAY
 FINISH: SMOOTH
- 
 MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: OFF WHITE
 FINISH: SMOOTH
- 
 MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: LIGHT BLUE-GREEN
 FINISH: SMOOTH
- 
 MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: MEDIUM BLUE-GREEN
 FINISH: SMOOTH
- 
 MATERIAL: FIBER CEMENT LAP SIDING
 COLOR: DARK GRAY
 FINISH: SMOOTH
- 
 MATERIAL: BOARD AND BATTEN
 COLOR: OFF WHITE
 FINISH: SMOOTH
- 
 MATERIAL: BRICK VENEER
 COLOR: PEWTER MISSION
- 
 MATERIAL: FIBER CEMENT BUILDING TRIM
 COLOR: DARK GRAY
 FINISH: SMOOTH
- 
 MATERIAL: STANDING SEAM METAL ROOF
 COLOR: CHARCOAL
- 
 MATERIAL: ARCHITECTURAL COMP. SHINGLE
 COLOR: LIGHT GRAY

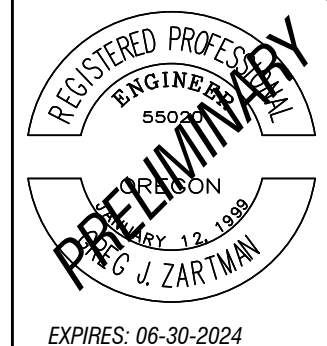
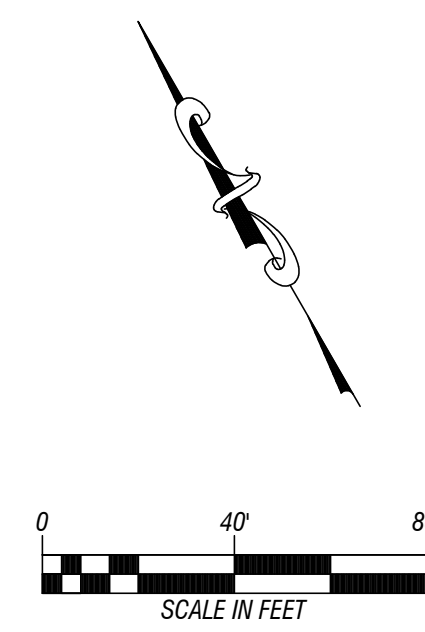
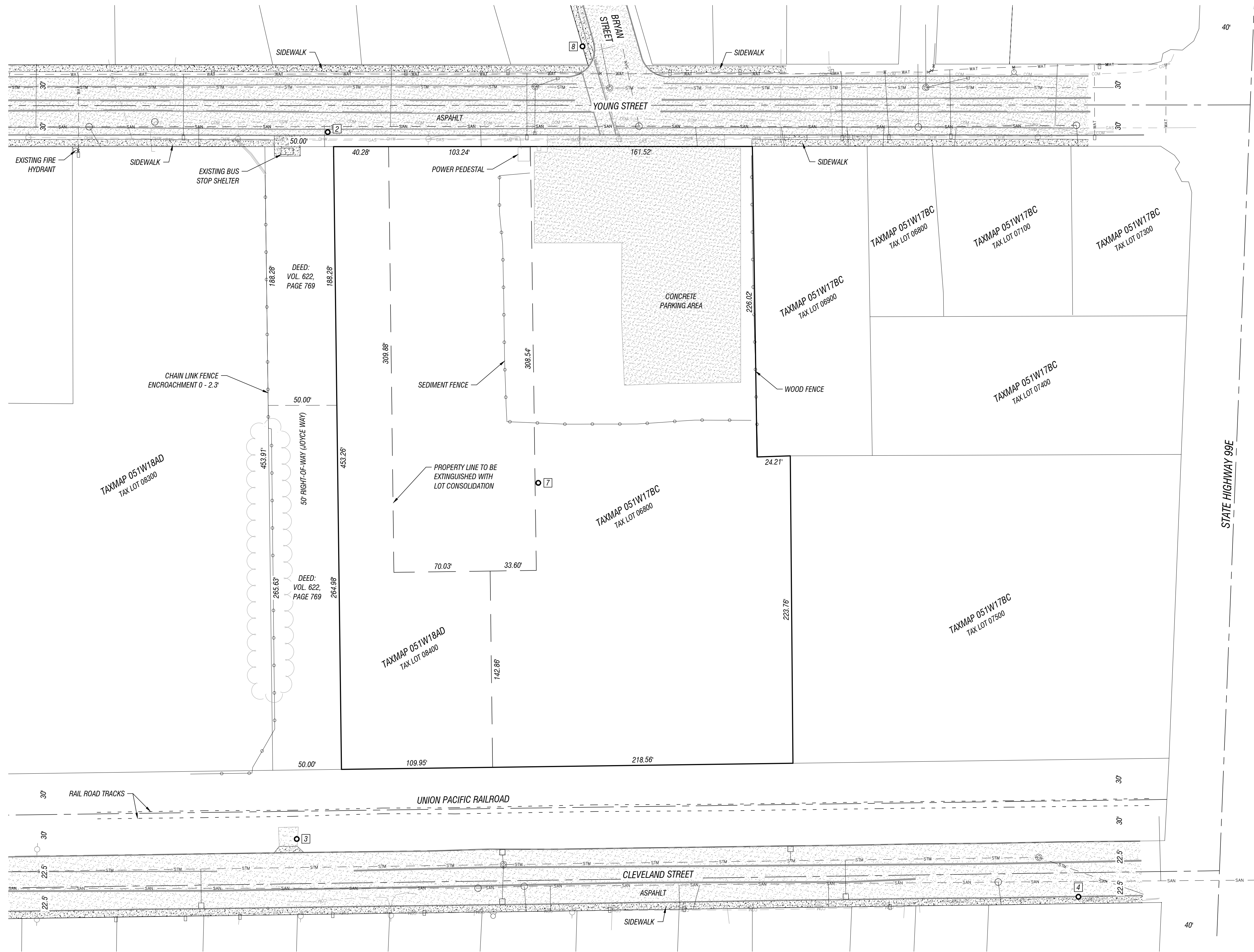


1 FRONT/BACK ELEVATION
SCALE: 1/8" = 1'-0"



2 SIDE ELEVATION
SCALE: 1/8" = 1'-0"

6. J. J. ZARTMAN, REGISTERED PROFESSIONAL ENGINEER, LICENSE NO. 5502, PREPARED FOR WEST COAST HOMES SOLUTIONS, LLC, PROJECT NO. 2024-001, SHEET 02 OF 12, DATE 06/30/2024, SCALE 1" = 40'



NO.	DATE	REVISION	BY

YOUNG STREET APARTMENTS
 PREPARED FOR: WEST COAST HOMES SOLUTIONS, LLC

2564 19TH STREET SE
 Salem, Oregon 97302
 (503) 399-3828
 www.leiengineering.com

LEI ENGINEERING & SURVEYING OF OREGON

EXISTING CONDITIONS
 SCALE: 1" = 40'
 PROJECT NO: 60-11
 SHEET: 02 OF 12

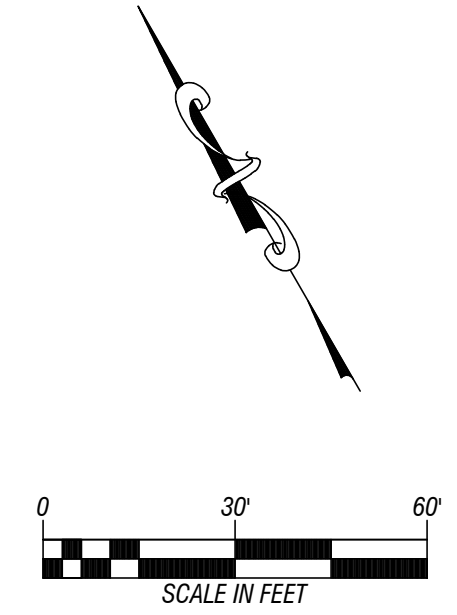
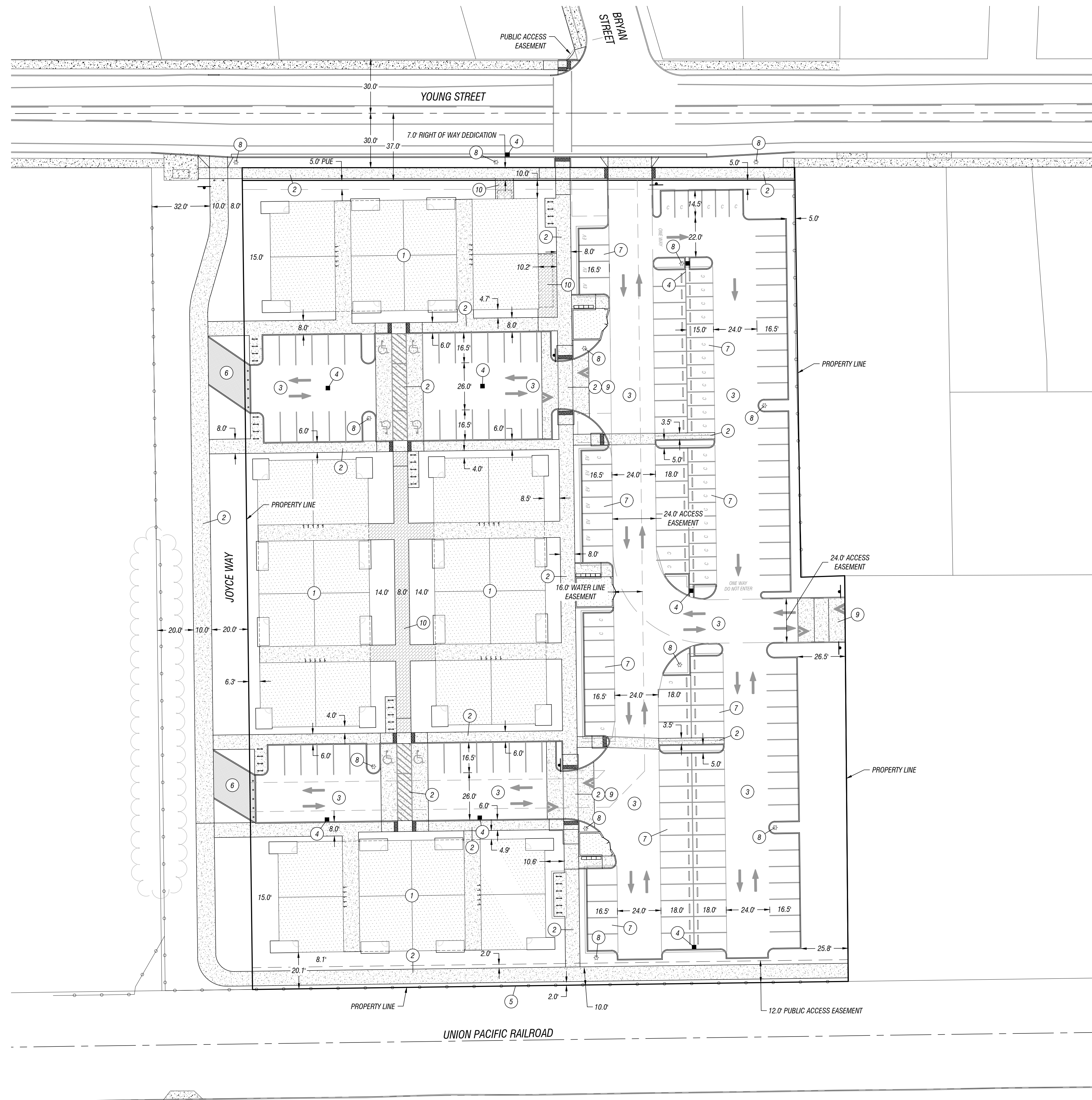
GENERAL NOTES:

- THE LOCATION OF UTILITIES SERVING THE PROPERTY HAVE BEEN DETERMINED BY OBSERVED EVIDENCE, TOGETHER WITH MARKINGS PROVIDED BY UTILITY COMPANIES; 811 OREGON UTILITY NOTIFICATION CENTER TICKET #20101870. THE LOCATION OF THE UTILITIES, SHOWN HEREON, DETERMINED BY ABOVE GROUND EVIDENCE AND ILLUSTRATED WITH HELP FROM CITY MAPS, IS APPROXIMATE. NO AS-BUILT SURVEYS HAVE BEEN PROVIDED OR REVIEWED AT THIS TIME. LEI MAKES NO WARRANTIES TO THE LOCATION OF THE UTILITIES. THE CONTRACTOR SHALL CALL FOR PRIVATE UTILITY LOCATES AND FIELD VERIFY ALL UTILITIES BEFORE CONSTRUCTION ACTIVITIES.
- THE BOUNDARY SHOWN ON THIS MAP IS FOR ENGINEERING PURPOSES ONLY. NO MONUMENTATION SHALL BE SET AND THIS MAP SHALL NOT BE FILED WITH THE COUNTY AS RECORD.

#	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	4993.4126	5001.8053	200.00	PK IN SIDEWALK
2	5296.1429	4338.3225	198.24	PK IN EDGE OF ROAD
3	4861.8265	4061.5518	198.77	PK IN CONCRETE
4	4541.0120	4533.1086	199.66	PK IN SIDEWALK
7	4998.4162	4343.3593	198.83	IRON ROD WITH CAP
8	5257.4576	4530.0777	198.72	PK IN CONCRETE

LEGEND:
 ○ CONTROL POINT. REFERENCE SITE CONTROL TABLE FOR DESCRIPTIONS.

1. DATE: 03/12/2024
 2. PROJECT: 60-11
 3. SHEET: SP-1
 4. SCALE: 1" = 30'
 5. DRAWN BY: J. ZARTMAN
 6. CHECKED BY: J. ZARTMAN
 7. APPROVED BY: J. ZARTMAN
 8. DATE: 03/12/2024



- CONSTRUCTION NOTES:**
- 1 PROPOSED APARTMENT BUILDING.
 - 2 PROPOSED CONCRETE WALK, TYP.
 - 3 PROPOSED ASPHALT SURFACING.
 - 4 PROPOSED CATCH BASIN LOCATION, TYP.
 - 5 PROPOSED CHAIN LINK FENCE
 - 6 PROPOSED GRASS PAVERS
 - 7 PROPOSED COVERED PARKING
 - 8 PROPOSED LIGHT TO BE DESIGNED BY OTHERS
 - 9 PROPOSED CONCRETE SPEED TABLE
 - 10 PROPOSED PAVERS.
- NOTES:**
- REFERENCE ARCHITECTURAL PLANS FOR DIMENSIONS AND DETAILS PERTAINING TO SITE LAYOUT.

REGISTERED PROFESSIONAL ENGINEER
 5502
PRELIMINARY
 J. ZARTMAN
 EXPIRES: 06-30-2024

NO.	DATE	BY	REVISION

YOUNG STREET APARTMENTS
 PREPARED FOR:
WEST COAST HOMES SOLUTIONS, LLC

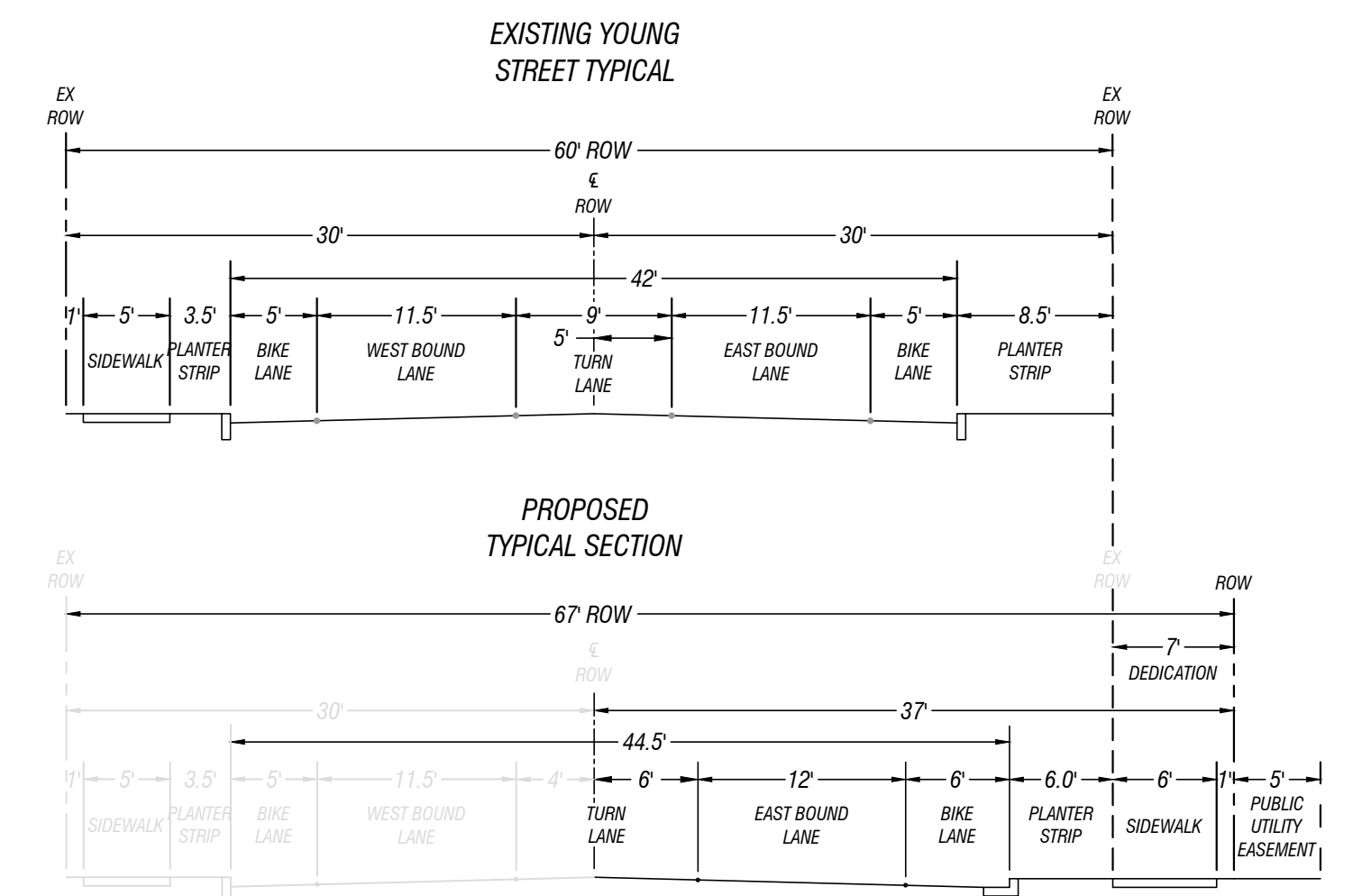
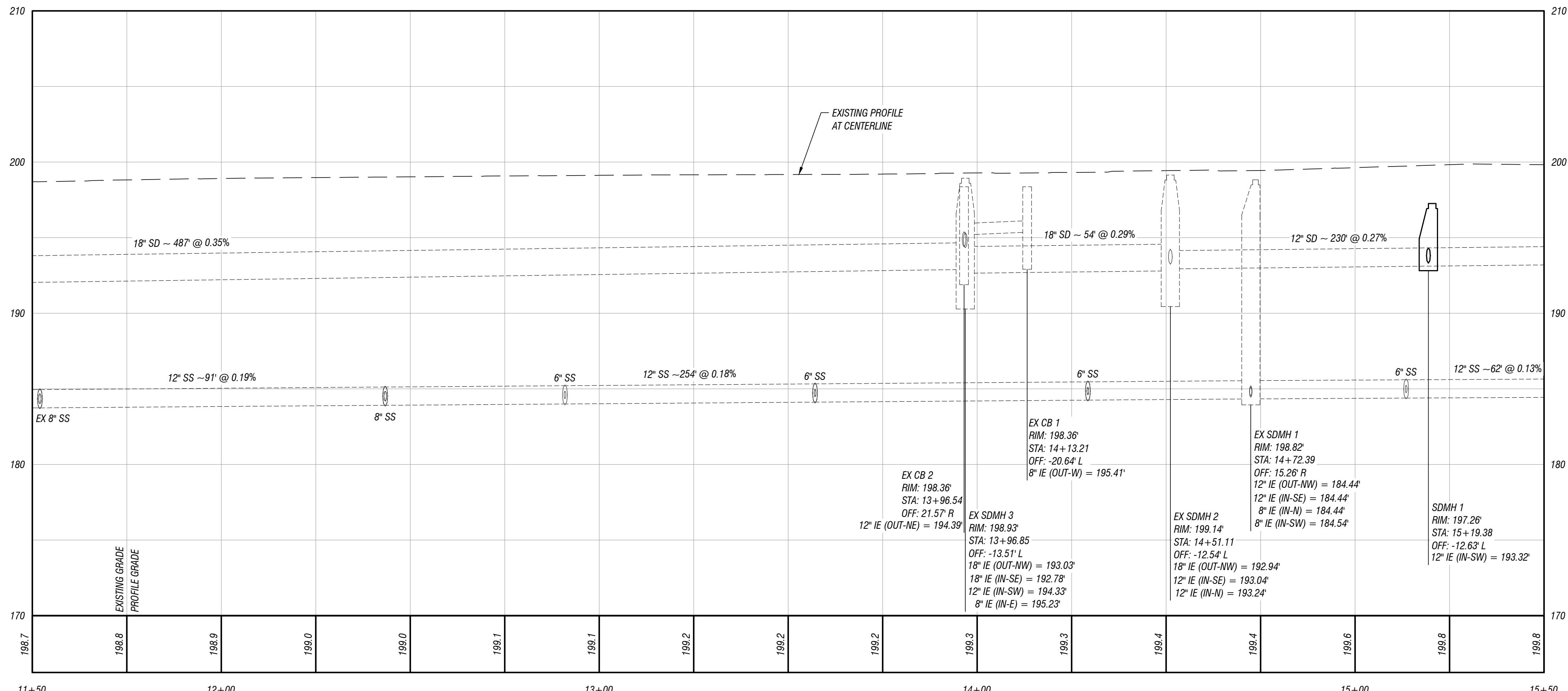
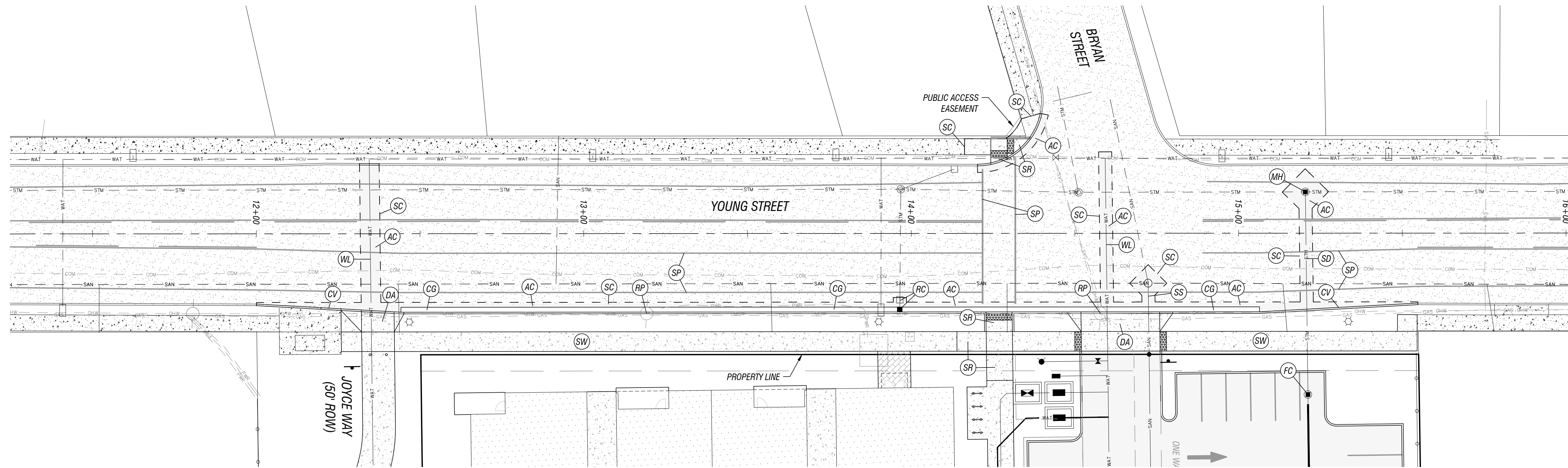
LEI ENGINEERING & SURVEYING OF OREGON
 2554 19TH STREET SE
 Salem, Oregon 97302
 (503) 399-3828
 www.leiengineering.com

SITE PLAN

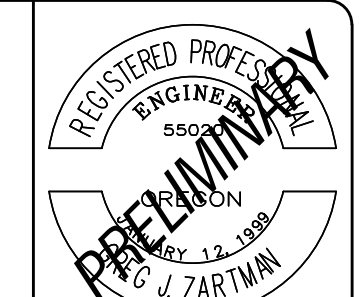
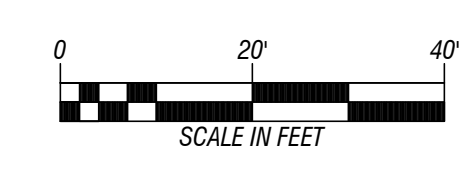
SCALE: 1" = 30'	PROJECT NO: 60-11
PROJECT NO: 60-11	SHEET: SP-1
DATE: 03 OF 12	

REG. OF DOCUMENTS: THIS DOCUMENT, AND THE EGGS AND DESIGN INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF LEI ENGINEERING AND SURVEYING OF OREGON, LLC AND IS NOT TO BE COPIED, WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF LEI ENGINEERING. © LEI ENGINEERING

6. METEOROLOGICAL DATA
 7. UTILITIES AND CONDUITS
 8. MATERIALS CHECKS
 9. PRELIMINARY
 10. PRELIMINARY
 11. PRELIMINARY
 12. PRELIMINARY
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 100. PRELIMINARY



- CONSTRUCTION NOTES:**
- (MH) CONTRACTOR SHALL INSTALL 48" MANHOLE, AS SHOWN, PURSUANT TO CITY OF WOODBURN DETAILS 6510-3 AND 7500-1.
 - (SD) CONTRACTOR SHALL INSTALL 12" 3034 PVC SDR-35 PIPE, AS SHOWN. BACKFILL IN ACCORDANCE WITH CITY OF WOODBURN DETAIL 3800-1.
 - (SS) CONTRACTOR SHALL INSTALL 8" 3034 PVC SDR-35 SANITARY SEWER PIPE, AS SHOWN. BACKFILL IN ACCORDANCE WITH CITY OF WOODBURN DETAIL 3800-1.
 - (SW) CONTRACTOR SHALL CONSTRUCT STANDARD 6" SIDEWALK, AS SHOWN, PURSUANT TO CITY OF WOODBURN STANDARD DETAIL NO. 4150-8.
 - (SR) CONTRACTOR SHALL CONSTRUCT SIDEWALK RAMP, AS SHOWN, PURSUANT TO ODOT STANDARD DETAIL RD905. TRUNCATED DOMES SHALL BE FIELD FITTED AS SHOWN. SIDEWALK RAMP SHALL NOT EXCEED 8.33% LONGITUDINAL SLOPE AND 2.0% CROSS SLOPE.
 - (WL) CONTRACTOR SHALL INSTALL 8" DUCTILE IRON CLASS 52 PIPE FOR PUBLIC CITY WATER MAIN, AS SHOWN. BACKFILL IN ACCORDANCE WITH CITY OF WOODBURN DETAIL 3800-1. CONTRACTOR SHALL INSTALL THRUST BLOCKING IN ACCORDANCE WITH CITY OF WOODBURN DETAIL 5000-1.
 - (DA) CONTRACTOR SHALL CONSTRUCT 8" CONCRETE DRIVEWAY APPROACH, AS SHOWN, PURSUANT TO CITY OF WOODBURN DETAIL 4150-1.
 - (SP) CONTRACTOR SHALL STRIPE RIGHT-OF-WAY, AS SHOWN, PURSUANT TO ODOT STANDARDS.
 - (FC) CONTRACTOR SHALL INSTALL FLOW CONTROL/ QUALITY CONTROL MANHOLE, AS SHOWN, PURSUANT TO CITY OF WOODBURN SPECIFICATIONS.
 - (AC) CONTRACTOR SHALL CONSTRUCT TYPICAL ASPHALT SECTION, AS SHOWN.
 - (CG) CONTRACTOR SHALL CONSTRUCT TYPE 'A' CURB AND GUTTER, AS SHOWN, PURSUANT TO CITY OF WOODBURN DETAIL 4100-1.
 - (CV) CONTRACTOR SHALL CONSTRUCT TYPE 'C' CURB, AS SHOWN, PURSUANT TO CITY OF WOODBURN DETAIL 4100-2.
 - (RC) CONTRACTOR SHALL RELOCATE EXISTING CATCH BASIN, AS SHOWN.
 - (RP) CONTRACTOR SHALL COORDINATE WITH PGE TO REMOVE AND RELOCATE INSTALL POWER UNDERGROUND.
- NOTE: CONTRACTOR SHALL ABANDON ALL EXISTING STORM, SEWER, AND WATER SERVICES AT THE CONNECTION TO MAIN PURSUANT TO CITY OF WOODBURN STANDARDS.



NO.	DATE	REVISION	BY

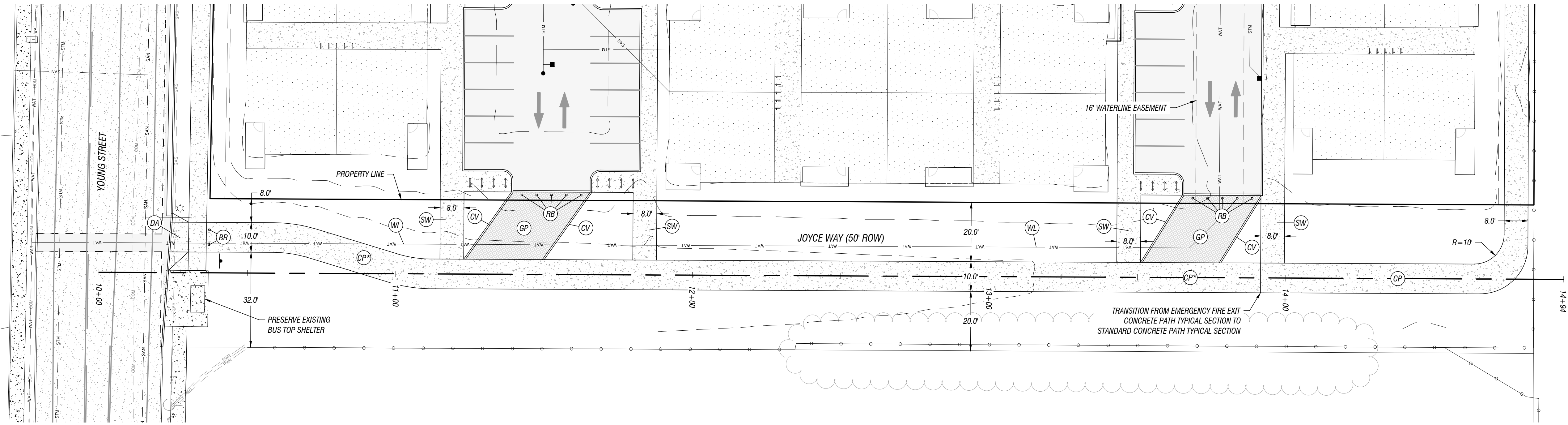
YOUNG STREET APARTMENTS
 PREPARED FOR:
WEST COAST HOMES SOLUTIONS, LLC

2564 19TH STREET SE
 Salem, Oregon 97302
 (503) 399-3828
 www.leiengineering.com

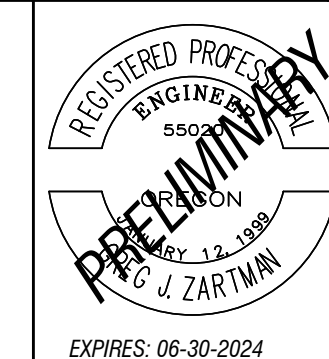
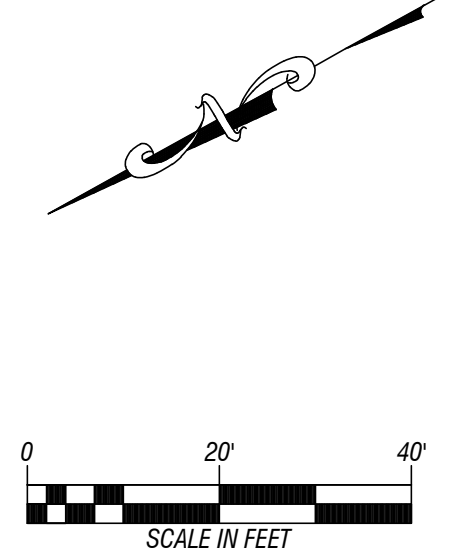
LEI ENGINEERING & SURVEYING OF OREGON

YOUNG STREET
 PLAN AND
 PROFILE
 SCALE: 1" = 20'
 PROJECT NO: 60-11
 SHEET: PP-1
 04 OF 12

1. DATE: 05/20/24
 2. PROJECT: 2554 19TH STREET SE
 3. SHEET: 60-11
 4. SCALE: 1" = 20'
 5. DRAWN BY: J. ZARZMAN
 6. CHECKED BY: G. ZARZMAN
 7. APPROVED BY: G. ZARZMAN
 8. DATE: 05/20/24

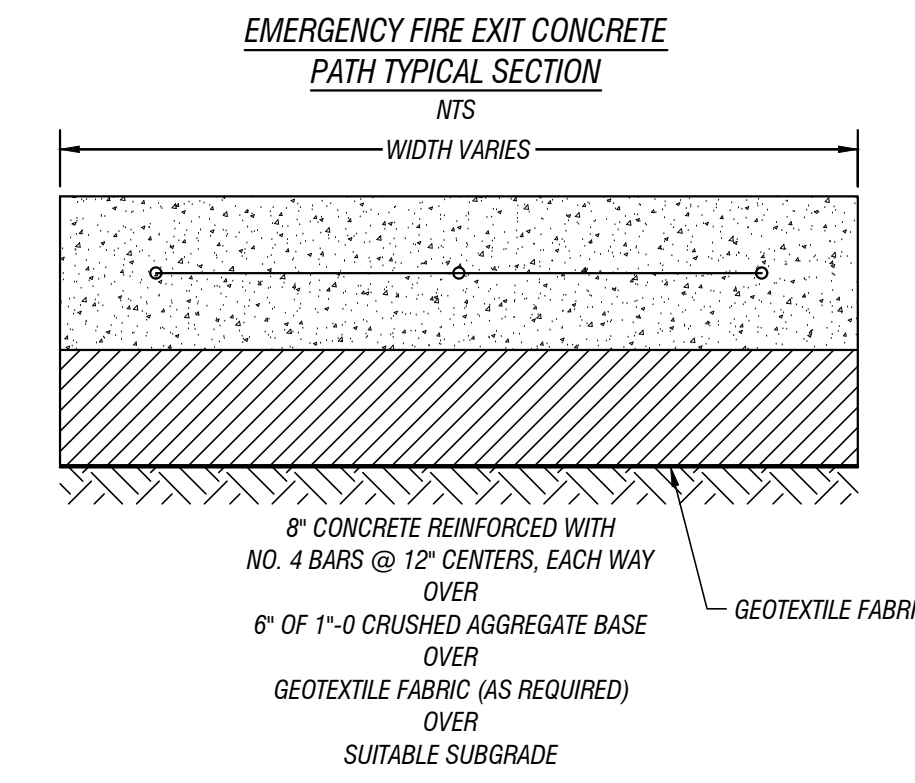
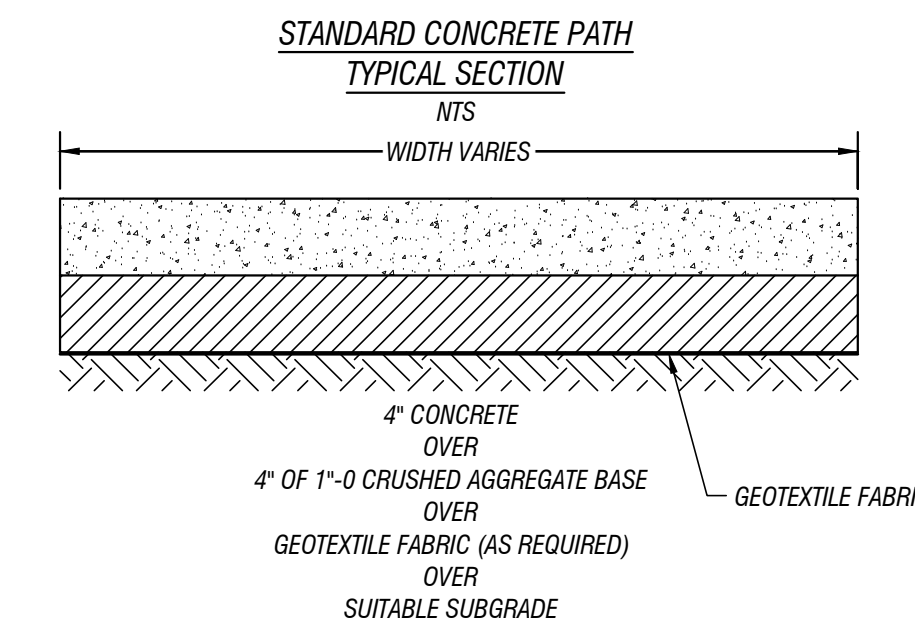
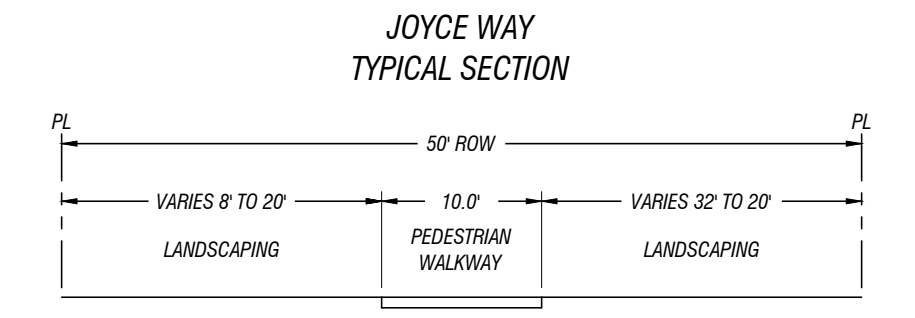
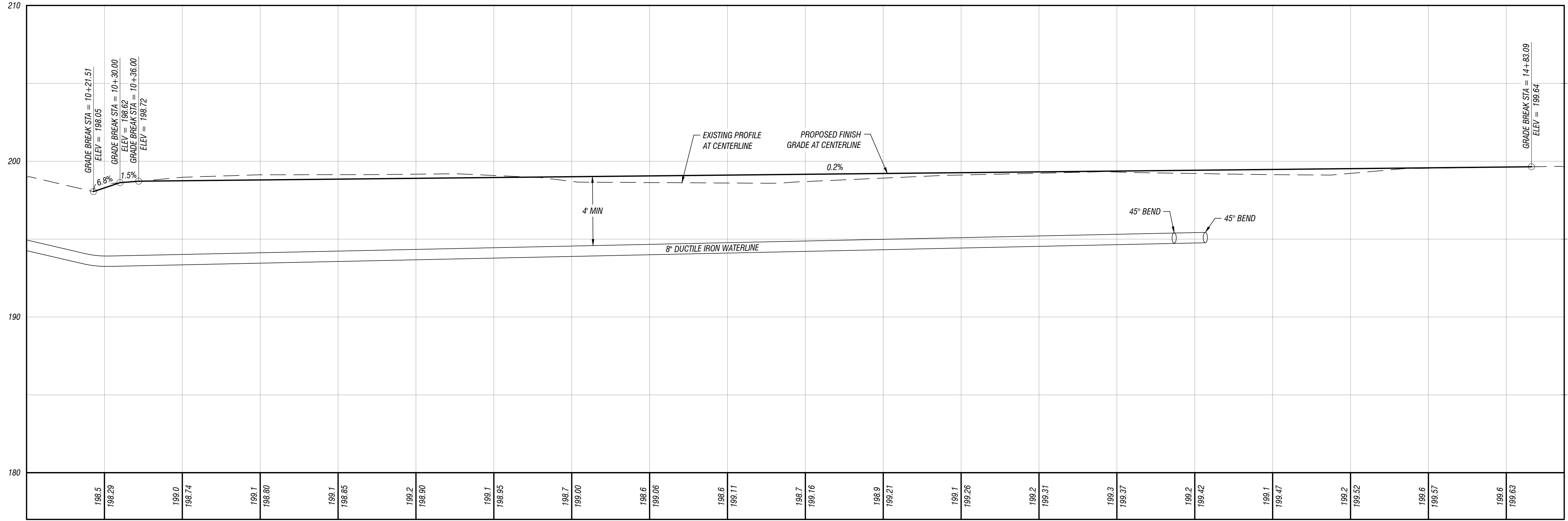


- CONSTRUCTION NOTES:**
- (SW) CONTRACTOR SHALL CONSTRUCT STANDARD SIDEWALK, AS SHOWN, PURSUANT TO CITY OF WOODBURN STANDARD DETAIL NO. 4150-8.
 - (WL) CONTRACTOR SHALL INSTALL 8" DUCTILE IRON CLASS 52 PIPE FOR PUBLIC CITY WATER MAIN, AS SHOWN, BACKFILL IN ACCORDANCE WITH CITY OF WOODBURN DETAIL 3800-1. CONTRACTOR SHALL INSTALL THRUST BLOCKING IN ACCORDANCE WITH CITY OF WOODBURN DETAIL 5000-1.
 - (DA) CONTRACTOR SHALL CONSTRUCT 8" CONCRETE DRIVEWAY APPROACH, AS SHOWN, PURSUANT TO CITY OF WOODBURN DETAIL 4150-1.
 - (CP*) CONTRACTOR SHALL CONSTRUCT EMERGENCY FIRE EXIT CONCRETE PATH TYPICAL SECTION, AS SHOWN, AND SHALL CONFORM TO THE TYPICAL SECTION BELOW.
 - (CP) CONTRACTOR SHALL CONSTRUCT STANDARD CONCRETE PATH TYPICAL SECTION, AS SHOWN, AND SHALL CONFORM TO THE TYPICAL SECTION BELOW.
 - (GP) CONTRACTOR SHALL INSTALL GRASSPAVE, AS SHOWN, PURSUANT TO MANUFACTORY SPECIFICATIONS.
 - (CV) CONTRACTOR SHALL CONSTRUCT TYPE 'C' CURB, AS SHOWN, PURSUANT TO CITY OF WOODBURN DETAIL 4100-2.
 - (RB) CONTRACTOR SHALL INSTALL REMOVABLE BOLLARDS, AS SHOWN.



YOUNG STREET APARTMENTS

WEST COAST HOMES SOLUTIONS, LLC

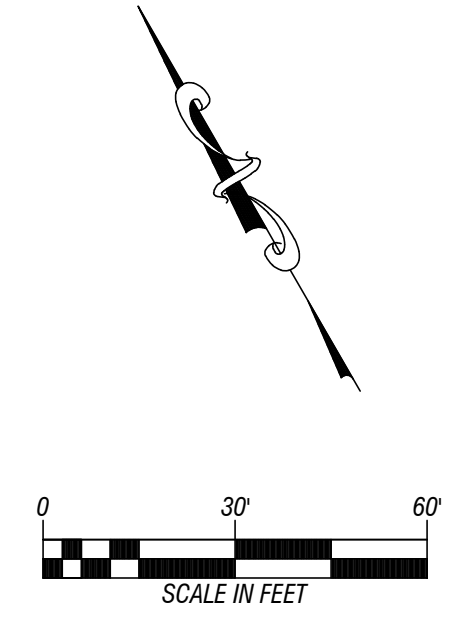
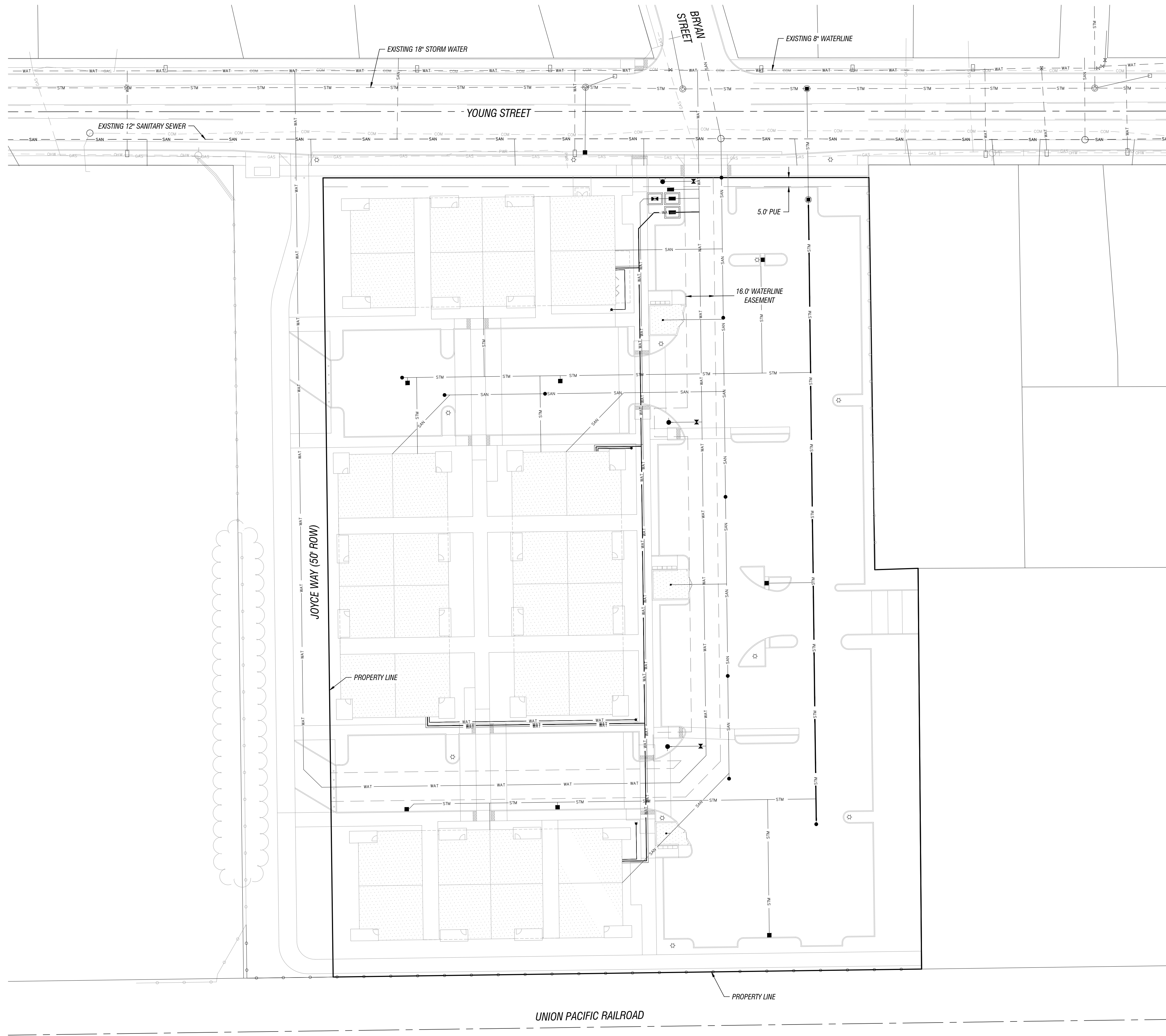


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 Salem, Oregon 97302
 (503) 399-3828
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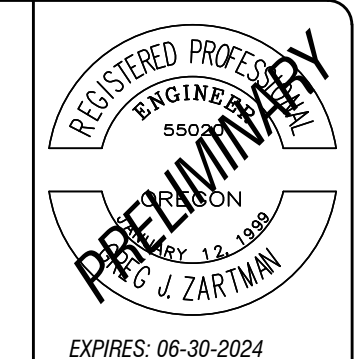
LEI ENGINEERING & SURVEYING OF OREGON

JOYCE WAY PLAN AND PROFILE

SCALE: 1" = 20'
 PROJECT NO: 60-11
 SHEET: 05 OF 12
 PP-2



- GENERAL NOTES:
1. ALL ELECTRICAL SHALL BE PLACED BELOW GROUND. ELECTRICAL FACILITIES AND LAYOUT SHALL BE SUPPLIED BY OTHERS.
 2. ALL TELECOMMUNICATION FACILITIES AND LAYOUT SHALL BE PROVIDED BY OTHERS.
 3. ALL NATURAL GAS FACILITIES AND LAYOUT SHALL BE PROVIDED BY OTHERS.
 4. DRIVEWAY APPROACHES MAY REQUIRE RE-LOCATION OF EXISTING UTILITIES. UTILITY WORK SHALL BE COORDINATED BY THE CONTRACTOR WITH THE RESPECTIVE UTILITY PROVIDER.
 5. CONTRACTOR SHALL ABANDON ALL EXISTING STORM, SEWER AND WATER SERVICES AT THE CONNECTION TO MAIN PURSUANT TO CITY OF WOODBURN STANDARDS.

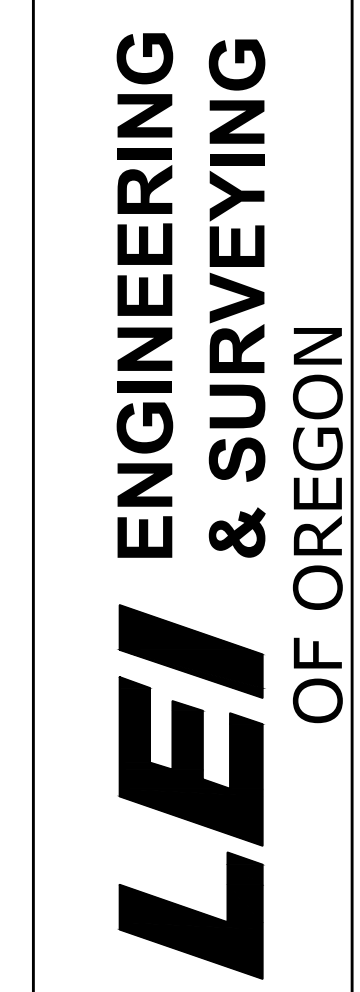


EXPIRES: 06-30-2024
BY: [Signature]
REVISION: [Blank]
DATE: [Blank]
NO: [Blank]

YOUNG STREET APARTMENTS

PREPARED FOR: **WEST COAST HOMES SOLUTIONS, LLC**

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 (503) 399-3828
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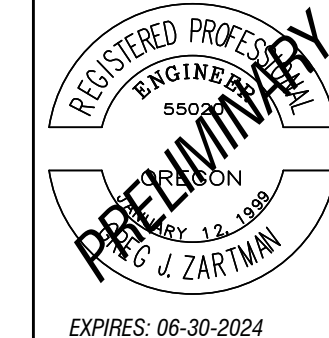
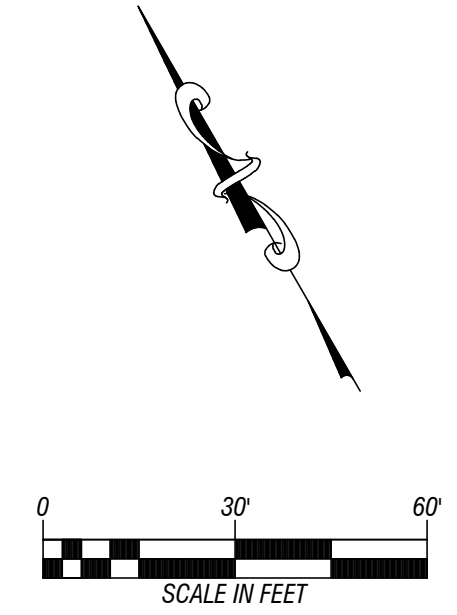
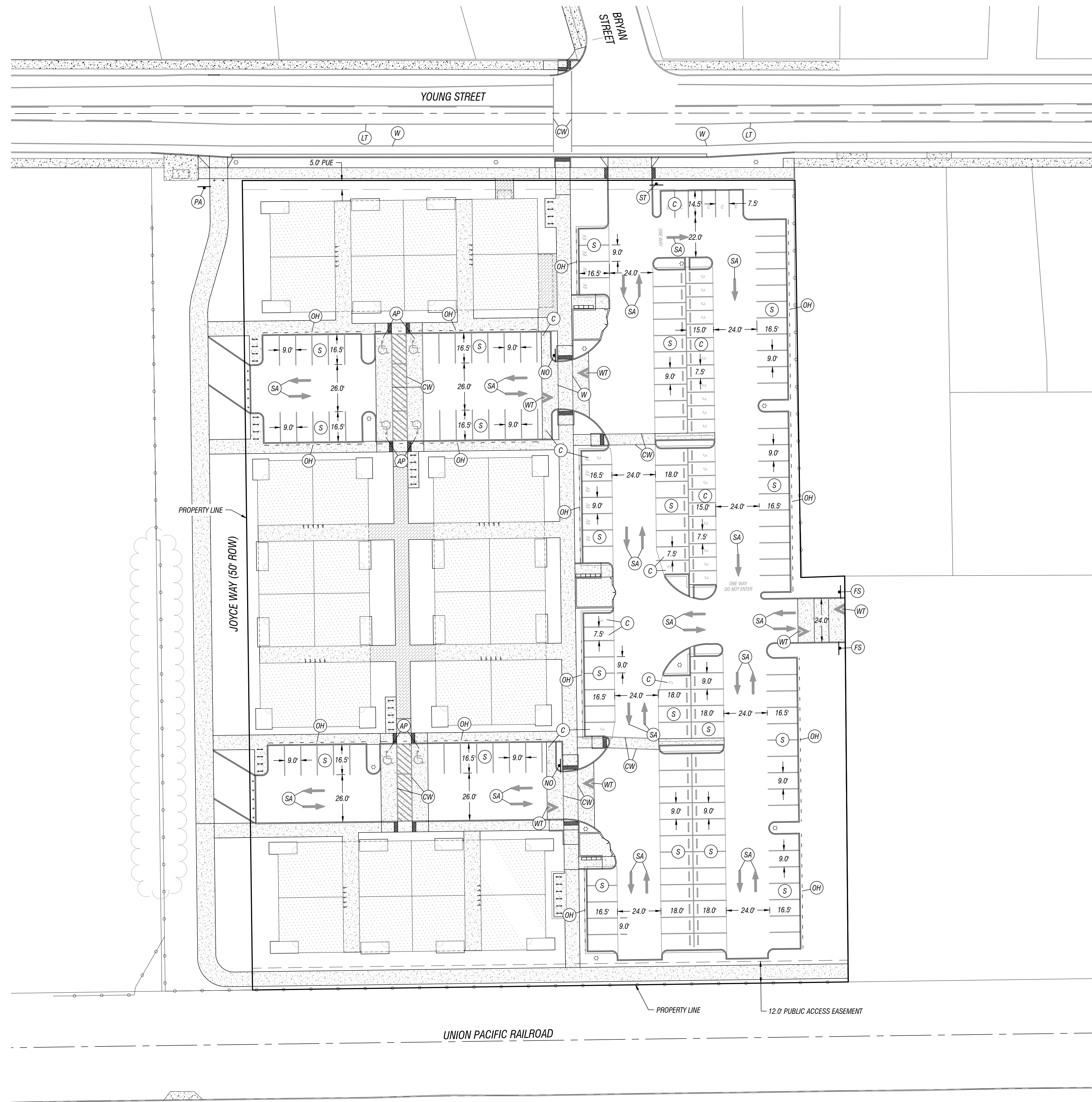
COMPOSITE
 UTILITY
 PLAN

SCALE: 1" = 30'	UT-1
PROJECT NO: 60-11	
SHEET: 07 OF 12	

1. DATE: 07/27/23
 2. PROJECT: 60-11
 3. SHEET: 07 OF 12
 4. SCALE: 1" = 30'
 5. DRAWN BY: [Signature]
 6. CHECKED BY: [Signature]
 7. APPROVED BY: [Signature]
 8. DATE: 07/27/23

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1. DATE: 07/15/2024
 2. PROJECT: 60-11
 3. SHEET: ST-1
 4. SCALE: 1"=30'
 5. DRAWN BY: J. ZARZMAN
 6. CHECKED BY: G. MALINOWSKI
 7. APPROVED BY: G. MALINOWSKI
 8. DATE: 07/15/2024



NO.	DATE	REVISION	BY	APP'D

CONSTRUCTION NOTES:

- (C) COMPACT PARKING STALLS (7.5' X 15'); CONTRACTOR SHALL PAINT 4" WHITE LANE STRIPING, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM500 AND DOUBLE STRIPED PURSUANT TO CITY OF WOODBURN STANDARDS. COMPACT PARKING STALLS SHALL BE PAINTED WITH 12" WHITE LETTERS, "COMPACT ONLY".
- (S) STANDARD PARKING STALLS (9.0' X 18'); CONTRACTOR SHALL PAINT 4" WHITE LANE STRIPING, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM500 AND DOUBLE STRIPED PURSUANT TO CITY OF WOODBURN STANDARDS.
- (AP) CONTRACTOR SHALL PAINT ACCESSIBLE PARKING AREA, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM500.
- (SA) CONTRACTOR SHALL PAINT STRAIGHT ARROW FOR ONE-WAY DRIVE AISLE, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM501.
- (CW) CONTRACTOR SHALL PAINT STANDARD CROSSWALK TWO 1" WHITE BARS, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM503.
- (WT) CONTRACTOR SHALL STRIPE SPEED TABLES WITH WARNING TRIANGLES PURSUANT TO MUTCD FIGURE 3B-30, OPTION A.
- (W) CONTRACTOR SHALL PAINT 4" WHITE LINE, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM500.
- (LT) CONTRACTOR SHALL PAINT TWO-WAY LEFT TURN 4" YELLOW LINES, AS SHOWN, PURSUANT TO ODOT STANDARD DRAWING TM500.
- (OH) STANDARD PARKING 1.5 FT VEHICLE OVERHANG LIMITS.
- (FS) CONTRACTOR SHALL INSTALL CUSTOM 12" X 18" "EXIT YOUNG ST" AND "EXIT HWY 99E" SIGNS, AS SHOWN. SIGNS ARE REQUIRED TO BE INSTALLED AT THE TIME WHEN THE NEIGHBORING SHARED PUBLIC ACCESS IMPROVEMENTS ARE COMPLETE.
- (ST) CONTRACTOR SHALL INSTALL "STOP" SIGN, AS SHOWN.
- (NO) CONTRACTOR SHALL INSTALL "NO OUTLET" SIGN, AS SHOWN.
- (PA) CONTRACTOR SHALL INSTALL 12" X 18", "PATH TO 99E" SIGN, AS SHOWN.

YOUNG STREET APARTMENTS
 PREPARED FOR: WEST COAST HOMES SOLUTIONS, LLC
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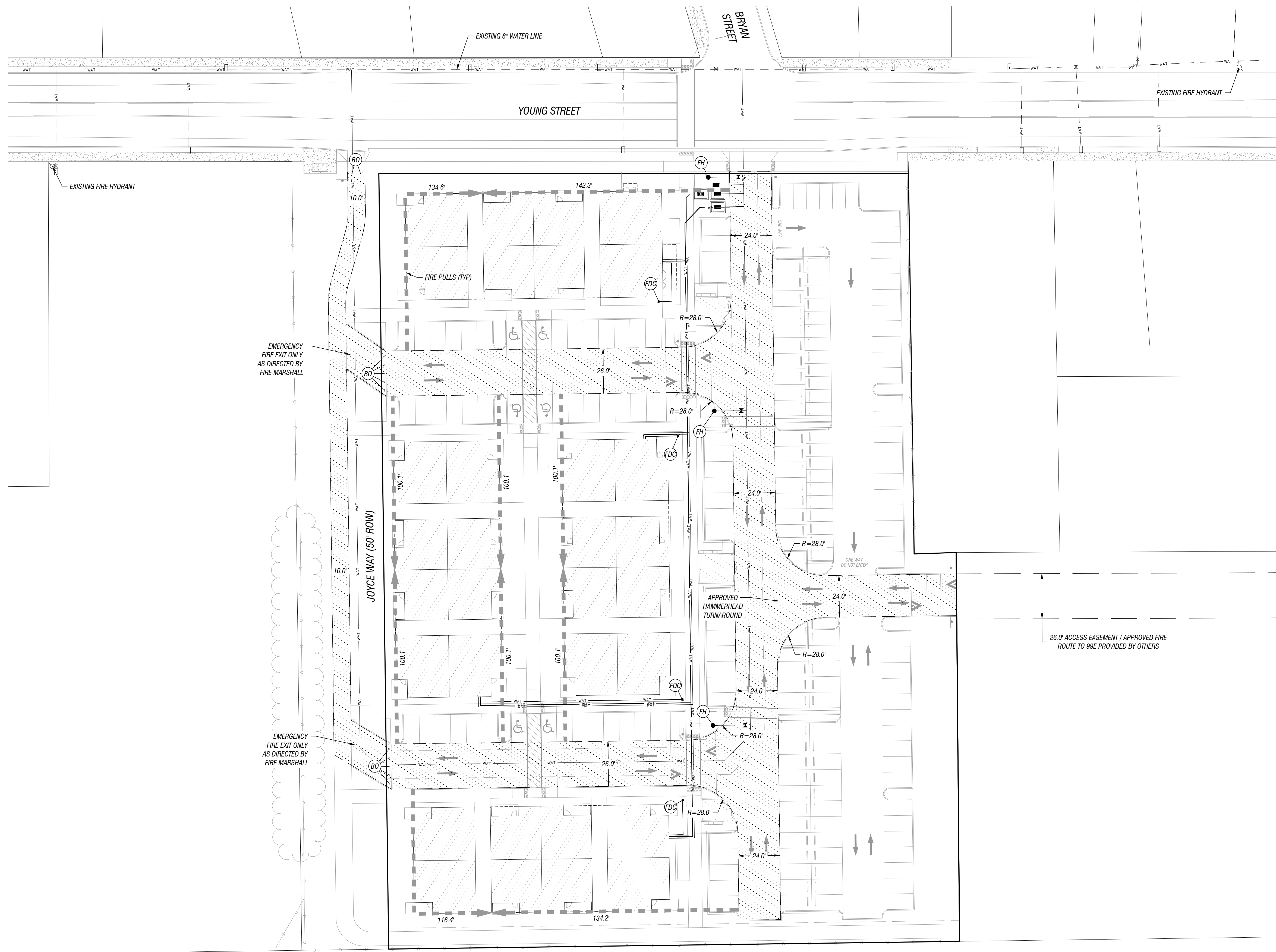
LEI ENGINEERING & SURVEYING
 OF OREGON

STRIPING PLAN

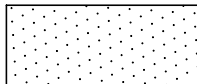



SCALE: 1"=30'	PROJECT NO: 60-11	SHEET: 11 OF 12
---------------	-------------------	-----------------

RELEASE OF DOCUMENT: THIS DOCUMENT, AND THE EGAS AND DESIGN INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF LEI ENGINEERING AND SURVEYING OF OREGON, LLC AND IS NOT TO BE COPIED, WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF LEI ENGINEERING.

1. DATE: 06/12/24 2. DRAWN: G. J. ZARTMAN 3. CHECKED: G. J. ZARTMAN 4. DATE: 06/12/24 5. SCALE: 1/8" = 1'-0" 6. PROJECT NO: 60-11 7. SHEET NO: 12 OF 12 8. PROJECT NAME: YOUNG STREET APARTMENTS 9. CLIENT: WEST COAST HOMES SOLUTIONS, LLC 10. ADDRESS: 2554 19TH STREET SE, SEASIDE, OR 97132

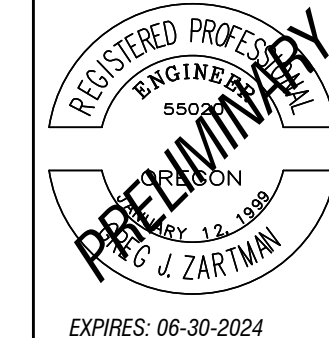
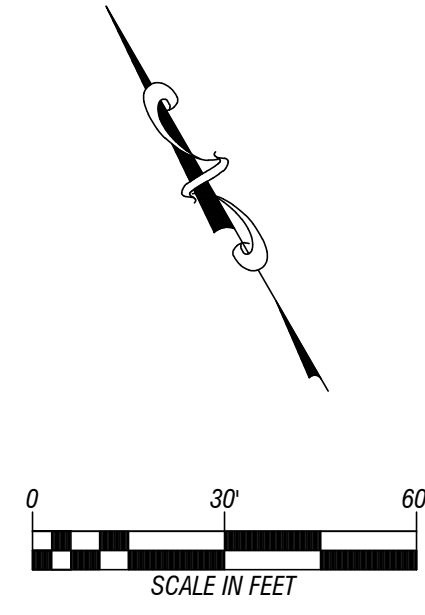


NOTES:

-  FIRE ACCESS LANE
-  FIRE HYDRANT
-  FIRE DEPARTMENT CONNECTION
-  REMOVEABLE BOLLARDS

GENERAL NOTES:

NO OVERHEAD HEIGHT RESTRICTIONS ARE PRESENT WITH PROPOSED FIRE ACCESS PLAN.
 ALL FIRST FLOOR BUILDING FACES ARE LESS THAN 150' FROM THE FIRE ACCESS DRIVE AISLES.



BY	DATE
REVISION	

YOUNG STREET APARTMENTS
 PREPARED FOR: WEST COAST HOMES SOLUTIONS, LLC

2554 19TH STREET SE
 SEASIDE, OREGON 97132
 (503) 399-3828
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LEI ENGINEERING & SURVEYING OF OREGON

FIRE ACCESS PLAN

SCALE	1/8" = 1'-0"
PROJECT NO.	60-11
SHEET	12 OF 12

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**Landscape Planting Requirements:
Street Setback: Young**

REQUIRED PLANTS:	1 PLANT UNIT (PU) / 15 SF	
LANDSCAPE SQUARE FOOTAGE = 2,400 SF	NUMBER OF PLANT UNITS = 160 PU	
Plants	# of Plants	Plant Units
Large Tree	2	20
Medium Tree	4	32
Small Tree	1	4
Large Shrub	18	36
Small / Medium Shrub	66	66
Lawn / Groundcover	851 sf	17
Total Plant Units		175

**Landscape Planting Requirements:
Street Setback: Joyce**

REQUIRED PLANTS:	1 PLANT UNIT (PU) / 15 SF	
LANDSCAPE SQUARE FOOTAGE = 2,829 SF	NUMBER OF PLANT UNITS = 189 PU	
Plants	# of Plants	Plant Units
Large Tree	0	0
Medium Tree	0	0
Small Tree	5	20
Large Shrub	3	6
Small / Medium Shrub	165	165
Lawn / Groundcover	200 sf	4
Total Plant Units		195

**Landscape Planting Requirements:
Common Areas**

REQUIRED PLANTS:	3 PLANT UNITS (PU) / 50 SF	
LANDSCAPE SQUARE FOOTAGE = 10,895 SF	NUMBER OF PLANT UNITS = 654 PU	
Plants	# of Plants	Plant Units
Large Tree	4	40
Medium Tree	9	72
Small Tree	17	68
Large Shrub	37	74
Small / Medium Shrub	398	398
Lawn / Groundcover	5,022 sf	100
Bench	12 lf	6
Total Plant Units		758

**Landscape Planting Requirements:
Off-Street Parking/Loading**

REQUIRED PLANTS:	1 PLANT UNIT (PU) / 20 SF AND REQUIRED TREE PER PARKING SPACES BELOW	
1 SMALL TREE PER 10 PARKING SPACES		
1 MEDIUM TREE PER 15 PARKING SPACES		
1 LARGE TREE PER 25 PARKING SPACES		
LANDSCAPE SQUARE FOOTAGE = 8,940 SF	NUMBER OF PLANT UNITS = 447 PU (NOT INCLUDING REQUIRED TREES)	
NUMBER OF PARKING SPACES = 206 SPACES = 12 MEDIUM TREES AND 3 SMALL TREES		
Plants	# of Plants	Plant Units
Large Tree	3	30
Medium Tree	3	24
Small Tree	3	12
Large Shrub	91	182
Small / Medium Shrub	119	119
Lawn / Groundcover	4,005 sf	81
Total Plant Units		447

Plant Units

SIGNIFICANT TREE = 15 PU
 LARGE TREE = 10 PU
 MEDIUM TREE = 8 PU
 SMALL TREE = 4 PU
 LARGE SHRUB = 2 PU
 SMALL/MEDIUM SHRUB = 1 PU
 LAWN/GROUND COVER = 1 PU / 50 SF
 BENCH = .5 PU / LF

Site Information

TOTAL SITE AREA (SF) = 138,629 SF (3.18 ACRES)
 TOTAL LANDSCAPE AREA = 20,858 SF

General Notes:

1. PLANS ARE PRELIMINARY, NOT FOR BIDDING OR CONSTRUCTION.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND BUILDING DETAILS.
3. STREET TREES SELECTED FROM WOODBURN APPROVED STREET TREE LIST FOR SMALL TREES DUE TO OVERHEAD LINE CONFLICT ON YOUNG STREET.
4. PLANTING REQUIREMENTS SEE THIS SHEET.
5. PLANT SCHEDULE SEE SHEET L1.2.
6. STREET TREE PLANTING DETAIL SEE SHEET L1.2.
7. FINAL PLANTING NOTES AND DETAILS TO BE INCLUDED IN PERMIT SET.
8. IRRIGATION TO BE AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.

Laurus
Designs, LLC



1012 Pine Street
Silverton, Oregon

NOT FOR CONSTRUCTION
SD
 SCHEMATIC
 DESIGN

CBTWO
ARCHITECTS
 500 Liberty Street SE, Suite 100 / Salem, Oregon 97302
 PH: 503.460.8700 / FX: 503.460.8701

OWNER
 WEST COAST HOME SOLUTIONS
 PH: 503.509.5916

CONTRACTOR
 Company name
 PH:

CIVIL ENGINEER
 LEI ENGINEERING &
 SURVEYING OF OREGON, LLC
 PH: 503.399.3828

STRUCTURAL ENGINEER
 MSC ENGINEERS INC.
 PH: 503.399.1399

LANDSCAPE ARCHITECT
 LAURUS DESIGNS, LLC
 PH: 503.784.6494

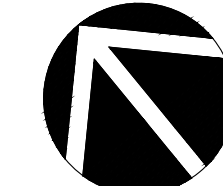
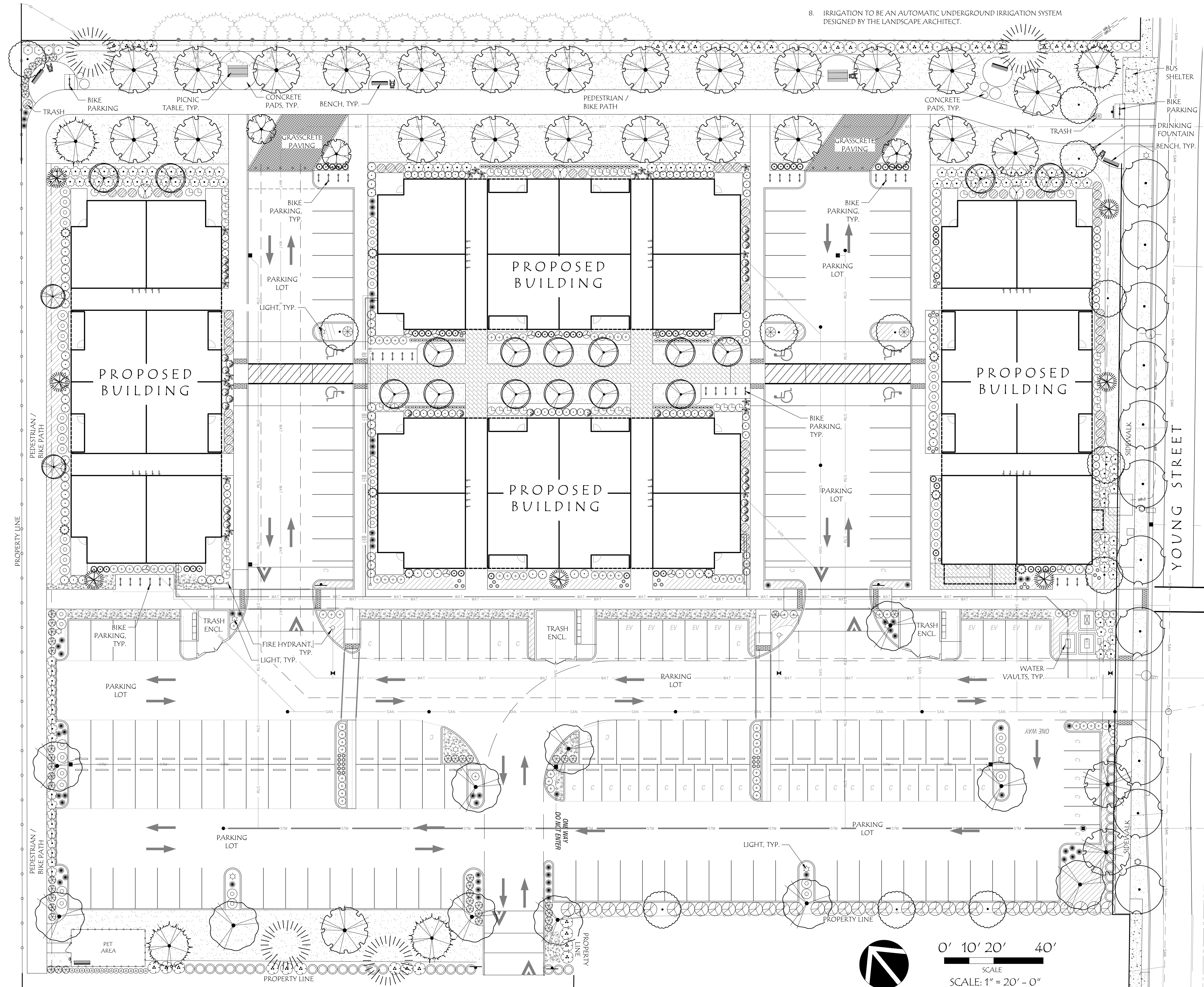
JURISDICTION
 CITY OF WOODBURN
 PH: 503.982.5250

**WEST COAST HOME
 SOLUTIONS**
 WOODBURN, OREGON

Issue:
 Date: November 6th, 2023
 Rev: Description: Date:

**PRELIMINARY
 PLANTING
 PLAN**

L1.1



0' 10' 20' 40'
 SCALE
 SCALE: 1" = 20' - 0"

Preliminary Plant Schedule

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE
	7	Chamaecyparis nootkatensis 'Glauca Pendula' / Blue Weeping Nootka Cypress	6" HT., B&B	Small
	2	Fagus sylvatica 'Dawycck Purple' / Dawycck Purple European Beech	2" Cal., B&B	Small
	9	Juniperus scopulorum 'Blue Arrow' / Blue Arrow Juniper	6" HT., B&B	Small
	3	Lagerstroemia indica / Crape Myrtle	2" Cal., B&B	Small
	26	Nyssa sylvatica 'Wildfire' / Wildfire Tupelo	2" Cal., B&B	Large
	9	Parrotia persica 'Vanessa' / Vanessa Persian Parrotia	2" Cal., B&B	Small
	4	Pinus ponderosa willamettensis / Willamette Valley Ponderosa Pine	6-8" HT., B&B	Large
	3	Prunus serrulata 'Kwanzan' / Kwanzan Japanese Flowering Cherry	2" Cal., B&B	Small
	16	Styrax japonicus 'Pink Chimes' / Japanese Pink Snowbell Dwarf	2" Cal., B&B	Small
	4	Thuja plicata / Western Red Cedar	6-8" HT., B&B	Large
	11	Tilia americana / American Linden	2" Cal., B&B	Large
	11	Zelkova serrata 'Village Green' / Village Green Japanese Zelkova	2" Cal., B&B	Medium

SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
	86	Abelia x grandiflora 'Sherwoodii' / Sherwood Glossy Abelia	2 Gal.
	30	Azalea x 'Mother's Day' / Mother's Day Azalea	2 Gal.
	23	Cistus x purpureus / Orchid Rockrose	3 Gal.
	39	Euonymus alatus 'Compactus' / Compact Burning Bush	3 Gal.
	16	Euonymus japonicus 'Green Spire' / Green Spire Japanese Euonymus	5 Gal.
	61	Leucothoe fontanesiana 'Zelbid' / 'Scarletta' Drooping Leucothoe	2 Gal.
	64	Lonicera pileata / Privet Honeysuckle	2 Gal.
	3	Mahonia aquifolium / Oregon Grape	2 Gal.
	56	Nandina domestica 'Gulf Stream' TM / Gulf Stream Heavenly Bamboo	2 Gal.
	38	Osmanthus x burkwoodii / Burkwood Osmanthus	5 Gal.
	124	Prunus laurocerasus 'Mount Vernon' / Mount Vernon English Laurel	1 Gal.
	53	Prunus laurocerasus 'Otto Luyken' / Otto Luyken English Laurel	3 Gal.
	71	Rhaphiolepis indica 'Ballerina' / Ballerina Indian Hawthorn	2 Gal.
	40	Rhaphiolepis umbellata 'Snow White' / Yedda Hawthorn	3 Gal.
	47	Rosa KnockOut 'Radrazz' / Radrazz KnockOut Rose	3 Gal.
	67	Sarcococca confusa / Sweetbox	2 Gal.
	11	Spiraea japonica 'Goldmound' / Goldmound Japanese Spiraea	2 Gal.
	3	Vaccinium ovatum / Evergreen Huckleberry	3 Gal.

GRASSES / PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE
	51	Calamagrostis x acutiflora 'Karl Foerster' / Karl Foerster Feather Reed Grass	1 Gal.
	105	Liriope muscari 'Big Blue' / Big Blue Lilyturf	1 Gal.
	60	Pennisetum alopecuroides 'Hameln' / Hameln Dwarf Fountain Grass	1 Gal.
	19	Polystichum munifum / Western Sword Fern	1 Gal.

GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING
	392	Arctostaphylos uva-ursi 'Massachusetts' / Massachusetts Kinnikinnick	1 Gal.	30" o.c.
	152	Rubus calycinoides 'Emerald Carpet' / Emerald Carpet Creeping Bramble	1 Gal.	36" o.c.
	20,128 sf	ProTime 301 Water Smarter Fescue or Equal	Seed @ Rate of 7-10 lbs per 1,000 sf	

General Notes:

1. PLANS ARE PRELIMINARY, NOT FOR BIDDING OR CONSTRUCTION.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND BUILDING DETAILS.
3. STREET TREES SELECTED FROM WOODBURN APPROVED STREET TREE LIST FOR SMALL TREES DUE TO OVERHEAD LINE CONFLICT ON YOUNG STREET.
4. PLANTING PLAN SEE SHEET L1.1.
5. PLANTING REQUIREMENTS SEE SHEET L1.1.
6. PLANT SCHEDULE SEE THIS SHEET.
7. STREET TREE PLANTING DETAIL SEE THIS SHEET.
8. FINAL PLANTING NOTES AND DETAILS TO BE INCLUDED IN PERMIT SET.
9. IRRIGATION TO BE AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.

Laurus Designs, LLC



1012 Pine Street
Silverton, Oregon

NOT FOR CONSTRUCTION

SD
SCHEMATIC DESIGN

CBTWO
ARCHITECTS ^{LLC}
500 Liberty Street SE, Suite 100 / Salem, Oregon 97302
PH: 503.460.8700 / FX: 503.460.8701

OWNER
WEST COAST HOME SOLUTIONS
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CONTRACTOR
Company name
PH:

CIVIL ENGINEER
LET ENGINEERING &
SURVEYING OF OREGON, LLC
PH: 503.399.3828

STRUCTURAL ENGINEER
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PH: 503.399.1399

LANDSCAPE ARCHITECT
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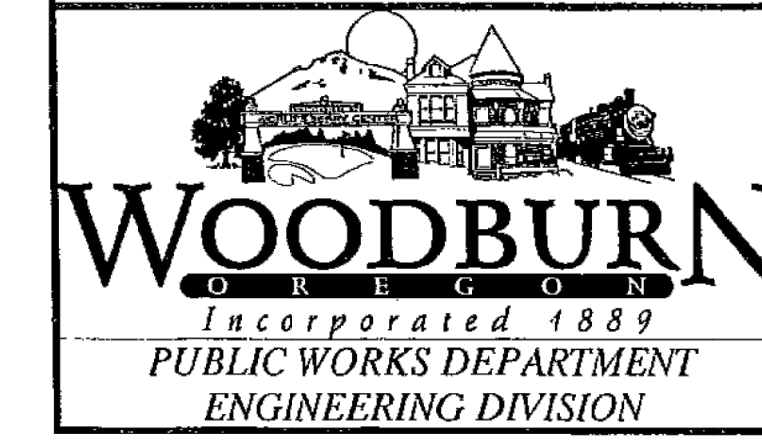
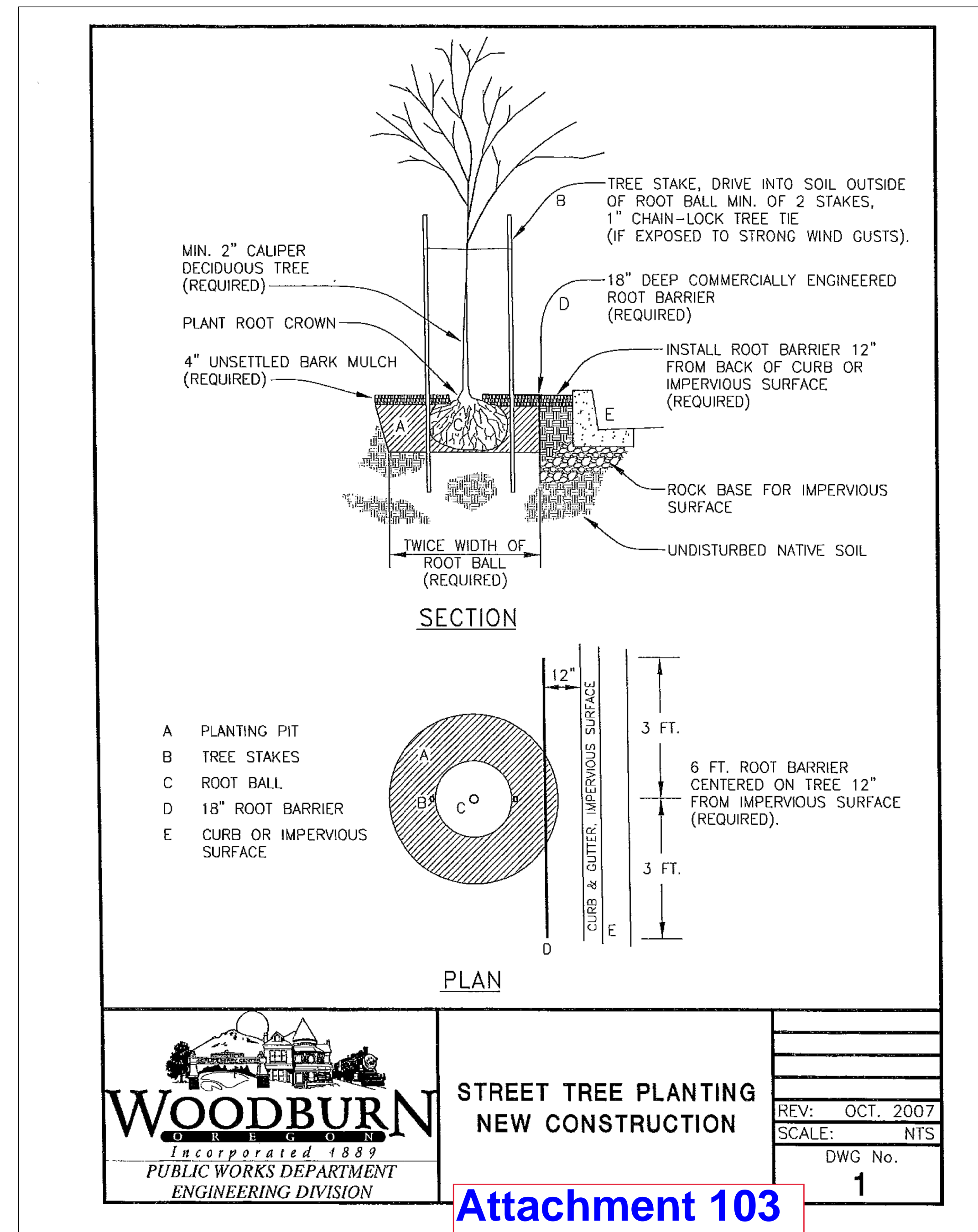
JURISDICTION
CITY OF WOODBURN
PH: 503.982.5250

WEST COAST HOME SOLUTIONS
WOODBURN, OREGON

Issue: _____
Date: November 6th, 2023
Rev: _____ Description: _____ Date: _____

PRELIMINARY PLANT SCHEDULE

L1.2



STREET TREE PLANTING
NEW CONSTRUCTION

REV: OCT. 2007
SCALE: NTS
DWG No. 1

Attachment 103
Sheet 16 of 16

WARRANT AND SALE DEED

RAYMOND C. EQUALL and IDA M. EQUALL, husband and wife,
convey to CITY OF WOODBURN, a municipal corporation of the State
of Oregon, all that real property situated in Marion County, State
of Oregon, described as:

A strip of land 50.0 feet in width off the entire West
side of the following described real property:

Beginning at a point which is North 60°45' West 5.04
chains from the intersection of a West boundary line of
the E. C. Cooley Donation Land Claim in Township 5 South,
Range 1 West of the Willamette Meridian in Marion County,
Oregon; with the center of the track of the Woodburn-
Springfield Branch Railroad, formerly the Narrow Gauge
Oregon Railroad; running thence North 29°15' East 7.715
chains to the center of Young Street; thence South 60°45'
East along the center of Young Street, 90 feet; thence,
South 29°15' West 7.715 chains to the center of said
Narrow Gauge Railroad track; thence North 60°45' West
90 feet to the place of beginning, being situated in the
B. S. Bonney Donation Land Claim in Township 5 South,
Range 1 West of the Willamette Meridian in Marion County,
Oregon.

The true and actual consideration for this transfer
consists of other property received in trade.

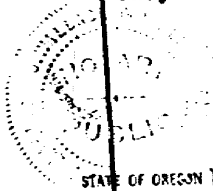
DATED this 12th day of September, 1969.

Raymond C. Equall
Raymond C. Equall
Ida M. Equall
Ida M. Equall

STATE OF OREGON }
County of Marion } ss.

On September 12, 1969, personally appeared before
me the above-named RAYMOND C. EQUALL and IDA M. EQUALL, husband and
wife, and acknowledged the foregoing instrument to be their volun-
tary act.

889933



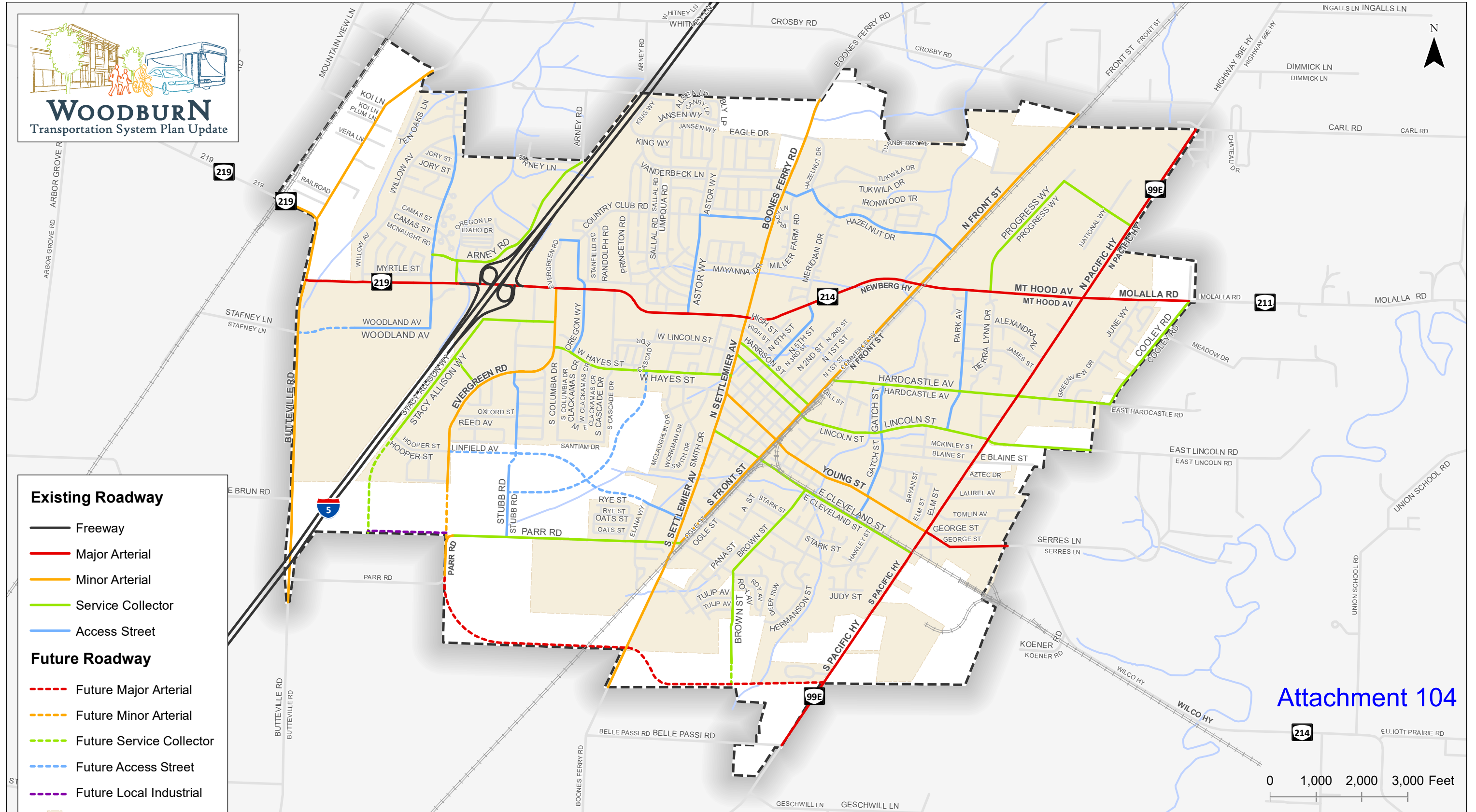
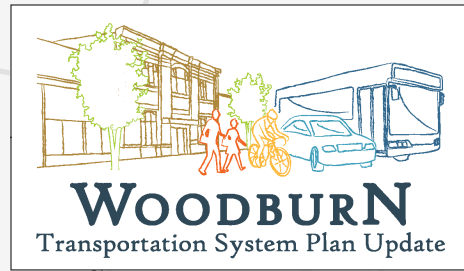
Wallace G. L.
NOTARY PUBLIC FOR OREGON
My Commission Expires 10-1-69

889933

STATE OF OREGON } ss. I hereby certify that the within was received at 2:55 o'clock PM on the MAY 22 day of 1970 and duly recorded by me in
County of Marion } Marion County Records Book of Deeds Records Volume 683 Page 693 W. H. W. Lunde
County Recorder

Page 1 - BARGAIN AND SALE DEED.

GUTZLER & DAVIS
ATTORNEYS AT LAW
WOODBURN, OREGON 97071
P.O. Box 276



- 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 104

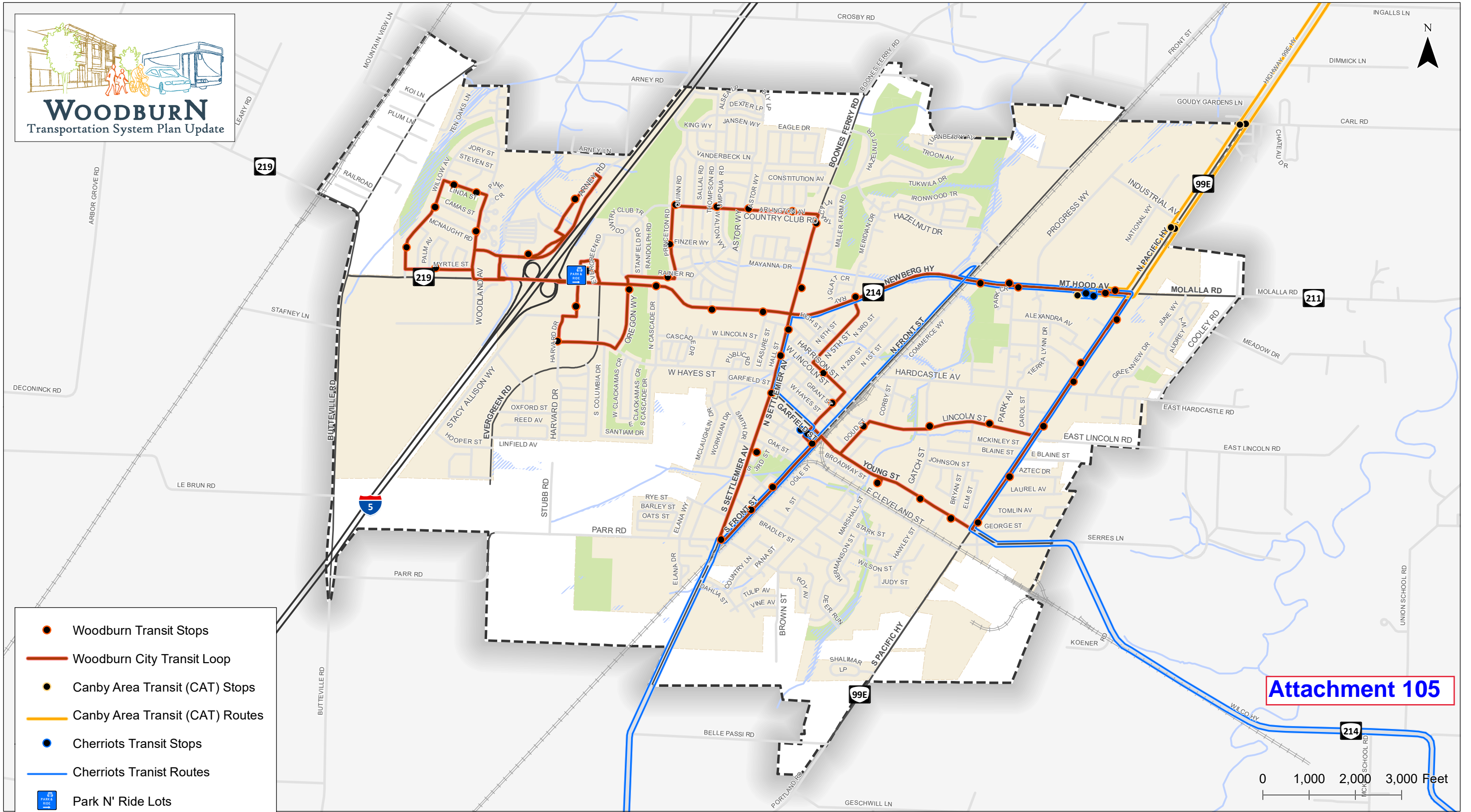
0 1,000 2,000 3,000 Feet

**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 105

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 - rnmccormick - 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

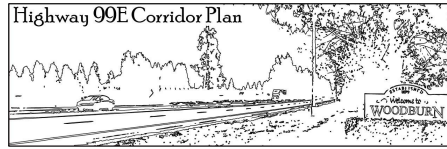
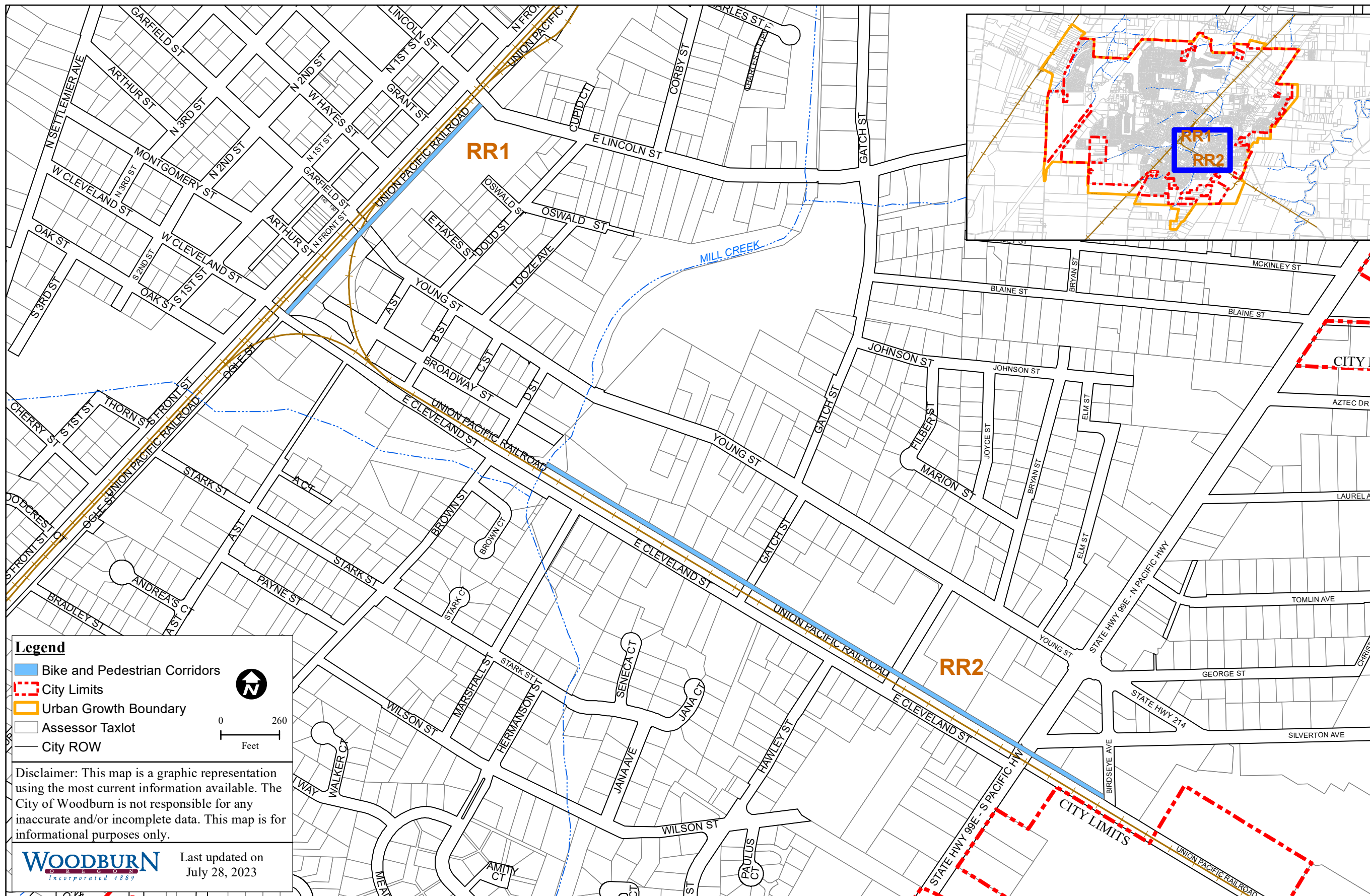


Figure 6: Redevelopment Potential in Young Street Mixed Use District



0 75 150 300 450 600 Feet

WDO Table 3.01A Row 1b Bicycle/Pedestrian Corridors RR1 & RR2



Legend

- Bike and Pedestrian Corridors
- - - City Limits
- ▭ Urban Growth Boundary
- Assessor Taxlot
- City ROW

0 260
Feet

Disclaimer: This map is a graphic representation using the most current information available. The City of Woodburn is not responsible for any inaccurate and/or incomplete data. This map is for informational purposes only.

WOODBURN
Incorporated 1889

Last updated on
July 28, 2023

BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes

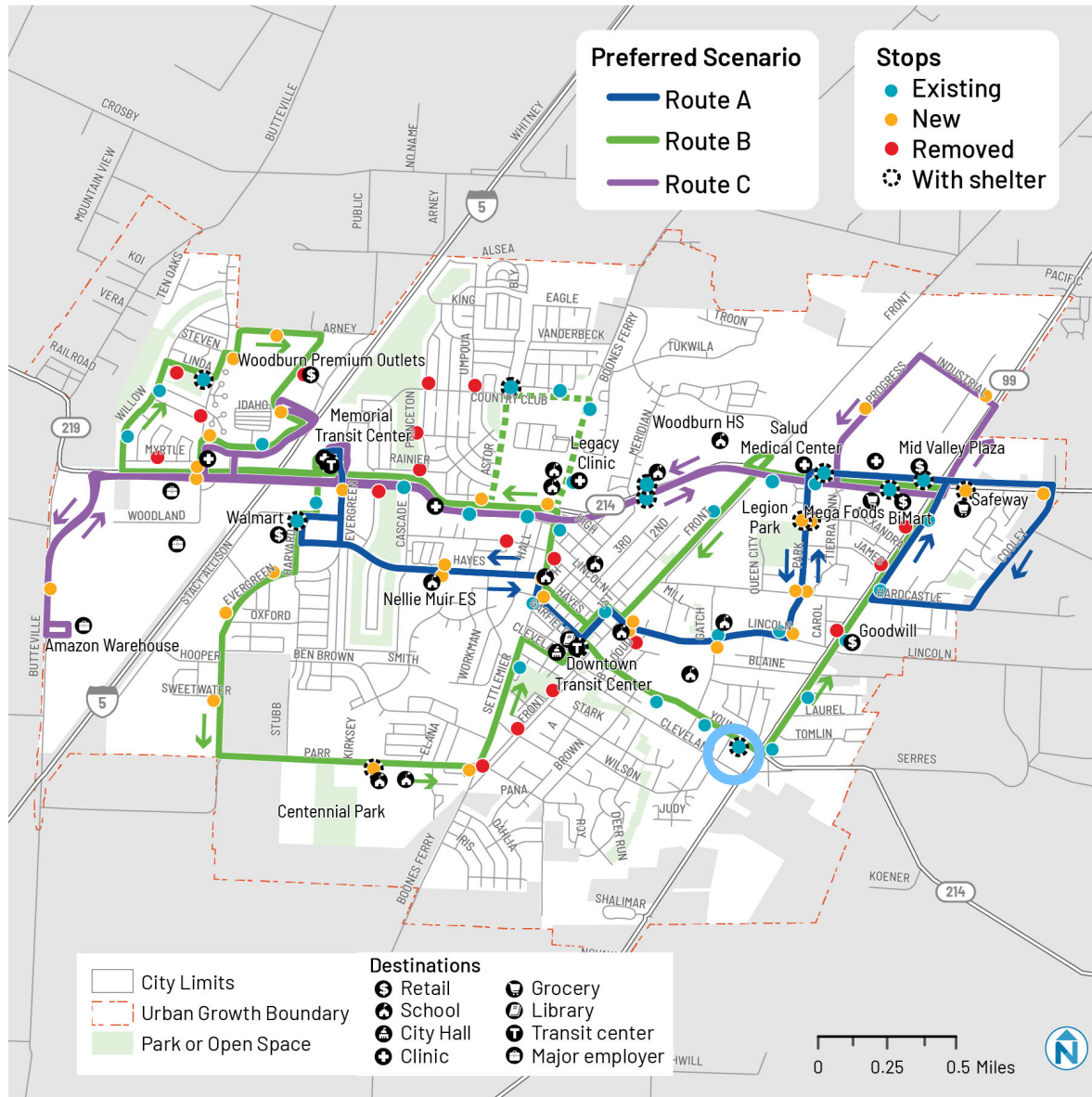


Figure 63 shows all existing, new, and removed bus stops that correspond to the Preferred Service Plan. New stops are required in areas where service is added and stops where service is eliminated would need to be removed. The following is a summary of where stops are added or removed.

- 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 108

DR 22-06 1030 Young Street Apartments: 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.
- “Bicycle/Pedestrian Corridor RR2” refers to the bicycle/pedestrian corridor established by WDO 3.01.07 through Table 3.01A, row 1b.
- “C of O” refers to building certificate of occupancy.
- “CAE” refers to cross access easement, a.k.a. a shared 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. CEP follows land use review and approval, that is, a final decision, and either precedes building permit application or is part of building permit review.
- “Corridor RR2” refers to Bicycle/Pedestrian Corridor RR2.
- “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 OR 99E.
- “H99ECP” refers to the Highway 99E Corridor Plan adopted via Ordinance No. 2492 on July 9, 2012.
- “inc.” means including.
- “Joyce Path” refers to a bicycle/pedestrian path within and along Joyce Way.
- “Joyce Way” refers to an unimproved unnamed City ROW 50 feet (ft) wide that runs northerly-southerly between 960 and 1030 Young Street (Tax Lots 051W18AD08300 & 051W18AD08400) and extends to Young at the north and Willamette Valley railroad at the south. County Tax Map 051W18AD delineates it. (City Planning staff has referred to it as “Joyce Way” since the time of pre-application meeting PRE 2020-04 on February 27, 2020 because that is the same name as the nearest street to the north along an imaginary line, Joyce Street, and WDO 3.01.06C.1d lists the suffix “Way” as an acceptable one.) (Attachment 103A is the 1970 bargain and sale deed creating it.)
- “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 99E” refers to Oregon Highway 99E.
- “ORS” refers to Oregon Revised Statutes.
- “Path RR2” refers to the bicycle/pedestrian path within Bicycle/Pedestrian Corridor RR2 established by WDO 3.01.07 through Table 3.01A, row 1b.
- “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. Prior to beginning recordations of all 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.
 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.”
- “TPU” means the Transit Plan Update Approved Final Report dated November 8, 2010 (Resolution No. 1980).
- “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”, a.k.a. a sight triangle, refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes.
- “Young St” refers to Young Street.

DR 22-06 1030 Young Street Apartments:

Attachment 202: Setbacks

Table 202. DR 22-06 1030 Young Street Apartments Setback Standards						
<i>Yard</i>	<i>Buildings</i>		<i>Setbacks (ft)</i>		<i>Encroachments & Projections Max (ft)</i>	
			<i>Min</i>	<i>Max</i>	<i>Within 14 ft of Grade</i>	<i>At and Above 14 ft from Grade</i>
<i>1. North</i>	<i>a. Primary</i>	(1) Height band 1: Within 10 ft of grade:	Equal to whichever is greater depth: (A) Equal to a streetside PUE width that conforms with the min 5 ft or max 8 ft per WDO 3.02.01B & F.2; or (B) That the main wall planes of ground floor dwellings are set back min 8 ft from south edge of sidewalk.	Per WDO Table 2.03E (15 ft)	Max 2 ft, except none permissible into PUE.	n/a
		(2) Height band 2: Between at 10 ft or less than 14 ft from grade:	Equal to a streetside PUE width that conforms with the min 5 ft or max 8 ft per WDO 3.02.01B & F.2	Per WDO Table 2.03E (15 ft)	Max 2 ft, except none permissible over PUE.	n/a
		(3) Height band 3: At and above 14 ft from grade:	2 ft	Per WDO Table 2.03E (15 ft)	n/a	Equal to min setback (i.e. full projection)
	<i>b. Accessory</i>	Same as primary	Same as primary	Same as primary	Same as primary	
<i>2. South</i>	<i>a. Primary</i>	18	No max	None permissible, except roof edge max 2 ft if min 10 ft above grade	4	
	<i>b. Accessory</i>	18	No max	Same as primary	4	
<i>3. East</i>	<i>a. Primary</i>	5	No max	2	2	
	<i>b. Accessory</i>	5	No max	2	2	
<i>4. West</i>	<i>a. Primary</i>	5	15	5 (i.e. full)	5 (i.e. full)	
	<i>b. Accessory</i>	5	10	5 (i.e. full)	5 (i.e. full)	



City of Woodburn
Community Development Dept.

Memorandum

270 Montgomery Street Woodburn, Oregon 97071 Phone (503) 982-5246 Fax (503) 982-5244

Date: June 8, 2022
To: Interpretations file
Through: Chris Kerr, AICP, Community Development Director
From: Colin Cortes, AICP, CNU-A, Senior Planner *CC.*
Subject: **Interpretation:** Off-Street Public Bicycle/Pedestrian Facility Specifications (INT 22-0608)

Background

Following Ordinance No. 2602 (Legislative Amendment LA 21-01) effective June 8, 2022, Woodburn Development Ordinance (WDO) 3.01.07 "Off-Street Public Bicycle/Pedestrian Corridors" in subsection 3.01.07D establishes three classes of facilities: A, B, & C.

Specifications

This memo establishes the improvement specifications for each facility class.

Abbreviations: "ft" = feet, "min" = minimum, "max" = maximum.

Part A

Class	Pavement Min. Width (ft)	Context
A	12	WDO 3.01.07D.1 & 3.01.08. "Mill Creek Greenway"
B	10	WDO 3.01.07D.2
C	8	WDO 3.01.07D.3 & 3.01.05C.4. (land division connection paths or shortcut paths)




Part B


1. Pavement type: Either or combination of:
 - a. Asphalt: Min 4 inches of hot mix asphalt (Level 3) atop min 8 inches of 1-inch minus crushed aggregate base course. ADA-compliant.
 - b. Poured concrete: Same specifications as for sidewalk per public works construction code.
2. Clear zones / shoulders:
 - a. Min width 2 ft, 1 each side.
 - b. Gravel: Where and if the Public Works Director or designee requires 1 ft width of gravel along each facility that the City would maintain, place so that the gravel finished grade is sloped such that, at the facility, the gravel is min. 1 inch below the path finished grade and, at 2 ft from path edge, it is 2 inches min below path finished grade.
3. Furniture and tree planting zones (“furniture zones”):
 - a. Class A: 2 min, 1 each side, min width 6 ft each.
 - b. Class B: 2 min, 1 each side, min width either 5 ft each or 8 ft on south, southwest, or west side of facility and 2 ft on remaining north, northeast, or east side.
 - c. Class C: 1 min on south, southwest, or west side of facility, min width 5 ft.
4. Landscaping:
 - a. Trees: Per WDO Tables 3.06A (5. “common area”), B, & C and:
 - (1) Number: Min number equal to and at approximate spacing of 1 to 30 (1:30).
 - (2) Placement: Within tree planting zones and:
 - (a) Inner: No closer than at clearance zone / shoulder.
 - (b) Outer: No closer to outer edge of tree planting zone than 3 ft.
 - (3) Species: Any except what WDO Table 3.06C, footnote 1 prohibits near right-of-way (ROW).
 - b. Other than trees: Remaining area planted per WDO Table 3.06A, row 5 (common areas), & Table 3.06B.
 - c. Irrigation: Required:
 - (1) For facility that remains privately maintained: Per WDO 3.06.02B.
 - (2) For City-maintained facility: Per Community Services Director or Public Works Director or designee.
5. Amenity and support facility standards: Per Table INT 22-0608B below:

**Table INT 22-0608B
Off-Street Public Bicycle/Pedestrian Facility and Greenway
Amenities and Support Facilities**



Amenity Type	Minimum Number ^{1,2} by Class:			Specifications ³
	A	B	C	
 Bench	1 per 125 lineal ft of facility, equal to 8 per 1,000	Same as Class A	2 per corridor segment within a city block	Min width 6 ft; min 75% with backs. Place along paths and sidewalks, set back at clearance zones / shoulders, and on at least 6 by 4 ft of pavement material that WDO 3.04.04 allows. If other than poured concrete, pour concrete for bench post footings. For City-maintained facility, the City spec model (with back) is Dumor Bench 88-60PL in “cedar” color and with support posts in black. Where both City-maintained facility and within a plaza, the applicable City spec would be Oregon Corrections Enterprises (OCE) 702-066-006 surface mount. See OCE Outdoor/Shelters category “Parks and Recreation” catalog .
 Picnic bench	1 per 250 lineal feet of facility, equal to 4 per 1,000	n/a	n/a	Where a shelter is relevant, place in it. Min 1 ADA-accessible from a sidewalk or path. For City-maintained facility, the City spec model is Tree Top Products 46” SuperSaver Commercial Square Picnic Table in black (SKU 1WG5685-KB), and the standard ADA model is SKU #1WG5686-BK. Min 1 ADA-compliant. Where both City-maintained facility and within a plaza, the applicable City spec would be Tree Top Products 1ZV6247 (“Northgate”) , and the standard ADA model is 1ZV6248.
 Bicycle parking	2 stalls per 200 lineal feet of facility, equal to 10 per 1,000	4 stalls per corridor within a city block	2 stalls per corridor within a city block	Per WDO 3.05.06. For City-maintained facility, the City spec model is any of: (a) Oregon Corrections Enterprises (OCE) “single bike rack” powder coated black, model #718-012-006 (first priority; see OCE Outdoor/Shelters category “Parks and Recreation” catalog .); (b) Dumor Bike Rack 290-00/S-2 powder-coated black surface mount; or, (c) per City of Portland Bureau of Transportation (PBOT) Standard Drawing No. P-576 “Bike Rack” , in black.

	<p>Applicable if Public Works Director or designee requires at any facility interface with a street where there is a driveway, or approach / apron / curb cut / ramp, other than a public driveway, that conceivably a poor driver could attempt to drive up.</p>	<p>Same as Class A</p>	<p>Same as Class A</p>	<p>For City-maintained facility, the spec model is Uline Heavy Duty Safety Bollard 5½ by 42 inches, Removable.</p>
	<p>1 installation per 400 lineal feet of facility, equal to 2.5 per 1,000</p>	<p>1 per corridor within a city block</p>	<p>n/a</p>	<p>For City-maintained facility, the City spec model is Mutt-Mitt Mini Dog Waste Station 1000/1002 "Mini Dispenser Station" in green.</p>
	<p>Applies only where a corridor overlaps, will overlap because of the development, or abuts public potable water and sanitary sewer lines.</p>	<p>2 installations per corridor within a city block</p>	<p>n/a</p>	<p>For City-maintained facility, the City spec model is Most Dependable Fountains model 440 SM, in green, with attached pet fountain.</p>
<p>Seat walls (optional)</p>	<p>No min; option in place of bench.</p>			<p>A developer may substitute a bench with a seat wall 6 ft wide min by 1½ ft deep and high, the height including a 2-inch cap of smoother concrete. Not eligible within streetside or off-street public utility easement (PUE).</p>
<p>Signage</p>	<p>1 per junction with each of any sidewalk, trail spur open to public, or other path open to public.</p>	<p>Same as Class A</p>	<p>Same as Class A</p>	<p>Wayfinding: Min sign faces per installation as follows: Either 2 each min 12 by 18 inches or 1 min 12 by 24 inches.</p> <p>For Class A and B facilities, the developer is to base the sign face copy on Portland metro regional government Metro</p>

				<p>“The Intertwine Regional Trails Signage Guidelines” (November 2017, 2nd Ed. or later). See examples in Figure INT 22-0608 below.</p> <p>Park rules: For City-maintained facility, 1 park hours/rules sign per sign face copy specification separate from the WDO, applying only to land conveyed/dedicated/deeded to the City. Consult the Community Services Director.</p>
<p>Trash receptacle</p> 	<p>1 receptacle per 400 lineal feet of trail, equal to 2.5 receptacles per 1,000</p>	<p>2 per corridor within a city block</p>	<p>n/a</p>	<p>For City-maintained facility and other than within plaza, the City spec model for the trash receptacle is Dumor 41-40PL-RC 40-gallon in “cedar” color and with support post in black.</p> <p>Where both City-maintained facility and within a plaza, the applicable City spec would be Oregon Corrections Enterprises (OCE) 744-101-006 surface mount. (See OCE Outdoor/Shelters category “Parks and Recreation” catalog.)</p>
<p>1. Rounding: If the calculation results in a number ending in less than .50, round down. If equal to .50 or greater up to .99, round up. Where a facility crosses a right-of-way (ROW), the developer may subtract ROW width from facility total length.</p> <p>2. The developer use of a Phasing Plan per WDO 5.03.05 does not preclude calculation of minimums for a development as a whole.</p> <p>3. The Assistant City Administrator or Community Development Director may in writing administratively modify or specify more detail about specifications, including when a vendor or model becomes defunct. The Public Works Department Engineering Division may supersede greenway amenity / support facility specifications through the public works construction code specifying greater standards for such.</p> <p>4. Where a development dedicates land to the City for a park or parks and where not greenway, this table would be applicable also to off-street public bicycle/pedestrian facilities on the land as park improvement standards, unless the Assistant City Administrator in writing otherwise directs. Where unpaved paths or trails are proposed or required, they must be hazelnut shells poured min 2 inches or wood chips poured min 4 inches.</p>				

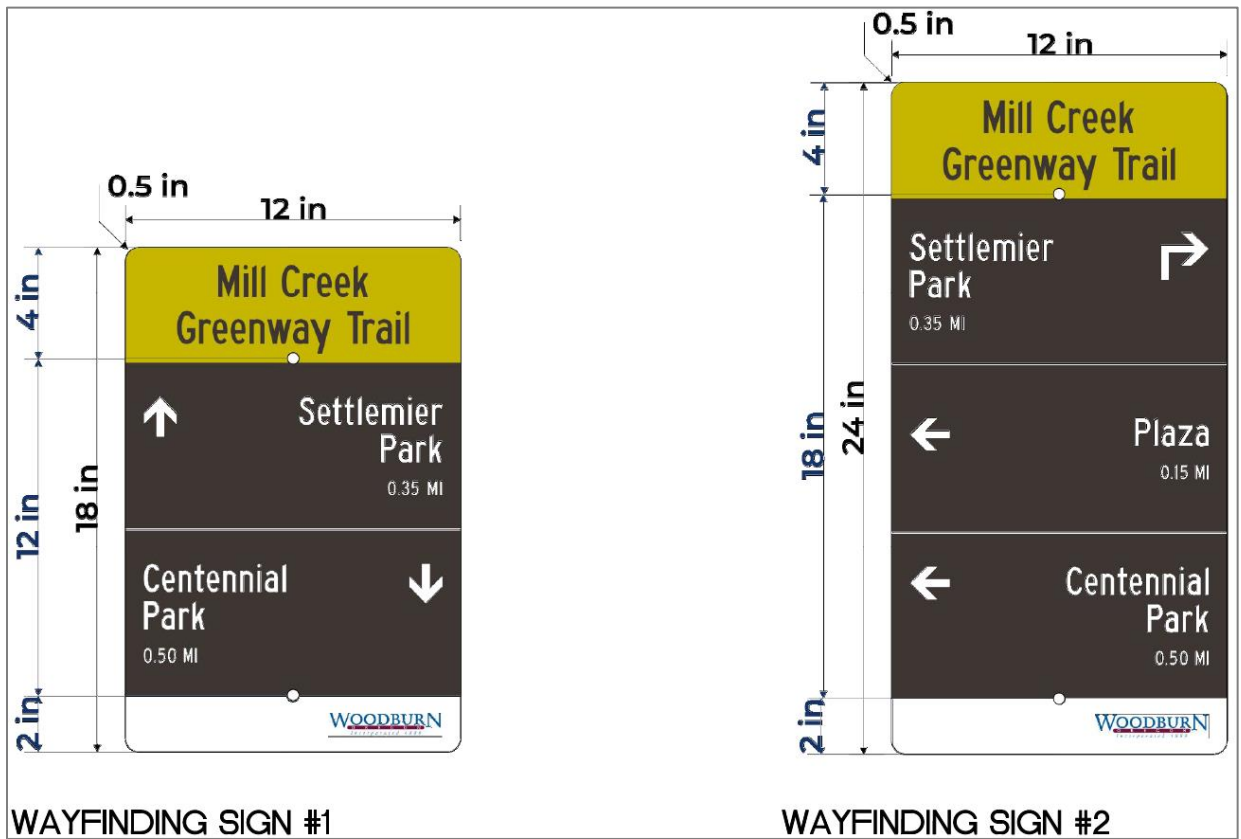


Figure INT 22-0608 – Off-Street Public Bicycle/Pedestrian Facility Signage Models 1 & 2

The Assistant City Administrator or Director can modify an improvement specification upon request by a developer.

Affirmed,



Chris Kerr, AICP
Community Development Director

DR 22-06 1030 Young Street Apartments:

Attachment 204: Joyce Way & Bicycle/Pedestrian Corridor RR2

This attachment implements the conditions of approval related to:

- A. Joyce Way bicycle/pedestrian improvements in place of half-street improvements;
- B. Bicycle/Pedestrian Corridor RR2 City/public provision of the segment of this corridor on the subject property per WDO Table 3.01A row 1b, specifically if instead of the first method – dedication as a tract – it is through the second method, the granting of one or more public easements;
- C. Bicycle/Pedestrian Corridor RR2 improvements; and
- D. Joyce Way as an emergency access fire lane.

Part A. Joyce Way Improvement Specifications:

Per Condition V4, Consistent with Comprehensive Plan Policies F-1.4, H-1.3, & H-1.4 (pages 25 & 34) and Highway 99E Corridor Plan (H99ECP), Technical Memorandum #5 section “Bicycle and Pedestrian Access from Local Streets” (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.04B.1 and Figure 3.01G, and with variance the applicable means of deviation per WDO 3.01.02D, 3.01.03C.1, & 5.02.04A, improvements shall be per the below:

1. Objective: The Joyce Way ROW improved as a public off-street bicycle/pedestrian corridor with Joyce Path, landscaping, amenities, and support facilities; that connects Young St sidewalk and the Bicycle/Pedestrian Corridor Path RR2; and that has spur connections to the development walkway system.
2. ROW & PUE: Pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require Joyce Way ROW or Joyce Way streetside PUE.
3. Due date: See Condition G4.
4. Improvements: To the specifications of [WDO interpretation](#) memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022; Attachment 203), and premised on Class B. In any case, Joyce Path pavement min width shall be 10 ft.
5. Additional specifications:
 - a. Length: The Joyce Way ROW length extends between Young St sidewalk and is approximately 454.5 ft and width is 50 ft per County Tax Map 051W18AD. Min Joyce Path length shall be that which connects Young St sidewalk and Path RR2.

- b. Placement: Joyce Path placement min 20 ft away from the ROW east boundary and min 8 ft away from the west boundary.
- c. ADA: The Joyce Path shall be ADA-compliant.
- d. Min spur paths per Condition V3 Exhibit V3.
- e. Curvature: Where the Joyce Path and Path RR2 intersect, the NE corner shall have additional pavement to form a curve for turning cyclists that has a radius of 10 ft.
- f. Zones: As a deviation from INT 22-0608 Part B.3, along each side of the path the furniture and tree planting zone shall have a wider min width of 8 ft. This shall be the standard also along the spur paths, excepting emergency access fire lane grasscrete segments, if any such fire lane(s).
- g. Trees: Within the Joyce Path furniture and tree planting zones total min number of trees shall be 31, with fee in lieu of max 2 trees and per Attachment 206. Plant as an allée with Joyce Path. Species shall be large and medium as WDO Table 3.06B describes, and along both sides of Joyce Path, the rows shall be a single, large species, excepting that individual trees that start or end rows may be different species than the rest of the rows. Trees shall include evergreens per Condition V11k as well as min 2 Thundercloud plums, the plums being planted min 10 ft from Joyce Path and Path RR2. (In the Joyce “front yard” along Young St, there is no minimum of street trees or “front yard” trees in addition to what this condition part requires for Joyce or what a street tree condition requires for Young St.)
- h. Landscaping generally:
 - (1) VCA: At every path junction, each corner shall have a sight triangle (vision clearance area) that may have trees and lawn grass but no shrubbery, min 8 x 8 ft.
 - (2) Irrigation: For at least the trees, provide irrigation the same as the WDO 3.01.04B last paragraph. For further specification, consult either PW or the Community Services Department Community Services Director.
- i. Picnic bench: As a deviation from Table INT 22-0608 in which a picnic bench is optional, min 2, with placement each within pad area min 12 by 12 ft paved to the same standards as WDO 3.04.04 and anywhere north of Path RR2 and min 9.5 ft south of an imaginary line in line with the Young St widened ROW boundary.
- j. Drinking fountain: As a deviation from Table INT 22-0608 in which a drinking fountain is optional, min 1, with placement assumed to be close to Young St potable water and sanitary sewer lines.
- k. Driveway: If either the City Engineer or the WFD requires in writing, an approach, apron, curb cut, or ramp that connects with path with Young St. Were such driveway apron required or the developer were to propose one, then min width 8 ft and max width 10 ft. Were the WFD after land use review to request wider, then see within this attachment Part D below.

- l. Benches: Regarding the min 4 benches per INT 22-0608, min placements at Joyce Path junctions with:
 - (1) Young St sidewalk, 1;
 - (2) Walkway J1 as Condition V3 Exhibit V3 labels, 1; and
 - (3) Path RR2, 1.
 Min 3 of the benches shall each have extra pavement pad area at a side that allows stationing a wheelchair, min width 2.5 ft.
 - m. Bicycle parking: Regarding the min 4 bicycle parking stalls (which can be 2 U-racks), placement of min 2 stalls each near junction with each of (a) Young St sidewalk and (b) choice of Path RR2 or Walkway J2.
 - n. Dog waste station: Regarding the dog waste station, site next to or a near a trash receptacle and near the junction with Young St sidewalk.
 - o. Wayfinding: Regarding the min wayfinding signage per INT 22-0608 providing direction to bicycle routes, multi-use paths, parks, schools, and other essential destinations, the resulting mins shall be 2 installations and 3 sign faces as follows:
 - Category A:
 - 1 installation at each junction of Joyce Path with (1) Young St sidewalk, min 1 sign face facing north for walkers and cyclists heading south and (2) Path RR2, min 2 sign faces facing north and south. Each face shall indicate path names per one of the following: (A) "Joyce Path" and "Path RR2", (B) the name resulting from a naming process led by parks and recreation staff and involving the City Council and Administration, if such process occurs prior to final inspection, or (C) if part (B) does not occur prior final inspection, then instead of sign installations the applicant shall pay fee in-lieu per Attachment 206. The developer may dispense with some or all wayfinding signage by opting to pay the fee in-lieu earlier – by building permit issuance.
 - Destinations and feet or mileage to list within sign face copy depending on the sign are Young Street, Joyce Path, Path RR2, and OR 99E at Cleveland Street.
 - p. Regarding the min 2 trash receptacles, placement shall be 1 each near junction with (a) Young St sidewalk and (b) Path RR2.
 - q. Shelter or fee in-lieu: See Condition V5.
6. Frontage: If the developer chooses Condition SA1d Option 2, then the developer shall upgrade the Joyce north "frontage" along Young St the same as per Conditions D2a & SA1d along the 50 ft of "frontage", excepting along the existing bus stop shelter pad.
 7. Stormwater management: The developer shall grade the ROW to the extent necessary to ensure that Joyce Path, Path RR2, spur paths, and bench pads have positive drainage.
 8. Landscaping at large: Within the ROW, every area not occupied by pavement, constructed or installed improvements, trees and their rings of mulch, or shrubbery shall be planted with lawn grass. Bare dirt is prohibited.
 9. Emergency access fire lane: See Part D below.

Part B. Bicycle/Pedestrian Corridor RR2: Method B: Granting of Public Easement(s)

1. Min width per Variance VAR 23-04 Condition V6 and length across the subject property per WDO Table 3.01A row 1b.
2. Details: Expounding on WDO 3.01.07C:
 - a. Easement/instrument: If the developer refers to or makes use of this Attachment 204, then the assumed legal instrument is a public easement granted to the City; however, any legal instrument – such as any of a plat, re-plat, or deed conveyance – is acceptable if it meets the land use conditions of approval, elicits no objections from PW, cannot be revoked without written concurrence by the City, and is recorded.
 - b. If the instrument type usually comes with or as exhibits, have Exhibit A be the legal description and Exhibit B the mapped area.
 - c. The drawing shall show and label legal boundaries some distance beyond that of the subject property for context.
 - d. In the body of the text or an Exhibit C, include a description that the easement serves to implement Woodburn Development Ordinance (WDO) 3.01A row 1b Bicycle/Pedestrian Corridor RR2 within the version of the WDO as amended by Ordinance No. 2602 on May 9, 2022 by reserving on the subject property a segment of Bicycle/Pedestrian Corridor RR2 and contain the corollary segment of Path RR2.

For example, if adapting a PW template for a PUE, one of the first paragraphs would state:

“... ("GRANTOR"), grants to the CITY OF WOODBURN, OREGON ("CITY") a permanent easement and right-of-way, including a grant of public access to implement Woodburn Development Ordinance (WDO) Table 3.01A row 1b Bicycle/Pedestrian Corridor RR2 within the version of the WDO as amended by Ordinance No. 2602 on May 9, 2022 through land use case file numbers Design Review DR 22-06 & Variance VAR 23-04 by reserving on the subject property a segment of Bicycle/Pedestrian Corridor RR2 at the minimum width per the land use condition(s) of approval over and across GRANTOR's ...”

- e. In the body include text that, “This [blank] is revocable only with the written concurrence of the City of Woodburn Community Development Director”, where [blank] is replaced with any of “easement”, “grant of access”, or the applicable correct legal terms.
 - f. Min 3 instances of the phrase “Bicycle/Pedestrian Corridor RR2”: in any of the title, body (min 2), map Exhibit B (min 1), and, if any, an Exhibit C.
3. The developer or developer’s survey has the option of sending an easement draft to the Planning Division, attention Senior Planner and/or Administrative Specialist, for review and edits prior to beginning recordation with the County.

4. No buildings and such: Within the width and extent of Corridor RR2 where such corridor remains private property with one or more public easements that grant both the City and the public unrestricted access, a developer shall not build buildings, install, mount, or place pre-fabricated buildings, or construct free-standing walls or structures such as carports and trash and recycling enclosures, and, the Public Works Director may direct a developer's arrangement of private utility lines and facilities if and where they pass under Corridor RR2. The south dead-end stubs of the north-south drive aisles, stubs of max 6 ft depth for maneuvering of vehicles backing out of parking stalls, may lie within the corridor.
5. TCE: If by the time of Path RR2 construction, (a) the 119 N. Pacific Highway west end of its path segment is not yet constructed, and (b) on the subject property, it is necessary to stop the path east end a few feet short of the property east boundary if re-grading, if any, necessitates and is documented, then the developer shall grant a temporary construction easement (TCE) to the benefit of both the City and 119 N. Pacific Highway (Tax Lot 051W17BC07500), delineating min area 180 sq ft. Because the situation might arise after lot consolidation and building permit issuance, the TCE shall be due no later than by building permit final inspection of the second-to-last apartment building.

Part C. Bicycle/Pedestrian Corridor RR2 Improvement Specifications:

Bicycle/Pedestrian Corridor RR2: Per Condition V6, Consistent with Comprehensive Plan Policies F-1.4, H-1.3, & H-1.4 (pages 25 & 34) and Highway 99E Corridor Plan, Technical Memorandum #5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.07C and Table 3.01A row 1b(2), improvements of the segments of Bicycle/Pedestrian Corridor RR2 on both the subject property and within the Joyce Way ROW, shall be per the below:

1. Objective: Corridor RR2 improved as a public off-street bicycle/pedestrian corridor with Path RR2, landscaping, amenities, and support facilities and that connects Joyce Path and the Path RR2 east segment at 119 N. Pacific Hwy and that has a wide walkway connection with the development walkway system.
2. Due date: See Condition G4.
3. Corridor width:
 - a. Min widths per parts (1) & (2) below (because pursuant to the Public Works Director and the City Engineer August 8, 2023, Corridor RR2 does not need an off-street PUE and so no wider width is needed for newly planted trees to be outside the PUE).
 - (1) East: East of Walkway R1 (as Condition V3 Exhibit V3 labels) east edge, 14 ft.
Note (1): The south dead-end stubs of the north-south drive aisles, stubs of max 6 ft depth for maneuvering of vehicles backing out of parking stalls, may lie within the corridor.
 - (2) West: West of Walkway R1 (as Condition V3 Exhibit V3 labels) east edge, 16 ft.

- (3) To accommodate Corridor RR2, if necessary the developer shall have the Building D north side walkway and drive aisle partially overlap through the use of mountable curb, allowing the concrete overlap to serve as walkway and as fire access width, the asphalt width of drive aisle to narrow, and Building D to shift north. Min overlap 1.5 ft width. If necessary, the drive aisle south ends that stub past the end of parking stalls shall shrink min 1 ft. See also Condition V13a allowing the four patios to be narrower, providing for several feet of landscaped area between path shoulder (and any fencing the developer might install) and patio slabs.
 - (4) Joyce Way ROW overlap: Where Corridor RR2 overlaps Joyce Way ROW, the south furniture and tree planting zone shall widen to 8 ft and the Path RR2 min width shall shift north.
 - b. To conform with WDO 3.01.07C and the conditioned min width of Bicycle/Pedestrian Corridor RR2, the developer shall:
 - (1) First Method: Dedicate Corridor RR2 to the City, whether as an adjusted lot, a Tract A, or as some other thing as the [County Surveyor's Office](#) would prefer to term.
 - (2) Second Method: Grant one or more public easements that cover the corridor and accomplish granting the City and the public unrestricted access. The easement or legal instrument may be an adaptation of the PW template for a PUE if the developer adapts it to meet these conditions of approval and any specifications in this Attachment 204.
 - (3) The developer shall default to the first method; however, the developer can use the second method through administrative means: If making written request to the attention of the Community Development Director, citing this case file and condition of approval, the Director approves in writing, and such occurs prior to both street address assignment and either property line adjustment or lot consolidation, but also that such request and approval occur no later than before the land use final decision expiration date.
 - (4) It is confirmed that because of overlap with Joyce Way ROW, dedication or granting is irrelevant to that Corridor RR2 segment.
4. Improvements: To the specifications of [WDO interpretation](#) memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203), and premised on Class B.
 - a. Length: The Corridor RR2 length is 378.9 ft per the lot consolidation survey. Min Path RR2 length shall be that which connects the east lot line and the Joyce Way ROW west boundary. The path may stop a few feet short of the west boundary if re-grading, if any, necessitates and is documented. At the east, it shall join the path segment at 119 N. Pacific Highway, for which through DR 22-05 Condition 8c there will be a westerly temporary construction easement to the benefit of 1030 Young Street.

- b. Pavement: In any case, Path RR2 pavement min width shall be as follows:
 - (1) East: East of Walkway R1, 8 ft, which may abut curb width of drive aisles south dead-end stubs that Exhibit C4 shows below.

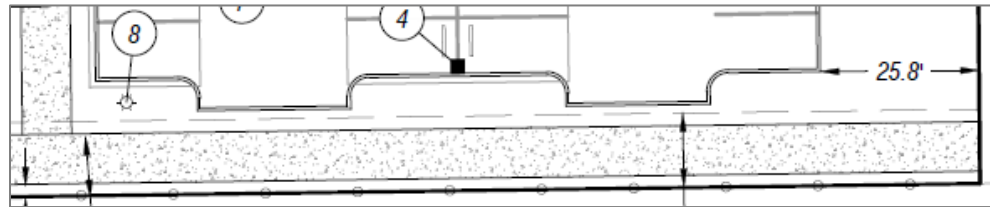


Exhibit C4 Drive aisles south dead-end stubs

The path east end, with min width south planting zone per part c. below, would align with the planned or existing location of the 119 N. Pacific Highway path.

- (2) West: West of Walkway R1, 10 ft.
 - c. Planting zone: Regarding INT 22-0608 Part B.3b, this condition supersedes in that only one furniture and tree planting zone shall be required, along the south side. Zone min width 4 ft (which includes south shoulder width). Where Corridor RR2 overlaps Joyce Way ROW, the zone shall widen to min width 6 ft.
 - d. Trees: In any case, within the Path RR2 south side furniture and tree planting zone total min number of trees shall be 11, with fee in lieu of max 1 tree and per Attachment 206. Species shall be large as WDO Table 3.06B describes. The row shall be shall be planted min 3 ft south of path edge The developer shall plant the area remaining after tree plantings the same as the WDO 3.01.04B last paragraph.
 - e. Irrigation: For at least the trees, provide irrigation the same as the WDO 3.01.04B last paragraph. For further specification, consult either PW or the Community Services Department Community Services Director.
5. Additional specifications:
- a. Walkway R1 as Condition V3 Exhibit V3 labels.
 - b. Continue pavement from the east at the RR2 path segment at 119 N. Pacific Highway (051W17BC07500) that per DR 22-05 final decision Condition 8c is to manifest and also to come with a temporary construction easement (TCE) that the DR 22-06 1030 Young Street Apartments developer would use to come onto that other property to re-grade and extend Path RR2 pavement west.
 - c. Extend pavement as far west as the east lot line of 960 Young St (Tax Lot 051W18AD08300), or, as close as possible as re-grading, if any, necessitates and is documented. (Because this area is ROW, no temporary construction easement is relevant.)
 - d. Install a permanent all-weather pole sign at the Path RR2 west stub that states in lettering min height 4 inches: "This Public Path RR2 is Planned for Future Extension." The sign face shall be min 12 by 18 inches and mounted min 3.5 ft above grade and max the same as whatever the state rules are for ADA parking signage. This is due prior to building permit final inspection.

- e. Regarding the min 3 benches, placements in the furniture zone, and min 1 within the overlap with Joyce Way ROW. Also min 2 of the benches each with extra pavement pad area at a side that allows stationing a wheelchair, min width 2.5 ft.
 - f. Regarding the min 2 bicycle parking stalls (which can be a U-rack), placement within the corridor overlap of Joyce Way ROW.
 - g. Regarding the dog waste station, site next to or a near a trash receptacle and near the junction with Joyce Path.
 - h. Wayfinding: Regarding the min wayfinding signage per INT 22-0608 providing direction to bicycle routes, multi-use paths, parks, schools, and other essential destinations, the resulting mins shall be 1 installation and 1 sign face as follows:
Category B: 1 installation at Walkway R1, min 1 sign face facing north.
 - i. Regarding the min 1 trash receptacle, placement near the junction with Joyce Path.
6. Fence/fencing: Though not required, were the developer to install along the Corridor RR2 (excluding the Joyce Way ROW segment) a fence or free-standing wall:
- a. North boundary: It shall be outside the corridor easement boundary and min 2 ft north of Path RR2, max height 5 ft, and otherwise conform with the WDO 2.06.02D.2 coating requirement and 2.06.02D.4. Slats not required. Segments shall be min 2 ft away from each side of any connecting walkway, wide walkway, or spur path.
 - b. South boundary: It shall be max height 3.5 ft, a color (if any) other than black or charcoal, and otherwise conform with the WDO 2.06.02D.2 coating requirement and 2.06.02D.4. Slats not required.
 - c. If a free-standing wall, either:
 - (1) To not overly narrow the furniture and tree planting zone, main wall plane max width of 4 inches (the same nominal width as standard bricks), precluding concrete masonry unit (CMU) block that is 8 inches wide; or
 - (2) As a seat wall, which by being wider would provide seating as an objective of a furniture and tree planting zone, height 1.5 ft including a smooth concrete cap, width min 1 ft, 3 inches, and width max 1.5 ft.

Part D. Joyce Way as an Emergency Access Fire Lane:

Emergency access fire lane: If Woodburn Fire District (WFD) application of the Oregon Fire Code (OFC) requires in writing provision for an emergency access fire lane to and from the development across Joyce Way, then:

1. The developer shall document if and how WFD OFC administration is applicable.
2. The developer shall revise the site, composite utility, landscape, and fire access plan plans to delineate and label the emergency access fire lane route(s).
3. Where routing overlaps the Joyce Way Path, the path shall be constructed to support fire apparatus weight per the OFC as the WFD administers.
4. Where route segments fall between Joyce Way Path and development drive aisles, such segments shall be improved with reinforced cellular concrete (cast on-site) grass paving surface (“grasscrete”) and be landscaped with lawn grass.
5. Were the WFD after to request a driveway apron wider than conditioned elsewhere:
 - a. The apron absolute max width shall be 26 ft (between triangular slopes), regardless of a WFD request for wider.
 - b. The apron shall remain conforming to PW SS&Ds, Section 4150 and not have curb radii.
 - c. The developer may if prompted by either PW or the WFD either (a) substitute the min bollard conditioned elsewhere with an emergency fire access gate to the specifications of the WFD or (b) install 3 bollards, the additional two separating the driveway apron and grasscrete.
 - d. South of sidewalk, the developer shall instead of widening Joyce Path asphalt or concrete install reinforced cellular concrete (cast on-site) grass paving surface (“grasscrete”) along both sides up to an absolute max width of 26 ft, regardless of a WFD request for wider.
 - e. The min widths for furniture and tree planting zones shall widen as much as the emergency access fire lane widens so that the developer may plant the min trees and install the min amenities and support facilities. Any paved pads between Path RR2 and pads of things such as benches, picnic benches, and shelters shall lengthen as much as emergency access fire lane widens on the side that they are along.

DR 22-06 1030 Young Street Apartments:

Attachment 205: Parking Management and Surveys:

Follow site redevelopment into an apartment complex, this attachment implements the City of Woodburn, Oregon Design Review DR 22-06 & Variance VAR 23-04 condition of approval related to parking management and surveys required by the property manager for a number of years.

Part A.

Management operations: Regarding electric vehicle (EV) parking, property management of it shall conform with Woodburn Development Ordinance (WDO) 3.05.031.5.

Part B.

Survey: The applicant or any successor and assigns such as a property manager shall collect data about off-street parking usage or allocation and provide it to the City through the Planning Division to the attention of the Community Development Director.

- (1) Reporting period: Collect data by each half of a year – January through June and July through December. Submit each biannual report by the last City business day in the last month of the next quarter of a year and that is not a federal holiday. (For example, a report for January through June 2029 would be due by September 30, 2029.)
- (2) First report: The first report shall cover whatever irregular length of time would pass between phase occupancy and the end of the next half of a year ending June or December.
- (3) Attributes: Collect and report on:
 - (a) Geography: n/a.
 - (b) The number of off-street spaces/stalls that are available and how many, if any, are closed due to occasional events such as parking area resurfacing, temporary outdoor events, outdoor storage, or the stationing of large trucks or truck trailers.
 - (c) Track stalls and usage by type: regular standard size, regular compact, accessible/ADA/handicap, EV, and any other type (such as those designated for visitors, leasing office employees, staff golf cart, or mail carrier).
 - (d) Collection: The property manager shall do field counts as per condition subpart (4 “field count”) below and also provide a separate set of assumed counts based on lease agreements, i.e. what tenant households are allocated a stall or stalls and for what periods, assumed that stalls are occupied as lease agreements describe.

- (e) Usage: Report how many stalls are used and allocated. For vacant apartments in the context of assumed counts, record stalls associated with vacant apartments as unallocated.
 - (f) If and when a parking area resurfacing project were to happen, provide written notice to the Director of approximate start date and duration, location, and number of stalls involved.
 - (g) Format: Use tables to report by phase absolute numbers and percentages of stall type occupancies. Include phase and sitewide totals.
- (4) Field count: The property manager shall do at least two field counts per reporting period, meaning to travel the project and count in real time occupied and vacant stall types such as by marking a project site plan. Each count shall be on Tuesday, Wednesday, or Thursday that is neither a federal holiday nor within a week (7 days) of a federal holiday. One count shall be daytime starting no earlier than 9:30 a.m. and concluding no later than 4:30 p.m., and one count shall be nighttime starting no earlier than 10:00 p.m. and concluding no later than 12:30 a.m. Report when on a given date the counts were done and how long it took, for example, from 11:30 a.m. to noon.
 - (5) Bicycle parking: For outdoor bicycle parking stalls, including those within open-air stairwells but excluding outdoor closets, the property manager shall also do field counts the same way as per condition part (4) above and as part of the larger report confirm the total number of existing outdoor bicycle stalls.
 - (6) Parking demand management: The reporting that a parking demand management condition requires, if it exists, may be incorporated with the parking usage data collection report.
 - (7) Context: In each report, cite the project name, phases, street addresses, case file number DR 22-06, and the condition identification(s), state what period the report covers, state the number of vacant apartments and when and how the number was determined given fluctuation over six months, and provide an employee name and direct contact information for questions City staff might have.
 - (8) Intent: It is not the express intent of this condition to police property management or punish tenants or management for perceived misuse of parking, but instead without judgment to collect data on how parking is actually used in a conventional apartment development.
 - (9) Change of ownership: If and when property ownership were to change, the property manager shall pass along record of the conditions of approval to the contract purchaser and successive property manager.

Expiration: This parking survey condition becomes optional as of July 1, 2033. If reporting were to cease, the last report – for the January to June 2033 period – would be due September 30, 2033.

DR 22-06 1030 Young Street Apts.:

Attachment 206: 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 206B. Fee Table</i>					
<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
D4	Electric power pole removal and line burial	Per lineal ft of frontage, assessed at min 305 ft: 2023-24: \$272.11; 2025-26: \$288.68; or 2027 or later: \$306.25.	WDO 3.02.04B & 4.02.12A. Excludes Joyce Way north "frontage".	By building permit issuance	
D11	Street tree fee in-lieu for street trees omitted through building permit review or civil engineering plan (CEP) review, or, inspection missing tree fee. Applicable also to Joyce Way ROW and Corridor RR2 trees.	\$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	
T-T1a	Bus stop minor improvement: bicycle parking	\$510	Bicycle parking	By building permit issuance or final inspection	
T-T2a	City bus transit / transit service fee	Per dwelling: 2023-24: \$143; 2025-26: \$151; or 2027 or later: \$160.	For operations.	By building permit issuance	

Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
T-T2b	Regional express bus transit fee	Per dwelling: 2023-24: \$430; 2025-26: \$457; or 2027 or later: \$484.	Regional express bus transit to/from Salem and Wilsonville (Portland metro); TPU Projects 11 & 12	By building permit issuance	
SA1a	SA 23-04 Street Adjustment Type III application fee	2023-24: \$2,363; or 2025 or later: \$4,560	Was not collected at time of application through invoice no. 971-22-000038-PLNG because the applicant mentioned SA in the narrative but had not checked the box on the uniform application. 2023-26 fee is the "old" fee based on narrative submittal having occurred prior to the July 1, 2023 Planning Division fee schedule increase. 2027 or later fee is the "new" fee.	By building permit issuance	
V4 & V6	Wayfinding signage fee in-lieu (Joyce Way & Bicycle/Pedestrian Corridor RR2)	2023-26: Category A: \$1,500 per installation; Category B: \$750 per installation; or 2027 or later: A, \$1,700; B, \$850.	See condition for category context.	By building permit issuance	

Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
V5	Shelter fee in-lieu	2023-24: \$16,890; 2025-26: \$17,920; or 2027 or later: \$19,010.	See condition.	By building permit issuance	
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 Planning Division fee schedule . (Attachment 102A Public Works comments [Aug. 10, 2023], item 11.). Applicable whether civil plan review is through building permit or separate Public Works process.	Upon CEP application to PW, or to ODOT as applicable, or building permit application if civil plan review is through permit review; in any case no later than building permit issuance	
	Inspections by Planning Division	Public improvements: zero; \$75. Building permit: zero; \$75.	1st inspection or "walkthrough"; 2nd. (3rd is per the Planning Division fee schedule .)	Inspection requests related to public (street) improvements and building permits	
	Street tree bonding / performance guarantee request fee	\$150	Free to submit request form and materials for review by the Planning Division. Bond release or status letter fee is per the Planning Division fee schedule .	Upon street tree bonding request, but no later than building permit issuance	

<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
	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 exceptions, if any, per land use conditions.	\$4,695	Serves as bond or deferral disincentive 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.)	By building permit issuance	

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