
To: Lisa Ellsworth, Chair
Woodburn Planning Commission

From: Dan Handel, Planner

Date: April 25, 2024 (Prepared April 18, 2024)

Subject: LA 24-02 Work Session #3: Food Cart Pods

During our first work session, we heard from Mr. John Stromquist about 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. Based on the feedback and direction staff received, a series of draft amendments were presented at our second work session. Amendments added new definitions, specified food cart pods as Special Permitted Uses in all commercial and industrial zones, outlined development standards for food cart pods, and modified Special Events to exclude food carts from seasonal events.

As part of our review of the draft amendments, the Commission sought the following changes:

- The time allowed for Mobile Food Services has been increased to four hours per stop.
- The Special Event standards have been clarified to better distinguish how food carts will be allowed.
- The following changes were made to food cart pod development standards:
 - Language has been added to ensure carts do not cause obstructions of sidewalks or streets.
 - Propane tanks are now prohibited.
 - Electric vehicle parking requirements are now applicable.
 - Minimum parking requirements were raised to 2 stalls per cart and now include an additional requirement for any building area (a bar, restroom facility, etc.).

This third work session is intended as an opportunity to obtain feedback from the public (cart operators, pod developers, the existing business community, etc.) and finalize a draft amendment.

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	Structure	3
1.02	Definitions	7
1.03	Official Zoning Map	29
1.04	Nonconforming Uses and Development	31
1.05	Planning Commission	35
1.06	Design Review Board	39

VOLUME 2 LAND USE ZONING AND SPECIFIED USE STANDARDS

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

VOLUME 3 DEVELOPMENT GUIDELINES AND STANDARDS

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

VOLUME 4 ADMINISTRATION AND PROCEDURES

4.01	Decision-Making Procedures	299
4.02	Review, Interpretation and Enforcement	313

VOLUME 5 APPLICATION REQUIREMENTS

5.01	Type I (Administrative) Decisions	323
5.02	Type II (Quasi-Administrative) Decisions	331
5.03	Type III (Quasi-Judicial) Decisions	341
5.04	Type IV (Quasi-Judicial) Decisions	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 traveling food cart that operates at various destinations along a route. 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, which publishes the *Urban Street Design Guide*.

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)	Conditional Uses (CU)	Permitted Uses (P)	DDC	CG	CO	MUV	NNC
Special Permitted Uses (S)	Specific Conditional Uses (SCU)						
2	Public and private schools, house of worship, civic and social organizations	P	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	P
B	Commercial Retail and Services						
1	Ambulance service	CU ³	CU ³	CU	CU ³		
2	Automotive maintenance and gasoline stations, including repair services	CU	CU ³		P ⁶		
3	Bakeries, delicatessens, grocery and convenience stores	P ⁷	P		P	P	
4	Bowling, skating, movie and performing arts theaters	P	P		P		
5	Building material and garden equipment	P ⁵	P ⁵		P ⁵	P ⁵	
6	Business services	P	P	P	P		
7	Computer, commercial, electric motor, precision equipment, industrial and home goods repair.	P ⁴	P ¹	P ⁴	P ⁴		
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 ⁴	P ⁴	P ⁶		
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 ⁷	P		S	P	
12	Fitness and recreational sports	P	P	P	P	P	
<u>13</u>	<u>Food cart pods</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 ³				
<u>16</u>	<u>Hotels, motels and bed and breakfast inns</u>	P	P	P	P	P	
<u>17</u>	<u>Mobile food services</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	

<u>18</u>	Office and office services and supplies	P	P	P	P	P
<u>19</u>	Other amusements, including ballrooms		P ¹			
<u>20</u>	Pawn, check cashing, payday loan and cash transfer	CU ⁷	P		P	
<u>21</u> <u>49</u>	Printing, publishing, copying, bonding, finance, insurance, medical, data processing, social assistance, legal services, management, and corporate offices	P ⁷	P	P	P	P
<u>22</u>	Professional services	P	P		P	
<u>23</u>	Restaurants and drinking places	P ⁷	P	P	P	P
<u>24</u> <u>2</u>	Retail trade offering goods and services directly to customers	P ⁷	P		P	P
<u>25</u>	Spectator sports		P ¹			
<u>26</u>	Taxidermist		CU ³			
<u>27</u>	Veterinary service		CU ³			
<u>28</u>	Wine and liquor	CU ⁷	P		P	
C	Industrial					
1	Charter bus, special needs transportation, transit system, school transportation, limousine service and taxi service		CU ³			
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 ³			
3	Manufacturing of metal products, furniture and cabinets		P ⁴	P ⁶		
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 ¹			

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)						
5	Motor vehicle towing			CU ³			
6	Parking lots and garages	P	P	P			P
7	Recreational vehicle park			CU ¹			
D	Miscellaneous						
1	Facilities during construction	S	S	S	S	S	S
2	Fence or free-standing wall	A	A	A	A	A	A
3	Temporary outdoor marketing and special events: 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.a. 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	S
E	Residential						
1	One dwelling unit, in conjunction with a commercial use	P	P	P	P	P	P
2	Triplexes	P	CU ⁹		P	P	
3	Quadplexes	P	CU ⁹		P	P	
4	Townhouses	P	CU ⁹		P	P	
5	Child care facility, group home, and nursing home	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
6	Multiple-family dwellings	P	CU ⁹	CU	P	P	

Commented [DH1]: The allowed uses for special events are outlined under the Special Permitted Use provisions, not necessary to list them here.

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			
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		IL	IP	P/SP	SWIR
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	Commercial Retail and Services				
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</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
8 7	Hospitals and ancillary uses		P	CU	P
9 8	Mobile F food S services	S	S	<u>S</u>	S
10 9	Restaurants and drinking places	P	P		P
11	Marijuana dispensaries	S	S		
C	Industrial				
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	Temporary outdoor marketing and special events: 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.a. 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
E	Residential			
1	One dwelling unit in conjunction with an industrial use		P	P

Commented [DH2]: The allowed uses for special events are outlined under the Special Permitted Use provisions, not necessary to list them here.

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 ¹
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 ²
Setback to a private access easement, Minimum (feet)		5
Lot Coverage, Maximum		Not specified ³
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](#) [Struck]
- [2.07.08](#) 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
- [2.07.21-2.07.22](#) Food Cart Pods

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.

Commented [DH3]: These are the provisions applied to delivery services.

2.07.07 [Struck]

[This section "Duplex" struck by Ordinance No. 2603 (Legislative Amendment LA 21-02) effective June 30, 2022.]

2.07.08 Facilities During Construction

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

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 remain at one stop along its route for more than four hours. All goods, temporary facilities, and signs shall be removed prior to departing each stop.~~
 - ~~2. Shall not be conducted within public rights-of-way.~~
 - ~~3. 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 [DH4]: Pretty minimal standards proposed for the traveling food cart.

Commented [DH5R4]: Part of the OHA/County permit would be to specify a base of operations. Home kitchens are not allowed.

Commented [DH6]: Per PC feedback on 4/11.

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. Types of Special Events

- 1. Single Event: An event with a maximum duration of three consecutive days.
- 2. Recurring Event: An event with a maximum duration of one day per week, which may recur for up to 36 consecutive weeks.
- 3. Seasonal Event: An event with a maximum duration of 30 consecutive days. Seasonal events are limited to two per calendar year per site.

A.B. 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 event.

4.5. 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 each event.~~
- ~~2. Recurring events shall be limited to a maximum duration of one day, with all goods, temporary facilities and signs removed within 24 hours of each event. Events may reoccur once per week for a maximum of 36 weeks.~~
- ~~3. Seasonal sales shall be limited to two events, with each event not exceeding more than 30 consecutive days.~~

C. Operational Requirements

4.1. Events shall only be conducted between the hours of 8:00 a.m. and midnight.

~~5.2. The event use shall not block driveways, entrances, or parking aisles.~~

~~6.3. The required parking for all other uses of the property shall not be diminished below that required by this ordinance (Section 3.05).~~

~~7.4. The event use shall conform to all setback standards for the applicable zone.~~

8.5. ResponsibilitiesThe event operator shall:

- ~~a. The event operator Possess a valid Special Event Permit for each event;:~~
- ~~b. Shall possess a valid special event permit for each event;~~
- b. Be responsible for compliance with use standards, crowd and traffic control, and for sanitation, including rest rooms, waste disposal, and cleanup; and-
- c. Remove all goods, temporary facilities, and signs within 24 hours of closing on the last day of the event. For recurring events, this requirement applies to each recurrence.

~~9.6. The operator of a special event use shall possess valid certification of compliance for all applicable health, sanitation, and safety standards of the City and other applicable jurisdictions.~~

~~10.7. The temporary outdoor marketing and sSpecial 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).~~

C.D. 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.

- (1) Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - (a) Within 20 feet of any street property line;
 - (b) Between a street property line and the front facade of cottages located closest to the street property line.
- (2) Off-street parking spaces shall not be located within 5 feet of any other property line, excepting property lines along alleys or shared rear lanes. Driveways and drive aisles shall not be located within 5 feet of other property lines except (A) along alleys or shared rear lanes or (B) Section 3.04 requires to adjoin such property lines to meet cross access or shared access standards.
- c. Screening. Landscaping, fencing, or walls minimum 3 feet high, shall separate pooled parking or shared parking areas and parking structures from common courtyards and public streets.
- d. Garages and carports.
 - (1) Garages and carports (whether shared or individual) shall not abut common courtyards.
 - (2) Individual attached garages up to 200 square feet shall be exempt from the calculation of maximum building footprint for cottages.
 - (3) Individual detached garages shall be maximum 400 square feet GFA.
 - (4) Garage doors for attached and detached individual garages shall be maximum 20 feet in width.
- 7. Accessory Structures. Accessory structures shall be maximum 400 square feet GFA.
- 8. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area if the development meets the following provisions:
 - a. The existing dwelling may be nonconforming with the WDO as Section 1.04 allows.
 - b. The existing dwelling may be expanded up to the maximum height or the maximum building footprint per this Section 2.07.21; however, existing dwellings that exceed the maximum height and/or footprint per Chapters 1.04 and 2.02 shall not expand.
 - c. The GFA of the existing dwelling shall not count towards the maximum average GFA of a cottage cluster.
 - d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard.

2.07.22 Food Cart Pods

-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 located within a food cart pod, except mobile food services and delivery services.

Commented [DH7]: This would prohibit the standalone carts that we currently see throughout 99E. Traveling carts and delivery services 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:

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

Commented [DH8]: Same as the setback requirements for CG zone.

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.

Commented [DH9]: ADA-compliant walkways are 5 feet wide

4. Food carts shall not exceed the following dimensions:

Commented [DH10]: Comes from research into industry norms.

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 and oriented in a manner such that the operation does not block or inhibit use of a public sidewalk or street.

Commented [DH11]: Per PC feedback on 4/11.

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.

Commented [DH12]: Typical picnic table is 8' x 6' (48sf).

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.

Commented [DH13]: OHA rules allow for food cart pods to utilize restrooms of another business within 500 feet if permission is granted.

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

Commented [DH14]: Requirements would be very similar to what we require for new single-family homes

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. Natural gas connections are allowed. All natural gas connections shall maintain compliance with applicable safety regulations at all times. Propane tanks are prohibited.
4. On-site stormwater detention shall be provided.

Commented [DH15]: Per PC feedback on 4/11.

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.

Commented [DH16]: "Should" language allows for staff discretion for unique circumstances.

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

Commented [DH17]: Same as any new development.

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 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) are not applicable.

Commented [DH18]: EV requirements would apply per PC feedback on 4/11.

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

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. 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.

Commented [DH19]: This is roughly similar to the standard requirement for yard area along the street (1 PU/15sf). Typical trailers and trucks are 8' x 16' (128sf).

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.

Commented [DH20]: Provide a buffer for adjacent residential properties.

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.

Commented [DH21]: Same as any other commercial development, except more flexible to allow a fence instead of a wall.

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.

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

Commented [DH22]: Same as any other commercial development.

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 ^{1,2}	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
1b. Duplexes, triplexes, quadplexes, townhouses, and cottage clusters	1/ dwelling unit ⁴
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
COMMERCIAL / PUBLIC	
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)	1/ 250 square feet
8. Photo finishing	
9. Ambulatory health services (such as doctors, dentists, optometrists, and chiropractors)	
10. Postal service	
11. Limited-service eating place	1/ 350 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)	
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. Food cart pods Mobile Food Service	<u>2 per cart + 1/ 200 square feet of building area</u>
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

Commented [DH23]: 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).

Commented [DH24R23]: Lake Oswego: 8 stalls per 1000sf GFA (GFA calculated based on the total square footage of covered or enclosed seating areas, plus the square footage of all food carts)

Commented [DH25R23]: Salem: maximum allowance of 2/cart; additional building area (bar, restroom, etc) allowed up to 1 space /175sf

Commented [DH26]: This matches what we require for a standard bar or restaurant

45. Play or ball field	Greater of: 15/ field or 1/ 8 feet of bench
46. Government and public utility buildings and structures	Greater of: 2 or one per employee at location
47. Cemetery	10 plus one per acre
INDUSTRIAL	
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"> 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. 2. There is no required parking ratio in the DDC zone per Section 3.07.07B.12. 3. See Tables 3.05C & E for minimum carpool/vanpool and electric vehicle parking and Table 3.05D for minimum bicycle parking. 4. In compliance with OAR 660-046-0220(2)(e). 	

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.

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 [DH27]: This language has created confusion and frustration for downtown businesses.

5.01 Type I (Administrative) Decisions

5.01 General Requirements

- A. The purpose of this Section is to identify what types of actions are considered Type I decisions and their respective review criteria. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval criteria. The decision-making process requires no notice to any party other than the applicant.
- B. To initiate consideration of a Type I decision, a complete City application, accompanying information and a filing fee must be submitted to the Director. The Director will evaluate the application as outlined in this Section.

- 5.01.01 Access Permit to a City Street, excluding a Major or Minor Arterial Street
- 5.01.02 Design Review, Type I
- 5.01.03 Fence and Free Standing Wall
- 5.01.04 Grading Permit
- 5.01.05 Manufactured Dwelling Park, Final Plan Approval
- 5.01.06 Partition and Subdivision Final Plat Approval
- 5.01.07 Planned Unit Development (PUD), Final Plan & Design Plan Approval
- 5.01.08 Property Line Adjustment; Consolidation of Lots
- 5.01.09 Riparian Corridor and Wetlands Overlay District (RCWOD) Permit
- 5.01.10 Sign Permit
- 5.01.11 Significant Tree Removal Permit
- 5.01.12 ~~Temporary Outdoor Marketing and~~ Special Event Permit

5.01.01 Access Permit to a City Street, Excluding a Major or Minor Arterial Street

- A. Purpose: The purpose of this review is to ensure conformance to City street access standards and this Ordinance (Section 3.04) in circumstances where the access is not subject to any other type of land use approval.
- B. Criteria: The proposed access shall conform to the applicable standards of access to public streets (Section 3.04).
- C. Procedure: The Director shall review the access permit and determine conformance to City standards.

5.01.09 Riparian Corridor and Wetlands Overlay District (RCWOD) Permit

- A. Purpose: The purpose of this review procedure is to ensure that all grading, excavation, fill, and vegetation removal (other than perimeter mowing and other cutting necessary for hazard prevention) within a delineated, significant wetland, complies with applicable City and State standards and procedures, including those of ORS Chapter 196 and Chapter 227 and OAR 660-023.
- B. Criteria:
 - 1. The applicable standards of this Ordinance and the findings and action proposed by the Division of State Lands; or
 - 2. A finding, verified by the Division of State Lands, of error in delineation of the RCWOD boundary.
- C. Procedure: The Director shall review the permit and approve it upon a determination that it meets the criteria of this ordinance.

5.01.10 Sign Permit

- A. Purpose: The purpose of this review is to ensure that signs comply with standards found within the Sign Standards (Section 3.10).
- B. Criteria: Applications shall be reviewed for compliance with the sign standards of this Ordinance.
- C. Procedure: The Director shall review proposal signs for compliance to City regulations.

5.01.11 Significant Tree Removal Permit

- A. Purpose: To ensure that the removal of Significant Trees conforms with Section 3.06.07 as well as the purposes of Section 3.06.07A.
- B. Applicability: Per Sections 3.06.07B & C.
- C. Criteria and procedure: Per Section 3.06.07.

5.01.12 ~~Temporary Outdoor Marketing and Special Event Permit~~

- A. Purpose: The purpose of this review is to ensure that ~~temporary outdoor marketing or~~ special events conform to the standards of this Ordinance (Section 2.07.17).
- B. Criteria: ~~Temporary Outdoor Marketing and~~ Special Events shall conform to all standards of this Ordinance.
- C. Procedure: The Director shall review the application and shall approve a permit based on compliance with this Ordinance.