



# Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 12/05/2014  
Jurisdiction: City of Corvallis  
Local file no.: LDT14-00001 / LDT14-  
DLCD file no.: 003-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/03/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

<b>FOR DLCD USE</b>	
File No.:	003-14 {22460}
Received:	12/3/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption**. (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Corvallis

Local file no.: **LDT14-00001 / LDT14-00002 / ZDC14-00002**

Date of adoption: 12/1/2014                      Date sent: 12/2/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 9/10/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes    No  
If yes, describe how the adoption differs from the proposal:

**Minor changes to purpose statements, implementation and development standards in the new University Neighborhoods Overlay chapter 3.34 were made during the Planning Commission and City Council public hearings / deliberations.**

Local contact (name and title): Jason Yaich, Associate Planner

Phone: 541-766-6577

E-mail: [jason.yaich@corvallisoregon.gov](mailto:jason.yaich@corvallisoregon.gov)

Street address: 501 SW Madison Ave

City: Corvallis

Zip: 97333-

**PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY**

**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

**For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- |             |    |        |  |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

AMEND Chapters 1.4 (Nonconforming Development), 1.6 (Definitions), 2.2, 2.2, 2.3, 2.4, 2.5, 2.6, 2.10, 2.12 (Lot Development Option), 2.14, 3.1, 3.2, 3.3, 3.4, 3.6, 3.8 (High Density Residential (RS-20)), 3.9 (Mixed Use Residential (MUR) Zone), 3.10, 4.0, 4.9 (Additional Provisions), and 4.10 (Pedestrian Oriented Design Standards), DELETE Chapters 3.5 (Medium Density – University (RS-9(U)) and 3.7 (Medium-High Density – University (RS-12(U))); ADD Chapter 3.34 (University Neighborhoods Overlay);

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from RS-9U	to RS-9	Acres: 65
Change from RS-12U	to RS-12	Acres: 12
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: new University Neighborhoods      Acres added: 555      Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

see attached notices of disposition, adopted ordinances, zone change map, and findings



**Community Development  
Planning Division**  
501 SW Madison Avenue  
P.O. Box 1083  
Corvallis, OR 97339-1083  
(541) 766-6908  
[Planning@corvallisoregon.gov](mailto:Planning@corvallisoregon.gov)

## **CORVALLIS CITY COUNCIL NOTICE OF DISPOSITION**

**ORDER NO. 2014-064**

**CASE:** **LEGISLATIVE AMENDMENT TO THE LAND DEVELOPMENT  
CODE – PACKAGE #2**  
*(LDT14-00002 – DENSITY CALCULATION METHODOLOGY and  
STAFF RECOMMENDATIONS)*

**REQUEST:** Legislative Land Development Code Text Amendment (LDT14-00002) to amend Chapters 1.6 (Definitions), 2.1 (Comprehensive Plan Amendment Procedures), 2.2 (Zone Changes), 2.3 (Conditional Development), 2.4 (Subdivisions and Major Replat), 2.5 (Planned Development), 2.6 (Annexations), 2.10 (Major Neighborhood Center Master Site Plan Requirements), 2.14 (Partitions, Minor Replats, and Property Line Adjustments), 3.1 (Low Density (RS-3.5) Zone), 3.2 (Low Density (RS-5) Zone), 3.3 (Low Density (RS-6) Zone), 3.4 (Medium Density (RS-9) Zone), 3.5 (Medium Density – University (RS-9(U)) Zone), 3.6 (Medium-High Density (RS-12) Zone), 3.7 (Medium-High Density – University (RS-12(U)) Zone), 3.8 (High Density (RS-20) Zone), 3.9 (Mixed Use Residential (MUR) Zone), 3.10 (Extra-Low Density (RS-1) Zone), 3.26 (Research Technology Center (RTC) Zone), 4.0 (Improvements Required With Development), and 4.10 (Pedestrian Oriented Design Standards), associated with a new density calculation methodology and Staff recommended corrections and clarifications.

**APPLICANT:** City of Corvallis  
501 SW Madison Ave  
Corvallis, OR 97333

City Council Decision (LDT14-00002)  
Order No. 2014-064  
Page 1 of 2

**LOCATION** The amended provisions affect development throughout the City.

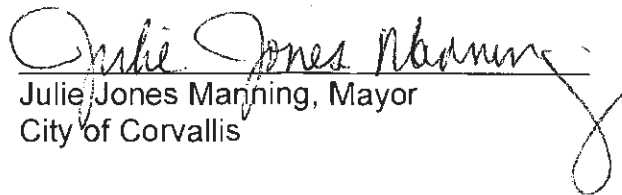
**DECISION** The Corvallis City Council conducted, after proper legal notice, a public hearing concerning this Legislative Amendment to the Land Development Code (LDT14-00002) on November 17, 2014.

After considering public testimony, the City Council deliberated and found that the proposed request, regarding revision of the Land Development Code, should be tentatively approved. On December 1, 2014, the City Council adopted formal findings and Ordinance 2014-19 (**ATTACHMENT A**), to implement the code amendments. The formal findings adopted by the City Council on December 1, 2014, are attached to this Notice of Disposition (**ATTACHMENT B**).

If you wish to appeal the decision regarding this Legislative Amendment to the Land Development Code, an appeal must be filed with the State Land Use Board of Appeals within 21 days from the date the decision is signed by the Mayor.

The proposal, staff report, hearing minutes, memoranda to City Council, and findings and conclusions may be reviewed at the Community Development Department, Planning Division, City Hall, 501 SW Madison Avenue.

December 1, 2014  
Date of Decision

  
Julie Jones Manning, Mayor  
City of Corvallis

**ATTACHMENTS:**

- A. Ordinance 2014-19: (LDT14-00002)
- B. Formal Findings and Conclusions, adopted by City Council on December 1, 2014

**ORDINANCE 2014-19**

**AN ORDINANCE AMENDING ORDINANCE 2006-24, AS AMENDED, TO REVISE THE CORVALLIS LAND DEVELOPMENT CODE (LDT14-00002 – DENSITY CALCULATION METHODOLOGY).**

Whereas, the Planning Commission, after holding a duly advertised public hearing on October 15, 2014, has forwarded its recommendation to the City Council concerning a request for a Text Amendment to the Land Development Code;

Whereas, on October 15, 2014, the Planning Commission recommended that the City Council approve the request to amend Land Development Code Chapters 1.6, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.10, 2.14, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.26, 4.0, and 4.10, consistent with recommendations provided by Staff;

Whereas, the City Council held a duly-advertised public hearing concerning the proposed Text Amendment to the Land Development Code on November 17, 2014, and interested persons and the general public were given an opportunity to be heard;

Whereas, the Council has reviewed the public testimony and the recommendations of the Planning Commission and City Staff, deliberated on the matter, and made a preliminary decision to approve the proposed Land Development Code text amendment, subject to adoption of formal findings of fact;

Whereas, findings of fact have been prepared and consist of the formal findings, entered into the record at the December 1, 2014, City Council meeting, and adopted by the City Council through a separate motion;

Whereas, the final version of this Land Development Code Text Amendment is attached hereto as Exhibit A;

Whereas, the City Council finds that the burden of proof has been met;

Whereas, the City Council finds that the public necessity, convenience, and general welfare require such Amendment; and

Whereas, the City Council finds that the proposal conforms with the Corvallis Comprehensive Plan and other applicable policies;

NOW THEREFORE, THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

**Section 1.** Chapters 1.6 (Definitions), 2.1 (Comprehensive Plan Amendment Procedures), 2.2 (Zone Changes), 2.3 (Conditional Development), 2.4 (Subdivisions and Major Replat), 2.5 (Planned Development), 2.6 (Annexations), 2.10 (Major Neighborhood Center Master Site Plan Requirements), 2.14 (Partitions, Minor Replats, and Property Line Adjustments), 3.1 (Low Density (RS-3.5) Zone), 3.2 (Low Density (RS-5) Zone), 3.3 (Low Density (RS-6) Zone), 3.4 (Medium Density (RS-9) Zone), 3.5 (Medium Density – University (RS-9(U)) Zone), 3.6 (Medium-High Density (RS-12) Zone), 3.7 (Medium-High Density – University (RS-12(U)) Zone), 3.8 (High Density (RS-20) Zone), 3.9 (Mixed Use Residential (MUR) Zone), 3.10 (Extra-Low Density (RS-1) Zone), 3.26 (Research Technology Center (RTC) Zone), 4.0 (Improvements Required With Development), and 4.10 (Pedestrian Oriented Design Standards), of the Land Development Code are amended as shown by the provisions contained in Exhibit A, and by this reference, the exhibit is incorporated within the ordinance as if it were fully set out.

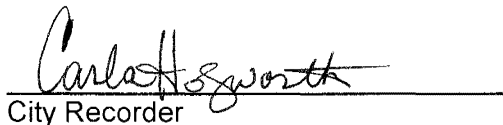
PASSED by the Council this 1st Day of December, 2014.

APPROVED by the Mayor this 1st Day of December, 2014.

Effective the 11th Day of December, 2014.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

# **LDT14-00002 – Package # 2 Land Development Code Text Amendments**

## Density Calculation Methodology and Staff Recommended Corrections / Clarifications

### **Article I**

#### **Chapter 1.6 - Definitions**

Area, Gross - Total area of a Development Site, usually expressed in acres.

Area, Net - Total area of a Development Site, usually expressed in acres and excluding proposed public street rights-of-way and, if a developer desires, excluding public parks, Significant Natural Feature areas dedicated to the public, land dedicated for other public purposes, and/or other areas permanently precluded from development due to development constraints or conservation easements.

#### Density Calculation

- a. Density, Gross - Number of dwelling units per gross area, in acres. See definition for Area, Gross.
- b. Density, Net - Number of dwelling units per net area, in acres. See definition for Area, Net.
- c. Maximum Density -

As specified in Chapter 2.14, in relation to Minor Partitions, Minor Replats, and Property Line Adjustments, and also in conjunction with development proposals on existing properties, maximum density is determined based on the Minimum Lot Size requirements established within a Zone. For each proposed dwelling unit, the subject property must contain at least the Minimum Lot Size specified within the Zone.

As specified in Chapter 2.4, in relation to Subdivisions and Major Replats, maximum density is determined based on the Gross Density of the proposed development. Consequently, resultant lot sizes may be less than the Minimum Lot Size otherwise specified in a zone. When a fractional result is equal to or greater than 0.5, an additional dwelling unit shall be allowed, but shall not be allowed when a fractional result is less than 0.5. The formula will be as follows:

Gross Area (expressed in acres) X Maximum Density per Acre established  
for the Zone = Maximum Density



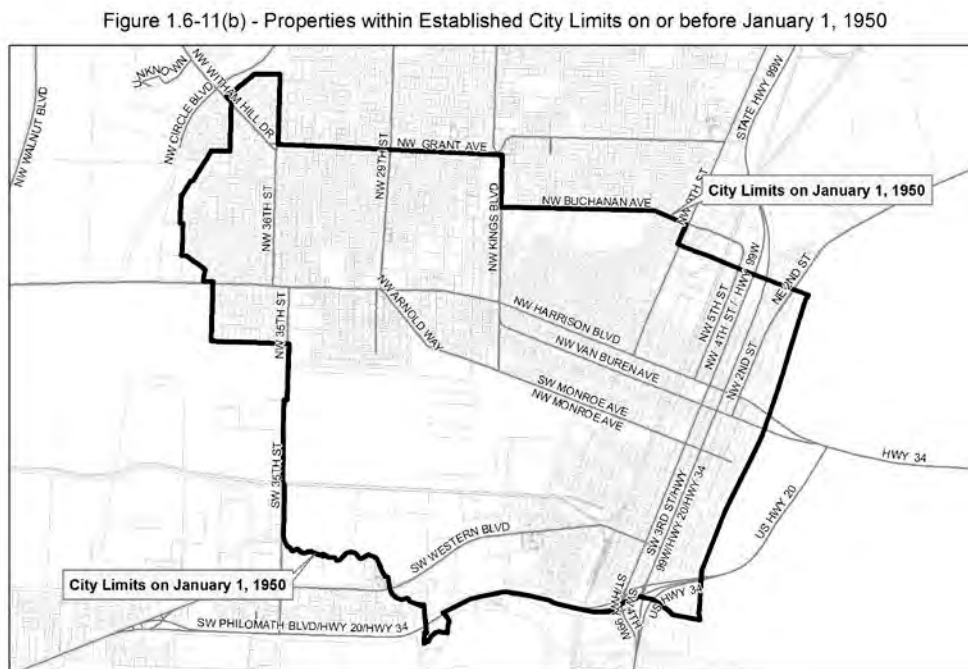
- d. Minimum Density – Minimum Density shall be calculated based on the Net Area within a development site, per the definition of Area, Net in this Chapter. The formula shall be as follows:

$$\text{Net Area (expressed in acres)} \times \text{Minimum Density per Acre established for the Zone} = \text{Minimum Density}$$

Fractional results from this calculation shall be treated as follows:

When the sum of the dwelling units is a fraction of a dwelling unit, the following adjustments to the Density Calculation apply:

1. Development occurring on properties within the established City Limits on or before January 1, 1950 (see Figure 1.6-11(b)): When the fraction is equal to or greater than 0.5, an additional dwelling unit is allowed, but not required. If the fraction is less than 0.5, an additional dwelling unit shall not be allowed.
2. In All Other Areas: When the sum of the dwelling units is a fraction of a dwelling unit, and the fraction is equal to or greater than 0.5, an additional dwelling unit shall be required (minimum density). If the fraction is less than 0.5, an additional dwelling unit shall not be required (minimum density).



**Lot Line, Rear** - As shown below in Figure 1.6-20.a - Rear Lot Line, lot line or lines most distant from and generally opposite the front lot line. In the case of an interior triangular lot or a lot with more than four sides, however, the rear lot line is a straight line 10 feet in length that:

- a. Runs parallel to the front lot line or its chord; and
- b. Intersects the other lot lines at points most distant from the front lot line.

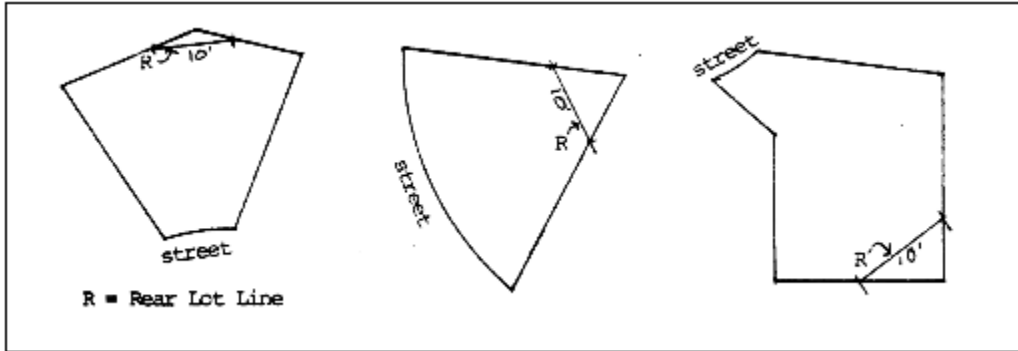
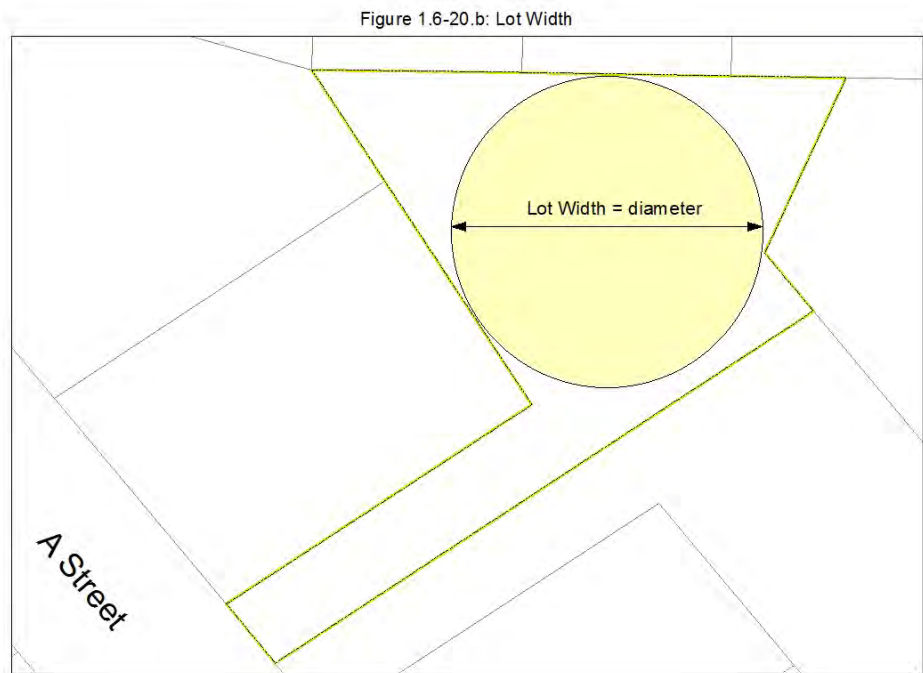


Figure 1.6-20.a – Rear Lot Line

**Lot Width** - The diameter of the largest circle that can be inscribed within the boundary of a lot of record (See Figure 1.6-20.b).



## Article II - Administrative Procedures

### Chapter 2.1 – Comprehensive Plan Amendment Procedures

#### 2.1.30.03 - Application Requirements

- k. A traffic impact study shall be required in accordance with Section 4.0.60.a;

### Chapter 2.2 – Zone Change

#### 2.2.40.02 - Application Requirements

- a. **General Requirements**

- 11 A traffic impact study shall be required in accordance with Section 4.0.60.a; and

### Chapter 2.3 – Conditional Development

#### 2.3.30.01 - Application Requirements

- g. **Narrative Requirements**

A written statement shall include the following information:

- 5. A traffic impact study shall be required in accordance with Section 4.0.60.a;

### Chapter 2.4 – Subdivisions and Major Replats

#### 2.4.30.01 - Application Requirements

- g. **Narrative Requirements**

- 5. Traffic impact study - A traffic impact study shall be required in accordance with Section 4.0.60.a.

#### 2.4.30.04 - Review Criteria

- b. **Residential Subdivisions** - Requests for the approval of a Residential Tentative Subdivision Plat shall be reviewed to ensure consistency with the clear and objective approval standards contained in the following: the City's development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards. Additionally, the following

criteria shall be met for Residential Subdivisions and the application shall demonstrate adherence to them:

5. Density within Residential Subdivisions shall be determined based on the Gross Density of the proposed development, as defined in Chapter 1.6, and as discussed in the definition of “Density Calculation” within the same chapter. The resultant overall density of the Subdivision shall be within the density range established for the Zone. Based on this methodology, resultant lot sizes may be smaller or larger than the specified Minimum Lot Size within a Zone, but created lots shall comply with all other applicable standards within the Zone (such as Lot Width requirements) and with other land division requirements. The land use decision shall clearly identify the approved density (number of dwelling units allowed) for each lot;

## Section 2.4.40 - FINAL SUBDIVISION PLAT REVIEW PROCEDURES

### 2.4.40.01 – Application Requirements

#### **o. For Residential Development -**

4. The land use decision shall clearly identify and require deed restrictions to be recorded with the plat noting the approved density (number of dwelling units allowed) for each lot.

## **Chapter 2.5 – Planned Development**

### 2.5.40.01 - Application Requirements

#### **g. Narrative Requirements**

5. A traffic impact study shall be required in accordance with Section 4.0.60.a;

## **Chapter 2.6 – Annexations**

### 2.6.30.03 - Application Requirements

#### **i. Narrative Requirements**

4. A traffic impact study shall be required in accordance with Section 4.0.60.a;

## Chapter 2.10 – Major Neighborhood Center Master Site Plan Requirements

### 2.10.40.01 - Application Requirements

#### g. Narrative Requirements

5. A traffic impact study shall be required in accordance with Section 4.0.60.a; and

## Chapter 2.14 – Partitions, Minor Replats, and Property Line Adjustments

### 2.14.30.01.d - Application Requirements

15. Traffic Impact Study - A traffic impact study shall be required in accordance with Section 4.0.60.a.

### 2.14.30.05 - Review Criteria

Requests for approval of a Tentative Partition Plat shall be reviewed to ensure:

#### b. Residential Partitions - Requests for the approval of a Tentative Partition Plat shall be reviewed to ensure:

2. The following criteria are met for Residential Partitions and the application demonstrates adherence to them:
  - b) Consistency with the density requirements of the zone (maximum density for Minor Partitions and Minor Replats is determined based on the Minimum Lot Size standards for each residential Zone. Each created lot must meet or exceed the minimum lot size. Additionally, Minor Partitions and Minor Replats of properties that were created by Subdivision or Major Replat subsequent to (adoption date) may only be approved if the resultant density within the entire Subdivision or Major Replat remains within the specified density range of the Zone.);

## Article III - Development Zones

### Chapter 3.1 - Low Density (RS-3.5) Zone

#### Section 3.1.30 - RS-3.5 DEVELOPMENT STANDARDS

**Table 3.1-1**

	Standard
a. Minimum Density*	2 units per acre
b. Maximum Density*	6 units per acre
c. Minimum Lot Area**	7,260 sq. ft.

	<b>Standard</b>
<p>*Minimum and Maximum Densities, as calculated in relation to specific development proposals, are determined consistent with the definition of “Density Calculation” in Chapter 1.6</p> <p>** Lots created through the Subdivision or Major Replat process in Chapter 2.4 may contain lot sizes smaller than the specified minimum lot size, so long as the gross density of the Subdivision or Major Replat is within the specified density range for the zone. Consequently, resultant densities within the overall zone are anticipated to be within the specified density range for the Zone.</p>	
<b>d.</b> Minimum Lot Width	65 ft.

### Chapter 3.2 – Low Density (RS-5) Zone

#### Section 3.2.30 - RS-5 DEVELOPMENT STANDARDS

**Table 3.2-1**

	<b>Standard</b>
<b>a.</b> Minimum Density*	2 units per acre for existing platted lots as of December 31, 2006; however, all new Residential Subdivisions and Planned Developments in this zone shall achieve a minimum density of 3 units per dwelling acre.
<b>b.</b> Maximum Density*	6 units per acre
<b>c.</b> Minimum Lot Area **	6,000 sq. ft. per dwelling unit
<p>*Minimum and Maximum Densities, as calculated in relation to specific development proposals, are determined consistent with the definition of “Density Calculation” in Chapter 1.6. In some cases, resultant densities, as calculated on a property-specific basis, may exceed the general density range for the zone. However, resultant densities within the overall zone are anticipated to be within the specified density range.</p> <p>** Lots created through the Subdivision or Major Replat process in Chapter 2.4 may contain lot sizes smaller than the specified minimum lot size, so long as the gross density of the Subdivision or Major Replat is within the specified density range for the zone.</p>	

### Chapter 3.3 – Low Density (RS-6) Zone

#### Section 3.3.30 - RS-6 DEVELOPMENT STANDARDS

**Table 3.3-1**

	<b>Standard</b>
<b>a.</b> Minimum Density*	2 units per acre for existing platted lots as of December 31, 2006; however, all new Residential Subdivisions and Planned Developments in this zone shall achieve a minimum density of 4 dwelling units per acre.
<b>b.</b> Maximum Density *	6 units per acre
<b>c.</b> Minimum Lot Area **	Subdivisions or Major Replats greater than 5 acres in size in this zone shall provide a minimum of 10 percent of the residential lots within the range of 2,500 - 3,500 sq. ft. Remaining lots within the development shall achieve the minimum lot size listed below:  5,000 sq. ft. per dwelling unit
<p>*Minimum and Maximum Densities, as calculated in relation to specific development proposals, are determined consistent with the definition of “Density Calculation” in Chapter 1.6. In some cases, resultant densities, as calculated on a property-specific basis, may exceed the general density range for the Zone. However, resultant densities within the overall zone are anticipated to be within the specified density range.</p> <p>** Lots created through the Subdivision or Major Replat process in Chapter 2.4 may contain lot sizes smaller than the specified minimum lot size, so long as the gross density of the Subdivision or Major Replat is within the specified density range for the Zone.</p>	

### Chapter 3.4 – Medium Density (RS-9) Zone

#### Section 3.4.30 - RS-9 DEVELOPMENT STANDARDS

**Table 3.4-1**

	<b>Standard</b>
<b>a.</b> Minimum Density *	6 units per acre. Applies to the creation of Land Divisions.
<b>b.</b> Maximum Density *	12 units per acre. Applies to the creation of Land Divisions.
<b>c.</b> Minimum Lot Area **	3,630 sq. ft. per dwelling unit

	<b>Standard</b>
<p>*Minimum and Maximum Densities, as calculated in relation to specific development proposals, are determined consistent with the definition of “Density Calculation” in Chapter 1.6.</p> <p>** Lots created through the Subdivision or Major Replat process in Chapter 2.4 may contain lot sizes smaller than the specified minimum lot size, so long as the gross density of the Subdivision or Major Replat is within the specified density range for the Zone. Consequently, resultant densities within the overall Zone are anticipated to be within the specified density range.</p>	

### Chapter 3.6 – Medium-High Density (RS-12) Zone

#### Section 3.6.30 - RS-12 DEVELOPMENT STANDARDS

**Table 3.6-1**

	<b>Standard</b>
<b>a.</b> Minimum Density *	12 units per acre. Applies to the creation of Land Divisions.
<b>b.</b> Maximum Density *	20 units per acre. Applies to the creation of Land Divisions.
<b>c.</b> Minimum Lot Area **	2,178 sq. ft. per dwelling unit
<p>*Minimum and Maximum Densities, as calculated in relation to specific development proposals, are determined consistent with the definition of “Density Calculation” in Chapter 1.6.</p> <p>** Lots created through the Subdivision or Major Replat process in Chapter 2.4 may contain lot sizes smaller than the specified minimum lot size, so long as the gross density of the Subdivision or Major Replat is within the specified density range for the Zone. Consequently, resultant densities within the overall Zone are anticipated to be within the specified density range.</p>	

### Chapter 3.8 – High Density (RS-20) Zone

#### Section 3.8.30 - RS-20 DEVELOPMENT STANDARDS

##### 3.8.30.01

**Table 3.8-1**

	<b>Standard</b>
<b>a.</b> Minimum Density	20 units per acre. Applies to the creation of Land Divisions.
<b>b.</b> Maximum Density	No Maximum
<b>c.</b> Minimum Lot Area	None
<b>d.</b> Minimum Lot Width	25 ft.



## Chapter 3.9 – Mixed Use Residential (MUR) Zone

### 3.9.40.03 - MUR Development Standards

**Table 3.9-1**

n.	Landscaping	See Section 3.9.60, below, and Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.
o.	Required Green Area, Private Outdoor Space, and Common Outdoor Space	See Section 3.9.60, below.

## Chapter 3.10 – Extra Low Density (RS-1) Zone

### Section 3.10.30 - RS-1 DEVELOPMENT STANDARDS

**Table 3.10-1**

	Standard	
a.	Minimum Density	0.5 units per acre
b.	Maximum Density	2 units per acre

## Chapter 3.26 – Research Technology Center (RTC) Zone

### Section 3.26.30 - PERMITTED USES

#### 3.26.30.01 - Ministerial Development

- a. Primary Uses Permitted Outright - Consistent with a previously approved Conceptual Development Plan.
  3. Commercial Use Types - with the exception of Temporary Outdoor Markets, the following Use Types are subject to the special limitations specified in Section 3.26.40
- b. Accessory Uses Permitted Outright -

## Article IV - Development Standards

### Chapter 4.0 – Improvements Required With Development

#### Section 4.0.20 - TIMING OF IMPROVEMENTS

- a. **All improvements required by the standards in this Chapter shall be installed concurrently with development, as follows:**

1. Where a Land Division is proposed, each proposed lot shall have required public and franchise utility improvements installed or secured prior to approval of the Final Plat, in accordance with the provisions of Section 2.4.40.08 of Chapter 2.4 - Subdivisions and Major Replats.
2. Where a Land Division is not proposed, the site shall have required public and franchise utility improvements installed or secured prior to issuance of building permits, and in accordance with the applicable provisions of Section 2.4.40.12 of Chapter 2.4 - Subdivisions and Major Replats. Applicable agreements such as a developer's agreement or PIPC security agreement shall accompany any security. Development proposals that require only sidewalk and/or driveway improvements that do not require a PIPC permit may obtain building permits prior to securing or installing the improvements.
3. All required public improvements shall be installed and accepted by the City prior to issuance of a certificate of occupancy. The Director may allow issuance of a temporary certificate of occupancy prior to completion of the public improvements in cases where unusual situations prevent the completion of the public improvements.

#### Section 4.0.60 - PUBLIC AND PRIVATE STREET REQUIREMENTS

**a. Traffic evaluations shall be required of all development proposals in accordance with the following:**

1. All development site proposals shall provide an estimate of site generated trips based on ITE standards. A traffic impact analysis (TIA) is required for any proposal generating 30 or more peak hour trips to an intersection/access. If there are specific safety or capacity issues associated with a site, staff may request those be addressed, regardless of the number of site trips generated. The TIA shall include Level of Service (LOS) analyses for the impacted intersections. A proposed TIA scope with preliminary trip estimates and trips distribution shall be prepared by a registered professional engineer, and submitted to the City Engineer for review and approval based on established procedures. The applicant shall complete the evaluation consistent with the approved scope in accordance with accepted traffic engineering practices and present the results with the site development proposal.

2. If the TIA identifies safety issues or Level of Service (LOS) conditions less than the minimum standard established in the Corvallis Transportation Plan, recommended improvements and funding strategies mitigating the problem shall be included in the TIA, and considered concurrently with a development proposal.
- e. Development sites shall be provided with access from a public street or a private street that meets the criteria in "d," above, both improved to City standards in accordance with the following:**
1. Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrently with development. Where a development site abuts an existing private street not improved to City standards, and the private street is allowed per the criteria in "d", above, the abutting street shall meet all the criteria in "d", above and be improved to City standards along the full frontage of the property concurrently with development.
  2. Full width street improvements, from curb to curb are typically required. Half-width street improvements, from curb to centerline may be approved by the Planning Commission or Director where essential to the reasonable development of the property. Approval for half-width street improvements may be allowed when other standards required for street improvements are met and when the Planning Commission or the Director finds that it will be possible to obtain the dedication and/or improvement of the remainder of the street when property on the other side of the half-width street is developed.
- m. Designated Shopping Streets associated with Minor and Major Neighborhood Centers shall adhere to the following standards -**
1. Prior to designation of a Shopping Street, the applicant shall submit a traffic impact study of the proposal in accordance with the requirements of Section 4.0.60.a.

#### Section 4.0.70 - PUBLIC UTILITY REQUIREMENTS (OR INSTALLATIONS)

- f. Private on-site sanitary sewer and storm drainage facilities may be allowed, provided all the following conditions exist:**

1. Extension of a public facility through the site is not necessary for the future orderly development of adjacent properties;
2. The development site remains in one ownership and Land Division does not occur, with the exception of Land Divisions that may occur under the provisions of Section 4.0.60.d, above; and
3. The facilities are designed and constructed in accordance with the Uniform Plumbing Code and other applicable codes, and permits are obtained from the Development Services Division prior to commencement of work.

## **Chapter 4.10 – Pedestrian Oriented Design Standards**

### Section 4.10.50 - STANDARDS FOR DETACHED SINGLE-FAMILY, TWO-UNIT ATTACHED SINGLE-FAMILY, AND DUPLEX RESIDENTIAL BUILDING TYPES

#### 4.10.50.01 - Building Orientation, Privacy, and Facades Adjacent to Pedestrian Areas

- c. Windows and Doors** - Any facade facing streets, sidewalks, or multi-use paths shall contain a minimum area of 15 percent windows and/or doors. Facades referenced in this provision include garage facades. Garage doors shall not be included as a door for purposes of this requirement. However, windows provided within a garage door can be included when calculating the window percentage requirement. Gabled areas need not be included in the base wall calculation when determining this minimum 15 percent requirement.

#### 4.10.50.02 - Maximum Widths of Street-facing Garages/Carports, Placement, and Materials

- b. Garage and Carport Placement** - Garages and carports shall be placed only as indicated in the options below. The applicant shall indicate the proposed option(s) on plans submitted for building permits. Additionally, measurements may be taken from the second floor of homes, provided the second floor spans across the entire garage/carport.
  6. Basement Garage - Vehicular entrances face the street and garages are located beneath the main floor and front door entrance to the dwelling unit, provided the garage/carport

entrances are flush with or set behind the front wall of the dwelling unit, as shown in Figure 4.10-9 Basement Garage, below. This option addresses the basement garage scenario in hillside areas.



Figure 4.10-9 – Basement Garage

7. Flush Garage with Porch - Vehicular entrances face the street and are flush with or recessed from the front wall of the dwelling, and a front porch is provided with a minimum size of six ft. deep by 10 ft. wide (60 sq. ft.). A minimum of 60 percent of the porch shall be covered to provide weather protection.
  
8. Flush or Recessed Single Car Garage - Vehicular entrances face the street and are flush with or recessed from the front wall of the dwelling, and the garage/carport is a single-car garage/carport that is a maximum of 12 ft. wide. These options are shown below in Figure 4.10-10 - Single Car Garage Access Recessed from Front Wall of Dwelling and in Figure 4.10-11 - Single Car Garage Flush from Front Wall of Dwelling.

Section 4.10.60 - STANDARDS FOR ATTACHED SINGLE-FAMILY DWELLINGS  
THREE UNITS OR GREATER, TOWNHOME, TRIPLEX, FOURPLEX, AND  
APARTMENT RESIDENTIAL BUILDING TYPES

4.10.60.01 - Building Orientation, Entrances, and Facades Adjacent to Pedestrian  
Areas

All building orientations, facades, and entrances shall comply with the following  
standards.

- c. **Windows and Doors** - Any facade facing streets, sidewalks, or multi-use paths shall contain a minimum area of 15 percent windows and/or doors. This provision includes garage facades. Garage doors shall not be included as a door for purposes of this requirement. However, windows provided within a garage door can be included when calculating the window percentage requirement. Gabled areas need not be included in the base wall calculation when determining this minimum 15 percent requirement.

Section 4.10.70 -STANDARDS FOR COMMERCIAL, INDUSTRIAL, AND CIVIC  
DEVELOPMENT

4.10.70.05 - Standards and Menus for Pedestrian Features and Design Variety

b. **Design Standards and Design Variety Menus**

- 6. Windows - The provisions in this Section shall apply to placement and type of windows.

BEFORE THE CITY COUNCIL  
THE CITY OF CORVALLIS

FINDINGS – PACKAGE # 2 TEXT AMENDMENTS  
(DENSITY CALCULATION METHODOLOGY & STAFF RECOMMENDATIONS)

In the matter of a City Council decision to )  
approve a Land Development Code Text ) LDT14-00002  
Amendment. )  
)

PREAMBLE

The matter before the Corvallis City Council is a decision regarding a Land Development Code (LDC) Text Amendment (LDT) to implement changes recommended by staff to address the methodology used in the calculation of residential densities, and to address corrections and clarifications to existing code language.

On October 15, 2014, the Corvallis Planning Commission conducted a hearing on the LDC Text Amendment application (LDT14-00001); and deliberated on the request. The Planning Commission recommended that the City Council approve the LDC Text Amendment application, with minor changes recommended by Staff and the Planning Commission. Written testimony was received following the Planning Commission public hearing and submitted to the City Council on November 12, and November 17, 2014.

The City Council held a duly advertised *de novo* public hearing on the LDC Text Amendment application on November 17, 2014. The City Council deliberated on the proposed text amendments. After consideration of all the testimony and evidence, the City Council unanimously voted to approve the LDC Text Amendment application.

**Applicable Criteria**

All applicable legal criteria governing review of this application are identified in the public notices for the October 15, 2014, and November 17, 2014 public hearings; the Staff Report to the Planning Commission, dated October 8, 2014; additional proposed amendments brought forward by staff, regarding the University Neighborhoods Overlay (LDC Chapter 3.34), as presented in a supplemental Memorandum dated October 13, 2014; the minutes of the Planning Commission hearing and deliberations held on October 15, 2014; the staff memoranda to the City Council dated November 10, 2014, November 12, 2014 (Additional Written Testimony), and November 17, 2014 (Additional Written Testimony); and the minutes and deliberations of the City Council hearing on November 17, 2014.

**FINDINGS AND CONCLUSIONS RELATED TO THE APPROVAL OF THE PACKAGE #2 LAND DEVELOPMENT CODE TEXT AMENDMENT ASSOCIATED WITH STAFF RECOMMENDATIONS FOR THE CALCULATION OF DENSITY AND CODE CORRECTIONS / CLARIFICATIONS (LDT14-00002)**

1. In the Text Amendment application, two categories of amendments were included. The first category covers amendments proposed by staff to address how residential density is calculated. The second category includes recommendations provided by Staff, to address corrections and clarifications to existing code language.
2. The City Council notes that the stated purpose of the Text Amendment application under consideration is to provide a new framework for the way residential density is calculated, by establishing new minimum lot sizes that are more consistent with the density ranges of each Zone, to be applied to residential building permit applications and infill development associated with minor land partitions and minor replats. The Council also notes that the new density calculation methodology includes a more flexible approach for calculating density for residential subdivisions, in areas that have not yet been developed to urban densities, while maintaining consistency with the density ranges prescribed by the Comprehensive Plan.
3. The City Council accepts and adopts findings made in the Staff Report to the Planning Commission, dated October 8, 2014, related to public necessity, convenience and general welfare (pages 47 through 55), compliance with Statewide Planning Goals (pages 45 and 46), and consistency with Corvallis Comprehensive Plan Policies (pages 42 through 45). The City Council adopts as findings those portions of the Minutes of the Planning Commission hearing, dated October 15, 2014, that demonstrate support for approving the Text Amendment. The City Council accepts and adopts those findings made in the November 10, 2014, staff memorandum to the City Council that support approving the Text Amendment. The City Council also adopts as findings, those portions of the Minutes of the City Council meeting dated November 17, 2014, that demonstrate support for approving the Text Amendment. The City Council specifically accepts and adopts as findings the rationale given during deliberations held on November 17, 2014, by Council Members expressing their support for approving the Text Amendment. All of the above-referenced documents shall be referred to in these findings as the "Incorporated Findings". The findings below, (the "supplemental findings"), supplement and elaborate the findings contained in the materials noted above, all of which are incorporated herein, by reference. When there is a conflict between the supplemental findings and the Incorporated Findings, the supplemental findings shall prevail.
4. The City Council notes that during the November 17, 2014 meeting, the Council deliberated on the application.



5. The Council finds the text amendment is consistent with the applicable criteria.
6. The City Council notes the record contains all information needed to evaluate the Text Amendment decision for compliance with the relevant criteria.
7. The City Council notes that the Incorporated Findings list all of the applicable approval criteria, and demonstrate compliance with these approval criteria. These supplemental findings elaborate upon and clarify the Incorporated Findings, and primarily address issues raised in support of the text amendment. These supplemental findings, like the Incorporated Findings, are grouped into three categories (LDC Criteria, Statewide Planning Goals, and Comprehensive Plan Policies) which facilitate a comprehensive and cohesive review of the applicable criteria.

**I. Land Development Code Text Amendment Criteria**

1. The City Council notes that the process and applicable criteria for evaluating proposed LDC Text Amendments are found in LDC Section 1.2.80 – Text Amendments, which is provided below.

**Section 1.2.80 - TEXT AMENDMENTS**

**1.2.80.01 - Background**

**This Code may be amended whenever the public necessity, convenience, and general welfare require such amendment and where it conforms with the Corvallis Comprehensive Plan and any other applicable policies.**

**1.2.80.02 - Initiation**

**An amendment may be initiated through one of the following methods:**

- a. Majority vote of the City Council; or
- b. Majority vote of the Planning Commission.

**1.2.80.03 - Review of Text Amendments**

**The Planning Commission and City Council shall review proposed amendments in accordance with the legislative provisions of Chapter 2.0 - Public Hearings.**

2. The City Council notes that on August 4, 2014, the City Council initiated consideration of the subject Text Amendment, based on an update provided by Staff, of the work and recommendations of the Neighborhood Planning Workgroup and Staff for the Package # 2 LDC Text Amendments. On September 3, 2014, City Staff held a work session with the Planning Commission on items to be included in the Package #2 LDC Amendments. The City Council finds that the initiation of the Text Amendment is consistent with Section 1.2.80.02.
3. The City Council notes that LDC Section 1.2.80.03 requires the Text Amendment to be reviewed by the Planning Commission and the City Council through separate public

hearings. The City Council notes that the Planning Commission held a duly advertised public hearing to review the Text Amendment application on October 15, 2014, and recommended the City Council approve the request, by a vote of 5-1. The Council notes that the City Council held a duly advertised *de novo* hearing on November 17, 2014, and deliberated on the application on November 17, 2014. The City Council notes that these public hearings were conducted in accordance with the legislative provisions of Chapter 2.0 – Public Hearings. The City Council finds that review of the Text Amendment application was consistent with LDC Section 1.2.80.03.

4. The City Council notes that per LDC Section 1.2.80.01, the LDC may only be amended when the public necessity, convenience, and general welfare require such amendment, and where it conforms with the Corvallis Comprehensive Plan and other applicable policies. The City Council notes that in the case of Text Amendments, applicable policies include Oregon's Statewide Planning Goals. The City Council notes that the Text Amendment under consideration was evaluated for consistency with the criteria in LDC Section 1.2.80.01, including applicable Statewide Planning Goals and Corvallis Comprehensive Plan Policies, as identified in the November 10, 2014, Staff Report to the City Council, which included as an Exhibit, the October 8, 2014, Staff Report to the Planning Commission. The City Council notes analysis in the November 10, 2014, Staff Report to the City Council concludes that the Text Amendment application, is consistent with LDC Section 1.2.80.01, and conforms to applicable Comprehensive Plan policies and Statewide Planning Goals. As explained below, the City Council concurs with the Staff analysis and finds that the Text Amendments under consideration are in the interest of public necessity, convenience, and general welfare, per Section 1.2.80.01.

#### Statewide Planning Goals

1. The City Council finds the following Oregon Statewide Planning Goals apply to the subject text amendments.

Goal 1 – Citizen Involvement

Goal 2 – Land Use Planning

Goal 10 – Housing

Goal 14 - Urbanization

2. The City Council notes that the Text Amendment application was reviewed through two separate public hearings (Planning Commission and City Council), which provided the opportunity for public participation in the planning process. Public notices were provided for both hearings, consistent with state and local noticing requirements. The City Council notes that in reaching a decision, public testimony, comprehensive

plan policies, and applicable LDC review criteria were considered. By following the required public hearing processes and evaluating the application against applicable review criteria, the City Council finds that Statewide Planning Goal 1 – Citizen Involvement and Goal 2 – Land Use Planning were achieved.

3. The City Council notes that development of housing is an important component of the local economy, and fulfills a need by providing housing for the populace of Corvallis. The City Council notes that approving the Text Amendment application will facilitate development of land set aside for these purposes, by providing for lands within the City limits that support residential densities established by the Comprehensive Plan. The Council finds that Statewide Planning Goal 10 (Housing) is supported by the proposed text amendments.
4. The Council notes that ordinances implementing the Goal 10: Housing Guidelines include consideration of “the economic, environmental, social, and energy” consequences of the proposed densities. The Council notes that many of the proposed changes to the Land Development Code are intended to preclude incompatible types of the development, while allowing for the provision of a needed housing at planned densities in residential Zones in the City. Consequently, the Council finds these amended regulations will allow for the provision of needed housing throughout the community while achieving a more appropriate balance of the economic, environmental, social, and energy consequences of local regulations that pertain to housing.
5. The City Council notes that the proposed new approach to calculating density is consistent with Statewide Planning Goal 14, by preserving the local regulatory framework contained in the Land Development Code that evaluates maximum allowed density within new subdivisions based on Gross Density, leading to an efficient use of land within the urban environment. The Council also notes that the proposed changes in calculating density continue to support a greater diversity of housing types and costs, which enhances the housing stock in Corvallis and provides opportunities for housing for all segments of the population.

### Corvallis Comprehensive Plan Policies

1. The City Council notes the following Comprehensive Plan policies apply to the text amendments associated with density calculation.
  - 3.2.1 **The desired land use pattern within the Corvallis Urban Growth Boundary will emphasize:**
    - A. **Preservation of significant open space and natural features;**
    - B. **Efficient use of land;**

- C. Efficient use of energy and other resources;
  - D. Compact urban form;
  - E. Efficient provision of transportation and other public services; and
  - F. Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public areas.
- 3.2.2 Within a land use district, primary uses and accessory uses permitted outright shall be considered compatible with each other when conforming to all standards of the district.
- 9.2.1 City land use decisions shall protect and maintain neighborhood characteristics (as defined in 9.2.5) in existing residential areas.
- 9.2.2 In new development, City land use actions shall promote neighborhood characteristics (as defined in 9.2.5) that are appropriate to the site and area.
- 9.2.5 Development shall reflect neighborhood characteristics appropriate to the site and area. New and existing residential, commercial, and employment areas may not have all of these neighborhood characteristics, but these characteristics shall be used to plan the development, redevelopment, or infill that may occur in these areas. These neighborhood characteristics are as follows:
- A. Comprehensive neighborhoods have a neighborhood center to provide services within walking distance of homes. Locations of comprehensive neighborhood centers are determined by proximity to major streets, transit corridors, and higher density housing. Comprehensive neighborhoods use topography, open space, or major streets to form their edges.
  - B. Comprehensive neighborhoods support effective transit and neighborhood services and have a wide range of densities. Higher densities generally are located close to the focus of essential services and transit.
  - C. Comprehensive neighborhoods have a variety of types and sizes of public parks and open spaces to give structure and form to the neighborhood and compensate for smaller lot sizes and increased densities.
  - D. Neighborhood development provides for compatible building transitions in terms of scale, mass, and orientation.
  - E. Neighborhoods have a mix of densities, lot sizes, and housing types.
  - F. Neighborhoods have an interconnecting street network with small blocks to help disperse traffic and provide convenient and direct routes for pedestrians and cyclists. In neighborhoods where full street connections cannot be made, access and connectivity are provided with pedestrian and bicycle ways. These pedestrian and bicycle ways have the same considerations as public streets, including building orientation, security-enhancing design, enclosure, and street trees.
  - G. Neighborhoods have a layout that makes it easy for people to understand where they are and how to get to where they want to go. Public, civic, and cultural

buildings are prominently sited. The street pattern is roughly rectilinear. The use and enhancement of views and natural features reinforces the neighborhood connection to the immediate and larger landscape.

H. Neighborhoods have buildings (residential, commercial, and institutional) that are close to the street, with their main entrances oriented to the public areas.

I. Neighborhoods have public areas that are designed to encourage the attention and presence of people at all hours of the day and night. Security is enhanced with a mix of uses and building openings and windows that overlook public areas.

J. Neighborhoods have automobile parking and storage that does not adversely affect the pedestrian environment. Domestic garages are behind houses or otherwise minimized (e.g., by setting them back from the front facade of the residential structure.) Parking lots and structures are located at the rear or side of buildings. On-street parking may be an appropriate location for a portion of commercial, institutional, and domestic capacity. Curb cuts for driveways are limited, and alleys are encouraged.

K. Neighborhoods incorporate a narrow street standard for internal streets which slows and diffuses traffic.

L. Neighborhood building and street proportions relate to one another in a way that provides a sense of enclosure.

M. Neighborhoods have street trees in planting strips in the public right-of-way.

9.2.7 To facilitate neighborhood-oriented development, the Land Development Code shall include provisions for:

A. Reduced setbacks and minimum lot size requirements in residential districts;

B. Varied lot dimensions within a neighborhood development; and

C. The consideration of an average lot size within a neighborhood development.

9.3.2 Where a variety of dwelling types are permitted by the development district, innovative site development techniques and a mix of dwelling types should be encouraged to meet the range of demand for housing.

9.3.3 The City shall encourage a mix of residential land uses and densities throughout the City through the application of the criteria of the Land Development Code and through exploration of new approaches that respect the community's values.

9.3.5 Residential developments shall conform to the density ranges specified by the Comprehensive Plan and be of housing types permitted by the applicable zoning district.

9.3.6 The development review process shall not result in the exclusion of needed housing at densities permitted by underlying district designations or result in unreasonable cost or delay.



9.4.3 The City shall investigate mechanisms to assure the vitality and preservation of Corvallis' residential areas.

9.5.2 The City shall address housing needs in the Urban Growth Boundary by encouraging the development of affordable dwelling units which produce diverse residential environments and increase housing choice.

9.5.14 The City shall evaluate modifying residential district standards to include a wider variety of housing types in each district and incorporating any design standards necessary to improve the compatibility of those additional types.

9.5.15 The City shall evaluate increasing the minimum density in low density residential districts.

2. The City Council notes the following Comprehensive Plan policies apply to the text amendments associated with the Staff recommended corrections and clarifications.

1.2.1 The City of Corvallis shall develop and adopt appropriate implementation mechanisms to carry out the policies of the Comprehensive Plan.

1.2.6 The applicable criteria in all land use decisions shall be derived from the Comprehensive Plan and other regulatory tools that implement the Plan.

3. The City Council notes that several Comprehensive Plan policies relate to the compatibility and density of residential development in the City. The Council notes that not all of these policies emphasize the same community goals, and that they speak to a number of desired outcomes for residential development in the City, which necessitates finding an appropriate balance between sometimes competing goals.

4. The City Council notes that Policies 3.2.1, 9.2.5, 9.2.7, and 9.5.15 emphasize the importance of compact development, efficient use of land, and higher densities that support transit usage and services within walking distance of many residential areas. The Council notes that Policies 9.2.1, 9.2.2, and 9.4.3 emphasize the importance of protecting and preserving the vitality of existing residential areas in the City. Finally, the City Council notes that Policies 9.3.2, 9.3.3, 9.3.5, and 9.5.14 call for a variety of housing types and densities consistent with planned densities.

5. The City Council finds that the proposed density-related text amendments that Staff proposed are intended to provide clear and objective criteria for calculation of residential densities under a variety of development scenarios, while maintaining consistency with the density ranges prescribed by the Comprehensive Plan and CCP 9.3.5.

6. The City Council finds that changes to the methods for calculating density, promote infill development that is compatible by maintaining existing neighborhood

characteristics, which is consistent with CPP 9.2.2. The Council also finds that the proposed density calculation changes associated with rounding of fractions for Minimum Density do not adversely impact the ability of developments to conform to the density ranges specified by the Comprehensive Plan, consistent with CPP 9.3.5.

7. The City Council finds that proposed amendments will also help to preserve existing neighborhood character, consistent with Policies 9.2.1 and 9.4.3, by disallowing development that is out of scale with planned densities within residential Zones, and that the proposed amendments will preserve the distinction between the RS-3.5, RS-5, and RS-6 Zones by allowing for smaller lots in the RS-5 and RS-6 Zones, thereby better accommodating the variety of housing types permitted in those Zones, and promoting more affordable housing options, consistent with Policies 9.5.2 and 9.5.15.
8. The City Council also notes that the staff recommended corrections and clarifications implement various policies of the Comprehensive Plan, and do not represent a change in direction or intent with regard to those policies. The City Council finds that the staff-proposed corrections and clarifications provide LDC criteria that are clear and objective, consistent with CCP 1.2.1 and 1.2.6.
9. Given the above, the City Council therefore finds the proposed text amendments facilitate code-compliant development within residential Zones, by ensuring that development complies with adopted Land Development Code standards and Comprehensive Plan density ranges. The Council finds that the proposal promotes the public convenience and general welfare, consistent with LDC Section 1.2.80.01.

## II. PUBLIC TESTIMONY

1. The City Council notes that, during the October 15, 2014, Planning Commission hearing, testimony was provided which raised concerns about the proposed change to the minimum lot size in the RS-3.5 Zone.
2. The City Council notes that in developing the recommended changes to the minimum lot sizes within certain Zones, Staff identified that establishing a minimum lot size corresponds to maintaining consistency with the maximum density prescribed by the Comprehensive Plan, and that if the minimum lot size is too large, then the maximum density provided in that Zone will never be achieved. The City Council finds that reducing the minimum lot size in the RS-3.5 Zone from 8,000 square feet to 7,260 square feet, will provide greater consistency with the Comprehensive Plan maximum density associated with the Residential - Low Density classification, because it will allow development in the RS-3.5 Zone to achieve a density of six units per acre.

### III. DELIBERATIONS

1. The City Council notes that, in their deliberations on November 17, 2014, they recognized the need to address concerns raised by residents in established neighborhoods, about the non-compatibility of several recent development projects, and the need to facilitate development in those neighborhoods that is compatible with the existing homes. The City Council finds that the recommended changes to the Land Development Code with respect to how residential density is calculated will implement the recommendation from the Planning Commission that is anticipated to enhance the compatibility of infill development.
2. The Council notes that the Planning Commission recommended, as part of its deliberations on the Package # 1 LDC Amendments that alternatives to the current practice of density rounding be considered in the future. The Council notes that Staff were instructed to develop an alternative approach to addressing residential density for consideration in conjunction with the Package #2 LDC Amendments and that the proposed LDC text amendment fulfills that request. The City Council finds that changes recommended by Staff, and forwarded to the Planning Commission and City Council for consideration, are consistent with CPP 9.3.5, which ensures that development is consistent with the density ranges specified by the Comprehensive Plan.
3. The City Council finds that the staff recommended changes provide needed corrections to errors and omissions contained within the existing LDC provisions, clarify application requirements for certain types of General and Special Development activities, and clarify LDC provisions associated with Pedestrian Oriented Design and appropriate land use processes for development that is permitted outright in the RTC (Research Technology Center) Zone. The City Council finds that the Staff-recommended clarifications and corrections provide a more clear and objective set of criteria to address ministerial development, which is consistent with CCP 1.2.1 and 1.2.6.

### IV. SUMMARY AND CONCLUSION

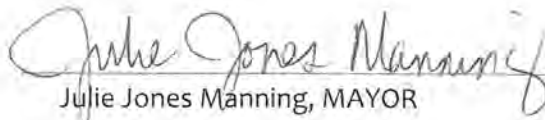
Based on the City Council's analysis, and the information and analysis in the October 8, 2014, staff report to the Planning Commission; the staff memoranda to the City Council dated November 10, 2014; and the minutes and deliberations of the City Council hearing on November 17, 2014, the Council finds the proposed changes to the Density Calculation definition in LDC Chapter 1.6, the criteria for calculating density as part of a land division action, and the changes to the minimum lot size standards in the RS-3.5, RS-5, RS-6, RS-9, and RS-12 Zones, are in conformance with applicable Corvallis Comprehensive Plan policies, and that there is a public necessity to amend Chapters 1.6, 2.2, 2.3, 2.4, 2.5, 2.6, 2.10, 2.14, 3.1, 3.8, 3.9, 3.10, 3.26, and 4.0 and 4.10, to correct for errors and omissions in the Land



Development Code, and to provide clear and objective criteria for evaluating ministerial development applications. The City Council finds that the changes recommended by Staff are consistent with the applicable review criteria in LDC Section 1.2.80 – Text Amendments.

As the body charged with hearing LDC Text Amendments, the City Council, having reviewed the record associated with the subject Text Amendment application, considered evidence supporting and opposing the application and finds that the proposal adequately addresses applicable review criteria and is found to be consistent with the applicable sections of the Land Development Code. The City Council finds that the proposal provides sufficient information to demonstrate compliance with the criteria that the Council believes apply to the Text Amendment application.

Dated: 12-1-14

  
Julie Jones Manning, MAYOR



**Community Development  
Planning Division**

501 SW Madison Avenue

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(541) 766-6908

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**CORVALLIS CITY COUNCIL  
NOTICE OF DISPOSITION**

**ORDER NO. 2014-063**

**CASE:** **LEGISLATIVE AMENDMENT TO THE LAND DEVELOPMENT CODE and LEGISLATIVE ZONE CHANGE – PACKAGE #2**  
*(LDT14-00001 / ZDC14-00002 – NEIGHBORHOOD PLANNING WORKGROUP RECOMMENDATIONS)*

**REQUEST:** Legislative Land Development Code Text Amendment (LDT14-00001) to amend Chapters 1.4 (Nonconforming Development), 1.6 (Definitions), 2.12 (Lot Development Option), 3.8 (High Density Residential (RS-20)), 3.9 (Mixed Use Residential (MUR) Zone), 4.9 (Additional Provisions), and 4.10 (Pedestrian Oriented Design Standards), delete Chapters 3.5 (Medium Density – University (RS-9(U)) and 3.7 (Medium-High Density – University (RS-12(U))), and add Chapter 3.34 (University Neighborhoods Overlay); and a Legislative Zone Change (ZDC14-00002) to eliminate the RS-9U and RS-12U Zones, and incorporate the University Neighborhoods Overlay, associated with recommendations of the Neighborhood Planning Workgroup.

**APPLICANT:** City of Corvallis  
501 SW Madison Ave  
Corvallis, OR 97333

**LOCATION** Portions of the proposal apply to development on all residentially-zoned properties, and the provisions of the new Chapter 3.34 (University Neighborhoods Overlay) apply only to residentially-zoned properties within the new Overlay.

City Council Decision (LDT14-00001 / ZDC14-00002)

Order No. 2014-063

Page 1 of 2

**DECISION**

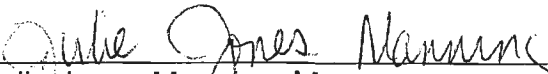
The Corvallis City Council conducted, after proper legal notice, a public hearing concerning this Legislative Amendment to the Land Development Code (LDT14-00001) and Legislative Zone Change (ZDC14-00002) on November 17, 2014.

After considering public testimony, the City Council deliberated and found that the proposed request, regarding revision of the Land Development Code and Legislative Zone Change, should be tentatively approved. On December 1, 2014, the City Council adopted formal findings and Ordinance 2014-18 (**ATTACHMENT A**), to implement the Text Amendments and Zone Change. The formal findings adopted by the City Council on December 1, 2014, are attached to this Notice of Disposition (**ATTACHMENT B**).

If you wish to appeal the decision regarding this Legislative Amendment to the Land Development Code and Legislative Zone Change, an appeal must be filed with the State Land Use Board of Appeals within 21 days from the date the decision is signed by the Mayor.

The proposal, staff report, hearing minutes, memoranda to City Council, and findings and conclusions may be reviewed at the Community Development Department, Planning Division, City Hall, 501 SW Madison Avenue.

December 1, 2014  
Date of Decision

  
Julie Jones Manning, Mayor  
City of Corvallis

**ATTACHMENTS:**

- A. Ordinance 2014-18 : (LDT14-00001 / ZDC14-00002)
- B. Formal Findings and Conclusions, adopted by City Council on December 1, 2014

**ORDINANCE 2014- 18**

**AN ORDINANCE AMENDING ORDINANCE 2006-24, AS AMENDED, TO REVISE THE CORVALLIS LAND DEVELOPMENT CODE and AMENDING THE OFFICIAL ZONING MAP TO REMOVE THE RS-9U and RS-12U ZONES AND INCORPORATE THE UNIVERSITY NEIGHBORHOODS OVERLAY.**

Whereas, the Planning Commission, after holding a duly advertised public hearing on October 15, 2014, has forwarded its recommendation to the City Council concerning a request for a Text Amendment to the Land Development Code and a Legislative Zone Change to the Official Zoning Map;

Whereas, on October 15, 2014, the Planning Commission recommended that the City Council approve the request to amend Land Development Code Chapters 1.4 (Nonconforming Development), 1.6 (Definitions), 2.12 (Lot Development Option), 3.8 (High Density Residential (RS-20)), 3.9 (Mixed Use Residential (MUR) Zone), 4.9 (Additional Provisions), and 4.10 (Pedestrian Oriented Design Standards), affecting development on residentially-zoned properties, and consistent with the recommendations provided by the OSU Collaboration Neighborhood Planning Workgroup;

Whereas, the City Council held a duly-advertised public hearing concerning the proposed Text Amendment to the Land Development Code and a Legislative Zone Change to the Official Zoning Map on November 17, 2014, and interested persons and the general public were given an opportunity to be heard;

Whereas, the Council has reviewed the public testimony and the recommendations of the Planning Commission and City Staff;

Whereas, the Council deliberated on the matter, amended the proposed text provided in Land Development Code Chapter 3.34, and made a preliminary decision to approve the proposed Land Development Code text amendment, as amended by City Council, and to approve the Legislative Zone Change, all subject to adoption of formal findings of fact;

Whereas, findings of fact have been prepared and consist of the formal findings, entered into the record at the December 1, 2014, City Council meeting, and adopted by the City Council through a separate motion;

Whereas, the final version of this Land Development Code Text Amendment is attached hereto as Exhibit A;

Whereas, the final version of this Legislative Zone Change is attached hereto as Exhibit B;

Whereas, the City Council finds that the burden of proof has been met;

Whereas, the City Council finds that the public necessity, convenience, and general welfare require such Amendment; and

Whereas, the City Council finds that the proposal conforms with the Corvallis Comprehensive Plan and other applicable policies;

NOW THEREFORE, THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

**Section 1.** Chapters 1.4 (Nonconforming Development), 1.6 (Definitions), 2.12 (Lot Development Option), 3.8 (High Density Residential (RS-20)), 3.9 (Mixed Use Residential (MUR) Zone), 4.9 (Additional Provisions), and 4.10 (Pedestrian Oriented Design Standards) of the Land Development Code are amended as shown by the provisions contained in Exhibit A, and by this reference, the exhibit is incorporated within the ordinance as if it were fully set out.

**Section 2.** Chapters 3.5 (Medium Density – University (RS-9(U)) and 3.7 (Medium-High Density – University (RS-12(U)) are deleted from the Land Development Code, as shown by the provisions in Exhibit A, and by this reference, the exhibit is incorporated within the ordinance as if it were fully set out.


**Section 3.** Chapter 3.34 is added to the Land Development Code, as shown by the provisions in Exhibit A, and by this reference, the exhibit is incorporated within the ordinance as if it were fully set out.

**Section 4.** The Official Zoning Map is amended as shown in Exhibit B, and by this reference, the exhibit is incorporated within the ordinance as if it were fully set out.

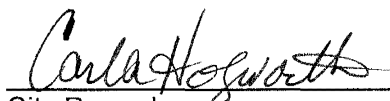
PASSED by the Council this 1st Day of December, 2014.

APPROVED by the Mayor this 1st Day of December, 2014.

Effective the 11th Day of December, 2014.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

# **LDT14-00001 – Package # 2 Land Development Code Text Amendments**

## Neighborhood Planning Workgroup Recommendations

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#### **RESIDENTIAL ZONES**

3.1	RS-3.5	Low Density Zone
3.2	RS-5	Low Density Zone
3.3	RS-6	Low Density Zone
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3.5		Reserved
3.6	RS-12	Medium-high Density Zone
3.7		Reserved
3.8	RS-20	High Density Zone
3.9	(MUR)	Mixed Use Residential Zone
3.10	RS-1	Extra-low Density Residential Zone

#### **OVERLAYS**

3.30	(WRG)	Willamette River Greenway Overlay
3.31	(HPO)	Historic Preservation Overlay
3.32	(PD)	Nonresidential Planned Development Overlay
3.33	(PD)	Residential Planned Development Overlay
3.34	(UNO)	University Neighborhoods Overlay
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### **Article I**

#### **Chapter 1.4**

##### **1.4.50.03 - Office Uses in the RS-9, RS-12, and RS-20 Zones**

Office Uses, defined in Chapter 1.6 - Definitions, in existence as of December 31, 2006, in the RS-9, RS-12, and RS-20 zones shall not be classified as Nonconforming Development.

### **1.4.50.10 – Maximum Floor Area Ratio in University Neighborhoods Overlay**

Except as limited by Section 1.4.50.04.a, where residential development within the University Neighborhoods Overlay has a floor area ratio that exceeds the allowed maximum, reconstruction of structures in existence prior to [insert date of adoption of this section], is permitted up to the legal nonconforming FAR.

## **Chapter 1.6**

**Floor Area Ratio, Maximum (Max. FAR)** - The gross floor area of all buildings on a lot or development site that, when divided by the net area of a lot or development site on which the buildings are located, does not exceed a specified decimal value. See Area, Net.

## **Article II**

### **Chapter 2.12 – Lot Development Option**

**2.12.30.03 - Determination of Lot Development Option Type** - The Director shall determine whether an application qualifies as a Minor or Major Lot Development Option, as described in "a," and "b," below.

**h. Minor Lot Development Option Thresholds** -Minor Lot Development Option requests shall involve clearly measurable, numerically quantifiable development standards that shall not exceed the thresholds listed below:

17. Increasing the gross floor area of a building to exceed the Maximum Floor Area Ratio (Max. FAR) specified in Section 3.34.50 by 10 percent, or 200 square feet, whichever is greater.
18. Adjusting up to 20 percent, other applicable clearly measurable development standards not addressed in "1" through "14," above, except that Floor Area Ratios (FARs) may not be varied because they are a required method of assuring that the land supply for commercial and industrial uses is not diluted in commercial and industrial zones where FAR restrictions are cited.

## Article III

### Chapter 3.5 – Medium Density – University (RS-9(U)) Zone

#### CHAPTER 3.5 (RS-9U) DELETED IN ITS ENTIRETY

### Chapter 3.6 – Medium-High Density (RS-12) Zone

#### 3.6.20.02 - Special Development

**Conditional Development** - Subject to review in accordance with Chapter 2.3 - Conditional Development and all other applicable provisions of this Code.

- m. Participant Sports and Recreation - Indoor and Outdoor
- n. Schools

### Chapter 3.7 – Medium-High Density-University (RS-12(U)) Zone

#### CHAPTER 3.7 (RS-12U) DELETED IN ITS ENTIRETY

### Chapter 3.8 – High Density (RS-20) Zone

Table 3.8-1

<b>h.</b>	1.	Maximum Structure Height	65 ft. above grade or 5 stories, whichever is less.
	2.	Maximum Structure Height adjacent to RS-3.5, RS-5, RS-6, and RS-9 Zones	See Section 3.8.30.02 below.

#### 3.8.30.02 - Structure Height and Building Mass

- a. Primary structures in the RS-20 Zone shall not exceed a height of 65 ft. or five stories, whichever is less.



- b. Where a property in the RS-20 Zone abuts a property in the RS-9 Zone, the height of structures in the RS-20 Zone is limited to a maximum of 35 ft. within a distance of 20 ft. from the Medium Density Residential property. Where a street separates the land zoned RS-20 from the land zoned RS-9, this height restriction shall be in accordance with "d", below. See Figure 3.8-1 - Required Height Transition Area When a Development is Zoned RS-20 and is Next to Land Zoned RS-9.

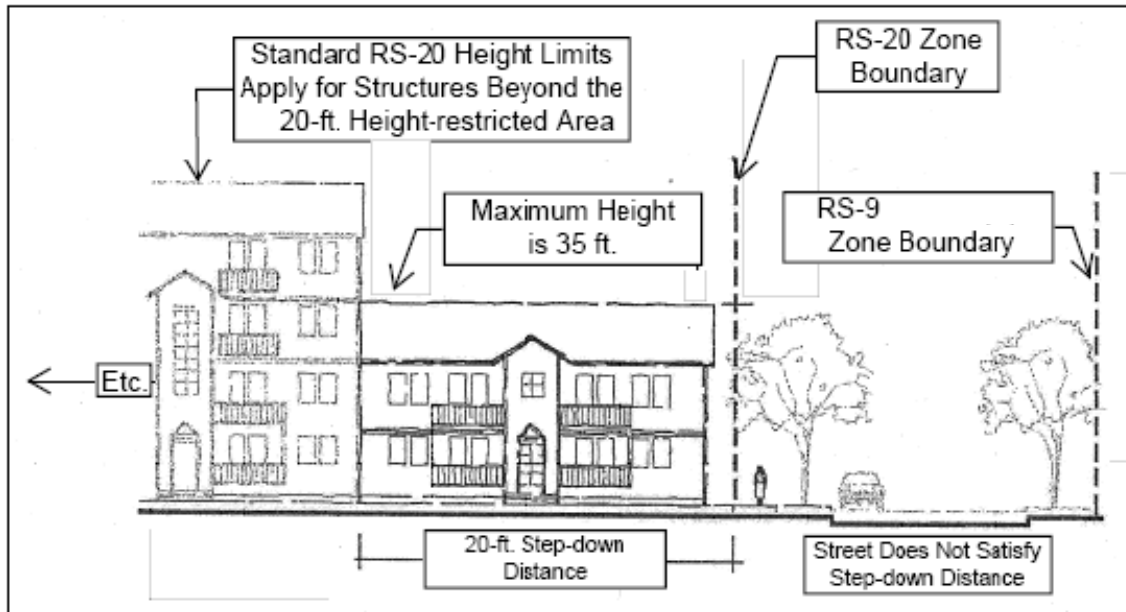


Figure 3.8-1 – Required Height Transition Area When a Development is Zoned RS-20 and is Next to Land Zoned RS-9

- d. Where the RS-20 Zone is separated from the Low or Medium Density Residential zone by an existing or planned street, the measurements outlined in "b," and "c," above, shall be taken from the RS-20 side of the street, and the street shall not be counted to satisfy the distance needed for the step-down in height. In cases where the RS-20 zoning boundary immediately abuts the Low or Medium Density Residential zoning boundary, and an existing or planned street is located within the RS-20 Zone and also abutting the Low or Medium Density Residential zoning boundary, the street shall not be counted to satisfy the distance needed for the step-down in height. See Figure 3.8-1 - Required Height Transition Area When a Development is Zoned RS-20 and is Next to Land Zoned RS-9 and Figure 3.8-2 - Required Height Transition Area When a Development is Zoned RS-20 and is Next to Land Zoned RS-3.5, RS-5, or RS-6.

## Chapter 3.9 – Mixed Use Residential (MUR) Zone

### 3.9.40.04 - Structure Height and Building Mass

- a. Primary structures in the MUR Zone shall not exceed a height of 65 ft. or five stories, whichever is less.
  
- b. Where a property in the MUR Zone abuts a property in the RS-9 Zone, the height of structures in the MUR Zone is limited to a maximum of 35 ft. within a distance of 20 ft. from the Medium Density Residential property. Where a street separates the land zoned MUR from the land zoned RS-9, this height restriction shall be in accordance with “d,” below. See Figure 3.9-1 - Required Height Transition Area When a Development is Zoned MUR and is Next to Land Zoned RS-9.

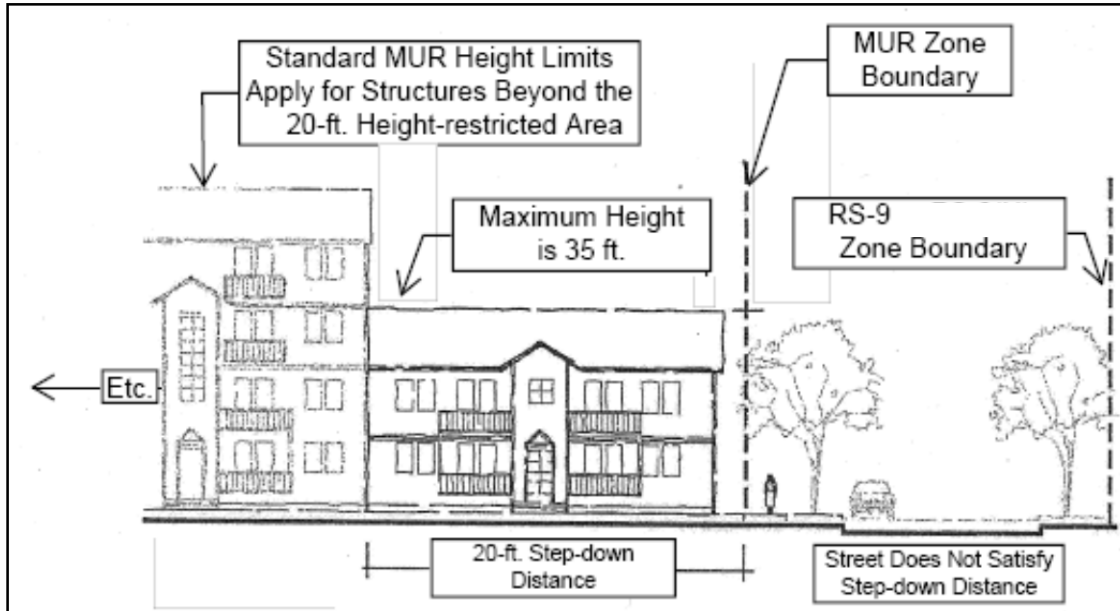


Figure 3.9-1 - Required Height Transition Area When a Development is Zoned MUR and is Next to Land Zoned RS-9

- d. Where the MUR Zone is separated from the Low or Medium Density Residential zone by an existing or planned street, the measurements outlined in “b,” and “c,” above, shall be taken from the MUR side of the street, and the street shall not be counted to satisfy the distance needed for the step-down in height. In cases

where the MUR zoning boundary immediately abuts the Low or Medium Density Residential zoning boundary, and an existing or planned street is located within the MUR Zone and also abutting the Low or Medium Density Residential zoning boundary, the street shall not be counted to satisfy the distance needed for the step-down in height. See Figure 3.9-1 - Required Height Transition Area When a Development is Zoned MUR and is Next to Land Zoned RS-9 and Figure 3.9-2 - Required Height Transition Area When a Development is Zoned MUR and is Next to Land Zoned RS-3.5, RS-5, or RS-6.

## **Chapter 3.34 – University Neighborhoods Overlay (UNO)**

### **CHAPTER 3.34**

#### **UNIVERSITY NEIGHBORHOODS OVERLAY (UNO)**

The University Neighborhoods Overlay (UNO) can be applied to one or more Lots or Parcels in conjunction with any other residential zone within its adopted boundary, as may be amended over time. The standards implemented by the UNO reflect patterns of development that are integral to those neighborhoods within proximity of the Oregon State University campus. As such, its use should be limited to those neighborhoods unless expansion is justified by additional documentation and analysis of residential development patterns that may exist beyond the current boundary.

#### **Section 3.34.10 - PURPOSES**

This Overlay is intended to:

- a.** Promote new development that is compatible with original patterns of neighborhood development, and that are appropriate to the site and area;
- b.** Encourage incremental change in density while remaining conscious of the mass, scale, and form of original development within the affected neighborhoods;
- c.** Supplement other development standards within this Code that are intended to facilitate housing diversity;

- d. Respond to adopted recommendations from the Collaboration Corvallis project regarding promotion of established neighborhood development patterns;
- e. Implement development standards that were created in response to the North Campus Area plan; and
- f. Implement policies of the City's Comprehensive Plan.

#### Section 3.34.20 - IMPLEMENTATION

Only those properties with an underlying residential zone and located within the adopted boundary (see Figure 3.34-1 below) of the University Neighborhoods Overlay are subject to the provisions in this Chapter.

A University Neighborhoods Overlay designation may be applied to residentially zoned properties in accordance with the procedures of Chapter 2.2 - Zone Changes.

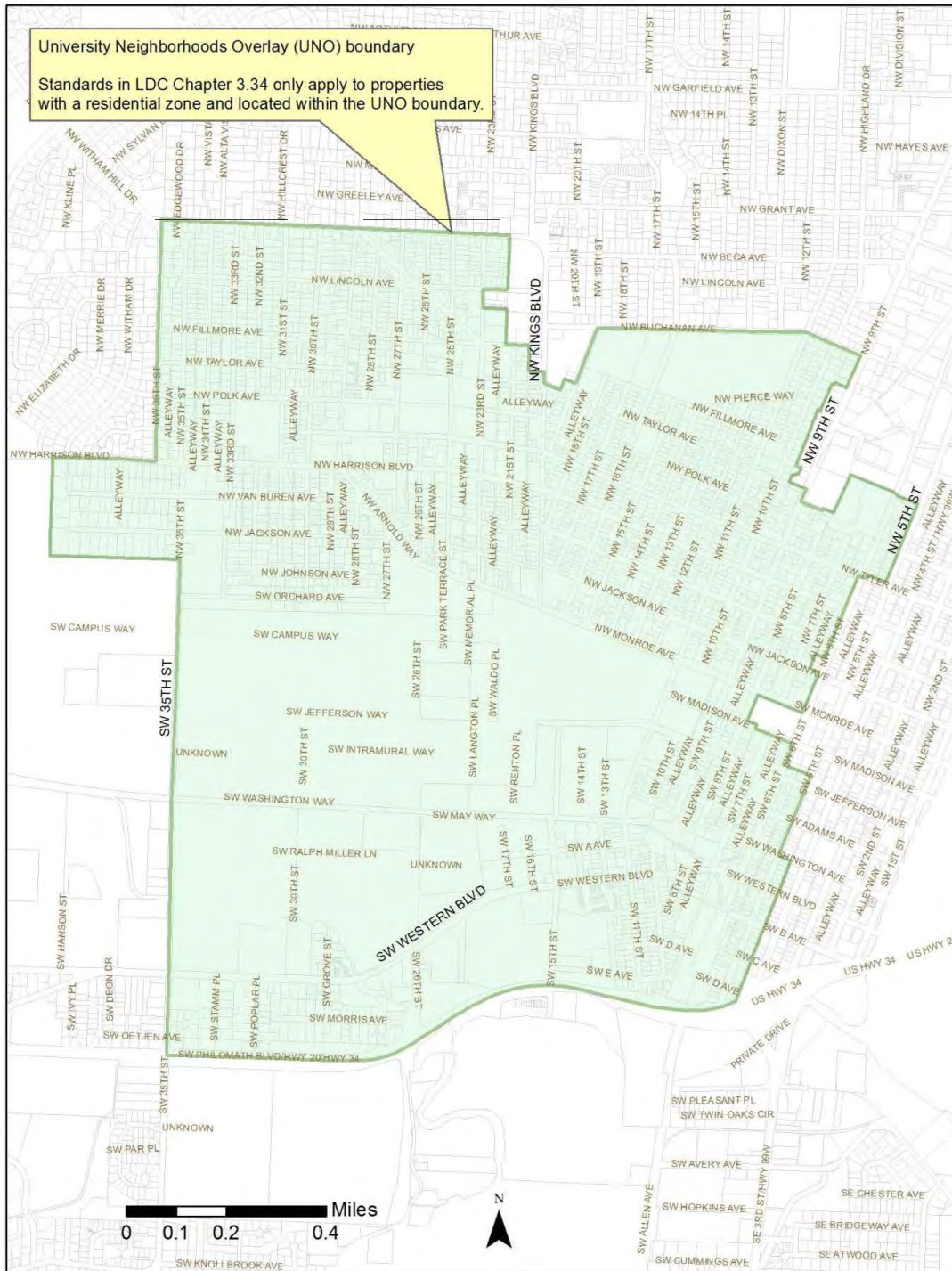


Figure 3.34-1: University Neighborhoods Overlay (UNO)

Section 3.34.30 - REMOVAL

A University Neighborhoods Overlay designation may be removed in accordance with the procedures of Chapter 2.2 - Zone Changes.

Section 3.34.40 - PERMITTED USES

Permitted uses consist of any uses listed in the underlying residential zone.

Section 3.34.50 – MAXIMUM FLOOR AREA RATIO

- a. Maximum FAR per Zone – Unless provided otherwise, new or cumulative residential development shall comply with the following:

<b>Zone</b>	<b>Standard</b>
1. RS-5	1,200 square feet of living space per unit or a Maximum Floor Area Ratio (Max. FAR) of 0.30, whichever is greater.
2. RS-6	1,200 square feet of living space per unit or a Maximum Floor Area Ratio (Max. FAR) of 0.30, whichever is greater.
3. RS-9	1,200 square feet of living space per unit or a Maximum Floor Area Ratio (Max. FAR) of 0.50, whichever is greater.
4. RS-12	1,200 square feet of living space per unit or a Maximum Floor Area Ratio (Max. FAR) of 0.70, whichever is greater.

- b. The following shall not count against a Max. FAR:
  - 1. Accessory structures not used for vehicle parking.
  - 2. Accessory Dwelling units (see Chapter 4.9).
  - 3. Basements, underground vehicle parking and circulation areas, and living space, provided the ceiling of which is four ft. or less above the lowest point on the public sidewalk abutting the respective property line of a structure’s street-facing elevation; or
  - 4. Unenclosed porches, patios, decks, balconies, and roof-top open space.
- c. Exemptions for Garages

1. Attached Garage/Carport – An attached garage or carport, up to 240 square feet in area, may be excluded from the gross floor area of a building when determining compliance with a Max. FAR.
2. Detached Garage/Carport – A detached garage or carport, up to 480 square feet in area, the face of which is placed a minimum of 20 ft. behind the longest segment of the front wall of a primary structure’s street-facing elevation(s), may be excluded from the gross floor area when determining compliance with a Max. FAR.

### Section 3.34.60 - GARAGE, CARPORT AND OFF-STREET PARKING ACCESS FOR LOTS AND PARCELS WITH IMPROVED ALLEY ACCESS

Orienting garages, carports, and off-street parking facilities toward a street within the University Neighborhoods Overlay may be inconsistent with original patterns of neighborhood development. Front-loaded, attached garages and carports have the greatest potential for conflicting with those patterns.

The minimum standards for driveway width and side yard setback contained in the Corvallis Off-street Parking and Access Standards are intended to facilitate narrow driveways and detached garages as part of redevelopment within the University Neighborhoods Overlay. For Lots or parcels without improved alley access, detached garages placed a minimum of 20 ft. behind the longest segment of the front wall of a primary structure’s street-facing elevation(s) are strongly encouraged.

The following standards apply to Lots and Parcels with improved alley access.

- a. Alley Access Required – Vehicular access to a garage, carport or other off-street parking facilities shall be limited to an alley for a Lot or Parcel with access along an alley that is either improved consistent with Section 4.0.60.j or otherwise paved for its full length.
- b. Garage and Carport Orientation – Garages and carports shall be placed and oriented consistent with Section 4.0.60.j.2.

## Section 3.34.70 - COMPLIANCE WITH CHAPTER 4.10 - PEDESTRIAN ORIENTED DESIGN STANDARDS

Compliance with Chapter 4.10 - Pedestrian Oriented Design Standards shall apply to the following types of development in the University Neighborhoods Overlay:

- a. All new buildings or structures for which a valid permit application has been submitted after December 31, 2006;
- b. Developments subject to Conditional Development and/or Planned Development approval, as required by a Condition(s) of Approval(s); and
- c. Independent or cumulative expansion of a nonresidential structure in existence and in compliance with the Code on December 31, 2006, or constructed after December 31, 2006 pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2006, shall comply with the pedestrian requirements of Chapter 4.10 - Pedestrian Oriented Design Standards as outlined in Section 4.10.70.01.

## Section 3.34.80 - VARIATIONS

Variations from development and design standards in this Chapter may be allowed through the processes outlined in Chapter 2.5 - Planned Development and Chapter 2.12 - Lot Development Option.

## Article IV

### Chapter 4.9 - Additional Provisions

#### Section 4.9.40 - ACCESSORY DWELLING UNITS IN THE RS-1, RS-3.5, RS-5, RS-6, AND RS-9 ZONES

##### 4.9.40.01 - Ministerial Development Option -



- I. In the RS-6, RS-9, RS-12, and RS-20 Zones, the minimum lot area to establish an ADU shall be 3,500 sq ft. for a detached unit and 2,500 sq. ft. for an attached unit;

4.9.40.02 - General Development Option -

- c. **Review Criteria** - In addition to complying with the specific requirements of the zone, ADUs are subject to the following provisions:

11. In the RS-9, RS-12, and RS-20 zones, the minimum lot area to establish an ADU shall be 5,000 sq. ft.;

Section 4.9.80 -HOUSING TYPE VARIATION REQUIREMENTS PER RESIDENTIAL ZONE

A variety of Housing Types shall be provided for residential developments, in accordance with the provisions this Section, including the provisions in Table 4.9-1 - Options A and B for Developments Five - 10 Acres, Table 4.9-2 - Options A and B for Developments Greater than 10 acres, and Table 4.9-3 - Allowed Housing Types by Zone.

- a. **RS-1, RS-3.5, RS-5, RS-6, and RS-9 Zones** - The darker shading in the columns for these zones in Table 4.9-3 - Allowed Housing Types by Zone indicates permitted Housing and Building Types.

1. Developments Less Than Five Acres - No Housing or Building Type variation is required, although Housing Type variations are encouraged.
2. Developments Five - 10 Acres - At least two Housing or Building Types are required. Each required Housing or Building Type shall be at least 20 percent of the total units.
3. Developments Greater Than 10 Acres - At least three Housing or Building Types are required. Each required Housing or Building Type shall be at least 20 percent of the total units.

- b. RS-12, RS-20, and MUR Zones** - The lighter shading in the columns for these zones in Table 4.9-3 - Allowed Housing Types by Zone indicates permitted Housing and Building Types. The darker shading in the columns for these zones indicates "Option B" discussed in "2," and "3," below.

**Table 4.9-3  
ALLOWED HOUSING TYPES BY ZONE**

BUILDING TYPES, PER CHAPTER 1.6 - DEFINITIONS	ALLOWED HOUSING TYPES BY ZONE							HOUSING TYPE CHOICES TO SATISFY HOUSING VARIATION REQUIREMENTS
	RS-1 & RS-3.5	RS-5	RS-6	RS-9	RS-12	RS-20	MUR	
Detached Single-family								1. Detached Single-family ≤ 1,200 sq. ft.
								2. Detached Single-family > 1,200 sq. ft.
Detached Single-family (Zero Lot Line)								3. Detached Single-family 1,200 sq. ft.
								4. Detached Single-family 1,200 sq. ft.
Accessory Dwelling Unit								5. Accessory Dwelling
Attached Single-family (Zero Lot Line, two units)								6. Attached Single-family (two units) (each unit on an individual lot)
Duplex								7. Duplex units
Attached (more than two units)								8. Dwellings with three-five units (each unit on an individual lot or each unit individually owned within a multi-unit structure)*. Includes Townhouses, Rowhouses, Flats, Condominiums.
								* RS-5 Zone limited to a maximum of three attached units per structure.
Multi-dwelling								9. Dwellings with > five units (each unit on an individual lot or each unit with an individual ownership within a multi-unit structure). Includes Townhouses, Rowhouses, Flats, Condominiums.
								10. Triplexes and fourplexes (each unit not individually owned)*
Multi-dwelling, continued								* RS-5 Zone limited to triplexes
								11. Apartment buildings with four units (each unit not individually owned)
OPTION B for RS-12 and RS-20 Zones								Minimum of three types of apartment buildings in terms of number of units per building (must vary by at least two units). Each type shall comprise at least 10 percent of the buildings (e.g., may have a combination of buildings with 8, 10, and 12 units/building, etc.)
								Minimum of two types of units in terms of number of bedrooms and each type shall comprise at least 25

Table 4.9-3 ALLOWED HOUSING TYPES BY ZONE								
BUILDING TYPES, PER CHAPTER 1.6 - DEFINITIONS	ALLOWED HOUSING TYPES BY ZONE							HOUSING TYPE CHOICES TO SATISFY HOUSING VARIATION REQUIREMENTS
	RS-1 & RS-3.5	RS-5	RS-6	RS-9	RS-12	RS-20	MUR	
								percent of the total number of units: Dwelling units with ≤ one bedroom Dwelling units with two bedrooms Dwelling units with ≥ three bedrooms

## Chapter 4.10 – Pedestrian Oriented Design Standards

### 4.10.50.03 - Menus for Pedestrian Features and Design Variety

**b. Building and Roof Articulation** - Exterior building elevations shall incorporate design features to preclude large expanses of uninterrupted building surfaces. Along the vertical face(s) of a structure oriented toward a public or private street, such features shall occur on each floor at least every 30 ft in the horizontal dimension. This requirement shall be satisfied by two-unit attached single family dwellings when their combined length, as measured horizontally along a street-facing façade, is 30 ft. or more. At least two of the following three choices shall be incorporated into the development:

1. Off-sets or breaks in roof elevation of three ft. or more in height, or cornices two ft. or more in height.
2. Recesses, such as decks, patios, courtyards, entrances, etc., with a minimum depth of two ft. and minimum length of four ft. if combined with a change in exterior siding using one or more of the materials listed below in Section 4.10.50.03.c.3, or with a minimum depth of four ft. and minimum length of eight ft. if not combined with a change in exterior siding materials.
3. Extensions/projections, such as enclosed floor area, porches, bay windows, decks, entrances, etc., that have a minimum depth of two ft. and minimum length of four ft. if combined with a change in exterior siding using one or more of the materials listed below in

Section 4.10.50.03.c.3, or with a minimum depth of four ft. and minimum length of eight ft. if not combined with a change in exterior siding materials.

- c. **Design Variety Menu** - Each home shall incorporate a minimum of four of the following seven building design features. The applicant shall indicate proposed options on plans submitted for building permits. While not all of the design features are required, the inclusion of as many as possible is strongly encouraged.

4.10.60.04 - Menus for Pedestrian Features and Design Variety

- b. **Building and Roof Articulation** - Exterior building elevations shall incorporate design features such as off-sets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face(s) of a structure oriented toward a public or private street, such features shall occur on each floor at least every 30 ft. in the horizontal dimension. This requirement shall be satisfied by attached single family dwellings when their combined length, as measured horizontally along a street-facing façade, is 30 ft. or more. At least two of the following three choices shall be incorporated into the development:

1. Off-sets or breaks in roof elevation of three ft. or more in height, or cornices two ft. or more in height.
2. Recesses, such as decks, patios, courtyards, entrances, etc., with a minimum depth of two ft. and minimum length of four ft. if combined with a change in exterior siding using one or more of the materials listed below in Section 4.10.60.04.c.2, or with a minimum depth of four ft. and minimum length of eight ft. if not combined with a change in exterior siding materials.
3. Extensions/projections, such as enclosed floor area, porches, bay windows, decks, entrances, etc., that have a minimum depth of two ft. and minimum length of four ft. if combined with a change in exterior siding using one or more of the materials listed below in Section 4.10.60.04.c.2, or with a minimum depth of four ft. and

minimum length of eight ft. if not combined with a change in exterior siding materials.

**c. Design Variety Menu** - Each structure shall incorporate a minimum of five of the following eight building design features. The applicant shall indicate proposed options on plans submitted for building permits. While not all of the design features are required, the inclusion of as many as possible is strongly encouraged.

1. Trim - A minimum of 2.25-in. trim or recess around windows and doors that face the street. Although not required, wider trim is strongly encouraged.
2. Building Materials - Buildings shall have a minimum of two different types of building materials on facades facing streets, including but not limited to stucco and wood, brick and stone, etc. Alternatively, they shall have a minimum of two different patterns of the same building material, such as scalloped wood and lap siding, etc. on facades facing streets. These requirements are exclusive of foundations and roofs, and pertain only to the walls of a structure.
3. Increased Eaves Width - Eaves with a minimum 18-in. overhang.
4. Increased Windows - A minimum area of 20 percent windows and/or dwelling doors on facades facing streets, sidewalks, and multi-use paths. This provision includes garage facades. Gabled areas need not be included in the base wall calculation when determining this minimum 20 percent calculation.
5. Roof Pitch - A minimum 6:12 roof pitch with at least a six-in. overhang.
6. Architectural Features - At least one architectural feature included on dwelling facades that face the street. Architectural features are defined as bay windows, oriels, covered porches greater than 60 sq. ft. in size, balconies above the first floor, dormers related to living space, or habitable cupolas. If a dwelling is oriented such that its front facade, which includes the front door, is oriented to a

sidewalk and no facades of the dwelling face a street, then the architectural feature may be counted if it is located on the front facade.

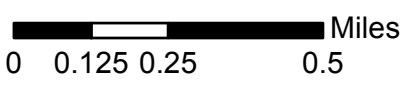
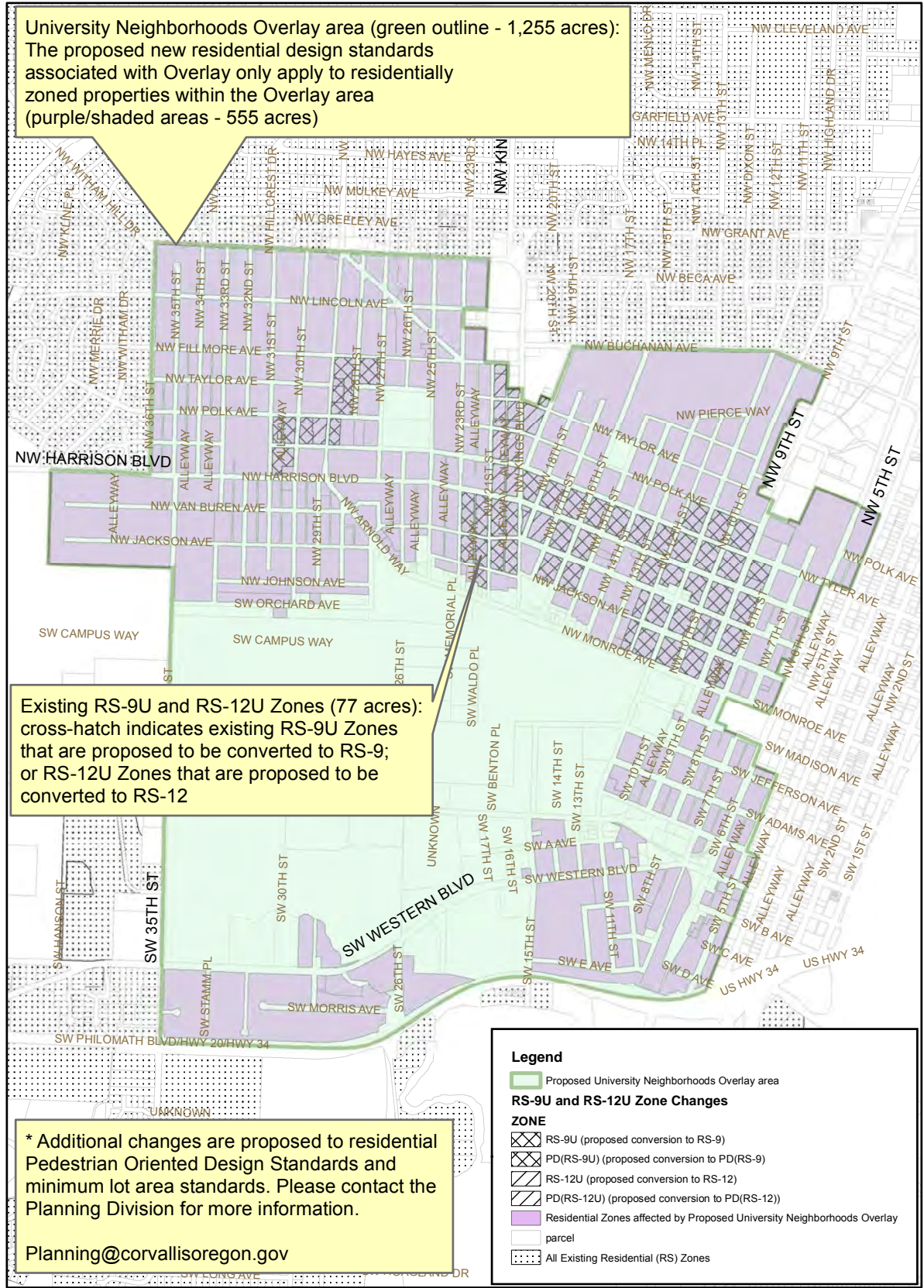
7. Architectural Details - Architectural details used consistently on dwelling facades that face streets. Architectural details are defined as exposed rafter or beam ends, eave brackets, windows with grids or true divided lights, or pergolas integrated into building facades. If a dwelling is oriented such that its front facade, which includes the front door, is oriented to a sidewalk and no facades of the dwelling face a street, then the architectural feature may be counted if it is located on the front facade.

**d. Additional Building Articulation and Massing Requirements**

1. **Enhanced Building Articulation** – Street-facing building elevations more than 60ft. in length shall incorporate off-sets, extensions, recesses, or changes in exterior wall height, with a minimum dimension of 10ft., at least every 60ft. as measured in the horizontal dimension. Along the vertical face of a structure, such features shall occur on each floor. Compliance with this standard and Section 4.10.60.04.b is required for street-facing building elevations more than 60ft. in length.
2. **Street Frontage Massing** – On sites with 100ft. or more of public or private street frontage, no individual building or series of attached buildings occupied solely by residential uses shall occupy more than 50 percent of any individual street frontage, unless the building design complies with Section 4.10.60.01.a.2.

# Residential Design Standards (LDT14-00001 / ZDC14-00002)

## Areas of proposed Zone map amendments





BEFORE THE CITY COUNCIL  
THE CITY OF CORVALLIS

FINDINGS – PACKAGE # 2 TEXT AMENDMENTS  
(NEIGHBORHOOD PLANNING WORKGROUP RECOMMENDATIONS)

In the matter of a City Council decision to )  
approve a Land Development Code Text ) LDT14-00001 and ZDC14-00002  
Amendment and a Legislative Zone )  
Change. )

PREAMBLE

The matter before the Corvallis City Council is a decision regarding a Land Development Code (LDC) Text Amendment (LDT) and a Legislative Zone Change (ZDC) to implement the recommendations of the Collaboration Corvallis – Neighborhood Planning Workgroup, and improve the compatibility of new residential development within existing neighborhoods.

On October 15, 2014, the Corvallis Planning Commission conducted a hearing on the LDC Text Amendment and Zone Change applications (LDT14-00001 and ZDC14-00002); and deliberated on the request. The Planning Commission unanimously recommended that the City Council approve the LDC Text Amendment application, with changes recommended by Staff and the Planning Commission. Written testimony was received following the Planning Commission public hearing and submitted to the City Council on November 12, and November 17, 2014.

The City Council held a duly advertised *de novo* public hearing on the LDC Text Amendment and Zone Change applications on November 17, 2014. The City Council deliberated on the proposed text amendments. After consideration of all the testimony and evidence, the City Council unanimously voted to approve the LDC Text Amendment application, with a change to the Purpose statements provided in the new University Neighborhoods Overlay (UNO) – LDC Chapter 3.34.

**Applicable Criteria**

All applicable legal criteria governing review of these applications are identified in the public notices for the October 15, 2014, and November 17, 2014 public hearings; the Staff Report to the Planning Commission, dated October 8, 2014; additional proposed amendments brought forward by staff, regarding the University Neighborhoods Overlay (LDC Chapter 3.34), as presented in a supplemental Memorandum dated October 13, 2014; the minutes of the Planning Commission hearing and deliberations held on October 15, 2014; the staff memoranda to the City Council dated November 10, 2014, November 12, 2014 (Additional

Written Testimony), and November 17, 2014 (Additional Written Testimony); and the minutes and deliberations of the City Council hearing on November 17, 2014.

**FINDINGS AND CONCLUSIONS RELATED TO THE APPROVAL OF LAND DEVELOPMENT CODE TEXT AMENDMENTS and a LEGISLATIVE ZONE CHANGE ASSOCIATED WITH RECOMMENDATIONS OF THE COLLABORATION CORVALLIS NEIGHBORHOOD PLANNING WORKGROUP (LDT14-00001 and ZDC14-00002)**

1. In the Text Amendment application, City Staff and the City's consultants, in conjunction with the Neighborhood Planning Workgroup's Technical Assistance Team, have developed draft Text Amendments to LDC Chapters 1.4 (Nonconforming Development), 1.6 (Definitions), 2.12 (Lot Development Option), 3.8 (High Density Residential (RS-20)), 3.9 (Mixed Use Residential (MUR) Zone), 4.9 (Additional Provisions), and 4.10 (Pedestrian Oriented Design Standards), have proposed deletion of Chapters 3.5 (Medium Density - University (RS-9(U))) and 3.7 (Medium-High Density - University (RS-12(U))), and have proposed a new Chapter 3.34 (University Neighborhoods Overlay). The proposed amendments are classified as residential design standards, and can be grouped into two categories: 1) development standards affecting residential development in all residential zones; and 2) development standards specifically affecting development and redevelopment in residential zones within a new University Neighborhoods Overlay.
2. In the Zone Change application, City Staff, in conjunction with the Neighborhood Planning Workgroup's Technical Assistance Team, have developed draft changes to the Official Zoning Map to convert all existing RS-9(U) Zones to RS-9, to convert all existing RS-12(U) Zones to RS-12, and to apply a new University Neighborhoods Overlay to certain residentially zoned properties, as identified on maps and exhibits provided in the application, and presented to the property owners, general public, and decision makers.
3. The City Council notes that the stated purpose of the Text Amendment application under consideration is to implement the recommendations of the Collaboration Corvallis - Neighborhood Planning Workgroup, and to implement design standards for residential development that improve compatibility within existing neighborhoods.
4. The City Council accepts and adopts findings made in the Staff Report to the Planning Commission, dated October 8, 2014, related to public necessity, convenience and general welfare (pages 18 through 35), compliance with Statewide Planning Goals (pages 16 and 17), and consistency with Corvallis Comprehensive Plan Policies (pages 11 through 15), and the additional proposed amendment language associated with the University Neighborhoods Overlay chapter brought forward by staff, as presented in a supplemental Memorandum, dated October 13, 2014, which supports

approval of the Text Amendment. The City Council notes those portions of the Minutes of the Planning Commission hearing, dated October 15, 2014 that demonstrate support for approving the Text Amendment. The City Council also notes those portions of the Minutes of the City Council meeting dated November 17, 2014 that demonstrate support for approving the Text Amendment. The City Council specifically accepts and adopts as findings the rationale given during deliberations held on November 17, 2014, by Council Members expressing their support for approving the Text Amendment, including the amended language to the University Neighborhoods Overlay recommended by Councilor York. All of the above-referenced documents shall be referred in these findings as the "Incorporated Findings". The findings below, (the "supplemental findings"), supplement and elaborate upon the findings contained in the materials noted above, all of which are incorporated herein, by reference. When there is a conflict between the supplemental findings and the Incorporated Findings, the supplemental findings shall prevail.

5. The City Council accepts and adopts findings made in the Staff Report to the Planning Commission, dated October 8, 2014, related to what effect the proposed Zone Change has on City facilities and services (pages 71 and 72), and its consistency with Corvallis Comprehensive Plan Policies (pages 72 and 73), which supports approval of the Zone Change. The City Council adopts notes those portions of the Minutes of the Planning Commission hearing, dated October 15, 2014 that demonstrate support for approving the Zone Change. The City Council also notes those portions of the Minutes of the City Council meeting dated November 17, 2014 that demonstrate support for approving the Zone Change. The City Council specifically accepts and adopts as findings the rationale given during deliberations held on November 17, 2014, by Council Members expressing their support for approving the Zone Change. All of the above-referenced documents shall be referred in these findings as the "Incorporated Findings". The findings below, (the "supplemental findings"), supplement and elaborate upon the findings contained in the materials noted above, all of which are incorporated herein, by reference. When there is a conflict between the supplemental findings and the Incorporated Findings, the supplemental findings shall prevail.
6. The City Council notes that Councilor York made a motion to amend the original motion, to revise the proposed language provided in Chapter 3.34 (University Neighborhoods Overlay), Section 3.34.10.a (Purposes), to state "Promote new development that is compatible with original patterns of neighborhood development, and that are appropriate to the site and area." The Council finds that the text amendment as amended is consistent with the applicable criteria.

7. The City Council notes that during the November 17, 2014 meeting, the Council deliberated on the application. The Council finds the Zone Change is consistent with the applicable criteria.
8. The City Council notes the record contains all information needed to evaluate the Text Amendment and Zone Change decision for compliance with the relevant criteria.
9. The City Council notes that the Incorporated Findings list all of the applicable approval criteria, and demonstrates compliance with these approval criteria. These supplemental findings elaborate upon and clarify the Incorporated Findings, and primarily address issues raised in support of the text amendment. These supplemental findings associated with the text amendment, like the Incorporated Findings, are grouped into three categories (LDC Criteria, Statewide Planning Goals, and Comprehensive Plan Policies) which facilitate a comprehensive and cohesive review of the applicable criteria.
10. The City Council notes that the Incorporated Findings list all of the applicable approval criteria, and demonstrates compliance with these approval criteria. These supplemental findings elaborate upon and clarify the Incorporated Findings, and primarily address issues raised in support of the zone change.

#### **I. LAND DEVELOPMENT CODE TEXT AMENDMENT CRITERIA**

1. The City Council notes that the process and applicable criteria for evaluating proposed LDC Text Amendments are found in LDC Section 1.2.80 – Text Amendments, which is provided below.

##### **Section 1.2.80 - TEXT AMENDMENTS**

###### **1.2.80.01 - Background**

**This Code may be amended whenever the public necessity, convenience, and general welfare require such amendment and where it conforms with the Corvallis Comprehensive Plan and any other applicable policies.**

###### **1.2.80.02 - Initiation**

**An amendment may be initiated through one of the following methods:**

- a. **Majority vote of the City Council; or**
- b. **Majority vote of the Planning Commission.**

###### **1.2.80.03 - Review of Text Amendments**

**The Planning Commission and City Council shall review proposed amendments in accordance with the legislative provisions of Chapter 2.0 - Public Hearings.**

2. On October 7, 2013, the City Council initiated and authorized Community Development staff to begin work on two packages of Land Development Code Amendments to

address recommendations from the Corvallis-OSU Collaboration Project's Neighborhood Planning Work Group (NPWG). The Package # 1 LDC Amendments were adopted and took effect on August 28, 2014. During this same period, staff and the consultant for the Corvallis-OSU Collaboration project began to develop a work plan to address items recommended by the NPWG and identified in Package # 2. Earlier in 2014, a five-member Technical Assistance Team (TAT) was formed to develop a package of design standards intended to enhance the compatibility of infill development in Corvallis, based on recommendations from the NPWG. This group included representatives from the Collaboration Corvallis Neighborhood Planning Workgroup and the City of Corvallis Planning Commission, as well as neighborhood representatives, a local developer and Infill Task Force representatives. Over the course of six meetings held between April and August 2014, the TAT provided guidance regarding the proposed text amendments, which were refined with additional input from planning and architecture consultants hired by the City. The work of the TAT resulted in the Residential Design Standards LDC Text Amendment and Zone Change proposal (LDT14-00001 and ZDC14-00002).

3. The City Council notes that on August 4, 2014, the City Council initiated consideration of the subject Text Amendment, based on an update provided by Staff, of the work and recommendations of the Neighborhood Planning Workgroup and Staff for the Package # 2 LDC Text Amendments. On September 3, 2014, City Staff held a work session with the Planning Commission on items to be included in the Package #2 LDC Amendments. The City Council finds that the initiation of the Text Amendment is consistent with Section 1.2.80.02.
4. The City Council notes that LDC Section 1.2.80.03 requires the Text Amendment to be reviewed by the Planning Commission and the City Council through separate public hearings. The City Council notes that the Planning Commission held a duly advertised public hearing to review the Text Amendment application on October 15, 2014, and unanimously recommended the City Council approve the request. The Council notes that the City Council held a duly advertised *de novo* hearing on November 17, 2014, and deliberated on the application on November 17, 2014. The City Council notes that these public hearings were held in accordance with the legislative provisions of Chapter 2.0 – Public Hearings. The City Council finds that review of the Text Amendment application was consistent with LDC Section 1.2.80.03.
5. The City Council notes that per LDC Section 1.2.80.1, the LDC may only be amended when the public necessity, convenience, and general welfare require such amendment, and where it conforms to the Corvallis Comprehensive Plan and other applicable policies. The City Council notes that in the case of Text Amendments, applicable policies include Oregon's Statewide Planning Goals. The City Council notes that the Text Amendment under consideration was evaluated for consistency with the criteria in LDC Section 1.2.80.01, including applicable Statewide Planning Goals and Corvallis Comprehensive Plan Policies, in the November 10, 2014, Staff Memo to the City Council, which included as



an Exhibit, the October 8, 2014, Staff Report to the Planning Commission. The City Council notes that the analysis in the October 8, 2014, Staff Report to the Planning Commission concludes that the Text Amendment application is consistent with LDC Section 1.2.80.01, and conforms to applicable Comprehensive Plan policies and Statewide Planning Goals. As explained below, the City Council concurs with the Staff analysis and finds that the Text Amendments under consideration are in the interest of public necessity, convenience, and general welfare, per Section 1.2.80.01.

6. The City Council notes that that per LDC Section 2.2.30.03 – Review Criteria, the Official Zoning Map may only be amended when the proposal is reviewed to determine how it affects City facilities and services, and only when it conforms to the Corvallis Comprehensive Plan and other applicable policies and standards adopted by the City Council. The City Council notes that the Zone Change under consideration was evaluated for consistency with the criteria in LDC Section 2.2.30.03, including applicable Corvallis Comprehensive Plan Policies, in the November 10, 2014, Staff Memo to the City Council, which included as an Exhibit, the October 8, 2014, Staff Report to the Planning Commission. The City Council notes that the analysis in the October 8, 2014, Staff Report to the Planning Commission concludes that the Zone Change application is consistent with applicable Comprehensive Plan policies and the Zone Change does not adversely affect City facilities and services. As explained below, the City Council concurs with the Staff analysis and finds that the Zone Change under consideration complies with the review criteria in Section 2.2.30.03.

### Statewide Planning Goals

1. The City Council finds the following Oregon Statewide Planning Goals apply to the subject application.  
  
Goal 1 – Citizen Involvement  
Goal 2 – Land Use Planning  
Goal 10 – Housing
2. The City Council notes that the Text Amendment application was reviewed through two separate public hearings (Planning Commission and City Council), which provided the opportunity for public participation in the planning process. Public notices were provided for both hearings, consistent with state and local noticing requirements. The City Council notes that in reaching a decision, public testimony, comprehensive plan policies, and applicable LDC review criteria were considered. By following the required public hearing processes and evaluating the application against applicable review criteria, the City Council finds that Statewide Planning Goal 1 – Citizen Involvement and Goal 2 – Land Use Planning were achieved.

3. The City Council notes that development of housing is an important component of the local economy, and fulfills a need by providing housing for the populace of Corvallis. The City Council notes that approving the Text Amendment application will facilitate development of land set aside for housing, by providing for compatible infill development where code compliant development is proposed. The Council finds that Statewide Planning 10 (Housing) is supported by the proposed text amendments.
4. The Council notes that ordinances implementing the Goal 10: Housing Guidelines include consideration of “the economic, environmental, social, and energy” consequences of the proposed densities. The Council notes that many of the proposed changes to the Land Development Code are intended to preclude incompatible types of the development, while allowing for the provision of a needed housing at planned densities in residential zones in the City. Consequently, the Council finds these amended regulations will allow for the provision of needed housing throughout the community while achieving a more appropriate balance of the economic, environmental, social, and energy consequences of local regulations that pertain to housing.

#### **Corvallis Comprehensive Plan Policies**

1. The City Council notes that the following Comprehensive Plan policies were considered when evaluating the proposed Text Amendment.
  - 1.2.1 The City of Corvallis shall develop and adopt appropriate implementation mechanisms to carry out the policies of the Comprehensive Plan.**
  - 1.2.6 The applicable criteria in all land use decisions shall be derived from the Comprehensive Plan and other regulatory tools that implement the Plan.**
2. The City Council notes that the proposed Text Amendments are intended to carry out the policies of the Comprehensive Plan; that the Land Development Code serves as the primary mechanism for implementing adopted Comprehensive Plan policies; and, that the proposed amendments are found to be consistent with those policies in general.
3. The City Council finds that adoption of the proposed code amendments would be consistent with CCP policy 1.2.1 and 1.2.6.
4. The City Council notes the following Comprehensive Plan policies that relate to the text amendments.

- 2.2.8 The City shall continue to work with neighborhood organizations and other neighborhood and community groups to facilitate dissemination of land use information and review of neighborhood issues.
- 2.2.9 The City shall seek participation from citizens within the entire Urban Growth Boundary in all land use planning.
5. The City Council notes that proposed text amendments were prepared, based on discussions that have occurred in the community as part of the OSU-City Collaboration Project, and particularly the work of the Neighborhood Planning Workgroup and associated Technical Assistance Team. The Council notes that this workgroup has solicited testimony from citizens and other interested parties, which has highlighted concerns about the impacts of redevelopment in existing neighborhoods, associated with the market demands for new student housing. The City Council notes that guidance provided by the Technical Assistance Team assisted Staff with preparing the draft text amendments consistent with the perspectives of its various stakeholder representatives. This process of soliciting community input to guide development of LDC standards is consistent with Corvallis Comprehensive Plan (CCP) 2.2.8 and 2.2.9.
6. The City Council notes the following Comprehensive Plan Policies that relate to the proposed text amendment:
- 3.2.1 The desired land use pattern within the Corvallis Urban Growth Boundary will emphasize:
- A. Preservation of significant open space and natural features;
  - B. Efficient use of land;
  - C. Efficient use of energy and other resources;
  - D. Compact urban form;
  - E. Efficient provision of transportation and other public services; and
  - F. Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public areas.
- 3.2.3 The City shall address compatibility conflicts through design and other transitional elements, as well as landscaping, building separation, and buffering.
- 5.2.3 The City shall develop standards which ensure adequate open space and landscaping on residential, commercial, and industrial developments, and shall maintain these standards in the Land Development Code.
- 11.6.4 New development and redevelopment projects shall encourage pedestrian access by providing convenient, useful, and direct pedestrian facilities.
7. The Council notes that the proposed development standards associated with residential development, including the proposed building articulation standards, maximum floor area ratio, and building separation standards address compatibility conflicts that arise between new development and existing neighborhoods through design elements in the building architecture and development site, consistent with CCP 3.2.3.



8. The Council finds that the following additional Comprehensive Plan Policies are supportive of the proposed text amendment:

9.2.1 City land use decisions shall protect and maintain neighborhood characteristics (as defined in 9.2.5) in existing residential areas.

9.2.2 In new development, City land use actions shall promote neighborhood characteristics (as defined in 9.2.5) that are appropriate to the site and area.

9.2.5 Development shall reflect neighborhood characteristics appropriate to the site and area. New and existing residential, commercial, and employment areas may not have all of these neighborhood characteristics, but these characteristics shall be used to plan the development, redevelopment, or infill that may occur in these areas. These neighborhood characteristics are as follows:

- A. Comprehensive neighborhoods have a neighborhood center to provide services within walking distance of homes. Locations of comprehensive neighborhood centers are determined by proximity to major streets, transit corridors, and higher density housing. Comprehensive neighborhoods use topography, open space, or major streets to form their edges.
- B. Comprehensive neighborhoods support effective transit and neighborhood services and have a wide range of densities. Higher densities generally are located close to the focus of essential services and transit.
- C. Comprehensive neighborhoods have a variety of types and sizes of public parks and open spaces to give structure and form to the neighborhood and compensate for smaller lot sizes and increased densities.
- D. Neighborhood development provides for compatible building transitions in terms of scale, mass, and orientation.
- E. Neighborhoods have a mix of densities, lot sizes, and housing types.
- F. Neighborhoods have an interconnecting street network with small blocks to help disperse traffic and provide convenient and direct routes for pedestrians and cyclists. In neighborhoods where full street connections cannot be made, access and connectivity are provided with pedestrian and bicycle ways. These pedestrian and bicycle ways have the same considerations as public streets, including building orientation, security-enhancing design, enclosure, and street trees.
- G. Neighborhoods have a layout that makes it easy for people to understand where they are and how to get to where they want to go. Public, civic, and cultural buildings are prominently sited. The street pattern is roughly rectilinear. The use and enhancement of views and natural features reinforces the neighborhood connection to the immediate and larger landscape.
- H. Neighborhoods have buildings (residential, commercial, and institutional) that are close to the street, with their main entrances oriented to the public areas.
- I. Neighborhoods have public areas that are designed to encourage the attention and presence of people at all hours of the day and

night. Security is enhanced with a mix of uses and building openings and windows that overlook public areas.

- J. Neighborhoods have automobile parking and storage that does not adversely affect the pedestrian environment. Domestic garages are behind houses or otherwise minimized (e.g., by setting them back from the front facade of the residential structure.) Parking lots and structures are located at the rear or side of buildings. On-street parking may be an appropriate location for a portion of commercial, institutional, and domestic capacity. Curb cuts for driveways are limited, and alleys are encouraged.
- K. Neighborhoods incorporate a narrow street standard for internal streets which slows and diffuses traffic.
- L. Neighborhood building and street proportions relate to one another in a way that provides a sense of enclosure.
- M. Neighborhoods have street trees in planting strips in the public right-of-way.

9.3.6 The development review process shall not result in the exclusion of needed housing at densities permitted by underlying district designations or result in unreasonable cost or delay.

9.4.1 To meet Statewide and Local Planning goals, the City shall continue to identify housing needs and encourage the community, university, and housing industry to meet those needs.

14.3.1 Infill and redevelopment within urban areas shall be preferable to annexations.

- 9. The City Council notes that CCP 9.2.1, 9.2.2, and 9.2.5 place considerable emphasis on protecting and maintaining characteristics of existing neighborhoods, where new development and redevelopment could lead to compatibility conflicts.
- 10. The Council finds that the proposed text amendments aid in minimizing the disruption to existing patterns of development, by providing building mass and articulation standards that are intended to approximate historical patterns of development. Therefore, the Council finds that the proposed amendments are consistent with CCP 9.2.1, 9.2.2, and 9.2.5.
- 11. The City Council notes that CCP 9.3.6, 9.4.1, and 14.3.1 require that the development review process not result in exclusion of needed housing, or lead to unreasonable cost or delay in providing the housing required for the population of Corvallis. The Council notes that testimony was provided by the Willamette Association of Realtors citing concerns with the impact of the proposed changes on housing affordability. The Council also notes that the City's housing stock is often enhanced and increased within existing developed areas as part of the infill process, and that type of housing is often preferred because of its proximity to existing urban services and facilities.
- 12. The City Council finds that the proposed text amendments strike the appropriate balance in supporting existing neighborhoods by providing for residential design

standards that mitigate the adverse impacts of infill development, while providing clear, objective, and reasonable development standards that minimize the cost and delay of providing needed housing.

## II. ZONE CHANGE CRITERIA

1. The City Council notes that the process and applicable criteria for evaluating the proposed Legislative Zone Change are found in LDC Section 2.2.30.03, which is provided below.

### ***2.2.30.03 - Review Criteria***

***Legislative Zone Changes shall be reviewed to determine how they affect City facilities and services, and to ensure consistency with the policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.***

2. The City Council notes that the Zone Change under consideration was evaluated for consistency with the criteria in LDC Section 2.2.30.03, including applicable Corvallis Comprehensive Plan Policies, in the November 10, 2014, Staff Memo to the City Council, which included as an Exhibit, the October 8, 2014, Staff Report to the Planning Commission. The City Council notes that the analysis in the October 8, 2014, Staff Report to the Planning Commission concludes that the Zone Change application is consistent with applicable Comprehensive Plan policies and the Zone Change does not adversely affect City facilities and services. The City Council concurs with the Staff analysis and Planning Commission recommendation, and finds that the Zone Change under consideration complies with the review criteria in Section 2.2.30.03, and that the proposed University Neighborhoods Overlay is an appropriate mechanism for implementing the new standards in LDC Chapter 3.34, consistent with CCP 1.2.1 and 1.2.6.

## III. PUBLIC TESTIMONY

1. The City Council notes that written testimony was submitted prior to the Planning Commission hearing on October 15, 2014 regarding the Text Amendments. One of the two pieces of testimony was submitted in opposition to the requested text amendment. The Council notes that the testimony raised concerns about the proposed Maximum Floor Area Ratio development standard relative to garage construction.
2. The Council also notes that during the October 15, 2014 Planning Commission hearing, testimony was provided by a representative for the Willamette Association of Realtors, noting concerns that the proposed amendments might lead to increased development delays and costs, which could further drive up the cost of housing. The Council notes that similar testimony was provided by the Willamette Association of

Realtors representative, as part of the information received in the City Council packet for the November 17, 2014, City Council public hearing.

3. The Council notes that the staff analysis provided in the October 8, 2014, Staff Report to the Planning Commission contains a discussion of advantages and disadvantages of the proposed Maximum Floor Area Ratio standard. The Council notes that one of the disadvantages is that a limitation on floor area may constrain the supply of housing if additional properties are not readily available for development. However, the Council notes that the proposal does not include a Maximum Floor Area standard for properties outside of the University Neighborhoods Overlay and that the standard will not apply in the RS-3.5 and RS-20 Zones. The Council finds that not applying the Maximum Floor Area ratio outside of the University Neighborhoods Overlay and in the RS-3.5 and RS-20 Zones is a compensating factor and that in balance, the proposed Maximum Floor Area ratio will not lead to unreasonable cost or delay for needed housing.
4. The City Council notes that testimony was presented regarding the impact of the proposed standards on housing affordability in Corvallis. That testimony argued that the proposed standards would increase the cost of housing in Corvallis. The Council also notes that testimony was received from Mike Middleton stating that he did not believe the changes would make housing more expensive. Mr. Middleton stated that new home construction was more costly than remodeling of older homes. He also stated that because the types of housing that would be prohibited under the new standards constitute a relatively small percentage of the overall housing stock in the City, the new standards would not be expected to have a significant impact upon housing affordability. The City Council concurs with Mr. Middleton's analysis and finds that the new standards would not have a significant impact upon housing affordability in the City.

#### **IV. DELIBERATIONS**

1. The City Council notes that, in their deliberations on November 17, 2014, they recognized the need to address concerns raised by residents in established neighborhoods, about the non-compatibility of several recent development projects, and the need to facilitate development in those neighborhoods that is compatible with the existing homes. The City Council finds that the recommended changes to the Land Development Code will implement some of the recommendations brought forward by the Neighborhood Planning Workgroup that are anticipated to enhance the compatibility of infill development.
2. The City Council finds that, based on their deliberations, the proposed development standards in the University Neighborhoods Overlay provide a balance between ensuring the land use process does not result in unreasonable delay or cost and

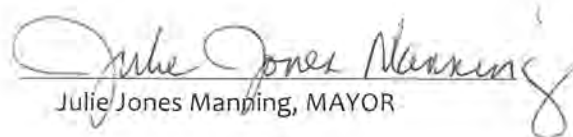
addressing the concerns of residents within established neighborhoods in the Overlay area regarding the need to enhance the compatibility of infill development.

## V. SUMMARY AND CONCLUSION

Based on the City Council's analysis, and the information and analysis in the October 8, 2014, staff report to the Planning Commission; the staff memoranda to the City Council dated November 10, 2014, November 12, 2014, and November 17, 2014; and the minutes and deliberations of the City Council hearing on November 17, 2014, the Council finds the proposed changes to Chapters 1.4 (Nonconforming Development), 1.6 (Definitions), 2.12 (Lot Development Option), Chapters 3.5 (Medium Density – University (RS-9(U))), 3.7 (Medium-High Density – University (RS-12(U))), 3.8 (High Density Residential (RS-20)), 3.9 (Mixed Use Residential (MUR) Zone), 4.9 (Additional Provisions), and 4.10 (Pedestrian Oriented Design Standards), and the addition of Chapter 3.34 (University Neighborhoods Overlay), are in conformance with applicable Corvallis Comprehensive Plan policies and Statewide Planning Goals, and facilitate the recommendations of the Collaboration Corvallis – Neighborhood Planning Workgroup, consistent with the applicable review criteria in LDC Section 1.2.80 – Text Amendments.

As the body charged with hearing LDC Text Amendments and Legislative Zone Changes, the City Council, having reviewed the record associated with the subject Text Amendments and Zone Change applications, considered evidence supporting and opposing the applications and finds that the proposal adequately addresses applicable review criteria and is found to be consistent with the applicable sections of the Land Development Code. The City Council finds that the proposal provided sufficient information to demonstrate compliance with the criteria that the Council believes apply to the Text Amendment and Zone Change applications.

Dated: 12-1-14

  
Julie Jones Manning, MAYOR