CITY OF WOODBURN

TYPE III APPLICATION REQUIREMENTS:

VARIANCE APPLICATION

REQUIRED SUBMITTALS:

- ☐ 1. Completed Uniform Application.
- ☐ 2. Written narrative statement regarding compliance with attached criteria.
- ☐ 3. Location Map.
- ☐ 4. Street and Utility Plan.
- ☐ 5. Site Plan.
- ☐ 6. Deeds.
- ☐ 7. Notification area map and mailing labels:
  - ☐ a. An original copy of a current Assessor's Map with the notification area, depicted by a line drawn 250 feet, equidistant from all boundaries of the subject property.
  - ☐ b. Two (2) sets of self adhesive labels for each property within the notification area, showing the owner's name, the tax lot number of the ownership and the owner's mailing address.
  - ☐ c. An affidavit by the preparer of the notification list, that the address labels reflect the required ownership and address data as contained in the current property tax rolls.
- ☐ 8. Filing Fee: $1,769.00.

CITY OF WOODBURN

File No: _____
Related Files: _____
Date Received: _____
Fees Received: _____

Community Development Department
270 Montgomery Street • Woodburn, Oregon 97071
Phone: 503-982-5246 • Fax: 503-982-5244 • Website Address: www.ci.woodburn.or.us

UNIFORM APPLICATION

(APLICACION UNIFORME)

General Information *(Información General)*

Project location *(Ubicación del Proyecto)* _____

Property owner *(Nombre del Propietario)* _____
Mailing Address *(Dirección Postal)* _____
_____
Telephone & Fax No. *(Teléfono)* _____
E-mail Address *(Dirección Cibernética)* _____

Applicant *(Solicitante)* _____
Mailing Address *(Dirección Postal)* _____
_____
Telephone & Fax No. *(Teléfono)* _____
E-mail Address *(Dirección Cibernética)* _____

Comprehensive Plan Map Designation _____ **Site Acreage** _____
Zone Map Designation _____ **Assessor's Map & Tax Lot No.** _____

Description of the proposal *(Descripción del proyecto)* _____
_____
_____
_____
_____
_____
_____

Requested Review *(Solicitud a Revisar)*

1 ☐ ACCESS PERMIT TO CITY STREET	13 ☐ FORMAL INTERPRETATION OF THE WDO	25 ☐ REVOCATION OF PREVIOUSLY APPROVED PERMIT
2 ☐ ANNEXATION	14 ☐ MDP PRELIMINARY APPROVAL	26 ☐ SWOD PERMIT
3 ☐ APPEAL TO CITY COUNCIL	15 ☐ MDP FINAL PLAN APPROVAL	27 ☐ SPECIAL USE AS A CU
4 ☐ COMP. PLAN MAP CHANGE	16 ☐ MODIFICATION OF CONDITIONS	28 ☐ SUB. PRELIMINARY APPROVAL
5 ☐ CONDITIONAL USE	17 ☐ PARTITION PRELIMINARY APPROVAL	29 ☐ SUB. FINAL PLAT APPROVAL
6 ☐ DESIGN REVIEW RS & DUPLEX RESIDENTIAL DWELLINGS	18 ☐ PARTITION FINAL PLAT APPROVAL	30 ☐ TELECOMMUNICATION FACILITY, SPECIFIC USE AS A CU
7 ☐ DESIGN REVIEW	19 ☐ PHASING PLAN	31 ☐ TEMPORARY OUTDOOR PERMIT
8 ☐ EXCEPTION TO ST. ROW & IMPROVEMENT REQ.	20 ☐ PUD PRELIMINARY PLAN APPROVAL	32 ☐ TREE REMOVAL PERMIT
9 ☐ EXTENSION FOR A DEV. DECISION	21 ☐ PUD DESIGN PLAN FINAL APPROVAL	33 ☐ VARIANCE
10 ☐ FENCE & FREE STANDING WALL PRE-CONST REV.	22 ☐ PUD FINAL PLAN APPROVAL	34 ☐ ZONING ADJUSTMENT
11 ☐ GRADING PERMIT	23 ☐ LLA & CONSOLIDATION OF LOTS	35 ☐ ZONE CHANGE
12 ☐ HISTORIC OR ARCH. SIGNIFI. SITE,SPECIFIC CU	24 ☐ RS ARCH. STANDARDS SUBDIV.	36 ☐ OTHER: _____

Applicant Certification (Certificación del Solicitante)

I hereby declare that as applicant for this proposal, I have familiarized myself with the relevant provisions of the City of Woodburn Development Ordinance; and I have read the foregoing application and know the contents of the application to be true to the best of my knowledge (if applicant is not same as property owner, owner shall authorize applicant to represent his/her interest in the above referenced application by signing below). *(Por la presente declaro que como solicitante de esta propuesta, me he familiarizado con las provisiones pertinentes a la Ordenanza de Urbanización de Woodburn; y he leído la aplicación anterior y sé que lo contenido es verídico a lo mejor de mi conocimiento (si el solicitante no es el dueño de la propiedad firmará abajo autorizando al solicitante a representar su interés en la aplicación precedente)*

Owner *(Firma del dueño)* _____ **Applicant** *(Firma del Solicitante)* _____

Print Name *(Escriba en letra de molde)* _____ **Print Name** *(Escriba en letra de molde)* _____

Date *(Fecha)* _____ **Date** *(Fecha)* _____

STAFF USE ONLY *(Para Uso de Personal Solamente)*

Reviewed by:_____
(Revisado por)

Application Received:_____
(Fecha en que la aplicación fué recibida)

Deemed Complete:_____
(Aplicación)

Zone:_____
(Zonificación)

Vision Clearance:_____
(Visión de Paso Libre)

Notes:_____
(Notas)

_____

_____

_____

_____

_____

Approved *(Aprobado)* _____ Denied *(Negado)* _____

_____
Signature of Reviewer *(Firma del Examinador)*

_____
Date *(Fecha)*

CITY OF WOODBURN

VARIANCE CRITERIA

Provide a written response in the spaces provided below to show how the proposed variance complies with each of the following criteria. Attach additional pages if necessary.

Criteria. A determination of whether the criteria set forth are satisfied necessarily involves the balancing of competing and conflicting interest. The factors that are listed to be considered are not criteria and are not intended to be an exclusive list. The factors to be considered are used as a guide in deliberations on the application.

1. The variance is necessary to prevent unnecessary hardship relating to the land or structure which would cause the property to be unbuildable by application of the ***WDO***. Factors to consider in determining whether hardship exists, include:

   a. Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to lot size, shape, topography.

   b. Whether reasonable use similar to other properties can be made of the property without the variance.

   c. Whether the hardship was created by the person requesting the variance.

_____
_____
_____
_____
_____
_____
_____
_____

2. Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance materially injurious include but are not limited to:

   a. Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.

   b. Incremental impacts occurring as a result of the proposed variance.

_____
_____

3. Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.

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

5. The variance does not conflict with the Woodburn Comprehensive Plan.

CITY OF WOODBURN

Type III Decisions. (Quasi-Judicial)

Type III decisions involve significant discretion and evaluation of subjective approval standards, yet are not required to be heard by the City Council, except upon appeal. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the Planning Commission or Design Review Board hearing is published and mailed to the applicant, recognized neighborhood associations and property owners within 250 feet of the subject property. Notice must be issued at least 20 days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission or the Design Review Board, all issues are addressed. The decision of the Planning Commission or Design Review Board is appealable to the City Council for a de novo public hearing. The City Council decision is the City's final decision and is appealable to LUBA within 21 days after it becomes final. In the event any decision is not classified, it shall be treated as a Type III decision.

6.101 Description of Application Exhibits

6.101.01 General Requirements

1. Exhibit Standards for Type II, III and IV Permit Applications.

   This ***Section*** describes the exhibit specifications for Type II, III or IV permit applications. Type I application requirements are described in the ***WDO***.

2. Additional Information.

   Prior to deeming an application complete, the Community Development Director may request additional information.

3. City Application Form and Application Fees.

   A complete City application form and applicable jurisdictional fees are necessary for a complete application. Both items shall be present prior to deeming an application complete.

4. Copies of the Application and Exhibits.

   a. Unless otherwise indicated in writing by the Community Development Director, the number of copies of the application and exhibits specified in this ***Section*** is required to deem an application complete.

   b. The Director may require subsequent submittal of additional copies of applications materials for an application that is called for review or appeal.

   c. An exhibit may be submitted at a scale other than the scale specified in this ***Section*** when indicated in writing by the Director.

5. Information Items That Apply to Only A Particular Type of Request.

   The exhibit requirements may apply to more than one type of application. Consequently some application requirements make specific note when requirements apply to only specific proposed actions, as follows:

   a. ***MDP only*** indicates the item is only required in a manufacture dwelling park [MDP] application.

   b. **PUD only** indicates the item is only required in a planned unit development [PUD] application.

6. Standard Title Block and Legend.

To facilitate identification and review, the following information is required on each exhibit requiring a title block:

a. Type of Application. [Annexation, PUD, Variance, etc.]

b. Type of Exhibit [Location map, site plan, etc.]

c. Name of proposed development. [Required for only for Subdivision, **PUD**, or ***MDP*** applications.]

d. Name of applicant.

e. Scale bar and north arrow.

f. Date prepared and party that prepared the exhibit.

g. Legend of symbols used, including property lines of the subject property, City Limits, and UGB.

6.101.02 Types of Exhibits

1. **Application Form and Application Fee.**
2. **Deed(s).**
3. **Assessor's Map(s)/Notification Area.**
4. **Notification List.**
5. **Location Map.**
6. **Findings of Conformance with Approval Criteria.**
7. **Site Plan.**
8. **Street and Utilities Plan.**
9. **Site Design Plan.**
10. **Architectural Drawings and Materials Sample Board.**
11. **Grading Plan.**
12. **Preliminary Subdivision, Partition, PUD or Manufactured Dwelling Park Plan.**
13. **Aerial Photograph.**
14. **Concept Plan for Adjacent Property Interests.**
15. **Preliminary PUD Design Plan.**
16. **Phasing Plan.**
17. **Transportation Impact Analysis (TIA) Requirements.**

1. **City Application Form and Application Fee.** [One copy each]

Applications shall be submitted on City forms, accompanied by the requisite application filing fee.

2. **Deed(s).** [One copy each]

A current copy of the recorded deed(s) for the subject property, or the recorded sales contract,

including an accurate legal description of the subject property.

3. **Assessor's Map(s)/Notification Area.** [One copy each]

Original prints of the current Assessor's Map(s) obtained from Marion County showing the boundary of the notification area 250 feet equi-distant from all boundaries of the subject property.

4. **Notification List** [Two (2) sets]

a. Two (2) sets of self adhesive labels for each property within the notification area, showing the owner's name, the tax lot number of the ownership and the owner's mailing address.

b. A certification from the preparer of the notification list, that the address labels reflect the required ownership and address data as contained in the current property tax rolls.

5. **Location Map** [Not less then 15 copies, at 8.5" x 11", plus one, 8.5 x 11 inch reproducible copy.]

a. Standard title block and legend.

b. Scale: 1" = 800' or smaller.

c. Image area: 1320' from the perimeter of the site.

d. Data and Information:

i. Names and location of:

(1) All major streets within the map area .
(2) All public streets accessing the site.

ii. Zoning.

iii. Site location of :

(1) Public and private schools.
(2) Public parks and public open space.

6. **Findings of Conformance with Approval Criteria.** [One copy each]

A written narrative by the applicant, making findings of compliance regarding the applicable approval criteria must be submitted for each land use action requested.

7. **Site Plan** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy.]

a. Standard title block and legend.

b. Scale: 1"= 20' to 1"= 50'.

c. Image Area: 250' from the perimeter of the subject property.

d. Site Data [Depicted on plan and summarized in tabular form.]

i. Any proposed use limitation.

ii. Subject property. [Dimensions and area in square feet.]

iii. Building and parking envelope based on required setbacks.

iv. Yards/setbacks and buffer improvements. [Dimensions and improvement standards]

v. Residential units:

(1) Dwelling units. [Number and net density.]
(2) Living units. [Number and net density.]

e. Data and information. [Shown on the plan.]

i. Top of bank and center line of water courses.

ii. Regulatory wetlands. [Wetlands shown on the Woodburn Wetlands Inventory that are within or abut the subject property require a "wetlands delineation" prepared by the applicant, at the time of application.]

iii. 100 year flood plain .

iv. Rights of way and street improvements.

v. Water, sanitary sewer and storm drainage facilities, easements and public utility easements.

vi. Driveway access points and direction of traffic flow.

8. **Street and Utilities Plan.** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy.]

a. Standard title block and legend.

b. Scale of 1" = 20' to 1" = 40'.

c. Image Area: 250' from the perimeter of the subject property.

d. Streets. Existing and proposed. [Right of way and improvements including sidewalks and street trees].

e. Water. Existing and proposed. [Lines with size, fire hydrants, meters, easements, and ownership].

f. Sanitary sewers. Existing and proposed. [Lines with size, manholes and clean outs, easements and ownership].

g. Storm drainage. Existing and proposed. [Pipes and culverts with size, catch basins, ditches, detention, easements and ownership].

h. 100 year flood plain and regulatory wetlands.

i. Traffic Impact Analysis if required by the ***WDO***.

j. Pedestrian and bike facilities.

k. Driveways including direction of traffic flow.

l. Public utility easements.

9. **Site Design Plan.** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy.]

a) Standard title block, excluding north arrow.

b) Scale of 1" = 20' to 1" = 40'.

c) Image Area: 250' from the perimeter of the subject property.

d) Conditions of prior land use approvals, if applicable.

e) Area in square feet of :

i) Subject property.
ii) Proposed development area or phase.
iii) Landscaping.
iv) Parking lots, excluding landscaping.
v) Buildings:

(1) Aggregate gross floor area.
(2) Per building: exterior dimensions, height, & gross floor area.

f) Number of parking spaces, including dimensions:

i) Standard.
ii) Compact.
iii) Disability.
iv) Bicycle.

g) Residential units:

i) Dwelling units. [Number, net density & typical gross floor area/ unit.]
ii) Living units. [Number, net density & typical gross floor area/ unit.]

h) Lot coverage by buildings and structures.

i) Open space:

i) Private open space area [Aggregate & by type of typical residential units.
ii) Common open space area and facilities:

(1) Aggregate area.
(2) Recreation. [Including description of facilities.]
(3) Landscaped.
(4) Natural.

j) Top of bank and center line of water courses.

k) Regulatory wetlands.

l) 100 year flood plain .

m) Access ways, walkways and on-site bikeways.

n) Rights of way, driveways, street improvements, transit stops and easements, by function.

o) Fences, free standing walls, trash enclosures, electric transformers pads, exterior light standards and fixtures.

p) Landscaping [Depicted on plan and summarized in tabular form].

i) Proposed and existing landscaping [Area and location] .

ii) Parking lot landscaping [Area and percentage of total landscaped area].

iii) Trees [Location, species, status (retained, removed and planted) of private and street trees 4" or more in caliper] .

iv) Plant materials. Description of plant units by species and size for each landscaped area.

v) Irrigation system [Type and area covered].

vi) Replacement of topsoil [Location and depth].

q) Solid waste disposal enclosures.

r) Exterior lighting.

10) **Architectural Drawings and Materials Sample Board** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy of illustrations.] [Not less than one sample board.]

a) Standard title block and legend, excluding north arrow and property boundaries.

b) Elevations of proposed structures [Buildings, carports, garages, trash enclosures and storage facilities] at a scale of 1/16"= 1' to 1/4" = 1'.

c) Floor plans of primary buildings at a scale of 1/16 "= 1' to 1/4" = 1', or Building Permit Application.

d) Exterior light fixtures, electrical transformer pads and roof top mechanical equipment.

e) Exterior materials samples showing samples and specifications for color and materials for walls, roof, windows, doors and trim:

i) An 8.5" x 11"board; or

ii) An accurately colored elevation with detailed narrative of specifications.

11. **Grading Plan** [Not less than15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy.]

a) Standard title block and legend.

b) Scale of 1"= 20' to 1"= 40'.

c) Contours [original and final grade] at vertical intervals of 2 feet.

d) Cross-sections of the site as specified by the Public Works Director.

e) Trees: Location, species, caliper over 4"[retained, removed and planted].

f) Storm drainage and detention plans prepared by a registered engineer.

g) Flood plain and floodway. {FEMA}

h) Regulatory wetlands. [Wetlands shown on the Woodburn Wetlands Inventory that are within or abut the subject property require a "wetlands delineation" prepared by the applicant, at the time of application.]

12. **Preliminary Subdivision, Partition, PUD or Manufactured Dwelling Park Plan.** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy.]

a) Standard title block and legend, including:

i) Type of PUD, i.e., Single Family Residential or Mixed Use [**PUD only**].

ii) Township, range and section.

iii) Tax lots in subject property, with area and number.

b) Scale: From 1" = 100' [***1" = 50' or smaller, MDP only***] or smaller.

c) Image Area: 250' from the perimeter of the subject property.

d) Property lines, existing and proposed.

e) Streets and easements, existing and proposed:

i) Public rights of way, with street names.

ii) Public and private easements.

f) Contour lines: 2' interval.

g) Natural features:

i) 100 year flood plain. [FEMA]

ii) Regulatory Wetlands. [Wetlands shown on the Woodburn Wetlands Inventory that are within or abut the subject property require a "wetlands delineation" prepared by the applicant, at the time of application.]

iii) Rivers and streams. [USGS]

iv) Wells. [State Water Resources]

v) Trees 4" or more in caliper, noting species.

h) Existing primary use of each existing lot shown within the image area.

i) Use, building footprint and dimensioned location of all existing structures within 50 feet of the subject property boundary.

j) Proposed street, driveway and lot [***MDP space***] layout with:

i) Lots [***MDP spaces***], showing:

1) Principal dimensions.
2) Lot ***space***] area and building envelope. [Defined by setbacks [***MDP*** setbacks and separations.]]
3) Lot [***MDP space***] numbers.
4) Lots of common ownership [**PUD only**].
5) Play areas required by statute[***MDP only***].

ii) Rights of way [***MDP include private park streets***], with proposed street names.

iii) Easements by function.

iv) Water, sanitary sewer and storm drainage lines and locations; fire hydrant location, and storm water drainage and detention facilities.

[***For MDP only:***

1) Location of manufactured dwelling sewer connections and electrical outlets.
2) Location of domestic water supply outlets.
3) Location of water and sewer lines.
4) Source of domestic water supply and private sewerage.
5) Disposal system, or public water supply and sewer system.]

v) Street lights. [***MDP only:*** Location of light fixtures lighting park streets and sidewalks.]

vi) [***MDP only:*** Location of permanent buildings.]

k) **[PUD only:** Draft homeowners [property owners] association agreement, including provisions for:

i) The operation and maintenance of all common spaces and facilities; and

ii) The architectural review process.

iii) Draft Conditions, Covenants and Restrictions [C, C & R's] pertaining to all limitations EXCEPT architectural character and design guidelines.]

13. **Aerial Photograph.** [One copy] [An aerial photo is not acceptable as the base map for any other required exhibit.]

a) Standard title block and legend, including

i) Date of imagery. [Imagery shall be taken within two years of the application date].

ii) Source of imagery.

b) Scale: 1" = 500' or smaller.

c) Image Area: 250' from the perimeter of the subject property.

d) Information and Data Requirements:

i) Boundary of the proposed site area.

ii) Names and location of all major streets within the map area .

14. **Concept Plan for Adjacent Property Interests.** [Not less than15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11"]

a) Standard title block and legend.

b) Scale: 1" = 600' or smaller.

c) Image Area: Area within the UGB that is adjacent to the subject property and either owned or optioned by either the same property owner or the developer/applicant named in the subject application.

d) Contours: Vertical interval 2'.

e) Data and Information

i) A conceptual development plan for all adjacent land to the subject property that is owned or optioned by either the same property owner or the developer/applicant and that is located within the Urban Growth Boundary.

ii) The location and classification of existing and future streets providing connectivity for the conceptual, future use of the adjacent property with existing public streets and with future major streets planned in the Woodburn Transportation System Plan.

iii) The conceptual layout of lots and building areas by use type for the conceptual future use of the adjacent property. At a minimum the intensity, density and type of future land use shall reflect the current Comprehensive Plan designation.

15. **Preliminary PUD Design Plan.** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11"]

a) Standard title block and legend, including type of PUD, i.e., Single Family Residential or Mixed Use.

b) Image Area: Preliminary subdivision plan, or site plan for PUD's not proposed for concurrent subdivision, and area within 250' of the perimeter of the subject property.

c) Data and Information. [Tabular summary and depicted on the Preliminary PUD Design Plan.]

i) Net area within each zoning districts, reflecting concurrent zoning map change applications.

ii) Zoning , reflecting concurrent zoning map change applications, and area of each lot.

iii) Use and/or density limitations within each zone as conditions of concurrent zoning map change or conditional use applications.

iv) Area of each single family residential detached dwelling and duplex lot, indicating which lots exhibit reduced geometric standards due to off setting common open space.

v) Area, maximum net residential density and the equivalent number of dwelling/living units permitted on each RM and CO lot based on zoning designation after concurrent zoning map and conditional use applications.

vi) Design standards altered, and lots, affected by concurrent variances to ***WDO*** standards.

vii) Natural, recreation, and landscaped open spaces by type:

1) Net area;
2) Use limitations;
3) Method of management [special setbacks, easements, common ownership, etc.];
4) Conditions establishing the scope of improvements required to make the type of open space "useable"; and
5) Location of RS and RM lots, and CO lots used for medium density residential dwelling or living units, benefitted by an equivalent density off-set provided by each open space area. The common open space and benefitted lots shall correlate with any proposed Phasing Plan.

d) Data and information. [Depicted on the Preliminary PUD Design Plan.]

i) Streets, showing rights of way and improvements, as well as, cross sections of street classifications used, including paved surface, curbs, street, sidewalks, bike and/or golf cart lanes and street tree improvements.

ii) Location of common areas and/or easements designated for off-street pedestrian, golf cart and/or bicycle ways and cross sectional standards for such facilities.

iii) Location, access points, and number of common, off street parking spaces provided in lieu of on-street parking.

iv) Public water, sanitary sewer, storm drainage, and street lighting, as well as, storm water detention common areas and/or easements.

v) Driveway access points and direction of traffic circulation for lots with controlled access.

vi) Building and off street parking envelope for each site defined by standard or proposed reduced setbacks.

vii) Type of landscaping and free standing wall buffer improvements required between zoning districts.

viii) Draft Conditions, Covenants and Restrictions [C, C & R's] pertaining to architectural character and design guidelines.

16. **Phasing Plan.** [Not less than 15 copies to scale, folded to 8.5" x 11", and one reproducible, 8.5" x 11" copy.]

a) Standard title block and legend.

b) Information and Data.

A diagram superimposed on the site plan or preliminary plat showing the location, size, sequence and estimated timing of each proposed phase and facility improvement.

17. **Transportation Impact Analysis (TIA) Requirements.**

A Transportation Impact Analysis required for a street, or access to a street, that is under City jurisdiction shall be conducted to the specifications of the Public Works Department.