



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



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

Date: November 17, 2015

Jurisdiction: City of Condon

Local file no.: 001-15

DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 11/16/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 56 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.: 001-15 {23926} Received: 11/16/2015
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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 Condon

Local file no.: **001-15**

Date of adoption: 10/7/2015

Date sent: 11/16/2015

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): 8/18/15

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:

NO

Local contact (name and title): Kathryn Greiner, City of Condon Administrator

Phone: 541-384-2711

E-mail: [cityofcondon@jncable.com](mailto:cityofcondon@jncable.com)

Street address: 128 S. Main Street

City: Condon

Zip: 97823

**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:

City repeal the 1999 TSP and delete from county comprehensive plan. 2015 TSP adopted as stand-alone document serving as Goal 12 of the City's Comprehensive Plan. City adopt access management standards and placed in the City's Zoning Ordinance in the Supplementary Provisions, Section 152.415.

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

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

- |                        |    |        |  |
|------------------------|----|--------|--|
| Change from<br>change. | to | acres. | A goal exception was required for this         |
| Change from<br>change. | to | acres. | A goal exception was required for this         |
| Change from<br>change. | to | acres. | A goal exception was required for this         |
| 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:

Ordinance NO. 2016-01: An ordinance amending the City’s comprehensive plan, ordinance #2012-01, repealing and deleting the reference to the 1999 TSP and adopting the 2015 TSP along with a statement of compliance with the transportation planning rule, and declaring an emergency.

Ordinance NO. 2016-02: an ordinance amending the City’s zoning ordinance, #2012-01, to implement the 2015 TSP and establish road access management standards for roads and streets in the City and declaring an emergency.

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

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

Change from	to	Acres:
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:	Acres added:	Acres removed:
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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.

**ORDINANCE NO. 2016-01**  
**CITY OF CONDON, OREGON**

**AN ORDINANCE AMENDING THE CITY'S COMPREHENSIVE  
PLAN, ORDINANCE #2012-01, REPEALING AND DELETING THE  
REFERENCE TO THE 1999 TRANSPORTATION SYSTEM PLAN, AND  
ADOPTING THE 2015 TRANSPORTATION PLAN, ALONG WITH  
A STATEMENT OF COMPLIANCE WITH THE TRANSPORTATION  
PLANNING RULE, AND DECLARING AN EMERGENCY**

**WHEREAS**, in late 2013 the County applied to the Oregon Department of Transportation for a grant to assist in updating the County's Transportation System Plan. The plan at that time had been prepared in 1999 by David Evans and Associates and was becoming outdated; and

**WHEREAS**, the Oregon Department of Transportation funded the project in the beginning of 2014 and began a selection process to select a qualified consultant to assist the County in preparing the updated Transportation System Plan; and

**WHEREAS**, Kittelson & Associates of Bend, Oregon, was selected and was given an official notice to proceed on September 8, 2014; and

**WHEREAS**, the scope of the work is to provide an updated Transportation System Plan which serves Gilliam County and the three incorporated Cities of Condon, Arlington, and Lonerock, and

**WHEREAS**, the consultants began work preparing the updated Transportation System Plan and, at regular intervals, provided the Public Advisory Committees with a number of workshops to review the Plan material as it was available. There were four workshops

conducted beginning on December 3, 2014, with the second on March 18, 2015, the third on May 7, 2015, and joint work sessions in both Arlington and Condon on July 8, 2015; and

**WHEREAS**, the Department of Land Conservation and Development was notified of a Post Acknowledgment Plan Amendment on July 28, 2015; and

**WHEREAS**, the Condon City Planning Commission conducted a public hearing on September 22, 2015, at the close of the public hearing, the Commission moved unanimously to recommend the updated Transportation System Plan to the Condon City Council; and

**WHEREAS**, the Condon City Council conducted a public hearing on October 7, 2015, at the close of the public hearing, the City Council moved unanimously to repeal the 1999 Plan and adopt the 2015 Plan, along with the Statement of Compliance with the Transportation Planning Rule.

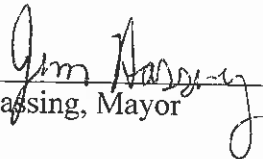
**NOW, THEREFORE**, the Common Council of the City of Condon hereby ordains:

**SECTION 1.** The 1999 Transportation System Plan, prepared by David Evans and Associates, is hereby repealed and deleted from the County's Comprehensive Plan.

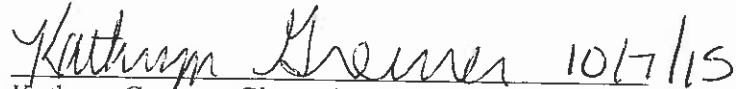
**SECTION 2.** The 2015 Transportation System Plan, attached as Exhibit 1, prepared by Kittelson & Associates, is hereby adopted as a stand-alone document serving as Goal 12 of the City's Comprehensive Plan. The 2015 Transportation System Plan Goals and Policies may be reprinted under Goal 12 of the City's Comprehensive Plan.

**EMERGENCY CLAUSE**

Inasmuch as the safety, health, and welfare of the citizens of the City are impacted, it is important to have current plans in effect as quickly as possible. An emergency is deemed to exist and this ordinance shall begin full force and in effect upon approval by the City Council and signed by the Mayor.

  
\_\_\_\_\_  
Jim Hassing, Mayor 10/7/15

ATTEST

  
\_\_\_\_\_  
Kathryn Greiner, City Administrator

**ORDINANCE NO. 2016-02**  
**CITY OF CONDON, OREGON**

**AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE, #2012-01,  
TO IMPLEMENT THE 2015 TRANSPORTATION PLAN, AND ESTABLISH  
ROAD ACCESS MANAGEMENT STANDARDS FOR ROADS AND  
STREETS IN THE CITY, AND DECLARING AN EMERGENCY**

**WHEREAS**, in late 2013 the County applied to the Oregon Department of Transportation for a grant to assist in updating the County's Transportation System Plan. The plan at that time had been prepared in 1999 by David Evans and Associates and was becoming outdated; and

**WHEREAS**, the Oregon Department of Transportation funded the project in the beginning of 2014 and began a selection process to select a qualified consultant to assist the County in preparing the updated Transportation System Plan; and

**WHEREAS**, Kittelson & Associates of Bend, Oregon, was selected and was given an official notice to proceed on September 8, 2014; and

**WHEREAS**, the scope of the work is to provide an updated Transportation System Plan which serves Gilliam County and the three incorporated Cities of Condon, Arlington, and Lonerock, and

**WHEREAS**, the consultants began work preparing the updated Transportation System Plan and, at regular intervals, provided the Public Advisory Committees with a number of workshops to review the Plan material as it was available. There were four workshops

conducted beginning on December 3, 2014, with the second on March 18, 2015, the third on May 7, 2015, and joint work sessions in both Arlington and Condon on July 8, 2015; and

**WHEREAS**, the Department of Land Conservation and Development was notified of a Post Acknowledgment Plan Amendment on July 28, 2015; and

**WHEREAS**, the Condon City Planning Commission conducted a public hearing on September 22, 2015, at the close of the public hearing, the Commission moved unanimously to recommend the updated Transportation System Plan to the Condon City Council; and

**WHEREAS**, the Condon City Council conducted a public hearing on October 7, 2015, at the close of the public hearing, the City Council moved unanimously to repeal the 1999 Plan and adopt the 2015 Plan, along with the Statement of Compliance with the Transportation Planning Rule.

**NOW, THEREFORE**, the Common Council of the City of Condon hereby ordains:

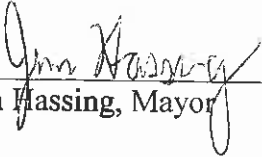
**SECTION 1.** The attached Access Management Standards, Exhibit 1, are hereby adopted and placed in the City's Zoning Ordinance in the Supplementary Provisions, Section 152.415.

#### **EMERGENCY CLAUSE**

Inasmuch as the safety, health, and welfare of the citizens of the City are impacted, it is important to have current plans in effect as quickly as possible. An emergency is deemed to



exist and this ordinance shall begin full force and in effect upon approval by the City Council and signed by the Mayor.

  
\_\_\_\_\_  
Jim Hasing, Mayor 10/7/15

ATTEST

  
\_\_\_\_\_  
Kathryn Greiner, City Administrator 10/7/15

# EXHIBIT 1

## 1. ACCESS MANAGEMENT.

A. General. The intent of this section is to manage access to land development to preserve the transportation system in terms of safety, capacity, and function. This ordinance shall apply to all arterials and collectors within the City of Condon and to all properties that abut these roadways. This ordinance is adopted to implement the access management policies of the City of Condon as set forth in the Transportation System Plan.

### B. Corner Clearance.

1. Corner clearance for connections shall meet or exceed the minimum connection spacing requirements for that roadway.

<u>Functional Classification</u>	<u>Public Road Spacing</u>	<u>Private Drive Spacing</u>
Arterial		
OR 19	300ft.	150 ft.
Other arterials in UGB	600 ft.	300 ft.
Collector	300 ft.	150 ft.
Minor Street	300 ft.	each lot

2. New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards of this ordinance, unless no other reasonable access to the property is available.

3. Where no other alternatives exist, the City may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e. right in/out, right in only, or right out only) may be required.

### C. Joint and Cross Access.

1. Adjacent commercial or office properties classified as major traffic generators (i.e. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

2. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway

separation consistent with the access management classification system and standards.

- b. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
    - c. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
    - d. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
3. Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.
4. Pursuant to this section, property owners shall:
  - a. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
  - b. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
  - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
5. The City may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
  - a. Joint access driveways and cross access easements are provided in accordance with this section.
  - b. The site plan incorporates a unified access and circulation system in accordance with this section.
  - c. The property owner enters into a written agreement with the City, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.
6. The City may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

(D) Access Connection and Driveway Design.

1. Driveways shall meet the following standards:
  - a. If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of 10 feet and a maximum width of 12 feet and shall have appropriate signage designating the driveway as a one way connection.
  - b. For two-way access, each lane shall have a minimum width of 10 feet and a maximum width of 12 feet.
2. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.
3. The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public road or causing unsafe conflicts with on-site circulation.

(E) Requirements for Phased Development Plans.

1. In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this ordinance. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both shall be cited for any violation.
2. All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

(F) Reverse Frontage.

1. Lots that front on more than one road shall be required to locate motor vehicle accesses on the road with the lower functional classification.
2. When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be

dedicated to the City of Condon and recorded with the deed. A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located with the public right-of-way.

(G) Shared Access.

1. Subdivisions with frontage on the state highway system shall be designed into shared access points to and from the highway. Normally a maximum of two accesses shall be allowed regardless of the number of lots or businesses served. If access off of a secondary road is possible, then access should not be allowed onto the state highway. If access off of a secondary road becomes available, then conversion to that access is encouraged, along with closing the state highway access.

(H) Lot Width-to-Depth Ratios.

1. To provide for proper site design and prevent the creation of irregularly shaped parcels, the depth of any lot or parcel shall not exceed 3 times its width (or 4 times its width in rural areas) unless there is a topographical or environmental constraint or an existing man-made feature.

(I) Connectivity.

1. The road system of proposed subdivisions shall be designed to connect with existing, proposed, and planned roads outside of the subdivision as provided in this section.
2. Wherever a proposed development abuts unplatted land or a future development phase of the same development, road stubs shall be provided to provide access to abutting properties or to logically extend the road system into the surrounding area. All road stubs shall be provided with a temporary turn-around unless specifically exempted by the Public Works Director, and the restoration and extension of the road shall be the responsibility of any future developer of the abutting land.
3. Minor collector and local residential access roads shall connect with surrounding roads to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local roads. Appropriate design and traffic control such as four-way stops and traffic-calming measures are the preferred means of discouraging through traffic.
4. Culs-de-sac or permanent dead-end roads may be used as part of a development plan. However, through roads are encouraged except where topographical, environmental, or existing adjacent land use constraints make connecting roads infeasible. Where culs-de-sac are planned, accessways shall be provided connecting the ends of culs-de-sac to each other, to other roads, or to neighborhood activity centers.

(J) Variances to Access Management Standards.

1. The granting of the variance shall meet the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.
2. Applicants for a variance from these standards must provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:
  - a. Indirect or restricted access cannot be obtained;
  - b. No engineering or construction solutions can be applied to mitigate the condition; and
  - c. No alternative access is available from a road with a lower functional classification than the primary roadway.
3. No variance shall be granted where such hardship is self-created.

(K) Nonconforming Access Features.

1. Legal access connections in place as of (date of adoption) that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:
  - a. When new access connection permits are requested;
  - b. Change in use or enlargements or improvements that will increase trip generation.