

---

To: Lisa Ellsworth, Chair  
Woodburn Planning Commission

From: Dan Handel, Planner

Date: April 11, 2024 (Prepared April 4, 2024)

Subject: LA 24-02 Work Session #2: Food Cart Pods

---

During our first work session, we heard from Mr. John Stromquist on the development process he went through to build the Willamette Garage food cart pod in West Linn. We also had a fruitful discussion about regulatory preferences for food carts and food cart pods in Woodburn.

For this second work session, you will find a draft version of WDO amendments attached for your review. Amendments impact the following chapters:

- 1.02 Definitions
  - Adding definitions for ‘food carts’, ‘food cart pods’, and amending ‘mobile food services’
- 2.03 Commercial Zones
  - Specifying food cart pods as Special Permitted Uses in commercial zones
- 2.04 Industrial and Public Zones
  - Specifying food cart pods as Special Permitted Uses in industrial and public zones
- 2.07 Special Uses
  - Adding standards for food cart pods and modifying special event standards to prohibit food carts as seasonal sales
- 3.05 Parking
  - Clarify parking required for food cart pods
- 3.07 Architectural Design
  - Clarify food cart regulations for downtown

Do the proposed amendments capture the takeaways from our first work session? Is there anything you’d like to add or remove? Edit or clarify?

Thinking ahead, staff recommends a third work session to allow interested parties (food cart operators, pod developers, local business community, etc.) an opportunity to review the proposed amendments. This would also give the Commission a chance to consider any feedback from the public and make desired changes prior to a public hearing.

Attachment: Draft amendment in strikethrough/underline format

# Woodburn Development Ordinance

## WDO

Adopted by Ordinance 2313 on April 9, 2002

Acknowledged December 22, 2006

Amended by Ordinance 2423 on July 28, 2007

Amended by Ordinance 2446 on September 8, 2008

Amended by Ordinance 2465 on March 24, 2010

Amended by Ordinance 2473 on December 13, 2010

Amended by Ordinance 2480 on September 26, 2011

Amended by Ordinance 2492 on September 10, 2012

Amended by Ordinance 2509 on August 12, 2013

Amended by Ordinance 2510 on September 23, 2013

Amended by Ordinance 2520 on July 28, 2014

Amended by Ordinance 2526 on February 9, 2015

Amended by Ordinance 2538 on September 26, 2016

Amended by Ordinance 2541 on November 14, 2016

Amended by Ordinance 2544 on January 9, 2017

Amended by Ordinance 2561 on July 9, 2018

Amended by Ordinance 2562 on September 10, 2018

Amended by Ordinance 2573 on June 24, 2019

Amended by Ordinance 2579 on April 13, 2020

Amended by Ordinance 2602 on May 9, 2022 (LA 21-01)

Amended by Ordinance 2603 effective June 30, 2022 (LA 21-02)

**Amended by Ordinance 2621 on February 26, 2024 (LA 21-03)**

# TABLE OF CONTENTS

## VOLUME 1 ORGANIZATION AND STRUCTURE

1.01	<a href="#">Structure</a>	3
1.02	<a href="#">Definitions</a>	7
1.03	<a href="#">Official Zoning Map</a>	29
1.04	<a href="#">Nonconforming Uses and Development</a>	31
1.05	<a href="#">Planning Commission</a>	35
1.06	<a href="#">Design Review Board</a>	39

## VOLUME 2 LAND USE ZONING AND SPECIFIED USE STANDARDS

2.01	<a href="#">General Provisions</a>	41
2.02	<a href="#">Residential Zones</a>	45
2.03	<a href="#">Commercial Zones</a>	69
2.04	<a href="#">Industrial and Public Zones</a>	83
2.05	<a href="#">Overlay Districts</a>	93
2.06	<a href="#">Accessory Structures</a>	107
2.07	<a href="#">Special Uses</a>	111
2.08	<a href="#">Specific Conditional Uses</a>	129

## VOLUME 3 DEVELOPMENT GUIDELINES AND STANDARDS

3.01	<a href="#">Streets, Greenways &amp; Other Off-Street Bicycle/Pedestrian Corridors, and Bus Transit</a>	135
3.02	<a href="#">Utilities and Easements</a>	157
3.03	<a href="#">Setbacks and Open Space</a>	161
3.04	<a href="#">Vehicular &amp; Bicycle/Pedestrian Access</a>	167
3.05	<a href="#">Off-Street Parking and Loading</a>	181
3.06	<a href="#">Landscaping</a>	205
3.07	<a href="#">Architectural Design</a>	227
3.08	<a href="#">Partitions and Subdivisions</a>	257
3.09	<a href="#">Planned Unit Developments</a>	259
3.10	<a href="#">Signs</a>	271
3.11	<a href="#">Lighting</a>	295

## VOLUME 4 ADMINISTRATION AND PROCEDURES

4.01	<a href="#">Decision-Making Procedures</a>	299
4.02	<a href="#">Review, Interpretation and Enforcement</a>	313

## VOLUME 5 APPLICATION REQUIREMENTS

5.01	<a href="#">Type I (Administrative) Decisions</a>	323
5.02	<a href="#">Type II (Quasi-Administrative) Decisions</a>	331
5.03	<a href="#">Type III (Quasi-Judicial) Decisions</a>	341
5.04	<a href="#">Type IV (Quasi-Judicial) Decisions</a>	351

## 1.02 Definitions

Note: Terms not defined in this Section have the meaning set forth in the New Oxford American Dictionary, 2010 edition (see Section 4.02.06.B.6.)

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

**Access:** The place, means or way by which pedestrians or vehicles have ingress and egress to and/or from a lot or use.

**Accessory Building, Structure or Use:** A detached building, structure or use which is incidental and subordinate to, and supports the primary use on, the same premises.

**Accommodations:**

- **Bed and Breakfast Inn:** A single-family dwelling with at least one room offered to the general public for lodging on an overnight or weekly basis, with a meal provided.
- **Hotel:** A building in which rooms are offered to the general public for lodging on an overnight or weekly basis, where the primary entrance is through a lobby or foyer with internal circulation to the rooms.
- **Living Unit:** A room or suite of rooms, providing living and sleeping facilities for one or more persons where either cooking or eating and/or sanitation facilities are shared. In a rooming and boarding house, each bed rented for compensation is a "Living Unit." Note: Living unit is not synonymous with "dwelling unit."
- **Motel:** a group of attached or detached buildings, in which more than five rooms are offered to the general public for lodging on an overnight or weekly basis, where the rooms have direct access to the outside without the necessity of passing through the main lobby of a building.
- **Rooming and Boarding House:** A residential building or portion thereof with guest rooms, providing lodging or lodging and meals, for three or more persons for compensation.

**ADA:** The acronym refers to the federal Americans with Disabilities Act (1992) and in the context of WDO standards means compliance with contemporary federal provisions with which developers are bound to comply as standards and compliance with any contemporary supplemental state of Oregon provisions with which developers are bound to comply as standards.

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

**Administrative Body:** The City Council, Planning Commission, Design Review Board, or staff member having the jurisdiction to hear and decide proceedings on land use actions.

**Alley:** A public right-of-way not more than 20 feet wide and not less than 10 feet in width that provides vehicular access to property instead of or in addition to a public street, that intersects with a public street, and that can serve as a utility corridor. Distinct from "Shared Rear Lane".

- Single-Family Dwelling: A detached building constructed on a single lot, containing one dwelling unit designed exclusively for occupancy by one family.
- Triplex: Three (3) attached dwelling units on a lot.
- Accessory Dwelling Unit (ADU) – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

Note: Where it appears in the WDO, reference to dwelling or dwellings “other than multiple-family” excludes ADU unless a specific provision specifies otherwise.

Employees: All persons, including proprietors, performing work on a premises. For calculating required off-street parking, it shall be the number present during the largest shift or peak season.

Family: An individual or two or more persons related by blood, marriage, legal adoption or guardianship, or a group of not more than five persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit. “Family” shall include two or more handicapped persons as defined in the Fair Housing Amendments Act of 1988 living as a single housekeeping unit.

Final Action and Final Decision: The City’s final decision on a permit application for which there is either no appeal to another decision-maker within the City, or, if there is the possibility of a local appeal, an appeal was not timely perfected in accordance with the Woodburn Development Ordinance.

Food Cart: A vehicle, trailer, wagon, or similar facility that is self-propelled or can be pushed or pulled down a sidewalk or street, and is primarily used for the sale of food and/or beverages directly to the consumer.

Food Cart Pod: A site containing permanent spaces for three or more food carts and associated amenities (seating areas, restrooms, etc.) under common management on private property.

Frontage: That portion of a lot which abuts a public street.

Garage: A building, or portion of a building, which is completely enclosed and designed for the storage or parking of a vehicle.

Grade: Adjacent ground elevation is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

Greenway: For purpose of applying greenway standards, the Mill Creek Greenway as the Mill Creek Greenway Plan (2006-2007 and as amended) identifies.

Greenway trail: The mainline bicycle/pedestrian facility within a greenway, as distinct from spurs and supplemental paths and trails.

Gross Floor Area (GFA): The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior wall or from the centerline of walls separating two buildings, but not including:

1. Attic and basement space providing headroom of less than seven feet;
2. Uncovered steps or fire escapes;
3. Private garages, carports, or porches;

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.

Lot Width: The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Manufactured Dwelling Park: Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease or use facilities or to offer space free in connection with securing the trade or patronage of such person. The term does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot, if the subdivision was approved pursuant to ORS Chapter 92.

- Park Space: Any area or portion of a manufactured dwelling park, which is designated or used for the placement of one manufactured dwelling and appurtenant facilities.

Middle Housing: Duplexes, triplexes, quadplexes, cottage clusters, and townhouses as defined in ORS 197.758(1)(a) & (b) and OAR 660-046-0020. The WDO remains applicable if and where it adds definition, description, provisions, requirements, or standards that do not conflict with statute or administrative rule.

Mini-Storage Warehouse: An area within an enclosed building or structure used for the storage of personal property for compensation.

Mobile Food Services: ~~A food cart that does not stay in one location for longer than two hours in a 24-hour period. A vehicle, trailer, or wagon used for the preparation and/or sale of food and/or beverages.~~

MUTCD: The acronym refers to the *Manual on Uniform Traffic Control Devices* published by the United States Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA) and in the context of WDO standards means compliance with contemporary federal provisions with which developers are bound to comply as standards and compliance with any contemporary supplemental state of Oregon provisions with which developers are bound to comply as standards.

NACTO: The acronym refers to the National Association of City Transportation Officials,

**Commented [DH1]:** OHA requires an accessible restroom within 500 feet for carts that stay in one location for more than two hours.

**Commented [DH2R1]:** Question for PC: Do we want to allow a longer time period (say four hours) and let the operator figure out restrooms?

## 2.03 Commercial Zones

- A. The City of Woodburn is divided into the following commercial zones:
1. The Downtown Development and Conservation (DDC) zone is the community’s retail core, providing for unique retail and convenient shopping
  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.
  3. The Commercial Office (CO) zone is intended primarily for office type development, with limited retail activity.
  4. The Mixed Use Village (MUV) is intended to promote efficient use of land that promotes employment and housing through pedestrian-oriented development.
  5. The Neighborhood Nodal Commercial (NNC) zone is intended to meet the shopping needs of nearby residents in a compact commercial setting
- 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.
  4. Special Permitted Uses (S) are allowed outright, subject to the general development standards and the special development standards of Section 2.07.
  5. Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.

Uses Allowed in Commercial Zones										
Table 2.03A										
Use			Zone							
Accessory Uses (A)	Conditional Uses (CU)	Permitted Uses (P)	DDC	CG	CO	MUV	NNC			
Special Permitted Uses (S)	Specific Conditional Uses (SCU)									
A	Civic Uses									
1	Public administration, aquatic facilities, fire protection, government and public utility buildings and storage yards					P	P	P	P	P



**Uses Allowed in Commercial Zones  
Table 2.03A**

Use		Zone				
Accessory Uses (A) Special Permitted Uses (S)	Conditional Uses (CU) Specific Conditional Uses (SCU)	DDC	CG	CO	MUV	NNC
2	Public and private schools, house of worship, civic and social organizations	P	P	P	P	P
3	Rights-of-way, easements and improvements for streets, water, sanitary sewer, gas, oil, electric and communication lines, stormwater facilities and pump stations.	P	P	P	P	P
<b>B</b>	<b>Commercial Retail and Services</b>					
1	Ambulance service	CU <sup>3</sup>	CU <sup>3</sup>	CU	CU <sup>3</sup>	
2	Automotive maintenance and gasoline stations, including repair services	CU	CU <sup>3</sup>		P <sup>6</sup>	
3	Bakeries, delicatessens, grocery and convenience stores	P <sup>7</sup>	P		P	P
4	Bowling, skating, movie and performing arts theaters	P	P		P	
5	Building material and garden equipment	P <sup>5</sup>	P <sup>5</sup>		P <sup>5</sup>	P <sup>5</sup>
6	Business services	P	P	P	P	
7	Computer, commercial, electric motor, precision equipment, industrial and home goods repair.	P <sup>4</sup>	P <sup>1</sup>	P <sup>4</sup>	P <sup>4</sup>	
8	Contractors: a. Flooring and roofing b. Equipment and machinery c. Glass and glazing d. Masonry, drywall, insulation and tile contractors e. Other types of contractors		P <sup>4</sup>	P <sup>4</sup>	P <sup>6</sup>	
9	Craft industries: a. Apparel manufacturing b. Leather manufacturing, furniture and related product manufacturing, including cabinets c. Sporting goods manufacturing d. Doll, toy and game manufacturing	S	S	S	S	S
10	Delivery services	S	S	S	S	S
11	Dry cleaning, laundry and self-service laundry service	P <sup>7</sup>	P		S	P
12	Fitness and recreational sports	P	P	P	P	P
<u>13</u>	<u>Food cart pods, mobile food services</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>14</u>	<u>Funeral home</u>	P	P	P	P	P
<u>15</u>	<u>Hospitals and ancillary uses</u>		CU <sup>3</sup>			
<u>16</u>	<u>Hotels, motels and bed and breakfast inns</u>	P	P	P	P	P
<u>17</u>	<u>Office and office services and supplies</u>	P	P	P	P	P

**Uses Allowed in Commercial Zones  
Table 2.03A**

Use		Zone					
Accessory Uses (A)	Conditional Uses (CU)	Permitted Uses (P)	DDC	CG	CO	MUV	NNC
Special Permitted Uses (S)	Specific Conditional Uses (SCU)						
<del>18</del>	Other amusements, including ballrooms			P <sup>1</sup>			
<del>19</del>	Pawn, check cashing, payday loan and cash transfer	CU <sup>7</sup>		P		P	
<del>20</del> <del>19</del>	Printing, publishing, copying, bonding, finance, insurance, medical, data processing, social assistance, legal services, management, and corporate offices	P <sup>7</sup>		P	P	P	P
<del>21</del>	Professional services	P		P		P	
<del>22</del>	Restaurants and drinking places	P <sup>7</sup>		P	P	P	P
<del>23</del> <del>2</del>	Retail trade offering goods and services directly to customers	P <sup>7</sup>		P		P	P
<del>24</del>	Spectator sports			P <sup>1</sup>			
<del>25</del>	Taxidermist			CU <sup>3</sup>			
<del>26</del>	Veterinary service			CU <sup>3</sup>			
<del>27</del>	Wine and liquor	CU <sup>7</sup>		P		P	
C	<b>Industrial</b>						
1	Charter bus, special needs transportation, transit system, school transportation, limousine service and taxi service			CU <sup>3</sup>			
2	Heavy equipment and motor vehicle sales: a. Manufactured (mobile) home dealers b. Motor vehicle and parts dealers, including new car, used car, recreational vehicle, motorcycle, boat, parts and tire dealers c. Truck dealers, including new truck, used truck, parts and tire dealers d. Tractor, farm machinery and equipment dealers e. Farm, garden and landscaping supplies			CU <sup>3</sup>			
3	Manufacturing of metal products, furniture and cabinets			P <sup>4</sup>	P <sup>6</sup>		
4	Motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture, other household goods, or commercial goods, and mini-storage			CU <sup>1</sup>			

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)		DDC	CG	CO	MUV	NNC
5	Motor vehicle towing		CU <sup>3</sup>			
6	Parking lots and garages	P	P	P		P
7	Recreational vehicle park		CU <sup>1</sup>			
D	Miscellaneous					
1	Facilities during construction	S	S	S	S	S
2	Fence or free-standing wall	A	A	A	A	A
3	<del>Temporary outdoor marketing and s</del> Special event: a. Arts and crafts b. Food and beverages, including <del>mobile food services</del> food carts c. Seasonal sales of fireworks, Christmas trees, produce or plant materials d. Amusement rides and games e. Entertainment f. Any other merchandise or service which is neither accessory to a primary, permanent use of the property nor marketed by employees of that permanent use	S	S	S	S	S
E	Residential					
1	One dwelling unit, in conjunction with a commercial use	P	P	P	P	P
2	Triplexes	P	CU <sup>9</sup>		P	P
3	Quadplexes	P	CU <sup>9</sup>		P	P
4	Townhouses	P	CU <sup>9</sup>		P	P
5	Child care facility, group home, and nursing home	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>
6	Multiple-family dwellings	P	CU <sup>9</sup>	CU	P	P

1. Not allowed in the Gateway Overlay District
2. Only allowed in the Gateway Overlay District
3. Allowed outright if not within 200 feet of residentially zoned properties
4. Within a building, no outdoor storage or repair
5. All outdoor storage and display shall be enclosed by a seven foot masonry wall.
6. Existing uses are allowed as a permitted use, new uses are not allowed in the MUV
7. Drive-throughs are not allowed
8. Child care facility for 13 or more children, group home for six or more persons
9. Except allowed as a permitted use in the Gateway Overlay District and prohibited in the Interchange Management Area Overlay District (Amended by Ordinance 2573, passed June 24, 2019)

## 2.04 Industrial and Public Zones

- A. The City of Woodburn is divided into the following industrial and public zones:
1. The Light Industrial (IL) zone, which is intended for industrial activities that include land-intensive activities;
  2. The Industrial Park (IP) zone, which is intended for light industrial activities in a park-like setting;
  3. The Public and Semi-Public (P/SP) zone, which is intended for public uses, parks, schools and cemeteries.
  4. The Southwest Industrial Reserve (SWIR), which is intended for employment and industries identified in the 2016 Target Industry Analysis;
- B. Approval Types (Table 2.04A)
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.
  4. Special Permitted Uses (S) are allowed outright, subject to the general development standards and the special development standards of Section 2.07.
  5. Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.

Uses Allowed in Industrial Zones									
Table 2.04A									
Use				Zone					
Accessory Uses (A)		Conditional Uses (CU)	Permitted Uses (P)	IL	IP	P/SP	SWIR		
Special Permitted Uses (S)		Specific Conditional Uses (SCU)							
A	Civic Uses								
1	Golf driving range			P	P	CU			
2	Parks, play grounds and associated activities, golf courses without a driving range					P			
3	Public administration, aquatic facilities, fire protection, government and public utility buildings and storage yards			P	P	CU	P		

**Uses Allowed in Industrial Zones  
Table 2.04A**

Use		Zone			
		IL	IP	P/SP	SWIR
	Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)				
4	Rights-of-way, easements and improvements for streets, water, sanitary sewer, gas, oil, electric and communication lines, stormwater facilities and pump stations.	P	P	P	P
5	Trade schools	P	P	CU	CU
<b>B</b>	<b>Commercial Retail and Services</b>				
1	Ambulance service	P	P		
2	Automotive maintenance and gasoline stations, including repair services	P	P		
3	Business services		P		P
4	Contractors: f. Flooring and roofing g. Equipment and machinery h. Glass and glazing i. Masonry, drywall, insulation and tile contractors j. Other types of contractors	P	P		P
5	Delivery services	S	S	S	S
6	Fitness and recreational sports	P	P		P
<u>7</u>	<u>Food cart pods, mobile food services</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<del>8</del>	<del>Hospitals and ancillary uses</del>		P	CU	P
<del>8</del>	<del>Mobile Food Services</del>	<del>S</del>	<del>S</del>		<del>S</del>
9	Restaurants and drinking places	P	P		P
10	Marijuana dispensaries	S	S		
<b>C</b>	<b>Industrial</b>				
1	Auction houses, except livestock and poultry sales	CU			
2	Automotive wrecking yards	CU			
3	Charter buses, special needs transportation, transit system, school transportation, limousine service and taxi service	P	P		
4	Chemical manufacturing	CU	CU		CU
5	Distribution and E-commerce including; wholesale trade, farm supplies and merchant wholesalers, packaging and labeling services.	P	P		P
6	Recycling center	CU	CU		CU
7	Asphalt or Portland cement concrete batch plant	CU	CU		
8	Commercial and industrial equipment repair, transit and ground transportation	P	CU		CU

**Uses Allowed in Industrial Zones  
Table 2.04A**

Use		Zone			
		IL	IP	P/SP	SWIR
	Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)				
9	Electronic and other electrical equipment and components, including manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy; electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and wiring equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies	P	P		P
10	Fabricated metal products, including fabricating ferrous and non-ferrous metal products such as metal cans, tin ware, hand tools, cutlery, general hardware, non-electric heating apparatus, fabricated structural metal products, metal forgings, metal stampings, and metal and wire products	CU	CU		P
11	Industrial and commercial machinery and computer equipment, including engines and turbines; farm and garden machinery; construction, mining, and oil field machinery; elevators and conveying equipment; hoists, cranes, monorails, trucks and tractors; metalworking machinery; special industry machinery; general industrial machinery; computer and peripheral equipment, computer, semiconductor, laboratory instrument, and office machinery, manufacturing; refrigeration and service industry machinery manufacturing	P	P		P
12	Heavy equipment and motor vehicle sales: e. Manufactured home dealers f. Motor vehicle and parts dealers, including new cars, used cars, recreational vehicles, motorcycles, boats, parts and tire dealers g. Truck dealers, including new trucks, used trucks, parts and tire dealers h. Tractor and farm machinery and equipment dealers i. Farm, garden and landscaping supplies	S	S		

**Uses Allowed in Industrial Zones  
Table 2.04A**

Use		Zone			
		IL	IP	P/SP	SWIR
	Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)				
13	Manufacturing: a. Apparel manufacturing b. Beverage, food and tobacco c. Furniture and related products d. Leather and allied products e. Paper, limited to assembly f. Metal product manufacturing g. Miscellaneous manufacturing h. Plastics and rubber i. Textile products	P	P		P
14	Motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture and other household goods, commercial goods, and mini-storage	P	P		P
15	Non-depository credit institutions engaged in extending credit in the form of loans, but not engaged in deposit banking		P		P
16	Paper manufacturing	CU			
17	Parking lots and garages	P	P		
18	Petroleum and coal products manufacturing with all storage underground	CU			
19	Printing, publishing, and allied industries	P	P		P
20	Professional services including software publishers		P		P
21	Stone, clay, glass, and concrete products including manufacturing flat glass, other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand	P			
22	Telecommunication facilities subject to Section 2.08.03	SCU	SCU		SCU
23	Wholesale trade in durable and non-durable goods	P	P		P
24	Wood product manufacturing	P	P		P
D	Miscellaneous				
1	Facilities during construction	S	S	S	S
2	Fence or free-standing wall	A	A	A	A



Uses Allowed in Industrial Zones				
Table 2.04A				
Use			Zone	
Accessory Uses (A)	Conditional Uses (CU)	Permitted Uses (P)	IL	IP
Special Permitted Uses (S)	Specific Conditional Uses (SCU)		P/SP	SWIR
3	<del>Temporary outdoor marketing and sales</del> Special event: a. Arts and crafts b. Food and beverages, including mobile food services c. Seasonal sales of fireworks, Christmas trees, produce or plant materials d. Amusement rides and games e. Entertainment f. Any other merchandise or service which is neither accessory to a primary, permanent use of the property, nor marketed by employees of that permanent use		S	S
			S	S
E	Residential			
1	One dwelling unit in conjunction with an industrial use		P	P
			P	P

C. Development Standards (Tables 2.04B-E)

Light Industrial (IL) - Site Development Standards		
Table 2.04B		
Lot Area, Minimum (square feet)		No minimum
Lot Width, Minimum (feet)		No minimum
Lot Depth, Minimum (feet)		No minimum
Street Frontage, Minimum (feet)		No minimum
Front Setback and Setback Abutting a Street, Minimum (feet)		10 <sup>1</sup>
Side or Rear Setback, Minimum (feet)	Abutting P/SP zone or a residential zone or use	30
	Abutting a commercial or industrial zone	0 or 5 <sup>2</sup>
Setback to a private access easement, Minimum (feet)		5
Lot Coverage, Maximum		Not specified <sup>3</sup>
Building Height, Maximum (feet)	Primary or accessory structure	70
	Features not used for habitation	100
1. Measured from the Street Widening Setback (Section 3.03.02), if any. 2. A building may be constructed at the property line, or shall be set back at least five feet. 3. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.		

## 2.07 Special Uses

Special Permitted Uses are allowed outright, but are subject to additional requirements designed to ensure their compatibility with, or mitigate their impact on, surrounding (usually residential) development.

- 2.07.01 General Provisions
- 2.07.02 Boat, Recreational and Vehicle Storage Pad
- 2.07.03 Common Boat, Recreational and Vehicle Storage Area
- 2.07.04 Community Club Buildings and Facilities
- 2.07.05 Craft Industries
- 2.07.06 Delivery Services
- 2.07.07 ~~Facilities During Construction~~~~Struck~~
- 2.07.08 ~~Food Cart Pods~~~~Facilities During Construction~~
- 2.07.09 Golf Courses
- 2.07.10 Home Occupations
- 2.07.11 House of Worship
- 2.07.12 Industrial Sales
- 2.07.13 Manufactured Dwelling Park (MDP)
- 2.07.14 Manufactured Dwelling on a Lot
- 2.07.15 Mobile Food Services
- 2.07.16 Residential Sales Office
- 2.07.17 Temporary Outdoor Marketing and Special Events
- 2.07.18 Temporary Residential Sales
- 2.07.19 Marijuana Dispensaries
- 2.07.20 Accessory Dwelling Units
- 2.07.21 Cottage Cluster

### **2.07.01 General Provisions**

#### A. Application

1. Special uses are subject to specific development standards. These standards are non-discretionary, so special review of a proposed development is not required. The standards contained in this Section apply to Special Uses.
2. The standards contained in this Section may be modified through the Conditional Use process.

#### B. Development Requirements

Unless specifically modified by the provisions of this Section, special uses are also subject to the development requirements of the underlying zone. Where the special use standard imposes a more restrictive standard, the special use standard shall apply.

2. No off-street parking or loading area shall be permitted within 10 feet of the side and rear lot lines.
3. Outdoor lighting shall be directed away from residential property and public streets.

**2.07.05      Craft Industries**

- A. Primary uses shall be limited to the following:
  1. Apparel manufacturing
  2. Other leather manufacturing
  3. Furniture and related-product manufacturing
  4. Sporting goods manufacturing
  5. Doll, toy and game manufacturing
- B. The use shall have a retail storefront.
- C. Outdoor storage, manufacturing, assembly or staging for shipping is prohibited.
- D. Manufacturing and/or assembly shall be limited to either 10,000 square feet, or five or fewer full-time equivalent employees, whichever is smaller.
- E. The craft industry shall be continuously conducted in such a manner as not to create any off-premise nuisance, including, but not limited to, noise, odors, vibration, fumes, smoke, fire hazards, or electronic, electrical, or electromagnetic interference.

**2.07.06      Delivery Services**

- A. The use shall be limited to the delivery of packages and the sale or delivery of food and beverages.
- B. The service shall be transacted from a self-contained, mobile unit.
- C. In conducting the sales and service, the mobile unit and delivery personnel shall be required to move to a new location at intervals of 15 minutes or less.

**2.07.07      Facilities During Construction~~[Struck]~~**

~~A. The use shall be limited to mobile offices, temporary power equipment, temporary housing for night security personnel, portable toilets, and equipment storage during construction. [This section "Duplex" struck by Ordinance No. 2603 (Legislative Amendment LA 21-02) effective June 30, 2022.]~~

~~B. All temporary facilities necessary for construction shall be removed prior to final occupancy.~~

**2.07.08      Food Cart Pods~~Facilities During Construction~~**

~~Food cart pods have the ability to invigorate under-utilized commercial and industrial sites, encourage entrepreneurship and local business development, and provide unique dining experiences for the public. This section is intended to establish development standards for food cart pods to ensure they are safe, sanitary, and attractive, and to lessen street frontage improvements and other costly site improvements that could deter development.~~

~~A. Applicability, permitting, and review: This section applies to the development of a new food cart pod or redevelopment/expansion of an existing food cart pod. Food carts shall be~~

**Commented [DH3]:** "Facilities During Construction" is simply being shifted from 2.07.08 to 2.07.07. No other changes proposed.

~~located within a food cart pod, except mobile food services. The use shall be limited to mobile offices, temporary power equipment, temporary housing for night security personnel, portable toilets, and equipment storage during construction.~~

**Commented [DH4]:** This would prohibit the standalone carts that we currently see throughout 99E. Traveling carts would still be allowed.

1. Land use review:

- a. A new food cart pod shall follow the Type II Design Review procedure for obtaining a site plan approval.
- b. The expansion of or addition onto an existing food cart pod shall follow the Type I Design Review procedure. This includes additional cart spaces and new or expanded accessory structures.

2. Food cart pods shall comply with all applicable City, Woodburn Fire District, Marion County, and State agency permitting requirements. Permits shall be properly maintained and renewed.

~~3.~~ Food cart pod managers/owners, as well as each food cart within the pod, shall register their businesses with the City of Woodburn. Registrations shall be properly maintained and renewed.

B. Site development standards: Standards are those of the applicable zoning district, unless otherwise specified below: All temporary facilities necessary for construction shall be removed prior to final occupancy.

1. Food carts and accessory structures shall maintain a minimum setback of 5 feet from all property lines.

2. Food carts and accessory structures shall not be located within the Riparian Area & Wetlands Overlay District (per Section 2.05.05B), a public utility easement (per Section 3.02.01), or a vision clearance area (per Section 3.03.06).

3. Food carts shall be separated from each other by at least 5 feet.

4. Food carts shall not exceed the following dimensions:

- a. Maximum length is 26 feet.
- b. Maximum width is 10 feet.
- c. Maximum height is 15 feet.

5. Food carts shall be sited entirely on a paved surface.

6. Common seating area shall be provided to serve the pod and total a minimum area of 50 square feet per food cart. Seating areas shall be ADA-compliant and at least 50% of the seating area shall be covered or sheltered from rain.

7. The pod shall provide for internal pedestrian circulation to all food carts and customer amenities through a paved walkway that is ADA-compliant and at least 5 feet wide.

8. Restrooms shall be provided to satisfy applicable State and County permitting requirements. Portable restrooms are prohibited.

9. Refuse containers shall be provided to satisfy applicable State and

**Commented [DH5]:** OHA rules allow for food cart pods to utilize restrooms of another business within 500 feet if permission is granted.

County permitting requirements. A common refuse collection enclosure shall be provided to serve the pod and shall be located under a shelter structure.

C. Street improvements: Food cart pod developments shall provide the following street frontage improvements for each frontage abutting the site.

1. Dedicate right-of-way per 3.01;
2. Grant a streetside public utility easement per 3.02.01B & F;
3. Construct an ADA-compliant sidewalk at least 6 feet wide, or pay a fee-in-lieu per 4.02.12; and
4. Plant street trees per 3.06.03A, or pay a fee-in-lieu per 4.02.12.

D. Utilities: All utilities serving the food cart pod shall be underground per Section 3.02.04C. Any public utility line crossing through private property shall be covered by a public utility easement in conformance with Section 3.02.01C.

1. Municipal water and sanitary sewer connections are required for each food cart. Utility services shall terminate in temporary connection assemblies, similar to those used in recreational vehicle (RV) parks.
2. A power connection is required for each food cart. On-site generators are prohibited.
3. Propane tanks and natural gas connections are allowed. Such utilities shall maintain compliance with applicable safety regulations at all times.
4. On-site stormwater detention shall be provided.

E. Access:

1. Food cart pods shall provide vehicular access in conformance with Table 3.04A and Section 3.04.04. Access should be limited to a single driveway. For lots with multiple street frontages, access should occur via the lower classification of street.
2. A paved walkway connection at least 6 feet wide shall connect the internal pedestrian circulation walkway and the public sidewalk along each frontage. Corner lots may instead provide a single paved walkway connection at least 8 feet wide at the corner. Walkways may be gated.
3. Drive-throughs are prohibited.

F. Transportation impacts: The provisions within Section 3.04.05 are applicable to food cart pods.

G. Parking: The parking provisions of Chapter 3.05 are applicable to food cart pods, except:

1. Screening of a parking area abutting a street may conform with Section 3.05.02D4 through landscaping planters, food cart placement, and/or outdoor seating areas.
2. Walkway crossings of drive aisles may utilize painted crosswalk

**Commented [DH6]:** Requirements would be very similar to what we require for new single-family homes

**Commented [DH7]:** Is the Commission supportive of allowing propane tanks? There are stricter Fire District review standards when these tanks are involved.

**Commented [DH8]:** "Should" language allows for staff discretion for unique circumstances.

striping to conform with Sections 3.04.06D and 3.05.02N.

3. Carpool/vanpool parking standards (Table 3.05C and Section 3.05.03H) and electric vehicle parking standards (Table 3.05E and Section 3.05.03I) are not applicable.

4. A minimum of 1 bicycle parking stall is required per food cart. The coverage/sheltering requirement (Section 3.05.06C6) is not applicable.

H. Landscaping: The general landscaping requirements in Section 3.06.02 are applicable. Food cart pods shall provide a minimum of 10 Plant Units per food cart on-site. Required landscaping may be permanently planted in the ground or planted within decorative planters (nursery pots are prohibited). Planters shall each be at least 25 gallons. Plant unit values are outlined within Table 3.06B, except that a 25-gallon planter provides 1 Plant Unit, a 50-gallon planter provides 2 Plant Units, and so on.

I. Screening:

1. A wall or sight-obscuring fence meeting the standards outlined within 2.06.02 is required along any lot line abutting a residentially-zoned property.

2. Common refuse collection facilities shall be enclosed behind a sight-obscuring fence or wall and be gated. The fence or wall shall be between 6 and 7 feet tall.

J. Signage: Food cart pod signage shall meet the standards within 3.10 and obtain permits as required by Section 5.01.10. Individual signs attached to a food cart are not required to obtain a permit however they shall not be legible from a public street and they shall not extend more than 3 feet above the roof of the cart.

B-K. Exterior lighting: The exterior lighting provisions of Chapter 3.11 are applicable to food cart pods.

required of single-family dwellings constructed under the State Building Code, as defined in ORS Chapter 455.

### **2.07.15 Mobile Food Services**

- A. ~~The mobile food service operator shall comply with all applicable City, Woodburn Fire District, Marion County, and State agency permitting and licensing requirements. Permits shall be properly maintained and renewed. use shall be limited to the preparation and/or sale of food and beverages from a vehicle or trailer.~~
- B. Business Operations
  - 1. Shall not be conducted within public rights-of-way
  - 2. Shall ~~not block driveways, entrances or parking aisles~~ be conducted on property with the written consent of the property owner
- ~~C. The use shall not block driveways, entrances or parking aisles.~~
- ~~D. The base of operations for mobile food service units shall be inside the industrial zones. Use of sites in residential zones for the preparation, maintenance, or storage area for mobile food service units is prohibited.~~

**Commented [DH9]:** Pretty minimal standards proposed for the traveling food cart. The definition in Section 1.02 limits how long they can stay at one location.

**Commented [DH10R9]:** Part of the OHA/County permit would be to specify a base of operations. Home kitchens are not allowed.

### **2.07.16 Residential Sales Office**

- A. The office shall be located on a lot within a subdivision or planned development, or on a space within a manufactured dwelling park.
- B. The principal use of the office shall be the sale of lots, renting of spaces, or the sale of dwellings or manufactured dwellings on lots or spaces within the development.
- C. The office shall have a finished exterior and the site must be landscaped.
- D. Business shall be conducted between 8:00 a.m. to 8:00 p.m.

### **2.07.17 Temporary Outdoor Marketing and Special Events**

- A. Permitted Uses
  - 1. Seasonal sales ~~of (examples include fireworks, Christmas trees, produce or plant materials, etc.).~~ except marijuana
  - 2. Amusement rides, ~~and games, and other forms of entertainment.~~
  - 3. ~~Entertainment~~ Offering of merchandise or services.
  - 4. ~~Any other merchandise or service except marijuana dispensaries~~ Food carts are permitted as a single event or recurring event, not as a seasonal sale event.
  - ~~5. Marijuana dispensaries are not permitted as any type of special event.~~
- B. Duration
  - 1. Single events shall be limited to a maximum duration of three consecutive days, with all goods, temporary facilities and signs removed within 24 hours of closing on the last day of ~~the~~ each event.
  - 2. Recurring events shall be limited to a maximum duration of one day per week, and may recur for up to 36 consecutive weeks. ~~with a~~ All goods, temporary facilities, and signs shall be removed within 24 hours of each ~~recurrence~~ event. ~~Events may~~

**Commented [DH11]:** This is the change that would prohibit food carts from temporarily locating for long periods of time.

~~reoccur once per week for a maximum of 36 weeks.~~

3. Seasonal sales events shall be limited to a maximum duration of 60 consecutive days per calendar year. ~~two events, with each event not exceeding more than 30 consecutive days.~~
- C. Events shall only be conducted between the hours of 8:00 a.m. and midnight.
- D. The use shall not block driveways, entrances or parking aisles.
- E. The required parking for all other uses of the property shall not be diminished below that required by this ordinance (Section 3.05).
- F. The use shall conform to all setback standards for the zone.
- G. Responsibilities
  1. The event operator:
    - a. Shall possess a valid special event permit for each event;
    - b. Shall be responsible for compliance with use standards, crowd and traffic control, and for sanitation, including rest rooms, waste disposal, and cleanup.
  2. The operator of a special ~~event~~ shall possess valid certification of compliance for all applicable health, sanitation and safety standards of the City and other applicable jurisdictions.
- H. ~~The temporary outdoor marketing and s~~Special events shall not be located within a public right-of-way unless authorized by the appropriate jurisdiction (City of Woodburn, Marion County, or the Oregon Department of Transportation).
- I. Existing businesses with outdoor product display areas are not required to obtain a ~~Temporary Outdoor Marketing and~~ Special Events permit, but are limited to the following:
  1. Products sold within the primary building;
  2. Covering no more than ten percent of the gross square footage of the buildings on the property;
  3. Retaining a minimum of four feet for pedestrian clearance along any adjacent walkway.

#### **2.07.18 Temporary Residential Sales**

- A. Permitted Uses
  1. Produce and plant materials grown on the subject property
  2. Estate, garage and yard sales
  3. Crafts and other hobby items
- B. Number of Sales per Year
  1. Estate, garage, yard, craft and hobby sales
    - a. The number of sales, in any combination, conducted at the same site, shall not exceed three in any calendar year.
    - b. The duration of each sale period shall not exceed three consecutive days.
  2. A sale of produce and plant materials grown on-site shall be limited to one event, no



## 3.05 Off-Street Parking and Loading

The purpose of this Section is to identify the requirements for off-street parking and loading facilities. Well-designed parking facilities improve vehicular and pedestrian safety, promote economic activity, enhance the driving public's experience, promote cycling, carpooling, vanpooling, and per electric vehicles, allow persons walking, cycling, and rolling along to pass along or through parking areas in comfort and dignity, and to implement Woodburn Comprehensive Plan policies. With appropriate landscaping and storm water design, parking areas can also mitigate the environmental impacts of development and reduce the urban heat island effect.

3.05.01	Applicability
3.05.02	General Provisions
3.05.03	Off-Street Parking
3.05.04	Off-Street Loading & Unloading
3.05.05	Shared Parking
3.05.06	Bicycle Parking Standards

### 3.05.01 Applicability

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

- A. All requirements and standards of Section 3.05 shall apply to any new building or structure constructed after the effective date of the Woodburn Development Ordinance (WDO).
- B. Any additional parking or loading required to accommodate a change in use, or expansion of an existing use, shall conform to all parking, loading and landscaping standards of the WDO.

### 3.05.02 General Provisions

- A. All required parking and loading spaces shall be retained and maintained in accordance with the standards of the WDO.
- B. The land for off-street parking and loading areas shall either be:
  1. Owned in fee title by the owner of the structure or site being served by the parking area, or
  2. Subject to legal documentation to the satisfaction of the Director, establishing permanent use of off-street parking that is under separate ownership. The parking, subject to such a parking agreement, shall be in compliance with all requirements and development standards of the WDO. The agreement shall be recorded with the County Recorder and filed with the Director.
- C. When calculations for determining the number of required off-street parking spaces results in a fractional space, any fraction of a space less than one-half shall be disregarded, and a fraction of one-half or greater shall be counted as one full space.

**Off-Street Parking Ratio Standards  
Table 3.05A**

Use <sup>1,2</sup>	Parking Ratio - spaces per activity unit or square feet of gross floor area
<b>RESIDENTIAL</b>	
1a. Single-family dwellings (houses), including manufactured homes, and multiple-family dwellings	2/ dwelling unit
1b. Duplexes, triplexes, quadplexes, townhouses, and cottage clusters	1/ dwelling unit <sup>4</sup>
2. Rooming/boarding house, hotel, motel, and other traveler accommodations	2 parking spaces + 1/ guest room
3. Group Home or Group Care Facility	0.75/ living unit
<b>COMMERCIAL / PUBLIC</b>	
4. General indoor recreation	1/ 200 square feet
5. Food and drinking places	1/ 200 square feet
6. Motor vehicle service	1/ 200 retail area + 3/ service bay + 1/ pump island
7. General retail sales (such as food and beverages, clothing, sporting goods, health and personal care items, and motor vehicle parts) 8. Photo finishing 9. Ambulatory health services (such as doctors, dentists, optometrists, and chiropractors) 10. Postal service 11. Limited-service eating place	1/ 250 square feet
12. Offices (such as professional, scientific and technical services, finance and insurance, real estate, administrative and support services, social assistance, and public administration – but not including ambulatory health services)	1/ 350 square feet
13. Personal services	Greater of: 1/ 350 square feet; or 2/ service chair or room
14. Libraries	1/ 400 square feet
15. Outdoor sales and service of bulky merchandise (such as motor vehicles, farm equipment, and manufactured dwellings)	1/ 400 square feet of structure + 1/ 20,000 square feet of outdoor display area
16. General repair and service (such as electronic and precision equipment, leather goods, laundry and dry cleaning equipment)	1/ 500 square feet

17. Printing and related support activities 18. Mail order house	Greater of 1/ 700 square feet or 1/ employee
19. Fabricated metal products manufacturing 20. Commercial and industrial equipment repair 21. Craft industries 22. Commercial bakery	Greater of 1/ 800 square feet or 1/ employee
23. Indoor sales and service of bulky merchandise (such as furniture, appliances, and building materials)	1/ 900 square feet
24. Temporary outdoor marketing and special events	1/ 1,000 square feet of outside event space plus, no reduction from primary zoning for other uses.
25. Delivery services	One space per delivery vehicle plus one space per employee per shift.
26. <del>Food cart pods</del> <del>Mobile Food Service</del>	<del>1.5 per cart</del> <sup>4</sup>
27. Home occupation 28. Residential sales office 29. Temporary residential sales	No reduction from dwelling requirement is allowed.
30. Contractors	2 parking spaces + 1/ employee
31. Parks and playgrounds	Minimum of other uses requiring parking
32. Urban transit system, interurban and rural transit, taxi service, limousine service, school transportation, charter bus service, special needs transportation, motor vehicle towing	1/ vehicle plus 1/ employee
33. Hospital	1.5/ bed
34. Meeting facilities (such as house of worship, auditorium, motion picture theater, arena, funeral home, and lodge hall) 35. Museum and historic sites 36. Community center 37. Community club building and facilities	One space per 4 occupants, as established by the building code
38. Bowling center	2/ lane
39. Golf course	4/ tee
40. Court games (tennis, handball, racquetball)	3/ court + 1/ 4 feet of bench
41. Day care	2/ caregiver
42. Elementary or middle school	2/ classroom
43. High school	1/ unit of capacity for 6 students
44. Community college, college, business school, trade school, technical school, other instruction (including dance, driving and language)	1/ unit of capacity for 4 students
45. Play or ball field	Greater of: 15/ field or 1/ 8 feet of bench

**Commented [DH12]:** Canby requires a range of 0-1.5 stalls per cart, based on the zoning district. Beaverton, Gresham, West Linn, Oregon City do not require parking. Tualatin, Wilsonville requires parking based on total square footage (10/1000sf).

46. Government and public utility buildings and structures	Greater of: 2 or one per employee at location
47. Cemetery	10 plus one per acre
<b>INDUSTRIAL</b>	
48. Wholesale trade	1/ 700 retail square feet + 1/ 1,000 wholesale square feet
49. Motor vehicle wrecking yard	
50. Manufacturing	Greater of: a. 1/ 800 square feet (0 to 49,999 square feet) b. 63 plus 1/ 1,000 square feet over 50,000 (50,000 to 99,999 square feet) c. 113 plus 1/ 2,000 square feet over 100,000 (100,000 square feet or more) or 1/ employee
51. Stone, clay, glass and concrete products	
52. Fabricated metal products, except machinery	
53. Electronic and other electrical equipment and components, except computer equipment	
54. Transportation equipment	
55. Warehousing	Greater of: a. 1/ 5000 square feet (0 to 49,999 square feet) b. 10 plus 1/ 10,000 square feet over 50,000 (50,000 to 99,999 square feet) c. 15 plus 1/ 15,000 square feet over 100,000 (100,000 square feet or more) or 1/ employee
56. Motor freight transportation and warehousing	
57. Truck transportation	
58. Support activities for rail transportation	
59. Wholesale trade – durable goods	
60. Wholesale trade – Non-durable goods	
61. Recycling centers	
62. Asphalt or cement batch plants	
63. Agricultural practices	Exempt from the parking requirements
64. Telecommunication facilities	
65. Transit ground transportation	1 transit vehicle space per transit vehicle plus 1/ employee
66. Freight transportation arrangement	1/ employee
67. Self storage	1/ 6 storage units, maximum of 6 spaces
<ol style="list-style-type: none"> <li>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.</li> <li>2. There is no required parking ratio in the DDC zone per Section 3.07.07B.12.</li> <li>3. See Tables 3.05C &amp; E for minimum carpool/vanpool and electric vehicle parking and Table 3.05D for minimum bicycle parking.</li> <li>4. In compliance with OAR 660-046-0220(2)(e).</li> </ol>	

## 3.07 Architectural Design

The purpose of this Section is to set forth the standards and guidelines relating to the architectural design of buildings in Woodburn. Design standards can promote aesthetically pleasing architecture, increase property values, visually integrate neighborhoods, and enhance the quiet enjoyment of private property.

3.07.01 Applicability of Architectural Design Standards and Guidelines  
3.07.02 Single Family, Manufactured Dwellings, & Dwellings Other Than Multiple-Family ("Middle Housing") on Individual Lots

3.07.03

[Struck]

3.07.04 Dwellings in the Neighborhood Conservation Overlay District (NCOD)

3.07.05 Standards for Medium Density Residential Buildings

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

3.07.07 Downtown Development and Conservation Zone

3.07.08 Mixed Use Village Zone

3.07.09 Nodal Neighborhood Commercial Zone

3.07.10 Industrial Zones

### **3.07.01 Applicability of Architectural Design Standards and Guidelines**

- A. For a Type I review, the criteria of this Section shall be read as "shall" and shall be applied as standards. For a Type II or III review, the criteria of this Section shall be read as "should" and shall be applied as guidelines.
- B. The following are exempt from the provisions of this Section:
  1. Any single-family, duplex, or manufactured dwelling that existed prior to October, 2005, except such dwellings located within the Neighborhood Conservation Overlay District (NCOD).
  2. New dwellings in Manufactured Dwelling Parks containing more than three acres.

### **3.07.02 Single-Family Dwellings, Manufactured Dwellings, & Dwellings Other Than Multiple-Family ("Middle Housing") on Individual Lots**

#### A. Applicability

This Section shall apply to all new single-family dwellings, dwellings other than multiple-family, and manufactured dwellings on individual lots. It shall apply also to subdivisions and Planned Unit Developments approved on or before August 12, 2013.

Manufactured dwellings have different standards for roofing; otherwise, all standards in this Section apply to manufactured dwellings.

#### B. Minimum Requirements

### **3.07.07 Downtown Development and Conservation (DDC) Zone**

#### **A. Applicability**

The purpose of these development standards is to guide the design of buildings constructed in the Downtown Development and Conservation (DDC) zoning district to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings within the downtown business district. The majority of the existing buildings in downtown Woodburn reflect architectural styles that were popular during the late nineteenth and early twentieth century.

1. The provisions of this ordinance shall apply to the following activities within the DDC:
  - a. All new building construction;
  - b. New construction, restorations, and remodels. Restorations shall be defined as all exterior repairs, replacement of materials, alterations or changes, including reroofing, painting, window, and sign replacement, as well as any exterior building or site modification that requires a building permit;
  - c. All new signage.
2. This ordinance shall not apply to the following activities or uses:
  - a. Maintenance of the exterior of an existing structure, such as reroofing, residing, or repainting where similar materials and colors are used that comply with this ordinance;
  - b. Interior remodeling;
  - c. Single-family detached dwellings;
  - d. Single-family dwellings that are used for businesses or home occupations.
3. This ordinance shall apply only to those portions of a building or sign that are proposed for construction or modification, and shall not extend to other elements of the building or sign that may be out of compliance with the requirements of this ordinance (i.e., a permit to replace a single window shall not require that all other windows on the building that may be out of compliance with this ordinance to be replaced, unless such action is initiated by the property owner). However, if a building should be destroyed due to fire, accident, or an act of God, the new or replacement structure shall be rebuilt to conform to the requirements of this ordinance.
4. 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. Design Guidelines or Standards**

Standards for new construction shall require builders to conform to the architectural form of Woodburn’s historic period (1880’s through 1940’s). As such, new construction shall conform to the following standards listed below. The following list of buildings is provided as a reference guide to those buildings which display characteristics intended by the standards.

- Association Building on Front Street between Garfield and Hayes Streets
  - Fulmer Building at Front and Lincoln Streets
  - Old City Hall at First and Lincoln Streets
  - Carnegie Library at Second and Garfield Streets
  - Bank of Woodburn building at Front and Arthur Streets
  - Masonic building at Front and Arthur Streets
1. Site Development
    - a. Building fronts and entrances shall be oriented toward the street. Buildings with frontages on two or more streets shall be oriented to at least one street.
    - b. Building facades should be set at the property edge along the sidewalk. Buildings with frontages on 2 or more streets should be set at the property edge on at least one street.
  2. Building Scale
    - a. The overall size and proportion of new structures shall be compatible with the scale of nearby traditional storefront buildings constructed during the historic period. This standard may be met by either designing the building's size and proportions to be similar to comparable historic structures in the downtown, or by the design of the facade so that it breaks a larger mass into smaller units that are similar to comparable historic structures.
    - b. If practical, new buildings should have the same floor height as adjoining buildings in case there is ever a desire to link the storefronts.
    - c. The relationship between the height and width of the main facade of the building shall be visibly compatible with adjoining or nearby buildings of the historic period or style. This standard may be met through either similar height and width, or, through design elements that provide visual continuity with adjoining or nearby buildings of the historic period.
  3. Building Height
 

New buildings of at least two stories in height are encouraged.
  4. Building Width
    - a. All new buildings should maximize lot frontage as much as is practicable.
    - b. New buildings whose street frontage is more than 50 feet wide shall be designed to convey a sense of division through the use of pilasters, windows and door openings, recessed entries, off-sets or other architectural details.

5. Storefronts

- a. Primary entrances shall be oriented to the street. Corner buildings shall have corner entrances, or shall provide at least one entrance within 20 feet of the street corner or a corner plaza.
- b. The upper windows of multi-story buildings shall use multi-pane double-hung sash windows or the equivalent style.
- c. The relationship between solid walls and window and door openings on the main facade shall be visually compatible with adjoining or nearby structures from the historic period or style. Ideally, first floor storefronts should be about 80 percent glass from approximately two feet above grade to approximately 10 feet above grade.
- d. The relationship of width and height of window and door openings shall be visually compatible with adjoining or nearby buildings from the historic period or style.
- e. Blank walls, walls without window or door openings, are not permitted along public streets.
- f. Windows and doorways 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.
- g. Doors shall match the materials, design, and character of the display window framing.
- h. Architectural features such as awnings, windows, cornices, etc., shall be provided at the second floor to differentiate the storefront from the upper levels of the building, to add visual interest, and to allow the storefront to function as the base for the rest of the building.

6. Facade Materials and Texture

- a. The materials and texture of the facade shall be compatible with those on buildings constructed during the historic period.
- b. Permitted exterior facade materials include: brick, cast iron, relatively narrow horizontal wood or masonry siding, and stucco. Plywood siding, T-111, and vertical board and batten are prohibited.
- c. Exposed concrete block facades facing the street are not allowed. Split-face or scored-face block may be used in small quantities for foundations or other non-dominant features.
- d. All main facade materials shall be painted (except brick, for which painting is optional).
- e. Metal siding shall not be used as a building material on the facade facing a street.



## 7. Windows

- a. Windows which allow views to the interior activity or display areas are encouraged. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used on the first floor.
- b. Ground Floor Windows
  - (1) All new buildings must provide ground floor windows along adjacent street rights-of-way.
  - (2) Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
  - (3) Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade.
  - (4) Glass curtain windows are not permitted.
  - (5) Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
  - (6) Any wall that faces a public right-of-way must contain at least 20% of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.
- c. Upper Floor Window Standards
  - (1) Glass area dimensions shall not exceed five feet by seven feet. (The longest dimension may be taken either horizontally or vertically.)
  - (2) Windows must have trim or molding at least two inches wide around their perimeters.
  - (3) At least half of all the window area in upper floors must be made up of glass panes with dimensions no greater than two feet by three feet.

## 8. Roofs

- a. Main facade roofs (lower than a 6:12 pitch) shall be concealed behind a square or stepped parapet. Flat roofs are permitted behind a parapet.
- b. All heating, ventilation, and air conditioning (HVAC) systems located on top of a roof shall be located or screened so that they are not visible from the street. Dish-style antennas shall be located or screened so that they are not visible from the street. All screening material shall be natural and shall be compatible with the facade of the front of the building.
- c. New roofs on existing buildings, or on additions to existing buildings, shall match the pitch and form of the original roof.
- d. Shed roofs are permitted on one-story rear additions.
- e. Back-lit or internally illuminated roofs are prohibited.

9. Awnings and Canopies

- a. The use of awnings or canopies over sidewalks is encouraged.
- b. Awnings shall extend out from the building front to cover at least two-thirds of the sidewalk, unless it is shown that such a distance will interfere with existing trees, poles, etc., to provide pedestrian protection from the elements.
- c. Awnings shall be flat or sloping. Awnings shall be made of metal, wood, canvas or similar materials. Rounded bubble or plastic awnings are prohibited. Fully glazed awnings are not permitted.
- d. Awnings shall fit within the window bays (either above the main glass or the transom light) so as not to obscure or distract from significant architectural features.
- e. The color of the awning shall be compatible with its attached building.
- f. Awnings shall not be internally illuminated. However, lighting which is intended to provide illumination to the sidewalk and signage is permitted.
- g. Awnings shall be a minimum of eight feet above the sidewalk.
- h. Where feasible, awnings shall be placed at the same height as those on adjacent buildings in order to maintain a consistent horizontal rhythm along the street front.

10. Color

- a. The painting of brick walls is permitted.
- b. Subtle or subdued tones commonly used during the historic period shall be used. Bright or neon colors are prohibited.
- c. Different colors shall be used to accentuate and highlight trim, windows, and other building features.

11. Site Design

Landscaping shall not obliterate street and sidewalk views of signage or architectural features on historic buildings.

12. Off-Street Parking

- a. All parking and access standards of this ordinance (Sections 3.04 and 3.05) shall apply, except that there shall be no required parking in the Downtown Development and Conservation (DDC) zone.
- b. Parking areas shall not be located between the front of the building and the street.
- c. Parking areas with more than 10 spaces shall be divided by landscaped areas or walkways, or by a building or group of buildings.
- d. Knee walls are required to screen street side parking lots. Knee walls shall not exceed three feet in height and shall be constructed with masonry. Alternatively, a combination of a wall or fence and landscaping may be approved if they provide an effective buffer and low-level screen of the parking area.

C. External Storage of Merchandise

The external storage of merchandise or materials, directly or indirectly related to a business, is prohibited.

D. Outdoor Displays of Merchandise

Outdoor displays of merchandise are permitted during business hours only and shall not exceed ten percent of the total retail sales area. Displays of merchandise on public sidewalks may not reduce usable walking area widths to less than four feet.

E. Outdoor Eating Areas

Outdoor dining areas are encouraged, and are permitted on public sidewalks. ~~Outdoor food vending carts are permitted. Eating areas or vending carts may not as long as they do not~~ reduce usable walking area widths on public sidewalks to less than four feet. ~~Mobile food kitchens are prohibited in the DDC district.~~

**Commented [DH13]:** This language has created confusion and frustration for downtown businesses.