



Oregon

Theodore R. Kubongoski, 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

11/13/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Vernonia Plan Amendment
DLCD File Number 001-12

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: Tuesday, November 27, 2012

This amendment was submitted to DLCD for review prior to adoption 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: Carole Connell, City of Vernonia
Gordon Howard, DLCD Urban Planning Specialist
Patrick Wingard, DLCD Regional Representative

<paa> YA

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DLCD

DEPT OF

Notice of Adoption

NOV 07 2012

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

**LAND CONSERVATION
AND DEVELOPMENT**
For DLCD Use Only

Jurisdiction: *CITY OF VERNONIA* Local file number: *PA 12-01 Parking Standards*
 Date of Adoption: Date Mailed:
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date:
 Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other:

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

Amends existing parking requirements to provide flexibility + reduce downtown parking requirements. Establishes a parking fund for operation of public parking lots

Does the Adoption differ from proposal? Please select one

Not substantially

Plan Map Changed from: to:
 Zone Map Changed from: *NA* to: *NA*
 Location: Acres Involved:
 Specify Density: Previous: New:

Applicable statewide planning goals:
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing? Yes No
 If no, do the statewide planning goals apply? Yes No
 If no, did Emergency Circumstances require immediate adoption? Yes No

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

Local Contact: CAROL CONNELL Phone: 503)429 5291 Extension:
Address: VERNONIA CITY HALL Fax Number: - -
City: Zip: E-mail Address: Connellpc@comcast.net

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 Complete Copies** (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
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 now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

Section 3: [Effective Date] Under the provisions of the City of Vernonia Charter of 1998, Chapter VIII, the Council finds it may provide two readings at the same hearing and that this ordinance may take effect in 30 days from the date of decision, and;

Section 3 Council Clerk's Duties: The Council Clerk is hereby directed, upon its adoption and authentication, to number this Ordinance as the next adopted ordinance of the City of Vernonia.

(Must be read in full if requested)

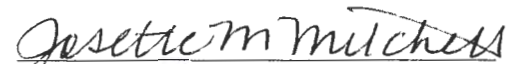
First reading as read by title only this 5th day of November, 2012, by the following vote:

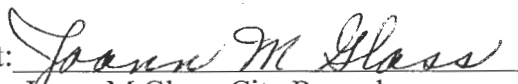
AYES: 5 NAYS: 2 ABSTAIN: 2 ABSENT: 2

Second Reading adopted as read by title only for a second time on this 5th day of November, 2012 by the following vote:

AYES: 5 NAYS: 2 ABSTAIN: 2 ABSENT: 2

Signed by me, Josette Mitchell, Mayor, in authentication of its adoption this 5th day of November, 2012


Josette Mitchell, Mayor

Attest: 
Joann M Glass, City Recorder

Proposed Amendments to Title 9 Section 9-01.04-50 Off - Street Parking Requirements (underlined words are proposed to be added and words with a strike-thru are to be deleted from the existing standards)

A. Purpose. The purpose of the parking standards is to:

1. Ensure that parking facilities are properly designed and located in order to meet the parking needs created by specific uses;
2. Promote efficiency and safety in the design and location of parking facilities; and
3. Protect surrounding land uses from adverse impacts commonly associated with parking.
4. Provide for public parking on city-owned unbuildable flood-prone parcels in suitable locations.

B. Applicability. At the time a new structure is erected or the use of an existing structure is changed, off-street parking spaces, loading areas, and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established except as provided herein.

Exceptions:

1. A development that met the parking requirements at the time it was approved but that does not have sufficient parking spaces to meet the current requirements may continue to operate with the parking deficiency as long as no enlargement or land use change is made that would require additional parking spaces;
2. When a development with nonconforming parking is enlarged so as to require additional parking spaces, the requirements herein shall only apply to the enlargement.
3. Waiver of requirements
 - a. Fee in Lieu of Parking Spaces.

Within the downtown core only, defined as the DT Zone boundary, the City Administrator (or his/her designee) may waive all or part of the off-street parking requirements prescribed in this section, upon written request from the applicant to pay a fee in lieu of providing the required parking spaces. In making a determination the administrator shall consider:

- (1) The extent to which the parking requirements which apply to the proposed development impose a particular hardship upon the applicant;
- (2) Whether granting the request would be unreasonably burdensome to other property owners in the downtown core area; and
- (3) Whether granting the request would lead to a better overall result than would strict adherence to the parking requirements of this section for the purposes of encouraging appropriate land uses, improving pedestrian circulation and achieving better parking design.
- (4) Decision. If the waiver is denied by the City Administrator (or designee) the applicant may request an alternative Type II review procedure in accordance with Title 09 Section 9-01.10-30.

b. Parking Fee Applicability.

- (1) The fee to be paid in lieu of providing the required parking spaces shall be \$10 per space not provided for every new and existing business or residence in the DT zone, including residential units within a commercial mixed use building. The fee shall be paid annually with the annual city business license.
- (2) Credit for on-street parking: The number of spaces required for a business or residence may be reduced to account for existing on-street parking spaces by applying a parking stall credit that is equitably given to each use in accordance with a methodology developed by the City. (The fee will begin July 2013 after the City has determined the number of spaces required per building and how the credit is to be applied.)

c. Parking Fund.

The money will be set aside in a fund exclusively for the acquisition, development, operation or maintenance of public parking spaces and lots in or adjacent to the downtown core consistent with public parking projects set forth in the Vernonia Capital Master Plan (CMP). The City Council may from time to time direct that other moneys be transferred into the fund to be used for the purposes of the fund.

C. Parking space requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.

D. In the event several uses occupy a single structure or parcel of land, the total requirements shall be the sum of the requirements of the several uses computed separately.

E. Owners of two (2) or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap,

provided that satisfactory legal evidence is presented to the Planning Commission in the form of deeds, leases, contracts or similar written instrument to establish the joint use.

F. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

G. Areas used for standing and maneuvering of vehicles shall have durable surfaces maintained adequately for all-weather use and be so drained as to avoid flow of water across public sidewalks.

H. Except for parking to serve dwelling uses or for FEMA regulated parcels used for parking, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than five (5) nor more than six (6) feet in height except where vision clearance is required.

I. Parking spaces along the outer boundaries of a lot shall be contained by a curb or bumper rail at least four (4) inches high and set back a minimum of four and one-half (4 ½) feet from the property lines. FEMA regulated parcels used for parking are not required to provide bumper rails.

J. Parking spaces shall be identified by striping or a physical barrier or a combination of the two. FEMA regulated parcels used for parking may have a gravel surface and therefore cannot be striped nor are they required to be identified by a physical barrier.

K. Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on any adjacent dwelling.

L. Groups of more than four (4) parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street other than an alley, will be required.

M. Passenger Loading- A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity greater than twenty-five (25) students.

N. Loading of Merchandise, Materials, or Supplies – Buildings or structures which receive and distribute materials or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. Off-street or on-street parking areas used to fulfill the requirements of this code may be used for loading and unloading operations during periods of the day when not required to take care of parking needs.

1. Off-Street Parking Space Requirements:

1. Dwelling:	Two (2) spaces for each dwelling unit;
2. Boarding, lodging, or rooming house:	One (1) space for each guest accommodation;
3. Motel, hotel, or group cottages:	One (1) space for each guest accommodation;
4. Hospital, nursing home, or similar institution:	One (1) space for each patient/guest accommodation;
5. Church, club, or similar place of assembly:	One(1) space for each four (4) seats, or one (1) space for each fifty (50) square feet of floor area used for assembly;
6. Daycare:	Two (2) spaces per teacher
7. Library:	One (1) space for each three hundred (300) square feet of floor area;
8. School	0.2 spaces per student and staff <i>capacity</i> , plus a of 25% for legally documented shared parking;
9. Dancehall, skating rink:	One (1) space for each seventy five (75) square feet of floor area;
10. Bowling alley:	Six (6) spaces for each alley;
11. Retail store, eating and drinking establishment:	One (1) space for the first two <u>five</u> hundred (200)-(500) square feet of floor area, and one space for each additional 400 <u>200</u> square feet;
12. Restaurants & bars:	Eight (8) spaces per 1000 square feet
13. Service or repair shop, retail store Handling bulky merchandise such as automobiles and furniture:	One (1) space for each six hundred (600) square feet of floor area;
14. <u>Equipment Sales & Storage/Self Storage:</u>	One (1) space for each 800 square feet of floor area
15. Bank, office:	One (1) space for each five hundred (500) square feet of floor area;
16. Medical and dental clinic:	One (1) space for each one <u>three</u> hundred (400) <u>(300)</u> square feet of floor area;
17. Warehouse, storage, floor and wholesale business:	One (1) space for each two thousand (2,000) square feet of or storage area;
18. Manufacturing establishment:	One (1) space for each one thousand (1,000) square feet of floor area.

O. Compact parking spaces: No more than 25% of the parking spaces in a parking area or lot may be allocated to compact car parking. No compact car spaces are allowed in a parallel parking configuration.

P. Dimensional requirements: The minimum parking space and aisle dimensions for the most common parking angles are shown in the Parking Configurations illustrated in this section below. For parking angles and configurations other than those shown, the minimum parking space length and driving aisle dimensions shall be determined by the Planning Director. Regardless of the parking angle, one-way aisles shall be at least 16 feet wide, and two-way aisles shall be at least 22 feet wide.

Q. Handicapped ADA parking spaces: In accordance with the Oregon Structural Specialty Code (OSSC) off-street ADA parking spaces shall be provided and designed for the handicapped or disabled, except as may be exempted by subsection B. in this chapter.

ORDINANCE No. 886

**AN ORDINANCE OF THE CITY OF VERNONIA AMENDING TITLE 9
SECTION 9-01.04-50 OFF-STREET PARKING AND LOADING
REQUIREMENTS OF THE VERNONIA MUNICIPAL CODE**

The City of Vernonia Ordains:

WHEREAS, in 2001, 2008, and 2010 the City identified a need to study parking conditions in the downtown core and the inconsistent administration of the off-street parking requirements in Title 9 Section 9-01.04-50 Off-Street Parking and Loading Requirements and;

WHEREAS, over the course of several years the Planning Commission completed their review of File # PA12-01, held a Public Hearing on June 7, 2012 and forwarded draft amendments to Title 9 Section 9-01.04-50 Off-Street Parking and Loading Requirements to the City Council, and;

WHEREAS, the Vernonia City Council held a public hearing in the Council Chambers of City Hall on July 16, August 17 and October 15, 2012 to consider the Section 9-01.04-50 Off-Street Parking and Loading amendments, in accordance with Title 9 Section 9-01.09 Text Amendments;

WHEREAS, no objections were filed with the City Recorder but all comments were heard and considered at the public hearings; and the public will benefit from equitable parking provisions for all businesses and the use of unbuildable public parcels for public parking, and there is no prejudice to the public based on the hearing proceedings and the findings in the City Staff Reports dated May 31, July 10, and September 13, 2012, and;

WHEREAS, the Vernonia City Council upon consideration of all testimony, comments, the staff reports and findings, and a Council work session on October 12, 2012 and other documentation of File #PA12-01, determined the amendments to Title 9 Section 9-01.04-50 Off-Street Parking and Loading requirements of the Vernonia Municipal Code is appropriate and necessary to better achieve the goals and policies of the City's Comprehensive Plan;

NOW THEREFORE, the City Council of Vernonia does ordain as follows:

Section 1: The City does hereby adopt the amendments to Title 9 Section 9-01.04-50 Off-Street Parking and Loading requirements according to the text attached as Exhibit A, and;

Section 2: The City does hereby amend Title 9 Section 9-08 Habitation of Travel trailers according to the text attached as Exhibit A, and;

Section 3: [Effective Date] Under the provisions of the City of Vernonia Charter of 1998, Chapter VIII, the Council finds it may provide two readings at the same hearing and that this ordinance may take effect in 30 days from the date of decision, and;

Section 3 Council Clerk's Duties: The Council Clerk is hereby directed, upon its adoption and authentication, to number this Ordinance as the next adopted ordinance of the City of Vernonia.

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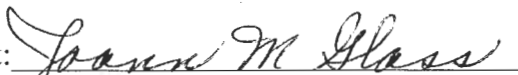
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City of Vernonia
1001 Bridge Street
Vernonia, OR 97064

POSTAGE AND FEE SERVICE REQUESTED



US POSTAGE

\$ 01.00

First-Class

Mailed From 97064

11/06/2012

032A 0061802470

DEPT OF

NOV 07 2012

LAND CONSERVATION
AND DEVELOPMENT

*Attn: Plan Amendment Specialist
Dept. of Land Conservation & Develp.
635 Capital St. N. E Suite 150
Salem OR 97301-2540*