



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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### NOTICE OF ADOPTED AMENDMENT

March 9, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Adair Village Plan Amendment  
DLCD File Number 002-05



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 23, 2006**

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 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 DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Gloria Gardiner, DLCD Urban Planning Specialist  
Marguerite Nabeta, DLCD Regional Representative  
Jim Minard, City of Adair Village

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FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION MAR 03 2006

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18 (See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: CITY OF ADAIR VILLAGE Local File No.: (If no number, use none)

Date of Adoption: FEBRUARY 28, 2006 Date Mailed: (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: Nov. 7, 2005

- X Comprehensive Plan Text Amendment
X Land Use Regulation Amendment
X New Land Use Regulation
Comprehensive Plan Map Amendment
Zoning Map Amendment
Other: (Please Specify Type of Action)

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

NEW COMPREHENSIVE PLAN POLICIES AND DEVELOPMENT CODE REGULATIONS

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

"SAME" - CLARIFIED LANGUAGE THAT STRUCTURES HIGHER THAN 2 STORIES REQUIRE SIGN OFF BY FIRE CHIEF OR MARSHALL, DECLINED ALLOWING CARPORTS IN FRONT YARD, AND DELETED FRONTAGE TYPE STANDARDS

Plan Map Changed from: NA to

Zone Map Changed from: NA to

Location: CITY WIDE Acres Involved:

Specify Density: Previous: New:

Applicable Statewide Planning Goals: 1, 2, 9, 10

Was an Exception Adopted? Yes: No: X

DLCD File No.: 002-05 (14798)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: BENTON COUNTY,

Local Contact: JIM MINARD Area Code + Phone Number: (541) 745-5507

Address: 6030 WILLIAM R. CARR AVE

City: ADAIR VILLAGE Zip Code+4: 97330

### ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies 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**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

City of  
**Adair Village**

6030 William R. Carr Avenue • Adair Village, OR 97330 • Phone: 541.745.5507 • Fax: 541.745.5508

CERTIFICATE OF MAILING

I hereby certify that on the 2<sup>nd</sup> day of MARCH, 2006 I  
mailed via the US Postal Service a true and correct copy of the attached Notice of  
Decisions to the Department of Land Conservation and Development.

Signed: *Jim Minard*  
Jim Minard, City Administrator

DATE: March 2, 2006

BEFORE THE CITY COUNCIL FOR THE  
CITY OF ADAIR VILLAGE, OREGON

In the Matter of Amending the Comprehensive )  
Plan and Development Code, and Declaring an )  
Emergency. )

ORDINANCE NO. 06 -- #2

WHEREAS, the City of Adair Village did request and received funding from the State of Oregon to address planning concerns for updating the City's Comprehensive Plan and Development Code; and

WHEREAS, the City of Adair Village Planning Commission did spend approximately 3 years in developing new language to be incorporated into the City's Comprehensive Plan and Development Code; and

WHEREAS, the Planning Commission held numerous meetings over the course of the past 3 years to evaluate the issues and develop a response reflective of the State of Oregon and City of Adair Village standards; and

WHEREAS, the Adair Village Planning Commission did hold a public hearing on January 23, 2006 to receive testimony on the draft language; and

WHEREAS, the Adair Village City Council did hold a public hearing on February 20, 2006, to review the recommended language from the Planning Commission and found it to be in compliance with applicable statewide planning goals and guidelines and City criteria;

NOW, THEREFORE, THE CITY OF ADAIR VILLAGE ORDAINS AS  
FOLLOWS:

**SECTION 1. COMPREHENSIVE PLAN.** The City's Comprehensive Plan policies are hereby amended as follows:

SECTION 9.100 – INTRODUCTION: Add new Growth Management Principles (GMP)

**GMP 1: Comply with state planning requirements.** The City shall ensure the Comprehensive Plan and implementing ordinances fully comply with all State growth management policies and rules. These include, but are not limited to, economic development, protection of natural resources, providing for alternative transportation modes, and providing for a variety of housing types.

**GMP 2: Accommodate 20-year population and employment projections and related land needs.** The City shall provide adequate land within its urban growth boundary to address the 20-year demand for housing and jobs.

**GMP 3: Establish urban reserve areas to accommodate growth projections beyond the 20-year planning horizon.** The City shall consider the need and appropriate location for urban reserves in order to anticipate the long-term demand for employment needs and residential development.

**GMP 4: Celebrate the unique history and character of Adair Village.** The City's comprehensive plan shall reflect and build upon the community's unique identity and character. The City's rich history of military services distinguishes it from other small Willamette Valley towns. That history is reflected in the character of the city's buildings and the pattern of development. The design of future development should acknowledge this unique history as we implement a meaningful vision for the future.

**GMP 5: Provide for a village center that is the heart of the city's civic life and is representative of the village's unique identity.** Plans for the village center should reflect a "main street" character and development patterns appropriate to Adair Village. A town center should include the city hall, the post office and its major retail uses. It should also include higher density residential uses that complement and support the civic and retail activity.

**GMP 6: Provide for a network of arterial, collector and local streets that avoid reliance on the state highway for local trips and disburse access to the highway to all available intersections.** The City shall plan for a local street network that will enable residents to access important community destinations in a safe and direct manner and without relying on Hwy 99W for intra-city trips.

The City shall consider the design of intersections at 99W to enhance the safety of motorists, especially turning movements, through signals, channelization or other design features.

**GMP 7: Provide for a network of arterial, collector and local streets to provide a range of choices for traveling within Adair Village.** The City shall ensure future development, including possible UGB expansion and urban reserve areas, is planned to include a complete and connected network of local and collector streets—at a scale appropriate to the City of Adair Village—that will provide the framework for long-term growth.

**GMP 8: Promote alternatives to automobile use through street designs and a transportation network that facilitates safe and convenient bicycle and pedestrian travel.** The City shall design new streets and retrofit existing streets (when they are part of new construction) to provide walkway, street tree and landscaping design that fosters and supports pedestrian safety and comfort. Where connected through streets are not

feasible, bicycle and pedestrian paths should be provided to meet a minimum standard for connectivity. Safe and convenient pedestrian and bicycle movements are particularly important because of the large number of school-age children in the community.

**GMP 9: Ensure efficient urban development through compact pedestrian friendly development within natural and man-made boundaries.** The City shall reduce existing minimum lot sizes and plan for neighborhoods that include a mix of housing types and lot sizes.

**GMP 10: Protect natural resources and avoid development in known hazard areas.** Adair Village lies within a wonderful natural landscape of hills, fields, creeks and ravines. To the north, east and south this landscape is virtually untouched. As Adair Village grows, these natural features should be preserved to provide opportunities for passive recreation and scenic views and to protect water quality and wildlife habitat

**GMP 11: Utilize green infrastructure techniques for future utility and street improvements.** New streets should be designed to manage their own stormwater to the extent practicable as a function of location, topography, and other conditions. Design streets to be self-mitigating, using “green street” design elements and criteria.

**GMP 12: Encourage the City’s large, significant institutional uses to be fully integrated with the community and the town center.** Three large institutional ownerships (Santiam Christian School, Oregon Department of Fish and Wildlife, and the Labor Union School) lie in the path of future urbanization. These uses are beneficial to the City, but the current layout discourages infill development and an efficient street and pedestrian network. As these major parcels expand, re-develop, and are more fully incorporated in to the heart of the community, the City shall require designs that promote more efficient and integrated urban development. Also, the City shall fully integrate the “Block Building” into the community and town center.

#### SECTION 9.200 -- ENVIRONMENT:

**New policy 1:** Any expansion of the urban growth boundary will identify and classify existing natural conditions such as wetlands and riparian corridors that require preservation, protection, and restoration.

**New policy 2:** New development adjacent to rivers, stream, springs, or other waterways shall be protected by a buffer no less than 25 feet from the top of bank.

**New policy 3:** Significant large-scale trees characterize the City of Adair Village. The City shall work toward establishing a tree plan and inventory to protect significant trees that represent a contribution to the heritage of the City. The City shall work toward establishing a tree plan that identifies new locations for tree planting to provide the next generation of tree canopy for the City –including a program for street tree planting and maintenance.

**New policy 4:** Water resources shall be preserved wherever possible. Street standards shall be adjusted to accommodate programs for “green” infrastructure where possible.

**SECTION 9.300 -- POPULATION AND ECONOMY**

**New policy 1:** The City shall consider trends in household size and median age of residents as factors influencing the demand for services. The City will utilize a household per capita of 2.75 persons for future planning purposes.

**New policy 2:** The City of Adair Village will carefully manage and accommodate incremental population growth through expansion of the urban growth boundary and development of new lands in conformance with the Growth Management Principles.

**New policy 3:** Encourage the re-use, adaptation, and redevelopment of existing lots and buildings.

**New policy 4:** Encourage the development of all properties and lots within each urban expansion zone prior to development of vacant lands.

**New policy 5:** The City’s population projection for the 2026 shall be 2814.

**SECTION 9.320 -- ECONOMY**

**New policy 1:** The City of Adair Village will support, manage, and accommodate incremental economic growth through redevelopment of the core area as a Village Center in conformance with the Growth Management Principles and Comprehensive Plan Map. The Village Center shall be planned as a pedestrian-oriented district, characterized by:

- A central public open space that serves as the focus for civic activity and identity, including a village square, plaza, or green;
- Buildings with storefront character oriented to the street;
- Pedestrian-scaled physical elements that support an active streetscape, including benches, street lights, and trash receptacles;
- Street standards that reinforce the pedestrian-scale, including special intersection design and detailing;
- Street standards that reinforce the economic vitality of the Village Center by requiring on-street parking;
- Parking standards for new development that support an active streetscape, including parking located at the rear of new uses and provisions for shared parking;

**New policy 2:** The City of Adair Village will support, manage, and accommodate incremental economic growth through expansion by requiring neighborhood-scaled commercial development within walking distance of all new neighborhoods. A Neighborhood Center shall be planned as a pedestrian-oriented area, characterized by:

- Buildings with storefront character oriented to the street;



- Pedestrian-scaled physical elements that support an active streetscape, including benches, street lights, and trash receptacles;
- Street standards that reinforce the pedestrian-scale, including special intersection design and detailing;
- Street standards that reinforce the economic vitality of the Neighborhood Center by requiring on-street parking;
- Parking standards for new development that support an active streetscape, including parking located at the rear of new uses and provisions for shared parking.

#### SECTION 9.400 -- HOUSING

**New policy 1:** The City of Adair Village is committed to providing a full range of housing choices to its residents.

**New policy 2:** The City shall permit a range of development types consistent with the Growth Management Principles and Comprehensive Plan.

**New policy 3:** In order to guarantee the widest range of housing opportunities, the City shall permit a range of lot sizes and housing types.

**New policy 4:** In order to guarantee the widest range of housing opportunities, the City shall create a range of residential and mixed-use zoning categories that provide a choice in development.

**Delete current Policy 5:** ~~“The Tampico Road area is identified as the City’s primary long-range growth alternative and is particularly suited for future cluster housing which can include a variety of housing types in order to preserve open space and the natural resource values of the area.”~~

#### SECTION 9.500 -- LAND USE

**New policy 1:** In order to guarantee the widest range of housing opportunities, the City shall create a range of residential and mixed-use zoning categories that provide a choice in development.

**New policy 2:** The City of Adair Village shall encourage each of the three major campus developments to implement and maintain a master plan for operation, renovation, or expansion as appropriate to the mission of the institution.

#### SECTION 9.600 -- PUBLIC FACILITIES AND SERVICES

**New policy 1:** Open space, green space, parks, pocket parks, and plazas shall be incorporated into the Village Center, Neighborhood Center, and all new residential development. The Comprehensive Plan goal is to provide 2.5-acres of open space for every 1,000 residents of Adair Village or approximately one new park for every 300 new

dwelling units. The City shall work toward establishing a citywide park master plan with the objective of setting aside sufficient lands for future parks.

**New policy 2:** The City shall require construction of new infrastructure that facilitate urban development and emergency response prior to – or concurrent with – development of new land within the Urban Growth Boundary.

#### SECTION 9.700 -- TRANSPORTATION

**New policy 1:** The City shall design new streets and retrofit existing streets to reflect the character, village scale, and development pattern of Adair Village. The City shall consider appropriate design details—curb-less streets and sidewalks that manage stormwater, for example—that reinforce the image, identity, and character of Adair Village.

**New policy 2:** The City shall design new streets and retrofit existing streets to be as safe as possible to pedestrians, drivers, and passengers through passive design features that limit excess speed and engage driver attention.

**New policy 3:** The network of sidewalks and pedestrian rights-of-ways represents an extension of the City's streets. The Comprehensive Plan shall establish a connectivity standard that facilitates pedestrian travel. Walking should be the convenient first choice for all trips under one-quarter mile in distance.

**New policy 4:** The network of streets shall also serve as a network for bicycle transportation. Bikes should be the convenient first choice for all trips under one-half mile in distance.

**New policy 5:** Provide for a network of collector and local streets to provide a range of choices for traveling within Adair Village.

**New policy 6:** The City shall establish standards for block length and/or perimeter, the use of pedestrian rights-of-way, and limitations on the use of dead-ends and cul-de-sacs. Revise the Comprehensive Plan to discourage cul-de-sac development and discontinuous streets. Where cul-de-sac development and discontinuous streets already exist, encourage the provision of through-block pedestrian and bike paths.

**New policy 7:** Establish a hierarchy of streets that provide connectivity for all residents and for all modes of transportation.

**New policy 8:** Adopt context-sensitive design standards from the AASHTO Green Book and the ITE Manual for Context Sensitive Solutions for the Design of Major Urban Thoroughfares as the primary criteria for street design.

SECTION 9.800 -- GROWTH MANAGEMENT

**New policy 1:** The City of Adair Village should accommodate a 20-year population and employment projections and related land needs.

**New policy 2.** The City shall provide adequate land within its urban growth boundary to provide an adequate supply of land for a 20-year demand for housing and jobs. In order to provide for an adequate future supply of buildable land, the City may establish urban reserve areas to accommodate growth projections beyond the 20-year planning horizon.

**New policy 3:** The City shall consider the need and appropriate location for urban reserves in order to anticipate the long-term demand for employment needs and residential development.

**New policy 4:** In order to provide for the efficient utilization of residential lands the City will provide for new minimum lot sizes that result in an overall average lot size of 6000 square feet.

**SECTION 2. DEVELOPMENT CODE.** The specific sections of the City of Adair Village Development Code are hereby amended to read as follows:

**SECTION 1.170 ADMINISTRATION**

(2)

(a) The City Administrator shall have the initial authority and responsibility to interpret all terms, provisions, and requirements of this Code, which is subject to appeal to the City Planning Commission and City Council under the appeal process and payment of the appropriate appeal fee.

(3) The Planning Commission shall have the authority to review and approve Site Plan Reviews for structures greater than 4000 square feet, Conditional Uses and Variances, and Subdivisions-under the provisions of this Code.

**SECTION 1.200 Definitions**

**Property Line:** The legal boundary of a lot or parcel.

(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 property line along a street other than an alley over which primary vehicular access is gained.

(d) **Side Street Property line:** Any line adjacent to a street that is not a front property.

**Residential Density:** The number of dwelling units per acre of net land area excluding street right-of-ways.

**SECTION 2.130 APPLICATION PROCEDURE**

Following preliminary consultation and the pre-application conference, when applicable, the applicant shall prepare an application together with other supplementary data required to clearly describe the proposed development and the decision requested of the City. Applications shall be submitted to the City at least 30 days prior the review or hearing meeting.

- (3) A consolidated procedure shall be utilized by the City for 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 fee for the most comprehensive procedure plus one-half of all other fees shall be charged.
- (4) The applicant may be requested to 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) The last sentence shall read as: "A Review or Hearing will be scheduled to comply with the applicable legal time frame from the date the Application is deemed complete.
- (14) Expiration. Approved applications shall be void 2 years after the date of approval unless a building permit has been issued and substantial construction pursuant thereto has taken place, unless a specific time period was specified as a condition of approval. However, upon written request prior to the expiration date, the City may extend authorization for 1 year. Such extensions shall occur only upon findings the request does not violate any current code and upon acceptance of reasons for the delay. After the expiration period the application will be considered denied.

**SECTION 2.150 RECORD FILE**

- (1) Minutes of all meetings, reviews and hearings shall record the substance of all issues before the review or hearing body including the criteria, factual evidence and the justification for the decision as specified in Article 3. The minutes and records need not be a verbatim transcript of the meeting.

**SECTION 2.310 PROPERTY LINE ADJUSTMENTS**

- (2) **Application.** A property line adjustment may be submitted for review by the City Administrator without preliminary consultation, a land division conference, or a hearing where the adjustment complies with this Article.
- (3) **Information.** The applicant shall submit the proposed map of the property line adjustment together with other supplementary data required for recording or specified herein to the City for review and action by the City Administrator.

**SECTION 2.313 DECISION PROCESS**

- (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.

**SECTION 2.400 SITE PLAN REVIEW**

- (3) (a) A Site Plan Review requires a "Limited Land Use Review" by the City Administrator or 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 City Administrator or 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 City Administrator or Planning Commission may also call for a public hearing to receive testimony if it is determined that the proposed development may present possible adverse impacts on surrounding properties, the neighborhood or the City.

**SECTION 2.500 CONDITIONAL USES**

- (2) (a) is Deleted and renumbered subsequent to that.

**SECTION 2.700 AMENDMENTS**

- (2) (c) The amendment will not have an undue adverse impact adjacent areas or the land use plan of the City.
- (d) The amendment will not have an undue adverse environmental impact.
- (e) The amendment will not have an undue adverse impact on public facilities.
- (f) The amendment will not have an undue adverse impact on transportation.
- (g) The amendment will not have an undue adverse impact on economy of the area.
- (h) The amendment is consistent with the intent of the applicable Statewide Planning Goals.

**SECTION 2.800 ANNEXATIONS**

- (2) **Decision Criteria.** Subsections (a), (b), (f) and (g) are hereby deleted and this section renumbered as follows:
- (a) The annexation will not have an undue adverse environmental impact.
- (b) The annexation will not have an undue adverse impact on public facilities.

(c) The annexation will not have an undue adverse impact on transportation.

**SECTION 2.900 VACATIONS**

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 Public Facilities and Services policies and goals. Ownership of vacated territory may revert to the original property or proportionally to the adjoining properties and become a part thereof, unless specified otherwise by the City Council. The City may also sell vacated property with preference given to adjoining property owners.

**SECTION 3.200 TYPE OF DECISIONS**

**(4) Limited Land Use Decision**

(b)

(Paragraph 2) 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, but is subject to the requirements of ORS 227.173 for a review of the application.

(Paragraph 3) 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 Site Plan Reviews for structures greater than 4000 square feet specified in Section 2.400. Examples of limited land use decision that may be conducted by the City Administrator include property line adjustments, land use partitions, and site plan review for structures less than 4000 square feet.

**SECTION 3.700 APPEAL PROVISIONS**

(1) Written notice of the appeal shall be filed with the City on forms provided by the City along with the applicable fee.

**SECTION 4.010 CLASSIFICATION OF ZONES**

For the purpose of this Code the following primary land use zoning districts are hereby established:

<u>Primary Zones</u>	<u>Abbreviated Designation</u>
Residential—Low Density	R-1
Residential—Medium Density	R-2
Residential—High Density	R-3
Commercial—Village Center	C-1
Commercial—Neighborhood	C-2
Limited Industrial	M-1
Educational Facilities	E-1
Public Use	P-1

**SECTION 4.070 SIMILAR USE AUTHORIZATION**

The City Administrator may permit a use not listed in this Code provided the use is of the same general type as the uses permitted in a particular zoning district. However, this section does not authorize the inclusion in a zone where it is not listed, a use specifically listed in another zone. The decision of the City Administrator may be appealed to the Planning Commission and City Council using procedures specified in Section 3.700 of this Code.

**SECTION 4.080 NONCONFORMING USES**

- (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 the alteration or extension does not cause the structure to deviate from the standards of this Code or the existing nonconformity.
- (3) **Discontinuance of a Nonconforming Use.**
  - (a) If a nonconforming use involving a structure is discontinued from active use for a period of 1 year, further use of the property shall be for a conforming use unless approved by the Planning Commission via Conditional Use Permit.
- (5) **Destruction of a Nonconforming Use or Structure.** If a nonconforming structure or a structure containing a nonconforming use is totally or destroyed to an extent exceeding fifty-one percent (51%) of the assessed valuation of the structure by any cause, a future structure or use on the site shall be either in accordance with the provisions of the zone 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 its present location.

**SECTION 4.111 RESIDENTIAL ZONE - R-1**

- (2)
  - (a) One single-family dwelling or manufactured home per legal lot.
  - (d) Accessory buildings subject to the following standards:
    - 4. Boats, trailers, detached campers, recreation vehicles and similar recreational equipment may be stored on-site except in a front or side yard setback subject to appropriate access permits, and shall not be used for human habitation. Temporary use of a Recreation Vehicle for guests is permitted for no more than 30 days.
- (4) **Development Standards.**
  - (c) Side street yards shall have a minimum depth of 10 feet.
  - (d) Interior side yards shall have a minimum width of 5 feet.
  - (e) Rear yards shall have a minimum depth of 15 feet.

- (h) Division of duplex lots constructed prior to may be partitioned into two single-family lots according to the standards contained in Section 6.105 and the land partition requirements of Section 2.300.

**SECTION 4.112 RESIDENTIAL ZONE—MEDIUM DENSITY - R-2**

(2)

- (a) One single-family dwelling or manufactured home per legal lot.

(4) **Development Standards.**

- (c) Front yards shall have a minimum of 20 feet.
- (d) Interior side yards shall have a minimum width of 5 feet and side street yards shall have a minimum depth of 10 feet.
- (e) Rear yards shall have a minimum depth of 15 feet.

**SECTION 4.113 RESIDENTIAL ZONE—HIGH DENSITY - R-3**

(1) **Purpose.** To provide a mixture of housing types, within a context of streets and blocks that provides convenient walking and biking routes to the other parts of Adair Village, including the Village Center.

(2) **Permitted Uses.** See Table 4.1-1

(3) **Conditional Uses.** See Table 4.1-1

(4) **Development Standards.**

- (a) **Building placement.** A proposed building shall be placed on the lot in compliance with the following minimum setback requirements.
  1. Front setback - 15 feet, though garages shall be no less than 20 to a street or 6 feet to an alley.
  2. Street side setback - 10 ft.
  3. Interior side setback - 5 ft.
  4. Rear setback - 15 ft. or 5 ft. for an accessory dwelling unit or garage.
  5. For multiple family or row housing the Planning Commission may approve zero side and 6-foot front setbacks.
- (b) **Building height and profile.** A proposed building shall comply with the following requirements.
  1. Height limit – 35 feet, or two stories unless approved in writing by the Adair Rural Fire and Rescue District Chief or Fire Marshall.
  2. Allowed building types - See Table 4.1-2.



**SECTION 4.121 COMMERCIAL ZONE—VILLAGE CENTER - C-1**

- (1) **Purpose.** The C-1 zone is applied to the area of Adair Village that is intended to become the pedestrian-oriented, mixed-use heart of the village. Appropriate building types include commercial, mixed-use, and live/work buildings, with ground floor space reserved for retail and services, with residential, and/or offices above. Buildings are placed primarily at the back of sidewalks, to reinforce the pedestrian orientation of the streets.

The City of Adair Village is endeavoring to promote a design and development concept or theme. All structures building permits for development within this zone shall be accompanied with written, pictorial or other documentation demonstrating compliance with this overall building theme. Approval of all designs shall be at the discretion of the City.

- (2) **Permitted Uses.** In a C-1 Zone, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of Sections 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:

For Permitted Uses, see Table 4.1-1

- (3) **Conditional Uses.** In a C-1 Zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 2.500:

For Conditional Uses, see Table 4.1-1

- (4) **Development Standards.**

- (a) Each site shall be adequately served by public utilities including municipal water and sewer service and shall provide sidewalks and improved streets.
- (b) There is no minimum lot area other than required to comply with the applicable development standards.
- (c) Front and side street yards shall have a minimum depth of 5-feet utilized exclusively for sidewalks, landscaping, and access drives.
- (d) Interior and rear yards shall be 0-feet, or at least 10 feet when abutting a residential use or zone.
- (e) No structure shall exceed 40 feet in height, or two stories unless approved in writing by the Adair Rural Fire and Rescue District Chief or Fire Marshall.

- (f) Access shall be designed to cause minimum interference with traffic movement on abutting streets. Where necessary, additional right-of-way shall be dedicated to maintain adequate traffic circulation.
- (g) The site shall be landscaped and effectively screened from adjacent residential areas, as provided in Section 5.134.
- (h) The arrangement of buildings, parking areas, signs and other facilities shall be designed and oriented to minimize noise and glare relative to adjacent property.
- (i) Artificial lighting, including illuminated signs and lights for parking areas, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.
- (j) No building permit for structures over 4000 square feet shall be issued within the C-1 Zone without Planning Commission approval of a Site Plan Review.
- (k) See Article 5 for additional General Development Standards and Article 6 for Use Standards that may apply in the C-1 Zone.

**SECTION 4.122 COMMERCIAL ZONE—NEIGHBORHOOD CENTER - C-2**

- (1) **Purpose.** To provide small-scale, neighborhood-serving commercial uses within convenient walking distance of homes. Appropriate building types include mixed-use and live/work buildings, with ground floor space reserved for retail and services, with residential and/or offices above, and rowhouses.
- (2) **Permitted Uses.** In a C-2 Zone, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of Sections 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:  
  
For Permitted Uses, see Table 4.1-1
- (3) **Conditional Uses.** In a C-2 Zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 2.500:  
  
For Conditional Uses, see Table 4.1-1
- (4) **Development Standards.**
  - (a) Each site shall be adequately served by public utilities including municipal water and sewer service and shall provide sidewalks and improved streets.

- (b) There is no minimum lot area other than required to comply with the applicable development standards.
- (c) Front and side street yards shall have a minimum depth of 5-feet utilized exclusively for sidewalks, landscaping, and access drives.
- (d) Interior and rear yards shall be 0-feet, or at least 10 feet when abutting a residential use or zone.
- (e) No structure shall exceed 40 feet in height, or 2 stories unless approved in writing by the Adair Rural Fire Protection District.
- (f) Access shall be designed to cause minimum interference with traffic movement on abutting streets. Where necessary, additional right-of-way shall be dedicated to maintain adequate traffic circulation.
- (g) The site shall be landscaped and effectively screened from adjacent residential areas, as provided in Section 5.134.
- (h) The arrangement of buildings, parking areas, signs and other facilities shall be designed and oriented to minimize noise and glare relative to adjacent property.
- (i) Artificial lighting, including illuminated signs and lights for parking areas, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.
- (j) No building permit shall be issued within the C-2 Zone without Planning Commission approval of a Site Plan Review for structures over 4000 square feet or the City Administrator for buildings less than 4000 square feet.
- (k) See Article 5 for additional General Development Standards and Article 6 for Use Standards that may apply in the C-2 Zone.

TABLE 4-1-1 Allowed Land Uses and Permit Requirements	Permitted Use			Specific Use Regulations
	P CUP	Conditional Use Use and allowed	Permit required	
LAND USE TYPE	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	R-3	C-2	G-1	
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>				
Commercial recreation facility—indoor	—	—	P	
Fitness/health facility	—	—	P	
Hiking or biking trail	P	P	P	
Library, museum, art gallery	—	—	P	
Meeting facility, public or private	CUP	P(2)	P(2)	
Park, playground, plaza	P	P	P	
School—Specialized education or training	CUP	P(2)	P(2)	
Studio—Art, dance, martial arts, music, etc.	—	CUP	P	
Theater—Cinema, performing arts	—	—	CUP	
<b>RESIDENTIAL</b>				
Accessory dwelling unit (ADU)	P(3)	—	—	
Home occupation	P	P	P	6.101
Mixed use residential	—	P(2)	P(1)	
Multi-family dwellings	P	P	P	6.2.01
Residential care facility	CUP	CUP	—	6.103
Residential care home	P	—	—	6.102
Single-dwellings, attached	P	P(2)	P(2)	
Single-dwellings, detached	P	—	—	4.1.220
<b>RETAIL</b>				
Bar, tavern, night club	—	—	CUP	
General retail—4,000 sq.ft. or less	—	P(2)	P	
General retail— More than 4,000 sq.ft.	—	CUP	P(2)	
Service station	—	—	P	
Restaurant, café, coffee shop	—	P	P	
<b>SERVICES</b>				
Bank, financial services	—	—	P	
Bed and Breakfast	CUP			
Business support service	—	—	P	
Group child care center—13 or more children	—	CUP	CUP	
Group child care home—12 or fewer children	P	P	P	
Office—business, administrative, government, professional	—	P	P	
Personal services	—	P	P	
<b>TRANSPORTATION, COMMUNICATIONS &amp; INFRASTRUCTURE</b>				
Parking facility, public or commercial	—	CUP	CUP	
Telecommunications facility	—	CUP	CUP	
Utility facility	CUP	CUP	CUP	

Notes to Table 4.1-1:

- (1) Use allowed only on an upper floor, or behind a ground-floor street-fronting use.
- (2) Required site plan review as per 2.400.
- (3) Maximum size of the accessory dwelling unit may be no more than 33% of the living area of the house or 800 sq.ft., whichever is less.

**SECTION 4.1.300 BUILDING TYPE STANDARDS**

Each proposed building shall comply with the requirements of this Section

- (1) **Building Frontage:** Attached single-family structures shall not exceed 4 units or 84 lineal feet of frontage along any street. Multiple family units shall not exceed 8 contiguous units or 100 lineal feet.

**TABLE 4.1-2 - ALLOWED BUILDING TYPES, MINIMUM LOT AREA, MAXIMUM DENSITY**

BUILDING TYPE	ZONES WHERE ALLOWED			MINIMUM LOT AREA	MAXIMUM LOT AREA	MAXIMUM DENSITY IN DWELLING UNITS PER LOT
	R-3	C-2	C-1			
Single dwelling	<input type="checkbox"/>			3,800 sq.ft.	Max lot area shall not exceed 200% of zone minimum lot area	1 unit per lot
Single dwelling plus accessory dwelling unit (ADU)	<input type="checkbox"/>			6,000 sq.ft.		2 units per lot
Courtyard cluster	<input type="checkbox"/>			Varies as approved by the City		6 units per cluster, as approved by the City
Duplex	<input type="checkbox"/>			7,600 sq.ft.		2 units per lot
Rowhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,200 sq.ft.		1 unit per lot
Live/work		<input type="checkbox"/>	<input type="checkbox"/>	1,200 sq.ft.		1 unit per lot
Mixed-use building		<input type="checkbox"/>	<input type="checkbox"/>	2,500 sq.ft.		1 or more units per lot, as approved by the City
Commercial building		<input type="checkbox"/>	<input type="checkbox"/>	N.A.		N.A.

Notes:  
 Key:  = Building type allowed  
 (1) Allowed with conditional use permit.

The applicable criteria for amendments to the Comprehensive Plan and Development Code are regulated under Section 2.700 of the Development Code and provides as follows:

**SECTION 4.141 EDUCATIONAL FACILITIES ZONE - E-1**

- (4) Subsection 4 is deleted.
- (5) **Development Standards.**
  - (c) No new, free-standing structure or additions to existing structures shall exceed 50 feet in height, or two stories unless approved in writing by the Adair Rural and Fire Rescue District Chief or Fire Marshall.

**SECTION 4.151 PUBLIC USE ZONE - P-1**

**(3) Transfer of Ownership.**

- (a) Whenever a P-1 Zone, or any part of a P-1 Zone, is transferred to private ownership, the P-1 Zone shall cease to apply and the owner shall initiate a Zone Change Amendment in accordance with the procedures of Section 2.700.

**SECTION 4.211 PD DEVELOPMENT STANDARDS**

- (3) **Building Height.** Building height shall be no greater than for the underlying Zone unless the City Council finds that an exception is warranted in terms of the adjacent property protections and amenities proposed in the development.

**SECTION 5.117 DRAINAGEWAY SETBACKS**

All drainageways and watercourses shall have a minimum setback of 25 feet from the to of bank of the drainageway.

**SECTION 5.122 ACCESS AND CLEAR VISION AREAS**

- (1) Access: Every property shall abut a street other than an alley, for a minimum width of 12 feet, except where the City has approved an easement for access or where the easement existed prior to the adoption of this Code.

**SECTION 5.123 STREETS**

- (3) Right-of-way and roadway widths. The width of streets and roadways shall be adequate to fulfill city specifications as provided for in Article 8 of this Code.

(12) Deleted and the subsequent sections renumber accordingly.

**SECTION 5.134 LANDSCAPING**

**(4) Parking Areas.**

- (a) Parking lots shall be screened from abutting residential land uses by a combination of fences, walls, and landscaping adequate to provide privacy and separation for the abutting land use.

**SECTION 5.136 SIGNS**

Signs include any writing (including letters, words or numerals); 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.

**(4) Permitted Commercial & Industrial Sign Standards**

- (e) One Freestanding Elevated Signs limited to Highway 99W frontage of a property not to exceed 20 feet in height or 100 square feet in area. Elevated signs shall have a minimum clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas.

(5) Deleted.

**SECTION 6.105 DUPLEX CONVERSION STANDARDS**

Division of existing duplex properties in the R-1 Zone containing 2 dwelling units may be partitioned into two single-family parcels according to the following standards:

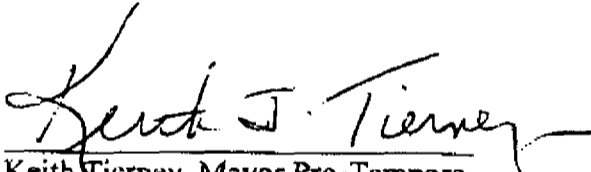
- (2) The applicant shall provide drawings and descriptive data of all required construction to comply with the State Building Code including but not limited to a cross section of the existing and proposed common wall(s) from foundation to roof parapet.


**SECTION 3. EMERGENCY CLAUSE.** This Ordinance being immediately necessary to protect the public health, safety, and general welfare, and to allow the application for an urban growth boundary to proceed and adopting this ordinance by emergency furthers this interest an emergency is declared, and this Ordinance shall take effect upon its adoption.

Passed by the City Council of the City of Adair Village this 28<sup>th</sup> day of February 2006.

Approved by the Mayor of the City of Adair Village this 28<sup>th</sup> day of February 2006.

APPROVED:

  
 \_\_\_\_\_  
 Keith Tierney, Mayor Pro-Tempore

ATTEST:   
 \_\_\_\_\_  
 Jim Minard, City Administrator

MAHA  
 1 PAGE

## STAFF REPORT

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<b>Applicant:</b>	<b>City of Adair Village</b>
<b>Nature of Application(s):</b>	<b>Development Code and Comprehensive Plan Amendments</b>
<b>Applicable Criteria:</b>	<b>Sections 2.700 of the Development Code</b>
<b>Property Location:</b>	<b>Citywide</b>
<b>Staff Contact</b>	<b>City Administrator Jim Minard</b>

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**Executive Summary:** The Comprehensive Plan policy and Development Code amendments that the City Planning Commission has been developing for the past several years are now being presented for your consideration and action. This hearing is **NOT** about the urban growth boundary – rather only about the language to address future issues associated with that land use action. The Planning Commission has “word smithed” this language a number of times and conducted its public hearing and recommended the language be forwarded to the City Council for its consideration and action.

The modifications include text that is **being added** or ~~deleted~~ within the current comp plan and code. The language covering “Section 4.100 Primary Zones addresses the “Village Center”, Neighborhood Center and R-3 High density zones and accompanying tables are all new though not bolded or underlined. The blank numbers (#s) you will note throughout the report are provided only for the purpose of orientation – no changes are proposed within those enumerated, but blank sections.

You will be conducting the second required public hearing to review the Planning Commission’s work and recommended language. The Council may accept, modify, or delete any of the language recommended by the Planning Commission, as it deems appropriate.

The language will need to be incorporated into the Development Code and Comprehensive Plan via an amending ordinance. Due to the fact the Benton County Board of Commissioners is soliciting input on the City’s projected population it would be prudent to defer the actual implementing ordinance until such time as we have concurrence from the Board. This means the final language and ordinance would likely be presented at your March meeting.

### **Background**

In 2003 the City Planning Commission requested the City undertake a major planning effort to get out in front of anticipated development. This anticipation was brought about from interest at Santiam Christian School to construct a new athletic field complex outside the City’s urban growth boundary and the City’s seriously depleted land use inventories. This effort took place over the past three years (*with a one year hiatus while awaiting the \$72,000 funding from DLCD*) to work with the Commission and City



on whether, where, and how much the City should grow and the Comprehensive plan Policies and Development Code amendments that would be needed to address this anticipated growth. The material and hearing before you address the language amendments needed to address this anticipated growth in a proactive fashion as anticipated by your Planning Commission and supported by the past City Council.

Hearings Process:

I anticipate that we will walk through each of the pages under my staff report. We will take public testimony, which may be addressed at that time under the language amendments or the Council may ask for additional information or input from the City Administrator or others. OTAK has provided written testimony, via email, which is provided as ATTACHMENT #2 requesting amendments to the height limits in the new C-2 Neighborhood Commercial Zone. Once the hearing is closed the Council will deliberate the language and comments and provide direction on changes as needed. The City Council will need to adopt the language via an amending ordinance, with the projected population also requiring the County Board of Commissioners approval. As such, the amending ordinance would likely be available for your meeting in March.

**PROPOSED AMENDMENTS**

The amendments take three basic forms: Comprehensive Plan policies, Development Code adjustments and updates to the existing code language, and new primary zone regulations for the High Density Residential R-3; Village Center (C-1) and Neighborhood Center (C-2) zones.

COMPREHENSIVE PLAN POLICIES:

These are the policy amendments that came out of the work of OTAK and Urbsworks. They address the accepted Growth Management Principles and needed plan amendments. The only outstanding question on these policies relates to the projected population, which must be coordinated with Benton County. We believe the figure of 2814 population for the year 2026 will prove acceptable, but await a response from the County towards the end of April.

The Comprehensive Plan is intended to be a responsive document that will guide the growth of the City of Adair Village while also responding to necessary change through amendment and refinement. It is also a set of coordinated guidelines to better accommodate the future needs of the citizens. The growth management principles begin with a primary goal to ensure that all implementing ordinances established through the Comprehensive Plan are in full compliance with all State policies and rules. The following details the proposed Comprehensive Plan amendments as developed by the consultants and approved by the Planning Commission.

**Section 9.100 – Introduction: New Addition to the Comprehensive Plan**

This section is generally an introduction to the Comprehensive Plan Goals and Policies. It sometimes includes a history of the Comprehensive Plan and sets forth the context for the plan within the overall code of the City.

Twelve new Growth Management Principles were reviewed and approved by the Planning Commission on 28 March 2005. They represent the foundation for revisions to the Comprehensive Plan for the City of Adair Village

**GMP 1: Comply with state planning requirements.**

The City shall ensure the Comprehensive Plan and implementing ordinances fully comply with all State growth management policies and rules. These include, but are not limited to, economic development, protection of natural resources, providing for alternative transportation modes, and providing for a variety of housing types.

**GMP 2: Accommodate 20-year population and employment projections and related land needs.**

The City shall provide adequate land within its urban growth boundary to address the 20-year demand for housing and jobs.

**GMP 3: Establish urban reserve areas to accommodate growth projections beyond the 20-year planning horizon.**

The City shall consider the need and appropriate location for urban reserves in order to anticipate the long-term demand for employment needs and residential development.

**GMP 4: Celebrate the unique history and character of Adair Village.**

The City's comprehensive plan shall reflect and build upon the community's unique identity and character. The City's rich history of military services distinguishes it from other small Willamette Valley towns. That history is reflected in the character of the city's buildings and the pattern of development. The design of future development should acknowledge this unique history as we implement a meaningful vision for the future.

**GMP 5: Provide for a village center that is the heart of the city's civic life and is representative of the village's unique identity.**

One reflection of the City's history is that it did not develop around a main street or a town center like other western communities. A small town's traditional center of commerce is more than just the seat of city government, the location of the post office, or other basic services. The town center is the physical embodiment of a city's identity. Plans for the village center should reflect a "main street" character and development patterns appropriate to Adair Village. A town center should include the city hall, the post office and its major retail uses. It should also include higher density residential uses that complement and support the civic and retail activity.

**GMP 6: Provide for a network of arterial, collector and local streets that avoid reliance on the state highway for local trips and disburse access to the highway to all available intersections.**

Highway 99W carries high volumes and speeds of vehicular traffic through the Willamette Valley and forms the western boundary of Adair Village. It is designed for inter-city vehicle travel and has a posted speed of 55 mph through Adair Village. The City shall plan for a local street network that will enable residents to access important community destinations in a safe and direct manner and without relying on Hwy 99W for intra-city trips.

The City shall consider the design of intersections at 99W to enhance the safety of motorists, especially turning movements, through signals, channelization or other design features.

**GMP 7: Provide for a network of arterial, collector and local streets to provide a range of choices for traveling within Adair Village.**

The City of Adair Village has developed in a manner that does not provide a safe, direct, or complete network of streets to serve the community. The City shall ensure future development, including possible UGB expansion and urban reserve areas, is planned to include a complete and connected network of local and collector streets—at a scale appropriate to the City of Adair Village—that will provide the framework for long-term growth.

**GMP 8: Promote alternatives to automobile use through street designs and a transportation network that facilitates safe and convenient bicycle and pedestrian travel.**

The existing street network combined with large-scale land ownership discourages convenient bicycle movement and pedestrian use. New streets should accommodate the bicycle as a viable means of short-distance and long-distance transportation. The City shall design new streets and retrofit existing streets (when they are part of new construction) to provide walkway, street tree and landscaping design that fosters and supports pedestrian safety and comfort. Where connected through streets are not feasible, bicycle and pedestrian paths should be provided to meet a minimum standard for connectivity. Safe and convenient pedestrian and bicycle movements are particularly important because of the large number of school-age children in the community.

**GMP 9: Ensure efficient urban development through compact pedestrian friendly development within natural and man-made boundaries.**

Adair Village can maximize the efficiency of existing utilities and streets by growing in an orderly way in areas directly adjacent to existing development and within boundaries formed by natural features such as creeks and ravines and man-made barriers such as rail lines and highways. The City shall reduce existing minimum lot sizes and plan for neighborhoods that include a mix of housing types and lot sizes.

**GMP 10: Protect natural resources and avoid development in known hazard areas.**

Adair Village lies within a wonderful natural landscape of hills, fields, creeks and ravines. To the north, east and south this landscape is virtually untouched. As Adair Village grows, these natural features should be preserved to provide opportunities for passive recreation and scenic views and to protect water quality and wildlife habitat

**GMP 11: Utilize green infrastructure techniques for future utility and street improvements.**

Through expansion of its urban land, Adair Village will be adding storm water systems and new streets. This presents an opportunity to use green infrastructure techniques to minimize the impact on natural resources from new development.

New streets should be designed to manage their own stormwater to the extent practicable as a function of location, topography, and other conditions. Design streets to be self-mitigating, using “green street” design elements and criteria.

**GMP 12: Encourage the City’s large, significant institutional uses to be fully integrated with the community and the town center.**

Three large institutional ownerships (Santiam Christian School, Oregon Department of Fish and Wildlife, and the Labor Union School) lie in the path of future urbanization. These uses are beneficial to the City, but the current layout discourages infill development and an efficient street and pedestrian network. As these major parcels expand, re-develop, and are more fully incorporated in to the heart of the community, the City shall require designs that promote more efficient and integrated urban development. Also, the City shall fully integrate the “Block Building” into the community and town center.

**Section 9.200 Environment**

This section of the current plan is incomplete –except for a notice of noncompliance with Division 23 standards of Oregon Administrative Rules, OAR 660-23 for compliance with Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources.

The existing village character of Adair Village is a function of its unique setting and the rich agricultural heritage of the surrounding area. This character is also a function of the existing large natural areas adjacent to the City, including the Benton County Regional Park and the habitat area managed by Oregon Department of Fish and Wildlife.

**New policy 1:** Any expansion of the urban growth boundary will identify and classify existing natural conditions such as wetlands and riparian corridors that require preservation, protection, and restoration.

**New policy 2:** New development adjacent to rivers, stream, springs, or other waterways shall be protected by a buffer no less than 25 feet from the top of bank.

**New policy 3:** Significant large-scale trees characterize the City of Adair Village. The City shall work toward establishing a tree plan and inventory to protect significant trees that represent a contribution to the heritage of the City. The City shall work toward establishing a tree plan that identifies new locations for tree planting to provide the next generation of tree canopy for the City—including a program for street tree planting and maintenance.

**New policy 4:** Water resources shall be preserved wherever possible. Street standards shall be adjusted to accommodate programs for “green” infrastructure where possible.

### **Section 9.300 Population and Economy**

This section contains the background data on existing population and employment levels and projections for future growth and trends in patterns of population and employment. Adair Village is a part of the larger Corvallis and Benton County regional economy. The economic and physical data compiled as a part of this TGM project reflect the place of the City of Adair Village within this larger socio-economic region.

The City of Adair Village is relatively new. It did not exist at the time of the 1970 census and there is no historical data available prior to the incorporation of Adair Village in 1976. Initial information about the population and census of the newly incorporated town was first provided by the Center for Population Research and Census at Portland State University at the time of incorporation. The 1980 census provided the first detailed profile of the population of Adair Village.

Between incorporation in 1976 and 1990, the City of Adair Village grew very slowly. The population gain in those fourteen years was 16 individuals (1976 population: 538, 1990 population 554). At the time of the last update of the Comprehensive Plan, the population projection for the City of Adair Village for the year 2020 was 913. As a result of recent in-fill growth, the current population of Adair Village is 905.

**New policy 1:** The City shall consider trends in household size and median age of residents as factors influencing the demand for services.

**New policy 2:** The City of Adair Village will carefully manage and accommodate incremental population growth through expansion of the urban growth boundary and development of new lands in conformance with the Growth Management Principles.

**New policy 3:** Encourage the re-use, adaptation, and redevelopment of existing lots and buildings.

**New policy 4:** Encourage the development of all properties and lots within each urban expansion zone prior to development of vacant lands.

**New policy 5:** The City’s population projection for the 2026 shall be 2814.

### **Section 9.320 Economy**

**New policy 1:** The City of Adair Village will support, manage, and accommodate incremental economic growth through redevelopment of the core area as a Village Center in conformance with the Growth Management Principles and Comprehensive Plan Map. The Village Center shall be planned as a pedestrian-oriented district, characterized by:

- A central public open space that serves as the focus for civic activity and identity, including a village square, plaza, or green;
- Buildings with storefront character oriented to the street;
- Pedestrian-scaled physical elements that support an active streetscape, including benches, street lights, and trash receptacles;
- Street standards that reinforce the pedestrian-scale, including special intersection design and detailing;
- Street standards that reinforce the economic vitality of the Village Center by requiring on-street parking;
- Parking standards for new development that support an active streetscape, including parking located at the rear of new uses and provisions for shared parking;

**New policy 2:** The City of Adair Village will support, manage, and accommodate incremental economic growth through expansion by requiring neighborhood-scaled commercial development within walking distance of all new neighborhoods. A Neighborhood Center shall be planned as a pedestrian-oriented area, characterized by:

- Buildings with storefront character oriented to the street;
- Pedestrian-scaled physical elements that support an active streetscape, including benches, street lights, and trash receptacles;
- Street standards that reinforce the pedestrian-scale, including special intersection design and detailing;
- Street standards that reinforce the economic vitality of the Neighborhood Center by requiring on-street parking;
- Parking standards for new development that support an active streetscape, including parking located at the rear of new uses and provisions for shared parking.

### **Section 9.400 Housing**

The City of Adair Village offers a desirable living environment attractive to an increasing number of families who commute to work elsewhere. In order to preserve the village-scale quality of life that characterizes Adair Village, the pattern for housing development shall be organized around a Neighborhood Center that offers a pedestrian-oriented environment.

**New policy 1:** The City of Adair Village is committed to providing a full range of housing choices to its residents.

**New policy 2:** The City shall permit a range of development types consistent with the Growth Management Principles and Comprehensive Plan.

**New policy 3:** In order to guarantee the widest range of housing opportunities, the City shall permit a range of lot sizes and housing types.

**New policy 4:** In order to guarantee the widest range of housing opportunities, the City shall create a range of residential and mixed-use zoning categories that provide a choice in development.

**Section 9.500 Land Use**

The Land Use Element of the Plan responds to Statewide Planning Goals 2-Land Use Planning, 3-Agricultural Lands, 4-Forest Lands, 5-Open Space, Scenic and Natural Resources, and 9-Economic Development.

**New policy 1:** In order to guarantee the widest range of housing opportunities, the City shall create a range of residential and mixed-use zoning categories that provide a choice in development.

**New policy 2:** The City of Adair Village shall encourage each of the three major campus developments to implement and maintain a master plan for operation, renovation, or expansion as appropriate to the mission of the institution.

**Section 9.600 Public Facilities and Services**

The Land Use Element of the Plan responds to Statewide Planning Goals 11-Public Facilities and Services.

**New policy 1:** Open space, green space, parks, pocket parks, and plazas shall be incorporated into the Village Center, Neighborhood Center, and all new residential development. The Comprehensive Plan goal is to provide 2.5-acres of open space for every 1,000 residents of Adair Village or approximately one new park for every 300 new dwelling units. The City shall work toward establishing a citywide park master plan with the objective of setting aside sufficient lands for future parks.

**New policy 2:** The City shall require construction of new infrastructure that facilitate urban development and emergency response prior to – or concurrent with – development of new land within the Urban Growth Boundary.

**Section 9.700 Transportation**

The Land Use Element of the Plan responds to the need for safe, convenient, and economical transportation. The City shall ensure future development, including possible UGB expansion and urban reserve areas, are planned to include a complete and connected network of local and collector streets—at a scale appropriate to the City of Adair Village—that will provide the framework for long-term growth.

**New policy 1:** The City shall design new streets and retrofit existing streets to reflect the character, village scale, and development pattern of Adair Village. The City shall consider appropriate design details—curb-less streets and sidewalks that manage stormwater, for example—that reinforce the image, identity, and character of Adair Village.

**New policy 2:** The City shall design new streets and retrofit existing streets to be as safe as possible to pedestrians, drivers, and passengers through passive design features that limit excess speed and engage driver attention.

**New policy 3:** The network of sidewalks and pedestrian rights-of-ways represents an extension of the City's streets. The Comprehensive Plan shall establish a connectivity standard that facilitates pedestrian travel. Walking should be the convenient first choice for all trips under one-quarter mile in distance.

**New policy 4:** The network of streets shall also serve as a network for bicycle transportation. Bikes should be the convenient first choice for all trips under one-half mile in distance.

**New policy 5:** Provide for a network of collector and local streets to provide a range of choices for traveling within Adair Village.

**New policy 6:** The City shall establish standards for block length and/or perimeter, the use of pedestrian rights-of-way, and limitations on the use of dead-ends and cul-de-sacs. Revise the Comprehensive Plan to discourage cul-de-sac development and discontinuous streets. Where cul-de-sac development and discontinuous streets already exist, encourage the provision of through-block pedestrian and bike paths.

**New policy 7:** Establish a hierarchy of streets that provide connectivity for all residents and for all modes of transportation.

**New policy 8:** Adopt context-sensitive design standards from the AASHTO Green Book and the ITE Manual for Context Sensitive Solutions for the Design of Major Urban Thoroughfares as the primary criteria for street design.

#### **Section 9.800 Growth Management**

The City of Adair Village should accommodate a 20-year population and employment projections and related land needs. The City shall provide adequate land within its urban growth boundary to provide an adequate supply of land for a 20-year demand for housing and jobs. In order to provide for an adequate future supply of build-able land, the City shall establish urban reserve areas to accommodate growth projections beyond the 20-year planning horizon.

The City shall consider the need and appropriate location for urban reserves in order to anticipate the long-term demand for employment needs and residential development.



Delete current Housing Policy 5 -: ~~“The Tampico Road area is identified as the City’s primary long range growth alternative and is particularly suited for future cluster housing which can include a variety of housing types in order to preserve open space and the natural resource values of the area.”~~

#### CODE UPDATES

The Code corrections/updates were presented to the Commission in August 2005 with justifications. There are two goals of these staff recommended changes – to clarify or simplify the language throughout the Development Code based on my 30 years of experience. There were questions on these proposals that were resolved in September to the Commission’s satisfaction after Chair Debbie Huntsman reviewed the recommended changes with the County Planning Director. See Attachment #1. The blank numbers (#s) you will note throughout this section are provided only for the purpose of orientation – no changes are proposed within those enumerated, but blank sections.

#### **SECTION 1.170 ADMINISTRATION**

- (1)
- (2)

(a) The City Administrator shall have the initial authority and responsibility to interpret all terms, provisions, and requirements of this Code, which is subject to appeal to the City Planning Commission and City Council under the appeal process and payment of the appropriate appeal fee.

- (3) The Planning Commission shall have the authority to review and approve ~~all~~ Site Plan Reviews for structures greater than 4000 square feet, Conditional Uses and Variances, and Subdivisions ~~Partitions and Property Line Adjustments~~ under the provisions of this Code.

*{Rationale: Limited land uses are required to conform to specific criteria and no less than 14 days to decision. This reduces the possible time from about 6 weeks to 2; and retains Commission oversight on larger developments.}*

#### **SECTION 1.200 Definitions**

**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 over which primary vehicular access is gained.
- (b)
- (c)

- (d) **Side Street Property line: Any line adjacent to a street that is not a front property.** *(Rationale: you can put a fence on the side street property line – no reason to force the house back 20 feet as previously required.)*

**Residential Density:** The number of dwelling units per acre of net land area excluding street right-of-ways.

- ~~(a) **Low Density:** Up to 6 units per acre.~~
- ~~(b) **Medium Density:** Between 6 and 12 units per acre.~~
- ~~(c) **High Density:** Greater than 12 units per acre.~~

**SECTION 2.130 APPLICATION PROCEDURE**

Following preliminary consultation and the pre-application conference, when applicable, the applicant shall prepare an application together with other supplementary data required to clearly describe the proposed development and the decision requested of the City. Applications shall be submitted to the City **at least** 30 days prior the review or hearing meeting. *{Rationale: by the time you do 20 days notice we need to clarify advance time.}*

- (1)
- (2)
- (3) A consolidated procedure shall be utilized by the City for 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 fee for the most comprehensive procedure **plus one-half of all other fees** shall be charged. *{Rationale: multiple applications are cheaper to process, but they still have related expenses that the applicant should pay.}*
- (4) The applicant ~~shall~~ **may be requested to** 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. *(Rationale: generally it's easier for us to get then the applicant.)*
- (5) .....A Review or Hearing will be scheduled **to comply with the applicable legal time frame** ~~within 30 days~~ from the date the Application is deemed complete. *{Rationale: sometimes not legally required.}*
- (14) Expiration. Approved applications shall be void 2 years after the date of approval unless a building permit has been issued and substantial construction pursuant thereto has taken place, unless a specific time period was specified as a condition of approval. However, upon written request **prior to the expiration date**, the City may extend authorization for 1 year ~~with a maximum of two 1-year extensions.~~ **Such extensions shall occur only upon findings the request does not violate any current code and** upon acceptance of reasons for the delay. After ~~4 years~~ the **expiration period** the application will be ~~reconsidered by the City and may be denied.~~ *{Clarity}*

**SECTION 2.150 RECORD FILE**

- (1) Minutes of all meetings, reviews and hearings shall record the substance of all issues before the review or hearing body including the criteria, factual evidence and the justification for the decision as specified in Article 3. ~~Summary-written minutes shall be maintained in the Record file.~~ The minutes and records need not be a verbatim transcript of the meeting. *{Rationale: redundant materials with formal minutes, rarely complied with and rarely helpful.}*

**SECTION 2.310 PROPERTY LINE ADJUSTMENTS**

- (1)
- (2) **Application.** A property line adjustment may be submitted for review by the ~~Planning Commission~~ City Administrator without preliminary consultation, a land division conference, or a hearing where the adjustment complies with this Article. *{Efficiency}*
- (3) **Information.** The applicant shall submit ~~10 copies of~~ the proposed map of the property line adjustment together with other supplementary data required for recording or specified herein to the City for review and action by the ~~Planning Commission~~ City Administrator. *{Efficiency}*

**SECTION 2.313 DECISION PROCESS**

- (1) A Property Line Adjustment does not require a Limited Land Use Decision or Notifications. The City Administrator ~~Planning Commission~~ may consider a Property Line Adjustment map at any time following submittal of the application. *{Efficiency}*
- (2) If the proposed Property Line Adjustment is consistent with City land use standards, the City Administrator ~~Planning Commission~~ may approve the map as submitted, approve with conditions or deny the request for noncompliance. *{Efficiency}*

**SECTION 2.400 SITE PLAN REVIEW**

- (1)
- (2)
- (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 City Administrator or 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. *{Efficiency}*

- (b) The City Administrator or 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 City Administrator or Planning Commission may also call for a public hearing to receive testimony if it is ~~determineds~~ that the proposed development may present possible adverse impacts on surrounding properties, the neighborhood or the City.

**SECTION 2.500                    CONDITIONAL USES**

A conditional use is a use of land or a structure that 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.

- (1)
- (2)

- ~~(a) That the proposed development complies with the intent of City's Comprehensive Plan. {Rationale: the Code is already required to comply with the Comp. Plan – redundant findings.}~~

**SECTION 2.700                    AMENDMENTS** *{Note: this section is added to that the Commission reviewed and offered for Council consideration as being virtually identical to annexation criteria Sec. 2.800.}*

- (1)
- (2)

*Decision Criteria. All requests for an amendment to the text, zoning map or comprehensive plan map of this Code may be permitted upon authorization by the City Council in accordance with following findings:*

- (a)
- (b)
- (c) *The amendment will not **have and undue adverse** ~~adversely~~ impact adjacent areas or the land use plan of the City. {Clarity}*
- (d) *The amendment will not have an **undue** adverse environmental impact. {Clarity}*
- (e) *The amendment will not have an **undue** adverse impact on public facilities. {Clarity}*
- (f) *The amendment will not have an **undue** adverse impact on transportation. {Clarity}*

- (g) The amendment will not have an undue adverse impact on economy of the area. {Clarity}
- (h) The amendment is consistent with the intent of the applicable Statewide Planning Goals. {Clarity}

**SECTION 2.800 ANNEXATIONS**

(1)

(2) **Decision Criteria.**

~~(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.~~

*{Rationale: For a and b land within the UGB has already been required to pass this test. No reason to do it again.}*

(c) The annexation will not have an undue adverse environmental impact. {Clarity}

(d) The annexation will not have an undue adverse impact on public facilities. {Clarity}

(e) The annexation will not have an undue adverse impact on transportation. {Clarity}

~~(f) The annexation will not have an adverse impact on economy of the area.~~  
*{Rationale: land within the UGB is slated for annexation, which has been established in the UGB determination.}*

~~(g) The annexation is consistent with the intent of Statewide Planning Goals.~~  
*{Rationale: land within the UGB is slated for annexation, which has been established in the UGB determination.}*

**SECTION 2.900 (Street) VACATIONS**

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 **Public Facilities and Services** ~~land use~~ policies and goals. Ownership of vacated territory may revert to the original property or proportionally to the adjoining properties and become a part thereof, unless specified otherwise by the City Council. The City may also sell vacated property with preference given to adjoining property owners.

**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:

(4) **Limited Land Use Decision**

(b)

(Paragraph 2) 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, but is subject to the requirements of ORS 227.173 for a review of the application.

(Paragraph 3) 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 Site Plan Reviews for structures greater than 4000 square feet specified in Section 2.400. Examples of limited land use decision that may be conducted by the City Administrator include property line adjustments, land use partitions, and site plan review for structures less than 4000 square feet.

**SECTION 3.700 APPEAL PROVISIONS**

(1) Written notice of the appeal shall be filed with the City on forms provided by the City along with the applicable fee. An Appeal request shall contain:

**SECTION 4.010 CLASSIFICATION OF ZONES**

For the purpose of this Code the following primary land use zoning districts are hereby established:

<u>Primary Zones</u>	<u>Abbreviated Designation</u>
Residential—Low Density	R-1
Residential—Medium Density	R-2
Residential—High Density	R-3
Commercial—Village Center	C-1
Commercial— Neighborhood	C-2
Limited Industrial	M-1
Educational Facilities	E-1
Public Use	P-1

**SECTION 4.070 SIMILAR USE AUTHORIZATION**

The City Administrator may permit a use not listed in this Code provided the use is of the same general type as the uses permitted in a particular zoning district. However, this section does not authorize the inclusion in a zone where it is not listed, a use specifically listed in another zone. The decision of the City Administrator may be appealed to the Planning Commission and City Council using procedures specified in Section 3.700 of this Code.

**SECTION 4.080 NONCONFORMING USES**

- (1)
- (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 the alteration or extension does not cause the structure to deviate from the standards of this Code or the existing nonconformity. *{Rationale: if the structure is nonconforming, generally the extension or alteration is no more impacting. The nonconforming uses provisions have very little applicability in Adair Village, since I'm unaware of any.}*
- (3) **Discontinuance of a Nonconforming Use.**
  - (a) If a nonconforming use involving a structure is discontinued from active use for a period of 1 year, further use of the property shall be for a conforming use unless approved by the Planning Commission via Conditional Use Permit. *{Rationale: provide and option to an otherwise unused structure.}*
- (4)
- (5) **Destruction of a Nonconforming Use or Structure.** If a nonconforming structure or a structure containing a nonconforming use is totally or substantially destroyed to an extent exceeding fifty-one percent (51%) of the assessed valuation of the structure by any cause, a future structure or use on the site shall be either in accordance with the provisions of the zone 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 its present location. *{Clarity}*

**SECTION 4.141 EDUCATIONAL FACILITIES ZONE - E-1**

- (1)
- (2)
- (3) ~~**Change or Abandonment of Use.** Whenever the use of any E-1 Zone, or a part of any such zone, is abandoned or the ownership is either transferred for different use or reverts to Federal Government Control, such abandoned or transferred area shall be designated Planned Development Overlay District (PD) until a revised zoning plan for the area has been adopted by the City Council. The Planning Commission shall recommend to the City Council appropriate rezoning for any such area. *{Rationale: land use planning is not predicated on ownership, this change is in effect a zone change that requires City hearings process, and changes should come from the owner not the City.}*~~
- (5) **Development Standards.**
  - (a)
  - (b)

- (c) No new, free-standing structure or additions to existing structures shall exceed ~~35~~ **50** feet in height **or two stories**, ~~except as provided in this Code.~~  
{Rationale: some school structures might be higher than 35 feet.}

**SECTION 4.151 PUBLIC USE ZONE - P-1**

- (1)  
(2)  
(3) **Transfer of Ownership.**  
(a) Whenever a P-1 Zone, or any part of a P-1 Zone, is transferred to private ownership, the P-1 Zone shall cease to apply and the ~~Planning Commission~~ **owner** shall initiate a Zone Change Amendment in accordance with the procedures of Section 2.700. {Rationale: land use planning is not predicated on ownership and changes should come from the owner not the City.}

**SECTION 4.211 PD DEVELOPMENT STANDARDS**

- (1)  
(2)  
(3) ~~Lot coverage {doesn't exist} and Building Height.~~ Lot coverage and Building height shall be no greater than for the underlying Zone unless the City Council finds that an exception is warranted in terms of the adjacent property protections and amenities proposed in the development.

**SECTION 5.117 DRAINAGEWAY SETBACKS**

All drainageways and watercourses shall have a minimum setback of 205 feet from the center to of bank of the drainageway. Floodplain or wetland areas extending beyond the 205 foot shall increase the setback to the limits of the floodplain or wetland. {Note new language for Council. This language has been included for change to conform to the Comprehensive Plan policy 9.200(#2). The last sentence is proposed to be deleted in that it effectually sets a "no build" zone in floodplains or wetlands - which is not the case.}

**SECTION 5.122 ACCESS AND CLEAR VISION AREAS**

- (1) Access: Every property shall abut a street other than an alley, for a minimum width of ~~125~~ feet, except where the City has approved an easement for access or where the easement existed prior to the adoption of this Code.

**SECTION 5.123 STREETS** {Rationale: delete street standards that are located in design and constructions specifications and should not be in the Development Code other than broad statements.}

- (1)  
(2)  
(3) Right-of-way and roadway widths. The width of streets and roadways shall be adequate to fulfill city specifications as provided for in Article 8 of this Code.



Unless otherwise indicated on an adopted City Street Plan, streets should not be less than the recommended minimums shown in the following table:

<u>Street Classification</u>	<u>Right of Way</u>	<u>Roadway</u>
Arterial	60-80 feet	(To be determined by the Commission)
Collector and Local streets over 1,000 feet in length	40-60 feet	24 feet
Local streets under 1,000 feet that cannot be extended	30-50 feet	24 feet
Radius for turn-around at end of cul-de-sac	50 feet	45 feet

Street widths should be determined by the following combination of dimensions:

Travel Lanes	12 feet
Turn Lanes	14 feet
Parking Lanes	7 feet
Bike Lanes	6 feet
Sidewalks	5 feet
Planting Strip	4 feet

These dimensions may be decreased by 1 foot where conditions are limited.

**Examples:**

Local street with parking on two sides with sidewalks	48 feet
Minimum Local street with parking on one side curb to curb	29 feet
Collector or Arterial	
Two travel lanes	
One turn lane	
Two bike lanes	
Two planter strips	
Two sidewalks	68 feet

~~(12) Grades and Curves: Grades should not exceed 6 per cent on arterials, 10 per cent on collector streets or 12 per cent on other streets. Center line radius of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials or 100 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, preferably, of at least 0.5 per cent.~~

#### SECTION 5.134 LANDSCAPING

##### (4) Parking Areas.

- (a) Parking lots shall be screened from abutting residential land uses by a combination of fences, walls, and landscaping adequate to provide privacy and separation for the abutting land use.

#### SECTION 5.136 SIGNS

Signs include any writing (including letters, words or numerals); ~~pietorial 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.

##### (4) Permitted Commercial & Industrial Sign Standards

- (a) One Surface Wall or Window Sign per street frontage.
- (b)
- (c)
- (d) One Freestanding Elevated Signs limited to Highway 99W frontage of a property not to exceed 20 feet in height or 100 square feet in area. Elevated signs shall have a minimum clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas. {Rationale: keep to the low profile signs in town except on the highway}

~~(5) Signs Requiring Approval {Delete this section that basically makes allowance for signs that are otherwise prohibited.}~~

~~The following signs may be permitted subject to a Site Plan Review and approval by the Planning Commission:~~

- ~~(a) Any on site sign not specifically identified herein or signs exceeding the standards specified herein.~~
- ~~(b) Rooftop signs.~~
- ~~(c) Moving electronic message signs.~~

- ~~(d) Business Flags and Identification Displays.~~
- ~~(e) Freestanding Elevated Signs limited to one per street frontage of a property not to exceed 20 feet in height or 100 square feet in area. Elevated signs shall have a minimum clearance of 8 feet in pedestrian areas and 15 feet over parking or drive areas.~~
- ~~(f) Billboards or Outdoor Advertising signs.~~
- ~~(g) Any off-site sign and any sign placed within a public right of way by other than a public agency.~~

#### **SECTION 6.105          DUPLEX CONVERSION STANDARDS**

Division of existing duplex properties in the R-1 Zone containing 2 dwelling units ~~constructed prior to January 1, 1980~~ may be partitioned into two single-family parcels according to the following standards: *{Rationale: the age restriction addressed older homes, but creates an inequity for newer duplexes.}*

- ~~(1)~~
- ~~(2) Applications for division of an existing duplex property shall be submitted for review and approval in accordance with the "Site Plan Review" procedures of Section 2.400. The applicant shall also provide drawings and descriptive data of all required construction to comply with the State Building Code including but not limited to a cross section of the existing and proposed common wall(s) from foundation to roof parapet. The applicant shall also specify all proposed standards or requirements imposed by the lending agency. Following approval of the Site Plan Review, the applicant shall comply with the requirements for a land partition Tentative Plan in conformance with Section 2.320 and Section 2.330. {Rationale: the most egregious of all the land use decisions that required two applications on one land use action, redundant, expensive, not needed.}~~

## NEW ZONES AND REGULATIONS

The third major component is the language of the Primary Zones for residential and commercial lands. There are very minor amendments to the existing R-1 and R-2 zones and new language for the High-Density Residential (R-3) and Commercial zones. There are also some substantive changes to the development standards within the other sections of the Code.

The R-3 zone begins the new language associated with future growth for Adair Village and is language that was developed by Urbsworks and fine-tuned at the Commission's direction over the past several months. It calls for quite modern development standards, high-density residential allowances, and maximum limits on lot sizes. One major concern is the allowance for three story structures that the Adair Fire and Rescue Department has testified creates problems for the Department. The Commission has recommended retaining the height allowance provided the Fire Department approves any such building permits.

The current C-1 language has been deleted in its entirety and replaced by the new code language for the Village Center. The Commission requested at its prior meeting that I look into standard for the Village Center constructing to a 1950's theme. My research came up with a 182 pages of background materials, pictures and standards. However, upon further deliberations by the Commission following the public hearing it was decided to delete the reference to a specific time frame.

The Code also provided for a new Neighborhood Commercial (C-2) Zone, which is designed to provide small-scale neighborhood commercial uses. This zone also provides for a 35-foot, 3-story allowances that creates concerns for the fire department. The City has been informed that the developers desire a 40-foot height limit, as opposed to the 35-foot limit to allow their anticipated building design, which is again subject to review and approval of the fire department. The concern, as understood by staff based on the department's testimony, is not specifically with the height – but rather the three-story allowance.

### **SECTION 4.100            PRIMARY ZONES**

### **SECTION 4.111            RESIDENTIAL ZONE - R-1**

(1)

(2)

(a) One single-family dwelling or manufactured home per ~~tax~~ legal lot.

(d) Accessory buildings subject to the following standards:

4. Boats, trailers, detached campers, recreation vehicles and similar recreational equipment may be stored on-site except in a front ~~exterior~~ or side yard setback subject to appropriate access permits, and shall not

be used for human habitation. Temporary use of a Recreation Vehicle for guests is permitted for no more than 30 days.

(4) **Development Standards.**

- (c) ~~Exterior~~ **Side street** yards shall have a minimum depth of 210 feet.
- (d) Interior side yards (~~other than duplex division lots~~) shall have a minimum width of ~~6~~ **5** feet.
- (e) ~~Interior~~-Rear yards shall have a minimum depth of ~~20~~ **15** feet.
- (h) Division of duplex lots constructed prior to ~~January 1, 1980~~ may be partitioned into two single-family lots according to the standards contained in Section 6.105 and the land partition requirements of Section 2.300.

**SECTION 4.112 RESIDENTIAL ZONE—MEDIUM DENSITY - R-2**

(1)

(2) **Permitted Uses.** In an R-2 Zone, the following uses and their accessory uses are permitted subject to the standards, provisions and exceptions set forth in this Code:

- (a) One single-family dwelling or manufactured home per ~~tax~~ **legal** lot.

(3)

(4) **Development Standards.**

- (a)
- (b)
- (c) **Front yards shall have a minimum of 15 feet, though the garage setback shall be no less than 20 feet.**
- (d) ~~Exterior~~ **Side street** yards shall have a minimum depth of 210 feet.
  - a. Interior side yards (~~other than duplex division lots~~) shall have a minimum width of ~~6~~ **5** feet.
- (e) ~~Interior~~-Rear yards shall have a minimum depth of ~~20~~ **15** feet.

**SECTION 4.113 RESIDENTIAL ZONE—HIGH DENSITY - R-3**

(1) **Purpose.** To provide a mixture of housing types, within a context of streets and blocks that provides convenient walking and biking routes to the other parts of Adair Village, including the Village Center.

(2) **Permitted Uses.** See Table 4.1-1

- (3) **Conditional Uses.** See Table 4.1-1
- (4) **Development Standards.**
  - (a) **Building placement.** A proposed building shall be placed on the lot in compliance with the following minimum setback requirements.
    - 1. Front setback - 15 feet, though garages shall be no less than 20 to a street or 6 feet to an alley.
    - 2. Street side setback - 10 ft.
    - 3. Interior side setback - 5 ft.
    - 4. Rear setback - 15 ft.; 5 ft. for an accessory dwelling unit or garage.
    - 5. For multiple family or row housing the Planning Commission may approve zero side and 6-foot front setbacks.
  - (b) **Building height and profile.** A proposed building shall comply with the following requirements.
    - 1. Height limit - 35 feet or two stories unless approved in writing by the Adair Rural Fire and Rescue District.
    - 2. Allowed building types - See Table 4.1-2.

**SECTION 4.121 COMMERCIAL ZONE—VILLAGE CENTER - C-1**

- (1) **Purpose.** The C-1 zone is applied to the area of Adair Village that is intended to become the pedestrian-oriented, mixed-use heart of the village. Appropriate building types include commercial, mixed-use, and live/work buildings, with ground floor space reserved for retail and services, with residential, and/or offices above. Buildings are placed primarily at the back of sidewalks, to reinforce the pedestrian orientation of the streets.

The City of Adair Village is endeavoring to promote a design and development concept or theme. All structures building permits for development within this zone shall be accompanied with written, pictorial or other documentation demonstrating compliance with this overall building theme. Approval of all designs shall be at the discretion of the City.

- (2) **Permitted Uses.** In a C-1 Zone, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of Sections 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:

For Permitted Uses, see Table 4.1-1

- (3) **Conditional Uses.** In a C-1 Zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 2.500:

For Conditional Uses, see Table 4.1-1

(4) **Development Standards.**

- (a) Each site shall be adequately served by public utilities including municipal water and sewer service and shall provide sidewalks and improved streets.
- (b) There is no minimum lot area other than required to comply with the applicable development standards.
- (c) Front and side street yards shall have a minimum depth of 5-feet utilized exclusively for sidewalks, landscaping, and access drives.
- (d) Interior and rear yards shall be 0-feet, or at least 10 feet when abutting a residential use or zone.
- (e) No structure shall exceed 35/40 feet in height **or two stories unless approved in writing by the Adair Rural Fire and Rescue District.**
- (f) Access shall be designed to cause minimum interference with traffic movement on abutting streets. Where necessary, additional right-of-way shall be dedicated to maintain adequate traffic circulation.
- (g) The site shall be landscaped and effectively screened from adjacent residential areas, as provided in Section 5.134.
- (h) The arrangement of buildings, parking areas, signs and other facilities shall be designed and oriented to minimize noise and glare relative to adjacent property.
- (i) Artificial lighting, including illuminated signs and lights for parking areas, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.
- (j) No building permit **for structures over 4000 square feet** shall be issued within the C-1 Zone without Planning Commission approval of a Site Plan Review.
- (k) See Article 5 for additional General Development Standards and Article 6 for Use Standards that may apply in the C-1 Zone.

**SECTION 4.122 COMMERCIAL ZONE—NEIGHBORHOOD CENTER - C-2**

(1) **Purpose.** To provide small-scale, neighborhood-serving commercial uses within convenient walking distance of homes. Appropriate building types include mixed-use and live/work buildings, with ground floor space reserved for retail and services, with residential and/or offices above, and rowhouses.

(2) **Permitted Uses.** In a C-2 Zone, the following uses and their accessory uses are permitted subject to the Site Plan Review provisions of Sections 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:

For Permitted Uses, see Table 4.1-1

(3) **Conditional Uses.** In a C-2 Zone, the following uses and their accessory uses may be permitted, subject to the provisions of Section 2.500:

For Conditional Uses, see Table 4.1-1

(4) **Development Standards.**

(a) Each site shall be adequately served by public utilities including municipal water and sewer service and shall provide sidewalks and improved streets.

(b) There is no minimum lot area other than required to comply with the applicable development standards.

(c) Front and side street yards shall have a minimum depth of 5-feet utilized exclusively for sidewalks, landscaping, and access drives.

(d) Interior and rear yards shall be 0-feet, or at least 10 feet when abutting a residential use or zone.

(e) No structure shall exceed 35/~~40~~ feet in height or 2 stories unless approved in writing by the Adair Rural Fire Protection District.

(f) Access shall be designed to cause minimum interference with traffic movement on abutting streets. Where necessary, additional right-of-way shall be dedicated to maintain adequate traffic circulation.

(g) The site shall be landscaped and effectively screened from adjacent residential areas, as provided in Section 5.134.



- (h) The arrangement of buildings, parking areas, signs and other facilities shall be designed and oriented to minimize noise and glare relative to adjacent property.
- (i) Artificial lighting, including illuminated signs and lights for parking areas, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.
- (j) No building permit shall be issued within the C-2 Zone without Planning Commission approval of a Site Plan Review for structures over 4000 square feet or the City Administrator for buildings less than 4000 square feet.
- (k) See Article 5 for additional General Development Standards and Article 6 for Use Standards that may apply in the C-2 Zone.

TABLE 61-1 Allowed Land Uses and Permit Requirements	P	Permitted Use		Special Use Regulations
	CUP	Conditional Use Permit required	Use not allowed	
LAND USE TYPE	PERMIT REQUIRED BY ZONE			Special Use Regulations
	R-3	G-2	G-1	

**RECREATION, EDUCATION & PUBLIC ASSEMBLY**

Commercial recreation facility—indoor	—	—	P	
Fitness/health facility	—	—	P	
Hiking or biking trail	P	P	P	
Library, museum, art gallery	—	—	P	
Meeting facility, public or private	CUP	P(2)	P(2)	
Park, playground, plaza	P	P	P	
School—Specialized education or training	CUP	P(2)	P(2)	
Studio—Art, dance, martial arts, music, etc.	—	CUP	P	
Theater—Cinema, performing arts	—	—	CUP	

**RESIDENTIAL**

Accessory dwelling unit (ADU)	P(3)	—	—	
Home occupation	P	P	P	6.101
Mixed use residential	—	P(2)	P(1)	
Multi-family dwellings	P	P	P	6.2.01
Residential care facility	CUP	CUP	—	6.103
Residential care home	P	—	—	6.102
Single-dwellings, attached	P	P(2)	P(2)	
Single-dwellings, detached	P	—	—	4.1.220

**RETAIL**

Bar, tavern, night club	—	—	CUP	
General retail—4,000 sq.ft. or less	—	P(2)	P	
General retail— More than 4,000 sq.ft.	—	CUP	P(2)	
Service station	—	—	P	
Restaurant, café, coffee shop	—	P	P	

**SERVICES**

Bank, financial services	—	—	P	
Bed and Breakfast	CUP			
Business support service	—	—	P	
Group child care center—13 or more children	—	CUP	CUP	
Group child care home—12 or fewer children	P	P	P	
Office—business, administrative, government, professional	—	P	P	
Personal services	—	P	P	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Parking facility, public or commercial	—	CUP	CUP	
Telecommunications facility	—	CUP	CUP	
Utility facility	CUP	CUP	CUP	

Notes to Table 4.1-1:

- (1) Use allowed only on an upper floor, or behind a ground-floor street-fronting use.
- (2) Required site plan review as per 2.400.
- (3) Maximum size of the accessory dwelling unit may be no more than 33% of the living area of the house or 800 sq.ft., whichever is less.

**SECTION 4.1.300 BUILDING TYPE STANDARDS**

Each proposed building shall comply with the requirements of this Section

- (1) **Building Frontage:** Attached single-family structures shall not exceed 4 units or 84 lineal feet of frontage along any street. Multiple family units shall not exceed 8 contiguous units or 100 lineal feet.

**TABLE 4.1-2 - ALLOWED BUILDING TYPES, MINIMUM LOT AREA, MAXIMUM DENSITY**

BUILDING TYPE	ZONES WHERE ALLOWED			MINIMUM LOT AREA	MAXIMUM LOT AREA	MAXIMUM DENSITY IN DWELLING UNITS PER LOT
	R-3	C-2	C-1			
Single dwelling	☐			3,800 sq.ft.	Max lot area shall not exceed 200% of zone minimum lot area	1 unit per lot
Single dwelling plus accessory dwelling unit (ADU)	☐			6,000 sq.ft.		2 units per lot
Courtyard cluster	☐			Varies as approved by the City		6 units per cluster, as approved by the City
Duplex	☐			7,600 sq.ft.		2 units per lot
Rowhouse	☐	☐	☐	1,200 sq.ft.		1 unit per lot
Live/work		☐	☐	1,200 sq.ft.		1 unit per lot
Mixed-use building		☐	☐	2,500 sq.ft.		1 or more units per lot, as approved by the City
Commercial building		☐	☐	N.A.		N.A.

Notes:  
 Key: ☐ = Building type allowed  
 (1) Allowed with conditional use permit.

The applicable criteria for amendments to the Comprehensive Plan and Development Code are regulated under Section 2.700 of the Development Code and provides as follows:

## **Findings of Fact**

The City of Adair Village proposes to amend its Comprehensive Plan and Development Code, which are regulated by Section 2.700 as provided below:

### **SECTION 2.700 AMENDMENTS**

**(2) Decision Criteria. All requests for an amendment to the text, zoning map or comprehensive plan map of this Code may be permitted upon authorization by the City Council in accordance with following findings:**

**(a) The proposed amendment is consistent with the intent of the Comprehensive Plan.**

The following language is taken from the adopted City of Adair Village Comprehensive Plan:

### **SECTION 9.120 COMPREHENSIVE PLANNING**

The purpose of the Comprehensive Plan is to provide guidelines for conservation and development of community resources and to promote the public health, safety and general welfare of community residents. It is intended to ensure that the City's livability will be enhanced rather than weakened in the face of growth and change. It should not be considered a detailed development proposal, nor is it intended to offer solutions for problems that will require action at higher governmental levels. Nevertheless, local officials, public agencies, and private citizens are continually confronted by developmental decisions that can be facilitated if a general plan for future growth is established.

ORS Chapter 197, administered by the Land Conservation and Development Commission (LCDC), requires that cities and counties adopt comprehensive plans and ordinances, which meet statewide planning goals and guidelines. ORS 197.010 provides the basic policy by stating that comprehensive plans:

1. Must be adopted by the appropriate governing body at local and state levels.
2. Are expressions of public policy in the form of policy statements, generalized maps and standards and guidelines.
3. Shall be the basis for more specific rules, regulations and ordinances, which implement the policies expressed through the comprehensive plans.
4. Shall be prepared to assure that all public actions are consistent and coordinated with the policies expressed through the comprehensive plans.
5. Shall be regularly reviewed and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve.

ORS 197.175 more specifically outlines local government responsibility when it states, "...each city and county in this state shall:

1. Prepare and adopt comprehensive plans consistent with statewide planning goals and guidelines approved by the commission (LCDC) and
2. Enact zoning, subdivision and other ordinances or regulations to implement their comprehensive plans."

The Comprehensive Plan for Adair Village will become the City's official policy guide for conservation and development of community resources. It is intended to ensure that the City's livability will be enhanced rather than weakened in the face of growth and change and is designed to promote the public health, safety and general welfare of community residents.

The Comprehensive Plan is the document through which the citizens of Adair Village will implement their choices on how growth and change will occur and how it will be managed. It should not be considered a detailed blueprint for specific development proposals, but a general guideline within which public officials and private citizens can coordinate their individual developmental decisions.

#### **Plan Amendments**

Plan Amendments should be made as needed to maintain the Plan as an up-to-date guideline for urban development in the Adair Village area. **Section 2.700** of the Code provides the procedures for Code or Plan Amendments.

The City should undertake a general review of the Plan every two years to determine if any changes have occurred that would warrant amendments to the Plan. A complete Plan review should also be performed at least once every five years to determine if major revisions to the Plan or Code are necessary. A public notice should be issued if it is determined that amendments are needed.

#### **Major Revisions**

Major revisions include land use changes that have widespread and significant impact within the community.

The plan and implementation measures should be revised when public needs and desires change and when development occurs at a different rate than contemplated by the plan. Major revisions should not be made more frequently than every two years unless changing conditions strongly warrant this significant action.

Conclusion: It is concluded that the proposed comprehensive plan policies and development code amendments are consistent with the intent of the plan.

**(b) There is a public need for the proposed amendment to comply with changing conditions or new laws.**

The City of Adair Village desires to expand its urban growth boundary that will include several new zones and development standards and well as update its comprehensive plan policies. The City's Comprehensive Plan suggest that the

*Plan Amendments should be made as needed to maintain the Plan as an up-to-date guideline for urban development in the Adair Village area. Section 2.700 of the Code provides the procedures for Code or Plan Amendments.*

The proposed plan policy amendments are designed to maintain the plan as an up-to-date guideline on development policies.

***Major Revisions***

*The plan and implementation measures should be revised when public needs and desires change and when development occurs at a different rate than contemplated by the plan. Major revisions should not be made more frequently than every two years unless changing conditions strongly warrant this significant action.*

There are three major components to the amending language and the public need to address each of these components.

The first component addresses the need to update and expand the City comprehensive plan policies and delete or modify those current policies that are either no longer valid or needed in the current land use practices.

The City of Adair Village has seen unprecedented growth, adding 122 new homes over the previous three years, as opposed to approximately 10 in the prior 25 years. To address the public need for housing and commercial amenities basic plan policies must be implemented or amended to serve as guidelines for the City's future growth. The new plan policies include 12 new growth management principles that address a host of issues from projected population to transportation concerns. The policies address new concerns to address issues relating to the economy, housing, public facilities, and transportation. These polices are predicated on the City's need to address changing conditions.

The second component addresses existing language in the Development Code and is designed to meet the public need to improve the process, clarify issues, and improve the land use standards imposed by the City to meet current needs. Some of the current language does not meet the need for clear and concise management of the City's land use laws, are redundant, or create extra process and charges to the public that serves no purpose. One such example is the current requirement that simple land use partitions require an extra land use action under the site plan review. The amendments to the current code address the public need for a simplified and logical framework for making land use decisions.

The third component addresses the new standards required to meet the need for expanded commercial opportunities with the central commercial area of the community and outlying developing areas and the need for higher density and associated development standards within the proposed residential areas. It has been recognized that the City possesses no high-density residential lands and very limited commercial lands. The City has recognized a need to allow for such developments. There is a public need to develop and adopt new zoning standards for future commercial and high-density residential lands.

Conclusion: There is a public need for the proposed amendment to comply with changing conditions or new laws.

**(c) The amendment will not adversely impact adjacent areas or the land use plan of the City.**

The amendments to the current code clarify and streamline the land use plan via a public process and associated appeal rights.

The new language addresses new development standards for commercial and high-density residential lands. The anticipated uses within these new zones are fairly isolated from adjacent areas and will not adversely impact the land use plan of the City.

The comprehensive plan policies are designed to bring the City plan current with need to address anticipated development and protect surrounding areas.

Conclusion: The amendment will not adversely impact adjacent areas or the land use plan of the City.

**(d) The amendment will not have an adverse environmental impact.**

The comprehensive plan and zoning language are designed to clarify and implement new policies and practices designed to improve the environmental impacts from anticipated development. Both the plan and code language clarify development patterns around sensitive land areas such as wetlands or riparian corridor.

Conclusion: The amendment will not have an adverse environmental impact.

**(e) The amendment will not have an adverse impact on public facilities.**

The amendments are again designed to improve upon the existing public facilities. The current code language and comprehensive plan policies again clarify and direct development aspects to allow the City to plan for future public facilities. The new language provisions establish minimum and maximum thresholds that will also allow the City to plan for public facilities into the future. The language assures that development will neither exceed nor prove inadequate to meet development demands.

Conclusion: The amendment will not have an adverse impact on public facilities.

**(f) The amendment will not have an adverse impact on transportation.**

The amendments themselves will lead to higher densities and increased population and service centers. These will affect transportation issues. The proposed plan language addresses the need and interest to develop around future multi-modal facilities including pedestrian and bicycle amenities to minimize and mitigate adverse impacts on the transportation system.

Conclusion: The amendment will not have an adverse impact on transportation.

**(g) The amendment will not have an adverse impact on economy of the area.**

The new code language will clarify, streamline and make more efficient simple land use matters that currently take place within the community. The new code and comprehensive plan language is designed to allow for and expanded commercial centers, thereby improving the local economy.

Conclusion: The amendment will not have an adverse impact on economy of the area.

**(h) The amendment is consistent with the intent of Statewide Planning Goals.**

There are 19 Statewide Planning Goals, of which ten are applicable to the proposed amendments to the comprehensive plan and development code.

Goal 1: Citizen Involvement;

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 actions.

Goal 3: Agricultural Lands; to preserve and maintain agricultural lands

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources, to protect natural resources and conserve scenic and historic areas and open spaces.

Goal 6: Air, Water and Land Resources Quality, to maintain and improve the quality of the air, water and land resources of the State.

Goal 9: Economic Development, to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizenry.

Goal 10: Housing, to provide for the housing needs of the citizens of the 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 12: Transportation, to provide and encourage a safe, convenient, and economic transportation system.

New Goal 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.

Conclusion: The amendment is consistent with the intent of Statewide Planning Goals.

**Recommended Action: I move to adopt the proposed amendments and the findings of fact as presented in the Staff Report (or – as modified by the City Council) and direct staff to prepare an amending ordinance to the City’s Comprehensive Plan and Development Code.**

**Attachment #1**

**ADAIR VILLAGE PLANNING COMMISSION**

Minutes –September 12, 2005

ROLL CALL: Chair Huntsman called the meeting to order at 6:08 PM. Members present included Tim Cornelius, Joe Hansen, and David Land and, and City Administrator Jim Minard. Commissioner's Charline King and Matt Webb called in to be excused.

**OLD BUSINESS**

Administrative Decisions: Chair Huntsman reported back on Mayor Abraham's questions from last month on whether there was any potential for "quasi-judicial bias" in serving as the City Administrator and Planner. Ms. Huntsman had researched this question with the County Planning Director Peter Idema and learned there was not. Minard had actually recommended including clarification that all decision at the administrative level were subject to appeal to the Commission and Council. She also inquired about how realistic some to the changes for the Administrator makings some land use decisions and if too much power was consolidated into one person. Mr. Idema felt the changes were reasonable. The Commission felt this resolved the question.

There was conversation about what should be done if Mr. Minard left given the job responsibilities. Minard responded that in the event he left the City would hire someone with land use experience, a temporary planner, or another consultant as in the past. The decision-making authority however, would still remain with the City Administrator as the responsible party under the code.

February 8, 2006

City of Adair Village  
Attn: Jim Minard, City Administrator  
6030 William R Carr Avenue  
Corvallis, OR 97330

**Re: Proposed Adair Village Comprehensive Plan and Development Code Amendments  
Otak Project No. 12731**

Dear Jim:

Thank you for allowing us the opportunity to review and comment on the proposed Adair Village Comprehensive Plan and Development Code Amendments prior to the February 20, 2006 hearing before the City Council. Please include this letter in the City Council's packet, and provide me with a written notification of what the City Council decides on these issues.

In reviewing the population statistics that you have provided (2,814 persons forecasted to 2026) against the size of the UGB expansion of approximately 169.2 acres that we are proposing later this month, we would like to make a recommendation to help support the argument for the UGB expansion. Specifically, we would like to include language into Growth Management Principle No. 9 to indicate that it is the City's desire to have an overall average lot size of 6,000 square feet within the City limits and to exclude designated open space areas from the residential land base for the purposes of calculating density. The average lot size language is supported by the *Adair Village Town Plan Study* land needs analysis adopted in October of 2003. Specifically, the report based its land needs assumptions on an average lot size of 6,000 square feet for each household. I hesitate to utilize data provided within the *Adair Village Urbanization Strategy* due to the fact that it has not been adopted by the Council.

Secondly, we intend to make an argument within the UGB amendment application for 2.75 persons per household in Adair Village. We believe that the 3.1 persons per average household that has been mentioned in past conversations with DLCD is slightly high, and the previously proposed number of 2.50 persons per household may be considered too low by the County and DLCD. In this instance, we would like to refer back to the land needs analysis of the *Adair Village Town Plan Study*, which has been adopted by the City and calls for an average household size of 2.75 persons per household. In 2003, the 2.75 persons per household were based on the fact that average household

size was declining across the State of Oregon. According to the US Census Bureau, the average household size for Benton County is 2.43. In reviewing the average household size for cities in Benton County, at 3.1, Adair Village is the highest. As part of the proposed UGB amendment, we intend to provide an analysis of average household sizes within towns of a similar size to support the argument. We would propose to include language within the Comprehensive Plan that recognizes the 2.75 average.

Without these changes, it is unlikely that the City will be able to justify the UGB amendment. Only a portion of the Wiegel property, using the 2,814 persons, an average household size of 3.1 persons, and an average lot size of 6,000 square feet, would be justifiable right now. However, this does not extend the boundary to a logical location. We will propose that the expansion of the UGB extend to the north side of Crane Road and east to the rail road tracks. Crane Road and the railroad tracks are logical and recognizable locations for the UGB. The proposal will also include reclassifying portions of the proposed expansion as Open Space within the Benton County Comprehensive Plan.

We calculated the land need to support the population projection by taking the area, 169.2 acres, that we propose to bring into the UGB, netting out 20 percent of the area for rights-of-way and wetlands, to give a net area of 135.36 acres. Assuming an average of 6,000 square-foot lots, this would provide for an additional 982 new housing units. At an average household size of 3.1 persons, this would yield a population over the planning window of 3,046. According to your population projections, you anticipate a population of 2,955 persons by 2027.

There are several variables not considered in this scenario, such as the ball fields that are included within this area, the 2.2 acres designated for live/work mixed-use development, the infill areas that are still available within the City of Adair Village, and the possibility of some density locating within the Town Center.

We plan to make a case for an average household area of 2.75 and to zone the Santiam Christian School ball fields as open space. If we make the case successfully, the UGB expansion will provide enough buildable land for a population of 2,700 persons by 2026. This population is more consistent with the 2026 projection of 2,814 people that you have previously provided. In light of the upcoming UGB expansion application, we would propose that Growth Management Principle No. 9 be amended as follows:

“Adair Village can maximize the efficiency of existing utilities and streets by growing in an orderly way in areas directly adjacent to existing development and within boundaries formed by natural features, such as creeks and ravines, and man-made barriers, such as rail lines and highways. The City recognizes that as the population grows, the overall average household size will be smaller, and hereby recognizes an average of 2.75 members per household consistent with the adopted *Adair*

*Attn: Jim Minard, City Administrator  
Adair Village Comprehensive Plan Amendment*

Page 3  
February 8, 2006

*Village Town Plan Study.* The City shall reduce the existing minimum lot sizes to accommodate an overall town average of 6,000 square feet and plan for neighborhoods that include a mix of housing types and lot sizes. In recognizing the long-term social and physiological benefits of open space areas, the City will require public and private usable open space areas to be deducted from the City's residential land base."

Finally, I would like to reiterate our opposition to a 30-foot maximum building height within the C-2 zone. As I mentioned in my email earlier last week, the Planning Commission's addition of the requirement for a service provider letter indicating that fire fighting capabilities are satisfied prior to issuing a building permit protects the City in that it allows the City to deny a building permit if the proposal does not include the required capability to serve the needs of the district. I think that many communities choose not to predicate future planning and development on the infrastructure and community services that exist today and choose to realize that new services and infrastructure are paramount to responsible growth.

As I indicated to you previously, the height of our proposed three-story live/work units are approximately 39 feet, and the two-story, single-family, detached are approximately 29 feet. So, as written, our buildings can satisfy the proposed codes for the residential zones, but we would need at least 39 feet within the C-2 zone to build our live/work units. From this standpoint, I would propose that the Council amend the Planning Commission's recommendation and adjust the height limit to 40 feet within the C-2 zone and permit an ongoing dialogue between the Fire District and future developers.

Thank you for allowing us the opportunity to comment on these items and, if you have any questions, please do not hesitate to call me at (503) 699-2495 or email me at [brad.kilby@otak.com](mailto:brad.kilby@otak.com).

Sincerely,

Otak, Incorporated

Brad Kilby, AICP

BK:sjs

c: John Wyland, JT Smith Company  
Mike Robinson, Perkins Coie LLC  
File