



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

12/22/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Tangent Plan Amendment
DLCD File Number 003-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, January 04, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Georgia Edwards, City of Tangent
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner
Angela Lazarean, DLCD Urban Planner
Amanda Punton, DLCD Regional Representative
Chris Shirley, DLCD FEMA Specialist

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed



This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Tangent**

Local file number:

Date of Adoption: **12/13/2010**

Date Mailed: **12/14/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8/4/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **TSP Amendment**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendments respond to partial approval and remand of Periodic Review Work Task 4 TSP (DLCD) Order No. 001509, May 2003, and result from a TGM grant project begun in April 2009. Additionally amendments based on a Hydrological and Ecological Assessment of North Lake Creek is included. Amendments shall provide consistency between the City's Comprehensive Plan (2007), Development Code, and TSP regarding transportation policies, drainage policies and related information. Comp Plan and Zoning maps have been redrawn for clarity and text corrections. We have eliminated the Agriculture Regional Reserve and Agriculture Industrial Reserve area from the comprehensive maps.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

ODOT, Linn County DLCD

Local Contact: **Georgia Edwards**

Phone: (541) 928-1020 Extension:

Address: **P.O. Box 251**

Fax Number: **541-928-4920**

City: **Tangent**

Zip: **97389-**

E-mail Address: **georgia@cityoftangent.org**

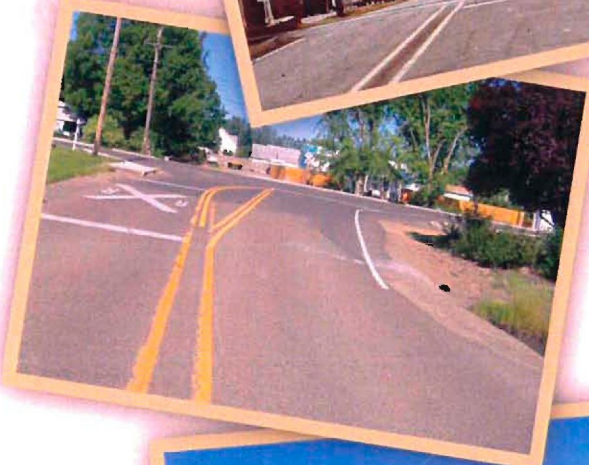
ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and [OAR Chapter 660, Division 18](#)

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light **green paper if available**.
3. **Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:**
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see [ORS 197.615](#)).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see [ORS 197.830 to 197.845](#)).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see [ORS 197.615](#)).



Tangent Transportation System Plan

PREPARED FOR
City of Tangent

WITH SUPPORT FROM
Transportation & Growth
Management Program
Oregon Department of
Transportation

Oregon Department of Land
Conservation and Development

PREPARED BY

CH2MHILL

Adoption Date:

This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and the State of Oregon funds.

The contents of this document do not necessarily reflect views or policies of the State of Oregon.

For additional information contact:

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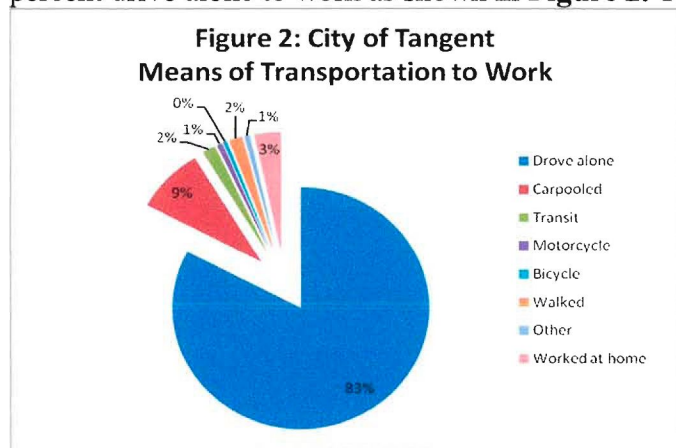
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**EXISTING CONDITIONS
AND DEFICIENCIES**

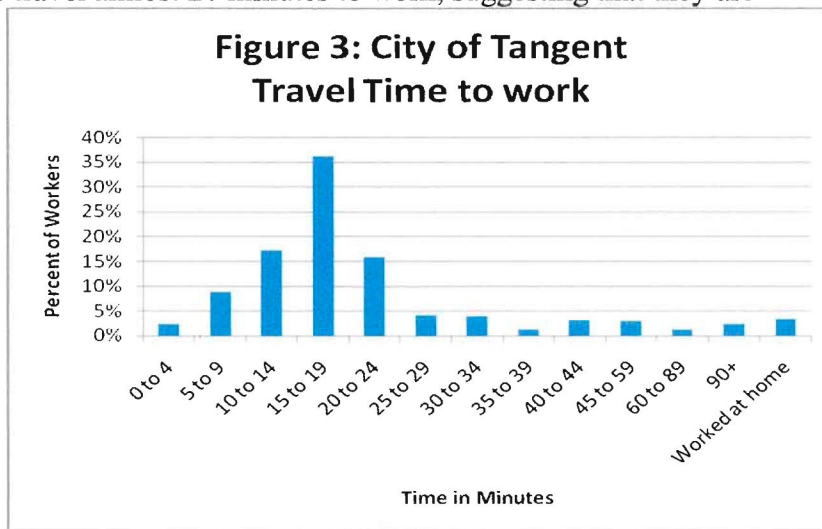
1.0 Introduction

The City of Tangent is located at the junction of Highway 34 and Highway 99E in Linn County s **Figure 1** shows the location of Tangent, which is roughly half way between Salem and Eugene. Because of its location, and proximity to Interstate-5, Corvallis, and Albany, Tangent is experiencing rapid increases in industrial development. Much of the existing development is agriculturally or construction related. Housing has also grown in response to job growth in Tangent and nearby communities. As a result, roughly 12,000 vehicles travel Highway 34 per day. At the same time, nearly 7,000 vehicles use Highway 99E as it passes through town. With the growth in traffic, truck activity has also significantly increased.

Like most people in the U.S., residents of Tangent generally choose to drive alone rather than car pool, use public transportation, bicycle, or walk. The 2000 census results indicate that 83% percent drive alone to work as shown in **Figure 2**. Tangent’s drive-alone rate is



higher than the national average of 76% percent for work trips. This may be because many workers in Tangent actually work outside of the City, either in Albany or other nearby Cities. Travel time to work data (Figure 3) suggests that the majority of employees travel almost 20 minutes to work, suggesting that they are



employed outside of Tangent.

This Transportation System Plan (TSP) is intended to meet the need for long range planning and replace the transportation element of the Comprehensive Plan. Other factors have also influenced the need for a TSP.

In 1991, the Oregon Land Conservation and Development Commission (LCDC) adopted the Transportation Planning Rule (TPR). The rule is intended to implement statewide Planning Goal 12 and, in so doing, provide for a carefully planned transportation system designed to reduce reliance on the automobile and increase walking, bicycling, and the use of transit. Recommendations contained in this TSP are in harmony with the applicable requirements of the TPR.

Also in 1991 and again in 1998, Congress passed transportation legislation which made transportation funding to cities more flexible, but reaffirmed that jurisdictions need to prepare transportation plans. These state and federal requirements and the general need by the City for a comprehensive transportation plan have prompted the City to prepare a TSP. The purpose of this TSP is to address existing and twenty year transportation needs within the City of Tangent. The TSP addresses the needs of transportation in Tangent, which include roadway, bicycle, pedestrian, transit, rail, water, air, and pipeline facilities.

2.0 Review of Existing Plans and Policies

As an initial step in preparing the TSP, existing plans and policies were reviewed to establish the history of planning in Tangent, planned street system improvements, and other county and state planned transportation improvements. The review also served to evaluate consistency between local plans/policies and other county, state, and federal plan provisions affecting transportation.

The review included the following documents:

- City of Tangent Comprehensive Plan
- City of Tangent Planning and Zoning Ordinance
- City of Tangent Public Works Design Standards
- City of Tangent Capital Improvement Program
- Linn County Transportation Plan
- Oregon Transportation Plan
- Oregon Highway Plan
- Oregon Transportation Planning Rule
- ODOT Economic Development Analysis of Highway Corridors
- OTDOT Overview of Statewide Corridors
- Oregon Highway 34 Transportation Corridor Plan
- ODOT Accident Rate Tables
- ODOT Traffic Volume Tables
- Oregon Rail Freight Plan

- Oregon High Speed Rail Capacity Analysis
- Governor’s Transportation Initiative

3.0 TSP Goals and Policies

As part of the TSP, community goals and policies were prepared to guide the development and implementation of the plan. Goals and policies were based on input obtained during public meetings and citizen advisory committee meetings held throughout the project.

3.1 State Goal 12 – Transportation

The Tangent Comprehensive Plan was revised and adopted by the voters in November 2007. Statewide Planning Goal 12, Transportation, is “to provide and encourage a safe, convenient and economic transportation system.” (OAR 660-015-0000(12)). As part of the Comprehensive Plan revision process, the City of Tangent conducted the Tangent Visioning project, which resulted in a Vision Statement incorporated into the Comprehensive Plan. The transportation element of the Vision Statement states that:

“Tangent has safe, efficient and economical transportation routes. There are orderly and sufficient outlets, inlets, with railroad crossings, walkways and bike paths designed to minimize congestion and speed. Neighborhoods give input on road and pathway design. Tangent neighborhoods are connected through a series of bike and walking paths. Every street is lined with trees and has gained the reputation of a “Tree City”. Tangent has open green space, walkways, and public parks that serve the entire community with public access with connected walkways to existing areas of the community. Streets, highways and pathways meet the needs of the transportation disadvantaged. Streets and highways facilitate the flow of goods and services throughout the community.”

City Goal #1: To provide and encourage a safe, convenient, and economical transportation system within the City.

City Goal #2: To protect the ability of Highway 34 and 99E to move regional traffic through Tangent in a safe manner.

City Goal #3: To lessen the adverse effects of the rapid and frequent movement of trains through the City.

City Goal #4: To encourage the use of alternatives to the private automobile.

Policy 1:

The City will establish street and sidewalk standards with respect to:

1. Right-of-way.
2. Paved width.
3. Surface cover and composition.

4. Base composition and compaction.
5. Curbs and gutters.
6. Street function.
7. Cul-de-sac length and radius.
8. Curb cuts for driveways.
9. Sidewalks and bikeway standards.
10. Wheelchair ramps.
11. Maximum curve.
12. Speed limits.

Policy 2:

The City will participate in any decision to locate or modify transportation facilities within the City limits and the Urban Growth Boundary.

Policy 3:

The City will participate in all decisions involving transportation facilities which affect the City.

Policy 4:

A workable drainage plan, depicting drainage through the roadbed, how ponding will be prevented, and the effects of flooding upon streets, parking areas, and hard-surfaced pedestrian ways shall be approved by the City prior to any street, parking lot, or pedestrian/bikeway construction.

Policy 5:

New and resurfaced roadways and parking areas will not cause or augment ponding or increase damage due to flooding.

Policy 6:

The City of Tangent shall require all streets and pedestrian ways in new subdivisions, major partitions, mobile home parks, mobile home subdivisions, industrial parks and commercial centers to be the financial responsibility of principals behind the proposed use and designed to City standards. All street development shall be completed or bonded for completion prior to construction of the first structure of the proposed development.

Policy 7:

The Planning Commission shall review development proposals for proper street lighting and shall explore methods of lighting existing areas of Tangent, with lights that use low energy, provide proper lighting levels, and are not a nuisance to surrounding neighbors.

Policy 8:

The City of Tangent shall cooperate with the State Department of Transportation and the Linn County Road Department in the identification and removal of hazards, and regulate traffic at intersections, with special regard to the intersections of Highway 34 , Old Highway 34 and Highway 99E. The City shall cooperate with appropriate agencies to limit access points to the above highways.

Policy 9:

The City shall set standards by which it will accept responsibility for streets and roads, and will encourage the County to meet those standards on existing County roads within the City and Urban Growth Boundary.

Policy 10:

A street plan for the entire City, which shows the location of collector roads, bike routes, pedestrian walkways, railroad-crossing safeguards, overpasses, and all public transportation facilities shall be developed. Developers will be required to conform to the plan when building in the City.

Policy 11:

The City shall establish setback requirements from the right-of-way line of Highway 34 and 99E to reduce the effects of noise, pollution, vibration, and accidents to properties adjacent to these arterials and to reduce the negative effects of access from the property onto the arterials.

Policy 12:

1. Prior to each review of the Comprehensive Plan, the Planning Commission will identify traffic problem areas, review and suggest strategies for their solution, and recommend these strategies be included in the Comprehensive Plan.

Policy 13:

Roadways, pedestrian and bicycle ways will be designed to maximize safety and to provide a linkage between systems (i.e. schools, parks, neighborhoods, commercial and industrial areas).

Policy 14:

The City of Tangent shall consider a flexible interpretation of adopted street standards when a strict interpretation of street standards would jeopardize or remove an existing structure, a historic structure, site or object, a community landmark, or when the unique physical characteristics of the land will not permit a strict interpretation of street standards without greatly increasing the cost of the project. A flexible interpretation of street standards shall not reduce the function of a street. If, through a flexible interpretation of standards, a street function would be reduced, then the City shall:

1. Consider the cost of moving the structure, site, object, or landmark at the road builders' expense.
2. Reconsider the function of the street and, if possible, reestablish the street function, but only if the street function can be reestablished without transferring the problem to another part of the City.
3. Apply flexibility to a specific street through modification of on-street parking areas.

3.2 Access Management

Policy 15:

The City of Tangent shall require all new commercial or industrial uses and major residential uses which will utilize Old Highway 34 or Highway 99E as primary access, to submit to the City a transportation plan which shows:

1. Location of access points.
2. Estimates of the amount of traffic which will utilize the above access points.
3. Effect on traffic movement of both vehicles and pedestrians that the proposed development will have on Old Highway 34 and 99E.
4. The identification of all improvements that will be required to maintain adequate traffic flow.
5. Permit approval by the Oregon State Highway Division.

Policy 16:

Land uses adjacent to Old Highway 34, Highway 34 and Highway 99E shall not reduce the ability of these highways to carry through traffic.

Policy 17:

The negative impact of strip development paralleling all State highways will be minimized through access controls, land use review procedures, and zoning.

Policy 18:

Subdivisions will provide roadways according to the City street plan.

Policy 19:

Direct access to all State highways will be provided only where adequate access to another street is not feasible. Frontage roads and access collection points shall be implemented wherever feasible.

Policy 20:

Access control techniques will be used to coordinate traffic and land use patterns, and to help minimize the negative impacts of growth.

Policy 21:

The City of Tangent and the Union Pacific Railroad shall cooperate in the siting and issuing of railroad siding permits.

Policy 22:

The City of Tangent shall coordinate in all City street improvements, extensions and closures with the State Public Utility Commission when the Union Pacific Railroad is involved.

Policy 23:

The City shall cooperate with the Union Pacific Railroad to minimize safety hazards at railroad crossings.

Policy 24:
Industrially zoned land will have railroad access, wherever possible.

Policy 25:
Development on land adjacent to the railroad shall be either adequately screened, buffered and constructed, or be activities least affected by noise and vibration.

Policy 26:
Residential development within 400 feet of the railroad shall be buffered from the noise and vibration of the railroad. The developer shall supply the buffer.

Policy 27
Consideration of traffic changes due to rail changes will be a major concern for Tangent. None of the current proposals relating to Highway 34 and the Tangent Business Park are capable of supporting public traffic. Addressing this impact should be the subject of extended public discussion over the next transportation planning period.

3.3 Public Transportation

Policy 28
The City of Tangent shall support the Linn County Senior Bus Service, the Linn-Benton Loop, and any other public or private bus system as both a form of public transportation and an alternative mode of transportation.

Policy 29
The Bus systems shall be encouraged to stop at the Corner of Birdfoot and Highway 99E. Bus stops should be convenient to citizens of Tangent and the bus systems.

Policy 30:
The City of Tangent shall identify a commuter transfer point that is:

1. Usable as an off-street parking lot.
2. Convenient to the citizens of Tangent.
3. Useable as bus stops by all transit systems.
4. Useable as collecting points for car and van pools.

Policy 31:
The City of Tangent shall participate on any committee established to review and develop a regional transportation system.

Policy 32:
The City of Tangent shall actively pursue improved transportation systems to surrounding cities where major educational, employment, commercial and residential centers are located, as an alternative to private automobiles.

3.4 Pedestrian and Bikeways

Policy 33:

The Planning Commission of the City of Tangent shall consider pedestrian and bikeways when reviewing all development proposals and street improvements.

Policy 34:

The City of Tangent shall combine efforts with local citizens, Greater Albany Public Schools (GAPS), the Linn County Road Department, and the State of Oregon Department of Transportation to identify and eliminate hazards to pedestrians and non-motorized traffic.

Policy 35:

The City of Tangent shall encourage greater use of bicycles by developing, designating and posting bikeways throughout the City and coordinating with local business establishments to provide covered bicycle parking.

Policy 36:

The City shall formulate a bicycle and pedestrian way plan, and incorporate its recommendations into the City Ordinances and Resolutions. The plan shall cover the City and Urban Growth Boundary and tie into other cities and counties plans where feasible.

Policy 37:

Safe bike and pedestrian ways, which are separated from the roadway, shall be encouraged along Old Highways 34 and 99E.

Policy 38:

All new development located in areas with proposed bike/pedestrian ways as identified on the official bike/pedestrian plan map to be developed under Policy 43 36 shall be responsible for the development of the bike/pedestrian way through their property.

4.0 Existing Land Use

At the time the City of Tangent was incorporated in 1973, city limits were established. Later, when the Urban Growth Boundary (UGB) was being located, the state determined that the UGB should be considerably smaller than the original city limits, concluding that the City could not justify the need for such a large land area. **Figure 4** shows the city limits and the UGB. In harmony with the requirements of the TPR, the Tangent TSP addresses the transportation needs within the UGB and not the greater city limits.

According to the 2000 census, Tangent had a population of 933, with 339 households, and 262 families. The City of Tangent had a projected population in 2008 of 985¹, which is a 5.6 percent increase since the 2000 census, and at 0.7 percent annually. Tangent is split by the east-west Corvallis-Lebanon Highway (Highway 34). The City of Tangent is further divided by the Albany-Junction City Highway (Highway 99E), which runs north and south. As shown in **Figure 5**, Southern Tangent consists of a mix of residential and commercial uses. The commercial uses

are located adjacent to Highway 99E while the residential lands are predominately further from the highway.

Commercial, residential and industrial land uses are also located north of Highway 34. The commercial and industrial properties are within easy access of the junction of the two state highways.

Most of the community destinations such as the Post Office, City Hall, parks, schools, and some shopping are easily accessible by walking or biking in the southern parts of Tangent. Land uses in the northern part of Tangent are more auto-oriented and are not as readily accessible by walking or cycling.

5.0 The Existing Roadway System

5.1 Functional Classification

Functional classification is intended to group streets and highways according to the function they are intended to provide, whether it is cross-town travel or access to a business or residence.

5.1.1 Tangent Classification

The City of Tangent Comprehensive Plan classifies streets as either arterial, collector, or local streets. Because of the location of Tangent with respect to Highway 99E and Highway 34, much of the street system is made up of arterial streets. Few collector and local streets exist. A review of the existing functional classification was made to determine deficiencies in the street functional classification. These classifications are shown on **Figure 7** and are described as follows:

Arterial Streets: The City of Tangent has two arterial street designations: major and minor arterial. Major arterial streets, such as highways and freeways, generally bring traffic to and from other cities and geographic areas. Minor arterials provide a similar function but typically serve vehicle trips across town, rather than between cities. They may also provide connections between major traffic generators as well as important rural routes. The length of the typical trip on the arterial system normally exceeds one mile. Arterial streets often have a considerable amount of commercial and industrial development facing them. Access controls are often necessary to protect carrying capacity and safe access and egress. Generally, residential development is discouraged from having direct access and is served by side streets.

Collector Streets: Collector streets accommodate internal traffic movements between different areas such as residential neighborhoods, shopping center, and employment centers. Collectors do not handle long through-trips and are not necessarily continuous for long lengths. Collectors provide connections between the arterial street system and the local street system.

Local Street: Local streets primarily serve traffic to and from residential neighborhoods and provide direct access to abutting land uses. These streets directly serve residential neighborhoods and have low traffic volumes. Those streets not designated as either arterials or collectors are considered local streets.

5.1. 2 ODOT Classifications

The state highway classification system divides state highways into five categories based on function:

1. Interstate
2. Statewide
3. Regional
4. District
5. Local Interest Roads

Supplementing the five classifications are four special purpose classifications:

1. Land Use
2. Statewide Freight Routes
3. Scenic Byways
4. Lifeline Routes

These four special purpose classifications address the expectations and demands placed on portions of the highway system by land uses, the movement of trucks, the Scenic Byway designation, and significance as a lifeline or emergency response route.

According to the 1999 Oregon Highway Plan, Highway 34 is classified as a Statewide Highway and as a designated state freight route. In the year 2000 Highway 34 was designated by the Oregon Highway Division as an “Expressway”. Highway 34 is also listed as part of the National Highway system. Highway 99E is classified as a Regional Highway.

Statewide Highways:

Statewide Highways, like Highway 34, typically provide inter-urban and inter-regional mobility and provide connections to larger urban areas, ports, and recreational areas not served by the Interstate Highway system. ODOT’s management objective for this type of roadway is to provide safe and efficient, high-speed, continuous-flow operation. In constrained and urban areas, interruptions to traffic flow are intended to be minimal.

Regional Highways:

Regional Highways, like Highway 99E, typically provide connections and links to regional centers, Statewide and Interstate Highways, or economic or activity centers of regional significance. ODOT’s management objective for Regional Highways is to provide safe and efficient, high-speed, continuous-flow operation in rural areas and moderate to high-speed operation in urban and urbanizing areas. A secondary function is to serve land uses in the vicinity of these highways.

5.2 Lane Widths

Roads within the City of Tangent Urban Growth Boundary vary from two to five lanes in width. Highway 34 and Highway 99E are the only roadways with five-lane sections in Tangent.

Highway 99E narrows to two lanes as the highway enters the southern portion of the City of Tangent. The remaining road sections within Tangent are two-lane sections

5.3 Pavement Condition

Pavement conditions in the City of Tangent were reviewed. The pavement conditions were rated according to such characteristics as age, deterioration, side spalling, cracking, and appearance. Nearly all of the pavement is in fair condition or better. The recently constructed “Meadow Lark Loop” and housing subdivision and part of Lake Creek Drive have pavement in excellent condition. Rolland Drive and Garden Lane are rated excellent, as they were both given a new surface in 1999. Queen Anne’s Lace Drive has poor pavement conditions. Other streets with poor conditions are Old Mill Road, Blackberry Lane between Birdfoot and Old Oak Drive and Oak Lane (a small road that completes Old Mill Road to Hwy 99E). Streets with excellent pavement conditions, which are in recently constructed subdivisions, are Sequoia Street, Meadow Wood Street, Camas Street, Arrowhead Way, and Wildrose Drive.

5.4 Jurisdictional Responsibility

Jurisdictional responsibility is divided between the City, ODOT, and Linn County. The County currently maintains two city-owned streets, Birdfoot Drive and Old Oak Drive (a portion.) Below is a jurisdictional responsibility for the streets.

City of Tangent

-
- Blackberry Lane
- Birdfoot Drive
- Old Mill Road
- Rolland Drive
- Queen Anne’s Lace Drive
- Garden Lane
- Old Oak Drive (One block between Old Church Road and Blackberry Lane)

ODOT

- Highway 34
- Highway 99E
- Old Highway 34

Linn County

- Looney Lane
- McFarland Road
- North Lake Creek Drive
- Tangent Drive
- Old Oak Drive
- Glass Drive

Privately owned

- Quail Run
- Meadow Lark Loop
- Camas Lane
- Meadow Wood Street
- Sequoia Street
- Eagle Road (except for the portion under OR 34)
- Hooska Avenue
- Mallard Avenue
- Thelma Street (as shown on some maps but not used as a road)
- Conser Place
- Arrowhead Way
- Wildrose Drive
- Brush Lane (as shown on some maps – a driveway without current address)

5.5 Traffic Signals

There currently are three traffic signals located within the UGB. Two of the signals are at the intersection of the Highway 34 ramps and Highway 99E. The signals provide protected left turns to the highway ramps as well as turns into the businesses with driveways opposite the ramps. The third and newest signal is located at the intersection of Old Hwy 34 and Hwy 99E. The signals are traffic actuated.

5.6 Speed Limits

Highway 34 is posted at 55 miles per hour. Highway 99E is also 55 miles per hour, except between the northern city limits and south of Glass Drive where it is posted at 45 miles per hour within the City of Tangent. The speed limit on Old Highway 34 is 45 mph at the westerly end. McFarland Road is 25 mph, along with the local roads east of OR 99E and south of Tangent Drive, and Queen Anne's Lace Drive west of OR 99E. Tangent Drive has a speed limit of 40 mph through the city. North Lake Creek Drive is posted at 35 mph, and Meadowlark Loop west of 99E is 15 mph.

Speeding has been a problem along Highway 34 and as a result the highway is a designed safety corridor. Special signing and enforcement are present to increase safety and maintain speeds at or below the posted levels. Speeding is also an issue along Highway 99E. and Tangent Drive.

5.7 Traffic Volumes

A total of nine study intersections, all under Oregon Department of Transportation (ODOT) jurisdiction, were analyzed. These nine intersections are:

1. OR 99E at McFarland Road
2. OR 99E at Old OR 34
3. OR 99E at OR 34 Westbound (WB) Ramps
4. OR 99E at OR 34 Eastbound (EB) Ramps
5. OR 99E at Lake Creek Drive
6. OR 99E at Tangent Drive

7. OR 99E Birdfoot Drive
8. OR 34 at McFarland Road/Looney Lane
9. Old OR 34 at Industrial Parkway

Sixteen-hour, full vehicle classification, turning movement counts were collected at the intersections of OR 99E at OR 34 westbound ramps, OR 99E at OR 34 eastbound ramps, and OR 34 at McFarland Road/Looney Lane. Based on the volume counts for all intersections within the study area, a system wide peak hour of 4:30-5:30 p.m. was established and used for all nine study intersections.

Figure 11 depicts the road system peak hour counts in the city area.

A light/medium/heavy vehicle split was collected at OR 99E intersections with McFarland Road, Old Hwy 34, Lake Creek Drive, Tangent Drive, Birdfoot Drive, and the intersection of Old Highway 34 at Industrial Pkwy.

Appended to this TSP is a technical memorandum (July 6, 2009) that describes and analyzes the existing transportation conditions. Included are traffic count data and analysis results, and the methods and assumptions used for the analysis and approved by ODOT.

All nine study intersections meet ODOT mobility standards. Queue lengths at intersections are within standards.

5.8 Level of Service

Results from the operational analysis results indicate that all of the nine study intersections currently meet jurisdictional mobility standards, as measured by the volume to capacity (V/C) ratio. *Table 1* shows the results of the existing conditions intersection operational analysis.

TABLE 1

Tangent Integrated Land Use and Transportation Plan Update: Intersection Mobility Standards

ID	Intersecting Roadway (OHP Highway Classification)		Control Type	Existing Mobility Standard				Forecas t V/C Ratio	
				0.75 ¹	0.90 ²	0.27	0.08		
1	OR 99E (Regional TR)	McFarland Road (Local Road)	1-Way Stop	0.75 ¹	0.90 ²	0.27	0.08		
2	OR 99E (Regional TR)	Old OR 34 (Local Road)	Signal	0.75				0.42	
3	OR 99E (Regional TR)	OR 34 WB Ramps (Statewide FR, TR, EXPR, NHS)	Signal	0.75				0.46	
4	OR 99E (Regional TR)	OR 34 EB Ramps (Statewide FR, TR, EXPR, NHS)	Signal	0.75				0.46	
5	OR 99E (Regional TR)	Lake Creek Drive (Local Road)	2-Way Stop	0.75	0.90	0.17	0.14		

TABLE 1

Tangent Integrated Land Use and Transportation Plan Update: Intersection Mobility Standards

ID	Intersecting Roadway (OHP Highway Classification)		Control Type	Existing Mobility Standard		Forecas t V/C Ratio	
6	OR 99E (Regional TR)	Tangent Drive (Local Road)	2-Way Stop	0.75	0.85	0.17	0.07
7	OR 99E (Regional TR)	Birdfoot Drive (Local Road)	2-Way Stop	0.75	0.90	0.15	0.07
8	OR 34 (Statewide FR, TR, EXPR, NHS)	McFarland Road/Looney Lane (Local Road)	2-Way Stop	0.70	0.80	0.40	0.44
9	Old OR 34 (Local Road)	Industrial Parkway (Local Road)	1-Way Stop	0.80	0.90	0.06	0.07

Notes:

¹ Indicates OHP Mobility Standard V/C ratio for uncontrolled roadway approach² Indicates OHP Mobility Standard V/C ratio for stop controlled roadway approach

Signal: Signalized Intersection

TR – Federally Designated Truck Route

FR – State Freight Route

EXPR – Designated Expressway

NHS – Part of the National Highway System

5.9 Safety Analysis

Vehicle crash data for study area intersections and major corridors were analyzed for the years 2003 through 2007. The crash data were analyzed to identify crash patterns that may describe safety deficiencies within the study area.

Segment Crash Rates

Crash rates, expressed in “crashes per million vehicle-miles (MVM) traveled,” are used to compare the crash experience of one roadway segment to another. This rate expresses how many crashes might be expected of vehicles traveling through a particular section of roadway for a cumulative total of one million miles. Three crash segments were analyzed for this study based on separating them by the study area boundaries.

- 1.24 mile segment on OR 99E
 - from MP 6.71 (northern UGB)
 - to MP 7.95 (.05 miles south of OR 99E at OR 34 EB Ramps)
- 1.37 mile segment on OR 99E
 - from MP 7.95 (.05 miles south of OR 99E at OR 34 EB Ramps)
 - to MP 9.32 (southern Tangent City Limits)
- 2.07 mile segment on OR 34
 - from MP 6.53 (western Tangent City Limits)
 - to MP 8.60 (eastern Tangent City Limits)

Table 2 provides a summary of the segment crash analysis results.

TABLE 2

Tangent Integrated Land Use and Transportation Plan Update: Segment Crash Rate Results

No.	Roadway	Milepost		Length (miles)	2003- 2007 Average AADT	Number of Crashes	Crash Rate	
		From	To				5-year Segment Average	5-year State Average
1	OR 99E (Highway No. 58)	6.71	7.95	1.24	12430	25	0.89	2.61 ¹
2	OR 99E (Highway No. 58)	7.95	9.32	1.37	4880	20	1.64	2.61 ¹
3	OR 34 (Highway No. 210)	6.53	8.60	2.07	23,630	16	0.18	1.19 ²

Notes:

¹ Based on Urban Cities, Minor Arterial, 2007 Rate

² Based on Rural Cities, Other Principal Arterial, 2007 Rate

General Intersection Safety Observations

During a traffic field visit, conducted May 28, 2009, observations were made in relation to study intersection safety. At the intersection of OR 99E and Birdfoot Drive, the guardrail surrounding the creek appears to have been damaged during previous crashes but not repaired. In its current state, it may not protect vehicles from entering the creek and could puncture those vehicles that collide with it.

The 16-hr counts conducted at OR 34 at McFarland Road/Looney Lane indicated undesirable and illegal maneuvers occurring at this location. Between 6 AM and 10 PM, five vehicles completed eastbound left turns from OR 34 to Looney Lane. This movement is signed as illegal at the intersection. The counts also indicate 11 northbound left turns were completed from McFarland Road to OR 34. While not signed as an illegal movement, it raises safety concerns and is unclear whether it is permitted. Currently, there is a small median separating eastbound and westbound traffic on OR 34 at the intersection. It is located so that it allows vehicles to complete northbound left turns, but prevents vehicles from dwelling in the center two-way left turn lane and completing the turn in two parts. The median location also allows vehicles to cross the highway from McFarland Road to Looney Lane despite a Do Not Enter sign.

Safety Priority Index System (SPIS)

In addition to crash rates, ODOT also assesses roadway safety via the Safety Priority Index System (SPIS) for state routes. The SPIS takes into account crash frequency, crash rate, and

crash severity. SPIS scores are computed for sections starting at one tenth of a mile. The scores for different roadway segments can be compared to determine where safety improvement funds might best be spent. Typically, ODOT places the highest priority locations where SPIS scores fall within the top 10 percent in the entire state or region. The 2008 top 10% SPIS data for Region 2 was analyzed for this report. There are no SPIS sites located within the project study area.

6.0 The Existing Bicycle System

A bikeway is a facility designed to accommodate bicyclists and can exist as a shared roadway, shoulder bikeway, bike lane, or off-street path. The majority of the bikeways in the City are shared roadways, where motorists and cyclists share the same travel lanes. Most of the other bicycle facilities are shoulder bikeways where the paved shoulder of the roadway is at least six feet wide. Some bike lanes are present where the street has curb and gutter.

There are shoulder bikeways along both sides of the Highway 34 within the Urban Growth Boundary. Shoulder bikeways are also located on Highway 99E, starting from about the Post Office near mile post 9.0, and extending to the north through the remainder of the City. Near the northern part of the City, the shoulder bikeway transitions to a bike lane. Looney Lane also has a shoulder bikeway while part of North Lake Creek Drive has a bike lane. There are no off-street paths in the City of Tangent.

The current design of drainage catch basins has the street grate in the pavement, which can pose a hazard to cyclists. Some cities use a different design that has the drainage inlet in the curb face. This design completely eliminates the drainage grate in the pavement and is safer for bicyclists.

Overall, the City of Tangent lacks a complete pedestrian and bicycle transportation system. While the Oregon Bicycle and Pedestrian Plan supports bike lanes on collector and arterial streets, the plan does not recommend exclusive bike lanes for local streets. On local streets, the appropriate facilities for bicycles are shared roadways because of the lower traffic speeds and traffic volumes.

7.0 The Existing Pedestrian System

Sidewalks serve as an integral part of a larger transportation system designed to safely move people, goods, and services. To encourage walking as an alternative mode of transportation, sidewalks should not only functionally serve as a pedestrian corridor but should also be regarded by the pedestrian as a safe haven from vehicular traffic.

In general, few streets in the City have curbs and gutters, and fewer have sidewalks. The lack of sidewalks forces pedestrians to walk in the street or use some other mode of transportation to reach their destination. It may not be possible or desirable to construct sidewalks on all streets; however, sidewalks are needed on corridors that lead to major activity centers in the City, such as:

- Schools
- Post Office
- City Hall
- Commercial Businesses

Most sidewalks appear to have been constructed concurrent with new developments or due to roadway improvements. There is a continuous sidewalk along both sides of Highway 99E starting from the intersection of Highway 34 and continuing to the north to the City of Albany.

Currently (2010) there are sidewalks along both sides of OR 99E only from the intersection with Old Highway 34 to the North City Limits of Tangent. Newly developed businesses on OR 99E have sidewalks adjacent to the roadway, such as with Barenbrug, ProBuild, and Linn Benton Tractor. Other businesses have condition of approval requirements to add sidewalks when both neighbors add sidewalks and improvements are made to OR 99E. There also are sidewalks on both sides of North Lake Creek Drive, along with a striped shoulder wide enough for bicycles. As lots in the Meadow Wood Estates subdivision are developed, sidewalks are being constructed for each lot and block. There is a sidewalk on one side (east) of Old Church Road adjacent to a subdivision. Elsewhere in the old part of Tangent, sidewalks do not exist.

According to the TPR, sidewalks are required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways. In some instances, the UGB is adjacent to one side of the roadway such as along McFarland Road. In these situations, sidewalks may not be needed if development or other walking destinations are not expected on either side of the street.

The City has modified its development standards to provide flexibility in the placement of property line sidewalks for all street standards. This is based in part upon input from Tangent citizens, the consultant and ODOT that pedestrians typically feel safer when using property line sidewalks but already feel safe on many of Tangent's low volume roads that have no sidewalks or shoulders. Property line sidewalks allow street trees to be placed closer to the street, thus encouraging driver to drive slower.

A property line sidewalk setback of 4 feet, is too narrow to support street trees. Four feet is adequate for juvenile trees but will not sustain full grown street trees without damaging the tree and/or the sidewalk. At least five feet is needed for small street tree varieties, while at least eight feet is needed for large street trees.

8.0 The Existing Transit System

The Linn-Benton Loop is run by the Albany Transit System, and operates weekday and Saturday service. It connects Albany and Corvallis via the Linn Benton Community College. Passengers can request a stop at Fisher Implement/Highway 99 in Tangent on an on-call basis.

The Loop operates transit service between Albany and Corvallis with a frequency of roughly every hour. The bus travels along Highway 34 and Highway 99E, and provides service to stops

including Oregon State University and Hewlett Packard in Corvallis, and Linn-Benton Community College and the AMTRAK rail station in Albany.

The Linn Shuttle (which primarily serves elderly and disable persons) also passes through the northern part of Tangent five times per day, and provides connections to Sweet Home, Lebanon, Albany and Millersburg. Shuttle buses are wheelchair equipped. Call (541) 367-4775 for information.

During public meetings, several residents expressed a desire to have improved transit service. Density has a strong influence on the use of transit. Transit requires a relatively high land use density at one or both ends of the trip, or along the travel corridor. Cities generally need a population density of at least three to four persons per acre to support bus service. Tangent currently has a population density less than one person per acre within the UGB.

Other factors, including population and proximity to a larger city, affect whether bus service can be supported. Most cities in Oregon do not have fixed-route local bus service because their relatively small size does not generate enough tax base to support the service. In order to provide efficient transit service, Tangent's land use density, population or tax base would need to increase.

9.0 The Existing Rail System

Roughly 20 trains pass through Tangent daily. Sixteen are freight trains and six are passenger trains. Amtrak has two northbound and two southbound Cascades commuter-style trains between Eugene and Portland daily. The other two Amtrak trains are the Coast Starlight sleeper-style trains running daily each way through Tangent, serving points between Seattle and Los Angeles.

Union Pacific owns the rail line through the City and operates freight rail service. Amtrak operates its passenger trains on the Union Pacific tracks.

Tangent has at-grade rail crossings at Old Highway 34, Tangent Drive, and Birdfoot Drive. Based on recent accident data, conversations with ODOT, and field observations, all crossings are functioning well and are safe; however, ODOT would like to close some of the rail crossings and replace them with a grade separated facility. ODOT's desire to remove crossings is intended to eliminate the "potential" for conflicts between trains and vehicles. The location of the new crossing or the locations of the crossings to be closed have not been evaluated or identified. No other improvements are planned for the existing rail crossings in Tangent, unless there is an expansion of service.

Stormwater flows during high precipitation events currently backs-up at the culvert on the north side of Tangent Drive, which carries North Lake Creek under the tracks. The culvert apparently is undersized. Flooding of Tangent Drive can result, and the track bed and crossing could be compromised.

Residents wanting to use the passenger rail system typically use the station in Albany. The Linn-Benton Loop currently provides transit service to the rail station, but does not have a schedule that coincides with existing train schedules.

10.0 The Existing Water, Air, and Pipeline Systems

There are no airport facilities located within the City of Tangent; however, there are general aviation and commercial airports nearby. Albany has a general aviation airport within 10 miles of Tangent and Corvallis has a general aviation airport within 15 miles. The nearest commercial airport is located in Eugene which is approximately 35 miles away. Portland International airport is the largest commercial airport in Oregon and is located roughly 90 miles from Tangent.

There are no water routes which could be used for transportation within the City of Tangent. There are also no pipeline facilities within the City of Tangent.

FUTURE CONDITIONS AND DEFICIENCIES

11.0 Future Land Use and Traffic Growth Assumptions

11.1 Land Use Growth

Future land use growth information was updated during the 2009-2010 Tangent Integrated Land Use and Transportation Plan Update. The associated Buildable Lands Inventory identified the location of land parcels that are currently vacant, partially vacant, or redevelopable in the future. Database information also indicated how much of each land use type (i.e. industrial, commercial, residential, etc.) is available to be developed within the City's Urban Growth Boundary (UGB).

Based on data provided by the City, the population of Tangent is expected to grow to 1481 residents within the next 20 years. The estimate is based on the adopted annual growth rate (2.17 percent) in the Comprehensive Plan, assuming 3 years of no growth due to the current economic recession.

According to the 2000 census, Tangent had a population of 933, with 339 households, and 262 families. Tangent's population in 2008 was estimated to be 985, according to the Portland State University Population Research Center, *2008 Oregon Population Report*. This is a 5.6 percent increase since the 2000 census and 0.7 percent annually.

An inventory of buildable lands (Figure 16) was used to determine land supply by zoning, excluding constrained lands due to flood hazard, wetlands, or water quality issues. Results were as follows:

Housing land needs:

- The housing needs for the projected population were analyzed, recognizing how households will change over the next 20 years.
- An additional 161 housing units will be needed by 2030 to accommodate projected residential needs.
- There is enough residential land for the housing needs in 2030 within the existing urban growth boundary (UGB), although some available land (approximately 4 acres) may need to be rezoned to residential multi-family.
-

Employment land needs:

- Employment was considered relative to the City's vision and goals statements, and was based on local, regional, and national trends.
- An estimated 810 employees will work in Tangent in 2030, requiring 14.72 acres of industrial/commercial land.
- There are ample industrial and commercial lands available to accommodate projected employment land needs to 2030.

Figure 16 illustrates the general location of future land use growth within the City of Tangent. As seen in *Figure 16*, industrial development is expected in the northeast parts of Tangent. Highway Commercial/Industrial growth is expected along Old Highway 34 between Looney Lane and Highway 99E. Community Commercial land use growth is planned south of Highway 34, along Highway 99E. Residential growth will predominantly occur in eastern central Tangent,

and in the UGB area north of Highway 34. Parcels that are fully developed within the shaded areas in the figure were not assumed to be available for future growth.

11.2 Land Use Densities

Densities of development were calculated based on information provided by the City’s land use planner. Below are the assumptions used to estimate the density of future development:

<u>Land Use Type</u>	<u>Density Assumption</u>
Industrial -	11.2 jobs per acre
Commercial/Service -	23.5 jobs per acre
Institutional/Government -	20 jobs per acre
Other/Uncovered-	6 jobs per acre
Average jobs density-	15 jobs per acre
Residential -	Approximately 4 units per acre.

11.3 Vehicular Trip Generation

Over the next 20 years, trips will be generated by land use growth within the City of Tangent. Using the ODOT Analysis Procedures Manual, two growth factors were assumed to represent the trips associated with the growth in land use. The OR 99E growth factor (1.85, based on an average annual growth rate of 4.05 percent) was applied uniformly to each of the existing 2009 30th highest hour intersection turn movements to obtain 2030 Future No-Build and Build 30th highest hour intersection volumes, except at the intersection of OR 34 at McFarland Road/Looney Lane, which was adjusted using the OR 34 growth factor (1.44, based on an average annual growth rate of 2.10 percent). Traffic volume would increase in Tangent due to the growth in employment and residents, but the existing street network can accommodate the projected growth.

11.4 Background Traffic Growth

The growth factor discussed in section 11.3 was used for both the background-related and city-related traffic volume growth.

11.5 Trip Distribution and Assignment

For the future No-Build and Build scenarios, trips were distributed based on existing traffic patterns. Figure 19A indicates the future assignment and increase in trip volume for the No-Build condition from the existing condition. With the closure of the OR 34 at McFarland Road/ SW Looney Lane in the future Build condition, trips that accessed OR 34 from McFarland Road or SW Looney Lane will instead access OR 34 from the OR 99E at OR 34 eastbound (EB) ramps or OR 99E at OR 34 westbound (WB) ramps.

12.0 The Future Roadway System

12.1 Functional Classification

New land uses proposed within the UGB will require new streets to allow connectivity within each development. Future residential and industrial land development will likely require new local streets; however, additional collector and arterial streets are not expected to be needed during the 20-year planning horizon. The areas that will contain the majority of new residential development will be located in the north UGB area of Tangent. Another area that will experience residential growth will be located north of Tangent Drive in the eastern pocket of Tangent's UGB.

12.2 Level of Service

One set of future No-Build and Build traffic volumes were developed that assume no zoning changes from existing land use. A growth factor of 1.85, or 4.05 percent annual, was applied to existing traffic volumes to account for the historical rate of growth in the area to reach future condition traffic volumes.

Results from the operational analysis results show that one of the nine study intersections does not meet ODOT mobility standards for the 2030 Future No-Build scenario. The intersection that does not meet ODOT mobility standards is OR 99E at OR 34 EB Ramps. The heavy flow of vehicles going to and from OR 34 eastbound causes congestion at this intersection: especially on the eastbound approach where vehicles are leaving the highway.

Table 4 shows the results of the 2030 Future No-Build intersection operational analysis. Figure 19B shows the volumes, channelization, and analysis results for all of the study area intersections.

TABLE 4

Tangent Integrated Land Use and Transportation Plan Update: No Build Intersection Mobility Standards and Operations

ID	Intersecting Roadway (OHP Highway Classification)		Control Type	Future No-Build		Forecast	
				Mobility Standard		V/C Ratio	
1	OR 99E (Regional TR)	McFarland Road (Local Road)	1-Way Stop	0.75 ¹	0.90 ²	0.50	0.21
2	OR 99E (Regional TR)	Old OR 34 (Local Road)	Signal	0.75		0.70	
3	OR 99E (Regional TR)	OR 34 WB Ramps (Statewide FR, TR, EXPR, NHS)	Signal	0.75		0.73	
4	OR 99E (Regional TR)	OR 34 EB Ramps (Statewide FR, TR, EXPR, NHS)	Signal	0.75		0.94	
5	OR 99E (Regional TR)	Lake Creek Drive (Local Road)	2-Way Stop	0.75	0.90	0.29	0.41
6	OR 99E (Regional TR)	Tangent Drive (Local Road)	2-Way Stop	0.75	0.85	0.32	0.16
7	OR 99E (Regional TR)	Birdfoot Drive (Local Road)	2-Way Stop	0.75	0.90	0.26	0.15
8	OR 34 (Statewide FR, TR, EXPR, NHS)	McFarland Road/Looney Lane (Local Road)	2-Way Stop	0.70	0.80	0.62	0.65

TABLE 4

Tangent Integrated Land Use and Transportation Plan Update: No Build Intersection Mobility Standards and Operations

ID	Intersecting Roadway (OHP Highway Classification)		Control Type	Future No-Build		Forecast	
				Mobility Standard	Mobility Standard	V/C Ratio	V/C Ratio
9	Old OR 34 (Local Road)	Industrial Parkway (Local Road)	1-Way Stop	0.80	0.90	0.11	0.14

Notes:

¹ Indicates OHP Mobility Standard V/C ratio for uncontrolled roadway approach

² Indicates OHP Mobility Standard V/C ratio for stop controlled roadway approach

Signal: Signalized Intersection

TR – Federally Designated Truck Route

FR – State Freight Route

EXPR – Designated Expressway

The future Build condition assumes two network changes, the closure of the OR 34 at McFarland Road/SW Looney Lane and an additional EB left turn lane at the intersection of OR 99 at OR 34 EB Ramps. Vehicles that previously used McFarland Road and SW Looney Lane to access OR 34 will now use the signalized intersections of OR 99 and OR 34 EB and WB Ramps. Results from the operational analysis results show that two of the nine study intersections just barely do not meet ODOT mobility standards for the 2030 Future Build scenario. The intersections of OR 99E at OR 34 EB Ramps and OR 99E at OR 34 WB Ramps both have a V/C ratio (Volume to Capacity) just above standard at 0.77 and 0.76 respectively. Should the Looney Lane access to OR 34 remain as at present, the mobility standard would be met. Future Build operations at these ramps are expected to be acceptable to ODOT.

Table 5 shows the results of the 2030 Future Build intersection operational analysis. Figure 19C shows the volumes, channelization, and analysis results for all of the study area intersections.

TABLE 5

Tangent Integrated Land Use and Transportation Plan Update: Build Intersection Mobility Standards and Operations

ID	Intersecting Roadway (OHP Highway Classification)		Control Type	Future Build		Forecast	
				Mobility Standard	Mobility Standard	V/C Ratio	V/C Ratio
1	OR 99E (Regional TR)	McFarland Road (Local Road)	1-Way Stop	0.75 ¹	0.80 ²	0.50	0.21
2	OR 99E (Regional TR)	Old OR 34 (Local Road)	Signal	0.75		0.75	
3	OR 99E (Regional TR)	OR 34 WB Ramps (Statewide FR, TR, EXPR, NHS)	Signal	0.75		0.76	
4	OR 99E (Regional TR)	OR 34 EB Ramps (Statewide FR, TR, EXPR, NHS)	Signal	0.75		0.77	
5	OR 99E (Regional TR)	Lake Creek Drive (Local Road)	2-Way Stop	0.75	0.80	0.29	0.45
6	OR 99E (Regional TR)	Tangent Drive (Local Road)	2-Way Stop	0.75	0.80	0.32	0.16
7	OR 99E (Regional TR)	Birdfoot Drive (Local Road)	2-Way Stop	0.75	0.80	0.26	0.15

TABLE 5

Tangent Integrated Land Use and Transportation Plan Update: Build Intersection Mobility Standards and Operations

ID	Intersecting Roadway (OHP Highway Classification)	Control Type	Future Build		Forecast		
			Mobility Standard	Mobility Standard	V/C Ratio	V/C Ratio	
8	OR 34 (Statewide FR, TR, EXPR, NHS)	McFarland Road/Looney Lane (Local Road)	N/A	N/A	N/A	N/A	N/A
9	Old OR 34 (Local Road)	Industrial Parkway (Local Road)	1-Way Stop	0.75	0.80	0.11	0.14

Notes:

¹ Indicates OHP Mobility Standard V/C ratio for uncontrolled roadway approach

² Indicates OHP Mobility Standard V/C ratio for stop controlled roadway approach

Signal: Signalized Intersection

TR – Federally Designated Truck Route

FR – State Freight Route

EXPR – Designated Expressway

NHS – Part of the National Highway System

The capacity that exists in the present city street and county road transportation system (Figure 7) would be adequate to handle forecast traffic volumes under the future No-Build and Build scenarios, given the projected growth for Tangent by 2030, which is approximately another 500 persons.

12.3 Lane Widths

No changes to lane widths on OR 99E are needed since the recent improvements to the highway through Tangent. However, as was recently constructed at Tangent Drive, a left turn lane for OR 99E southbound traffic at Birdfoot Drive would better serve future traffic from development in the older, southern part of town. Key existing community facilities in this area include a restaurant, fire station, school, city hall, and developing residential area. There is adequate right-of-way at Birdfoot Drive, at least 80 feet according to current tax assessor's maps, for adding a left-turn lane. Should future residential and commercial development substantially increase traffic turning left onto Birdfoot Drive, a turn lane should be considered.

12.4 Pavement Conditions

The road network was evaluated for future pavement conditions based upon existing conditions and anticipated traffic flow demands. If maintenance is continued as it has in the past, most roads will remain in fair or better condition. In order to keep streets in fair or better condition, chip seal, overlay, or reconstruction maintenance will be needed on the following streets:

- Blackberry Lane (south of Birdfoot Drive)
- Garden Lane
- Old Mill Road
- Old Oak Drive
- Queen Anne's Lace Drive

12.5 Traffic Signals

Signal warrant analyses were conducted in 2000 (using 2018 traffic) for the unsignalized intersections listed below.

- Highway 99E & North Lake Creek Drive (meets warrant #11 in 2000)
- Highway 99E & Tangent Drive (meets warrant #11 in 2006)
- Highway 99E & Birdfoot Drive (meets warrant #11 in 2012)

Results of the analysis showed that the unsignalized intersections meet at least one signal warrant by the year 2018. The intersections met Peak Hour Volume Warrant – Warrant #11 based upon the PM traffic volumes. Presumably, other warrants, including #1 and #2 would also be met by the year 2018. Although the three intersections met a peak hour warrant, it is unlikely that more than one could be signalized due to inadequate spacing between intersections. The most likely locations for future traffic signals are at and at Highway 99E & Tangent Drive. The Tangent Drive traffic signal would provide pedestrian and vehicular crossing benefits at the intersection, and serves to interrupt traffic on Highway 99E, thus making it easier for traffic on North Lake Creek Drive and Birdfoot Drive to enter and exit the highway. Traffic signals were evaluated at these locations with results as shown in **Table 6**.

Table 6 – PM Levels of Service at Potential Signalized Intersections

	Year 2018 Total Traffic	
Location	Overall V/C	Overall Lost
Hwy 99E & Tangent Drive.	0.75	D

A signal was recently installed at the intersection of Old Highway 34 which was forecast to be slightly over ODOT's volume/capacity threshold by the year 2018. Recent analysis (2009) does not show unacceptable intersection operations at the remaining two intersections. Signalization has provided some safety benefit to pedestrians crossing OR99E. Based on expected traffic growth, the signal will exceed the threshold in the year 2016.

As an alternative, a traffic signal could be placed at the Highway 99E and North Lake Creek Drive in lieu of a traffic signal at Highway 99E and Tangent Drive, but it would not provide the same interruption of traffic for the Tangent Drive and Birdfoot Drive intersections. Pedestrians would find it more difficult to cross Highway 99E if the signal is located at North Lake Creek, instead of Tangent Drive.

12.6 Speed Limits

As noted previously, speeding has been a problem along Highway 34 and as a result the roadway is a designated safety corridor. As traffic volumes increase, speeding frequency may decrease due to congestion. Development along Highway 99E and roadway improvements will also provide visual queues to drivers that they need to slow down inside the City. Tangent Drive has been identified by the citizens in the city as a problem with speeders.

12.7 Crashes

As the City of Tangent develops, and traffic growth arises, intersections or areas with frequent accidents will likely experience increased accidents if mitigation is not implemented. Future accident potential at the five highest accident locations is discussed below:

Highway 99E and Highway 34 WB Ramps:

This intersection became signalized and had the traffic signal turned on September 11, 1997. Many of the accidents that have occurred here are a result of turning vehicles being hit by oncoming traffic prior to the signal being activated. Many of these accidents are now being prevented due to the traffic signal protecting vehicles that are making turns. Increased traffic levels at the intersection are not expected to cause the accident frequency to significantly increase.

Highway 99E and Highway 34 EB Ramps:

Many accidents taking place at this location have involved turning vehicles and oncoming traffic, prior to installation of the traffic signal. Many of these accidents are now being prevented due to a traffic signal protecting vehicles that are making turns. Increased traffic levels at the intersection are not expected to cause the accident frequency to significantly increase.

Highway 34 and Looney Lane:

Accidents occur at this location when westbound vehicles, traveling too close or driving too fast, rear-end vehicles slowing to exit Highway 34. As growth occurs more vehicles will exit here to access the adjacent commercial and industrial areas which may increase the number of accidents.

Highway 99E and Birdfoot Drive:

As growth occurs in Tangent, traffic volumes will increase. Without mitigation at this intersection, vehicle conflicts will continue to occur here. All recent accidents that have occurred here have been a result of vehicles turning onto or off of Birdfoot Drive and being hit by vehicles traveling through on Highway 99E. Widening Highway 99E to three lanes would provide a left turn lane refuge and will eliminate many of the conflicts.

12.8 Committed Projects

One project is being planned in the vicinity of Tangent.

ODOT and Linn County are working on a project to eliminate the existing at-grade intersection of Columbus Street and New Highway 34. The intersection could be replaced by an overpass for Columbus traffic and provide right-in and right-out access to the highway. The improvements would also facilitate a potential roadway link to the Tangent Industrial Park and Linn County's EFU zoned lands east of the City. The City should continue to coordinate with the County and ODOT to provide this alternative connection into Tangent. However, the existing private access on the south side of OR 34, approximately 2,100 feet east of the Hwy 99E overcrossing, will not be allowed connection to the industrial park street network, according to ODOT, and would likely be closed with the project's construction. ODOT also will be preparing an OR 34 Corvallis – Lebanon Facility Plan. This facility plan would specify such access controls and changes

along the highway, including any changes to the McFarland Road/Looney Lane intersection in Tangent, and improvements to the interchange with OR 99E.

13.0 The Future Bicycle System

As noted previously, not all collector and arterial streets in Tangent have bikeways. **Figure 20** shows the locations that currently need or will need bikeways in the future. **Table 7** lists the bikeway needs based on year 2018 traffic volumes. Bikeway needs are consistent with requirements of the Transportation Planning Rule (TPR) and the guidelines of the Oregon Bikeway and Pedestrian Plan which state that arterial and collector streets should have shoulder or on-street bike lanes. Shared lanes are permitted on collector streets if traffic volumes are less than 3,000 vehicles per day and speeds are low. Bike lanes are generally not needed on local streets; however, a shared bikeway is recommended on Blackberry Drive to encourage north/south bicycle travel without having to use Highway 99E. Figure 32A shows the design and structure of a bike/ped (shared-use) path.

Because Tangent Drive, near the residential neighborhood of Meadow Wood Street, has a narrow or non-existent shoulder for bicycle and pedestrian travel, a bike/ped path ~~also~~ is recommended between Tangent Drive and Garden Lane, as shown on Figure 20. This bike path and pedestrian trail would provide safer travel for school children and residents to the southern part of the city. An upgrade of Tangent Drive (A County-owned road) to collector standards, a proposed and costly road improvement, would lessen the safety need for this lower-cost project.

Old Church Road is currently wide enough to accommodate bike lanes in each direction. These bike lanes are a recommended improvement that would tie-in to the proposed bike path in the street’s presently unimproved right-of-way connection to Tangent Drive, as shown in Figure 20. The bike path could be part of a linear park developed by the City in this block along North Lake Creek.

To the west of the city, North Lake Drive with standard shoulders and Tangent Drive with narrow shoulders lead to the larger city of Corvallis via several County roads. Although shoulders are often minimal through this rural area, the route is popular for bicycle recreation and travel, and warrants designation as a bikeway.

Table 7 – Bikeway needs

Street	From	To	Bikeway Type Needed
McFarland Road	Hwy 99E	Old Hwy 34	McFarland Road is classified as a collector street. The posted speed is 25 mph and future traffic volumes will be less than 3,000 vehicles per day. Given the classification, speed, and volume on the roadway, a shared bike lane is appropriate.
Blackberry Drive	Birdfoot Drive	Tangent Drive	Blackberry Drive is classified as a local street. The posted speed is 25 mph and future traffic volumes will be less than 3,000 vehicles per day. Given the classification, speed, and volume on the roadway, a shared bike lane is appropriate.

McFarland Road	Hwy 34	N. Lake Creek Dr.	McFarland Road is classified as a minor arterial street. The speed limit is unposted and drivers commonly drive in excess of 40 mph. Future traffic volumes will be less than 3,000 vehicles per day. Much of the roadway is outside of the UGB. Given the classification, speed, volume, and location of the roadway, a shoulder bike lane is appropriate.
Old Hwy. 34	Looney Lane	Hwy 99E	Old Highway 34 is classified as a local street but should be classified as a minor arterial street (see Roadway Section). The posted speed is 45 mph and future traffic volumes will be greater than 3,000 vehicles per day. Given the classification, speed, and volume on the roadway, a shoulder or on-street bike lane is appropriate.
Tangent Drive	Hwy 99E	City Limits	Tangent Drive is classified as a minor arterial street. The posted speed is 40 mph. Future traffic volumes will be more than 3,000 vehicles per day. Some of the roadway is outside of the UGB. Given the classification, speed, volume, and location of the roadway, a shoulder or on-street bike lane is appropriate.
Birdfoot Drive	Hwy 99E	Old Church Rd.	Birdfoot Drive is classified as a collector. The posted speed is 25 mph and future traffic volumes will be less than 3,000 vehicles per day. Given the classification, speed, and volume of the roadway, a shared bikeway is permitted; however, an on-street bike lane may be more appropriate because the street is also a route to the local elementary school. An on-street bike lane would provide greater safety for young riders traveling to and from school.
Old Church Rd.	Birdfoot Drive	Old Oak Drive	Old Church Road is classified as a collector. The posted speed is 25 mph and future traffic volumes will be less than 3,000 vehicles per day. Given the classification, speed, and volume of the roadway, a shared bikeway is permitted; however, an on-street bike lane may be more appropriate because the street is also a route to the local elementary school. An on-street bike lane would provide greater safety for young riders traveling to and from school.
Old Oak Drive	Old Church Rd.	City Limits	Old Oak Drive is classified as a minor arterial street but should be classified as a

			collector. The posted speed is 25 mph and future traffic volumes will be less than 3,000 vehicles per day. Given the classification, speed and volume of the roadway, a shared bikeway is permitted; however, an on-street bike lane may be more appropriate because the street is also a route to the elementary school. An on-street bike lane would provide greater safety for young riders traveling to school
Hwy 99E	S. of Hwy 34	Post Office	Highway 99E is classified as a principal arterial street. The speed limit is 45 mph. Future traffic volumes are greater than 3,000 vehicles per day. Given the classification, speed, and volume of the roadway, a shoulder or on-street bike lane is appropriate.

14.0 The Future Pedestrian System

New sidewalks will be needed as new arterial streets are constructed or brought up to standards. Sidewalks are one way to provide necessary connections between residential areas and major activity centers within the City. Low traffic volume streets and graveled or paved street shoulders also can provide acceptable pedestrian connections within Tangent’s residential core **Figure 21** shows locations with existing and proposed sidewalks. Sidewalk locations are in harmony with Tangent’s Vision Statement requirements of the Transportation Planning Rule (TPR) and the guidelines of the Oregon Bikeway and Pedestrian Plan.

A recommended location for a cross walk with raised median and pedestrian refuge (particularly for school children) is approximately opposite Queen Anne’s Lace Drive, where the highway has now been widened with a painted median and, to the north, a turn lane onto Tangent Drive.

15.0 The Future Transit System

As discussed in **Section 6.0**, there is currently no transit service in Tangent. The Linn-Benton Loop and the Linn County Shuttle transit routes pass through northern Tangent along Highway 99E, but they do not have scheduled stops within the city limits.

By the year 2030. Tangent’s population may reach 1,481 persons; however, population density is not expected to exceed three or four persons per acre within the UGB by then, which is the threshold typically needed to support fixed-route bus service.

Although the future City population and density will not be sufficient for new bus service, modifications to existing service may be feasible. The Linn County Shuttle, which currently passes through Tangent, is evaluating the feasibility of bus service to Tangent. The Shuttle could provide connections to the City of Albany and other transit systems including Albany Transit

Service and the Linn-Benton Loop. If service is provided, the Shuttle may need to purchase another bus and hire additional staff.

16.0 The Future Rail System

As discussed previously, roughly 20 trains pass through Tangent daily. Sixteen are freight trains and 4 are passenger trains. ODOT expects that the number of freight trains will increase to as many as 20 trains per day during the TSP planning horizon. Passenger service is also expected to increase to as many as 10 trains per day.

The ODOT Rail division has informed the City that the Union Pacific Railroad has plans to expand the track through the City of Tangent to a double track, and would increase the number and speed of freight trains through the City. Amtrak has plans to add two more Cascades train trips (one northbound, one southbound) each day in lieu of present thru-way bus service between Portland and Eugene. Additionally, the State is looking at adding high speed rail passenger service between Portland and Eugene at speeds of 90-110 miles per hour, though no alignment has been chosen at this point. With this potential expansion, the ODOT Rail division will discourage any new at grade crossings, and would prefer construction of a grade separation (overcrossing) if funding were available and an alignment feasible. Other alternatives likely would be closing of one or two of the three existing at-grade crossings, with widening and improvements to the remaining crossing(s), or a completely new crossing with closure of all three existing crossings. Because only approximately 400 feet separates the rail line and the highway, an overcrossing at Tangent Drive , or other street, would also have to cross OR 99E for an acceptable vertical grade of 5 percent to be possible on the structure. Such a long and tall structure--approximately 800 feet on each side of the UPRR tracks with a vertical clearance of 23.5 feet over the tracks and 17.5 feet over OR 99E--would raise issues of cost-effectiveness for a low-volume road as well as compatibility with the community's Vision Statement.

Regardless of any railroad crossing improvements in the future at Tangent Drive, the culvert on the north side of Tangent Drive that carries North Lake Creek under the tracks needs to be enlarged to provide increased conveyance of stormwater.

17.0 The Future Water, Air, and Pipeline Systems

No future plans or needs are expected for air, water, or pipeline transportation systems within the City of Tangent.

TRANSPORTATION SYSTEM PLAN

18.0 General

As a result of existing deficiencies and failure of the existing street network to accommodate future transportation demands, build alternatives were developed and evaluated. The alternatives were developed to mitigate the deficiencies while satisfying the goals and policies outlined in the TSP, as well as other statewide requirements, including the Transportation Planning Rule. The following are the recommended improvements necessary to satisfy the existing and future transportation needs of the City of Tangent. Future improvements are based on the assumed build out of parcels at densities and intensities discussed in **Section 11.2**. Projects regarding ODOT roadways are consistent with the 1999 Highway Plan and standards. ODOT planning staff were involved in the development of the alternatives and final recommendations.

Improvements identified in **Sections 19.0** through **Section 25.0** represent the recommended “build alternatives” evaluated as part of the TSP. The Implementation Plan in **Section 26** lists the probable costs associated with each recommended build alternative. No-build alternatives are not included in the section since their implementation costs are considered to be zero.

19.0 Land Use Recommendations

Tangent’s vision for future land use includes remaining a rural community distinct and separate from nearby cities, maintain and encourage existing agricultural activities outside the urban growth boundary (UGB) but within the City limits, preserve the residential area of Tangent by directing commercial and industrial land uses to the northern part of the City, and maintaining a green belt around the residential core.

The *Downtown Tangent Development Plan* (2002) recommends that Birdfoot Drive, along with OR 99E between Birdfoot Drive and Tangent Drive be developed as the Main Street Core Area for the community. Transition zones should be developed to the North and South of this area to aid in traffic calming and cue motorists that they are entering the downtown core. The use of a planted median strip along OR 99E, with turn pockets, will allow for good traffic circulation while helping reinforce the notion of this corridor as a pedestrian friendly area. OR 99E is more suited for the development of businesses that are dependent on through traffic and visibility such as restaurants and grocery stores. There are infill development opportunities on both east and west sides of OR 99E between Birdfoot Drive and North Lake Creek Drive. North Lake Creek Drive and OR 99E would be a good location for a grocery store with parking located behind the building. There are development possibilities on the east side of OR 99E between Tangent Drive and Birdfoot Drive, as well as several buildings along the highway.

The PD (Planned Development) Overlay District should be considered for areas within the Community Commercial District and the Highway Commercial/Industrial District. Perhaps combined with a design review board, a PD Overlay can be used to apply new development standards under an approved plan and program that is professionally prepared. A PD Overlay can encourage new techniques and new technology to community development to achieve economies in land development and maintenance while providing building groupings, open spaces and circulation systems that enhance the working or living environment of the inhabitants. Access management and parking also can be addressed effectively with a PD Overlay in a manner to

protect the function of the state highway, maximize development of available land, and promote the Vision for the community.

Changes in land use, in general, should consider techniques to reduce stormwater run-off, such as with Low Impact Development, and to enhance safety for all modes of travel within the city.

20.0 The Proposed Roadway System

Based on the land use assumptions of the TSP, several roadway system improvements will be needed to support existing and future growth. They include the following:

- Street Functional Classification Modifications
- Transportation System Management
- Pavement Preservation and Maintenance
- Transportation Demand Management
- Capacity Expansion

20.1 Street Functional Classification

The street functional classifications for Tangent are as shown in Figure 7. City plans must be consistent with county and regional plans and with the State plan. For instance, classifying a street as a collector, when Linn County has it listed as a local access road, will not make it eligible for federal funds.

20.2 Transportation System Management

Transportation System Management (TSM) is part of the planning process aimed at improving the efficiency of the existing transportation system. Alternatives discussed below are developed to maximize the operation of existing facilities. TSM type projects include:

- Traffic Signal Adjustment or Installation
- Traffic Lane Modifications
- Truck Route Delineation
- Access Management

The TSM projects are generally low-cost, capital improvements that can be implemented more quickly than larger projects that expand system capacity.

20.2.1 Traffic Lane Modifications

Traffic growth on OR 99E could make it difficult for minor street traffic to enter and exit the highway as residential areas develop in Tangent. A left turn lane for OR 99E southbound traffic at Birdfoot Drive, as was recently constructed at Tangent Drive, would more safely serve traffic, including buses and carpools carrying students, destined for the school. Also, zoned future development of multi-family housing on Old Oak Drive, and commercial property fronting the highway with probable access from Birdfoot Drive, would increase traffic at this intersection. Should such development occur, addition of a left-turn lane from OR 99E onto Birdfoot Drive is recommended.

20.2.2 Truck Routes

A review of the Comprehensive Plan Designations for commercial and industrial areas and review of the levels of commercial truck activity between geographical areas indicates where truck routes are appropriate and where they should be limited. **Figure 26** illustrates the recommended truck routes within the City. Streets not identified as truck routes should restrict through truck travel.

Restricting truck traffic to designated facilities helps eliminate the problem of heavy trucks disrupting residential areas and damaging street pavements not designed for heavy loads. Although through trucks will be prohibited on some streets, local truck traffic, such as farm equipment, trash pick-up and local deliveries, will be permitted. As shown in the figure, trucks should not be permitted on North Lake Creek Drive and Tangent Drive, nor on local streets. The City should work with the Linn County Roads Department to implement the prohibition.

20.2.3 Access Management

In order to maintain acceptable operational conditions and help extend the functional life span of major streets, it is proposed that Tangent adopt and enforce access management standards. The standards would apply to all new development and redevelopment of land adjacent to collectors and arterial streets. State standards would apply to Highway 99E under the jurisdiction of ODOT. Access management standards contained in the 1999 Highway Plan are listed in **Table 9 8**. Minor deviation from these standards may be permitted in some cases, but in all cases access must be consistent with the provisions of Oregon Administrative Rule (OAR) 734-051.

Table 8 –Access Management Standards

Location	Intersection Spacing
Highway 99E North City Limits to North Lake Creek Drive	990 feet
Highway 99E North Lake Creek Drive to South City Limits	750 feet
Highway 34 East City Limits to West City Limits	1,320 feet

According to the Highway Plan, “...where a right of access exists, access will be allowed to a property at less than the designated spacing standard only if that property does not have reasonable access and the designated spacing cannot be accomplished. If possible, other options should be considered such as joint access.”

The Highway Plan further notes that, “...approach roads shall be located where they do not create undue interference or hazard to the free movement of normal highway or pedestrian traffic. Locations on sharp curves, steep grades, areas of restricted sight distance or at points

which interfere with the placement and proper functioning of traffic control signs, signals, lighting or other devices that affect traffic operation will not be permitted.”

The number of approaches per properties along City and Linn County roads should be limited to one. More than one access can be considered if the City determines that additional access is necessary to accommodate and service traffic to the property.

Highway 99E has been widened to provide a center turn lane for approximately a half-mile south of the OR 34 eastbound ramp. At the time of design, a raised median at various locations was considered to limit access, but none were selected for construction. A raised center median can serve a secondary benefit by providing a refuge area for pedestrians crossing the busy highway. Perhaps a more appropriate location for a raised center median and pedestrian crossing refuge (particularly school children), which might not have been considered earlier, is approximately opposite Queen Anne’s Lace Drive, south of where the highway has now been widened with a turn lane onto Tangent Drive.

McFarland Road is a County-owned local road with little traffic past the mobile home park near the intersection with North Lake Creek Drive. However, the 16-hr counts conducted at OR 34 at McFarland Road/Looney Lane indicated undesirable and illegal maneuvers at this intersection. The location of the existing raised median on OR 34 allows vehicles to complete northbound left turns, but prevents vehicles from dwelling in the center two-way left turn lane and completing the turn in two parts. The existing raised median allows vehicles to cross the highway from McFarland Road to Looney Lane despite a Do Not Enter sign. There is no acceleration lane onto OR 34 from Looney Lane, which is a County-owned local road restricted to a right-in/right-out movement for OR 34 westbound traffic. In the near term, the existing raised median should be extended to prevent illegal left-turn maneuvers and crossing the highway entirely from McFarland Road to Looney Lane. Regardless, the south connection of McFarland Road to OR 34 provides no practical benefit to present or future travelers compared to using the OR 34/OR 99E interchange, and should be closed for safety reasons as soon as possible. The distance between McFarland Road and the eastbound OR 34 offramp is only approximately 1,650 feet, which is considerably less than the minimum spacing standard of 1 mile for a rural expressway (OHP Table 18). A cul-de-sac is proposed at the connection, with an off-road bike path continuing approximately 1,000 feet to the Seventh-Day Adventist School property. (Alternatively, McFarland Road could be extended to a private drive, providing vehicular access to the school instead of from OR 34.) For the same reasons, the northern connection of Looney Lane to OR 34 should be closed. Less effective, but with no out-of-direction travel impact for Looney Lane southbound traffic ultimately headed west, would be to restrict the movement to right-out only and provide an acceleration lane. The existing and alternate route connects Looney Lane with Old Hwy 34 and OR 99E to the interchange.

According to the 1999 Oregon Highway Plan, OR 34 is a Statewide Highway and a designated state freight route. In 2000, OR 34 was designated by the Oregon Highway Division as an expressway. OR 34 is listed as part of the National Highway system. OR 99E is classified as a Regional Highway. Any future improvements should address opportunities to meet access spacing standards for OR 99E, OR 34, and county roadways. There are 63 driveway approaches on OR 99E, some of which are unrestricted, open frontages for businesses and residences. In the

southern end of the study area, most approaches are residents and small businesses, towards the north of the study area, the approaches are mainly to access the industrial and warehouse businesses.

All new commercial or industrial uses, multi-family residential uses, subdivisions, and manufactured dwelling parks, including expansion of existing uses, that propose to use an ODOT facility (Old Hwy 34 or new OR 34 or OR 99E) as access is required to submit a Traffic Assessment, which shall include the following: location of access points, estimates of the amount of traffic that will utilize the above access points, effect of the proposed development on traffic movement of both vehicles and pedestrians on OR 34 and/or OR 99E, identification of all improvements required to maintain adequate traffic flow, and approval by the Oregon Department of Transportation.

Consistent with the Oregon Highway Plan, where a right of access exists, access to a property at less than the designated spacing standard shall be in accordance with the Oregon Highway Plan. Access to a property at less than the designated spacing standard access shall be allowed only if it does not have any other reasonable access and the required spacing cannot be met. If possible, other options should be considered, including joint access. Only one approach per property is allowed to a street owned by either the City of Tangent or Linn County. Access to OR 99E and OR 34 is provided only where adequate access to another street or driveway is not feasible in accordance with the relevant policies and statutes.

Should the Community Commercial district be developed between Birdfoot Drive and Tangent Drive, and OR 99E and the UPRR tracks (as identified in the Tangent Downtown Concept Plan, 2002), new access to businesses would be restricted from OR 99E according to access spacing standards of 750 feet (45 mph) for a regional highway. Alternatively, vehicular access for the development's parking would be provided from Birdfoot Drive and Tangent Drive. Pedestrian access would be provided on-site and from off-site, using the proposed pedestrian crossing with raised median refuge south of Tangent Drive. A Planned Development Overlay zone applied to block development in the Community Commercial district should address access management and parking issues. Development in the Highway Commercial/Industrial district also must meet access spacing standards.

20.2.4 Speed Reduction

As discussed previously, speeding on Highway 99E is a concern of residents in Tangent. In this case, speeding is primarily a result of a street design that inadequately conveys to the driver the appropriate velocity. Drivers generally travel at a speed which they believe to be safe, based on visual information such as traffic volumes, street width, alignment, grades, and roadside obstacles. Thus, because Highway 99E has a rural appearance and is relatively uncongested, it is often driven at a greater speed than if it were an urban type street. Increased police enforcement is an option; however, it would be difficult to manage the problem for a sustained period of time given existing and future police staffing levels. The better solution is to alter the geometric design of the street, so as to self-enforce the desired level of speed.

A traffic light was added at the intersection of OR 99E and Old Highway 34 between 2002 and 2009. The speed limit on OR 99E was reduced between the northern city limits and North Lake Creek Drive from 55 to 45 mph.

Installation of a raised median north of the intersection N. Lake Creek and Highway 99E. and/or between Queen Anne's Lacey Drive and Birdfoot Drive on Highway 99E would be expected to encourage speed reduction by drivers to 45 mph or below. In addition, there are still segments of Highway 99E that could be upgraded to urban standards including sidewalks, curbs, gutters, and street trees when adjacent properties are developed.

Until the day when Tangent Drive, posted at 40 mph, is upgraded to minor collector design standards with shoulders and sidewalks, the road through residential areas should be posted with caution signs warning drivers of pedestrians and bicycles on the roadway.

Each of these projects will significantly alter the design appearance of the highway through Tangent and would be expected to reduce traffic speeds to 45 mph or below. Each of these projects are consistent with the policies and goals of ODOT.

20.3 Pavement Preservation and Maintenance

Most streets in the City are currently maintained at a level of fair or better condition. Keeping pavement surfaces in this condition is the most economical method of maintenance. If street conditions are permitted to deteriorate to a poor status, the costs for maintenance increase dramatically. Over the next 20 years, continued maintenance should occur to preserve or improve the condition of Tangent streets. However, funding is inadequate to ensure regular maintenance.

The following streets should be reconstructed and/or paved to provide an all-weather surface:

- Old Mill Road
- Queen Anne's Lacey Drive

In addition, the following streets should be resurfaced with an overlay or chip seal during the next 20 years:

- Blackberry Lane (south of Birdfoot Drive)
- Old Oak Lane

Depending on traffic levels and weather conditions, other street sections may need to be overlaid or chip sealed. In addition, it is possible that other public streets in the City will need to be slurry sealed sometime during the 20 year planning period. Periodic inspections of the pavement condition will be necessary to determine if and when other streets need maintenance.

20.4 Transportation Demand Management

Travel Demand Management (TDM) is one alternative in reducing traffic and thus improving the operation of both intersections and roadway links. Travel Demand Management programs are designed to maximize the people-moving capability of the transportation system by increasing the number of persons in a vehicle or by influencing the time of, or need to, travel. Successful TDM strategies help offset some of the negative impacts of future growth on the roadway system or delay the impacts for several years.

TDM strategies include encouraging the use of alternatives to single occupant vehicles (such as car pooling, van pooling, public and private transit, bicycling and walking), and influencing when travel occurs during the day, and how often travel occurs during the week (through compressed work weeks, flexible work schedules, and telecommuting).

Tangent should pursue the following TDM strategies:

- Improved bicycle and pedestrian facilities (see **Section 21.0** and **Section 22.0**).
- Increased transit service (see **Section 23.0**).
- Coordination with major employers to promote transit use, car pools, van pools, and alternative modes of transportations.

Major employers should be encouraged to reduce the number of vehicles at the workplace by implementation of one or more of the following:

- Welcome letter for new employees that includes information about commute options.
- Provide information about bus schedules, bicycle routes, carpools and vanpools.
- Publish information about alternative modes of transportation in the company newsletter.
- Provide a guaranteed ride home for employees who use alternatives to driving alone.
- Allow employees to dress casually on days they use alternative transportation.
- Provide free or discounted transit passes.
- Permit employees to telecommute when appropriate.

The nature of TDM programs are such that the positive impacts on the operation of specific intersections and links are difficult to quantify. TDM programs, however, can be effective and should be implemented as a method to reduce traffic demand in Tangent.

20.5 Capacity Expansion

Results of the traffic study indicate that no significant expansion in capacities of existing streets is needed to support future growth in Tangent. Essentially all of the operational needs can be addressed through other measures such as signalization and minor intersection improvements. The recent widening and addition of turn lanes to Highway 99E has improved traffic safety and turn movements at the intersections.

The Future 2030 No-Build conditions analysis shows the eastbound (EB) approach of OR 99E and OR 34 EB ramps with a LOS F (Level of Service) and a V/C of 1.16 (failing), and an intersection V/C of 0.94. By adding a left turn lane to the EB approach with 100-feet of storage, adding a protected permitted left turn phase and lagging the protected left turn phase, the approach LOS can be brought down to LOS E and the V/C to 0.97; however, the intersection operates at a V/C of 0.82, which does not meet the standard of 0.75 V/C. By adding a left turn movement to the existing through-right lane and keeping the protected left lane separated while operating the east-west approaches split-phased, improved the intersection C/C to 0.72. This V/C meets the ODOT Standard.

The Future 2030 Build conditions analysis shows one intersection will not meet mobility standards. The intersection of OR 99E and OR 34 WB ramps operates at LOS B and V/C of 0.76. By adding right turn pocket of 150 feet, the intersection would operate at LOS B and V/C of 0.71. The necessity of this pocket should be determined in the future.

20.6 New Streets

Figures 29A and 29C show the approximate locations for future street connections in the Tangent UGB and city limits that would be expected as part of future development. New streets would have the functional classification of local streets. Additional connections or extensions would be possible depending upon development plans and city approval. Development of properties in the Community Commercial and Highway Commercial/Industrial districts would have to address access management to the state highway that could potentially involve new private streets.

20.7 Street Design Standards

Roadway design standards are based on the functional classification and operational characteristics of the street. The intent is to provide a street design that can safely and efficiently accommodate traffic demand by autos, buses, bicycles, pedestrians, and emergency vehicles. Street design also influences the development of adjacent land parcels.

In Tangent, the existing street network predominantly consists of local streets with one minor and one rural collector and two arterial streets, according to ODOT's functional classification (Figure 7). As the City develops, new collector and arterial street connection is not expected. Highway 99E was recently upgraded with turn lanes and to improve traffic operations and reduce accidents. The Transportation Planning Rule requires cities to review their roadway standards and reduce excessively wide pavements. As a result, street design standards for local streets were evaluated and found to be overly wide. The City has recently adopted standards for narrower local streets, which also are already common in the older residential parts of Tangent.

Typical pavement widths of existing residential streets in Tangent are 36 feet or less. Generally, local streets have traffic volumes with less than 1,000 vehicles per day, whereas a 36 foot wide street can easily handle 10,000 vehicles per day. Narrower streets also are appropriate for reducing construction costs, stormwater runoff, and resulting in a greater harmony with small neighborhoods. Figures 31C illustrates recommended "skinny" street design standards for Tangent's local streets. Figure 31D shows a cul-de-sac variation. The Tangent Public Works Design Standards include dimensions for arterials, collectors and local streets; these include a local street standard of 28 feet with options from 34 feet to 16 feet in width, ~~curb to curb~~ pavement edge to pavement edge., depending on on-street parking and travel lane queuing provisions. Such narrow streets also are consistent with Low Impact Development (LID) measures to reduce and naturally treat stormwater run-off.

21.0 The Proposed Bicycle System

Table 9 lists proposed bikeway improvements. For shoulder bikeways, these improvements would include shoulder widening or creation as roads were upgraded. Improvements could be painted marking with "sharrows" or a striped lane on the streets in the case of a shared bikeway or an on-street bike lane. Bike /ped paths would be graveled off-street facilities of 8 to 10 feet in width, which ultimately could be paved. The unimproved right-of-way of Old Church Road

between Birdfoot Drive and Tangent Drive is proposed for a bike path (shared-use), perhaps part of a linear city park, rather than improvement as a street connection. **Figure 32A** depicts the three type of bikeways recommended for use in the City. **Figure 33** illustrates the proposed bicycle system. Bikeway installations are consistent with requirements of the Transportation Planning Rule (TPR) and the guidelines of the **Oregon Bikeway and Pedestrian Plan**. Figure 32A shows the design and structure of a shared-use path for bicycles and pedestrians.

Table 9 – Recommended Bikeways

Street	From	To	Recommended Bikeway Type
McFarland Road	OR 34	7th Day Adventist School	Bike Path
McFarland Road	North Lake Drive	OR 34	Shoulder/Shared Bikeway
McFarland Road	Old Hwy 34	OR 99E (north)	Shoulder/Shared Bikeway
Old Hwy 34	McFarland Road	Tangent Industrial Park	Shoulder Bikeway
North Lake Creek Drive	OR 99E	Tangent Drive	Shoulder Bikeway
Tangent Drive	East City Limits	East UGB	Shared Bikeway
Tangent Drive	East UGB	OR 99E	Shoulder Bikeway
Tangent Loop	South City Limits	South UGB	Shared Bikeway
Tangent Loop	South UGB	Old Oak Drive	Shoulder Bikeway
Old Oak Drive	Tangent Loop	Old Church Drive	Shoulder Bikeway
Old Church Road	Old Oak Drive	Birdfoot Drive	Bike Lane
Old Church Road R/W	Birdfoot Drive	Tangent Drive	Bike Path
Shared-use Path	Tangent Drive	Garden Lane	Bike Path
Shared-use Path	Sequoia Lane	Eagle Drive	Bike Path/Emergency Lane
Birdfoot Drive	OR 99E	Garden Lane	Shared Bikeway
Blackberry Lane	Birdfoot Drive	Old Oak Drive	Shared Bikeway
Garden Lane	Tangent Drive	Blackberry Lane	Shared Bikeway

22.0 The Proposed Pedestrian System

Figure 34 shows locations where sidewalks should be completed in the City. In some instances, the UGB is adjacent to one side of the roadway such as along McFarland Road. In these situations, sidewalks are not recommended if development or other walking destinations are not expected on that side of the street. The most important locations for sidewalks are along streets that lead to major activity centers such as the elementary school, post office, City Hall, park and commercial businesses. Sidewalk priorities are based on areas of greatest pedestrian demand and priority areas identified during public meetings on the TSP.

Sidewalks should be at least 5 feet wide and have ramps at the intersections that meet current requirements of the Americans with Disabilities Act.

A recommended location for a raised median and pedestrian crossing refuge (particularly for school children) is approximately opposite Queen Anne’s Lace Drive, south of where the highway has now been widened with a turn lane onto Tangent Drive. The pedestrian system also would be complemented by four proposed bike paths that would function with shared-use.

OR 99E currently acts as a barrier to pedestrian traffic, dividing residential areas from schools and government services. Tangent will need to work with ODOT to design and create pedestrian

crossings on OR 99E to promote safe pedestrian circulation. Pedestrian crossings need to be developed to connect the residential areas along the west side of OR 99E with the civic/downtown areas along the east side of the highway. The elementary school needs a safe, complete connection via sidewalks the length of the west side of OR 99E. Crosswalks, using a textured or colored concrete to cue drivers of the pedestrian area should be considered as part of the streetscape upgrades at Birdfoot Drive and OR 99E.

23.0 The Proposed Public Transportation System

Although the future City population and density will not be sufficient to support new bus service, the City should coordinate with the Linn County Shuttle to modify their existing service to create stops in Tangent. The Shuttle could provide connections to the City of Albany and other systems including Albany Transit Service and the Linn-Benton Loop. If the Shuttle service is modified, the bus should come into the northern and southern parts of Tangent via Highway 99E to allow the greatest number of residents access to the system.

Persons that do not have access to a car or are unable to drive would be those who would benefit the greatest by the proposed service.

24.0 The Proposed Rail System

As discussed previously, ODOT has identified a desire to close some of the existing at-grade rail crossings in Tangent. This need is a low priority issue for ODOT until high speed passenger rail activity increases. If one or more crossings are closed, they would be replaced with a grade separated facility. The location of a new crossing and the actual crossings to be closed have not been identified or evaluated by ODOT.

Although the state would like to remove crossings, the City should retain the crossing if possible. Having multiple crossings helps provide secondary routes for emergency vehicles serving the area and creates more opportunities for street connectivity, especially benefiting bicyclists and pedestrians.

As an alternative, the City should work with the state to install more advanced rail crossing systems if needed to further reduce the potential for crossing conflicts and accidents.

The culvert under the tracks at Tangent Drive should be replaced with one with a larger flow capacity to prevent flooding and potential track bed damage.

25.0 The Proposed Water, Air, and Pipeline Systems

There are not airport facilities, no navigable water routes, nor are pipelines within the City of Tangent, thus no improvements needed or recommended.

IMPLEMENTATION PLAN

26.0 Implementation Plan

Previous sections of this report have identified the 20 year transportation needs with the City of Tangent. The City faces a major challenge to obtain adequate funding to complete the proposed improvement projects. This section presents the recommended implementation plan for these improvements. Projects identified for implementation within zero to five years should receive a priority status to solve more immediate transportation issues.

26.1 Project Cost Estimates

Estimates of probable cost were calculated for each improvement project recommended in the TSP. Estimates included design and construction costs and contingencies but not right of way costs. The estimated costs are in 2010 dollars and were determined by examining costs for recent improvement projects in the City of Tangent and other Oregon localities. **Table 11** lists recommended improvement projects, probable costs, and implementation schedule. It should be noted that some project implementation may occur sooner than identified in **Table 11**, depending on when nearby properties develop.

Improvement Type	Location	Description	Estimated Cost (2010 dollars)	Timing
Pedestrian crossing	OR 99E and Queen Annes Lace	Construct raised median for pedestrian refuge and install actuated beacon	\$150,000	0-5 years
Bike/Ped Path	McFarland Road	Construct shared-use path from end of road to school property	\$33,000	10-20 years
Bike/Ped Path	South of Tangent Drive (across from Sequoia)	Construct shared-use path from Tangent Drive to Garden Lane	\$49,000	5-10 years
Bike/Ped Path	Old Church Road	Construct shared-use path from Birdfoot Drive to Tangent Drive	\$37,000	5-10 years
Bikeway	Tangent Drive	Construct shoulder bikeway from OR 99E to east UGB	\$200,000	5-10 years
Curb, Gutter, Sidewalk	Old Oak Drive	Construct curb, gutter, sidewalk (at least one side) between Old Church Road and south UGB	\$550,000	10-20 years
Curb, Gutter, Sidewalk	Birdfoot Drive	Construct curb, gutter, drainage, and sidewalk (at least one side) between OR 99E and Old Church Road	\$195,000	10-20 years
Curb, Gutter,	Tangent Drive	Construct curb,	\$650,000	10-20 years

Sidewalk		gutter, drainage, and sidewalk (at least one side) between OR 99E and east UGB		
Curb, Gutter, Sidewalk	Queen Anne's Lace Drive	Reconstruction, including curb, gutter, drainage and sidewalks	\$134,882	0-5 years
Curb, Gutter, Sidewalk	Old Mill Road	Reconstruction, including curb, gutter, drainage and sidewalks	\$186,000	0-5 years
Curb, Gutter, Sidewalk	Blackberry Lane	Reconstruction, including curb, gutter, drainage and sidewalks\$	\$299,000	0-5 years
Pavement Preservation	Old Oak Lane	Overlay or chip seal pavement	\$75,000	0-5 years
Ramp Widening	OR 34 EB Ramps	Construct additional left-turn lane	\$182,000	15-20 years

Table 10 – Estimate of Probable Costs and Recommended Implementation Schedule

NOTE: The provided estimates for bike paths include design and construction engineering, 40% contingency, gravel surfacing on all paths and associated construction items. The estimates do not include costs for required right-of-way.

Total costs for the TSP recommended projects are approximately \$2.74 million dollars. Funding for the projects is expected to come from public and private sources. Implementation of the largest cost project, improvements to Old Oak Drive, would depend upon multi-family housing development in the area, and costs could be assigned to the developers. Routine pavement preservation costs for overlay or chip seal are estimated to continue at historic levels. Other identified improvements that are outside of the UGB would be undertaken after projects inside the UGB are completed, which could defer implementation to beyond the 20-year timeframe unless additional funding sources are available.

In addition to the costs noted in the table above, additional storm drainage costs may be applicable based on the actual location and nature of the proposed project. The Tangent Drainage and Stormwater Management Plan should be consulted, Table 6-1 in particular, to verify the scope and estimated costs of major drainage projects that may affect the proposed construction.

26.2 Transportation Funding Sources

The City of Tangent transportation receives funding from federal, state, and local sources.

26.2.1 Federal Funding Sources

Federal transportation funding is obtained primarily from the federal fuel tax, which Tangent residents pay when purchasing gasoline and diesel fuels. However, Tangent is too small to receive federal funds for transportation projects directly from the federal government. Linn County receives funding for areas outside MPOs and smaller than 5,000 persons, and such funds can be spent on County roads in the City, as well as for transit, pedestrian, and bicycle system improvements.

26.2.2 State Funding Sources

The State of Oregon obtains transportation funding from a variety of taxes and fees. These include the state fuel tax, weight-mile fees for heavy trucks, vehicle registration fees, state fines and assessments, and the state cigarette tax. State revenues are used to fund projects on state facilities and are distributed from the State Highway Trust Fund to cities based on population.

26.2.3 Local Funding Sources

The local funding sources identified for transportation projects are described below:

General Obligation (G.O.) Bonds

The City of Tangent has the authority to sell bonds to pay for street projects that address a current deficiency and should be funded by the community. These bonds are backed by the general taxing authority of the bonds. General obligation bonds must be approved by voters.

System Development Charges

System Development Charges (SDCs) are fees paid by developers to help meet growth-driven needs. A transportation SDC can be used to fund projects that mitigate the impacts of additional traffic on the existing transportation system.

Transportation System Utility Fees

Properties can be charged monthly fees for use of the transportation system, similar to other utilities. A transportation system utility fee is an option for the City of Tangent to use for funding street maintenance improvements. The fees would be calculated based on the estimated number of vehicle trips generated by each land use. Cities such as Medford, Ashland, and La Grande currently have transportation system utility fees.

Developer Agreements

Significant development is expected to occur within the City of Tangent during the 20-year planning period. The costs of constructing new roadways to serve developing land are expected to be paid by developers. Developers would be required to invest in the transportation infrastructure as part of the permit process.

Other Local Funding Sources

Other possible local funding mechanisms may be available to help fund the TSP. These funding mechanisms include a local gasoline tax, local weight-mile fees, local vehicle registration fees, special assessments, and payroll taxes.

27. Public Involvement

As part of the development of the TSP, a Technical Advisory Committee was formed consisting of community representatives, ODOT, and City Staff. The committee met several times to initiate

the study, discuss alternatives, and make recommendations for inclusion in the TSP. Public meetings were also held to assess community support for the options and plan recommendations.

Minutes from Each meeting were recorded by the City of Tangent and are included in the Appendix.

Appendix

Plan and Policy Review

Existing plans and policies were reviewed to establish the history of planning in Tangent, planned street system improvements, and other county and state planned transportation improvements. The review also served to evaluate consistency between local plans/policies and other county, state, and federal plan provisions affecting transportation.

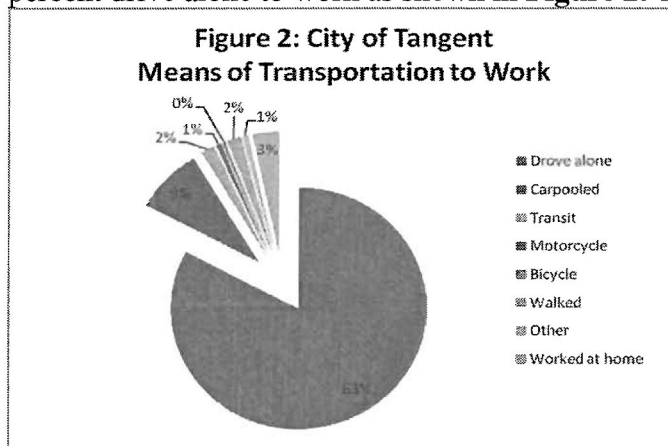
The review included the following documents:

- City of Tangent Comprehensive Plan
- City of Tangent Planning and Zoning Ordinance
- City of Tangent Public Works Design Standards
- City of Tangent Capital Improvement Program
- Linn County Transportation Plan
- Oregon Transportation Plan
- Oregon Highway Plan
- Oregon Transportation Planning Rule
- ODOT Economic Development Analysis of Highway Corridors
- ODOT Overview of Statewide Corridors
- Oregon Highway 34 Transportation Corridor Plan
- ODOT Accident Rate Tables
- ODOT Traffic Volume Tables
- Oregon Rail Freight Plan
- Oregon High Speed Rail Capacity Analysis

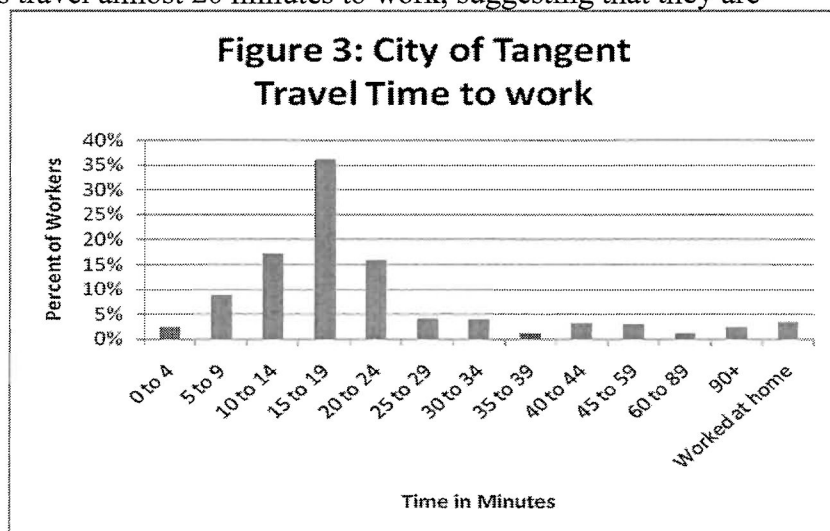
1.0 Introduction

The City of Tangent is located at the junction of Highway 34 and Highway 99E in Linn County s **Figure 1** shows the location of Tangent, which is roughly half way between Salem and Eugene. Because of its location, and proximity to Interstate-5, Corvallis, and Albany, Tangent is experiencing rapid increases in industrial development. Much of the existing development is agriculturally or construction related. Housing has also grown in response to job growth in Tangent and nearby communities. As a result, roughly 12,000 vehicles travel Highway 34 per day. At the same time, nearly 7,000 vehicles use Highway 99E as it passes through town. With the growth in traffic, truck activity has also significantly increased.

Like most people in the U.S., residents of Tangent generally choose to drive alone rather than car pool, use public transportation, bicycle, or walk. The 2000 census results indicate that 83% percent drive alone to work as shown in **Figure 2**. Tangent's drive-alone rate is



higher than the national average of 76% percent for work trips. This may be because many workers in Tangent actually work outside of the City, either in Albany or other nearby Cities. Travel time to work data (Figure 3) suggests that the majority of employees travel almost 20 minutes to work, suggesting that they are

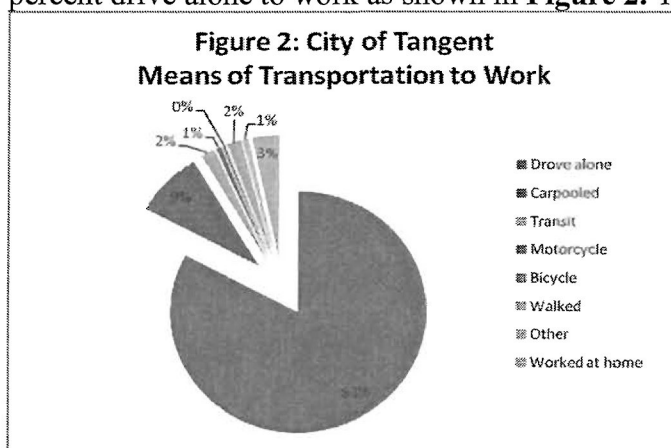


employed outside of Tangent.

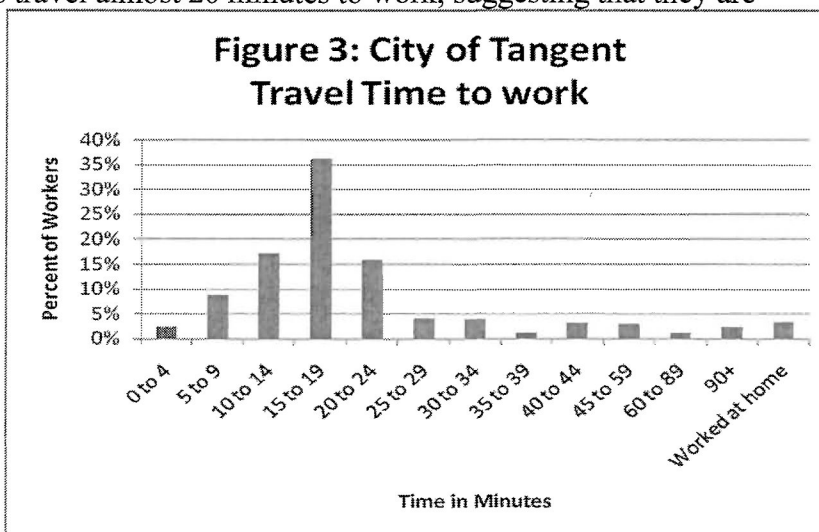
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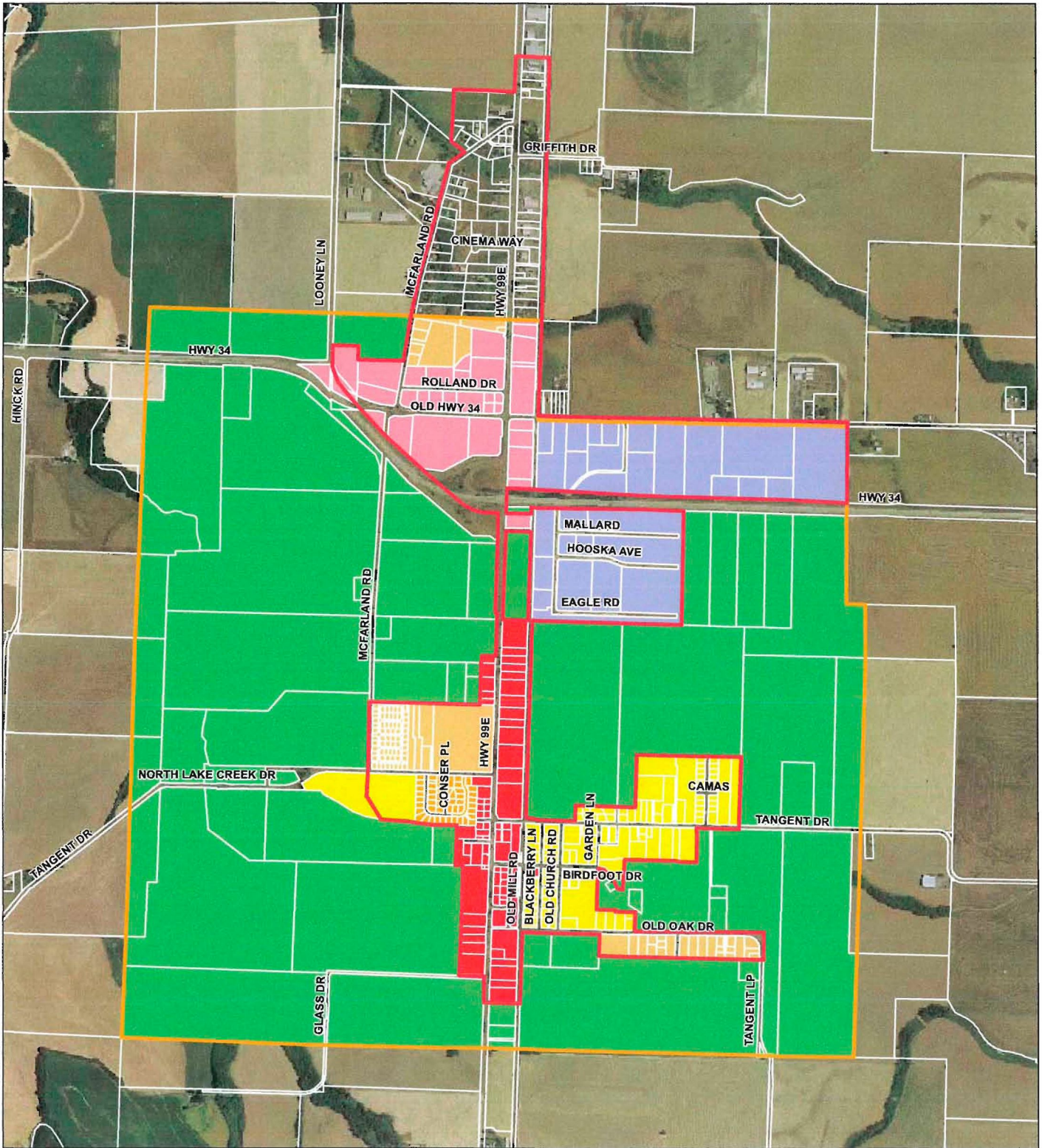
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employed outside of Tangent.



LEGEND

- Tangent Urban Growth Boundary
- Tangent City Limits
- Tax Lots
- Outside UGB

Zoning

- CC - Community Commercial
- EFU - Exclusive Farm Use
- GI - General Industrial
- HC/I - Highway Commercial/Industrial
- RM - 6 - Multiple-family Residential
- RM - 10 - Multiple-family Residential
- RS - 10 - Single-family Residential

Sources:
 Zoning - Linn County 2009
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB
 Boundaries, Oregon
 Department of
 Transportation 1996
 City Limits - Linn County 2005

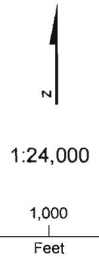
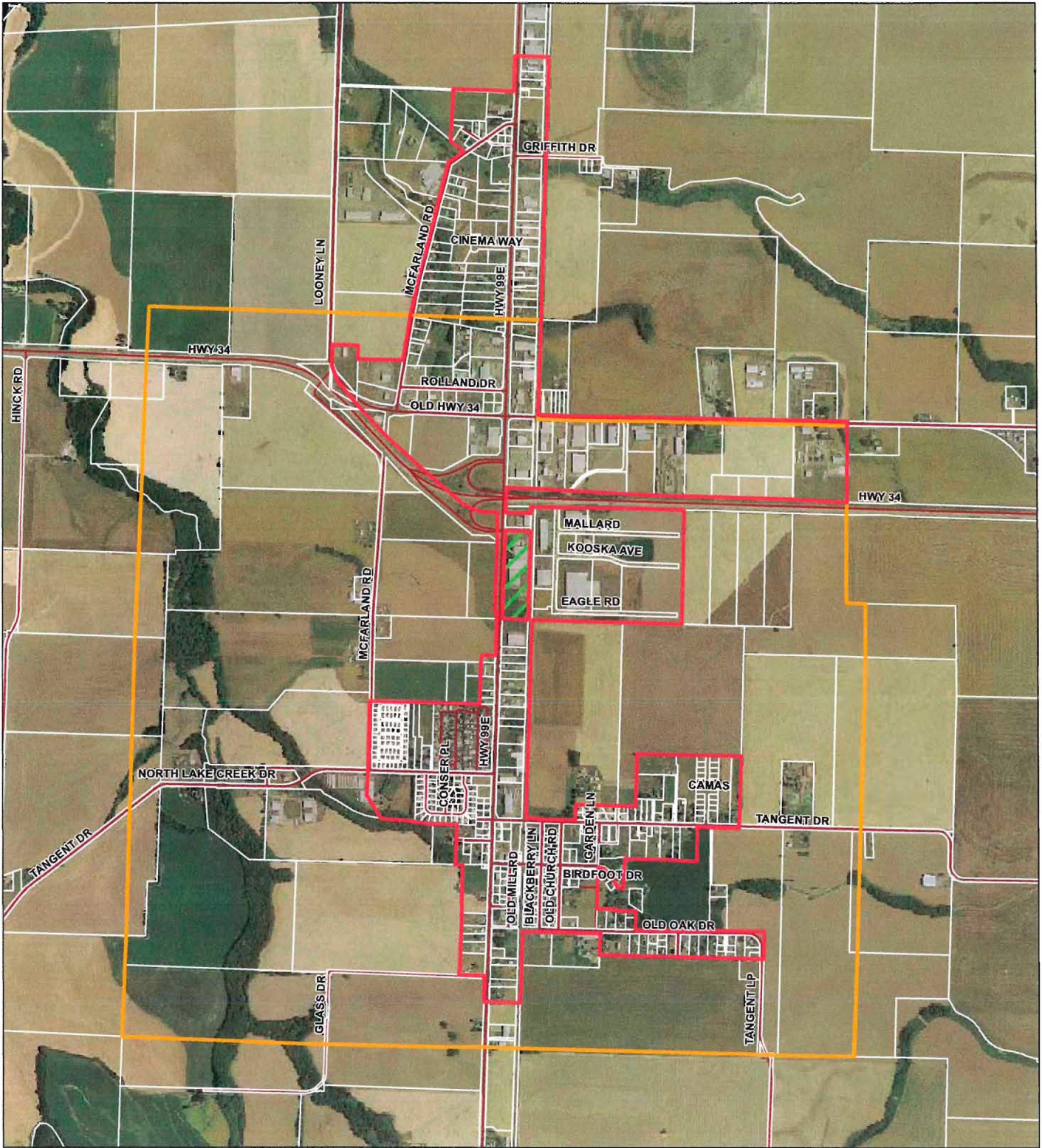



FIGURE 1A
City Zoning
*Tangent Integrated Land Use
 and Transportation Plan Update
 Tangent, Oregon*



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits
-  Tax Lots
-  Outside UGB

Sources:
 Zoning - Linn County 2009
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB Boundaries, Oregon Department of Transportation 1996
 City Limits - Linn County 2005

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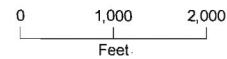
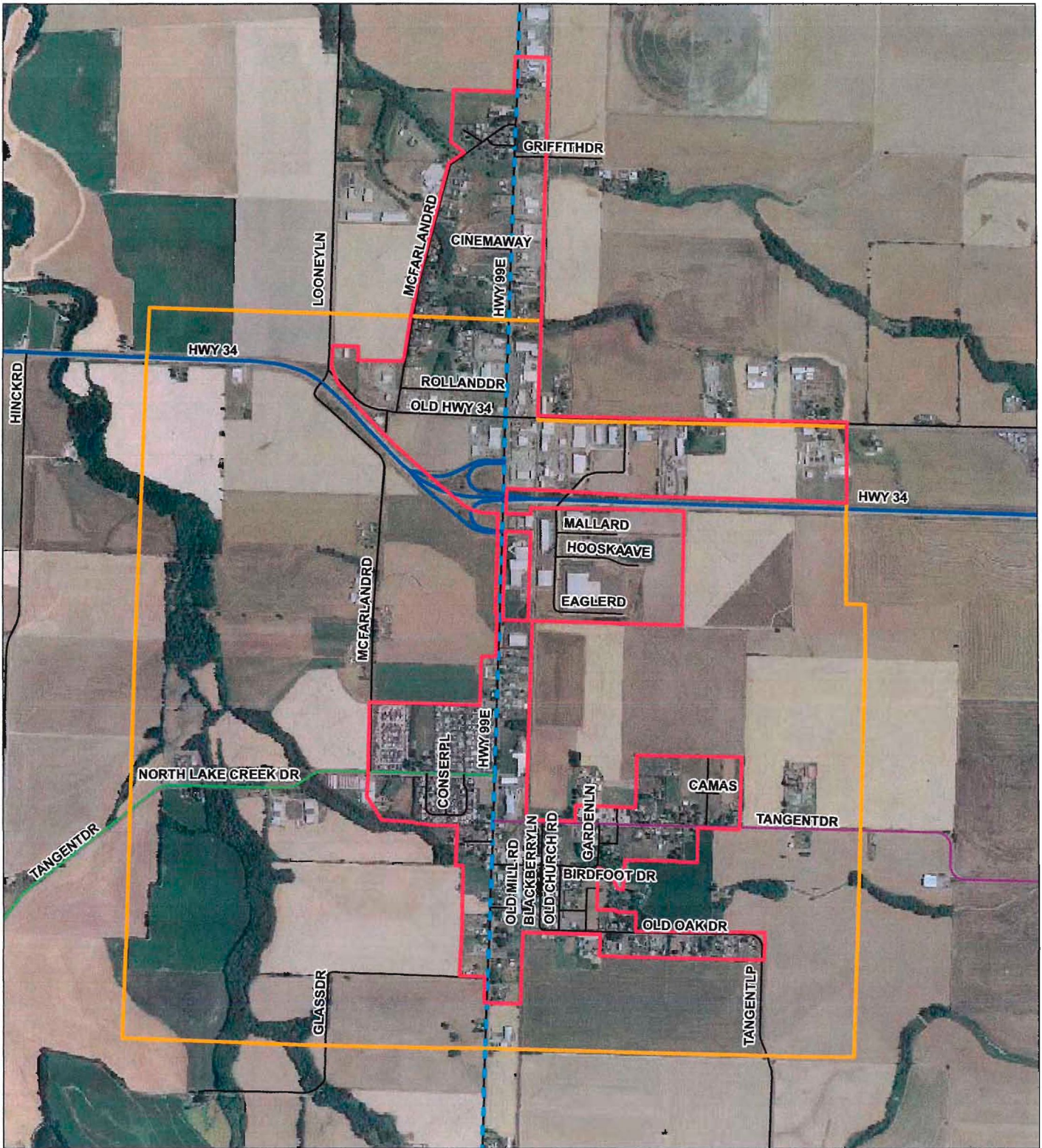




FIGURE 4
City Limits and UGB
 Tangent Transportation System
 Plan Update
 Tangent, Oregon



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits
-  Local Road
-  Minor Arterial
-  Minor Collector
-  Principal Arterial
-  Rural Collector

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

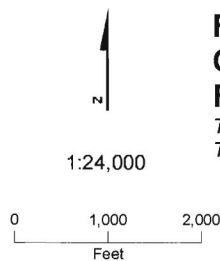


FIGURE 7
ODOT Roadway
Functional Classifications
Tangent Transportation System Plan Update
Tangent, Oregon

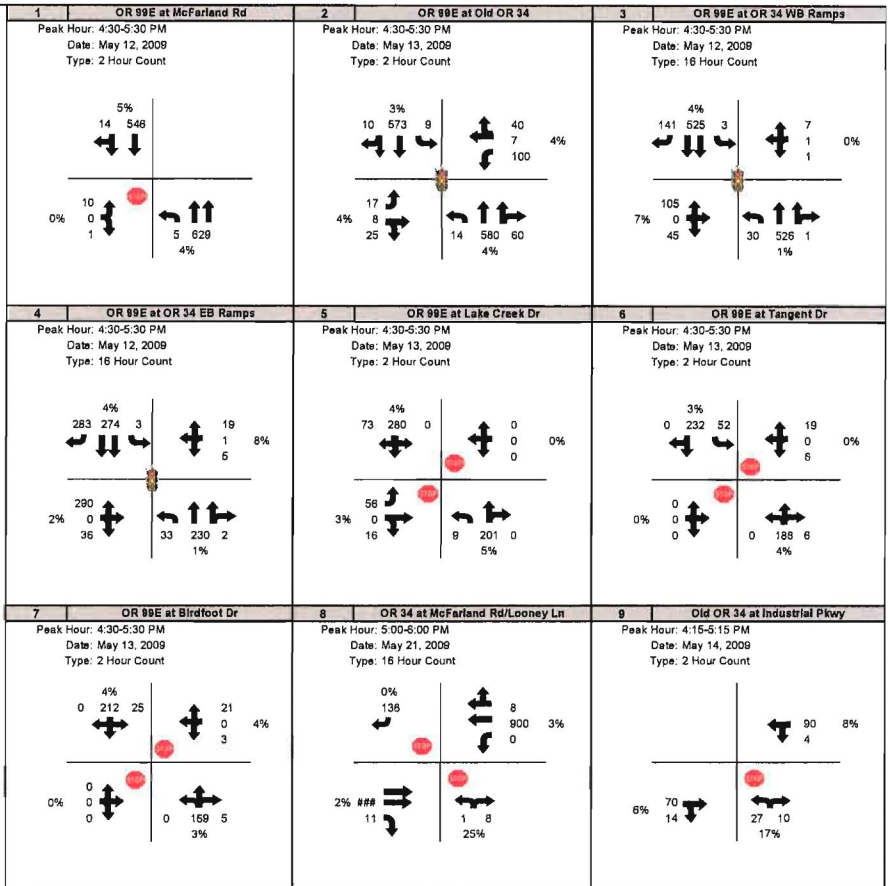
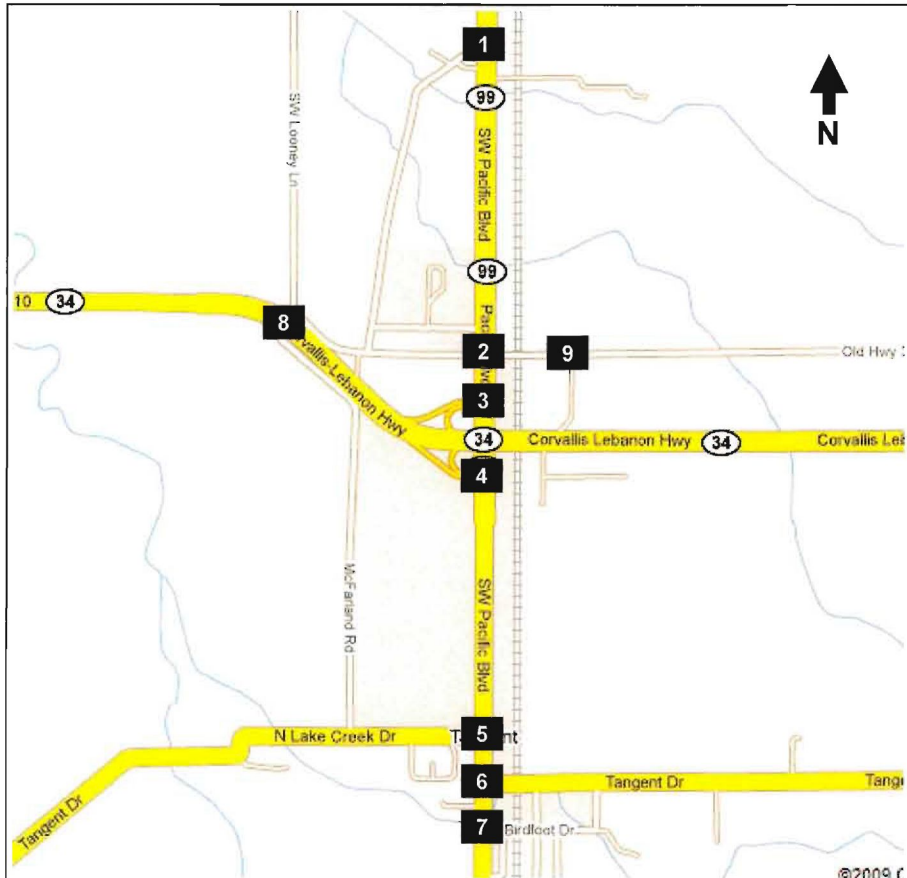


FIGURE 11 Tangent Integrated Land Use and Transportation Plan Update
Raw Count: 2009 Individual Intersection Peak Hour Volumes & Channelization

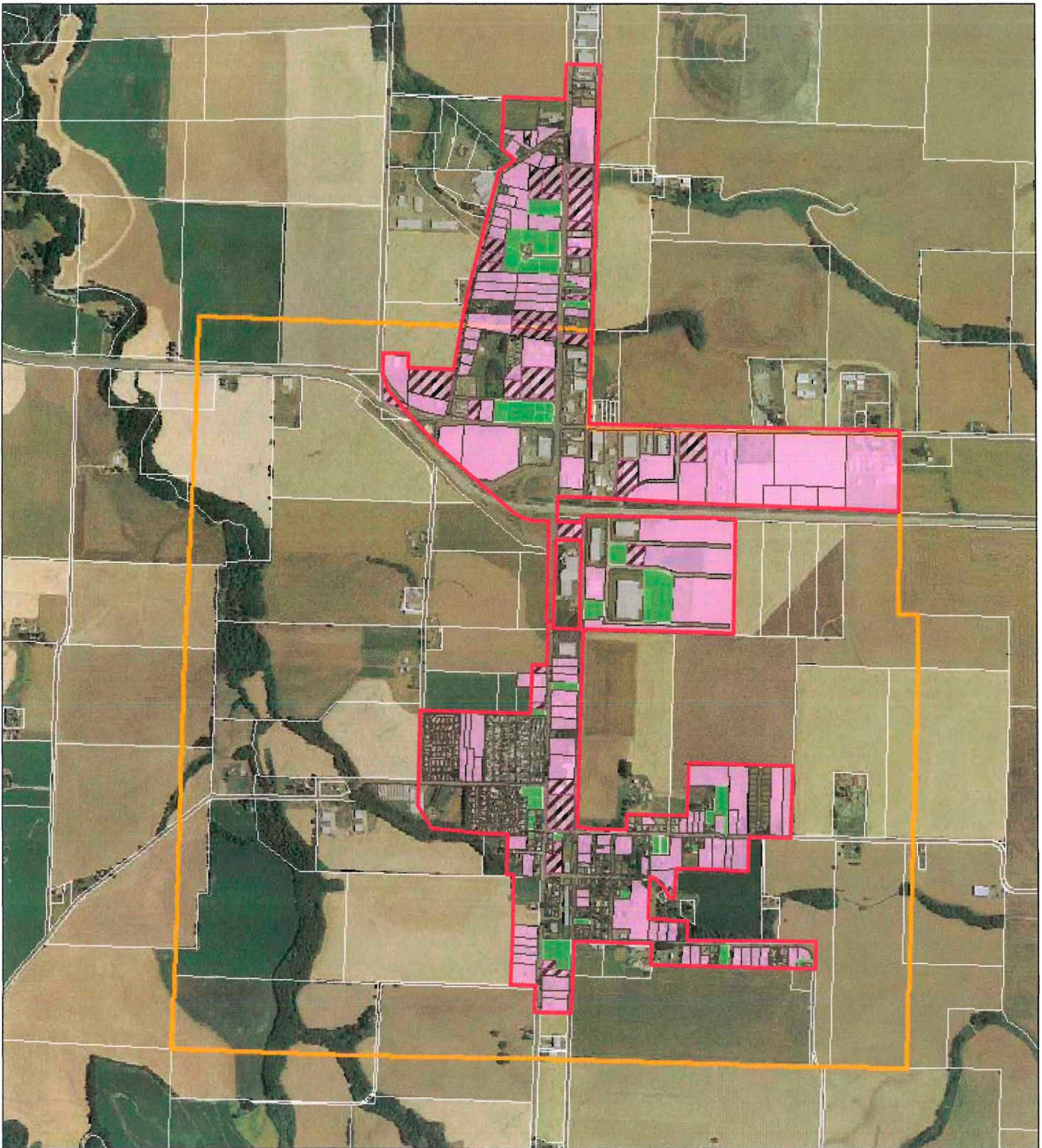
Notes:
1. Intersection map source: Microsoft Live Maps

Legend:



Volume Diagram

555 Turning Movement Volume
HV% Percent Heavy Vehicles





- Channelization
- Stop Controlled Intersection
- Signalized Intersection



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits
- Tax Lots

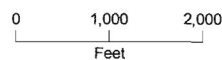
Buildable Lands in the UGB

-  Non Constrained and Vacant Buildable Parcels
-  More than 50% Buildable
-  50 % or Less Buildable
-  Non-Buildable Parcels

Sources:
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 City of Tangent Buildable Lands Inventory 2009



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**FIGURE 16
 Future Land Use
 Growth Areas**

*Tangent Transportation System
 Plan Update
 Tangent, Oregon*

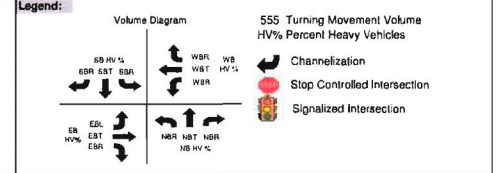


1 OR 99E at McFarland Rd V/C Ratio Std: 0.75/0.90 V/C Ratio: 0.50/0.21 Growth Factor: 1.85 PHF: 0.93 5% 30 1190 0% 30 10 PHF: 0.85 20 1245 4% PHF: 0.93	2 OR 99E at Old OR 34 V/C Ratio Std: 0.75 V/C Ratio: 0.70 Growth Factor: 1.85 PHF: 0.90 3% 30 1150 20 4% 40 20 60 PHF: 0.85 PHF: 0.85 85 20 200 PHF: 0.90 PHF: 0.85 4% 20 200	3 OR 99E at OR 34 WB Ramps V/C Ratio Std: 0.75 V/C Ratio: 0.73 Growth Factor: 1.85 PHF: 0.90 4% 290 1110 10 7% 215 0 95 PHF: 0.85 PHF: 0.85 10 10 15 0% PHF: 0.85 PHF: 0.95 65 1060 10 1% PHF: 0.95
4 OR 99E at OR 34 EB Ramps V/C Ratio Std: 0.75 V/C Ratio: 0.94 Growth Factor: 1.85 PHF: 0.93 4% 600 610 10 2% 605 0 75 PHF: 0.95 PHF: 0.85 40 10 20 8% PHF: 0.90 PHF: 0.85 10 20	5 OR 99E at Lake Creek Dr V/C Ratio Std: 0.75/0.90 V/C Ratio: 0.29/0.41 Growth Factor: 1.85 PHF: 0.90 4% 150 555 0 3% 125 0 40 PHF: 0.88 PHF: 0.92 0 0 2% Driveway PHF: 0.90 PHF: 0.90	6 OR 99E at Tangent Dr V/C Ratio Std: 0.75/0.85 V/C Ratio: 0.32/0.18 Growth Factor: 1.85 PHF: 0.90 3% 0 490 105 0% 0 0 PHF: 0.85 PHF: 0.85 0 0 PHF: 0.85 PHF: 0.85 0 420 20 4% PHF: 0.90
7 OR 99E at Birdfoot Dr V/C Ratio Std: 0.75/0.90 V/C Ratio: 0.26/0.15 Growth Factor: 1.85 PHF: 0.90 4% 0 450 60 0% 0 0 PHF: 0.85 PHF: 0.85 50 0 10 4% PHF: 0.90 PHF: 0.90 0 390 10 3% PHF: 0.90	8 OR 34 at McFarland Rd/Looney Ln V/C Ratio Std: 0.70/0.80 V/C Ratio: 0.82/0.65 Growth Factor: 1.44 PHF: 0.85 0% 220 2% 25 0 PHF: 0.95 PHF: 0.95 25 25 3% PHF: 0.85 PHF: 0.85 0 10 25% PHF: 0.85	9 Old OR 34 at Industrial Pkwy V/C Ratio Std: 0.80/0.90 V/C Ratio: 0.11/0.14 Growth Factor: 1.85 PHF: 0.85 245 8% 10 PHF: 0.85 PHF: 0.85 6% 135 30 PHF: 0.85 PHF: 0.85 60 20 17% PHF: 0.85



FIGURE 19A Tangent Integrated Land Use and Transportation Plan Update
 2030 Future No-Build 30th Highest Hour Volumes: Balanced Volumes & Channelization

- Notes:**
1. "V/C Ratio Std" corresponds to the intersection's mobility standard
 2. Mobility Standards are based on Oregon Highway Plan
 3. "V/C Ratio Std" is reported as major approach/site street approach values
 4. A green box on the map represents an acceptable measured mobility
 5. A red box on the map represents an unacceptable measured mobility
 6. Truck Percentages calculated from raw counts
 7. System Peak hour is 4:30-5:30 PM
 8. All 30th Highest Hour volumes were seasonally adjusted
 9. Intersection map source: Microsoft Live Maps
 10. Synchro software version 7 used for analysis





1	OR 99E at McFarland Rd	2	OR 99E at Old OR 34	3	OR 99E at OR 34 WB Ramps
V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.50/0.21	Growth Factor: 1.85	V/C Ratio Std: 0.75 V/C Ratio: 0.75	Growth Factor: 1.85	V/C Ratio Std: 0.75 V/C Ratio: 0.76	Growth Factor: 1.85
PHF: 0.93 5% 30 1180 0% 30 PHF: 0.85	PHF: 0.85 4% 20 1245 PHF: 0.93	PHF: 0.90 3% 30 1150 20 PHF: 0.85 4% 85 20 200 PHF: 0.90	PHF: 0.80 4% 510 1110 10 PHF: 0.85 7% 240 105 PHF: 0.85	PHF: 0.85 2% 20 1245 PHF: 0.93	PHF: 0.85 1% 65 1060 10 PHF: 0.95
4	OR 99E at OR 34 EB Ramps	5	OR 99E at Lake Creek Dr	6	OR 99E at Tangent Dr
V/C Ratio Std: 0.75 V/C Ratio: 0.72	Growth Factor: 1.85	V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.28/0.45	Growth Factor: 1.85	V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.32/0.16	Growth Factor: 1.85
PHF: 0.93 4% 600 620 10 PHF: 0.95	PHF: 0.85 10 8% PHF: 0.90	PHF: 0.90 4% 185 555 0 PHF: 0.88	PHF: 0.92 2% PHF: 0.80	PHF: 0.80 3% 0 490 105 PHF: 0.85	PHF: 0.85 0% 0 420 20 PHF: 0.90
7	OR 99E at Birdfoot Dr	8	OR 34 at McFarland Rd/Looney Ln	9	Old OR 34 at Industrial Pkwy
V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.28/0.15	Growth Factor: 1.85	V/C Ratio Std: N/A V/C Ratio: N/A	Growth Factor: N/A	V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.11/0.14	Growth Factor: 1.85
PHF: 0.90 4% 0 450 60 PHF: 0.85	PHF: 0.85 4% 50 10 PHF: 0.90	Approach Closed Under Build Condition	N/A 1475 N/A	PHF: 0.85 6% 135 30 PHF: 0.85	PHF: 0.85 8% 245 10 PHF: 0.85



FIGURE 19B Tangent Integrated Land Use and Transportation Plan Update
2030 Future Build 30th Highest Hour Volumes: Balanced Volumes & Channelization

- Notes:**
1. "V/C Ratio Std" corresponds to the intersection's mobility standard
 2. Mobility Standards are based on Oregon Highway Plan
 3. "V/C Ratio Std" is reported as major approach/street approach values
 4. A green box on the map represents an acceptable measured mobility
 5. A red box on the map represents an unacceptable measured mobility
 6. Truck Percentages calculated from raw counts
 7. System Peak hour is 4:30-5:30 PM
 8. All 30th Highest Hour volumes were seasonally adjusted
 9. Intersection map source: Microsoft Live Maps
 10. Synchro software version 7 used for analysis



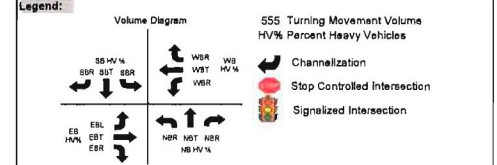


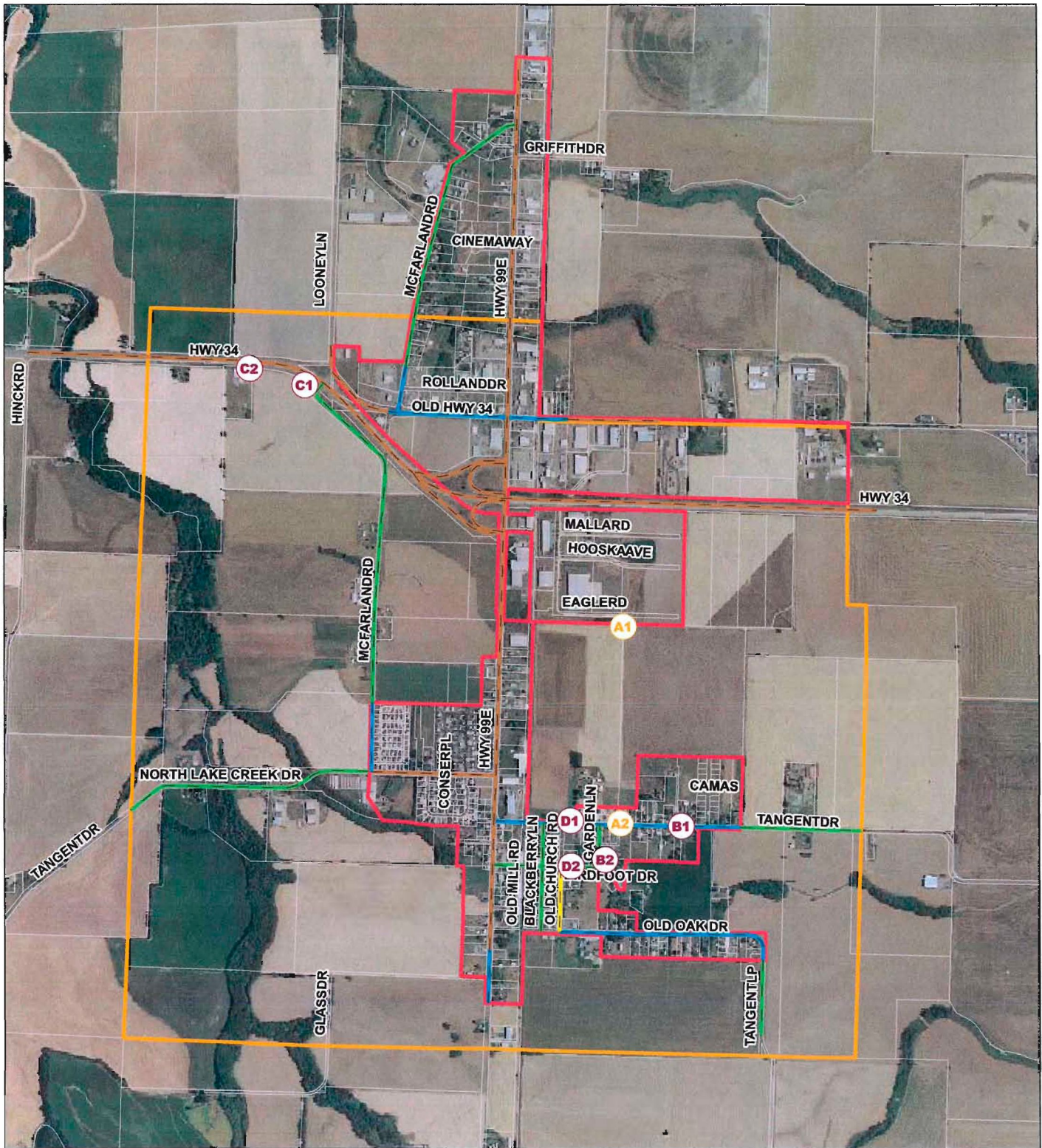
1	OR 99E at McFarland Rd	2	OR 99E at Old OR 34	3	OR 99E at OR 34 WB Ramps
V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.50/0.21	Growth Factor: 1.85	V/C Ratio Std: 0.75 V/C Ratio: 0.75	Growth Factor: 1.85	V/C Ratio Std: 0.75 V/C Ratio: 0.76	Growth Factor: 1.85
PHF: 0.93 30 5% 1190 0% 30 10 PHF: 0.85	PHF: 0.83 20 1245 4% PHF: 0.83	PHF: 0.90 30 1150 20 4% PHF: 0.85 85 20 200 PHF: 0.90	PHF: 0.85 510 1110 10 7% 105 PHF: 0.95	PHF: 0.85 20 10 0% 15 PHF: 0.85 65 1060 10 1% PHF: 0.85	
4	OR 99E at OR 34 EB Ramps	5	OR 99E at Lake Creek Dr	6	OR 99E at Tangent Dr
V/C Ratio Std: 0.75 V/C Ratio: 0.77	Growth Factor: 1.85	V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.29/0.45	Growth Factor: 1.85	V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.32/0.16	Growth Factor: 1.85
PHF: 0.93 4% 600 620 10 PHF: 0.95	PHF: 0.85 10 8% 20 PHF: 0.80 605 100 PHF: 0.85	PHF: 0.90 4% 185 555 0 PHF: 0.88	PHF: 0.92 0 2% Driveway 135 0 PHF: 0.80	PHF: 0.85 3% 0 480 105 PHF: 0.85	PHF: 0.85 0 20 PHF: 0.80 0 420 20 4% PHF: 0.80
7	OR 99E at Birdfoot Dr	8	OR 34 at McFarland Rd/Looney Ln	9	Old OR 34 at Industrial Pkwy
V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.26/0.15	Growth Factor: 1.85	V/C Ratio Std: N/A V/C Ratio: N/A	Growth Factor: N/A	V/C Ratio Std: 0.75/0.80 V/C Ratio: 0.11/0.14	Growth Factor: 1.85
PHF: 0.90 4% 0 450 60 PHF: 0.85	PHF: 0.85 50 4% 10 PHF: 0.80 0 390 10 3% PHF: 0.80	N/A	N/A	PHF: 0.85 245 8% 10 PHF: 0.85 6% 135 30 PHF: 0.85	PHF: 0.85 60 20 17% PHF: 0.85



FIGURE 19C Tangent Integrated Land Use and Transportation Plan Update
2030 Future Build 30th Highest Hour Volumes: Balanced Volumes & Channelization

- Notes:**
- "V/C Ratio Std" corresponds to the intersection's mobility standard
 - Mobility Standards are based on Oregon Highway Plan
 - "V/C Ratio Std" is reported as major approach/side street approach values
 - A green box on the map represents an acceptable measured mobility
 - A red box on the map represents an unacceptable measured mobility
 - Truck Percentages calculated from raw counts
 - System Peak hour is 4:30-5:30 PM
 - All 30th Highest Hour volumes were seasonally adjusted
 - Intersection map source: Microsoft Live Maps
 - Synchro software version 7 used for analysis





LEGEND

- Existing Bikeway (Bike Lane or Shoulder)
- Proposed Bike Lane
- X1 X2 Proposed Bike/Ped Path Connections
- X1 X2 Proposed Conceptual Bike/Ped Path and Emergency Lane Connections
- Proposed Shared Bikeway
- Proposed Shoulder Bikeway

- + Tangent Urban Growth Boundary
- Tangent City Limits
- Tax Lots

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

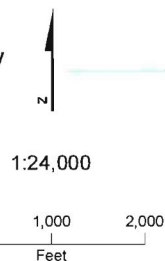
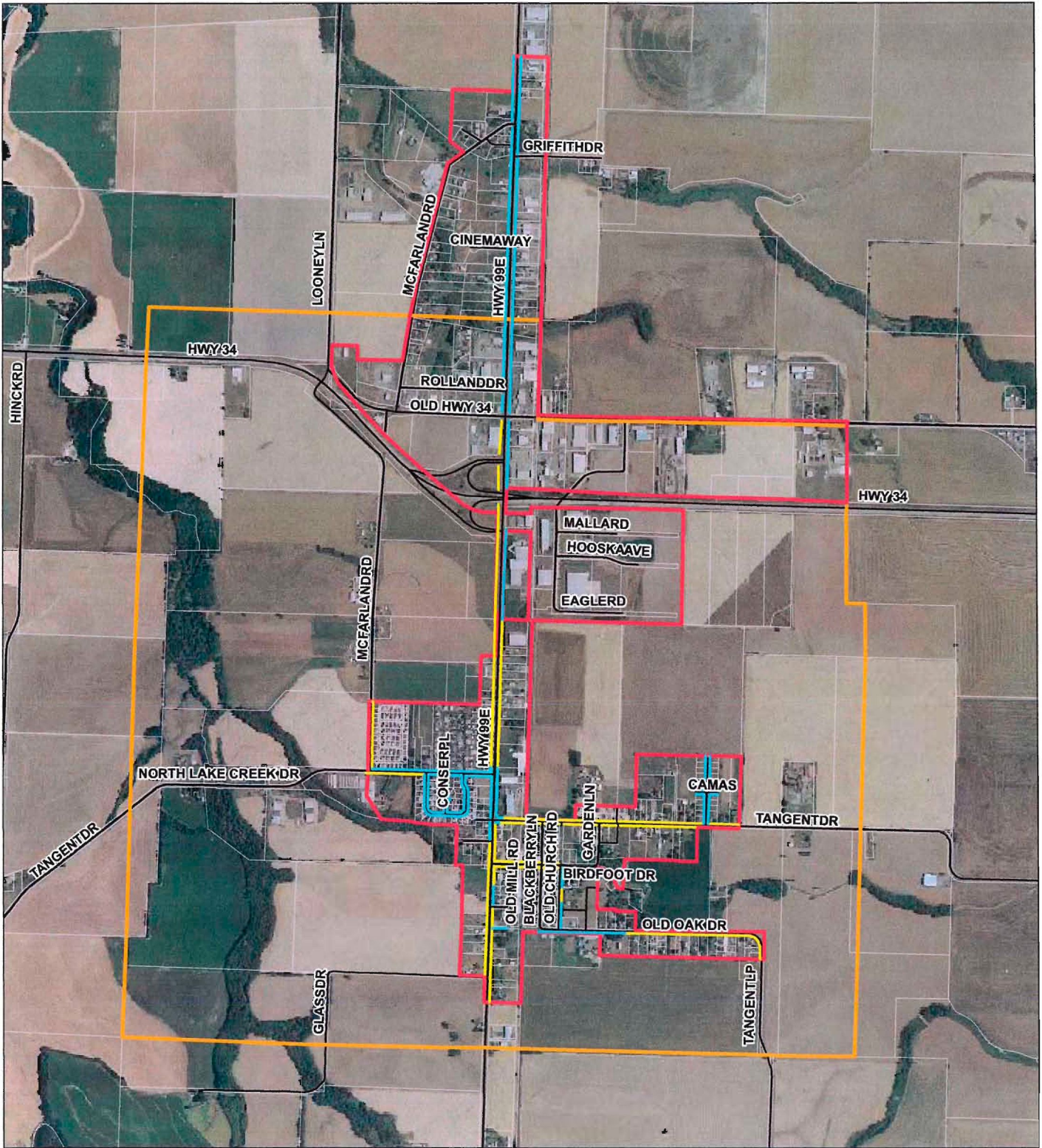


FIGURE 20
Proposed Bikeways
Tangent Transportation System Plan Update
 Tangent, Oregon



LEGEND

- Existing Sidewalk
- Proposed Sidewalk
- Tangent Urban Growth Boundary
- Tangent City Limits
- Tax Lots

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

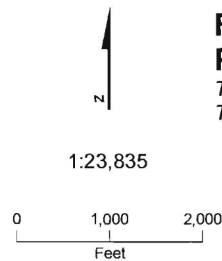
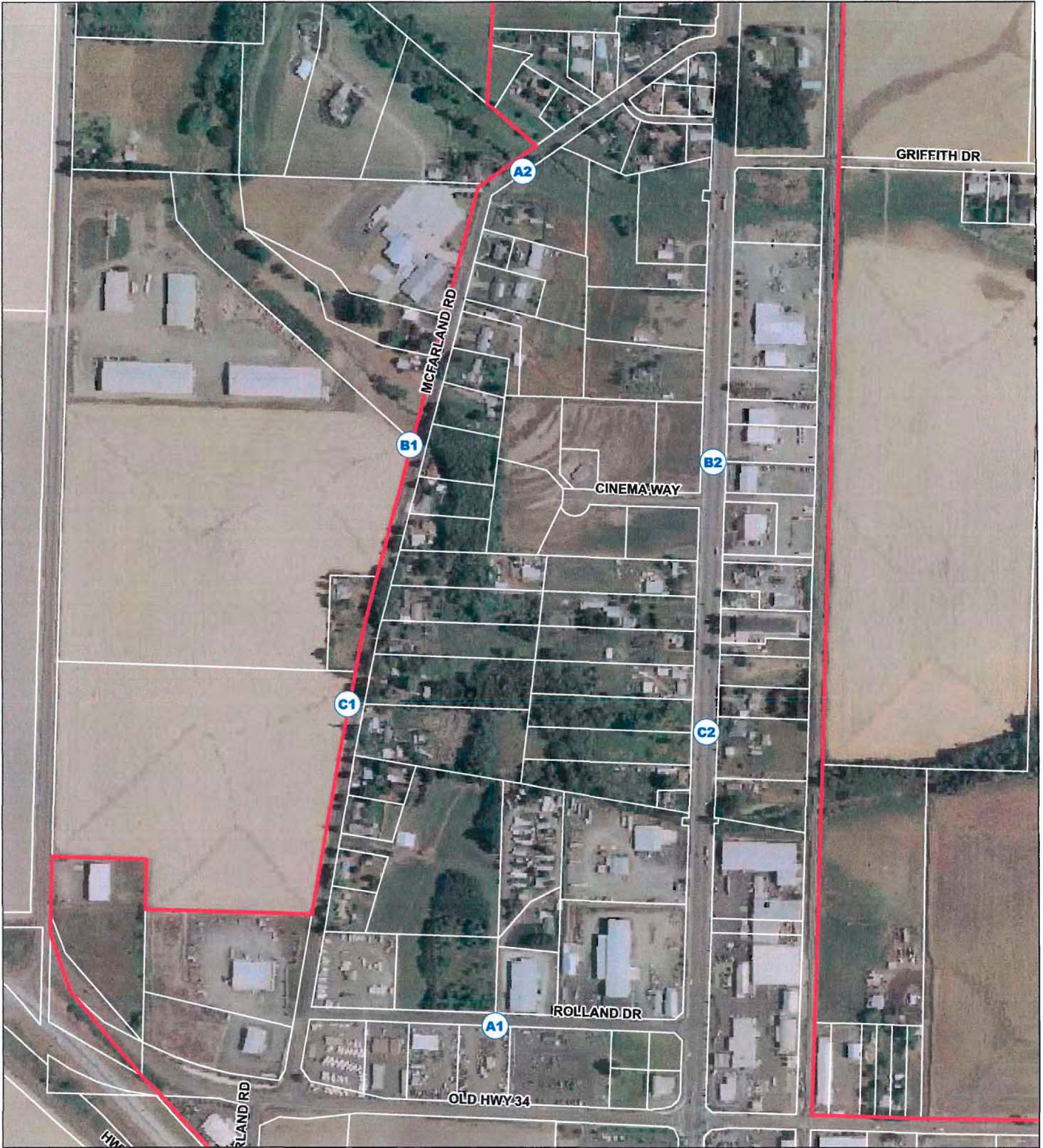


FIGURE 21
Proposed Sidewalks
 Tangent Transportation System Plan Update
 Tangent, Oregon

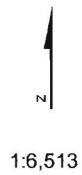


LEGEND

- Proposed Conceptual Street Connection to Existing Roads
- Tangent Urban Growth Boundary

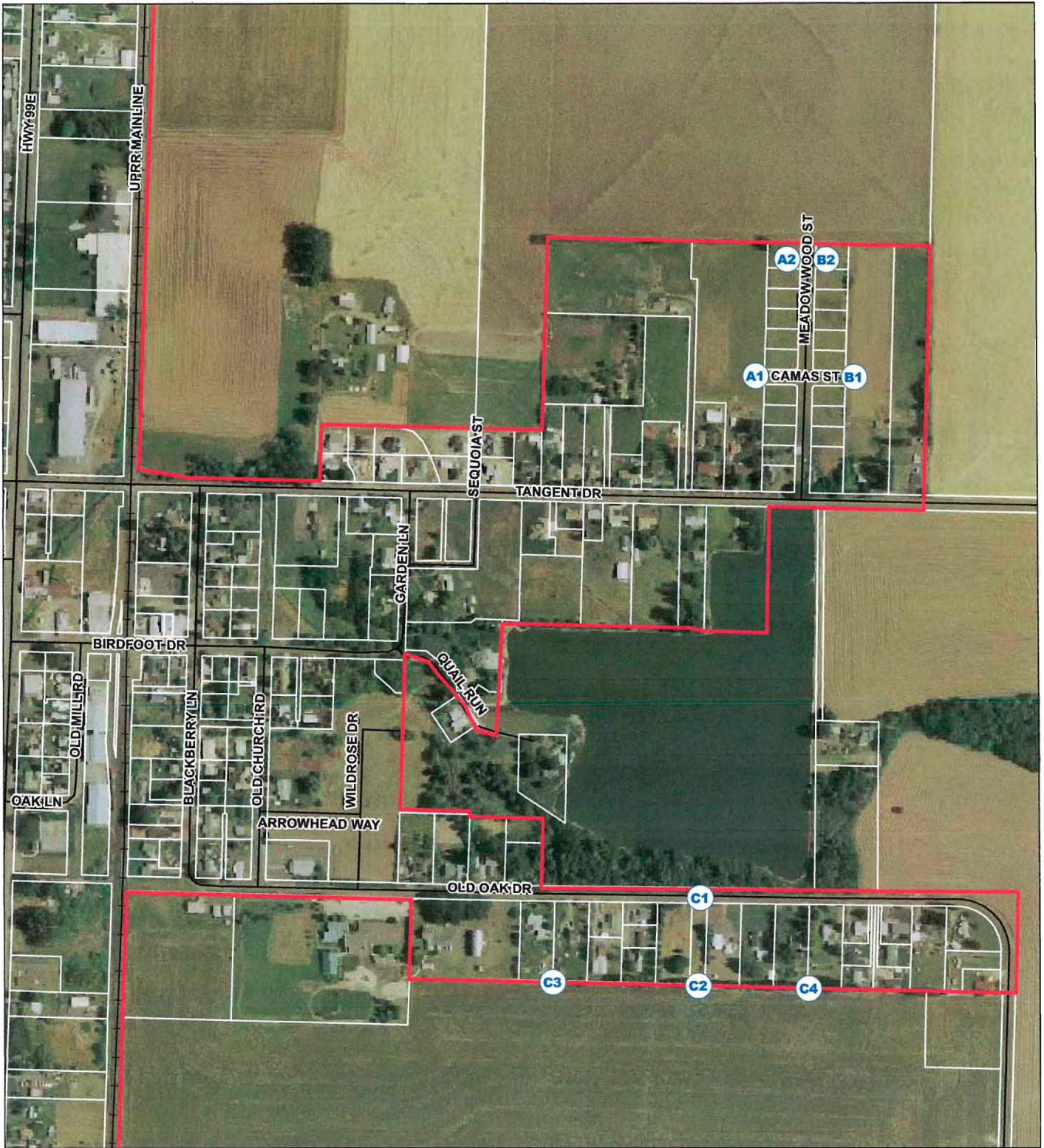
Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

Note:
 Future street connections are conceptual
 and subject to adjustment in development
 proposals and approval by the city.



**FIGURE 29A
 Proposed Street
 Connections**

*Tangent Transportation System
 Plan Update
 Tangent, Oregon*



LEGEND

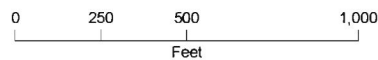
- X1 X2 Proposed Conceptual Street Connection to Existing Roads
- Street
- Tangent Urban Growth Boundary

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

Note:
 Future street connections are conceptual
 and subject to adjustment in development
 proposals and approval by the city.



1:6,508



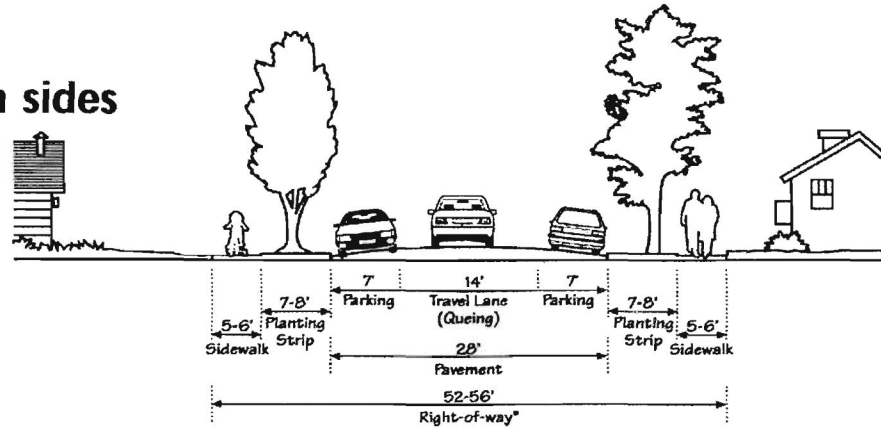
**FIGURE 29C
 Proposed Street
 Connections**

*Tangent Transportation System
 Plan Update
 Tangent, Oregon*

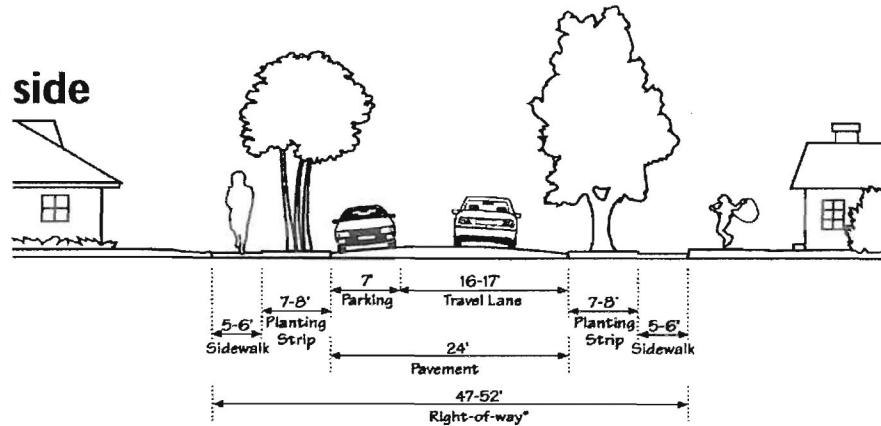
“Skinny Streets”

Summary of Three Potential Scenarios

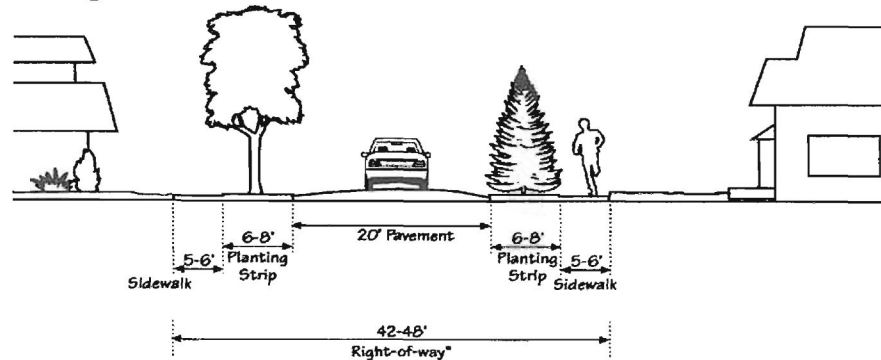
28 Ft Street Parking on both sides



24 Ft Street Parking on one side

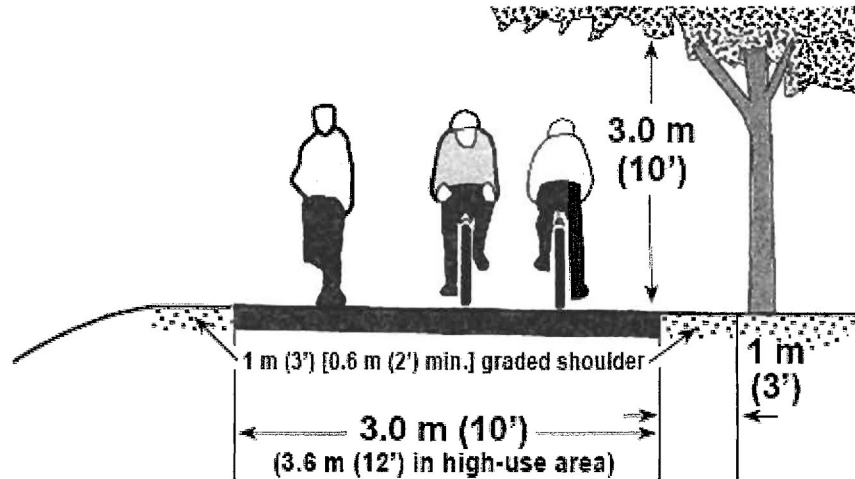


20 Ft Street No on-street parking allowed



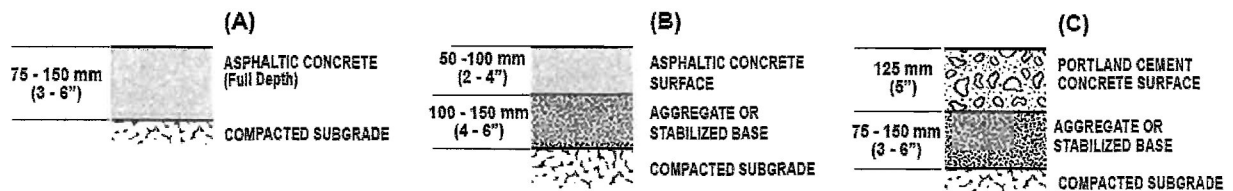
LID Options: Sidewalks are pervious and planting strips are swales or rain gardens. Transpose locations shown above.

FIGURE 31C



Shared-Use Path Standard

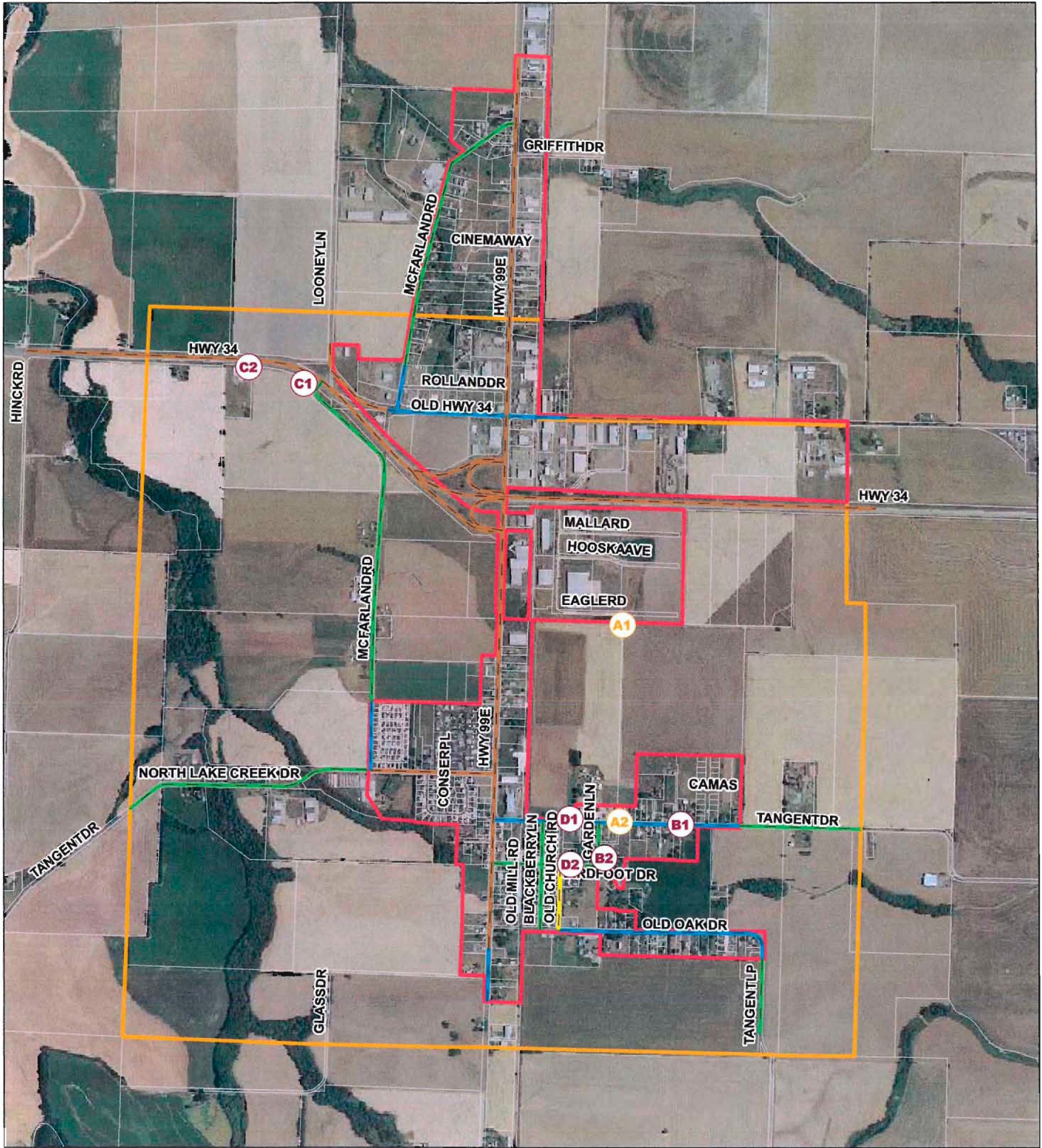
- Standard width is 3.0 m (10') for a shared-use path
- Minimum width is 2.4 m (8')
- High shared-use, 3.6 m (12') width is recommended



Pavement Structure

Surface material for unpaved paths should be packed hard. Recycled asphaltic pavement grindings provide a suitable material, and they are inexpensive and easy to grade.

FIGURE 32A
Shared-Use Path Design
Tangent Transportation System Plan Update



LEGEND

- Existing Bikeway (Bike Lane or Shoulder)
- Proposed Bike Lane
- X1 X2 Proposed Bike/Ped Path Connections
- X1 X2 Proposed Conceptual Bike/Ped Path and Emergency Lane Connections
- Proposed Shared Bikeway
- Proposed Shoulder Bikeway



Tangent Urban Growth Boundary



Tangent City Limits

Tax Lots

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008



1:24,000

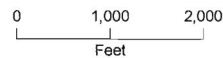
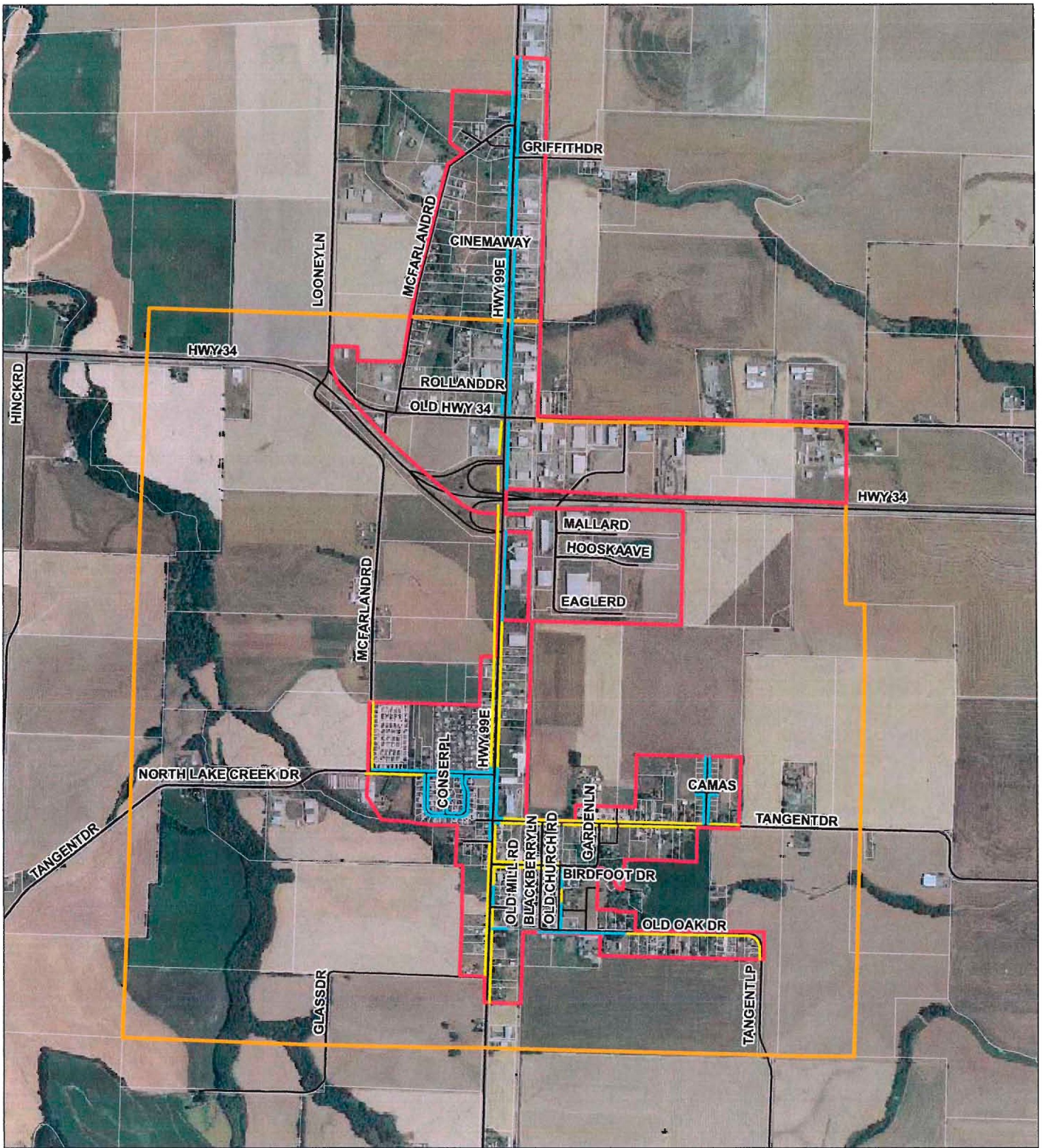


FIGURE 33

Proposed Bikeways

Tangent Transportation System Plan
 Update
 Tangent, Oregon



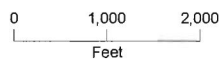
LEGEND

- Existing Sidewalk
- New Sidewalk
- Tangent Urban Growth Boundary
- Tangent City Limits
- Tax Lots

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008



1:23,835



**FIGURE 34
 Proposed Sidewalks**

*Tangent Transportation System Plan Update
 Tangent, Oregon*



City of Tangent
Comprehensive Plan

Proposed: 2010

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INTRODUCTION:

Vision & Background

The Comprehensive Plan for the City of Tangent (the City) is the primary document that guides and controls land use within the City limits and the Urban Growth Boundary (UGB). The Comprehensive Plan is intended to reflect the community's current thoughts on land use planning and to be responsive to the needs and desires of its citizens.

VISION STATEMENTS

The following vision statements were adopted by the voters in May 2006. (Tangent Ordinance 2006-1)

Citizen Involvement

We, the Tangent citizens, are involved in planning by participating in city activities, such as: planning and council meetings, neighbor meetings, fire department activities, schools, harvest festival, park and drainage committees, and are involved in all phases of the planning process. We believe that our input, creative talents and skills are valued, encouraged, and used.

Land Use Planning Process

We go about planning by: identifying the values and goals that are important to us via a process that is transparent, open, and democratic. Our objective is to preserve local control consistent with statewide goals. We plan directly with affected citizens in our neighborhoods. We encourage strong neighborhood associations. We look at facts and options—choosing the best solution that reflects our vision. The citizens provide adequate funding for planning.

Growth Management

We, the Tangent citizens, manage conversion of farmland to urban use incrementally and orderly while simultaneously integrating farmland and open space, retaining and enhancing historic places, giving preference to clean, green businesses and industry. Our city is financially solvent and sustainable. Developers pay for the full and actual costs of development. Infrastructure is built concurrently or in advance of growth. Tangent retains low, sustainable population and small town rural character and culture.

Environment

Tangent remains a peaceful and quiet town. It has relaxing features and inviting ambiance. We enjoy wildlife in our neighborhoods where residents also feel safe and secure. We ride horses around the neighborhood or around town. On our larger lots we raise farm animals. We protect historic places. Of significant importance, we protect the quality of our drinking, irrigation, drainage, and runoff water. We are protecting the quality of our air and sustain the quality of our lands. We plan for natural disasters such as earthquakes, high water, fire, and hazardous chemical incidents including disposal, spills, and other potential contaminations.



Population

Tangent remains a rural community separate from nearby cities with a low population, growing at a similar rate to surrounding communities, while maintaining or improving the quality of life for existing residents. Growth continues to be incremental and managed. Conversion of farmland to urban or residential is based upon population trends. Growth is clustered around the historical center of town and slowly moving out.

Economy

Tangent remains a rural town with downtown shops, some services serving as community gathering places. Shops continue to retain old town attractive character. Larger attractive industrial/commercial establishments continue to develop in the north area of town providing employment for local residents.

Housing

Tangent is a rural town with lots of open space around its houses that contribute to its livability. Tangent has a variety of lot sizes. Housing is grouped to encourage a sense of community with residents watching out for each other. There is some mix of agricultural and residential uses.

Many of the newer homes in Tangent are middle income single-family housing. Other houses are priced for lower income families, elderly, and/or people on fixed-income. Some housing developments are in clusters with dense, green, open spaces surrounding them. No homes are over two-stories.

Houses are unique in design but allow for some conformity or groupings by size and style. The housing areas have secluded, charming streets with curb appeal where children are encouraged to play freely.

Tangent has older houses and barns. People stay longer in one place encouraging long-term stability and security, and cared-for housing. There is pride in home ownership.

TANGENT CITIZENS DEFINE RURAL CHARACTER AS:

- Low Traffic
- Family Farms
- View of fields, trees and barns
- Presence of white herons, bats, owls, rabbits and quail
- Changing colors of the fields
- Working farm machinery
- Children playing in fields
- Old warehouses
- Bass Estate
- Grass seed community
- See mountains, birds and wildlife
- Farmers & farm equipment on our roads
- See open space from my window
- Can see the stars
- Trees
- Relaxed
- Hear roosters crow
- Many small domestic animals
- Watch sun rise
- Have large animals
- Ride horses around town

Land Use

Tangent is a unique rural town with a mix of residential and rural farmland inside the City limits. Residential development expands outward primarily east and west from the historic core of the town. Industrial/commercial areas in the north part of the town are expanding Southward and Eastward to meet residential growth to the south. Tangent enables farmers to maintain farmland as open space in Tangent.

Tangent's historic town center is revitalized consistent with the character of Tangent as described in the Downtown Plan. There are walking paths and gathering places, such as small shops and quaint eating places and a library for adults and youth.

Tangent provides land for a park system that is greatly admired by citizens and visitors. Drainage ways and wetlands are integrated for parks and open space, thus contributing to the charm and rural character of Tangent.

Public Facilities and Services

Tangent provides a sense of community where residents can come together. Facilities and services are available and affordable for residents, adequately funded and effectively operated and maintained.

Tangent provides residents with a safe community where they feel safe in their homes, can ride their bikes, go for walks, and where their families can play and grow. We have technical staff capable of directing and managing the City and its resources and are accessible to its residents.

Tangent has an infrastructure (e.g. sewer, drainage, etc.) that is designed, planned for, and implemented prior to, or concurrently with, development. It ensures adequate services for its residents and has expansion capability.

Adequate transportation services are available. We leverage existing service providers to remain cost effective with our services.

We take the environment and conservation into consideration for waste, water, energy, and lighting services. Lighting placement provides safety and allows the residents to see the stars.

Park services vary in type and need, providing interconnecting bike and walking paths, and places for youth and elderly to enjoy. Parks are spacious for larger gatherings with playing fields, and smaller for quaint gatherings. Paths meander and provide connection to neighborhoods and open space for wild life.

Transportation

Tangent has safe, efficient and economical transportation routes. There are orderly and sufficient outlets, inlets, railroad crossings, walkways and bike paths designed to minimize congestion and speed. Neighborhoods give input on road and pathway design. Tangent neighborhoods are connected through a series of bike and walking paths. Every street is lined with trees. Tangent has gained the reputation of a "Tree City." Tangent has open green space, walkways, and public parks that serve the entire community with public access with connected walkways to existing areas of the community. Streets, highways, and pathways meet the needs of the transportation disadvantaged. Streets and highways facilitate the flow of goods and services throughout the community.

BACKGROUND

Current Interrelated Issues

1. Drainage causes flooding when development blocks natural drainage ways. Existing drainage structures are inadequate to carry stormwater flows and not properly designed to allow passage of fish.
2. Not having a community-wide water system raises concerns about maintaining water quality. This discourages commercial and industrial development because of the cost of fire suppression facilities.
3. Having no tax base results in inadequate community services and facilities. Funding for planning and development is primarily from fees and grants.
4. There is pressure to convert Exclusive Farm Use (EFU) land into residential use. This pressure comes from speculative purchase of EFU land for development, as well as Measure 49 (M49) Claims. Both, particularly the M49 claims, lead to planning uncertainty.
5. There is a lack of community-wide meeting places, such as a large park and community center.
6. Tangent's Downtown and Highway 99E corridor needs redevelopment to provide local retail, commercial services and public transportation.
7. There was a three-mile buffer between the city limits of Tangent and Albany. Without consultation, Albany has moved south, two of those three miles, with major development towards Tangent's northern city boundary. This development impacts Tangent, especially traffic.
8. Hwy 34 will become is an expressway. Existing access may be cut off from Hwy 34 intersections and will be directed to the Hwy 99E and Hwy 34 interchange.
9. Limited transportation options to neighboring communities is becoming an increasing concern for our older residents and for those wanting an alternative to the private automobile.
10. Tangent may be facing changes in stormwater rates and frequency of events, and changes in groundwater reserves as a result of climate change.
11. High speed train issues as well as possible track installations are a concern as to where, when and how the community will be effected.

ASSUMPTIONS

Sewer System

The City of Tangent currently operates a step-sewer system that is adequately sized to meet the twenty-year need.

Land Use

Land use is based on the premise that Tangent will retain its agricultural character and economy. Assumptions for land use planning are based upon the adopted vision statements for the city.

Population

During the planning period to the year 2030, Tangent proposes land use designations to accommodate a projected 1501 population coordinated with Linn County.

PURPOSE OF THE COMPREHENSIVE PLAN

The Comprehensive Plan is the document through which the citizens of Tangent have made the basic choices on how land development and redevelopment should occur, and how it will be managed. The Plan is intended to maintain and improve the existing quality of life for residents by:

1. Contributing to a healthy, stable, and diversified economy in Tangent.
2. Facilitating citizen participation in all phases of the planning process.
3. Providing for an orderly, efficient, and timely arrangement of public facilities and services to function as the framework for urban development.
4. Providing adequate land to meet anticipated future demands for urban needs in a logical and orderly manner.
5. Identifying and protecting farm and open-space lands from encroachment by urban development.
6. Encouraging flexibility and innovation in development techniques to permit diversity within the community and to slow the increase in development costs.
7. Providing for the retention of natural, historical, archeological, and cultural resources that contribute to the livability of the community.
8. Reducing the uncertainty of the development process.
9. Protecting the values of its citizens and the unique character by maintaining Tangent in a rural setting.

The Comprehensive Plan for the City of Tangent is composed of three major interrelated parts:

- GOALS AND POLICIES
- COMPREHENSIVE PLAN MAP
- SUPPORTING DOCUMENTS

The City of Tangent LAND USE DEVELOPMENT CODE flows from this Comprehensive Plan and specifies how the goals and policies will be implemented.

STATE GOAL 1:

Citizen Involvement

VISION

Citizen Involvement and Land Use Planning (adopted May 2006): We, the Tangent citizens are involved in planning by participating in city activities such as: planning and council meetings, neighbor meetings, fire department activities, schools, harvest festival, park and drainage committees, and being involved in all phases of the planning process. We believe that our input, creative talents and skills are valued, encouraged and used.

We go about planning by: identifying the values and goals that are important to us via a process that is transparent, open, and democratic. Our objective is to preserve local control consistent with statewide goals. We plan directly with effected citizens in our neighborhoods. We encourage strong neighborhood associations. We look at facts and options, and choosing the best solution that reflects our vision. The citizens provide adequate funding for planning.

STATE GOAL 1—CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. OAR 660-015-0000 (1)

CITY GOAL 1.1

To provide for ongoing citizen participation and involvement in all matters and phases related to land use and community planning that affects the livability, community sustainability, and quality of neighborhoods and the community as a whole.

- Policy 1.1.1** The City shall encourage development of and use of neighborhood associations, citizen involvement process and committee and citizen advisory committees needed to meet State Goal 1.
- Policy 1.1.2** The City shall creatively consider many options to encourage citizen involvement and use the most effective media and methods.
- Policy 1.1.3** The City shall use effective two-way communication with citizens and assure that citizens receive a response from policy makers.
- Policy 1.1.4** The City shall provide information and notices on community involvement opportunities when appropriate.
- Policy 1.1.5** The City shall clearly state the mechanism through which the citizens will receive a response from policy makers.

CITY GOAL 1.2

To improve and maintain communications to ensure that citizens, neighborhood groups, and affected property owners are given the opportunity to be involved in all phases of the comprehensive planning process.

Policy 1.2.1 The City shall provide for citizen participation in appropriate functions of government and land-use planning.

Policy 1.2.2 The City shall provide written instructions explaining how citizens can influence decision-making in planning and land use decisions.

CITY GOAL 1.3

To assure that all citizens within Tangent have the opportunity to review all material used in the development of amendments to the Tangent comprehensive plan, review the various drafts of the amendments, offer comments on the plan amendment drafts to the planning commission and city council, and to provide a mechanism to offer feedback to the involved citizens.

Policy 1.3.1 All legislative revisions to the Comprehensive Plan, and Zoning Ordinance, whether initiated by petition or referred by the Council, shall be presented to the voters as required by the Tangent City Charter. However, a positive vote on any revision shall not in itself constitute citizen involvement as required by State Goal 1. Compliance with State Goal 1 must be achieved through public review in accordance with official Citizen Involvement Program before the amendments are placed on the ballot.

CITY GOAL 1.4

To assure that technical information is available in an understandable form.

Policy 1.4.1 Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at City Hall.

PROGRAM FOR CITIZEN INVOLVEMENT

A Program for Citizen Involvement shall be established by Resolution and maintained by the Tangent City Council.

A Committee for Citizen Involvement (CCI) shall be formed in accordance with a City Ordinance for the purpose of monitoring and implementing the Program for Citizen Involvement in an ongoing manner.

A City website: <http://cityoftangent.org> is available for citizens to access for information, meeting notices, and planning documents.

STATE GOAL 2:

Land Use Planning

VISION

Tangent remains a rural community distinct and separate from nearby cities. We grow at a slower rate than surrounding communities, while maintaining or improving the quality of life for existing residents. Growth continues to be incremental and managed. Residential development expands outward primarily east and west from the historic core of the town. Industrial/commercial areas are in the north part of the town. The City is unique due to a mix of residential and rural farmland inside the city limits. Tangent encourages farmers to maintain farmland as open space in Tangent.

Tangent's historic town center is revitalized consistent with the character of Tangent as described in the *Downtown Plan*. There are walking paths and gathering places, such as small shops and quaint eating places and a library for adults and youth. The city provides land for a park system that is greatly admired by citizens and visitors. Drainage ways and wetlands are integrated with parks and open space, thus contributing to the City's charm and rural character.

We go about planning by identifying the values and goals that are important to us via a transparent, open, and democratic process. Our objective is to preserve local control consistent with statewide goals. We plan directly with affected citizens in our neighborhoods. We encourage strong neighborhood associations. We look at facts and options, choosing the best option that reflects our vision. We, as citizens, provide adequate funding for planning.

BACKGROUND

Current Issues

1. Most of Tangent is relatively flat with older development on the higher ground. Water sits on the surface of agricultural lands from November to April. New development increases impermeable surface run-off and impedes the natural drainage and the return of water to the soil and increases water runoff, that may lead to additional local flooding. Changes in farming practices can create adverse impacts on drainage in Tangent. Changes in rainfall can have unpredictable adverse effects. The effects of climate change could exacerbate or change this problem.
2. With increased development there is increased potential for drinking water contamination that is a health and safety issue.
3. Planning will need to take into consideration the expansion of Albany—when Tangent was incorporated the cities were three miles apart. Now Albany has moved the southern boundary of its city limits two miles closer, leaving only one mile between the cities.
4. Oregon Department of Transportation has converted Highway 34 into an expressway that may ultimately leave Tangent's only access to it from the Highway 99E interchange.
5. It is unknown how the proposed Linn County Regional Park, two miles east, will affect Tangent.

CURRENT LAND USE

Buildable land inventories are periodically updated and may be accessed at City Hall. They are also referenced in other sections of the Comprehensive Plan.

Data will be collected for each land parcel based on assessor information, GIS (Geographic Information System) database, aerial photographs, and verified with on-site assessment. Data sources will be referenced. GIS, most recent census, and assessor data are considered factual data. Data for each parcel in the Inventory will be recorded as an individual “record” on a spreadsheet and referenced to the Map.

The following criteria shall be used for determining the quantity of buildable land in each tax lot:

Developed land is one-quarter acre or smaller with a structure¹. If any residual amount of land remaining after application of the one-quarter acre subtraction is less than one quarter of an acre the parcel will be considered as developed. Dedicated parks, dedicated open space, and dedicated greenbelt are considered developed. A lot that is publicly owned or in public use, such as a church, is considered developed.

Vacant land is totally vacant or redevelopable. Lots under site development are considered vacant until development is complete.

Redevelopable land is a parcel with permanent building² and other improvements with the total valued less than 30% of the land value.

Partially Vacant land is a parcel over one-quarter acre and with a structure. In residential zones, if any residual amount of land remaining after application of the one-quarter acre subtraction is less than one quarter of an acre the parcel will be considered as fully developed. In commercial and industrial zones the total improved, and used, land shall be considered developed.

Constrained Lands are those lands specifically designated “unbuildable” by code or other law and are shown on the BLI Map and or most recent flood, wetlands, and riparian area maps. Sources are to be cited. Constrained Lands will be subtracted from the buildable portion of each parcel. Constraints shall include drainage ways, flood hazards, wetlands, and riparian vegetation.

A GREEN BELT or greenbelt

is a policy or land use designation used in land use planning to retain areas of largely undeveloped, wild, or agricultural land surrounding neighboring urban areas.

Similar concepts are greenways or green wedges which have a linear character and may run through an urban area instead of around it. In those countries which have them, development in green belt areas is heavily restricted. The objectives of green belt policy are to:

- protect natural or semi natural environments;
- improve air quality within urban areas;
- ensure that urban dwellers have access to countryside, with consequent educational and recreational opportunities; and
- protect the unique character of rural communities which might otherwise be absorbed by expanding suburbs.

The Greenbelt has many benefits for people:

- walking, camping, and biking areas close to the cities and town
- places for wild plants and animals
- cleaner air and water

¹ A walled and roofed building valued at least \$20,000.

² An example of a permanent improvement is a paved parking area. A non-permanent improvement is a gravel parking area. Lots classified as roads or lots that provide access to another tax lot will be considered as developed.

STATE GOAL 2—LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and

CITY GOAL 2.1

To plan for future development, which will provide adequate housing, employment, and services for a community of 1501 by the year 2030.

- Policy 2.1.1** The City shall coordinate its population projections with Linn County.
- Policy 2.1.2** The City shall coordinate all planning work with state, county, federal, and other city plans, and with relevant special districts. The Division of Lands and Conservation Development (DLCD) will be considered a major resource for planning processes.
- Policy 2.1.3** The City of Tangent shall adopt residential density standards to required needed housing, prevent overcrowding, and health hazards, and to assure or enhance livability.
- Policy 2.1.4** The City will allow land in any zoning district to be developed using a planned unit development process, so that flexible and innovative development techniques can be used to address long range development issues concerning the land.
The City may approve a Planned Unit Development (PUD) if:
- 2.1.4.1** The planned unit development is consistent with the goals and policies of the Tangent Comprehensive Plan.
 - 2.1.4.2** The planned unit development shall have no adverse impact on the surrounding neighborhoods and the City.
 - 2.1.4.3** The planned unit development will result in an attractive, healthful, efficient and safe living, shopping and working environment for the citizens of the City and the general public.
 - 2.1.4.4** If a planned unit development is approved for the development of a particular property, a (PUD) overlay designation shall be applied to the existing zoning map designation for that property.

CITY GOAL 2.2

To maintain a current inventory of land within the city and in the urban growth boundary outside the city.

Policy 2.2.1 The City shall keep an inventory of lands within its jurisdiction using the criteria stated above.

Policy 2.2.2 Partitioning of large lots shall not create landlocked parcels.

CITY GOAL 2.3

To maintain and encourage the existing agricultural activities outside the urban growth boundary but within the city limits.

CITY GOAL 2.4

To preserve the residential area of Tangent by directing commercial and industrial land uses to the northern portion of the City and maintaining a green belt around the residential core.

Policy 2.4.1 New developments shall be located in proximity to core public services.

Policy 2.4.2 In reviewing proposals for development, the City of Tangent shall require separation and buffering between residential, commercial and industrial zones.

Policy 2.4.3 The City of Tangent shall review all development proposals for sustainability and livability of the community.

Policy 2.4.4 Any proposal for regional commercial development must consider the entire Comprehensive Plan and impacts on population, housing and urban services, including fiscal, environmental, and sociological impact.

SUSTAINABLE:

- Clean, low impact and value added economic development;
- Energy efficient design and green infrastructure;
- Environmentally-friendly transportation systems (reduced reliance on motorized transport);
- Preservation of important ecosystems, habitat areas, and watersheds;
- Preservation of significant community, cultural, and heritage features for future generations;
- Preservation of agricultural resource lands;
- Sustainable lifestyles that reduce one's ecological footprint (a widely used indicator of environmental sustainability based on the amount of land and water a human population would hypothetically need to support its itself and absorb its wastes, given prevailing technology.)

CITY GOAL 2.5

To provide for changing public policies, attitudes, and circumstances and to maintain the Tangent Comprehensive Plan as an up to date workable document for decisions and action related to land use.

- Policy 2.5.1** The City of Tangent shall follow state law when changing or amending the Tangent Comprehensive Plan.
- Policy 2.5.2** The City of Tangent shall review the Comprehensive Plan and related Ordinances on a continuing schedule in accord with most urgent priorities and after proper public involvement, agency contact, and open public hearings, proposed revisions will be submitted to the voters for approval.
- Policy 2.5.3** Planning shall identify issues and problems, inventories and other factual information, evaluate alternative courses of action and policies while taking into consideration social, economic, energy, and environmental needs.
- Policy 2.5.4** The City of Tangent shall consider amendments to the Tangent Comprehensive Plan which that are initiated by:
- 2.5.4.1** Any affected citizen of Tangent, public or private agency or jurisdiction.
 - 2.5.4.2** The Tangent Planning Commission.
 - 2.5.4.3** The Tangent City Council.
- Policy 2.5.5** The City shall follow a land use planning process that preserves local control consistent with statewide planning goals.

Sources of Data Used in the Land Inventory

SUPPORTING DOCUMENTS FOR LAND INVENTORY

Item	Date	Location of Document
Account number, map and tax lot number, lot acres, land value, name of owner, Tangent address, other address	Ongoing	Linn County Assessor http://www.co.linn.or.us/assessor/PropSearch.asp
Building limitations Environmental constraints on building	2002	Tangent City Hall— Tangent Local Wetland and Riparian Areas Assessment: Wetlands (map)

STATE GOAL 3

Agricultural Lands

STATE GOAL 3—AGRICULTURAL LANDS

To preserve and maintain agricultural lands. Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural

CITY GOAL 3.1

To preserve agricultural lands within the city limits which are not needed for urban uses within the planning period.

CITY GOAL 3.2

To help preserve, in a manner consistent with the exclusive farm use, (EFU) zoning required by Goal 3 and Oregon Revised Statutes, (ORS) Chapter 215, agricultural land outside of the city limits which has been designated for agricultural uses by other units of government.

Policy 3.2.1 Place all agricultural lands that are within the City limits and not needed for urban uses within the planning period outside of the Urban Growth Boundary, (UGB).

Policy 3.2.2 Agricultural that are within the City limits but outside the UGB shall be protected by EFU planning and zoning, consistent with ORS Chapter 215. The minimum lot size for the creation of new parcels of agricultural land and for the placement of farm dwellings shall be 40 acres. Non farm uses allowed by state statute may be allowed conditionally where they are determined to be compatible with farm uses on nearby parcels and meet any other standards required by state statute.

STATE GOAL 4

Forest Lands

STATE GOAL 4—FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture. OAR 660-015-0000 (4)

No forest land exists within the Planning Area. Therefore, State Goal 4 does not apply to the Tangent Comprehensive Plan.

STATE GOAL 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

**STATE GOAL 5—OPEN SPACES, SCENIC AND
HISTORIC, AND NATURAL RESOURCES**

To protect natural resources and conserve scenic and historic areas and open spaces.

CITY GOAL 5.1

To preserve open space in the urban environment which will promote the livability of the Tangent area.

Policy 5.1.1 Endeavor to maintain the open space to developed land ratio which currently exists in the developed areas of Tangent in the form of parks, playgrounds, riparian foliage preservation, buffer areas and restrictions on development in flood plain.

CITY GOAL 5.2

To protect fish and wildlife habitat, including wetland and riparian areas identified in the Local Wetlands Inventory Map, (LWI)

- Policy 5.2.1** The City shall take steps to protect any known significant fish and wildlife habitats from adverse impacts of urbanization, including the protection of wetland and riparian areas identified in the Local Wetlands Inventory, (LWI)
- Policy 5.2.2** The City will protect the Calapooia River when it approves drainage and sewage system plans to maintain healthy ecological systems as a means of limiting flooding within the City limits.
- Policy 5.2.3** New development shall require a drainage plan be submitted to and approved by the City prior to construction. Drainage plans must include best management practices, including low impact development, that protect onsite natural resources and the ecological functions they provide.
- Policy 5.2.4** The City will revise the development code to require and encourage practices to mitigate the impact of development on resources identified in the LWI and reduce pollutant loads as required by The Department of Environmental Quality, (DEQ), and described in the Tangent TMDL Implementation Plan 2008.

CITY GOAL 5.3

To respect and identify historical structures, sites, and objects which have contributed to Tangent's past.

- Policy 5.3.1** The City of Tangent shall support landowners who wish to nominate their structures, sites, or objects to the State Inventory of Historic Places and the National Register of Historic Places.
- Policy 5.3.2** Structures inventoried in the Historic Structures Inventory are worthy of protection. Proposed land use applications adjacent to or on any site designated as historically significant in the Historic Structures Inventory shall be reviewed by the City in accordance with the Historic Preservation Ordinance.
- Policy 5.3.3** The City recognizes the Indian Mound sites as being significant and worthy of protection. The sites are entirely outside the UGB and are designated as Agricultural. They will be adequately protected from incompatible development as long as they are within the agricultural area. When any area with mound sites is proposed to be brought into the UGB for development, the City shall require that an inventory be prepared of the specific locations and character of mounds within the proposed urban/urbanizable area and that a development plan be presented that indicates how the mounds will be preserved. If the City amends the UGB, it shall also adopt Ordinance provisions requiring that an acceptable protection plan will be required for any development and the provisions of the Plan will be a condition of approval for the development project. This policy will be carried out by provisions within the Historic Preservation Ordinance.
- Policy 5.3.4** The City shall comply with all state and federal laws regarding preservation of scenic and

historical areas and natural resources.

CITY GOAL 5.4

To protect, enhance, and maintain the natural resources associated with North Lake Creek.

Policy 5.4.1 The City shall engage landowners to acquire or negotiate easements or title to manage the area adjacent to North Lake Creek as a greenway for natural resource preservation, public pedestrian and bicycle travel, and City-permitted recreational uses.

STATE GOAL 6

Air, Water and Land Resources Quality

STATE GOAL 6—AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state. OAR 660-015-0000 (6)

CITY GOAL 6.1

To preserve and improve when possible the air quality of the Tangent area.

- Policy 6.1.1** All development within the Tangent Urban Growth Boundary shall comply with applicable State and Federal air quality standards.
- Policy 6.1.2** The City of Tangent and adjacent jurisdictions shall coordinate review of proposed developments that may threaten to degrade Tangent’s air quality.
- Policy 6.1.3** The City of Tangent and Linn County shall work with businesses and industries within the Urban Growth Boundary and the Tangent airshed to reduce noxious odor and harmful industrial emissions.
- Policy 6.1.4** The City of Tangent shall actively promote the use of modes of transportation that minimize impacts on air quality.
- Policy 6.1.5** The City shall encourage citizens to modify their household actions to reduce emissions. This can include items such as alternatives for heating, transportation, and lawn equipment.
- Policy 6.1.6** New development shall comply with applicable State and Federal noise emission standards and the City shall encourage State and Federal agencies to continue a vigorous implementation of these provisions.

- Policy 6.1.7** Future planning shall encourage the protection of both the citizens of Tangent and the City’s economic base. Noise-sensitive development such as schools and residential uses should not be located near existing or planned uses that have major noise impacts such as airports, major highways, loud recreational facilities, intensive industrial and commercial operations, unless noise mitigation features are incorporated into the project.
- Policy 6.1.8** Where unusual or excessive noise impacts are anticipated from new development, acoustical analysis may be required of developers to determine if mitigation measures are warranted.
- Policy 6.1.9** Noise abatement measures will be encouraged where higher intensive uses abut lesser intensive uses and where residential uses abut major roadways.

CITY GOAL 6.2

To preserve both the surface and subsurface water quality in the Tangent area.

- Policy 6.2.1** The City shall not approve development that could result in health hazards or water pollution.
- Policy 6.2.2** The City and Linn County will work together by periodically monitoring the effect on ground water quality of septic systems installed outside the areas currently served by the City’s sewer.
- Policy 6.2.3** The City shall maintain a surface drainage plan for all areas within the UGB and City limits. The function of the Plan shall be to protect the water quality of the underlying aquifer to meet the Department of Environmental Quality’s, (DEQ) Total Maximum Daily Loads, (TMDL) requirements for pollutants and water temperature.
- Policy 6.2.4** The City’s Land Use Development Code shall require detailed drainage plans for all development and redevelopment that is consistent with the City’s Master Drainage Plan.
- Policy 6.2.5** The City shall revise the City’s Land Use Development Code to include protections ~~of~~ for North Lake Creek, wetlands, and riparian areas as identified on the Local Wetlands Inventory Map to meet the Department of Environmental Quality’s, (DEQ) Total Maximum Daily Loads, (TMDL) requirements for pollutants and water temperature.
- Policy 6.2.6** The City shall revise the City’s Land Use Development Code to implement Low Impact Development requirements, and seek funding to implement, Flood Prevention Projects and to implement the drainage plan.
- Policy 6.2.7** Open drainage courses that can function as linear green ways shall be preserved as open space wherever possible in lieu of creating covered storm drains.
- Policy 6.2.8** The City shall implement enhancement projects to restore key habitat areas along North Lake Creek to improve water quality and ecological function and to meet TMDL requirements for pollutants and water temperature.

Policy 6.2.9 The City will revise the City’s Land Use Development Code to include incentives for new developments to utilize Low Impact Development techniques to minimize the creation of new impervious surfaces and assist the City in meeting its TMDL requirements for pollutants and water temperature.

CITY GOAL 6.3

To provide planning guidelines which will mitigate impacts on the quality of the land resources in Tangent.

Policy 6.3.1 The City of Tangent will cooperate with state and federal agencies that regulate environmental quality and shall adhere to the standards established by these agencies when the City is issuing any permits. This policy is intended to cover discharges and emissions that may impair air, water or land quality or exceed the established standards for noise or other emissions.

Policy 6.3.2 The City will review the Sewer System Facility Plan every ten years.

Policy 6.3.3 No subsurface sewage disposal systems shall be allowed except as approved by the County Sanitarian after an on site analysis of site capability.

Policy 6.3.4 No development or land division shall be approved by the City unless the developer can show sufficient evidence that waste disposal can be properly handled and sufficient water of suitable quality can be obtained.

Policy 6.3.5 The City supports Linn County’s solid waste management program and will cooperate and coordinate with Linn County on solid waste management issues.

Policy 6.3.6 The City shall include provisions in the Land Use Development Code that will reduce noise pollution in the community. Provisions shall include items such as buffers, landscaping, traffic flow, etc..

STATE GOAL 7

Areas Subject to National Disasters and Hazards

STATE GOAL 7—NATIONAL DISASTERS & HAZARDS

To protect people and property from natural hazards.

CITY GOAL 7.1

To protect properties within the city of Tangent from flood hazards related to the Lake Creek and Oak Creek drainage basins.

- Policy 7.1.1** The City places a priority on locating all new developments outside the Lake Creek and Oak Creek 100-year floodplains. Development within the floodplains shall be allowable only if no alternatives are available. All new development and major re-development must comply with the City's Master Drainage Plan to ensure that downstream flooding effects are avoided.
- Policy 7.1.2** Any development within the 100-year floodplain shall comply with local, state and federal regulations.
- Policy 7.1.3** The City shall resolve conflicts involving riparian vegetation in the flood ways of North Lake Creek and Oak Creek through siting standards found in the Flood Plain Ordinance.
- Policy 7.1.4** The City will require natural drainage way easements to protect riparian habitat and reduce runoff whenever land is divided.
- Policy 7.1.5** The Flood Insurance Study for Linn County, Oregon and Incorporated areas, dated September 29, 2010 identifies Tangent's floodplain areas.

STATE GOAL 8

Recreational Needs

STATE GOAL 8—RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens and visitors of the state and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts. OAR 660-015-0000 (8)

CITY GOAL 8.1

To insure adequate facilities are available to Tangent residences for their recreational needs.

- Policy 8.1.1** The City shall develop a Parks Master Plan.
- Policy 8.1.2** All new development shall be required to contribute to park acquisition and development.
- Policy 8.1.3** The City shall endeavor to maintain the ratio between parkland and population that currently exists in the community.

STATE GOAL 9

Economy of State

STATE GOAL 9—ECONOMY OF STATE

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

OAR 660-015-0000 (9)

CITY GOAL 9.1

To encourage the preservation and strengthening of the agricultural and agricultural service related economic base of the community.

CITY GOAL 9.2

To protect the core area of the City from the impacts of commercial and industrial development.

- Policy 9.2.1** Industrial development which creates point source pollution potentially harmful to the public health, safety, and welfare or which would have a detrimental impact on surrounding uses shall not be located in the City or Urban Growth Boundary. The City shall utilize information provided by the Department of Environmental Quality, the Environmental Protection Agency, Linn County Environmental Health, and any other scientific information available to set up performance standards and in making policy decisions.
- Policy 9.2.2** The City of Tangent shall preserve and encourage the improvement of the traditional and historical city shopping and commercial areas, recognizing that they are a vital part of the City's economic health and livability.
- Policy 9.2.3** The City shall encourage the development of industrial uses that utilize the availability of Highways 34, 99E, and the railroad, where applicable.

CITY GOAL 9.3

To encourage business and industries to locate in the city that manage their wastes responsibly and operate sustainably.

Policy 9.3.1 The City shall communicate and recruit with businesses and industries interested in locating in the area to determine if their needs align with City service capabilities and economic goals.

STATE GOAL 10

Housing

VISION

Tangent is a unique rural town with a mix of residential and rural farmland inside the city limits. Residential development expands outward primarily East and West from the historic core of the town. Tangent remains a rural town with lots of open space around its houses that contribute to its livability. Tangent has a variety of lot sizes. Housing is grouped to encourage a sense of community with many residents watching each others houses. There is some mix of agricultural and residential uses.

Many of the newer homes in Tangent are middle income single-family housing. Other houses are priced for lower income families, elderly, and/or people on fixed-income. Some housing developments are in clusters with dense, green, open spaces surrounding them. No homes are over two-story.

Houses are unique in design but allow for some conformity or groupings by size and style. The housing areas have secluded, charming streets with curb appeal where children are encouraged to play freely.

Tangent has older houses and barns. People stay longer in one place encouraging long-term stability and security, and cared-for housing. There is pride in home ownership. There are walking paths and gathering places. Tangent provides land for a park system that is greatly admired by citizens and visitors. Drainage ways and wetlands are integrated for parks and open space, thus contributing to the charm and rural character.

BACKGROUND

Development of a housing information base is the first step in the development of housing elements of a Comprehensive Plan. This information can be used in analyzing housing needs and supply, defining current unmet housing needs, and forecasting future housing needs.

Housing considerations are an important part of a Comprehensive Plan because of the effect that government actions can have on the availability of various types, costs, and overall supplies of housing. Local governments primarily affect housing supply through zoning regulations, systems development charges, and other development fees and taxes, provision of public facilities and services, and utilization of state and federal housing assistance programs.

A housing plan promotes a sense of community and interaction among the people of Tangent. A pedestrian-friendly environment is defined as the distance a person can walk easily in five to ten minutes from the core to the edge of its neighborhoods. The focus is typically the location of a mix of uses, possibly including parks, open space, shops, services, civic functions, and connections to public transportation. Housing should be located so that it is within a 1/4 mile or five minute walk of the core, its downtown or the highest concentration of housing. Medium density housing is generally located within a ten-minute walk of the core.

Up to a one mile radius from the core of the neighborhood is a secondary area that typically is the appropriate location for low-density housing. It is important to note that this is a conceptual layout of an ideal neighborhood. Many functional, natural, political and market constraints will influence the final form of its development. Clearly it will be more easily achieved on large parcels. For developed areas consisting of one or more immediate neighborhoods, where infill and redevelopment are appropriate and possible, the concept will be useful to guide development that maintains, enhances, and/or creates a sense of community.

Current issues:

1. Manufactured homes in parks no longer meet the definition of affordable housing—paying no more than 30% of family income for housing. Newer innovative housing types must be explored to meet the needs of our low-income population in Tangent.
2. Housing must be located so that it will not interfere with natural drainage flow. All steps must be taken to avoid altering the natural flow of drainage water.
3. Housing developments must not contribute to flooding or increased flow during stormwater events. Tangent must require future developments to utilize attractive, above-ground detention bioswale technologies to catch or detain and help purify storm water runoff.
4. Drainage as it effects housing, impact of housing – plan for housing and impact on drainage.

Housing Needs

CH2M HILL, analyzed the projected housing needs for the future study year (2030) based on the adopted population forecast for the City of Tangent (1,481 in 2030; 2.17 percent annual growth). Due to the current economic recession, an assumption was made that Tangent would experience 3 years of no growth in both population and employment growth. The demand for housing was estimated using data provided by the City of Tangent, the *Planning for Residential Growth Guidebook* (ODOT TGM, 1997), and the Housing Needs Model developed by the Oregon Housing and Community Services Department. Results of the housing needs analysis are described below.

Buildable Lands Inventory

The City of Tangent provided data on existing housing types and land use types within the Project Study Area. Table 1 shows that the majority of households in Tangent (55 percent) are single family detached homes. Manufactured homes in parks make up 43 percent of the housing stock. While the majority of homes are located in residential land use districts (RS-10, RM-10, and RM-6), 17 percent of households are located in non-residential districts (GI, HCI, CC, and EFU) and can be considered non-conforming land uses.

Table 1: Occupied Housing Units by Land Use Type and Housing Type, 2009

Zoning	Single family and manufactured homes, detached	Manufactured housing units in parks	Multiple or single-family units, attached	Gov. assisted housing	Total Occupied Housing Units
Residential Single Family, 10,000 (RS-10)	96	0	2	0	98
Residential Multi-Family, 10,000 (RM-10)	45	0	0	0	45
Residential Multi-Family, 6,000 (RM-6)	35	189	0	0	224
City Industrial (GI)	2	0	0	0	2
Highway Commercial/Industrial (HCI)	3	0	0	0	3
Community Commercial (CC)	37	0	8	0	45
Exclusive Farm Use (EFU)	25	0	0	0	25
Total	243	189	10	0	442

Source: Buildable Lands Inventory, City of Tangent, 2009

Figure 1B (in the Comprehensive Plan) shows the current city zoning for Tangent. Tax lots and vacant land (buildable properties) are highlighted in Figure 2A (attached). Table 2 summarizes the amount of buildable land in residential zones. Currently there are 69.27 buildable acres located in residential zones. Buildable acres are either vacant or redevelopable, where the improvement on the land is valued at less than 30 percent of the land value. Partially vacant land is over one-half acre with a structure. Three-fourths of this land is zoned for single-family homes with a minimum lot size of 10,000 square feet (RS-10).

"Constrained land" consists of environmentally sensitive lands that are under existing regulations for water quality, wetland and floodplain protection. Constrained land can encompass entire parcels or only a portion of a parcel. Parcels with more than a quarter acre of unconstrained land are considered buildable.

Table 2: Buildable Residential Lands by Land Use Type, 2009

<i>Zoning</i>	<i>Residential single family, minimum 10,000 square foot lot (RS-10)</i>	<i>Residential multi-family, minimum 10,000 square foot lot (RM-10)</i>	<i>Residential multi-family, minimum 6,000 square foot lot (RM-6)</i>	<i>Total Acres</i>
Total Acres in Tax Lots	94.76	15.52	71.33	181.61
Developed Land	30.45	15.52	46.34	92.31
Vacant Land	61.28	0.00	24.99	86.27
Constrained land ¹	4.52	0.00	8.40	12.92
Total Buildable Acres	52.68	0.00	16.59	69.27

Source: Buildable Lands Inventory, City of Tangent, 2009

¹"Constrained land" consists of environmentally sensitive lands that are under existing regulations for water quality, wetland and floodplain protection. Constrained land can encompass entire parcels or only a portion of a parcel. Parcels with more than a quarter acre of unconstrained land are considered buildable.

Housing Needs Analysis

To conduct the housing-needs analysis, data from the buildable lands inventory was entered into the Housing Needs Model. Housing needs were forecast to the year 2030 using the adopted population forecast of 1,481 persons. Future vacancy rates of 6 percent for ownership units and 4 percent for rental units were assumed. Additionally, the current average household size of 2.75 persons per household¹ was assumed to decline to 2.49 persons per household by 2030, consistent with statewide and national trends. Given these assumptions, the housing model predicted that Tangent would need 161 additional housing units by 2030, nearly all of which will likely be single family, detached homes, as shown in Table 3.

Housing need estimates were also generated for Tangent by tenure and housing cost. Housing need estimates incorporated an adjustment factor to reflect the fact that some households will choose to occupy a housing unit in a lower cost category than the one they may be able to afford.

Table 3: New Housing Units Needed in Tangent by Tenure and Housing Type - 2030

<i>Single family and manufactured homes, detached</i>	<i>Manufactured housing units in parks</i>	<i>Multiple or single-family units, attached</i>	<i>Total</i>

¹ US Census 2000. www.census.gov

Rental Units	14	53	20	87
Ownership Units	153	-69	-10	74
Total	167	-16	10	161

Source: Housing Needs Model Output

As shown in Table 4, Tangent's housing mix will need to consist of 24% rental units and 76% ownership units in 2030. The current housing mix in Tangent consists of 14% rental units and 86% ownership units. This represents a 10% shift in the housing stock from ownership to rental units. Of the 161 new units that need to be built, the majority of new rental units will need to rent for between \$430 and \$909 dollars per month, and the majority of new ownership units will need to sell at a price range between \$113,300 and \$212,500.

Table 4: Housing Units Needed In Tangent by Tenure and Cost

Price	Current Supply (2009)	Total Needed (2030)	Difference
Rental			
\$0-\$199	0	15	15
\$200-\$429	10	22	12
\$430-\$664	1	35	34
\$665-\$909	0	20	20
\$910-\$1149	51	39	-12
\$1150+	2	20	18
Total Rental	64 (14%)	151 (24%)	87
Ownership			
<56.7k	22	58	36
56.7k < 85k	132	59	-73
85k < 113.3k	23	59	36
113.3k < 141.7k	22	79	57
141.7k < 212.5k	110	165	55
212.5k +	95	58	-37
Total Ownership	404 (86%)	478 (76%)	74
Total	468	629	161

Source: Housing Needs Model Output

Forecast 2030 Land Need for Housing

According to the Housing Needs Analysis Model, housing needs in Tangent through 2030 can be met with the current supply of land within the UGB, and no additional land or UGB expansion is needed. However, there is a need for a shift in the zoning mix of the current land supply. An additional 4.1 acres of land zoned for RM-10 will be needed to meet future housing demand (Table 5), which can be taken from the surplus of land zoned for other uses and densities.

Table 5: Additional Acres Needed by Land Use Type

	RS-10	RM-10	RM-6	Other*	Total
Current UGB Acres	94.8	15.5	71.3	358.4	540
Acres in Use	30.5	15.5	46.3	126.2	218.5

Constrained Acres	4.5	0.0	8.4	38.7	51.6
Available Acres	59.8	0.0	16.6	193.5	269.9
Total Acres Needed	48.1	4.1	-1.3	0.00	51.0
New Acres Needed	-11.7	4.1	-17.9	-193.5	-218.9

Source: Housing Needs Model Output

* "Other" includes all other land use types/zones not listed in the table

STATE GOAL 10—HOUSING

To provide for the housing needs of the citizens of the State. OAR 660-015-0000 (10)

CITY GOAL 10.1

To provide for the housing needs of the community with an anticipated population of approximately 1501 by the year 2030.

- Policy 10.1.1** Future housing development shall be located in areas where city services can be economically provided when they become available.
- Policy 10.1.2** The City shall establish zones for use as single-family dwellings and multi-family housing.
- Policy 10.1.3** The City shall include affordable housing types in its housing mix to meet the needs of its future citizens. Affordable housing is defined as a housing cost that does not exceed 30% of a household's gross income.
- Policy 10.1.4** The City shall use greenbelts, natural or landscaped areas as buffers between residential and commercial or industrial zones.

CITY GOAL 10.2

To provide an adequate mix of affordable housing types including single family and multiple family units.

- Policy 10.2.1** The City of Tangent shall consider manufactured dwellings as an outright use in all residential zones.
- Policy 10.2.2** The City of Tangent will actively pursue assistance for home improvements and housing rehabilitation through state, federal, and other agencies who sponsor such programs.

CITY GOAL 10.3

To preserve the rural character of Tangent, maintain older houses, and encourage a mix of agricultural and residential uses

- Policy 10.3.1** The City shall require all new residences to be landscaped to minimum landscaping requirements.

- Policy 10.3.2** The City of Tangent shall require all telephone, power, gas, and cable connections and installations in new subdivisions to be underground.

- Policy 10.3.3** The City shall address code compliance issues related to the exterior appearance of properties. The City shall notify owners and absentee owners of any structure or landscape maintenance issues inconsistent with City Municipal Code.

- Policy 10.3.4** The City shall allow existing farm-related dwellings and enact regulations for the keeping of livestock within residential zones.

- Policy 10.3.5** The City shall enact regulations for noise and light origination from residential properties.

CITY GOAL 10.4

To encourage the construction and development of diverse housing types.

- Policy 10.4.1** The City of Tangent shall encourage the construction and development of diverse housing types such as cluster, cottage, shared equity, co-housing or Habitat-For-Humanities housing. The purpose of diverse housing types is to achieve the following goals:
- a. To encourage the more efficient use of land in harmony with its natural features;
 - b. To encourage creativity in the design of developments through a carefully controlled process;
 - c. To encourage a less sprawling form of development, a shorter network of streets and utilities, more economical development of land with less consumption of open space;
 - d. To preserve permanently, natural topography and wooded areas within developed areas, and to preserve usable open space and recreation facilities close to home;
 - e. To provide an efficient procedure to ensure appropriate high quality design and site planning to enhance the neighborhoods in which they occur and the Town as a whole;
 - f. To promote diverse housing at a variety of costs, and in particular housing types that meets the needs of the Town's aging population.
 - g. To support alternative residential development that has a positive impact on the community and incorporates unique public benefits.
 - h. To ensure that alternative residential development is compatible with surrounding land uses and that the impacts on public services will not exceed conventional residential development.
 - i. To reduce impervious surfaces.
- 10.4.1.1** **Cluster Housing** is defined as: A development technique wherein lots and parcels are generally arranged together along a road, street, or cul-de-sac, leaving open spaces as common areas.
- 10.4.1.2** **Cottage Housing** is defined as: a grouping of small, single family dwelling units clustered around a common area and developed with a coherent plan for the entire site.
- 10.4.1.3** **Shared Equity Housing** is defined as: An approach to homeownership that balances ongoing housing affordability and individual asset accumulation. Under shared equity, a public or philanthropic entity provides funding to help a family purchase a home. In return, the entity shares in any home price appreciation that occurs while the family lives there, preserving the buying power of the subsidy in the face of rising home prices, and allowing an initial investment in homeownership to help one generation of homeowners after another. In some forms of shared equity, such as community land trusts, the public's share of appreciation stays in the home, enabling it to be sold for an affordable price. In other forms, such as shared appreciation mortgages, the public's share of appreciation is used to give a larger loan to the next homebuyer to make a home of their choice affordable.

- 10.4.1.4** **Co-Housing** is defined as: A living arrangement that combines private living quarters with common dining and activity areas in a community whose residents share tasks such as childcare.
- 10.4.1.5** **Habitat-For-Humanities** housing is defined as: Housing that is built or rehabilitated by volunteer labor and donations of money and materials. Potential homeowners pay a down payment and make monthly mortgage payments and can invest hundreds of hours of their own labor (sweat equity) into building their Habitat house and the houses of others. Habitat houses are sold to partner families at no profit and financed with affordable loans.

CITY GOAL 10.5

To provide a methodology to determine housing needs to 2030.

- Policy 10.5.1** The City shall use the Oregon Department of Housing and Community Services Housing Needs Model to determine its housing needs to the year 2030.
- Policy 10.5.2** The City shall provide a housing inventory showing a comparison of the distribution of the existing population by income with the distribution of available housing units by cost, vacancy rates, housing demand at varying cost levels, allowance for a variety of densities .

STATE GOAL 11

Public Facilities and Services

STATE GOAL 11—PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

GOAL 11.1

To improve the quality of life in Tangent through improved public services and facilities.

Policy 11.1.1 The City of Tangent shall insure that a full range of services are available for the citizens of Tangent at levels appropriate for the planned development during the planning period.

Policy 11.2.2 The City shall cooperate with Linn County to ensure that the following services keep pace with community development: health and social services, police protection, solid waste disposal, road maintenance and building code administration.

Policy 11.2.3 The City shall coordinate with the Highway Division in implementing its facility plans.

GOAL 11.2

To consider the most cost effective and timely provision of public services and facilities.

Policy 11.2.1 The City of Tangent shall require public facilities and services to be available in advance or concurrent with development.

Policy 11.2.2 Public facility structures which require regular and convenient public access shall be centrally located with emphasis given to: energy, traffic and railroad safety, travel distance and traffic congestion.

Policy 11.2.3 The City shall implement its Sewerage System Facility Plan by ordinance as demand and the City of Tangent Comprehensive Plan: Public Facilities and Services

availability of funds warrant

- Policy 11.2.4** Future development shall be required to assure adequate and warranted utilities are available or provided at the developer's expense.
- Policy 11.2.5** The City of Tangent shall provide a sewage and wastewater treatment system within its City limits.
- Policy 11.2.5.1** Areas inside the City Limits but outside the Urban Growth Boundary (UGB) shall be required to connect to the City's Sewer system or be required to provide for their own sewage treatment in accordance with The Tangent Sewer Ordinance and meet the Linn County Onsite Treatment Requirements
- Policy 11.2.6** The City shall actively pursue funding for public facilities and services.
- Policy 11.2.7** The City shall continue using the regional aquifer as a source of community water supply through individual and community system wells.
- Policy 11.2.8** The City of Tangent shall encourage the United States Postal Service to keep the Tangent Post Office in Tangent.
- Policy 11.2.9** The City shall secure the best available level of law enforcement protection and service, based on the community's need and economic resources.
- Policy 11.2.10** The City will continue to receive fire protection services from the Tangent Rural Fire Department. The City will coordinate future development of water services to help improve fire-fighting capabilities.
- Policy 11.2.11** The City will coordinate and work with the Greater Albany Public Schools (GAPS) provide educational opportunities for its citizens.
- Policy 11.2.12** The City shall develop long-range financial plans for providing urban services including initial capital expenses, maintenance, and administration.
- Policy 11.2.13** The City of Tangent shall consider the use of available programs to finance future City services in an effort to reduce the burden on taxpayers in Tangent.
- Policy 11.2.14** The City shall develop utility rate structures based on cost, value and sustainability.

STATE GOAL 12

Transportation

STATE GOAL 12—TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

OAR 660-015-0000 (12)

Please see the adopted Tangent Transportation System Plan (TSP) as updated in 2010

STATE GOAL 13

Energy Conservation

STATE GOAL 13—ENERGY CONSERVATION

To conserve energy. OAR 660-015-0000 (13)

CITY GOAL 13.1

The City shall conserve energy.

- Policy 13.1.1** New development and landscaping shall not interfere with the free use of sunlight.
- Policy 13.1.2** To promote energy conservation through design standards.
- Policy 13.1.2.1** Land division shall provide optimum orientation for the use of solar devices.
- Policy 13.1.3** Land division techniques shall take into consideration conservation of energy.
- Policy 13.1.4** Promote the use of renewable energy resources.
- Policy 13.1.5** Implement and enforce state energy codes through the building permit review process.
- Policy 13.1.6** The City shall encourage the use of recycling programs.
- Policy 13.1.7** In the remodeling or construction of public buildings, the City shall participate in all available appropriate technology programs.
- Policy 13.1.8** Promote energy efficiency through site planning for all types of development including residential subdivisions, multi-family, commercial and industrial projects.
- Policy 13.1.9** Require energy-efficient land use and circulation patterns through mixed-use development.

STATE GOAL 14

Urbanization

STATE GOAL NO. 14 URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. OAR 660-015-0000 (14)

CITY GOAL 14.1

To provide for the orderly outward expansion and growth of the City of Tangent while maintaining fiscal accountability and preserving farm land.

Policy 14.1.1 Infill and redevelopment of land shall be considered before any conversion of Exclusive Farm Use, (EFU) land.

CITY GOAL 14.2

To encourage farming and farming related activities as the highest and best use of the land until such a time as the city and the region need to urbanize.

Policy 14.2.1 The City of Tangent and Linn County shall maintain an Urban Growth Boundary and management agreement, that provides for the future land needs, a greenbelt protection area, and logical extension of the City of Tangent, and which identifies and separates urbanizable land from rural land.

Policy 14.2.2 The City of Tangent shall review the land use patterns and practices within the City periodically to assess the growth and development of Tangent and to evaluate the needs for additional land for urban uses.

Policy 14.2.3 The City of Tangent shall provide within the UGB adequate amounts of buildable land to meet the projected needs for industrial, commercial, and residential land over the planning period.

CITY GOAL 14.3

To urbanize incrementally and in a manner to minimize conflicting land uses.

Policy 14.3.1 The City shall concentrate growth near the historical center of town by considering the availability of buildable lands there before expanding the urban growth boundary, consistent with state law.

NON APPLICABLE STATE GOALS

The following State Land Use Goals do not apply to the Tangent Comprehensive Plan since the land uses which are referred to do not exist within the Planning area.

**STATE GOAL 15
WILLAMETTE RIVER GREEN WAY**

**STATE GOAL 16
ESTUARINE RESOURCES**

**STATE GOAL 17
COASTAL SHORE LANDS**

**STATE GOAL 18
BEACHES AND DUNES**

**STATE GOAL 19
OCEAN RESOURCES**

INCORPORATION AND PLANNING HISTORY

The City of Tangent is centrally located in the urbanizing region of Linn and Benton Counties. Historically, Tangent has been known for its agricultural activities of which grass seed is the most noted. The cultivation, cleaning, and packaging of grass seed for export around the world has given Tangent the title of “Grass Seed Capital of the World.”

In 1973, the citizens of Tangent began a movement towards local control and self determination with these words:

PETITION TO INCORPORATE THE CITY OF TANGENT

We, legal voters residing within the following boundaries, demand that there be submitted to the legal voters residing within such boundaries the following proposition:

A City to be known as the City of Tangent shall be incorporated with boundaries as follows:

All of Sections 1 and 12 of Township 12 South, Range 4 West of the Willamette Meridian in Linn County, Oregon. Also all of Sections 6 and 7 of Township 12 South, Range 3 West of the Willamette Meridian in said County, excepting there from all of that real property lying west of the east line of said Section 6 in Township 12 South, Range 3 West, described in Book 169, Page 633 and Book 269, Page 22 of Linn County Deed Records, and also excepting there from all of that real property in said Section 6 lying north of the northerly right-of-way of State Highway 34 and east of the easterly right of way of the Southern Pacific Railroad.

On March 26, 1973, the above petition was delivered to the Linn County Board of Commissioners with 145 signatures.

On July 10, 1973, an election was held, the incorporation of the City of Tangent was on the Ballot. When the votes were counted the result was 121 in favor, 67 against; the City of Tangent was established.

See Figure 1A: City of Tangent Comprehensive Plan Map

The citizens of the new city quickly began the task of developing a Comprehensive Plan that would serve as a guide for the future growth of the City. In 1974, the voters of Tangent were again called upon, this time after a long process that included a great deal of citizen involvement, the voters approved the Tangent Comprehensive Plan.

On July 11, 1974, a special election was held in the City of Tangent asking the voters of the City to choose between two comprehensive plans. Plan 1 included a large regional commercial area (approximately 380 acres). With 50% of Tangent registered voters casting ballots, Tangent citizens, by a two to one margin, supported Plan 1 that stated the following on the ballot:

“Plan 1 is a concept for a comprehensive plan for Tangent which will include a commercial area near the intersection of Highways 99E and 34 large enough to serve the City and to attract consumers from a broad geographical region outside the City. On the ballot this concept will be called: ‘Plan 1, including a large, regional commercial area’.”

On May 22, 1980, the City Council of Tangent passed a new Comprehensive Plan and submitted it to the State Land Conservation and Development Commission (LCDC) for approval. This Plan was rejected by LCDC for its failure to comply with State Land Use Goals 2, 5, 6, 7, 9, 10, 11, and 14. The findings for the rejection were embodied in the LCDC staff report dated March 11, 1982. Since the official notice of rejection by LCDC of the 1980 Plan, the City government and interested citizens of Tangent worked on developing a Comprehensive Plan that would serve the needs of the Tangent community and meet the state requirements.

In 1978 and 1982 city-wide surveys were taken within the community at the City Council’s initiative. The 1982 survey was a major foundation of this Comprehensive Plan document. It was taken by the District 4 Council of Governments in a thorough and scientific manner, resulting in a response of well over 80% of the households. The survey clearly showed support for a moderate growth rate with no regional shopping center. In response to the question: “Would you like a regional shopping center to locate in Tangent?”, 82% of the respondents answered “no.”

This survey formed a major element of the foundation of a Comprehensive plan draft prepared by the Tangent Planning Commission. This Comprehensive Plan was predicated on a year 2005 population of 1,000 and no immediate plan for a regional shopping center. Specific plans for a sewer system were not part of the draft Comprehensive Plan.

During the final stages of the development of the Planning Commission draft Comprehensive Plan, a citizen group, known as the Tangent Action Committee (TAC), developed its own plan draft based on the development of a regional commercial center, a city-wide sewer system, and a 2004 population of 2,100. Both plan drafts were put on

the March 1984 ballot. The TAC plan won in a narrow decision over the City prepared draft.

The TAC plan, that became the Tangent Comprehensive Plan, was rejected by the Land Conservation and Development Commission in November, 1984. The LCDC found that the Comprehensive Plan violated Goals 1, 2, 3, 5, 9, 11, and 14. The basic reasons for the rejection were centered on a lack of citizen involvement, a lack of justification for the regional shopping center, and failure to coordinate the Comprehensive Plan with affected jurisdictions.

The Comprehensive Plan was amended by the City in response to the LCDC In-Order-To-Comply statements. The direction taken was to delete the regional shopping center concept in the near future, but to provide for the possible development of the center at a point in the future when a public need for the center located in Tangent can be clearly demonstrated.

See Figure 2: Location Map

As of 2010, a Regional Shopping Center has not been considered for Tangent. However, regional shopping centers have developed in surrounding communities including Lebanon, Albany, and Corvallis.

Tangent uses two sources for its population projections for planning; The US Census Bureau and Certified Population Estimates from the University of Portland. The 2009 University of Portland estimate for Tangent is 1000. The latest US Census data for the population of Tangent was in 2000 and was 933. In 1990, the Census Bureau listed Tangent at 556. Although not certified by the US Census Bureau, Tangent's population was estimated to be 478 in 1980. The current growth rate for Tangent is 2.17% as coordinated with Linn County, Oregon but the rate has been less than 2.17% over the last ten years.

In 1987 the sewer system was installed and functional by the end of 1988. The sewer system precipitated growth in 1990 that included two manufactured home parks and a 40+ single-family subdivision. In 1990 Hwy 34 was reconstructed. At that time, 80 acres was added into the industrial zone.

In 2005, an effort was made to bring in two – 80+ acre parcels into the City's Urban Growth Boundary for residential development. This effort was defeated. At that same time, the city was petitioned to have its coordinated population projection reduced from 1583 by 2020 to 1501 by 2026. This effort was successful in 2006, and the City's current coordinated population projection with Linn County, Oregon stands at 1501 by 2026. Additionally, the Planning Commission held a series of workshops in an effort to develop Tangent's Vision Statements. These were approved and incorporated into the Comprehensive Plan by the voters in 2006.

In 2007, Tangent applied for and received a planning grant from Oregon Department of Fish and Wildlife to study and develop methodologies of alleviating Tangent's seasonal flooding and drainage problems and to identify areas

for habitat protection, restoration and future planning where possible. This was to amend Tangents Master Drainage Plan in the future.

In 2008, Tangent applied for and received a Transportation Growth Management, (TGM) Grant and based on Tangent having a Vision in its Comprehensive Plan, it quickly and substantially grew to accommodate many of the changes that were needed in the Comprehensive Plan in general as well as to remedy the remand of the Transportation Plan, given by the Oregon Department of Land Conservation and Development, (LCDC) from a previous year. The TGM grant work also incorporated findings and suggestions from the Drainage Study Report.

PHYSICAL ENVIRONMENT

CLIMATE

The climate of Tangent is temperate owing to the strong marine influences of the Pacific Ocean and the associated ocean currents. The temperate climate is characterized by dry warm summers and mild wet winters. The average temperature for January is 39 degrees Fahrenheit and for July the average is 67 degrees Fahrenheit (recorded at Albany). Precipitation that falls primarily as rain averages approximately 40 inches a year. Because of Tangent's location in the center of the Willamette Valley, the tendency for less than 40 inches of precipitation a year would dominate. Since there are no weather recording (climatological) stations in Tangent, the information provided herein is subject to generalities.

The major amount of precipitation for the most part is experienced from October to May with an average of 120-140 days per year with some precipitation. Precipitation in the form of snow, freezing rain and fog are also experienced during the wet winter months.

GEOLOGY

The City of Tangent and the Planning Area are atop a generally homogeneous geologic surface. Based on the information developed by the State of Oregon, Department of Geology and Mineral Industries, (DOGAMI), the Tangent area consists of two geologic units. The first, Quaternary Alluvium, consists of thin veneers of silt and clay mixed with gravels. Quaternary Alluviums are found lining the Calapooia River, Lake Creek, and other small streams in the planning area. Because of the lower elevation and association to streams, the Quaternary Alluvium unit experiences seasonal flooding.

The second and major geologic unit within the Tangent Planning Area is identified as Willamette silts. This unit consists of 20 to 30 feet of faintly bedded quartz feldspathic silts, silty clays, and clays of lacustrine (lake) and glacial flood water origin. Surficial erratics and heavy minerals indicate Columbia River source. Carbon 14 dating reveals an age 19,000 to 34,000+ years. Additional information is available on the DOGAMI website: <http://www.oregon.gov/DOGAMI>

See Figure 3: Geology

Geologic hazards associated with the Quaternary Alluvium are flooding, stream meandering, and siltation.

Hazards associated with Willamette silts are poor drainage, ponding, and low permeability.

GROUND WATER RESOURCES OF THE TANGENT AREA

The source of ground water in the Tangent area is precipitation. Most of the precipitation evaporates; some is transpired to the atmosphere by vegetation, some runs off, and some infiltrates into the ground. Part of the water that infiltrates is retained as soil moisture; the remainder percolates downward to the zone of saturation. The water in the saturated zone moves by force of gravity down gradient to points of discharge, such as springs, seeps along stream channels, or wells. Saturated permeable rock materials that yield usable quantities of water to wells and springs are called aquifers.

The upper surface of a zone of saturation is the water table and the water in a zone of saturation is ground water.

Ground water is generally available for domestic use. The unconsolidated alluvial deposits that underlie the Valley Plain are the most productive aquifers and the only ones feasible for large-scale development of ground water for irrigation, municipal and industrial uses.

Ground water levels in the unconsolidated alluvial deposits fluctuate about 10 to 12 feet during the year. Available data indicate that seasonal fluctuations of the water table have been in the same range for more than 30 years.

The seasonal change of storage for the alluvial deposits is estimated to be about 130,000 acre feet of water, which is more than nine (9) times the 1971 pumpage of 14,000 acre feet.

Storage capacity of the alluvial aquifers in the area is estimated to be about 750,000 acre-feet of water between the depths of 10 to 100 feet.

WATER QUALITY

The Environmental Protection Agency (EPA) is responsible for testing drinking water from systems with fifteen (15) or more services or serving twenty-five (25) people in a public place. In order to keep the drinking water safe, streams and lakes must be kept relatively free of contaminants and pollutants. The Federal Safe Drinking Water Act (Public Law 93 923) was passed in 1974 and has been amended in 1986 and 1996 and can be found at this website: http://www.epa.gov/safewater/sdwa/laws_statutes.html. This Law establishes primary standards with which the City of Tangent must comply, and a set of secondary standards relating to the taste, odor, and appearance of the drinking water. At the present time these secondary regulations are not in effect, and the EPA does not have enforcement authority for these regulations. Underground water supplies are also protected from contamination by the Act.

In 1972, the Federal Government passed the Water Pollution Control Act Amendments, (<http://wildlifelaw.unm.edu/fedbook/fwpc.html>) and was last amended in 2008. These amendments were a significant advance over previous water quality legislation in that they made polluting of inland water of the U.S. illegal. The Act provides for planning to be done on three orders. First, at the river basin scale. Section 202 (3) requires states to develop plans for each river basin, to set a general framework within which planning for point and non point sources of pollution. The Oregon Department of Environmental Quality, (DEQ) has developed a Water Quality Management Plan that sets forth a water pollution prevention program.

The overall goal of the Comprehensive Plan is to recognize and protect beneficial uses of waterways. The beneficial uses include, but are not limited to: domestic water supply, fish rearing and spawning, resident fish and aquatic life, and industrial water supply. Presently there are no severe point sources of pollution within the Tangent Planning Area that merit special protection measures, according to the DEQ's report entitled, Statewide Assessment of Non Point Source Problems.

Subsurface sewage disposal of waste is managed through the state mandatory permit system. Under this system the DEQ sets rules and specifications that subsurface disposal systems must meet. The Environmental Quality Commission then must adopt the DEQ regulations; however, this authority is generally delegated to the County Environmental Health Division. This is the case in Linn County where the Environmental Health Division is the management agency responsible for enforcing regulations pertaining to subsurface disposal systems and their upkeep. This also applies within the City of Tangent. All permits for subsurface disposal must meet land use requirements of the City.

The Tangent area had some water quality problems that were the result of sewer drainfield failures and seepage into surface and subsurface waters. Tangent currently uses a STEP, (Septic Tank Effluent Pumping) Sewer System for its treatment of sewage gray water, (effluent). The Linn County Environmental Health Division continues to monitor sewage disposal sites and repair sites outside the area served by the City sewer system.

Stormwater runoff during storm events has become problematic over the years. The greatest concern is the periodic flooding congestion due to restrictions at the railroad culverts. Additionally, DEQ now requires Total Maximum Daily Load, (TMDL) allowances of temperature and some pollutants and heavy metals to be monitored and controlled throughout Tangent's Stormwater System, (OAR 340-042-0025). As a result, Tangent developed its TMDL Plan in 2008, and in 2010 completed the Hydrological and Ecological Assessment of North Lake Creek, City of Tangent, Oregon.

SOILS

Tangent's approximate elevation is 246 feet (<http://www.city-data.com/city/Tangent-Oregon.html>) with about 5 foot variations from East to West until it approaches the Calapooia River.

The United States Department of Agriculture Soil Conservation Service, (<http://soils.usda.gov/>) has studied and mapped the soils of the Tangent area. Specific information on each soil type is available at that website.

In general, the soils of Tangent will need to be taken into consideration prior to most development. The restrictive characteristics range from flooding to poor drainage, and from shrink-swell to low strength.

See Figures 5A-5D: United States Department of Agricultural, Natural Research Conservation Service Soil Map – Linn County Area (City of Tangent July 2010, (<http://soils.usda.gov/>)

AGRICULTURAL CAPABILITY CLASS

All soils within the City of Tangent and the planning area have been identified by the Soil Conservation Service as being in soil classes I through IV. The Land Use element of this

Comprehensive Plan describes these soils and the various agricultural uses that are found upon them.

FOUNDATION SUITABILITY

See Figure 6: Foundation Suitability, (Soil Survey of Linn County Area Oregon. United States Department of Agriculture, Soil Conservation Service, 1987, Table 8.)

Foundation suitability is a measure of how well the soil or ground will be able to support a structure. There are three categories of structure that are considered. They are: dwellings with basements, dwellings without basements and small commercial buildings.

Of the eleven soils present within the Tangent City limits and UGB, only four soils indicate moderately restrictive characteristics and seven are listed as severe soils.

It should be noted that a severe rating of any one soil does not mean that development cannot take place on that soil. What it does mean is that caution and certain building techniques must be employed in order to achieve a sound development.

The characteristics of a soil may have already been modified for some other reason such as improved agricultural productivity and, therefore, each site should be evaluated based on the existing conditions and their proposed use.

SHALLOW EXCAVATIONS

For the most part, shallow excavations present the same characteristics as foundation suitability. As such, further mapping is unnecessary.

DRAINAGE

See Figure 4a, City of Tangent, Master Drainage Plan, Data from the Tangent Local Wetland Inventory

Problems associated with drainage ranges from the inconvenience of standing water to the inability of obtaining septic approval or the seasonal failure of septic systems. Of the eleven soils in Tangent, only four are rated as severe with regards to drainage.

Wapato silty clay loam 50A, and Natroy silty clay loam 110A, both rated as severe for drainage, are limited in the amount of area that they cover. However, Concord silt loam 210A, and Dayton silt loam 220A, both are rated as severe for drainage, and combined, cover a large area of the City.

In most cases, soils with severe drainage ratings are situated at slightly lower elevations than the surrounding soils. The lower elevations coupled with the clay composition of the restrictive soil facilitates water to drain to the lower elevation where it is held by the clay. This situation is commonly referred to as ponding, several of these ponding areas appear seasonally throughout Tangent and are collectively identified as wetlands on the Tangent Wetlands Inventory Map

Development that may be proposed will need to examine the drainage characteristics of the soils) on the parcel where the development desires to locate. In most cases, the Concord silt loam 210A, and Dayton silt loam 220A are

long and narrow with some providing natural drainage ways connected to Lake Creek, North Lake Creek, and other streams in the area.

These natural drainage ways can easily become blocked causing flooding when development takes place. The result could be increased water in other parts of the City. Drainage throughout the city also becomes problematic during large storm events. A study was performed in 2009 of the drainageways in Tangent to learn more about the drainage concerns of Tangent and to offer some methodologies for resolution. (HEANLC, *The Hydrological and Ecological Assessment of North Lake Creek, City of Tangent, Oregon*, July 2009, ICF Jones and Stokes under a grant funded by the Department of Fish and wildlife.)

The HEANLC assessment uncovered multiple factors that contribute to periodic flooding problems experienced in the City such as: 1) The City's position within the watershed; 2) Soils; 3) Land use; 4) Topography; and 5) Undersized conveyance systems. It identified three alternatives to help remedy the periodic flooding from poor drainage: 1) The potential ecological enhancements that would improve the biological functions of North Lake Creek while providing increased storage capacity; 2) Provide an estimate of the amount of converted farm land needed to be returned to wetland in order to provide enough storage; and 3) Offered a revised estimate for the cost of improving the City's existing infrastructure as was suggested in the 1992 Master Drainage Plan.

LOCAL ROADS

Local roads in Tangent are identified as State, County, City or private

In the development and improvement of roads, special care should also be given to soils with drainage restrictions. Many new roads will most likely run north-south. Since the natural orientation of the soils is for the most part east-west, the new roads could divide and/or block natural drainage ways.

Other characteristics that may present problems for road development are associated with those soils with low strength and high shrink swell. To avoid these problems, all new roads in Tangent must meet minimum composition and compaction requirements and allow for natural drainage as defined by Tangent City Codes

SURFACE WATER

All surface water contained in the creeks and seasonal streams of Tangent eventually flow into the Calapooia River.

Although the Calapooia River lies just outside the west boundary of the City limits, its influence can be felt far within the City, as evidenced during the flood of 1996 and cyclical flooding of 2005. Winter floodwaters of the Calapooia River cover much of the southwestern part of the City. During flooding of the Calapooia, other creeks such as Lake Creek and North Lake Creek back up, adding to the problem. The result, as shown on the *U.S. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Study for Linn County, Oregon and Incorporated Areas*, September 29, 2010, shows that much of western and central Tangent experience flooding.

VEGETATION COVER

See Figure 9: Vegetation Map

Vegetation cover that is not related to agricultural practices is limited in the Tangent area. For the most part, natural vegetation occurs along the creek and stream channels. This vegetation is predominantly deciduous, having broad leaves that fall annually like oak and Cottonwood trees. Without question, the largest amount of natural vegetation occurs along Lake Creek and the western portion of North Lake Creek.

Wind breaks usually located near farmhouses account for some of the other vegetative cover. In many instances windbreaks consist of nut trees, thus providing protection from the wind and acting as a seasonal source of food. Windbreaks are also aligned with fencerows and property lines.

The remaining vegetation cover is associated with development adding aesthetic appeal in the form of landscaping. Much of this vegetation or landscaping is as old as the town of Tangent that dates back to the late 1800's and as such the vegetation is fully grown, making the development blend into a more natural setting. The remainder of the Tangent area has been extensively farmed.

Conversion of farmland to urban uses within the City will not be visually appealing without the use of landscaping. As the open grass fields of Tangent give way to development, there will be a lag time in that the development may appear intrusive on the horizon. However, once the landscaping grows and matures, the development will blend into the surroundings better.

Efforts are being made across Oregon to encourage native vegetation to the region. Tangent City Hall has a list of preferred vegetation planting for its development on public and private lands.

Soils that restrict root depth can cause plantings to be stunted or may add to their toppling in moderate winds. When selecting plants and trees for planting, guidelines using publications from the United States Department of Agriculture such as: *Field Guide to Riparian Plant Communities in Northwestern Oregon* are a potential resource. Information regarding invasive or noxious plants can be found at the USDA's website:
http://www.oregon.gov/ODA/pub_regs_plants.shtml#Protected_native_plants

MINERAL RESOURCES

There are no known marketable mineral resources in Tangent.

FISH AND WILDLIFE

Statewide land use Goal 6 law requires cities to maintain and improve water resources of the state. Strategies to maintain and improve water quality focus on preserving the beneficial uses of waterways, the most sensitive use often being fish habitat. Goal 5 requires that all fish and wildlife areas and habitats be inventoried as to location, quality, and quantity. Updates to the City's Comprehensive Plan with respect to Goal 5 for habitat must comply with OAR 660-23-0110.

Until the city chooses to pursue a comprehensive update of inventories and protection measures for fish and wildlife habitat, it will maintain a record of fish presence as identified by the Oregon Department of Fish and Wildlife and support development patterns and practices that maintain and improve water quality in streams where fish are present and in waterways that discharge into these streams.

Areas identified by the State Department of Fish and Wildlife within the Tangent Planning Area are the Calapooia Watershed, the Oak Creek Watershed, and the Lake Creek Watershed. The state inventory indicates that these watersheds have both sensitive vegetation and riparian zones.

For the most part, agricultural activities and practices in and around Tangent limit the numbers and types of wildlife found in the City. Because of the extensive agricultural activity, most wildlife will be found in association with the vegetative cover along the stream and creek channels.

The most common wildlife types in the Tangent area are deer and small animals (rabbits, raccoons, skunks, opossum, etc.) and several bird species, including waterfowl species. Bald Eagles have been observed along the Calapooia River during the winter months.

All three watersheds in Tangent provide a good habitat for several documented species of fish. These include native species of cutthroat trout, three-spine stickleback, reidside shiner, and largescale sucker as well as non-native species including largemouth bass, brown bullhead, black crappie, and western mosquitofish. (Oregon Department of Fish and Wildlife, South Willamette Watershed District, 2010). Other fish, such as Chinook and Coho Salmon and Steelhead that spawn in the headwaters of the Calapooia and its tributaries. Source: *Fish and Amphibian Use of Vegetated and Non-vegetated Intermittent Agricultural Waterways in the South Willamette Valley*. G.R. Giannico, J.L. Li, K.L. Boyer, R.W. Colvin, W.J. Gerth, M.E. Mellbye, S.M. Griffith and J.J. Steiner. *Oregon Seed Extension Research Program Seed Production Research Report 2005*

OPEN SPACE

Open space consists of recreational areas such as parks and playgrounds and flood plain areas. Although some of it will be developed, most of the flood plain areas will remain undeveloped due to flood plain standards described in the City's Flood Plain Ordinance.

Furthermore, certain areas within the flood plain, especially along stream banks, and natural drainage ways, contain riparian habitat areas, that will be preserved. Some of it will become parkland and the remainder will be protected by siting standards for development in the Flood Plain Ordinance and requirements for natural drainage way easements.

CULTURAL RESOURCES

Cultural resources involve the activities of man on the natural environment. In this section, background studies of the historic aspects of Tangent will be reviewed.

HISTORICAL PROFILE

See Figure 10-11: Cultural and Historic Resources, Tangent Comprehensive Plan

It is believed that the first people to inhabit the Tangent area were the mound builders whose earthen mounds line the Calapooia River from Albany to Brownsville.

When the first settlers arrived in the area, the Calapooia people roamed the land. The Calapooia survived on the rich natural abundance as a hunting and gathering people.

The Calapooia used the canoe as a main vehicle of transport. By means of the canoe, families and whole communities went to their favorite fishing grounds, hunting terrain, nut and berry patches, or to places of abundant wild roots and plants.

According to Martin Rosenson, Anthropology Instructor at Linn-Benton Community College, there probably are some prehistoric mound sites that exist within the Tangent City limits. However, there have been no site-specific surveys completed that precisely determine the location, quantity and quality of any of these sites.

Several mounds have been identified within the Tangent Planning Area (Figure 10-11). The presence of these mounds would indicate a high level of prehistoric human activity within this area. The mounds that were identified and mapped by E.H. Margason, Lee Rohrbough, Dr. J.L. Hill, J.G. Crawford, Prof. John B. Horner, and A. (Foot) Blevins are by no means a complete inventory of prehistoric sites. More information needs to be gathered on the Calapooia and all people who inhabited the area. If a conscious effort is not made to identify, protect, and understand the cultural resources of the area, many of these resources may be lost forever.

During construction of the Tangent Sewer Project, a significant archaeological resource was discovered and surveyed by the State Archaeologist's Office. The site is listed as a probable prehistoric Euro-American burial mound within the Kalapuyan culture area. Because this area is highly sensitive and free from disclosure under federal and state law, the State Archaeologist's Office has recommended that the site not be mapped until such time as it may be considered for inclusion within the City's Urban Growth Boundary.

If potentially valuable resources are discovered, all necessary steps shall be taken to survey and preserve the resources in coordination with the State Historic Preservation Office.

Tangent was established in 1871, when the railroad was built through the valley. The name "Tangent" refers to the twenty miles of straight track north and south of town. The town acted as a gathering place for local farmers and a train stop. The first grange building in Oregon was completed in Tangent in July, 1873. In 1886, Tangent acquired a post office. By 1891, William Felzer of Tangent acquired a small amount of grass seed.

This may have been the actual beginning of the present-day rye-grass industry. Forest Jenks may have been the first commercial producer of rye grass, when he began growing seed in 1922. The seed grown by Jenks was later cleaned at W. A. Vollstedt's seed cleaning plant in Tangent. The seed was bought by Jenks White Seed Company, which was instrumental in opening up the eastern market for this important crop.

Tangent has acted as an agricultural and commercial center for the region for more than a century. Its incorporation in 1973 signals its growing awareness of this role, and its attitude towards local control.

Further information on the history and people of early Tangent can be acquired from *The History of Linn County*, W.P.A. Writer's Project, 1941, and *The Land of Linn*, Floyd C. Mullen, 1971. Interest in historic areas, sites, structures, and objects continues to grow in Tangent.

HISTORY INVENTORY

See Figure 10-11: Historical Sites and Structures

A requirement of Goal 5 of the Statewide land use planning goals is inventorying the location, quality, and quantity of historic areas, sites, structures, and objects.

The Linn County Planning Department conducted an extensive survey of historic structures during 1983. This survey, known as the Tangent Historic Structures Inventory, is adopted as a supportive document to this Comprehensive Plan. It identifies six historic structures and/or sites.

In order to implement Goal 5, and to meet the Community policy for the preservation of historic structures, the City has incorporated a Historic Preservation Section into the Tangent Zoning Ordinance, that requires City review of any change of the inventoried structures and strives for their preservation. The effort to identify and inventory historic structures, sites, and objects in Tangent should continue. Tangent should also give support to citizens interested in local history and property owners who wish to place their structure, sites, and objects on historic registers.

In the preliminary inventory, it was found that most historic structures are houses that fall into one of the following architectural styles:

1. **Modified Dutch Colonial**
2. **Rural Vernacular**
3. **Bungalow**

Several federal and state laws address historic sites, structures, and objects. The following is a list of existing federal and state legislation:

FEDERAL

1. **Historic American Sites Act (1935)** made protection of historic resources a national policy and established the National Register of Historic Places.
2. **National Trust for Historic Preservation (1941)** is a private, non-profit organization intended to educate the public about historic preservation.
3. **National Historic Preservation Act (1966)** established a program of matching grants in aid to states and the National Trust and established cooperation with the state for administration within their jurisdictions of the National Register program.
4. **Transportation Act (1966)** provides for protection of historic sites threatened by highway construction.
5. **National Environmental Policy Act (1969)** requires consideration of federal project impact on cultural resources as part of the overall environmental assessments.

STATE

1. **H.B. 2476** provides for special tax relief on buildings listed in the National Register of Historic Places.
2. **H.B. 2333** encourages retention of single-family residences in industrial or commercial zones by assessing property value as a residence.
3. **H.B. 2342** allows for a tax exemption on improvements made on rental properties that are 25 years of age or older.
4. **H.B. 2344** exempts from assessment increase, maintenance repairs or replacement work done on an existing dwelling.

ECONOMIC DEVELOPMENT

Type and Level of Employment Growth

Employment growth was calculated using the *Industrial and Other Employment Lands Analysis Guidebook* (ODOT TGM, 2005).

Economic Development Vision and Goals

The first step to calculating employment growth was to look at the City's economic development vision and goals. The Tangent Vision Statement notes that:

"Tangent remains a rural town with downtown shops, some services serving as community gathering places. Shops continue to retain old town attractive character. Larger attractive industrial/commercial establishments continue to develop in the north area of town providing employment for local residents."

Goals included in the City's Comprehensive Plan include preserving and strengthening agricultural and the agricultural service related economic base of the community, protecting the core area of the city from unmanaged commercial and industrial development impacts, designating industrial and regional commercial development reserves in north Tangent, and preserving the historical areas of city shopping and commerce.

City zoning reflects these goals, providing for Industrial and Highway Commercial in the northern part of the city, while providing Central Commercial Zoning along OR 99E through town.

Economic Opportunities Analysis – Basic Approach

The next step in the economic analysis process was to conduct an economic opportunities analysis, which considers Statewide Planning Goal 9 and Division 9 rules. The basic approach of the guidebook (ODOT TGM, 2005) was used, as Tangent is a small jurisdiction with little previous economic analysis.

Assess National, State, Regional, County and Local Trends

Between 1980 and 1990, Tangent's population grew from 478 to 556 people, with an annual growth rate of 1.52 percent. Between 1990 and 2000 the population grew from 556 to 933 with an annual growth rate of 5.3 percent. Between 2000 and 2008, Tangent's population grew from 933 to 985, with an annual growth rate of 0.68 percent.

Oregon has been harder hit in the employment sector than the rest of the country, with the second highest unemployment rate in the nation, presently hovering around 12 percent unemployment. Rural counties within Oregon have higher unemployment compared to the state average. Linn County's unemployment rate for 2009 is currently around 15 percent.

To account for employment and population losses from the national recession, the assumption was made to assume 3 years of no growth in both the employment and population projections. The assumption is that the economy will rebound after the recession has run its course. Table 6 shows the population and employment projections for Linn County and the City of Tangent.

Table 6: Population and Employment Projections for Linn County and Tangent

Year	Market Region (Linn County)	City of Tangent	Tangent share of Linn County (%)
Population			
1980	89,495	478	0.53 %
1990	91,227	556	0.60 %
2000	103,069	933	0.96 %
Base year – 2008	110,185	985	0.89 %
2020	123,000	1,194	0.97 %
Planning year - 2030 ¹	138,995	1,481	1.07 %
Employment (at place of work)			
1980	40,842	612	1.5 %
1990	45,070	676	1.5 %
2000	53,059	795	1.5 %
Base year – 2008	43,841	657	1.5 %
2020	48,377	726	1.5 %
Planning year - 2030 ²	53,970	810	1.5 % ³

Source: Population Data for 1980-2000 from U.S. Census, www.census.gov, Accessed August 2009

Population Data for 2008 from Portland State University Population Research Center, *Population Projections*, July 2008

Employment Data for 1980-2000 from U.S. Census, www.census.gov, Accessed August 2009

Employment Data for 2008 from Oregon Employment Department Worksource Quality Info.org, <http://www.qualityinfo.org>
Accessed August 2009

Forecast 20-Year Population and Job Growth by Sector

The only forecast data available for 2016 was Benton, Lincoln, and Linn Counties aggregate employment data. The Linn County 2006 information was compared to the Benton, Lincoln and Linn County 2006 data, and the percentage of the regional total was determined for Linn County. This percentage was then assumed to hold true for the future projection, and the 2016 data for Linn County was calculated assuming the same percentage of employment sector as compared to the projected employment for the multicounty data. Table 7 shows the projected job increase by sector for Linn County.

¹ Calculated from 2008 estimate using a 1.23 % annual growth rate for Linn County (from Linn County Community Facilities and Development Element Code, 2003), and a 2.17% growth rate for the City of Tangent (from the City's Comprehensive Plan), for 19 years of growth (due to the recession 3 years were considered to have no growth in both employment and population).

² Average annual growth rate for Linn County used is 1.1%, from EcoNorthwest report: *Analysis of the Regional Economy and Housing for Linn and Benton Counties*. November 1999. (Due to the recession 3 years were considered to have no growth in both employment and population).

³ Employment within Tangent is 1.5% of regional total. EcoNorthwest, *Analysis of the Regional Economy and Housing for Linn and Benton Counties*. November 1999.

Table 7: Projected Employment by Sector for Linn County, Oregon

<i>Employment Sector</i>	<i>2006 Base year count</i>	<i>2016 Forecast job count</i>	<i>Forecasted Change in jobs (2006-2016)</i>	<i>Forecasted annual change in jobs</i>	<i>Total 24 year job increase for 2030</i>
Construction and Mining	3,060	3,324	264	26	634
Manufacturing	8,540	8,209	-331	-33	-793
Transportation, communication and utilities	2,420	3,146	726	73	1,742
Wholesale Trade	1,470	1,627	157	16	337
Subtotal Industrial jobs	15,490	16,307	817	82	1,960
Retail trade	4,920	5,396	476	48	1,143
Finance, Insurance Real Estate	2,230	2,459	229	23	548

[Source: Oregon Employment Department. Workforce and Economic Research. Industry Employment Forecast, 2006-2016 Benton, Lincoln and Linn Counties. <http://www.qualityinfo.org> Accessed August 2009]. Linn County numbers were derived by determining the percentage for each sector for the multi-county total in 2006, and those percentages were applied to the multi-county 2016 projections.

Services	11,780	13,800	2,020	202	4,847
Subtotal Commercial/Service Jobs	18,930	21,655	2,725	273	6,539
Institutional/Government	7,410	7,937	527	53	1,265
Other/Uncovered Employment (3% of total jobs)	1,255	1,383	128	13	308
Total Jobs	43,085	47,282	4,197	420	10,073

Assess Community's Economic Development

The next step is to look at the market advantages and disadvantages of the County and Tangent. Table 8 provides the relative score of the county and city for each of the advantages/disadvantages.

Table 8: Assessment of the County and City's Economic Development

Market Advantages and Disadvantages	Linn County	City of Tangent
Location relative to markets	3	3
Availability of key transportation facilities	3	3
Key public facilities (water, sewer, etc.)	2	1
Labor market (cost and access)	2	2
Materials and energy (availability and cost)	3	2
Necessary support services	2	1
Pollution Control Issues	2	2
Education and technical training	3	3
Other (Such as land availability)	3	3
Total	23	20

Subjective score: 1 = poor, 2 = fair, 3 = good, 4 = excellent

Market Region Analysis – Linn County

Location relative to markets

Linn County is located relatively close to Corvallis and Portland, which are large markets for many of the goods and services produced in the area.

Availability of key transportation facilities

Transportation access is listed as a competitive advantage for the county, especially for farm to market and industrial goods. There are numerous communities near I-5 or with good connections to I-5: Albany, Millersburg, Tangent, and Lebanon. The Port of Portland is an international shipping hub, providing businesses in the market region a convenient resource for shipping internationally. The west coast north-south railroad mainline crosses the county and a shortline serves east-west connections.

Key public facilities

A variety of communities in Linn County have limited utility capacity, which makes development of business in those areas prohibitively expensive, though most communities have plans to upgrade the deficient services.

Labor Market

Linn County between 1992 and 2007 had high net job growth compared to the state average; although overall per capita income was low, pay per worker was higher than other counties. Linn County has a higher than state average unemployment rate and job loss, which would indicate that there are residents who are under-employed or unemployed, creating an advantage for employers looking for available labor. Average annual payroll is also less in Linn County than the state.

Materials and energy

The county produces many raw materials from agricultural and forest products such as straw and wood chips, and produces refined materials such as metals and plastics. Energy is not expensive, and the region has access to affordable materials and energy. Green energy is projected to play a large part in the development of the area. With the solar, wind, biofuel, and wave energy facilities expected to be built, the future of energy access in the region appears stable.

Necessary support services

There are business support services in the larger cities of the region, specifically Corvallis and Albany. There are numerous chambers of commerce organizations scattered throughout cities of the region, providing a regional mid-valley business support network.

Pollution control issues

There are areas in the market region that may have contamination due to previous or existing industrial uses. Industrial and manufacturing sectors are the largest employers in the market area, and may be subject to strict environmental controls. Maintaining air quality will be an important environmental issue into the future for Linn County and the mid-valley region, along with water quality standards, wetland impacts, and erosion control.

Education and technical training

Just over the border of Linn County in Corvallis, Oregon State University (OSU) provides undergraduate and graduate education. OSU is known for its engineering, environmental sciences, business, forestry, and pharmacy programs.

Other

Communities within the area have a supply of commercial, office, and industrial lands adequate to support anticipated growth, assuming land within urban growth boundaries will be annexed as needed.

Existing concentrations of industries are likely to attract similar and related businesses – primary metals and heavy manufacturing, seed and food processing and distribution, high-tech, research and engineering.

Tangent Market Analysis

Location relative to markets

Tangent is close to the center of Albany and Corvallis (within 15 miles) and is well suited to supply those markets with goods and services. Portland and Eugene are also large markets and located approximately 80 miles north and 40 miles south, respectively.

Availability of key transportation facilities

Tangent is conveniently located along OR 34 and OR 99E, and is only a few miles west of Interstate-5. The intersection of OR 34/OR 99E was recently upgraded to a full interchange, providing easy and quick access from Tangent to communities along I-5 and to the east and west.

The Union Pacific Railroad mainline runs through Tangent connecting Portland and Eugene and points farther north and south. Portland with its port facilities on the Columbia River is a major freight/transportation hub, which widens options for intermodal shipping. .

Key public facilities

Tangent does not have much in the way of public facilities that would support economic development. A high-capacity city water system, advanced wastewater treatment, piped stormwater conveyance, and enhanced fire fighting capabilities are lacking, which would be desirable if not necessary by large industrial plants. The City does not have a tax base to be able to provide such facilities in the future, unless a funding source is identified.

Labor Market

Tangent is a net importer of workers, meaning that there are more workers than housing. This could limit the access to labor within the immediate area, and require firms to look outside of the city to attract workers. The projections for the future include a strategy for dealing with this jobs/housing imbalance, though the higher paying manufacturing and industrial jobs will continue to be a draw for workers outside of Tangent. Tangent is also likely to attract additional residents who are looking for a small-town feel, adding to the potential labor market.

Materials and energy

There are abundant agricultural materials in Tangent, and energy is available and not expensive. All other materials are shipped in for manufacturing and industrial uses, though the availability and ease of transporting materials is helped by the transportation facilities nearby.

Necessary support services

Tangent does not have an internal tax source; therefore, public services that are currently missing, such as a city police force, will be hard to implement. Regarding private services, there are no banks in Tangent, but nearby Albany has professional and banking support services.

Pollution control issues

Tangent is similar to the market region that may have contamination due to previous or existing industrial uses. Industrial and manufacturing sectors are the largest employers, and may be subject to strict environmental controls. Water quality, erosion and wetlands impacts are especially important in Tangent due to the habitual flooding and abundance of wetlands and runoff areas coupled with the low absorption rate of the soils. The current and projected future water source is private wells for the city, and groundwater quality is especially important due to the lack of a centralized water system.

Education and technical training

Nearby OSU can provide programs which require field study and focus on rural areas, which could benefit Tangent by providing education to those who would stay and work in the area.

Linn-Benton Community College (LBCC) offers two-year programs in general education and skilled trades, and is located just north of Tangent on OR 99E.

Union training centers are located in Tangent to support the carpenter and electrical trades. Tangent has no local high school.

Other

Tangent has a supply of commercial, office, and industrial lands to meet future growth needs. Tangent is known as the “Grass seed capital of the world”, and is well suited for companies and laboratories dealing in seed processing and development.

Estimate Total Job Growth in Tangent Based on Capture Rate within Linn County

According to an economic analysis for the region prepared by EcoNorthwest⁹, the portion of Linn County employment captured overall within Tangent is 1.5%, with individual job sector capture varying between 0.3 percent and 5 percent. Table 9 shows the forecast by sector for Tangent determined by the percent capture rate from Linn County employment projections.

Table 9: Tangent 2030 Job Forecast

Employment Sector	24-year job forecast for Linn County 2030	Tangent job growth capture rate (%)	Tangent 24-year job forecast
Industrial	1,960	5 %	98
Commercial/Service	6,539	1.8 % for Commercial, 0.6% for Office	53
Institutional/Government	1,265	0.3 %	4
Other/Uncovered Employment	308	1.5 %	5
Total jobs	10,073	1.5 % (average capture)	160

Job Growth Capture Rate Source: EcoNorthwest, Analysis of the Regional Economy and Housing for Linn and Benton Counties. 1999

Tangent’s expected employment growth is a total of 160 employees. The next step of the analysis determines where the jobs will be allocated, either to vacant or redevelopable land. The Highway Commercial/Industrial zoning designation (HC/I) was assumed to contain 50 percent commercial and 50 percent industrial employment. Table 10 shows the percentage of vacant and redevelopable land sites within the City of Tangent.

Table 10: Job Growth Allocation Infill vs. Redevelopment

Employment Sector	Tangent 24-year forecast	Forecasted allocation to redevelopment	Forecasted allocation to vacant sites
Industrial	98	33 %	67 %
Commercial/Service	53	69 %	31 %
Institutional/Government	4	0 %	0 %
Other/Uncovered	5	100 %	0 %
Total jobs	160		

Source: Buildable Lands Inventory, City of Tangent 2009

Estimate Job Density

The jobs per acre in Tangent were determined from the regional economic analysis done by EcoNorthwest. Table 11 shows the job density by employment sector for the City.

Table 11: Job Density

Employment Sector	Job density (jobs per acre)
Industrial	11.2

Commercial/Service	23.5
Institutional/Government	20
Other/Uncovered	6
Average Density	15

Source: EcoNorthwest, Analysis of the Regional Economy and Housing for Linn and Benton Counties. November 1999

Forecast 2030 Land Need for Job Growth

The next step is to determine the land need for the projected increase in employment. The land requirement was determined by dividing the density by the number of jobs to determine acreage needed. In Table 12 below, the land needed to accommodate the Institutional/Government employment in all likelihood exists within the UGB; it simply is not identified as a land use within the City's Zoning Designation.

Table 12: Land Requirements for Projected Job Growth in acres

Sector	Land requirements	Public facility needs (25 % of net land area)	Total Land Requirements
Industrial	8.75	2.19	10.94
Commercial/Service	2.26	0.57	2.83
Institutional/Government	0.36	0.09	0.45
Other/Uncovered	0.4	0.1	0.5
Total	0.36 acres	0.09 acres	14.72 acres

Table 13 compares the land requirements for employment to the available area within the Tangent UGB. There are ample industrial and commercial lands to accommodate the projected employment in the two sectors. Institutional/governmental land needs could be accommodated within the zoning

Table 13: Employment Land Needs vs. Supply in Acres

	Commercial/Office ⁴	Industrial	Institutional/Government	Total
Employment Land needs ⁵	2.83	10.94	0.45	14.22
Employment Land Supply	67.69	126.18	0	193.87
Land Surplus or Deficit	64.86 acres	115.24 acres	-0.45 acres	179.65 acres

Source: Buildable Lands Inventory, City of Tangent, 2009

⁴ The HC/I zone for Tangent was assumed to be developed half commercial and half industrial

⁵ It is assumed that other/uncovered employment will occur in existing land uses including residential lands, so the total land needs was reduced by 0.5 acres, the land projected for other/uncovered employment.

Conclusion: Land Supply Is Adequate

Tangent does not have a need for additional buildable lands within the UGB for either employment or housing growth (Table 14). Buildable lands were determined using the data from the recent Drainage Study done by ICF Jones & Stokes, incorporating lands constrained due to natural waterways, wetlands, and riparian areas (protected by Comprehensive Plan Policy 5.1.1). The planned provision of linear parks is not well defined within the project area and is contingent upon property owners; therefore, no constraints due to parks can be identified at this time.

Table 14: All Land Needs vs. Supply in Acres

	Residential	Commercial	Industrial	Institutional/Government	Total
Land Need	51.0	2.83	10.94	0.45	14.22
Land Supply	269.9	67.69	126.18	0	193.87
Land surplus or deficit	218.9	64.86	115.24	-0.45	179.65

This analysis of land needs and supply includes constrained lands for protecting wetlands, natural waterways, and riparian lands (Figures 3A, attached). Redevelopment potential is constrained by flooding; although vacant buildable lands are outside of flood zones (Figure 8 in Comprehensive Plan), the soils have low permeability (Figure 5 in Comprehensive Plan) which contributes to flooding downstream. There are many historic houses in Tangent, and a large area east of the UGB has high probability of archaeological resources (Figure 10-11 in Comprehensive Plan). Nevertheless, there is enough land surplus land available for a planned linear park, when a location is determined.

PUBLIC FACILITIES AND SERVICES

City Services

Tangent Transportation System See the Tangent Transportation System Plan

Tangent Sewer System The City of Tangent presently has a public sewer system. It is a STEP system, (Septic Tank Effluent Pumping), that utilizes septic tanks at each home for sewage collection and pumps the effluent to a lagoon.

Tangent Water System Tangent currently does not have a public water system. Individual ground water pumps or subdivision groundwater systems provide all the water for Tangent's residents.

Tangent Stormwater Drainage System The stormwater drainage system in Tangent at the present time is composed of natural drainage ways, piping, and roadside ditches. Natural stormwater drainage problems can result due to high rainfall, flat topography, and high water table conditions. The City has adopted a Stormwater Master Plan for citywide drainage and a Hydrological and Ecological Assessment of North Lake Creek.

The City is situated over a sensitive aquifer which is defined by the Department of Environmental Quality as "a shallow alluvial aquifer overlaid by rapid draining soils." It is important that the City protect recharge areas upgradient from wells, and that potentially polluting runoff be treated, filtered, or contained to protect the ground-water supply.

On August 29, 2001, The City adopted a Water Feasibility Analysis and Water System Master Plan performed by Westech Engineering. The Master Plan concluded that a public water supply system was cost prohibitive yielding a \$100 per month average cost per resident, and that therefore the current system was adequate.

PUBLIC FACILITIES



Tangent City Hall

City Hall is located at the Bass Estate at the outskirts of the Tangent residential center. City Hall is open to the public five days a week. Building, sewer, development, and other City information are available at City Hall. City information can also be accessed through its website at <http://www.cityoftangent.org/> or by email; Georgia@CityofTangent.org

The City Council and Planning Commission utilize a room within City Hall as a center for meetings and public hearings.

Tangent's City Council consists of five members: one mayor and four council members. The council members are elected officials, each serving alternating four-year terms, with elections being held every two years. Every two years a new mayor is elected.

The City's Planning Commission consists of five members. Members are selected by the City Council on a five year term basis, or as vacancies arise. New members are sought from the public, with advertisements being used to seek those people who are interested in being on the Planning Commission.

City Hall Staff include a City Coordinator and City Budget and Finance Director. The office telephone number is 541-928-1020. The City Planner, Engineer, Attorney, and Parks Maintenance are part of the City's contracted services.

City equipment consists of 2 lawn mowers.



Tangent City Parks

City Parks. There are currently three parks in Tangent. Others are in development. **Wayside Park** is located on the East side of 99E just north of the Post Office. There is a basketball court at this park that is enclosed with a tall chain-link fence and could be used as a tennis court. The Park also has a monument to the Tangent School. **The Bass Estate Park** is located on Old Oak Drive just past the Tangent Elementary School and right next to City Hall. It has been used for a variety of events including weddings and antique and classic car shows during the Harvest Festival. **Pioneer Park** is located on North Lake Creek Drive adjoining the Lone Oak Estates Subdivision and is fully enclosed but with access from four locations around the park.



Tangent Post Office

The Tangent Post Office. Tangent has its own U.S. Post Office and was first established on September 17, 1872¹. It is located at 32845 Highway 99E, in Tangent, 97389. The phone number is 541-926-6852. The Tangent Post Office is a full service post office providing rural delivery and postal boxes. Online services are available including stopping and starting mail delivery that can be accessed at this website address: <http://www.usps.com/>. As a community focus, the Tangent Post Office, plays an important role in community life.

¹Mullen, Floyd C., "The Land of Linn"; Dalton's Printing, Lebanon, Oregon, 1971.



Tangent Elementary School

The first school in Tangent was a one-room building that opened in the Fall of 1883. It was replaced in 1965 by what exists today. Governor Mark Hatfield in his dedication address of the building acknowledged the bell tower that was built to house the old bell from the older school.

Tangent Elementary School is located at 32100 Old Oak Drive. Information of events, activities or other announcements can be obtained through the online newsletter at <http://www.albany.k12.or.us> or call 541-967-4616. Tangent Elementary is proudly educating its second generation of approximately 200 children. Located on an 8 acre campus amid fertile farm fields, Tangent Elementary serves a large area surrounding the community for which the school is named.

The school shares its playgrounds area with the community through a partnership established when the City purchased the playground equipment.

We bring our school community together each year with events such as, open house, Senior Holiday Dinner, music programs, carnival, fitness fair, drama trip to Linn-Benton Community College, and an end-of-the-year swimming trip.

TRANSPORTATION

Please see the Tangent Transportation System Plan (TSP) as adopted in 2010

URBANIZATION

URBAN GROWTH BOUNDARY OUTSIDE CITY LIMITS

The City has included approximately 121 acres to the north of the City limits within the Tangent Urban Growth Boundary based on the following considerations:

1. This area has already undergone substantial subdivision activity that is continuing to take place at low urban densities.
2. This area is more similar to residential developments in Tangent than it is to exclusive farm uses, in the adjacent County areas, and can no longer be considered a commercial agricultural area.
3. This area is committed or developed with rural housing, commercial activities and public uses to the degree that only 15 acres of the total area are vacant and buildable.

The residences provide housing for approximately 100 persons based on an average family size of 2.5.

Eight acres are committed to public use for an existing school and playground area. Twenty-one acres are developed with land extensive commercial and industrial uses. Five vacant acres are in the 100-year flood plain.

The Tangent Urban Growth Boundary includes all land within the area shown in Figure 16.

Agricultural parcel sizes within the Tangent Urban Growth Boundary, outside the City limits, range from 0.19 to 12 acres.

The following factors were considered, as required by LCDC, in establishing the Urban Growth Boundary:

Factor 1: Long Range Population Growth

The City of Tangent is using a forecasted population of 1501 by 2030 as its long-range projection for future growth. The coordinated growth rate with Linn County is 2.17%. The actual growth rate over the last 10 years has been closer to 1%.

Factor 2: Need for Housing, Employment Opportunities, and Livability.

In determining the City's Urban Growth Boundary, (UGB) consideration was given to the future needs for each major land use category including residential, commercial, industrial, and open space.

The City has chosen to establish a phased growth plan with a slow to moderate amount of growth occurring to the year 2030. A step sewer system to serve the area within the UGB, that will accommodate the planned population increase, has been constructed, and there is anticipated capacity for the UGB as well as the existing buildable lands within the City Limits.

According to the Housing Needs Analysis Model developed by the Oregon Housing and Community Services Department, Salem, Oregon, housing needs in Tangent through 2030 can be met with the current supply of land within the UGB, and no additional land or UGB expansion is needed. Further information on this can be obtained from section “State Goal 10, Housing,” in this Comprehensive Plan.

Employment opportunities for the City of Tangent are defined in the section: Economic Development in this Comprehensive Plan.

Tangent developed and adopted several vision statements addressing livability in this community, see Introduction and Vision Statements in this Comprehensive Plan.

Factor 3: Orderly and Economic Provision for Public Facilities

The community facilities element of the Comprehensive Plan contains background data on present community facilities and services, including: schools, parks, water and waste disposal, storm drainage, solid waste disposal, fire protection, and other utilities and public services. The public facilities element identified specific needs and contains policies and recommendations to insure an orderly and economic provision of public facilities.

The City’s growth potential is somewhat limited by the carrying capacity of the area’s natural resources; aquifer, and hazards like seasonal flooding. However, the City has planned for growth with a phased sewerage system designed to serve the area within its UGB during the planning period. Construction of this system can be phased, consistent with the City’s financial capabilities.

Factor 4: Maximum Efficiency of Land Use

Insuring the maximum efficiency of land use means first using all buildable land within the UGB before additional land is brought in, thus meeting State Goal 3, preserving and maintaining agricultural lands. Efficient land use implies clearly defined and stable areas for residential, commercial, and industrial use. The City has taken a number of steps to achieve these objectives. The Comprehensive Plan reinforces the land use patterns through policy guideline for future growth.

Industrial development has been confined to those areas of Tangent that traditionally have been designated industrial and offer particular assets for industrial growth. Two specific areas for commercial development have been designated. One area is in the north near the intersection of Highways 99E and 34, and the other in the south where several small sites could be developed to meet local neighborhood basic services.

The lands on the north side of Highway 34 across from the industrial area and on the east side of Highway 99E are developed with a mixture of light industrial and heavy commercial uses, consistent with the zoning and planning designations. To the immediate east of the planned industrial area, outside of the City limits and the UGB are several industrial and heavy commercial uses

The Residential land use designation in the northern, UGB area respects the existing land use pattern and provides development opportunities.

Factor 5: Environmental, Energy, Economic, and Social

Consequences

Hazardous areas including the wetlands and floodplain, unsuited for development, are identified and mapped. In Tangent, these areas are mainly the flood hazard areas along the Calapooia River, Lake Creek, North Lake Creek, and Oak Creek Tributaries. A Flood Plain Ordinance has been adopted by the City that contains specific land use and development controls and standards.

The environmental element of the Comprehensive Plan and the recent Hydrological Study performed by ICF Jones & Stokes in 2009, contains a detailed inventory of the natural resource values and problems within the community and specific recommendations to protect and enhance the natural environment. Areas of special resource value such as riparian vegetation and other natural vegetative areas, with conservation value, have been identified. These areas are a significant natural asset for the community and will be retained primarily for open space use.

The City's land use plan is also compatible with the regional land use needs to the year 2030. The Tangent Comprehensive Plan provides a viable proportion of the area's industrial and commercial growth for the future. It also contributes increased livability to the region by providing a suitable portion of the area's future housing and open space needs.

Factor 6: Retention of Agricultural Land

Preservation of agricultural land was a major concern during Comprehensive Plan preparation. The majority of this area will continue to be used for agriculture in the foreseeable future.

Except in the floodplain, nearly all of the soils in the Tangent area are Class I through Class IV. There can be no urban growth in the Tangent area without using lands suitable for agriculture. However, agricultural lands west and east of the City's Urban Growth Boundary will remain in exclusive farm use until revision of the Urban Growth Boundary is warranted. Further, existing agricultural lands within the urban growth area will be retained in agricultural use until needed for development purposes.

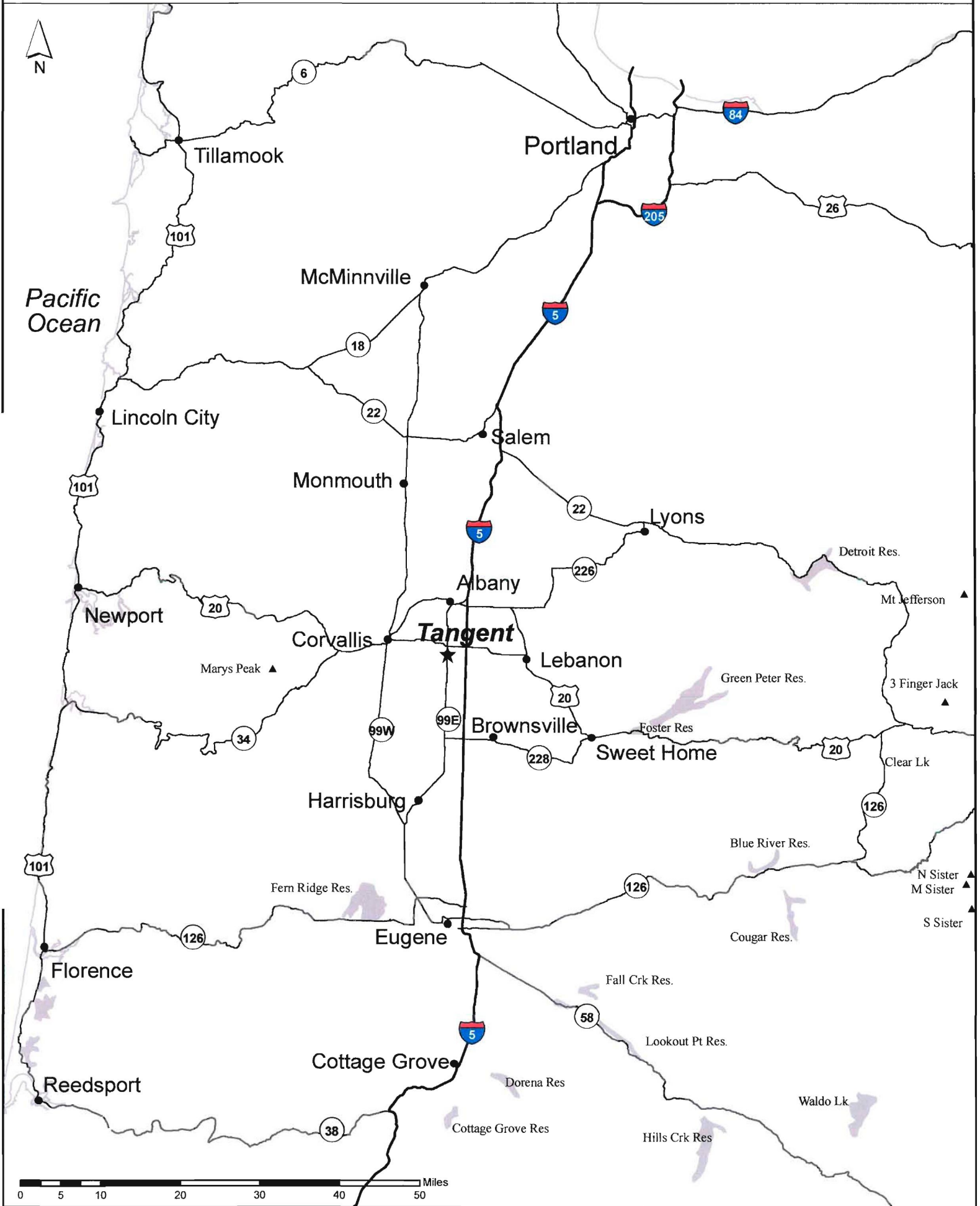
Factor 7: Compatibility of Urban Uses with Agriculture

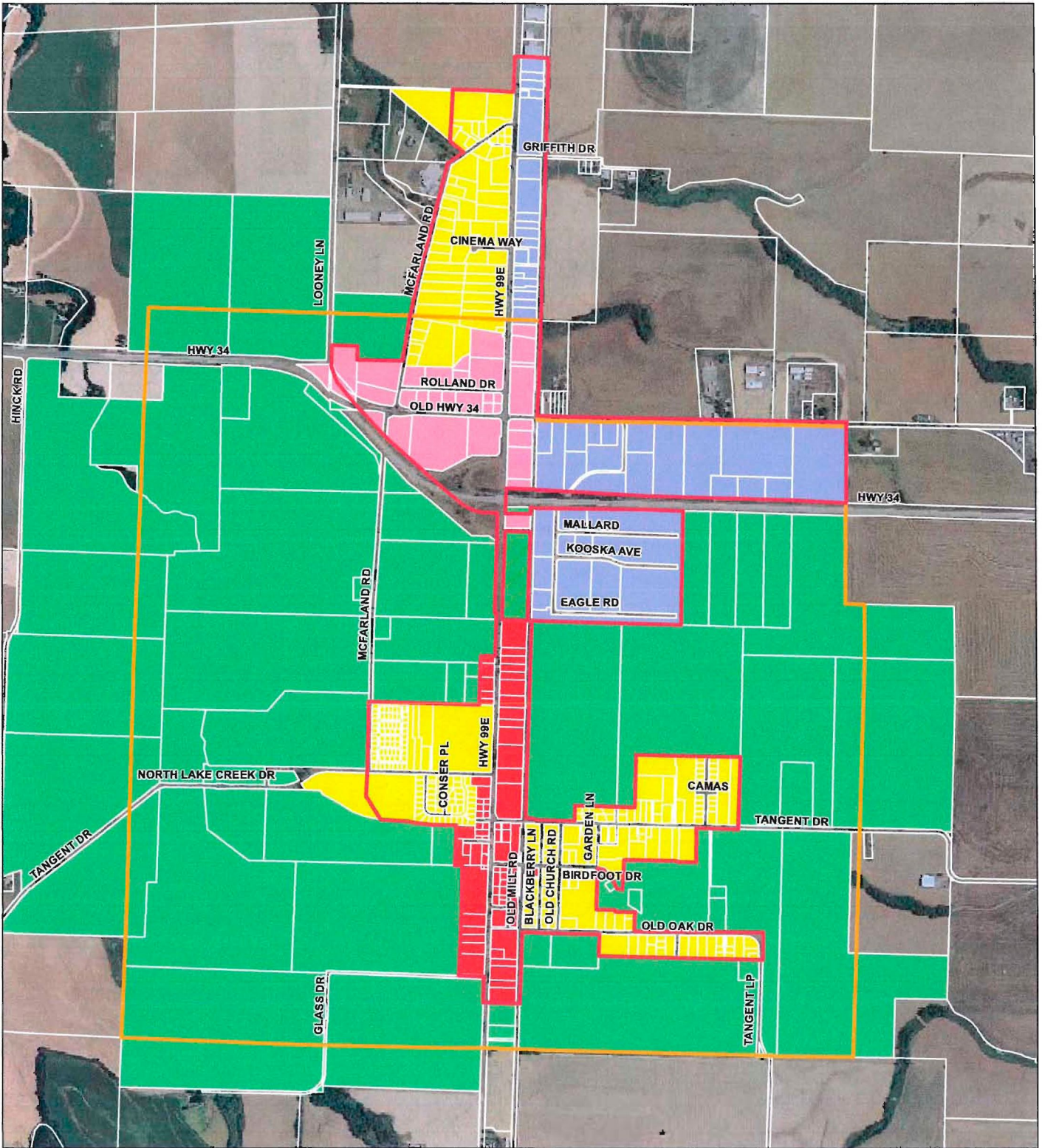
Conflicts with exclusive agricultural lands outside the Urban Growth Boundary east and west of the City will be minimized by the fact that buffered areas will be required around newly developed residential areas. The Urban Growth Boundary separates urban and urbanizable land from surrounding resource uses. Most of the service and manufacturing activities occurring in and around the City are land extensive. Large areas are used for storage yards and display lots that serve as buffers between the two uses. Some City businesses such as the grass seed industry are totally dependent on the continuance of commercial agriculture.

CITY/COUNTY COOPERATION

State law requires that the establishment and change of the Urban Growth Boundary by a cooperative process between the City and County. Accordingly, the City of Tangent and Linn County established a "Preliminary Urban Growth Boundary" early in the Comprehensive Plan preparation phase. The preliminary boundary provided a frame of reference for City and County planning activities. The City and County later entered into an agreement that established an Urban Growth Boundary, planning responsibilities and joint review procedures for management of lands within the boundary. The City and County will modify the agreement as necessary to reflect changes in the Urban Growth Boundary. The City is working towards a form of greenbelt. This will be a zone of farmland, parks, riparian area or open country surrounding Tangent that will be officially designated as such and preserved from urban development between Tangent and its surrounding communities.

Location: City of Tangent, Oregon





LEGEND

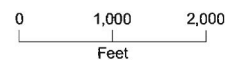
- | | |
|--|---|
|  Tangent Urban Growth Boundary | Land Use |
|  Tangent City Limits |  Agricultural |
|  Tax Lots |  Commercial |
|  Outside UGB |  Commercial/Industrial |
| |  Industrial |
| |  Residential |

Sources:
 Zoning - Linn County 2009
 Taxlots - Linn County 2009
 UGB - State of Oregon 2009
 Boundaries, Oregon
 Department of
 Transportation 1996
 City Limits - Linn County 2005

**FIGURE 1A
 Comprehensive
 Plan Map**

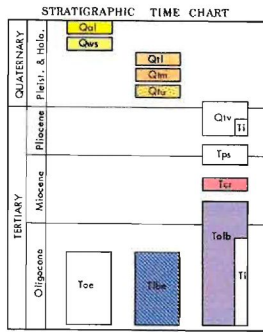
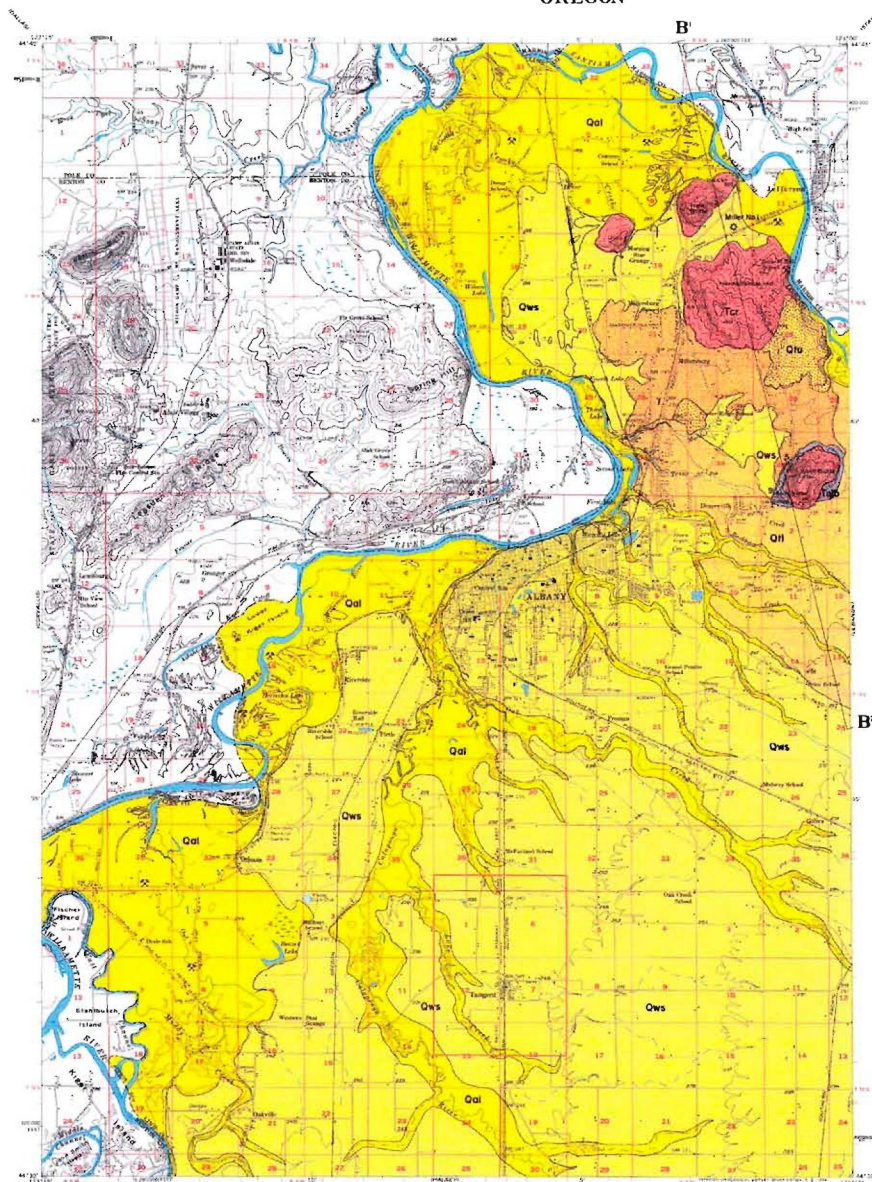
*Tangent Comprehensive Plan
 Update
 Tangent, Oregon*

1:24,000



GEOLOGIC MAP of the ALBANY QUADRANGLE OREGON

STATE OF OREGON
DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES
R. C. GOODMAN, STATE GEOLOGIST



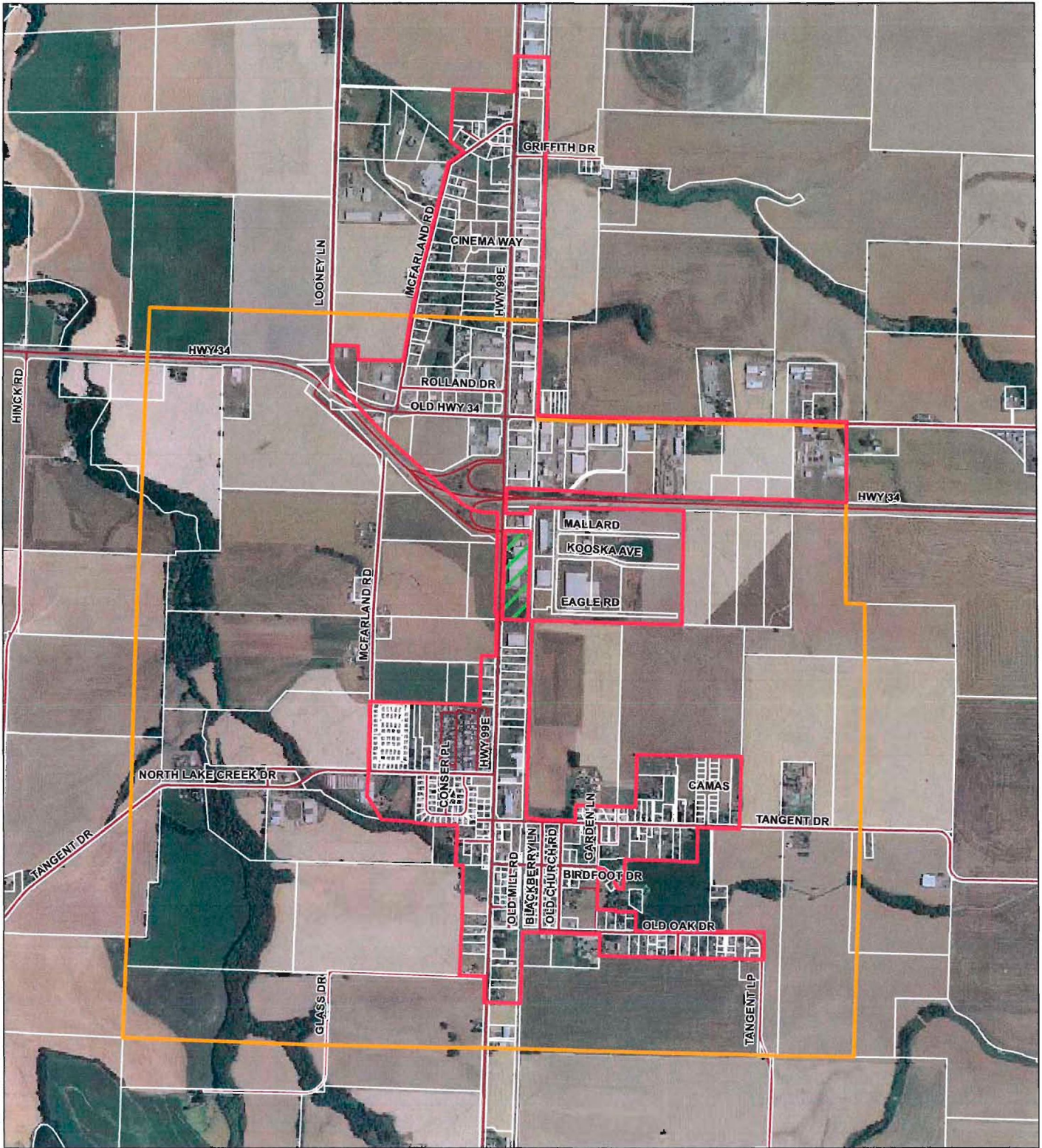
- Surficial Deposits**
- Quaternary alluvium:** A fan-like deposit of gravel, sand, and silt along major streams, and thin layers of silt that cover the lower terraces of the Willamette Valley. Includes boulders, stream channeling, and alluvium.
 - Willamette silt:** Is to 100 feet of finely bedded sandstone-siltstone, silt, clay, and thin layers of gravel and pebbles. Occurs in the Willamette Valley and in the upper part of the middle terrace. Also includes siltstone and heavy interbedded siltstone. Color is olive brown. Carbon is 10 to 15 percent. Average thickness is 100 to 150 feet. Occurs in the Willamette Valley and in the upper part of the middle terrace.
 - Quaternary lower terrace:** A succession of fine to medium sandstone-siltstone, silt, clay, and thin layers of gravel and pebbles. Occurs in the Willamette Valley and in the middle terrace. Average thickness is 100 to 150 feet. Occurs in the Willamette Valley and in the middle terrace.
 - Quaternary middle terrace:** Moderately dissected deposits of pebbles, sand, silt, and clay of fine to medium sandstone-siltstone, silt, clay, and thin layers of gravel and pebbles. Occurs in the Willamette Valley and in the middle terrace. Average thickness is 100 to 150 feet. Occurs in the Willamette Valley and in the middle terrace.
 - Quaternary upper terrace:** Deposits dissected by a high level gravel that is composed of the lower part of the Willamette silt. Maximum thickness 100 to 150 feet. Occurs in the Willamette Valley and in the middle terrace.
- Stratigraphic Units**
- Cascades formation:** A series of volcanic cones and cinder cones that form the Cascade Range. Includes the Willamette Valley and the upper part of the middle terrace.
 - Sedfill formation:** A series of volcanic cones and cinder cones that form the Cascade Range. Includes the Willamette Valley and the upper part of the middle terrace.
 - Columbia River fault:** A fault that runs north-south through the Willamette Valley. It is a normal fault with the Willamette Valley on the downthrown side.
 - Lake River formation:** A series of volcanic cones and cinder cones that form the Cascade Range. Includes the Willamette Valley and the upper part of the middle terrace.
 - Intrusive rock:** A series of volcanic cones and cinder cones that form the Cascade Range. Includes the Willamette Valley and the upper part of the middle terrace.



- Geologic Symbols**
- Rock:** Solid line
 - Contact:** Dashed line
 - Surface:** Dotted line
 - Folds:** Curved lines
 - Anticline:** Convex curved lines
 - Syncline:** Concave curved lines
 - Strike and dip of beds and flows:** Line with a short perpendicular tick
 - Altitax:** Line with a short perpendicular tick and a small circle
 - Horizontal bed and flows:** Line with a short perpendicular tick and a small circle
 - Exploratory Oil Wells:** Circle with a dot
 - Shore of Oil:** Circle with a dot and a line
 - Dry Hole:** Circle with a dot and a line
 - Mines and Quarries:** Square with a dot
 - Sand and Gravel Pit:** Square with a dot

Figure 3

Geology by J. D. Hawkins
Cartography by S. R. Renaud and W. H. Pokorny 1974



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits
-  Tax Lots
-  Outside UGB

Sources:
 Zoning - Linn County 2009
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB Boundaries, Oregon Department of Transportation 1996
 City Limits - Linn County 2005

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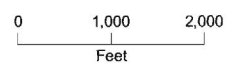
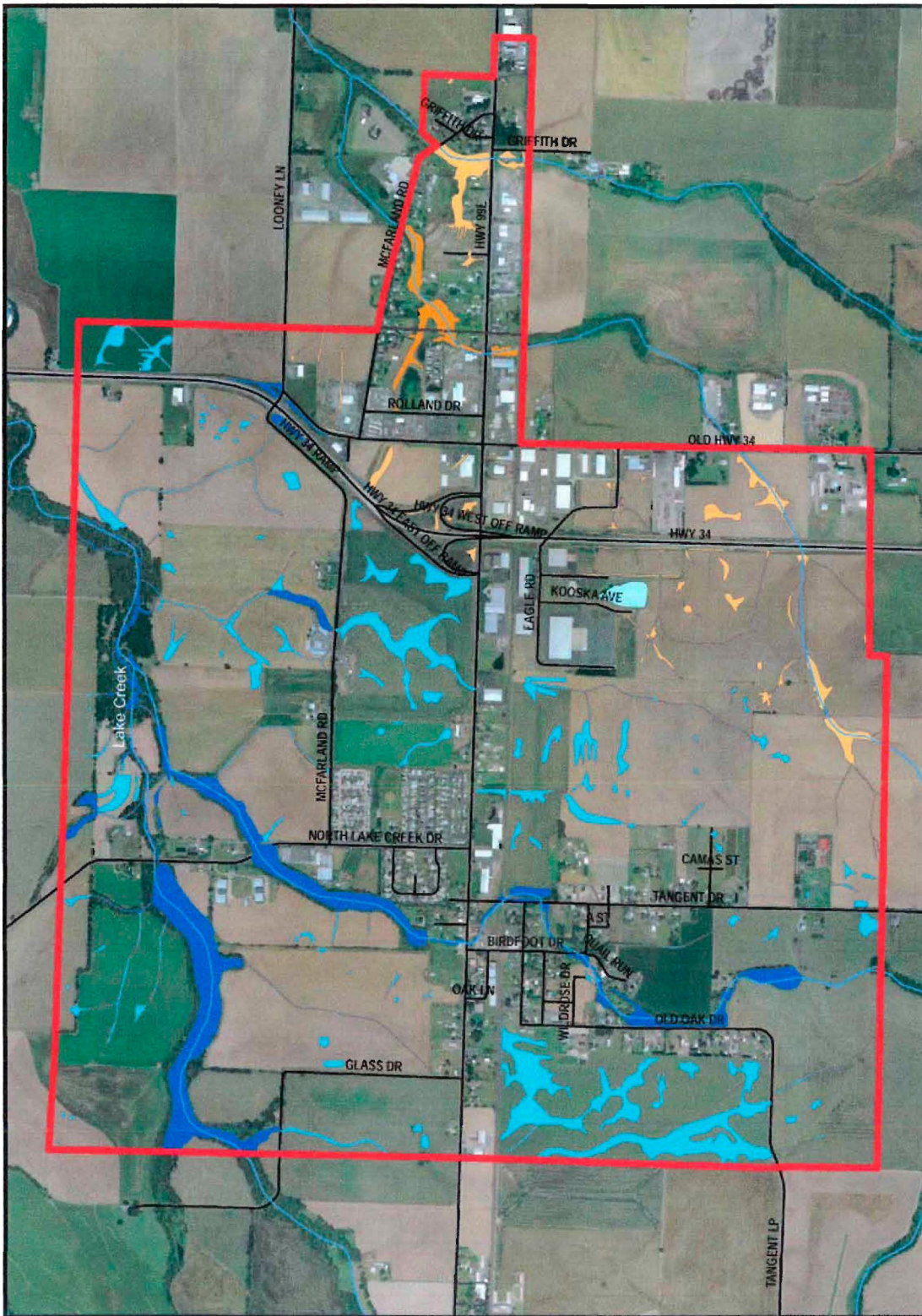


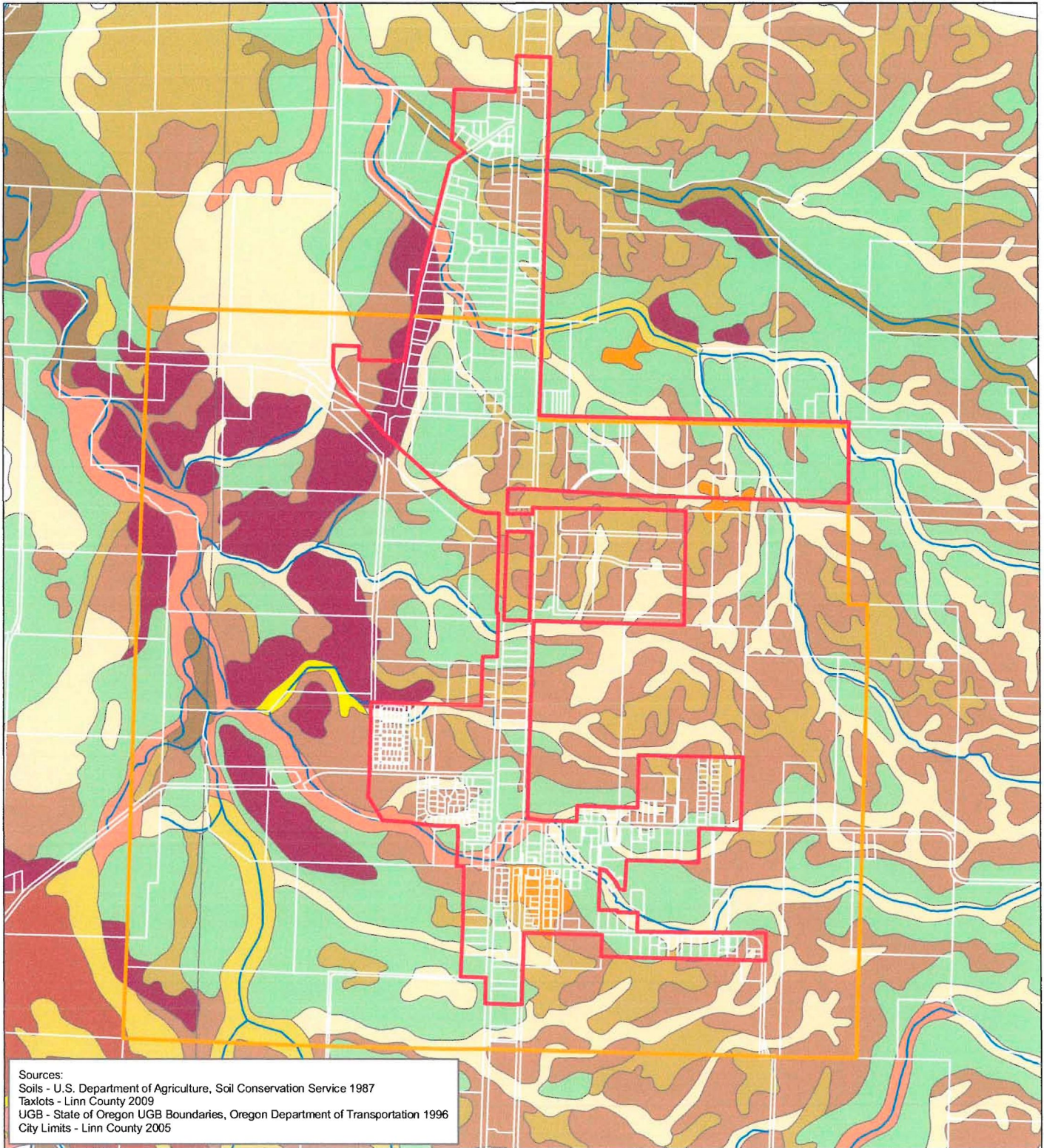
FIGURE 4
City Limits and UGB
*Tangent Transportation System
 Plan Update
 Tangent, Oregon*



Legend		Source: Saitre Associates (2002). 0 1,000 2,000 Feet
Study Area River/Stream Road Network City Limits	Wetlands L = Lake Basin Lf = Lake Creek Basin - farmed O = Oak Creek Basin Of = Oak Creek Basin - farmed	

City of Tangent
 Master Drainage Plan
Figure 4a
 Data from the Tangent
 Local Wetland Inventory

Map Prepared: May 2009



Sources:
 Soils - U.S. Department of Agriculture, Soil Conservation Service 1987
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB Boundaries, Oregon Department of Transportation 1996
 City Limits - Linn County 2005

LEGEND

- | | | |
|-------------------------------|------------------------|---|
| Tangent Urban Growth Boundary | COBURG SILTY CLAY LOAM | WAPATO SILTY CLAY LOAM |
| Tangent City Limits | CONCORD SILT LOAM | WHITESON SILT LOAM |
| Tax Lots | CONSER SILTY CLAY LOAM | WILLAMETTE SILT LOAM |
| Rivers and Streams | DAYTON SILT LOAM | WOODBURN SILT LOAM,
0 TO 3 PERCENT SLOPES |
| AMITY SILT LOAM | HOLCOMB SILT LOAM | WOODBURN SILT LOAM,
3 TO 12 PERCENT SLOPES |
| BASHAW SILTY CLAY | MCBEE SILTY CLAY LOAM | |
| CHEHALIS SILTY CLAY LOAM | WALDO SILTY CLAY LOAM | |

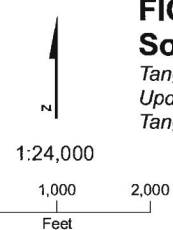


FIGURE 5 A
Soils
 Tangent Comprehensive Plan
 Update
 Tangent, Oregon

Soil Map—Linn County Area, Oregon
(City of Tangent July 2010)



Map Scale: 1:24,600 if printed on A size (8.5" x 11") sheet.

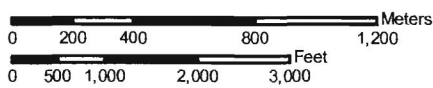







































Figure 5B

MAP LEGEND

Area of Interest (AOI)		 Very Stony Spot	
 Area of Interest (AOI)		 Wet Spot	
Soils		 Other	
 Soil Map Units		Special Line Features	
Special Point Features		 Gully	
 Blowout		 Short Steep Slope	
 Borrow Pit		 Other	
 Clay Spot		Political Features	
 Closed Depression		 Cities	
 Gravel Pit		Water Features	
 Gravelly Spot		 Oceans	
 Landfill		 Streams and Canals	
 Lava Flow		Transportation	
 Marsh or swamp		 Rails	
 Mine or Quarry		 Interstate Highways	
 Miscellaneous Water		 US Routes	
 Perennial Water		 Major Roads	
 Rock Outcrop		 Local Roads	
 Saline Spot			
 Sandy Spot			
 Severely Eroded Spot			
 Sinkhole			
 Slide or Slip			
 Sodic Spot			
 Spoil Area			
 Stony Spot			

MAP INFORMATION

Map Scale: 1:24,600 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 10N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Linn County Area, Oregon
Survey Area Data: Version 6, Feb 9, 2010

Date(s) aerial images were photographed: 7/18/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Figure 5C

Map Unit Legend

Linn County Area, Oregon (OR639)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3	Amity silt loam	603.3	25.2%
8	Bashaw silty clay	46.8	2.0%
27	Concord silt loam	250.9	10.5%
28	Conser silty clay loam	99.1	4.1%
33	Dayton silt loam	442.4	18.5%
46	Holcomb silt loam	20.0	0.8%
67	McBee silty clay loam	13.1	0.5%
99	Wapato silty clay loam	9.0	0.4%
100	Whiteson silt loam	0.9	0.0%
102	Willamette silt loam	268.3	11.2%
106A	Woodburn silt loam, 0 to 3 percent slopes	640.0	26.7%
Totals for Area of Interest		2,393.7	100.0%

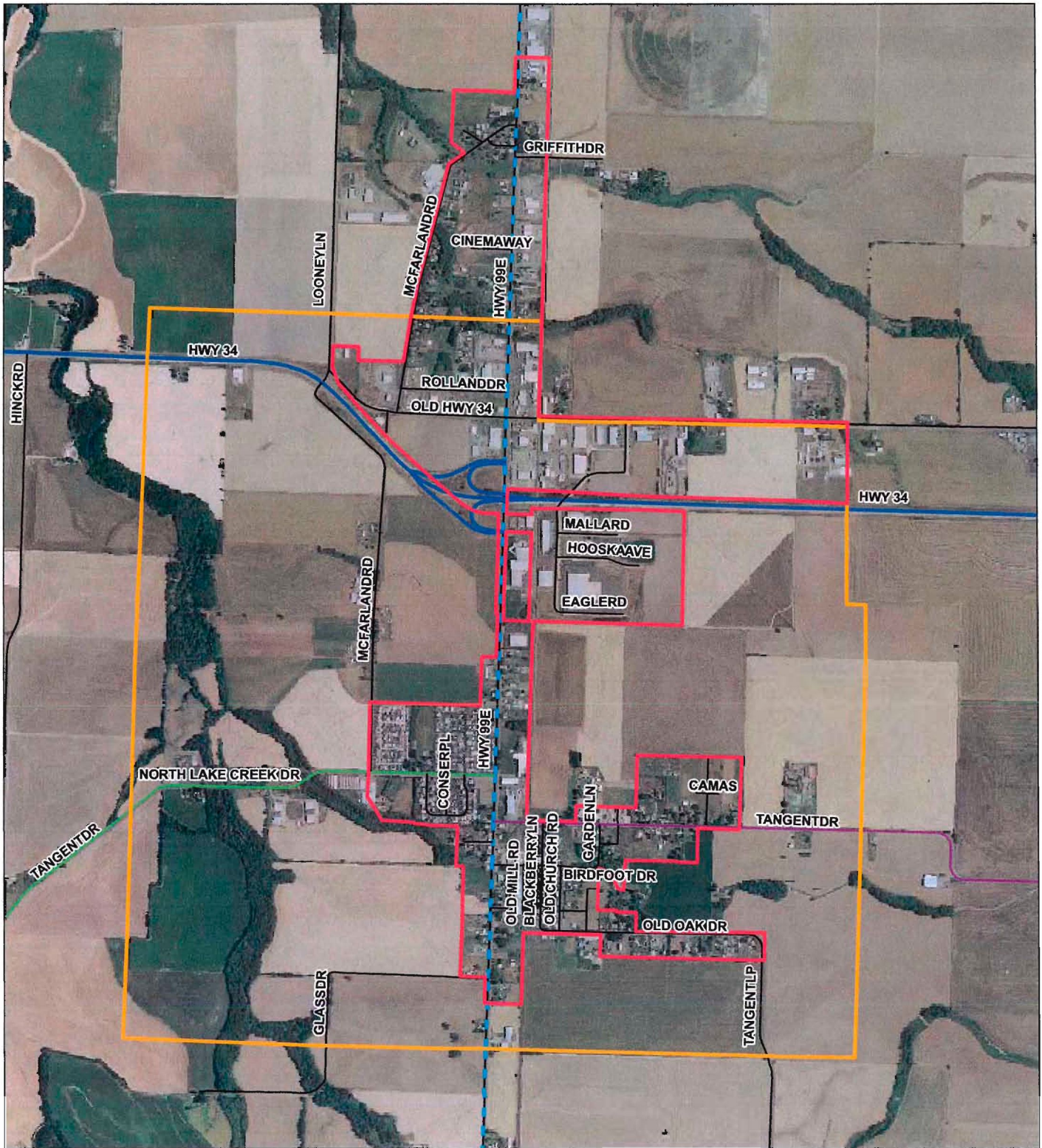
Figure 5D

Foundation Suitability

Soil Name	Dwellings Without Basements	Dwellings With Basements	Small Commercial Buildings
Amity silt loam	Severe: Wetness.	Severe: Wetness.	Severe: Wetness.
Bashaw silty clay	Severe: Flooding, ponding, shrink-swell.	Severe: Flooding, ponding, shrink-swell.	Severe: Flooding, ponding, shrink-swell.
Concord silt loam	Severe: Ponding, shrink- swell.	Severe: Ponding.	Severe: Ponding, shrink- swell.
Conser silty clay	Severe: Flooding, ponding, shrink-swell.	Severe: Flooding, ponding, shrink-swell.	Severe: Flooding, ponding, shrink-swell.
Dayton silt loam	Severe: Ponding, shrink- swell.	Severe: Ponding, shrink- swell.	Severe: Ponding, shrink- swell.
Holcomb silt loam	Severe: Wetness, shrink- swell, low strength.	Severe: Wetness, shrink- swell, low strength.	Severe: Wetness, shrink- swell, low strength.
McBee silty clay loam	Severe: Flooding.	Severe: Flooding, wetness	Severe: Flooding.
Wapato silty clay loam	Severe: Flooding, ponding.	Severe: Flooding, ponding.	Severe: Flooding, ponding.
Willamette silt loam	Moderate: Shrink-swell.	Moderate: Shrink-swell.	Moderate: Shrink-swell.
Woodburn silt loam, 0 to 3 percent slopes	Moderate: Wetness, shrink- swell.	Severe: Wetness.	Moderate: Wetness, shrink- swell.

Source: *Soil Survey of Linn County Area Oregon*. United States Department of Agriculture, Soil Conservation Service, 1987, Table 8.

Table 6



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits
-  Local Road
-  Minor Arterial
-  Minor Collector
-  Principal Arterial
-  Rural Collector

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

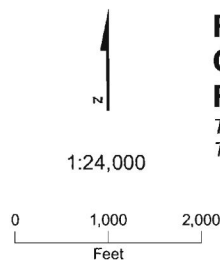
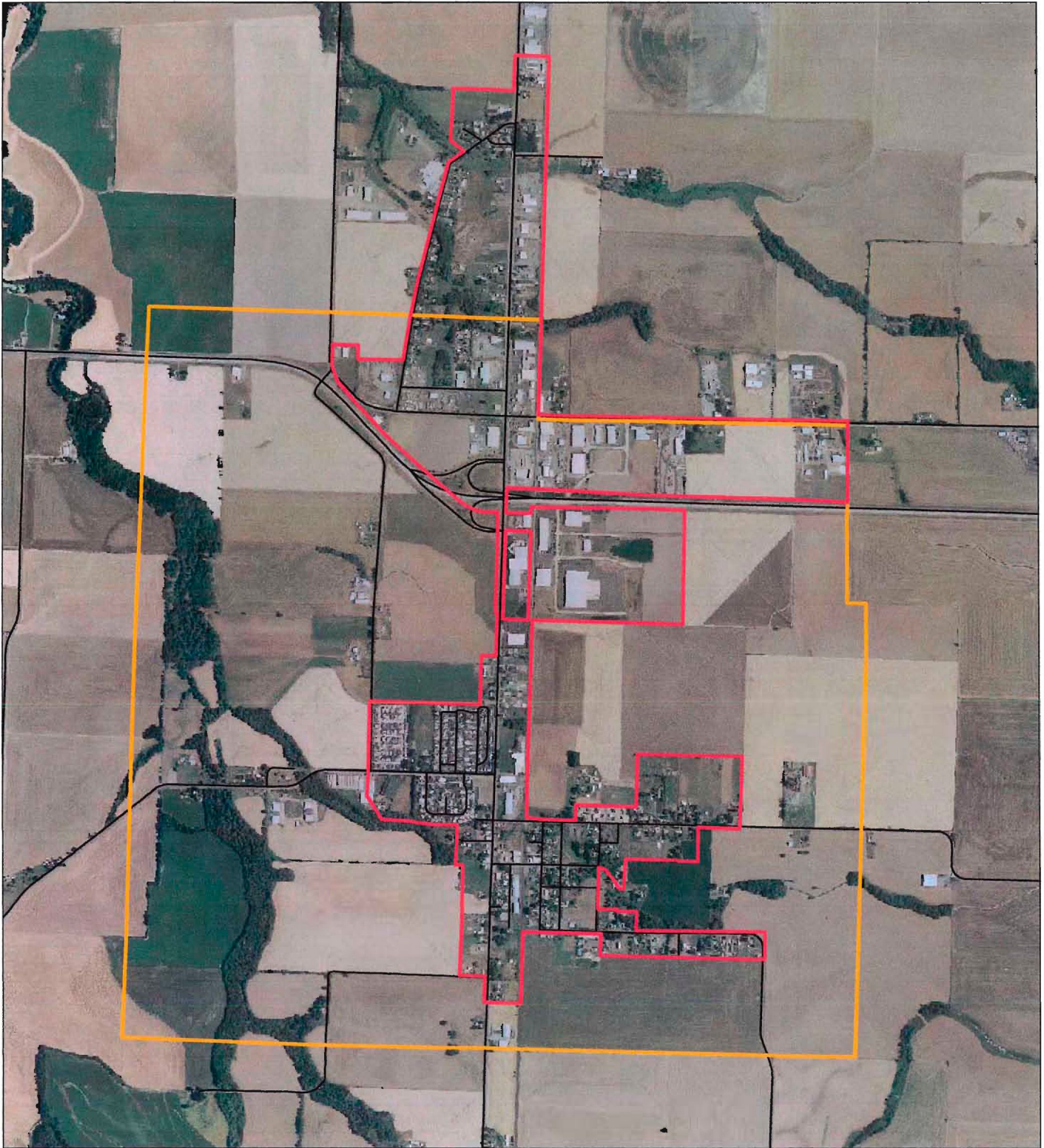




FIGURE 7
ODOT Roadway
Functional Classifications
Tangent Transportation System Plan Update
Tangent, Oregon



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits



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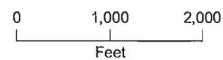
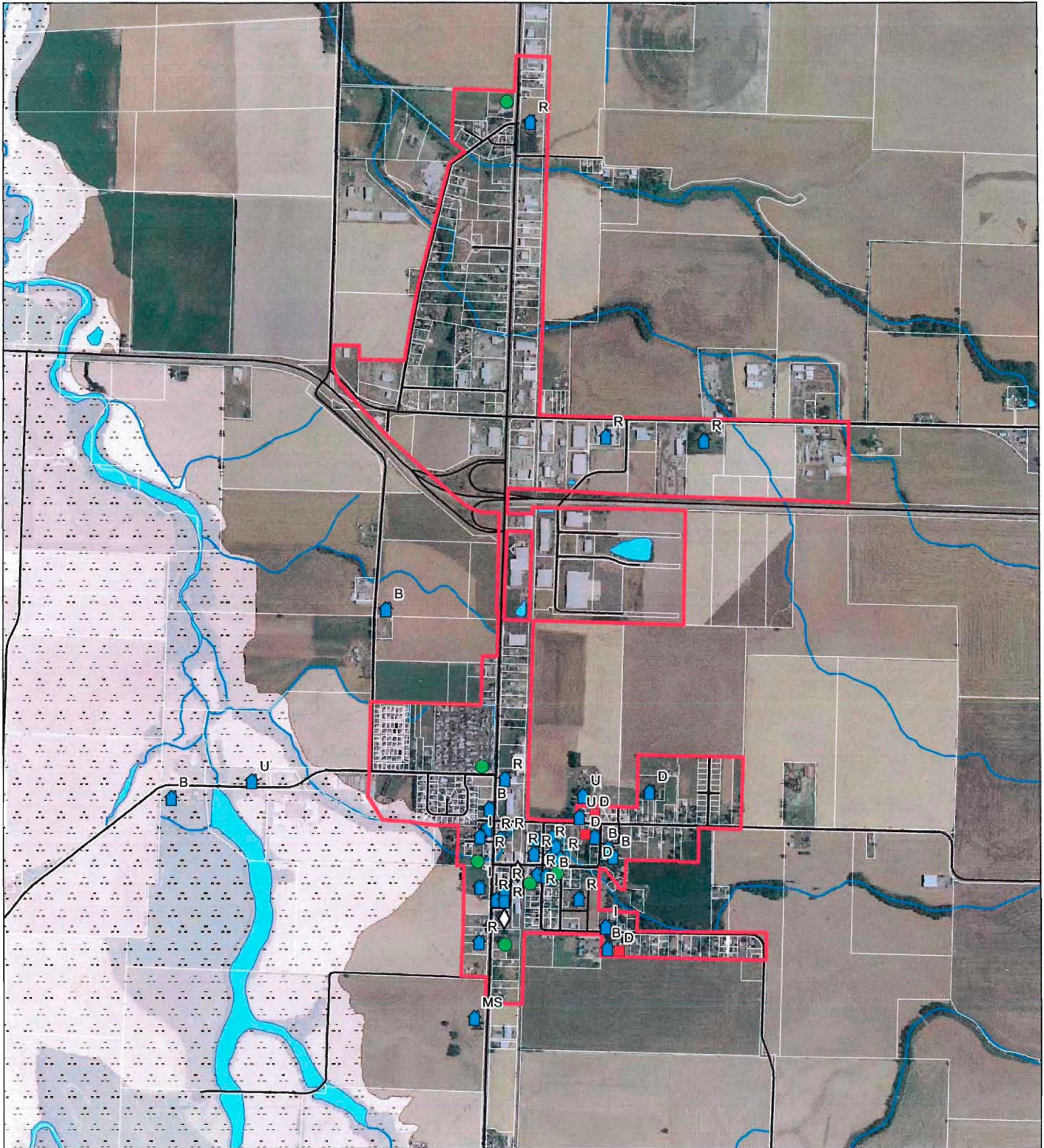


FIGURE 9
Vegetated Areas
Tangent Comprehensive Plan
Update
Tangent, Oregon

Sources:
 UGB - State of Oregon UGB Boundaries, Oregon Department of Transportation 1996



LEGEND

- Barn
- 🏠 House
- Public/Business
- Site
- 🔲 Tangent Urban Growth Boundary
- Tax Lots
- Generalized Indian Mounds

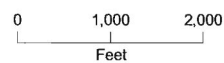
— Roads

- | | |
|----------------------------|---|
| B - Bungalow (1890-1940) | D - Modified Dutch Colonial (1700-1830) |
| I - Italianate (1840-1880) | R - Rural Venacula (1850-1920) |
| U - Unknown | MS - Mixed Styles |

Sources:
 Historic Sites - City of Tangent Comprehensive Plan 2007
 Generalized Mounds - Mounds of the Calapooia Map as compiled by Lee Rohrbough 2007
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB Boundaries, Oregon Department of Transportation 1996

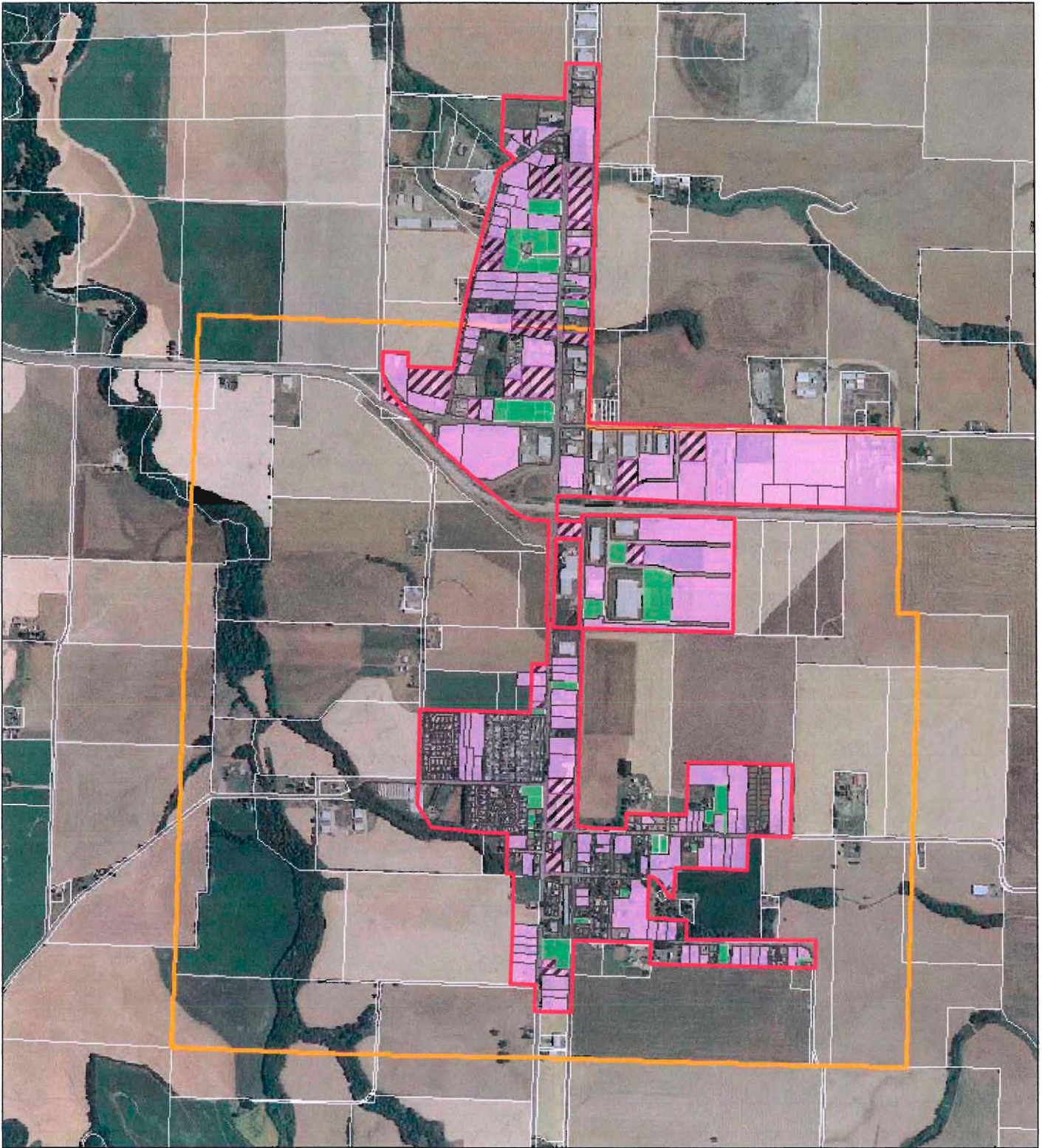


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**FIGURE 10-11
 Cultural and Historic
 Resources**





*Tangent Comprehensive Plan
 Update
 Tangent, Oregon*



LEGEND

-  Tangent Urban Growth Boundary
-  Tangent City Limits
-  Tax Lots

Buildable Lands in the UGB

-  Non Constrained and Vacant Buildable Parcels
-  More than 50% Buildable
-  50 % or Less Buildable
-  Non-Buildable Parcels

Sources:
 Taxlots - Linn County 2009
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 City of Tangent Buildable Lands Inventory 2009

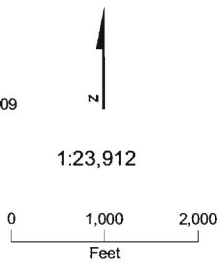
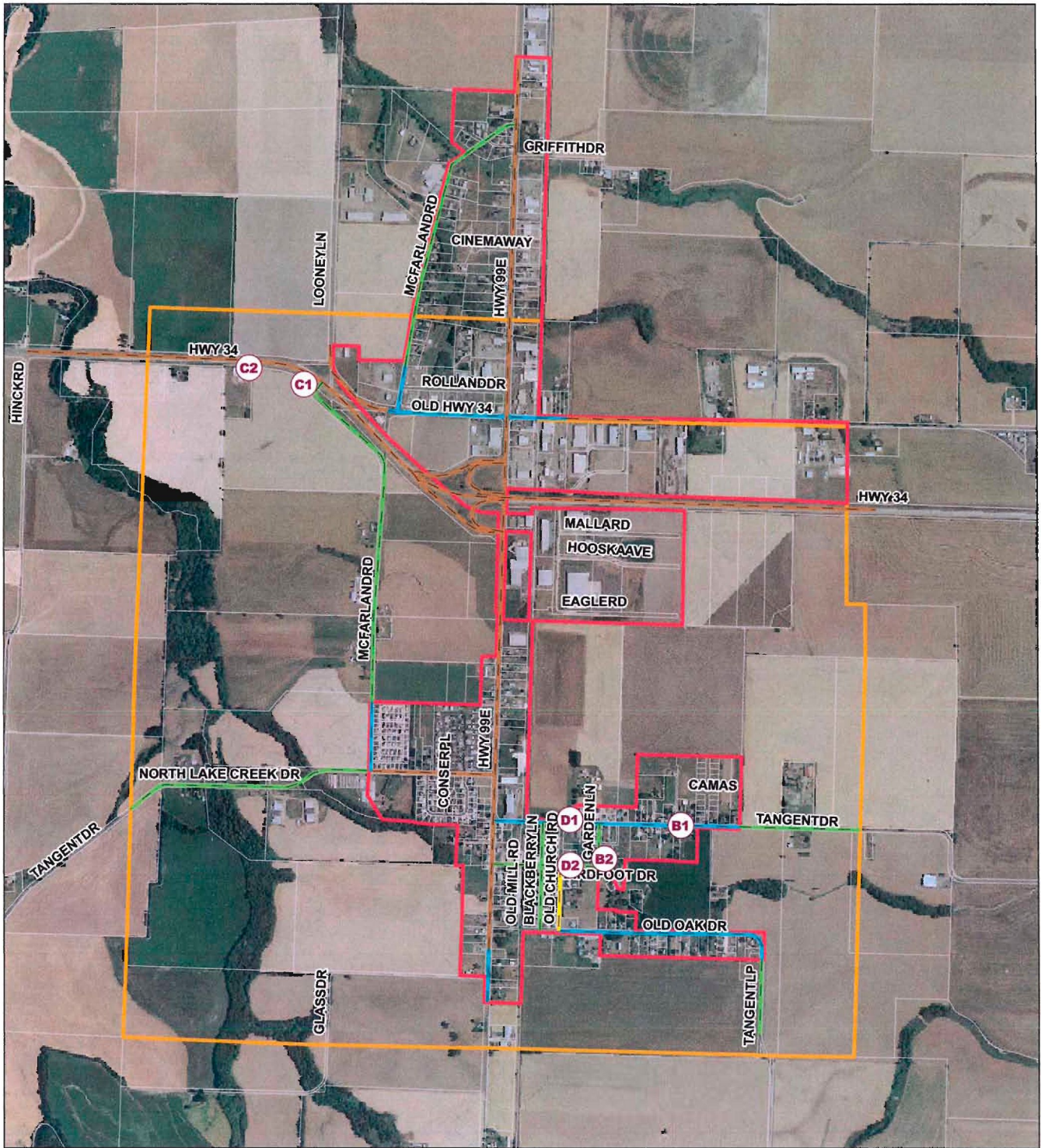


FIGURE 16
Future Land Use
Growth Areas
Tangent Transportation System
Plan Update
Tangent, Oregon



LEGEND

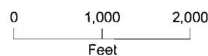
- Existing Bikeway (Bike Lane or Shoulder)
- Proposed Bike Lane
- Proposed Bike/Ped Path Connections

- Tangent Urban Growth Boundary
- Tangent City Limits
- Tax Lots

- Proposed Shared Bikeway
- Proposed Shoulder Bikeway

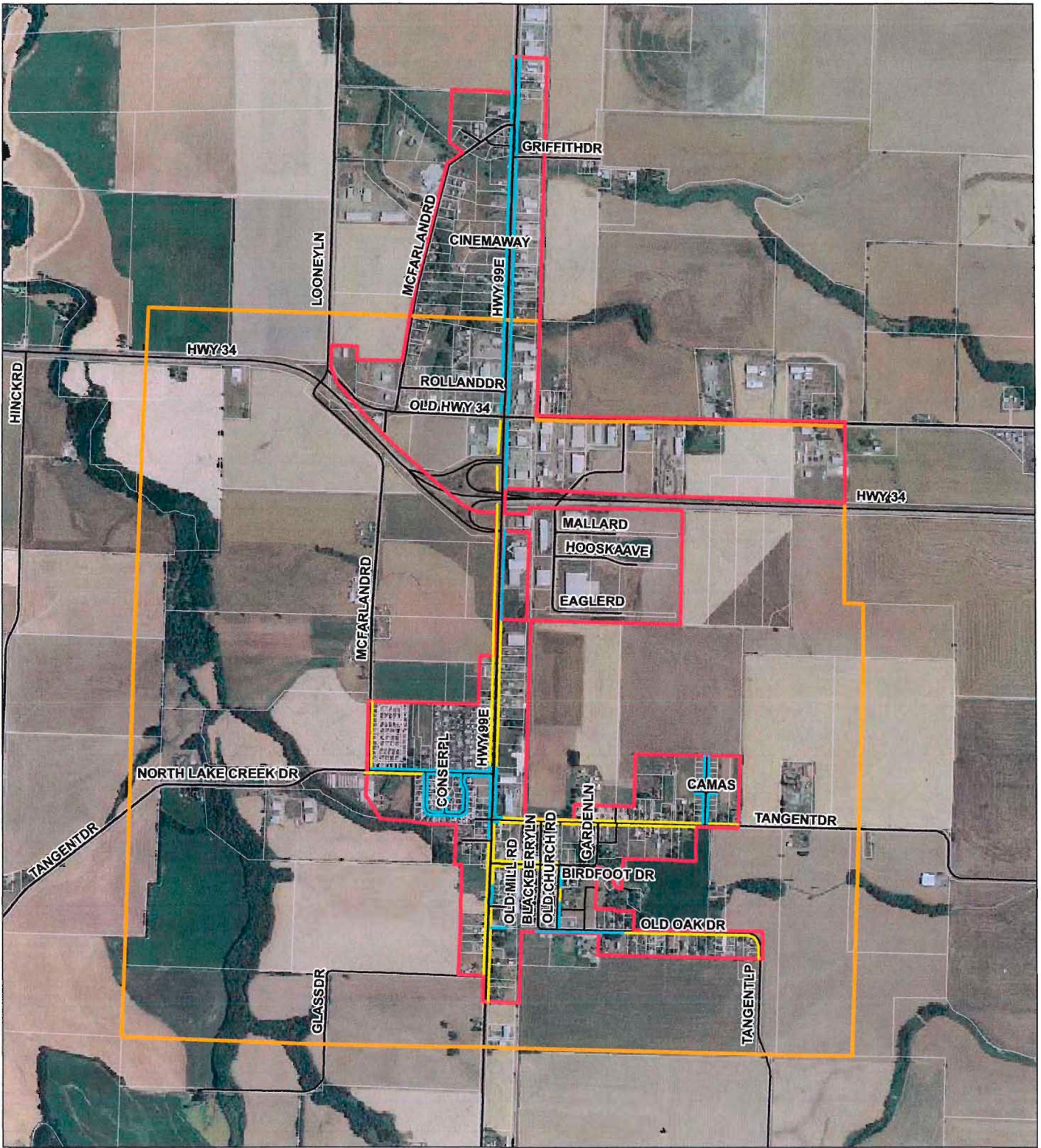
Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

1:24,000



**FIGURE 20
 Proposed Bikeways**

*Tangent Transportation System Plan
 Update
 Tangent, Oregon*



LEGEND

- Existing Sidewalk
- Proposed Sidewalk
- Tangent Urban Growth Boundary
- Tangent City Limits
- Tax Lots

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008



1:23,835

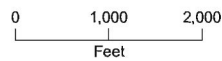
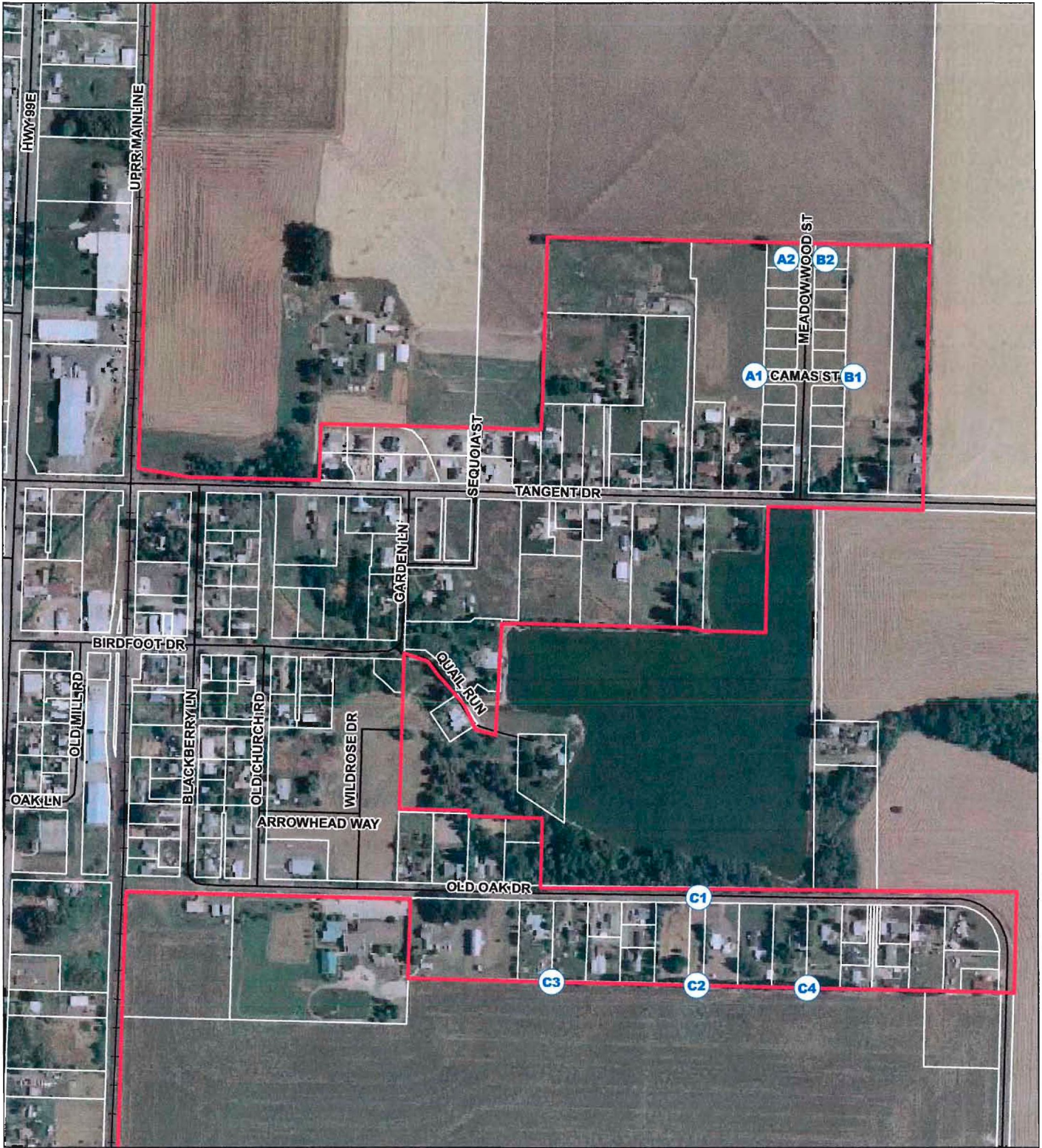


FIGURE 21
Proposed Sidewalks
 Tangent Transportation System Plan Update
 Tangent, Oregon



LEGEND

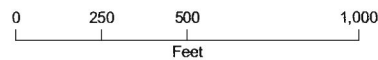
- X1 X2 Proposed Conceptual Street Connection to Existing Roads
- Street
- Tangent Urban Growth Boundary

Sources:
 UGB - State of Oregon UGB Boundaries,
 Oregon Department of Transportation 1996
 City Limits - Linn County 2005
 Roads - ODOT, Linn County 2008

Note:
 Future street connections are conceptual
 and subject to adjustment in development
 proposals and approval by the city.

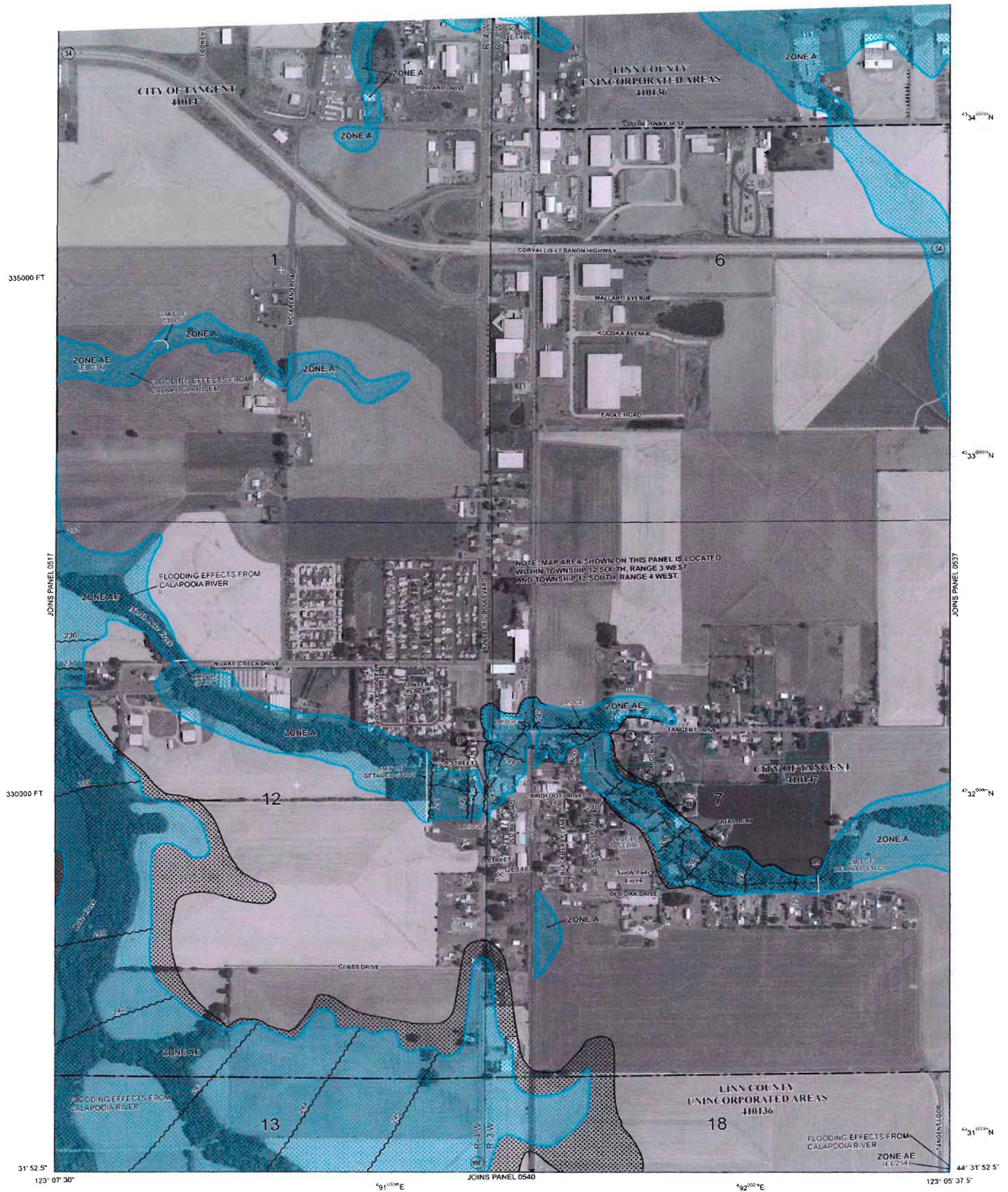


1:6,508



**FIGURE 29C
 Proposed Street
 Connections**

*Tangent Transportation System
 Plan Update
 Tangent, Oregon*



**FEMA Flood Insurance Rate Map - Linn County and Incorporated Areas
Effective September 29, 2010**

LEGEND



SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

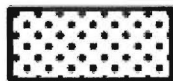
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



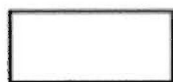
FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



OTHER FLOOD AREAS

ZONE X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
---------------	---

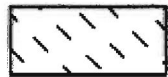


OTHER AREAS

ZONE X	Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D	Areas in which flood hazards are undetermined, but possible.



COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS



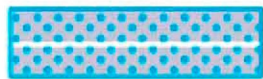
OTHERWISE PROTECTED AREAS (OPAs)



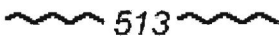
Zone D boundary



CBRS and OPA boundary



Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.

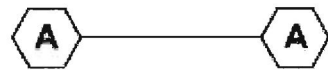


(EL 987)

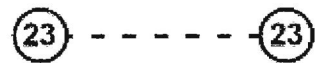
Base Flood Elevation line and value; elevation in feet*

Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988



Cross section line



Transect line

45° 02' 08", 93° 02' 12"

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

3100000 FT

5000-foot ticks: Oregon State Plane North Zone (FIPS Zone 3601), Lambert Conformal Conic projection

4989000m N

1000-meter Universal Transverse Mercator grid values, zone 10N

DX5510 X

Bench mark (see explanation in Notes to Users section of this FIRM panel)

* M1.5

River Mile

MAP REPOSITORIES

Refer to Map Repositories list on Map Index

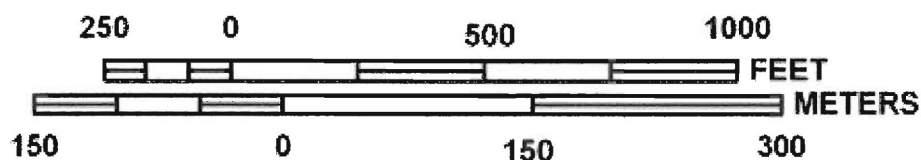
EFFECTIVE DATE OF COUNTYWIDE

FLOOD INSURANCE RATE MAP

September 29, 2010

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

MAP SCALE 1" = 500'



**N
F
I
P**

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0536G

FIRM

FLOOD INSURANCE RATE MAP LINN COUNTY, OREGON AND INCORPORATED AREAS

PANEL 536 OF 1575

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
LINN COUNTY	410136	0536	G
TANGENT, CITY OF	410147	0536	G

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER
41043C0536G**

**EFFECTIVE DATE
September 29, 2010**

Federal Emergency Management Agency

CITY OF TANGENT
LAND USE DEVELOPMENT CODE
2010

CITY OF TANGENT

32166 Old Oak Drive

P.O. Box 251

Tangent, Oregon 97389

541-928-1020 Fax 541-928-4920

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ARTICLE 1 ADMINISTRATIVE PROVISIONS

SECTION 1.110 TITLE

This document shall be known as the **Tangent Land Use Development Code** and may be referred to as the "Development Code" or "Code."

SECTION 1.120 PURPOSE

The purpose of this Code is to establish standards and procedures for the orderly development of land within the City of Tangent in conformance with the Tangent Comprehensive Plan, to protect property rights, provide due process of law and promote the public health, safety and welfare of the citizens of Tangent.

SECTION 1.130 COMPLIANCE STANDARDS

- (1) The Tangent Comprehensive Plan shall be the official policy guide for the Tangent Land Use Development Code and shall serve as the basis for decisions about growth, development, and conservation of natural resources in Tangent.
- (2) No lot, structure or use shall be permitted if it is a threat to the health, safety or welfare of the user or the public.
- (3) Every lot or parcel shall abut and have access to a public street.
- (4) A property may be used and a structure or part of a structure may be constructed, altered, occupied or used only as this Code permits.
- (5) No property, yard, off-street parking area, off-street loading area or other open space existing on or after the effective date of this Code shall be reduced below the minimum required for it by this Code unless authorized under the procedures of this Code.
- (6) No property, yard, off-street parking area, off-street loading area, or other open space shall be used to meet the requirements for another property or use unless specifically authorized in this Code.
- (7) Recreational vehicles, fifth-wheelers, travel trailers, tent trailers, tents or similar facilities may not be occupied for more than sixty (60) days in a calendar year within the City limits. The City shall grant one 30-day extension upon receiving a written request.

There are four exceptions that the city will consider for approval. They are: Financial Hardship, Medical Hardship, Construction of a home, including major remodeling of a home and Contractor home building. A maximum of two permits will be allowed per lot.

A Financial hardship extension for six months will be considered for families who have children, grandchildren, parents or grandparents in need of shelter. A family member in need must meet the federal standards for poverty level

The applicant's proof of eligibility must be included with the request to the City Administrator. If approved a second six month request may be submitted with current proof of eligibility. There will be no additional extension granted.

A Medical Hardship extensions for children, grandchildren, and parents, who require aid to meet normal duties of living, may be requested for six months. A doctor's certification must be submitted with the request. The request must be submitted to the City Administrator.

If approved, the extension will be for six months or for the duration of the disability whichever is shorter. If the disability is long term, subsequent annual extensions will be considered for approval, upon submission of a request with a doctor's certification to the City Administrator who will determine eligibility. The extension may be requested annually, for the duration of the disability.

A Construction extension for six months may be requested by home owners whose house is being constructed or those having major remodeling. Major remodeling is remodeling to the extent that the building is unoccupiable. Documentation must be included with the request and be submitted to the City Administrator who will determine eligibility.

A second home owners Construction extension may be requested for the duration of the project not to exceed six months, whichever is sooner. No additional extensions will be granted.

A contractor may request an extension for one year. If the project is not completed an additional extension may be requested for the duration of the project. The request must be submitted to the City Administrator and include a description of the project and proposed duration.

In all extensions, if the applicant disagrees with the City Administrator's decision a review by the City Council may be requested. Their decision will be final.

In all extensions, applicants must insure that the public decorum is not disturbed by noise, clutter, appearance or other decorum concerns. If decorum complaints are made to the City Administrator, the City Council will review them. If the City Council agrees that the complaints are valid, they will require that the problem be resolved. If the problem is not resolved in thirty days, the extension will be terminated and the habitation must be vacated in two weeks.

- (8) No person shall divide land or develop land within the City without having complied with the applicable provisions of this Code and the applicable provisions of county, state and federal law.
- (9) No person shall sell any subdivision lot or partition parcel until the Plat of the subdivision or partition has been approved by the City and recorded with Linn County.
- (10) The City shall be notified of any pending sale of a subdivision, partition or of any property where the Conditions of Approval, Variance conditions or required improvements have not been completed. Sale of property under these conditions shall invalidate the approval granted by the City unless an agreement to complete the approved requirements is accepted by the City.

- (11) All approvals granted by the City shall be completed within the time period specified in the approval or within one year of approval if not specified. A completion form, contained in the Application forms provided by the City, shall be submitted to the City upon completion of all approval conditions and requirements. Periodic reviews of the progress may be conducted by the City.

SECTION 1.140 REGULATION COMPLIANCE

In addition to the regulations contained herein, the following additional regulations may apply to proposed developments within the City of Tangent:

- (1) The Tangent Comprehensive Plan
- (2) The Tangent Strategic Plan
- (3) The Tangent Downtown Plan
- (4) Tangent Public Works Design Standards (TPWDS)
- (5) Tangent Water Feasibility & Water System Master Plan
- (6) Tangent Drainage & Stormwater Management Plan
- (7) Tangent Historic Structures Inventory
- (8) Tangent Parks Master Plan
- (9) Tangent Local Wetland and Riparian Area Inventory
- (10) Tangent Transportation System Plan (TTSP)
- (11) Official Maps or Approved Development Plans.
- (12) Oregon Revised Statute, ORS 227, City Planning and Zoning.
- (13) Oregon Revised Statute, ORS 197, Comprehensive Land Use Planning Coordination & The Oregon Statewide Planning Goal & Guidelines.
- (14) Oregon Administrative Rules, OAR 660, Land Conservation & Development.
- (15) Oregon Revised Statute, ORS 92, Subdivisions and Partitions.
- (16) Recording requirements of the Linn County Surveyor.
- (17) Oregon One & Two Family Dwelling Code.
- (18) Oregon Structural Specialty Code.

(19) Oregon Manufactured Dwelling & Park Specialty Code.

(20) All other applicable regulations provided by law.

SECTION 1.150 INTERPRETATION

- (1) Where the conditions imposed by any provision of this Code are less restrictive than comparable conditions imposed by any other provisions of this Code or any other city ordinance, state law or federal law, the provisions which are more restrictive shall govern.
- (2) A request for an interpretation of the content or applicability of this Code, the Comprehensive Plan or any applicable provision of law shall be made to the City Administrator.
- (3) A person requesting an interpretation shall submit the request in writing and may offer an opinion or recommendation. The fee for an interpretation shall be paid in compliance with Section 1.190. Clarifications and interpretations of this Code or the Comprehensive Plan may be made by the City Administrator or may be referred to the Planning Commission. Public notifications and a Public Hearing by the Planning Commission will be scheduled for interpretations affecting adjacent property owners.
- (4) The City Administrator shall issue a written response as soon as possible, but within a maximum of 45 days from receipt of the request for review of the interpretation. A City Administrator interpretation shall be made in writing and transmitted to the person requesting the interpretation.
- (5) Appeal of an interpretation may be filed in compliance with Section 3.700.
- (6) Interpretations shall be issued in writing and shall be binding on the City and the petitioner unless appealed. A Record File shall be maintained for written interpretations.

SECTION 1.160 VALIDITY

The provisions of this Code are severable. If any section, sentence, clause or phrase of this Code is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Code.

SECTION 1.170 ADMINISTRATION

- (1) The City shall maintain authority over all activities within the City Limits as provided by law and the City Charter. All powers of the City shall be vested in the City Council unless otherwise provided in the City Charter or City Ordinances.
- (2) The City Administrator, under the direction of the City Council, shall have the authority and duty to enforce the provisions of this Code and all related city, county, state or federal regulations. An Administrative Decision is a decision by the City Administrator with notification of actions taken provided to the Planning Commission and City Council.
 - (a) The City Administrator shall have the initial authority and responsibility to interpret all terms, provisions, and requirements of this Code.

- (b) The City Administrator shall have decision authority for Property Line Adjustments specified in **Section 2.310**, Temporary Manufactured Dwelling Placements specified in **Section 6.144**, Final Plat signature specified in **Section 2.337** and Flood Plain development permits not involving placement of fill or floodway development as specified in **Section 4.210**.
 - (c) All correspondence and inquiries related to this Code shall be directed to the City Administrator at the Tangent City Hall.
 - (d) The City Administrator may designate other City Officers or Staff to undertake specialized duties, including but not limited to, the City Attorney, City Engineer and City Planner.
- (3) The Planning Commission shall have the authority to review and approve all Site Plan Reviews, Conditional Uses, Variances, Property Line Adjustments specified in **Section 2.313 (3)**, Partitions, Subdivisions and Floodplain Development Permits involving placement of fill or floodway development as specified in **Section 4.210**.
 - (4) The City Council, with recommendation from the Planning Commission, shall have the authority to review and approve all Comprehensive Plan and Zoning Map or Text Amendments, Vacations and Annexations. Approved Legislative Amendments and Annexations will then be referred to voters in accordance with the City Charter.
 - (5) In the event that a single land use application requires more than one decision, the highest deciding authority will make all decisions requested in the application.
 - (6) A decision by the City Administrator, the Planning Commission or the City Council may be appealed as provided in **Section 3.700**.

SECTION 1.180 ENFORCEMENT

Owners and/or occupants of land or buildings within the City of Tangent are subject to the enforcement authority of the City of Tangent as provided by State Law and the provisions of this Code, including any other applicable Ordinances adopted by the Tangent City Council.

A structure located, constructed, maintained, repaired, altered or used in violation of this Code, or land used in violation of this Code, shall constitute a nuisance. The City may, as an alternative to other remedies that are legally available for enforcing this Code, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate or remove the unlawful location, construction, maintenance, repair, alteration or use.

The City Administrator, acting on behalf of the City Council, shall have the authority to determine and designate a violation of this Code or a violation of the Conditions of Approval of a prior land use decision. The City Council shall have the authority to initiate or prosecute violations of this Code or any violations of a land use decision.

- (1) **Remedy.** The City Administrator shall provide written notice to the property owner and to the tenant of the property where an alleged violation of this Code, or a violation of a previously

issued land use decision has occurred before initiating any enforcement action under this Section.

(2) **Procedures.**

(a) Within 14 days after determination of a violation of this Code, the City Administrator shall notify the property owner and/or occupant in writing that a potential violation exists. Any such notice shall reasonably advise the property owner or occupant of the following:

1. A description of the activity, use or action deemed to be a violation of this Code or a violation of the Conditions of Approval of a prior land use decision.
2. The section of this Code or the prior land use approval deemed to be violated.
3. A list of the dates and/or times on which such violations were observed or known to have occurred.
4. A summary of the action the City believes is required to bring the property owner or occupant into compliance with this Code or prior land-use approval.
5. A summary of the potential penalties or legal consequences, including fines and reimbursement of the City's costs incurred in the enforcement action for which the property owner or occupant may be held liable.
6. The time, date and location at which the property owner or occupant shall be afforded an opportunity to respond to the alleged violations and the procedure for an appeal to the City Council.
7. That immediate enforcement will be sought unless the violation is corrected or corrective action has been initiated within 20 days of the notice or within 10 days of the property owner or occupant's response to the City's Notice unless appealed to the City Council.

A defect in the notice of violation shall not prevent the enforcement of this Code.

(b) If necessary, the City Attorney shall be directed to take such legal action as required to insure compliance with this Code unless:

1. It has been demonstrated to the satisfaction of the City that the violation has been corrected, removed or corrective action has been initiated.
2. Or a court of competent jurisdiction has stayed enforcement pending the outcome of a proceeding before it, concerning the violation.

(3) **Penalty.** A violation of this Code may be the subject of criminal, civil, or other sanctions authorized by State Law or City Ordinances.

- (a) In addition to, or in lieu of criminal actions, a violation of this Code or a permit issued herein may be the subject of a civil penalty to be recovered by a civil action in the nature of a debt or of any appropriate remedy issuing from a court of competent jurisdiction, including mandatory and prohibitory injunctions and orders of abatement.
- (b) Upon conviction of a civil violation of this Code, a fine up to \$ 750 may be imposed. Each day such violation continues beyond the ten (10) day Notice of Violation first provided by the City Administrator, will be considered a separate offense.

SECTION 1.190 FEES

The City of Tangent has determined that it is necessary to charge fees to cover the cost of processing applications presented to the City. These fees shall cover the actual cost required to process an application.

Fee Deposits shall be established by Resolution of the City Council. A Fee Deposit shall be paid by the applicant to the City at the time of submitting an application and shall be in addition to other fees established by county, state or federal regulations. The City will refund to the applicant the portion of the Fee Deposit not utilized in the cost of processing an application. Processing costs exceeding the Fee Deposit shall be due and payable by the Applicant prior to authorization of the development approval. The Cost of processing an application that has been denied by the City is not refundable.

The submitting of the application and paying of the cost of processing an application shall be the sole responsibility of the applicant. Any cost of processing an application that is not paid in full by the Applicant shall be a debt owed by the applicant to the City recoverable by civil action.

SECTION 1.200 DEFINITIONS

(1) **Rules of Construction.** The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this Code:

- (a) **Tense:** Words used in the present tense include the future tense.
- (b) **Number:** Words used in the singular include the plural, and words used in the plural include the singular.
- (c) **Shall and May:** The word "shall" is mandatory; the word "may" is permissive.
- (d) **Gender:** The gender may include the feminine, masculine and neuter which can mean any of those forms.
- (e) **Headings:** If there is any conflict or inconsistency between the heading of an article, section or paragraph of this Code and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context.

(2) **Definitions.** The words and phrases used in this Code shall have the following meaning:

ABUT Contiguous to or immediately joined. For example, two lots with a common property line are considered to be abutting.

ACCESS The way or means by which pedestrians, bicycles, and vehicles shall have safe, adequate and usable ingress and egress to property.

ACCESS MANAGEMENT Regulation of access to streets, roads, and highways from abutting property and public and private roads and driveways.

ACCESSORY STRUCTURE OR ACCESSORY USE A structure or use incidental, appropriate and subordinate to the primary use of property and located on the same property as the primary use.

ACCESSWAY A right-of-way or easement, not located within a street right-of-way, that provides a space for pedestrian and / or bicycle passage.

ADEQUATE ACCESS Reasonably direct routes of travel between destinations.

ADEQUATE AREA Space sufficient to provide all required public services to standards defined in this code.

ADVERSE IMPACT An impact that is detrimental to or contrary to the desired effect or so opposed as to cause harmful interference. A negative effect that is detrimental to the public welfare or injurious to people, property or the community environment.

AGRICULTURAL USE The cultivation of crops and the raising of livestock.

ALLEY A public way that affords only a secondary means of access to property.

ALTERATION Any change, addition or modification in construction or occupancy.

APPROVAL AUTHORITY The person or body authorized to make application decisions as summarized in Section 1.170 of this Code.

BASEMENT A story partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where the floor above the basement floor is more than 6 feet above the adjoining ground for more than 50% of the building perimeter.

BED and BREAKFAST FACILITY A dwelling where travelers are lodged for sleeping and dining purposes under the provisions of local or state law governing such facilities.

BICYCLE FACILITIES Facilities that provide for the needs of bicyclists, including bikeways and bicycle parking.

BIKEWAY The general term for the four basic types of bikeways:

- (a) **Bikes lanes** are paved 5 to 6-foot wide designated lanes adjacent to (vehicle) travel lanes.
- (b) **Shoulder Bikeways** are where bicyclists travel within the roadway's paved shoulder. Typically, shoulder bikeways are four to six feet in width.
- (c) **Shared Roadways** are roadways where bicyclists and motor vehicles share the travel lane.
- (d) **Multi-Use Paths** are separated from vehicular traffic. They are two-way pathways about 10 feet wide used by pedestrians, bicyclists and joggers.

BOARDING AND/OR ROOMING HOUSE A building where lodging, with or without meals, is provided for compensation, but shall not include Homes for the Aged, Nursing Homes or Group Care Homes.

BUFFERING To lessen the impact between uses.

BUILDING Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING HEIGHT The vertical distance from the average adjacent finished building grade to the highest point of the roof.

BUILDING INSPECTOR A designated person with duties and authority to enforce all building codes and the provisions of this Code in accordance with **Section 2.200** Building Permits.

BUILDING LINE A line on a plat or map indicating the limit beyond which buildings or structures may not be erected. Also referred to as the Setback line. The area between the building or setback line and the property line is referred to as the "yard."

CEMETERY Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbaria, crematories, mausoleums, and mortuaries, when operated in conjunction with and within the boundary of such cemetery.

CHURCH A building, together with its accessory buildings and uses, where persons regularly assemble for worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

CITY The City of Tangent, Oregon.

CITY ADMINISTRATOR/COORDINATOR The City Administrator is the City Coordinator, and the terms are used synonymously in the Code. See the authority described in Section 1.170 (2).

CLINIC Single or multiple offices for physicians, surgeons, dentists, chiropractors, osteopaths, and other members of the healing arts, including a dispensary in each such building to handle only merchandise of a nature customarily prescribed by occupants in connection with their practices.

CLINIC, SMALL ANIMAL A business establishment in which veterinary services are rendered to small domestic pets on an out-patient basis with no overnight boarding allowed.

CLUB A facility owned or operated for a social, educational, or recreational purpose, to which membership is required for participation and which is neither operated primarily for profit nor to render a service which is customarily carried on by a business.

COMMUNITY CENTER A facility owned and operated by a governmental agency or a non-profit community organization which is open to any resident of the neighborhood in which the facility is located or to any resident of the City or surrounding area, provided that the primary purpose of the facility is for assembly, and provided further that no permanent or temporary commercial eating or drinking facilities shall be operated on the premises.

COMMUNITY SEPTIC SYSTEM A sewage treatment and disposal system serving two or more dwelling units.

COMPREHENSIVE PLAN A city plan for the guidance of growth and improvement of the City, including modifications or refinements which may be made from time to time.

COUNCIL The City Council of the City of Tangent, Oregon, which is the governing body of said City.

CURB ELEVATION The height above mean sea level of the established curb in front of a building measured from the center of such building front. Where no curb elevation has been provided, the City shall establish the curb elevation for compliance with City standards.

DAY NURSERY/DAY CARE CENTER Any institution, establishment or place, including nursery schools or private kindergartens, in which children are commonly cared for.

DECIDING AUTHORITY The City Administrator, City Planning Commission or City Council responsible for making a decision on an application.

DECLARANT The person who files a declaration under ORS 92.075.

DECLARATION The instrument described in ORS 92.075 by which a subdivision or partition plat is created.

DEVELOPMENT The making of any change to the use or appearance of land, buildings or structures, including dividing land or creating or terminating a right of access as defined by ORS 227.215.

DLCD Department of Land Conservation and Development.

DUFF Decaying and decomposed vegetative and other organic matter lying on top of the mineral soil.

DWELLING A building or portion thereof, which is occupied in whole or in part as a permanent home, residence, or sleeping place by one or more families including manufactured dwellings but excluding hotels, motels, and recreation vehicles.

DWELLING, MULTI-FAMILY (APARTMENT) A building or portion thereof designated for occupancy by three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.

DWELLING, SINGLE-FAMILY A detached building, other than a recreational vehicle, designed for and occupied by not more than one family.

DWELLING, TWO-FAMILY (DUPLEX) A detached building designed for and occupied by not more than two families living independently of each other.

DWELLING UNIT A single unit providing complete independent living facilities, designed for occupancy by one family, and including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT A grant of the right to use a strip of land for specific purposes.

ENVIRONMENTALLY SENSITIVE AREA a place that is vulnerable to a negative environmental impact, such as a flood plain, a wetland, an area where noise levels are excessively high, or habitat of a threatened or endangered species of plant, fish or animal.

EVAPOTRANSPIRE to lose water into the atmosphere by evaporation and transpiration.

FACT Something that has actual existence, an actual occurrence or a piece of information presented as having objective reality. In the Land Use Hearing Process, facts are the information submitted as evidence that is relied upon in making a decision on a land use issue. The justification for the decision shall be based on the criteria, standards and facts set forth in the hearing.

FARMING To engage in the cultivation of crops or the raising of animals. Farm Use as defined in ORS 215.203 including non-farm uses authorized by ORS 215.213 and ORS 215.283.

FARMLAND – HIGH VALUE In general, lands classified by the US Natural Resource Conservation Service (NRCS) as predominantly Class I through IV soils in Western Oregon.

FEASIBLE AND PRUDENT Achievable, sensible, and exercising good judgment.

FENCE, SIGHT-OBSCURING A continuous fence, wall, evergreen planting or combination thereof, constructed and/or planted so as to effectively screen the particular use from view.

FLOOR AREA The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof, not provided with surrounding exterior walls, shall be the usable area under the vertical projection of the roof or floor above.

FLOOR ELEVATION The height above mean sea level of the first floor of a building that is not a basement.

GARAGE, PRIVATE A fully enclosed detached accessory building or enclosed portion of the main building for the parking of automobiles of the occupants of the premises.

GARAGE, PUBLIC A building other than a private garage used for the care, repair, parking or storage of automobiles.

GRADE (GROUND LEVEL) The average elevation of the finished ground level at the centers of all walls of a building, except that if a wall is parallel to and within five (5) feet of a sidewalk, the back edge of sidewalk elevation nearest the center of the wall shall constitute the ground level.

HOME OCCUPATION A lawful occupation carried on by a resident of a dwelling, where the occupation is secondary to the main use of the property as a residence provided the use does not alter the character of the dwelling; there is no exterior display of stock and no employees other than residents of the household.

HOTEL/MOTEL A building or group of buildings used for transient lodging containing more than 5 guest rooms without guest room cooking facilities used primarily for sleeping purposes. On-site restaurant facilities may also be provided.

LCDC Land Conservation and Development Commission.

LOADING SPACE An off-street space or berth on the same lot with a building for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

LOT A unit of land that is created by a subdivision of land.

MANUFACTURED DWELLING A structure transportable in one or more sections, each built on a permanent chassis, and which is designed to be used for permanent occupancy as a dwelling and is not designated as a "recreational vehicle" or prefabricated structure as defined by the State or Oregon.

MANUFACTURED DWELLING PARK Four or more Manufactured Dwellings located on a single parcel of land. Chapter 10 of the Oregon Manufactured Dwelling and Park Specialty Code specifies the applicable design and construction standards.

NATIVE VEGETATION Indigenous vegetation originating in a particular area or region

NEARBY USES Activities or uses within 0.25 mile which can be reasonably expected to be used by pedestrians, and within 1 mile which can reasonably be expected to be used by bicyclist.

NEIGHBORHOOD ACTIVITY CENTERS Schools, parks, and other like sites.

NONCONFORMING STRUCTURE LOT OR USE A lawful existing structure, lot, or use, at the time this Code becomes effective which does not conform to the standards of the zone or district in which it is located.

OCCUPANCY The purpose for which a building, or part of a building, is used or intended to be used.

OWNER An individual, association, partnership, or corporation having legal or equitable title to land, other than legal title held for purpose of security only.

PARCEL A unit of land that is created by a partitioning of land.

PARKING SPACE An off-street enclosed or unenclosed surfaced area permanently reserved for the temporary storage of one automobile in conformance with the Off-Street Parking Standards contained in Drawing No's 235 and 236 of the **TPWDS**.

PARTITION Either an act of partitioning land or an area or tract of land partitioned.

PARTITION LAND To divide land into two or three parcels of land within a calendar year, but does not include:

- (a) A divisions of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots.
- (b) An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zoning Code.
- (c) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan.

PEDESTRIAN CONNECTION A continuous, unobstructed, reasonably direct route intended and suitable for pedestrian use between two points. Pedestrian connections include but are not limited to sidewalks, walkways, accessways, stairways and pedestrian bridges.

PEDESTRIAN WAY A right-of-way for pedestrian traffic.

PLANNING COMMISSION The Planning Commission of the City of Tangent.

PLAT A final subdivision plat, replat or partition plat.

- (a) **Partition Plat:** A final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a partition.
- (b) **Subdivision Plat:** A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.
- (c) **Replat:** The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

PROFESSIONAL OFFICE An office occupied by doctors, dentists, accountants, attorneys, optometrists, architects, professional engineers or surveyors or persons engaged in similar occupations.

PROPERTY A lot or parcel, or a single unit of land which, at the time of application for a building permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control.

- (a) **Corner Property:** A lot or parcel at least two adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed 135°.
- (b) **Through Property:** A lot or parcel having frontage on two parallel or approximately parallel streets other than alleys.
- (c) **Flag Property:** A lot or parcel which has access to a right-of-way by means of a narrow strip of land.

PROPERTY LINE The legal boundary of a lot or parcel. The division line between two units of land.

- (a) **Front Property Line:** The lot or parcel line separating the property from a street other than an alley, and in the case of a corner property, the shortest property line along a street other than an alley.
- (b) **Rear Property Line:** The lot or parcel line which is opposite and most distant from the front property line.
- (c) **Side Property Line:** Any lot or parcel line not a front or rear property line.

PROPERTY LINE ADJUSTMENT The relocation of a common property line between two abutting properties.

PROPERTY WIDTH The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

PUBLIC AND SEMI-PUBLIC BUILDING OR USE A building or use, owned or operated by a religious, charitable, or other nonprofit organization; a public utility; or any social agency such as a church, school, auditorium, meeting hall, library, art gallery, museum, fire station, cemetery, park, playground, community center or similar use.

RECREATIONAL VEHICLE Motorized wheeled vehicle generally used for camping or other recreational activities.

REASONABLY DIRECT A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

RIGHT-OF-WAY A continuous strip of land between property lines allowing a right of passage usually containing a street, railroad or other passageway and utilities.

RIPARIAN AREA The area immediately adjacent to surface water such as rivers, streams ponds, lakes, wetlands, and springs consisting of transition areas between an aquatic ecosystem to a terrestrial ecosystem.

ROADWAY The portion of a street right-of-way developed for vehicular traffic.

SALE OR SELL A disposition or transfer land by contract or title in a subdivision or partition or an interest or estate therein.

SCREENING To shield, protect or block from view or impact between uses.

SERVICE STATION, AUTOMOBILE A place or station designed and used primarily for the supplying of motor fuel, oil, lubrication and accessories to motor vehicles, but excluding major repair and overhauling.

SETBACK A line within a property boundary defining a locational limit for buildings, structures or other defined uses that creates an area or yard between the property line and the setback line.

SEWAGE DISPOSAL SYSTEM Any approved method of sewage treatment including but not limited to a municipal system, septic tank and drainfield and sand filter systems.

SIDEWALK A pedestrian walkway with permanent surfacing.

SIGN Any medium including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising purposes or identification.

STORY That portion of a building between the surface of any floor and the surface of the floor above, except that the top story is between the surface of the topmost floor and the ceiling above.

STORY, HALF Shall mean any split-level, basement or cellar which has less than six (6) feet of its height above grade. (See basement).

STREET OR ROAD A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land and including the term "road," "highway," "lane," "drive" "avenue," "alley" or similar designations.

- (a) **Arterial:** A street of considerable continuity which is primarily a traffic artery for interconnection between large areas.
- (b) **Collector:** A street supplementary to the arterial street system and a means of interconnection between arterials; used for through traffic and access to small areas.
- (c) **Local Street:** A street intended primarily for access to abutting properties.
- (d) **Cul-de-sac:** A short dead-end street terminated by a vehicular turnaround.
- (e) **Half Street:** A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.
- (f) **Limited Access Street:** A means of access to property that is limited by law for public roads or by posting by an owner for private roads.

STRUCTURAL ALTERATION Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders or structural change in the roof or in the exterior walls.

STRUCTURE That which is built or constructed, an edifice or building of any kind, or any physical work built up of parts joined together in some definite manner.

SUBDIVIDE LAND To divide an area or tract of land into four or more lots within a calendar year.

SUBDIVISION Either an act of subdividing land or an area or tract of land subdivided.

TANGENT PUBLIC WORKS DESIGN STANDARDS (TPWDS) The City's adopted standards for the construction of public improvements including streets, stormwater, sanitary sewers and water facilities that provide an adequate service level for existing and future development.

TANGENT TRANSPORTATION SYSTEM PLAN (TTSP) The City's adopted transportation plan that establishes a coordinated network of transportation facilities adequate to meet identified local transportation needs consistent with state and regional needs.

TENTATIVE PLAN A tentative plan is the application, supplemental data and map showing the general design of the proposed subdivision or partition, submitted to the City for approval under the provisions of **ORS 92** and **Section 2.320** of the Tangent Development Code.

USE The purpose for which land or a structure is designed, arranged or intended or for which it is occupied and maintained.

WETLANDS Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WETLANDS – JURISDICTIONAL A wetland subject to rules and regulations identified in Section 404 of the US Clean Water Act and Oregon's fill and removal statute.

YARD

- (a) **Exterior Yard** A yard area abutting a street right-of-way created by a setback line.
- (b) **Interior Yard** A yard area adjacent to a property line created by a setback line that may be either a side yard or rear yard abutting another property.
- (c) **Rear Yard** An interior yard opposite the Front Yard.
- (d) **Front Yard** An exterior yard facing a street. For corner lots the smallest street facing dimension shall be the front of the property.

ZERO PROPERTY LINE A lot or parcel line having no setback there from and may equally divide a common wall in a building.

ARTICLE 2 APPLICATION PROCEDURES

SECTION 2.110 PRE-APPLICATION CONSULTATION WITH CITY STAFF

An applicant may request an informal review of a proposal prior to application to determine the general feasibility of the proposal. There are no fees for an informal review. The applicant should submit a brief description and a sketch drawing of the proposed development to the City for preliminary consultation. The City will inform the applicant of the procedural requirements and any conditions and polices of public agencies that may be pertinent to the proposal. The applicant may proceed with an application or the City may suggest a pre-application conference with City Staff and affected agencies to assist the applicant in preparing the application. A Pre-Application Consultation shall be conducted within 30 days following receipt of the request and the descriptive information. This consultation is for information purposes and any statement or representation by City Staff in pre-application consultation shall not bind the City in later processing of an application.

SECTION 2.120 PRE-APPLICATION CONFERENCE WITH AFFECTED AGENCIES

Within 30 days after the pre-application consultation, the City Administrator may schedule a pre-application conference with the applicant and representatives of the City and other affected public and private agencies to further clarify the conditions and requirements necessary in the preparation of the application. There is a Pre-Application Conference Fee in conformance with **Section 1.190**.

SECTION 2.130 APPLICATION PROCEDURE

Following preliminary consultation and the pre-application conference, where applicable, the applicant may prepare an application together with other supplementary data required to clearly describe the proposed development and the decision requested of the City.

- (1) Applications, Petitions and Appeals provided for in this Code shall be made on forms prescribed by the City. Forms are available at the Tangent City Hall.
- (2) Applications shall be accompanied by narrative descriptions, an Application Site Plan in conformance with **Section 2.140** if required, building plans, maps, specifications and any other information that clearly describe the request and the applicable City Code sections that may apply to the request.
- (3) The City will consolidate applications that require more than one approval procedure for a development project. The City will identify and address all of the procedures concurrently and will utilize the most comprehensive procedure and decision process of those required in the application. The total fee shall be the sum of all individual procedural fees with the exception that a Site Plan Review Fee shall not be charged in addition to other fees.
- (4) The applicant shall provide the City with a list of property owners of record within 100 feet of the property that is the subject of the review or hearing.
- (5) Applications shall include the application form, site plan together with all documents, evidence and supplemental information relied upon by the applicant. The City may require the applicant

to provide additional copies of all application materials. A Review or Hearing will be scheduled not earlier than 30 days from the date the Application is deemed complete.

- (6) All Applications shall be available to the public and notifications will be mailed by the City twenty (20) days prior to the review or hearing meeting.
- (7) An application and review fee shall accompany the application request as set in accordance with **Section 1.190**.
- (8) Staff reports used at the review or hearing shall be available at least seven (7) days prior to the review or hearing.
- (9) The City shall comply with **ORS 227.178** and take final action on an application, including resolution of all local appeals, within 120 days after the application is deemed complete. If an application is incomplete, the City shall notify the applicant within 30 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete if the applicant supplies the missing information, or if the applicant refuses to submit the missing information, it shall be deemed complete on the 31st day after the application is received by the City.

If an application is complete when first submitted or if the applicant submits the requested missing information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

- (10) The 120 day period specified in subsection (9) may be extended for a reasonable time at the request of the applicant.
- (11) The 120 day period specified in subsection (9) does not apply to an amendment to this Code.
- (12) The Applicant bears the responsibility and burden of proof for the requested action.
- (13) The Application and the decision of the City shall be maintained by the City in a Record File of the Application. Notice of Decision shall be given the Applicant and other participants in the proceedings as specified in **Section 3.300**.
- (14) Expiration. Approved applications shall be void 1 year after the date of approval unless a building permit has been issued, or site construction has begun, or a time period was specified as a condition of approval. However, upon written request, the Deciding Body may extend authorization for an additional period of time up to 1 year.
- (15) Limitation. No request for a land use application shall be considered by the City within a one-year period immediately following a denial of such request, except the City may consent to a new hearing, if in the opinion of the Deciding Body, new evidence of a change of circumstance warrant it.

- (16) The specific requirements and decision process for each application procedure are contained in the Sections of this Article which follow.

SECTION 2.140 APPLICATION SITE PLAN

Applications for land divisions or land use requests that require a site plan shall be drawn to scale on 8 1/2 x 11 inch or 11 x 17 inch black/white reproducible sheets for copying and distribution. Larger drawings may be submitted for presentation and City review. Drawings shall indicate clearly and with full dimensioning the following information, as applicable, for all existing and proposed development. It is understood that some of the requested information may not apply to every application. (X) out the number of non-applicable information.

- (1) The names of the owner(s) and applicant if different.
- (2) The property address or geographic location and the Assessor Map number and Tax Lot number.
- (3) The date, scale and northpoint.
- (4) A vicinity map showing properties within the notification area and roads. An Assessor Map, with all adjacent properties, is adequate.
- (5) Lot dimensions.
- (6) The location, size, height and uses for all existing and proposed buildings.
- (7) Yards, open space and landscaping.
- (8) Walls and fences: location, height and materials.
- (9) Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns.
- (10) Access: pedestrian, vehicular, service, points of ingress and egress.
- (11) Signs: location, size, height and means of illumination.
- (12) Loading: location, dimension, number of spaces, internal circulation.
- (13) Lighting: location and general nature, hooding devices.
- (14) Street dedication and improvements.
- (15) Topographic features including existing and proposed grades, trees, and vegetation.
- (16) Water systems, drainage systems, sewage disposal systems and utilities.

- (17) Drainage ways, water courses, flood plain and wetlands.
- (18) The number of people that will occupy the site including family members, employees or customers.
- (19) The number of generated trip-ends per day from each mode of travel by type: employees, customers, shipping, receiving, etc. A Traffic Impact Study may be required for some developments in conformance with **Section 5.122(6)(a)6**.
- (20) Time of operation, where appropriate. Including hours of operation, days of the week and number of work shifts.
- (21) Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.

Uses, other than residential uses, that possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council.

All uses shall comply with the applicable standards and regulations of local, state or federal agencies having regulatory jurisdiction. City approval of a land use application, shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by the regulatory agencies having jurisdiction on an issue.

- (22) Such other data as may be necessary to permit the deciding authority to make the required findings.

SECTION 2.150 RECORD FILE

The City shall maintain an official Record File of each application containing all relevant data, drawings, dates, notices, hearings, postponements, continuances, decisions, appeals and minutes of all meetings pertaining to the application.

- (1) Minutes of all meetings, reviews and hearings shall record the substance of all issues before the review or hearing body. Summary written minutes shall be maintained in the Record file. The minutes and records need not be a verbatim transcript of the meeting.
- (2) Proceedings may be recorded either stenographically or electronically although a verbatim record is not required. Minutes may be summarized from the transcript or tape.
- (3) Testimony may be transcribed at the expense of the requesting party, if required for judicial review or local appeal proceedings. The transcribing fee may include all actual costs as authorized by state law.

- (4) The staff report and recommendation shall be included in the Record File.
- (5) The review or hearing body shall, where practical, retain as part of the record each item of physical or documentary evidence presented and shall have the items marked to show the identity of the person offering the same and whether presented on behalf of a proponent or opponent. Exhibits received into evidence shall be retained in the Record file until after all appeal periods have expired, at which time the exhibits may be released.
- (6) The public shall have access to the Record File of the proceedings at reasonable times, places, and circumstances. A person shall be entitled to make copies of the record at the cost set by City Resolution in accordance with ORS 192.

SECTION 2.200 BUILDING PERMITS

- (1) Building Permits are issued by the City and administered by the Linn County Building Department. Building Permits issued by the City also require approval by the Linn County Building Department. Linn County Building Inspection provides all construction administration services.
- (2) Building Permits may be issued following City and County approval for **Permitted Uses** not requiring a Review or Public Hearing by the Tangent Planning Commission or City Council.
- (3) Application for Building Permits requiring a land use decision including: Site Plan Reviews, Conditional Uses, Variances, Nonconforming Uses, or Zone Change Amendments shall be approved by the City prior to submittal to Linn County. The City shall request the County to withhold the Certificate of Occupancy until compliance with the Conditions of Approval required in the land use decision.

The Applicant may make application for a Building Permit prior to land use approval if the Applicant agrees in writing to pay all Building Permit fees should the land use decision be denied. Any proposed change in the approved plan or use shall be resubmitted to the City as a new application. Building Permits for an approved land use decision shall not be issued until the appeal period, as specified under **Section 3.700**, has passed.

- (4) Each application for a building permit shall comply with the latest adopted edition of the "State of Oregon Structural Specialty Code" or any Residential Building Code adopted by the County. Applications shall describe the work and proposed use and occupancy and include site and building plans, drawn to scale, construction details, specifications, computations and such other information as may be required by the Linn County Building Official.

SECTION 2.300 LAND DIVISIONS

SECTION 2.310 PROPERTY LINE ADJUSTMENTS

- (1) **Purpose.** A property line adjustment is a relocation of a common property line between abutting properties when both parties agree. A property line adjustment shall not create an additional lot or parcel, reduce a lot or parcel in size below the minimum size specified for the zone, or create a violation of development standards on either lot or parcel.
- (2) **Application.** A property line adjustment may be submitted for review and approval by the City Administrator without preliminary consultation, a land division conference, or a hearing where the adjustment complies with **Section 2.311 and 2.312.**
- (3) **Information.** The City may require additional copies of the proposed map of the property line adjustment together with other supplementary data required for recording or specified herein as required for review and action by the deciding authority.

SECTION 2.311 PROPERTY LINE ADJUSTMENT REQUIREMENTS

All property line adjustment requests shall contain the following information:

- (1) The property to be adjusted shall comply with **ORS 92** for Property Line Adjustments.
- (2) A map clearly and legibly drawn to scale with the scale indicated.
- (3) The title "Property Line Adjustment for,," the date and northpoint.
- (4) Name and address of the record owner(s) of the property to be adjusted.
- (5) Assessor Map and Tax Lot numbers and approximate acreage or square feet of each property prior to and after adjustment.
- (6) The location and boundary dimensions and other information to accurately locate the adjusted property line.
- (7) Existing conditions for land within the properties to be adjusted:
 - (a) The locations, names and widths of existing streets.
 - (b) The location, width and purpose of existing or proposed easements.
 - (c) The approximate location of buildings, public and private utilities, drainage ways and other significant features that would affect development of the adjusted properties.

SECTION 2.312 DECISION CRITERIA

A Property Line Adjustment may be approved based upon compliance with the submittal requirements specified above and the following findings:

- (1) The adjustment will not create an additional unit of land.

- (2) The adjustment will not create a land-locked parcel.
- (3) The existing unit of land reduced in size by the adjustment complies with applicable City Ordinances and this Code and will not create a non-conforming lot or non-conforming development.
- (4) The adjustment shall comply with any previous Conditions of Approval attached to the properties to be adjusted.
- (5) The adjustment shall comply with all state and county recording requirements.

SECTION 2.313 DECISION PROCESS

- (1) A Property Line Adjustment does not require a Limited Land Use Decision or Notifications. The City Administrator may consider a Property Line Adjustment at any time following submittal of the application.
- (2) If the proposed Property Line Adjustment is consistent with City land use standards, the City Administrator may approve the map as submitted, approve with conditions or deny the request for noncompliance.
- (3) If the application requires a Variance or the establishment or relocation of an Easement, or requires interpretation or the exercise of policy, the decision shall be placed before the Planning Commission which shall hold a public hearing in conformance with the Quasi-judicial Public Hearings requirements of **Section 3.510**.

SECTION 2.314 PROPERTY LINE ADJUSTMENT FILING

- (1) Deeds or conveyances for all lots or parcels conforming to the approved Property Line Adjustment shall be filed with the County Clerk in accordance with **ORS 92.190, subsections (3) and (4)**.
- (2) Upon approval or denial, a Notice of Decision shall be given the Applicant together with any conditions of approval for the proposed Property Line Adjustment as specified in **Section 3.600**. The Applicant may modify the proposed Property Line Adjustment for compliance with the required conditions or may request an Appeal to the Planning Commission within 10 days of the Notice of the City Administrator's decision or to the City Council within 10 days of the Notice of the Planning Commission's decision in conformance with **Section 3.700**.
- (3) Copies of all recorded deeds, conveyances and filed surveys shall be provided to the City for inclusion in the Record File of the Application, in accordance with **Section 2.150**.

SECTION 2.320 SUBDIVISION OR PARTITION TENTATIVE PLAN

- (1) The Planning Commission shall be the deciding authority for all Land Partition and Subdivision Tentative Plans under the provisions of this Code unless combined with another request requiring City Council approval, or if appealed to the City Council. In the event that a consolidated application requires more than one decision, the highest deciding authority will make all decisions requested in the application.

- (2) The Planning Commission shall hold a Limited Land Use Review for all Partition requests and shall hold a Quasi-judicial Public Hearing on all Subdivision requests. A consolidated request including a Variance shall also require a Quasi-judicial Public Hearing in conformance with **Section 2.600**.

SECTION 2.321 SUBMISSION REQUIREMENTS

A land divider shall prepare a Tentative Plan together with improvement plans and other supplementary material as may be required to clearly present the scope, ideas and objectives of the project. The Applicant shall submit 3 copies of an 18x24 inch drawing together with 3 master copies of an 11x17 inch Tentative Plan and supplementary data for reproduction and distribution purposes. All required materials shall be submitted to the City Administrator 30 days prior to the Planning Commission meeting at which consideration of the Tentative Plan is desired following preliminary consultation as recommended in **Sections 2.110 and 2.120**.

SECTION 2.322 FORM AND SCALE

The Tentative Plan shall be clearly and legibly drawn on a sheet sizes of 11x17 inches and 18x24 inches to a scale of 1 inch equals any multiple of 10 feet (1 inch equals 10, 20, 30, 40, 100 feet, etc.) The scale shall be the largest scale that will fit the sheet size, but in all cases the scale to be used shall be in multiples of 10 feet.

SECTION 2.323 GENERAL INFORMATION

The following information shall be provided on all Tentative Plans:

- (1) All information required by **ORS 92** for a Tentative Plan including, but not limited to, the following.
- (2) No Tentative Plan shall be approved that bears a name using a word that is the same as, similar to or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, unless the land Platted is contiguous to and Platted by the same party that Platted the subdivision bearing that name or unless the party files and records the consent of the party that Platted the subdivision bearing that name. All Plats must continue the lot and block numbers of the Plat of the same name last filed.

Subdivisions submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.

- (3) Date, northpoint, scale of drawing.
- (4) Appropriate identification clearly stating the map is a subdivision or partition Tentative Plan.
- (5) Location of the land division by section, township and range sufficient to define the location and boundaries of the proposed subdivision.
- (6) Names and addresses of the owner, applicant and surveyor.

- (7) The approximate acreage of the tract being subdivided or partitioned, and the size of proposed lots or parcels.

SECTION 2.324 EXISTING CONDITIONS INFORMATION

- (1) The names and addresses of all owners of property within 100 feet of the proposed land division.
- (2) The location, widths and names of both opened and unopened streets within or adjacent to the land division, together with easements, other right-of-ways and other important locational information such as section lines, corners, city boundary lines and monuments.
- (3) The location of all existing sewers, septic tanks and drainfields, water lines, storm drains, culverts, ditches and utilities, together with elevational data, on the site and on adjoining property or streets.
- (4) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the City. The base data used shall be clearly indicated and shall be compatible to City datum if bench marks are not adjacent. The following intervals are required:

<u>Contour Intervals</u>	<u>Ground Slope</u>
One Foot	Up to 5%
Two Feet	Over 5% through 10%
Five Feet	Over 10%

Exception: The deciding authority may approve slope indications for partitions by means of arrows or other suitable symbol together with not less than four spot elevations per acre evenly distributed for slopes of less than five percent (5%).

- (5) The location of at least one bench mark control point within the tract boundaries.
- (6) The location and direction of all on-site and off-site drainage, drainage channels, water courses and the location of all areas subject to flooding.
- (7) Natural features such as rock outcroppings, wetlands, wooded areas and isolated preservable trees. Lands that are wholly or partially within areas identified as wetlands or riparian areas on the Tangent Local Wetland and Riparian Area Inventory shall be clearly delineated for review and permit by the Division of State Lands.
- (8) Existing uses on and adjacent to the property, including the location of all existing structures to remain on the property after the land division.
- (9) Zoning on and adjacent to the property to be divided.

SECTION 2.325 PROPOSED PLAN INFORMATION

- (1) A vicinity map clearly showing the relationship and connections of the proposed land division to surrounding developments, streets, storm drainage, sewer, septic tank and drainfield, water and utility services.
- (2) The location, width, name and approximate grade and curve radii of proposed street. The relationship of proposed streets to existing streets and any projected future streets shown on the City's Comprehensive Plan or Official Street Map. Streets proposed for public dedication and streets held for private use shall be clearly indicated and all reservations or restrictions relating to such private streets shall be included in the statements specified in **Section 2.326**.
- (3) The location, width, and purpose of existing and proposed easements.
- (4) The total acreage and the proposed land use for the land division including sites for special purposes or those allocated for public use.
- (5) The location and approximate dimensions of lots or parcels and the proposed lot or parcel numbers. Where large property divisions are proposed that may be redivided in the future to smaller residential lots or parcels, the applicant shall provide a sketch plan showing the redivision configuration.
- (6) An outline of the areas proposed for partial recording of a final Plat and a time schedule for additional Platting if staged recording is proposed.
- (7) A general layout of all public utilities and facilities to be installed including provisions for connections and extensions beyond the proposed land division.
- (8) The proposed method of connection to all drainage channels located outside of the proposed land division and the proposed method of flood control (detention ponds, swales, etc.) and contamination protection (settling basins, separators, etc.).
- (9) Identification of all proposed public dedications including streets, pedestrian or bike ways, parks or open space areas in conformance with **Section 7.400**.
- (10) Identification and layout of all special improvements. Special improvements may include, but are not limited to, signs, lighting, benches, mail boxes, bus stops, greenways, bike or pedestrian paths.

SECTION 2.326 ACCOMPANYING STATEMENTS

The Tentative Plan shall be accompanied by written statements from the applicant giving essential information regarding the following matters:

- (1) Identify the adequacy and source of water supply including:
 - (a) Certification that water will be available to the lot line of each and every lot depicted on the Tentative Plan for a subdivision, or

- (b) A bond, contract or other assurance by the applicant that a public water supply system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan. The amount of such bond, contract or other assurance shall be determined by the City Council.
- (2) Identify the proposed method of sewage disposal including:
 - (a) Certification that a sewage disposal system will be available to the lot line of each and every lot depicted on the Tentative Plan for a subdivision, or
 - (b) A bond, contract or other assurance by the applicant that a sewage disposal system will be installed by or on behalf of the applicant to each and every lot depicted on the Tentative Plan. The amount of such bond, contract or other assurance shall be determined by the City.
 - (3) Protective covenants, conditions and deed restrictions (CC&R'S) to be recorded, if any.
 - (4) Identify all proposed public dedications including streets, pedestrian or bike ways, parks or open space areas in conformance with **Section 7.400**.
 - (5) Identify all public improvements proposed to be installed, the approximate time installation is anticipated and the proposed method of financing. Identify required improvements that are proposed to not be provided and the reason why they are not considered necessary for the proposed land division.
 - (6) A statement that the declarations required by **ORS 92.075** on the final Plat can be achieved by the fee owner, vendor and/or the mortgage or trust deed holder of the property.
 - (7) Proposed staged subdivisions or serial partitions shall be clearly identified on the application. A time schedule for future Platting shall also be submitted. The deciding authority may require a specific time schedule for approval. All future Plats shall conform to the adopted ordinance requirements applicable at the time of Platting.

SECTION 2.327 SUPPLEMENTAL INFORMATION

The following information is required by the City to supplement the Tentative Plan information but may be waived by the City Administrator for the Tentative Plan under the condition that the information is provided prior to acceptance of the Final Plat.

- (1) Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed land division showing the finished grade of streets and the nature and extent of street construction.
- (2) A detailed plan of the domestic water supply lines and related water service facilities.
- (3) A detailed plan of the sewage disposal, storm water drainage and flood control, including profiles of proposed drainage ways.

- (4) If lot areas are to be graded, a plan showing the nature of cuts and fill and information on the character of the soil.
- (5) Specifications and details of all proposed improvements.
- (6) Wetland delineation if identified as an existing condition in **Section 2.324, Subsection (7)**.

SECTION 2.328 DECISION CRITERIA

A Subdivision or Partition Tentative Plan shall be approved by the Planning Commission. Approval shall be based upon compliance with the submittal requirements specified above and the following findings

- (1) That the proposed land division, development or use does not conflict with the City's Comprehensive Plan or Statewide Planning Goals.
- (2) That the proposed land division complies with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the land division.
- (3) That the proposed land division complies with the standards and requirements of **ORS Chapter 92** and the recording requirements of the Linn County Surveyor.
- (4) That the proposed development or use does not have an adverse impact on pedestrian, bicycle and vehicular safety and complies with the Tangent Transportation System Plan (**TTSP**) and the Tangent Public Works Design Standards (**TPWDS**).
- (5) That water, wastewater disposal and utilities are available and have the capacity to serve the proposed development or use in compliance with the Tangent Public Works Design Standards (**TPWDS**).
- (6) That the proposed utilities do not preclude extension beyond the proposed land division to accommodate future growth.
- (7) That the proposed development or use does not have an adverse impact on drainage-ways serving adjacent properties and that required drainage facilities are provided that have the capacity to support the proposed development or use.
- (8) That emissions and potential nuisance characteristics from the proposed development or use complies with the applicable standards of all regulatory agencies having jurisdiction and will not have an adverse impact on adjacent properties.
- (9) That the proposed development or use does not conflict with the standards of other regulatory agencies having jurisdiction.
- (10) That any undeveloped portion of the proposed land division can be developed in accordance with City ordinances.

- (11) That the natural site features identified in **Section 2.324 (7)** have been given consideration for preservation and utilization in the development.

SECTION 2.329 DECISION PROCESS

- (1) Upon receipt of an Application and Tentative Plan, the City shall furnish one copy of the Tentative Plan and supplementary material to the Fire District and other agencies known to be affected. Agencies notified shall be given 14 days to review the plan and submit written comments. Notification to the Division of State Lands for identified wetlands shall require 30 days for review in accordance with **ORS 227.350, Subsection (4)**.
- (2) A Partition requires a "Limited Land Use Review" in conformance with **Section 3.400**. A Subdivision requires a Quasi-judicial Public Hearing in conformance with **Section 3.510**. All Land Divisions require notification to owners of property within 100 feet of the subject property at a minimum. The public may submit written comments prior to or at a Review and may submit written or oral comments at a Hearing.
- (3) The deciding authority shall consider the Tentative Plan proposal and any written comments at the first regular meeting following the 14 day review period.
- (4) If the Application includes a Variance request, the Tentative Plan and Variance will be considered together as provided in **Section 2.130 (3)** and the Decision Criteria for the Variance shall apply as specified in **Section 2.600 (2)**.
- (5) The deciding authority shall hold a public hearing on a Tentative Plan and Variance request in conformance with the Quasi-judicial Public Hearing requirements of **Section 3.510**. A public hearing may also be held on a Tentative Plan if requested or if the deciding authority determines that conditions may present possible adverse effects on adjacent properties or within the land use zoning district.
- (6) The deciding authority may continue the review or hearing for good cause.
- (7) If the proposed Land Division does not conflict with the Comprehensive Plan and City land use standards, the deciding authority shall approve the Tentative Plan as submitted or as modified to achieve compliance.
- (8) If the proposed land division requires modification to certain features in order to comply with City land use standards, the deciding authority may approve the Tentative Plan with specified Conditions of Approval to achieve compliance with the intent of City land use standards.
- (9) If the proposed land division does not comply with City land use standards even with conditions of approval, the deciding authority shall deny the request.
- (10) Approval of the Tentative Plan shall indicate approval of the Final Plat if there is no change in the plan of the land division and if the applicant complies with the requirements of this Code and any conditions of approval specified by the deciding authority.

- (11) The action of the deciding authority shall be noted on two copies of the Tentative Plan and any attached documents describing conditions. One copy shall be returned to the applicant and the other shall be retained by the City.
- (12) A written record of the findings and action of the City shall be maintained by the City in a Record File of the Application as specified in **Section 2.150**. Notice of Decision shall be given the Applicant and other parties to the proceedings together with any conditions of approval for the proposed land division as specified in **Section 3.600, Decision**.

SECTION 2.330 SUBDIVISION OR PARTITION PLAT

SECTION 2.331 SUBMISSION REQUIREMENTS

Within one year after approval of the Tentative Plan, the land divider shall begin construction of any required public improvements. Following acceptance by the City of any public improvements the land divider shall cause the land division or any part thereof to be surveyed and a Plat prepared in conformance with the Tentative Plan as approved. If the land divider wishes to proceed with the land division public improvements after the expiration of the one-year period following the approval of the Tentative Plan, the land divider shall resubmit the Tentative Plan and make any revision necessary to comply with changed conditions. The land divider shall submit the exact duplicate transparency and five prints of the completed Plat to the City for review and approval.

SECTION 2.332 FORM AND SCALE

The final Plat shall be submitted in the form prescribed by **ORS 92** and the county recording standards. The scale of the final Plat shall be one (1) inch equals 100 feet. The scale may be increased or decreased if necessary to fit the required size of 18 by 24 inches, but in all cases the scale used shall be in multiples ten (10) feet.

SECTION 2.333 INFORMATION REQUIRED

In addition to that otherwise specified by law, the following information shall be shown on the final Plat.

- (1) The name of the owner(s), land divider, surveyor and land division. The date, scale, northpoint, legend and existing features such as creeks, drainage courses, highways and railroads.
- (2) Reference to Federal Geodetic Control Committee guidelines for third order class II, points of existing surveys identified, related to the Plat by distances and bearings, and referenced to a field book or map as follows:
 - (a) Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the land division.
 - (b) Adjoining corners of adjoining land divisions.
 - (c) Other monuments found or established in making the survey or required to be installed by provisions of this Code.

- (3) The exact location and width of streets, right-of-ways and easements intercepting the boundary of the tract.
- (4) Tract and lot or parcel boundary lines and street right-of-way and center lines, with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings. Tract boundaries and street bearings shall be shown to the nearest 30 seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet. No ditto marks shall be used.
- (5) The name and width of the portion of streets being dedicated, the width of any existing right-of-way and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center-line dimensions, the radius and center angle shall be indicated.
- (6) Easements denoted by fine dashed lines clearly identified and, if already of record, their recorded reference. If an easement is not definitely located or recorded, there shall be a written statement of the easement. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the land division, must be shown. If the easement is being dedicated by the Plat or map, it shall be properly referenced in the owner's certificates of dedication.
- (7) Locations and widths of drainage channels including one hundred year flood plain or normal high water lines for any creek or other body of water, railroad rights-of-ways, reserve strips at the end of stub streets or along the edge of partial width streets on the boundary of the land division.
- (8) Numbering of lots or parcels shall begin with the number "1" and numbered consecutively. Number sequence to generally follow the same system as sections are numbered in a township.
- (9) Lots or parcels to be dedicated for any purpose shall be distinguished from lots or parcels intended for sale with acreage and alphabetic symbols for each parcel indicated.
- (10) Notations indicating any limitations on rights of access to or from streets and lots or other parcels of land as established by the City.
- (11) Special building setback lines and solar easements, if any, which are to be made part of the Deed Covenants Conditions and Restrictions (CC&R's) of the land division.

SECTION 2.334 SUPPLEMENTAL INFORMATION WITH PLAT

Filing of separate legal documents to achieve any of the requirements of the Final Plat may be permitted by the City when it can be shown that placing such information on the final Plat is not required to achieve the purposes of this Code. The following data shall accompany the Plat.

- (1) A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the land to be divided.

- (2) Legal descriptions of the land division boundaries if available at the time of Final Plat approval.
- (3) Data sheets and drawings showing the following:
 - (a) Traverse data including the coordinates of the boundary of the land division and ties to section corners and donation land claim corners, and showing the error of closure, if any.
 - (b) The computation of distances, angles and courses shown on the Final Plat.
 - (c) Ties to existing monuments, proposed monuments, adjacent subdivision, street corners and state highway stationing.
- (4) A copy of any deed CC&R's (Covenants, Conditions and Restrictions) proposed by the Applicant or required by the City that are applicable to the land division. All CC&R's shall be in conformance with state and federal law. If there are no proposed or required CC&R's, the property owner shall submit a signed statement that no CC&R's are required and none will be established.
- (5) A copy of any dedication requiring separate documents.
- (6) Proof that all taxes and assessments on the tract have been paid.
- (7) A certificate by the City that the land divider has complied with one of the following alternatives:
 - (a) All improvements have been installed in accordance with the requirements of these regulations and with the action of the Planning Commission giving conditional approval of the Tentative Plan.
 - (b) An agreement has been executed as provided in **Sections 7.510 and 7.520** to assure completion of required improvements.

SECTION 2.335 SURVEY REQUIREMENTS

- (1) A complete and accurate survey of the land to be divided shall be made by a registered surveyor licensed to practice in the State of Oregon in accordance with standard practices and principles of land surveying and as provided in this Code and state law including **Oregon Revised Statutes, Chapter 92 and Chapter 209**.
- (2) Monuments
 - (a) All monuments shall be set according to the provisions of state law.
 - (b) In making the survey for the land division, the survey shall set sufficient permanent monuments prior to the recording of the final Plat so that the survey or any part thereof may be retraced according to standards required by the County Surveyor except interior monuments of subdivisions may be delayed with approval of the Planning Commission.

(c) Interior "post monumentation" may be permitted by approval of the Planning Commission at the time of approval of the Tentative Plan or upon special request prior to filing the final Plat subject to the following:

1. The Subdivider has shown that it is necessary and practical to delay the interior monumentation.
2. The Subdivider of the Plat agrees to furnish a bond, cash deposit, irrevocable letter of credit issued by a commercial bank as defined in **ORS 706.005**, or other security approved by the City in an amount equal to not more than 120 per cent of the estimated cost of performing the work for the interior monuments.
3. That the Subdivider will sign an agreement with his surveyor and the City as to the amount of the security to be furnished at the time of submitting the final Plat, how the surveyor is to be paid for the work of establishing the interior monuments, that the rules for post monumentation shall be followed; establish a date when monumentation will be completed, and set out other particulars that may be necessary to insure the completion of the monumentation at a later date.

(3) Utility Markers

Permanent markers shall be provided for all underground water, sewer, septic tanks and drainfields and utility stubs within the prepared land division as approved by the City.

SECTION 2.336 DEDICATION REQUIREMENTS

- (1) All lots or parcels of land shown on the final Plat intended for public use shall be offered for dedication to the City at the time the Plat is filed except those lots or parcels, or common linear open spaces that are intended for the exclusive use of the owners, their licensees, visitors, tenants or employees; and those parcels of land reserved for public acquisition under the provisions of **Section 7.400** of this Code.
- (2) All streets, pedestrian ways, drainage channels, open spaces, easements and other rights-of-way shown on the final Plat intended for public use shall be offered for dedication for public use at the time the final Plat is filed.
- (3) All rights of access to and from streets, lots and parcels of land shown on the final Plat intended to be surrendered shall be offered for dedication at the time the final Plat is filed.
- (4) The land divider shall provide and designate one-foot reserve strips across the ends of stubbed streets adjoining undivided land or along half streets adjoining undivided land. The reserve strip shall be included in the dedication granting to the City the right to control access over the reserve strip to assure the continuation or completion of the street. This reserve strip shall overlay the dedicated street right-of-way.

SECTION 2.337 CERTIFICATES ON FINAL PLAT

- (1) Certificates on the Final Subdivision or Partition Plat: The following certificates, declarations, acknowledgments and other requirements established by State law shall appear on the final Plat of a subdivision.
 - (a) A declaration in conformance with **ORS 92.075** on the final Plat by the declarant - the fee owner, vendor and/or the mortgage or trust deed holder of the property who has caused or consented to the following:
 1. Preparation and recordation of the final Plat.
 2. Offering for dedication all parcels of land, streets, alleys, pedestrian ways, drainage channels, easements and other rights-of-way intended for public use.
 3. Protective Covenants, Conditions or Restrictions on the use of lots or parcels, right-of-ways and easements.
 - (b) A certificate of the registered licensed surveyor who prepared the survey and the final Plat.
 - (c) A certificate for execution by the City Administrator.
 - (d) A certificate for execution by the County Surveyor.
 - (e) A certificate for execution by the County Assessor.
 - (f) A certificate for execution by the County Clerk.
 - (g) Other certifications now or hereafter required by law.
 - (h) A statement of water rights together with the water rights certificate number if applicable.
- (2) All signatures on the Plat shall be in permanent black India type ink in conformance with **ORS 92.080**.
- (3) All copies required for filing purposes shall be certified as an exact copy by the surveyor who prepared the Plat in accordance with **ORS 92.120, Subsection (3)**.

SECTION 2.338 DECISION CRITERIA

A final Plat of a subdivision or partition may be approved based upon compliance with the submittal requirements specified above and the following findings:

- (1) The final Plat is in substantial conformance with the Tentative Plan.
- (2) The Conditions of Approval attached to the Tentative Plan have been satisfied.

SECTION 2.339 DECISION PROCESS

- (1) Upon receipt by the City, the submitted Final Plat and other data shall be reviewed by the City Administrator or designee to determine that the land division as shown is substantially the same as it appeared on the approved Tentative Plan and that there has been compliance with provisions of law and this Code and any Conditions of Approval attached to the Tentative Plan.
- (2) The City may make such checks in the field as are desirable to verify that the submitted Final Plat is sufficiently correct on the ground and City representatives may enter the property for this purpose. Certifications of the County Surveyor shall be used to determine that the plat survey is technically correct.
- (3) If the City Administrator determines that the submitted Final Plat conforms to the approved Tentative Plan, including all supplemental documents, provisions for required improvements and all conditions specified by the Planning Commission; approval shall be indicated by the signature of the City Administrator. The approval of the submitted Final Plat does not constitute or effect an acceptance by the City of the dedication of any street or other easements offered on the plat until officially accepted by the City.
- (4) If the City Administrator finds errors or finds that the submitted Final Plat does not substantially conform to the approved Tentative Plan, the City Administrator shall notify the Planning Commission and shall advise the land divider of the changes or additions that must be made and shall afford the land divider an opportunity to make corrections. The corrected Final Plat shall be resubmitted to the Planning Commission for verification of compliance with the approved Tentative Plan.

SECTION 2.340 FILING OF PLAT

- (1) The land divider shall, without delay, submit the Final Plat for signatures of public officials required by this Ordinance or state law. Approval of the Final Plat shall be null and void if it is not recorded within 120 days after approval by the City Administrator.
- (2) The land divider shall deliver to the City a signed and certified copy of the Final Plat and all recorded documents required and approved by the City. The City shall maintain the documents in the Record File of the Application in accordance with **Section 2.150**.
- (3) The land divider offering a plat for filing to which a water right is apparent shall also submit a copy of the Final Plat to the State Water Resources Department as required by **ORS 92.120**.

SECTION 2.350 REPLATTING

- (1) Replatting shall allow the reconfiguration of lots or parcels and public easements within a recorded Plat in accordance with ORS 92.180 to 92.190. A replat shall conform to all of the requirements of the City for a subdivision or partition of land including approval of a Tentative Plan unless approved as a Property Line Adjustment as described in **Section 2.310** of this Code. Upon approval by the City, the replat will act to vacate the Platted lots or parcels and easements within the replat area.
- (2) Notice consistent with that required for approval of a Tentative Plan shall be provided by the City. All affected utility companies or public agencies shall also be notified. Utility

companies desiring to maintain easements proposed for vacation shall notify the City within 14 days of the mailing of the notice.

SECTION 2.360 EXPEDITED LAND DIVISIONS

When an expedited land division for residential use only is requested by an Applicant, the City shall use the procedures for an expedited land divisions specified under **ORS 197.365** in lieu of the procedures described in **Sections 2.320 through 2.329** if the application complies with the conditions and standards of **ORS 197.360 through 197.380**.

SECTION 2.400 SITE PLAN REVIEW

The purpose of the site plan review procedures is to correlate the Code standards and requirements with the specific site conditions and proposed uses through a comprehensive review process to assure that developments are in conformance with the City's applicable land use regulations. A Site Plan Review is required for all new commercial or industrial developments and for existing commercial or industrial developments where a change of use is proposed.

- (1) **Site Plan Review Application.** An application for a use requiring a Site Plan Review shall be filed with the City together with a site plan and other supplementary data described in the Application, **Section 2.130** and the Application Site Plan, **Section 2.140**.
- (2) **Decision Criteria.** After an examination of the Site and prior to approval, the Planning Commission must make the following findings:
 - (a) That the proposed development or use does not conflict with the City's Comprehensive Plan.
 - (b) That the proposed development or use complies with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the application.
 - (c) That the proposed development or use does not have an adverse impact on pedestrian, bicycle and vehicular safety.
 - (d) That proposed signs or lighting will not, by size, location, color or operation, have an adverse impact on traffic, limit visibility or have an adverse impact on adjacent properties.
 - (e) That water, wastewater disposal and utilities are available and have the capacity to serve the proposed development or use.
 - (f) That the proposed development or use does not have an adverse impact on drainage-ways and required drainage facilities are provided that have the capacity to serve the proposed development or use.
 - (g) That emissions and potential nuisance characteristics from the proposed development or use will not have an adverse impact on adjacent properties and potential adverse impacts on adjacent properties have been mitigated to the maximum extent possible.

- (h) That the proposed development or use does not conflict with the standards of other regulatory agencies having jurisdiction.
- (3) **Decision Process.** The procedure for taking action on an application for a Site Plan Review shall be as follows:
- (a) A Site Plan Review requires a "Limited Land Use Review" by the Planning Commission in conformance with **Section 3.400**. A Limited Land Use Decision requires notification to owners of property within 100 feet of the subject property with an opportunity to submit written comments prior to the review and decision by the Planning Commission.
 - (b) The Planning Commission may approve, disapprove, or modify and approve the Site Plan and attach any reasonable conditions to approval of a site development plan.
 - (c) The Planning Commission may also call for a public hearing to receive testimony if it determines that the proposed development may present possible adverse impacts on surrounding properties, the neighborhood or the City.
 - (d) Once approved, the site plan submitted shall become the Official Plan. Building permits shall be issued only for plans that conform to the Official Plan and all construction shall conform to the Official Plan or a Certificate of Occupancy may be withheld until compliance.
 - (e) All required elements of the approved site plan shall be installed and maintained indefinitely by the owner, unless approval has been received for a revision or amendment.
 - (f) Revisions or amendments to an approved site plan shall follow the same procedure as for adoption of a site development plan.

SECTION 2.500 CONDITIONAL USES

A conditional use is a use of land or a structure which is normally appropriate in the district where it is permitted, but due to the specifics of that use could cause a potential nuisance, health or safety problem. It is the intent of this section to provide standards and procedures so that uses that are classified as conditional can fit into a particular zone in a manner that safeguards surrounding property, the neighborhood, and the City.

The City Administrator may also request a Conditional Use for any development proposal, in addition to those specifically required by this Code, if the site or proposed use possesses any one of the following characteristics:

- (a) The property is traversed by a natural drainage-way or has demonstrated drainage limitations.
- (b) The property includes, or is adjacent to, Open Space and/or Greenway Areas designated in the Comprehensive Plan.

- (c) The property is located in a hazard area.
 - (d) The property contains unusual topographic features including hillside slopes exceeding 15% slopes.
 - (e) The property, proposed development or use has unusual or special features that will not permit the development to fully comply the standards of this Code or where the proposed development or use poses potential adverse impacts on adjacent properties that may require mitigation.
- (1) **Conditional Use Application.** An application for a use requiring a Conditional Use must be filed with the City together with a site plan and other supplementary data using forms described in the Application, **Section 2.130** and the Application Site Plan, **Section 2.140**. The Planning Commission may also request a Conditional Use for any development proposal, in addition to those specifically required by this Code, if the site or proposed use has characteristics similar to, but different than, the uses permitted in the zone.

Uses existing prior to the effective date of this Code that are classified as a conditional use in this Code shall conform with the requirements for a conditional use if a change in use, lot area or an alteration is proposed.

- (2) **Decision Criteria.** Conditional uses listed in this Code may be permitted, altered, or enlarged upon authorization of the Planning Commission in accordance with the following findings:
- (a) That the proposed development or use does not conflict with the City's Comprehensive Plan.
 - (b) That the proposed development or use does not conflict with the standards of the land use zone and does not conflict with city codes and ordinances that are applicable to the application.
 - (c) That the proposed development or use does not have an adverse impact on pedestrian, bicycle and vehicular safety and future street right-of-ways identified in the TTSP are protected.
 - (d) That proposed signs or lighting will not, by size, location or color, interfere with traffic, limit visibility or impact on adjacent properties.
 - (e) That adequate water, sewage disposal system and utilities for the proposed use are available.
 - (f) That the proposed development or use does not have an adverse impact on drainage-ways and required drainage facilities are provided with the capacity to serve the proposed development or use.
 - (g) That emissions and potential nuisance characteristics from the proposed development or use will not have an adverse impact on adjacent properties and potential adverse impacts on adjacent properties have been mitigated to the maximum extent possible.

- (h) That the proposed development or use does not conflict with the standards of other regulatory agencies having jurisdiction.
- (3) **Decision Conditions.** In approving a conditional use application, the Planning Commission may require additional standards and conditions which the Planning Commission considers necessary to comply with the intent and purpose of the Comprehensive Plan and implementing codes or ordinances. These conditions may include, but are not limited to, the following:
- (a) Regulating the required lot size, lot width, or yard dimensions.
 - (b) Regulating the height of buildings.
 - (c) Controlling the location and number of vehicle access points.
 - (d) Requiring dedication of additional street right-of-way or increasing the street width to accommodate the increased traffic generated by the proposed development.
 - (e) Increasing the number of required off-street parking or off-street loading spaces.
 - (f) Requiring fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
 - (g) Limiting the number, size, location and lighting of signs.
 - (h) Requiring ongoing maintenance of buildings and grounds.
 - (i) Regulating emissions, potential hazards or nuisance characteristics caused by the proposed use which could have a negative impact on the surrounding area or the City as a whole.
 - (j) Providing internal property improvements such as utilities, drainage facilities, streets, curbs, gutters, walkways, parking areas, landscaping, fencing, screening, or recreation areas in order to enhance the area and to protect adjacent or nearby property.
 - (k) Regulating time periods for the conduct of certain activities.
 - (l) Setting a time limit for compliance with conditional use conditions.
 - (m) Providing a performance bond or other security for the cost of improvements to guarantee compliance with the standards and conditions of approval for the conditional use approved by the Planning Commission.
 - (n) Providing a contractual agreement with the City to assure that the applicant will pay a share of the development costs for future public improvements.

- (4) **Decision Process.** The procedure for taking action on an application for a Conditional Use shall be as follows:
- (a) A Conditional Use requires a "Quasi-judicial Public Hearing" by the Planning Commission in conformance with **Section 3.510**. A Quasi-judicial Decision requires notification to property owners within 100 feet of the subject property with an opportunity to submit written or oral comments at a public hearing prior to the close of the record and decision by the Planning Commission.
 - (b) The Planning Commission may approve, deny, or approve conditionally the Conditional Use and attach any reasonable standards of development to attain compliance with the zone and city codes and ordinances.
 - (c) If an application is denied, the action must be based on reasons related to non-compliance with the City Comprehensive Plan, Development Code or Ordinance requirements.
 - (d) Once approved, the Conditional Use shall become the Official Plan. Building permits shall be issued only for plans which conform to the Official Plan and all construction shall conform to the official plan or a Certificate of Occupancy may be withheld until compliance.
 - (e) All required elements of the approved Conditional Use shall be installed and maintained indefinitely by the owner unless approval has been received for a revision or amendment.
 - (f) Revisions or amendments to an approved Conditional Use shall follow the same procedure as that utilized for approval.

SECTION 2.600 VARIANCES

Because of the impossibility of foreseeing and providing for all circumstances and conditions which may affect individual properties or uses, the variance provision is created to allow modification of the provisions of this Code for special and unusual circumstances without defeating the purpose and intent of the Code.

- (1) **Variance Application.** An application for a Variance shall be filed with the City together with a site plan and other supplementary data using forms prescribed in **Section 2.130**. The applicant shall submit evidence that the circumstance for granting a Variance as outlined in Item (2) herein apply to the Variance request. The Planning Commission may authorize variances from the requirements of this Code where it can be shown that, owing to special and unusual circumstances related to a specific property or use, strict application of the Code would cause an undue or unnecessary hardship. A Variance shall not be granted to allow a use permitted in another district or zone or to allow a use not authorized within the intended district or zone. In granting a Variance, the Planning Commission may attach conditions that it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purposes of this Code.
- (2) **Decision Criteria.** A Variance may be granted if the following circumstances exist:

- (a) That there are special or unusual circumstances or conditions affecting the property or use.
 - (b) That the Variance is necessary for the proper design and/or function of the proposed development or land division.
 - (c) That the granting of the Variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.
 - (d) That the granting of the Variance will not conflict with the purpose and intent of the district or zone, the Comprehensive Plan or other related ordinances of the City.
- (3) **Decision Process.** The procedure for taking action on an application for a Variance shall be as follows:
- (a) A Variance requires a "Quasi-judicial Public Hearing" by the Planning Commission in conformance with **Section 3.510**. A Quasi-judicial Decision requires notification to property owners within 100 feet of the subject property with an opportunity to submit written or oral comments at a public hearing prior to the close of the record and a decision by the Planning Commission.
 - (b) The Planning Commission may approve, deny, or approve conditionally the Variance request and attach any reasonable standards of development to attain compliance with the zoning district and this Code as provided in **Section 3.600**.
 - (c) If an application is denied, the action must be based on reasons related to non-compliance with the Comprehensive Plan and Code requirements.
 - (d) If the application is approved, the Planning Commission may prescribe the terms and conditions upon which a Variance may be granted and may set a time limit for the duration of such Variance and may require guarantees in an approved form to insure that the conditions and standards for the approved Variance will be fulfilled.
 - (e) Once approved, the Variance shall become official standard. Building permits or land divisions shall only be approved for plans that conform to the conditions and standards of the approved Variance and all construction shall conform to the approved Variance or a Certificate of Occupancy may be withheld until compliance.
 - (f) All required elements of the approved Variance shall be installed and maintained indefinitely by the owner unless approval has been received for a revision or amendment.
 - (g) Revisions or amendments to an approved Variance shall follow the same procedure as that utilized for approval.
 - (h) A written record of the findings and action of the Planning Commission shall be maintained by the City in a Record File of the Application as specified in **Section 2.150**.

- (i) Notice of Decision shall be given the Applicant together with any conditions of approval for the proposed Variance as specified in **Section 3.600**.

SECTION 2.700 AMENDMENTS

It is recognized that this Code or the Tangent Comprehensive Plan may require amendments to adjust to changing circumstances. An amendment may require either a Legislative Decision as defined in **Section 3.200 (2)** or a Quasi-judicial Decision as defined in **Section 3.200 (3)** depending upon whether the amendment applies to the Code in general or to a specific property.

Amendments may be either Text Amendments or Map Amendments. The City utilizes a single land use map for the Tangent Comprehensive Plan and the Tangent Zoning Districts therefore a zone change map amendment is an amendment to the Tangent Comprehensive Plan and the Tangent Land Use Development Code.

- (1) **Amendment Application.** An Amendment to this Code may be initiated by the City Council, the City Planning Commission or by application of a property owner. A request by a property owner for an amendment shall be accomplished by filing an application with the City using forms prescribed in **Section 2.130**.
- (2) **Decision Criteria.** The City Council, following a recommendation from the Planning Commission, may grant a request for an amendment to the text or map of the Code or Comprehensive Plan if the Council makes the following findings.
 - (a) The proposed amendment does not conflict with the intent of the Comprehensive Plan.
 - (b) The amendment will not adversely impact adjacent areas or the land use plan of the City.
 - (c) The amendment will not have an adverse environmental impact.
 - (d) The amendment will not have an adverse impact on public facilities.
 - (e) The amendment will not have an adverse impact on transportation.
 - (f) The amendment will not have an adverse impact on economy of the area.
 - (g) The amendment is consistent with the intent of Statewide Planning Goals.
- (3) **Decision Process.**
 - (a) Text amendments or zone change map amendments that affect a group or class of properties within the City requires a "Legislative Decision" by the City Council with recommendation by the Planning Commission in conformance with the Legislative Public Hearing procedures of **Section 3.520**. Every Legislative Amendment shall be passed by the voters of the City of Tangent.
 - (b) Zone change map amendments initiated by an applicant for a specific property within the City requires a "Quasi-judicial Decision" by the City Council with recommendation by

the Planning Commission in conformance with the Quasi-judicial Public Hearing procedures of **Section 3.510**.

- (c) The City Council upon recommendation of the Planning Commission may approve, deny or approve with standards or conditions to attain compliance with this Code or the applicable zoning district.
 - (d) The City is not required to justify denial of a proposed legislative change.
- (4) No application of a property owner for an amendment to the text of this Code shall be considered by the City within a one-year period following previous denial of a similar request, except the City Council may permit a new application, if in the opinion of the Council, new evidence or a change of circumstance warrant it.

SECTION 2.800 ANNEXATIONS

The annexation of land to the City of Tangent shall promote orderly growth of the City and the efficient provision of public facilities and services. The Tangent Urban Growth Boundary Agreement with Linn County specifies that annexations and the provision of urban services shall only occur within the Tangent Urban Growth Boundary (UGB). The procedures and standards for annexations are specified in **ORS 222.111 to 222.180**. A change in the UGB requires an Amendment to the Tangent Comprehensive Plan in conformance with Statewide Planning Goal 14 and an Amendment to the Urban Growth Boundary and Policy Agreement between the City of Tangent and Linn County.

All proposed annexations of land to the Tangent City Limits require an affirmative vote of electorate of the City to become effective unless the annexation is mandated by state law.

A proposal for annexation may be initiated by the City Council on its own motion, or by a petition to the City Council from the Planning Commission, or by owners of real property located in the territory to be annexed.

(1) Annexation by City Council Initiation

The City Council may determine the procedures for City initiated annexations within the limits defined by **ORS 222.111 to 222.180**. These procedures may include, but are not limited to, an election within the territory to be annexed, consent of the requisite number property owners and electors or a public hearing on the annexation. Proposed annexations shall include the following information:

- (a) A legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.
- (b) A map of the area to be annexed including adjacent City territory.
- (c) The proposed land use zoning district(s).
- (d) The availability of public facilities and services for the proposed annexation.

(2) Annexation by Application

A request by a property owner for an annexation shall be accomplished by filing an application with the City using forms prescribed in **Section 2.130**. Each application for annexation shall include the following material:

- (a) Written consent to the annexation signed by the requisite number of affected property owners, electors, or both as provided by state law.
- (b) A legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.
- (c) A map of the area to be annexed including adjacent City territory.
- (d) A statement of the expected demand on public facilities and the availability of public facilities and services to serve the proposed annexation.
- (e) A statement of the overall development intent and a conceptual land use plan indicating the types and intensities of proposed development, transportation corridors, watercourses, significant natural features, and adjoining development.
- (f) Upon acceptance of a complete application, the City shall request a Staff Review together with other public or private agencies which may be affected by the proposed annexation. Upon receipt of the application, plans and accompanying narrative, Staff shall make an evaluation and recommendation. Comments and recommendations shall be available to the public and the Applicant. The Applicant shall be advised of any recommended changes or conditions for approval. The City shall incorporate all Staff comments into a report to the Planning Commission and City Council. The report shall include an analysis of the impacts of the proposed annexation, a review of applicable City and State policies and standards, and a recommendation as to the appropriateness of the proposed development and the annexation itself

(3) **Decision Criteria.** The City Council may grant an annexation referral to voters of the City of Tangent if Council can make the following findings:

- (a) The proposed annexation is consistent with the intent of the Comprehensive Plan.
- (b) The annexation will not adversely impact adjacent areas or the land use plan of the City.
- (c) The annexation will not have an adverse environmental impact.
- (d) The annexation will not have an adverse impact on public facilities.
- (e) The annexation will not have an adverse impact on transportation.
- (f) The annexation will not have an adverse impact on economy of the area.
- (g) The annexation is consistent with the intent of Statewide Planning Goals.

- (h) All annexations of land to the Tangent City Limits require an affirmative vote of the majority of City electors to become effective.
- (4) **Decision Process.** The procedure for taking action on an annexation request may be one of the following:
- (a) Upon the filing of a complete application for annexation, the City Council shall review the application and refer the request to the Planning Commission to evaluate the proposed annexation and to determine the appropriate zoning district to be applied upon annexation and make a recommendation to the City Council. In making its initial review of the application, the City Council shall determine whether a public hearing will be held before the Planning Commission, the City Council or both bodies.
 - 1. The Planning Commission may hold a public hearing in accordance with the provisions of **Section 3.510** for the purposes of reviewing the proposed annexation and the proposed land use zoning district(s). Following the close of the public hearing the Commission shall recommend the appropriate zoning district to be applied upon annexation and forward its recommendation to the City Council.
 - 2. The City Council may hold a public hearing in accordance with the provisions of **Section 3.510** for the purposes of reviewing the proposed annexation and the proposed land use zoning district(s). The City Council may, by ordinance containing a legal description of the territory to be annexed, declare the territory annexed upon the condition of an affirmative vote of the City electorate.
 - (b) Upon annexation of any land previously outside the incorporated limits of the City of Tangent, the annexed land shall be zoned as prescribed by the City Council. Until that amendment takes effect, the zoning classification and provisions of the Zoning Ordinance of Linn County applicable to the land immediately prior to that annexation shall remain in effect and shall be enforced by the City of Tangent under the provisions and procedures of this Code.
 - (c) The City Council shall refer the proposal for annexation to the City electorate at the next regularly scheduled election.
- (5) A written record of the findings and action of the City shall be maintained in a Record File of the Application as specified in **Section 2.150**.
- (6) Notice of Decision shall be given the Applicant and all parties to the proceedings as specified in **Section 3.600, Decision**.
- (7) If the City electorate approves an annexation, the City shall provide a Notice of Decision to the proper state and county authorities including the Oregon Secretary of State, the Oregon Department of Revenue, the Oregon U-R Mapping Unit, and the County Clerk and Assessor of Linn County. Notice shall include a legal description of the annexed property, a map of the proposed property showing the location of the annexed property relative to the Tangent City

Limits. The Notice of Decision shall be provided only after the election results are certified and all outstanding fees have been paid to the City.

SECTION 2.900 VACATIONS

Where it is determined that a proposed Vacation shall not be injurious to the City or abutting properties, it may be appropriate to vacate all or parts of a public right-of-way, easements or other public places. This section states the procedures and criteria to permit the vacation of public lands not needed for municipal purposes, where it is consistent with the community land use policies and goals. Ownership of vacated territory shall revert proportionally to the adjoining properties and become a part thereof, as set out in state law.

- (1) **Vacation Application.** An application for a Vacation may be initiated by the City Council or by petition of adjoining or area land owners in accordance with **ORS 271.080**. A request by a property owner for a Vacation shall be accomplished by filing an application with the City using forms prescribed in **Section 2.130**. Applicants shall set forth a description of the area proposed to be vacated and shall submit a map showing the same area and shall state the purpose and justification for the proposed vacation.
- (2) **Consent of Affected Property Owners.** At the time the application is submitted, the Applicant shall submit a letter or letters of consent from affected property owners. For purposes of this Code and in compliance with **ORS 271.080**, affected property owners shall be defined as:
 - (a) All abutting property owners, and
 - (b) Owners of not less than two-thirds in area of the real property affected thereby.

Consent of the owners of the required amount of property shall be submitted in writing and duly acknowledged by the City prior to the scheduling of a public hearing for the requested Vacation.

- (3) **Decision Criteria.** A Vacation request may be approved if the reviewing body finds that the applicant has shown that all of the following review criteria are met:
 - (a) The proposed Vacation is consistent with the relevant Comprehensive Plan policies and with any adopted street plan, transportation plan or public facility plan.
 - (b) The proposed Vacation will not adversely impact adjacent areas or the land use plan of the City.
 - (c) The proposed Vacation will not have a negative effect on access between public rights-of-way, existing or future properties, public facilities or utilities.
 - (d) The proposed Vacation will not have a negative effect on traffic circulation or emergency service protection and is not part of the Tangent Transportation System Plan.

- (e) The portion of the right-of-way that is to be vacated will be brought into compliance with Code requirements, such as landscaping, driveway access, and reconstruction of access for fire safety.
 - (f) The proposed vacation will not create a landlocked property or adversely affect access to large properties.
 - (g) The proposed Vacation will not have an adverse impact on economy of the area.
 - (h) The public interest, present and future, will be best served by approval of the proposed Vacation.
- (4) **Decision Process.** The procedure for taking action on a Vacation request may be one of the following:
- (a) Upon the filing of a complete application for a Vacation, the City Council shall review the application and refer the request to the Planning Commission to evaluate the proposed Vacation and to determine the appropriate zoning district to be applied upon the vacation and make a recommendation to the City Council.
 - (b) Zoning of Vacated Right-of-Way. Except as otherwise provided within the vacation ordinance or where the official City zoning map is not clear as to the zoning of vacated right-of-way, the zoning of each parcel of vacated territory shall be the same as the adjoining property to which the ownership of the vacated unit of land automatically reverts.
 - (c) Vacations initiated by an applicant for a specific property within the City requires a "Quasi-judicial Decision" by the City Council with a recommendation by the Planning Commission, in conformance with the Quasi-judicial Public Hearing procedures of **Section 3.510** as supplemented by the provisions of **ORS Chapter 271**. State law defines the affected area and mandates notice requirements that may be more stringent than the City's requirements.
 - (d) The City Council, upon recommendation of the Planning Commission, may approve, deny or approve with standards or conditions to attain compliance with this Code and State Statutes.
 - (e) Conditions of Approval. The City may attach conditions to the approval of a Vacation request to ensure that the proposal will conform to the review criteria and may require fair market value for the vacated property as a condition of approval.
- (5) A written record of the findings and action of the City Council on the Application shall be maintained by the City in a Record File as specified in **Section 2.150**.
- (6) Notice of Decision shall be given the Applicant together with any conditions of approval for the proposed Vacation as specified in **Section 3.600, Decision**.

ARTICLE 3 DECISION PROCESSES

SECTION 3.110 BASIS FOR DECISION

The basis for a decision on a land use application and the reasons for approval or denial are contained in **ORS 227.173**.

- (1) Approval or denial of a discretionary permit application shall be based on standards and criteria contained in the City's Comprehensive Plan and implementing ordinances.
- (2) Except for Legislative Land Use Decisions, approval or denial of a land use application shall be based upon and accompanied by:
 - (a) A brief statement that explains the criteria and standards considered relevant to the decision.
 - (b) A statement of the facts relied upon in rendering the decision.
 - (c) An explanation of the justification for the decision based on the criteria, standards and facts set forth.
- (3) An application shall not be approved unless the proposed development of land would be in compliance with the City Comprehensive Plan, this Code or other applicable land use regulations or ordinance provisions. The approval may include such conditions as are authorized by **ORS 227.215** or any city legislation.

SECTION 3.120 FORM OF DECISION

A land use decision will take one of three forms:

- (1) **Approval.** Approval means the review or hearing body found the approval criteria were satisfied by the presented facts.
- (2) **Approval with Conditions.** Approval with conditions means the review or hearing body found the approval criteria could be satisfied with the application of specified conditions of approval as authorized in this Code.
- (3) **Denial.** Denial means the review or hearing body found the approval criteria were not satisfied by the presented facts and could not be made to comply with attached conditions of approval.

SECTION 3.200 TYPE OF DECISIONS

ORS 197 and ORS 227 define four types of decisions utilized by cities to address land use applications. Each type of decision has its own procedural requirements. The four types of decisions are:

- (1) **Administrative Decisions**
An administrative decision is a decision that correlates the adopted code or ordinance requirements and standards to an individual issue. These interpretations are usually provided by the City Administrator or designee. The City Administrator shall have decision authority for:

- a. Property Line Adjustments specified in **Section 2.310**.
- b. Temporary Manufactured Dwelling Placements specified in **Section 6.144**.
- c. Final Plat signature specified in **Section 2.337**.
- d. Flood Plain development permits as specified in **Section 4.210**.

(2) **Legislative Decisions**

A legislative decision produces a general rule, law or policy applicable to everyone under similar circumstances. Legislative decisions have a "presumption of validity." They are the laws that apply to everyone in similar situations.

An example of a Legislative Decision was the adoption of the City's Comprehensive Plan, this Code and Ordinances. Other legislative decisions provided for in this Code include text amendments and zone change map amendments that affect a group or class of properties within the City. Legislative Amendments to this Code are provided for in **Section 2.700**.

(3) **Quasi-judicial Decisions**

A Quasi-judicial Decision involves a discretionary judgment applying the adopted rules, laws or policies to a specific individual land use situation like determining the permissible use of a specific piece of property. The action is judicial in nature and the hearing body must conduct a fair and impartial hearing. The decision must be based upon demonstrated compliance with the applicable criteria or standards contained in the City Comprehensive Plan, this Code, ordinances or policies, as determined by the factual evidence presented in the public hearing. The applicant for a change in the use of land specified in the Comprehensive Plan and implementing ordinances bears the burden of proof for the requested change.

Examples of Quasi-judicial Decisions provided for in this Code include, but are not limited to, Conditional Uses as provided in **Section 2.500**, Variances as provided in **Section 2.600** or a zone change map amendment for a specific property as provided in **Section 2.700**.

(4) **Limited Land Use Decision**

The 1991 Oregon Legislature added **ORS 197.195** to Chapter 197 to provide provisions for a final decision or determination made by a city pertaining to a site within its urban growth boundary which concerns:

- (a) Approval or denial of a subdivision or partition, as described in **ORS 92**.
- (b) Approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to, site reviews and design reviews.

A Limited Land Use Decision is a form of discretionary decision that does not require a public hearing and is not subject to the requirements of ORS 197.763 for quasi-judicial public hearings.

Examples of limited land use decisions in this Code that require a review by the Planning Commission include, but are not limited to, Subdivision and Partition Tentative Plans specified in **Section 2.320** and Site Plan Reviews specified in **Section 2.400**.

SECTION 3.300 NOTIFICATION

- (1) **Administrative** actions and interpretations authorized by this Code do not require notifications.
- (2) **Legislative** actions authorized by this Code require one or more public hearings and notification to the general public. In addition to Notice otherwise required by ORS 227.186, any means of notification that provides the general public and organizations believed to have an interest in the legislative issue with reasonable opportunity to be aware of the hearing on the issue is permitted and encouraged.
- (3) **Limited Land Use** reviews or **Quasi-judicial** public hearings authorized by this Code require notification to the applicant and to owners of property within a minimum of 100 feet of the property which is the subject of the notice as identified on the most recent property tax assessment roll where such property is located. Notice shall also be provided to public agencies known to be affected and to any community organization recognized by the City whose boundaries include the site.

The applicant shall provide the City with a list of property owners of record within 100 feet, or greater if specified, of the property subject to the review or hearing.

- (4) **State Ballot Measure 56** requires local governments to mail written individual notice to land owners when the governing body changes the base zoning classification of property, or adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.
- (5) The notice of review or hearing shall be mailed at least twenty (20) days prior to the date of the review or hearing; or if two or more reviews or hearings are allowed, ten (10) days before the first review or hearing. For notices that are sent as a result of a new or amendment to a state administrative rule or statute notice shall be mailed within 30 days of the effective date of the administrative rule or statute.
- (6) Notification may be expanded to include properties beyond 100 feet if the Planning Commission or City Council finds that the extent of potential impacts from a proposed development may exceed the 100 foot boundary area and additional public notice may be provided by other means.
- (7) The failure of a person to receive the notice as provided in this section shall not invalidate such proceedings if the City can validate by affidavit that such notice was given.
- (8) The notice provided by the City shall:
 - (a) Explain the nature of the application and the proposed use or uses which could be authorized.
 - (b) List the applicable criteria from the Code and the Plan that apply to the application at issue or indicate where to find criteria.

- (c) Set forth the street address or other easily understood geographical reference to the subject property.
 - (d) State the date, time and location of the review or public hearing.
 - (e) State that failure of an issue to be raised in a review or hearing, in person or by letter, or failure to provide sufficient detail to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.
 - (f) Include the name and address of the City Administrator and the telephone number where additional information may be obtained.
 - (g) State that a copy of the application, all documents and evidence relied upon by the applicant and the applicable criteria are available for inspection at the Tangent City Hall at no cost and will be provided at reasonable cost.
 - (h) State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the review or hearing and copies will be provided at reasonable cost.
 - (i) Include a general explanation of the requirements for submission of testimony and the procedures for the conduct of reviews or public hearings by the City.
 - (j) The City shall provide written notice of the decision to the Applicant and all parties to the proceeding. The notice shall briefly summarize the decision making process and contain an explanation of appeal rights.
- (9) **Wetland Notice.** The City shall provide the Oregon Division of State Lands, the Applicant and Owner with notice of applications for developments located within areas identified as "Wetlands" on the Tangent Wetlands and Riparian Areas Inventory. No physical alteration shall occur within defined wetland areas until a notice or permit is received from the Division. If the Division fails to respond within thirty days of notice, City approval may be granted with written notice to the applicant and owner that their proposal may require state or federal permits.
- (10) **DLCD Notice of Proposed Amendment.** The City shall notify the Department of Land Conservation and Development (DLCD) of a pending adoption or amendment to the City Comprehensive Plan, Implementing Ordinances, or any other land use ordinance or regulation.
- (a) The notice shall be provided at least 45 days prior to the first evidentiary hearing per ORS197.610, OAR Chapter 660 – Division 18 and Senate Bill 543. The City may consider an amendment or new regulation with less than 45 days notice if the City Council determines that there are emergency circumstances requiring expedited review.
 - (b) The notice shall include the text of the amendment and any other information the local government believes is necessary to advise DLCD of the proposal. "Text" means the specific language being added to or deleted from the acknowledged plan or land use regulation.

- (c) Submittal of proposed "map" amendments must include a map of the affected area showing existing and proposed plan and zone designations. The map should be on 8-1/2x11 inch paper. A legal description, tax account number, address or general description is not adequate.
 - (d) Submittal of proposed amendments which involve a goal exception must include the proposed language of the exception.
 - (e) If the City determines that the statewide goals do not apply to a proposed amendment or new regulation, notice is not required.
 - (f) The amendment or new regulation shall be submitted after adoption as provided in ORS 197.615 (1) and (2).
- (11) **Manufactured Dwelling Park Notice.** If an application would change the zone of property that includes all or part of a Manufactured Dwelling Park, the City shall provide written notice by first class mail to each existing mailing address for tenants of the Manufactured Dwelling Park at least 20 days prior to the date of the first hearing on the application.

SECTION 3.400 LIMITED LAND USE REVIEW PROCEDURES

The following procedures govern the conduct of Limited Land Use Reviews by the by the Tangent Planning Commission for Site Plan Reviews or Partition Tentative Plans. Written comments may be submitted prior to the review decision. No oral comment or testimony is permitted at the review unless the Planning Commission finds that clarification from the Applicant is needed. If the Planning Commission permits the Applicant to provide additional evidence, rebuttal from other participants shall be permitted.

- (1) At the commencement of a review the Chairperson announces the purpose of the review and shall request a summary of the Staff Report that:
 - (a) States the address or geographic location of the subject property.
 - (b) Explains the nature of the application and the proposed use or uses which could be authorized.
 - (c) Lists the applicable criteria from the ordinance and the plan that apply to the application at issue.
 - (d) State that written testimony and evidence must be directed toward the criteria or other criteria in the plan or ordinances which the person believes to apply to the decision.
 - (e) State that a failure to raise an issue with sufficient detail to afford the decision maker and the parties an opportunity to respond to the issue including failure of the Applicant to raise constitutional or other issues relating to Conditions of Approval precludes appeal to LUBA or to bringing an action for damages in Circuit Court based on that issue. An Applicant is not required to raise an issue unless the Condition of Approval is stated with sufficient

specificity to enable the applicant to respond to the condition prior to the close of the final local hearing.

- (f) State that the City shall provide written notice of the decision to the Applicant and all parties to the proceeding. The notice shall briefly summarize the decision making process and contain an explanation of appeal rights.
- (2) The Chair shall request members of the hearing body to declare and identify any actual or potential conflict of interest or any ex parte contacts on the issue. Members shall place on the record the substance of any written or oral ex parte communications concerning the decision or action.
- (3) The Tangent Planning Commission may choose to schedule a public hearing to receive testimony if it determines that the proposed development may present possible adverse impacts on surrounding properties, the neighborhood or the City.

SECTION 3.500 QUASI-JUDICIAL PUBLIC HEARING PROCEDURES

The following procedures govern the conduct of Quasi-judicial Public Hearings by the Tangent Planning Commission or the Tangent City Council on an application for a land use decision:

- (1) A Quasi-judicial Public Hearing is required by the Planning Commission for discretionary land use decisions including, but not limited to: Conditional Uses and Variances. Written testimony may be provided at the hearing or prior to the hearing. Oral testimony may be provided at the hearing.
- (2) Quasi-judicial Public Hearings are required by both the Planning Commission and City Council for discretionary land use decisions for a Text or Map Amendment to the Code or Comprehensive Plan initiated by the City or an applicant for a specific property. Written testimony may be provided at the hearing or prior to the hearing. Oral testimony may be provided at the hearing.
- (3) The Planning Commission and City Council may choose to combine their hearings into a single joint public hearing. The Mayor or President of the City Council shall preside at joint hearings. Following the joint public hearing, the Planning Commission will deliberate and make a recommendation to the City Council. The City Council will consider the recommendation of the Planning Commission and following deliberation, make a final decision on the amendment considering the public testimony, factual evidence presented and compatibility and compliance with the City Comprehensive Plan and the Statewide Land Use Goals and Guidelines.
- (4) An issue which may be the basis for an appeal to the Land Use Board of Appeals (LUBA) shall be raised not later than the close of the record following the final evidentiary hearing on the proposal before the City. Such issues shall be raised with sufficient detail so as to afford the City Council or Planning Commission, and the parties, an adequate opportunity to respond to each issue.
- (5) At the commencement of a hearing the Chairperson of the Hearing Body shall:

- (a) Announce the purpose of the hearing.
 - (b) State that the applicable substantive criteria will be presented in the Staff Report.
 - (c) State that testimony and evidence must be directed toward the criteria or other criteria in the plan or ordinances which the person believes to apply to the decision.
 - (d) State that a failure to raise an issue with sufficient detail to afford the decision maker and the parties an opportunity to respond to the issue including failure of the Applicant to raise constitutional or other issues relating to Conditions of Approval precludes appeal to LUBA or to bringing an action for damages in Circuit Court based on that issue.
- (6) The Chair shall request members of the hearing body to declare and identify any actual or potential conflict of interest or any ex parte contacts on the issue:
- (a) Members shall place on the record the substance of any written or oral ex parte communications concerning the decision or action.
 - (b) Members shall make a public announcement of the content of the communication.
 - (c) Opposition parties' have a right to rebut the substance of any ex parte communication at the first hearing following disclosure.
 - (d) In accordance with **ORS 227.180**, no decision or action by the Planning Commission or City Council shall be invalid due to ex parte contact or bias resulting from ex parte contact with a member of the decision-making body if the member makes the declarations cited above.
- (7) The Chair shall request presentation of the Staff Report.
- (8) The Chair shall request reports or testimony from any Governmental Agencies.
- (9) The Chair shall make the following statements before presentation of testimony:
- (a) A person shall first stand and state his full name and address.
 - (b) The Chair, members of the Hearing Body, or others, with the recognition of the Chair may question a witness.
- (10) The Chair shall call for the Applicant's Presentation.
- (11) The Chair shall call for other Proponent testimony in favor of the Request.
- (12) The Chair shall call for Opponent's testimony in opposition to the Request.
- (13) The Chair shall call for general comments.

- (14) The Chair shall call for the Applicant's rebuttal to opponent's testimony. The Applicant has the right of rebuttal - Opponents do not.
- (15) The Chair shall close the hearing or continue it to an announced time and place.
- (16) Unless there is a continuance, if a participant so requests, before the conclusion of the initial evidentiary hearing, the record shall remain open for at least 7 days after the hearing. When a record is reopened to admit new evidence or testimony, any person may raise new issues that relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue. In addition, if requested, the Applicant will be allowed an additional 7 days to provide final written rebuttal argument.
- (17) The Hearing Body may continue the hearing to gather additional evidence, to consider the application fully, to give notice to additional persons, or for any purpose allowed by this Code. If written or oral notice of the rescheduling of a hearing is provided at the originally scheduled hearing, no additional notice is required. The hearing shall be rescheduled to a specific date, time, and place. If written or oral notice of a continued hearing was not provided, then renotification is required.
- (18) Call for deliberation by the Hearing Body following the close of the Hearing. The Hearing Body may make its decision following the hearing or may close the Record and continue its deliberation to a subsequent meeting. The time and place of the subsequent meeting shall be announced.

SECTION 3.600 LEGISLATIVE PUBLIC HEARING PROCEDURES

The following procedures govern the conduct of Legislative land use public hearings conducted before the Tangent Planning Commission or the Tangent City Council on an Amendment to this Code:

- (1) Legislative public hearings are required by both the Planning Commission and City Council for text amendments or zone change map amendments that affect a group or class of properties. Written testimony may be provided at the hearing or prior to the hearing. Oral testimony may be provided at the hearing.
- (2) The Planning Commission and City Council may choose to combine their hearings into a single joint public hearing. The Mayor or President of the City Council shall preside at joint hearings. Following the joint public hearing, the Planning Commission will deliberate at a separately scheduled meeting and make a recommendation to the City Council. The City Council will consider the recommendation of the Planning Commission and following deliberation, make a final decision on the amendment considering the public testimony, factual evidence presented and compatibility and compliance with the City Comprehensive Plan and the Statewide Land Use Goals and Guidelines.
- (3) The Hearing is a DeNovo Hearing in which all evidence and comment is accepted for consideration. Approval of a Legislative Decision may be appealed to the Land Use Board of Appeals (LUBA) for Review in accordance with ORS 197.830. Denial of a Legislative Decision is not subject to Review.

- (4) At the commencement of a hearing a statement by the Chairperson shall be made to those in attendance that:
 - (a) Announces the purpose of the hearing.
 - (b) Asks if any member of the deciding body has an actual or potential conflict of interest in the matter before the Hearing Body.
 - (c) States that the applicable criteria will be presented in the Staff Report.
 - (d) States that all testimony and evidence relevant to the issue will be accepted for consideration by the Hearing Body.
- (5) The Chair shall request presentation of the Staff Report.
- (6) The Chair shall request reports or testimony from any Governmental Agencies.
- (7) The Chair shall make the following statements before presentation of testimony:
 - (a) A person shall first stand and state his full name and address.
 - (b) The Presiding Officer, members of the Hearing Body, or others, with the recognition of the chair may question a person giving testimony.
- (8) Call for public testimony in any order determined by the Hearing Body.
- (9) Call for any general comments.
- (10) Close the hearing or continue it to another announced time and place.
- (11) Call for deliberation by Hearing Body following close of the Hearing. The Hearing Body may make its decision following the hearing or may close the Record and continue its deliberation to a subsequent meeting. The time and place of the subsequent meeting shall be announced.

SECTION 3.700 DECISION

Applicants and participants in a land use proceeding are entitled to a decision based upon a fair and impartial review or hearing of the factual evidence presented in conformance with the relevant standards and criteria contained in the City's Comprehensive Plan, Codes or Ordinances.

- (1) **Decision Justification.** The review or hearing body shall make a decision on a land use application and, except for legislative land use decisions, provide a brief statement that explains the standards and criteria considered relevant to decision, states the facts relied upon and explains the justification for the decision, with findings that summarize the facts believed by the review or hearing body and how the standards and criteria are satisfied by the accepted facts.
- (2) **Findings.** Findings are based on the information presented in the application, the staff report and evidence presented in the proceedings. **ORS 227.173** requires:

- (a) An explanation of the relevant criteria applicable to the decision.
 - (b) A statement of the facts supporting the decision.
 - (c) An explanation of how the standards and criteria are satisfied by the accepted facts and justify the decision.
- (3) **Findings for Approval.** The findings must contain a statement that all applicable policies and/or criteria are satisfied by the accepted facts presented.
 - (4) **Findings for Approval with Conditions.** The findings must contain a statement that the applicable policy or criteria cannot be satisfied by the facts presented without the application of conditions of approval as authorized in this Code.
 - (5) **Findings for Denial.** The findings must contain a statement that the applicable policy or criteria are not satisfied by the facts presented and cannot be made to comply with the application of conditions of approval as authorized in this Code.
 - (6) **Notice of Decision.** Written notice shall be given to the Applicant and all parties to the proceedings. The notice shall contain the following information:
 - (a) The name of the Applicant and/or Owner of the subject property.
 - (b) The address or geographic description of the subject property.
 - (c) A description of the requested action.
 - (d) The date of decision.
 - (e) A summary of the decision made.
 - (f) Identification of any actual or potential conflict of interest or any ex parte contacts on the issue by any member of the decision body.
 - (g) An explanation of appeal rights.
 - (h) The location where the record may be reviewed.
 - (7) The failure of a property owner to receive notice shall not invalidate the action provided a good-faith attempt was made to notify all persons entitled to notice.
 - (8) Personal notice is deemed given when the notice is deposited with the United States Postal Service.
 - (9) The records of the Linn County Assessor's Office shall be the official records used for giving notice required by this Ordinance. A person's name and address which is not on file at the time the notice mailing list is initially prepared shall not be deemed a person entitled to notice.

SECTION 3.800 APPEAL PROVISIONS

An appeal issue shall be raised at the time of the review or hearing orally or in writing. The appeal issue raised must be specific and shall be presented with enough clarity to afford the decision body an opportunity to adequately respond to the issue. Failure to raise the issue at the review or hearing or failure to clearly define the issue shall preclude appeal to the City Council or to the Land Use Board of Appeals (LUBA) on that issue.

- (1) Written notice of the appeal shall be filed with the City on forms provided by the City. An Appeal request shall contain:
 - (a) The name of the appellant(s) and a statement by the appellant that they were a party to the initial proceedings.
 - (b) Identification of the decision being appealed.
 - (c) The date of the decision being appealed.
 - (d) The form and basis of the appeal and the criteria relied upon for the appeal request.
- (2) An action or ruling of the City Administrator or designee pursuant to this Code may be appealed to the Planning Commission within 10 days of mailing after the decision is made. If an appeal is not filed within the above specified period, the decision of the City Administrator or designee shall be final. If the appeal is filed, the Planning Commission shall receive a report and recommendation thereon from the City Administrator or designee and shall hold public hearing on the appeal.
- (3) An action or ruling of the Planning Commission pursuant to this Code may be appealed to the City Council within 10 calendar days after the Planning Commission decision is mailed.

Written notice of an appeal shall be filed with the City. If the appeal is not filed within the above specified period, the decision of the Planning Commission shall be final. If the appeal is filed, the City Council shall hold a public hearing on the appeal. The City Council may continue the hearing for good cause. Following the hearing, the City Council may sustain any recommendations or ruling of the Planning Commission, provided such action complies with the provisions of this Code, or the City Council may decide the issue.

- (4) An action or ruling of the City Council pursuant to this Code may be appealed to the Land Use Board of Appeals (LUBA) under **ORS 197.828 to 197.845** by filing a notice of intent to appeal with LUBA not later than 21 days after the City's decisions becomes final.
- (5) **Notice.** A "Notice of Appeal" shall be provided in the same manner as the Notice of Decision including all parties to the previous proceedings. A "Notice of Appeal" shall contain:
 - (a) The name of the appellant and a statement that they were a party to the initial proceedings.
 - (b) Identification of the decision being appealed.

- (c) The date of the decision being appealed.
 - (d) The form and basis of the appeal and the criteria relied upon for the appeal.
- (6) **Scope of Review.** Prior to opening the Appeal Hearing the hearing body shall determine the scope of review on the appeal to be one of the following:
- (a) Review on specific issues relative to the decision being appealed with additional testimony and evidence limited to those issues.
 - (b) Review on specific issues and only on the official record of the decision being appealed.
 - (c) A "de novo" hearing as if the request had not been previously heard, except that all testimony, evidence and other materials in the record of the previous review or hearing may be included in the new record of review.
- (7) A party aggrieved by the City's final determination in a proceeding for a land use decision, limited land use decision or discretionary permit may have the determination reviewed by the Land Use Board of Appeals (LUBA) under **ORS 197.828 to 197.845** by filing a notice of intent to appeal with LUBA not later than 21 days after the decisions becomes final.

SECTION 3.900 REVOCATION

A decision on a land use application may be overturned, revoked or modified by the City on any one or more of the following grounds after a public hearing on the issue:

- (1) A material misrepresentation or mistake of fact was made in the application or evidence submitted, either intentionally or unintentionally.
- (2) The use for which approval was granted has ceased to exist.
- (3) Failure to comply with the terms and conditions of approval.
- (4) The use is in violation of a provision of this Code or other applicable statutes, ordinances, or regulations.
- (5) The approval decision was overturned on appeal.

ARTICLE 4 ZONING DISTRICTS

SECTION 4.010 CLASSIFICATION OF ZONING DISTRICTS

For the purpose of this Code the following Primary Zoning Districts are hereby established:

<u>PRIMARY DISTRICTS</u>	<u>ABBREVIATED DESIGNATION</u>
Single-family Residential	RS-10
Multiple-family Residential	RM-10
Multiple-family Residential	RM-6
Community Commercial	CC
Highway Commercial/Industrial	HC/I
General Industrial	GI
Exclusive Farm Use	EFU

SECTION 4.020 CLASSIFICATION OF OVERLAY-DISTRICTS

(1) An Overlay-District may be established in combination with a Primary Zoning District. The Overlay-District shall establish additional requirements, standards and procedures for the use and development of property in the Primary District. In cases of conflict between the standards and requirements of the Primary District and the Overlay-District, the standards and requirements of the Overlay-District shall apply.

(2) For the purposes of this Code the following Overlay-Districts are hereby established:

<u>OVERLAY-DISTRICTS</u>	<u>ABBREVIATED DESIGNATION</u>
Flood Hazard	FH
Planned Development	PD

SECTION 4.030 LOCATION OF ZONING DISTRICTS

The boundaries of **Zoning Districts** listed in this Code are identified on the **City Zoning Map – 1B** which is hereby adopted by reference and made a part of this Code.

SECTION 4.040 ZONING MAPS

The Zoning Map adopted by **Section 4.030** of this Code and any amendment thereto shall be dated with the effective date that adopts the map including any amended map. A certified print of the adopted map or map amendment shall be maintained in the Tangent City Hall as long as this Code remains in effect.

SECTION 4.050 ZONING DISTRICT BOUNDARIES

Unless otherwise specified, District or Zone boundaries are section lines; sub-division lines; lot lines; streets or railroad right-of-ways or such lines extended except where a boundary line clearly divides a lot, then the boundary line shall be determined by use of a measuring scale designated on the County Assessor Maps.

SECTION 4.060 ZONING OF ANNEXED AREAS

- (1) All areas annexed to the City Limits shall be rezoned at the time of annexation consistent with the Tangent Comprehensive Plan as determined by the City Council with recommendation from the Planning Commission as specified in **Section 2.800 (4)**.
- (2) All areas included in the City Urban Growth Boundary shall have a recommended zoning designation at the time the Urban Growth Boundary is changed consistent with the Tangent Comprehensive Plan as determined by the City Council with recommendation from the Planning Commission as specified in **Section 2.700**.

SECTION 4.070 SIMILAR USE AUTHORIZATION

The Planning Commission may permit in a particular district a use not listed in this Code, provided the use is of the same general type as the uses permitted by this Code. However, this section does not authorize a use specifically listed in another district to be established in a district where it is not listed. The decision of the Planning Commission may be appealed to the City Council using procedures specified in **Section 3.700** of this Code.

SECTION 4.080 NONCONFORMING USE

It is the intent of the nonconforming use sections of this Code to permit pre-existing uses and structures which do not conform to the use or dimensional standards of this Code to continue under conditions specified herein. However, alteration or expansion of these nonconforming uses and structures that could cause potentially adverse effects in the immediate neighborhood or in the City as a whole, are not permitted as outlined in this section.

(1) Continuation of a Nonconforming Use.

- (a) Subject to the provisions of this section, a nonconforming use of a structure or a nonconforming use, may be continued and maintained, but shall not be altered or extended except as provided herein.
- (b) The extension of a nonconforming use to a portion of a structure which was arranged or designed for such use at the time of passage of this Code is not an extension of a nonconforming use.
- (c) In any industrial or commercial district, a pre-existing dwelling may be altered or extended, provided that such alteration or extension shall not exceed the yard, lot coverage and building height requirements specified in the adjacent Residential District.(2)
Nonconforming Structure. A structure conforming as to use but nonconforming as to height, setback, lot coverage or similar dimensional standards, may be altered or extended if any other alteration or extension does not cause the structure to deviate from the standard of this Code.

(3) Discontinuance of a Nonconforming Use.

- (a) If a nonconforming use involving a structure is discontinued from active use for a period of one (1) year, further use of the property shall be for a conforming use, unless the Planning Commission approves the continuation of the nonconforming use.

- (b) If a nonconforming use not involving a structure is discontinued from active use for a period of six (6) months, further use of the property shall be for a conforming use.
- (4) **Change of a Nonconforming Use.** If a nonconforming use is changed, it shall be changed to a use conforming to the regulations of the district in which it is located.
- (5) **Destruction of a Nonconforming Use or Structure.** If a nonconforming structure or a structure containing a nonconforming use is totally destroyed or destroyed to the extent of more than fifty percent (50%) of its fair market value by any cause, a future structure or use on the site shall be either in accordance with the provisions of the district in which the property is located or the property owner may apply for a Conditional Use Permit to continue with the existing use or to replace the structure in the previous location at which it was destroyed. A residence may be replaced in any zoning district.
- (6) **Partial Destruction of a Nonconforming Use or Structure.** If a nonconforming structure is destroyed by any cause to the extent of less than fifty percent (50%) of its fair market value, the nonconforming structure may be reconstructed with the same right to continue use of such nonconforming building as existed prior to the damage, provided such reconstruction is commenced within one year from the date of the damage and continues uninterrupted to completion provided the building is not increased in cubic content or floor area. A residence may be replaced in any zoning district.
- (7) **Repairs and Maintenance.** Any building housing a nonconforming use may be maintained or restored to conform with the standards of the building code, including repair or replacement of fixtures, wiring, or plumbing, provided the building is not increased in cubic content or floor area.
- (8) **Completion of Structure.** Nothing contained in this Code shall require any change in the plans, construction, alteration or designated use of a structure for which a building permit has been lawfully issued and construction has commenced prior to adoption of this Code, provided the structure, if nonconforming or intended for a nonconforming use, is completed and in use within one (1) year from the time the permit is issued.

SECTION 4.100 PRIMARY ZONING DISTRICTS

SECTION 4.111 SINGLE-FAMILY RESIDENTIAL DISTRICT RS-10

- (1) **Purpose.** To provide areas suitable and desirable for low density single-family residential use with provisions for associated residential or public service uses.
- (2) **Permitted Uses.** In an RS-10 District, the following uses and their accessory uses are permitted subject to the standards, provisions and exceptions set forth in this Code:
 - (a) Agricultural Uses in conformance with **Section 6.410**
 - (b) One single-family dwelling per tax lot
 - (c) One Manufactured dwelling per tax lot.
 - (d) One Duplex per corner tax lot.
 - (e) Residential Care Homes for 5 or less people or a Group Child Care Home for 12 or less children in conformance with **Section 6.121**.
 - (f) Accessory buildings subject to the following standards:
 1. Accessory buildings shall not be used for dwelling purposes.
 2. Accessory buildings shall be limited to one story and 800 square feet unless submitted for approval under the Conditional Use provisions of **Section 2.500**.
 3. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the Conditional Use provisions of **Section 2.500** and the home occupation standards of **Section 6.110.4**. Boats, trailers, detached campers, motorized dwellings and similar recreational equipment may be stored, but not used for continuous human habitation. Habitation is limited to 60 days in conformance with **Section 1.130 (7)**.
- (3) **Conditional Uses.** In an RS-10 District, the following uses and their accessory uses may be permitted in conformance with the conditional use provisions of **Section 2.500** and the applicable Use Standards of **Article 6**.
 - (a) Home occupation.
 - (b) One Hardship temporary manufactured dwelling per tax lot.
 - (c) Residential Care Facility for 15 or less people or a Group Child Care Center for 13 or more children in conformance with **Section 6.122**.
 - (d) Public or semi-public uses.
 - (e) Historic Resources in accordance with **Section 6.510 – 6.514**.

(4) **Development Standards.**

- (a) Minimum lot area - 10,000 square feet. Property area may need to be increased for sewage drainfields or for properties with building limitations.
- (b) Minimum Lot Width or Depth– 80 feet.
- (c) Maximum Impervious Coverage including accessory buildings – 35%.
- (d) Building Height - 35 feet unless approved by the Planning Commission.
- (e) Yards:
 - 1. Exterior street facing yard setbacks:
 - 20 feet from a street front property line to the garage or carport.
 - 15 feet from a street front or side property line to the residence.
 - See **Section 5.116** for additional setback standards.
 - 2. Interior property facing yard setbacks:
 - 5 feet from a side property line.
 - 15 feet from a rear property line.
 - 5 feet for attached or detached accessory structures.
- (f) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the RS-10 District.
- (g) Minimum retained or restored native vegetation area – 35%

SECTION 4.112 MULTIPLE-FAMILY RESIDENTIAL DISTRICT RM-10

- (1) **Purpose.** To provide areas suitable and desirable for low density multiple-family residential use with provisions for associated residential or public service uses. Low density shall mean a maximum of 6 dwelling units per acre unless approved as a Conditional Use.
- (2) **Permitted Uses.** In an RM-10 District, the following uses and their accessory uses are permitted:
 - (a) Agricultural Uses in conformance with **Section 6.410**
 - (b) One single-family dwelling or manufactured dwelling per tax lot.
 - (c) Multiple-Family Dwellings up to 6 dwelling units per acre in conformance with **Section 6.130**.
 - (d) Residential Care Home or Residential Care Facility in conformance with **Section 6.121** or **Section 6.122**.
 - (e) Accessory buildings subject to the following standards:
 1. Accessory buildings shall not be used for dwelling purposes.
 2. Accessory buildings shall be limited to one story and 800 square feet unless submitted for approval under the Conditional Use provisions of **Section 2.500**.
 3. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the conditional use provisions of **Section 2.500** and the home occupation standards of **Section 6.110.4**. Boats, trailers, detached campers, motorized dwellings and similar recreational equipment may be stored, but not used for human habitation. Habitation is limited to 60 days in conformance with **Section 1.130 (7)**.
- (3) **Conditional Uses.** In an RM-10 District, the following uses and their accessory uses may be permitted in conformance with the conditional use provisions of **Section 2.500** and the applicable Use Standards of **Article 6**.
 - (a) Multiple-family dwellings exceeding 6 units per acre but less than 12 units per acre.
 - (b) Public or semi-public uses.
 - (c) Historic Resources in accordance with **Section 6.510 – 6.514**.
- (4) **Development Standards.**
 - (a) Minimum lot area - 10,000 square feet. The minimal area may have to be increased to accommodate sewage disposal or for properties with building limitations.
 - (b) Minimum Lot Width - 60 feet & Minimum Lot Depth - 80 feet.
 - (c) Maximum Impervious Coverage – 40%.

- (d) Building Height - 35 feet unless approved by the Planning Commission.
- (e) Yards:
 - 1. Exterior street facing yard setbacks:
 - 20 feet from a street front property line to a garage or carport.
 - 15 feet from a street front or side property line to the residence.
 - See **Section 5.116** for additional setback standards.
 - 2. Interior property facing yard setbacks:
 - 5 feet from a side property line or 10 feet from single-family properties.
 - 20 feet from a rear property line.
 - 5 feet for attached or detached accessory structures.
- (f) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the R-11 District.
- (g) Minimum retained or restored native vegetation area – 25%.

SECTION 4.113 MULTIPLE-FAMILY RESIDENTIAL DISTRICT RM-6

- (1) **Purpose.** To provide areas suitable and desirable for medium density multiple-family residential use with provisions for associated residential or public service uses. Medium density shall mean a maximum of 8 dwelling units per acre unless approved as a Conditional Use.
- (2) **Permitted Uses.** In an RM-6 District, the following uses and their accessory uses are permitted:
 - (a) Agricultural Uses in conformance with **Section 6.410**
 - (b) One single-family dwelling or manufactured dwelling per tax lot.
 - (c) Multiple-Family Dwellings up to 8 dwelling units per acre in conformance with **Section 6.130**.
 - (d) Residential Care Home or Residential Care Facility in conformance with **Section 6.121** or **Section 6.122**.
 - (e) Accessory buildings subject to the following standards:
 1. Accessory buildings shall not be used for dwelling purposes.
 2. Accessory buildings shall be limited to one story and 800 square feet unless submitted for approval under the Conditional Use provisions of **Section 2.500**.
 3. No sales shall be made from an accessory structure unless it has been approved as a Home Occupation under the conditional use provisions of **Section 2.500** and the home occupation standards of **Section 6110**.
 4. Boats, trailers, detached campers, motorized dwellings and similar recreational equipment may be stored, but not used for human habitation. Habitation is limited to 60 days in conformance with **Section 1.130 (7)**.
- (3) **Conditional Uses.** In an RM-6 District, the following uses and their accessory uses may be permitted in conformance with the conditional use provisions of **Section 2.500** and the applicable Use Standards of **Article 6**.
 - (a) Multiple-family dwellings exceeding 8 units per acre but less than 16 units per acre.
 - (b) Manufactured Dwelling Park.
 - (c) Public or semi-public uses.
 - (d) Historic Resources in accordance with **Section 6.510 – 6.514**.
- (4) **Development Standards.**
 - (a) Minimum lot area - 6,000 square feet. The minimal area may have to be increased to accommodate sewage disposal or for properties with building limitations.
 - b) Minimum Lot Width - 60 feet & Minimum Lot Depth - 80 feet.

- (c) Maximum Impervious Coverage - 50%.
- (d) Building Height - 35 feet unless approved by the Planning Commission.
- (e) Yards:
 - 1. Exterior street facing yard setbacks:
 - 20 feet from a street front property line to a garage or carport.
 - 15 feet from a street front or side property line to the residence.
 - See **Section 5.116** for additional setback standards.
 - 2. Interior property facing yard setbacks:
 - 5 feet from a side property line or 10 feet from single-family properties.
 - 20 feet from a rear property line.
 - 5 feet for attached or detached accessory structures.
- (f) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the RM-10 District.
- (g) Minimum retained or restored native vegetation area – 20%

SECTION 4.121 COMMUNITY COMMERCIAL DISTRICT CC

- (1) **Purpose.** The Community Commercial District is intended to provide areas appropriate for the full range of commercial activities to serve the needs of area residents and employees. The CC District is well suited for areas in close proximity to the residential areas of the community having access from the City's arterial or collector streets.
- (2) **Permitted Uses.** In a CC District, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of **Section 2.400** and the standards, provisions and exceptions set forth in this Code, provided all operations except off-street parking and temporary activities shall be conducted entirely within an enclosed building and have no emissions requiring a permit from state or federal agencies:
 - (a) Interim Field Crop Farming.
 - (b) Retail stores or shops.
 - (c) Personal or business services including motels and inns.
 - (d) Repair shops (See 3 (b) below).
 - (e) Eating or drinking establishments.
 - (f) Offices, business or professional, including seed testing.
 - (g) Financial institutions.
 - (h) Indoor commercial amusement or recreation establishments.
 - (i) Public or semi-public buildings and uses.
 - (j) Residential Care Home or Residential Care Facility in conformance with **Section 6.121** or **Section 6.122**.
 - (k) Conversion of residence to a permitted commercial use in accordance with **Section 6.2011(1)**.
 - (l) Attached residences to a commercial use in accordance with **Section 6.211 (2)**.
 - (m) Second Story Residences above a commercial use in accordance with **Section 6.211 (3)**.
- (3) **Conditional Uses.** In a CC District, the following uses and their accessory uses may be permitted in conformance with the conditional use provisions of **Section 2.500** and the applicable Use Standards of **Article 6**.
 - (a) Uses requiring an Emission Discharge Permit from the Oregon Department of Environmental Quality.

- (b) Automotive, truck or RV service facilities. Any such facility shall have access from a designated arterial street.
- (c) Automotive, truck, RV, equipment or other repair shops which possess nuisance characteristics or emissions potentially detrimental to Public health, safety and general welfare of the community such as noise, vibrations, smoke, odor, fumes, dust, heat, glare or electromagnetic interference shall not be permitted unless additional safeguards are specified by the Planning Commission. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Inaccurate specification of extent may result in revocation of, or revisions to the Conditional Use Permit.
- (d) Permitted uses listed in (2) above, requiring exterior display or storage, including but not limited to, automobile or equipment sales.
- (e) Permitted uses exceeding 50 feet in height.
- (f) Limited fabrication or assembly operations including cabinet, plumbing or sheet metal shops.
- (g) Historic Resources in accordance with **Section 6.510 – 6.514**.

(4) **Development Standards.**

- (a) Minimum lot size shall be 10,000 square feet. Lots are required to be large enough to accommodate the building, sewage disposal system, required parking, service access and pedestrian circulation including persons with disabilities.
- (b) Minimum Lot Width or Depth– 80 feet.
- (c) Maximum Impervious Coverage – 60%.
- (d) Maximum Building Height - 50 feet unless approved by the Planning Commission as a Conditional Use.
- (e) Yards:
 1. Exterior street facing yard setbacks:
20 feet from a front property line unless modified by **Section 5.116, 6.212 or 6.213**.
 2. Interior property facing yard setbacks:
12-foot side yard where abutting residentially zone property with Screening provided in conformance with **Section 5.134 (9)**.
There is no setback where abutting commercial or industrial property subject to **Section 5.116 (4)** and the requirements for building construction specified in the Oregon Structural Specialty Code.
- (f) Access shall be designed to cause a minimum interference with traffic and may be subject to the review and approval of the County Engineer or State Department of Transportation.

The dedication of additional right-of-way and construction of street improvements by the applicant may be required in order to facilitate traffic circulation.

- (g) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the CC District.
- (h) Minimum retained or restored native vegetation area – 25%

SECTION 4.122 HIGHWAY COMMERCIAL/INDUSTRIAL DISTRICT HC/I.

- (1) **Purpose.** The Highway Commercial/Industrial District is intended to provide areas appropriate for the full range of commercial and limited industrial activities to serve the needs of area. The HC/I District is well suited for areas having access from the City's major thoroughfares that are free from conflict with non-compatible land uses.
- (2) **Permitted Uses.** In a HC/I District, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of **Section 2.400** and the standards, provisions and exceptions set forth in this Code, provided all operations except off-street parking and temporary activities shall be conducted entirely within an enclosed structure, except as identified herein, and shall have no emissions requiring a permit from state or federal agencies:
 - (a) Uses permitted in the CC Zoning District.
 - (b) Interim Field Crop Farming.
 - (c) Auto or truck service and repair facilities.
 - (d) Seed Testing, Cleaner or warehousing.
 - (e) Building Trade Contractors.
 - (f) Fabrication, assembly, research, service, repair or processing shops with no emissions requiring a state or federal emissions permit including compliance with noise standards.
 - (g) Exterior sales or rental yards provided displays are neatly organized.
 - (h) Warehousing and mini-storage units.
 - (i) Agricultural Cooperatives.
- (3) **Conditional Uses.** In a HC/I District, the following uses and their accessory uses may be permitted in conformance with the conditional use provisions of **Section 2.500** and the applicable Use Standards of **Article 6**.
 - (a) Permitted Uses listed above requiring exterior operations or storage of materials or equipment.
 - (b) Uses possessing nuisance characteristics or emissions potentially detrimental to Public health, safety and general welfare of the community such as noise, vibrations, smoke, odor, fumes, dust, heat, glare or electromagnetic interference shall not be permitted unless additional safeguards are specified by the Planning Commission. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use.
 - (c) Uses requiring an Emission Discharge Permit from the Oregon Department of Environmental Quality and operations exceeding the state noise standards.

- (d) Truck Dispatch Operations.
- (e) Outdoor recreational uses.

(4) **Development Standards.**

- (a) Minimum lot size shall be 10,000 square feet. Lots are required to be large enough to accommodate the building, sewage disposal system, required parking, service access and pedestrian circulation including persons with disabilities.
- (b) Minimum Lot Width or Depth– 80 feet.
- (c) Maximum Impervious Coverage – 60%.
- (d) Maximum Building Height - 50 feet unless approved by the Planning Commission as a Conditional Use.
- (e) Yards:
 - 1. Exterior street facing yard setbacks:
20 feet from a front property line unless modified by **Section 5.116** or **6.213**.
 - 2. Interior property facing yard setbacks:
12-foot side or rear yard where abutting residentially zone property with Screening provided adjacent conformance with **Section 5.134 (9)**.
There is no setback where abutting commercial or industrial property subject to **Section 5.116 (4)** and the requirements for building construction specified in the Oregon Structural Specialty Code.
- (f) Access shall be designed to cause a minimum interference with traffic and may be subject to the review and approval of the County Engineer or State Department of Transportation. The dedication of additional right-of-way and construction of street improvements by the applicant may be required in order to facilitate traffic circulation.
- (g) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the CC District.
- (h) Minimum retained or restored native vegetation area – 20%

SECTION 4.131 GENERAL INDUSTRIAL DISTRICT GI

- (1) **Purpose.** The General Industrial District is intended to protect and preserve areas suitable for industrial development to assist in supporting the area's economy. The GI District is suitable for manufacturing and warehousing activities having minimal emissions or nuisance characteristics that could impact adjacent non-industrial areas. The GI District is well suited for areas having highway and rail access that are free from conflict with non-compatible land uses.
- (2) **Permitted Uses.** In an GI District, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of **Section 2.400** and the standards, provisions and exceptions set forth in this Code.
 - (a) Interim field crop farming.
 - (b) All manufacturing, warehousing, wholesaling, compounding, assembling, processing, storing, researching, or testing uses provided all operations except off-street parking and temporary activities shall be conducted entirely within an enclosed building unless approved by the Planning Commission, and provided there are no emissions or nuisance characteristics discernible without instruments at the property line. See **Section 2.140 Item (21)**.
 - (c) Truck Terminals or Freight Depots.
 - (d) Public or semi-public buildings and uses.
- (3) **Conditional Uses.** In a GI District, the following uses and their accessory uses may be permitted, subject to the provisions of **Section 2.500**.
 - (a) Manufacturing, warehousing, wholesaling, compounding, assembling, processing, storing, researching, or testing uses having emissions or nuisance characteristics discernible without instruments at the property line or uses requiring a permit from a local, state or federal agency.
 - (b) Scrap, waste, recycling or wrecking yards
 - (c) Quarrying and related activities, subject to the requirements of Statewide Planning Goal 5 and OAR 660-23-180 for Mineral and Aggregate Resources.
 - (d) Processing, storage, distribution or disposal of waste, fuel or other hazardous materials.
 - (e) Commercial activities in association with an approved industrial use.
 - (f) A manufactured dwelling for the owner or caretaker whenever an on-site residence is necessitated by the primary use. The manufactured dwelling shall comply with the standards of Article 6.
- (4) **Development Standards.**

- (a) Minimum lot size shall be 10,000 square feet. Lots are required to be large enough to accommodate the building, sewage disposal system, required parking, service access and pedestrian circulation including persons with disabilities.
- (b) Minimum Lot Width or Depth– 80 feet.
- (c) Maximum Impervious Coverage – 70%.
- (d) Maximum Building Height - 50 feet unless approved by the Planning Commission as a Conditional Use.
- (e) Yards:
 - 1. Exterior street facing yard setbacks:
20 feet from a front property line unless modified by **Section 5.116** or **6.213**.
 - 2. Interior property facing yard setbacks:
12-foot side or rear yard where abutting residential or commercially zoned property with Screening provided in conformance with **Section 5.134 (9)**.
There is no setback where abutting industrial property subject to **Section 5.116 (4)** and the requirements for building construction specified in the Oregon Structural Specialty Code.
- (f) Access shall be designed to cause a minimum interference with traffic and may be subject to the review and approval of the County. The dedication of additional right-of-way and construction of street improvements by the applicant may be required in order to facilitate traffic circulation.
- (g) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the GI District.
- (h) Minimum retained or restored native vegetation area – 10%.

SECTION 4.141 EXCLUSIVE FARM USE DISTRICT EFU

- (1) **Purpose.** The purpose and intent of the Exclusive Farm Use (EFU) Zoning District is to provide areas for the continued practice of agriculture and permit the establishment of only those new uses that are compatible with agricultural activities. Therefore, the EFU Zone is to be applied only in those areas that are "agricultural lands" as determined in Statewide Planning Goal 3 thereby providing automatic farm use valuation for farms that qualify under the provisions of ORS 308.

The EFU Zone is intended to guarantee the preservation and maintenance of the areas classified for farm use, free from conflicting non-farm uses and influences. The zone is subject to change only in those instances where there is substantial evidence that such land is no longer suitable for agriculture or that there has been a change in the land needs of the City that clearly demonstrates that such land is needed for urban uses other than agriculture.

- (2) **Permitted Uses.** In an EFU District, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of **Section 2.400** and the standards, provisions and exceptions set forth in this Code.
- (a) Farm Use as defined below and the non-farm uses otherwise authorized by **ORS 215.213**. "Farm Use" shall include the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species. It does not include the use of land subject to the provision of ORS chapter 321, except land used exclusively for growing cultured Christmas Trees as defined in subsection (3) of this section or land described in ORS 321.267 (1) (e) or 321.415 (5).
 - (b) A Dwelling for the owners or operators of the farm use in conformance with **OAR 660-033-0120 and ORS 215.213**.
 - (c) Nonresidential farm use buildings and structures.
 - (d) Seasonal farm-worker housing in conformance with **ORS 197.675**.
- (3) **Conditional Uses.** **OAR 660-033, ORS 215.213, and ORS 215.296** identify Conditional Uses and their accessory uses that may be permitted, subject to the provisions of **Section 2.500** of this Code. Conditional Uses may include but are not limited to the following:
- (a) Public Uses and Facilities including public or private schools
 - (b) Churches
 - (c) Additional dwelling for relatives involved in the farm operation.

- (d) Seasonal Farm-worker housing.
- (e) Temporary Manufactured dwelling for a hardship condition.
- (f) Geothermal exploration or operation.
- (g) Utility facilities.
- (h) Transportation facilities.
- (i) Winery.
- (j) Commercial activities in conjunction with the farm use including animal by-product businesses.
- (k) Community Centers.
- (l) Golf Courses.
- (m) Home Occupations.
- (n) Historic Resources in accordance with **Section 6.510 – 5.614.**

(4) Development Standards.

- (a) Minimum lot area – 40 acres.
- (b) Minimum Lot Width or Depth: None .
- (c) Maximum Impervious Coverage – 40%
- (d) Yards:
 1. Exterior street facing yard setbacks:
20 feet from a front or side property line.
See **Section 5.116** for additional street setbacks.
 2. Interior property facing yard setbacks:
10 foot side yards.
15 foot rear yards.
- (e) Maximum Residence Height - 35 feet. Other farm structures shall be approved as part of the Site Plan Review procedures of **Section 2.400** subject to Conditions of Approval.
- (f) The raising of field crops in the general field of horticulture is allowed on any EFU property within the city.

- (g) The raising of farm animals in the general field of animal husbandry is permitted within the EFU District under the following conditions:
1. It is the continuing responsibility of the owner to properly contain or restrain all animals or fowl and to maintain proper sanitation at all times, and further provided that such raising activities are not part of nor conducted in conjunction with any live stock sales yard, slaughter house, or animal by-product business unless approved as a Conditional Use in conformance with **Section 2.500**.
 2. Fencing must be designed and constructed to confine all animals within the property line.
 3. A Setback of 200 feet from any off-site residence or drainageway is required for all corralled animals or buildings housing farm animals.
 4. It is the responsibility of the property owner to maintain proper health and sanitation standards and to assure that nuisance factors such as noise, smell and unsightly conditions are mitigated. Proper sanitation includes:
 - A. Not allowing animal waste to accumulate.
 - B. Not allowing animal waste to contaminate groundwater or drainageways.
 - C. Taking the necessary steps to minimize odors resulting from farm animals.
- (h) The above standards are the minimum standards applicable to property located within the City of Tangent, additional site area or other standards may be required to comply with county, state or federal Health and Sanitation Standards.
- (i) Any proposed non-farm dwelling or manufactured dwelling in the EFU Zone on a lot, parcel or tract less than forty (40) acres in size shall submitted to the City to determine that the dwelling complies with **OAR Division 660- 033** for such use.
- (j) Any farm dwelling or manufactured dwelling customarily provided in conjunction with a farm use on a parcel forty (40) acres or larger in size shall be submitted to the City to determine that the dwelling complies with the requirements for "farm use" as that term is defined in State Statutes.
- (k) A proposed Land Division in the EFU Zone shall be submitted to the City for Planning Commission review in conformance with **Section 2.300**. In addition to meeting the forty (40) acre minimum lot size requirement, an applicant also must demonstrate that each lot or parcel created by any land division is appropriate for the continuation of the existing commercial agricultural enterprise. A land division creating lots greater than forty (40) acres in size will not be assumed to satisfy this provision based on lot size alone.
- (l) Development in conformance with **Section 4.141** for EFU lands and subdivision or partitioning of EFU lands are exempt from the off-site improvement requirements of this Code.
- (m) See **Article 5** for additional General Development Standards and **Article 6** for Use Standards that may apply in the EFU District.

SECTION 4.200 OVERLAY-DISTRICTS

An Overlay-District may be established in combination with a Primary District. The Overlay-District shall establish additional requirements, standards and procedures for the use and development of property in the Primary District. In cases of conflict between the standards and requirements of the Primary District and the Overlay-District, the standards and requirements of the Overlay-District shall apply.

- (1) **Application.** The City, a property owner, or any interested person may apply for designation of an Overlay-District in combination with any Primary District in accordance with the application requirements of **Sections 2.130 and 2.140** and the amendment procedures of **Section 2.700**. The Quasi-judicial hearing procedures of **Section 3.510** shall be used when the application is submitted by a property owner and applies to a specific property. The Legislative hearing procedures of **Section 3.520** shall be used when the Overlay-District is applied by the City to a group or class of properties under similar circumstances.

SECTION 4.210 FLOOD HAZARD OVERLAY-DISTRICT – FH

The Flood Damage Prevention Code as adopted by Ordinance shall be the basis for administrating this portion of the code

SECTION 4.220 PLANNED DEVELOPMENT OVERLAY-DISTRICT, PD

The purpose of the PD Overlay-District is to provide opportunities to create more desirable working or living environments by the application of new development standards applied under an approved plan and program that is professionally prepared. The PD Overlay-District is intended to be used to encourage the application of new techniques and new technology to community development that can achieve economies in land development and maintenance while providing building groupings, open spaces and circulation systems that enhance the working or living environment of the inhabitants. A Planned Development may be residential, commercial or industrial or a mixed combination of land uses. Application procedures are as follows:

(1) Planned Development Applications:

- (a) The City or a property owner may request a PD Overlay-Zone in combination with any Primary Zone in accordance with the application requirements of **Sections 2.110 through 2.140**, the amendment procedure of **Section 2.700** and the requirements of **Sections 4.220** contained herein.
- (b) A property owner located in an existing PD Overlay-Zone may request approval of a **PD Plan** in conformance with the requirements of **Sections 4.220** contained herein.
- (c) Application for a PD Overlay-Zone or a PD Plan is divided into three phases:
 1. The Applicant shall first submit a **PD Conceptual Plan** containing drawings and a written program that is presented in enough detail to clearly describe the proposed development. An informal pre-application review by members of the Planning Commission and City Council will be scheduled in conformance with **Sections 2.110 and 2.120** to determine if the requested PD conforms to the City's PD requirements and is conceptually acceptable to the City. This preliminary process is intended to

save time and expense for the Applicant and the City but shall not result in a final land use decision by the City.

2. After receiving approval in principle of the PD Conceptual Plan the applicant shall have a **PD Development Plan** prepared by a professional design team that contains drawings and a written program for a formal public hearing and decision by the City.
3. Verification of compliance with the Conditions of Approval by the City Administrator and acceptance of the **Final PD Development Plan** in conformance with the approved **PD Development Plan**.

SECTION 4.221 PD DEVELOPMENT STANDARDS

- (1) **Site Size.** A PD Overlay-District shall not be established on less than 5 acres unless the Planning Commission finds that a proposed smaller area can comply with all of the requirements of **Sections 4.220-4.228**.
- (2) **Comprehensive Plan Compliance and Adjacent Property Protection.**
 - (a) The development plan and program shall present an organized arrangement of buildings, service facilities, open spaces and improvements in compliance with the intent of the Comprehensive Plan that also protects the property rights of adjacent property owners.
 - (b) Periphery yards of a PD Overlay-District shall be at least as deep as those required by the yard regulations of the underlying District unless the City finds that equal protection will be accorded through the specific design features of the approved plan.
- (3) **Lot Coverage and Building Height.** Lot coverage and building height shall be no greater than for the underlying District unless the City finds that an exception is warranted that provides adequate protection to adjacent property as well as additional amenities proposed in the total development.
- (4) **Open Space.** Open space in a PD Overlay-District means the land area to be used for scenic or open recreational purposes within the development.
 - (a) Open space does not include street right-of-way, driveways, parking areas, required setbacks, or public service easements unless these areas have some special recreational design or purpose.
 - (b) Open space shall be adequate for the recreational and leisure use of the population occupying the development and shall be designed to enhance the development.
 - (c) To the maximum extent possible, the plan and program shall assure that natural features of the land are preserved and landscaping is provided.
 - (d) Instruments guaranteeing the maintenance of open space shall be provided with the proposed plan. Documents dedicating development rights and provisions for maintenance of open space shall be approved as to form by the City Attorney.

- (5) **Density.** Greater overall density than that specified in the Primary District may be allowed under a PD Overlay-District based on the specific development design proposed subject to the availability of all required support utilities including water and sanitary sewers. Generally the density provision of the underlying District shall be used as a guideline for a deviation from the standard density. Areas used for public street right-of-way or private roadways intended to provide access to more than two (2) structures shall be excluded when determining the overall density of the development. Water courses woodlands and open spaces may be utilized in determining the density of development.
- (6) **Subdivision Lot Sizes.** Minimum area, width, depth and frontage requirements for subdivision lots in a PD Overlay-District shall be the same as the basic District unless smaller lots are approved in accordance with proposed plan and program.
- (7) **Additional Standards and Controls.** The City may require additional standards or controls to protect adjacent property rights or the health, safety and welfare of the general public in compliance with the Comprehensive Plan based upon the specific development request. Additional standards and controls may include, but are not limited to, the following:
- (a) Increasing the required setbacks to protect adjacent properties or solar access.
 - (b) Controlling the location and number of vehicular access points.
 - (c) Establishing new streets, increasing the right-of-way or roadway width of existing streets, requiring curbs and sidewalks, and in general, improving the traffic circulation system including off-site improvements.
 - (d) Requiring improvements for utilities or storm drainage facilities including off-site improvements.
 - (e) Increasing the number of parking spaces and improving design standards for parking areas.
 - (f) Limiting the number, size, location, and lighting of signs.
 - (g) Designating sites for open space and recreation and, in general, improving landscaping requirements.
 - (h) Requiring view obscuring screening or fencing.
 - (i) Establishing time limits for completion of all or any portion of the project, including, but not limited to utilities, drainage facilities, streets, curbs, gutters, sidewalks, parking areas, landscaping, fencing, screening or recreation areas.
 - (j) Requiring contractual agreements with the City to assure development of streets, sidewalks, drainage facilities, utilities, and other improvements to standards acceptable to the City.

- (8) **Phased Development.** The applicant may, or the City may require the applicant to develop the site in successive stages as proposed in the PD Development Plan.
- (a) Each such stage shall be a substantially complete unit of development.
 - (b) The City may require that development be done in stages if public facilities are not adequate to service the entire development initially.
- (9) **Permitted Uses In Residential PD Overlay-Districts.** The following uses and their accessory uses may be permitted in a PD Overlay-District which has been combined with a Residential District.
- (a) Residential use of land.
 - (b) Related commercial uses when approved by the City.
 - (c) Related community service uses when approved by the City.
 - (d) Proposed standards or controls shall be specified in the PD Development Plan and signed by the owners. Where applicable, the requirements may be made part of future deed CC&R's.

SECTION 4.222 PD CONCEPTUAL PLAN

An applicant shall submit at least fifteen (15) copies of a conceptual drawings and a written program to the City for review and acceptance of the proposed development in principle. An informal review by members of the Planning Commission and City Council will be scheduled to determine if the requested PD appears to conform to the City's PD requirements and is conceptually acceptable to the City. The proposal shall address the following elements.

- (1) **Elements of the Plan.**
- (a) Vicinity map showing location of streets and lots in the area within 300 feet of the proposed development.
 - (b) Existing lands uses.
 - (c) Proposed land uses, including housing unit densities (number of units per acre, type of residence, and number of bedrooms by type of residence); commercial facilities, such as shopping, and community facilities, such as schools or parks.
 - (d) Building types and approximate bulk.
 - (e) Vehicular and pedestrian access, circulation and parking pattern. Status of street ownership.
 - (f) Proposed Subdivision layout and easements.
 - (g) Parks, playgrounds, and open spaces.

- (h) Existing natural features such as trees, streams and topography.
- (i) Landscaping, screening, and fencing proposals.
- (j) Proposed method of solid waste disposal.
- (k) Proposed method of water supply and sewage disposal.
- (l) Proposed utilities.
- (m) Proposed method for the handling of surface water drainage.
- (n) Proposed grading patterns.
- (o) Street and open space lighting proposals.

(2) Elements of the Program.

- (a) Proposed members of the Professional Design Team.
- (b) Proposed ownership pattern.
- (c) Operation and maintenance proposal, such as condominium, co-op, or Homeowners Association.
- (d) Time table of the development, to include expected starting dates, projection of completion time, and project phasing, if anticipated.
- (e) Method of public improvements financing, if any.

(3) Review of PD Conceptual Plan

- (a) An informal review with the Applicant and City Officials will be scheduled to determine if the requested PD conforms to the City's PD requirements and is conceptually acceptable to the City.
- (b) Members of the Planning Commission and City Council shall informally review the PD Conceptual Plan and may indicate that the PD Conceptual Plan is conceptually acceptable or not and may recommend modifications. The informal review shall be based upon compliance with the intent of City's Comprehensive Plan, the intent of City development standards and the extent of deviation from City standards proposed in the PD.
- (c) Approval in principle of the PD Conceptual Plan shall be limited to the preliminary acceptability of the land uses proposed and their interrelationships and shall not be construed to endorse the precise location of uses nor engineering feasibility, and does not indicate final City Approval. The City shall reject a PD Development Plan that does not comply with the standards and criteria of this Code, regardless of the outcome of the PD

Conceptual Plan Review. The City may require the submission of additional information for the PD Development Plan review.

- (d) The City shall review and may recommend expansion, additions, or modifications in the proposed design team for the preparation of the PD Development Plan.
- (e) The City may determine the extent of any environmental assessment to be included with the PD Development Plan.

SECTION 4.223 PD DEVELOPMENT PLAN

- (1) After receiving approval in principle of the PD Conceptual Plan, the Applicant shall have a PD Development Plan prepared by a professional design team in such design-related fields as Architecture, Landscape Architecture, Urban Planning, and Civil Engineering.
- (2) An applicant for a PD Overlay-District shall also petition for an amendment to the zoning map as specified in **Section 2.700**. Fifteen (15) copies of the PD Development Plan shall be submitted to the Planning Commission and City Council at least 30 days prior to the date of public hearing.
- (3) Upon receipt of the PD Development Plan, the Planning Commission and City Council shall hold separate public hearings or a single joint public hearing in accordance with the provisions of **Section 3.510 (3)**. At the public hearing the applicant shall present the PD Development Plan.
- (4) **Plan Elements.** In addition to the Application Sit Plan required in **Section 2.140**, the PD Development Plan shall contain the following elements:
 - (a) A complete development plan in conformance with any approved conceptual plan.
 - (b) Existing and proposed contour map of the site to a scale commensurate with the size of the development.
 - (c) Location, widths, and names of all existing or platted streets or other public ways, railroad and utility rights-of-way, parks, or other public open spaces and land uses within 300 feet of the development.
 - (d) Existing sanitary sewers, water mains, and other underground facilities within and adjacent to the development and their certified capacities.
 - (e) Proposed location and capacity of sanitary sewers or other wastewater disposal facilities, water mains and other underground utilities.
 - (f) Proposed system for the handling of storm drainage.
 - (g) A Subdivision Tentative Plan in conformance with **Section 2.300**, if the property is proposed to be subdivided.
 - (h) A land use plan indicating the uses planned for the development.

- (i) Areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, school sites, public buildings, or other uses dedicated or reserved to the public, if any.
- (j) Open space that is to be maintained and controlled by the owners of the property and the proposed uses thereof.
- (k) A traffic flow map showing the circulation pattern within and adjacent to the proposed development.
- (l) Location and dimensions of bikeways, pedestrian walkways, malls, trails, or easements.
- (m) Location, arrangement, number and dimensions of automobile garages and parking spaces, width of aisles, bays, and angle of parking.
- (n) Location, arrangement, and dimensions of truck loading and unloading spaces, if any.
- (o) Preliminary architectural plans and elevations of typical buildings and structures, indicating the general height, bulk, appearance and number of dwelling units.
- (p) A preliminary tree planting and landscaping plan. All existing trees over six (6) inches in diameter and groves of trees shall be shown. Trees to be removed by development shall be so marked.
- (q) The approximate location, height, materials of all walls, fences, and screen plantings. Elevation drawings of typical walls and fences shall be included.
- (r) The stages, if any, of development construction. Such stages shall be clearly marked on the PD Development Plan.

(5) Program Elements.

- (a) Narrative statement of the basic purposes of the planned development.
- (b) Tables showing the total number of acres and the percentage of the total area that is designated for each type of use, including each dwelling type, off-street parking, streets, parks, playgrounds, schools, and open spaces as shown on the proposed development plan.
- (c) Tables showing the overall density of the proposed residential development and showing density by dwelling types and any proposals for the limitation of density.
- (d) Drafts of appropriate restrictive covenants and drafts of documents providing for the maintenance of any common open space, or required dedications or reservations of public open spaces and of any dedications of development rights.

- (e) A timetable indicating when utility and drainage facilities intended to serve the development are to be installed. If the development is to be constructed in stages, the timetable shall reflect this.

SECTION 4.224 DECISION AND FINDINGS

- (1) **Planning Commission Decision.** The Planning Commission, after a public hearing in accordance with the provisions of **Section 3.510**, may recommend approval, denial or approval with conditions of the PD Development Plan and the PD Overlay-District.
- (2) **City Council Decision.** The City Council, after a public hearing in accordance with the provisions of **Section 3.510** and after receiving the recommendation from the Planning Commission on the PD Development Plan shall either approve the application, deny the application or approve the application with conditions.
- (3) **Joint Public Hearing.** A single joint public hearing by the Planning Commission and City Council may be utilized in conformance with **Section 3.510 (3)**.
- (4) **PD Development Elements.** Approval of the PD Development Plan includes approval of all attached elements including the PD Overlay-District, a Subdivision Tentative Plan and all Conditions of Approval.
- (5) **Decision Criteria.** The recommendation of the Planning Commission and decision by the City Council shall be based upon the following findings:
 - (a) That exceptions from the standards of the underlying District are warranted by the design and amenities incorporated in the proposed PD Development Plan.
 - (b) That the proposed development is consistent with the purpose and intent of the Primary District and that adjacent properties are protected from potential adverse affects resulting from the proposed development by appropriate controls or development standards.
 - (c) That the proposed development, or a unit thereof, can be substantially completed within Two (2) years of final approval.
 - (d) That the internal PD streets and serving streets outside of the PD are adequate to support the anticipated traffic in conformance with the **TTSP**.
 - (e) That the proposed utilities and drainage facilities are adequate for the population densities and type of development proposed and will not cause flooding or pollutants to impact the drainage channel inside or outside of the PD Overlay-District.
 - (f) That the timing of installation of utility and drainage facilities will be closely coordinated with development construction and will not create a hardship to residents either within or outside the PD Overlay-District.
 - (g) That the density in the proposed development will not result in any substantial negative impact on any public facility or utility.

SECTION 4.225 OFFICIAL PD DEVELOPMENT PLAN

- (1) Following approval of the PD Overlay-District by the City Council, the applicant shall make changes in the PD Development Plan to comply with the Conditions of Approval and submit it to the City Administrator for verification of compliance with the PD Development Plan and Conditions of Approval applied by the City.
- (2) If the PD Development Plan is found to be in compliance with the approval conditions, it shall be so certified by the City Administrator and placed in the Record File of the Application as the Official PD Development Plan along with all documents relating to dedications, improvements, agreements, restrictions, and associations.
- (3) File if the property is to be divided or streets are to be dedicated unless private street exceptions have been approved by the City Council.
- (4) All public site dedications, development rights to open spaces or other dedications for the entire site or approved staged portion shall be certified and placed in the Record File prior to the issuance of any building permit.
- (5) Final copies of all approved articles governing operation and maintenance shall be placed in the Record File prior to the issuance of any building permit.
- (6) The PD Overlay-District shall be adopted by City Ordinance. The area shall henceforth be shown on the official zoning map as a PD Overlay-District in addition to the Primary District. All building permits shall be issued only in conformance with the Official PD Development Plan recorded in the Record File.

SECTION 4.226 BONDING

- (1) A developer may be required to post financial security, to assure his full and faithful performance in completion of the Official Development Plan. The Security must be acceptable to the City Attorney.
- (2) If the developer fails to carry out the Official PD Development Plan as approved and the City has unreimbursed costs or expenses resulting from such failure, the City shall call on the financial security for reimbursements. If the amount of the financial security exceeds the cost and expense incurred by the City, the City shall release the remainder. If the amount of the financial security is less than the cost and expense incurred or anticipated to be incurred by the City, the developer shall be liable to the City for the difference.

SECTION 4.227 PROPOSED CHANGES IN APPROVED PLANS

- (1) Major Changes. Major changes in the Official Development Plan after it has been adopted shall be considered a new petition and shall comply with the procedures for adoption. A Major Change is any change that does not qualify as a Minor Change.
- (2) Minor Changes. Minor changes in an approved Official Development Plan may be approved by the City Administrator, provided that such changes:
 - (a) Do not change the character of the development or the population density.

- (b) Do not change the boundaries of the PD Overlay-District.
- (c) Do not change any use, such as residential to commercial.
- (d) Do not change the location or amount of land devoted to a specific land use.
- (e) Do not relax dimensional standards or other specific requirements established by the City as a Condition of Approval.

SECTION 4.228 EXPIRATION

- (1) If construction or development has not begun within one year from the date of final approval and acceptance of the Official Development Plan, the City Administrator shall review the status with the owner and make a report of the findings to the Planning Commission and City Council.
- (2) Upon abandonment of a particular Planned Development, or if its development has not been substantially completed within the time specified in the Official Development Plan, the City may schedule public hearings to remove the PD Overlay- District unless a request to extend the time limit is approved.
- (3) The procedure for removal of a PD Overlay District is essentially the same as for adoption. The proposed removal of the PD Overlay-District shall be reviewed at a public hearing of the Planning Commission to determine whether or not its continuation in whole or in part is in the public interest. If the PD Overlay-District is found not to be in the public interest, the Planning Commission shall recommend to the City Council that the PD Overlay-District of the property be removed. The City Council shall then hold a public hearing on the revocation of the PD Overlay-District and shall either maintain the District, revoke the development plan approval, or grant a time extension if it appears justifiable. If the PD Overlay District is repealed, further use of the property and future structures thereon shall be in accordance with the existing Primary District and may result in a Nonconforming Use.

ARTICLE 5 GENERAL DEVELOPMENT STANDARDS

SECTION 5.010 DEVELOPMENT STANDARDS

In addition to the development standards specified for each zoning district, there are many standards that apply in more than one zoning district. The following Sections specify development standards applicable within any zoning district in the City of Tangent.

SECTION 5.020 PLAN CONFORMANCE

All developments within the City shall conform to any approved Planned Development, PD Overlay adopted by the City. Developments located within an area that has an approved Planned Development shall comply with the design and construction standards of the Planned Development in addition to those contained in this Code. In cases of conflict, the approved Planned Development standards shall govern.

SECTION 5.110 HEIGHT STANDARDS

Building height standards are specified in **Item (4) of each Zoning District**.

SECTION 5.111 BUILDING HEIGHT EXCEPTIONS

Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers aerials, flagpoles, and similar objects not used for human occupancy may exceed the building height limitations of this Code by no more than ten (10) feet unless approved by the Planning Commission as a Variance.

SECTION 5.112 BUILDING PROJECTION EXCEPTIONS

Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys and flues shall not project more than 30 inches into a required yard unless approved by the Planning Commission as a Variance.

SECTION 5.113 LOT SIZE

Lot size standards are specified in **Item (4) of each Zoning District**.

SECTION 5.114 LOT SIZE EXCEPTIONS

If a lot, as recorded in the office of the County Assessor at the time of passage of this Code, has an area or dimension that does not comply with the lot size requirements of the district in which the property is located, the property may be occupied by a use permitted in the district subject to the other requirements of the district. If there is an area deficiency, residential use shall be limited to a single-family dwelling or to the number of dwelling units consistent with the lot area per dwelling unit requirement of the zoning district.

SECTION 5.115 YARD SETBACKS

Yard setback standards are specified in **Item (4) of each Zoning District**.

SECTION 5.116 YARD SETBACK EXCEPTIONS

- (1) No building shall be erected on a lot that abuts a street having only a portion of the right-of-way (ROW) required by the City's Transportation System Plan (TTSP) dedicated, unless, the yard setbacks are increased to accommodate the required ROW plus the required yard setback.

- (2) The Planning Commission may require additional setbacks, street right-of-way dedications and street improvements for development projects that are submitted for review and approval as a Planned Development, Site Plan Review, Conditional Use or Variance.
- (3) The Planning Commission may reduce the required yard setbacks for special and unusual site conditions in conformance with **Section 2.600, Variances** where compliance with the setback provisions of this Code would create an undue or unnecessary hardship.
- (4) Commercial & Industrial Setbacks. In commercial or industrial districts where an interior yard is not required and a structure is not located at the property line, it shall be set back at least five (5) feet from the property line to accommodate access to the building.
- (5) Automobile Service Station Setbacks. In a district where automobile service stations are permitted, freestanding gasoline pumps and pump stands may occupy a required exterior yard, provided they are a minimum of 15 feet from the property line.
- (6) Solar Access. It is necessary and desirable that every building and use have a right to adequate air, light and access to solar energy.
 - (a) The City may require additional setbacks to protect access to solar energy for non-residential buildings requiring a Site Plan Review or Conditional Use.
 - (b) This shall apply only in the zones where it is not permitted to build directly up to the property line.
 - (c) No obstruction by one building to another shall occur where the height of the new building will obstruct an existing building from solar exposure on the opposite side of a property line. This condition does not apply to buildings constructed on the same property.

SECTION 5.117 DRAINAGEWAY SETBACKS

- (1) Properties abutting North Lake Creek, Lake Creek and Oak Creek, which are documented as all fish-bearing streams, and all year-round flowing streams shall have a minimum setback of 50 feet from the top of each bank. Additional setbacks may be required for riparian areas, wetlands and floodplains as identified in the Tangent Local Wetlands and Riparian Area Inventory. Building permit applications and land use applications to the City shall clearly indicate the boundary limits for riparian areas, wetlands and floodplains. Vegetation removal, and alterations from within the 50-foot setback area, with the exception of invasive species, shall be prohibited. Alteration of these areas, other than for continuation of agricultural use, by grading or placement of structures or impervious surfaces is prohibited unless approved by the City in accordance with the procedures of city ordinances and state law.
- (2) All other intermittent drainageways and watercourses shall have a minimum setback that includes the vegetative fringe or a minimum 15 feet from the center of the drainageway whichever is greater. Setbacks are required for riparian areas, wetlands and floodplains as identified in the Tangent Local Wetlands and Riparian Area Inventory and **Section 5.118 and Section 5.126, Storm Drainage, Item (2)** of this Code.

SECTION 5.118 PONDS, WETLANDS & RIPARIAN AREAS

The Tangent Local Wetlands and Riparian Area Inventory is the City's official Local Wetlands Inventory (LWI). Compliance with the standards contained therein is required by this Code.

Wetlands are defined as those areas that are inundated or saturated often enough to support a prevalence of vegetation adapted for life in standing water or saturated soil.

(Hydric Soils). Wetlands include swamps, bogs, marshes and similar areas.

Riparian Areas are defined as the area immediately adjacent to surface water such as rivers, streams, ponds, lakes, wetlands and springs consisting of transition areas between aquatic ecosystems to terrestrial ecosystems.

Ponds are defined as a confined body of water in which water stands in a closed depression that is smaller than a lake.

- (1) **Regulation.** Development within wetlands is prohibited unless replacement or enhancement mitigation is accepted by the regulatory agencies. The Oregon Department of State Lands (DSL) is the coordinating agency for wetland permits. The US Army Corp of Engineers (Corps) is the federal regulatory agency administering Section 404 of the National Clean Waters Act. There are also other state and federal coordinating agencies, including DLCDC.
- (2) **Notice.** **ORS 227.350** specifies that cities shall provide notice of proposed wetlands development to the DSL.

The city shall provide notice to the DSL, the applicant and the owner of record, within 5 working days of the acceptance of any complete application for the following activities that are wholly or partially within areas identified as wetlands on the Tangent Local Wetland and Riparian Area Inventory.

- (a) Subdivisions;
 - (b) Building permits for new structures;
 - (c) Other development permits and approvals that allow physical alteration to the land involving excavation and grading, including permits for removal or fill, or both, or development in floodplains and floodways;
 - (d) Conditional use permits and variances that involve physical alterations to the land or construction of new structures; and
 - (e) Planned unit development approvals.
- (3) The provisions of Subsection (2) of this Section do not apply if a permit from the DSL has been issued for the proposed activity.

- (4) Approval of any activity described in Sub-section (2) above shall include one of the following notice statements:
 - (a) Issuance of a permit under **ORS 196.600 to 196.905** by DSL is required for the project before any physical alteration takes place within the wetlands;
 - (b) Notice from DSL that no permit is required; or
 - (c) Notice from the DSL that no permit is required until specific proposals to remove, fill or alter the wetlands are submitted.
- (5) If DSL fails to respond to any notice provided under Subsection (2) of this section within 30 days of notice, the City approval may be issued with written notice to the applicant and the owner of record that the proposed action may require state or federal permits.
- (6) The City may issue local approval for parcels identified as or including wetlands on the State-wide Wetlands Inventory upon providing to the applicant and the owner of record of the affected parcel a written notice of the possible presence of wetlands and the potential need for state and federal permits and providing DSL with a copy of the notification of comprehensive plan map or zoning map amendments for specific properties.
- (7) Notice of activities authorized within an approved wetland conservation plan shall be provided to the division within five days following local approval.
- (8) Failure by the City to provide notice as required in this section will not invalidate City approval.
- (9) **Development Standards.** No development shall be permitted within designated wetlands unless a permit has been acquired from DSL and all other regulatory agencies having jurisdiction.
- (10) Any new development that affects flood storage capacity along Lake, North Lake Creek and Oak Creek shall provide mitigation that replaces that ecological function in a location that would provide similar or greater flood storage for all properties downstream of where the impacts occurred.
- (11) There shall be established a 50-foot buffer within which the removal of native vegetation, grading and paving, land partitions and property line adjustments, spraying of pesticides or herbicides and tree removal would be prohibited.

SECTION 5.119 POND & WETLAND CONSTRUCTION

- (1) **Purpose.** To Protect the City's groundwater from contamination the following measures are required to guide the construction of ponds and the restoration, enhancement and creation of wetlands. Modifications to existing ponds and jurisdictional wetlands shall qualify as a ponds and wetlands construction project and shall comply with the **Conditional Use** provisions of **Article 2.500**.

(2) **Conditional Use Application for Ponds & Wetlands Construction.** For consideration of a pond or wetland project construction request, the Applicant shall provide the City with a completed Conditional Use Application, accompanied by the following information:

(a) **Drawings.**

1. A Vicinity map showing the location of the subject property in relation to the Tangent City Limits.
2. A site plan showing the entire subject property and the proposed basin, with distances to property lines, wells, septic systems, including repair areas, structures, roads, driveways, and other physical features. The plan shall also indicate uses of all adjoining properties.
3. The type and function of the proposed constructed pond or wetland project.
4. Dimensions, including but not limited to length, width, depth(s), volume and configuration of the proposed basin.
5. The source of water supply for the proposed constructed pond or wetland project.
6. Soil types mapped for the entire subject property available from the USDA Natural Resources Conservation Service or from the City. Hydric soils, as defined by DSL, shall be highlighted or otherwise accented on the plans. A map and list of hydric soils in the Tangent Urban Growth Boundary is available at the Tangent City Hall.
7. Existing vegetation and vegetation proposed to be cleared or otherwise removed, maintained, and/or introduced, including timing or phasing of plantings. Species that are native to the area in which the subject property is located shall be indicated. Wherever possible re-vegetation proposals shall be generally compatible with native species occurring at the site. Vegetation plans may depend largely upon the type and intended purpose of the pond or wetland construction project.
8. Well locations, abandoned or operational, within the all of the contiguous property under the same ownership and the abutting properties. Well log reports, if existing, shall be provided for each well. Landowners and applicants shall comply with all **WRD** requirements applicable to wells.

(b) **Descriptive Narrative.** Provide a descriptive narrative describing the following:

1. Project type and intent;
2. Identification of all local, state and federal agencies requiring permits and the status of those permit applications;
3. Proposed materials and design of the basin's bottom surface;

4. Information about the permeability of soils.
5. Source of water for the project;
6. Practices intended to ensure levels of water adequate to meet the design criteria throughout the year;
7. A detailed explanation of plant species to be maintained or introduced. The proposed placement of seedlings, and the planned removal of any existing vegetation.
8. Phasing or timing of any excavation, impoundment, stream diversion, construction, removal or introduction of vegetation, or other activities associated with the project, and an estimate of the time of completion of the project;
9. The narrative may also include a discussion of the objectives of the project and any other pertinent information not otherwise provided for in the application.
10. Any additional details or materials requested by the City that are deemed necessary to facilitate a thorough review and evaluation of the Conditional Use Application.

(c) **Agency Coordination.** The Applicant shall submit the following agency coordination information to the City for the Record File.

1. The applicant is required to demonstrate coordination with all local, state and federal agencies participating in the proposed project. This testimony may be in the form of copies of the permits or correspondence on official letterhead from the applicable agencies indicating the necessary permits are pending. **Approval is contingent upon approval and permitting by the participating local, state or federal regulating agencies.**
2. Agencies which the applicant is responsible for contacting regarding a proposed ponds or wetlands construction project are: the Oregon Division of State Lands (DSL), the Oregon Department of Water Resources (WRD); the Oregon Department of Fish and Wildlife (ODFW), and the U.S. Army Corps of Engineers (ACOE and the U.S. Department of Agriculture, Agricultural Stabilization & Conservation Service for construction on farmlands and any other agency having authority.
3. No modification of an approved plan is permitted without acceptance of the revised plan by all participating agencies.
4. If approved, construction of the project shall minimize impacts upon existing and natural conditions.

(3) The Planning Commission may approve or deny an application to construct ponds or wetlands. Consistent with the provisions of **Section 2.500** the Planning Commission may also attach Conditions of Approval to ensure compatibility with surrounding natural systems and land uses and which are determined by the City to be in the public interest.

SECTION 5.120 PARKING

The Tangent Public Works Design Standards (TPWDS) is the City's official public works standards for all public construction. The TPWDS shall be adopted by Resolution and compliance with the standards contained therein is required by this Code. For each new structure or use, each structure or use increased in area and each change in the use of an existing structure there shall be provided and maintained off-street parking areas in conformance with the provisions of this section.

(1) Design and Improvement Requirements for Parking Lots:

- (a) All parking areas and driveway approaches shall be paved or constructed with a porous wearing course such as porous asphalt or concrete, pavers or grid confinement systems in accordance with the **TPWDS** unless gravel is approved by the Planning Commission as a temporary use to facilitate drainage through the Conditional Use or Variance procedures of this Code. Permitted graveled areas are a temporary use and shall be resurfaced in accordance with the **TPWDS** when requested by the City.
- (b) Service drives and parking spaces on surfaced parking lots shall be clearly and permanently marked. Handicapped Parking must comply with the Oregon Structural Specialty Code.
- (c) Off-street parking areas for other than single-family and two-family dwellings shall be served by a service driveway and turnaround so that no backing movements or other maneuvering shall occur within a street other than an alley. Design for parking lots shall conform to the Off-street Parking Diagrams contained in the **TPWDS**.
- (d) A Parking space dimensions shall conform to the Off-street Parking Diagrams contained in the **TPWDS**.
- (e) The outer boundary and all landscaped islands of a parking area shall be designed for protection of landscaping, and pedestrian walkways. Curbed landscape island shall be designed with 6" high curb with curb cuts. Otherwise, flush curbing with wheel stops or other improvements shall be designed to prevent vehicles from parking on landscaped areas, and to allow rainwater to drain runoff into the landscaping to promote infiltration. No motor vehicle shall project over the property line.
- (f) All parking areas, except those in conjunction with a single family or two-family dwelling, shall have adequate drainage to dispose of the run-off generated by the surface area of the parking area. On-site collection of drainage water shall not allow sheet flow of water onto sidewalks, public right-of-ways or abutting property and shall retain runoff to the maximum extent feasible and detain any excess runoff so out-flow velocities are equal to that of undeveloped land. All drainage systems shall conform to the standards contained in the **TPWDS** and shall be approved by the City as part of the review and approval process for Planned Developments, Site Plan Reviews, Conditional Uses and Variances and shall be approved for all Building Permits.
- (g) Service driveways to off-street parking areas shall not be designed and constructed to impede the flow of traffic, limit safety of traffic access and egress, and limit safety of

pedestrian and vehicular traffic on the site. The number of service driveways shall not exceed the minimum that will allow the property to accommodate and service the traffic anticipated.

- (h) All off-street parking areas within or abutting residential districts or uses shall be provided with a sight-obscuring fence, wall or hedge as approved by the City to minimize disturbances to adjacent residents pursuant to **Section 5.134 (9) (a) 1.**
- (2) Required off-street parking shall be provided on the development site unless a Variance is approved by the City pursuant to **Section 2.600.**
- (3) Required parking spaces shall be available for the parking of operable motor vehicles for residents, customers, patrons and employees only and shall not be used for storage of vehicles, trucks, or materials used in the business, or for repair or servicing.
- (4) Provisions for and maintenance of off-street parking spaces are continuing obligations of the property owner. No building permit or other approvals shall be issued until plans are presented that show the complete parking layout. The subsequent use of property for which approval is granted shall be conditional upon the unqualified continuance and availability of the amount of parking space required by this Code.
- (5) Should the owner or occupant of a lot or building change the use of the property to a use that increases the off-street parking requirements, it shall be unlawful and a violation of this Code to begin or to maintain such altered use until the required increase in off-street parking is provided.
- (6) In the event several uses occupy a single structure or property, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately unless a Variance is approved by the City pursuant to **Section 2.600.**
- (7) Owners of two or more uses, structures or properties may agree to use the same parking spaces jointly provided the off-street parking is the sum of the requirements of the several uses. If the hours of operation do not overlap, the parking requirement shall be for the largest number of required parking spaces. An agreement shall be submitted and approved by the Planning Commission as a Conditional Use or Variance for the cooperative use of the parking facilities.
- (8) A plan, drawn to scale, indicating how the off-street parking requirements are to be fulfilled, shall accompany all requests for City approval or a Building Permit.
- (9) Parking lots shall be provided with landscaping as provided in **Section 5.134** and other suitable devices in order to divide the parking lot into sub-units to provide for pedestrian safety, traffic control, enhanced stormwater detention/retention and to improve the appearance of the parking lot.
- (10) Off-street parking shall be sufficient to accommodate the needs of the on-site use and shall not be less than the off-street parking requirements specified in **Section 5.121.** Fractional space requirements shall be counted as a whole space. When square feet are utilized to determine the required parking spaces, the area measured shall be the gross floor area of the building primary

to the use but shall exclude any area within a building used for off-street parking, loading, or service functions not primary to the use. When the requirements are based on the number of employees, the number counted shall be those working on the premises during the largest shift at peak season.

SECTION 5.121 MINIMUM OFF-STREET PARKING REQUIREMENTS

<u>Use</u>	<u>Space Requirement</u>								
(1) Residential									
(a) One and two family	2 spaces/dwelling								
(b) Multiple family dwelling	<table border="0"> <tr> <td>Studio</td> <td>1 space/unit</td> </tr> <tr> <td>1-2 Bedrooms</td> <td>1 space/unit</td> </tr> <tr> <td>3+ Bedrooms</td> <td>2 space/unit</td> </tr> <tr> <td colspan="2">Plus 1 space per six units for guests</td> </tr> </table>	Studio	1 space/unit	1-2 Bedrooms	1 space/unit	3+ Bedrooms	2 space/unit	Plus 1 space per six units for guests	
Studio	1 space/unit								
1-2 Bedrooms	1 space/unit								
3+ Bedrooms	2 space/unit								
Plus 1 space per six units for guests									
(c) Rooming or boarding house	Spaces equal to 80% of the number of guest accommodations plus 1 space per staff person								
(d) Home Occupation	1 space per 500 sf of occupational space plus the residential requirement								
(e) Hotel, Motel, Inn	1 space per guest room plus 75 space per staff person								
(2) Institutional									
(a) Convalescent hospital, nursing home, sanitarium rest home, home for the aged	1 space per two beds for patients or residents plus 1 space per employee								
(3) Public Assembly									
(a) Church	1 space per four seats or eight feet of bench length, or one space for each 50 sf of floor area of main auditorium not containing fixed seats								
(b) Library, reading room	1 space per 400 sf of floor area								
(c) Pre-school nursery,	2 plus 1 spaces per teacher kindergarten								

<u>Use</u>	<u>Space Requirement</u>
(d) Elementary, Junior	1 spaces per classroom plus 1 space High per employee
(e) High School	2 spaces per classroom plus 1 space per employee
(f) Other public assembly or rooms	1 space per six seats or eight feet meeting of bench length, or one space for each 50 sf of floor area for assembly room not containing fixed seats
(4) Commercial	
(a) Retail store or Shopping Centers	1 space per 300 sf of floor area designated for retail sales
(b) Service or repair shops equipment rental, retail stores handling bulky merchandise such as automobiles, furniture or nursery	1 space per 400 sf of floor area
(c) Banks and Offices	1 space per 300 sf of floor area
(d) Medical and dental clinic	1 space per 300 sf of floor area plus one space per employee
(e) Eating, drinking or indoor recreational establishment	1 space per 200 sf. of floor area
(5) Industrial	
(a) Manufacturing, fabrication assembly	1 space per employee plus 1 processing, space per 600 sf of office or public area
(b) Warehouses, mini-storage, rail or trucking freight terminal	1 space per employee plus one space per 300 sf of office or public area
(c) Wholesale sales and distribution	1 space per two employees plus one space per 300 sf of office or public area

Use

Space Requirement

(6) Parking Requirement

Required off-street parking shall be that needed to support the on-site uses including the public and employees regardless of the standards specified herein.

(7) Unspecified Uses

Any use not specifically listed in this section shall have a parking requirement determined by the City, based on the parking space requirements for comparable uses.

SECTION 5.122 TRANSPORTATION STANDARDS

The City of Tangent has adopted the **Tangent Transportation System Plan (TTSP)** and the **Tangent Public Works Design Standards (TPWDS)**. **Compliance with the standards contained therein is required by this Code.**

(1) General Provisions

- (a) The following provisions shall apply to the dedication, construction, improvement or other development of public right-of-ways in the City of Tangent. All public improvements shall be designed in conformance with the specific requirements of the City's most current **TPWDS**.
- (b) Development proposals shall provide for the continuation of existing and proposed streets, bikeways and pedestrian facilities located outside the development, to maintain the continuity of traffic circulation for all modes of travel in the City.
- (c) The Tangent Comprehensive Plan and Transportation System Plan require that development proposals shall provide their proportional share of the transportation infrastructure necessary to accommodate the proposal, and to ensure the practicality and efficiency of providing adequate services to and through the subject property.
- (d) The **TTSP** plans for the transportation needs of the community by planning for improvements to existing and new transportation facilities to accommodate vehicle, bicycle, and pedestrian needs of the community as growth occurs.
- (e) Future development within the Tangent City Limits shall comply with the Future Streets Plan and the Bicycle and Pedestrian Plans contained in the **TTSP**.

(2) **Future Streets Plan Conformance**

- (a) At the time of development, property owners shall ensure that sufficient transportation infrastructure is available to serve the development. This can be accomplished through any of the following methods approved by the City:
1. Dedicate right of way and construct streets indicated on the City's Future Streets Plan;
 2. Participate in a Local Improvement District or similar mechanism to effect the construction of the streets indicated on the City's Future Streets Plan;
 3. Enter into an agreement with the City of Tangent, acceptable to the City, indicating when and how the dedication and improvements will be completed; or
 4. Any other method approved by the City that ensures the appropriate level of transportation infrastructure is available to serve the proposed development.
- (b) The level of participation by property owners in required new street construction shall be determined based upon evaluation of the amount of frontage that exists on an existing or future public street and upon the impacts of the proposed development to the City's transportation system.
- (c) New streets indicated on the City's Future Streets Plan are conceptual in their general location, and may be modified by the City or upon request by property owners in conjunction with specific development requests. Such a change may only be effected upon a demonstration that:
1. The requested modification will reasonably allow the continuation of the general layout of the future streets network as identified in the Transportation System Plan, and
 2. The public benefits of the development concept outweigh specific conformance with the City Street Plan
- Consistent with **TTSP Policy 10**, no adjustment shall result in a future right-of-way indicated on the Future Streets Plan being relocated off-site from the tract or tracts upon which it is indicated on the City's Future Street Plan.
- (d) In addition to the new facility construction projects indicated in the TTSP new street dedications and/or constructions may also be required in conjunction with land divisions or development approvals and/or based upon a public need as identified by the City. It shall be the burden of the developer to provide internal streets for new subdivisions, land partitions, manufactured dwelling parks, industrial parks and commercial centers sufficient to serve the needs of those developments.

(3) **Pedestrian & Bicycle Plan Conformance**

- (a) The purpose of this subsection is to provide safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided. This section is also intended to ensure that new development avoids wherever possible levels of automobile traffic that might interfere with or discourage pedestrian or bicycle travel. Consistent with **TTSP Policy 37**, the City of Tangent shall consider pedestrian and bikeways when reviewing all development proposals and street improvements.
- (b) At the time of development of new subdivisions; multi-family developments; planned developments; shopping centers; and commercial districts adjacent to residential areas and transit stops, such development shall provide on-site facilities to accommodate safe and convenient pedestrian and bicycle traffic from within the development and to neighborhood activity centers within one-half mile of the development. New office parks and commercial developments shall employ accessways and clustering of buildings to provide internal pedestrian and bicycle circulation.
- (c) Developers shall be responsible for improvements conforming with the Sidewalks Plan of **Figure 34** of the **TTSP**. Sidewalks shall be required along arterial, collectors, and local streets, as shown on **Figure 34**.

(4) **Existing Street System Improvements**

- (a) Proposed development on property that is served by an existing public street or right of way that does not meet the City's adopted street standards shall result in a requirement that the owner or developer improve the existing street or right of way in order to accommodate the proposal and to bring the transportation facility into compliance with the applicable standards.
- (b) Consistent with subsection (3) and (4) above, any required off-site transportation improvements shall include accommodations for safe and efficient bicycle and pedestrian travel. Any required new street, parking area, or pedestrian or bicycle way may be required to be preceded by an approved drainage plan for approval by the City to ensure that the new construction will not cause or augment ponding or flood damage.
- (c) The City may consider a flexible interpretation and/or enforcement of street standards when the tests and procedures of **TTSP Policy 14** are met.

(5) **Access Management**

- (a) All new commercial or industrial uses, multi-family residential uses, subdivisions, and manufactured dwelling parks, including expansion of existing uses, that propose to utilize either Old or New Highway 34 (until such time as the State of Oregon no longer owns Old

Highway 34) or Highway 99E as access shall submit for City approval a Traffic Assessment, which shall include the following:

1. Location of access points;
 2. Estimates of the amount of traffic that will utilize the above access points;
 3. Effect that the proposed development will have on traffic movement of both vehicles and pedestrians on Highway 34 and/or 99E;
 4. The identification of all improvements that will be required to maintain adequate traffic flow; and
 5. Permit approval by the Oregon State Highway Division.
 6. Additional details, including but not limited to a professional traffic impact study, may be required by the City of Tangent. Coordination with ODOT prior to undertaking a traffic impact study will help ensure that issues necessary for issuance of a road approach permit from ODOT are adequately addressed.
- (b) In accordance with the Oregon Highway Plan, where a right of access exists, access to a property at less than the designated spacing standard shall be in accordance with the Oregon Highway Plan. Where a right of access exists, access to a property at less than the designated spacing standard access shall be allowed only if that property does not have any other reasonable access and the designated spacing cannot be accomplished. If possible, other options should be considered, including joint access. Only one approach per property shall be allowed to a street owned by either the City of Tangent or Linn County, except that more than one access may be considered if the City finds that additional access is necessary to accommodate and serve traffic associated with the use of the property.
- (c) Access to Highways 99E and 34 will be provided only where adequate access to another street or driveway is not feasible, and only in a manner that is consistent with the City's Transportation Policies and guidelines as contained in the TTSP; the Tangent Public Works Design Standards; the Oregon Highway Plan; and OAR Division 734-0051, Access Management Administration Rules.
- (d) Intersections and driveway spacing shall be regulated as prescribed in **TTSP Section 20.2.4, Access Management**.
- (6) **Clear Vision Areas:** In all districts a clear vision area shall be maintained at the corners of all property located at the intersection of two streets, a street-alley or a street-railroad. A clear vision area shall also be maintained at all driveways intersecting a street. **See Section 2.22 of the TPWDS.**
- (a) All properties shall maintain a clear triangular area at street intersections, railroad-street intersections, alley-street intersections and driveway-street intersections for safety vision purposes.

- (b) Clear Vision areas for Streets or Commercial or Industrial Driveways shall be as specified in the **TPWDS, Section 2.22.**
- (c) A clear vision area shall contain no plantings, fences, walls, structures, or temporary or permanent obstruction exceeding 3 feet in height, measured from the top of the curb, or, where no curb exists, from the established street center line grade. Trees exceeding this height may be located in this area, provided all branches or foliage are removed to a height of 8 feet above grade.

SECTION 5.123 STREETS

The Tangent Public Works Design Standards (TPWDS) is the City’s official public works standards for all public construction. Compliance with the standards contained therein is required by this Code. Urban public street improvements, which may or may not include curbs, gutters and storm drainage are required for all land divisions and property development in the City of Tangent in conformance with the **TPWDS Drawings Numbered 200 through 204.**

Urban street improvements may be deferred by the City as a condition of approval for Subdivisions, Partitions, Site Plan Reviews, Conditional Uses or Variances where future urban road or utility improvements will occur in the future and on property in the rural fringe of the City where urban construction standards have not yet occurred. Rural "Turnpike" public streets in conformance with **TPWDS Drawings Numbered 102** that have shoulders and side ditches may be approved in lieu of the required urban streets. A property owner is obligated to provide the required urban street when requested by the City or is obligated to pay their fair share of street improvements if streets are installed by the City at a later date as part of a Limited Improvement District. A Waiver of Remonstrance and a deed CC&R shall be attached to the property to guarantee compliance with this requirement.

- (1) The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. The arrangement of streets shall either:
 - (a) Provide for the continuation or appropriate extension of existing principal streets in the surrounding area; or
 - (b) Conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.
- (2) Minimum right-of-way and roadway widths. The width of travel lanes for streets and roadways in feet shall be adequate to fulfill city specifications as provided for in **Article 7** of this Code and should not be less than the minimums shown in the **TPWDS** and the following Table unless otherwise approved on a development plan.
- (3) Street Design Considerations for Subdivision, Partition, Site Plan Review, Conditional Use or Variance approval:

- (a) A Center Turn Lane may be required at major intersections for traffic safety as determined by the City or County Engineer or the Oregon Department of Transportation, whichever has jurisdiction.
 - (b) Streets without designated bike lanes shall provide a "shared roadway" bikeway where there is not enough right-of-way provide separate lanes.
 - (c) Private utility easements shall be required adjacent to right-of-ways.
 - (d) The Planning Commission shall approve "Skinny Streets" in developments to reduce maintenance costs and provide a pedestrian-friendly environment. The City Engineer shall determine the adequacy of proposed streets considering:
 - 1. The street shall be adequate to serve the number of dwelling units, as shown in the Arterial, Collector, and Local Streets Design Table.
 - 2. The street shall be limited in length and not provide through access.
 - (e) Street trees shall be provided as specified in **Section 5.134**.
 - (f) Any right-of-way remaining after constructing the above improvements shall be utilized for landscaping and utilities.
 - (g) Existing Local Streets with right-of-ways exceeding the improvement needs shall provide landscape strips between the curb and sidewalk.
 - (h) Where conditions, particularly topography or the size and shape of the tract, make it impractical to otherwise provide buildable sites, narrower right-of-ways may be accepted, if necessary, and replaced with slope, sidewalk or utility easements dedicated on both sides of the right-of-way.
 - (i) Where topographical conditions necessitate cuts or fills for proper grading of streets, additional right-of-ways or slope easements shall be required.
- (4) Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of approval of the land division or land use approval.
 - (5) Half Street: Half streets shall be approved by the Planning Commission where it finds that the other half will be provided when the adjoining property is developed. Whenever a proposed subdivision or partition abuts a half street, the other half of the street shall be provided within such tract. Reserve strips and street plugs may be required to preserve the feasibility of future street development.
 - (6) Cul-de-sacs: A cul-de-sac street shall have a maximum length of 600 feet. A longer length may be approved as a Variance where it can be demonstrated that there is no other alternative. A cul-de-sac shall terminate with a circular turnaround.

- (7) Reserve Strips: A reserve strip is a 1 foot strip of land at the end of a right-of-way extending the full width of the right-of-way used to control access to the street. A Reserve strips shall be provided when requested by the City to control access to public streets. The Reserve Strips shall be deeded to the City. A barricade shall be constructed at the end of the street by the land divider and shall not be removed until authorized by the City.
- (8) Alignment: As far as is practicable, streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 300-feet between the centerlines of streets having approximately the same direction.
- (9) Future Extensions of Streets: Where necessary to provide access to or through, or to permit a future division of adjoining land, streets shall be extended to the boundary of the subdivisions or partition. The resulting dead-end streets shall have a turn-around approved by the Fire District in lieu of a cul-de-sac. Reserve strips s shall be required to preserve the future objectives of street extensions.
- (10) Intersection Angles: Streets shall be laid out to intersect at angles as near to right angles as practical except where topography require a lesser angle, but in no case shall the acute angle be less than 75 degrees unless a Variance is approved. Intersection radius for various conditions is specified in the **TPWDS**.
- (11) Street Names: Except for extensions of existing streets, no street name shall be used that duplicate or may be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the City.
- (12) Grades and Curves: Grades shall not exceed 6 per cent on Arterials, 10 per cent on Collector Streets or 12 per cent on other streets. Center line radii of curves shall not be less than 500 feet on Arterials, 300 feet on Collector Streets or 200 feet on other streets, and shall be to an even ten feet. Where existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, the City may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, of at least 0.5 per cent.
- (13) Streets Adjacent to Railroad Right-of-ways: Wherever a proposed land division contains, or is adjacent to a railroad right-of-way, a distance between the streets and the railroad right-of-way shall provide sufficient depth for landscape screening along the railroad right-of-way and for lot or parcel size in conformance with the zoning district.
- (14) Railroad Crossings: Where an adjacent development results in a need to install or improve a railroad crossing, the cost for such improvements shall be born by the land owner unless an equitable means of cost distribution is approved by the City.
- (15) Private Streets: Private streets are permitted within Planned Developments, Manufactured Home Parks and singularly owned developments as part of the land division or development approval. Design standards shall be the same as those required for public streets unless an alternative is

approved by the City as a Variance. The City shall require verification of legal requirements for the continued maintenance of private streets.

- (16) Traffic Signals: Where a proposed intersection will result in the need for street signals, signals shall be provided by the developer and the costs shall be borne by the land owner unless an equitable means of cost distribution is approved by the City.
- (17) Street Signs: Street signs for identification and traffic control shall be provided by the land owner and the costs shall be borne by the land owner unless an equitable means of cost distribution is approved by the City.
- (18) Mail Boxes: Joint mail boxes shall be provided in all residential developments. Joint mail box structures shall be placed adjacent to roadway curbs as recommended by the Post Office having jurisdiction and shall be noted on the plan. The cost shall be borne by the land owner.

Arterial, Collector & Local Street Design Table

Street Type	ROW Width	Edge-to-Edge Width	Center Turn Lane Width	Travel Lanes / Width	Bike Lane Width Each Side	On-Street Parking Width and Location	Landscape Strip Width	Sidewalk Width
Arterial	66'	44'	10'	2/12	6'	None'	5'	5'
Arterial	60'	40'	NA	2/12	6'	7' One Side	4'	5'
Collector w/ Parking	62'	44'	NA	2/11'	5'	7' Each Side	3'	5'
Collector w/o Parking	60'	32'	NA	2/11'	5'	None	8"	5'
Local Dense Street >50 DU	56'	34'	NA	2/10'	NA	7' Each Side	6'	5'
Local Standard Street 25-50 DU	50'	27'	NA	2/10'	NA	7' one side	6'	5'
Local Standard Street 25-50 DU	50'	28'	NA	¼' queuing	NA	7' Each Side	6'	5'

Local Access 5-25 DU	37'	23'	NA	1/16' queuing	NA	7' One Side	8' One Side	5' One Side
Local Lane <5 DU	30'	16'	NA	1/16' queuing	NA	None	8' One side	5' one side

DU = Dwelling Units

SECTION 5.124 SIDEWALKS

The Tangent Public Works Design Standards (TPWDS) is the City's official public works standards for all public construction. Compliance with the standards contained therein is required by this Code. Public sidewalk improvements are required for all land divisions and property development in the City of Tangent and along Arterial and Collector streets. Sidewalks may be deferred by the City where future road or utility improvements will occur and on property in the rural fringe of the City where urban construction standards have not yet occurred. The property owner is obligated to provide the sidewalk when requested by the City or is obligated to pay their fair share if sidewalks are installed by the City at a later date. A deed CC&R shall be attached to the property and the owner shall provide a Waiver of Remonstrance to guarantee compliance with this requirement.

- (1) Sidewalks shall be constructed within the street right-of-way. Sidewalk easements shall only be accepted where the City determines that full right-of-way acquisition is impractical.
- (2) Sidewalks shall connect to and align with existing sidewalks. Sidewalks may transition to another alignment as part of the approval process.
- (3) The City may approve alternate sidewalk alignments and widths to accommodate obstructions that cannot be altered.
- (4) Sidewalks in residential areas shall be a minimum of five (5) feet in width and shall be installed adjacent to a landscape strip within the right-of-way unless approved adjacent to the curb by the Planning Commission.
- (5) Sidewalks are required for Collector or Arterial Streets and shall be a minimum of five (5) feet in width separated by a landscape strip of 4 to 6 feet in width adjacent to the curb. Sidewalks may be approved adjacent to the curb where direct access is required. Sidewalks adjacent to the curb shall be a minimum of five (5) feet in width or a minimum of twelve (12) feet in width adjacent to Street Frontage Commercial properties. Planter openings adjacent to the curb are required within the twelve (12) foot wide walks.
- (6) Planter strips and the remaining right-of-way shall be landscaped and incorporated as part of the front yard of adjacent property.
- (7) Maintenance of sidewalks and planters shall be the continuing obligation of the adjacent property owner.

- (8) Mid-block Sidewalks. The City may require mid-block sidewalks for long blocks or to provide access to schools, parks shopping centers, public transportation stops or other community services. Mid-block sidewalks shall be raised and shall be 6 feet in width.
- (9) The Planning Commission shall approve sidewalk on only one side of the street associated with “Skinny Streets” in developments to reduce maintenance costs and reduce impervious surface area. The City Engineer shall determine the adequacy of proposed sidewalks considering:
 - (a) The sidewalk shall be adequate to serve the pedestrian needs of the street.
 - (b) The sidewalk shall be safe and convenient, as described by state rules (OAR 660-012-0045 (3) (d)).

SECTION 5.125 BIKEWAYS

The Tangent Public Works Design Standards (TPWDS) is the City’s official public works standards for all public construction. Compliance with the standards contained therein is required by this Code. Bikeways are required along Arterial and Collector streets. Bikeway locations are identified in the **Tangent Transportation System Plan (TTSP)**. Bikeways shall comply with the requirements of the standards contained herein, those contained in the adopted TTSP and should attempt to comply with the "Oregon Bicycle and Pedestrian Plan", an element of the Oregon Transportation Plan.

- (1) Developments adjoining existing or proposed bikeways shall include provisions for connection and extension of such bikeways through dedication of easements or rights-of-way. The City shall include bikeway improvements as conditions of approval for developments that will benefit from bikeways. Where possible, bikeways shall be separated from other modes of travel, including pedestrianways.
- (2) Pedestrian and Bicycle Improvement Requirements

Type of Use	Bikeways Parking & Pedestrian Accessways
Single Family Dwelling & Duplex	No
Multi-family Dwelling	Yes(4+ units)
New Commercial Building	Yes
Commercial Expansion	No
New Industrial Building	Yes
Industrial Expansion	No
Partitions, Subdivisions, Planned Developments, and Manufactured Dwelling Parks	Yes

(3) **Bicycle Parking**

Minimum Development Requirements: At a minimum bicycle parking facilities shall be consistent with the following design guidelines.

- (a) Location: All bicycle facilities shall be:
 - 1. Within 100 feet from a building entrance.
 - 2. Located within a well lighted area.
 - 3. Clearly visible from the building entrance.
 - 4. Covered bicycle parking is encouraged but not required.
- (b) Bicycle parking shall be visible or a sign shall be used to direct users to the parking facility.
- (c) Each bicycle parking space shall be at least 2 feet by 6 feet with a vertical clearance of 6 feet.
- (d) An access aisle of at least 5 feet in width shall be provided in each bicycle parking facility.
- (e) Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object, "rack", upon which the bicycle can be locked. Structures that require a user supplied lock shall accommodate both cables and U-shaped locks and shall permit the frame and both wheels to be secured.
- (f) Bicycle parking provided for employees shall be covered or employees shall be provided access to a secure room within a building for bicycle parking.
- (g) Uses listed in this subsection shall provide bicycle parking at the following ratios:

Bicycle Parking Spaces Table

Type of Use	Minimum Number of Spaces
Single Family Residential	None Required
Multi-Family Residential Over 4 units	1 space per dwelling unit
New Retail, Office, Transit or Institutional facilities	1 space per 20 vehicle parking spaces plus 4 spaces per public entrance

New Industrial facility	1 space per 20 vehicle parking spaces plus 4 spaces per employee entrance
Schools	4 spaces per classroom
All other developments including expansions of more than 20 percent of the original floor area	Minimum of 2 Each use shall have a minimum of 2 spaces or the greater of the following

Upon request, the City will provide ODOT's guidelines for the construction of bicycle parking for the cost of copying.

SECTION 5.126 STORM DRAINAGE

The Tangent Drainage & Stormwater Management Plan is the City's guide for stormwater management. Compliance with the standards contained therein is required by this Code.

Conveyance improvements are required for all land divisions and property development in the City of Tangent. Urban low-impact development storm drainage systems consisting of open drainageways and landscaping are encouraged. Alternative urban or rural systems may be allowed upon approval by the City.

- (1) General Provisions. It is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. Property owners shall provide proper drainage and shall not direct drainage across another property except within a continuous drainageway. Paving, roof drains and catch basin outflows shall control stormwater discharge unless the City Administrator determines that discharge controls are not required. Where feasible and prudent, or unless otherwise approved by the City, stormwater control shall be met by employing Low-Impact Development techniques which emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic predevelopment hydrologic conditions. Design reference is made to the manual by Puget Sound Action Team and Washington State University Pierce County Extension (January 2005), "Low Impact Development: Technical Guidance Manual for Puget Sound" and the "Low Impact Development Approaches Handbook" (Clean Water Services, Washington County, Oregon—July 2009) for examples and best practices. Maintaining proper drainage is a continuing obligation of the property owner. The City shall approve a land division or development request only where adequate provisions for storm and flood water run-off have been made as determined by the City Engineer. The storm water drainage system must be separate and independent of any sanitary sewerage system. Inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street. Surface water drainage patterns and proposed storm drainage shall be shown on every land division or development plan submitted for approval.
- (2) Natural Drainageways. Open natural drainageways of sufficient width and capacity to provide for flow and maintenance are permitted and encouraged. For the purposes of this Section, an open natural drainageway is defined as a natural path which has the specific function of transmitting natural stream water or storm water run-off from a point of higher elevation to a point of lower elevation.

The City requires protection of natural drainageways as linear open space features wherever possible within the City. Discharge of pollutants and sediments is prohibited. Setbacks are required for riparian areas, wetlands and floodplains as identified in the Tangent Local Wetlands and Riparian Area Inventory and **Sections 5.117** and **Section 5.118** of this Code.

- (3) Easements. Where a land division is traversed by a water course, drainageway, channel or stream, there shall be provided a public storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further width as defined in **Section 5.117**. Improvements to existing drainageways shall be required of the property owner.
- (4) Accommodation of Upstream Drainage. A culvert or other drainage facility shall be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside of the development. The City shall review and approve the necessary size of the facility, based on sound engineering principles and assuming conditions of maximum potential watershed development permitted by the Comprehensive Plan.
- (5) Effect on Downstream Drainage. Where it is anticipated by the City that the additional run-off resulting from the development will overload an existing drainage facility, the City shall require approval of the development to prevent such overloading, or deny the application if the overloading cannot be prevented through mitigation.
- (6) Drainage Management Practices. Developments within the City must employ drainage management practices approved by the City that limit the amount and rate of surface water run-off into receiving streams or drainage facilities. Stormwater runoff rates for new developments shall not exceed predevelopment runoff rates and volumes. Drainage management practices shall include, but are not limited to the following practices:
 - (a) Conservation of floodplain storage, riparian areas, wetlands, and other sensitive areas providing hydrologic benefits.
 - (b) Preservation of trees, topsoil and native vegetation areas on the site.
 - (c) Establishment of post-construction soil quality in disturbed pervious areas.
 - (d) Minimization of impervious surfaces.
 - (e) Emphasis on natural drainageways.
 - (f) Prevention of water flowing from the development in an uncontrolled fashion.
 - (g) Distributed, Small-scale practices designed to retain infiltrate and evapotranspire stormwater runoff from impervious surfaces.
 - (h) Temporary ponding or detention of water to control rapid runoff.
 - (i) Stabilization of natural drainageways as necessary below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion.

- (j) Collection and transport of runoff from impervious surfaces to a natural drainage facility with sufficient capacity to accept the discharge.
 - (k) Other practices and facilities designed to transport storm water and improve water quality.
- (7) Design Requirements for New Development. All new development within the City shall make provisions for the continuation and projection of existing storm sewer lines or drainageways serving surrounding areas. Drainage improvements shall be required-through the interior of a property to be divided or developed to facilitate upstream flows.
- (8) NPDES Permit Required. A National Pollutant Discharge Elimination System (NPDES) permit may be required from the Department of Environmental Quality (DEQ) for construction activities including clearing, grading, and excavation.

SECTION 5.127 WATER

The Tangent Water Feasibility Analysis & Water System Master Plan is the City’s guide for water system construction standards. Compliance with the standards contained therein is required by this Code. Water systems shall be designed to City standards so that they can be incorporated into a future City water system.

Where water systems are required, the City shall require water systems to be installed with adequate fire flows in consultation with the Tangent Fire Chief and City Engineer, and to meet the requirements of Insurance Service Offices (ISO) for all categories of development.

- (1) When Public Water is Available. All new development, including a single-family residence, must extend and connect to the public water system when service is available within 200 feet of the property. Fire hydrants, mains, and related appurtenances shall be installed by the developer as required by the Local Fire District.
- (2) Water Line Extensions. Water distribution lines serving a property or development shall accommodate system expansion and provide system looping to accommodate fire flows. All public water system line extension sizes shall be approved by the City.
- (3) Water Plan Approval. All proposed water plans and systems must be approved by the City as part of the review and approval process.
- (4) Design Requirements for New Development. All new development within the City shall make provisions for the extension of public water lines as provided in the Water System Master Plan.
- (5) Restriction of Development. The Planning Commission or City Council may limit development approvals where a deficiency exists in the water system or portion thereof that cannot be corrected as a part of the proposed development improvements.

SECTION 5.128 SANITARY SEWERS

The Tangent Public Works Design Standards (TPWDS) is the City’s official public works standards for all public construction. Compliance with the standards contained therein is required by this Code.

- (1) When Public Sewer access is available all new development must extend and connect to the public sewer system.
- (2) Sewer Line Extensions. Sewer collection lines serving a property or development shall accommodate system expansion. All public Sewer collection line extension sizes shall be approved by the City.
- (3) Sewer Plan Approval. All proposed sewer plans and systems must be approved by the City as part of the review and approval process.
- (4) Design Requirements for New Developments. All new development within the City shall make provision for the extension of existing sewer lines to serve adjacent areas as provided for in the Sewer System Master Plan.
- (5) Restriction of Development. The City may limit development approvals where a deficiency exists in the sewer system or portion thereof which cannot be corrected as a part of the development improvements.

SECTION 5.129 UTILITIES

- (1) It is the intent of the City to place all utilities underground wherever practical except as otherwise provided herein.
- (2) All utilities shall be located underground in subdivisions.
- (3) All utilities shall also be located underground in all partitions to City minimum urban parcel size.
- (4) All subdivided lots and all minimum parcel partitions shall have a covenant requiring underground utility installations in the Covenants, Conditions and Restrictions for each lot or parcel.
- (5) Exceptions. The City may permit overhead utilities as a condition of approval where the Applicant can demonstrate one of the following conditions:
 - (a) Underground utility locations are not feasible.
 - (b) The proposed lots or parcels are larger rural properties or where existing properties in the vicinity have overhead utilities.
 - (c) Temporary or emergency installations.
 - (d) Major transmission facilities located within right-of-ways or easement.
 - (e) Industrial developments with large power requirements.
 - (f) Surface mounted structures, substations or facilities requiring above ground locations by the serving utility.

SECTION 5.130 EASEMENTS

- (1) Easements granting limited use of property for any defined purpose may be approved for any lot or parcel.
- (2) Access easements may be approved by the Planning Commission as provided in **Section 5.122**. Single lane easements shall be a minimum of 12 feet wide. Two lane access easements Utility easements shall be provided for sewers, water mains and public or private utilities necessary to provide full service to all developments. Land dividers shall show on the Tentative Plan and on the final Plat all easements and shall provide all dedications, covenants, conditions or restrictions with the Supplemental Data submitted for review.
- (4) Water Courses. If a tract is traversed by a water course such as a drainage way, channel or stream, there shall be provided a setback containing the top of bank, vegetative fringe, and such further width as will be adequate for protection and maintenance purposes as specified in **Section 5.117**. Culverts or other drainage facilities shall be sized to accommodate storm and flood run-off from the entire upstream drainage area and shall be verified and approved by the City Administrator.

SECTION 5.131 BLOCKS

- (1) General: The length, width, and shape of blocks shall be designed to provide building sites for the intended use in conformance with the Zoning District and shall accommodate the limitations and opportunities of topography.
- (2) Size: Block size shall not be more than 1,000 feet between street corners unless topography, development obstructions, or the location of adjoining streets justifies a Variance. A block shall have sufficient depth to provide for two tiers of building sites.
- (3) Large Property Divisions: The Planning Commission shall require that large rural land divisions be of such size and shape that the property can accommodate the extension and opening of streets at intervals that will permit a subsequent re-division of property into lots, parcels or blocks of smaller urban size.
- (4) Traffic Circulation: Blocks shall be laid out to provide safe, convenient, and direct vehicle, bicycle and pedestrian access to nearby residential areas, neighborhood activity centers and commercial and industrial areas unless alternative pedestrian and bicycle accessways are provided.

SECTION 5.132 BUILDING SITES

- (1) Size and shape: The size, shape and orientation of building sites shall accommodate the intended use and shall comply with the standards of the Zoning District and the other standards of **Article 5** specified herein.
 - (a) No lot or parcel shall be created or utilized unless there will exist a municipal water and sewage disposal system to support the proposed use.
 - (b) The size and configuration of commercial and industrial properties shall accommodate the intended use, the required off-street service and parking facilities and landscaping.

- (c) Existing lots or parcels smaller than City standards may be maintained as a nonconforming use within the district. Damaged or destroyed buildings and structures may be restored or replaced in conformance with **Section 4.080**.
 - (d) Land division proposals for large rural lots that are capable of further division into smaller urban lots shall provide plans that show by dash lines future streets and lot divisions to smaller urban standards as part of the Tentative Plan approval process. Proposed buildings shall be located within the future urban property line and setback standards to facilitate an orderly division and use of the property in the future.
 - (e) Flag Lots or Parcels: Flag lots or parcels are not permitted. The Planning Commission may permit Flag Lots only when other alternative means of access cannot be provided as described in **Item (3)** below.
- (2) Access: Every property shall abut a public street, other than an alley, for a minimum width of 25 feet, except where the City has approved an easement for access or where the easement existed prior to the adoption of this Code.
- (3) Access Alternatives: The following access alternatives to Flag Lots or Parcels may be approved by the City for partitions or, in some circumstances, small subdivisions:
- (a) Approval of a single access road easement to serve all of the proposed parcels with a provision for conversion to a dedicated public road right-of-way when requested by the City. The easement shall have the same width as required for city street right-of-way.
 - (b) Approval of a road right-of-way without providing the road improvements until the lots are developed. This places the burden for road improvements on the City although the City can assess all of the benefiting properties when improvements are provided in the future. As a condition of approval, the City shall require a waiver of remonstrance and an agreement for improvements as a deed condition.
 - (c) Approval of a private road that does not meet all of the standards for public streets. This approach shall only be used for isolated short streets serving a limited number of sites and where future City street alignments will not be needed.
 - (d) Through Lots and Parcels: Through lots and parcels are not permitted unless approved as a Variance to accommodate unusual conditions affecting the property or use.
 - (e) Lot and Parcel Side Lines: The lines of lots and parcels shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve. An alternative design may be approved when such a pattern is not practicable.
 - (f) Building Lines: If special building setback lines are to be established in a land division, they shall be shown on the subdivision or partition Tentative Plan and Plat or, if temporary in nature, they shall be included in the deed restrictions.

SECTION 5.133 CLEARING AND GRADING

General grading shall conform to **Tangent Ordinance 98-01 Excavation and Grading** and the **Linn County Code** as it applies to the **Oregon Structural Specialty Code**, and the following standards unless engineered and approved by the City.

(1) **Cut and Fill Slopes**

Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion, and match contours as much as is feasible and prudent.

(2) **Slope Stabilization**

Slopes, as with earth berms or depressions, shall be stabilized in accordance with the requirements of this section. The applicant shall:

(a) Minimize clearing and grading on slopes fifteen (15) percent or greater.

(b) Limit the maximum gradient of artificial slopes cut slopes to no steeper than 1.5:1 (one and a half (1.5) feet of horizontal run to one (1) foot of vertical fall) and fill slopes to no steeper than 2:1 unless a geotechnical engineering report and slope stability analysis is provided.

(c) Do no clearing, excavation, stockpiling, or filling on the potential slide block of an unstable or potentially unstable slope unless it is demonstrated to the City's satisfaction that the activity would not increase the road, drainage, or erosion on the slope.

(d) Do no clearing, excavation, stockpiling, or filling on any unstable or potentially unstable areas (such as landslide deposits) unless it is demonstrated to the City's satisfaction that the activity would not increase the risk of damage to adjacent property or natural resources or injury to person.

(e) Intercept any ground water, subsurface water, or surface water drainage encountered on a cut slope and discharge it at a location approved by the public works director, city engineer or designee. Off-site stormwater (run-on) or groundwater shall be diverted away from slopes and undisturbed areas with interceptors dikes, pipes and/or swales. Off-site stormwater shall be managed separately from stormwater generated on the site.

(f) Design and protect cut and fill slopes to minimize erosion.

(3) The type and characteristics of imported fill soils shall be the same or compatible with the existing soils on the site.

(4) Fills for streets and building sites shall be engineered and approved by the City.

(5) All sites shall be graded to direct storm water to City storm sewers or to natural drainage ways.

(6) All grading activities shall comply with any required removal or fill permits issued by the State or Federal agencies.

(7) **Minimize Potential Impacts**

All grading and clearing activities shall be conducted so as to minimize potential adverse effects of these activities on forested lands, surface water quality and quantity, groundwater recharge, fish and wildlife habitat, adjacent properties, and downstream drainage channels. The applicant shall attempt as is feasible and prudent to prevent impacts and minimize the clearing of naturally occurring vegetation, retain existing soils, and maintain the existing natural hydrological functions of the site.

(8) Clearing and Grading and Land Disturbance Limits

Clearing and grading activities for developments shall be permitted only if conducted pursuant to an approved site development plan (e.g., subdivision approval, site plan approval, etc.) that establishes permitted areas of clearing, grading, cutting and filling. When establishing clearing and grading areas, consideration shall be given to minimizing removal of existing trees and minimizing disturbance/compaction of native soils except as needed for building purposes. Clearing and grading areas and any other areas required to preserve critical or sensitive areas, buffers, native growth protection easements, or tree retention areas shall be delineated on the site plans and the development site. Prior to beginning land disturbing activities, including clearing and grading, all clearing limits, sensitive areas, critical areas and their buffers, and trees, including root zones, that are to be preserved within the construction area shall be clearly marked, both in the field and on the plans, to prevent damage to trunk, and roots, and offsite impacts.

(9) Natural Features and Vegetation Retention

Vegetation, drainage, duff layer, native top soil, and other natural features of the site shall be preserved, and the grading and clearing be performed in a manner that attempts to limit areas of impact to the development area (e.g., structures, roads, utilities, sidewalks, parking, landscaping, etc.). Groundcover and tree disturbance shall be minimized, and root zones shall be protected. Land disturbance activities shall be conducted so as to expose the smallest practical area to erosion for the least possible time, as is feasible and prudent.. Projects shall be phased to the maximum degree practical and shall take into account seasonal work limitations, to decrease exposed soils and minimize adverse impacts to natural features and vegetation resulting from land disturbance activities. No ground cover or trees which are within a minimum of twenty-five (25) feet of the annual high water mark of creeks, streams, lakes, and other shoreline areas or within twenty-five (25) feet of the top of the bank of the same shall be removed, nor shall any mechanical equipment operate in such areas, provided that conditions deemed by the City to constitute a public nuisance may be removed, and provided that a property owner shall not be prohibited from making landscaping improvements where such improvements are consistent with the aims of this section, and where the owner can convincingly demonstrate such consistency to the City.

(10) Aesthetics

Land disturbance activity shall be undertaken in such a manner so as to preserve and enhance the City of Tangent's aesthetic rural character. Important landscape characteristics that define this aesthetic rural character, such as large landmark trees, important vegetation species, and unique landforms or other natural features shall be preserved to every extent practical.

(11) Erosion Control

Soil erosion shall be controlled using the following methodologies:

- (a) Site Containment
- (b) Install Sediment Controls
- (c) Construction Access
- (d) Stabilization of Disturbed Areas
- (e) Dust Suppression
- (f) Stabilize Channels and Outlets
- (g) Erosion and Sedimentation Control Plan

(12) Native Soil Protection and Amendment

The duff layer and native topsoil should be retained in an undisturbed state to the maximum extent practicable. In any areas requiring grading, remove and stockpile the duff layer and topsoil on site in a designated, controlled area, not adjacent to public resources and critical areas, to be reapplied to other portions of the site where feasible.

- (a) Soil quality. All areas subject to clearing and grading that have not been covered by impervious surface, incorporated into a drainage facility or engineered as structural fill or slope shall, at project completion, demonstrate the following:
 1. A topsoil layer with a minimum organic matter content of ten percent dry weight in planting beds, and 5% organic matter content in turf areas, and a pH from 6.00 to 8.0 or matching the pH of the original undisturbed soil. The topsoil layer shall have a minimum depth of eight inches except where tree roots limit the depth of incorporation of amendments needed to meet the criteria. Subsoils below the topsoil layer should be scarified at least 4 inches with some incorporation of the upper material to avoid stratified layers, where feasible.
 2. Planting beds must be mulched with 2 inches of organic material.
 3. Quality of compost and other materials used to meet the organic content requirements:
 - i. The compost must also have an organic matter content of 35% to 65%, and a carbon to nitrogen ratio below 25:1. The carbon to nitrogen ratio may be as high as 35:1 for plantings composed entirely of plants native to the Willamette Valley region.
 - ii. Calculated amendment rates may be met through use of composted materials as defined above; or other organic materials amended to meet the carbon to nitrogen ratio requirements, and meeting the contamination standards of Grade A Compost. The resulting soil should be conducive to the type of vegetation to be established.

(b) Implementation Options: The soil quality design guidelines listed above can be met by using one of the methods listed below:

1. Leave undisturbed native vegetation and soil, and protect from compaction during construction.
2. Amend existing site topsoil or subsoil either at default “preapproved” rates, or at custom calculated rates based on specifiers tests of the soil and amendment.
3. Stockpile existing topsoil during grading, and replace it prior to planting. Stockpiled topsoil must also be amended if needed to meet the organic matter or depth requirements, either at a default “pre-approved” rate or at a custom calculated rate.
4. Import topsoil mix of sufficient organic content and depth to meet the requirements.

More than one method may be used on different portions of the same site. Soil that already meets the depth and organic matter quality standards, and is not compacted, does not need to be amended.

(13) Protection of Critical Areas

The function and values of all critical areas, as identified in the City’s Comprehensive Plan and natural resource inventory maps and including all stream types, geologically unstable areas, critical aquifer recharge areas, frequently flooded areas, wetlands, and fish and wildlife conservation areas or habitats, and their critical areas buffers located on or adjacent to the site shall be protected from clearing and grading activities that result in sedimentation, erosion, and degradation. Such impacts shall be avoided by compliance with appropriate use of setbacks, erosion, and sediment control measures.

(14) Construction Phasing

Development projects shall phase land disturbance to the maximum degree practicable and shall take into account seasonal work limitations as defined in section (15) below.

(15) Seasonality – Temporary Restrictions

Seasonality refers to the wet season (defined as the period from October 1 through March 31). Clearing, grading, and other land disturbing activities may be approved by the, city engineer or designee for proposals that have minimal disturbance of soils and are on sites with predominant soils that have low runoff potential, and are not hydraulically connected to sediment/erosion-sensitive features. The following criteria also apply:

- (a) Wet season clearing, grading, and other land disturbing activities may be approved provided an erosion and sediment control plan is prepared by a professional engineer or a licensed geo-technical specialist that specifically identifies methods of erosion control for wet weather conditions to control erosion/sedimentation, surface water run off, and safeguard slope stability. In a situation where erosion or sediment is not contained on site, construction activity shall cease immediately and notification of the City shall be made within twenty-four (24) hours.

- (b) When approval is issued in the dry season (defined as the months of April 1 through September 30), and work is allowed to continue in the wet season, the City of Tangent may require additional measures to limit erosion/sedimentation for slope stability. The City may prohibit land-disturbing activities during certain days of the wet season. Determinations shall be made on a site-specific basis and evaluation of the following:
 - 1. Average existing slope on the site.
 - 2. Quantity of proposed cut and/or fill.
 - 3. Classification of the predominate soils and their erosion and runoff potential.
 - 4. Hydraulic connection of the site to features that are sensitive to erosion impacts.
 - 5. Storm events and periods of heavy precipitation.
- (c) If a clearing and grading approval is issued for work during the wet season and the City subsequently issues a “Stop Work” order or correction notice for insufficient erosion and sedimentation control, the approval shall be suspended until the dry season, or until the City determines that weather conditions are favorable and effective erosion and sedimentation control is in place.
- (d) The following activities are exempt from the seasonal clearing and grading limitations:
 - 1. Routine maintenance and necessary repair of erosion and sediment control best management practices (BMPS);
 - 2. Routine maintenance of public facilities or existing utility structures that do not expose the soil or result in the removal of the vegetative cover to soil; and
 - 3. Activities where there is one hundred percent infiltration of surface water runoff within the site in approved and installed erosion and sediment control facilities.

SECTION 5.134 LANDSCAPING

- (1) **Purpose.** The City of Tangent recognizes the aesthetic and economic value of landscaping, and encourages its use to:
 - (a) Establish a pleasant community character.
 - (b) Enhance the community's general appearance;
 - (c) Buffer and screen unsightly features;
 - (d) Provide aesthetic consistency in developments;
 - (e) Buffer parking areas and lots;

- (f) Conserve energy by providing shade and shelter.
- (g) Protect ecological function of riparian areas; and
- (h) Provide essential functions of wildlife habitat.

To achieve these goals, all properties shall be landscaped and maintained according to the standards contained herein. All front yard or street side yard setbacks and parking areas shall be landscaped in accordance with the following requirements:

- (2) **General Provisions.** The general provisions stated below apply to all new developments where landscaping, buffering, screening or fencing is required.
 - (a) Landscaping shall primarily consist of ground cover, trees, shrubs or other living plants with irrigation to maintain all vegetation. Decorative design elements such as fountains, pools, benches, sculptures, planters, fences and similar elements may be placed within the area. **Exceptions:** Undeveloped properties or the undeveloped portion of large properties with an unused areas exceeding 4,000 square feet are exempt from the landscape requirements specified herein provided the lot or area is maintained so weeds and wild vegetation do not adversely affect adjacent developed properties. Removal of noxious weeds and vegetation will be enforced through the City's Nuisance Ordinance.
 - (b) A site and species-specific, detailed landscape and irrigation plan shall be submitted to the City for review and approval with all applications. Existing trees, plantings and special site features shall be shown on all submitted plans and shall clearly indicate items proposed to be removed and those intended to be preserved. The plan shall be drawn to a scale that is a multiple of 10 feet, shall include required fencing, buffering, screening, tree plantings, and any monument locations. The plans shall be of professional quality, and must be acceptable to the City. Development permits shall not be issued until the City determines that the plans comply with the specific standards of this Section. All required landscaping and related improvements shall be completed or financially guaranteed prior to the issuance of a Certificate of Occupancy, and provide a minimum of eighty percent ground coverage within three years.
 - (c) Care and maintenance of on-site landscaping and landscaping in the adjacent right-of-way is the right and responsibility of the property owner, unless City Ordinances specify otherwise. A City permit is required to plant, remove, or significantly prune any trees in a public right-of-way.
 - (d) It shall be the continuing obligation of the property owner to maintain required landscaped, screened and fenced areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained.
 - (e) Existing plant and tree specimens and special site features shall be preserved, protected, maintained and integrated into the design of proposed developments except where the City Engineer otherwise deems such plantings would pose a hazard.

1. Plants to be saved and methods of protection shall be indicated on the detailed planting plan submitted for approval.
2. Existing trees may be utilized in complying with this section if no cutting or filling of the soil takes place within the drip-line and the tree is protected from damage during construction.
3. Clearing shall not occur outside of the areas designated on the clearing plan.
4. No tree(s) or ground cover shall be removed from a native vegetation area or environmentally sensitive site designated on the grading and landscape plans unless submitted plot plans and other supporting materials can demonstrate that the removal is necessary for development of the site and will enhance the area. An exception for the installation of roads and utilities may be approved if it can be demonstrated that alternative access is not practical or would be more damaging and is developed pursuant to an approved development plan.
5. A tree replacement for native trees shall be included in the landscape plan, which shall be submitted to and approved by the City. Enhancement may include non-mechanical removal of noxious or intrusive species or dead or diseased plants and replanting of appropriate native species.

(f) Protection During construction

Where the drip line of a tree overlaps a construction line, this shall be indicated on the grading and landscaping plans and indicated on the grading and construction survey and the following tree protection measures shall be employed.

1. The applicant shall not fill, excavate, stack or store any equipment, or compact the earth in any way within the area defined by the drip line of any tree to be retained.
2. The applicant shall erect and maintain rope barriers on the drip line or place bales of hay to protect roots. In addition, the applicant shall provide supervision whenever equipment or trucks are moving near trees.
3. If the grade level adjoining a retaining tree is to be raised or lowered, the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be equal to the tree's drip line.
4. The applicant shall not install ground level impervious surface material within the area defined by the drip line of any tree to be retained.
5. The grade level around any tree to be retained shall not be lowered within the greater of the following areas: (1) the area defined by the drip line of the tree, or (2) an area around the tree equal to one foot in diameter for each one-inch of tree caliper.

6. The applicant may prune branches and roots, fertilize and water to encourage vigor and health as horticulturally appropriate for any trees and ground cover which are to be retained. The City may approve the use of alternative tree protection techniques if those techniques provide an equal or greater degree of protection than the techniques listed above.

(g) Revegetation

The site shall be revegetated and landscaped as soon as practical, in accordance with a revegetation plan and the tree replacement plan, approved by the City and prior to an occupancy permit being issued by the City.

1. A permanent revegetation plan, utilizing vegetation that is known to have a high natural survival rate, shall be implemented consistent with Tangent climate and landscaping, tree protection and replacement, and permanent revegetation regulations.
 2. Where permanent revegetation measures are not in place within seven (7) days in the dry season and two (2) days in the wet season, the applicant shall provide temporary revegetation or stabilization measures and maintain such measures in good condition until the permanent revegetation measures are installed and inspected by the City.
 - i Temporary revegetation during the dry season for all disturbed areas of the site (exposed and unworked) that are not covered by permanent improvements such as buildings, parking lots, and decks shall be hydro-seeded and irrigated within seven (7) days until vegetation has been successfully established or the site otherwise revegetated or stabilized using straw mulch, or other approved methods on an interim basis.
 - ii Temporary revegetation during the wet season for disturbed areas of the site (exposed and unworked) that are not covered by permanent improvements such as buildings, parking lots, and decks shall be hydro-seeded, otherwise revegetated, or stabilized using plastic sheeting or other approved methods, on a temporary basis within two (2) days until vegetation has been successfully established.
- (h) Landscaping plans for revegetation shall incorporate native species to reduce the need for irrigation to the maximum extent practicable. Irrigation systems shall be required for non-native planting areas, unless specifically waived by the City. A detailed irrigation system plan shall be submitted with the development permit application and must be approved by the City. The plan shall indicate source of water, pipe location and size, and specifications of the backflow device. The irrigation system shall utilize 100 percent sprinkler head to head coverage or sufficient coverage to assure ninety percent coverage of plant materials in three years. Where planting areas include only native species, irrigation systems may be temporary to facilitate establishment of plantings and may be removed upon demonstration of plant survivability.

- (i) In no case shall shrubs, conifer trees, or other screening be permitted within the vision clearance areas of street, alley, or driveway intersections, or where the City Engineer otherwise deems such plantings would pose a hazard. All plants shall be checked against the Oregon Department of Agriculture's noxious weed list.
- (j) Required landscaping, tree plantings, buffering, screening and fencing shall be installed prior to building occupancy. With the exceptions noted below, temporary occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 110% of the cost of materials and labor, as determined by the approval authority, is filed with the City assuring such installation within nine months of issuance of the temporary occupancy permit. An extension of three months may be granted by the City Administrator when circumstances beyond the control of the developer prevent earlier completion.

Security shall be approved by the City Attorney and may consist of a letter of credit payable to the City, cash, certified check, time certificate, or deposit, or by the builder's/ developer's lending agency certifying to the City that funds are being held until completion or such other assurances as may be approved by the City Administrator.

If the installation of the landscaping is not completed within the required period, the security may be used by the City to either complete the installation, or the security may be held by the City and other enforcement powers employed to prevent final occupancy until such time as the improvements are completed. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned. If the security is insufficient to complete the installation, the property owner is liable for the excess costs including all costs required to obtain the excess.

- (k) It is unlawful to plant willow, cottonwood, or poplar trees anywhere in the City unless the City approves the site as one where tree roots will not likely interfere with public sewers.
 - (l) It is unlawful to plant any of the following trees in or adjacent to any street right-of-way or parking strip in the City: Box Elder, Tree of Heaven, Golden Chair, Holly, Silver Maple, Bamboo, Poplar, Willow, Conifers, Cottonwood, fruit trees (other than ornamental fruit trees), nut trees (other than ornamental nut trees), and Ailanthus.
 - (m) Long expanses of fences and walls shall be designed to prevent visual monotony through use of offsets, changes of materials and textures, or landscaping. Developers are encouraged to plant native vegetation.
 - (n) The Planning Commission may approve alternate standards as part of the approval process for Site Plan Reviews and Conditional Uses if the alternate standards do not alter the purpose and intent of this Section.
- (3) **Residential & Minimum Front Yard Setback Landscaping.** All front yard setback areas and exterior street side yard setback areas are required to be landscaped. Minimum landscaping per 1,000 square feet of required setback area shall be as follows unless buffering is require in as specified **Item (8)**:

- (a) Street Trees in conformance with **Item (5) (b)** below unless Street Trees are provided in a street landscaped strip.
- (b) A minimum of 1 tree at least six feet in height if Street Trees are provided in a street landscaped strip.
- (c) Five 1-gallon shrubs or accent plantings.
- (d) A minimum of Fifty percent (50%) of the remaining landscaped area exclusive of walks, drives, parking areas and buildings shall be planted with suitable living ground cover, lawn, ivy, shrubs, bulbs and perennial bedding plants, and other plantings, such as for rain gardens, exclusive of decorative design elements such as fountains, benches, sculptures, planters and similar elements may be placed within the required landscaping area. The remaining area shall be covered with rocks, bark or other decorative ground cover—or maintained for general gardening purposes.
- (e) Resource uses and dwellings in conjunction with farm uses are exempted from this requirement.

(4) Parking Lot Landscaping:

- (a) Parking lots adjacent to residential districts shall be screened from abutting residential districts by a combination of fences, walls, and landscaping adequate to screen lights, provide privacy and provide separation for the abutting residences.
- (b) Parking lots shall have landscaped islands and trees at the ends of parking rows to facilitate movement of traffic and to break large areas of parking surface. The minimum dimension of the landscaped area excluding the curbs shall be 4 feet and the landscaping shall be protected from vehicular damage by wheel guards.
- (c) Parking lots containing more than 16 parking spaces shall have a minimum of 5 percent of the area devoted to vehicular circulation and parking areas in landscaping and trees. Landscaping shall be evenly distributed throughout the parking lot and long rows of parking spaces shall be interrupted by landscaped islands. The 5 percent landscaping shall be within or abutting the parking area and shall be in addition to the required landscaped yard setbacks

(5) Required Tree Plantings. Tree plantings in accordance with the following standards are required where there is a City approved street tree plan and for all parking lots with 16 or more cars and for all public road, street or highway frontages that have a landscaped strip. Street trees shall be planted within a designated landscape strip between the curb and sidewalk or outside the right-of-way in street facing yards where there is no landscape strip.

- (a) **Required Quantity of Trees Planted:** The frequency of street and parking trees required in a landscape strip or shall be determined by the canopy size specified in (b) and (c) below). Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief.

- (b) Street Tree Maximum Spacing
 - 1. Large canopy trees - 50 feet
 - 2. Medium canopy trees - 30 feet
- (c) Parking Lot Minimum Tree Plantings
 - 1. Medium canopy trees - 1 tree per 8 cars
 - 2. Large canopy trees - 1 tree per 12 cars
- (6) **Tree Locations.** Trees may not be planted under the following standards unless approved by the City:
 - (a) Three feet from permanent hard surface paving or walkways unless using special planting techniques and specifications approved by the City.
 - (b) Within 10' of fire hydrants and telephone poles;
 - (c) Within 20' of street light standards;
 - (d) Within 10' of a public sanitary sewer, storm drainage or water line;
 - (e) Where the tree poses a hazard to the public.
 - (f) Where the minimum clearance is less than eight feet above sidewalks and twelve feet above street and roadway surfaces.
- (7) **Tree Species:** Tree species shall be selected from the City's approved list. Alternate selections may be approved by the City Administrator following written request.
- (8) **Landscape Buffering.** Buffer Plantings are used to visually enhance the City, reduce building scale, provide transition between uses, and generally mitigate incompatible or undesirable views. They are used to soften rather than block views. Where required, a mix of plant materials shall be used to achieve the desired buffering effect. Buffering is not required for single-family residential properties.
 - (a) A 12-foot wide buffer is required for all commercial and industrial street facing yards and for side and rear yards where a proposed use differs from the abutting property use or zone. (e.g., proposed commercial development adjacent to a residential use).
 - (b) A buffer depth is 12-feet unless otherwise specified as part of the conditions specified for an approval. A buffer length is equal to the length of the property line with the street or the abutting use.

- (c) A buffer area may only be occupied by landscaping, utilities, screening, walkways, bikeways, and accessways. No buildings, or parking areas shall be allowed in a buffer area unless a Variance to this requirement has been approved by the City.
 - (d) The minimum improvements within a buffer area shall consist of the following at the time of planting:
 - 1. Trees, not less than 10 feet high for deciduous trees spaced not more than 30 feet apart and 5 feet high for evergreen trees spaced not more than 15 feet apart.
 - 2. At least 5 five-gallon shrubs or 10 one-gallon shrubs for each remaining 1,000 square feet of required buffer area; and
 - 3. The remaining area treated with living ground cover (i.e., lawn, ivy, evergreen shrubs, etc.).
 - (e) Buffering requirements shall supercede the front yard or street side yard landscaping required in **Item (3)** above.
 - (f) Required Buffering shall be shown on all Site Plan Review and Conditional Use plans submitted for approval.
- (9) **Landscape Screening.** Screening is used to obscure or block unsightly views or visual conflicts and where privacy and security are desired. Fences, hedges, berms and walls may be used for screening. Acoustically designed fences and walls are also required where noise impacts require mitigation.
- (a) Screening may be required for the following uses in lieu of Buffering as part of the City's Site Plan Review or Conditional Use approvals:
 - 1. Any use other than a single-family residence that abuts a single-family residence or Single-family Residential Zone including commercial, industrial, public and multi-family developments shall have their yard setbacks landscaped and screened to protect the abutting single-family residential properties.
 - 2. Any Multi-family Development, Manufactured Dwelling Park, Subdivision or Planned Development.
 - 3. Any Parking Lot exceeding 8 Spaces.
 - 4. Any Industrial or Utility use abutting Residential, Commercial or Public Uses.
 - 5. Except for one and two family dwellings, garbage collection areas, and service facilities located outside the building shall be screened from public view and landscaped.
 - (b) Where screening is required or provided, the following standards shall apply:

1. One row of evergreen shrubs shall be planted that will grow to form a continuous hedge at least six feet in height and be at least 80 percent opaque, as seen from a perpendicular line of sight, within two years of planting, or
 2. A minimum of a five-foot wood fence or masonry wall shall be constructed, providing a uniform sight obscuring screen, or
 3. An earth berm combined with evergreen plantings or wood fence or masonry wall shall be provided which shall form a sight and noise buffer at least six feet in height.
 4. At least 5 five-gallon shrubs or 10 one-gallon shrubs for each remaining 1,000 square feet of required buffer area; and
 5. The remaining area treated with attractive, living ground cover (i.e., lawn, ivy, evergreen shrubs, etc.).
 6. Except for one and two family dwellings, any refuse container or disposal area that would otherwise be visible from a public street, or customer or resident parking area shall be screened from view by placement of a solid wood fence, masonry wall or evergreen hedge between 5 and 8 feet in height. All refuse materials and mechanical equipment shall be contained within the screened area.
 7. A chain link fence with or without slats shall not qualify as screening.
- (10) The property owner of each proposed development is responsible for the installation and maintenance of all buffers and screens. The City may waive the buffering and/or screening requirements of this section under the Site Plan review procedures where it is determined to be unnecessary due to existing conditions or because the buffering or screening is provided on the adjoining property in conformance with this section.
- (11) Where a proposed use abuts land zoned Exclusive Farm Use (EFU), no buffer shall be required on the portion of the property adjacent to EFU zoned property.
- (12) Single-family and two-family dwellings and farming are exempt from the buffering and screening provisions.
- (13) Buffering and screening provisions shall be superseded by clear vision requirements, where applicable.
- (14) **Fencing:**
- (a) Residential fences, hedges and walls may be located within yard setbacks. Height is limited to 6 feet in required side, rear or interior yards. Height is limited in required exterior street facing yards to 3 feet in height and in a Vision Clearance Areas. Commercial or industrial properties may have 8-foot high fences except in a street facing front yard setback where fences are limited to 6 feet in height.

- (b) **Materials.** Residential fences and walls shall not be constructed of or contain any material that would do bodily harm such as electric, barbed or razor wire, broken glass, spikes, or any other hazardous or dangerous materials. Commercial or industrial properties may have barbed wire above 6 feet in height except in the street facing front yard. Link fencing less than 6 feet in height shall be constructed so there will be no barbed ends at the top.
- (c) **Protective fences** other than those specified herein shall comply with State Laws and shall be submitted for approval of the City.
- (d) **Sight-obscuring fences, walls or landscaping** may be required to screen objectionable activities as part of the City's review and approval process. Sight-obscuring means 75% opaque when viewed from any angle at a point 25 feet away. Vegetative materials must be evergreen species that meet this standard year-round within 3 years of planting.
- (e) **Maintenance.** Fences shall be structurally maintained in a safe condition of repair and shall not lean over an adjoining property or sidewalk, have missing sections or slats, or broken supports.

SECTION 5.135 EXTERIOR LIGHTING

The purpose of this Ordinance is to regulate outdoor lighting in order to reduce or prevent light pollution. This means to the extent feasible and prudent for reasonable reduction or prevention of glare and light trespass, the conservation of energy, and promotion of safety and security. All applications for building permits or land use planning review which include installation of outdoor lighting fixtures shall include lighting plans conforming to the provisions of this Ordinance.

- (1) **Street Lighting** shall be provide for all public streets in conformance with the standards specified in the **Tangent Public Works Design Standards**.
- (2) **On-site Lighting** is required to protect the safety and welfare of employees, occupants, users, customers and the general public. Exterior lighting shall be provided in parking lots and may be provided elsewhere.
- (3) **Lighting** shall be located and designed to not face directly or reflect glare into on-coming traffic or onto an adjacent residence or residential district.
- (4) Automatic timing devices, such as photocells and light and or motion sensors that control the operation of an exterior light fixture or fixtures, circuit or circuits, are encouraged with existing structures and with new construction.
- (5) All area lights, including street lights and parking area lighting, shall be full cut-off fixtures; that is, fixtures as installed that give no emission of light above a horizontal plane.
- (6) **Holiday lighting**, such as festoon type lights limited to small individual bulbs on a string designed for decorative purposes, where the output per bulb is no greater than 15 lumens, is an allowed temporary use.

SECTION 5.136 SIGNS

Signs and similar identification devices may be erected and maintained in compliance with the following standards unless other standards are approved by the Tangent Planning Commission in conformance with the **Site Plan Review** procedures of **Section 2.400**.

(1) Definitions

Sign: Any writing (including letters, words or numerals); pictorial representation (including murals, illustrations or decorations); emblem (including devices, symbols or trademarks); flag (including banners or pennants); identification displays (including objects, inflatables or balloons); or any other device used to inform, attract attention or advertise that is visible from a public right-of-way. **Freestanding Signs: Ground level Signs:** Any ground level sign not over 6 feet high. **Elevated Signs:** Any sign supported above eight feet by any structure. **Building Signs: Wall Sign:** Any sign painted or attached to a building that projects less than 12 inches. **Window Sign:** Any sign outside or inside a window visible from a public road. **Projecting Signs:** Any sign attached to a building wall that projects more than 12 inches including awning signs.

Outdoor Advertising Sign includes billboards and as provided in ORS 377.705. **Outdoor advertising signs are prohibited in all zones.**

Off-premise Sign is a sign that is owned, maintained, managed or provided by an individual or group other than the owner, lessee, or renter of the property upon which the sign is located subject to written permission of the property owner and approval by the Tangent Planning Commission.

(2) General Sign Provisions:

- (a) Each sign or outdoor advertising display shall be located on the same property as the use it identifies or advertises unless approved as an Off-premise Sign by the Tangent Planning Commission.
- (b) Signs may be illuminated by indirect or internal lighting. Lighting and signs shall not, by light, brilliance, type, design, or character, create a public or private nuisance or interfere with traffic or limit visibility, and shall not produce glare into residences. **The use of flashing or rotating lights is prohibited.** Reader Boards or moving electronic message signs require approval by the Planning Commission.
- (c) No sign shall be constructed or erected that inhibits or impairs the Clear Vision Area specified in **Section 5.122 (6)** or other sight lines necessary for the safety of the traveling public.
- (d) Sign materials and design elements should be complimentary to the materials used in development.
- (e) Signs shall not Interfere with, imitate, or resemble any official traffic control sign, signal, or device, or attempt to direct the movement of traffic.

- (f) Signs shall not be located on trees, or painted or drawn on a rocks or other natural features.
- (g) Sign colors shall not be fluorescent or phosphorescent.
- (h) All attached or freestanding signs shall be engineered and comply with the State of Oregon Structural Specialty and Life Safety Code and the adopted Electric Code for any electrically powered signs.
- (i) Any freestanding or projecting sign may be double-faced.
- (j) Freestanding signs shall not be located less than five (5) feet from the street right-of-way unless approved by the Planning Commission.
- (k) All signs, together with their supporting structure shall be maintained in a safe, clean and attractive condition and shall be constructed of durable materials and provided with an engineered foundation or supports.
- (l) Abandoned signs that no longer apply to the property shall be removed by the property owner within 90 days of disuse.

(3) Permitted Signs

- (a) Any on-site sign specifically identified as permitted herein.
- (b) Signs existing at the date of adoption of the sign ordinance provisions.
- (c) Flags of national, state or local government.
- (d) Temporary signs for the duration of the event 32 square feet in area or less. Off-premise temporary signs require permission is by the landowner.
- (e) Signs placed by local, state or federal agencies.
- (f) Public safety and convenience signs including parking and directional signs, open/closed and business hour signs, restroom and other locational signs 12 square feet in area or less.
- (g) Temporary seasonal signs and decorations subject to safety and nuisance standards.
- (h) Construction Project signs 64 square feet in area or less per street frontage.
- (i) Existing signs shall be considered non-conforming uses which may be maintained and repaired, but may not be replaced.

(4) Permitted Residential Sign Standards

- (a) One name plate 4 square feet in area or less, placed flat against the building for each dwelling or Home Occupation as defined in **Section 6.110** of this ordinance. Signs may have indirect illumination.
- (b) House or building numbers 6 inches or less in height.
- (c) One non-illuminated temporary sign 12 square feet in area or less for the duration of the event.
- (d) One Freestanding ground level or building wall identification sign per street frontage for Subdivisions, Apartment complexes or Manufactured Dwelling Parks 64 square feet or less in area per sign.
- (e) One Temporary Freestanding Subdivision or Manufactured Home Park sales sign per street frontage 64 square feet in area or less for the duration of the event.

(5) Permitted Commercial & Industrial Sign Standards

- (a) One primary Wall Surface or Window Surface Sign per street frontage per business.
- (b) Miscellaneous Window Signs for product advertising is permitted.
- (c) One Projecting Sign per street frontage not exceeding the roofline or 60 square feet in area per business. Projecting signs shall have a minimum height clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas.
- (d) One Freestanding Ground level sign per street entrance of a property not to exceed 6 feet in height or 80 square feet in area per sign.
- (e) One Freestanding Elevated Sign per street frontage of a property not to exceed 30 feet in height or 100 square feet in area. Elevated signs shall have a minimum height clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas.
- (f) One Temporary per street frontage 32 square feet or less in area per sign for the duration of the event.

(6) Signs Requiring Approval

The following signs may be permitted subject to a Site Plan Review and approval by the Tangent Planning Commission in conformance with **Section 2.400**.

- (a) Any sign not specifically identified herein as a Permitted Sign or permitted signs exceeding the standards specified herein.
- (b) Rooftop signs.
- (c) Moving electronic message signs.

- (d) A banner which spans or is displayed over any roadway, highway, or street within the City limits.
- (e) Any Off-Premise sign and any sign placed within a public right-of-way by other than a public agency.

(7) **Application Information**

Applications for signs requiring approval shall conform to **Sections 2.130 and 2.140** and **Section 2.400** of the **Tangent Land Development Ordinance** and shall include:

- (a) A Site Plan showing the sign locations on site.
- (b) Building elevations showing sign locations.
- (c) Sign construction showing dimensions, area, height, and structure.
- (d) Sign design showing lettering, logos, symbols, materials, colors, and method of illumination.

ARTICLE 6 USE STANDARDS

SECTION 6.010 USE STANDARDS

In addition to the Development Standards specified in **Article 5**, there are also uses that may occur in more than one district. The following Sections specify development standards applicable to specialized uses within the City of Tangent.

SECTION 6.110 HOME OCCUPATION STANDARDS

A home occupation is defined as any type of profession or occupation, full-time or part-time, that is carried on by any member of the immediate family residing on the premises, where such profession or occupation is subordinate to the primary use of the premises as a residence. Garage Sales are not considered a Home Occupation unless the frequency exceeds 6 sales per year. For Home Occupations in the Exclusive Farm Use Zoning District, the descriptions and provisions provided under **ORS 215.448** and **Section 4.141 (3)** of this Code shall apply.

A Home Occupation is a Conditional Use for any single-family home and must comply with the Conditional Use provisions of **Section 2.500** and the following additional standards:

- (1) The home occupation shall be secondary to the main use of the dwelling as a residence.
- (2) All aspects of the home occupation shall be contained and conducted within a completely enclosed building.
- (3) The home occupation shall be limited to not over 25% of the living area of the dwelling. If located within an accessory structure or a garage, the home occupation shall not utilize over 500 square feet of floor area unless a greater area is approved by the Planning Commission through a site plan review process.
- (4) Any Such structural alteration shall not detract from the outward appearance of the property as a residential use.
- (5) No more than two persons other than those residing within the dwelling shall be engaged in the home occupation.
- (6) No window display or sample commodities displayed outside the dwelling shall be allowed.
- (7) No materials or mechanical equipment shall be used which are detrimental to the residential use of the dwelling or any nearby dwellings because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or any other factor.
- (8) No parking of customer vehicles in a manner or frequency that would cause disturbance or inconvenience to nearby residents or that would necessitate the provision of additional off-street parking shall be allowed.

- (9) No signs shall be permitted except for a single name plate not to exceed 4 square feet in area unless approved by the Planning Commission.
- (10) No home occupation shall be allowed which requires an emissions permit from any local, state or federal agency.
- (11) No more than one home occupation shall be carried on at any one time on one lot, regardless of the number of buildings on that lot.

SECTION 6.121 RESIDENTIAL CARE HOME STANDARDS

A Residential Care Home for 5 or less people and Group Child Care Homes for 12 or less children as provided in ORS 197.660 –670 is a Permitted Use in a dwelling located within any residential district with the following additional standards:

- (1) Outdoor areas shall be provided in accordance with State Standards for each type of use. The outdoor area shall be adequately fenced in order to provide for the safety and privacy of those at the facility.
- (2) The Care Home shall be readily accessible for people with disabilities and for fire or other emergency access.
- (3) The Care Home shall meet all applicable state licensing requirements. Proof that these requirements are met shall be provided.

SECTION 6.122 RESIDENTIAL CARE FACILITY STANDARDS

A Group Child Care Center for 13 or more children or a Care Facility for 15 or less people as provided in ORS 197.660 – 670 is a Permitted Use in the Multi-family Residential Districts, RM-10 & RM-6 and may be allowed in accordance with the Conditional Use provisions of **Section 2.500** In the RS-10 Single-family District provided water and municipal sewer service is available with the following additional standards:

- (1) Access shall be from a designated arterial or collector street.
- (2) Requirements for front, rear, side and street side yards, for Care Facilities shall comply with the District standards in which the facility is located.
- (3) Additional landscaping, privacy fencing, buffers or other screening devices may be required to screen or protect the facility or adjacent properties.
- (4) Outdoor areas shall be provided in accordance with State Standards for each type of use. The outdoor area shall be adequately fenced in order to provide for the safety and privacy of those at the facility.
- (5) The Care Home shall be readily accessible for people with disabilities and for fire or other emergency access

- (6) The Care Home shall meet all applicable state licensing requirements. Proof that these requirements are met shall be provided.

SECTION 6.130 MULTIPLE-FAMILY STANDARDS

Low density multiple-family housing is allowed in the RM-10 residential district and medium density multiple-family housing is allowed in the RM-6 residential district. Densities may be increased within the limits described in the Zoning District in accordance with the Conditional Use provisions of **Section 2.500** provided water and municipal sewer is available. The following additional standards shall apply:

- (1) Access shall be from a designated arterial or collector street.
- (2) Requirements for front, rear, side and street side yards, for Multiple-family developments shall comply with the District standards in which the facility is located unless additional standards are approved as part of the Conditional Use process.
- (3) On-site bicycle storage facilities, bicycle paths and pedestrian ways shall be provided for developments exceeding four dwelling units.
- (4) The City may require establishment of deed covenants, conditions and restrictions (CC&R's) or other conditions when deemed necessary for the mitigation of potential adverse impacts on a neighborhood or adjacent areas:
- (5) The City may regulate the type and style of multiple-family dwelling units to mitigate potential adverse impacts on a neighborhood or adjacent areas.
- (6) Additional landscape screening in conformance with **Section 5.134 (9)** may be required on the property boundary to mitigate potential adverse impacts on adjacent properties.

SECTION 6.140 MANUFACTURED DWELLING STANDARDS

Oregon Revised Statutes (ORS), Chapter 446 and Oregon Administrative Rules (OAR), Chapter 918 specify the standards and regulations for Manufactured Dwelling (MD) use in the State of Oregon. The 2002 Oregon Manufactured Dwelling and Park Specialty Code (OMDS) defines the state standards and Section 6.110 provides additional supporting standards for all manufactured dwelling developments within the City of Tangent. The standards contained herein are intended to support suitable living environments for residents of manufactured dwellings and to increase compatibility with adjacent land uses.

SECTION 6.141 GENERAL PROVISIONS

- (1) **Definitions.** The definitions of terms used are as defined in the 2002 Oregon Manufactured Dwelling and Park Specialty Code (OMDS) or Section 1.200 of this Code.
- (2) **Relationship to Deed Restrictions.** Nothing in these provisions shall be interpreted as superseding more restrictive deed covenants, conditions or restrictions (CC&R's). The Standards contain herein are the "minimum requirements" of the City. Applicant/Owners may specify more restrictive standards for their development as part of their CC&R's.

- (3) **Manufactured Dwelling Construction & Safety Standards.** All manufactured dwellings must comply with the minimum construction standards in effect at the time of construction, and all associated rules, regulations, amendments and interpretations of both federal and state authorities. All manufactured dwellings placed in the City of Tangent must bear a U.S. Department of Housing and Urban Development, HUD, certification label or a State of Oregon Manufactured Dwelling Insignia of Compliance.
- (4) **Building Permit.** The owner of a lot upon which a manufactured dwelling is to be installed shall, before installation, obtain a Manufactured Dwelling Building Installation Permit, and any other required permits, from the City. In applying for and obtaining said permit, the owner of a lot shall be deemed to have agreed to comply with Oregon State Standards and the terms of this Code.
- (5) **Inspection.** The manufactured dwelling shall be inspected by the Building Inspector, who shall determine that the manufactured dwelling complies with State standards for manufactured dwelling construction and siting, the standards set forth in this Code and, prior to approval of installation, require the owner of said manufactured dwelling to bring the manufactured dwelling up to the required standards by repair and improvement. No reconstruction or equipment installation shall have been made to the manufactured dwelling unless it has been state approved as evidenced by an appropriate State of Oregon insignia.
- (6) **Perimeter Enclosures & Support Systems.** All load bearing foundations, supports, and enclosures shall be installed in conformance with state regulations and with the manufacturer's installation specifications. There are two primary types of perimeter enclosures permitted:
 - (a) **Perimeter Skirting:** Skirting shall be constructed in accordance with the Oregon Manufactured Dwelling Standards. Permitted perimeter skirting materials are any material or system approved by the State of Oregon.
 - (b) **Perimeter Foundations:** shall be constructed in accordance with the International One and Two Family Dwelling Code in addition to the Oregon Manufactured Dwelling Standards. Permitted perimeter foundation materials are concrete, masonry, or other materials approved by the Building Official.
- (7) **Accessory Structures.** All accessory structures must be constructed to the Oregon State One and Two Family Dwelling Code.
- (8) **Removal.** If a manufactured dwelling is removed, the owner shall immediately disconnect and cap all sewer, water and utility services. The owner of the property shall, within (6) months of said removal, make application for and replace said manufactured dwelling with an approved manufactured dwelling, or remove the foundation and all protrusions above the slab or ground level. Should the property owner fail to comply, the city may contract for removal and disconnection, and collect the costs thereof from the property owner.
- (9) **Continued Use.** Any manufactured dwelling in place at the time of passing this Code and appropriately connected to a sewer and water system, but otherwise not conforming to the above requirements, may be maintained in the place of location. Any replacement of or addition to said

manufactured dwelling shall comply with the requirements stated herein and The State of Oregon Installation Standards.

SECTION 6.142 CLASSIFICATION OF MANUFACTURED DWELLINGS

Manufactured Dwelling Classes. For purposes of these regulations, manufactured dwellings are divided into two classes, "A" and "B". The classes are segregated by the size of the manufactured dwelling. All manufactured dwellings placed within the City after the effective date of this Code must comply with the following placement standards.

- (1) **Class "A"** A Class "A" manufactured dwelling is one that complies with the following standards:
 - (a) A double-wide or multi-sectional unit ten (10) years old or newer bearing a U.S. Department of Housing and Urban Development, HUD, certification label in conformance with the Federal Manufactured Dwelling Construction and Safety Standards in effect on the date of manufacture. The unit shall be in excellent condition and free of structural, electrical, mechanical, or plumbing defects. Inspection and verification by the Building Official is required prior to placement.
 - (b) Contains more than one thousand (1,000) square feet of occupied space in a double-section or larger multi-section unit.
 - (c) Placed onto a permanent foundation system with piers, perimeter foundations or perimeter skirting. Wheels, axles, and hitch mechanisms shall be removed in accordance with approved state installation standards.
 - (d) Minimum roof pitch shall be 3 inch rise for each 12 inches of run with materials commonly used for site-built houses such as composition, wood or tile shingles.
 - (e) Exterior materials shall be similar to those used on site-built houses.
 - (f) Placement: Class "A" manufactured dwellings are permitted on all individual lots in all Residential Districts and in all approved manufactured dwelling parks. Class "A" manufactured dwellings are also permitted for approved temporary uses specified in **Section 6.143**
- (2) **Class "B"** A Class "B" manufactured dwelling is one that complies with the following standards:
 - (a) A single-section unit ten (10) years old or newer bearing a U.S. Department of Housing and Urban Development, HUD, certification label in conformance with the Federal Manufactured Dwelling Construction and Safety Standards in effect on the date of manufacture. The unit shall be in excellent condition and free of structural, electrical, mechanical, or plumbing defects. Inspection and verification by the Building Official required prior to placement.
 - (b) Contains more than five hundred (500) square feet of occupied space in a single or expando unit.

- (c) Placed onto a permanent foundation system with piers, perimeter foundations or perimeter skirting. Wheels, axles, and hitch mechanisms shall be removed in accordance with approved state installation standards.
- (d) Exterior materials shall be similar to those used on site-built houses.
- (e) Placement: Class "B" manufactured dwellings are permitted in all manufactured dwelling parks and approved temporary uses specified in **Section 6.144**. Class "B" manufactured dwellings may also be permitted by Conditional Use on individual lots as specified in **Section 6.143**.

SECTION 6.143 PLACEMENT ON INDIVIDUAL LOTS

- (1) Class "A" Manufactured Dwellings are permitted on individual parcels outside of Manufactured Dwelling Parks in the City's Residential Districts, RS-10, RM-10 and RM-6 in accordance with the standards of this Section and all other provisions of the Tangent Land Development Code for conventional built dwellings placed within a Residential District.
 - (a) All manufactured dwellings placed outside of manufactured dwelling parks shall be set onto an excavated area with a perimeter foundation of concrete or masonry.
 - (b) All manufactured dwellings placed on individual lots or parcels outside of manufactured dwelling parks shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required for single-family dwellings constructed under the state building code as defined in **ORS 455.010**.
- (2) Conditional Use approval is required for placement of a Class "B" manufactured dwelling on an individual lot. In order to be approved, the unit must be found to have design compatibility with other dwellings within 500 feet of the subject lot or parcel. The criteria for determining acceptable compatibility shall be based upon a review of the following design elements:
 - (a) Roofing materials shall be similar in appearance to site-built housing in the vicinity. The roof pitch shall be a minimum roof pitch of 2/12.
 - (b) The perimeter foundation and siding materials shall be similar in appearance or complementary to other dwellings in the vicinity.
 - (c) The placement of the manufactured dwelling and accessory structures upon the lot shall be consistent with other dwellings in the review area in terms of setback dimensions, angle to the street, location of garage or carport, and any other special features of the neighborhood or vicinity.
 - (d) The location and design of porches, patios, driveways, walkways, and landscaping shall be similar to and complementary to the features of other dwellings in the vicinity.

SECTION 6.144 TEMPORARY MANUFACTURED DWELLING USE

- (1) **Application:** Applicants for a temporary use permit shall make written application for review and approval on the City's Application Form. The City Administrator may grant approval for a Temporary Manufactured Dwelling use subject to the Decision Criteria of **Section 2.400**. The Applicant shall provide a statement of intended use and the estimated length of time for the temporary use on the application form and shall submit the site plan information specified in **Section 2.140**.

- (2) **Approved Uses:** A temporary Manufactured dwelling use may be granted for the following uses:
 - (a) A manufactured dwelling as a temporary accessory dwelling to a residence for designated members of the immediate family to alleviate a financial or personal care hardship situation, or for a non-family member providing personal care to members of the family. Either the property owner, the family member or personal care provider may occupy the hardship dwelling.
 - (b) Temporary on-site residence for owners whose dwelling is under construction or a dwelling that has been destroyed.
 - (c) Caretaker residence for a commercial or industrial facility.
 - (d) Temporary offices accessible to the general public for use during construction or remodeling.
 - (e) Temporary building space for public and semi-public agencies.
 - (f) Other temporary uses may be considered by the Planning Commission under the Conditional Use procedures specified in **Section 2.500**.

- (3) **Conditions of Use:** The Temporary Use Permit may be limited to a specified time period and shall be a Class "A" or "B" Manufactured Dwelling for use on a single lot in accordance with the following provisions:
 - (a) Compliance with the State of Oregon Manufactured Dwelling Installation Standards.
 - (b) Manufactured dwellings shall not be included or sold as a part of any property on which it is located.
 - (c) Manufactured dwellings shall not be expanded or attached to a permanent structure.
 - (d) Manufactured dwellings shall have an approved perimeter enclosure permitted by the State of Oregon.
 - (e) Manufactured dwellings shall have approved connections to utility systems and the owners shall be allowed to hook to an existing residential sewer service lateral.
 - (f) Use shall be limited to the function as set forth in the application for the temporary permit.

- (g) The manufactured dwelling shall comply with residential setback requirements and shall be sited so as to have the least possible impact on adjacent properties or adjoining streets.
 - (h) The temporary use shall be subject to a Periodic Review by the City.
 - (i) The manufactured dwelling and all accessory elements shall be removed within 60 days of non-occupancy by the designated users identified in the Application.
- (4) **Renewal:** The permit as issued shall not exceed the designated approval period. The City shall notify holders of a permit at least thirty (30) days prior to the date of expiration. Applicants for renewal of a temporary use permit shall reapply and submit the same information as required for the original permit.
 - (5) **Right of Revocation:** The City shall have the right to revoke any Temporary Use Permit granted under this section with thirty (30) days notice, if upon inspection, the use is found to be in noncompliance with the application for which the permit is issued.
 - (6) **Removal:** If the Temporary Manufactured Dwelling is required to be removed from the site, the owner of the property shall remove the foundation and all additions to the Temporary Manufactured Dwelling and permanently disconnect and secure all utilities. The City may perform the work and place a lien against the property for the cost, after 60 days from the date on which the Temporary Manufactured Dwelling is required to be moved from the site. This condition shall not apply in the event that another approved Temporary Manufactured Dwelling is placed on the original foundation within 60 days of the removal of the original unit.

SECTION 6.150 MANUFACTURED DWELLING PARKS

Oregon Revised Statutes (ORS), Chapter 446 and Oregon Administrative Rules (OAR), Chapter 918, and Chapter 10 of the Oregon Manufactured Dwelling and Park Specialty Code (OMDS) specify the standards and regulations for Manufactured Dwelling Parks in the State of Oregon. **Section 6.150** contains additional supporting standards for all Manufactured Dwelling Parks located within the City of Tangent as permitted in Chapter 10 of the OMDS. In cases of conflict, the state standards of Chapter 10 shall govern.

- (1) **Where Permitted:** Class "A" or "B" Manufactured Dwellings are permitted in all Manufactured Dwelling Parks. Manufactured dwelling parks are permitted in the City's RM-6 Residential District in accordance with the standards of **Section 6.150 through 6.152** and the provisions for Conditional Use approval contained in **Sections 2.500**.
- (2) **Minimum Site Area:** An area that provides space for four or more manufactured dwellings together with all conditions and standards required by Chapter 10 of the OMDS and the standards contained in **Section 6.151**.
- (3) **Density:** Maximum density of the park shall not exceed 7 units per net acre of Manufactured Dwelling space.

- (4) **Access:** Manufactured Dwelling Park access shall occur from a public Collector or Arterial street.
- (5) **Permitted Uses:** Manufactured Dwelling Parks may contain manufactured dwellings and accessory structures, community laundry and recreation facilities and other common buildings for use by park residents only, and one residence other than a manufactured dwelling for the use of a caretaker or a manager responsible for maintaining or operating the park.
- (6) **Conditions:** Upon granting site plan approval for a manufactured dwelling park, the Planning Commission may require establishment of deed covenants, conditions and restrictions (CC&R's) or other conditions including but not limited to any of the following where such are deemed necessary for the mitigation of adverse impacts on an adjacent area:
 - (a) Limit the type of units to be installed to Class "A" or Class "B" or both.
 - (b) Additional landscaping or screening on the park boundary.
 - (c) Increased setbacks from park boundaries.

SECTION 6.151 IMPROVEMENT STANDARDS

Park standards shall conform to The **Oregon Manufactured Dwelling and Park Specialty Code (OMDS)** within the Park boundary and shall conform to City Standards when abutting public streets.

- (1) **Streets:** Public streets located within the Park and the first 100 feet of Park streets connecting to a public street shall conform to City standards.
- (2) **Perimeter Setbacks:** Distance of a manufactured home or accessory structure from an exterior park boundary or public right of way shall be 20 feet.
- (3) **Landscaping:** All common areas within a manufactured dwelling park; exclusive of required buffer areas, buildings, and roadways; shall be landscaped and maintained in accordance with the following minimum standards per each 2,000 square feet of open area:
 - (a) One tree at least six feet in height.
 - (b) Ten shrubs or accent plants.
 - (c) The remaining area containing walkways and attractive ground cover at least 50% of which must be living ground cover within one year of planting.
 - (d) All manufactured dwelling spaces shall be similarly landscaped within six months of manufactured dwelling placement. Such landscaping shall be the responsibility of the park owner.
- (4) **Perimeter Property Screening:** The entire perimeter of the Manufactured dwelling park shall be screened except for driveways and the Clear Vision Area. The following minimum standards shall apply:

- (a) One row of evergreen shrubs shall be planted which will grow to form a continuous hedge at least six feet in height and be at least 80 percent opaque, as seen from a perpendicular line of sight, within two years of planting, or
 - (b) A minimum of a five-foot wood fence or masonry wall shall be constructed, providing a uniform sight obscuring screen, or
 - (c) An earth berm combined with evergreen plantings or wood fence or masonry wall shall be provided which shall form a sight and noise buffer at least six feet in height.
 - (d) At least 5 five-gallon shrubs or 10 one-gallon shrubs for each remaining 1,000 square feet of required buffer area; and
 - (e) The remaining area treated with attractive, living ground cover (i.e., lawn, ivy, evergreen shrubs, etc.).
- (5) **Utilities:** All manufactured dwelling parks shall provide each lot or space with storm drainage, municipal sanitary sewer, water, electric and communication cables, including telephone and television cables. All utilities shall be located underground and there shall be no exposed radio or TV antenna. Easements shall be dedicated where necessary to provide service to all utilities. Utilities shall be connected in accordance with state requirements and the manufacturer's specifications.

SECTION 6.152 DESIGN AND SUBMISSION REQUIREMENTS

- (1) **Professional Design Team:** The applicant for a proposed Manufactured Dwelling Park shall certify in writing that the services of a registered architect, landscape architect or registered engineer licensed by the State of Oregon have been utilized in the design and development of the project.
- (2) **Site Plans Required:** The Conditional Use Application for a new or expansion of an existing MD Park shall be accompanied by 10 copies of the site plan of the proposed park containing the following information in addition to that required in **Section 2.140** for Application Site Plans. The plot plan shall show the general layout of the entire Park and shall be drawn to a scale not smaller than one inch representing 40 feet. The drawing shall include all of the following information:
- (a) Name and type of Park, address, owner, Design Team members, scale, date and north point of plan.
 - (b) A vicinity plan showing streets and properties within 500 feet of the development site.
 - (c) Plot plan of park boundaries and the location, dimensions and number of MD spaces. Number each space and demonstrate that planned spaces can reasonably accommodate the proposed MD types.

- (d) Location and dimensions of existing and proposed structures, together with the usage and approximate location of all entrances, heights, and gross floor areas. Heights shall not exceed the maximums specified for the zoning District.
- (e) Location and dimensions of roads, accessways, parking, loading facilities, garbage receptacles and walkways.
- (f) Extent, location, arrangement, and proposed improvements of all open space, landscaping, fences and walls.
- (g) Location of lighting fixtures for park spaces and grounds.
- (h) Location and area of recreation spaces and buildings in square feet.
- (i) Locations where park water, sewer, drainage and utility systems connect to City systems including easement locations.
- (j) Location of existing and proposed fire and irrigation hydrants.
- (k) Enlarged plot plan of a typical MD space, showing location of the stand, patio, storage space, accessory structures, parking, sidewalk, utility connections, and landscaping.
- (l) Architectural drawings and sketches demonstrating the planning and character of the proposed development.
- (m) A construction time schedule and development phasing plan.
- (n) Detailed plans required. Prior to application for a building permit to construct an approved Park or to expand an existing Park, the applicant shall submit five copies of the following detailed plans:
 - 1. A legal survey.
 - 2. Plans of new structures.
 - 3. Water, sewer and utility systems.
 - 4. Utility easements.
 - 5. Road, sidewalk, and patio construction.
 - 6. Drainage system, including existing and proposed finished grades.
 - 7. Recreational improvements including swimming pool plans approved by the Oregon State Board of Health.
 - 8. Landscaping and irrigation plans.

SECTION 6.210 COMMERCIAL USE STANDARDS

The Code recognizes that commercial use patterns can vary depending upon the type and location of these facilities. The following conditions and standards shall apply in addition to the standards for Commercial Zones specified in **Section 4.121 & 4.122**.

SECTION 6.211 RESIDENTIAL / COMMERCIAL STRUCTURES

- (1) **Existing Houses:** In commercial districts pre-existing residential structures may be occupied by commercial uses permitted in the commercial district provided the structure meets minimum building and safety standards as provided in the Building Code and provided further that the City approves a development plan for vehicular access and parking, signing, and exterior lighting in accordance with the **Site Plan Review** provisions of **Section 2.400**.
- (2) **Residences:** A single-family residence for the owner of a commercial business may be permitted in the CC District in accordance with Site Plan Review provisions of **Section 2.400** and the standards contained herein.
 - (a) **On-site Parking** shall be provided for both the commercial and residential uses in accordance with **Section 5.121**.
 - (b) Residences shall be located at rear of the commercial business unless an alternative is approved by the Planning Commission as a Variance. Residential yard setbacks and open space is required for ground floor residences in conformance with the RS-10 Zoning District.
- (3) **Second Story Residences:** Single-family or Multi-family housing may be permitted above a commercial business in the CC District in accordance with the **Conditional Use** provisions of **Section 2.500** and the standards contained herein.
 - (a) **On-site Parking** shall be provided for both the commercial and residential uses in accordance with **Section 5.121**.
 - (b) There are no yard setbacks or open space required for second story residences.

SECTION 6.212 STREET FRONTAGE COMMERCIAL

Street frontage commercial facilities are recommended for locations adjacent to Principal Arterial or Collector streets in the **Community Commercial Zoning District - CC** where street side pedestrian sidewalks and bikeway access is available and may be approved as part of the **Site Plan Review** procedures of **Section 2.400** or as a **Conditional Use** in conformance with **Section 2.500** under the following conditions:

- (1) Any permitted **Community Commercial** use allowed in **Section 4.121** may be approved as a Street Frontage Commercial facility. A residence for the store owner is also permitted in conformance with **Section 6.211 (2) or (3)**.
- (2) A minimum 12 foot wide street side sidewalk with planter openings, street trees, bicycle parking and benches shall be provided.

- (3) Off-street parking for the specified use shall comply with **Section 5.121**.
- (4) On-site commercial parking shall not be located in the front yard but may be provided at the side or rear of the property.
- (5) A front yard setback of 12 feet is permitted. Other setbacks shall be the same as the Commercial Zone with Screening provided adjacent to abutting residences in conformance with **Section 5.134 (9)**.

SECTION 6.213 PARKING FRONTAGE COMMERCIAL OR INDUSTRIAL

Highway Commercial or Industrial facilities are intended for locations adjacent to Principal Arterial and Collector streets in the **Community Commercial Zoning District – CC, Highway Commercial/Industrial Zoning District - HC/I** and the **General Industrial Zoning District – GI** where front yard vehicle parking is desired. Street Frontage Parking may be approved as part of the **Site Plan Review** procedures of **Section 2.400** or as a **Conditional Use** in conformance with **Section 2.500** under the following conditions:

- (1) Any permitted commercial use allowed in **Sections 4.121 or 4.122** and industrial uses allowed in **Section 4.132** may be approved as a Parking Frontage facility.
- (2) Off-street parking for the specified use shall comply with **Section 5.121**.
- (3) A minimum 12 foot wide landscaped buffer shall be provided between the street sidewalk and the front area parking lot. A minimum 12 foot wide entry sidewalks shall be provided at the front of all commercial buildings and include planter openings, street trees, bicycle parking and benches.

SECTION 6.310 PUBLIC & SEMI-PUBLIC STANDARDS

Public and Semi-public uses represent a wide range of "Civic" use types that include utilities, public safety, maintenance, governmental, recreational, educational, cultural, religious, and civic assembly uses or facilities. Public and semi-public uses shall comply with the following additional standards in addition to the standards of the land use district in which the public use is located:

- (1) Public and Semi-public uses in residential districts may be permitted in accordance with the **Conditional Use** provisions of **Section 2.500** and the standards contained herein.
- (2) Public and Semi-public uses in commercial or industrial districts may be permitted in accordance with the **Site Plan Review** provisions of **Section 2.400** and the standards contained herein.
- (3) Requirements for front, rear, side and street side yards, for public uses shall not be less than that specified for the Primary or Overlay District unless specifically approved as part of the conditional use or site plan review procedures. Yard setbacks may be increased to provide additional safeguards to protect adjoining properties, drainageways or the street.
- (4) Additional landscaping, fencing, buffers or other screening devices may be required to screen or protect adjacent properties, drainageways or the street.

- (5) Off-street parking for the specified use shall comply with **Section 5.121**.
- (6) In a residential district, all equipment and material storage shall be within an enclosed building unless it is deemed necessary and approvable in accordance with the **Conditional Use** provisions of **Section 2.500**.
- (7) Exterior lighting shall be directed away from abutting residential properties.
- (8) Offices and workshops should be located in the commercial or industrial districts whenever possible and should not be permitted in a residential district unless it is deemed necessary and approvable in accordance with the **Conditional Use** provisions of **Section 2.500**.
- (9) Public utility facilities including treatment, maintenance and storage areas should be located in the industrial district whenever possible and should not be permitted in a residential or commercial district unless it is deemed necessary and approvable in accordance with the **Conditional Use** or **Site Plan Review** provisions of **Section 2.500** or **Section 2.400**.
- (10) The minimum lot size requirement of a primary zone may be waived on finding that the waiver will not result in noise or other detrimental impacts to adjacent or nearby property.

SECTION 6.510 HISTORIC PRESERVATION

Statewide Planning Goal 5 defines Historic Areas as lands with sites, structures and objects that have local, regional, statewide or national historical significance. Goal 5 also specifies that the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966 and the recommendation of the State Advisory Committee on Historic Preservation should be utilized in designating historic resources. OAR 660-23-200 provides specific rules for compliance with Goal 5, Historic Resources.

A Statewide Comprehensive Historic Preservation Plan is authorized by ORS Chapter 358, administered by the State Department of Parks and Recreation as the State Historic Preservation Program. Local governments should encourage the preservation, management, and enhancement of structures, resources, and objects of historic significance in conformance with, but not limited by, the provisions of ORS 358.

SECTION 6.511 TANGENT HISTORIC RESOURCE INVENTORY

A City of Tangent Historic Structures Inventory was prepared for the City of Tangent by the Linn County Planning & Building Department in 1983 in conformance with the Goals, Policies and Cultural Resources identified in the Tangent Comprehensive Plan.

- (1) **Purpose.** The designation of historic resources allows the City to formally recognize and protect its historic heritage.
 - (a) The Tangent Planning Commission is recognized by the City as the committee for historic review and recommendation. The Planning Commission shall review all :
 1. Requests for designation or removal of a listed Historic Structure or designation of a Historic Resource.

2. Requests for alteration, demolition and moving of a historic resource or proposed new construction within a designated Historic Area.

SECTION 6.512 HISTORIC RESOURCE DESIGNATION

The designation of a Historic Structure or District supplements the regulations of the Primary Land Use District and can apply to any historic resource contained on the City's adopted Historic Inventory.

- (1) The City or a property owner may apply for designation of a Historic Structure or District in combination with any Primary District in accordance with the application requirements of **Sections 2.130 and 2.140** and the **Conditional Use** procedures of **Section 2.500** and the requirements of this Section.
- (2) Applications shall first be submitted to the City in accordance with **Sections 2.130 and 2.140** together with the following additional information:
 - (a) A description and map of the location of the proposed Historic Structure or District or the proposed historic resource to be evaluated.
 - (b) A statement of the reasons why the proposed district or resource is appropriate for designation as a Historic Resource.
 - (c) A statement of the potential impact, if any, that a historic resource designation would have on the property owners or surrounding property owners of the proposed historic resource.
 - (d) A statement by the property owner agreeing to the Historic Resource designation.
- (3) Submitted applications shall be reviewed by the City Administrator for completeness and forwarded to the Tangent Planning Commission for a public hearing in conformance with the **Conditional Use** procedures of **Section 2.500** and the requirements of this Section and the hearing procedures of **Section 3.510**.
- (4) The City Administrator shall provide the property owner and applicant with information regarding the benefits and obligations of a Historic Structure or District designation at the time of application.
- (5) **Decision Criteria.** Approval shall be based upon compliance with the submittal requirements and the following considerations:
 - (a) Property owner agreement.
 - (b) There is an association with the life or activities of a person, group, organization, or institution that has made a significant contribution to the city, county, state or nation.
 - (c) There is an association with an event that has made a significant contribution to the city, county, state or nation.

- (d) There is an association with broad patterns of political, economic, or industrial history in the city, county, state, or nation.
 - (e) The resource embodies distinguishing characteristics of design, style, construction, craftsmanship or materials.
 - (f) The resource retains its original design features, materials and/or character;
 - (g) The resource is unique, the only remaining or one of a few resources of a particular kind.
 - (h) It is a visual community landmark.
 - (i) The site contains, or may yield, historic, prehistoric or archaeological information.
 - (j) Existing land uses surrounding the resource contribute to the integrity of the historic period represented.
 - (k) The resource contributes to the continuity or historic character of the street, neighborhood, and/or the community.
 - (l) The property is 50 years old or older.
 - (m) The proposed landmark or district complies with the National Register Criteria for Evaluation or the Secretary of the Interior's Standards for Evaluation.
 - (n) The proposed landmark or district is listed in the State Historic Preservation Program or is on the National Register of Historic Places.
- (6) **Conditions of Approval.**
- (a) The City may attach conditions that are appropriate for the promotion and/or preservation of the Historic Resource.
 - (b) The City shall allow property owners of inventoried historic resources to refuse historic resource designation at any time prior to adoption of the Historic Resource designation and shall not add a site on a list of historic resources if the owner of the property objects to its designation.

SECTION 6.513 EXTERIOR ALTERATIONS & NEW CONSTRUCTION

Alterations or additions to historic resources should preserve the characteristics that determined its inclusion in the City's Historic Inventory.

- (1) A property owner of a Historic Resource may apply for alterations or new construction in accordance with the application requirements of **Sections 2.130 and 2.140** together with the following additional information:

- (a) A description and plan of the proposed alteration or new construction for the historic resource to be evaluated.
 - (b) A statement of the reasons why the proposed alterations or new construction is needed and appropriate for the historic resource.
 - (c) A statement of the potential impact, if any, on the historic character of the resource or surrounding properties.
- (2) Submitted applications shall be reviewed by the Planning Commission in conformance with the **Site Plan Review** procedures of **Section 2.400**. **The Tangent Planning Commission may call for a public hearing in conformance with the hearing procedures of Section 3.510 if it determines that additional public input is desirable.**
- (3) Nothing in this Ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature on any property covered by this Section that does not involve a change in design, material, or external appearance thereof. Nor does this Ordinance prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when the building official determines that such emergency action is required for the public safety due to an unsafe or dangerous condition. Prior to such emergency action, notification shall be provided to the Planning Commission.
- (4) The owner of a designated historic resource shall keep such resource in good repair.

City approval is not required for repair, maintenance, or replacement with comparable features or materials, or a change in paint color.

- (5) Alterations and new construction shall be based upon compliance with the Conditions of Approval for the designation of the Historic Resource and the following considerations that include the Secretary of the Interior Standards for Historic Rehabilitation:
- (a) A property should be used for its historic purpose or a new use that requires minimal change to the defining characteristics of the building, its site and the neighborhood environment.
 - (b) The historic character of a property should be retained and preserved. The removal of historic material or alteration of features and spaces that characterize a property should be avoided.
 - (c) Each historic property is recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings or times, should not be undertaken.
 - (d) Most properties change over time; those changes that have acquired historic significance in their own right should be retained and preserved.

- (e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property should be preserved.
- (f) Deteriorated historic features should be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- (g) Chemical or physical treatments, such as sandblasting, that cause damage to historic material should not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (h) Significant archeological resources affected by a project should be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. Wherever possible, new additions or alterations to any structures should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
- (j) New additions and adjacent or related new construction should be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(6) Conditions of Approval.

- (a) The Planning Commission may attach conditions that are appropriate for the promotion and/or preservation of the Historic Resource. Non compliance may result in removal of the Historic Resource from the City's the City's Historic Inventory and removal of any benefits that apply to that designation.
- (b) The City may delay action for at least 120 days on a request for alterations or new construction to a historic resource if it is satisfied that a genuine effort with a reasonable chance of success is being undertaken to seek more adequate preservation of the historic resource.

SECTION 6.514 MOVING, DEMOLITION & REMOVAL

It is the City's intent that all designated historic resources be preserved and maintained. However, it is recognized that it may become necessary to remove or replace the Historic Resource due to changing circumstances. The procedure for moving, demolition and removal of a Historic Resource from the City's Historic Inventory is essentially the same as that for designating an Historic Resource.

- (1) A property owner of an Historic Resource may apply for moving, demolition or removal of a Historic Resource from the City's Historic Inventory in accordance with the application requirements of **Sections 2.130 and 2.140** and the **Site Plan Review** procedures of **Section 2.400**. **The Tangent Planning Commission may call for a public hearing in conformance with the hearing procedures of Section 3.510 if it determines that additional public input is desirable.**
- (2) Applications for moving, demolition or removal of a Historic Resource from the City's Historic Inventory shall include the following information:
 - (a) A description and map of the Historic Resource to be relocated, demolished or removal from the Historic Inventory.
 - (b) A statement of the reasons why the resource cannot be maintained and needs to be moved or demolished or why the Historic Resource needs to be relocated or removed from the Historic Inventory.
 - (c) A statement of the potential impact, if any, that moving, demolition or removal of a Historic Resource from the City's Historic Inventory would have on the City, the public welfare and surrounding property owners considering the significance of the resource and the economic, cultural, and energy consequences of demolition.
- (3) Approval shall be based upon compliance with the following considerations:
 - (a) The resource is of such significance that moving, demolition or removal of the resource would be detrimental to the public interest.
 - (b) Submitted evidence that every effort has been made to maintain the historic resource at its present location and no other reasonable alternative exists.
 - (c) If the resource is proposed to be moved, the new site is compatible with the resource
 - (d) The resource is no longer considered significant to the community.
 - (e) The historic resource is no longer compatible with the existing area.
 - (f) Alterations to the resource have removed the distinguishing features that were the reason for the historic resource designation.
 - (g) The historic resource has been damaged in excess of 70% of its previous value.
 - (h) The historic resource cannot be economically rehabilitated on the existing site.
 - (i) There would be unnecessary and substantial hardship on the owner if the requested action was denied or the conditions of approval were excessive.

- (j) There is a demonstrated need for the historic resource site that outweighs the public benefit from preserving the resource at the existing site and the proposed redevelopment is compatible with the surrounding area.

(4) **Conditions of Approval.**

- (a) The City may attach conditions that are appropriate for the promotion and/or preservation of the Historic Resource and for the moving the Historic Resource. Non compliance or demolition may result in removal of the Historic Resource from the City's Historic Inventory and removal of any benefits that apply to that designation.
- (b) The City may delay action for at least 120 days on a request for moving, demolition or removal of the resource from the Historic Inventory if it is satisfied that a genuine effort with a reasonable chance of success is being undertaken to preserve the Historic Resource.

ARTICLE 7

PUBLIC IMPROVEMENT REQUIREMENTS

SECTION 7.100 IMPROVEMENT PROCEDURES

Development in conformance with **Section 4.141** for EFU lands and subdivision or partitioning of EFU lands are exempt from the off-site improvement requirements of this Code.

All other developments requiring public improvements or connections to public facilities and all land divisions shall conform to the requirements of this Code and all design standards and construction specifications of the City, and shall be installed in accordance with the following procedure. As used in this section, the terms developer and land divider includes the property owner. In the event that the person making application for a land division or development are not the owner of record, a signed and notarized authorization must be provided by the owner, authorizing the applicant to act in his behalf.

- (1) Improvement work shall not be commenced until plans and specifications have been reviewed and approved by the City. To the extent necessary for evaluation of an Application, the plans may be required before approval of a Site Plan or Land Division Tentative Plan.
- (2) All required improvements shall be provided and approved by the City prior to approval of the final Plat or the owner may propose an agreement in conformance with **Section 7.510** and a form of Security in conformance with **Section 7.520** subject to acceptance by the City.
- (3) A Pre-construction Conference in conformance with the **Tangent Public Works Design Standards, TPWDS 1.12** shall be scheduled before issuance of a public utility permit. The Developer shall be responsible for notification to all public and private utility providers.
- (4) Improvement work shall not commence until after the City is notified, and if work is discontinued for more than 7 working days, for any reason, it shall not be resumed until after the City is notified.
- (5) Improvements shall be constructed under the inspection of the City. The City may require changes in the design and construction in the public interest, or if unusual conditions arise during construction to warrant a change. The cost of City inspections shall be paid by the developer or land divider.
- (6) Underground utilities, water lines, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing, or resurfacing, of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be located to prevent the necessity for disturbing the street improvements when service connections are made.
- (7) "As-built" drawings and specifications of the installed public improvements shall be filed with the City upon completion of the improvements. These must be submitted within 60 days of completion of the improvement.
- (8) In the event the City determines it is not currently necessary to provide some of the required

improvements, the City may authorize an agreement to pay for future improvements in the form of a Waiver of Remonstrance and an Agreement to pay a fair share of the required improvements when they are provided, or the improvements may be installed in the area under special assessment financing or other facility extension policies of the City. CC&R,s shall be attached to the deed of each property specifying this commitment as an obligation of the property owner.

SECTION 7.200 SPECIFICATIONS FOR IMPROVEMENTS

Tangent Public Works Design Standards have been adopted by the City of Tangent although they may not address each situation. The developer or land divider shall prepare and submit to the City for review and approval, plans and specifications in compliance with this Code and other applicable City ordinances. Where specific City standards are lacking, the plans and specifications shall comply with the intent of this Code based upon engineering standards appropriate for the improvements proposed. Specifications shall be prepared for the design and construction of all required public improvements and such other public facilities the developer installs.

SECTION 7.300 REQUIRED PUBLIC IMPROVEMENTS

The following improvements shall be installed to serve each building site and each property in a subdivision or partition at the expense of the developer or land divider. However, if the Planning Commission finds that conditions make installation of some improvements unnecessary at the time of development or land division of the property, the Planning Commission may defer those improvements by requesting a Waiver of Remonstrance and deed CC&R agreement to pay for future improvements benefiting the property. In lieu of deferring an improvement, the Planning Commission may recommend to the City Council that the improvement be installed in the area under special assessment financing or other facility extension policies of the City.

- (1) **Streets:** Public or private streets, adjacent to, or within the development or land division shall be improved. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected.
- (2) **Railroad Crossings:** Where an adjacent development results in a need to install or improve a railroad crossing, the cost for such improvements shall be borne by the developer or land divider unless an equitable means of cost distribution is approved by the City.
- (3) **Street Name Signs:** Street name signs shall be installed at all street intersections to City standards.
- (4) **Street Lights:** Street lights shall be installed to City standards and shall be served from an underground utility.
- (5) **Traffic Signals:** Where a proposed intersection will result in the need for street signals to serve the increased traffic generated by the proposed development, the signals shall be provided by the developer or land divider and the costs shall be born by the developer or land divider unless an equitable means of cost distribution is approved by the City.
- (6) **Mail Boxes:** Joint mail boxes may be provided in residential developments. Joint mail box

structures shall be placed adjacent to roadway curbs as directed by the Post Office and shall be noted on the Site Plan. The cost shall be borne by the developer or land divider.

- (7) **Surface Drainage & Storm Sewer System:** Drainage facilities shall be provided within the development or land division and connected to drainage ways or storm sewers outside the land division. Design of drainage within a development area shall accommodate the capacity and grade necessary to maintain unrestricted flow from areas draining through the property and shall accommodate extension of the drainage system beyond the property.
- (a) It is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. On-site drainage is required and downstream improvements may be required to accommodate flows. The Owner shall provide proper drainage and shall not direct drainage across another property except within a continuous drainageway. Maintaining proper drainage is a continuing obligation of the property owner.
 - (b) Upstream flows shall be accommodated and downstream flows must limit impacts on downstream properties. There shall be no increased storm water impacts from the proposed development on the City's drainage system.
 - (c) Site drainage design shall limit off-site impacts to those that would occur from vacant land. Roof drains, paving and catch basin out-flows shall require detention facilities and/or other discharge controls. All storm drains shall be connected to the detention pond inlet piping. This system must be engineered by the Applicant utilizing the standards specified in **Section 3.10 of the Tangent Public Works Design Standards.**
 - (d) All drainage plans, calculations and work sheets shall be reviewed and approved by the City Engineer prior to issuance of a Building Permit.
 - (e) A Wetlands Delineation and Mitigation Plan shall be required for identified wetlands and shall be provided by the Applicant prior to building permit approval. Refer to the **Tangent Local Wetlands & Riparian Area Inventory** and **Section 5.118** for Wetland Regulations and Development Standards.
 - 1. No development shall be permitted within designated wetlands unless a permit has been acquired from DSL and any other regulatory agency having jurisdiction.
- (8) **Sanitary Sewers:** Sanitary sewers shall be installed to serve the development or land division and to connect the properties to existing mains. Connection to City mains may entail installation of pump stations and larger mains to serve the proposed development at the developer's or land divider's expense. System design shall provide increased size and grades to accommodate extension of the system beyond the property or land division. If required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the following arrangements may be made to equitably distribute the cost:
- (a) If the area outside the property to be directly served by the sewer line has reached a state of development to justify sewer installation at the same time as the proposed development or land division, the Planning Commission may recommend to the City

Council that all of the construction occur as a single assessment project. A specific agreement shall be made with the developer or land divider to assure financing of their share of construction costs. If the developer or land divider does not agree to a joint assessment project, the sanitary sewer for the proposed development or land division shall be installed by the developer at the developer's or land divider's expense.

- (b) In the event it is impractical to connect the development or land division to the City sewer system, the City may authorize the use of on-site wastewater systems if the property area and soil characteristics are adequate. An agreement to pay for future improvements and connections shall be provided in the form of CC&R's attached to the deed of each property.
- (9) **Water System:** Individual or community water systems are required to serve each building site.
- (10) **Sidewalks:** Sidewalks may be required on both sides of a public street and in any pedestrian way extending through a development or land division, except that in the case of primary or secondary arterials, or special type industrial districts, the Planning Commission may approve a development or land division without sidewalks if it can be determined that sidewalks are not practical or appropriate for the development.
- (11) **Bicycle routes:** Consistent with the **TTSP Policies** to provide extension of existing or planned bicycle routes, the Planning Commission may require the installation of separate bicycle lanes within proposed developments. Bicycle routes may be located on proposed internal streets or abutting streets, or may be located on separate bicycle paths that extend through the development.
- (12) **Utilities:** The developer shall make necessary arrangements with serving utility companies for the installation of underground lines and facilities.

SECTION 7.400 PUBLIC USE DEDICATIONS

- (1) Within or adjacent to a residential subdivision, a parcel of land of not less than 10 percent of the gross area of the subdivision shall be set aside and dedicated to the public by the subdivider for park or open space use to serve the residents of the proposed development. The parcel shall be approved by the Planning Commission as being suitable and adaptable for park and open space uses. In the event no such area is suitable for park and open space purposes, the subdivider shall, in lieu of setting aside land, pay into a public land acquisition and park development fund a sum of money equal to 100 percent of the Real Market Value of the property for the proposed use. The sums so contributed shall be used to aid in securing suitable areas for park and open space purposes or to develop existing nearby parks to serve the area containing the subdivision. If the nature of the subdivision is such that over 34 percent of the tract to be subdivided is being dedicated to the public for streets and other public purposes, the requirements of this section shall be reduced so that the total obligation of the subdivider does not exceed 40 percent.
- (2) If the City or other public agency indicates it desires to acquire a portion of a proposed land division for a public purpose not already dedicated as a condition of approval, or if the City

has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of a land division be reserved for public acquisition.

SECTION 7.510 IMPROVEMENTS AGREEMENT

Before City approval of a development, site plan or land division, the developer or land divider shall file with the City an agreement between developer or land divider and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the developer or land divider.

- (1) Repair of existing streets and other public facilities damaged during the specified construction shall be a part of any Improvement Agreement.
- (2) The agreement shall also provide for reimbursement of the City's cost of inspection in accordance with **Section 7.100 (3)**.

SECTION 7.520 SECURITY

- (1) The developer or land divider shall file with the agreement, to assure full and faithful performance thereof, a form of financial security acceptable to the City Attorney.
- (2) Such assurance of full and faithful performance shall be for a sum approved by the City as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses, and to cover the cost of City inspections and other costs.
- (3) The security shall only be released upon authorization of the City Administrator.
- (4) The performance guarantee and security shall remain in effect for one year after the improvements have been installed to correct any defects that may have occurred.

SECTION 7.600 NONCOMPLIANCE PROVISIONS

- (1) If the developer or land divider fails to carry out provisions of the agreement, the City shall provide written notice to the developer or land divider and the surety specifying the details of noncompliance. Unless the City allows more time for compliance because of circumstances beyond the developer or land divider's control, within 30 days after receiving the notice, the developer or land divider or the surety shall make substantial efforts to comply with the agreement.
- (2) If the developer or land divider or the surety does not make substantial efforts to comply within the 30 days or the additional time allowed by the City, or compliance is not completed within the time specified in granting the land division approval, the City may take the following action:
 - (a) Notify the developer or land divider and the surety of the developer or land divider's

- failure to perform as required by this Code and the agreement.
- (b) Demand payment from the developer or land divider or the developer or land divider's surety for the unfulfilled obligation.
 - (c) Enter upon the site and carry out the obligation in accordance with the provisions of the approval and agreement.
 - (d) Void all approvals granted in reliance on the agreement.
- (3) If the required security is not sufficient to compensate the City for expenses incurred to fulfill the obligation, the amount due to the City for the obligation is a lien in favor of the City upon the entire contiguous real property of the owner of the land subject to the obligation.
 - (4) The lien attaches upon the filing with the City Administrator of notice of the claim for the amount due for the fulfillment of the obligation. The notice shall demand the amount due, allege the insufficiency of the security to compensate the City fully for the expense of the fulfillment of the obligation, and allege the developer or land divider's failure to fulfill the required obligation.
 - (5) The lien may be foreclosed in the manner prescribed by law for foreclosing other liens on real property.
 - (6) The remedies set forth for non-compliance are cumulative. In addition to the remedies set forth above, non-compliance by the developer or his surety with any term of a performance guarantee shall entitle the City to pursue any civil remedy permitted by law.

SECTION 7.700 ADOPTED STANDARDS

SECTION 7.710 CITY OF TANGENT STANDARDS

The City of Tangent has adopted the **Tangent Public Works Design Standards** for all public improvements within the City of Tangent including, but not limited to, improvements and extensions of a water system, sanitary sewer system, storm sewer system, and streets, sidewalks, and driveways. The Tangent City Administrator will maintain a current copy of the design and construction standards together with all amendments and/or addendums published by the City and those permanent modifications made in accordance with **Section 7.720 (2)** below.

SECTION 7.720 MODIFICATIONS PERMITTED

The Tangent City Administrator & City Engineer are authorized to review and approve modifications to the adopted design and construction standards for Public Improvements within the incorporated boundaries of the City of Tangent. Such modifications may be made upon written request from a developer or contractor designing and/or constructing public improvements within the City of Tangent. Modifications may be approved on a one-time basis or may be approved as a permanent modification to City Standards. Permanent modifications require the further approval of the City Council.

- (1) **One-time Modifications:** The City Administrator may approve one-time modifications for a particular public improvement upon written request if, in the opinion of the City Engineer, the requested modification would work better in the existing situation and would not adversely impact safety, life span, maintenance and repair requirements of the improvement.
- (2) **Permanent Modifications:** If, in the opinion of the City Engineer, a requested construction standard modification is superior to that specified in the **Tangent Public Works Construction Standards**, the standard may be approved as a One-time Modification for a particular project as an addendum to the project specifications and may be permanently adopted into the Tangent Public Works Construction Standards with the concurrence of the City Administrator and the City Council. Once a permanent modification has been approved, it shall be adopted into the Tangent Public Works Design Standards by amendment.

SECTION 7.730 APPLICABILITY OF LINN COUNTY STANDARDS

For public improvements that are constructed within the public rights-of-way owned and controlled by Linn County, coordination is required with Linn County Road Department and the required Linn County permits must be obtained. In the event of a conflict between the City of Tangent's adopted design and construction standards with those of Linn County, Linn County standards will take precedence within Linn County rights-of-ways unless jointly agreed upon otherwise by Linn County and the City of Tangent.

SECTION 7.740 APPLICABILITY OF ODOT STANDARDS

For public improvements that are constructed within the public rights-of-way owned and controlled by the Oregon Department of Transportation, access coordination and permitting is required from the Oregon State Highway Division. Uses, that propose to utilize either Old or New Highway 34 (until such time as the State of Oregon no longer owns Old Highway 34) or Highway 99E as access shall submit for City approval a Traffic Assessment in conformance with **Section 5.122 (6)**.

SECTION 7.800 ADOPTED REGULATIONS

SECTION 7.810 CITY CHARTER PROVISIONS

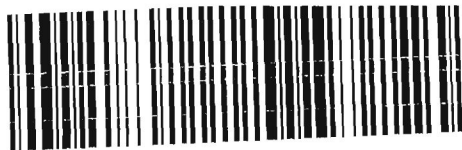
The Tangent City Charter provides for implementing public improvements. **Chapter IX, Public Improvements, Section 50 & 51.**

SECTION 7.820 CITY ORDINANCE PROVISIONS

Ordinance 86-01 specifies procedures for the implementation and administration of "Local Improvement Districts" that include parcels of land within a defined area of the City that are benefited by the provision of specified public improvements and provides for special assessments to be levied to pay for the local improvement and for the creation and enforcement of assessment liens.

The city has ordinances and resolutions which specifies procedures for the implementation and administration of "System Development Charges" that impose a fee for the portion of costs for

public improvements for Sanitary Sewers, Drainage, Streets, and Parks upon developments that create the need for increased demands on public improvements.



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From: / Expéditeur:

City of Tangent
P.O. Box 251
Tangent, OR 97389

To: / Destinataire:

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

