



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

4/27/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Keizer Plan Amendment
DLCD File Number 001-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, May 13, 2010

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

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

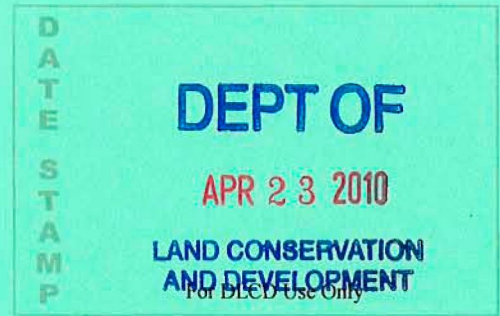
***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification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

Cc: Nate Brown, City of Keizer
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner
Bill Holmstrom, DLCD Regional Representative
Thomas Hogue, DLCD Regional Representative

<paa> YA

2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: Keizer Local file number: TA2010-02

Date of Adoption: 4/19/2010 Date Mailed: 4/23/2010

Date original Notice of Proposed Amendment was mailed to DLCD: 11/20/2010

- | | |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____ |

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

- 1) Reallocate the maximum retail square foot limit between the 5 Keizer Station areas. (Keizer Station Master Plan and Sections 2.107;2.109; 2.110; 2.119; 2.125.
- 2) Relocate commuter rail station from Area C to Area B in the Keizer Station (Keizer Station Master Plan).
- 3) Expand the approval criteria used to review master plan proposals in Section 3.113 KDC.

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".

Reallocation issue in #1 is still pending before the City Council and will be covered in separate notice.
#2 approved as proposed.
#3 approved with revision to make master plan a Type III application with planning commission review first which also affected Section 3.101 and 3.202.

Plan Map Changed from: na to: na

Zone Map Changed from: na to: na

Location: na Acres Involved: na

Specify Density: Previous: na New: na

Applicable Statewide Planning Goals: na

Was an Exception Adopted? YES NO

DLCD File No.: 001-10 (18086) [16101]

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

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

none

Local Contact: Sam Litke, Senior Planner Phone: (503) 856-3442 Extension: _____

Address: 390 Chemawa Rd. City: Keizer

Zip Code + 4: 97307- Email Address: litkes@keizer.org

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 **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

1 BILL NO. 581

A BILL

ORDINANCE NO.

2010- 602

3 FOR

4
5 AN ORDINANCE

6
7
8 AMENDING KEIZER DEVELOPMENT CODE SECTIONS
9 3.101 (SUMMARY OF APPLICATION TYPES), 3.113
10 (KEIZER STATION MASTER PLAN REVIEW), AND 3.202
11 (GENERAL PROCEDURES – TYPES I, II, AND III
12 ACTIONS) TO PROVIDE THAT KEIZER STATION
13 MASTER PLAN APPLICATIONS SHALL BE REVIEWED
14 BY THE KEIZER PLANNING COMMISSION; AMENDING
15 ORDINANCE 98-389; DECLARING AN EMERGENCY
16

17 WHEREAS, the City Council when reviewing proposed legislative text
18 amendments under Case No. 2010-02 determined an additional amendment was in order;
19 and

20 WHEREAS, the City Council held public hearing on this matter and considered
21 the testimony given; and

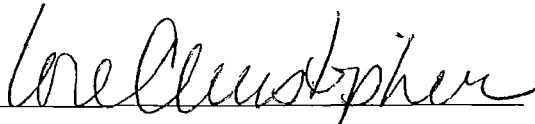
22 WHEREAS, the Keizer City Council has determined that it is appropriate to
23 amend the Keizer Development Code to provide for Keizer Planning Commission review
24 of Keizer Station Master Plan applications; and


25 WHEREAS, the Keizer City Council has determined that such amendment meets
26 the criteria set forth in state law, the Keizer Comprehensive Plan, and the Keizer
27 Development Code;

1 Section 4. EFFECTIVE DATE. This Ordinance being necessary for the
2 immediate preservation of the public health, safety and welfare, an emergency is
3 declared to exist and this Ordinance shall take effect immediately upon its passage.

4 PASSED this 19th day of April, 2010.

5
6 SIGNED this 19th day of April, 2010.

7
8 
9
10 _____
11 Mayor

11
12 
13 _____
City Recorder

4. **Section 3.111.04.D - The amendment is appropriate as measured by at least one of the following criteria:**

- a. It corrects identified error(s) in the previous plan.
- b. It represents a logical implementation of the plan.
- c. It is mandated by changes in federal, state, or local law.
- d. It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDINGS: The amendment is deemed desirable, appropriate and proper by the Council because it allows additional public input and testimony and provides for Planning Commission input into the important matters of Keizer Station Master Plan approval. Therefore, the amendment complies with this criterion.

DRAFT to City Council
4-10

refer any application to the Planning Commission or the City Council for public hearing and decision. The following action is processed under the Type I-C procedure:

1. Development Review (2/01)
- D. Type I-D: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Planning Commission. The Zoning Administrator may refer any application to the Planning Commission or City Council for public hearing and decision. The following actions are processed under the Type I-D procedure: (07/07/03)
1. Variance (Major) (07/07/03)

3.101.02 Type II Actions - Summary

- A. A Type II action is a quasi-judicial review in which the Hearings Officer applies a mix of objective and subjective standards that allow considerable discretion. A Type II action follows the procedures found in Section 3.202.04. Staff has an advisory role. The Zoning Administrator may refer any application to the City Council for public hearing and decision bypassing the Hearings Officer. Public notice and a public hearing are provided. Section 3.204 lists the notice requirements. Appeal of a Type II decision is to the City Council. The following actions are processed under a Type II procedure: (2/01)
1. Subdivision (5/98)
 2. Planned Unit Development (5/98)
 3. Manufactured Home Parks (5/98)
- ~~A.B.~~ Type II-B: A quasi-judicial action in which the City Council applies a mix of objective and subjective standards that allow considerable discretion. Type II-B actions follow the procedures found in Section 3.204.02. Staff has an advisory role. The City Council shall hold a public hearing and make the decision instead of the Hearings Officer. Public notice and a public hearing are provided. Section 3.202 lists the notice requirements. Section 3.206 sets forth the hearings process. The following actions are processed under a Type II-B procedure: (2/03)
- ~~1. Keizer Station Master Plans, Subdivision and Partitioning (2/03)~~
 - ~~2.1. Transit Station (Ordinance 2009-586 May 2009)~~

LAND USE APPLICATION PROCESS (07/07/03) (3/10)

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COMMISSION	CITY COUNCIL
Signs, Temporary Use	I-A	Final Decision	Appeal of Staff Decision		Appeal of H.O. decision
Floodplain Development Permit (including Floodplain Development Permit Variances (3/10)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Greenway Development Permit	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Conditional Use (except Transit Station) (05/09)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Variance (Minor and Signs)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Lot Line Adjustment	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Partition	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Keizer Station Master Plan Review (02/03)	II-B	Recommendation to City Council			Final Decision
Transit Station (05/09)	II-B	Recommendation to City Council			Final Decision

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LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COMMISSION	CITY COUNCIL
Text Amendments; Legislative Zone and Comprehensive Plan Map Changes	IV	Recommendation to Planning Commission		Recommendation to City Council	Final Decision

3. Building elevations, typical cross-sections and typical wall sections of all building areas. (2/03)
4. Typical elevations of the buildings to determine the specific configuration and relationship of design elements of the typical building exteriors, which describe the general aesthetic and technical aspects of the building exterior, including materials. (2/03)
5. Elevations, typical cross sections of the interior space layout of the building areas, entrance canopies, interior public courts, specialty areas, and service area layouts. (2/03)
6. Proposed layouts for exterior signage and graphics. (2/03)
7. Preliminary outline specifications describing exterior construction materials and methods, including indications of colors, finishes, and patterns. (2/03)
8. An outline of amenities, including, but not limited to, public art, furniture, handrails, seating areas and food areas, if any. (2/03)
9. A description of servicing requirements, trash compactors and related areas, loading docks, etc. (2/03)
10. Calculation of gross building, parking and open space. (2/03)
11. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated. (2/03)

B. Area A – Sports Center

1. Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan. (2/03)

Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated. (2/03)

3.113.04 Review Criteria

Approval of a Master Plan for an area of the Keizer Station Plan shall require compliance with the following: (2/03)

- A. The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan. (2/03)

- B. The master plan shall meet the following standards as identified in the Keizer Station Plan in addition to standards within applicable zones: (2/03)
 - 1. Design standards (2/03)
 - 2. Transportation system standards (2/03)
 - 3. Utility standards (2/03)
 - 4. Parking standards (2/03)
 - 5. Landscape standards (2/03)

If a conflict exists between standards within the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards shall be applied. (2/03)

- C. Development Strategies for Area A – Village Center (2/03)
 - 1. Pedestrian Access, Safety and Comfort (2/03)
 - a. To ensure safe, direct, and convenient pedestrian circulation, development in the EG zone, shall provide a continuous pedestrian and/or multi-use path system. (2/03)

- a. Territoriality – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and (2/03)
- b. Natural Surveillance – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and (2/03)
- c. Activity Support – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and (2/03)
- d. Access Control – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or (2/03)
- e. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)

4. Reduced Parking (2/03)

Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood

3. Encouraging transit supportive uses. (2/03)
4. Minimizing walking distance to transit stops. (2/03)
5. Avoiding excess parking areas. (2/03)
6. Encouraging shared parking and structures or under-structure parking.

B. Pedestrian/Bicycle Circulation. The development shall facilitate pedestrian/bicycle circulation. This may require: (2/03)

1. Providing efficient, convenient, and continuous pedestrian and bicycle transit circulation systems, linking developments with the Activity Center facilities, and surrounding development. (2/03)
2. Separating auto and truck circulation and activities from pedestrian areas. (2/03)
3. Pedestrian-oriented design. (2/03)
4. Pedestrian amenities. (2/03)
5. Bicycle parking. (2/03)
6. Outdoor lighting. (2/03)

C. Coordination. Coordination of development within an Activity Center area. This may require: (2/03)

1. Continuity and/or compatibility of landscaping, circulation, access, public facilities, and other improvements. (2/03)
2. Siting and orientation of land uses. (2/03)
3. Frontage roads or shared access. (2/03)

D. Compatibility. Developments within the Activity Center should be compatible with, and complement the surrounding neighborhood. This may require: (2/03)

1. Sensitive use of landscaping, building heights, building scale, materials, lighting, circulation systems, and architectural features. (2/03)

3.202 GENERAL PROCEDURES – TYPES I, II, AND III ACTIONS

3.202.01 Procedure for Type I-A Review

(Type 1-A: Temporary Use Permit, Signs excluding variances or conditional uses)(3/10)

Applications subject to a Type I-A administrative review shall be reviewed and decided by the Zoning Administrator. *(5/98)*

- A. Initial Review. Upon receipt of an application for a Type I-A land use action, the City staff shall review the application for completeness. *(5/98)*
 1. Incomplete applications shall not be reviewed until the applicant has submitted all required information. *(5/98)*
 2. If incomplete, the applicant shall be notified and provided additional time of up to 30 days to submit supplemental information as necessary. *(5/98)*
- B. Complete Application. The application shall be deemed complete for the purposes of processing the application and all related timing provisions either: *(5/98)*
 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information; *(5/98)*
 2. On the 31st day after the original submittal the application shall be deemed complete for review purposes. *(5/98)*
- C. Staff Review. Within thirty (30) days of receipt of a complete application or such longer period mutually agreed to by both staff and the applicant, staff shall review the application and shall make a decision based on an evaluation of the proposal and on applicable criteria as set forth in this Ordinance; *(5/98)*
- D. Conditions. Approvals of a Type I-A action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals: *(2/01)*
 1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following: *(2/01)*

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2. On the 31st day after the original submittal the application shall be deemed complete for review purposes. (5/98)
- C. Agency Referrals. Referrals may be sent to interested agencies such as City departments, police and fire departments, school district, utility companies, and applicable city, county, and state agencies at the Director's option. Referrals will be sent to affected neighborhood associations. (5/98)
- D. Staff Review. Within thirty (30) days of receipt of a complete application or such longer period mutually agreed to by both staff and the applicant, staff shall review the application and shall make a decision based on an evaluation of the proposal and on applicable criteria as set forth in this Ordinance; The Administrator shall have the option of referring a type I-B application to the Hearings Officer or City Council for the initial decision. The Administrator shall have the option of referring a type I-D application to the Planning Commission or City Council for the initial decision. (07/07/03)
- E. Conditions. Approvals of a Type I-B and I-D action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals: (07/03)
1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following: (2/01)
 - a. Ensure that the standards of the development code are met; or, (2/01)
 - b. Fulfillment of the need for public service demands created by the proposed use. (5/98)
 2. Changes of alterations of conditions shall be processed as a new administrative action. (5/98)
 3. Performance bonding to comply with applicable conditions of approval shall comply with the provisions in Section 3.202.05B. (2/01)
- F. Notice. Notice of the decision shall comply with the provisions in Section 3.204.01. (5/98)
- G. Appeals. A Type I-B land use decision may be appealed to the Hearings Officer, by either the applicant or persons receiving notice of the decision. A Type I-D land use decision may be appealed to the Planning Commission, by either the applicant or persons receiving notice of the decision. (07/03)

- b. Fulfillment of the need for public service demands created by the proposed use. (2/01)
- 2. Changes of alterations of conditions shall be processed as a new administrative action. (2/01)
- E. Notice. Notice shall be provided to the applicant consistent with Section 3.204.01. (2/01)
- F. Appeals. A Type I-C land use decision may be appealed by the applicant to the Planning Commission. The appeal shall be filed within 10 days from the date of mailing of the decision, pursuant to the provisions of Section 3.205. (2/01)
- G. Final Decision. The final land use decision, including all appeals, shall be completed within 120 days as per the requirements in Section 3.202.05 (2/01)

3.202.04 Procedures for Type II and Type III Actions

*(Type II. Subdivision, Planned Unit Development and Manufactured Home Parks)
(Type III. Annexation, Zone Changes involving 5 or fewer adjacent land ownership and Comprehensive plan Map Amendments involving 5 or fewer adjacent land ownerships, and Keizer Station Master Plan Review which may include Subdivision and Partitioning)*

- A. Initial Review. Upon receipt of an application for Type II or Type III land use action, the City staff shall review the application for completeness. (5/98)
 - 1. Incomplete applications shall not be scheduled for Type II or Type III review until all required information has been submitted by the applicant. (5/98)
 - 2. If incomplete, the applicant shall be notified and provided additional time of up to 30 days to submit supplemental information as necessary. (5/98)
- B. Complete Application. The application shall be deemed complete for the purposes of scheduling the hearing and all related timing provisions either: (5/98)
 - 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information;
 - 2. On the 31st day after the original submittal the application shall be deemed complete for scheduling purposes only. (5/98)
- C. Agency Referrals. Referrals will be sent to interested agencies such as City departments, police and fire districts, school district, utility companies, and applicable city, county, and state agencies. Affected jurisdictions and

DRAFT to City Council
4-10

- I. Notice. The applicant shall be notified, in writing, of the Hearings Officer's decision or recommendation. In addition, notice of the decision shall be mailed to individuals who request such notice at the public hearing, or, by those individuals who submitted a written request for notice prior to the public hearing. (5/98)
- J. Appeals. A Type II land use decision may be appealed to the City Council by either the applicant, persons receiving notice of the decision or the Administrator. The appeal shall be filed within 10 days from the date of the mailing of the decision, pursuant to the provisions of Section 3.205. Type III land use applications are automatically reviewed by the City Council. (5/98)
- K. Time Limit. The final land use decision, including all appeals, shall be completed within 120 days as per the requirements in Section 3.202.05. (2/01)

3.202.05 Special Procedural Requirements

A. 120 Day Time Limit

If for any reason it appears that such final action may not be completed within the 120 day period, unless the applicant voluntarily extends the time period, the following procedures shall be followed regardless of other processes set forth elsewhere in this Ordinance. (5/98)

- 1. The City staff shall notify the City Council of the timing conflict by the 95th day. The City Council shall, in accordance with its own procedures, set a time for an emergency meeting within the 120 day period. (5/98)
- 2. Public notice shall be mailed to affected parties as specified in Section 3.204.02. (5/98)
- 3. The City Council shall hold in a public hearing on the specified date, in accordance with the provisions of Section 3.204 and render a decision approving or denying the request within the 120 day period. Such action shall be the final action by the City on the application. (5/98)

B. Performance and Maintenance Bonding (2/01)

Conditions of approval required by the City shall be completed prior to the issuance of any building permit within a residential subdivision or partitioning, or an occupancy permit for any other use. When an applicant provides information which demonstrates that it is not practical to fulfill all conditions prior to issuance of such permit, the City may require a performance bond or other guarantee to ensure compliance with zoning regulations or fulfillment of required conditions. (2/01)

1 BILL NO. 582

A BILL

ORDINANCE NO.

2010- 603

3 FOR

4
5 AN ORDINANCE

6
7
8 AMENDING KEIZER DEVELOPMENT CODE
9 REGARDING SECTION 3.113 (KEIZER STATION MASTER
10 PLAN REVIEW); AMENDING KEIZER STATION PLAN
11 AREA B – RETAIL SERVICE CENTER (PAGES 22 TO 25
12 OF KEIZER STATION PLAN) AND KEIZER STATION
13 PLAN AREA C – KEIZER STATION CENTER (PAGES 26
14 TO 29 OF KEIZER STATION PLAN); AMENDING
15 ORDINANCE 98-389 AND ORDINANCE 2003-479
16 (EXHIBIT 2, PAGES 22 TO 29); DECLARING AN
17 EMERGENCY
18

19 WHEREAS, the Keizer Planning Commission has recommended to the Keizer
20 City Council amendments to the Keizer Development Code (Ordinance No. 98-389) and
21 the Keizer Station Plan (Ordinance No. 2003-479); and

22 WHEREAS, the City Council has held public hearings on this matter and
23 considered the testimony given and the recommendation of the Keizer Planning
24 Commission; and

25 WHEREAS, the Keizer City Council has determined that it is necessary and
26 appropriate to amend the Keizer Development Code and Keizer Station Plan as set forth
27 herein; and
28

1 WHEREAS, the Keizer City Council has determined that such amendments meet
2 the criteria set forth in state law, the Keizer Comprehensive Plan, and the Keizer
3 Development Code;

4 NOW, THEREFORE,

5 The City of Keizer ordains as follows:

6 Section 1. FINDINGS. The City of Keizer adopts the Findings set forth in
7 Exhibit "A" attached hereto and by this reference incorporated herein.

8 Section 2. AMENDMENT TO THE KEIZER DEVELOPMENT CODE. The
9 Keizer Development Code (Ordinance No. 98-389) is hereby amended by the adoption
10 of the changes to Section 3.113 (Keizer Station Master Plan Review) as set forth in
11 Exhibit "B" attached hereto, and by this reference incorporated herein.

12 Section 3. AMENDMENT TO THE KEIZER STATION PLAN. The Keizer
13 Station Plan (Ordinance No. 2003-479, Exhibit 2, Pages 22-29) is hereby amended by the
14 adoption of the changes to the Keizer Station Plan Area B - Retail Service Center and
15 Keizer Station Plan Area C – Keizer Station Center as set forth in Exhibit “C” attached
16 hereto, and by this reference incorporated herein.

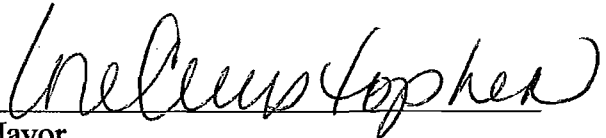
17 Section 4. SEVERABILITY. If any section, subsection, sentence, clause,
18 phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, or
19 is denied acknowledgment by any court or board of competent jurisdiction, including,

1 but not limited to the Land Use Board of Appeals, the Land Conservation and
2 Development Commission and the Department of Land Conservation and Development,
3 then such portion shall be deemed a separate, distinct, and independent provision and
4 such holding shall not affect the validity of the remaining portions hereof.

5 Section 5. EFFECTIVE DATE. This Ordinance being necessary for the
6 immediate preservation of the public health, safety and welfare, an emergency is
7 declared to exist and this Ordinance shall take effect immediately upon its passage.

8 PASSED this 19th day of April, 2010.

9
10 SIGNED this 19th day of April, 2010.

11
12 
13 _____
14 Mayor

15
16 
17 _____
City Recorder

EXHIBIT "A"

Findings regarding the adoption of amendments to the Keizer Station Master Plan and to the Keizer Development Code (Section 3.113, Keizer Station Master Plan Review)

The review criteria are listed in Section 3.111.04 of the Keizer Development Code.

The City of Keizer finds that:

1. General Findings.
 - a. The proposed text amendments can be grouped into two distinct categories. Amend the Keizer Station Master Plan to allow the relocation of the commuter rail station planned in Area C to Area B, and to amend the review criteria used to review master plan proposals in Section 3.113 (Keizer Station Master Plan Review).
 - b. The Keizer Station is a commercial shopping center that received master plan approval from the city in 2004. The Keizer Station is comprised of sub-areas A through D. Currently, Area A and Area D each have received separate master plan approval. At this time only Area A has any actual development on it.
 - c. The particulars of this case are found within planning file Text Amendment 2010-02. Public hearings were held before the Planning Commission on March 17, 2010 and before the City Council on April 5, 2010 and April 19, 2010. The Planning Commission reviewed the proposed revisions and unanimously recommended that they be adopted. The City Council directed staff to prepare findings and an ordinance to adopt the proposed text amendments.
 - d. Amendments to Keizer Station Master Plan; Sections 2.107 (Mixed Use); 2.109 (Commercial Retail); 2.110 (Commercial Mixed Use); 2.119 (General Employment); and, 2.125 (Activity Center Overlay) of the Keizer Development Code (KDC) to permit the reallocation of the maximum retail square foot limit between the Keizer Station sub-areas were determined to not be included in this ordinance. If this proposed amendment is adopted, it will be detailed in a separate ordinance and separate findings and so are not included as part of this exhibit.
2. Amendments to the Comprehensive Plan or Development Ordinance text shall be approved if the evidence can substantiate the following. Amendments to the map shall be reviewed for compliance with each of the following, while text amendments

shall only be reviewed for compliance with Section 3.111.04 B, C, and D. Given that this is a text amendment Section 3.111.04 A is not applicable.

3. **Section 3.111.04.B - A demonstrated need exists for the product of the proposed amendment -**

FINDINGS: The proposed revisions to the Keizer Development Code (KDC) and the Keizer Station Master Plan reflect a demonstrated need. The City Council has recognized that periodically the KDC and accompanying special plans should be updated to avoid having the codes become so out of date that an update would be massive and costly. The proposed amendment to Section 3.113 is intended to resolve a number of ambiguities within this section and to clarify code requirements. This revision is an attempt to rectify this problem. Significant changes from the existing code to the proposed code include expanding the review criteria that is used for master plan approval for the sub regions within the Keizer Station. The master plan review criteria is fairly comprehensive for Area A and nonexistent for the other areas of the Keizer Station. This amendment seeks to increase the criteria that will be used to review an application for a master plan for Areas B and C to be the same criteria used during the review of Areas A and D. Areas A and D have already been granted master plan approval so this change will have no affect any previously approved master plans. This will make all the criteria the same and avoid any potential confusion over which criteria apply. With the City Council having previously adopted a master plan for the Keizer Station and for Areas A and D shows the support the city has for this overall development.

When the Keizer Station Master Plan was adopted it included an option for a future commuter rail station that would be located in Area C. This amendment will not eliminate that option but will rather relocate it to the north across the street into Area B. This will allow the future commuter rail station to be incorporated into the transit facility that the Salem Keizer Transit District is planning to develop in Area B and will allow it to become an integral part of the transit facility and create an intra-nodal transportation hub. Modifying the review criteria to allow the shifting of the commuter rail station from Area C to Area B represents a demonstrated need. Therefore, the proposed code revision complies with this review criterion.

4. **Section 3.111.04.C- The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules**

FINDINGS: The proposed amendments comply with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice to interested parties, a public process of decision making involving public hearings, deliberation, and ordinance adoption. Public notice was provided in the Keizer Times. Public hearings were held before the Planning Commission and the City Council. Public hearings were held before the Planning Commission on March 17, 2010, and before the City Council on April 5, 2010 and also on April 19, 2010. Citizens were afforded the opportunity to participate in the public process. Finally, the City Council meetings are televised which further provides an avenue for awareness of the issue. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as required by this goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Development Code and the Keizer Station Master Plan. The adoption proceeding was conducted in a manner consistent with requirements of the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. Notice was published in the Keizer Times. Public hearings were conducted before both the Planning Commission and City Council where an opportunity for both verbal and written testimony was provided and the City Council considered such testimony before making its decision. Therefore, the proposed revisions to the zone code and the Keizer Station Master Plan are consistent with this statewide planning goal and its implementing administrative rules.

Goal 3 – Farm Land: The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits there is only one zone located in the northwest portion of the city near the city's urban growth boundary that is designated to allow for commercial agricultural uses. The amendments involve regulations within the boundaries of the city limits of Keizer. The amendment governing master plan criteria, relocation of the future commuter rail station will not impact any properties that are designated to allow for agricultural uses. Therefore, the proposed amendments will comply with the Farm Land Goal and with any implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands that are designated for commercial forest uses. There are no lands designated within the city limits that allow for commercial forestry. The amendment governing master plan criteria, relocation of the future commuter rail station does not impact any properties that are designated as forest land, nor will it impact the use of any forest lands. Therefore, this Goal and implementing administrative rules are not applicable to the proposed zone code and Keizer Station Master Plan amendments.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, big game habitat, etc. The city established a Resource Conservation Overlay zone to maintain,

preserve and protect the natural features adjacent to Claggett Creek. Much of this area is within an identified 100-year floodplain. The proposed amendments to the zone code regulations and Keizer Station Master Plan will not prohibit the lawful use of any properties that are within this overlay zone. Only a small portion of the Keizer Station along the edge of Labish Ditch to the north is on a 100 year floodplain, big game habitat area in the Keizer Station. There is a small wetland area within the small park located in the east central portion of Area A of the Keizer Station. This park has been identified and will be preserved for the natural qualities associated with this park feature and no development will be permitted within this area. Therefore, the amendments to the Keizer Station Master Plan and Section 3.113 will be consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city provides its residents with city water from groundwater sources. New construction is required to be connected to the established sanitary sewer system thereby reducing the likelihood of groundwater contamination from failing on-site septic systems. The relocation of the commuter rail station to Area B will allow for the potential for a commuter rail connection, if and when that option becomes reality. By having this rail connection in close proximity to a transit station will increase the likely that transit riders will be encouraged to use each transportation system which will thereby result in a reduction in vehicles miles traveled, which can then result in reduced greenhouse gas emission and less air pollution. The revision to the city's zone code regulations and revision to the Keizer Station Master Plan will have a potential positive impact on the quality of air, water, or land resources and so complies with this goal and with administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains. A floodplain is the area that is adjacent to a body of water which may be subject to periodic inundation. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. With the exception of areas removed from the 100-year floodplain through the Letter of Map Amendment the 100-year floodplain is the area of greatest concern. While this area is referred to as a 100-year floodplain it is because it has a statistical probability of having a 1% chance of flooding in any one year. The last major 100 year flood event was the 1964 flood. By contrast, the 1996 flood was not a 100 year flood event for Keizer, although clearly there was a significant amount of water flowing through parts of Keizer during that flood event. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the

floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is that area that is generally the channels of rivers and streams which during a flood event will experience very significant water depth and velocity flows. Only a small portion of the Keizer Station along the edge of Labish Ditch to the north is on a 100 year floodplain. Any development within this portion of the Keizer Station will need to be done in accordance with floodplain development regulations. There are no steep slopes within any of the Keizer Station so there are no slope hazards issues. The revision to the zone code to amend the Keizer Station Master Plan to relocate the commuter rail station from Area C to Area B and to the master plan review criteria changes in Section 3.113 will not impact this goal and any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city limits. There is a small park within Area A of the Keizer Station which will not be affected by any of the revisions being considered. The proposed amendments to the Keizer Station Master Plan to relocate the commuter rail station from Area C to Area B and to the master plan review criteria changes in Section 3.113 will have no impact on the recreational activities or uses of park lands within the city. Therefore, this goal and any related rules are not applicable.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The city is currently engaged with Marion and Polk County and the City of Salem to conduct a planning study that will identify the economic opportunities for the Salem – Keizer regional area. The intent of this study is to identify potential economic opportunities facing the area and then to be able to better plan to take advantage of these opportunities. The intent of the text amendment regarding the review criteria for a master plan review for proposal within the Keizer Station is to resolve a number of ambiguities within this section and to clarify code requirements. The proposed amendment does not completely reflect new requirements since the criteria already exist. However, it will expand the criteria that are used for Areas B and C to incorporate those that were used as part of the review of Areas A and D. This will clarify and enhance the existing review criteria that are used to review master plan proposals for areas within the Keizer Station. The relocation of the commuter rail station from Area C to Area B will likely have an overall positive economic impact since it will result in greater opportunities for patrons of businesses within the Keizer Station to be able to travel to get to the Keizer Station. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the city to plan and provide for the housing needs of its residents. The proposed amendments to the review criteria for a master plan in the Keizer Station or to the relocation of the commuter rail

station from Area C to Area B will have no impact the city's housing inventory. Lands within Area B of the Keizer Station are primarily intended to be development with a variety of commercial uses so the land which will be used for the commuter rail station if it ever is developed will not take away from any land that might otherwise be developed with residential uses. The exception to this is a portion of Area C which is likely to be developed with some residential component. This is consistent with the Mixed Use zoning and with the original master plan approval for the Keizer Station. However, at this time no proposal for master plan approval for Area C has been submitted. The proposed amendments to the Keizer Station Master Plan and to Section 3.113 will not impact either this goal or any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The city provides its residents with water, sanitary sewer through an arrangement with the City of Salem, has an established street system, administrative and police and public safety is also provided by the city. Fire protection services are provided by the Keizer Fire Department. The result of the proposed amendments will have no impact on these services. The relocation of the commuter rail station will likely enhance the ridership of the transit system as it will allow for it to be constructed in close proximity to the transit station. The proposed amendments to the review criteria for a master plan in the Keizer Station will not impact the city's public facilities and services since any development within the Keizer Station is required to be connected to the full range of city services. Therefore, the proposal complies with this goal and any implementing administrative rules.

Goal 12 – Transportation: The city has an adopted Transportation System Plan (TSP) that describes the city's transportation systems. The TSP describes the city's streets, transit, bike, and pedestrian systems. The amendment to the Keizer Station Master Plan will allow the relocation of the commuter rail station which is planned in Area C to Area B. New language is found on pages 23 and 25 and language to be deleted is found on pages 28 and 30. When the Keizer Station Master Plan was adopted it included an option for a future commuter rail station that would be located in Area C. This amendment will not eliminate that option but will rather relocate it to the north across Lockhaven Drive into Area B. This will allow the future commuter rail station to be incorporated into the transit facility that the Salem Keizer Transit District is planning to develop in Area B and will allow it to become an integral part of the transit facility and create an intra-nodal transportation hub. While the rail line exists there is no commuter train which operates on the rail line, nor are there any plans to operate one anytime soon. This relocation will also eliminate the need for users of both bus and train systems to cross Lockhaven Drive in order to make connections. The revisions to the review criteria that will be used to evaluate master plan applications within the Keizer Station will allow consideration for transportation facilities and so will enhance the transportation systems serving

the Keizer Station. The revision to the Keizer Station Master Plan and Section 3.113 will have a positive impact any of the city's public transportation systems, and so this goal and any rules will be met.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The proposed zone code text amendment and to the Keizer Station Master Plan will have not impact this goal nor any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The proposed zone code revisions will only affect land that is within the Keizer Station. This is land that is within the city limits and has been approved for development with the Keizer Station, a shopping center development although each sub-area requires a separate master plan approval. To date only Areas A and D have received master plan approval from the city. The proposed amendments to the relocation of the commuter rail station and to the master plan review criteria will have no impact on the intent of this goal as it only will involve land that is within the city limits and not the use of land being transitioned from rural to urbanized uses and so complies with this goal and will all implementing administrative rules.

Goal 15 – Willamette River: This goal seeks to protect, conserve, maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. While the Willamette River is located along the western flanks of Keizer the proposed text amendments will not impact the Willamette River since the Keizer Station is located several miles inland from the river and so the proposed amendment will not impact this goal or any implementing administrative rules.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 Ocean Resources) govern areas along the ocean. Since Keizer is not located along the coast these goals are not applicable

In consideration of the above findings, the proposed zone code revision to Section 2.427 complies with all applicable statewide land use goals and with all applicable administrative rules which implement the relevant goal.

5. **Section 3.111.04.D - The amendment is appropriate as measured by at least one of the following criteria:**
- a. It corrects identified error(s) in the previous plan.
 - b. It represents a logical implementation of the plan.
 - c. It is mandated by changes in federal, state, or local law.

- d. It is otherwise deemed by the council to the desirable, appropriate, and proper.

FINDINGS: The proposed amendment is intended in part to correct several identified errors within the existing development regulations. The intent of the text amendment is to resolve a number of ambiguities within this section and to clarify code requirements. Significant changes from the existing code to the proposed code include expanding the review criteria that is used for master plan approval for the sub regions within the Keizer Station. The master plan review criteria is fairly comprehensive for Area A and nonexistent for the other areas of the Keizer Station. This amendment seeks to increase the criteria that will be used to review an application for a master plan for Areas B and C to be the same criteria used during the review of Areas A and D. Areas A and D have already been granted master plan approval so this change will have no affect on previously approve master plans.

A number of Comprehensive Plan goals or policies offer guidance to review the proposed amendment. They include:

City of Keizer Transportation System Plan; Goal 6, Objective 2, Policy 1 - "Future development in Keizer Station in Area C may require the development of a commuter rail link and/or satellite transit connection." The city has approved a recent text amendment that allowed for the commuter rail station to be shift from Area C to Area B. The rational for this shift was based on the fact that it would be part of the design of the transit center and so would offer a fuller integrated transportation center and that it would eliminate the need for users of these two facilities to have to cross Lockhaven Drive. With the approval of the relocation of the commuter rail station from Area C to Area B it is determined that the proposal is consistent with this policy. With this request involving a proposal to construct a transit station in the eastern portion of Area B it will meet with this policy.

City of Keizer Transportation System Plan; Goal 7, Objective 4, Policy 1 - "Support the development of a commuter rail station as shown in the Keizer Station Master Plan to be provided in Area C of Keizer Station. While no specific design or analysis has been done, this facility is to be either provided or an area set aside for its development within Area C, unless it can be shown that a better location can be provided that will satisfy the design specification for a commuter rail station, parking and associated facilities." The proposed text amendment allows for the commuter rail station to be shift from Area C to Area B. The rational for this shift was based on the fact that it would be part of the design of the transit center and so would offer a fuller integrated transportation center and that it would eliminate the need for users of these two facilities to have to cross Lockhaven Drive. With the approval of the relocation of the commuter rail station from Area C to Area B it is determined that the proposal is consistent with this policy.

City of Keizer Comprehensive Plan; Policy E(4)(d)(2)(c)- “ Increase transit service to the Keizer Station.” The proposal to locate a new commuter rail station in Area B of the Keizer Station will enhance the level of service that is currently provided to the Keizer Station and will increase the opportunity for transit riders who wish to either shop at businesses in the Keizer Station or for employees who work at businesses in the Keizer Station and so satisfies this policy.

City of Keizer Comprehensive Plan; Policy E(4)(d)(2)(d)- “Ensure that major new developments provide transit facilities, and are designed in such a way to make transit service efficient and convenient.” The proposal to include a commuter rail station as part of the development of Area B of the Keizer Station will enhance the service that is already provided to the Keizer Station and at the same time will make it more convenient for patrons and employees of businesses in the Keizer Station by making the use of transit a viable transportation option. As such, it will be consistent with this policy.

City of Keizer Comprehensive Plan; Policy D(2)(h)(8) - “Establish the following objectives for the Keizer Station: (a) The primary uses are regional service center, light industry, hotel/motel and supporting facilities, convention facilities, and retail shopping facilities. (b) Improve access to the district and Lockhaven Drive. Coordinate transportation improvements with the industrial district to the north.” The proposal to locate a commuter rail station in Area B will increase transportation options for patrons of the commercial businesses within the Keizer Station and so will be consistent with this policy.

City of Keizer Comprehensive Plan; Policy E(4)(c)(4) – “Ensure that Lockhaven Drive from North River Road to the Chemawa Interchange is carefully studied to determine the need for future widening, noise buffering, and for pedestrian crossing and safety improvements near the Whiteaker Middle School. Require that existing and planned residential areas be protected from excessive noise levels resulting from an increase in traffic.” The City of Keizer has been an active participant in ODOT pending Chemawa interchange management planning process. The intent of the planning process is to identify future problems associated with the interchange and to develop strategies for mitigating those impacts. With this proposal being required to be consistent with the ongoing planning process will assure compliance with this policy.

The proposed amendments are not mandated by any federal, state, or local laws. The City Council has, by this adoption, determined that the text revisions to the Keizer Station Master Plan and Section 3.113 are desirable, appropriate, and proper. As such, the proposal complies with this criterion.

3.113 KEIZER STATION MASTER PLAN REVIEW

3.113.01 Area of Application

The Keizer Station Plan requires the development of Master Plans for each of the five sub-areas. This process provides the City Council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Each Master Plan shall be reviewed through a Type II-B review process. (2/03)

3.113.02 Review Procedures

The Keizer Station Plan identifies different areas for planned development. Each area has provisions to be approved through the Keizer Station Master Plan Review (Type II-B) application procedure. (2/03)

Type II-B actions follow the procedures found in Section 3.204.02. Staff has an advisory role. The Zoning Administrator shall make a recommendation to the City Council for public hearing and decision bypassing the Hearings Officer. Public notice and a public hearing are provided. Section 3.202 lists the notice requirements. Section 3.206 sets forth the hearings process. (2/03)

Properties in Area C may develop as an individual parcel with a Conditional Use Permit (Type I-B) approved by the Zoning Administrator in accordance with the applicable criteria and subject to conditions of approval in Section 3.113.04. Areas A, B, D, and two or more parcels in Area C, may develop with Type II-B Keizer Station Master Plan Review approval by the City Council. (2/03)

3.113.03 Submittal Requirements

~~A. Area A Village Center~~

1. Infrastructure engineering and architectural site plans showing all structures in relation to projected final topography of the project, all proposed connections to existing or proposed roads, transportation facilities (including proposed right-of-way and pedestrian connections), utilities, open space and parking areas, depicting the number and types of spaces. (2/03)
2. Landscape plans generally showing the common and botanical name of plant species, the number and size of plantings and demonstrating the location and type of irrigation. (2/03)

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3. Building elevations, typical cross-sections and typical wall sections of all building areas. (2/03)
4. Typical elevations of the buildings to determine the specific configuration and relationship of design elements of the typical building exteriors, which describe the general aesthetic and technical aspects of the building exterior, including materials. (2/03)
5. Elevations, typical cross sections of the interior space layout of the building areas, entrance canopies, interior public courts, specialty areas, and service area layouts. (2/03)
6. Proposed layouts for exterior signage and graphics. (2/03)
7. Preliminary outline specifications describing exterior construction materials and methods, including indications of colors, finishes, and patterns. (2/03)
8. An outline of amenities, including, but not limited to, public art, furniture, handrails, seating areas and food areas, if any. (2/03)
9. A description of servicing requirements, trash compactors and related areas, loading docks, etc. (2/03)
10. Calculation of gross building, parking and open space. (2/03)
11. For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated. (2/03)

~~B. Area A Sports Center~~

4. 12. Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan. (2/03)

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2. ~~For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.~~
(2/03)

C. Area B

1. ~~Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan.~~ (2/03)
2. ~~For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.~~
(2/03)

D. Area C

1. ~~Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan.~~ (2/03)
2. ~~For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.~~
(2/03)

Area D

1. ~~Location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the activity center design plan.~~ (2/03)
2. ~~For any project for which the projected daily average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required~~

~~and a written explanation how negative impacts will be mitigated.~~
(2/03)

3.113.04 Review Criteria

Approval of a Master Plan for an area of the Keizer Station Plan shall require compliance with the following: (2/03)

- A. The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan. (2/03)

- B. The master plan shall meet the following standards as identified in the Keizer Station Plan in addition to standards within applicable zones: (2/03)
 - 1. Design standards (2/03)
 - 2. Transportation system standards (2/03)
 - 3. Utility standards (2/03)
 - 4. Parking standards (2/03)
 - 5. Landscape standards (2/03)

If a conflict exists between standards within the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards shall be applied. (2/03)

- C. Development Strategies for ~~Area A—Village Center~~ (2/03)
 - 1. Pedestrian Access, Safety and Comfort (2/03)
 - a. To ensure safe, direct, and convenient pedestrian circulation, development ~~in the EG zone~~, shall provide a continuous pedestrian and/or multi-use path system. (2/03)

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- b. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas wherever possible. (2/03)
- c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas. (2/03)
- d. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable. (2/03)
- e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale. (2/03)
- f. For driveways that service more than 100 parking spaces, ~~such driveway intersections with Radiant Drive~~ shall not have any parking within twenty-five feet of the driveway intersection. This area shall be landscaped in accordance with Section 2.309 of the Keizer Development Code. (2/03)
- g. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)

~~2. Vehicular Movement (2/03)~~

- ~~a. Encourage traffic to enter and exit the development at locations other than Tepper Lane. (2/03)~~

3.2 Crime Prevention and Security (2/03)

Crime prevention shall be considered in the site design through application of all of the following guidelines: (2/03)

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- a. Territoriality – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and (2/03)

- b. Natural Surveillance – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and (2/03)

- c. Activity Support – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and (2/03)

- d. Access Control – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or (2/03)

- e. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)

4.3 Reduced Parking (2/03)

Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood

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of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City. (2/03)

5.4 Creating and Protecting Public Spaces (2/03)

- a. The development provides an appropriate amount of public space as determined by the City Council in addition to sidewalks and landscaping. (2/03)
- b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council. (2/03)

6.5 Human Scaled Building Design (2/03)

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking. (2/03)

- ~~7. The Village within Area A shall contain a public improvement design to include a promenade/sidewalk design that may vary in width to meet a minimum width of 8 feet on both sides of Radiant Drive. The promenade/sidewalk shall be separated from the street with a landscape belt, to include decorative lighting and trees. (2/03)~~

~~The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)~~

3.113.05 Conditions of Approval

The City may attach conditions to any development within an Activity Center to achieve the following objectives: (2/03)

- A. Transit Orientation. The development shall emphasize transit usage by residents, employees and customers. This may require: (2/03)
 1. Orienting building and facilities towards transit services. (2/03)
 2. Minimizing transit/auto conflicts. (2/03)

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3. Encouraging transit supportive uses. (2/03)
 4. Minimizing walking distance to transit stops. (2/03)
 5. Avoiding excess parking areas. (2/03)
 6. Encouraging shared parking and structures or under-structure parking.
- B. Pedestrian/Bicycle Circulation. The development shall facilitate pedestrian/bicycle circulation. This may require: (2/03)
1. Providing efficient, convenient, and continuous pedestrian and bicycle transit circulation systems, linking developments with the Activity Center facilities, and surrounding development. (2/03)
 2. Separating auto and truck circulation and activities from pedestrian areas. (2/03)
 3. Pedestrian-oriented design. (2/03)
 4. Pedestrian amenities. (2/03)
 5. Bicycle parking. (2/03)
 6. Outdoor lighting. (2/03)
- C. Coordination. Coordination of development within an Activity Center area. This may require: (2/03)
1. Continuity and/or compatibility of landscaping, circulation, access, public facilities, and other improvements. (2/03)
 2. Siting and orientation of land uses. (2/03)
 3. Frontage roads or shared access. (2/03)
- D. Compatibility. Developments within the Activity Center should be compatible with, and complement the surrounding neighborhood. This may require: (2/03)
1. Sensitive use of landscaping, building heights, building scale, materials, lighting, circulation systems, and architectural features. (2/03)

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2. Buffering of adjacent residential uses. (2/03)
-
- E. Other Conditions. The Council may impose other conditions of approval it deems appropriate for the health, safety, and welfare of the citizens of Keizer or to ensure the desired implementation of the approved master plan. (2/03)
 - F. Traffic Impact. To minimize congestion and traffic impact within the development and in adjacent areas. (2/03)

AREA B – RETAIL SERVICE CENTER

I. PURPOSE AND OBJECTIVES

A. **Purpose.** Area B – Retail Service Center (12.5 acres) is envisioned to offer community supporting retail services such as a food store, personal services and specialty retail. In addition, the plan proposes the completion of Dennis Ray Avenue to complete the residential neighborhood nearby. In addition to the permitted uses, a Transit Station (bus service or commuter rail service) is allowed as a Conditional Use in the CR zone consistent to Section 2.4 of the Keizer Development Code.

Key issues that will need to be considered as Area B develops include:

- Site access;
- Buffering between adjacent residential areas; and
- Traffic operations on Lockhaven.

B. **Objectives:** Development in Area B will be focused on achieving the following objectives:

- Complete residential neighborhood on Dennis Ray Avenue and provide a pedestrian and bicycle connection to nearby commercial activities;
- Provide convenient retail opportunities for nearby residential areas;
- Create a landscape buffer along the northern edge of the site; and
- Protect traffic operations on Lockhaven Drive and McLeod Lane.
- Location and operation of future Commuter Rail Transit Station.

C. **Base Zones:** In order to achieve Area B Development Objectives, the Comprehensive Plan designation for property within the Area B shall be Low Density Residential for those properties zoned Single Family Residential and Commercial for the property zoned Commercial Mixed (CM). Property within Area B shall be zoned as follows:

Zoning	Acres
Commercial Mixed Use (CM)	11.4
Single Family Residential (RS)	1.1

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